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International Regulation of Work in Times of Globalisation. The International Labour Organisation (ILO) in the Perspective of Organisational Learning

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1. Introduction

Amongst the specialised agencies of the United Nations (UN) the ILO is one of the smallest. Although its membership is almost universal (in 2000 the ILO had 175 member states), the staff – the International Labour Office – is composed of no more than 2.000 persons and the total member states' contributions were only 331 million Swiss franks in 1997. Until recently ILO's visibility in public was relatively poor. This has changed a bit after the ministerial conference of the World Trade Organization (WTO) in Singapore 1996 came under pressure, because of massive protests against the liberalisation of world trade which is not normatively safeguarded. As a result, the WTO has officially entrusted the ILO to take care of the social dimensions of world trade – a task which describes exactly the mandate of the ILO since its foundation. Since then the ILO is sometimes mentioned in the first pages of the newspapers.

We are interested in the way how the ILO copes with the new challenges produced by a steadily changing environment, especially as a result of new global structures. In our understanding the ILO is an *international* organisation with a specific mission which, nevertheless, has to solve the basic problems of *every* organisation. We are utilising a heuristics of *organisational learning* to analyse changes in ILO's three pillars of activities: norm-setting and implementation, research and information as well as technical co-operation. Changes may apply to the ILO as a whole, but also to specific policy fields. Our research concentrates on changes in the overall strategy of the ILO and two specific ILO policy fields – child labour and merchant shipping – which are particularly affected by the new global structures and tendencies.

In our research perspective[1] we regard the ILO as an international forum for the development of common understandings about problems and policies as well as collective actor. We thereby analyse ILO documents about context-specific situations and decision-making processes and we investigate into the significance of different national and social interest-constellations, perspectives and experiences in the political processes by carrying out expert interviews and explorative problem-centred interviews with staff members in the International Labour Office as well as representatives of the constituents (governments, trade unions, employers' associations). This communicative and interpretative research design was suppor-

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ted by a three-month stay of Jan Dirks in the NORMES department of the International Labour Office. (for the meaning of observing participation in organisations see for example Weltz 1997).

In the following section the primary task, structures, and historical stages of development in ILO's overall strategy and the new challenges in the era of globalisation will be outlined. Section three develops the heuristics of organisational learning in the context of five basic problems which every organisation has to face and cope with; and explains their significance for the ILO as an international organisation. This section also introduces the design of our research project. In sections four and five the results of the analysis in the policy fields of child labour and merchant shipping are presented. In the sixth section some preliminary conclusions from our findings are drawn.

2. Tasks and Challenges for the International Labour Organization (ILO) in a Historical Perspective

The ILO was created during the peace negotiations at the end of the first world war as a result of a coalition of social democratic trade unions and the British government. Its foundation is notified in chapter XIII of the Peace Treaty of Versailles. The organisation's primary task is written down in ILO's Constitution. In order to contribute to enduring peace in the world the preamble demands a world-wide improvement of *working conditions* that are connected with social injustice, misery, and privation:

"Whereas universal and lasting peace can be established only if it is based upon social justice; And whereas conditions of labour exist involving such injustice hardship and privation to large numbers of people as to produce unrest so great that the peace and harmony of the world are imperilled; and an improvement of those conditions is urgently required. [...] Whereas also the failure of any nation to adopt humane conditions of labour is an obstacle in the way of other nations which desire to improve the conditions in their own countries" (ILO 1919).

The foundation of the ILO could rely on private initiatives and efforts of civil associations which already in the 19th century have striven for an *international co-ordination of labour laws* in order to keep them apart from the progressing European industrial states (for this history of the origins see Senghaas-Knobloch 1979, P 12ff). In his booklet "Arbeiterschutz und internationale Arbeiterschutzgesetzgebung" from 1890 Karl Kautsky elaborated the view:

"The international competition and the international labour movement, these two twin sisters will necessarily lead to the international labour law."[2]

The *problem of world labour conditions* was put down on the agenda of the peace conference, because of the international trade union movement, the Second International, the social democracy, and the worry of western governments about a growing influence of revolutionary ideas among the workers in view of the Bolshevist revolution in Russia. This specific power constellation has led to a unique organisational structure which is embodied in the Constitution of the ILO. Every member state is represented in the organisation in a tripartite way: by two government representatives as well as one trade union member and one member of the employers' associations. The unique structure of member representation facilitates a national and international creation of awareness about the situation in the world of work. This awareness is the basis for the decisions in the ILO, which are made in tripartite committees and bodies, and, therefore, can claim a high level of legitimacy.

The aim or the primary task[3] – for the sake of which the ILO was founded and has managed to survive until now – was confirmed and updated in the Declaration of Philadelphia during the 26th Session of the International Labour Conference (the yearly plenary meeting of the ILO) in May 1944:

" The Conference reaffirms the fundamental principles on which the Organization is based and, in particular, that labour is not a commodity; freedom of expression and of association are essential to sustained progress; poverty anywhere constitutes a danger to prosperity everywhere; the war against want requires to be carried on with unrelenting vigor within each nation, and by continuous and concerted international effort in which the representatives of workers and employers, enjoying equal status with those of governments, join with them in free discussion and democratic decision with a view to the promotion of the common welfare" (ILO 1944).

The reference to "continuous and concerted international effort" expresses a conscious historical perspective. The world of work in the horizon of the ILO of 1919 was the one of the highly developed industrial societies, especially in Europe. Therefore, particular emphasis was laid on *minimum age, working time, health and safety at work* and *compensation for occupational diseases and accidents*. From the beginning there was an interest in specific

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[2] Translated from German language.
[3] The term primary task has been developed in the tradition of the Travistock Institute in London. Compare Rice (1958, p. 32). Rice (1963, p. 13) redefines the term in the sense "what an institution or system has to carry out in order to survive."

groups of employees which were particularly affected by economic activities across the borders: seafarers and migrant workers.

Since the 1920s working and living conditions in the non-metropolitan countries came on the agenda of the ILO, that is to say, in the colonies of those colonial powers which were members of the ILO. In the non-metropolitan countries the respective topic was mainly the abolition (or at least ostracism) of forced labour. Since then, the ILO had to cope with very heterogeneous social structures in the world economy. At the same time, the ILO was challenged by the very differences of states' structures in the international relations since the 1930s.

Both challenges were reinforced during the era of decolonialisation in the 1960s and confront the ILO until today with the difficulty to combine the principle of universally recognised obligations with the different concrete regional and local situations. ILO's activities are based on three pillars. The first one is the setting of international labour obligations in the form of legal standards or *conventions* which are to be ratified, policy field-specific *recommendations* and *declarations*. The observance of these legal and non-legal norms and obligations is checked by an elaborated report and supervisory system.

In the first decade after its foundation the ILO developed two additional pillars for the fulfilment of its primary task: Firstly, *research* and *information*, secondly, *technical assistance* and *co-operation*. Both pillars require a particularly capable and engaged international staff. The International Labour Office, as the secretariat and central staff for carrying out ILO's activities, soon saw itself as focal point for collecting the results of research projects which the organisation itself had initiated or sponsored, and of relevant statistical information. The organisation took the view that it was necessary to substantiate a common view on the world by scientific research, that is, to create an analytically proven common starting point for discussions. This attitude evolved in particular when the ILO developed new measurements of unemployment in 1931 (compare Senghaas-Knobloch 1979, p. 113ff.).

From the beginning, the third pillar of ILO's activities, *technical assistance* or *technical co-operation*, aimed at supporting the implementation of international norms in different national settings. At first, it was directed towards the relatively similar problems in the European member states. The full impact of the challenges with regard to the structurally heterogeneous

societies in the non-metropolitan member states of the ILO have not been recognised until the decolonialisation in the 1960s took place, when the majority of member states of the ILO was no longer the group of traditional industrialised countries, but the now independent African states. In this context the importance of technical co-operation, that was aimed at improving development in these countries, grew strongly. At the same time a continuous debate about the contents of international norms and their appropriate relation with the technical co-operation began.

The end of the East-West-confrontation led to the formation of a number of new states and – due to ILO's approach towards universality – to a number of new members. On the one hand, the problem of heterogeneity was reduced, on the other hand, increased. On the one hand, the previously existing schism between liberal-constitutional states and socialist states was overcome. On the other hand, some states still demand special consideration of their cultural and economic peculiarities and, therefore, claim that specific labour laws are not applicable for them, as, for example, the labour minister of Singapore Che Wee Goa has expressed at the International Labour Conference of 1998 as representative of the ASEAN-states (Indonesia, Malaysia, Philippines, Singapore and Thailand).

The Director-General of the ILO, Michel Hansenne, was aware of these problems and tried to take up this challenge. He utilised the 75th anniversary of the ILO in 1994 to make the subject of social justice in a global economy a starting point for a new ILO-agenda. His central goal was to link labour standards and the world economy, but he got no support for this approach at the 81st International Labour Conference. In 1997 again Hansenne devoted his report for the 85th International Labour Conference to the question of norm-setting in the era of globalisation and at this time he achieved a decision about the universal validity of specific norms as "rules of the game in the world economy".[4]

Until 2001 184 conventions altogether (which require ratification) have been adopted by the International Labour Conference. On the level of ILO's norm policies, the 1998 *ILO Declaration on Fundamental Principles and Rights at Work* can be seen as a strategic answer to the continuing problem of international and national heterogeneity. For the first time in ILO's history one group of norms, which are described as *fundamental principles and rights at work*, has been raised above all the other norms. Reference is made to conventions that

apply to *freedom of association* and the *right for collective bargaining*, conventions to achieve the objective of abolition of all forms of *forced labour*, conventions which aim at the abolition of *child labour* in general and specifically in its worst forms, and conventions which are directed against all forms of *discrimination* at work. Together with the declaration, that had been adopted without objections, a specific reporting system was established in order to check the progress in the implementation (ratification and translation into action) of the core conventions.[5] By this a new mechanism – which goes beyond Article 19 of the ILO Constitution – was established requiring also governments which have not ratified one or more of the eight core conventions to report continuously about preparations to overcome obstacles to ratification. The International Labour Office is obliged to provide assistance for the member states.

Director-General Juan Somavia, who in 1999 became the first representative of a Third World country in this position, has resolutely pursued this policy of openness as a priority issues of its own by drawing conclusions about ILO's performance and searching for new points of departure with regard to the implementation of international conventions in the living and working conditions. This is expressed in his new paradigm for ILO activities focussing on "Decent Work" and his "Integrated Approach", a concept for institutional restructuring.[6] Another expression of the willingness to assess ILO's position and potential in global governance is the appointment of a Working Party on the Revision of Standards (which has been done repeatedly during ILO's history) and of a Working Party on the Social Dimensions of the Liberalization of International Trade (which was later renamed to Social Dimension of Globalization) by the Governing Body. In this context an inter-organisational World Committee on the Social Dimension of Globalization was appointed.

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[4] See International Labour Office, The ILO, Standard Setting and Globalization, Report of the Director General, International Labour Conference, 85th Session, Geneva 1997.

[5] The first reports for the International Labour Conference dealt with the subjects „Your Voice at Work" and "Forced Labour". See Internationales Arbeitsamt, Mitsprache am Arbeitsplatz. Gesamtbericht im Rahmen der Folgemaßnahmen zur Erklärung der IAO über grundlegende Prinzipien und Rechte bei der Arbeit, Internationale Arbeitskonferenz, 88. Tagung, Genf 2000. See also International Labour Office, Reducing the Decent Work Deficit. A Global Challenge, Report of the Director-General, International Labour Conference, 89th Session, Geneva 2001.

[6] For this paradigm and the new concept see International Labour Office, Decent Work, Report of the Director-General, International Labour Conference, 87th Session, Geneva 1999 and his continuing report: International Labour Office, Reducing the Decent Work Deficit. A Global Challenge, Report of the Director-General, International Labour Conference, 89th Session, Geneva 2001.

3. The ILO and Organisational Learning

We assume that the ability to cope with new challenges has something to do with the specific characteristics of particular policy fields and their organisational embedding.[7] We examine this assumption by analysing concrete changes and the absence of changes in two ILO policy fields utilising the perspective of organisational learning. The two selected policy fields *child labour* and *merchant shipping* are in ILO's attention since its foundation. In both cases many conventions and recommendations have been adopted and implementation problems have led in both fields to reference conventions in the 1970s. The new era of economic and political interdependence have yielded specific consequences in each field.

Child labour – also in its worst forms – has increased especially, but not only, in Third World countries. This fact has been revealed by NGO-campaigns against child labour in the world market production. Yet, the participation of children in world production is indeed visible, but rather small compared to other fields of child labour. What are ILO's points of view about the more hidden phenomena? What are ILO's ideas about characteristics of these problems and their causes? What are the concepts for the fulfilment of its mandate in this policy field?

The development of the working- and living conditions of seafarers on merchant vessels is determined by global structural changes in international merchant shipping. New flag states come up to the traditional (European) shipping nations, and shipowners from the traditional shipping nations register their vessels in so-called Flags Of Convenience (FOC). In which way does the ILO cope with this new situation? What are ILO's views of the characteristics of the problems and their causes? What are the political concepts for the fulfilment of its mandate in this field?

In order to take on the perspective of organisational learning it is useful at first to line out those organisational problems which the ILO as an *international governmental organisation* has in common with *every* other organisation.

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[7] The results of Kissling-Näff and Knöpfel (1998) give also rise to this assumption. On the basis of 28 case studies from the fields of environmental, agricultural and health policies in Switzerland, Kissling-Näf and Knöpfel have analysed the effectiveness of governmental measures with regard to the question under which conditions processes of policy implementation may lead to successful learning. The question differs somehow from our research question, but we share the focus on the meaning of networks.

Five Basic Problems of Organisational Design

The members of the ILO are states, that is, collective entities. In the ILO the states are represented by delegations from the governments as well as from the national employers and workers. The three constituents shape also organisational daily routine, whether in the Governing Body (the executive of the ILO) and its committees or at the International Labour Conference, the plenary body of the ILO where final decisions are taken and its committees. In most (not international) organisations – whether in the context of profit oriented companies, charitable institutions, or the office staff for political representatives – members accomplish the tasks which are set in advance by the organisations' leaders generally based on a division of labour. In the case of international organisations like the ILO members are decision-makers while the International Labour Office (the administrative body of the ILO) has to carry out jobs which are almost similar to the ones in national administrations. Therefore, the staff of the ILO can be seen as an organisation *within* the organisation ILO. The representatives of the members, who are at the same time the decision-makers of the ILO, have for the staff members of the International Labour Office both the function of a *supervisory board* and of *clients*: they are the ones who finally have the right to decide about the budget and the policies, which are prepared and implemented by the International Labour Office and the Director-General. They are also the recipients of the services which the staff produces on demand of the decision-makers of the international organisation. And, they are also the target of the organisational supervisory mechanism by which the staff checks the implementation of the international obligations in which the decision-makers have entered into voluntarily.

This specific characteristic of any international government organisation – and the ILO as well – to be at the same time decision-making body in particular policy fields, service agency, and mechanism for self-evaluation, finds its expression in the specific relation of international organisations to their environment, which was described by Ernst Haas (1990, p. 27) as "hyperdependency". Different from international companies, international governmental organisations with universal membership are dependent on the support of their environments – in this case the member states – which are at the same time the targets of the regulations. The problem of the *relation between organisations and their environment* is discussed in organisational research as one of five central problems that every organisation has to cope with. The other problems are the *structuring of tasks* in order to fulfil the primary purpose, the strive for *continuous engagement of the members*, the consideration of *unexpected phenomena*

(that is organisational culture and unexpressed theories-in-use as a result of the daily interaction of the organisations' members and the staff), and, finally, the coping with *internal changes* in order to take into account alterations in the environment (for these five basic problems of organisational design see Schreyögg 1999).

The organisational problem of internal changes is at the centre of our research and argumentation. Like every other international organisation the ILO has to cope with changes in its environment and, as a result, to deal with the requirements of internal changes. Obviously, the ILO was able to maintain its existence not only in peaceful, but also in extremely turbulent environments like, for example, during fascism, the Second World War, the Cold War, and the changed state system after the era of decolonialisation. The new challenges in the era of globalisation are of a particular nature: The environment has changed, because of a growing number of transnational actors and activities. In addition, the boom of neo-liberal political attitudes has questioned constitutive characteristics of the members. Governments are generally more sceptical about positive regulations on the national and international level. The traditional industrial organisations of the employers and workers in the member states have problems with the representation in the world of work. New actors (for example, multinational companies, and civil society groups) appear on the scene without being integrated in ILO's structures (for these challenges compare Senghaas-Knobloch 1999).

It is necessary for the ILO to consciously examine and cope with the processes of change in its environment. This examination and organisational adjustment is unavoidable, because of the "hyperdependency" of international organisations from the members. But the way how this task is carried out is determined by organisational culture and the commitment of the organisational leadership – be it the Director-General, staff members and constituents or networks with new actors.[8] The challenges affect, on the one hand, the central strategy of the ILO for the fulfilment of its primary task. Here the arrangement, combination, and further development of ILO's three constitutive pillars of activity are to the fore: norm-setting and – implementation, research and information, as well as technical assistance and co-operation. On the other hand, the question arises, how specific policy fields in the ILO are challenged by these new environmental conditions.

The Heuristics of Organisational Learning

Basic considerations about the question, how political processes in social entities, especially in states and in international relations, can be understood from the perspective of collective learning have been carried out by Karl W. Deutsch in his book "The Nerves of Government" already in 1963.[9] In his framework of theories of (social) systems oriented towards the ideals of positivist research Deutsch developed his concept of *learning capacity* in an unbeaten imaginative and empirically rich manner. The concept of learning capacity describes the chance of an entity to utilise knowledge including material and personnel resources. Learning capacity is related to cognitive abilities, receptivity, self-control, will, power of imagination, and judgement as well as the capabilities for partial or comprehensive structural changes (Deutsch 1966, p. 222). Deutsch points towards the significance of a collective awareness about the achievements of an organisation and the kind and intensity of the commitment of its members.

In the 1970s the term *organisational learning* became prominent in post-positivist research and since then a still growing amount of models, theoretical concepts, and practical guidelines appeared.[10] In the literature about organisational learning two different, but not always separate, lines of theoretical paradigms can be distinguished (for this distinction see also Mahler 1997). One theoretical approach investigates into organisational actions with a focus on rational processing of information and disturbances of these processes inherent in the systems (see for instance March/Olsen 1976; Duncan/Weiss 1979). Other' centres of attention are the interpretative outputs and judgements of the organisations' members when organisational knowledge arises (see Argyris/Schön 1978; Dülfer 1991; Schein 1991). In our approach the development of new consensual knowledge about a policy field is in the foreground. That is, we analyse whether, how and why new central ideas about and conceptions of issues arise, which are relevant for the political processes of the ILO.

In an elaborated way Peter M. Haas and Ernst B. Haas have applied theoretical approaches of collective and organisational learning to problems of global governance and in particular to –

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[8] Reinalda emphasises the "autonomy" of the organisation, because of a strong Director-General and secretariat. See Reinalda (1998) in: Reinalda B. and Verbeek B., p. 42-61. However, we think it is too far reaching to conclude a general characteristic of autonomy of international organisations from this role.

[9] See Deutsch (1966, 1st edition 1963). The subtitle of the book is: "Models of Political Communication and Control".

the field of interest here – international organisations (Ernst B. Haas 1990; Peter M. Haas and Ernst B. Haas 1995). Their starting point is the fact of global problems and the exploration of international organisations' possibilities to newly conceptualise these global problems. Correspondingly, learning is understood as a political process by which innovative consensual knowledge is applied by policy-makers to change their political projects correspondingly.[11] Therefore, organisational learning presupposes "consensual knowledge" and means in the context of international organisations that new consensual knowledge will be stored in the organisation. The innovative way in which the problem is perceived, analysed, and connected to the conceptional and organisational context to allow working on it in a new manner, is crucial.[12]

In ILO's own understanding knowledge has a constitutive meaning. Throughout the history of the ILO the Directors-General realised the significance of new consensual knowledge for changes in the strategic political orientations of the ILO at different points in time. Here, the first discussions about "economic barometers" should be named as well as the concept of the "informal sector" at the end of the 1960s and the new research concepts at the end of the 20th century about the relation between employment and social progress. Since its foundation, the ILO strives for creating a secure basis for innovative views on problems and solutions at an international level through its pillar of activity "research and information".

The crucial question for our analysis of developments in specific policy fields of the ILO within the framework of a heuristics of organisational learning is *whether and by whom the organisational knowledge basis in specific policy fields is generated, further developed, and whether it informs reflective changes in the sense of explication of hitherto action guiding theories-in-use and of new decisions.* The reflective changes can be of different depth and scope varying over time.

When analysing policy processes it is important to determine how policies in general or in specific policy fields change. Changes in the policy output can be identified. But, whether and

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[10] A comprehensive annotated bibliography about the research area of organisational learning is presented by Dierkes et al. (1999). A presentation of the central elements of organisational learning is offered by Geißler (1994). In the big amount of literature the fundamental pioneer work of Deutsch has been lost.

[11] „We use the term *learning* as verbal shorthand to describe a process by which actors, playing roles, engage an institutionalised behaviour that shows their recognition that problems currently on the IO's agenda are much more complexly linked than was recognised at an earlier time" (Haas and Haas 1995, S. 259).

[12] This train of thought of redefining problems comes from Karl Deutsch. Haas and Haas also assume that the development of chances for learning depend on the problem and knowledge structures.

in how far these changes are due to organisational learning can only be analysed by means of the significance attached to new knowledge about the nature of the problems and to the way of their treatment. In the following chapters about developments in the policy fields of child labour and merchant shipping, in a first step, the question will be dealt with whether specific changes in the three pillars of activity of the ILO can be identified there: in the area of norm-setting and –supervision of implementation, research and information, and in technical assistance and co-operation. After that the identified changes and absence of changes will be analysed with regard to organisational learning.

The conventional process models for investigating into organisational learning (see for example Klimecki/Lassleben/Thomae 2000) take four components which together make up the process of moving from one action guiding state of knowledge to a new action guiding state of knowledge. Our analysis follows these components. At first, we ask for *impulses* and *triggers* for changes in the ILO in the policy fields of child labour and merchant shipping. A second question investigates into the *actors,* who are the driving forces behind the changes: particular constituents, specific staff departments or individuals in the staff or specific coalitions of constituents and staff members. Thirdly, we are analysing the *resources* which are available for reflections in the organisation: financial means, required qualifications and time constraints. A fourth component of organisational learning are the changes in the *organisational knowledge basis* about specific policy fields.

Whether political changes are results of political learning can only be deduced. According to our theoretical concept defacto changes in the ILO policy fields of child labour and merchant shipping – be it in the activity area of norms, research and information, or technical assistance and co-operation – are outcomes of organisational learning only then, if they are based on knowledge based reflections about a better fulfilment of the organisation's primary task in these policy fields.

Defacto changes of these three fields can be identified on three levels: Firstly, they can be related to an *improved knowledge* about a policy field without already inducing changes in the theories-in-use as action guiding concepts or political decisions. The improvement of knowledge is – as already mentioned – of utmost importance for organisational learning. But as long as this improvement is not followed by any change on the levels of the action guiding concepts or decisions it cannot be understood as organisational learning.

The observed alterations may be changes *in actual theories-in-use or action guiding concepts* of constituents or staff members. That is, for example, conceptions about which specific contents can be communicated in which way, which information resources are seen as legitimate, and which role the ILO has in this policy field: But only if these changes have already been transformed into decisions at the norm related or operative level, we speak of organisational learning.

The observed alterations may also be changes on the level of decisions:
Firstly, decisions about *changed policies in specific policy fields*, for example in the form of new norms, new ways of implementation or a different distribution of resources.
Secondly, decisions about a *changed internal structure of the ILO*, questions about the Constitution, or organisational structure of the secretariat.
Thirdly, decisions about the question, how a *changed measurement of the organisation's performance, respectively changed criteria for the determination of success* may look like in the future.
Only if those changes in the decisions come up on the basis of reflections about the improvement of the fulfilment of the organisation's primary task by means of a new knowledge basis and altered actions guiding concepts, we consider them as organisational learning.

The extent and depth of organisational learning as processes of change can be judged only from a certain historical distance. We have chosen a period of roughly 25 to 30 years for the empirical case studies. This is the space of time which in both cases denotes a new start, because of the adoption of a new convention. The strong differences which are revealed by the analysis of the two policy fields may be levelled in the future. The chosen period of investigation permits us to work out the specific characteristics of the policy fields – with regard to the underlying problems and pursued policies – which are facilitating or inhibiting organisational learning.

4. The Policy Field of Child Labour

Child Labour is a classical policy field of the ILO which has aggravated in the context of economic globalisation and which has become both, within and outside the ILO, a subject of political controversies between the advocates and opponents of social clauses in world trade. In this situation the International Labour Organization, in the 1990s, took up the challenge to

effectively combat the spreading problems related to child labour by making use of universally accepted legal instruments, new forms of campaign work, and increased activities in the area of technical co-operation. In the following it is our intention to show, firstly, *how* the ILO advocates a regulation of international labour relations in the policy field of child labour under the aggravated conditions of economic globalisation, propagates the acceptance of its norms, and promotes their implementation and compliance. On the basis of this analysis we argue in a second step that the ILO is dealing with changes in its organisational environment in a self-reflective learning process.

As early as since the foundation of the International Labour Organization the policy field of child labour has played an eminent role among the tasks and fields of work of the organisation.[13] In the early years ILO's policy with regard to child labour was clearly geared to the conditions in the industrial societies – above all the European – of the ILO member states during the era between the wars. In the awareness of the fact that the early instruments no longer corresponded to the economic and social conditions in many countries, that they had not been ratified by many member states, and that they had failed to effectively combat child labour[14] a General Convention on minimum age (No. 138) was adopted in 1973, which introduced a general, i.e. cross-sectoral minimum age. Convention No. 138 aimed at the total abolition of child labour ("*achieving the total abolition of child labour*") and demanded from the member states a gradual rise of the minimum age for admission to employment to a level guaranteeing the fullest physical and intellectual development of young people.

Yet, this Convention did not prove to be a suitable instrument to reduce the incidence of child labour. The ILO stated on the occasion of the International Year of the Child in 1979 that the situation of working children was aggravating world-wide despite the adoption of Convention No. 138.[15] The need for reforms felt by the Labour Office was even reaffirmed from outside in the subsequent years. In the 1980s and 1990s the ILO had to face new challenges and demands from its organisational environment as a result of economic globalisation which also affected the possibility of effectively regulating the field of child labour.[16] In the 1990s, in particular, the ILO visibly increased its efforts to adequately combat the problem of child

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[13] For an overview see Swepston (1982).

[14] International Labour Office, Minutes of the 181st Session of the Governing Body, Geneva 1970, p. 96ff.

[15] International Labour Office, Children and Work. An ILO Policy Framework for the International Year of the Child, Geneva 1978.

[16] Compare International Labour Office, The ILO, Standard Setting and Globalization, Report of the Director-General, International Labour Conference, 85th Session, Geneva 1997.

labour. *Changes* can be identified in three areas: (1) norm-setting and implementation, (2) research and information, and (3) technical co-operation:[17]

(1) Changes in the area of norm-setting: The actual abolition of child labour had first been demanded in Convention No. 138 of 1973. This Convention on the minimum age for admission to employment laid down that children were only allowed to work as from the age of 15 years (in developing countries as from 14 years). For light work the age limit was fixed at 12 years and for hazardous work at 18 years respectively. Despite its flexibility and the lower age limits for developing countries the Convention hardly met with binding approval. Up to 1996 only 49 out of 173 member states had ratified this legal instrument, including 21 developing countries.[18] Along these lines the ILO endeavoured both, in the areas of norm-setting and implementation to obtain universal acceptance and to set up a global control mechanism. In 1999 the International Labour Conference *unanimously* adopted Convention No. 182 which prohibits the worst forms of child labour up to reaching the age limit of 18 years and which declares its abolition to be the priority target of national and international measures (Worst Forms of Child Labour Convention). Each member state is placed under the obligation to take "immediate and effective measures" aimed at the prohibition and abolition of the worst forms of child labour. The achievement of these targets requires both, mechanisms of surveillance to control their application and the planning and implementation of national action programmes.

The states are under a much stronger obligation now to implement this Convention than this was the case with former conventions. Member states are required to help each other in the implementation of the Convention, e.g. as regards development aid. Despite these clearly defined standards Convention No. 182 has scored the most rapid quota of ratification of all hitherto ILO Conventions. The legal force of an international prohibition of child labour has, in addition, been reinforced by the fact that the prohibition of child labour has been included in the canon of core labour standards, as laid down in the Declaration on Fundamental Principles and Rights at Work.[19]

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[17] For an overview up to the mid-1990 see also Creighton (1997).

[18] In 1996 these included only few states of Asia (including Nepal and the Philippines), which is most affected by child labour in relation to other continents. Compare International Labour Office, Legislation and Enforcement, International Conference on Child Labour, Oslo, 27-30 October, Geneva 1997.

[19] On account of their agreement with the ILO Constitution the fundamental principles and rights of labour are valid for all member states of the ILO and irrespective of the fact, whether these had ratified the ILO conventions relative to the essential labour standards before or not. The Declaration, furthermore, establishes a new supervisory programme: each member state of the ILO, which has not yet ratified one or more of the core

(2)Research and information: Since the establishment of the International Programme on the Elimination of Child Labour (IPEC) the International Labour Office has increasingly become active in the area of compilation and processing of information. From 1998 on the *Statistical Information and Monitoring Programme (SIMPOC)* has been in existence, which helps governments collecting relevant data which is used for comparative analysis. IPEC uses this collection for the evaluation of existing and the development of new programmes for action aimed at the elimination of child labour. These data are furthermore intended to increase public awareness of the problem and to sensitise governments for the relevant national problems. Within the framework of the follow-up measures on the Declaration of Fundamental Principles and Rights at Work the International Labour Office writes every year a world-report on one of the four problem fields covered by the core labour standards. In this context, the report on child labour presented by the Director-General will be discussed at the International Labour Conference 2002 and will thus keep the discussion on core labour standards (and their implementation) going.

The International Labour Office has furthermore conducted several campaigns in the struggle against child labour and co-operated in this respect with international organisations, individual member states, and private actors as well. In addition to the *ratification campaigns* for Conventions No. 138 and No. 182 there are special campaigns on the *creation of greater awareness and information*.[20]

(3) Technical co-operation: Whereas the ILO had originally restricted its activities in the struggle against child labour to the area of norm-setting and implementation, the area of technical co-operation became the hallmark of this policy field of ILO in the early 1990s. The International Programme on the Elimination of Child Labour (IPEC) was set up in 1992 as the most comprehensive programme of technical co-operation that has existed up to that time within the ILO. With the aid of the programme, in which 75 states participate, the ILO pursues three direct targets: Prevention, removing working children from exploitative employment and their rehabilitation, as well as the protection of children against hazardous

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labour standards, is obliged to provide, within the framework of annual follow-up measures of the International Labour Office, a report on its efforts of implementing the core labour standards.

[20] A compilation of more recent campaigns exists at the International Labour Office, Action Against Child Labour 2000-2001: Progress and Future Priorities, International Programme on the Elimination of Child Labour, Geneva 2002, p. 18.

work.[21] In order to guarantee its effectiveness children should have access to education, while their parents should be offered alternative sources of income. Special attention is drawn to the situation of children in forced labour and in hazardous employment, to children aged under twelve, and to girls.[22] Studies about the kind and the extent of child labour form the respective basis for a national action plan, in whose implementation public authorities, employers' associations, trade unions and also NGOs, churches, media, and educational establishments are involved. IPEC thus creates a broad alliance against the worst forms of child labour and brings actors with diverse skills and capabilities together. IPEC also supports the states with regard to their reporting obligations under Convention No. 182. In the first years (up to 1997) IPEC, in the main, supported its partner organisations in the planning and implementation of national programmes. This "country-programme-approach" helped to develop greater awareness and strengthened the capacity of many national institutions for solving their problems. Since 1997 IPEC has expanded the scope of action of its programmes and has given attention to the problems regions are facing and to specific economic sectors.[23]

Other changes are the renewed efforts of the International Labour Office within the scope of the strategic new orientation of Director-General Somavia to develop the areas of responsibility of norm-setting, implementation, technical co-operation, public relations work, and research in their entirety and to achieve synergy effects. The data of ratification reveal that the states participating in the IPEC ratify the two fundamental Conventions on the Minimum Age and the Elimination of Child Labour more often than those states that do not participate in the Programme of Technical Co-operation.[24]

Analysis of Changes with a View to Organisational Learning

If the changes outlined in the policy field of child labour are described in the light of the heuristics of learning processes on the basis of the distinguished dimensions the following models will become apparent:

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[21] International Labour Office, Action Against Child Labour 2000-2001: Progress and Further Priorities, International Programme on the Elimination of Child Labour, Geneva 2002, p. 9.
[22] International Labour Office, Action Against Child Labour, Geneva 1997, p. 4.
[23] International Labour Office, Action Against Child Labour 2000-2001: Progress and Further Priorities, International Programme on the Elimination of Child Labour, Geneva 2002, p. 10.
[24] International Labour Office, IPEC Highlights 2000, International Programme on the Elimination of Child Labour, Geneva 2000, p. 8.

(a) Impulses and triggers: The UN Year of the Child in 1979 can be regarded as a first external impulse. In 1977 the Governing Body had decided to promote the political and actual implementation of Convention No. 138 and its attached Recommendation No. 146 as a contribution to the Year of the Child proclaimed by the United Nations: member states are called upon to ratify the Convention or to inform the Director-General about obstacles with regard to its implementation. The subject of child labour had thus been again on the agenda of ILO. This impulse emanated by the Year of the Child met with a knowledge basis which was already changing as a result of the research carried out by individual members in the staff.

The research results in the International Labour Office and the external impulse also got new targets of the Director-General under way. In 1983 child labour was the central subject of the report of the then Director-General of ILO, Blanchard.[25] The knowledge basis about the policy field of child labour has changed considerably since then (see below), which became first visible in subaltern posts of the staff of the International Labour Office. Individual members in the staff have changed their ideas about the nature of the policy field of child labour and about the complexity of the means to combat child labour. A result of this learning process is the changed understanding of the ILO about its possibilities and hitherto successes in the struggle against child labour. Internal ILO reports of the staff, the Director-General (1983) and the Committee of Experts on the Application of Conventions and Recommendations (CEACR) clearly showed that claims and reality were far apart in the case of child labour.[26] This has given rise to a new prospect: the ILO will have to abandon its assumption that it could take action against child labour only by mere legal standards. In the long term, it was rather necessary to reduce poverty, to improve education, and to arouse awareness of the existence and the consequences of child labour. Yet, in the short term, the working and living conditions of children should be improved by practical measures. The Director-General's report of 1983 furthermore called attention to the exploitative and hazardous forms of child labour underestimated until then – the later priority issue of ILO. Since the late 1970s there have, consequently, been signs for clear changes of the knowledge basis and incipient changes in the action guiding theories-in-use which started parallel to the UN Year of the Child.

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[25] Compare International Labour Office, Minimum Age, General Survey by the Committee of Experts on the Application of Conventions and Recommendations, International Labour Conference, 67th Session, Geneva 1981; International Labour Office, Report of the Director General, International Labour Conference, 69th Session, Geneva 1983.

[26] Compare Bequele/Boyden (1988) and International Labour Office, Minimum Age, General Survey by the Committee of Experts on the Application of Conventions and Recommendations, International Labour Conference, 67th Session, Geneva 1981.

A second impulse which may have positively influenced the existing priorities in the Office can be dated back to 1989. The Convention on the Rights of the Child adopted by the United Nations, inter alia, recognised the right of the child to the protection against economic exploitation and against occupations entailing risks. This legal instrument, which is almost unanimously approved, marked a turning point in the discussion about child labour held by experts of international organisations and NGOs. It also provoked the basic assumptions within the organisation on the nature of the policy field of child labour as well as the setting of priorities of the ILO. The UN Convention for the first time conceded children their own voice. The ILO took up this new prospect concerning the rights of children to some extent, even though it had not examined its assumptions with regard to the harms involved in child labour up to that time, and had challenged above all the argument that child labour might also be useful. The prohibition of child labour was reinforced as well in the new UN Convention, yet it was restricted to hazardous forms. This might be a corroboration of the new orientation towards exploitative forms of child labour which has started within ILO in the area of operative activities. Given the absence of a guaranteed school education and because of lacking or inadequate national supervisory mechanisms the International Labour Office demanded as early as 1985 new priorities in low income countries. It was argued that it would be necessary to set realistic targets, which could be raised gradually. The protection of children who are especially at risk and vulnerable, i.e. especially young children in dire employment, should have priority.[27]

The International Labour Office used the year 1989, which also marked the tenth anniversary of the International UN Year of the Child, for a new information campaign. A growing number of other actors than the ILO were at the same time dealing with the prohibition of child labour. In 1990 the Organization of African Unity (OAU) adopted a Charter on the Protection of the Child prohibiting exploitative forms child labour.[28] *Terre des hommes* and other non-governmental organisations launched campaigns against child labour, e.g. in the carpet industry. This meant, on the one hand, an institutional strengthening of ILO's efforts for the abolition of child labour. Yet, on the other hand, the ILO had to face the competition

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[27] Compare International Labour Office, International Seminar on Ways and Means of Achieving the Elimination of the Exploitation of Child Labour in all Parts of the World, Geneva 1985, paras. 102, 104ff.

[28] Article XV (1) reads: "Every child shall be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's physical, mental, spiritual, moral, or social development". African Charter on the Rights and Welfare of the Child, Adopted by the Twenty-sixth Ordinary Session of the Heads of State and Government of the OAU, Addis Ababa July 1990.

of other organisations and other policy measures (e.g. the quality mark). It subsequently reinforced its endeavours by carrying out studies about the dimension, the reasons, and consequences of child labour, investigating national views on child labour, launching new campaigns against child labour and setting up specific departments within the International Labour Office dealing, in particular, with child labour. The projects on the abolition of child labour initiated earlier by Assefa Bequele through the department CONDIT were expanded on a large scale in 1991/1992, when the then newly elected Director-General Hansenne spoke with the German Minister for Labour Blüm about his plans to expand the ILO activities in the field of child labour. As a result of this initiative the Federal Republic of Germany made an extra-budgetary transfer to the ILO with which the International Programme on the Elimination of Child Labour (IPEC) was set up within the International Labour Office. Analogous to the new knowledge obtained in the International Labour Office about particularly hazardous forms of child labour the staff of the IPEC focused on the termination of forced labour, slavery, bondage, prostitution, and work with hazardous substances and implements. This new priority issue in the operative area was substantiated with the structural circumstances in the policy field of child labour: not all countries were in possession of the institutional and financial means to combat all forms of child labour at the same time. In addition, it would be necessary to bring particularly hidden employment to light and to set an end to the exploitative forms of child labour.

A third impulse of extreme relevance to bringing about policy changes, which was also identified in ILO documents and the secondary literature, was the debate about social clauses in world trade. As the ILO had observed, the mere risk of trade sanctions encouraged an international debate about the meaning and the necessity of child labour.[29] It was part of this debate that a new version of the international programme targets in the field of child labour were, ultimately, decided. At first, both, national and international trade unions, addressed their demand for a social clause voiced as from 1992 to the Uruguay Round of the General Agreement on Tariffs and Trade (GATT). Although this proposal was supported by a considerable number of states the final conference of GATT in Marrakesh 1995 only managed to achieve against the opposition of the developing countries that the subject was again put down on the agenda. The majority of the employers' associations in the developing countries, a considerable number of states (above all the signatories to the Declaration of Delhi, as it had been accepted at the Fifth Conference of the Ministers of Labour of Non-

Aligned States and other Developing Countries in 1995), some NGOs, research institutes, yet also trade unions in the Third World countries rejected social clauses (i.e. positive or negative sanctions bound to certain conditions) in world trade. Yet, both, the Declaration of Delhi and the Copenhagen World Social Summit pointed out clearly that an improved international protection of fundamental rights at work would be supported in unison by the community of states. The WTO Ministerial Conference in Singapore (1996), accordingly, renounced the establishment of social clauses and obliged the WTO member states instead, for the first time, to observe so-called *fundamental* international labour standards, in general. At the same time it appealed for the recognition of the ILO as the competent organisation for the establishment of this kind of standards. The World Social Summit in Copenhagen (1995) had even before assigned the task to the ILO to take care of socio-political measures accompanying global competition by formulating and adopting universal social minimum standards in the world of work.

The Director-General of the ILO had, in fact, as early as 1994 called for a contribution of ILO to the debate and had for the first time taken up again the subject of child labour in his report. Yet the constituents of ILO failed at first to reach a consensus in the debate about social clauses. Employers' associations, to a large extent, rejected social clauses, whereas workers' and government representatives were divided on this issue in north-south blocs. The Governing Body had therefore set up a working group on the subject "Social Dimensions of the Liberalisation of World Trade". As early as November 1994 this group had decided not to deal with the issue of trade sanctions. The same working group decided instead in November 1995 to re-formulate the hitherto approaches and activities of the ILO in the struggle against child labour. It advocated a revision of the Convention on the Minimum Age (No. 138).[30] The Governing Body subsequently decided at its 265th session in 1996 to get a new convention on the regulation of child labour under way. During the International Labour Conference in 1999 this convention was adopted as Convention No. 182 on the Elimination of the Worst Forms of Child Labour. The working group also demanded to strengthen the ILO supervisory system as a whole – a demand which was ultimately included in the Declaration on Fundamental Principles and Rights at Work. As a result of its mission it had been assigned by the WTO and the World Social Summit the ILO presented the Declaration on Fundamental Labour Standards in 1998. The seven conventions summarised first in this document also comprised

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[29] International Labour Office, Child Labour. First Item on the Agenda, Governing Body, Committee on Employment and Social Policy, Geneva 1995 (GB. 264/ESP/1), p. 19.

the Convention on the Minimum Age for Admission to Employment (No. 138). In 1999 the new Convention (No. 182) against the worst forms of child labour was also included in the catalogue of core labour standards.

In summary one can state that the impulses, as a rule, originated from the environment of the International Labour Organization – i.e. they were not initiated by the constituents of the ILO. This reaffirms the findings of Ernst Haas (1990: 27) according to which impulses for learning rather originate from the external environment than from the organisation itself. Nevertheless the ILO was not unprepared for them. Individual units in the administrative staff of ILO, the International Labour Office, in particular, had even before been concerned with a re-conceptualisation of common organisational practices in dealing with child labour and took the external impulses as an opportunity to continue to intensify their efforts in this respect.[31]

(b) Actors: The three impulses mentioned above were, to a considerable extent, taken up by certain staff units. This applies above all to the expansion of operative activities, especially the International Programme on the Elimination of Child Labour (IPEC) and its forerunner in the department CONDIT, i.e. small projects of technical co-operation as well as research and information. The Directors-General of the ILO are also playing an important role in translating external impulses into concrete processes of transformation. In 1983, Blanchard dedicated his annual report to the subject of child labour, in 1991 Hansenne established the IPEC and Somavia included in 1998 the topic of abolition of child labour in the eight so-called InFocus-Programmes, whose central issue is the development of specific models for successful projects aimed at implementing ILO standards. At the level of norm-setting activities the constituents or coalitions between constituents and staff units should above all be regarded as driving forces. The constituents gradually reached a consensus about the elimination of the worst forms of child labour, which is universally shared. On December 31st, 2001 a total of 116 and 113 states respectively had ratified Conventions No. 138 and No. 182.[32] Convention No. 182 is thus the convention most rapidly ratified in the history of ILO.

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[30] International Labour Office, Records of Proceedings, Working Party on the Social Dimensions of the Liberalization of International Trade, Geneva 1995, (GB.262/WP/SDL/RP), p. 59, 61.

[31] For a similar interpretation of the of the International Labour Office's role in the preparation of Convention No. 182 compare Ulbert/Wisotzki (2001).

[32] International Labour Office, Action Against Child Labour 2000-2001. Progress and Future Priorities, International Programme on the Elimination of Child Labour, Geneva 2002, p. 5.

(c) Learning resources refer to financial means, necessary qualifications, and time budgets. The question about learning resources affects both opportunities for the acquisition of know-ledge about the environment and the organisation and opportunities for the formulation of political demands and objectives within the ILO. The International Labour Office is now extending learning resources with regard to child labour in a purposeful manner. This has not always been the case. It was only in the course of the 1970s when a small branch gradually developed in the International Labour Office, which started investigations into child labour. There were occasional studies and reports which were dedicated to the increase of child labour and the deterioration of working conditions of working children.[33] The results can be found in the report "*Still so far to go: Child Labour in the World Today*" published in 1989 on the occasion of the tenth anniversary of the International Year of the Child. The practical measures demanded by the Director-General in 1983 were for the first time implemented around the mid- and late 1980s as part of small-scale projects, which had been commissioned by the department *Conditions of Work and Welfare Facilities* (CONDIT) of the International Labour Office. Up to the mid-1980s there was no department in the staff which explicitly dealt with child labour. The issue of child labour was only discussed in the representative bodies of the ILO and in the Conference Committees; the International Labour Office had neither specifically trained staff nor the funds at its disposal to deal with the special problems related to child labour. As from the mid-1980s only a few individual staff members of CONDIT started to take the initiative and to deal with the subject, e.g. above all Assefa Bequele, the later head of the *Interdepartmental Programmes on the Elimination of Child Labour* (INTERDEP). The situation has completely changed since the establishment of the *International Programme on the Elimination of Child Labour* (IPEC). Due to the provision of substantial financial means the ILO was able to target the child labour problem in a comprehensive manner and to build enabling structures for organisational learning in this policy field. In the biennial period of 2000-2001 the sum of 784.000 US$ was made available out of ILO's regular budget for research and campaign work in the field of child labour. This amount is supplemented by other 9.2 million US$ out of extra-budgetary grants.[34]

As a result of organisational restructuring in the *InFocus Programme on the Elimination of Child Labour* (also IPEC) the area of technical co-operation (the former IPEC) and the campaign and research work first belonging to INTERDEP have visibly enhanced both their

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[33] See the articles in Bequele/Boyden (1989).
[34] International Labour Office, Action Against Child Labour 2000-2001: Progress and Further Priorities, International Programme on the Elimination of Child Labour, Geneva 2002, p. 61.

status and their personnel resources. The campaign work for Conventions No. 138 and No. 182 are now belonging to the new IPEC and to the follow-up measures on the Declaration on Fundamental Principles and Rights at Work in the Area of Child Labour, which earlier was within the area of responsibility of NORMES. New units have furthermore been entrusted with new tasks. There is, for example, a team now which is in charge of technical support to the projects developed within the framework of IPEC.

On the whole, IPEC has now more financial and personnel resources at its disposal. A new department was set up which is supporting both the exchange and the preservation of knowledge.

(d) Knowledge basis: It remains to be examined to what extent the strengthening of IPEC has contributed to a substantial improvement of the knowledge basis. At present it can be observed, in essence, that the new department has developed specific instruments, such as a computer-aided data base, in order to improve the collection and transfer of information. The knowledge basis about the policy field has, to some extent, been expanded since the 1980s, yet above all since the 1990s. The basic assumptions constituting the basis of former ILO Conventions on the essential nature of problems required to be settled have been revised, in particular.

Former ILO Conventions regulated child labour in the formal sector, started from Western concepts of childhood and assumed Western economies and educational systems. In the 1990s, in contrast, another understanding of child labour was increasingly gaining acceptance: from that time on it has been taken into consideration that child labour can form a specific integral part of education and the maturing process within the society.[35]

In the 1980s and 1990s the International Labour Office increased its knowledge about the reasons and common forms of child labour, which is reflected in numerous publications. Without detailed and reliable information it was, according to IPEC, impossible to take effective measures in the struggle against child labour.[36] The knowledge basis of ILO in the field of child labour – also called "IPEC knowledge base" by the International Labour Office – at present consists of three parts: scientific research on child labour, data on the situation of

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[35] See e.g. International Labour Office, Child Labour. Targeting the Intolerable, Geneva 1996. For the changes in the internal understanding of child labour see also Boyden et al. (1998).

working children in diverse sectors and regions as well as reports and evaluations of (successful) projects. In setting up this knowledge basis the Office increasingly co-operates with other international organisations, in the main, UNICEF and the World Bank.

Interpretation

How can these changes be interpreted? In other words: Has the ILO learned with regard to child labour? In the policy field of child labour the views of the different actors plainly came closer together during the last three decades. On the basis of ILO's experiences and reflections the intentions of conduct, the basic assumptions about the composition of the problems, as well as the policy goals have changed. This was accompanied by a re-evaluation of the organisation's own role. (Again) the ILO realised its chances and limits for activities with regard to the abolition of child labour. According to our definition a process of organisational learning can be stated in ILO's policy field of child labour, because the organisation has enlarged its knowledge about the impact of its activities in the field and has included this knowledge in its action guiding theories-in-use and did make decisions accordingly.

What are the concrete features of organisational learning in the field of child labour? The previous analysis turns out, on the one hand, that individual views have merged into common collective views, and, on the other hand, that the organisational knowledge basis is more complex and realistic than it was the case in the 1970s and 1980s. At that time knowledge about child labour was limited to the formal sector and especially young children below the age of ten years had not come into the horizon of observation. The theories which guide ILO's actions have been brought in line with the organisational knowledge basis since the beginning of the 1990s, and this process still continues. ILO's previous strategy to combat child labour by setting international legal norms has been revised and complemented by a strategy of searching for a global minimal consensus. This consensus consists of the fight against the worst forms of child labour and the development of programmes for technical co-operation, information and education as well as strengthening the institutions in the member states. The aim is to enable the member states to establish appropriate legal norms and to improve their effectiveness. The International Labour Office reflects about these processes of change by distinguishing three phases of tackling the child labour problem:

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[36] International Labour Office, Action Against Child Labour 2000-2001. Progress and Further Priorities,

Between 1919 and 1973 the ILO concentrated on the adoption of legal norms about the minimum age for admission to employment. Between 1973 and 1983 the ILO started to focus its activities more on research. The centre of the organisation's interest was the question why the international legal norms have not been implemented effectively and which steps should be taken to improve the wretched situation of children. The International Labour Office began to collect more data, distribute information and raise awareness of the problem on international and national level. These activities gained additional impetus from the establishment of an interdepartmental programme against child labour in 1992/93. The third phase already started in the mid-1980s or the beginning of the 1990s at the latest with a strong focus of the International Labour Office on direct technical assistance for individual member states and the establishment of new priorities with regard to the worst forms of child labour and working conditions of particularly young children.

Therefore, the ILO indeed sees itself as a learning actor in the policy field of child labour. Internal processes of restructuring had been carried out deliberately, in order to strengthen ILO's learning capacity. In 1999 the current Director-General Somavia has initiated an *audit* of IPEC which examined projects in nine countries. Especially the absolute and proportional increase in project-related financial support called for a restructuring of the programmes of work. At the same time it was suggested to give more priority to the evaluation of the pro-jects. The resources for the evaluation of projects have grown and two additional positions for evaluation specialists have been created. The increasing concentration on the evaluation of successful projects and the analysis of their conditions serve as a basis for carrying out as effectively as possible new projects in the fields of technical co-operation, strengthening national institutions and public relations work. The analysis of the projects within the frame-work of IPEC shall facilitate the work by setting up additional indicators and criteria for "good practice". In addition, the acquired knowledge shall now be put more at the disposal of the constituents, other international organisations and national institutions. This *"intellectual leadership"* of the ILO requires a solid knowledge basis, like the one which is structurally fixed in the IPEC programme. As a result, the role of the ILO in the policy field of child labour has been expanded to a large extent: Apart from the traditional role of a norm-setting organisation, the technical part of IPEC and the role as a "global centre for child labour information and legal expertise" came to the fore.

International Programme on the Elimination of Child Labour, Geneva 2001.

5. The Policy Field of International Merchant Shipping

At the beginning of the twentieth century the living and working conditions of seafarers were at the breaking point of the tolerable. The seafarers and stokers on steam ships were subject to a tough discipline, were often cheated of their stinted wages, and were not reasonably accommodated and badly fed. When a voyage was finished they had to take care of their voyages home by themselves (compare International Transport Workers' Federation 1996, p. 1-19). Hence, from the beginning the ILO directed its attention to the improvement of the seafarers' situation by adopting 39 maritime conventions and 29 recommendations until today (May 2002). Though the living and working conditions of many seafarers have been improved since the foundation of the ILO. Yet, there is still a great number of vessels travelling on the oceans, which disregard even the basic maritime standards of the ILO. It actually seems as if the living and working conditions of the seafarers have become worse since the 1970s. This is because many shipping companies evade the maritime regulations of the ILO by flagging-out their vessels from the ship's registries of the traditional (European) maritime states, where many maritime ILO conventions are implemented. They often register their ships under the so-called Flags of Convenience (FOC), which usually show low ratification rates of maritime ILO regulations. Despite other characteristics, FOC permit the employment of seafarers without any limitation on their nationality.[37] In the traditional maritime registers it is usually required to staff the higher ranks on board with national seafarers. Besides fiscal advantages shipping companies may save up to 100.000 US$ in wages per year for each officer employed on board when hiring, for example, an officer from the Philippines instead of one from a Northern-European state (compare International Shipping Federation 1995, 1997, 1999).

The search for savings and the lacking linkage of the new shipping companies to national shipping traditions, which in former times have been maintained by the shipowners, led to a scorching growth of the so-called FOC and international manning agencies. The shipping companies made such full use of the possibility to register their ships in FOC that many tiny states were able to enlarge their national fleets many times over while most fleets of the traditional maritime states dramatically shrunk in the 1980s and 1990s. The increasing employment of seafarers from developing countries, accompanied by a general reduction in the number of crew members, because of technological developments, has led to a high

unemployment rate of seafarers from the traditional maritime states. For those seafarers, who are employed on board vessels today, these changes have worsened their situation with regard to living and working conditions and have weakened their bargaining position against the employers.

(1) Changes in the area of norm-setting: As early as the 1970s the ILO has recognised the connection between the problems in the living and working conditions of seafarers and the increasing flagging-out of vessels. For this reason the ILO adopted Convention No. 147 (Merchant Shipping Minimum Standards) in 1976. In contrast to the other maritime ILO-conventions, it was designed as a framework convention. A number of other maritime ILO-conventions is listed in its appendix and the member states commit themselves when ratifying Convention No. 147 to also implement the appendix conventions. The appendix conventions represent a catalogue of standards which is seen as a minimum of safe and human operation of ships. They deal among other things with minimum age, preventive health and medical care for seafarers, accident prevention, accommodation and catering, qualifications, employment contracts, repatriation of the seafarers, as well as freedom of association and the right for collective bargaining. Member states are only entitled to ratify Convention No. 147 if they have ratified – or intend to ratify in the near future – three conventions of another international organisation, the International Maritime Organization (IMO): the IMO-Conventions for the Safety Of Life At Sea (SOLAS), for the prevention of overloading (Load Lines) and for the prevention of collisions at sea (COLREG). Already in 1976 the ILO attempted to meet the growing implementation problem of maritime ILO-standards by including Article 4 in the Convention No. 147 which provides for inspections of foreign ships by the port authorities of the member states.

The discussions during the formulation process of Convention No. 147 have been influenced by the conflict about the so-called Flags Of Convenience (FOC) which had already lasted for decades. The positions that were formulated by the participating actors at the Preparatory Technical Conference which took place in 1975, one year before the International Labour Conference (maritime session), indicate conflicting interests.[38] Though all actors declared their will to improve the working and living conditions on merchant ships, a connection

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[37] There is no standard definition of the term Flag Of Convenience. In most cases the Rochdale-criteria are applied for determining the characteristics of FOC. For the Rochdale-criteria see Lindemann (1983), p. 5.

[38] The Preparatory Technical Conferences' goal is to prepare the maritime sessions of the International Labour Conference. The maritime sessions of the International Labour Conference take place every eight to twelve years and deal exclusively with maritime matters.

between the bad working and living conditions and the FOC was seen only by the staff of the ILO, the seafarers' organisations and some government representatives, for example from the USSR. The shipowners' associations and some government representatives, for example Liberia, contested the view of a connection between the practice of registering vessels under FOC and the living and working conditions on board ships. The International Labour Office took the view that states, which have become important shipping nations, because of the increasing registration of vessels from foreign shipping companies, should effectively supervise the compliance of adequate social and safety standards on these ships.[39]

Although Convention No. 147 is one of the most ratified maritime ILO conventions there are growing problems with the implementation of the appendix conventions. The chance to inspect foreign ships, according to Article 4 of the Convention, has not sufficiently been taken advantage of by the member states. The reference to FOC in the preamble to Convention No. 147 was an ineffective compromise which did not solve the problem. Because of the growing number of vessels registered under FOC lesser seafarers could be protected by the ILO-standards, because FOC-states did not ratify them or, in case they had ratified, did not sufficiently implement them.

The ILO, at an early stage, noticed problems of globalisation in merchant shipping and took measures of norm-setting to solve these problems. On behalf of the majority of constituents there seem to have existed a political will to define binding world-wide minimum standards for the safe and decent operation of ships. The inclusion of the so-called port state control in Article 4 of Convention No. 147 indicates a political will on behalf of the traditional maritime states to enforce minimum standards world-wide, even against the opposition of the FOC-states. But the allowance for maritime states to control compliance of foreign ships with regard to the implementation of the minimum standards of Convention No. 147 was not sufficient for warranting their implementation. It would have been necessary to clearly define *how* and *to what extent* port state control officers shall inspect foreign vessels. In our view one possibility to improve the effectiveness of port state control with regard to Convention No. 147 would be to transfer the supervisory competency from the member states to the ILO. The ILO itself could issue certificates of compliance with the standards of Convention No. 147. The International Maritime Organization (IMO), for example, successfully applies this

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[39] Compare International Labour Office, Report of the Committee on Substandard Vessels, Preparatory Technical Maritime Conference, Geneva 1975, PTMC/1975/12, p. 27.

method for the supervision of the Standards of Training, Certification and Watchkeeping for Seafarers Convention 1995 (STCW 95) (compare Dirks 2001, p. 36-40).

In norm-setting the ILO concentrated on the formulation of new and the further development of already existing conventions after 1976. The maritime conventions that have been adopted at the International Labour Conferences (maritime sessions) of 1987 and 1996 dealt mainly with several specific problems of the working- and living conditions of seafarers. The conventions covered, in particular, the problems of seafarers' welfare (No. 163, 1987), health protection and medical care (No. 164, 1987), social security (No. 165, 1987), repatriation (No. 166, 1987), recruitment and placement of seafarers (No. 179, 1996) and seafarers' hours of work and manning of ships (No. 180, 1996). Convention No. 178 (1996) about the labour inspection (seafarers) does not deal with a specific problem of the living and working conditions of seafarers, but with the subject of implementation. It has been ratified by five states until May 2002. In addition, the regulative contents of the obligatory appendix of Convention No. 147 had been extended by a protocol at the International Labour Conference (maritime session) of 1996. Since then, member states, which have ratified Convention No. 147, are required to implement Convention No. 133 (Accommodation of Crews, Supplementary Provisions, 1970) and Convention No. 180 (Hours of Work and Manning of Ships, 1996) which is not yet in force. They are also invited by the protocol to implement voluntarily Convention No. 108 (Seafarers' Identity Documents, 1958) and Convention No. 135 (Workers' Representatives, 1971).

The maritime conventions that have been adopted since 1976 indicate the concentration of the ILO on those problem fields which have been identified by the seafarers' unions and ship-owners' associations in the Joint Maritime Commission (JMC)[40] as being connected with the structural changes in merchant shipping of the last 30 years.[41] Though, the thematic emphasis of the conventions indicate a perception of the problems in merchant shipping by the ILO which is close to reality. Yet, it seems as if the regulatory contents of the conventions is not supported by the political will of the governments of ILO's member states, as the low ratification rates of the past-1976 maritime conventions show. Up to now (May 2002), the

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[40] The Joint Maritime Commission (JMC) is the responsible body of the ILO for the agenda-setting of the maritime sessions of the International Labour Conferences. In contrast to every other committee of the ILO it is composed only of 20 representatives of the seafarers, 20 representatives of the shipowners and two members of the Governing Body. Governments are not represented in the JMC.

[41] Compare International Labour Office, The Impact on Seafarers' Living and Working Conditions of Changes in the Structure of the Shipping Industry, Joint Maritime Commission, 29th Session, Geneva 2001.

quota of ratification of these conventions is between modest two (No. 165, Social Security, Seafarers) and eleven (No. 163, Seafarers' Welfare).

Not only the governments' formulation of political demands and objectives in the sphere of maritime regulations seems to stagnate. In recent times the ILO constituents seafarers' organisations and shipowners' associations are also sceptical about these conventions. The concentration on norm-setting as a response to specific problems led to a catalogue of maritime conventions[42] which, according to the shipowners and seafarers' organisations, have not kept path with developments in international merchant shipping. Apart from that, they complain about complex, uncoordinated and overlapping regulations and time and cost intensive procedures for changing the contents of the conventions. At the same time it is stated by the shipowners that the maritime ILO-standards are not sufficiently implemented at the international level, unevenly enforced, and put those shipping companies which apply the standards under unfair pressure. That is, they do not correspond to the goals that the ILO has pursued since its foundation and which are noted down in the preamble to its Constitution, that is to say, to eliminate unfair competition. The shipowners and seafarers also criticise that in some aspects the maritime ILO conventions would not stand comparison with other international maritime conventions.[43] These contradictory criticisms show that the current situation is seen as problematic for various reasons.

(2) Research and information. From time to time the International Labour Office publishes comprehensive studies about the living and working conditions of seafarers, which had been the basis of the Reports of the Directors-General for the maritime sessions of the International Labour Conferences until 1987. In addition, in 1990 the Committee of Experts on the Application of Conventions and Recommendations (CEACR) produced a General Report on Convention No. 147 and Recommendation No. 155. Since then, the International Labour Office published not before the 29th Session of the Joint Maritime Commission (JMC) in 2001

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[42] The so-called Seafarers' Code.

[43] Here the maritime conventions of the International Maritime Organization are meant in particular, which, according to the shipowners, concentrate on the most important regulative fields in merchant shipping. Compare International Labour Office, High-Level Tripartite Working Group on Maritime Labour Standards – ISF Submission, Geneva 2001, S. 1-2. Compare also International Labour Office, High-Level Tripartite Working Group on Maritime Standards, First Session, Geneva 2001, S. 13-14.

a series of reports some of which dealt with broader questions of the living and working conditions of seafarers and their social, economic and political contexts.[44]

Since 1987, the ILO did not carry out own research about the connections between the structural developments in merchant shipping and the living and working conditions of seafarers on board. Up to 1987 more comprehensive information had been provided by the ILO in the maritime policy field. Until then, the Directors-General traditionally presented reports at the maritime sessions of the International Labour Conferences which contained descriptions of the situations of seafarers in the context of political and economic developments. Furthermore, they drew conclusions from the identified situations for ILO's activities in the maritime policy field. These reports informed comprehensively about the problems in the maritime sector which required activities on the part of the ILO and explained the strategic concepts to solve them, according to the Directors-General's opinion. For the first time no such report of the Director-General was provided at the maritime session of the International Labour Conference in 1996. Despite increasing problems in this field in the last decades no documentation about the seafarers' situation that would provide some impetus for the general formulation of political demands and objectives has been published by the ILO in recent years.

(3) Technical co-operation. Since 1976, the technical co-operation in the maritime policy field of the ILO concentrated mainly on the drafting and implementation of labour laws for seafarers. The projects were also focussed on training and education, workers' protection, and social security of seafarers.[45] Since the end of the 1980s the fields of administration, social welfare of the seafarers, and the co-operation between the management and the employees were added (compare International Maritime Law Institute 1998, p. 7). Particular attention was given to the technical assistance for developing countries. Here the ILO concentrated on the practical implementation of international labour norms with regard to the development of fleets.

Systematic records about the realisation of the projects were not available for the period of analysis. Therefore, it is not possible to reproduce – neither inwards nor outwards – whether

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[44] Compare for example International Labour Office, The Impact on Seafarers' Living and Working Conditions of Changes in the Structure of the Shipping Industry, Joint Maritime Commission, 29 Session, Geneva 2001, JMC/29/2001/3.
[45] International labour Office, Report of the Director General, International Labour Conference, 74th Session, Geneva 1987, S. 78.

the projects of technical co-operation have met the demands and have been carried out with the best possible effects for the attainment of ILO's primary tasks in the maritime policy field. The lack of a systematic recording of the projects of technical co-operation prevents the gathering of knowledge about successful methods or problems and to utilise such knowledge for future projects. Therefore, the chances to learn from mistakes are strongly limited.

Analysis of Changes with a View to Organisational Learning

The preceding observations indicate that some activities in the field of norm-setting have been carried out by the ILO in the maritime policy field, however, much less in the fields of research and information, as well as in technical co-operation. In the following we ask how this description of the situation has to be judged under the perspective of organisational learning.

(a) Impulses and triggers. External impulses or triggers for processes of change in the norm-setting and technical co-operation, like in the policy field of child labour, for example, the Year of the Child, the Convention on the Rights of the Child, or the debate at WTO about the Social Clause cannot be identified in ILO's maritime policy field. The disastrous ships' accidents, like for instance the foundering of the *Herald of Free Enterprise* or the *Estonia* have apparently not had any effect as impulses for processes of reflective changes in the maritime policy field, despite the contribution of the so-called "human element" to their catastrophic consequences (compare Dirks 2001, p. 119-125). Nor had the United Nations Convention on the Law of the Sea, which came into force in 1994, a visible impact on ILO's maritime norm-setting or technical co-operation activities.

(b) Actors. Since ILO's foundation, questions of seafarers' living- and working conditions had been dealt with in specific bodies: the Joint Maritime Commission (JMC) and the Maritime Industries Branch as the only sub-department of the International Labour Office which is in charge of only one industrial sector.[46] The two main tasks of the JMC are to set the agenda for the maritime sessions of the International Labour Conferences and to negotiate the regular updating of ILO's minimum basic wage for able seamen. As preparer of the maritime ILO-instruments, the JMC has a key position in the preparation of norms. Until now, controversial subjects, like for example the Flags of Convenience (FOC), could not be treated in the JMC. A subject can only be put down on the agenda of the maritime sessions of the International

Labour Conferences, if a majority in the JMC agrees. Up to 2001, the governments have been included in the norm-setting processes very lately, because of the specific maritime structures in the ILO.

Compared to all other policy fields of the ILO, the seafarers' unions and shipowners' associations have a much stronger influence on the formulation of thematic focal points for the international regulation of work in the maritime policy field. If there is a conflict between these two groups about problems of living and working conditions of seafarers and their reasons, important regulations may be prevented or their regulatory contents may be watered down by compromises.

The actor constellations in the maritime policy field of the ILO seem to prevent or weaken ILO's chances to regulate substantial problems with regard to the living and working conditions on board ships. The prominent role of the Joint Maritime Commission (JMC) as a preparer of political decisions seems to lead in some cases to an attitude on the governments' side to rely on the preliminary work of the JMC. Some governments appear to attach not much importance to the formulation of their own political views on maritime labour standards. Whether the ILO conventions fit into national legislation often seems to be examined by the governments only after their adoption at the maritime sessions of the International Labour Conferences.

(c) Learning resources. The personnel resources of the Maritime Industries Branch and the Maritime Team respectively are limited to five full-time members, who not only have to deal with international merchant shipping, but also with the fields of fishing, inland navigation and ports. The financial means, provided by ILO's regular budget, were reduced strongly in the last years. The personnel and financial leeway for reflective changes and innovations of a broader extent is therefore limited. According to some staff members the financial cuts have been compensated by donations from the International Transport Workers' Federation (ITF) and the French government. Apparently, these additional means have not been used to bring up reflective policy changes in the maritime policy field of the ILO.

(d) Knowledge basis. The knowledge basis of the ILO in the maritime field appears to be fragmented. The differences of opinion between the shipowners' associations and seafarers'

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[46] Since the restructuring of the International Labour Office by the new Director-General Somavia the Maritime

organisations about the causes of the problems in the living- and working conditions of seafarers have not been evened out by scientific investigations of ILO's own staff.

The procurement of information by the staff was impeded by the low readiness of the governments – especially those with FOC, but also many other member states – to provide information about the legal and practical implementation of maritime ILO-standards. The Committee of Experts, for example, whose task was to examine the reports of the member states about the implementation of Recommendations No. 107 and No. 108 on the working conditions on board vessels for the preparation of Convention No. 147 was not able to carry this work out. Especially those states which provide FOC did not follow ILO's request to provide a report about the matters. In addition, many reports of member states about the legal implementation of ILO conventions in accordance with Article 22 of the Constitution do not provide adequate information on the implementation. This often leads to enduring, inconclusive communications between the Committee of Experts of the Application of Conventions and Recommendations (CEACR) and the member states.

The interpretation of the reports and primary information is carried out by the Maritime Team and the sub-unit for maritime conventions in the legal department NORMES. An exchange of information between the two departments takes place on mutual request and rather occasionally. Procedures for a regular exchange of information do not exist. Only the information appearing in the official documents is fed into the organisation's memory. But older documents, in particular, cannot be obtained any more. Standardised procedures for the storage of knowledge do not exist. Maritime data bases for categorising primary information by which this information could have been made available for the whole ILO are not in place. Nor exists a central maritime library. The members of the Maritime Team have personal contacts to external information sources, for example to staff members of the IMO, research institutes, or non-governmental organisations which they ask for information and research on demand. Nevertheless, considerable knowledge is lost, if staff members leave the organisation, as it was the case in 1999 when the Chief of the Maritime Industries Branch retired.

Industries Branch lost its exceptional position. It is now called Maritime Team.

Interpretation

Since the adoption of Convention No. 147 in 1976 the ILO has dealt – mainly by norm-setting – with a number of problems in the policy field of maritime working and living conditions, about which the shipowners' associations and seafarers' organisations had reached agreement. The two constituents saw a necessity for regulating these problems, because of global structural changes in merchant shipping. However, the ILO was not able to develop options for activities which would effectively combat the increasing flagging-out of ships from traditional ship's registries and thereby halt the general deterioration in working and living conditions on board vessels. The ILO has not yet found an appropriate way to prevent shipping companies from evading from international maritime labour regulations.

Obviously, the bilateral composition of the Joint Maritime Commission (JMC) and the lack of government participation in the agenda-setting processes for the maritime sessions of the International Labour Conferences has led to a blockade which hampered reflections about the whole policy field of maritime working- and living conditions in the JMC itself and made the identification and implementation of an effective policy strategy for overcoming the problems impossible. Until now, the seafarers' organisations and shipowners' associations in the JMC took great pains to keep governments out of the agenda-setting processes. The passive role of the governments in the maritime field of the ILO increasingly became an obstacle for the ratification of maritime conventions and recommendations since the 1970s. The fact that the governments are not included in ILO's maritime agenda-setting activities from the beginning has certainly contributed to the low ratification rates of the organisation's maritime conventions. In this environment a strong interest of the governments on maritime labour standards is unlikely to occur. An additional problem with regard to the structures is that the government representatives, who are sent to the ILO, usually come from the national labour ministries, which makes it necessary to establish systems for co-ordination between the labour ministries and the transport ministries that are in most cases responsible for international merchant shipping. A third factor for the low ratification rates in the 1990s is connected with the flagging out of ships from the traditional ship's registries, which went on for decades. The smaller the number of nationally registered vessels – so we assume – the lower the interest of national legislators on maritime labour standards will be. Working on maritime labour standards is then no longer a top priority on the agendas of the parliaments of many states, which previously had a strong interest in merchant shipping.

The insufficient reflection about the gap between the organisation's primary tasks and the reality of a low compliance with maritime ILO conventions correspond to a poor learning capacity of the ILO in the maritime policy field. This applies to both the Joint Maritime Commission (JMC) and the Maritime Team in the International Labour Office. The staff members were not able to initiate reflective changes in the maritime field. A common systematic knowledge basis, built upon consensual knowledge of the constituents and the Maritime Team was not developed. In ILO's maritime policy field the capacities to gather information were not supported by adequate methods of knowledge storage and knowledge communication. As a result no overall strategy was developed to solve the problems with regard to working and living conditions in merchant shipping, while the activities in the technical co-operation programmes are not co-ordinated. In addition, the chances for reflective changes in the Maritime Team are limited by a low provision of personnel and financial resources. Also the readiness to involve non-governmental organisations – except for workers' and employers' organisations – in the policy formulation processes of the maritime policy field is low. The search for new knowledge on behalf of the staff is usually restricted to personal contacts between the staff members and constituents or external scientists, who are asked to carry out specific research when the need arises and to personal relations between the staff members and other UN-organisations.

To summarise: Since 1976 no processes of organisational learning in the maritime policy field of the ILO could be identified. A number of external and internal impulses would have been needed to make the necessity of far-reaching structural and content-oriented changes in the maritime policy field clear to the whole organisation. The recent massive criticism of the shipowners' associations and seafarers' organisations on the maritime regulations of the ILO in practice – notwithstanding that shipowners and unions together have to take part of the responsibility by themselves –, the perception of growing competition with the International Maritime Organization (IMO), the revision of maritime ILO conventions by the Working Party on the Revision of Standards of the Governing Body, new guidelines from the Director-General Somavia and new personnel on posts in the maritime staff led to new considerations within ILO to bring about changes in maritime norm-setting and implementation activities.

The recent criticism of the International Shipping Federation (ISF) on ILO's maritime conventions has been confirmed by all constituents at a high level conference in December 2001. This criticism was not new and had already been expressed in expert conversations with

members of the shipowners' associations and seafarers' unions during the 1990s. During the next few years a tripartite working group will be occupied to thoroughly revise the maritime ILO conventions and to put them together in a so-called single framework convention. Obviously, it has been realised in the ILO that the bipartite composition of the Joint Maritime Commission (JMC) has in some cases led to a blockade in the norm-setting activities. With regard to the implementation and supervision of the new convention it is planned to rely stronger on the port state control system, which was further developed systematically by new regional agreements since the 1980s, but covers mainly the conventions of the International Maritime Organization. Currently, we cannot foresee whether the envisaged new convention may articulate a *reflective* policy change in the maritime policy field.

6. Preliminary Conclusions

The comparative analysis of ILO's policies in the two policy fields of child labour and merchant shipping over the period of 25 to 30 years, during which new facts of economic and ideological globalisation came about, shows different modes of behaviour of the ILO in the different policy fields. According to our criteria we identified an organisational learning process in ILO's policy field of child labour, but not in the maritime field. This result was surprising, because we had the opposite expectation when we started our research project. At the beginning we assumed that, because of the high level of informality in child labour, it would be very difficult for the ILO to cope with this problem. In contrast, we expected in international merchant shipping that it would be almost impossible to avoid outside observation since formal employment structures and unions are present. Thus, the presumably transparent situation in the policy field of merchant shipping should have facilitated necessary political learning processes.

As a matter of fact, it was in the policy field of child labour where the ILO was able to meet the changes inside the member states and in the world economy by initiating new activities and programmes. Here, the ILO actively sought to promote involvement of and to receive support from its constituents by generating and utilising knowledge in order to point out the discrepancies between undisputed universal values and the contradicting reality of child labour which had been neglected for a long time. By doing so the ILO pushed for a better fulfilment of the organisation's primary task. This was the basis for initiating changes in the programmes and internal structures as well as in the theories-in-use which guide the organisa-

tion's actions. Similar initiatives for using new knowledge to bring about policy changes were lacking in the maritime field.

In our perspective organisational learning particularly requires the creation and further development of an *organisational consensual knowledge basis*, which needs to be understood as a joint responsibility of the staff and the constituents. Typical problems of organisational design in connection with the fulfilment of the organisation's primary task, like the internal structuring of staff tasks, the maintenance of a steady commitment on the part of the constituents, the consideration of unplanned emerging phenomena, and, finally, the coming to terms with internal changes in order to cope with new developments in the organisation's environment cannot be dealt with, if such a consensual knowledge basis (in which the constituents, the staff, and additional social actors participate) is lacking. Although policy changes are possible without a consensual knowledge basis, they are running the risk of failing to contribute to the fulfilment of the organisation's primary task, because their basis are not common conceptions about the problems and their reasons, but definitions of individual powerful groups or actors. The result would be the absence of broad political and social support for the organisation's actions.

Organisational knowledge is further developed in discussion processes when already existing knowledge about a policy field is confronted with new knowledge: a process which results in a more differentiated knowledge. The strive for opening discussions for new actors with specific knowledge facilitates the continuing examination of organisational knowledge. It makes appropriate solutions for problems more likely, because of the inclusion of new perspective*s* and information.

In order to generate a consensual organisational knowledge basis in international policy fields it is not only necessary to gather knowledge about the actual local labour conditions and the impact of the organisation's activities on the situation there, but also to establish appropriate procedures for storing the respective knowledge. These procedures can support the development of a consensual organisational knowledge basis, if the primary data are processed and stored in a way which will allow comparative analysis in a policy field related to different political, social, and cultural contexts. That is to say, not only statistical data about labour conditions must be collected, but these data have to be processed systematically and context-related.

The Statistical Information and Monitoring Programme (SIMPOC) which aims at enabling the member states to collect regularly qualitative and quantitative data about child labour is a positive example for a systematic knowledge storage approach. The "National Analysis" as well as the "Rapid Assessments", which deal with specific problems of child labour in the member states, include the respective political, social, and economic backgrounds in the country reports. The goal of the programme to make the data-collection about child labour a permanent part of the general national statistical surveys is a guarantor for arousing the governments' consciousness of the problem and for constantly keeping it alive. The public accessibility of the information via internet supports the development of consensual knowledge and keeps political learning in this field alive.

There are no systematic procedures for generating and storing knowledge, which would facilitate the processing of new information in a specifically context-oriented way within the maritime policy field of the ILO. Only after the Joint Maritime Commission (JMC) has identified problems that potentially require regulation the maritime staff starts gathering information about the problem. The staff as well as the constituents can only rely on their own knowledge and research carried out by external consultants on demand. They have not developed a systematic organisational knowledge basis about the maritime policy field. As a consequence, knowledge about the maritime context vanishes again and again and has to be regained in many individual cases. Without a common knowledge basis it is difficult for the constituents to reach a consensus, because time and again they have to strive for a common level for discussion. Finally, the lack of a systematic knowledge basis impedes the working out of an overall political strategy for solving the problems with regard to the living and working conditions of seafarers, because there is no possibility of incorporating individually identified problems in the general maritime context.

Of paramount significance for improving the organisational knowledge basis is the inclusion of knowledge from as many groups in working life as possible, who are representative of different social contexts. If the gathering of information is limited to few sources and if the contradictions in the composition of the information are not resolved, conclusions will be drawn or compromises will be entered into, which fail to bring about effective policy approaches.

With regard to the formulation of political will and objectives, inclusive representation of social interests seem to be of utmost importance. In view of the heterogeneous social structures in many Third World countries with a high level of employment in the informal sector it can be doubted that all relevant social interests and ideas about the problems and their solutions are represented appropriately at the international level. For example, workers and employers in the informal sector are rarely represented by the trade unions and employers' organisations – the societal constituents of the ILO.

A consensual organisational knowledge basis, which should be as broad as possible may become the foundation of reflective changes in the ILO, but these processes will not occur automatically. In order to provoke a questioning of previous action guiding principles in a specific policy field certain impulses are required as well as personalities, who strive for changes, take the initiative and who have the necessary resources at their disposal for convincing others of their ideas. External impulses, like the World Social Summit or the United Nations' Convention on the Rights of the Child in the policy field of child labour can only influence ILO's policies if they are adopted by the staff. An important function has the Director-General of the International Labour Office, who may support organisational learning by taking up external impulses positively, formulating new goals, and restructuring the office. The staff of the International Labour Office must be capable of taking up external impulses in special policy fields, to link them with guidelines from the Director-General and to search for support.

The provision of extra-budgetary means can also be a crucial factor, if they constitute a critical mass that facilitates organisational learning, like it was the case with the initial financial means for the IPEC-programme of the former German labour minister Blüm. The provision of additional resources may lead to policy changes in the context of new challenges, if committed staff members make use of the additional means to generate organisational learning in a policy field. In their capacity as a generator and guardian of the knowledge basis, communicator of information and draft documents, central address to go for the constituents, and as executive body of the technical co-operation programmes the Director-General and the staff are in key positions in processes of policy changes. Although the Director-General and the staff can act successfully only in the framework of the political guidelines of the member states, they exert an influence on the governments, too.

Our findings also indicate that the characteristics of the structural embedding of a policy field in the International Labour Office has an impact on the development of the organisational knowledge basis, the questioning of action guiding theories-in-use, and reflective change. Co-operative links between the departments or individual staff members in the International Labour Office facilitate the distribution of information, promote discussions and thereby generate new knowledge and help discovering new ways of coping with problems which other staff members may have already dealt with in their context.

At the level of actor constellations and interests our analysis revealed that an active policy of adopting initiatives from other international governmental and non-governmental organisations helps promoting the ILO-policy in specific policy fields. It also turns out that tripartism together with an opening for other actors influences reflective policy changes positively. Ex negativo this can be observed in the maritime policy field. Tripartite structures enhance the effectiveness of ILO's activities, even though the representation of the societal constituents in heterogeneous contexts has to be improved. The inclusion of non-governmental organisations in the political processes for implementation of norms appears to be as chance which has to be investigated further.

To summarise, we did find some factors facilitating or inhibiting organisational learning in two specific policy fields of the ILO. At this stage it has to be left open whether these findings can be generalised with respect to the organisational learning capacity (in the sense of Karl W. Deutsch) of the ILO intoto.

Literature and sources

Argyris, Chris / Schön, Donald (1978): Organizational Learning. A Theory of Action Perpective, Reading

Bequele, Assefa / Boyden, Jo (eds.) (1989): Combating Child Labour, Geneva

Boyden, Jo / Ling, Birgitta / Myers William (1998): What Works for Working Children, Smedjebacken

Creighton, Breen (1997): Combating Child Labour. The Role of International Labour Standards, in: Comparative Labor Law and Policy Journal Vol. 18, No. 3, S. 362-396

Deutsch, Karl W. (1966): The Nerves of Government. Models of Political Communication and Control, Toronto

Dierkes, Meinolf / Alexis, Marcus / Berthoin Antal, Ariane / Hedberg, Bo / Pawlowsky, Peter / Dostopford, John / Tsui-Auch, Lai Si (eds.) (1999): The Annotated Bibliography of Organizational Learning, Berlin

Dirks, Jan (2001): Positives Regulieren in der Handelsschifffahrt im Kontext der Globalisierung, Münster und Hamburg

Dülfer, Eberhard (Hg.) (1991): Organisationskultur. Phänomene, Philosophie, Technologie, Stuttgart (2. Aufl.)

Duncan, Robert / Weiss, Andrew (1979): Organizational Learning. Implications for Organizational Design, in: Research in Organizational Behavior, Vol. 1, S. 75-123

Geißler, Harald (1994): Grundlagen des Organisationslernens, Weinheim

Haas, Ernst B. (1990): When Knowledge is Power. Three Models of Change in International Organizations, Berkeley, Los Angeles and London

Haas, Peter M. / Haas, Ernst B. (1995): Learning to Learn: Improving International Governance, in: Global Governance, Vol. 1, S. 255-285

International Labour Office (1970): Minutes of the 181st Session of the Governing Body, Geneva

International Labour Office (1975): Report of the Committee on Substandard Vessels, Preparatory Technical Maritime Conference, Geneva

International Labour Office (1978): Children at Work. An ILO Policy Framework for the International Year of the Child, Geneva

International Labour Office (1981): Minimum Age, General Survey by the Committee of Experts on the Application of Conventions and Recommendations, International Labour Conference, 67th Session, Geneva

International Labour Office (1983): Report of the Director General, International Labour Conference, 69th Session, Geneva

International Labour Office (1985): International Seminar on Ways and Means of Achieving the Elimination of the Exploitation of Child Labour in all Parts of the World, Geneva

International Labour Office (1987): Report of the Director General, International Labour Conference, 74th Session, Geneva

International Labour Office (1995): Child Labour. First Item on the Agenda, Governing Body, Committee on Employment and Social Policy, GB. 264/ESP/1, Geneva

International Labour Office (1995): Record of the Proceedings, Working Party on the Social Dimensions of the Liberalization of International Trade, Geneva

International Labour Office (1996): Child Labour. Targeting the Intolerable, Geneva

International Labour Office (1997): Action Against Child Labour, Geneva

International Labour Office (1997): Legislation and Enforcement, International Conference on Child Labour, Oslo 27-30 October, Geneva

International Labour Office (1997): The ILO: Standard Setting and Globalization, Report of the Director-General, International Labour Conference, 85th Session, Geneva

International Labour Office (1999): Decent Work, Report of the Director-General, International Labour Conference, 87th Session, Geneva

International Labour Office (2000): IPEC Highlights, International Programme on the Elimination of Child Labour, Geneva

International Labour Office (2001): Action Against Child Labour 2000-2001. Progress and Further Priorities, International Programme on the Elimination of Child Labour, Geneva

International Labour Office (2001): High-Level Tripartite Working Group on Maritime Standards, 1st Session, Geneva

International Labour Office (2001): ISF Submission, High-Level Tripartite Working Group on Maritime Labour Standards, 1st Session, Geneva

International Labour Office (2001): Reducing the Decent Work Deficit. A Global Challenge, Report of the Director General, International Labour Conference, 89th Session, Geneva

International Labour Office (2001): The Impact on Seafarers' Living and Working Conditions of Changes in the Structure of the Shipping Industry, Joint Maritime Commission, 29th Session, Geneva

International Labour Office (2002): Action Against Child Labour 2001 – 2002: Progress and Future Priorities, International Programme on the Elimination of Child Labour, Geneva

International Maritime Law Institute (1998): Nilssen, Bjorn Klerck, Background Paper on the Maritime Activities of the International Labour Organization, Malta

International Shipping Federation (1995, 1997, 1999): ISF Wages Survey, London

International Transport Workers' Federation (1996): Solidarity: The First 100 Years of the International Transport Workers' Federation, London and Chicago

Internationales Arbeitsamt (2000): Mitsprache am Arbeitsplatz. Gesamtbericht im Rahmen der Folgemaßnahmen zur Erklärung der IAO über grundlegende Prinzipien und Rechte bei der Arbeit, Internationale Arbeitskonferenz, 88. Tagung, Genf

Kissling-Näf, Ingrid / Knoepfel, Peter, (1998): Lernprozesse in öffentlichen Politiken, in: Albach, Horst / Dierkes, Meinolf / Berthoin Antal, Ariane / Vainnant, Kristin (Hg.): Organisationslernen. Institutionelle und kulturelle Dimensionen, (WZB Jahrbuch 1998), Berlin, S. 239-268

Klimecki, Rüdiger / Lassleben, Hermann / Thomae, Markus (2000): Organisationales Lernen. Zur Integration von Theorie, Empirie und Gestaltung, in: Managementforschung, Jg. 10, S. 63-97

Lindemann, Dierk (1983): das Übereinkommen Nr. 147 der Internationalen Arbeitsorganisation vom 29. Oktober 1976 über Mindestnormen auf Handelsschiffen, Baden-Baden

Mahler, Julianne (1997): Influences of Organizational Culture on Learning in Public Agencies, in: Journal of Public Administration, Research and Theory, Vol. 7, S. 519-540

March, James G. / Olsen, Johan p. (1976): Ambiguity and Choice in Organizations, Bergen, Oslo and Tronsø

Organization of African Unity (1990): African Charter on the Rights and Welfare of the Child, 26th Ordinary Session of the Heads of State and Government of the OAU, Addis Ababa

Reinalda, Bob (1998): Organization Theory and the Autonomy of the International Labour Organization: Two Classic Studies still Going Strong, in: Reinalda, Bob / Verbeek Bertjan (eds.), Autonomous Policy Making by International Organizations, London and New York

Rice, Albert K. (1958): Productivity and Social Organization, London

Rice, Albert K. (1963): The Enterprise and its Environment, London

Schein, Edgar H. (1991): Organisationskultur. Ein neues unternehmenstheoretisches Konzept, in: Dülfer, Eberhard (Hg.): Organisationskultur. Phänomene, Philosophie, Technologie, Stuttgart (2. Aufl.), S. 23-37

Schreyögg, Georg (1999): Organisation, Wiesbaden

Senghaas-Knobloch, Eva (1979): Reproduktion von Arbeitskraft in der Weltgesellschaft. Zur Programmatik der Internationalen Arbeitsorganisation, Frankfurt/Main

Senghaas-Knobloch, Eva (1999): Die Internationale Arbeitsorganisation vor neuen Herausforderungen der Globalisierung, in: Peripherie, Zeitschrift für Politik und Ökonomie in der Dritten Welt, Jg. 19, Nr. 75, S. 26-43

Swepston, Lee (1982): Child Labour. Its regulation by ILO standards and national legislation, in: International Labour Review Vol. 121, No. 5, S. 577-593

Ulbert, Cornelia / Wisotzki, Simone (2001): Structuring Argumentative Processes. The Impact of Institutional Settings on Banning Worst Forms of Child Labour and Landmines, Paper presented at the 4th Pan European International Relations Conference, University of Kent, Canterbury, Sept. 8-10, 2000

Weltz, Friedrich (1997): Beobachtende Teilnahme – ein Weg aus der Marginalisierung der Industriesoziologie, in: Lange, Hellmuth / Senghaas-Knobloch, Eva (Hg.): Konstruktive Sozialwissenschaft, Münster, S. 35-47

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Publications about the subject:
- Improving Employment Opportunities for EU-Seafarers, Brussels 1998
- Universales Positives Regieren jenseits des Nationalstaates – Zwei Fälle im maritimen Sektor, artec paper 63, Bremen 1998
- Positives Regulieren in der Handelsschifffahrt im Kontext der Globalisierung, Münster 2001

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Publications about the subject:
- Staaten am Pranger. Zur Wirkung internationaler Regime auf die innerstaatliche Menschenrechtspolitik, Dissertation, Bremen 2001

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Publications about the subject:
- Reproduktion von Arbeitskraft in der Weltgesellschaft – Zur Programmatik der Internationalen Arbeitsorganisation, Frankfurt a.M. 1979
- Die Internationale Arbeitsorganisation vor neuen Herausforderungen der Globalisierung, artec paper 61, Bremen 1998
- Die Internationale Arbeitsorganisation vor neuen Herausforderungen der Globalisierung, in: Peripherie, Zeitschrift für Politik und Ökonomie in der Dritten Welt, Nr. 75, 19. Jg., 1999
- Menschengerechte Arbeit weltweit – Die Politik der Internationalen Arbeitsorganisation (IAO) unter Veränderungsdruck, in: Bernd M. Kraske (Hrsg.), Pflicht und Verantwortung – Festschrift zum 75. Geburtstag von Claus Arndt, Baden-Baden 2002