

CONTENTS

	<i>page</i>
List of figures and tables	xiii
Acknowledgements	xv
Preface	xvii
I. Labour law's perspective in the global dimension	
<i>Adalberto Perulli</i>	
1. The effects of globalization on legal systems	1
2. Competition between orders and free trade	4
3. The diversification of regulatory models in the global space: inter-normativity and co-regulation	6
4. Social justice and fundamental social rights	12
5. Globalization's "regulatory trilemma"	15
6. Social justice and the reform of capitalism	17
6.1. The post-national constellation	18
6.2. The perspective of de-globalization	19
6.3. National regulatory measures	25
7. The firm as an actor of regulation and Corporate Social Re- sponsibility	26
8. The regulatory role of national and supranational courts	29
9. A new global issue: labour and ecology	36
10. Towards a "global labour law"	46
11. Others new global issues: Artificial Intelligence and Plat- form Work	48
11.1. Artificial Intelligence	48
11.2. Platform work	52
Essential bibliography	56

II. The International Labour Organization's normative action in the promotion of fundamental social rights

Vania Brino

1. The International Labour Organization: a systematic framework	59
1.1. The organs	62
1.1.1. The committees of experts	63
1.2. Regulatory activity	65
1.2.1. The procedure for drawing up Conventions and Recommendations	69
2. Core labour standards	71
2.1. Freedom of association and the right to collective organization and bargaining	72
2.1.1. Fundamental conventions on rights union	73
2.2. Prohibition of slavery and forced labour	75
2.2.1. The ILO's position on forced labour: from its origins to the present	78
2.3. Prohibition of discrimination	81
2.4. Child labour	84
2.4.1. The ILO Conventions between continuity and elements of renewal	85
2.5. Health and safety in the workplace	87
3. The implementation of ILO labour standards: control procedures	89
4. The implementation of ILO labour standards: complaints procedures	90
4.1. The appeal procedure for violations of trade union rights	91
5. The ILO's evolution: future trends	92
5.1. The ILO Centenary	97
6. Labour and environment according to the ILO: an overview	98
7. The ILO's role in the pandemic crisis, for a resilient recovery	100
8. Ensuring human-centred digitalization: some remarks on the role played by the ILO	104
Essential bibliography	105

III. The perspective of social clauses in international trade treaties*Adalberto Perulli*

1. International trade and social rights, between the crisis of economic globalization and international emergencies	111
2. The GATT-WTO system: the origins	115
3. The debate over the social clause in international trade agreements	117
4. Social clause, social dumping and the GATT-WTO system	120
5. The social clause in multilateral international trade agreements and the paradigm of sustainable development: economic justification and axiological justification	123
6. Sustainable development and “integrated” justification of the social clause	130
7. Economic rationality and social rationality: the positive effect of complying with fundamental social rights	131
8. NAFTA and the NAALC Parallel Agreement	133
9. The USMCA Treaty	136
10. The CAFTA-DR	143
11. MERCOSUR and the <i>Declaracion Social-laboural</i>	145
12. Bilateral Free Trade Agreements (FTAs)	147
13. The European approach to the social clause in bilateral treaties (FTAs): CETA and EPA	148
13.1. CETA	151
13.2. The EPA Treaty	154
14. Generalized systems of preferences: the European experience	156
15. Extra-EU generalized systems of preferences: the US experience	161
16. Fundamental social rights in EU external action	162
17. Social rights in the foundation of the EU: the perspective of the horizontal social clause	164
18. Social clauses in international trade agreements. A disaggregated analysis	169
18.1. The commitments undertaken with social clauses	169
18.2. Commitments to respect one’s labour law	173
18.3. Commitments to respect international labour law	177
18.4. Pre-ratification social conditionality	180
18.5. The reference to decent work and sustainable development	181

	<i>page</i>
18.6. Assessment on the execution of the agreements. The NAALC, CAFTA, EU-GSP cases	182
18.7. The ISDS clause	184
19. The paradigm of sustainable development and the unob- jectable <i>status</i> of social rights	186
Essential bibliography	188
IV. Global supply chains and fundamental social rights: a multilevel governance	
<i>Vania Brino</i>	
1. The context	191
2. The action of international institutions	193
3. The UN Guiding Principles on Business and Human Rights	195
4. The ILO's point of view	198
5. The OECD Guidelines	202
6. The Proposal for a Treaty on Business and Human Rights	206
7. The European framework	210
7.1. Due diligence within EU	213
8. The role of States	221
8.1. The most recent regulatory experiences: are we going towards "extra-territorial" liability?	223
9. Inside and beyond corporate social responsibility	226
9.1. Codes of conduct	228
9.2. Social certifications	230
Essential bibliography	232
V. Association, organization and trade union action in the in- ternational dimension	
<i>Adalberto Perulli</i>	
1. Union action and its value in the international context	239
2. Union as association and union as institution	244
3. Freedom of association: international sources	246
4. Effectiveness issues	248
5. The ILO's role in promoting trade union pluralism	249
6. The right to strike	250
7. Trade union rights: UN pacts, ILO conventions and the ECHR compared	251
8. Trade union rights in the European Social Charter	255

	<i>page</i>
9. The protection of trade union freedom between judicial protection and para-jurisprudential activity of technical bodies	256
10. The limits of international sources	257
11. The “spontaneous” dynamic of industrial relations on a global level	258
Essential bibliography	261
 <i>Index</i>	 263

