Student Feature – Spotlight on the International Labour Organization

https://www.e-ir.info/2020/02/22/student-feature-spotlight-on-the-international-labour-organization/

VéRONIQUE STENGER, FEB 22 2020

The International Labour Organization (ILO) is 100 years old. It was created in 1919 by the victors of the First World War as part of the Treaty of Versailles. It was a technical organisation institutionally tied to the League of Nations (LoN). Its Constitution was elaborated in Paris within the Commission on International Labour Legislation. This Commission was composed of representatives from nine countries: Belgium, Cuba, Czechoslovakia, France, Italy, Japan, Poland, the United Kingdom and the United States. It was presided over by Samuel Gompers (1850-1924), former President of the American Federation of Labor (AFL). In 1919, the ILO had 44 member states (187 in 2019). If the United States played a pivotal role in the negotiations to form the ILO, it would nonetheless not become a member of the organisation in 1919, as the U.S. Senate had not ratified the Treaty of Versailles.

The birth of the ILO reflected the emergence of a new conception of international policy after the war, based on the principles established by U.S. President Woodrow Wilson in his 14 points. Its creation also stemmed from the reflections of the European industrial states on the means of integrating workers into society in order to ensure social peace. This concern was reinforced with the war and the Bolshevik revolution of 1917. European states were also concerned by economic competition, and the ILO was meant to limit the possibility of economic war through international cooperation and the adoption of international labour legislation. Finally, the ILO was also a response to the demands for better and fairer working conditions of the international trade union movement, and to the social problems it continued to denounce since the 19th century.

The Preamble to its Constitution, which comprised Part XIII of the Treaty of Versailles, proclaimed that universal peace can be established only if it is based upon social justice. As part of its mandate, the ILO draws up Conventions and Recommendations which define the minimum standards to be respected in the areas within its competence: the regulation of working hours, the fight against unemployment, the guarantee of a wage that ensures decent living conditions, the protection of workers, the defence of the interests of workers employed abroad, the affirmation of the principle of equal pay for equal work, the defence of freedom of association and the organisation of vocational and technical education.

The ILO is composed of an executive body known as the Governing Body (GB); the International Labour Conferences (ILC), which meet once a year and where international labour Conventions and Recommendations are adopted; and the permanent secretariat, the International Labour Office. The latter is tasked with implementing ILO policy. The French socialist Albert Thomas, who played a central role during the war as Minister for Armament, was appointed the first Director of the Office in 1920. The ILO action was and is still based on social dialogue as a key factor in moving towards progress and as instrumental in allowing the different components of the labour world to manage economic and social change. The ILO tripartite structure – where workers, employers and governments participate jointly in leadership – makes it the only international organisation where workers and employers have institutional representation.

During the interwar period, the ILO was essentially a European organisation. Although some countries from Asia, Latin America and the Middle East joined the ILO, they were of secondary importance at that time. Moreover, in this new configuration of international relations, the colonial system did not disappear and found a new legitimacy, particularly in the framework of the international regime known as “the mandate”. The ILO adopted important conventions on the regulation of working hours, unemployment, the protection of women and children at work, social insurance and forced labour. Then, the 1930s were a turbulent period for the ILO. It was directly affected by the global economic crisis and the rise of extreme nationalist movements in Europe. The withdrawal of Nazi Germany from the organisation in 1933 and Fascist Italy in 1937 reduced the scope for applying and developing new international standards. This had important political consequences, the first being that the ILO was no longer an essential space for the European states, while the countries of Latin America and Asia, contesting the universal nature of the ILO, were looking for regional cooperation projects.

The ILO also underwent important changes that undoubtedly contributed to its survival during and after the Second World War. The first major change was the entry of the United States in 1934. The Roosevelt administration saw the ILO as a means to develop international cooperation under the leadership of the United States and to internationalise the principles and methods of the New Deal. The second major change was the intensification of ILO activities in extra-European areas. The ILO was forced to universalise its mandate, while in Europe, national borders were gradually closing. The intensification of relations with less developed countries (the expression then used was “less industrialised”) directly confronted the ILO with a new problem, namely that international labour standards, drawn up on the model of the experiences of the industrial countries of Western Europe, could only be applied with difficulty and major limitations. This in turn generated a reflection on the limits of the normative approach, which was seen as a partial remedy for social and economic problems in less industrialised countries. New instruments of international cooperation were being set up, such as the ILO regional conferences (the first took place in Santiago de Chile in 1936) and the missions of technical assistance.

During the Second World War, the ILO joined the fight against totalitarian regimes and pursued its activities from Montreal, Canada. In 1944, the ILO adopted the Declaration of Philadelphia as an annex of its Constitution. This Declaration affirmed a set of fundamental principles, such as “labour is not a commodity”, and that “all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity”. The war contributed to orient ILO’s standard-setting activity towards the protection of human rights.

In 1946, the ILO became a specialised agency of the United Nations. During the Cold War, the ILO’s activities and machinery expanded considerably, despite the ideological division between state socialism and liberal capitalism. In the context of the Fordist compromise, where the welfare of the workers was linked to economic growth, one of the ILO’s major preoccupations post-1945 was productivity. Under the leadership of the American David Morse, the ILO launched the Manpower Programme, aiming at helping European governments to deal with their problems in organising labour markets. Rapidly, the Manpower Programme became global and action centres were created for the implementation of international training programs. Another important issue was the advancement of the workers’ rights. Thus, in 1948 the ILO adopted a Convention on Freedom of Association (CO87). This convention, which Poland ratified in 1957, allowed the ILO to give full support to the Solidarity trade union and to help this country eventually emancipate itself from dictatorship.

The ILO also accompanied the decolonisation process through development projects. In the 1950s, a consensus emerged on the necessity of rapidly developing the use of science and technology in industry. The ILO tried to address the social consequences of technological progress in developed and developing countries. For example, concerned by the expansion of the nuclear industry, the ILO adopted in 1960 a convention on the protection of workers against radiations (C115). In the second half of the 1970s, marked by recession and growing scepticism about technological progress, the consumer society, and the impact of both on the environment, technology became a major discussion point in the re-orientation of development policies, which had started in 1969 with the World Employment Programme (WEP). This Programme promoted a reorientation of ILO activity towards poverty alleviation through the need to meet basic needs (food, health, education, housing). The emphasis was on environmentally friendly, small scale, capital saving technologies. The intensification of ILO activity in poor countries also confronted the ILO with new important challenges in terms of international regulation, such as informal labour and the protection of women and children in poor countries. Finally, in the 1980s, in the context of antinuclear movements and industrial scandals (asbestos, the Bhopal disaster in 1984), the ILO adopted several conventions, highlighting growing risks to workers' health and safety.

Since the 1990s, in a context of market deregulation, the ILO has been obliged, as in the 1930s, to rethink the role of international standards. As a sign of this change, it developed less binding instruments. In 1998 the ILO adopted a non-binding "Declaration on Fundamental Principles and Rights at Work" and in 1999, under the leadership of Chilean Juan Somavía, the Decent Work Agenda was adopted. These declarations, as the recent Centenary Declaration for the Future of Work, adopted by the ILC in 2019, testify to the global challenges (technology, inequalities, sustainable development) that the ILO intends to address in the 21st century, but also dilute the notion of social justice, as originally defined, and question the future role accorded to social rights.

About the author:

Dr. Véronique Stenger is a historian and postdoctoral researcher at the Swiss National Science Foundation (SNSF), and research fellow at Cermes3 – CNRS, Paris (Academia profile: https://cermes3.academia.edu/V%C3%A9roniquePlataStenger). She is a member of the History of International Organizations Network (HION): https://www.hion.ch/. She completed her PhD at the University of Geneva in 2016 and her work is going to be published in April 2020, under the title: Véronique Plata-Stenger, *Social Reform, Modernization and Technical Diplomacy. The ILO Contribution to Development (1930-1946)*, De Gruyter. https://www.degruyter.com/view/serial/457376. Her research is centered on international organizations and international labour regulation. She is currently working on a new project on occupational health risks in the nuclear industry in France, and the forms of regulation of these risks in a transnational perspective.