January | 2015

The effectiveness of Policy Influencing Lobby and Advocacy on Corporate Social Responsibility

Three case studies of PILA activities promoting global labor standards

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Preface

The present study has been initiated by IOB, and has been carried out in the period between November 2014 and January 2015. We thank IOB, the case holders and our respondents for their active support and contribution. The authors, however, are solely responsible for any mistake or misunderstanding, which the study may contain.

Amsterdam, January 2015

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Executive Summary

1. **This study has been initiated by IOB to contribute to a larger study on effectiveness of Policy Influencing, Lobby & Advocacy (PILA) activities by civil society organizations that have received support from the Dutch Ministry of Foreign Affairs.** As part of the IOB evaluation three PILA campaigns in relation to Corporate Social Responsibility (CSR) have been examined. The study of the three cases contribute to the evaluation proceedings of IOB in answering one of the main leading questions: "*What evidence is there for the effectiveness of PILA strategies/programs in influencing policy in the public and private sector that is supportive of poverty reduction, justice and sustainable inclusive development? What factors explain levels of effectiveness?*"

2. **The researchers have chosen for a thematic focus of the three case studies on the promotion of global labor standards. Our case studies focus on PILA activities with regard to factory safety in Bangladesh, wages and working hours in the IT-electronics industry (mostly focused on Chinese suppliers), and Right to Organize in the coalmining industry of Colombia.** We analyze in particular PILA activities by the Clean Clothes Campaign, SOMO and FNV Mondiaal. For this study the researchers have chosen to explore specifically CSO-PILA towards companies, though realizing PILA involves multiple avenues of interventions.

3. For the purpose of the context analysis overall, and specifically for the three selected cases, the researchers have conducted secondary literature study of CSR in order to determine definitions and frameworks. In addition, primary data collection of policy documents of the respected case holders and relevant stakeholders have been conducted. Furthermore, the researchers have conducted 24 semi-structured interviews with different stakeholders relevant to the specific cases, as well as relevant to the overarching theme of PILA strategies for CSR in the Dutch policy framework.

4. **Across the cases, CSO PILA activities have contributed to raising the respective labor issues higher on the agenda of Dutch companies and companies abroad**. Most PILA activities have also contributed to development of specific CSR policies of companies. And many PILA activities have been followed up by opportunities for CSOs to influence further thinking inside companies and across the industry. In some cases, such follow-up PILA opportunities have become institutionalized within organizations, covenants and action plans, so that regular CSO-company interactions affect how companies deal with labor standards in supply chains. And in all cases, PILA has also contributed to active government positions towards promotion of labor standards by Dutch industries, and sometimes even by companies from abroad.

5. **It matters how long a CSO has been devoting PILA attention to a cause.** The historical evolution of PILA activities positively affects the following issues: specificity of Theory of Change; partnerships CSOs strike with likeminded CSOs; interactions among CSOs and companies evolving over time; and, the degree to which consumers are aware of and affected by an issue.

6. **Theories of Change matter as an analytical category assembling a CSO's strategy, demands, perspective on the political-economic environment and ability to reflect on what works and why.** Across the cases, we see that ToCs that are less specific and less elaborate, for instance in terms of the specificity of PILA demands and rationales for targeting companies, lead to less clear results, or make it harder to claim that PILA has been effective.

7. **It matters how well-established the connections among CSOs are, and how in-depth the coordination among CSOs takes place, for how effective PILA is**. Throughout the cases we notice how PILA activities are organized by various CSOs at once. Or we see that an individual CSO's PILA is coordinated with the activities of another CSO. Or we notice how an individual CSO's PILA activities are influenced by another CSO's PILA. The strength of such links matter for how effective CSO PILA is.

8. **Companies themselves strategically respond to CSO PILA activities with their own attempts at PILA**. They tend to appreciate that CSOs develop PILA activities to put labor issues on the corporate agenda. But beyond this, the cases show a variation in corporate appreciation of the continuation of public campaigning strategies of CSOs *after* companies have started to develop CSR policies and/or industry-wide approaches to address labor issues. Furthermore, corporate PILA appears to be affected by the degree of concentration in an industry and the diversity of companies that "inhabit" it. Also, business-to-business PILA may have spillover types of consequences that may turn out to *boos*t the impact of CSO PILA activities.

9. We explain that CSOs are successful in getting issues on the agenda of governments and the private sector. These parties in turn take decisions and express commitments that resonate with CSO's interests. **Having these decisions and commitments translated into practice such as safer factories, or adherence to human rights issues is challenging as this demands leverage that cannot be provided by single organizations (working individually). Achieving these changes requires civic engagement often in combination with national and international networks of various actors who together have sufficient influence and power to face established interests.** Building these networks takes time and requires additional capabilities and commitments from CSOs. We also learned that strong local institutions (such as trade

unions in Bangladesh and China) need to be in place to implement and sustain policy decisions. A complicating factor in this respect is that the environment for civil society in developing countries tends to become more restrictive.

10. **Across the three cases, Dutch government and parliament have become involved in the interactions between CSOs and companies. And in all cases, the position the government has taken, has to some degree promoted the effectiveness of CSO PILA**. This is because government interventions (often spurred by questions from parliament) have promoted CSO's closer access to decision-making, boosted the urgency of the issues CSOs were advocating for, and facilitated the institutionalization of mutual PILA activities among companies and CSOs. Factors intrinsic to government, the current administration, the current political climate and the current set of MPs have contributed to this dynamic.

11. We analyze CSOs as organizations, but often find we are dealing with personal and inter-personal characteristics as we study the interactions between CSOs, companies and governments. This signifies a **fragility of effective company-PILA activities, a fragility that, we hypothesize, increases if the common ground that CSOs and companies establish is not translated into some form of institutional agreement that protects the interactions between both types of organizations from withering away if people switch jobs.**

12. **Our cases vary in the degree to which the labor issue addressed is politically sensitive. This difference, we hypothesize on the basis of case comparison, shapes PILA strategies and outcomes significantly**. Meaning, that with a less contentious issue like factory safety, if the PILA pressure is up, and large buying companies are willing to meet some of the demands of CSOs, then there is a chance that labor unions, buying companies, CSOs and governments in countries producing goods may respond with an attempt to meet the demands of the CSOs and buying companies. This makes it easier to come to institutional solutions that (Dutch) buying companies then can commit to.

13. **The nature of the drama underlying PILA causes influences how media strategies are effective at finding broader societal support.**

14. **The Netherlands is an environment conducive to PILA demands for CSR. Therefore, multinational companies with headquarters outside of the Netherlands, but with significant Dutch presence, may be affected by Dutch-focused PILA.** However the challenges of achieving corporate change in such cases appear more difficult, compared to campaigns in which these multinationals are targeted across countries, and also in their homeland.

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Abbreviations

BFBSA	Bangladesh Fire and Building Safety Agreement
CCC	Clean Clothes Campaign
CCC IS	Clean Clothes Campaign International Secretariat
CNV	Christelijke Nationaal Vakverbond
CSR	Corporate Social Responsibility
CSO	Civil Society Organization
DCD	Dutch Coal Dialogue
EICC	Electronics Industry Citizenship Coalition/ Electronics Industry Code of Conduct
FGG	Fair, Green and Global Alliance
FLA	Fair Labor Association
FNV	Federatie Nederlandse Vakbeweging
FNVM	Federatie Nederlandse Vakbeweging Mondiaal
GeSi	Global e-Sustainability Initiative
GIZ	*Gesellschaft für Internationale Zusammenarbeit*
GSCP	Global Social Compliance Program
GU	Global Union
IDH	The Sustainable Trade Initiative
IGO	Intergovernmental organization
ILRF	International Labor Rights Fund
IOB	Inspectie Ontwikkelingssamenwerking en Beleidsevaluatie
ILO	International Labor Organization
MNC	Multinational Corporation
MSN	Maquila Solidarity Fund
MVO Platform	Maatschappelijk Verantwoord Ondernemen Platform
NGO	Nongovernmental organization
OECD	Organization for Economic Cooperation and Development
PILA	Policy Influencing and Lobbying Activities
SOMO	Stichting Onderzoek Multinationale Ondernemingen
ToC	Theory of Change
ToR	Terms of Reference
UN	United Nations
VGT	Vereniging Grootwinkelbedrijf Textiel
VMP	Vakbondsmedefinancieringsprogramma
WRC	Worker Rights Consortium
WTO	World Trade Organization

Introduction

IOB conducts an evaluation of Policy Influencing, Lobby & Advocacy (PILA) activities that have received support from the Ministry of Foreign Affairs to achieve a specific goal. The main purpose of the evaluation, according to the ToR, is to contribute to insights and lessons that may support the development of lobby and advocacy policy and in particular to gain a better understanding of how the ministry may best support Civil Society Organizations (CSOs) in developing countries.

About 55 activities within different policy departments have been classified as lobbying & advocacy interventions or containing a substantial lobbying & advocacy element. An initial general classification proposes three categories on the thematic focus areas: private sector development/corporate social responsibility (PSD/CSR), human rights/gender (HR/gender), and democratization/social accountability (Democr./SA). For the majority of the activities PILA is the main area of intervention, with an expenditure of 100% of the budget allocated to policy influencing, lobby & advocacy (directly or indirectly).[1]

The ToR describes PILA in this framework as a separate strategy that can be pursued to achieve structural poverty reduction. This strategy of *policy influencing, lobby and advocacy* covers a wide range of activities conducted to influence decision-makers in the public and private sector at international, national and local levels towards the overall aim of combating the structural causes of poverty and injustice and contributing to sustainable inclusive development. Strategic actors in achieving this aim are civil society organizations that give citizens a voice and call governments to account; not only at the national level, but also influencing the international agenda and the outcomes of international negotiations.

As part of the IOB evaluation three PILA campaigns in relation to Corporate Social Responsibility (CSR) will be examined. The study of the three cases will contribute to the evaluation proceedings of IOB in answering one of the main leading questions: "*What evidence is there for the effectiveness of PILA strategies/programs in influencing policy in the public and private sector that is supportive of poverty reduction, justice and sustainable inclusive development? What factors explain levels of effectiveness?*" The question concerns strategies and/or programs that may be implemented by single organizations or collaborative associations (coalitions, networks) that may include organizations from the global South and North.

The findings of the case studies will therefore contribute to insights about effectiveness and explanatory factors of PILA campaigns/programs, and these findings will be supported by complementary evidence gathered separate and alongside these case studies through:

[1] A distinction can be made between direct and indirect expenditures. Direct expenditure in this case means activities directly aimed at policy influencing, lobbying & advocacy, and indirect refers to expenditures on capacity building of the partner organization, awareness-raising/civic engagement or research/publication/dialogue for the purposes of PILA.

- A review of available literature including evaluation reports that do not relate to support provided by the Netherlands
- A review of evaluation reports relation to Dutch support
- IOB reports and background information on gender/MDG3, SRHR, human rights, etc
- Evaluation report on the lobbying and advocacy component in MFS II, available by May 2015, and
- 10 PILA activities in Ethiopia and Mozambique

The results of the case studies will be used as source document for the eventual evaluation report that will be published by IOB.

The ToR describes the overall objective of the wider evaluation of PILA as to generate insights and conclusions that fulfill its learning goal by means of:

- A critical analysis of the support provided by the Ministry of Foreign Affairs;
- A study of the evidence of the effectiveness of PILA and factors that explain degrees of effectiveness; and
- Study of how Northern organizations may best support the policy influencing work of Southern CSOs

The case studies will aim to provide supportive evidence, complementary to additional research as mentioned above, to understand how the selected strategies and/or programs have contributed to changes in policies.

The researchers have chosen for a thematic focus of the three case studies on the promotion of global labor standards. The global re-organization of production creates links between Western consumers and workers in developing countries whose rights to organize, work safely, and receive fair wages are under pressure. These linkages have over the past twenty to thirty years been used to promote worker rights through transnational networks of Civil Society Organizations (CSOs), including trade unions, that developed PILA activities towards multinational corporations. Campaigning and lobbying by representatives of trade unions, developmental NGOs and other organizations, have often preceded and inspired Corporate Social Responsibility (CSR) policies by multinational corporations that endorse labor standards in their production, and in the activities of their suppliers. Subsequently this commitment has become institutionalized in private standard organizations focusing on labor standards, such as Fair Labor Association, Ethical Trading Initiative and Fair Wear Foundation.

The pursuit of CSR and its private rules for global labor standards is viewed by most CSOs as a pragmatic and instrumental choice. Enforced public governance is preferred but hard to achieve

either nationally or internationally.[2] Efforts to include stringent labor-standards clauses in regional and international trade agreements, or to create binding rules for multinationals in United Nations institutions, have so far been unsuccessful.[3] In the absence of enforced public governance, CSR, private standard organizations and soft-law approaches to responsible business practices from International Organizations have been promoted as a flexible alternative to advance worker rights. Indeed, studies hold that CSO PILA activities have been crucial to the evolution of CSR, private governance and its adoption by businesses.[4]

The center-of-gravity with regard to CSR PILA activities seems to have shifted to Western Europe, which now has the highest rate of business participation in private standard organizations for labor standards, and, compared to the United States, harbors many new private standard organizations tackling breaches of worker rights.[5]

Our case studies focus on PILA activities with regard to factory safety in Bangladesh, wages and working hours in the IT-electronics industry (mostly focused on Chinese suppliers), and Right to Organize in the coalmining industry of Colombia. We analyze in particular PILA activities by the Clean Clothes Campaign, SOMO and FNV Mondiaal. We realize PILA involves multiple avenues of interventions: CSO towards companies, companies towards CSO, government towards CSO, CSO towards government, etc. In the analysis of the research findings this will be taken into account. However, for this study the researchers have chosen to explore CSO-PILA towards companies, and thus this relation will receive most analytical focus.

In the next chapter we will first introduce the context of analyzed PILA activities by describing developments in the global economy, international politics, relevant CSO organizations and views in the literature on their effects. Chapter Three then describes the analytical focus, methodology and method of this research. Chapter Four to Six each describe the findings of the separate cases, discussing the economic, country and issue-specific context, the relevant organizations and their PILA activities, and their effects. Chapter Seven offers a synthesizing overview of the findings and their analytical implications.

[2] Bartley, 2003
[3] Jenkins, 2001
[4] Seidman, 2007
[5] Own measurement, May 2012, based on web-based policy document analysis of business participation in private standard organizations of Bonsucro, Business Social Compliance Initiative, Common Code for the Coffee Community, Electronics Industry Citizenship Coalition, the Ethical Trading Initiative(s) in the UK and Scandinavia, Fair Labor Association, Fair Wear Foundation, Initiative Clause Sociale, Made-By, Responsible Jewellery Council, Social Accountability International's Corporate Involvement Program.

PART 1:
CONTEXT ANALYSIS

1. The political economy of PILA activities promoting global labor standards

This chapter sets the background for the study by discussing trends in the global economy that affect working conditions and worker rights, international instruments and policies, relevant labor standard protection, trends in CSO promotion of labor standards, views in literature on the effects of past PILA activities, and other factors relevant to policy change in CSR by companies.

1.1. The global organization of production

Over the last thirty years, the organization of production of mass consumer goods has become geographically dispersed and functionally disintegrated. Transnational production chains have come into existence that connect formally independent companies, running from Northern America and Europe into Central and South America, Eastern Europe, and South and Southeast Asia. Labor-intensive manufacturing increasingly takes place in regions of the world characterized by relatively low wage levels and an abundant non-skilled labor supply. Next to that, agricultural commodities and raw materials for production have been sourced from developing countries in Africa, Latin America and Asia for centuries. Recently, however, the demand for energy sources, food sources and materials has picked up. For most rare raw materials and energy sources prices have been on the rise.[6] Prices are significant because they indicate the scope of struggles between workers and management at factory sites about who gets what size of the pie in terms of profit and wages, and between different businesses making up a production chain about who captures what segment of value added.

Generally, the economic crisis after the 2007 sub-prime mortgage crisis has led to a drop in demand for intensively manufactured goods. Analysts worry that there has been a consistent oversupply of these goods on the global market in the decade preceding the crisis anyway.[7] With stalling growth in the US and EU, the most important end markets for these goods, competition among exporting firms and countries has intensified. Particularly in the production of clothing, the number of jobs and intensity of industrial activity has decreased in countries losing out on this competition. The demand for agricultural commodities and energy sources seems to have been less affected, given how here the demand from emerging economies outside North America and EU is relevant. Most of these economies have reported (considerable) growth over the past decade, although all of them are to some degree negatively affected by the EU and the US's economic plight.

[6] Dicken 2006; Kaplinsky & Morris 2001; Wall Street Journal 2010; Guardian 2014
[7] Schwartz, 2009: 302-322

Consequences for labor rights

Consumer goods brands and retailers rely on a large, differentiated set of suppliers who regularly receive large orders with tight deadlines. Studies emphasize that specific industrial characteristics could stimulate excessive overtime, abuse, and suppression of labor representation. For instance, labor abuse has been identified in the clothing chain in small informal workplaces in India, often involving sewing work by whole families, including children.[8] In China, factories supplying global brands have been known to apply harsh quasi-military management techniques in order to push workers towards higher production levels.[9] In agricultural commodities, large retailers increasingly choose their products through spot market interactions with a large pool of suppliers.[10] In many Latin American, Asian and African plants producing tea, coffee, cocoa and fresh produce, working conditions are determined by low wages and short-term contracts.[11] Mass consumer good production and agricultural production are thus a manifestation of a fragmented form of global economic integration, which potentially puts workers in a vulnerable position.

States with governments as different in political character as China, Indonesia, and Mexico nowadays have legal frameworks that ostensibly protect workers' rights. But low standard working conditions persist in export industries (and elsewhere) because of a lack of enforcement of these legal frameworks. In some countries, the shift towards export orientation has been paralleled by legal adjustments reducing worker rights.[12] Public attention has at times focused on the working circumstances and limited worker rights in export production regions.[13] Energy sources, raw materials and agricultural commodities are often exported from areas in Africa and Asia where the governmental apparatus is weakly developed, and/or administrative practices are corrupt.[14] Apart from political unwillingness on the part of ruling elites, weak state capacity thereby also potentially contributes to breaches in worker rights.

1.2. The contemporary global labor governance architecture

Intergovernmental governance organizations present different promises with regard to the protection of worker rights and enforced labor standards. Dutch CSO's PILA activities on global labor justice may be affected by the opportunities and constraints that result from intergovernmental policies and regulations on labor. This section briefly discusses those existing labor governance policy instruments and regulations, and how these instruments and regulations inform the strategies of Dutch CSOs seeking to promote labor justice.

[8] Ascoly and Finney 2005
[9] Ngai 2005
[10] Gereffi et al, 2005
[11] Murray & Raynolds, 2007
[12] Kocer 2007
[13] Klein 1999
[14] Kraxberger, 2007

Public governance instruments

There are four dominant intergovernmental institutions involved in developing and promoting labor governance policy instruments and regulations. For consistent improvements in enforcement of Core Labor Standards, the International Labor Organization (ILO) is the first crucial point for PILA Activities, but is largely dependent on the efforts of member countries. Its Decent Work Agenda for example, focuses on committing countries to four strategic pillars: job creation, rights at work, social protection and social dialogue, with gender equality as a crosscutting objective.[15]

Secondly, within the UN, discussion of ethical standards for multinationals has been the responsibility of John Gerrard Ruggie, special representative of Business and Human Rights. Ruggie first supported the UN Global Compact, a loose assembly of businesses and CSOs setting exemplary best practice. Recently he proposed dividing responsibilities between states, IGOs, businesses, and civil society regarding human rights issues, under the banner 'Protect, respect and remedy'. An important concept used in this policy is "due diligence", describing the obligation businesses have to do their best to identify and mitigate human rights breaches in their operations.[16]

A third important public governance player is the Organization for Economic Cooperation and Development (OECD) and the Guidelines for Multinationals, a soft-law standard describing human rights duties of multinationals seated in OECD member countries, which have been revised various times. The Guidelines' arbitrage mechanism focuses on National Contact Points managed by member country governments, including one in the Netherlands, where stakeholders can submit allegations to breaches in the guidelines by companies. The guidelines now describe a business relationship between buyers and suppliers in such a way that they could be used for PILA activities from European CSOs with ties to CSOs in developing countries, who could criticize multinationals that have traded with suppliers in these developing countries.

Lastly, though conversely, at the World Trade Organization (WTO) negotiation table, the debate on the social clause to advance labor standards has ended in the face of opposition from most developing and transitional economies.[17] Since the deadlock at the WTO in the early 2000s, the significance of bi-lateral and regional agreements has been raised. The increased power of Northern governments in bi-lateral arrangements may lead to inequitable trade agreements for Southern countries. But with respect to worker-rights PILA activities, Northern leverage over Southern governments could be used to develop PILA activities on labor standards in developing countries.

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[15] More information on the Decent Work Agenda and respective Decent Work Country Programmes can be found on the ILO website http://ilo.org/global/about-the-ilo/decent-work-agenda/lang--en/index.htm, accessed 18 December 2014.
[16] Meanwhile, a hotly debated new proposal has recently passed the UN Human Rights Council, which seeks to advance binding regulation for multinational corporations, and thereby proposes a hard-law alternative to the Ruggie effort. It has been opposed in debate and voting by amongst others the EU, the US, meaning that its political future is in the balance. United Nations General Assembly, Human Rights Council, UN Doc. A/HRC/26/L.22/Rev.1, June 25,2014.).
[17] Burgoon 2004

In addition, from a European perspective, the EU's policy towards CSR and private governance has over the last one and half decade generally been lax, focusing on voluntary business activity without either criteria for what is appropriate, or legislation for businesses.[18] Since the Commission shifts in 2010, plans for governing CSR have become more stringent, proposing mandatory sustainability reporting, together with a variety of soft-law approaches for both national and regional advance of good practices. EU efforts are also starting to dovetail with the UN Ruggie framework.

Dutch CSO's PILA activities may be affected by these policies and regulations on labor in three ways: first, PILA activities may be directed at revising policies that circumscribe appropriate behavior of multinationals towards labor issues, such as OECD Guidelines, UN Human Rights Council discussions about multinationals, and EU CSR and trade policies. Second, Dutch CSOs may criticize firm's compliance with some of these policies, for instance pressuring for conformity to ILO Core Conventions, OECD Guidelines, UN Principles, or the labor clauses in trade arrangements. Third, Dutch CSOs may use complaints mechanisms and participatory instruments by these institutions to promote labor standards, for instance by using the OECD Complaints mechanism, complaints and grievance procedures within trade agreements (if available), or the ILO Better Work complaints instruments, to promote better working conditions in the supply chains of European companies.

CSR, voluntary measures, private governance

Next to inter-governmental arrangements, non-governmental activities also focus on worker rights. They include arrangements developed, governed and managed mostly by non-governmental organizations such as firms and CSOs (albeit in varying compositions), which produce commitments to labor standards that are voluntary in the legal sense. Four influential arrangements are: International Framework Agreements, CSR policies by firms, private labor standard organizations (such as UTZ or the EICC), and locally focused CSR initiatives.

First, International Framework Agreements are negotiated between an international firm and a global union.[19] These agreements concern the international activities of that company. The purpose of such a framework is to establish an ongoing relationship between the firm and the union organization to solve problems in the interest of both parties.[20] Second, labor standards are also addressed by individual firm's CSR policies. These include multinational corporate codes of conduct detailing labor standards in the firm's internal operations, and often also in its supply chains. Third, private labor standard organizations are a particular category in the wider realm of voluntary corporate activities to manage social consequences of doing business. Within the universe of CSR activity, such organizations take a special place because they organize corporate commitment to ethical standards in the form of *rules*, in *sector-wide* approaches, with mechanisms

[18] Kinderman 2012
[19] Egels-Zanden 2009
[20] Justice 2002

for *external review* of compliance (see Box 1 for more detailed information). Fourth, we distinguish particular voluntary initiatives that involve several multinational companies at once; include CSOs in decision-making; involve corporate commitments to labor standards, but specify the commitments to a particular country (and sometimes sector); and involve governmental actors and suppliers from that country in discussions and governance. Examples include the Bangladesh Safety Accord and the Indonesia Collective Bargaining Initiative for the Sportswear Industry.

Box 1: Private Labor Standard Organizations

Over the past two decades, dozens of private standard organizations have come into existence, participation by businesses in these organizations has increased, and monitoring, redeeming and capacity building takes place in thousands of African, Asian, Latin American and Eastern European manufacturing factories and farms producing apparel, sportswear, electronics, toys, cocoa, coffee, tea, sugar, palm oil, minerals, flowers and fresh produce.

CSOs have important decision-making positions in some transnational private standard organizations but are kept from governing roles in many others, including the Business Social Compliance Initiative and the Electronics Industry Citizenship Coalition and the toy industry's CARE initiative. (Fransen 2012) Compared to first-generation private labor-standards rulemaking in the 1990s, the current transnational private governance architecture leaves much less room for CSO influence. And while business adoption of private governance is still increasing, participation patterns are uneven. In intensive manufacturing, most businesses support transnational governance organizations that exclude CSOs from decision-making. (Fransen 2013)

Studies focused on labor standard impacts in low-skilled manufacturing show that success in improving working circumstances through private standard organizations depends on contextual factors over which governance organizations have limited influence: managerial styles, supplier-buyer relations, anti- or pro-worker political culture, government regulation, labor turnover, and strength of unions. (Frenkel 2001; Locke 2013) Making progress in labor-standards enforcement through private governance is therefore possible, but it is unclear how widespread and durable advances in factories and productive regions can be.

In terms of PILA activities, CSOs can seek to accomplish the following four things. First, trade unions may want to sign international framework agreements (IFAs) with multinationals, and want multinationals to follow up on their signed commitments. Second, CSOs broadly can pressure firms to adopt CSR policies, seek to revise existing CSR policies so that they confirm to what CSOs consider just, fair and effective, or confront firms with a breach between their CSR commitments and what happens in practice. Third, CSOs can (co-)develop new private standard organizations, lobby to private standard organizations so that they confirm to what CSOs consider just, fair and effective, pressure firms to become members of private standard organizations, or confront firms with a breach between their commitment to an organization's policy and what happens in practice. Fourth, CSOs can (co-)develop new local voluntary initiatives, lobby to private standard

organizations so that they confirm to what CSOs consider just, fair and effective, pressure firms to adopt agreements that are part of the initiative, or confront firms with a breach between their commitment to such an agreement and what happens in practice.

1.3. Overall trends in European labor standard PILA 2002-2014

A recent study shows that European Civil Society Organizations who have worked on labor standards promotion in the past have between 2003 and 20012 devoted decreasing attention to labor standard PILA activities in general and promoting CSR and private labor governance in particular.[21] On account of diminishing funds and changed priorities, there has been decreasing European civil society pressure on corporations and governments, less development and governance of private governance organizations, and less influencing of intergovernmental policy and trade agreements. This shift in attention has gone hand-in-hand with budget cuts and fears of such given the economic downswing after 2007.

CSOs are also faced with increased demand for effectiveness observable through evaluation and impact studies. The demand for observable outcomes does not sit well with labor-standard PILA activities. This is because of its focus on intermediate outcomes, that may be hard to achieve or sustain (higher wages in factories), highly politicized (free trade unions in authoritarian societies), or difficult to quantify (such as peaceful industrial relations, aversion of labor crisis). And with its focus on final outcomes far on the horizon (enforced labor standards), labor standard PILA has not been a donor darling over the last decade.

But this trend seems to have been reversed in the Netherlands, Europe and the world in the aftermath of the collapse of the Rana Plaza factory complex in 2013. The human toll, the media coverage, and the emotional response among mass audiences have put labor standards once again high on the political agenda. European and American development assistance policies, and, as described above, trade policies and foreign affairs generally have all been revised in the aftermath of this disaster. Some of the big developmental NGOs retreating from labor standards PILA activities have now returned to labor standard PILA activities, arguably in the wake of renewed donor attention at EU and governmental level for CSO activity on working conditions, and increased public sensibility to the issue area. And the opportunities for CSOs who have labor standards as their central focus (labor activist networks, unions) to receive funding from EU and government donors, also seem to have increased, leading to a flurry of activity with regard to campaigns, service activities to build capacity for good working conditions, amongst others in Bangladesh. Accordingly, ActionAid has returned to the labor standard issue, the Clean Clothes Campaign network has seen its budget increase, and private standard organizations like Fair Wear Foundation receive increased funding to deal with capacity building issues.[22]

[21] Fransen and Burgoon, 2013
[22] CCC, 2014; Fairwear; ActionAid

1.4. CSR, CSOs, labor standards and PILA: The Dutch context

The Netherlands is perceived in the last decade as taking the lead internationally on "CSR", and ranks high compared to other countries in terms of the amount of policies developed by firms, the capacity for PILA activities promoting CSR, and existing government policies promoting CSR. Comparative measures in academic literature show that Dutch companies in 2009 ranked among the top 5 of European countries in terms of their endorsement of voluntary human rights, social and environmental standards and their commitment to transparency in sustainability reporting.[23] The Netherlands is also among the 5 European countries within the EU that have the highest capacity for CSR PILA activities by CSOs that could ostensibly be active on CSR-labor-standards-related PILA, measured by the amount of CSO staff and the available CSOs.[24] The Netherlands, as measured by the Eurobarometer survey in 2010, is among the top 4 countries in Europe with citizens most sensitive to fair labor standards and most willing to pay extra for products if this would guarantee voluntary measures to make the manufacturing of this product fair.[25] And Dutch government from 2001 to 2011 is together with the United Kingdom considered most active of all European governments promoting CSR policies among Dutch companies that relate more or less directly to labor standards.[26]

Dutch government interventions promoted over the last years include public procurement requirements, company disclosure requirements, Socially Responsible Investment criteria, and a multitude of funding and facilitation initiatives aimed at disseminating information on CSR, promoting best practice policies and management systems, and encouraging dialogue among businesses and with CSOs.[27] Moreover, Dutch government is also a key financer of CSOs with a global justice PILA agenda, and in the last ten years was among the 4 European countries spending the largest amount of development aid-earmarked funds on supporting CSOs.[28]

In the government policy note "Corporate social responsibility pays off" (2013) the CSR policy of the Netherlands is elaborated. Central to the policy is the emphasis of the government to continue its efforts towards sensitizing the Dutch business community to the importance of practicing CSR, while simultaneously it highlights the role of civil society and other stakeholders in preventing social risks in worldwide production chains. It promotes CSR as a 'business case' from a social rather than a corporate perspective (i.e. saving on natural resources and energy, which reduces costs).

The government has stipulated several tasks:

- ensuring that the frameworks for CSR are as clear as possible and that businesses are fully informed about them;
- promoting a level playing field for Dutch businesses;

[23] Gjolberg 2009
[24] Burgoon and Fransen, 2014
[25] Burgoon and Fransen, 2014
[26] Burgoon and Fransen, 2014
[27] Steurer, 2010; EU CSR Compendium 2010 and 2014.
[28] OECD, 2014

- making other governments aware of their responsibilities, for example through economic diplomacy;
- promoting transparency and stakeholder dialogue;
- setting a good example, for instance by pursuing a sustainable procurement policy. It should investigate the extent to which CSR, also at international level, can play a more emphatic role as a criterion for the government's procurement policy. The Minister for Infrastructure and Environment will inform parliament on this issue in early 2014.

The government believes that the challenge for the coming years lies in the timely identification of risks in various chains that are relevant to Dutch businesses: people and planet have to be protected. The government does not want incident management for ad hoc interests, but structural solutions in international chains. The initiative of course lies with the business community, with the government and civil society as obvious partners.[29]

In Dutch parliamentary politics, Dutch MPs regularly raise questions about the CSR policies of Dutch companies, and the responsibility of governments for promoting these or developing requirements for specific issue areas (presumably often as a result of CSO PILA activities). As a response to these issues, in the past few years, Dutch government itself has become involved in PILA interactions among Dutch companies and CSOs in dialogue groups, working towards formal or informal agreements on CSR commitments from companies. Government in such instances would function either as a funder/facilitator, as observer or as a chair.[30]

Because of this, the Netherlands is renowned for initiatives, companies, organizations and institutions that contribute to the CSR policy agenda of companies, governments and CSOs. The Dutch Sustainable Trade Initiative (IDH), Utz Certified, Solidaridad, Clean Clothes Campaign, Wageningen University, and multinationals like Unilever and Philips all in different ways contribute to the evolution of CSR policies as well as to the image of the Netherlands as being at the forefront of CSR activities.[31]

In the Dutch context, in terms of the evolution of CSR commitments to labor standards, companies find themselves in a national political environment where many actors ostensibly expect progressive action on labor standards from companies, and may approach them directly with questions and critique. In terms of PILA activities, CSOs find many possible allies within the Netherlands in promoting labor standards through demands for CSR policies, including citizens, other CSOs, parliamentary politicians, ministers and civil servants. From a research perspective, however, the popularity of CSR also poses a challenge, since it may be difficult to disentangle the effect of CSO PILA activities relative to other forces surrounding company's decision-making on CSR and labor standards.

[29] Drawn from the policy note "CSR pays off", 28 June 2013
[30] Conversation with Jan van Wijngaarden, December 2014,
[31] Folke Henriksen, 2014; Van Tulder and Van der Zwart, 2004

1.5. In sum

Since the collapse of the Rana Plaza factory complex in 2013, labor standards have been put high on the political agenda once more as low standard working conditions persist in export industries, and elsewhere. Existing labor governance policy instruments and regulations present different promises with regard to the protection of worker rights and enforced labor standards, and inform the strategies of Dutch CSOs seeking to promote labor justice in different ways. However, the jury is out regarding the effectiveness of such instruments. CSOs therefore take on different avenues developing, complementing or reinforcing existing regulations and initiatives. PILA activities may be directed at developing new initiatives, revising existing policies, may encourage firm participation in a initiative, criticize firm's compliance with standards or policies, or CSOs may use complaints mechanisms and participatory instruments by these institutions to promote labor standards. Especially Dutch initiatives have taken the lead internationally on CSR, and the Netherlands is renowned for initiatives, companies, organizations and institutions that contribute to the CSR policy agenda of companies, governments and CSOs.

2. CSOs, PILA and Theories of Change

2.1. Types of CSOs

We can divide the number of CSOs working on labor standards broadly in four categories. First, trade union organizations, that have a representative function for workers, but often also perform PILA activities in function of workers outside of their membership, and, in the case of global justice, across borders. The prime Dutch examples are FNV and CNV, with their global solidarity wings FNV Mondiaal and CNV Internationaal. Second, developmental NGOs with a broad agenda of economic justice and social rights that may include attention for labor standards. Examples include Oxfam and ActionAid. Third, CSOs focusing exclusively on labor PILA activities, which often are organized in a network structure across borders, and supported by various local activist groups. Prime Dutch example is the Clean Clothes Campaign. Fourth, CSOs focusing exclusively on promotion of the agenda of Fair Trade and CSR, regardless of what the issue area or sector is, such as the British organization Traidcraft.

European CSOs are not equal in organizational, financial and political capacity. Some are bigger and more influential than others. In general, big international NGOs, or BINGOs, set the tone for many PILA efforts.[32] Furthermore, in labor PILA activities, certain organizations devote a large amount of their resources to labor issues, or exclusively focus on these issues. Examples, here, are trade unions and labor-activist organizations such as the Clean Clothes Campaign. This exclusive focus, together with size and connections to other national politicians and international organizations, makes them more influential than organizations that only devote a couple of staff representatives and a small portion of budget to worker rights PILA activities.

2.2. Types of PILA activities focused on labor standards

The challenge of contemporary economic globalization is that capital is increasingly mobile across borders while labor predominantly is not. Because of this, finding the most cost-efficient location of capital may include attention for labor costs and this may stimulate competition for lower labor standards between countries.[33] Therefore, the capacity to organize and strengthen the position of workers within countries goes hand-in-hand with attempts to either create cross-border transnational solidarity among workers, and/or establish a level playing field through international labor-standard regulation.

Transnational worker-rights PILA activities can be divided into three strands of political engagement. The first aims to strengthen the capacity of workers to organize and bargain with businesses and governments. Examples of these efforts are alliances between unions in a given sector; or support programs from Western labor unions and developmental NGOs for building

[32] Shutt 2009
[33] Greenhill et al 2009

organizational capacity for unions in developing countries.[34] The second strand focuses on international, inter-governmental institutions as discussed above. The third strand focuses on voluntary business activities with regard to advancing worker rights also discussed above.

2.3. Enabling and constraining opportunity structures

Two opportunity structures influence PILA strategies of European CSOs focused on improving labor standards: one relates to civil society *organizational survival* and, one relates to focusing on labor standards *as an issue area*.

We will first turn to civil society organizational survival. The structure that influences CSOs' own survival as agents of societal change involves, first, European public opinion about developing countries, sustainable development, and the activities of CSOs themselves. This creates room for political leverage for CSOs, as they may use that opinion to raise certain issues. Second, the donation activities of private and public actors are of importance, and the particular expectations implied in existing and prospective donor-recipient relations. Here governments and the European Union are crucial, given the size of their contribution to CSO funds and the increasing explicitness of their agenda for determining the size of funds. Dependence on these funds likely yields two strategic responses from CSOs: by choosing PILA issues and strategies that fit with the perceived policy focus of donors; and by shaping PILA activities according to the standards of accountability requested from these donors.[35] Third, the behavior of other peer CSOs affects the room CSOs have to pursue their agendas: the extent to which CSOs can collaborate with their peers in capacity building and PILA activities across borders; the extent to which CSOs can have value-added given what others are doing; and what European CSOs and partner CSOs in developing countries have to offer each other.[36]

The second political opportunity structure involves factors shaping possibilities for campaigning for worker rights. These factors include the agendas of international institutions mentioned in Chapter 1; the national political opportunity structure of countries in which they campaign (including political culture, rule of law); and the ties to local partner CSOs in developing countries that serve as allies in promoting worker rights. In addition, a host of economic factors affect worker position in sectors and the capacity for multinational businesses to negatively or positively affect these positions.

What CSOs therefore look for is the best fit between what they can achieve with regard to advancing worker rights, while sustaining their organization's capacity for operation in the future. Arguably the lens through which CSO representatives evaluate opportunities and constraints of both structures is the organization's longer term ideological commitment, which may or may not be

[34] Anner et al 2006; Bieler & Lindberg 2011; Eade and Leather, 2005; Fransen and Burgoon 2013
[35] Smillie 1997
[36] Bob 2001

related to an explicit theory of change, detailing how the mission and vision of the organizations when put into action may lead to visible results.

2.4. Deciding on forms, targets and demands

CSO decision-making about the priorities for PILA can be understood as follows.[37] CSOs write-up a longer-term agenda in a multi-year program, settled internally over a long course of dialogue between different departments and influenced by their own set of values and norms. In developing this agenda, CSO representatives estimate their organizational opportunity structure and the labor-standard opportunity structure, in terms of what donors want and plan to fund, what other CSOs are doing, what their local partner CSOs put on the agenda, and what is happening in international institutions. The long-term program then ideologically prioritizes categories of CSO activity, and emphasizes issues and focus; sometimes in terms of geography, other times in terms of economic sector or particular cause (children, indigenous people, women, workers). In more specific annual plans, CSOs then tie their activities to longer-term goals, and debate how funds are spent across different issue areas, PILA activities, capacity programs and (where applicable) humanitarian relief programs. CSO board members then usually make the final decisions, but most of the times after directors of different department and expert staff members have advocated for particular agendas. Staff members often have favorite projects they want to promote, which means that on departmental level, further coordination is necessary about which cause, country, or partner receives more or less attention, again bearing in mind both opportunity structures and preferences on the basis of ideological lenses.

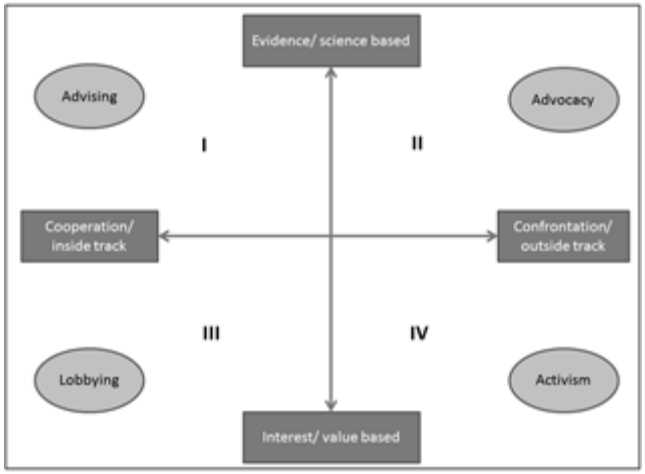
Once a topic for PILA is chosen, debate then continues about three essential determining factors shaping the activities: (1) the appropriate *form* of PILA activity, (2) the appropriate *targets* and (3) the related *demands*. We will turn to these factors now in more detail, as this will also offer an analytical framework for the case studies as part of this evaluation.

Form of PILA activity

CSO's ideological commitments and prevailing routines of PILA will also influence the *form* of PILA.[38] Accordingly, they may be more or less likely to seek funding from specific donors, more or less likely to pressure businesses or develop partnerships with businesses, and more or less likely to use advisory, advocacy, lobbying or activist measures. Figure 1 signals how different types of PILA activities may be distinguished on two axes, signifying the distinction between such activities based on the degree to which these are evidence\science based or value based, and the degree to which these are cooperation or confrontation-based.

[37] Compare Fransen and Burgoon, 2013
[38] For discussion see De Bakker and Den Hond 2007

Figure 1: PILA strategies. Source: Adapted from Start and Hoyland (2004)



Literature shows that very often CSOs will combine different elements of PILA within campaign efforts.[39] But ideology and prevailing organizational capacity and repertoire, may lead to an emphasis on one or two categories of PILA activities over others, so that PILA campaigns become skewed towards one or two particular corners of PILA repertoire in the figure. An organization like SOMO is therefore likely to offer science/evidence-based PILA activities to labor standard campaigns, because of its investment in research capacity over the years. An organization like the CCC is likely to use activism. Its campaigning capacity at the national nodes of its network is geared towards confrontational tactics toward companies.

Targets of PILA activities

If we focus on CSO activity towards changing corporate practices, the discussion about *targets* of PILA activities is likely to involve the following considerations: (1) relevance of target to the issue at hand and the degree to which it may contribute to positive change in terms of labor standards; (2) the likelihood of positive response to PILA; (3) the degree to which a target's activities resonate with a broader audience that may re-invoke the CSO's claims; (4) relationship to other activities of the CSOs in question; and (5) relationship to activities of other CSOs. In addition, the targeting may be done directly (demands to companies, often visible for an audience of possibly critical consumers and shareholders) and/or indirectly (demands to politicians or governments, visible to their constituencies, who then may make demands on companies). In the latter case, CSOs also have to determine which third parties may be most effective as levers for exercising pressure. Very likely, CSOs try to establish or have established working relations with parliamentarians and civil servants whom they know to be ideologically or substantively invested in the topic of PILA. These relations can then be used for voicing demands for companies. Also here, CSOs have to consider which companies they want to try to get pressured by these third parties, meaning that considerations of corporate targets and third parties used as levers may in practice intertwine.

[39] Fransen and Burgoon, 2012; De Bakker and Den Hond, 2007

Academic literature reveals biases in CSO PILA activities towards particular companies as targets. Generally, well-known companies are more likely to be targeted than less well-known companies. Moreover, companies with significant investments in product brand and corporate reputation are more likely to be targeted than companies with lower consumer and shareholder visibility. Companies with significant presences in American and European consumer markets are more likely targets than companies focused on non-Western markets. And finally, companies with more visible CSR profiles and standing commitments to human rights, labor and the environment are likely to see these claims followed up by additional PILA demands from CSOs. CSOs less regularly monitor and criticize "laggard" companies staying behind on their CSR commitments as substantially as they pressure companies who have responded in some ways to PILA demands by developing CSR policies.

Size of the company often means for CSOs that the company will be able to exercise sufficient pressure on a supplier to change behavior. Brand reputation and visibility in the US and Europe for CSOs means that these companies will be more sensitive to reputation damage and critical questions from European and American shareholders and consumers. And with regard to targeting companies with significant CSR profiles, there are two considerations: first, it is easy to demand things from companies who have made public commitments to labor standards, because then they need to follow them up; second, companies with more visible profiles and commitments often have already been subject to PILA before, which means that more pressure on these companies is like continuing the conversation, rather than beginning a conversation, which is always more challenging.[40] At least in the clothing industry and the forestry industry this strategy seems to bear fruit for CSOs developing PILA, net of such a "selection bias". There, many companies that are sizable, investing in brand, and relatively well known for CSR commitments, make policy adjustments that come closer to PILA demands than most other companies.[41] A strategic issue here however is what PILA should actually achieve: pushing along the frontrunner companies in terms of their CSR, or weeding out the bottom in terms of getting laggard companies to begin with evolution of CSR commitments. Some authors fear that most CSOs opt for the former, to the detriment of the latter.[42]

Demands of PILA activities

The character of *CSO demands* for change of company behavior, and perhaps even company culture, may vary according to a distinction made in academic literature between watchdogs campaigns and proxy war campaigns.[43] The former refers to campaigns pushing companies to follow up on commitments already made, for instance with reference to international organization standards (ILO, OECD, UN, EU) or CSR and private standard organization policies (compliance with codes of conduct, scaling up of efforts in private standard organizations). The latter sees

[40] Bartley and Child, 2014; Cashore et al 2007
[41] Fransen and Burgoon, 2012; Cashore et al 2005
[42] Cashore et al 2007
[43] Doh and Zachar, 2012

campaigns as an ongoing effort to transform the sphere of political action according to what CSOs consider fair, just and effective. This entails a long-term strategy of PILA, which may be confrontational as well as cooperative in nature.

2.5. Theories of Change

Discussion about strategies in terms of PILA forms, PILA targets and PILA demands may involve reference to an existing Theory of Change. Theories of Change (ToCs) have evolved mostly in the world of development cooperation, and since then have spread to other fields of CSO activity, to operationalize mission and strategy of the CSO. Within labor standards-focused PILA activities by CSOs, ToCs may be more or less explicitly mentioned as a reference for strategic and tactical decision-making. Furthermore, they may be formulated for the organization's mission as a whole, or for specific subsets of its activities, such as policy areas, or particular PILA activities.

Generally, in both explicit and implicit types of Theory of Change, we can distinguish in degrees of reflexivity, meaning that some ToCs allow for change due to observations about the success of certain elements of PILA, while others are more fixed over time in terms of the strategies chosen and the objectives laid out.

Table 1: Dimensions of Theories of Change

ToC formulation	Implicit ← → Explicit			
ToC scope	PILA activity	CSO Project	CSO Theme of action	CSO as a whole
ToC ambition	Watchdog ←→Proxy war			
ToC reflexivity	Low ←→High			
ToC awareness of political environment	Low ←→ High			
ToC categories of strategic focus	PILA targets	PILA demands	PILA forms	PILA issues
ToC assumed mechanism of change	Types of assumed mechanisms underlying CSO's strategic decisions for achieving change			

Table 1 signifies the different elements of a CSO PILA strategy towards companies on labor standards, as laid down in a Theory of Change. It will subsequently be used to characterize the strategies and ToCs in the three case studies. In terms of scope, we distinguish between ToCs covering the organization as a whole, and then in degree of descending level of analysis: CSO

Theme of Action (f.i. environment, human rights), CSO project (f.i. worker rights in Colombia) and PILA activity (campaigning towards Dutch companies as a strategy to promote worker rights).

2.6. The effects of CSO PILA activities on company policy

The literature identifies the following effects of CSO PILA activities on companies, measured by degrees of policy change, next to effects in terms of agenda setting and changing practice.

First, companies develop CSR approaches to labor standards as a result of being the target of CSO PILA activities that criticize sub-standard labor conditions in their supply chains through public campaigns. Companies set up CSR, sustainability or responsible sourcing departments and hire staff devoted to this topic, and develop their first CSR policies for their supply chain (codes of conduct, monitoring mechanisms, reporting policies) after being subject to campaigns.[44] The literature also identifies indirect effects of company targeting. Companies in the Netherlands and Finland have been inspired to develop CSR policies because they estimated that they could be a subject to public campaigns by CSOs in similar ways as their peers have been, if they did not develop such policies. PILA activities may therefore have desirable effects (from the perspective of the CSO's demands) *beyond* the direct targets chosen.

Second, companies join private standard organizations, or join in on the development of private standard organizations as a result of public campaigning and more informal, private types of PILA by CSOs.[45] After pressure from CSOs, companies join negotiation tables and governance boards of private standard organizations, and/or apply the private standard policies of organizations like Fair Labor Association and the Fair Wear Foundation in their supply chain.

Third, companies revise their policies and activities as a result of PILA activities. Already existing CSR policies and commitments to private standard organizations and international organization guidelines and principles may be extended and updated as a result of interventions from CSOs. Sometimes such interventions are invited specifically by the company as a result of stakeholder dialogue events.[46]

Fourth, companies respond to PILA activities that address urgent crises in supply chains identified by CSO's partner organizations in developing countries.[47] Such crises can be addressed with reference to a company's obligation to comply with its own CSR policies, its commitment to a private standard organization, or the guidelines and principles of international organizations. Calls for help from partner organizations may for instance involve instances of union repression, lack of factory safety and forced labor. European companies respond by putting pressure on suppliers to

[44] Bartley, 2003; Fransen, 2012; Soule, 2012
[45] Bartley, 2009; Egels-Zanden and Wahlqvist, 2007; Marx, 2008
[46] Van Tulder et al, 2004
[47] Den Hond et al 2014

redeem such issues, and research shows that such redeeming can be effective in satisfying workers and partner organizations.[48]

The literature identifies elements of the forms of PILA activity that suggest their likelihood of having the desired effect in terms of such described policy change.[49] First, both non-public ("lobbying") and public types of influencing ("activism") may lead to policy change. Second, repeated targeting of companies is likely to lead to such change, and companies more often subject to PILA activities are more likely to respond positively to PILA demands. Third, the success of PILA activities is positively associated with the strength of linkages between partner organizations in developing countries and European CSOs.

2.7. Limits to CSR PILA effects on worker rights promotion

These findings should be accompanied by some observations about the limits to CSO PILA effects in labor standard promotion. The literature also identifies other actors and factors that affect the CSR policies of companies. These actors and factors sometimes enhance the CSO campaigns and their effects on CSR policies, and sometimes diminish it. Five characterizing limits have been identified here and are described below:

(1) Government effort to promote CSR policies leads to different degrees of pressure on companies as not all governments have equal or similar CSR promotion policies.[50]

(2) European and global business interest associations may work as catalysts or barriers in the promotion of ideas among industry members on what is appropriate corporate practice in the supply chain.[51] They thereby may become either allies or enemies for CSOs in achieving their goals.

(3) Consumer sensitivity and overall public perceptions of global justice and sustainable development vary across countries, regions and socio-economic positions of citizens, and may enhance or diminish PILA effectiveness. CSOs may more or less successfully cater to an audience sensitive to labor issues as allies in demanding change from companies.[52]

(4) Company characteristics influence the likelihood that companies will respond positively to PILA pressure[53]. These characteristics include the following: how "wealthy" a company is, signifying the availability of resources to finance CSR policies; and whether a company is listed on the stock market, indicating possible sensitivity to negative media reports and activist shareholders. Here investors and banks potentially also can play a role as promoters of CSR norms.

[48] cf. Armbruster-Sandoval, 2005
[49] Anner et al, 2006; Armbruster-Sandoval, 2005; Fransen and Burgoon, 2012; Den Hond et al, 2014; Perez-Batres et al, 2012
[50] Gjolberg, 2010; Steen-Knudsen et al, 2014
[51] Conzelmann, 2012; Fransen, 2012
[52] Vogel, 2005
[53] Bartley, 2009; Fransen and Burgoon, 2012; Marx, 2008; Peres-Batres et al, 2012

(5) When it comes to responding to specific crisis situations in supply chains, the success of PILA activities pressuring European companies to push suppliers is more likely with suppliers in countries that have more political rights protected through law and with stronger union organizations, than in more authoritarian states with weaker union organizations.[54]

Next to this, the literature also observes that personal perceptions of key corporate decision-makers may influence the response to CSOs.[55] All else equal in terms of characteristics of corporations, countries and CSOs, some corporate managers do not care sufficiently about the cause of PILA activity, or do not appreciate CSOs, or the specific CSO they are confronted with, and may therefore decide not to respond to phone calls, e-mails, demands during meetings or campaigning material.

When thinking about campaigning effects we should also consider unintended negative consequences of PILA activities. Apart from non-response to PILA activities, companies can also respond to PILA by adopting policies that are different from initial CSO demands:

(1) Corporate policies are inspired by PILA campaigns but fall short from CSO demands, either by taking a vague or selective approach to promoting labor standards in supply chains.[56]

(2) Companies may develop private standard organizations that mimic private standard organizations that CSOs themselves favor, but which exclude CSO oversight and other characteristics safeguarding external review of company performance.[57]

(3) Companies may be critical of CSO's substantive demands, and voice their direct opposition through for instance media reports and other public statements.[58]

(4) Companies may develop a lobby to counter-target CSOs and tarnish their reputation with other stakeholders, analogue to the effort of the CSO to name and shame the company. One way to do this is to develop lawsuits; another is to lobby government to stop a particular CSO's funding.[59]

Unintended positive consequences may also occur. This happens if

(1) Other actors not envisioned or targeted by CSOs take on CSO's demands and achieve change on company level[60]

(2) Companies inform each other of CSO's demands and CSO campaigns on one company or a targeted set of companies effectively work as an oil spill across an industry[61]

[54] Armbruster-Sandoval, 2005; Den Hond et al, 2014
[55] Fransen, 2012
[56] Kolk and Van Tulder, 2002
[57] Egels-Zanden and Wahlqvist, 2007
[58] Van Tulder and Van der Zwart, 2004
[59] Fransen, 2013
[60] De Hond et al 2014

And concluding, although the effectiveness of CSR policies and private standard organizations is in itself not the focus of this study, it is significant to flag, as successes and failures may inspire CSO and corporate strategic reflection, as well as inspire other actors contributing to policy change at company level.

[61] Vogel 1997

3. Analytical approach and case selection

This study investigates PILA activities by Dutch CSOs to promote change in labor standard-focused CSR approaches of Dutch companies that buy products, components or raw materials from suppliers in developing countries. Our investigation departs from the following questions, see Box 2.

Box 2: Research questions

1. **How can the socio-economic/political environment regarding CSR in which policy influencing, lobbying and advocacy take place be characterized?**
   a. What definitions does the case holder use for the units of analysis?
   b. What political themes influence the case context?
   c. What regional dynamics are relevant for the case?
   d. What sections of the economy are relevant for the case?
   e. What government and inter-governmental policies and institutions ostensibly affect the CSR issue analyzed?

2. **How can actors engaged in policy influencing, lobbying and advocacy in the field of CSR be characterized?**
   a. What stakeholders are involved in policy influencing, lobbying and advocacy in the context of the case in the field of CSR?
   b. What are the responsibilities of the actors involved related to the case?
   c. What linkages, alliances and power relations among are of significant relevance to the case holder's objectives?

3. **What is the practice of policy influencing, lobbying and advocacy in the field of CSR?**
   a. What is the case holder's theory of change?
   b. What related PILA activities in the field of CSR could be identified?
   c. To what degree are focus and objective of PILA activities communicated to other actors relevant to the target?

4. **What evidence is there for the effectiveness of policy influencing, lobbying and advocacy strategies/programs in influencing CSR policy and practices?**
   a. How do we describe CSR policy development of the target of PILA activities during and after the PILA activities?
   b. How are PILA activities received and perceived by the target of these activities?

5. **What factors explain levels of effectiveness?**
   a. What factors have contributed to changes in policy developments during and after the PILA activities?

In analyzing PILA activities, for each case we first establish what the terrain of PILA activity looks like: what the issue at hand is about, what actors, rules, regulations and procedures are relevant, and to what degree do industry-specific and country or region-specific factors influence PILA efforts.

Second, we focus on a specific CSO or CSO collaboration developing PILA; we analyze its organization and relations to other relevant actors.

Third, we analyze whether this CSO or CSO collaboration has a stated Theory of Change, and if so, what it looks like. Following from discussion in previous chapter, the focus is in particular on the degree of explicitness of the ToC, its scope, the stated goals of PILA, the degree of reflexivity on goals and tactics, the degree to which formulation of the PILA signifies awareness of (changes in) the political environment, and the strategic categories of PILA targets, demands, forms and issues.

Fourth, we describe concrete PILA activities by these CSOs with regard to the relevant issue.

Fifth, we analyze the extent to which these activities lead to effects, distinguishing between effects in terms of:

- Agenda setting:
  - actors in society have become aware of issues at stake, organize themselves and adhere to the position of the organization
  - PILA targets have reacted upon the positions taken by the organization/collaborative association
  - Relevant members of the organization or other stakeholders are invited to participate in meetings by PILA targets
  - The terms of the public debate are influenced: new civil society perspectives and alternative approaches are introduced into the policy debate
- Policy influencing:
  - PILA targets have changed (or not) their policy in line with the organization's position changes
  - Demonstrate shift in accountability structure for companies
- Changing Practice:
  - PILA targets changed their practices as to implementation of policies (= practices) in the "field"

For the latter category, we delimit our inference due to data constraints to observable secondary reports of implementation of policies, rather than observable implementation practices themselves.

Sixth, we discuss factors that have plausibly affected the degree of effectiveness that PILA activities have had.

In examining these issues, we take deductive inspiration from previously mentioned studies that describe relevant facets of labor-focused PILA activities and factors contributing to PILA consequences. However, in analyzing, we also follow inductively new ideas that arise from the data regarding the set-up of Theories of Change, PILA activities and their consequences.

We use the following methods:

- First, for the purpose of the context analysis overall, and specifically for the three selected cases, the researchers have conducted secondary literature study of CSR in order to determine definitions and frameworks. In addition, primary data collection of policy documents of the respected case holders and relevant stakeholders have been conducted. These primary sources offer insights regarding the different theories of change adopted by the case holders, the strategies chosen, the existing range of policies with regard to Corporate Social Responsibility that PILA targets develop, and other considerations.

- Second, the researchers have conducted 24 semi-structured interviews with different stakeholders relevant to the specific cases, as well as relevant to the overarching theme of PILA strategies for CSR in the Dutch policy framework. We interviewed representatives from CSOs developing PILA strategies, companies targeted by PILA strategies, and other relevant actors. Variation among the actors allows for higher validity of the findings, as some degree of triangulation is possible with regard to accounts and claims of actors regarding PILA activities and their consequences. We strive for variation in companies targeted as to the response they gave to PILA activities, and the degree to which they were subject to PILA activities.

The overarching theme of the evaluation of PILA strategies in CSR is *labor standards*. This focus on one specific theme has been decided based on its relevance to current events and its potential to distil comparable results. A range of issues can be discussed when focusing on 'labor standards': factory safety, right to organize, living wage, bonded labor and slavery, gender discrimination, child labor, hazardous materials, working hours, and others. In addition, these issues take shape differently across sectors in industry. And, the region or country where the issues have been identified will determine as well for a great deal the scope of the issues at hand, and the corresponding PILA strategies.

We have selected three contexts that offer thematic uniformity, but variety in issue and sector at hand. We will be dealing with:

Theme	**Issue**	**Sector**	**Region/Country**
Labor standards	Factory safety	Textile	Bangladesh
	Right to organize	Energy	Colombia
	Wages and overtime	IT-electronics	China

The issues are different enough to be discernable for their own dynamics, yet similar enough to allow for comparison, in the sense that they relate to broadly similar developments in the global economy, the state of rule-making and political activity in governments and international organizations, and a similar field of organizations that engage in PILA activities. Each issue

selected has a specific 'turning point' in time throughout the evaluation period of 2008-2013 that proved influential to policy discussions concerning CSR. These incidences will be useful earmarks for the evaluation that allows the evaluators to focus its scope on a particular timeframe, while still remaining context- and historically sensitive. The evaluators realize any incident or event and (PILA) activities that are inspired by it, are embedded in a historical and progressive process of longer term (PILA) activities and possibly longer term strategic discussions.

Within these contexts, we have selected three cases relating to an influential organization that was involved in PILA strategies relevant to the key event. Each organization has been (co-) financed by the Ministry of Foreign Affairs. Although it is not the evaluators' objectives to study the efficiency and allocation of funds to specific campaigns, it is relevant to underline the support of the Ministry. Each case will allow a better understanding of the process-oriented approach of the organization under study by investigating its theory of change regarding its PILA activities on the indicated issue, and its process towards and response to the key event.

Issue	**Sector**	**Key event**	**PILA campaign**
Factory safety	Textile	Rana Plaza/ Bangladesh Accord	Clean Clothes Campaign
Right to organize	Energy	Dutch Coal Dialogue	FNV Mondiaal
Overtime\wages	Electronics	Foxconn drama and aftermath	SOMO

A short break down per case shows the relevance of each case in relation to the purpose of this evaluation:

Factory Safety

Sector	**Key event**	**PILA campaign**
Textile	Rana Plaza/ Bangladesh Accord	Clean Clothes Campaign
The Clean Clothes Campaign pressures European companies to adopt fair labor standard practices in their supply chains, and uses both covert and public campaign forms of lobbying towards firms and industry associations to commit to private monitoring organizations that are global in focus, or country-specific agreements on working conditions in export production zones, such as the Bangladesh Accord on factory safety. Our assumption is that the CCC's work on factory safety in South Asia, and Bangladesh in particular, belongs to a broader Theory of Change on fair labor conditions and worker rights promotion in the global clothing industry.		
Budget line Ministry of Foreign Affairs: MFS, Fair, Green & Global Alliance, 2013 annual report mentions additional Foreign Affairs subsidy for work on factory safety		

Wages and overtime

Sector	Key event	PILA campaign
Electronics	Foxconn drama and aftermath	SOMO
SOMO has taken up different PILA strategies to promote labor standards in the IT Electronics industry. Some of the initiatives that they have initiated or have been the coordinated body of are: Good Electronics, Make IT Fair, Procure IT Fair and Electronics Watch. It is our assumption that each of these campaigns fall within a broader Theory of Change of the organization with the objective to address the issue of wages and overtime in the IT Electronics sector.		
Budget line Ministry of Foreign Affairs: Fair, Green & Global Alliance and IMPACT Alliance		

Right to organize

Sector	Key event	PILA campaign
Energy	Dutch Coal Dialogue	FNV Mondiaal
FNV has focused on the issue of 'right to organize' throughout the past years and has implemented a range of projects in Colombia addressing different aspects of this issue. Our assumption is that these projects fall within a broader Theory of Change to promote the right to organize in the mining sector in collaborative campaigning with other CSOs in the Netherlands. The choice for FNV Mondiaal is in part made based on the relevance of including labor unions.		
Budget line Ministry of Foreign Affairs: Vakbondsmedefinancieringsprogramma		

Each PILA campaign and related organization selected carries political relevance for the present and near future, Dutch actors in the industry chain and Dutch CSOs involved in PILA activity.

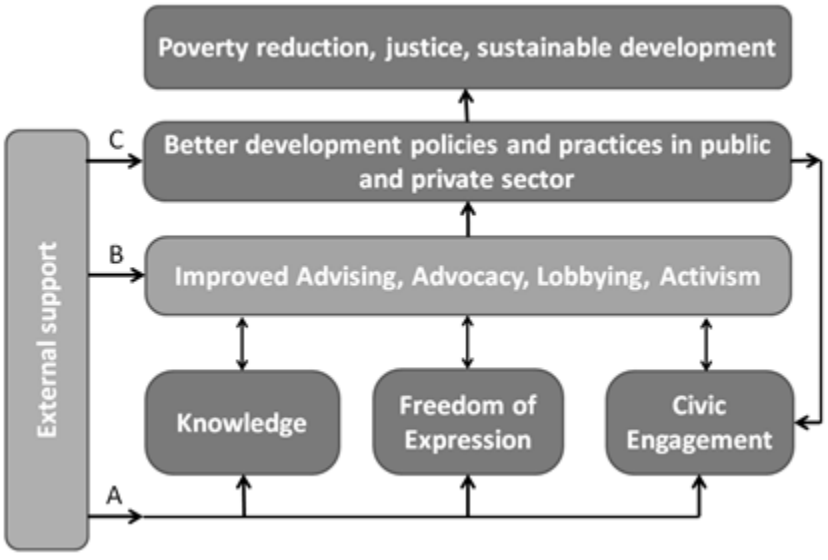
Across these cases, PILA activities vary slightly in terms of their approach, with Clean Clothes Campaign leaning closer to the "activist" or confrontational model, SOMO working mostly on the basis of evidence-based lobby and FNV Mondiaal often emphasizing capacity building. The cases also vary slightly in the historical legacy of PILA activities. In the Dutch clothing industry, CSO-company PILA interactions on labor issues have been frequent since the 1990s. In Dutch IT-Electronics, such interactions took off in particular in the early 2000s. For Dutch coal buyers, these interactions are more recent, becoming regular from the late 2000s. Related to this, the PILA activities of the chosen organizations may also vary in terms of the degree to which they are embedded in regular, structured transnational networks of PILA activities with long-term partner organizations. Again, the Dutch clothing-focused organizations have most experience with network organization, while the IT-electronics networks and the coal-focused networks are more recent.

In choosing these cases, process-tracing of a causal chain of events is combined with comparative logic (i.e. elimination analysis) so that more robust statements can be made about whether PILA activities can be said to have made a difference (and if so, how), bearing in mind the differences across cases. If the theory of change of the relevant organizations allows, contribution analysis can also be used. We are this way unable to attach a numerical value to the influence of factors, and while we are able to observe how factors may interact to lead to possible results, we are also unable to attach a numerical value to the interactive effects of factors. Similarly, the current set-up does not allow us to infer which factors are "necessary" or "sufficient" for explaining a certain outcome. But the combination of comparative and process-tracing logic does allow us to precisely identify factors at play (possibly in interaction), and determine different stages of decision-making processes of the relevant actors.

Generalizability of the findings for other cases is limited and PILA activities in other issue areas, regions and sectors should not be assumed a priori to have similar dynamics. But it is much more plausible that statements about causality taken from the study are valid in the issue area of labor standards, which has determined the case selection.. At the same time, the research bears in mind possible interdependence of the cases, with actors and events in one case possibly affecting events in the other.

In both analytical approaches, the researchers will take into consideration the different frameworks for identifying PILA strategies and categories as presented in the ToR (see Figure 2).

Figure 2: Generic Theory of Change. Source: IOB



This will allow for a consistent representation of how strategies are influenced by context, the available supporting functions, the stakeholders involved and the specific considerations of each case holder. Important to consider here is that while our interest is in the shape and effects of PILA

activities by civil society organizations, such activities are evolving in a political environment in which businesses often also have PILA activities towards governments and international organizations, and government policies may influence business activities outside of the context of support for civil society organization's PILA activities. Our cases analysis therefore also serves to disentangle as best as possible these various flows of political activities.

PART 2: CASE ANALYSIS

4. CASE 1: Factory safety

This Chapter describes the case of PILA activities promoting factory safety in Bangladesh, often also referred to as "workplace safety" as sometimes manufacturing may not be taking place in a factory. It first describes the political and economic background, focusing on industrial and country characteristics. Then it shortly introduces the issue of factory safety, before moving to a (preliminary) analysis focusing on the Clean Clothes Campaign, its Theory of Change, and its reflections on the effectiveness of PILA activities.

4.1. The Political Economy of Textile

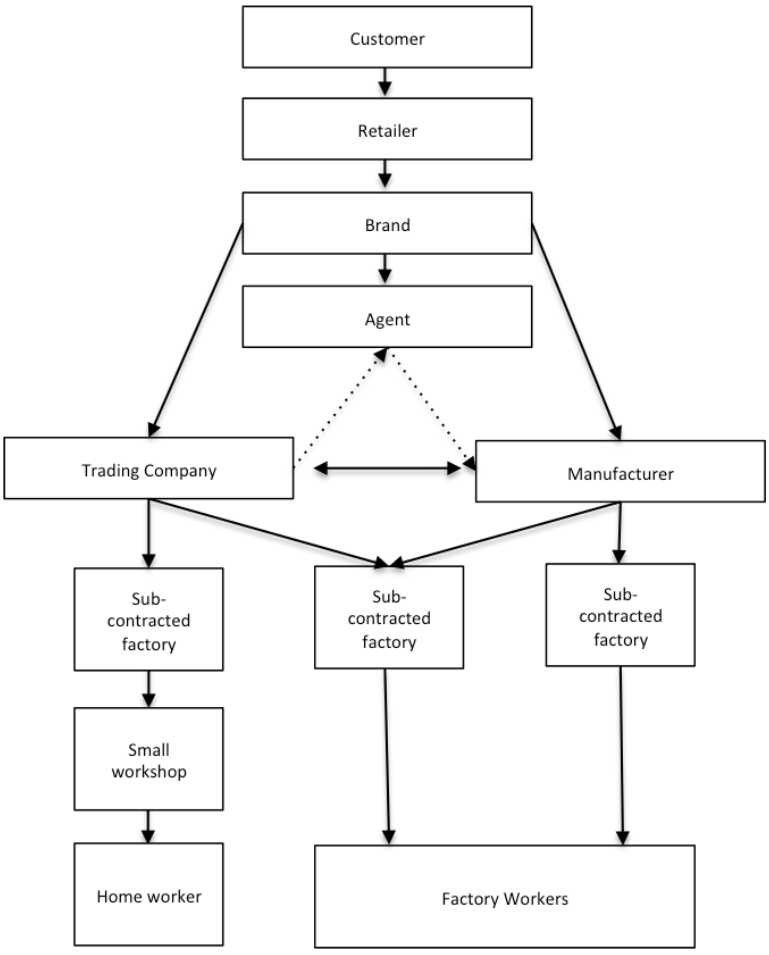
Sector context

Clothing production intersects with a couple of different sectors: fashion, apparel, sporting goods, and multi-product retail. The industry consists of thousands of companies operating locally, nationally, regionally, and globally, while combining different functions in the production chain to different degrees: buying, marketing, designing, and retailing. The horizontal organization of the industry is fragmented across countries and regions, and often within countries as well, with different business associations tailoring to the needs of different types of companies.

The vertical organization of production of the clothing production chain has become globalized over the past few decades, and the production process itself has become fragmented, for reference see figure 3. Most Northern companies source a substantial part of their productive activities from other regions in the world. In particular the labor-intensive part of the manufacturing process has been placed in developing countries in Latin America, Asia and Africa. In many of these regions, enforcement of labor and environmental standards by national governments is weak.

A specific characteristic of the clothing industry in particular is its dependence on seasonal and fashion change, creating constant pressure for brands and retailers to

Figure 3: Textile industry value chain. Source: fairolympics.org



adapt their offers.[62] This stimulates reliance on the part of buying firms on a large and differentiated set of suppliers. It might be that these suppliers only receive orders once or twice from a particular company, as the fashion of the moment demands. It may also be that some of the orders are subsequently sub-contracted from one supplier to a different factory, which stays often out of sight for the original buyer. This also has consequences for a buying company's CSR commitments, which may only circumscribe labor conditions at the suppliers it is knowledgeable of.

Meanwhile, various clothing companies, according to their position in markets and their strategies, may affect the organization of the production and the labor process in different ways. Big sporting brands, high street boutique stores, small-specialized clothing companies, and low-cost retailers to some degree all have different stakes in the game.[63] Companies that focus on branding as a strategy to get control of the consumer market have different perspectives from those that focus on retail. Their involvement with the manufacturing process may differ, as branded companies may be interested in designs and materials that reflect on the product image, while retailers may be happy to buy full package suppliers from trade agents. Retailers may have an interest to have large brands in their stores, and therefore try to cater to the needs of the companies that own them. Conversely, small brands may be reliant on retailers for their access to customers.

CSR in the clothing industry focuses on a part of the production process that companies may consider to be of competitive value. In clothing production, the choice of raw material, the design and the manufacturing may tell a lot about the sales value of the product, which especially companies involved in fashion designs want to keep secret to their competitors as long as possible. This may act as a barrier for some companies to seek collaboration with other companies in designing CSR policies, and likewise make them hesitant to be transparent about their suppliers.[64]

Market analysts have claimed over the past decade that in the European clothing market, horizontal and vertical market power of large multi-product retailers, mass clothing retailers, and specialty chain retailers is increasing. These three categories of retailers together are taking hold of larger chunks of the consumer market, to the detriment of smaller clothing shops.[65] These retailers therefore stand in an increasingly strong relationship to those brands that are less established and lack their own venues to deal directly with consumers.

Recent media reports moreover claim that the clothing market is becoming increasingly divided into a high end- (Armani, Calvin Klein) and a low end-focused segment (Primark, C & A). The "in-betweeners", brands and mid-price retailers catering to an audience seeking quality for a relative mark-up price, such as MEXX are struggling—or going under. Market analysts quoted in such reports point to the accelerating effect that the economic crisis since 2008 has had on increasing

[62] Abernathy, 1999
[63] McCormick and Schmitz, 2001
[64] Fransen, 2011
[65] Saviolo & Ravasi, 2007:39

the prominence of discount retail chains in the market.[66] Effectively, the middle class that these companies cater to, shops increasingly on discount, or combines specific high-end specialty accessories with discount clothing, rather than buying their attire in the middle-end range of stores. In this view, large international discount retailers therefore hold the key to the future of CSR policies for clothing in Europe, both in their own private label production chains and in the chains of smaller brands relying on them for their sales. The mass and discount segment of (multi-product) retail holds a long distance relationship to the production chain and is known for changing orders, changing suppliers and demanding low-cost. Its reliance on intermediate buying agents may imply effectively less knowledge about producers and productive practices. This is a difficult starting point for improving labor standards at suppliers in developing countries. If the proposition that the "middle end" of the brand\retailer spectrum is in economic danger is correct, then this also has implications for understanding PILA activities in the clothing industry. For it is within this "middle-end" segment of the market that European CSOs and private standard organizations have in the past two decades most frequently found their allies in developing CSR programs dealing with issues such as living wage and Freedom of Association.[67] Large European discount retailers have predominantly preferred to develop CSR policies that deviated more from CSO PILA demands, in the process putting direct CSO involvement in corporate policies on the backburner.

The Netherlands is a significant European destination market for clothing, with 2013 figures at 8 billion turnover for the fashion sector. Most global brands sell in the Netherlands or have retail chains in Dutch shopping districts. The Netherlands itself has a string of retail chains catering to the home market and adjacent country home markets, including multi-product chains such as HEMA. Most famous global player is C & A (although it claims to be legally residing in Belgium), and other players with a regional and bi-regional presence include WE Group and G-Star. The Netherlands is also home to several small specialty brands and retailers catering to high-end markets. Some of these experiment with sustainable marketing, emphasizing the organic production of materials and fairness considerations in production. Dutch customers import textile mostly from China (ca. 60%), followed by India (9%) and Bangladesh (8%).[68]

Bangladesh

Bangladesh up until 2013 was, the world's second-leading clothing exporter, behind China. Bangladesh at that point had the lowest clothing wages in the world. Clothing made up 80 percent of manufacturing exports and was responsible for more than three million jobs.

With 150 million people, Bangladesh is one of the most densely populated countries in the world. In the 1990s it turned towards a democratic political model, and a market-based export approach to development, which has been successful in boosting growth figures and leading to an inflow of

[66] Volkskrant, December 6 2014
[67] Bartley, 2009; Fransen, 2012
[68] MVO Nederland 2013

foreign currency. Clothing production, is perceived as contributing significantly to development, in the process also offering women a route for social advancement.

The clothing industry in Bangladesh is closely aligned with the ruling political elite: factory owners are political donors and have moved into news media, buying newspapers and television stations. In Parliament, roughly two-thirds of the members belong to the country's three biggest business associations. Reports state that 30 factory owners or their family members hold seats in Parliament, about 10 percent of the total.[69] Many clothing exporters seek to keep prices low in order to remain competitive in world markets, and for this reason look with suspicion at agendas for advancing worker rights and raising wages. Power within political institutions has meant significant clout in getting government to back opposition for improvement of worker rights and the position of unions in factories and production zones.

Corruption is also a prevalent problem. Bangladesh ranks among the most corrupt countries in the world in the Transparency International measures. Business corruption is cited as among the most prevalent categories.[70]

Three decades ago, Bangladesh created a network of export zones to attract foreign investment with tax incentives and other benefits. Today, a large majority of Bangladesh's garment factories lie outside these zones, but the zones are favored by foreign investors. A high-level government committee monitors the clothing sector and includes ranking officers from the military, the police and intelligence agencies.

Factory Safety

Factory safety is considered to be a more technocratic aspect of labor standards.[71] It is expected to attract less quarrel and political strive among employers and workers, and to lead to less discussion about whose version of a story is appropriate then would be the case for discrimination, wage policies or union rights. After all, both employers and employees profit from a stable physical environment for production, as well as stable and safe machinery and operations. This allows for regular production, predictable output, and therefore more export orders, sustainable profit and wages. Moreover, factory safety is something that can relatively easily be observed, measured and quantified, inviting relatively simple managerial decision-making. Therefore, for long, it has been taken as a given that factory audits through CSR programs and private standard organizations could effectively deal with unsafe factories—at least much better than with wage policy, overtime and Freedom of Association. The contentious aspect of factory safety was more in the degree to which safety policies for the workers themselves were adhered to in case of crises. Most notably, the blocking of exit doors, a policy meant to discourage workers from going outside has been

[69] New York Times, http://www.nytimes.com/2012/08/24/world/asia/as-bangladesh-becomes-export-powerhouse-labor-strife-erupts.html?pagewanted=4&_r=1
[70] Belal and Owen, 2004 http://eprints.aston.ac.uk/2091/1/Order_7th_Belal_and_Owen_Carol.pdf
[71] Lim and Prakash, 2014; Locke, 2013

addressed as a significant issue. Broader worker safety meanwhile involves also many contentious issues, such as discrimination and harassment.

Analytically, we should therefore also expect that, in comparison to a far more politicized issue such as Freedom of Association, pertaining the balance of power at the work floor, and at the same time the potential of collective action by citizens towards the state, PILA demands for factory safety should be easier to succeed. Moreover, one may hypothesize that it should be easier for CSOs to work together on factory safety with governments and companies than on other labor issues, such as wages and overtime.

But a string of crises in South Asia in the past years have however put factory safety higher up the agenda of labor policy as an urgent political issue. Most recent ones include the Tazreen factory fire in Dhaka and the collapse of the Rana Plaza factory.

The specific problem in Bangladesh is the quick (and seemingly sloppy) construction of new factories in order to engage in production for export, combined with the weak enforcement of safety regulations. In addition, export production may be taking place in unsafe buildings not suited for manufacturing activities, but used for different purposes before being hired by managers. More than in other manufacturing regions in Asia, factory-building structures in Bangladesh are known to deteriorate within years or contain serious construction flaws. While a government inspectorate on Factory Safety exists, it is known to be severely understaffed in the years leading up to the Rana Plaza crisis.[72]

For the last 10 years a loose alliance of shifting members of the global industry and civil society have attempted to develop Bangladesh-specific approaches to tackling Bangladesh's safety issues that would embed corporate commitments to promote safety in an institutional framework involving worker representation and safeguarding remedial action. Discussion partners included on industry side Tchibo, PVH and Gap. On the side of transnational CSOs, main actors were the European Clean Clothes Campaign, the Northern American Maquila Solidarity Network and International Labor Rights Fund, and the global union for clothing, which is now called IndustriALL (formerly known as ITGLWF).[73] These CSOs in practice form a network for labor PILA that over the past two decades has frequently participated in collaborative PILA activities on several labor standards issues in clothing. Their efforts for factory safety were in coordination with Bangladeshi unions.

Below, the analysis focus on the PILA efforts of the Clean Clothes Campaign.

[72] New York Times, op. cit.
[73] CCC/MSN, 2013

4.2. Case Analysis. The Clean Clothes Campaign.

The Clean Clothes Campaign emerged at the end of the 1980s as the result of a campaign effort among British and Dutch labor activists who had established solidarity ties with Asian worker groups. Subsequently, the CCC emerged as a European network promoting labor standards mostly outside of Europe in the supply chain of European clothing companies.[74]

The CCC effectively interlinks with four networks. First, the CCC is a node in a global network of labor activists regularly engaging through PILA with the clothing industry. This network includes the Northern American Maquila Solidarity Network and the International Labor Rights Fund and the global union devoted (amongst others) to the clothing industry IndustriALL. Together and separately, these organizations have solidarity ties with worker organization and solidarity groups in producer countries. This network has the following functions: first, information sharing on factory and production zone conditions; second, coordination of PILA activities towards companies that are linked to factories where an urgent crisis has arisen, which might include coordination on the targets of PILA, the forms of PILA, the PILA demands and the timing of actions; third, coordination on PILA activities for labor standards promotion generally, and sometimes combine forces to develop specific campaigns or campaign events; fourth, coordination on how to bargain with companies with whom they are in dialogue about building, maintaining or revising new institutions to promote labor standards, such as private standard organizations or country-specific plans.[75]

Second, the CCC in Europe is by itself a network organization combining 16 national member groups that each develop PILA activities towards citizens, companies and governments in their countries to promote labor standards in supply chain. Coordination here also takes place about the demands, targets, forms and timing of PILA activities in both responses to crises as well as longer term projects or fixed-term campaign projects. The Clean Clothes Campaign International Secretariat, seated in Amsterdam, functions as main coordinator of both the global network in which the CCC is involved, as well as the intra-European CCC network.

Third, the national legs of the European CCC networks often have their own coalition of national-level CSOs supporting the cause of labor standards promotion. In the Netherlands this coalition for instance involves the Landelijke India Werkgroep as an active partner in exchanging information and coordinating activities with the Dutch Schone Kleren Campagne.[76]

Fourth, the CCC is involved in the Fair, Green and Global Alliance (FGG) with Both ENDS, ActionAid, Milieudefensie, SOMO and the Transnational Institute. These are CSOs with a network structure and links with grass roots movements, trade unions, women's groups, human rights defenders and environmental organizations in developing countries. As FGG, the CCC submits

[74] CCC Annual Report 2013.
[75] Interview Ineke Zeldenrust and Jeroen Merk, November 2014.
[76] Interview Niki Janssen, November 2014.

fund proposals for PILA activities on corporate conduct, sustainable development, the international politics of trade and investment, and financial and tax systems.[77]

These observations have implications for analyzing the Theory of Change of the Clean Clothes Campaign. Such a ToC, and the activities evolving out of it may in practice be negotiated among these four networks. But formally we should expect it to surface on the level of the European CCC network, formulated through the CCC International Secretariat (subsequently referred to as CCC IS).

Theories of Change

A specific ToC was constructed for PILA activities regarding factory safety in Bangladesh.

For reference, see Table 2 The subsequent paragraphs describe the different elements identified in this table: formulation, scope, ambition, political environment, and categories of strategic focus.

Table 2: Overview Theory of Change elements CCC

ToC formulation	Implicit			
ToC scope	Factory Safety Specific Theme of Action			
ToC ambition	Proxy war			
ToC reflexivity	Factory Safety: High			
ToC awareness of political environment	High; political-economic diagnosis, awareness of government and international organization policies, esp. UN Guiding Principles			
ToC categories of strategic focus	PILA targets: mostly Western companies, but also governments, Bangladeshi industry and International Organizations	PILA demands: specific categories of safe working circumstances; remediation for victims and family; corporate policy change; change in practice	PILA forms: evidence-based advocacy; lobby; activism	PILA issues: factory safety applied to building safety in particular
ToC assumed mechanisms of change	companies commit to CSR and CCC follows up on such commitments; companies fear reputation damage and CCC plays into this; consumers are committed to social justice and CCC caters to this; government and parliamentary commit to social justice and CCC lobbies towards these for pressure on companies; news media are interested in companies and breaches in social justice and CCC caters to this			

[77] The FGG has its own overarching Theory of Change, but this study will focus on the more specific CCC-level ToC regarding workplace safety in Bangladesh.

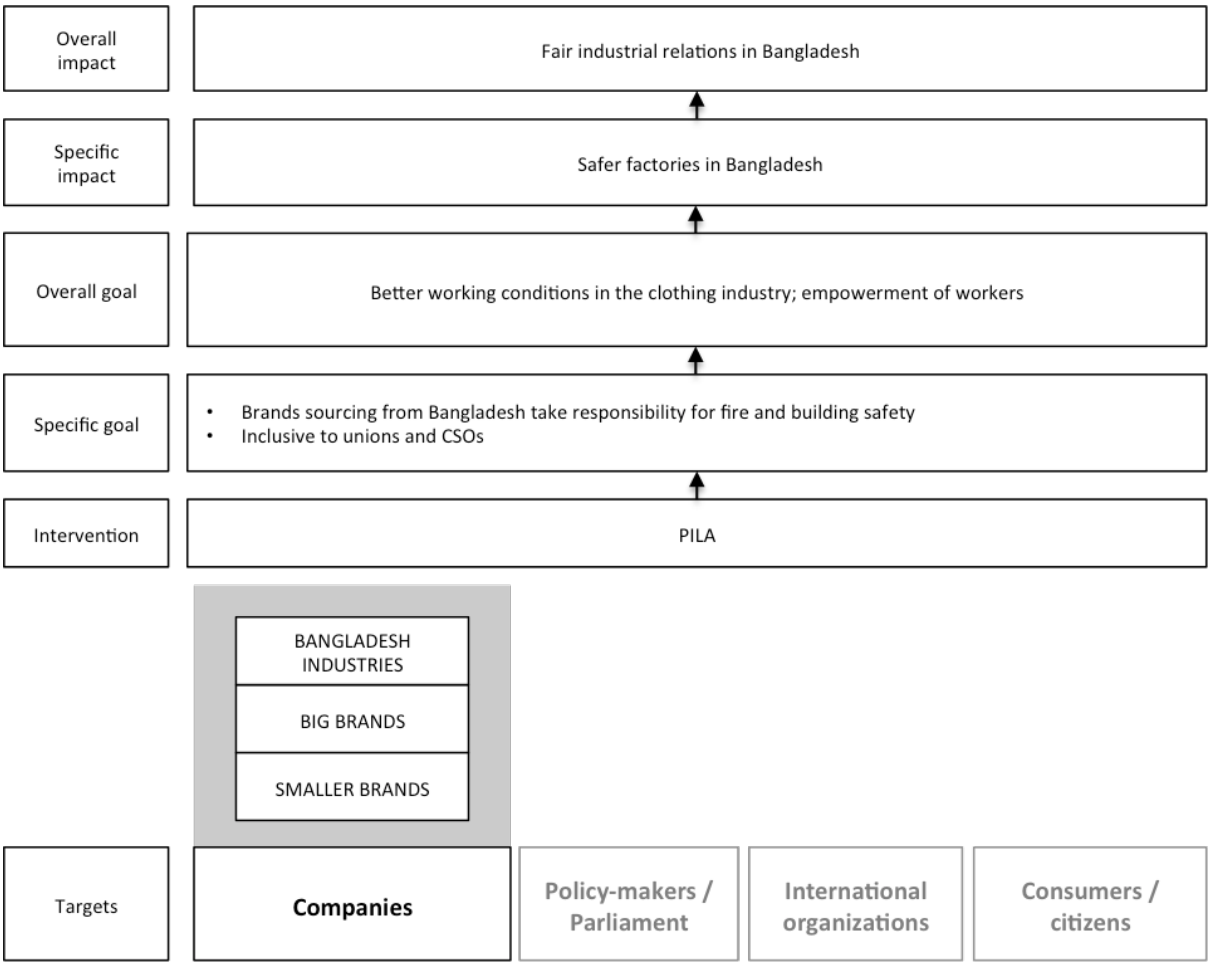
The ToC is specific in its *formulation* of desired change, interventions and pathways of change although CCC representatives acknowledge that it has evolved as an implicit ToC over years of campaigning for Bangladeshi factory safety, and some of the descriptions are more the result of experience in this category of PILA activities than a prior set of targets and strategies.[78]

[78] Interview Zeldenrust.

The *scope* of the ToC focuses on the changes in factory safety as a result of the efforts of the CCC (not clearly distinguishing here between the CCC IS, the European CCC network and the different national legs).

The ToC, first, follows up on the general mission and vision of the CCC as laid out on their website, and seeks to achieve worker empowerment, which means providing conditions for workers to influence their conditions of work and bring about structural change in the Bangladeshi clothing industry. Second, the desired change formulated in this ToC is improving the safety situation in Bangladeshi factories, with a specific focus on fire, electricity and building structure hazards.[79] This means that the ToC falls into the category of a proxy war: demands relate to a structural long-term reform of political-economic conditions, rather than short-term changes.

Figure 5: Theory of Change CCC Factory Safety, derived and modeled based on CCC policy documents[80]



[79] Interview Ineke Zeldenrust.

[80] In practice, CCC's activities in Bangladesh are much broader than the Accord alone, and for this reason the general ToC for CCC's activities in Bangladesh is also much more complex, also involving government authorities, business associations and local partners. But for our purposes, figure 5 depicts the ToC for the PILA activities analyzed: efforts of the CCC to get global brands and retailers to sign on to the Accord.

The intermediate evaluation of the program and the interview data signify some degree of *reflexivity* in terms of establishing the different aspects of the ToC. According to the respondents, it is better to think about different pathways of achieving change, so you are flexible in deciding what activity and target will be a good match for the change you try to achieve, based on evaluation of what works and what does not work at a particular time

The ToC describes the *political environment* of PILA activities in terms of changing corporate conduct. It emphasizes the power of Western clothing buyers, i. e. brands and retailers, in shaping the clothing industry and its working conditions. Moreover, it describes the power of the Bangladesh clothing industry players on Bangladeshi government and the precarious positions of Bangladeshi unions.[81]

The UN Guiding principles play a role in the ToC, because of their reflection on the corporation's duty to remedy, which is specified here as the duty to seek remediation for victims, next to the duty to protect and respect. Interviewees at the CCC note that in fact, the remedy aspect of the UN Ruggie effort has been promoted with Ruggie during his tour across the world preparing the UN Guidelines.[82] Ruggie has visited Amsterdam and CCC offices to talk about these issues. Furthermore, within ToC, the ILO is assigned a major role in bringing together parties towards a national solution for factory safety crises, and establishing core labor rights.[83]

Civil society organizations are mentioned as allies in designing effective PILA, with specific reference to groups in developing countries, such asthe Bangladeshi unions, IndustriALL, MSN, ILRF and the Worker Rights Consortium. The Netherlands is seen as a beneficial political environment for PILA targeting companies due to its open economy and the presence of powerful multinationals.

In terms of PILA *targets*, ToC specifies these categories by putting Western clothing buyers, i. e. brands and retailers, front stage as a source of leverage towards Bangladeshi supplying factories. Brands and retailers have buying power towards these suppliers and have committed to monitoring of factory conditions either through individual CSR policies or participation in private standard organizations such as Fair Labor Association or Ethical Trading Initiative. Next to that it describes PILA activities towards Bangladeshi government and the Bangladeshi industry association, as well as above mentioned international organizations and CSOs, and other governments, as possible allies in achieving desired change at buying company or supplying company level.

The ToC does not mention specifically how company targets could be selected, beyond their importance in terms of their power in global production chains. The factory safety case delimits the

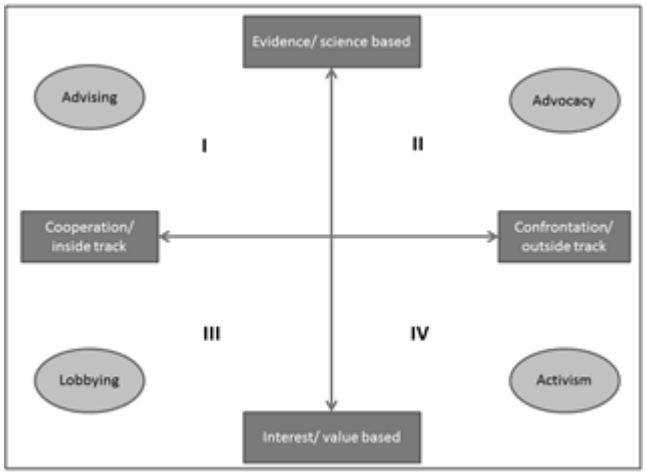
[81] Context, 2014; Interview Zeldenrust and Merk
[82] Interview Zeldenrust and Merk
[83] Context, p. 11

amount of companies that could be pressured in terms of their sourcing in Bangladesh, but within that range of companies, strategic considerations can be made that are not evident from the ToC. More practically, we have to infer that PILA targets are likely to be European for the CCC IS, and Dutch for the Schone Kleren Campagne. Northern American targets would be handled by MSN and ILRF. The ToC does not mention either how many companies could be targeted or in what order of priority, and to what degree PILA aims and demands might require industry-wide response, rather than change in corporate conduct by one or a few companies.

In terms of *strategy and demands* ToC consists of a specific set of categories of strategies and demands by the CCC IS, conforming with three categories of PILA activities in figure 6: lobbying, advocacy and activism.

First, over the last ten years, the response to factory crises has been evidence-based information strategies detailing the casualties, the circumstances in production zones, and the linkages to Western buyers. Companies were informed informally, as well as the national and global media. Next to this, companies were informally approached through lobbies with demands to change their CSR policies and contribute to remediation for victims and their families in ways the Bangladeshi unions and the international CSO networks deemed appropriate. If these companies were non-responsive, activist campaigns were organized by the national legs of the CCC, relating companies in campaigning material to the casualties. An example here is the targeting of Scapino after the collapse of the Spectrum factory in 2005.

Figure 6: PILA Strategies. Source: Adapted from Start and Hovland (2004)



Next to this, from the Spectrum crisis in 2005 onwards, the CCC worked together with the Bangladeshi unions and IndustriALL, and later with MSN, ILRF and the WRC, to develop a program of demands for systemic change in Bangladeshi building and fire safety. Governments, Bangladeshi industry and Western brands would have to change policies and practices according

to these demands. The demands were subsequently used in informal and public campaigning of various companies individually, together with demands through public campaigns and informal lobbying for remediation in relation to specific factory safety crises, such as the Garib & Garib Sweater Factory fire and the That's it Sportwear factory fire, both in 2010. From 2010 onwards, both events organized by the cooperating labor CSOs, as well as events organized by governments, hosted mostly Western companies, Bangladeshi industry associations, unions and CSOs in discussing what to do next.[84]

These systemic demands went through different stages of institutional evolution, leading to a concrete proposal for a Memorandum of Understanding to be signed by companies, which would form the basis for a national-level initiative to improve factory safety in the clothing industry of Bangladesh. The Memorandum, in a newer version that specified governance and provisions was signed in 2012 by the German retailer Tchibo and the US brand PVH. The Memorandum was then renamed *Bangladesh Fire and Building Safety Agreement* (BFBSA), and for some months, the CCC and its partners, without success, campaigned for other companies to sign up to it.

Box 3: Garib & Garib fire

The Garib & Garib factory caught fire in March 2010, killing 21 workers and leaving 50 injured. According to workers and labor activists, the exit doors were locked and the fire extinguishers malfunctioning. Garib & Garib produced amongst others for H & M, although H & M emphasized it was only a minor buyer at the factory. The Swedish company had audited the factory for fire safety hazards (amongst other issues) as part of its CSR policy commitments half a year before the fire. During that audit malfunctioning fire extinguishers were identified, which the supplier subsequently replaced. To the British newspaper the Independent, H & M representatives noted after the fire that "…in general we have been satisfied with Garib & Garib's way of working with our code of conduct. As far as we know this terrible accident was not caused by poor working conditions or safety measures. When it comes to general working conditions in Bangladesh, we believe that being present in the country is the way we can make a change long-term."

As a *mechanism of change* of PILA, the ToC assumes that pressure on companies will lead to change through different channels. First, corporate normative commitment to CSR targets will lead to action, once pressured by CSOs, in an effort to meet these targets. Second, consumer audiences demand some form of corporate alignment with international norms and companies respond to this recognizing consumers as significant stakeholders. Third, governments and MPs can invite action from companies, also bearing in mind that their political constituency requires them to support and promote international norms. Fourth, media are interested in stories of global social injustice and its relation to corporate practices, and may therefore be used to bring injustice to light. Fifth, companies are scared of their reputation or the reputation of their product brands,

[84] Interviews Zeldenrust, Merk, Janssen. Compare Context, 2014

and the possible consequences this may have economically, and may for this reason take action after PILA demands. These assumed mechanisms justify the multi-pronged combination of direct pressure on companies and indirect pressure through other actors, as the CCC seeks to raise the pressure through different venues. Less clear from the ToC is what the exact balance between the different activities is purported to be, or when which kind of combinations of factors are believed to be most effective.

To conclude, up until this point all PILA activities combined influencing behind closed doors with public campaigning, and mostly value-based PILA with some evidence-based influence strategies. Targets for agenda-setting, policy influence and change in practice are mostly European companies with influence on Bangladeshi suppliers.

The next section empirically elaborates on PILA activities based on this ToC, focusing on events in 2012 and 2013, but taking into account how previous activities and interactions among actors affect such events.

PILA after Tazreen and before and after Rana Plaza

On 24 November 2012, a fire at the Tazreen garment factory in Dhaka killed 112 workers. In the aftermath of this disaster, a group of big international retail companies devised a proposal for improving fire and building safety at their Bangladeshi suppliers, without involving CSOs and businesses engaging with the BFBSA. The initiative had sparked at the retail interest association working on CSR issues, the Global Social Compliance Programme (GSCP), and was further developed with the German development agency GIZ. Meanwhile, in Bangladesh, the government, unions and the clothing business association developed a National Action Plan addressing factory building safety. The CSOs supporting BFBSA, through the union confederation IndustriALL, attempted to discuss the possibility of merging their initiative with the effort of GIZ and GSCP, initiating a meeting for April 29 2013.[85]

But April 24 the Rana Plaza factory collapsed, leaving 1.100 people dead and 2.500 injured.

The 29 April 2013 meeting therefore met under circumstances of a heightened sense of urgency, and IndustriALL and other CSOs put extra emphasis on reaching an agreement among all parties proposing factory safety improvement initiatives. This proved impossible, and instead what emerged where two initiatives: the American retailer dominated *Alliance for Bangladesh Worker Safety,* and the *Accord on Fire and Building Safety in Bangladesh*. The Accord endorsed the Bangladesh National Action Plan, and was a more specific version of the BFBSA. On the basis of the push-back that the CSO promoters of BFBSA had received when targeting companies for signing up with BFBSA the following revisions were made: companies wanted more specific

[85] MSN\CCC 2013.

information on financial responsibilities for remediation and more flexibility in terms of sourcing decisions in case factories were found non-compliant. And, in line with the tri-partite philosophy promoted by the unions and the ILO, the non-union CSOs would have to sign the Accord as *witnesses* rather than as *signatories,* giving priority to union-company-government bargaining.[86]

The Alliance meanwhile emphasized buying companies' and third party business audit and expert checks and investments, leaving little room for unions and Bangladeshi government. Its American company signatories emphasized that the Alliance would make buying companies less liable to lawsuits than the Accord would, should there be any further incidents in supplier factories after signing up.[87] The CCC and its partners therefore emphasized in subsequent PILA demands to the industry and in the media that the Alliance was basically a continuation of policies that had failed to guarantee safety for years. For the European wing of the campaign, the CCC respondents themselves emphasize how important public attention in the Netherlands and other European countries for the factory safety issue was in their attempts to delegitimize the Alliance.[88]

Important to note was that while the interaction over the solution to the factory safety issue was evolving quickly, what the different parts of the CCC networks, and their CSO partners were mostly doing was dealing with the aftermath of the Rana Plaza disaster: keeping track of the casualties of their families, reaching out to unions and other partner organizations in Bangladesh, conferring with partner organizations about what to do, and doing media appearances to reflect on the disaster and its possible consequences. Because of the scale of the disaster, the amount of attention from regular media was much wider than in previous cases, which meant that evidence-based reports of the disaster and its consequences could very often be connected to the CCC's own lobby and activist positions about how the situation could be remedied, often for big audiences. This meant that the CCC did not so much need to draw the attention of the public for its PILA messages—the media naturally gravitated towards the CCC as one of the key voices in the debate, having shown in the past to have expertise on the industry and a specific political opinion on the issue, and next to that direct and pertinent information about the current circumstances of those affected in Bangladesh. But organizationally, for both the CCC IS and the Dutch CCC, this meant an enormous burden in terms of responding to media calls, supporting Bangladeshi groups, responding to company requests and doing transnational coordination, all at once.[89]

With the Accord, the CCC and its partners set a deadline for companies to sign, at May 15. Signing before that time meant a place at the table to further flesh out the activities, signing after that time meant endorsement of what would be negotiated in more detail with the early signatories. Subsequently the different CSO endorsers of the Accord coordinated their PILA targeting of several

[86] Interviews Merk; Zeldenrust; MSN\CCC 2013; Conversation with Dai Forterre
[87] Steven Greenhouse (May 22, 2013). "U.S. Retailers See Big Risk in Safety Plan for Factories in Bangladesh". *The New York Times*.
[88] Interviews Zeldenrust; Merk
[89] Interviews Zeldenrust; Merk; Janssen

large brands and retailers, using similar demands. Before that deadline, H & M as a result signed on, followed quickly by 40 more brands.[90]

Dutch companies

For this research, we looked specifically into the interactions among Dutch companies and the CCC, which means a focus on the interaction between the CCC IS, the Dutch CCC and the Dutch industry.

Dutch companies hold that the difference between the Memorandum and BFBSA on the one hand and the new Accord on the other is the greater clarity and specificity about what was demanded from companies, so that it was clearer what they were committing to in signing the Accord. According to them previous proposals contained too much open ended remarks about what companies would have to invest and for what reason.[91] Over the years, Dutch companies interviewed were mostly informed about the different versions of the factory safety proposals promoted by CCC and its partners through foreign companies involved in proposal negotiations, and kept up to date about proceedings, after which they could make up their own mind about their preference. They were also kept up to date through e-mails by the CCC that also included invitations to engage, but they never accepted this invitation, choosing to stay informed by other companies at the table with the various CSO BFBSA negotiators.[92]

After April 2013, the alternative industry proposal to the Accord, the Alliance, also became known to the corporate respondents to this research, but none of the respondents seriously considered supporting it. All relevant European competitor peers, government representatives and CSOs had their mind set on the Accord as a solution that would be more inclusive to Bangladeshi government, European industry, European CSOs and the unions, with the ILO acting as chair. And this made the Accord the preferable option.[93]

After the Rana Plaza disaster, many Dutch companies themselves approached the Dutch CCC with requests to sign, before the Dutch CCC itself started reaching out to Dutch companies with requests to sign. Dutch companies were kept up to date through e-mails and telephone conversations about the deadline the CCC had set for signing on to the Accord. The CCC IS and the Dutch CCC through public calls in media, on websites and in social media also made the Accord and its implications known, thereby attempting to raise the pressure on companies.[94]

[90] Interviews Zeldenrust; Merk
[91] Interviews Frouke Bruinsma; Marielle Noto.
[92] Interviews Van Vliet; Bruinsma; Noto
[93] Op. Cit.; conversations with Jeroen van Dijken (Vereniging Grootwinkelbedrijf Textiel) and Jef Wintermans (Modint)
[94] Interviews Janssen; Van Vliet; Bruinsma

Corporate respondents emphasize that their relationship towards CCC, and the perception generally of the Dutch industry of CCC, has changed somewhat over the years.[95] Ten years ago, the CCC was known to be predominantly activist and confrontational in orientation, and their perspective on corporate policy change was perceived as inflexible. The respondents to this research perceive that over time, the CCC's positioning towards companies has grown to be more constructive in terms of how contacts are managed, how the CCC representatives conduct themselves in interaction with companies, and what expectations they voice towards companies. The companies perceive that the core message of the CCC remains the same, but the attitude towards companies appears to be more accommodating in terms of how companies should respond to the PILA demands that the CCC voices. Some of this change of attitude is down to personnel change at company's side and at CCC side, but the corporate respondents observe that the key persons acting as activist voices in the CCC that they dealt with in the past still play an important part in the organization. The Dutch CCC respondent recognizes this sentiment, pointing indeed to a slight change in communication strategy towards companies over the past years.[96] Respondents from the Dutch clothing brand business interest association confirm this pattern for the period between 2005 and 2012, but put a question mark about how consistent this pattern is since 2012, when staff change and budget cuts due to decreased funding at the CCC upset the CSO's organization and internal division of labor.[97]

Of course, next to the CCC, corporate respondents identify other actors and factors affecting the decision to meet CCC's PILA demands.[98] Some of these have also been directly or indirectly targets of CCC PILA efforts. First, one corporate respondent mentions the increasing amount of questions from consumers in the aftermath of factory crises. Second, another corporate respondent mentions the normative commitment of management and the family owners to ethical business practices. Third, one corporate respondent mentions the emphasis banks increasingly put on development of CSR policies in investment decisions. Fourth, all corporate respondents emphasize that they, on the one hand, look at and reach out to competitors whom they consider to be similar positions to them, to get a sense of what their responses to PILA demands should be. For one respondent, this has also been channeled through its Dutch business association, which functioned as an information platform after the Tazreen fire. One the other hand, their industry peers reach out to them with advice and information on current PILA events. Notably, from the interviews it becomes apparent that it is in such business-to-business deliberations that the option of participating in the Alliance rather than in the Accord was discarded, as the respondents' peers shared doubts about its effectiveness and legitimacy. On their part, the business interest associations have voiced their preference for the Accord relative to the Alliance, with the former being the appropriate European and inclusive solution, and the latter an unclear American

[95] Op. Cit.
[96] Interview Janssen
[97] Conversation Wintermans
[98] Op. Cit.

alternative.[99] Fifth, all corporate respondents look for industry leaders, with more market power, more resources for CSR policy-making, and more public visibility, and relate their decision-making to such leaders to some extent. In this sense, H & M's positioning is relevant for all interviewed respondents, and the CCC IS's decision to coordinate pressure on H & M to sign the accord can be estimated to have had the purported trickle-down effect on positioning in the industry. Sixth, all corporate respondents emphasize the pressure that Minister Ploumen put on the industry in media and through reaching out informally to the industry as an additional significant factor. One respondent particularly notes that such governmental involvement creates a significantly higher sense of urgency among the top management of the company.

CSO PILA and Dutch government

The Dutch Foreign Ministry indeed played a role in influencing the industry. In the eyes of many respondents, Minister Ploumen used the Bangladesh factory safety dossier as an issue to boost her political profile as a Minister, seeking ways to promote sustainable development goals by facilitating and encouraging businesses and CSOs to contribute to these goals.[100] Effectively this meant that the Ministry start to organize meetings with clothing industry representatives to discuss the factory safety issue after the November 2012 Tazreen factory fire and the Minister herself called the Dutch industry to take action. Companies and CSOs were invited to separate and collective meetings to discuss events and next steps, during which the Minister stated her commitment to the issue. The factory safety dossier became the primary responsibility of the Private Sector and CSR department. Respondents confirm that questions from parliament kept the pressure on the Minister to pursue an agenda in which it would promote Dutch company's activities in this issue area.[101]

After the Tazreen fire, regularly companies or business interest associations would put their perspectives on the issue forward to the Ministry. The CCC IS also put forward its factory safety proposals as the agenda that they would like to see the Minister follow. And indeed, in the end, the Minister ended up endorsing most of what the CCC was pushing for. However, as the respondent notes, the Ministry's aim was to slowly build momentum among the Dutch industry players for what the CCC and its partners tried to achieve, rather than confronting companies with take-it-or-leave-it-type of demands. [102] There was therefore regular interaction between the CCC and the Ministry, but as far as can be reconstructed, never have the Ministry and the CCC exchanged ideas about more or less effective PILA strategies, what targets to choose, the timing of targets, and so on.

Some Dutch companies tried to challenge the CCC's position in policy-making and debate on factory safety. This became most visible around a 2013 Dutch government planned mission trip to Bangladesh (later aborted due to political problems at Bangladeshi end). It was clear that the

[99] Conversations with Van Dijken and Wintermans
[100] Interviews Zeldenrust and Merk; conversations with Van Wijngaarden and Huber.
[101] Conversations with Van Wijngaarden and Huber.
[102] Conversation with Huber

mission could also involve CSOs, and the CCC wanted to be part of it, but some companies lobbied against it. The Ministry in the end managed to reconcile both parties, standing behind CCC's role in the mission.[103]

The Ministry after Tazreen also developed other policy instruments to promote factory safety in Bangladesh, using momentum among several development donors.

As an indirect consequence to mentioned PILA activities, the Ministry now also awaits a Plan for Action for making the Dutch clothing industry more sustainable.[104] The genesis for this Plan lies in the agreement among the different Dutch business interest associations (Modint, InRetail and VGT) around 2011 to start cooperating on a common approach to CSR issues The Plan was the industry's response to a parliamentary motion that asks the Minister to demand transparency of supply chains and responsibility for child labor at Indian suppliers. The industry associations were unanimous about their rejection of this appeal, but offered the Plan as an alternative approach to the Minister. This plan, first, generally got extra wind in the fall-out of the Ali Enterpirses and Tazreen tragedies, also included factory safety measures focused on Bangladesh, which gained even more attention after the Rana Plaza disaster. The Plan dovetails with the Accord and promotes business engagement with the Accord. Second, The Plan sets out to investigate in 10 different workgroups 10 different sustainability challenges, broadly construed to also include labor rights issues. In each workgroup, as in the steering committee, companies, business associations, and CSOs, including union organizations and representatives of ministries are represented. Association respondents note their excitement about the Plan, but at the same time recognize that it brings them into *terra incognita*, politically speaking: all industry associations, together with many individual corporate members, discussing with a variety of CSOs, including campaigning-focused organizations such as the CCC, including Ministry representatives, and including some foreign brands (e.g. Primark, C & A). The Minister aims to build on this Plan for Action in developing further agreements with the sector on internationally focused CSR commitments.

Effectiveness

The different aspects of the ToC seem to have worked out in practice, in terms of achieving change on the demands made, through the PILA forms chosen, using PILA targets that indeed contributed to change as expected, through the mechanisms outlined, and with a relatively accurate diagnosis of how the political environment would shape PILA consequences. The CCC and its partners have been effective in translating their PILA demands into an Accord. CCC has also been effective in getting companies to sign up to the Accord, creating critical mass for implementation of the Accord. Notably, it has this time not been hampered by a divide in the opinion of discount-focused retailers versus more high-street focused brands. While on other labor standard issues in the past these

[103] Op. Cit.
[104] Conversations with Van Dijken and Wintermans; Conversation with Van Wijngaarden; interview Van Vliet

groups diverged in their response to PILA, the discount retailers often preferring a different policy option than the CCC, in this case their responses were similar and positive to the demands made.

In the Netherlands, the CCC did not do substantially that much in terms of direct PILA activities targeted at Dutch companies about the Accord after the Rana Plaza disaster, as most attention went to the information flows and coordination activities after the disaster. The negotiations and PILA activities prior to the Tazreen fire and the Rana Plaza collapse however laid the groundwork for making the demands clear to the companies, and the heightened urgency after both incidents made the companies meet the CCC's demands. Some of the influence was indirect, as the different European legs of the CCC and its partners approached companies, who would spread the word to other companies who then responded in their policies towards the Accord. The CCC was also effective after the Tazreen fire in reaching out to civil servants of the Ministry of Foreign Affairs and working with the Minister to put the factory safety issue higher on the corporate agenda. In this, the CCC also benefited from, on the one hand, the Minister's wish to make the issue a theme to boost her political profile, and on the other hand, a heightened sense of urgency among civil servants within the Ministry about factory safety in Bangladesh, for which the Accord and the CCC's work on it in some part provided an effective policy outlet. Finally, the CCC made effective use of contacts with Dutch MPs in parliament, who put the factory safety issue on the agenda, urging the Minister to address industry players. Also here, the tragedies of Tazreen and Rana Plaza were ironically of use to put the CCC's own priorities more center stage on the political agenda.

For the North American wing of the larger CSO-coalition that CCC belongs to, the emergence of the Alliance, and its popularity significantly among American companies, was a setback of some sort. The Alliance does commit to investments and responsibility for factory safety in Bangladesh, and as such the overall network's PILA has achieved policy change, but the way in which the Alliance operationalizes this is not to the liking of the network participants, and also excludes them (and their partners in Bangladesh) from further influencing of such activities.

Generally, the CCC therefore within 1 year translated about 8 years of previous work on factory safety-focused PILA into an observable successful policy outcome, using the sense of urgency after Tazreen and Rana Plaza. Pessimistically, if one would judge CCC's and their partners' PILA activities on what they brought about until 2012, the results would have looked bleak: few companies signing on to an agreement that had taken years to develop, and many companies targeted resisting PILA demands. Optimistically, once can say that the CCC and its partners were ready in 2013 to reap what they had sown now that opportunity knocked.

Generally, during the time period of the factory safety PILA activities studied (2005-2013), the CCC has also managed to boost its image with its main targets in the Netherlands, Dutch companies. While the company representatives do not doubt that the CCC basically aims for similar things as

ten years ago, the willingness of companies to work with the CCC on resolving issue raised through PILA has grown, not in small part due to what companies perceive as a change in the way that the CCC reaches out to these companies.

Reflections on effectiveness from respondents

With regard to the consequences and effects of PILA activities, the interview respondents note the following issues. First, the CCC has made quite effective use of a window of opportunity after the Rana Plaza incident, and was able to do so because of all the previous PILA work. It had a coalition of partners, a set of demands and a proposal for institutional embedding of these demands ready to confront companies with, and had spent already considerable time bargaining with a small set of large and famous brands and retailers (including Gap, Tchibo and PVH) on acceptance of this proposal. The public and political response to Rana Plaza helped raise the necessary pressure to quickly bring some of these corporate discussion partners "into" the Accord, and helped other companies to follow suit. Close collaboration with MSN, ILRF, WRC and IndustriALL were significant here, since substantial demands, targeting and timing of PILA, mostly informal in shape, were meticulously coordinated among these organizations.

Second, the CCC has used lessons from previous engagement with companies on designing voluntary agreements, in particular within private standard organizations and the campaigns after urgent appeals from factory workers, to its advantage. One example is the degree to which you bargain with companies one by one, or allow each company to have one voice in deciding on commitments such as the Accord. With the final design of the Accord, the CCC with its partners pushed companies to come up with one common position before continuing the conversation in a multi-stakeholder dialogue form, and this was effective in aligning them. Before, in other business-CSO-negotiation settings, continuous bargaining with individual companies on standards led to long and ineffective discussions. Another lesson is how to counter the proposal for the "Alliance", the alternative factory safety instrument proposed by global retailers. The CCC here made use of its existing expertise on past CSR policies and existing private standard organizations to put the position forward that something different was needed than what the Alliance proposed because it replicated existing policies that had been proven ineffective in Bangladesh.

Third, the weeks following the Rana Plaza took a toll on the CCC IS and the Dutch CCC as an organization, given the demands on resources made. A decision was taken to continue other activities at CCC offices, while responding to the Rana Plaza crisis, because of commitments to external parties (including funders). In retrospect, respondents consider whether it would not have been preferable to suspend all other activities and use all resources for the Rana Plaza case, given how in retrospect many external parties indicated that they would have understood delays in deliverables given the crisis situation.

Fourth, debate within the CCC has emerged about the appropriate relationship between the amount of company signatories to the Accord in proportion to its effectiveness. PILA activities to pressure companies to sign the Accord have continued for a while, but the CSO proponents of the Accord have now reached a stage where they have a significant amount of companies buying from Bangladesh signing on so that they feel there is sufficient pressure on Bangladeshi suppliers to follow through on the commitments. Question is whether the amount of signatories has not already reached that stage where it actually becomes more difficult to maintain the strength of the Accord. Too many signatories, and particularly too many signatories having lukewarm sentiments to what the Accord seeks to achieve, leads to a risk of back-paddling on certain commitments by Western company participants. Question is then whether a smaller amount of more committed signatories would not be preferable.[105]

Fifth, in PILA activities towards Dutch companies as a response to the Rana Plaza incident, the Dutch CCC has contacted companies known to source from Bangladesh, always beginning with informal non-public lobbying. The CCC prioritized for such contacts companies for size and visibility of brand, and likelihood of responsiveness as a function of prior experience with PILA on different issues. The CCC's perception is that the likelihood of response often very much depends on the people responsible for the labor standard issue area, which also means that a change in staff at companies can mean the end of a constructive dialogue relationship with the CCC.

[105] Interviews Merk, Zeldenrust, Janssen

5. CASE 2: Working hours & overtime

This Chapter describes the case of PILA activities promoting working hours and overtime, with a focus on China. Similar to the previous chapter, It first describes the political and economic background, focusing on industrial and country characteristics. Then it shortly introduces the issue of working hours and overtime, before moving to an analysis focusing on SOMO, its Theory of Change, and its reflections on the effectiveness of PILA activities.

5.1. The Political Economy of Electronics

Sector context

The global electronics industry is one of the largest industrial sectors in the global economy. It is characterized by its use of outsourcing and subcontracting. The geographically dispersion of the supply chain has lead the industry to be structured through complex production chains, in which companies cooperate with contract manufacturers and component suppliers across the globe. Currently, over 15 million employees work in the electronics sector, with China as a major production hub.

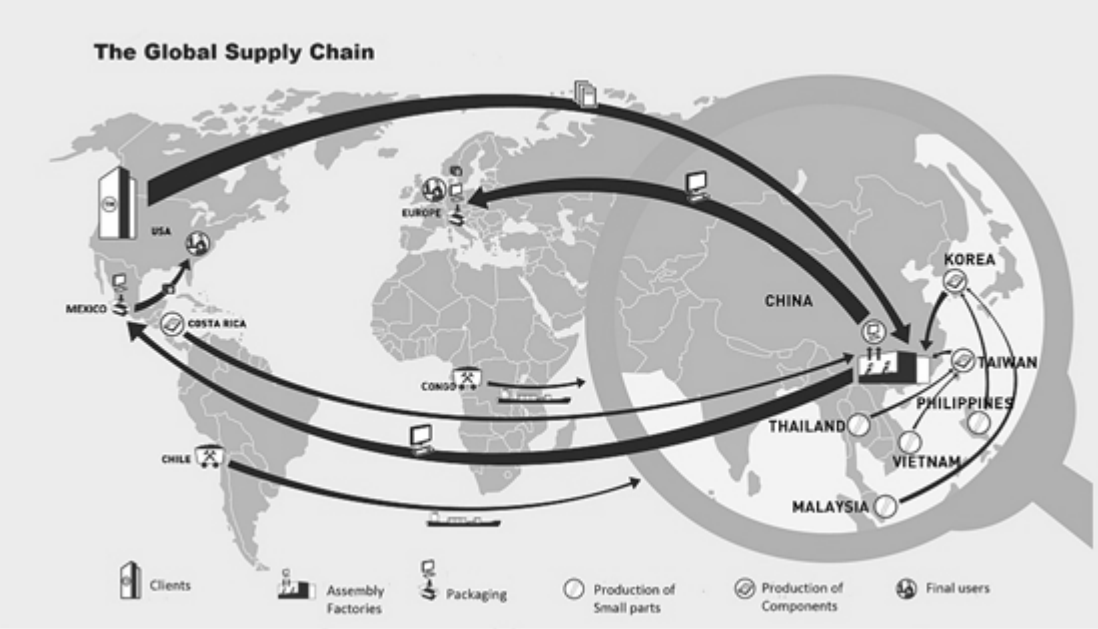
Like clothing, IT technology is significant for different and functionally separate product markets that often have their own industrial associations, including modern consumer electronics (such as Philips, Samsung, Sony), telecommunications (such as Nokia), computers (such as Apple, HP, Dell, IBM) and game consoles (such as Nintendo).[106] Ever more machines become "smart" and acquire PC-like characteristics, igniting increasingly competitive relationships between the different producers of PCs, laptops, TVs, mobile phones, MP3-players, tablets and game consoles.

Compared to the clothing industry, the horizontal concentration of the electronics industry is however much higher, with fewer firms competing with each other. Over half of the multi-billion mobile communications industry for example is in the hands of just five companies[107] (Apple, Samsung, Lenovo, Huawei and Xiaomi), and a similar picture is emerging for the computer industry.[108] A small group of firms may thus determine the political course of action in the industry.[109] Moreover, the geographic and organizational concentration of manufacturing suppliers in the electronics industry is much higher as well. While such concentration of suppliers might facilitate easier supply management for corporate buyers, compared to a situation of multiple suppliers that change frequently, there is also a trade off in power terms. Suppliers may also develop more leverage towards buyers because of their capacity to absorb large orders and the lower degree of competition among suppliers.[110]

[106] Fransen, L and T. Conzelmann (2014) Fragmented or cohesive transnational private regulation of sustainability standards? A comparative study. Regulation & Governance.
[107] Gartner.com (2015)
[108] Consumers International (2009) The hidden cost of mobile phones.
[109] ibid
[110] Gereffi et al, 2005

The electronic products supply chain consists of brand name companies that have hundreds of suppliers, who in turn have multiple suppliers themselves.[111] Most IT-electronics mass consumer goods are now manufactured in transnational production chains that run from lead firms in the West, South Korea and Japan, to developing countries and emerging economies in the Americas and especially Asia.[112] The industry has one of the most extensive and dispersed global sourcing than any other sector, combining decentralized and highly flexible forms of industry organization with traditional economies of manufacturing in large-scale plants and corporations.

Figure 6: IT Electronics global supply chain. Source: IDH Electronics



The industry is highly competitive, innovative, fast changing with short product cycles, and employs a just-in-time production model. Interestingly, the strategic significance for competition does not lie so much in the value chain components that are actually subject to CSR policies focused on labor standards. With IT Electronics, competitiveness is more a result of innovations created higher up in the chain, that are not subject to monitoring, auditing and information sharing across firms in the context of social and environmental standards.[113]

In order to stay competitive in such an industry, manufacturers must master this fast pace of change, where excess inventory or transit time, and delays of expensive components anywhere in the value chain, results in value loss.[114] Such high-pressured industry characteristics, determines the type of players that can participate in these competitive production chains and under what conditions.

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[111] IDH Electronics Industry Model description, http://www.idhsustainabletrade.com/electronica-industry-model, accessed 18 December 2014
[112] Fransen et al (2014)
[113] Sturgeon, T. (2003). Exploring the risks of value chain modularity: electronics outsourcing during the industry cycle Of 1992-2002. *Massachusetts Institute of Technology IPC Working Paper Series the Industrial Performance Center*.
[114] Reichert (2012)

Since the global recession in the early 2000s, pressure has grown on the electronics industry to safeguard working conditions in IT manufacturing and in the management of hazardous material.[115] Yet, the vast amount of subcontracted production and use of parts and components that are interchangeable amongst branded firms make it difficult to link lower tier suppliers back to a specific lead firm. Today, the electronics industry uses a variety of private self-regulatory measures such as standards and codes of conducts, with the most famous being the Electronics Industry Citizenship Coalition (EICC), and a variety of implementation mechanisms such as self-monitoring, reporting, benchmarking, and audits.

Country context: China

The majority of subcontracted and outsourced electronics manufacturing takes place in Asia mainly for its low costs, and established supply base, and proximity to key final markets.[116] Today, China dominates the global market as the top exporter of electronic goods, its market share reaching 20%[117] with the country undertaking 80% of basic component production and a large portion of final assembly in the electronics industry[118].

The electronics industry has been described as a 'pillar' industry of the Chinese economy. China's rise has been a state-driven globalization process in which the state has facilitated export-led growth relying primarily on joint-venture and wholly owned venture capital. According to some, China's heavy reliance of foreign direct investment during the past decades has brought about high-speed economic growth but also has widened labor and social inequality and led to environmental deterioration.[119]

The electronics sector is especially relevant for the country as many regions in China are facing labor shortages, especially in the coastal regions. This has caused a shift of industries to move inland, countering historical trends of labor out-migration by increasing local employment opportunities for the rural class. This has required efforts and collaboration of the Chinese state at all levels, as different Chinese regions have very different social, political and economic conditions.

The Chinese economy has thus undergone a fundamental transformation from being based on heavy industry from the 1950s to the late 1970s, with guaranteed lifetime employment and generous welfare provided to urban workers, to one that mainly relies on foreign and private investments and massive use of migrant laborers in light industries, such as electronics, where wages and labor production are reportedly suppressed. Since the 1980s the state has also further controlled workers' self-organization and consequently wages to facilitate low-cost exports.[120] The Chinese organization of public administration makes local governors increasingly dependent on

[115] Smith et al 2006, 25
[116] Reichert (2012)
[117] IDH Electronics, website
[118] Reichert (2012)
[119] Pun, Ngai and Jenny Han (2012) Global Capital, the State and Chinese Workers: The Foxconn Experience
[120] Pun and Han (2012)

business taxes, and local political leaders therefore compete with each other for export production, using policy means at their disposal to attract firms and factories. In the process, enforcement of labor standards laws are not a popular function of the state apparatus.[121] China knows one official trade union, namely the *All China Federation of Trade Unions (ACFTU)*, closely connected to the Party. Most manufacturing workers are not part of this union. Union formation is also regarded as a threat to the authoritarian regime, given how it may bring together anti-Party organizers.

Issue Context: Working hours and overtime

In most of the countries where electronics manufacturing has been outsourced, labor and environmental standard enforcement is weak.[122] The cost and price squeeze particularly on suppliers, affects their ability to undertake governance over health and safety conditions.[123] High output demand and high pressure to meet tight deadlines, leads to suppliers having reported cases of excessive overtime during peak production periods.[124]

Many work hours violations are intended by management to recover lost production time or to accommodate unplanned orders.[125] Two major contributing factors drive excessive overtime in global production chains: (1) poor production planning by companies; and (2) low wage levels. The latter is especially relevant to the IT electronics industry, where a strong correlation between wages and overtime has been identified. As basic wages are often at a sub-standard level not meeting basic needs, workers will often somewhat forcefully choose to work overtime to sustain their livelihoods. Working such long hours will affect the quality of work and the safety of the workers, especially when dealing with heavy machinery or chemical materials.

In China, overtime and working hours is regulated in labor law and regulations, which dictate a workweek of eight hours per day and 40 hours per week. Overtime is legally limited to three hours per day, but not to exceed 36 hour per month. However, many multinational corporate codes of conduct provide for a limit of 60 hours worked in a week, which is technically in violation of legal limits. For factories and manufacturing companies in China, work in excess of 60 hours per week is more the rule than the exception.[126] It is important to note here that the issues of overtime and of wages are communicating vessels: non-compliance with wages as in labor law inevitably leads to worker acceptance of longer working hours to boost monthly net wages. Therefore, CSOs often develop PILA demands from a system perspective, realizing that singling out one issue will not lead to a durable solution to labor right violations.

[121] Breslin 2011
[122] Fransen et al (2014)
[123] Reichert (2012)
[124] Stracke, Sophie (2013) IT workers still pay the price for cheap computers. Case study of labour conditions at 4 Dell suppliers in China. Dan Watch, November 2013
[125] Verité (2012) For Workers' Benefit: Solving Overtime Problems in Chinese Factories. White Paper. February 2012.
[126] Verité (2012)

Only since the 2000s has the industry actively been engaged with CSOs to address labor rights and environmental issues, amongst which working hours, in the electronics industry. This recent interest contrasts the decades long efforts starting in the 1980s in the clothing industry. In 2001 the first business-led initiative took hold in Europe under the heading of the Global e-Sustainability Initiative (GeSI). An Electronics Industry Code of Conduct followed in 2004, as well as the formation of the Electronics Industry Citizenship Coalition (EICC) in 2007, both industry-led.

As a late-bloomer, the electronics industry had the advantage of learning from other industries such as textile or toys, and engaged in stakeholder engagement activities early on. Though, in a more fundamental way, the industry is facing the same types of criticism as the efforts at CSR policies regarding labor standards in the clothing industry in the 1990s. The EICC code of conduct for instance has been criticized for not including key provisions set out by the ILO. And other issues related to 'self-monitoring' and concerns with 'lack of transparency' of the audit reports seem prevalent as much in electronics as in clothing.

This case study will look into the Policy Influencing, Advocacy and Lobbying strategies of the Dutch civil society organization SOMO in order to get a better understanding what types of pressures have been undertaken in this condensed industry, and what factors have contributed to the effectiveness of these activities.

5.2. Case analysis: SOMO

SOMO describes itself as an independent non-profit research and network organization and aims towards achieving sustainable development, socially, ecologically and economically. Since 1973 SOMO investigates multinational corporations and the consequences that their activities could have for people and environment around the world. The core activities consist of: research on own initiative, assigned research by civil society organizations; and/or coordinating and participating in networks.[127] SOMO has a unique position as a PILA actor, as it both conducts research to realize its own PILA ambitions, as well works as a consultant conducting research for external CSO actors. SOMO emphasizes it does not identify itself as a campaigning organization.

In their PILA ambitions, SOMO is linked with several alliances focused on improving working conditions along the value chain in the IT Electronics industry. First, it was involved in the makeITfair alliance from 2007-2012. This consortium of 12 partner organizations from 9 countries[128] set out to address interdependence between the choices made in Europe by consumers and retailers, and the consequences at different levels in developing countries. It aimed towards awareness-raising to mobilize support for better working conditions, to fill the gap of knowledge about production conditions in the electronics industry, and to change behavior towards

[127] Information retrieved from SOMO website, http://somo.nl/over-somo accessed 16 December 2014
[128] The organizations involved in makeITfair were: SwedWatch, Fair Trade Center, Finnwatch and Repu-Pro Fair Trade, Germanwatch, Finnish Association for Nature Reservation, Pro Ethical Trade Finland, DanWatch, Association of Conscious Consumers (ACC), CIVIDEP, Workers Assistence Center (WAC) and Civil Society Research and Support Collective

more sustainable production patterns of companies. SOMO was lead member of the consortium and influential in the framing of the goals and ambitions of the six-year program.

Second, SOMO was the initiator of the GoodElectronics Network, established in 2006, and has the ambition to present itself as a powerful united coalition of voices that can stand up to big brand companies in achieving two main goals: (1) to strengthen and stimulate CSO and workers worldwide in their actions to improve human rights and environmental conditions in the electronics industry; and (2) to improve corporate and public policy and practice in the industry based on common demands. The Network is coordinated by SOMO and is based on the idea that in order to be effective in reaching their goals in the electronics value chain, like-minded organizations need to be connected and need to share information.

Third, the issue of labor rights is addressed through a different approach in the network procureITfair, now evolved into the alliance of Electronics Watch. As co-initiator, SOMO has helped to position the alliance as an independent monitoring organization working to achieve respect for labor rights in the global electronics industry through socially responsible public purchasing in Europe. It takes a complementary approach to dialogue with business, and lobby with private regulatory initiatives, as it focuses on public actors with 'buying power' in order to achieve results.

Lastly, SOMO is involved in two Dutch alliances; in the Fair, Green and Global Alliance (FGG) and, the organization is linked to the IMPACT alliance, a coalition of Oxfam Novib, 1% CLUB, Butterfly Works, Stichting HIRDA and Fairfood International. The FGG alliance consists of CSOs that have a network structure and links with grass roots movements, trade unions, women's groups, human rights defenders and environmental organizations in developing countries. Within these alliances, SOMO conducts and supports PILA activities on corporate conduct, sustainable development, the international politics of trade and investment, and financial and tax systems.

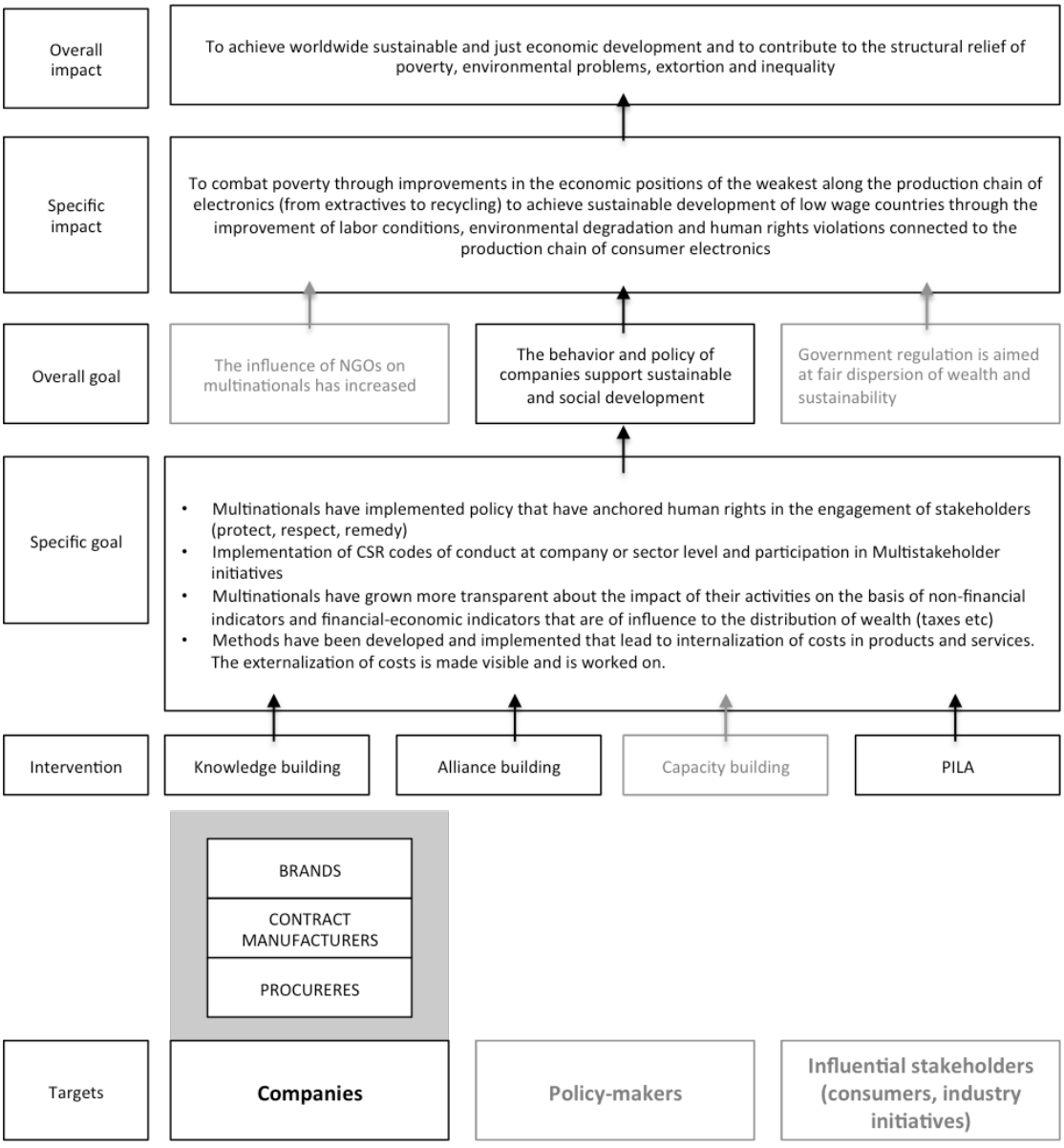
Throughout the evaluation period of 2008-2013 these alliances were all linked to periods of specific project funding cycles with different funding agencies, namely the European Union and the Dutch Ministry of Foreign Affairs. The activities taking place within these alliances in this period are relevant for SOMO's work in achieving their PILA goals in the Electronics industry. These observations are significant for analyzing the Theory of Change of SOMO as it implies that decisions made on PILA activities may in practice be determined in relation to the respective affiliations and ambitions set forth.

Theory of Change

SOMO has formulated an implicit theory of change, though it stipulates an intervention logic that shows the coherence between its participation in different alliances. The organization upholds a general intervention logic that is to be found across all sectors targeted by SOMO. This logic includes strategies related to: (1) knowledge building, (2) network building, (3) capacity building of

CSOs, and lastly (4) policy influencing at the level of government and of business. In terms of the knowledge building, the organization has the ambition to develop knowledge that is change-oriented. Even though it separates the strategies, this means that SOMO attempts to achieve three PILA goals through knowledge-building: (1) agenda-setting of relevant issues, (2) offering a 'body of knowledge' that is supportive of social advocacy and lobby, and (3) act as a 'watchdog' to see whether policy changes have an impact in actual implementation.

Figure 7: Theory of Change SOMO Electronics sector, derived and modeled on SOMO strategy papers



Noticeably, the formulation of SOMO's ToC does not include explicit mention of working hours or overtime. This strategy actually addresses SOMO's strategy across the board, and is neither sector nor issue specific. SOMO thus has an overall intervention strategy on achieving CSR PILA goals that is relevant to the general mission and vision of the organization, adapted on case-to-case

bases, or if you will sector-to-sector bases. This relates to the ambition of the organization as a whole to change CSR policies of MNCs for the better (meaning, more just and sustainable) across different sectors and issues.

The *scope* of SOMO's Theory of Change is the entire organization, focusing on the changes in corporate conduct along the value chain of different sectors and issues, including overtime in the electronics industry.

The core *ambition* for SOMO as an organization has remained the same throughout the research period: to achieve worldwide sustainable and just economic development and for SOMO to contribute to the structural relief of poverty, environmental problems, extortion and inequality. Specific for the Electronics sector, SOMO has the ambition to combat poverty through improvements in the economic position of the weakest along the production chain of electronics (from extractives to recycling) and to achieve sustainable development of low wage countries through the improvement of labor conditions, environmental degradation and human rights violations connected to the production chain of consumer electronics.

A high form of *reflexivity* takes place at SOMO in relation to determining strategies and activities for the Electronics sector. On a year-to-year basis SOMO produces strategy plans determining the key aims, target groups and activities. These decisions are based on yearly stakeholder sessions with SOMO's Southern counterparts, and thus aim to reflect the local needs and ambitions.

SOMO has been sensitive to the *political environment* in the development of their PILA activities in terms of changing corporate conduct. Respondents indicate that the Electronics industry called for a different approach than usual as the industry is characterized by a concentrated sector with a few large players whom only relatively recently started receiving PILA attention to their corporate responsibility and supply chain approach.[129] How the specifics of the sector influenced the strategy and demands of SOMO is described further on.

SOMO acknowledges that multinationals have a role and responsibility in combating poverty and injustice. It believes companies have the duty to independently and sector-wide plea for instruments that include a level of responsibility, representative stakeholders, and precautionary measures to reduce damage to people and the environment. SOMO sees independent monitoring and transparency as key in realizing democratic control over these production processes.

[129] Interviews Schipper, de Haan, Overeem

Table 3: Overview Theory of Change elements SOMO

ToC formulation	Implicit			
ToC scope	CSO as a whole			
ToC ambition	Proxy war – wanting to change economic structures and functions of globalized production			
ToC reflexivity	High			
ToC awareness of political environment	High – specifies in detail power imbalances between multinationals, governments and local stakeholders and makes reference to relevant international treaties such as the Ruggie principles.			
ToC categories of strategic focus	PILA targets: Companies (brands, contract manufacturers, public procurers), government, industry associations, consumers	PILA demands: (1) the influence of NGOs on multinationals has increased; (2) the behavior and policy of companies support sustainable and social development; (3) government regulation is aimed at fair dispersion of wealth and sustainability.	PILA forms: Evidence-based advocacy, lobby and activism	PILA issues: living wage & overtime/working hours
ToC assumed mechanisms of change	companies commit to CSR and CSO alliances of which SOMO is a part follow up on such commitments; companies fear reputation damage and CSO alliances play into this; consumers are committed to social justice and CSO alliances cater to this; news media are interested in companies and breaches in social justice and CSO alliances cater to this Enhanced awareness of labor issues through SOMO reporting spurs normative commitment of companies to CSR; informed confrontation by SOMO and partners leads to responsive actions of companies;;			

The ToC describes SOMO's approach towards multinationals from both an actor-perspective as from a systems-perspective. At micro-economic level, the company is the focal point and its relation to CSR and responsibility as an actor. Though, from a macro-economic perspective, SOMO perceives multinationals as global economic systems that have created and perpetuate a political-economy system and organize production factors globally. Internationally oriented companies, according to SOMO, take the opportunity to focus their activities in such ways that meet the least regulatory resistance, offering the cheapest deals, allowing for minimum taxes, and offering more privileges because of underperforming governance; with the necessary social and environmental repercussions. SOMO realizes these MNCs do not operate in a vacuum, but are part of an economic vision that supports (unlimited) growth, short cyclical thinking, and a strong belief in the free market economy and its self-regulatory mechanisms.[130]

[130] Strategy plan 2011-2015, version 1.0 August 2011

At the same time, SOMO sees multinationals growing in influence and taking on different shapes and forms in different contexts, increasingly making it difficult to approach them, while their political influence continues to grow. It refers to what Prof. Ruggie has called 'the global governance gap', as a way of explaining how growing multinationals do not face any serious adversary with a global stake in the public sphere. SOMO sees opportunity in the current economic crisis as a means to pressure multinationals politically and socially not only to change certain practices, but also to push for structural changes.

SOMO's ToC ascribes a large role for governments as regulators and for civil society as knowledge hubs and advocates.[131] Governments should take responsibility in widening the possibilities for democratic control, increased transparency and the protection of citizens and their access to the rule of law. For civil society the challenge lies in building a 'countervailing power' through knowledge generation, international cooperation and effective PILA strategies towards governments and companies, both institutionally as well as strengthening the position of workers and communities.

In general, SOMO's PILA strategies *target* policy-makers, international trade & industry players, and influential stakeholders (such as investors and/or organized consumers). Specifically for the work related to the Electronics industry, SOMO has strategically targeted their PILA activities towards specific categories of corporate actors along the value chain that would prove most effective in reaching their objectives: first, it reaches out to the top 10 brands because of their influence over the sector (together about 90% of the market); second, it focuses in the Electronics industry specifically on contract manufacturers because these have powerful strongholds as they often have larger revenues that many of the top 10 brands; and third, SOMO has focused on public procurers of IT Electronics as they are large buyers of Electronic products and carry an inherent public responsibility and are thus sensitive to public concerns.

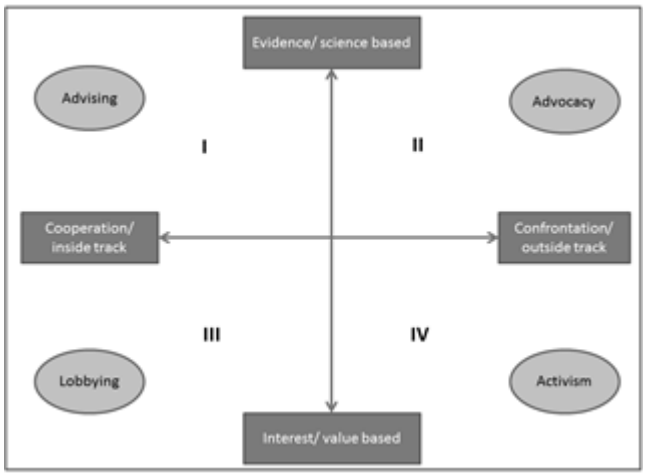
These corporations are either globally or European oriented, or Dutch-based companies such as Philips. According to SOMO, the wide variety of target groups addressed widens the possibility for awareness raising and pressure for change within the industry since it is vital that the demand for fair and environmentally sound production practices comes from several actors at the same time. This is why industry associations such as GeSI and EICC have also been added as targets for their PILA campaigns, as SOMO realizes the importance of companies cooperating together on different issues to gain leverage in relation to suppliers.

SOMO's work is based on a multi-pressure point *strategy*, in which SOMO seeks as many complementary pressure points as possible. This means finding pressure points 'vertically' at the end of the chain by influencing as many stakeholders as possible, as well as 'horizontally' by collaborating closely with civil society on different pressure points along the production chain (from

[131] Srategy plan 2011-2015, version 1.0 August 2011

extractives, to trade, production and consumption) and to strengthen them through knowledge(-building).

Figure 8: PILA Strategies. Source: Adapted from Start and Hovland (2004)



SOMO has clearly stated three specific goals and related *demands* it seeks to achieve in their ambition to promote sustainable alternatives and offer counterweight to damaging strategies and practices of multinational companies: (1) the influence of NGOs on multinationals has increased; (2) the behavior and policy of companies support sustainable and social development; (3) government regulation is aimed at fair dispersion of wealth and sustainability. Especially goal 2 is relevant to the PILA activities undertaken by SOMO within this evaluation, as it concerns PILA strategies to influence corporate policy and conduct.

In realizing these demands, SOMO takes on an evidence-based approach to advocate for workers' rights in the value chain of the IT Electronics. It undertakes research in order to inform companies on malpractices along their value chains and engages them to change corporate conduct based on the findings and solutions SOMO addresses. This process takes place through lobby and dialogue privately with companies when companies are asked to reflect on the findings, as well through public campaigns to raise consumer awareness when actions of companies are deemed to fall short. Respondents emphasized the value of yearly round table discussions with industry players, CSOs actors and other stakeholders as essential in their PILA work as a means for continued dialogue and lobby for improvements.[132]

SOMO realizes that any impact on these three demands will not and cannot be attributed to the work of SOMO alone. Therefore it has distinguished indicators that could prove useful in identifying SOMO's contribution to changes monitored. Table 4 shows the indicators specific for SOMO's attribution for changed corporate policy and conduct.

[132] Interviews Schipper and De Haan, December 2014

Table 4: Overview of SOMO's goal and contribution indicators

Goal	Contribution Indicator
The behavior and policy of companies support sustainable and social development	▪ Multinationals have implemented policy that have anchored human rights in the engagement of stakeholders (protect, respect, remedy) ▪ Implementation of CSR codes of conduct at company or sector level and participation in Multistakeholder initiatives ▪ Multinationals have grow n more transparent about the impact of their activities on the basis of non-financial indicators and financial-economic indicators that are of influence to the distribution of w ealth (taxes etc) ▪ Methods have been developed and implemented that lead to internalization of costs in products and services. The externalization of costs is made visible and is w orked on.

SOMO describes their role in PILA in two ways: (1) directly, as an expert when dealing with informed policy influencing; and (2) indirectly, in their work in lobby and representation of civil society through their networks and joint projects.[133] In implementing its PILA activities, SOMO works strategically along the following steps: first it tries to work through a specialized organization that uses SOMO's information for its PILA work; second, when that deems impossible, it works in cooperation with another organization to achieve shared PILA demands; and third, as a last resort, SOMO takes the initiative itself in connecting organizations.[134] In case of the Electronics industry, SOMO was placed in the third position as no other structures or alliances were in place at the time to actively pursue PILA demands in the Electronics sector.

As a *mechanism of change* of PILA, SOMO assumes different channels to exert pressure on companies to change their corporate policy and conduct in light of overtime and wages. First, increased awareness of labor issues along the value chain spurs normative commitment of companies to address the issues at hand, in an effort to address the issues and avoid public naming and shaming. Second, consumers, once informed, will advocate for companies to align with international norms and make improvements towards fair wages and working hours. The public opinion is seen as a vehicle to have companies respond to their demands. Third, international alliances are a necessary and powerful countervailing force to strengthen the cause to achieve changes in the global production chain of multinational companies, and corporations view international claims as more influential and pursue dialogue with international alliances. Fourth, media are interested in stories of global social injustice and its relation to corporate practices, and may therefore be used to bring injustice to light.

The next section will turn to the case example of SOMO's PILA actions towards the Electronics brand Apple, as part of the makeITfair and Good Electronics networks. The effectiveness of the

[133] Strategic Plan 2011-2015, SOMO
[134] Strategy Plan 2011-2015

campaign has already been investigated by external evaluators in January 2013.[135] Central to the empirical description of the following case study however is the strategic decisions made by SOMO, such as the focus on one single brand as a way to create spin-off effects for the wider industry.[136] The case is exemplary of the procedure SOMO takes in their PILA approach: (1) undertaking research, (2) present findings to companies, (3) request response from companies, (4) propose measures or undertake action, (5) follow-up.

Time to Bite into a Fair Apple

In 2010, SOMO started to zoom in on specific issues following their research findings in the sector, including but not limited to the issues wages and overtime as part of a broader CSO focus, specifically in China. This focus continued in 2011, when "the spotlight was turned firmly on China", with a focus on poor working conditions in factories where Apple's iPads and iPhones are put together**.** As part of the makeITfair alliance, and in cooperation with the Good Electronics network, SOMO organized an International Action Day on May 7th, 2011, focusing on Apple and the fair production of its products in low-income countries. The day was planned to become the main event to target media in a coordinated way in order to: (1) raise awareness among young consumers of Apple products, and (2) inspire Apple to address concerns of labor rights violations along the value chain.

Prior to the Action Day, several fact-finding missions were conducted in China, which examined the working conditions at four factories, as this would offer more backbone to the campaign. The research, jointly implemented by alliance partners Finnwatch and SACOM, showed that pressing issues remained: wage increases were still insufficient and overtime remained significantly high. SOMO asked Apple and other brand companies that contracted these factories to respond to their findings. Apple at the time was the only company to disregard the request. This made SOMO and its partners specifically focus on Apple, as it was believed to generate high impact, as Apple is a popular brand among consumers and market leader in design. The underlying question was "Apple is marketing leader in electronics, so why not marketing leader in sustainability?". It was the belief that if Apple would take significant steps in improving its CSR policy and conduct, the other brands would more easily follow suite.

To give the campaign an extra push, it was decided that new and extra research on Apple's main supplier, Foxconn in China was needed. SOMO and its partner SACOM had been working for a long time on addressing poor labor conditions at Foxconn. The contract manufacturer is perceived as a key player in the global electronics supply chain, though had been facing multiple reports of poor working conditions in the media. Also, respondents argued that the Good Electronics Network was eager to finally make progress on addressing management systems at Foxconn, which had

[135] Dieleman, R. and S. van Rooijen (2013) makeITfair: Time to bite into a fair Apple. Evaluating the call for sustainable IT. External Evaluation.
[136] Interview Irene Schipper

led to workers facing long hours, low wages and strict control at the production plants. Then, in the course of 2010, a number of factory workers at Foxconn attempted suicide, resulting in several deaths. The suicides drew media attention and Foxconn's working conditions were further scrutinized. This was the momentum, or "the accident waiting to happen" as one respondent put it, that was used by SOMO and its network to push its PILA demands forward.[137]

Following several brain storm sessions with makeITfair multipliers and partners, SOMO developed the Action Day materials: an information card about Apple, a feedback card to be left ins hops, a website with a list of FAQs and answers as well as a world map indicating the actions taking place in different countries, a cause on Facebook, an online letter to Apple and a creative online game. In different cities across Europe, coordinated actions took place on May 7th to raise awareness among consumers about the problems at the production of Apple products. This one day event was then followed-up by seeking dialogue with Apple in order to discuss how to address concerns of labor rights violations along their value chain.

Until the end of 2011, the reaction of Apple in the media as well as in private conversations had been disappointing according to SOMO.[138] However, since 2012 new developments have taken place. Apple became more transparent and published a list of its suppliers and became member of the Fair Labor Association, a Multi-Stakeholder Initiative and private standard organization monitoring labor standards improvements mostly in clothing and athletic footwear production chains. It thereby agreed to uphold the FLA's Workplace Code of Conduct throughout its supply chain. On three occasions, Apple's newly appointed CSR members visited SOMO for dialogue. In September 2012, Apple officially joined the Dutch initiative IDH. IDH so far had focused on scaling up sustainable practices in agricultural and other raw materials chains. With the electronics program, a more hi-tech industry was targeted for the first time, focusing on a labor-standard related issue. The Electronics chapter of IDH became a public-private consortium of electronics brands, suppliers, NGOs, international donors and governments, of which SOMO is now also a CSO member. IDH Electronics amongst other things seeks to improve worker-management interactions, increase knowledge of factory management, and reduce labor turnover. Furthermore, Apple claimed that since the summer of 2012, the company has taken a lead position in the industry organization EICC's working group on working hours, together with another large brand HP.[139]

Since the media attention and investigations, Foxconn has also made improvements to its corporate conduct: it increased workers' compensation in mainland China, and since has exceeded the minimum pay rate for each region. Furthermore, a collective bargaining agreement was signed in 2011 stipulating employees' wage increases for the following years.

[137] Interview Esther de Haan, January 2015
[138] Interview Esther de Haan and Irene Schipper, December 2014
[139] Dieleman, R. and S. van Rooijen (2013) makeITfair: Time to Bite into a fair Apple. Evaluating the call for sustainable IT. External Evaluation.

Dutch companies

For this case study, we looked specifically into the interactions among Dutch companies and SOMO, which also includes a focus on the interaction between SOMO's networks (makeITfair, Good Electronics) and the Dutch industry. This way we can also gauge how SOMO's focus on Apple relates to PILA activities "at home". Since the IT-Electronics industry is quite concentrated, and not many Dutch companies are involved in it, it could be that pushing Apple also aids PILA activities towards Dutch companies, either because Dutch companies might want to follow Apple's example, or because Dutch companies use Apple's commitment to CSR standards to extend their leverage on suppliers they share with Apple to improve working hour policies.

The attention raised by the 'Foxconn drama' had its reflections on the Dutch companies as well. One company holds that the suicides at Foxconn and the related media attention gave the industry a bad name.[140] It noticed that right after the media attention, the larger brands from the US closed their doors to avoid any possible legal claims. In the Netherlands, the response was different as Dutch companies are embedded in a small network of active PILA NGOs. This made the industry seek dialogue with CSOs soon after the incidences to discuss its repercussions and following steps.

Increasingly intertwined with the discussion of working hours and overtime, is the issue that audits do not seem to function always as intended in terms of improving supplier compliance with buying company CSR requirements. Working hours are a key audit focus for many buying companies' CSR policy, but it is difficult to establish structural improvements at supplier factories. One of the companies interviewed has initiated its own dialogue with SOMO to discuss the policy response to this challenge. The move beyond audits to other approaches of increasing compliance with working hours regulations also motivates the IDH Electronics program.

When Apple did make the shift towards more improvements in its CSR operations, Dutch companies hold that this motivated other players in the industry. It creates an "undercurrent" when large brands decide to take steps. One Dutch company experienced a similar trend in which other companies followed their lead towards making improvements along their value chain.[141] Their reputation as forerunner in CSR policy and conduct enticed others, in their perception, to follow their example. Other companies, but also industry initiatives and governments, are perceived as influential in determining CSR policies.

One of the Dutch companies explicitly argued it appreciates SOMO's role in keeping pressure on the industry so that the pressure stays on the sector. The choice of singling out Apple in the campaign found resonance with companies. Respondents argued it realized Apple has certain responsibilities as a company, as in some cases it has a dominant position as buyer from contract

[140] Interview Philips, January 2015
[141] Interview Philips, January 2015

manufacturers, which significantly influences the power Apple can exert over the sector.[142] Respondents also felt that raising awareness among consumers helps in getting the whole company on board to make changes towards the PILA demands.[143] However, this awareness should not focus necessarily on negative issues, but should also motivate consumers to make positive choices and to use their purchasing power in a constructive way. The company also claims that it contributed to Apple's decision to join the IDH Electronics program, using industry contacts amongst others within the EICC.

SOMO's general strategy was described as on the one hand seeking CSR-frontrunners of the industry to cooperate with, and on the other hand seeking companies with a bad reputation that can be held accountable. The contrast between both target groups helps SOMO, according to corporate respondents, in gaining attention for their cause. However, it was noted that different characteristics of companies in the Electronics sector should be reckoned with as this makes comparisons and generalizations more difficult. A comparison of brands such as Apple and Samsung versus Dutch companies first shows a difference in leverage. In addition, companies viewed the position of the Netherlands and its small purchasing power in comparison to other countries as influential in the level of power they could exert over the sector.[144]

Second, telecom companies differ from Philips, Apple and Samsung because they are one step further removed from intensive manufacturing practices in which overtime is pervasive than these electronics brands. In this context, SOMO and its networks' activities have developed activities raising attention for labor conditions and interacted with representatives at stakeholder meetings.

Respondents affirmed their familiarity with other networks such as makeITfair and Good Electronics, though it was unclear whether they understood the relation to SOMO. The interaction between Dutch companies and SOMO was described in two ways: (1) to share data and information on working conditions along their supply chains; and (2) to find solutions in tackling the issues.[145] The relation with SOMO and other networks SOMO is involved in is perceived as a way for the company to see whether it is on the right track; to test its grounds. If SOMO's research shows differently, then companies can use this knowledge to make adjustments in their corporate behavior. This process of dialogue and exchange is perceived as supportive of how corporations should respond to the PILA demands that the alliances and SOMO voice. Especially the combination of both roles, putting it on the agenda in order to concretely make changes falls in line with the perception of one of the Dutch companies. According to respondents, there are unfortunately too many organizations involved in CSR that hold discussions without concrete

[142] Interview Philips, January 2015
[143] Interview Philips, January 2015
[144] Interview Telecom industry respondents, December 2014
[145] Interview Philips, January 2015

follow-up. This is perceived as frustrating, and can lead to companies being selective in choosing what dialogues, stakeholder meetings and discussion groups to participate in.[146]

As one respondent in addition notes, SOMO has been successful in maintaining a shadow-multi-stakeholder dialogue next to ongoing EICC-policy discussions which are mostly business-informed, so that indirectly CSO voices do come to the table when decisions are being taken about supply chains.

CSO PILA and Dutch government

The Dutch Foreign Ministry has played an role in influencing the industry, based on policy documents and interview data collected. In comparison to the other case studies, the role of the government as convener or facilitator was less relevant in establishing dialogue and movement towards change with (Dutch) companies in the IT Electronics value chain.

In reaction to the Foxconn incidents, and several days after the International Action Day co-organized by SOMO, questions in Parliament were raised concerning human rights violations in the Electronics industry. The Ministry of Foreign Affairs replied that it had sought contact with the brand Apple to discuss the recent reports, though according to respondents, was unsuccessful in establishing constructive dialogue.

The Ministry expressed that Apple and electronics manufacturers should be open and cooperative in discussions with stakeholders that have raised issues of concern.[147] Following, the Dutch government publically announced its support to the makeITfair alliance, which was essential according to the government in bringing pressing issues to the agenda of the responsible companies. Respondents argued this was a first public attempt of the government to address issues along the electronics value chain, but experienced her overall attitude as passive.[148] Government also contributed to the creation of the Electronics IDH program. This is a primer, since so far the set-up of sector-specific chapters within the IDH program had been non-state actor (industry and CSO)-driven. A respondent voices his concern about this turn of events, since it effectively runs against the basic philosophy behind IDH as a non-state actor driven program, for which government facilitates, not steers the direction.[149]

With the introduction of the procureITfair alliance, now Electronics Watch, the interaction has been intensifying. SOMO and corporate respondents perceive the Dutch government not only as regulator, but also as consumer of products, which changes the level and type of interaction that is sought with the government. Since 2012, the Dutch government has formulated social criteria as part of the sustainability criteria for public procurement in the Netherlands. The government

[146] Interview Telecom industry respondents, December 2014
[147] Question to Parliament, 12 May 2011
[148] interview Pauline Overeem, December 2014
[149] Conversation Van Wijngaarden.

announced that all companies that supply goods, including Electronics, should have undertaken a risk assessment and show they conform to the UN Guiding Principles. SOMO seeks discussions and organizes sessions with public procurement stakeholders in order to discuss opportunities for improvements.

Effectiveness

SOMO has, directly with its own PILA and indirectly, through its research work for other CSO's PILA (including *Vereniging van Beleggers voor Duurzame Ontwikkeling*), contributed to a situation in which Dutch companies put labor standards higher up their CSR agenda, interact with CSOs and industry peers on these issues, and frequently seek out CSOs for exchange on how to further develop CSR. Its focus on Apple has raised attention for overtime and other labor right issues in the industry, and has facilitated PILA activities at Dutch companies, and helped stimulate business-to-business PILA activities that go into the direction of SOMO's demands for the industry. Here, it has been helped by PILA activities from other companies, questions in parliament, and government's follow up response.

At the same time, SOMO is not successful in drawing out more IT-electronics firms out of consultation forums and private standard organizations in which CSOs have to date little voice. Most industry-wide decisions on overtime monitoring are industry-dominated. CSOs were cut off from that option through the early evolution of the EICC as a non-multi-stakeholder forum creating private labor standards for the industry, ahead of SOMO's own network building efforts. The EICC quickly included most major companies in this concentrated industry. However, SOMO emphasizes it has made the deliberate decision to, in consultation with their European partners, distance itself from the industry initiative EICC in order to be more effective in reaching its PILA demands as an outside activist. SOMO has created and contributed to parallel multi-stakeholder round tables in which the CSO perspective on these and other issues are discussed, as well as other complementary strategies such as its participation in the IDH Electronics program and its research activities into working conditions in the electronics industry.

Furthermore, SOMO's Theory of Change does not include a specific institutional solution for the overtime issue for the industry as a whole, but instead refers to generic aspects of CSR policies and collaborative approaches to addressing the issue as the correct way ahead (see Table 4 on page 71 for such generic demands). As a result of this, we hypothesize that SOMO's PILA activities may be hampered somewhat by characteristics of the industry and historical coincidence. Because of this, if companies, after SOMO's PILA, indeed ask SOMO how to credibly address overtime, and embed activities to remedy the issue in multi-stakeholder settings, SOMO cannot respond with concrete proposals in terms of suggestions for organizational affiliations or participation in institutions that match with its views of what is credible.

The different aspects of SOMO's intervention logic, or ToC, seem to have contributed to change as expected. The different PILA forms chosen, the PILA targets selected, and demands made arguably have resulted in to some degree reaching the ambition to improve conditions for the weakest along the value chain of consumer electronics.

The three goals of SOMO's knowledge building and research activities seem to have been effectively addressed through the 'Time to Bite into a Fair Apple' campaign. Together with its partners of the makeITfair alliance and the Good Electronics network, SOMO was effectively able to put worker's rights higher up on the agenda of Apple and other electronics brands; it was supportive of lobby and advocacy work of its partners SACOM and Finnwatch to implement the research needed to build the campaign; and served as a watchdog after the International Action Day took place in terms of following up with Apple and monitoring progress within the company. In the year following the campaign, Apple made changes towards supporting more sustainable and social development; it adopted the FLA Code of Conduct; it participates now in stakeholder dialogues; and is responsive to research findings conducted by SOMO or its partners. The level of significant contribution of SOMO and its network is up for debate, as Apple received pressure from multiple sources at the time of the media hype surrounding the 'Foxconn drama'. However as Apple has visited SOMO headquarters on three occasions since and has joined the Dutch IDH initiative, it is possible to argue that the influence of SOMO was supportive of the perceived changes. However, Apple's turn-around remains an exception to the rule in the IT Electronics industry. Companies in the sector still are fearful of increased transparency and turn to industry-led initiatives such as the EICC to show good-will.

The choice of selecting one influential brand as target for a campaign has the promise of an anticipated effect over time. Corporate respondents confirmed that major lead brands have a strong influence on corporate conduct in the sector, and can be influential in pursuing changes in policies and conduct of other companies. Apple's policy turnaround, although by no means influenced by SOMO on its own, means that Apple stops being an industry laggard in terms of its CSR commitments, relative to its industry peers, and now belongs to a group of forerunner companies in terms of its CSR commitments. Its commitments also aid Dutch companies with their CSR policies, and facilitate more transnational business-to-business interactions to deal with the overtime issue, also in a multi-stakeholder setting such as IDH. [150]

SOMO looks beyond institutional changes towards structural changes in the sector. It has chosen to adopt a multi-point strategy, which it sees as essential in achieving long-term impact. While SOMO has implemented PILA activities at different vertical levels (companies, government, consumers and contract manufacturers) throughout the evaluation period, the majority of activities focused on two levels: companies and consumers. Policy documents or interview data could not

[150] Cf. Fransen and Conzelmann, 2014

find whether interactions among the different levels as a consequence of SOMO's PILA activities took place, and thus whether the vertical multi-point strategy contributed to changes taking effect.

The high sense of reflexivity of the organization however proved effective in its interaction with government. Communications concerning the Electronics industry were limited with the government at first and only took off when the perspective of this target group changed from the government being a regulatory body to being a consumer of electronics. This shift of perspective positively influenced the interaction with the government and the changes in policy that were taken in its public procurement guidelines.

Generally, throughout the evaluation period the position of SOMO as an influential stakeholder in achieving PILA demands has grown. As lead organization in the largest European networks towards improvements in the Electronics value chain it has established key alliances with influential campaigning organization in Europe, especially Scandinavian countries, as well as in producing countries. It is able to push its agenda through different international channels and has created a larger audience for its publications.

Reflections on effectiveness from respondents

The following issues were brought forward with regard to the consequences and effects of PILA activities. First, SOMO argues that project-funding cycles have influenced the structure and organization of PILA campaigns to a certain extent. The example was given of the makeITfair alliance that was supported by EU funding for two consecutive rounds. While evaluations were positive in terms of results achieved, SOMO was not approved a third round of funding to continue the European alliance as it was against EU policy. This however discontinued the work of the alliance, and required SOMO to rethink their strategies and first seek new funding opportunities that often have differing eligibility requirements and objectives. The Good Electronics network experienced a similar process where it's activities were stalled for over a year due to limited resources and while awaiting approval of a second round of funding. These delays and changes in funding had its effect on especially the organizational capacity of the European alliances to develop coordinated actions towards multinational companies.

Second, SOMO made use of its experience from other sectors in developing a strategy for the novel CSR approach in the Electronics sector. Employees at SOMO have experience working for the CCC on campaigns in the textile industry before turning to SOMO. This helped SOMO to see early on how the textile and electronics industry differed from each other in terms of organization of production, and thus required differing approaches while taking on board general lessons learned in campaigning strategies. For the Electronics sector, first awareness had to be raised before being able to request companies to make structural changes. The textile industry however had already been confronted for decades on issues of worker rights and organized an international network early on that was able to coordinate international PILA activities.

Third, the approach taken in the Electronics sector has raised debate within SOMO about the position taken. In essence SOMO is a research-for-change organization, with the emphasis on the research. However, in the case of the Electronics industry, SOMO took on a more activist role towards the industry. From corporate respondents, this new position caused a certain level of confusion regarding how companies were approached, and for what purpose they were approached. Internally, SOMO as well struggled with finding a balance between remaining a trusted, reliable source of information and dialogue; and developing into a change-oriented organization pushing a specific agenda.

6. CASE 3: Right to organize

This Chapter describes the case of PILA activities promoting the Right to Organize in Colombia. Following the structure of the previous chapters, it first describes the political and economic background, focusing on industrial and country characteristics. Then it shortly introduces the issue of Right to Organize, before moving to an analysis focusing on FNV / FNV Mondiaal, its Theory of Change, and its reflections on the effectiveness of PILA activities.

6.1. The Political Economy of Coal

Sector context

Almost half of the world's electricity needs are currently being provided by coal[151]. It is the second source of primary energy in the world after oil, and the first source of electricity generation. Since the beginning of the 21st century, it has been the fastest-growing global energy source, partly attributed to the economic growth of developing economies. The International Energy Agency (IEA) estimates that global electricity demand could double between 2009 and 2035, with an increasing number of the world population receiving basic access to electricity and growing household energy consumption especially in the developing world.[152] Power generation is a key driver of the growing coal demand. Coal-fired power plants generate 41% of the world's electricity.[153]

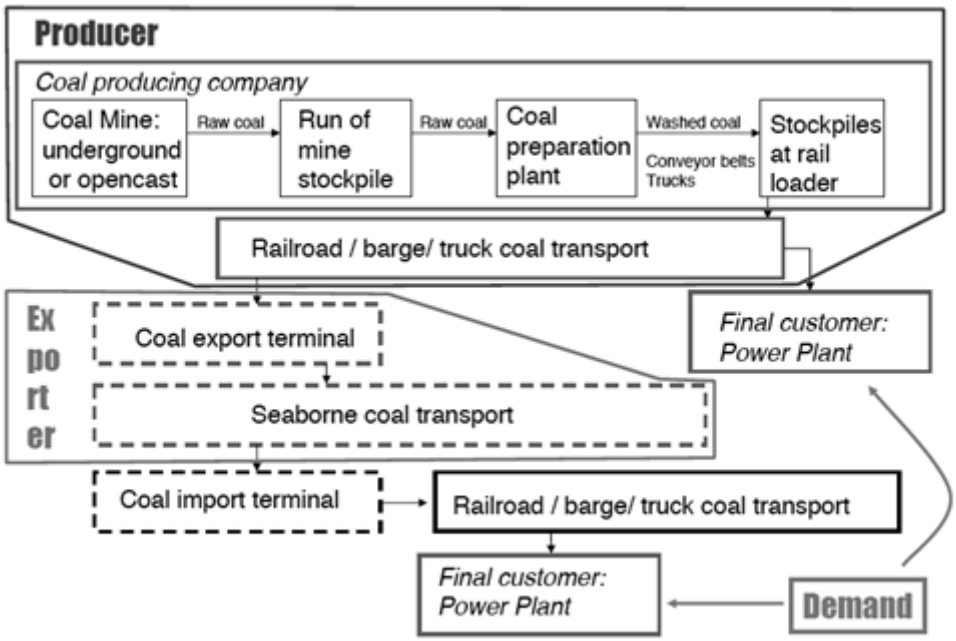
Most of the coal produced globally is consumed in countries where it is mined. This is because several of the world's largest coal producers are also among its largest economies (e.g. USA, Russia, Canada, Australia, China, India). Holding large domestic coal reserves, these countries exploit coal primarily for the internal market. As a result, only about 17% of the coal consumed worldwide is traded internationally. There are a few exceptions to the rule, where coal-rich countries have low domestic consumption and which produce a large amount of coal for export. These countries include Colombia, South Africa and Indonesia.[154]

Broadly speaking, there can be four players distinguished in the coal supply chain by their core business: mining companies, logistics companies, traders and utilities.[155] Mining companies, or 'the producers', are either a few large multinational coal companies, such as Drummond Company and Glencore Xstrata, or many smaller companies, which usually operate in one country only. The transport infrastructure can be built by the mining company or by another entity, in the case of Colombia for example, the two major coal-exporting ports are owned by the two largest mining

[151] Coal is not a homogenous product. Different types of coal exist, with each type having different characteristics and various purposes. Throughout this case study, we focus on what is known as 'thermal coal' – hard, bituminous coal that is the primary type of coal used for steam-based electric power generation. For a detailed overview of the different types of coal, please refer to http://www.worldcoal.org/coal/what-is-coal/ .
[152] World Coal Association (2012) Coal in the global energy supply. London: World Coal Association
[153] IEA (2014) http://www.iea.org/topics/coal/, accessed 12 November 2014
[154] Wilde-Ramsing, J.; T. Steinweg; K. Racz and F. Scheele (2012) The Black Box. Obscurity and Transparency in the Dutch Coal Supply Chain. SOMO. Amsterdam, January 2012 (Updated March 2013)
[155] Wilde-Ramsing et al (2012)

companies. Traders are often intermediaries that can be involved in any of the processes indicated in figure 9.

Figure 9: International coal market model. Source: Haftendorn (2012)



Despite its predominance as an energy source, recent developments show a declining price of coal.[156] The coal industry anno 2014 is increasingly trapped between two worlds: too cheap for producers (that face growing production costs and/or environmental requirements), too costly for utilities, in markets where energy efficiency and lower economic growth slow down energy consumption."[157][158] Utilities burning coal for power generation are thus making losses, due to the cost of import, reducing air pollution, the increasing competitiveness of alternatives such as renewable energy, and eroding coal power competitiveness.

A previous study by IOB on Coal production in Colombia (2013) finds "coal mining has social and environment impact, with coal mines often failing to meet international standards for the protection of workers, communities and the environment.[159] Coal production commonly disrupts ecosystems and contaminates water supplies. It emits other greenhouse gases like nitrogen oxide and methane, as well as black carbon and toxic chemicals like mercury and arsenic. Leaking waste ruins fish stocks and agriculture, and therefore also livelihoods. Coal production directly contributes

[156] Kessler, J.J. and R. Gomez (2013) Evalatuion of the Dutch Foreign policy with respect to Latin America. Thematic Study Sustainable Development. Case Study: Coal production in Colombia. Inspectie Ontwikkelingssamenwerking en Beleidsevaluatie (IOB). June 2013.
[157] WWF (2014) Global Coal: the market has shifted. Literature review 2013-2014.
[158] At the time of study, the German energy provider E.ON which has large interests in the Dutch market, including three coal power plants, announced it would seize all its activities based on fossil fuels, including coal. This shows the very relevant and topical trend taking place in the energy sector. More information in *De Volkskrant, Eon ziet geen toekomst in stroom uit fossiele bron, 2 December 2014.*
[159] Kessler and Gomez (2013), p5

to health problems like black lung disease. Land occupied for coal production often disrespects the rights of local communities and communities are commonly displaced."

Over the past years, responsible coal mining has become a major topic on the Dutch political agenda. This is partly due to the vested interest of The Netherlands in the sector being one of Europe's largest hubs in energy trade; it represented approximately 25% of all the coal traded in the Atlantic market in 2010, amounting to about 40Mt. Together with the port of Antwerp, the combined trading of the ports of Rotterdam and Amsterdam is seen as indicative for the entire European market. Dutch power plants only use a fraction of this coal, or about 18% of all coal entering the Netherlands.

Colombia

Colombia is one of the largest coal exporting countries in the world, with annual exports of over 70Mt. While most of the world's coal-producing countries use coal for domestic energy production, Colombia exports over 90% of its coal. The most important buyers are the USA and Europe, importing from the two largest mines in Cesar and La Guajira, northern Colombia.[160]

The political context in which the Colombian coal sector operates is influenced by five decades of internal conflict between different armed groups. At the heart of this conflict lies the struggle for land and control over natural resources in a context of great inequality within the country. The armed struggle has polarized Colombia and has caused many victims.[161]

The prevalence of Colombian coal on the global market is therefore relatively new, as foreign investors only regained interest in the Colombian industry after the armed conflict stabilized in 2005. Then president, Álvaro Uribe, launched a new mining policy issuing numerous mining concessions in 2006, allowing foreign companies to invest in the mining sector, which is now one of the most important drivers of the national economy. This governmental pro-mining strategy has lead to further growth of the coal-mining industry in especially northern Colombia.

However, the major mining regions, Cesar and La Guajira, are also facing several key social, environmental and labor challenges. In a recent scoping mission briefing (2014), the relationship between key stakeholders, such as local communities, trade unions and mining companies, are still described as difficult. There is a reported "polarized atmosphere" and "an absence of trust between actors". These northern rural areas suffer high levels of poverty, and governmental presence has been traditionally weak due to lack of institutional capacity and resources at the local and regional government.[162]

[160] Wilde-Ramsing et al (2012)
[161] Hupperts, et al (2014) Scoping Mission. Understanding the context of the Colombian Coal Sector. Key issues and potential opportunities for collaboration in the producing regions of La Guajira and Cesar. The Terrace & BSD Consulting, October 2014
[162] Hupperts et al (2014)

Evidently, the mining industry in Colombia is regularly confronted with reports and articles on irregularities in relation to the mining sector, especially related to the coal mines. These reports mostly deal with environmental (land degradation, erosion, dust and loss of natural vegetation) and social (poor labor conditions, forced resettlement) effects of the mining sector. Next to that, complaints are filed on the violation of human rights and those related to suppression of labor unions.

Trade union membership is not very common in Colombia, with only 4.4% of the workers in Colombia unionized. The strongest and most active unions within the coal subsector are Sintracarbón and Sintraminenergéntica. They unite a significant portion of the workers from the main mines in La Guajira and Cesar as well as workers from the ports where the coal is exported. Still, employees claim that there is a lack of freedom of association and that the negotiations for collective bargaining agreements are long and a source of conflict between trade unions and the companies.

Given the status of the Netherlands as a major trader and importer of Colombian coal, the Colombian government and coal producing companies see the Netherlands as an important player and thus consider Dutch policies as relevant to the design and implementation of sustainability standards.[163] At the same time, an IOB study (2013) on the Dutch interest in Colombian coal finds to date "there is a lack of coherence between on the one hand CSR policies putting an emphasis on sustainability and transparency in the value chain as well as commitment to comply with international standards such as the OECD Guidelines for Multinational Enterprises, and on the other hand the closed character of the energy sector and the high priority given to expansion of coal-fired power plants in order to meet future energy needs disregarding origin of the coal imports"[164].

Right to organize

Some of the identified risks to labor rights relevant to the energy sector are indicated in the recently published CSR Sector Risk Analysis.[165] The authors identified (1) unsafe working conditions with energy production as a consequence of for example (non-)compliance to safety regulations; (2) violation of women rights concerning the production of biofuels; and (3) violation of labor union rights and right to organize (i.e. with mining operation and production of coal in Colombia).

This case analysis focuses on the latter, 'right to organize' or 'freedom of association'. In essence, freedom of association gives workers the right to form and join representative organizations of their own choosing in the workplace. Essential components of collective bargaining are: allowing workers to join trade unions without fear of discrimination, to have their union recognized as the

[163] Kessler and Gomez (2013)
[164] Kessler and Gomez 2013, p41
[165] KPMG (2014) MVO Sector Risico Analyse.

representative of its members, and to have this union negotiate the terms and conditions of their employment on their behalf.

Often, the right to organize is perceived as the ultimate goal in the field of labor rights for campaigning organizations working in countries lacking (implementation of) such regulations. The Right to Organize is seen as a crucial enabler of workers to assert their full set of rights relevant to the workplace, and more powerful than other control mechanisms such as audits. Well-organized labor unions can offer direct input based on the experience of workers in day-to-day practices at the workplace. In comparison, audits are useful ways to obtain periodic data and to support dialogue; it can however not provide reliable feedback on a particular workplace's working conditions on an ongoing basis.[166]

A distinct role is often provided to international (e.g. IndustriALL) and national labor organizations (e.g. FNV and CNV) in establishing tripartite processes, in which business and labor play critical and central roles, and in multilateral supervisory roles, such as for the ILO, to ensure that labor standards are implemented at the national level.

From a social and labor perspective, Colombia has now ratified over 60 ILO Conventions, among them the convention on freedom of association and collective bargaining. Additionally, Colombia is signatory of the Voluntary Principles on Security and Human Rights, which are the only human rights guidelines designed specifically for extractive sector companies[167]. However, Colombian legislation does not provide a comprehensive structure for addressing the negative social impacts of mining, nor does it have the capacity to execute proper evaluations and to monitor the performance of companies granted mining concessions.[168]

Globally, Colombia has been cited as the most dangerous country for trade unionists. Because of the key role that unions have played in defending workers' and communities' rights, advocating peace and condemning paramilitary and guerrilla violence in Colombia, trade unions have been a target for the paramilitary groups since the 1980's up to present. Nearly every year, more trade unionists across different sectors are killed in Colombia than in the rest of the world combined. In 2013, a total of 26 trade unionists were killed. Analysis of the economic sectors most affected by anti-union violence in 2013 reveals that the mining and quarry sector were the most violent, accounting for 25.4% of the cases.[169]

[166] Plichta, Katie (2012) Supporting Worker Empowerment – Including Support for Workers' Assertion of their Human Rights – in the Supply Chain. Good Practice Note. United Nations Global Compact, 26 November 2012.
[167] Governments that join the Voluntary Principles Initiative have the opportunity to engage in mutual learning and joint problem-solving in a multi-stakeholder setting to address challenges related to security and human rights concerns in the extractive industry – including company interaction with public and private security service providers. To date, participating governments include: Australia, Canada, Colombia, Ghana, The Netherlands, Norway, Switzerland, United Kingdom and the United States.
[168] Hupperts, et al (2014) Scoping Mission. Understanding the context of the Colombian Coal Sector. Key issues and potential opportunities for collaboration in the producing regions of La Guajira and Cesar. The Terrace & BSD Consulting, October 2014
[169] Hupperts, et al (2014)

6.2. Case analysis. FNV Mondiaal

The engagement of FNV with international cooperation has its roots primarily in solidarity with colleagues facing violations of their human and labor rights. Unions gave support to sister organizations in countries with oppressive regimes in the 1980s, as they were seen as the counterforce to achieve democratic governance. In addition, FNV grew to realize that the globalization of production by Dutch companies needed to coincide with the globalization of the union agenda at those companies; giving increasing attention to labor standards along the production chain.

FNV has throughout the years seen multinational companies and international capital grow in influence. Companies operate at international levels, with national borders having less and less say over them. FNV has noticed how these developments pressure national governments to deregulate. It experienced decisions are no longer made nationally, but internationally, without the necessary collective bargaining structures that are usually restrained to the national level. This is why the internationally oriented foundation, FNV Mondiaal (FNVM) was founded and has focused since the early 2000s on the thematic area of international Corporate Social Responsibility, or iCSR.

FNV has formal positions in international institutions such as the ILO, the employee advisory boards of the OESO and the TUAC, and has bi-annual consultations with the ITUC and GUFs. The international foundation FNVM is furthermore interlinked with the global union industriALL. This worldwide alliance takes PILA actions at the global level to advance workers' rights internationally and expose governments and companies that exploit workers and violate international labor standards. IndustriALL is especially active in the mining and energy sector in over 140 countries, including Colombia. For FNVM's work internationally, when appropriate, it supports the global alliance to challenge the power of multinational companies and to negotiate with them on a global level.

Furthermore, in the Netherlands FNV has formed an alliance with CNV through the Trade Union Co-Financing Program (VMP)[170] supported by the Ministry of Foreign Affairs in the period 2009-2012. The VMP alliance is based on the conviction that trade unions can play an important role in sustainable poverty reduction. It perceives them as civil society organizations with specific capacity on labor matters, that can also play an important role in democratic processes and participate in formal international and other dialogues or networks. The VMP policy framework therefore describes clear objectives for both FNV and CNV: implementation of the Decent Work Agenda, social dialogue and strengthening sister organizations in the countries concerned.[171] Besides its alliance with CNV, FNVM participates in several other Dutch networks: MVO Platform, Fair Wear Foundation, *Schone Kleren Campagne,* IDH, *Eerlijke Bankwijzer,* Campagne "Stop Child Labor", Zimwatch and Oneworld.

[170] Through the VMP the Ministry of Foreign Affairs funds FNV and CNV and their international departments FNV Mondiaal and CNV Internationaal respectively.
[171] Trade Union Cofinancing Programme 2009-2012, Final Evaluation Report, 15 February 2012. CDP, Utrecht

At the operational level, FNV Mondiaal and FNV are closely affiliated, yet have clear different objectives. The FNV is the largest union of the Netherlands, and focuses specifically on protecting and negotiating labor rights nationally. International lobby and advocacy take place under its wing, yet always focused on results at the national level. For global solidarity issues, FNV turns to FNV Mondiaal to carry out its mission. When FNVM actively pursues lobby and advocacy goals that require the full strength of the organization FNV, it needs internal coordination and approval from the Board of Directors first, before it can claim support for its international agenda.

The program of FNV Mondiaal has been renewed in the period between 2008 and 2010, partly following new guidelines for structural funding. The foundation adopted a program-oriented approach, and started to categorize the different countries based on the intensity required for the interventions taking place. It has reduced the number of program countries, changed the composition of the list of countries and readjusted their focus more towards lobby activities for the benefit of and taking place in the program countries. In 2012 an evaluation took place of the renewed program, which looked into the likelihood of increased effectiveness of the changes made, where possible.[172]

It is relevant to understand the different levels at and the diverse alliances in which FNV Mondiaal operates in the analysis of the Theory of Change of the Foundation. Activities determined within the ToC of FNVM might take place in cooperation or in negotiation with any of the different alliances, globally, nationally or internally.

Theories of Change

For this case study, two ToCs have been identified in relation to PILA activities of FNV Mondiaal. Both are made explicit in differing degrees in the multi-annual strategy plan covering the period of 2009-2012, as well as the project proposal for the consecutive years. The first ToC addresses the six different aspects of the Decent Work agenda in general, and the second is a more specific ToC for PILA activities regarding the Right to Organize.

Table 5 offers an abstract overview of the different elements identified for both ToCs: formulation, scope, ambition, political environment, and categories of strategic focus.

FNV Mondiaal has worked with an explicit Theory of Change since 2009 (see Figure 10 for a visual representation of the ToC).[173] FNVM clearly distinguishes between activities taking place focused on (1) capacity building and (2) lobby and advocacy. It is specific in its formulation of the desired change it sets out to achieve through its PILA activities, which is twofold: 'improved practices by companies according to Decent Work principles' and 'effective social dialogue between companies

[172] For further information and conclusions of the evaluation, please refer to Trade Union Cofinancing Programme 2009-2012, Final Report by Consultants for Development Programmes (CDP), 15 February 2012

[173] FNV Mondiaal is for 90% reliant on funding out of the *Vakbondsmedefinancieringsprogramma*. Therefore, the strategy proposed in the VMP proposal corresponds to the overall strategy for FNVM.

and workers'. For the purpose of this case study, the focus will lie with the specific PILA interventions of FNV Mondiaal, while realizing that through capacity building the Foundation strengthens the lobby activities of partner organizations locally. An analysis of the effectiveness of the capacity building approach of FNVM falls outside of this evaluation scope.

Table 5: Overview Theory of Change elements FNVM

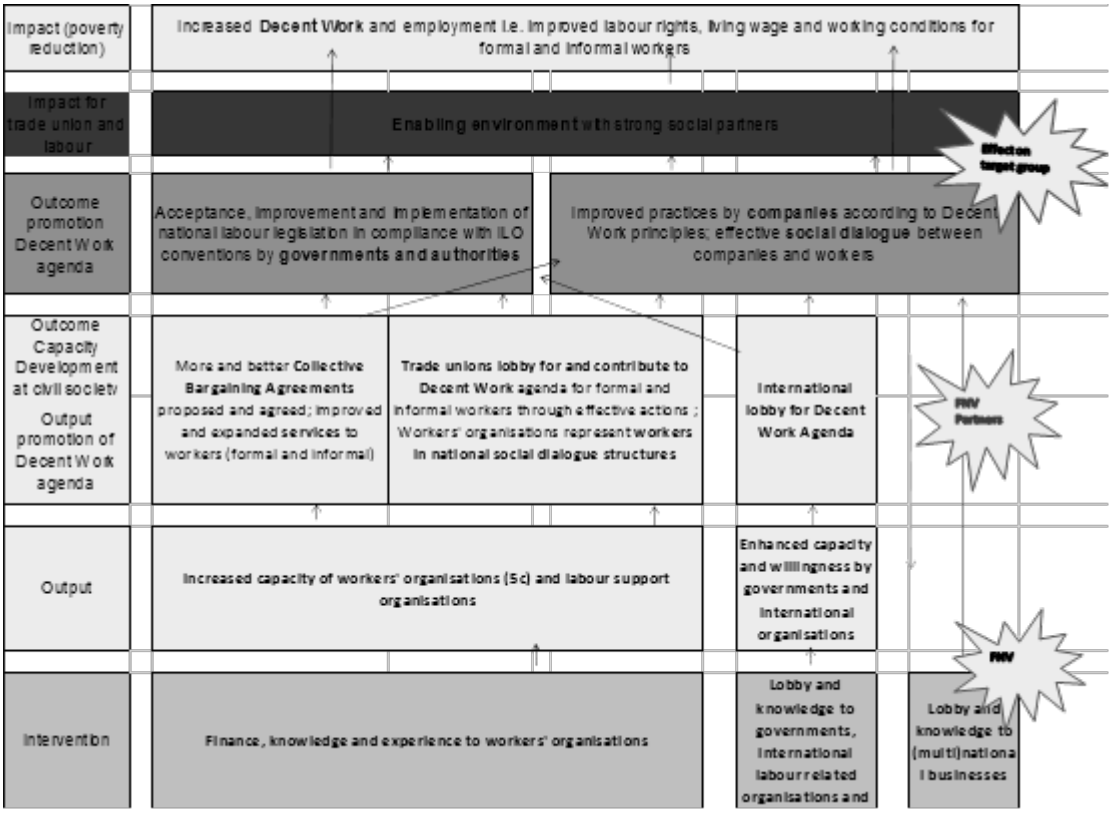
ToC formulation	FNVM: Explicit		Right to Organize: Explicit, though less elaborate	
ToC scope	FNVM: CSO as a whole		Right to Organize: Right to Organize as specific Theme of Action	
ToC ambition	Proxy war			
ToC reflexivity	FNVM: Medium		Right to Organize: Medium to high, when applied at country level	
ToC awareness of political environment	Medium; political-economy diagnosis, awareness of relevance different targets: government, companies, multilateral institutions and international networks, awareness of international organization policies, esp. ILO Decent Work			
ToC categories of strategic focus	PILA targets: (International) Authorities and (Multi-) national companies	PILA demands: Specific aspects of right to organize and collective bargaining (such as collective agreements), corporate policy change and change of conduct, government pressure on companies	PILA forms: Interest-based, activism, advising and advocacy	PILA issues: Right to Organize applied to different sectors and countries
ToC assumed mechanism of change	International union protests pressure national governments and corporations; Pressure from global unions to have multinationals uphold commitments;; government and parliamentary commit to social justice and FNVM lobbies towards these for pressure on companies; news media are interested in companies and breaches in social justice and FNVM caters to this			

Parallel to the overarching ToC, FNVM specifically addresses Decent Work principle 2 'Right to organize and collective bargaining'. The change ambition put forward in the ToC-Right to Organize is made explicit: 'to achieve legal right to organize and collective bargaining for all employees, in both the formal and informal economy, and both for migrants as local employers, and this right is implemented in practice'. Table X shows a visual representation of the Right to Organize-ToC to Organize based on the logical framework and strategy documents of FNVM. This ToC covers not only the case of the mining sector in Colombia, but reaches beyond a country focus or sector focus.

In addition, the FNVM has a specific Country Program for Colombia that took effect in 2010, and is revised yearly. This Country Program sets out as an ambition 'to contribute to build a

representative, democratic and united trade union movement, so that it is recognized as a social actor that supports the Decent Work agenda to improve social and political conditions for workers in Colombia'. There is not a specific ToC described at country level, rather projects are determined on a year-to-year basis and in close consultation with local partner unions. [174] It is important to note that FNVM argues that caution needs to be taken when increasing focus on Colombia in this instance, as this "turns attention away from severe violations in other countries such as Guatemala, Mexico and Panamá". [175] FNVM does not have a specific ToC addressing Right to Organize in the mining sector of Colombia.

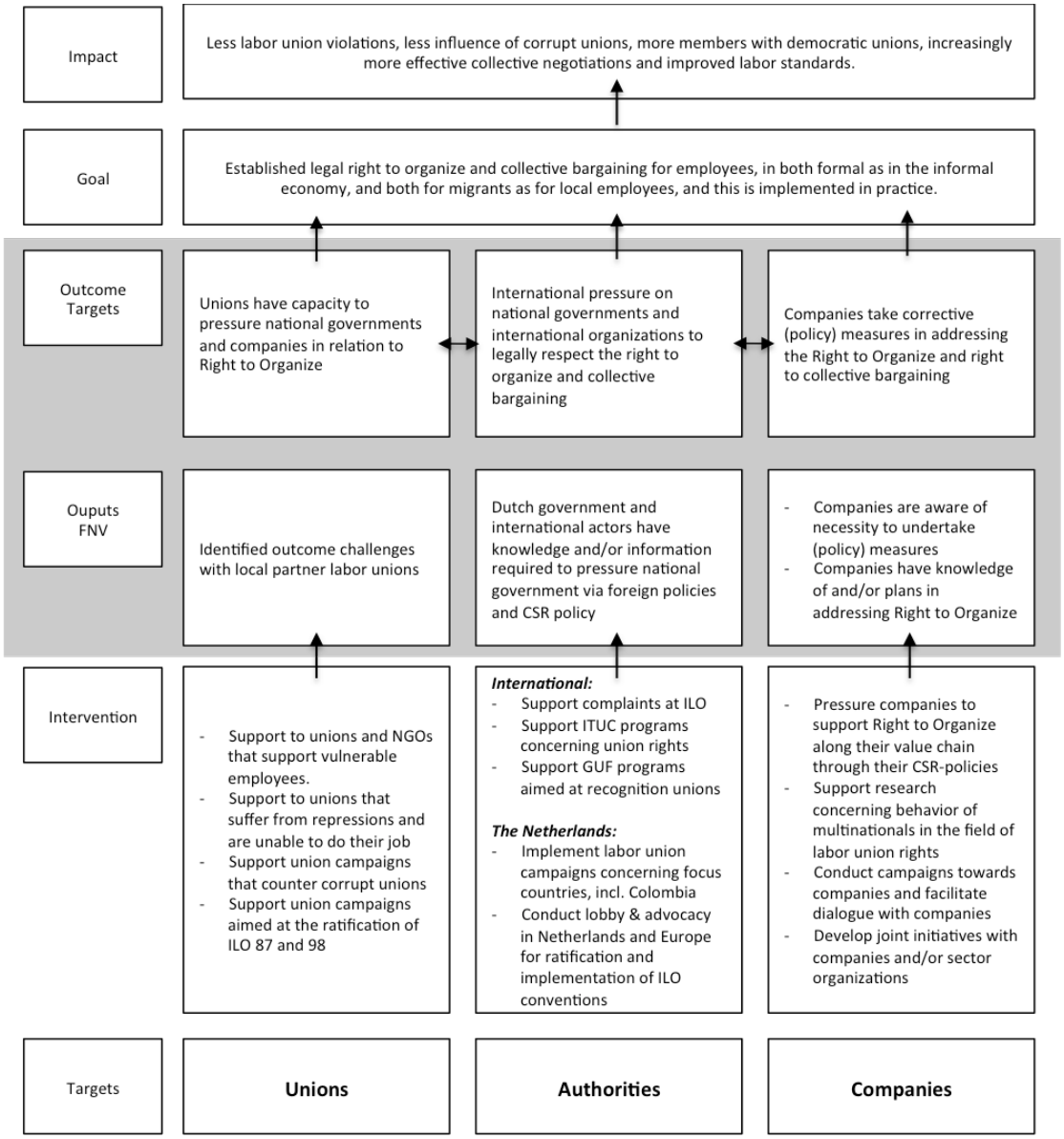
Figure 10: Theory of Change as developed by FNV Mondiaal



The *scope* of the FNVM-ToC covers all country programs and thematic activities of FNV Mondiaal, including its activities towards its local partners. The specific ToC for Right to Organize focuses on the thematic area of Decent Work Principle 2, that is applicable across countries and not specific to Colombia or the mining sector alone.

[174] Interview Tjalling Postma, January 2015
[175] FNVM, Multi annual plan 2009-2012

Figure 11: Theory of Change FNVM Right to Organize, derived and modelled based on FNVM strategy papers



In relation to changing corporate conduct, FNV Mondiaal stipulates in its application for the VMP 2009-2012 as an *ambition* to 'increase Decent Work and employment through improved practices by companies according to Decent Work principles and effective dialogue between companies and workers'. Here, it follows the ILO principles in which the importance of a tripartite approach (governments, companies and workers' organizations) is emphasized to achieve progress on the Decent Work agenda. The more specific Right to Organize-ToC is built on this principle, and sees the right to organize and collective bargaining as an essential element in achieving the overall Decent Work agenda. The ambition for this ToC is then more focused on improving labor union rights, with a specific focus on improving collective agreements and addressing corruption. Both ToCs therefore reflect 'proxy wars' in their ambition for change as the demands relate to structural long-term reform, instead of short-term changes.

In terms of *reflexivity*, FNV Mondiaal emphasizes the importance of the Foundation to take on a flexible approach in program and project planning. Interview data affirms this reflexive approach. According to the respondents, fixating on global issues because these are dominating international debate while aiming to achieve local impact is counter-productive. It requires a flexible approach to on the one hand support global ambitions of more structural change processes, and the other hand support local pressing needs that require more focused approaches on country or sector level. This is reflected in the country program approach of FNV Mondiaal in which it places emphasis on local partner input in determining the agenda and activities on a year-to-year basis.

The strategy document of FNV Mondiaal elaborates on the Foundation's perception of the *political environment*. It sees government as first in line for taking responsibility for formulating labor laws and ensuring they are followed. In addition, it sees the government as responsible for the protection of fundamental rights, such as the right to organize. Especially in Latin America, FNVM sees labor unions struggle with legal frameworks. Unions at company-level (known as *sindicato*) are most visible, yet sector structures, such is the case for the mining sector, are faced with weak legal foundations. It sees their partner organization in Colombia CUT, for example, struggling to organize sector-wide unions. Whenever these are established however, the government does not recognize the newly formed organizations. Therefore, FNVM sees the government as essential in achieving the Decent Work goal of right to organize and collective bargaining. It also allocates specific relevance to the role of the Dutch Embassies, which can stimulate social dialogue in their respective countries.

FNV realizes companies share responsibility in this and sees companies increasingly focusing on corporate social responsibility and establishing codes of conduct. However, it also views companies in many cases still overpowering national and local governments. Respondents carefully argued that the decision to continue discussions in light of the recently signed 'Covenant to improvements in the Coal Value Chain' could be seen as a case in point, as the Minister decided to keep discussions between the industry players and the Ministry, with limited consultation from the labor union representatives. FNVM believes companies can play an active role in the promotion of Decent Work, especially in countries where fundamental rights, such as the right to organize, are not protected. However, it acknowledges that multinationals are not always willing to negotiate internationally with unions. Thus, the Foundation has targeted PILA activities both towards 'politics' as well as companies in order to achieve changes in policies and behavior.

Furthermore, FNVM views the ILO agenda as very important for improved international treaties, conventions and recommendations, and as guiding principles for nations to develop local legislation. It also realizes that labor-related work does not only have country-specific dimensions. It therefore works through lobbying and campaigning in order to influence international policies and trends, e.g. in international corporations (unionisms as countervailing power) or international institutions like the ILO, WTO, or IMF. It sees an important role for multilateral channels like the

GUFs and ITUC in achieving results on issues, as they can complement or reinforce bilateral input.[176]

FNVM views civil society organizations as especially relevant for multi-stakeholder dialogues with companies and governments. In the Netherlands, FNV Mondiaal works together with civil society organizations in order to strengthen each other's efforts and join forces.

In terms of *PILA targets*, and according to both ToCs, the foundation engages in lobby and advocacy that is targeted at different actors in the Netherlands and internationally. It makes a distinction in its PILA work towards (1) national and international authorities, including multilateral institutions and (2) (multi-)national companies. Respondents elaborated that for the specific Right to Organize-ToC implemented in relation to malpractices in coal mines in Colombia, the target groups were: (1) mining companies, (2) international headquarters of mining companies, (3) government of Colombia, (4) Embassy of the Netherlands in Colombia. In the Netherlands, FNVM focused on influencing (1) politicians and the Ministry, and (2) Dutch energy companies. Each of these targets was selected because of their involvement in the value chain of coal, from production in Colombia to energy delivery in the Netherlands.

In terms of *strategy and demands* relevant to this case study, the FNVM-ToC mentions generically six issues:

1. Decent work is understood thoroughly by Dutch politics and the FNV followers;
2. The Dutch government takes on Decent Work as an important thread in her international development approach;
3. The Netherlands and Europe support and advocate for the ratification and implementation of the ILO-conventions by developing countries;
4. Structural attention is given from governments and other 'decision-makers' to the recognition of the Right to Organize in Colombia and other countries;
5. FNV partners and alliances turn specific attention to the issue of Right to Organize, employment and value-chain responsibility in their MVO activities and networks;
6. Labor union networks within multinationals and value chains function satisfactory and the respective global union has the power to negotiate with the international management;

Other demands identified are concerned with increased attention and actions towards Child Labor abuses, as well as capacity improvements of (inter-)national unions, though these are of less relevance to the case study at hand.

[176] drawn from Trade Union Cofinancing Programme 2009-2121 Evaluation report. Consultants for Development Programmes, Utrecht, 15 February 2012

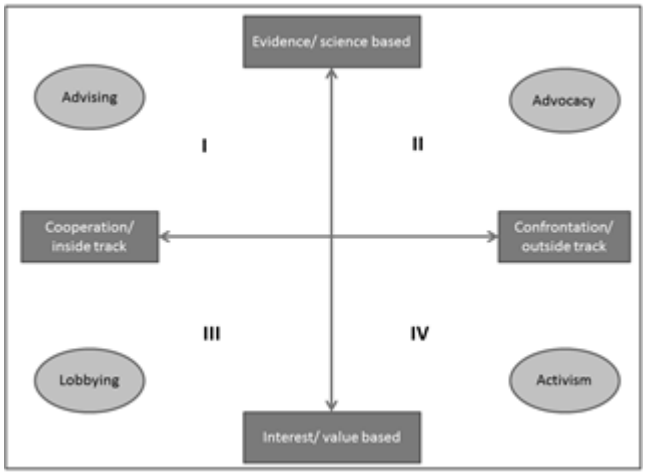
Demands related to the Right to Organize-ToC PILA activities include: companies engage in collective negotiations, companies and governments have improved labor union rights, improvement of existing collective agreements, companies allow for democratically chosen unions, companies distant themselves from corrupt unions, companies improve overall labor standards. Some of the concrete demands made by FNV Mondiaal, relevant to the context of Colombia and the issue of 'right to organize' are:

- A call for uniform sector unions because this will increase the effectiveness of the organization, especially in an environment that is "hostile" towards labor unions.
- A social component of Dutch trade relations with Colombia needs to be specifically incorporated in policy of Ministry of Foreign Affairs.
- Strive for the design and development of policies and regulations by authorities that protect trade unions' and workers' rights

These demands all coincide with the strategy and demands related to capacity building of local partners that has high priority for FNVM in both ToCs.

The FNVM-ToC for the period 2009-2012 explicitly mentions four PILA strategies by FNVM towards companies: first, it will exert pressure on companies to enforce the Right to Organize along the value chain through their CSR policies (e.g. protest letters to mining companies and government). Second, FNVM supports research into the behavior of multinational companies in the area of labor union rights (e.g. commissioned research as basis for local partners and FNV in Dutch Coal Dialogue). Third, it undertakes campaigns towards companies and seeks dialogue with companies (e.g. facilitated dialogue with mining company Cerrejón). Fourth, and lastly, it develops in coordination and cooperation with companies and/or private standard organizations joint initiatives (e.g. no evidence in the Colombia case to be found). These four strategies are visualized in figure 12, in which FNVM takes on all four strategies, yet in differing degrees of importance.

Figure 12: PILA Strategies. Source: Adapted from Start and Hovland (2004)



Most emphasis is placed on advising local partners in order for them to lobby and advocate on their own behalf. Second, FNVM has a high interest-based strategy as it clearly represents a specific population and has a clear thematic focus it wishes to pursue. It aims to achieve this by taking on a multi-strategy approach – including evidence-based advocacy (calling for research) and confrontational activism (writing protest letters to companies). An example of how these strategies are combined is the involvement of FNV Mondiaal in the Dutch Coal Dialogue and its succession BetterCoal. We will turn to these events in the next section.

At the country program level, the issues and demands are co-determined by the local partners. Depending on the local needs, FNV Mondiaal supports or reinforces lobby and advocacy activities taking place at the local level, and when necessary carries them internationally through their affiliation in multilateral institutions (such as the ILO), or with global unions such as IndustriALL, relevant to the case of Colombia. In determining the issues to be addressed and the related demands, FNV Mondiaal "continuously balances between the concrete goals and achievements that local partner unions put forward and the broader issues of labor rights, such as violations of the right to organize, on the international agenda".[177] This is partly the reason why FNVM has not developed a specific strategy, or Theory of Change if you will, for addressing the Right to Organize specifically in the coal sector in Colombia. Respondents argued that these issues were of high priority for their local union partners in the early 2000s, but throughout the evaluation period and beyond the partners' attention has turned to other labor rights demands for the coal sector, such as Health & Safety issues.[178]

Depending on the issue at hand and the change ambition put forward, FNV Mondiaal deliberately strategizes under which heading it could best push the agenda at different levels. It is the belief of FNVM that at country program level local partners should take up as much ownership as possible over the PILA process. When it reflects the Dutch industry and interest, it will step forward under FNV or FNV Mondiaal. When the issues addressed are of a global nature, FNVM decides to work through their global union partners. For example in the case of Colombia, this means it mostly works through IndustriALL, which has close ties with FNVM's local partner union Sintracarbon.

As a *mechanism of change* of PILA, both ToCs presume that internationally organized pressure on companies will lead to change. First, national governments and corporations are more prone to commit to dialogue with local unions when pressured by international CSOs, either individually or organized institutional such through GUs. Second, FNV(M) believes that support from its constituency and that of other union federations can pressure government and parliament to uphold their normative commitment to social justice, by promoting international norms. Third, media are interested and have strong influence in shedding light on corporate injustices, and thus can contribute to increasing public demands for change. These general assumed mechanisms show the reasoning of FNVM to choose to on the one hand support local and global unions in their PILA

[177] interview Tjalling Postma and Lucia van Westerlaaak, FNV Mondiaal / FNV, 2 December 2014
[178] Interview Tjalling Postma, January 2015

efforts, as well as come forward publically on occasions and pressure national politics and debate in order to propagate transnational relevant issues affecting worker's rights and the right to organize.

To conclude, all PILA activities combine activist strategies through the writing of protest letters and/or public notices, and mostly interest-based PILA in relation to FNVM's roots as a trade union, as well as some evidence-based influence strategies. Targets for policy influence and behavioral change in practice are mostly multinational companies with local offices and interests in program countries that have relevance to Dutch international development policy.

The following section will turn to the proceedings of the Dutch Coal Dialogue and will empirically elaborate on events taking place between the start in 2010 until the aftermath in 2013, taking into account how different actors have influenced activities and interactions throughout the process.

Dutch Coal Dialogue

A number of public PILA events lead to the establishment of the Dutch Coal Dialogue in 2010. The Colombia Platform, of which FNVM is a member, was the first to raise concerns publically in relation to human rights and labor abuses in the Colombian coalmining industry. Their concerns were followed by two campaigns that raised public debate significantly: first, in 2008 Greenpeace published a report on coal mining called "The True Cost of Coal"; and second, in 2010 the television program Netwerk showed a documentary that portrayed impacts related to coal mining in Colombia and South Africa. The former lead to a Parliamentary hearing, and ensured that when the documentary came out, it reached the Dutch political agenda. Parliamentary questions followed in July 2010, questioning the measures that Dutch government was taking towards electricity companies "that import irresponsibly-mined coal".

As a result of the NGO concerns raised, increased political interest, and media coverage, the Dutch Coal Dialogue was established to facilitate a dialogue regarding the transparency of the Dutch coal supply chain and its social, human rights and environmental impact. At the time it was a pioneering initiative in the global coal market, with no precedent bringing together stakeholders representing the industry along the value chain (energy companies, steel company, mining companies, industry representatives), and civil society (NGOs and trade unions). With the Dutch Ministry of Economic Affairs as observer, the DCD convened on the basis of a consensus model, in which each stakeholder group had an equal stake in decision-making (see Table X for a list of participants). The two dominant PILA demands by CSO stakeholders were: (1) more transparency of the coal sourced; and (2) improved and transparent audits of coalmining companies.

The concerns related to Colombian coal focused on reported instances of severe human rights violations in mining regions, in particular the killing of trade union workers and the forced displacement of local communities. "According to the media, the fact that Dutch energy companies

continued to import coal from certain mines made them complicit in human rights violations."[179] The DCD set out to achieve two goals: (1) to improve transparency in the coal supply chain towards Dutch end consumers, and (2) to strengthen assurance processes with a view to improving, where applicable, local circumstances of communities, work force and environment in places where coal for Dutch markets originates, respecting human rights, labor rights, environment, and conflict sensitive business practices.

Table 6: List of Participants Dutch Coal Dialogue

Sector	**Organization**
Industry representative	Energie-Nederland
Energy company	E.on, EPZ, Essent, GDF Suez, Nuon,
Steel company	Tata Steel
Mining companies	BHP Biliton, Anglo American, Xstrata (now Glencore Xstrata PLC)
NGOs	Cordaid, IKV Pax Christi (now PAX), Action Aid, Both Ends (phase 1) Fauna & Flora International (phase 2)
Trade unions	FNV, CNV

The DCD has two phases, starting with Phase 1 in 2010, which was financed by the industry representative Energie-Nederland. During this phase knowledge was shared on supply chains, it improved understanding of distinct roles and concerns of the different stakeholder groups, and established a shared vision for the process of the following phase. The second phase commenced July 2011 and ran until June 2013, jointly financed by Energie-Nederland and Dutch civil society organizations. The aim was to strengthen assurance processes with a view to improving, where applicable, local circumstances of communities, work force and environment in places where coal for Dutch market originates, such as Colombia and South Africa. The results of these audits would then function as basis for the development of tools to comply with international sustainability standards.

FNV Mondiaal delegated participation to the meetings to colleagues at FNV. Respondents hold that the weight of the national body FNV and the relevance to national industry was the reason to organize their contribution in such a way.[180] Both organizations collaborated closely throughout the three years of the DCD.

During the second phase, and with support from other participants such as PAX[181], FNV Mondiaal commissioned its local partner ENS to conduct research that would function as evidence and as a

[179] Dutch Coal Dialogue, final report. July 2013
[180] Interview Tjalling Postma en Lucia van Westerlaak, December 2014
[181] Interview Marianne Moor, December 2014

'baseline study' for the civil society members of the dialogue, concerning the issues pertaining decent work in coalmining in Colombia.[182] Besides internal discussions, FNV and FNV Mondiaal thus collaborated with other civil society participants of the DCD on establishing PILA demands. This included the development of stricter guidelines and standards for companies involved in the coal value chain to respect human rights, labor rights, environment and conflict sensitive business practices. However, there were differences in priorities: while one of the leading participants PAX[183] emphasized the importance of repatriation and human rights violations of the past"; FNV respondents say they perceived the issue more holistic, as "the lack of respect for the right to organize and the systematic marginalization of people that wish to organize, leading even to the use of violence".[184]

FNV did not see a lead role for itself in the DCD, but saw relevance in participating as labor union representative. Respondents described the ambiguous position of FNV Mondiaal in the DCD in relation to the broader interests of the Foundation beyond the coalmining sector and specifically oriented towards labor rights and the right to organize.[185] The motivation to join the Dialogue was twofold: (1) on own initiative FNV contacted the stakeholders involved in the preparations of DCD to ensure the perspective of labor unions were included throughout the process[186]; and (2) FNV Mondiaal perceived the potential 'spin-off' of the DCD for other Colombian industries as the greater objective of its participation in the Dialogue. FNVM argues that similar violations as reported in the coalmining industry can be found in other sectors of Colombia as well, such as the palm oil, bananas and flower industry. FNV Mondiaal realized these sectors are more difficult to link back to Dutch society, and related PILA demands are less likely to take hold in the Netherlands.

FNV(M) saw itself as one of the participant stakeholders to the Dialogue, representing a specific union perspective. Towards the end of the DCD, due to capacity issues within the Foundation, the participation of FNV – in terms of physical presence at meetings – was limited. However, respondents argued that when relevant, it submitted points for discussion and comments to working documents if absent. The Foundation's contribution was mainly aimed towards establishing a comprehensive auditing method that, among other issues, included the revised OESO guidelines, including progressive changes in relation to labor rights and living wage. Furthermore, FNVM was aware of consultative and coordinating meetings that were taking place among the NGO stakeholders parallel to the DCD meetings. It decided intentionally not to participate in such consultations, partly due to lack of capacity and spread of work load of responsible FNV representatives; and partly due to the lack of relevance to FNV to join in NGO

[182] Hawkins, Daniel (2012) Executive report of the study on decent work in the subsector of coal in Colombia. ENS, March 2012
[183] PAX is a peace organization that within this context focuses on the thematic areas of human rights, human security and the environmental and social consequences of coal mining. Labor union leaders of the coalmine sector are a specific target group within the broader perspective of the programmatic focus of PAX.
[184] Interview Tjalling Postma, January 2015
[185] Interview Tjalling Postma en Lucia van Westerlaak, December 2014; van Westerlaak January 2015
[186] Interview van Westerlaak, January 2015

discussions, which were perceived as lacking added value in representing FNV's perspective and goals.[187]

In the end, the different stakeholders had mixed perspectives concerning the results of the Dutch Coal Dialogue. Energy companies argued it showed steps towards greater transparency by committing to publish on the origin of imported coal on a yearly basis at an aggregated form (not showing specifically how much is sourced at individual mines).[188] This however did not receive the support of the DCD, as the NGOs and trade unions, including FNV Mondiaal, felt that energy companies would not be able to account for their decisions, crippling the potential effects of greater transparency. In addition, the fact that the DCD was not able to conduct a pilot assessment or audit was seen as a failure of the DCD according to respondents.[189] A third factor contributing to CSO's disappointment of the DCD results, is the establishment of the European initiative *Bettercoal* during the same time of the DCD, which was seen as deviating the attention of the energy companies.

In line with the multi-stakeholder initiative of the Dutch Coal Dialogue, the industry initiative Bettercoal was established in 2012. Bettercoal has since then functioned as the lead European industry initiative for improvements of corporate responsibility in the coal supply chain. The initiative aims to cover all coal exporting countries and value chains, rather than the Dutch-Colombian chain alone. Respondents argue the Bettercoal initiative is a consequence of the Dutch Coal Dialogue, though its development was received with mixed feelings.[190] On the one hand, FNV Mondiaal and others find one of their products encouraging, namely the Bettercoal Code, which has incorporated ILO conventions to a large extent. However, on the other hand, as Bettercoal is a business-led initiative (stakeholders only receive advisory positions) and audit results and methods are not made public or transparent, civil society organizations have withdrawn their support, except for Cordaid who remains in the advisory panel. While FNV Mondiaal has been asked by the coordinator of Bettercoal to join as an advisor, FNVM has declined the invitation to make a statement. In addition, one respondent emphasized the importance of tripartite responsibility in such initiatives in order to effectively and objectively achieve its objectives. Because of the global nature of the mining industry, FNVM feels that a global union such as IndustriALL would better represent their interests in the European platform. In the meantime however, IndustriALL has stepped down as advisory body, though for unclear reasons.

Since the end of the DCD in 2013, civil society organizations have continued to pursue PILA demands in the coal supply chain. PAX published a critical report in 2014 pertaining evidence of human rights abuses in the past related to the coalmining industry in Colombia.[191] FNVM reinforced this publication by showing public support in a letter to the Ministry, which was signed by FNV and presented at the press conference of the launch of the report. Following, in November 2014, five

[187] Interview Van Westerlaak, January 2015
[188] Dutch Coal Dialogue, final Report. July 2013
[189] Interview Tjalling Postma, Lucia van Westerlaak; Marianne Moor
[190] Interview Tjalling Postma, Lucia van Westerlaak; Marianne Moor; Interview E.on, Essent and GDF Suez
[191] Dark Side of Coal, July 2014

energy companies in the Netherlands and the Ministry signed a covenant that concerned CSR policies and conduct along the coal value chain. The agreement falls under the ambition of the Ministry, to formulate specific commitments of industry players towards improving the social and environmental conditions in coalmines. FNVM posted a critical statement showing its disapproval of the process leading up to the Covenant, which was bilateral and limiting the engagement of civil society organizations. The media was approached again during the Trade Mission organized by the Ministry of Foreign Affairs, following that some month, concerning PAX being denied entrance at one of the debated mines. The media continues to follow the discussion closely, and publishes regular reports on any developments.

Dutch energy companies

For this case study, we researched specifically the interaction among Dutch energy companies and FNV Mondiaal, while also including other relevant civil society organizations involved in the discussion and the DCD since 2010.

Dutch energy companies argue that Bettercoal would not have been developed in such a way and at this speed, without the Dutch Coal Dialogue.[192] They are more optimistic about the potential leverage and future impact of Bettercoal in contrast to its Dutch counterpart. Respondents argued that several issues contributed to their decision to discontinue the initiative in the Netherlands: (1) the narrow issue focus of the DCD on the past (human rights violations through paramilitary violence); (2) the limited leverage of Dutch interests towards Colombian mining companies; and, (3) the limited Colombian focus rather than global relevance of Bettercoal.

The DCD and the Dutch PILA activities, according to respondents, was influential in putting the issue of environmental, social and human rights violations along the coal value chain on the agenda of the energy companies. However, respondents argued that it was made possible in relation to other processes that were already taking place within their respective Groups (mother company). They believed that especially PAX was essential in this process. However, part of the frustrations following the DCD are attributed to the reluctance of certain CSOs to move beyond the phase of putting the issue on the agenda, towards “constructive” and “realistic” dialogue towards future change.

Here, the energy companies clearly distinguished between different approaches that were taken by three CSOs involved in the PILA activities since 2008: PAX, Cordaid and FNVM. The differences identified were concerned with PILA demands and with PILA strategies taken. While PAX was described as issue-focused and taking an activist value-based approach; Cordaid was depicted as taking a constructive approach in their lobby with energy companies with a broad focus that is more future-oriented. The latter is experienced as more positive, as it coincides with the ambition of the

[192] Interviews Dommelstein; Boot; Van der Maarel

energy companies to focus on steps that can be taken now towards improvements in the future; rather than discussing the past. The role of FNVM was described as less visible and less involved as the other two CSOs. Respondents said that throughout the DCD process they had little to none direct interaction with FNVM.

Corporate respondents also identified other factors and actors affecting decisions to meet the PILA demands formulated by the Dutch CSO community, concerning (1) organizational structure, (2) influence of the media, and (3) the role of the government. First, the most dominant factor raised was the level of influence of the Dutch energy companies, and thus the choice for PILA targets. Each energy company interviewed, GDF Suez, E.on and Essent, is part of a larger Group that determines the overall policies and sourcing strategies for the entire Group. While on the one hand each CSR representative interviewed argued they have had influence on decisions made at the Group's headquarters, on the other hand they also believed that their influence is limited if the relevance at Group level is ambiguous. Second, the image that the Dutch media has portrayed of energy companies in the coal supply chain was perceived as negatively impacting their internal lobby. Each respondent referred to the same case example in which a national newspaper attached a biased, and "dishonest" image next to an article on coalmining in Colombia. The picture allegedly showed a young boy - "wearing cloths and pitch black from coal" - in underground mines, while respondents argued no such mine exists in Colombia. They felt that such misrepresentation was deliberate, and fuelled by CSO PILA campaigns, and negatively influenced their internal negotiations at Group level. Third, the role of Dutch government and specifically the role of Minister Ploumen was described as constructive and realistic. One respondent argued that this attitude helped to speed up the process, which has lead to energy companies joining Bettercoal, signing the covenant and participating in Trade Missions.

CSO PILA and Dutch government

Before the covenant was signed there was no active Dutch policy on coal from Colombia. Dutch policy developments however show that the government has been dealing with the subject of sustainability of imported coal since 2008. An analysis of the debates by IOB states that the position of the Dutch government seems to have shifted from relatively proactive to a predominant position of wait-and-see up to 2013.[193] "In response to questions in Parliament, the tone changed towards one of explaining the lack of transparency with arguments of confidentiality, sector self-regulation and the time needed for internal dialogue." IOB did not find evidence for the government taking concrete policy measures. The DCD for example did also not receive government funding out of these considerations. After 2013, when the DCD had finalized and PAX and other CSOs continued their PILA campaigns towards energy companies in the Netherlands, as well as government, the Ministry turned once more to a more active attitude, which is visible in its

[193] Kessler, J.J. and R. Gomez (2013) Evaluation of the Dutch foreign policy with respect to Latin America. Thematic study Sustainable Development. Case study: Coal Production in Colombia. June 2013.

facilitation of the Trade Mission to Colombia in November 2014 and initiating discussions with industry players mid 2014 that led to the signing of the Covenant with industry players by end 2014.

Both CSR respondents and CSO respondents acknowledge that Minister Ploumen was especially relevant in bringing CSR on the political agenda, and thus was seen as an active participant in the discussions since 2012. Perceptions on the role of the Ministry in meeting PILA demands were however mixed. While respondents from the energy companies were unanimously positive about the constructivist and realistic attitude of the Ministry, CSO respondents argued the Ministry was perceived as leaning more towards supporting business interests, rather than achieving the sustainability goals of the CSO PILA demands. An example was provided of the recent decision of the Ministry to sign a covenant with industry players from the energy sector alone, rather than in a *true* stakeholder setting, negating the influence power of civil society.[194] FNVM even described the role of the Dutch government as "counter-productive" in this light. One of the key issues that could improve a more facilitative approach of the Ministry is ensuring that trade unions and federations are invited as equal stakeholders in dialogue with government, private sector players and civil society.[195] However, one respondent argued in practice this has been hard to realize. From the perspective of the Ministry it has a challenging role to play in bilateral discussions that take place between the Ministry and (multi-)national companies. When CSOs are not included as stakeholders, the Ministry, as public institution, sometimes is pushed in the position to act as representative of the social demands posed by civil society in such discussions, as they are not present themselves to vocalize their demands.[196] Whether CSOs perceive their demands to be represented by the Ministry however, is up for debate.

Effectiveness

Effectiveness in the light of this case study should be perceived from two perspectives: first, from the joint effort of the CSO community in the Netherlands; second, from the perspective of FNVM PILA demands and strategies.

The combined effort of different PILA activities undertaken by several Dutch CSOs has contributed effectively to achieving change in corporate practice of energy companies. First, the issue was effectively brought to the agenda of energy companies and the political debate, especially by repetitive calls to action by PAX. Second, even though the issue of Right to Organize along the coal value chain is a transnational issue, the PILA activities in the Netherlands were effective in lifting the national dialogue to a European and more international platform that could have more leverage. Third, energy companies for the first time reported on the origin of the coal used in Dutch coal plants, though not aggregated (specifying what energy companies sources how much coal from which mine). Fourth, during the DCD the basis for the eventual Bettercoal Code was

[194] Interview Postma and van Westerlaak
[195] Interview Postma and van Westerlaak, December 2014, Postma
[196] Interview Jan van Wijngaarden, December 2014

developed, though was not put into practice in line with CSO PILA demands. All four results (agenda, European leverage, transparency, Code) address the Right to Organize in their own way.

From the perspective of FNVM PILA demands and strategies, the effectiveness is more difficult to identify. While FNVM has been a participant in most CSO activities taking place throughout the evaluation period that have contributed to the above changes, its approach has been ambiguous. While it engaged in dialogue with mining companies in Colombia once, and has written activist protest letters to the involved multinational companies and government, these activities can be described as ad hoc and one-time events, in contrast to the repetitive nature for example of the PILA campaign of PAX, which clearly reached the PILA targets.

However, FNVM made a deliberate choice to continue its work on strengthening the capacity of its local partner unions in Colombia sector-wide, rather than specific to the mining sector. Their involvement in PILA activities in the Netherlands was therefore limited, and supportive in nature. It perceived its position as union representative as deviating from the Dutch NGO stakeholders involved in the DCD, and therefore decided to be less involved in consultative sessions in function of coordinated actions. This decision to act on a more ad-hoc basis and distancing itself from NGO consultations has however created confusion and a level of distrust with respondents of the target groups. These outbursts of public attention were received clearly by the PILA targets, and thus effectively reached its goal of supporting awareness raising of labor violations in the coal value chain. However, as mentioned above, it did not directly contribute to any following steps either by FNVM or the target groups. The demands were perceived as unclear, and relations were to loose-ended for backdoor politics to take place in light of these issues.

Reflections on effectiveness from respondents

With regard to the consequences and effects of PILA activities, the interview respondents note the following issues. First, the public attention raised in the media by CSOs in the Netherlands (Greenpeace report and *Netwerk* documentary) and the repetitive nature of PAX's PILA activities were effective in putting the issue of environmental, social and human rights violations in the coal value chain on the agenda of Dutch energy companies and the Dutch government, effectively leading to the initiative of the Dutch Coal Dialogue. However, at this stage, corporate respondents argued it was time to take another turn towards more constructive discussions, rather than continue campaigns to raise awareness and for agenda-setting. The lack of realism and the lack of a forward-looking approach of certain CSOs were given as factors contributing to the so-called failure of the DCD and the decision of energy companies to move towards the Bettercoal initiative. They perceived continued agenda-setting as counter-productive and potentially leading companies astray from the multi-stakeholder approach if good intentions are not recognized as well.

Second, CSO respondents were disappointed in the partial results of the PILA demand for more transparency, as well as with the lack of transparency of audits in Bettercoal. CSO respondents

believe that aggregated transparency on sourcing mines of Dutch energy companies and insight into audit reports of coal mines in Colombia would allow more concrete actions to be taken on the ground. It is the belief of different CSOs that the choice to participate in the Bettercoal initiative was a means of avoiding taking concrete actions. CSOs therefore consider the pressure that was placed on energy companies through dialogue and public campaigning effective, however the impact was countervailed by collective strategic actions of the sector. Corporate respondents differ in opinion, and view the Bettercoal initiative as an improvement to the DCD and in the long run as more effective and more in tune with the characteristics of the sector. They do not see the PILA demands for more transparency as realistic, as more transparency is a means to an end. Respondents argued once more that PILA demands and strategies should be more in tune with a realistic outlook of the sector and solution-oriented. FNVM's decisions to distance themselves from the Bettercoal was intended as a clear sign of disagreement with the lack of transparency of the initiative, and thus lack of commitment of the companies for actual movement. In addition, FNVM agreed with the energy companies that Bettercoal deals with broader issues than only Colombia, and therefore required a global partner, IndustriALL, to represent the interests of FNVM. Although as mentioned earlier, IndustriALL has retreated as a discussion partner from Bettercoal soon after its establishment.

Third, corporate respondents perceived the supportive attitude of FNVM for the PILA ambitions of other Dutch CSOs as confusing and less effective. Certain factors were identified that contributed to this stance: (1) the ad-hoc nature of FNVM's PILA demands; (2) the lack of clarity of FNVM's demands; and (3) the lack of a direct interaction with FNVM. Interestingly, these three factors can be attributed to the deliberate choices made by FNVM's approach in this case. FNVM did not choose to specifically direct attention to the coalmining sector in Colombia, but maintain a sector-wide approach. Therefore its PILA demands in response to Dutch companies were less developed. Second, FNVM continued its approach of capacity building and PILA through local partner organizations in Colombia, and therefore saw little incentive to seek discussion on its own behalf with Dutch mining companies, but preferred a collective approach.

7. Effectiveness of PILA

This chapter summarizes the findings of this study and shows the patterns and consequences of PILA activities across the studied cases. As noted, our approach, using a combination of three qualitatively studied cases for comparison, in which events were also process-traced, allows for precise statements about actors, actions, interactions and unfolding decision-making processes and their likely outcomes. The method does not allow us to attach a numerical value to the influence of factors. While we have observed how factors may interact to have specific outcomes, we are also unable to attach a numerical value to the interactive effects of factors. Moreover, the choice for three in-depth case studies implies that we cannot make statements about which factors are “necessary” or “sufficient” for explaining a certain outcome. But the combination of comparative and process-tracing logic does allow us to identify factors at play (possibly in interaction) with relative precision. To be clear, in the previous three chapters we also devoted space to the estimations of CSO representatives themselves as to the effectiveness of their PILA activities. The results reported here are the authors’ estimations. Where appropriate we mention whether a lesson we draw is based on observations from all of the cases or to two out of three of the cases.

We explain that CSOs are successful in getting issues on the agenda of governments and the private sector. These parties in turn take decisions and express commitments that resonate with CSO's interests. Having these decisions and commitments translated into practice such as safer factories, or adherence to human rights issues is challenging as this demands leverage that cannot be provided by single organizations (working individually). Achieving these changes requires civic engagement often in combination with national and international networks of various actors who together have sufficient influence and power to face established interests. Building these networks takes time and requires additional capabilities and commitments from CSOs. We also learned that strong local institutions (such as trade unions in Bangladesh and China) need to be in place to implement and sustain policy decisions. A complicating factor in this respect is that the environment for civil society in developing countries tends to become more restrictive.

7.1. Descriptive outcomes: PILA achievements

Across the cases, CSO PILA activities have contributed to raising the respective labor issues higher on the agenda of Dutch companies and companies abroad. Most PILA activities have also contributed to development of specific CSR policies of companies. And many PILA activities have been followed up by opportunities for CSOs to influence further thinking inside companies and across the industry. In some cases, such follow-up PILA opportunities have become institutionalized within organizations, covenants and action plans, so that regular CSO-company interactions affect how companies deal with labor standards in supply chains. And in all cases, PILA has also contributed to active government positions towards promotion of labor standards by

Dutch industries, and sometimes even by companies from abroad. The cases differ in the degrees to which CSOs have been able to achieve policy access, policy change and institutional collaboration with companies. In the Factory Safety dossier, CSOs have been most successful in the sense that many companies now sign on to a previously negotiated model and organization for factory safety improvements that reflects most of the CSOs' demands. Moreover CSOs are invited also outside of this organization to continue interactions with companies on this dossier. In the Working Hours & Overtime dossier, CSO activities have contributed to a higher sense of urgency for the issue among some companies, regular interactions with industry players on the issue, and, in part, to a program that collaboratively seeks to tackle the underlying issues of working hours through research and capacity building. Here, however, very often the actual CSR policies do not match with the demands of the CSOs, since companies do not make labor standards a high priority on their CSR agenda, or because they develop their approach to supply chains mostly with industry peers, keeping institutional influence from CSOs outside the door. In the Right to Organize dossier, CSOs have contributed to raise attention for the issue in the industry, get companies to collaborate on a European-level approach to worker rights policies, settle on a Code of Conduct, and respond to higher transparency requirement demands. But here too, in the end, continued CSO influence on the evolution of the industry's approach to the issue is not secured, because the industry is selective in its collaboration with CSOs.

7.2. Explaining effectiveness

This section outlines the different factors that across cases appear to have influenced the effectiveness of PILA activities by CSOs. These factors, in combination, explain different degrees of effectiveness across the cases. Their mechanism of operation can be described separately, but in the real word their impact makes itself known in relation to each other. Where combined effects occur, the text below reflects on this. For advance reference, table 7 depicts the relationships between the different factors.

Table 7: Outcomes and factors across three cases

	Factory Safety	Working Hours	Right to Organize
History of PILA	Long	Medium	Short
Theory of Change	Specific	Not specific	Less specific
Partnership / network coordination	Well-evolved	Evolved, but not stabilized	In the making, influence union structure
Corporate PILA	Acceptance campaigning role CSOs; business-to-business PILA benefits CSO demands	Less acceptance campaigning role CSOs; business-to-business PILA benefits evolution CSR, but not CSO access to industry-wide decision-making	Less acceptance campaigning role CSOs; business-to-business PILA benefits evolution CSR, but not CSO access to industry-wide decision-making
Government & Parliament	Benefiting PILA aims	Benefiting PILA aims	Benefit disputed
Relevance of personal level of PILA exchange	Helping and sometimes hindering	Helping and sometimes hindering	Not explicitly traced
Contentiousness labor issue	Lower	Higher	Higher
Drama and urgency	Rana Plaza: very high	Foxconn: high	Network documentary: high
PILA in the Netherlands	Pressuring industry leaders transnationally, following up with Dutch companies	Pressuring industry leaders transnationally, simultaneously with pressure on Dutch companies	Pressuring foreign multinationals in the Netherlands in order to have transnational impact
Outcomes	Accord established; global and Dutch companies sign up	Leaders and Dutch companies develop CSR policies; CSOs barred from further evolution industry-wide approach; CSO involved in Dutch multi-stakeholder program with companies	Multinationals develop CSR policies; CSOs barred from further evolution industry-wide approach

7.2.1. Historical evolution matters

The first thing we notice across the cases, is that it matters how long a CSO has been devoting PILA attention to a cause. Our cases are examples of PILA activities that have been ongoing for a relatively short time (coal and Colombia), a medium length of time (electronics in China) and a long time (clothing in South Asia). The obvious thing to hypothesize first here is that learning from experience takes place, and PILA therefore may improve over time, because of increased personal and organizational capacity at CSOs.

But beyond that, we hold that the historical evolution of PILA activities also positively affects the following issues that each affect the effectiveness of PILA. First, this is *the specificity of a Theory of Change*, as it is informed by the knowledge and reflections of staff on an issue, how this issue is embedded in a political-economic environment, and which mechanisms work well in what context. ToCs over time tend to become more specific in an industry that has been faced with CSR focused PILA for longer, with a clearer sense of the surrounding environment, a clearer prioritizing of activities, more specific demands, and more elaborated reasoning for targets. Second, the *partnerships* that CSOs strike with CSOs sharing the same values and similar objectives need time to evolve. Effective collaboration and coordination among the CSO partners is crucial if a network sets out to achieve policy change in a sector. But such collaboration and coordination require a significant investment in time to evolve. Third, the *interactions among CSOs and companies* evolve over time. At first they may be irregular, surprising to those involved, and lead to many uncertainties on both ends about how to respond to the other's actions and input. What is good or bad, appropriate or inappropriate in terms of CSO-company PILA interactions takes time to become established within a sector, as both categories of organizations wrestle with each other's strategic repertoire, demands and responses. But as this takes shape, more strategic and regular interaction becomes possible. Often this is to the advantage of CSOs that are also developing a clearer ToC and tighter network partnerships, but the learning curve of companies may also be such that companies at times succeed in pre-empting or responding successfully to PILA attempts and dampen CSO PILA effectiveness. Fourth, the degree to which *citizens/consumers are aware of and affected by an issue* PILA seeks to address, and care about its aspects. Years of campaigning, reporting and lobbying on an issue, makes more people aware of what is at stake, and allows them possibly to be emotionally affected by reports of injustice. Also here, the relationship between time and awareness may not be completely linear, as fatigue may also set in among citizens and media about certain political topics if they remain unresolved and recur in similar ways in CSO reports. But, generally, it helps their cause if CSOs' public campaigns can work on the basis of some knowledge among a mass audience about what is fair and unfair about an issue, how an industry is related to it, and what options the industry has to resolve the issue.

It follows from these observations, that PILA effectiveness varies according to the length of history of PILA efforts. Factory Safety PILA builds on decades of clothing sector-focused PILA, involving a network that has evolved over decades, has interacted with companies for long in both institutionalized settings (private standard organizations, multi-stakeholder dialogues) and one-off bilateral dialogues, on an issue that may be assumed to be well known among European consumer audiences. Comparatively, the Working Time and Right to Organize PILA efforts are of much younger date, with only a couple of years to one decade of corporate-CSO interactions, networks only in the process of being built, or still evolving in terms of their members and structure, and less time to get audience to be sensitized to the issues.

7.2.2. Theories of Change

Theories of Change matter as an analytical category assembling a CSO's strategy, demands, perspective on the political-economic environment and ability to reflect on what works and why. In this study, we find mostly CSOs whose ToC is *implicit*, not explicitly documented prior to PILA activities, and evolves over a set of years as activities and thinking on a PILA issue progress. Across the cases, however, we see that ToCs that are less specific and less elaborate, for instance in terms of the specificity of PILA demands and rationales for targeting companies, lead to less clear results, or make it harder to claim that PILA has been effective. While all CSOs analyzed in this study may lay claim to some influence on companies and governments as a result of PILA, most effective PILA is observable in cases where the ToC, although not necessarily explicitly designed ex ante to the start of PILA activities, is most specific in its perspective on demands, targeting and mechanism.

Important to observe however, is that the ToCs are affected by the historical dynamic elaborated above: PILA experience leads to more specific and elaborated ToCs, through more knowledge about targets, political-economic environments and stronger partnerships. As a result, we argue against a view of PILA only being effective if ToCs are strong. This view would be insensitive to the observation that PILA activities on issues and in sectors always start off as a form of pioneer work, with all the happenstance events that occur and unintended consequences that follow. Less elaborate ToCs are not the explanation of this state of affairs; they are a function of it.

Moreover, as will be elaborated below, the specificity of ToCs are also constrained by factors outside of a CSO's reach, such as the industrial structure in which a PILA issue is embedded, which may make it more difficult to make PILA demands concrete, or PILA targeting informed as much by necessity as by strategy.

7.2.3. The importance of CSO partnerships and networks

No CSO is an island. Throughout the cases we notice how PILA activities are organized by various CSOs at once. Or we see that an individual CSO's PILA is coordinated with the activities of another CSO. Or we notice how an individual CSO's PILA activities are influenced by another CSO's PILA. This means that while it is to a considerable degree possible to analytically distinguish the contribution of a CSO relative to another CSO, in practice the outcomes of PILA are always affected by the overall civil society pressure on companies (and governments, and other parties). As a result of this, it matters how well-established the connections among CSOs are, and how in-depth the coordination among CSOs takes place, for how effective PILA is. Generally, on the basis of the cases analyzed, we conclude that more coordination and more tightly institutionalized linkages across CSOs facilitate more effective PILA activities. But, as noted, building these connections and such coordination takes time.

In the Right to Organize case, CSOs engaging with companies in the Netherlands are in a pre-coordinative phase: the PILA efforts of one, affect the other, sometimes in helpful ways, other times less so. But common ground, and exchange on targets, timing, demands, and PILA tactics is only beginning. In the Working Hours case, network building is in full swing, but the exact structure and the amount of members are still evolving, and partnerships have shifted over the years, negatively affected by inconsistency in financing flows. The Factory Safety case, in comparison, builds on a partnership between Northern American and European CSOs that allows for regular exchange about PILA demands, timing, targets, strategies and information about the issue.

As academic literature has posed before, CSO networks and partnerships on labor standards are a challenge to reconcile with the representative and hierarchical form that trade union organizations take.[197] National trade unions, if they engage in PILA campaigns that target buying companies for labor standard abuse at supplier factories in other countries, have to coordinate and leave appropriate room to their union counterparts in these countries. And they have to refer important issues very often to their global union or inter-confederational counterparts, as these have responsibility for global (and sectoral) labor dossiers. Other CSOs of course also have to confer with their producing country counterparts, and carefully coordinate activities across the different nodes of the CSO networks. But they are much less bound to a rulebook when it comes to the responsibilities of the different nodes of their organizations in developing and implementing a PILA activity. This gives them normally more flexibility for action with regard to corporate-focused PILA than unions. And this also means that forming a CSO partnership or network organization with trade unions included, which is what labor activists most often seek to do, requires a lot of management. To some degree

[197] Eade and Leather 2005

the trade-off here, is that the role of unions is conceived as being the legitimate representative of worker voices, also in cases where the relevant workers themselves are not unionized. This means that trade unions have to be present at negotiation tables if an outcome is to be perceived as sufficiently legitimate.

7.2.4. Corporate PILA as a response to CSO PILA

Companies themselves strategically respond to CSO PILA activities with their own attempts at PILA. But across the cases they do so in different ways, leading to different net results in terms of how companies affect the degree to which CSO PILA demands are met.

Across the cases, companies tend to appreciate that CSOs develop PILA activities to put labor issues on the corporate agenda. In terms of how they organize PILA to address worker rights breaches, companies appreciate it if CSOs give them beforehand notice and a chance to respond to accusations. Companies also like it when CSOs follow-up on accusations they voice, and keep contact with companies during their efforts to deal with the accusations. And in terms of demands, companies appreciate it if CSOs have concrete demands and proposals how to resolve the issue being raised.

But beyond this, the cases show a variation in corporate appreciation of the continuation of public campaigning strategies of CSOs *after* companies have started to develop CSR policies and/or industry-wide approaches to address labor issues. Within the Factory Safety case, the clothing industry respondents mostly accept the CCC's role as a campaigning organization that keeps pushing publicly for change through reports on worker rights breaches in supply chains. In the other cases, most companies have a harder time accepting that CSOs use public campaigns as long as they unearth worker rights breaches, and would prefer CSOs that help them think through policies they have started to develop. This signifies a barrier to more structured and possibly institutionalized CSO-corporate mutual PILA interactions, which is likely to be affected by the more recent start of corporate-PILA interactions in these cases.

Related to this, we find a propensity in the Factory Safety case for companies to work in elaborate institutional settings with CSOs. In the Right to Organize and the Working Hours cases, corporate-CSO-PILA interactions have taken place, and continue to take place, but many institutional forms that deal with the labor issue at hand, and which evolve mostly through business to business PILA, exclude CSO voices. Industry-driven approaches to labor standards are therefore an unexpected (and unintended) consequence of CSO PILA. Moreover, across all cases, when companies push back on CSO PILA demands, they mostly succeed in revising the institutional set-up for CSR engagement with labor standards demanded by CSOs, often focusing on the degree to which responsibilities are spelled out clearly, and the degree to which companies are offered flexibility.

Business to business PILA may however also have spillover types of consequences that *boost* the impact of CSO PILA activities, in ways sometimes strategically envisioned by CSOs in their Theory of Change. Across the Electronics and Factory Safety case we see how companies targeted by CSOs inform other companies about findings, demands and ongoing negotiations, and that this may lead to decisions that conform to PILA demands. And we see how companies themselves, in light of their CSR commitments, try to get other companies to join on their efforts to change industrial conditions. CSO's preference for pressuring large and powerful companies in the industry seems to function effectively as a mechanism in PILA activities in both the Working Hours and the Factory Safety case. This is because smaller companies not yet responding to the CSO's PILA demands, are inclined to follow the leader. And because smaller companies which are already developing CSR policies more in line with PILA demands, benefit from more leverage on suppliers in their CSR activities through a large company's alignment with their (and possibly the CSO's) CSR perspective.

Underlying these trends of corporate PILA we offer a general observation: corporate PILA appears to be affected by the degree of concentration in an industry and the diversity of companies that "inhabit" it. With high concentration, a few firms may effectively determine both the market as well as the political response to PILA efforts. Companies can then align to deal with an issue raised by CSOs, but without offering them further institutional access to decision-making for the bulk of the industry, as the Right to Organize and the Working Hours cases show. In industries with low concentration, it is easier for CSOs to find companies that respond positively to their demands, but harder to scale up such efforts across the industry, where they may meet many companies with different priorities. It is surprising in this sense that the Factory Safety case for the clothing industry has led to such consistent responses across high street and low street market divides, and across retailer and brand divides, at least in Europe. But it is possible that other factors mentioned in this chapter have effectively worked against this industrial constraint in this specific case.

Understanding the corporate context, and anticipating the moves of companies, is also a feature of a Theory of Change, in terms of the CSO's grasp of a political-economic environment and its elaboration of an appropriate mechanism for policy change.

7.2.5. Doing company-focused PILA through government and parliamentary politics

Across the three cases, Dutch government and parliament have become involved in the interactions between CSOs and companies. And in all cases, the position the government has taken has to some degree promoted the effectiveness of CSO PILA, as government interventions (often spurred by questions from parliament) have promoted CSO's closer

access to decision-making, boosted the urgency of the issues CSOs were advocating for, and facilitated the institutionalization of mutual PILA activities among companies and CSOs. In the process, corporate PILA has sometimes been directed at limiting the government's support for these CSO-enhancing interventions—mostly with little success. Of course, factors intrinsic to government, the current administration, the current political climate and the current set of MPs have contributed to this dynamic. CSOs are not puppet masters of Dutch politicians, and Dutch politicians do not control CSOs. But the CSOs themselves have invested considerably in using parliamentary and government-bureaucratic politics as a lever for changing company policies. And parliamentarians, civil servants and Ministers recognize that CSOs may be allies in promoting political agendas. Overall, moreover, CSOs are aided by the fact that public calls for government to ask CSR from companies on a contentious issue are very difficult to resist politically.

This observation does not mean that across the cases CSOs are happy with government interventions, nor *vice versa*. CSOs sometimes feel left in the cold. In the Factory Safety dossier, government and CSOs seem content with each other's activities and presence, and company respondents to this research do not begrudge this state of affairs. Frustration among CSO parties however is visible among respondents in the Right to Organize case in terms of who did what, who demanded what, and who had a chance to influence what.

7.2.6. PILA interactions and the relevance of persons

We analyze CSOs as organizations, but often find we are dealing with personal and inter-personal characteristics as we study the interactions between CSOs, companies and governments. This becomes most evident when we analyze the degree of trust that emerges as a result of continuous mutual influencing among CSOs and companies. This cycle of trust in various cases becomes interrupted if on one or both sides of the interaction, people move to different jobs.

Both in the Working Hours and in the Factory Safety cases, PILA activities that appeared as mutually beneficial became interrupted through change of staff. And in both sectors, mutual PILA activities were also boosted when new staff decided to break with the prevailing attitude of her/his predecessor towards the other party. The Right to Organize case also dealt with shifts in staff at corporate level, where new staff was introduced at different phases of the process, influencing their perspectives of the overall PILA campaigns. This signifies the fragility of effective company-PILA activities, a fragility that, we hypothesize, increases if the common ground that CSOs and companies establish is not translated into some form of institutional agreement that protects the interactions between both types of organizations from withering away if people switch jobs.

7.2.7. The degree of contentiousness of labor issues

Our cases vary in the degree to which the labor issue addressed is politically sensitive. Freedom of Association affects the balance of power between workers and management, and facilitates political collective action towards governmental authorities. It is therefore often dreaded by both company managers and political elites of (more or less authoritarian) states. Wages and overtime discussions relate to the question of who gets what, and more broadly, affect a company's competitiveness in the global market. Also here, managers and politicians look with a wary eye at promotion of less working hours (or: higher wages). By contrast, factory safety is an easier win-win issue. These differences, we hypothesize on the basis of comparison, shape PILA strategies and outcomes significantly. They lead, first, to PILA demands that are more or less radical in terms of their transformative vision of society and the relations between government, workers and companies. Second, they are met with more or less fear/hostility by the actors targeted. This means that with a less contentious issue like factory safety, if the PILA pressure is up, and large companies are willing to meet some of the demands of CSOs, then there is a chance that unions, CSOs and governments in countries producing goods may respond with an attempt to meet the demands of the CSOs and buying companies. This makes it easier to come to institutional solutions that companies then can commit to.

With regard to Right to Organize and Working Hours, particularly in the context of Colombia and China, commitment of buying companies to improvement in supply chains is possible, history shows. But with regard to these issues, producing country workers and unions on the one hand, and supplying companies and governments on the other will be real political adversaries, meaning that European CSOs and companies are more likely to face a battlefield rather than an emergent coalition in producing countries, if they seek to address these issues through CSR. And addressing these issues requires possibly making two types of structural change: in state-society relations in producing countries, and in buyer company-supplier company relations in their supply chains. In recognition of this, two things can happen that make PILA less effective: first, companies may shy away from committing fully to CSO PILA demands in light of the ambitious agenda being laid out; second, CSOs may have a tougher time selling particular proposals for dealing effectively with the issue for companies, instead asking them to address the situation with a less laid-out plan on how to proceed step by step. In addition, the challenge to actually achieve structural and/or institutional changes might entice CSOs to choose easier PILA targets, demands and forms in order to make small wins in the process of reaching their larger goal.

In sum, when judging the effectiveness of PILA across cases representing categories of labor standards, we should bear in mind that some categories are more challenging than others,

representing lower or higher hanging fruit. This is not to say that increasing Factory Safety in Bangladesh is easy of course.

7.2.8. Drama, media and urgency

Doing PILA effectively often boils down to finding broader societal support for your cause. In order to reach masses, effective media strategies, or support from media promoting your voice, are essential for both CSOs and their targets. It is here that the cases studied differ in the degree to which journalism has advanced the cause of CSOs. To some extent, we hypothesize, this is also due to the nature of the drama underlying all three PILA cases. The Rana Plaza disaster, with over 1.100 people dead, is of a totally different scale of humanitarian crises than the trade union killings in Colombia and the factory suicides in China. This boosts the sense of urgency among mass audience and media in the Factory Safety case relative to the Working Hours and Right to Organize case. What also helps PILA for Factory Safety is that clothes are more intricately related to people's cultural identities, tastes and views of themselves—more than energy buying. This makes it easier for PILA activities in such an industry to reach the media, and reach audiences. In the Working Hours case, the reputation of one of the targets as 'creative and innovative' benefitted the cause of PILA as reputation damage would damage the essence of the companies' competitive edge. Because of this, we hold that CSOs working on Factory Safety have been able to make far more use of the societal response to media reports than the CSOs working on Rights to Organize or Working Hours could.

It is important to note that across the cases, consumers are perceived as influential and relevant players in achieving PILA objectives. However, in practice consumers place little pressure on companies. Rather, CSOs often use the power of the consumer as leverage over companies; working more from the angle of anticipated effect *if* consumers would come to action, which could result in for example boycotting a certain brand. Similarly, a few company respondents express their concern about consumer *attitudes* as a reason for building CSR policies, but these respondents mostly do not pinpoint specific consumer *actions* as a manifestation of pressure on their companies.

7.2.9. PILA in the Netherlands: opportunities and constraints

CSO PILA in the Netherlands leads to a range of opportunities and constraints. As noted in the background chapter, Dutch consumers/citizens are relatively sensitive to CSR issues, which makes media sensitive to these, Dutch MPs sensitive to act on these issues, Dutch government likely to respond with initiatives, calls for actions and policies. The Netherlands is therefore an environment conducive to PILA demands for CSR.

As also noted, as a result, the Netherlands has a couple of companies, organizations and institutions well-known for their leading role in CSR discussions in Europe and the world.
On the other hand, in many industries where worker rights breaches are observed in large companies' supply chains, Dutch companies are not leading, or not present at all.

CSOs can consider what the scale of their activities may be in light of these opportunities and constraints, and throughout the cases CSOs have made choices that have varied in their success. In the Factory Safety case, a network of CSOs, including Dutch CSOs, have succeeded in internationally pressuring large non-Dutch companies in meeting their demands. Only little Dutch PILA activity was then required to make Dutch companies follow their leading industry counterparts. In the Working Hours case, Dutch CSO PILA focused on Dutch companies has led to some policy change, and participation in international efforts to pressure a large company have led to policy change, with trickle down effects in the Netherlands, pulling large foreign brands into a Dutch CSO-company-government interactive forum. In the Right to Organize case, however, the influence of Dutch CSOs on Dutch companies only touched the tip of the iceberg in the coal supply chain, as Dutch companies fall under Group responsibilities and experience limitations in the relevance of the Dutch context for their wider business model. While influential in getting the topic on the agenda, for actual changes in policy and conduct to take place, PILA strategies would need to reach beyond Dutch boundaries.

In sum, multinational companies with headquarters outside of the Netherlands, but with significant Dutch presence, may be affected by Dutch-focused PILA, but the challenges of achieving corporate change appear much more difficult, compared to campaigns in which these multinationals are targeted across countries, and also in their homeland.

7.3. Reflections on limitations of the research

During this research, the research team was also faced with some constraints that delimit the analytical robustness and degree of inference of the findings of this study to some degree, or give clear cues for future research.

First, our empirical process-tracing focuses purely on the Dutch and European context of PILA interactions in terms of policy decisions and activities. Further research could unearth what happens among CSOs in networks and partnerships, how the interaction between buying companies and supplying companies evolves in producing countries in Africa, Latin America and Asia, and what the role of governments in producing countries is.

Second, during our research we were faced with some companies unwilling to respond to our requests for information. Because of this, we were unable to process-trace CSR decision-making in IT-electronics companies that were unresponsive to SOMO's PILA efforts, which reduces our ability to triangulate findings in the Working Hours case. Secondary evaluation research material makes up to some degree for this omission. In the Factory Safety case, we were faced with the dilemma that all companies targeted by CCC met their demands and that companies not meeting the demands were not targeted by the CCC. This created a situation where only positive PILA experiences were brought to light. This has been corrected to some extent by including conversations with industry association representatives, who gave a more generic view of PILA interactions in the industry for the relevant period of time.

Third, the research in some cases was constrained by the "moving target" problem: PILA interactions unfolding while the team is doing interviews and policy document analysis. Especially in light of the Right to Organize case, this has created to a certain level an incomplete picture of the evolution of ongoing PILA and its reflections on effectiveness. This also reflects the need for evaluations of PILA strategies by CSOs to look beyond traditional forms of logical frameworks as a means of verifying effectiveness and impact. The long-term spin-off effect of PILA campaigns can be much more relevant to actual changes in corporate conduct and policy, than short-term results in terms of numbers and percentages reached.

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List of Respondents

Organization	Respondent	Date of interview
CCC IS	Jeroen Merk	2-12-2014
CCC IS	Ineke Zeldenrust	2-12-2014
CCC Nederland	Niki Janssen	2-12-2014
E.ON	Sytse Jelles	8-12-2014
E.ON	Corné Boot	8-12-2014
EMO	M. Pelsma	19-1-2015
Essent	Adriaan van der Maarel	12-1-2015
FNV	Lucia van Westerlaak	02-12-14 29-01-15
FNVM	Tjalling Postma	02-12-14 22-01-15
G-Star	Frouke Bruinsma	19-1-2015
G-Star	Marielle Noto	19-1-2015
GDFSuez	Bas Dobbelstein	6-1-2015
Telecom industry	Anonymous	14-1-2015
Telecom industry	Anonymous	14-1-2015
MinBuZa - BEB	Jan van Wijngaarden	15-12-2014
MinBuZa-DDE	Jos Huber	21-1-2015
Modint	Jef Wintermans	27-1-2015
PAX	Marianne Moor	11-12-2014
Philips	Marcel Jacobs	2-12-2014
SOMO	Pauline Overeem	4-12-2014
SOMO	Irene Schipper	24-11-2014
SOMO	Esther de Haan	24-11-14 22-01-15
VGT	Jeroen van Dijken	27-1-2015
Zeeman	Arnoud van Vliet	22-12-2014