

Final Evaluation

Improving Labour Law Compliance in United Republic of Tanzania

USDOL-ILO technical cooperation project

Part I. Main report

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Acronyms and abbreviations

ACTEMP	Bureau for Employers' Activities
ATE	Association of Tanzania Employers
BDS	Business Development Services
CMA	Commission for Mediation and Arbitration
CTA	Chief Technical Advisor
Danida	Danish International Development Agency
Dfid	Department for International Development
DHU	Dispute Handling Unit
DPP	Director, Public Prosecution
DWCP	Decent Work Country Programme
DWT	Decent Work Team
FACB	Freedom of Association and Collective Bargaining
HDI	Human Development Index
ILLC	Improving Labour Law Compliance in the United Republic of Tanzania
ILO	International Labour Organisation
IO	Immediate Objective
IPEC	International Programme for the Elimination of Child Labour
ITC	International Training Centre
KNN	Kazi Nje Nje! (KNN)
LAB	Labour Administration
LESCO	Labour, Economic and Social Council
LLTN	Labour Law Trainers' Network
MDG	Millennium Development Goals
MLEC	Ministry of Labour, Economic Empowerment and Cooperatives
MoHSW	Ministry of Health and Social Welfare
MoLE	Ministry of Labour and Employment
MUKUTA	<i>Mpango wa Pili wa Kukuza Uchumi na Kuondoa (Poverty Reduction Strategy Paper)</i>

NPC	National Project Coordinator
NSGRP II	Second National Strategy for Growth and Reduction of Poverty
ODA	Overseas Development Assistance
OECD/DAC	Organisation for Economic Cooperation and Development/Development Assistance Committee
PAC	Project Advisory Committee
PO	President's Office
PRS	Poverty Reduction Strategy
PSM	Public Service Management
SLAREA	Strengthening Labour Relations in East Africa
SMART	Specific Measurable Achievable Realistic Time bound
SME	Small and Medium Enterprises
ToT	Training of Trainers
TRAVAIL	Conditions of Work and Employment Branch
TUCTA	Trade Union Congress of Tanzania
UN	United Nations
UNCMT	UN Country Management Team
UNDAF	United Nations Development Assistance Framework
UNDAP	UN Development Assistance Plan
US	United States
USD	US Dollar
USDOL	US Labour Department
ZANEMA	Zanzibar Employers association
ZATUC	Zanzibar Trade Union Congress

1 Executive summary

ILO has implemented a technical cooperation project in Tanzania mainland and Zanzibar between June 2009 and May 2012, entitled *Improving Labour Law Compliance in United Republic of Tanzania (ILLC)*. This report is of the final evaluation of this Project, which came to an end May 31st, 2012. The below is a summary the key conclusions and recommendations of the evaluation:

Overall, it is concluded that the achievements against the plans are mixed, as some activities went very well, displayed good high quality and were also perceived as beneficial by the key partners, and participants, such as the capacity building programme on various topics. The training undertaken involved a total of 3,007 participants, of which 1,023 (34%) were women. The majority were trained on Tanzania mainland (1,752 participants, or 58% of the total of which 507 were women). Thus, the overall Project's contributions towards the first immediate objective on knowledge and learning, is fully acknowledged in this report.

Good work has been undertaken, regarding the attempts to reform the inspection system, the training of labour inspectors and initiation of new inspection forms. It is recommended that ILO follows up on the initiated reform process of the inspection system, i.e. the finalisation and seeking approval of the labour inspection form, followed by an instruction to the inspectors in the field on the launching of the new inspection form.

Other activities, such as the public awareness campaign, could not even be started up - the reasons for which are explained in this report. Thus, on the one hand, the Project initiated, funded and organised/implemented a great number of successful events, and on the other hand, the management was not able to overcome some of the challenges in particular those that were affected by political events and tense industrial relations. There were other issues and circumstances that did affect progress and success, also narrated in this report.

Validity of project design

Regarding the validity of project design, it was found that the Logical Framework Matrix did not serve the management or the final evaluations as the useful management/evaluation tool it is meant to be. It is recommended that ILO increases its efforts and improves its skills to be aligned with international standards for the design of technical cooperation projects, to ensure that Project Logical Frameworks form the basis of Project Documents; and are logical and coherent tools.

Effectiveness

As regards **key achievements in the mainland**, the evaluation has concluded that the Project only partially achieved what it had set out to achieve. Only four out of ten planned outputs were satisfactorily produced, while it contributed to two of three immediate objectives. The key achievements are capacity building/training, specifically training on the labour laws, and it is assessed that capacity and efficiency of the labour inspection officers to conduct inspection was strengthened and MoLE officials and other beneficiaries were more knowledgeable about labour law issues as a result of the Project. Labour officers were also certified as Prosecutors, to prosecute labour cases in Court.

As regards **key achievements in Zanzibar**, the Project produced five of ten outputs and contributed to two of three Immediate Objectives. The constituents and stakeholders in Zanzibar embraced the Project - as there was motivation and willingness to participate and acquire new learning, and good experiences from the earlier SLAREA project. There was also high-level support from the Labour Ministry. Among the key achievements were the training undertaken for Employers, Workers and their representatives on labour laws. Practically all Labour Inspectors were trained, new inspection forms were developed and the capacity of the labour inspection officers to conduct inspection was strengthened.

Output 1.2 was well achieved, with relatively high numbers of persons trained in proportion to the economic active population in Zanzibar and it is assessed that in producing this output it can be said that this has qualified in reaching the actual first immediate objective. This should also be seen in the

light of the evaluation's recognition of the relatively high interest in Zanzibar for the project activities, and the level of effort of the involved stakeholders.

Labour officers were also certified as Prosecutors, to prosecute labour cases in Court for the first time in Zanzibar. They won the first two cases, which were related to the termination of employment, which is a direct result of the training they had received from the Project. The Project also contributed to increased effectiveness of the Labour Advisory Board (LAB) through training on social dialogue and tripartism, Labour Laws, and ILS and Domestic Workers. The Project also achieved in contributing to the establishment, training and equipment of Dispute Handling Unit DHU started its operations (on the basis of cases received) even before the closing of the ILLC Project, however, there was no possibility for the Project to monitor the work of the newly established DHU, due to lack of time before ending the Project activities. Contributions were also made toward an increased effectiveness of the Industrial Court.

Regarding the **effectiveness of the Project management**, the CTA generally demonstrated a good level of effort, and performed well in many of his endeavours and when considering some complicated circumstances under which he operated such as difficulties in working with the Government before, during and even after the election period and the lack of commitment from some of the key Government officials. The lack of a NPC who could have assisted in this situation is another important circumstance - both a CTA and a NPC would have been required in this particular Project, which encompassed both Tanzania and Zanzibar.

It is recommended that DECLARATION/ILO in the future ensures that National Project Coordinator are recruited in Projects where a CTA is employed to manage a Project – in particular if it is a project that requires entry/in-roads to the government and stakeholders and if it is dealing with issues that are particularly sensitive, such as compliance to the laws. Projects need to have adequate staff strength, as managers often need assistance in collecting information and sorting data to prepare the progress reports.

The Project facilitated in the organisation of a total of nine **Programme Advisory Committee** meetings, which is commendable – however they were not held regularly and not quite efficient. The assessment of the evaluation is that despite the fact that the Project issues certainly were important enough to expect commitment and engagement from high-level Government officials - it would have been more practical if the PAC leadership had not been placed at a very high level. It is thus recommended that MoLE/MLEC and ILO jointly adopt practical approaches vis-à-vis leadership and membership of Programme Advisory Committees, in order to benefit the implementation of any future technical cooperation for the purpose of increased effectiveness.

Relevance and strategic fit

Although the Project faced certain problems which delayed, and even obstructed some of the implementation that was planned (in the mainland in particular), the evaluator found that its objective of improving on the compliance of labour laws was, and still remains, fully relevant in both mainland of Tanzania mainland and Zanzibar. It was in line with other ILO activities and successfully contributed to increasing the relevance of ILO's mission vis-à-vis the international community and the UNDAP.

Efficiency

It is assessed that, in the end, the efficiency was satisfactory in terms of budget delivery (budget utilization). Many activities had good and high quality. During the period under implementation, however, there were problems with the speed of converting inputs/means into activities and producing the outputs – which, again, points to the necessity of ILO matches the projects' human resources to the *nature and ambition of the projects* and monitors the progress closely.

Impact and sustainability

The overall impact of the Project in mainland in contributing towards increased labour law compliance, is assessed to be at a “medium” level. There is likelihood that the training events will leave impressions and change attitudes. It is also likely that the knowledge acquired will be sustained

which may lead to improved work performance and better systems to be developed. In Zanzibar, the overall impact is assessed to be “medium – high”. It is recommended that ILO Dar follows-up on developments regarding labour law compliance issues both in mainland and Zanzibar, aided by ILO UNDAP Coordinator and/or the ILO Labour Law official in order to maximise potential impact of what has been possible to achieve. The UNDAP commitments on labour law compliance should be honoured, a responsibility already embraced by the ILO Director.

Gender – a cross-cutting issue

It is acknowledged that the Project made attempts to bring gender issues to discussion with the constituents, although the specific awareness campaign was not undertaken. However, it appears that more could have been done to increase awareness and knowledge about gender issues in relation to labour law compliance and labour inspection themes.

It is recommended that ILO makes more efforts to ensure that its gender policy is applied and that Projects do not shy away from bringing up sensitive issues to discussion - although social, cultural and/or religious beliefs may persist that favour conserving gender roles and “traditional” norms. ILO should persist in encouraging gender equality and gender mainstreaming in its technical cooperation interventions and make more use of gender specialists and available gender tools (e.g. gender analysis/mainstreaming/auditing/budgeting)

Good practices

The evaluation has identified a few examples that qualify as good practices, such as joint training for mainland and Zanzibar; participatory and field-oriented training sessions for labour inspectors and others; thematic tripartite working groups; and incorporation of labour law issues in training of young entrepreneurs in the informal economy.

Lessons to be drawn

The necessity of acquiring political commitment, for a technical cooperation Project, such as the ILLC, should not be underestimated. An example is that once the new government was formed and the new Ministry leadership was in place with a strong commitment to the Project – Zanzibar moved quickly to produce results.

Project staff developed a Logical Framework Matrix after the start up of the Project (which should have been done before the launching and start-up) another lesson to be drawn from the ILLC Project.

A Mid Term Evaluation of the Project took place in July 2011. It had positive effects on the progress and achievements – however, it should have taken place eighteen months after the start of the Project as an independent evaluation, according to the Project Document. It is recommended that ILO ensure that these evaluations take place at Projects’ actual mid term and that they, preferably, are independent reviews. These are crucial events/processes and can help redirect activities, oversee the original plans and set new priorities. They can generally assist managers to sort out issues that may have arisen during the first part of the Project implementation.

Finally, it is recommended that, despite the shortcomings and some barriers faced in this particular Project, the ILO should continue to support the constituents and partners in mainland and Zanzibar. The momentum that was created in certain areas should be used, to further contribute to the establishment of systems that promote and reinforce labour law compliance. There is much more that could be accomplished – in the tourism industry, in plantations, in the field of small- and medium-scale entrepreneurship (informal economy) among other areas.

2 Context

The United Republic of Tanzania has a population of 43 million people, of which 1.3 million reside in Zanzibar. Zanzibar is autonomous in many respects, e.g. with a separately elected President and Government, its own political structure and judiciary. It also has some level of fiscal independence. Under the Constitution of the United Republic of Tanzania, labour and employment are not “union matters”, i.e. these matters are not administered at the union level, but independently by the mainland and Zanzibar, respectively. Mainland Tanzania and Zanzibar¹ thus have separate legislative, executive and judicial institutions in the area of labour, including different labour laws, Ministries of Labour, labour inspectorates, labour dispute resolution systems, trade unions and employer associations².

Tanzania has made significant progress in the past twenty years to achieve and maintain macro-economic stability, emerging as one of the best performers in Sub-Saharan Africa³. However, one-third of Tanzanians live below the poverty line (of 40 US cents). Tanzania’s Human Development Index (HDI) is 0.466, which gives the country a rank of 152 out of 187 countries with comparable data⁴. It is the 7th largest recipient of Official Development Assistance (ODA)⁵ hosting some 19 UN agencies, of which 14 are resident. The United Nations accounts for around 3.5% of the ODA, thus it is not a significant player in terms of aid contribution.

It is estimated that approximately 57 per cent of unemployed young Tanzanians in the mainland are women. Women face greater constraints in joining the labour force compared to young men due to factors related to low education and skills, socio-cultural attitudes and discrimination. Women also have limited opportunities to access productive resources, i.e. natural resources and capital⁶.

The UN Country Management Team made the decision to develop a single UN country plan for Tanzania and move from a strategic framework (United Nations Development Assistance Framework – UNDAF) to a single country programme (a UN Development Assistance Plan - UNDAF) covering 2011-2015⁷. The work of the International Labour Organisation (ILO) in Tanzania is, in turn, undertaken in the context of the United Nations’ work, within the “Delivering as One” framework⁸.

The United Republic of Tanzania has developed the Second National Strategy for Growth and Reduction of Poverty (NSGRP II, or the MUKUTA II⁹) covering the period between 2010-11 and 2014-15, intended to lead to the obtainment of the Millennium Development Goals (MDG).

The Decent Work Country Programme (DWCP)¹⁰ of Tanzania mentioned that, despite the important contributions made through SLAREA, insufficient institutional and human capacities of the concerned national authorities still existed and hindered effective compliance with and enforcement of the new legislation¹¹. The DWCP thus pointed to the need for continued strengthening of the tripartite institutions and social dialogue in the country, so as to enable further social and economic

¹ Revolutionary Government of Zanzibar (RGZ).

² Technical Memorandum United Republic of Tanzania labour administration and inspection audit, United Republic of Tanzania, LAB/ADMIN Labour Administration and Inspection Programme, Social Dialogue Sector, International Labour Office – Geneva, 2009 (“Audit report”).

³ <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/AFRICAEXT/TANZANIAEXTN/0,,hPK:261262~menuPK:258804~pagePK:141159~piPK:141110~theSitePK:258799,00.html>

⁴ Source: <http://hdrstats.undp.org/en/countries/profiles/TZA.html>

⁵ ODA 2008 figures, source: UN RCO, Dar es Salaam.

⁶ Improving labour law compliance in the United Republic of Tanzania, Project Document, p.3.

⁷ Source: Few Facts on Tanzania, UN RCO (a PPT).

⁸ Source: ILO office, Tanzania

⁹ In *Kiswahili*, also known as *Mpango wa Pili wa Kukuza Uchumi na Kuondoa*. MKUKUTA I covered 2005/06 – 2009/10.

¹⁰ Tanzania’s Decent Work Country Programme (DWCP) was signed in 2006, covering a 4-years period (2006-2010). In connection with the evaluation of the DWCP 2004-2010, social partners expressed appreciation for the work in Tanzania, and stressed that its earlier contributions led to the drafting and implementation of the labour laws ensuring decent work for all (acknowledging the fact that the SLAREA project was instrumental in this process). Source: Tanzania Decent Work Country Programme 2006-2010.

¹¹ The enforcement authorities were faced with obstacles such as “staff strength, poor training and insufficient equipment and materials” (source: ILLC Project Document).

development in Tanzania. Thus, this situation has formed the basis for the development of the ILO ILLC Project, which was also funded by USDOL.

The first Decent Work Country Profile for Tanzania (2010), indicated that the country is making good progress. It points out, however, that much more should be done, in terms of developing statistical indicators regarding the informal economy¹². Tanzania has a large proportion of people working in the informal economy with more than 90 percent holding jobs which are unregulated in law or in practice, as own-account workers or family workers¹³ (this, for instance, makes it difficult to give precise indications of the extent of law enforcement or compliance to the national labour laws in the country).

The International Labour Organisation (ILO) has implemented a technical cooperation Project in Tanzania and Zanzibar between 2009 and 2012. It was entitled *Improving labour law compliance in the United Republic of Tanzania* (herein named the Project, or the ILLC Project) and the US Labour Department (USDOL) provided the funds. It aimed at addressing the gaps that still hindered effective compliance with and enforcement of the new legislation (as mentioned in section 1.1), in order to provide support to the Government in its commitment and efforts towards productive economic development and decent work. The geographical coverage was Tanzania main land and Zanzibar.

2.1 Final project evaluation

A final evaluation of the ILLC Project was undertaken during May 2012 – as the Project was coming to an end on 31st May 2012. The evaluation is in line with ILO's regular procedures for technical cooperation projects/programmes. It is also in accordance with USDOL-ILO Cooperative Agreements Management Procedures and Guidelines¹⁴,

The main purpose of the evaluation is to provide an independent assessment of the project, assess the appropriateness of design as it relates to strategic and policy framework, to ascertain that project targets are achieved, identify constraints and successes, and ascertain to what extent the project impacted (negatively or positively) on the tripartite partners in Tanzania mainland and Zanzibar.

The evaluation covers all key outputs and outcomes of the Improving Labour Law Compliance project since its inception in Tanzania mainland and Zanzibar. The key stakeholders and intended users of this evaluation are mainly ILO, US Labour Department (USDOL), Government, employers and workers organisations in Tanzania mainland and Zanzibar.

2.2 This report

The report of the final evaluation consists of Part 1 (this main report) and Part 2 (annexes). **Chapter 1** is the Executive Summary. **Chapter 2** provides a context and a framework within which the ILLC project was operated and explains the purpose and scope of the evaluation. **Chapter 3** provides some basic facts on the Project, and **chapter 4** includes findings on project design, framework and a detailed account of the activities during the duration of the project between 2009 and 2012.

It is acknowledge that as much as possible it is desirable to assess what the Project managed to achieve in each of the entities, therefore, achievements are reported on in separate chapters (**chapters 5 and 6**). These chapters provide systematic accounts of the level of achievements and results against each Project output and immediate objective of the steering documents; the Project Document and Logical Framework. When accounting for the application of the evaluation criteria, the report addresses the overall project and mainland and Zanzibar separately when relevant and possible¹⁵ (**chapter 7**). This chapter includes an assessment of the validity of the design, effectiveness of the implementation, relevance and strategic fit, efficiency, impact and sustainability. It also looks into how the Project has managed to mainstream gender equality, and mentions some of the barriers to

¹² Decent Work Country Profile Tanzania (mainland), ILO 2010, "Preamble".

¹³ Ibid (Table 1, Chapter 1. Employment opportunities), ILO 2010.

¹⁴ *Source*: Terms of Reference.

¹⁵ Tanzania mainland and Zanzibar have not been separately reported on in any of the Project's Progress Reports covering 2009-2012 - neither has the Interim Assessment report made this separation/distinction - therefore, they are not reported on separately here.

successful implementation. Good practices and lessons to be drawn are also part of this chapter. Conclusions and recommendations are found in **chapter 8**.

3 The evaluated Project

The main target groups for the ILLC Project were Government officials in the Ministries of Labour¹⁶, and representatives of employers' and workers' organizations in mainland Tanzania and Zanzibar¹⁷. The Labour Court and Commission for Mediation and Arbitration in Tanzania mainland were stakeholders to the Project; while in Zanzibar, the Industrial Court and Dispute Handling Unit were project stakeholders.

Other partners/stakeholders were¹⁸:

- ILO Projects in Tanzania mainland, e.g. Youth Entrepreneurship Facility (YEF)¹⁹ and its partners and *Kazi Nje Nje* beneficiaries among other men and women beneficiaries of the project activities); and
- Resident Coordinator's Office (RCO) representing "One UN" in Tanzania, UNICEF, Fair Work Australia and the private sector, such as national and international external consultants who undertook specific assignments for the Project.

The Project built on the achievements of the government, social partners and previous ILO technical assistance in Tanzania mainland, and in particular, on the experience from the ILO-executed project for "Strengthening Labour Relations in East Africa" (SLAREA), mentioned above, which operated between 2001 and 2005. This Project was also funded by the US Labour Department (USDOL)²⁰ and addressed major gaps in legislation - in view of the ratification and implementation of ILO's fundamental conventions, notably in relation to Freedom of Association and Collective Bargaining.

Among its contributions, SLAREA was instrumental in the process that led to the adoption of the Employment and Labour Relations Act and the Labour Institutions Act in 2004 for mainland Tanzania, and the Employment Act and Labour Relations Act in 2005 in Zanzibar.

The Project commenced on 1st June 2009, when the Chief Technical Advisor (CTA) took up his post, and ended on 31st May 2012. The project had a small team consisting of the CTA, a Finance and Administrative Assistant, and a Driver. A position as National Project Coordinator (NPC) was filled for two periods, of around four months each, both of which were part time positions (50 per cent), during March-June 2010 and June-Sept 2011. The position of Secretary/Admin Assistant was only filled for April and May 2012. The CTA reported to the Director of the ILO Office for East Africa. Two interns were attached to the Project in 2011, financed at low cost by the Project.

The DECLARATION Programme²¹ at ILO Headquarters in Geneva, assumed the overall management and financial responsibility, including approving project work plans, budget revisions and expenditure, as necessary. DECLARATION was also responsible for liaising with the donor (the US Labour Department). The Bureau for Employers' Activities (ACTEMP), the Conditions of Work and Employment Branch (TRAVAIL), Social Dialogue, as well as the International Programme for the Elimination of Child Labour (IPEC) (the latter to a lesser extent) were other units at ILO Headquarters that provided technical backstopping when requested. Technical support was also received from ILO specialists in the regional (Addis Ababa) and DWT (Pretoria) offices, including

¹⁶ In Tanzania mainland: Ministry of Labour and Employment. In Zanzibar: Ministry of Labour, Economic Empowerment and Cooperatives (MLEC):

¹⁷ Source: Terms of Reference, p. 1.

¹⁸ NGOs have not played any crucial role in the Project, according to the CTA.

¹⁹ The ILO Youth Entrepreneurship Facility (YEF) is run in partnership with the Africa Commission and the Youth Employment Network. A key project component aims at making sure that potential and existing young entrepreneurs have access to business development services (BDS). To this end, YEF has created the "Kazi Nje Nje!" (KNN) network of youth-to-youth BDS providers, in order to build capacity for youth entrepreneurship. The KNN network has received praise from the highest levels of the Tanzanian government.

²⁰ The ILLC project, from the point of view of USDOL, was partially meant to maximize gains made under the SLAREA Project (source: USDOL representative).

²¹ Adopted in 1998, the ILO DECLARATION on Fundamental Principles and Rights at Work is an expression of commitment by governments, employers' and workers' organizations to uphold basic human values - values that are vital to our social and economic lives.

the Specialists for Employers activities, ILS, and Social Dialogue and Labour Administration. International Training Centre (ITC) in Turin carried out training²².

The US Labour Department (USDOL) contributed USD 1.7 m (USD 1,710,000) to the Project, while the national constituents contributed in kind. At the time of the final evaluation in Tanzania mainland and Zanzibar (in May 2012), the project expenditures and commitments amounted to USD 1,655,77, of the total budget. It was estimated that the rate of delivery at the final closing of the Project to nearly 97 per cent.

²² Training of Trainers was undertaken on conciliation/mediation of labour disputes in 2012.

4 Project design, framework and key activities

4.1 Design

The section evaluator refers to the design and rationale of the overall ILLC Project, with information drawn from the Project Document and Logical Framework Matrix²³ (here referred to as the logframe) - the main steering documents for the ILLC Project.

The **development (long-term) objective** is defined as “Improved Labour Law Compliance in Tanzania.

There are **three immediate objectives**:

1. Increased knowledge among employers and workers of rights, obligations and services under national labour laws;
2. Increased effectiveness of the labour administration/inspection system that includes compliance with the Employment and Labour Relations Act and the Labour Institutions Act of 2004 for mainland Tanzania mainland and the Employment Act and the Labour Relations Act of 2005 for Zanzibar; and
3. Increased ability to collect and analyze Labour Market Information related to labour relations.

The Project intended to produce **ten outputs**, jointly with its Partners, through the undertaking of a number of activities. These are:

1. Public information and awareness raising campaign;
2. Employers and workers and their representatives at the central and regional levels trained on the labour laws;
3. A system of voluntary self-evaluation tested and implemented;
4. An audit of the structure of the labour administration/labour inspection systems following principles of C. 81 and C.129 and C.150;
5. Strengthened central authority for labour administration/labour inspection system in mainland and Zanzibar, as well as strengthened regional level authorities;
6. The administrative career path for the labour administration reviewed and enhanced;
7. The capacity and efficiency of the labour inspection officers to conduct inspection strengthened;
8. Increased effectiveness of the Labour, Economic and Social Council and the Labour Advisory Board in Zanzibar;
9. Increased effectiveness of other labour institutions (CMA, Dispute Handling Unit, Labour and Industrial Courts); and
10. Establish a national registry of enterprises in both Ministries of Labour.

²³ This is the version included in the ILO-USDOL interim assessment report, December 2011, which DECLARATION provided the evaluator.

Below is the Logical Framework Matrix²⁴ (the version that was included in the Interim /Mid-Term assessment report, 2011):

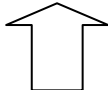
Development Objective	Improving Labour Law Compliance in Tanzania
	
Immediate Objectives	Outputs
IO. 1: Increased knowledge among employers and workers of rights, obligations and services under national labour	1.1 Public information and awareness raising campaign. 1.2 Employers, workers and their representatives at the central and regional levels trained on labour laws. 1.3 A system of voluntary self-evaluation tested and implemented.
IO.2: Increased effectiveness of the labour administration/inspection system that includes compliance with the Employment and Labour Relations Act and the Labour Institutions Act of 2004 for mainland Tanzania and the Employment Act and the Labour Relations Act of 2005 for Zanzibar.	2.1 An audit of the structure of the labour administration/labour inspection systems following principles of C. 81 and C.129 and C.150. 2.2 Strengthened central authority for labour administration/labour inspection system in mainland and Zanzibar, as well as strengthened regional level authorities. 2.3 The administrative career path for the labour administration reviewed and enhanced. 2.4 The capacity and efficiency of the labour inspection officers to conduct inspection strengthened. 2.5 Increased effectiveness of the Labour, Economic and Social Council and the Labour Advisory Board in Zanzibar. 2.6 Increased effectiveness of other labour institutions (CMA, Dispute Handling Unit, Labour and Industrial Courts).
IO. 3: Increased ability to collect and analyse Labour Market Information related to labour relations	3.1 Establish a national registry of enterprises in both Ministries of Labour.

Figure 1. Project Strategic Framework (Immediate Objectives and Outputs)²⁵

4.2 Stakeholders, committees and working groups

4.2.1 Tanzania mainland

The main stakeholders of the Project in the mainland were Ministry of Labour and Employment (MoLE), Commission for Mediation and Arbitration (CMA), Labour Division of High Court, Association of Tanzania Employers (ATE), Trade Union Congress of Tanzania (TUCTA) and trainers/trainees (beneficiaries and Project partners) of constituents and Partner organisations.

The PAC in mainland constituted representatives of the constituents²⁶:

- Ministry in charge of Labour

²⁴ See section 6.4 for an assessment regarding validity of the Project design.

²⁶ Source: Terms of Reference PAC Tanzania mainland.

- Chair of the Labour, Economic and Social Council (LESCO)²⁷
- Judge of the Labour Court division of the High Court of Tanzania
- Commission for Mediation and Arbitration (CMA)
- Association of Tanzania Employers (ATE)
- Trade Union Congress of Tanzania (TUCTA), and
- Permanent Secretary, Office of the President – Public Service Management

4.2.2 Zanzibar

The main stakeholders of the Project in Zanzibar were Ministry of Labour and Economic Empowerment (MLEC), Dispute Handling Unit (DHU), Zanzibar Employers association (ZANEMA), Zanzibar Trade Union Congress (ZATUC) and trainers/trainees (beneficiaries and Project partners) of constituents and Partner organisations.

The PAC in Zanzibar, constituted representatives of the constituents and partners mentioned above, with the Minister of MLEC as chair.

4.3 Committees and working groups

4.3.1 Project Advisory Committee

The Project Document stipulated that in order to ensure a smooth functioning of the project, a “coordinating mechanism” in the form of a Project Advisory Committee (PAC) would be established in mainland Tanzania and in Zanzibar²⁸. Two PACs were thus established, composed of representatives from the respective tripartite constituents and chaired by the Ministers of Labour, or appointed representatives. The initial intention was that the committees would meet every six months (twice per year). Later it was decided that they would meet quarterly, with the purpose of guiding the project in its activities, as well as maintaining the partners’ engagement – in particular the high level officials who were members. In total, nine PAC meetings were undertaken.

It is noted that the PACs were assigned advisory roles, namely to²⁹:

Provide general guidance and support to Project in the execution of the Project work plan and serve as advocates in promoting the Project and its goals; review strategy and work programmes of the Project; and In light of relevant developments, make recommendations for the enhancement of the Project and achievement of its objectives³⁰.

4.3.2 Tripartite working groups

In addition to the PACs, the Project formed two tripartite working groups. The first group was the *Working Group on Labour Inspection*, which met for the first time in late 2010, with the task of drafting a national training strategy for labour inspection. This group met 5-7 times. The second group formed by the project was the *Working Group on Communications and Awareness Raising*, which met around 4-6 times. The task of this Group was to discuss and endorse the work on the *Dala Dala* activities (one of the activities that had to be cancelled).

4.4 Mid-Term Assessment

A joint USDOL-ILO mid-term assessment of the ILLC Project was conducted in Tanzania in July 2011³¹ that included field consultations with all the key project stakeholders. This was which was later than planned, a fact that has been acknowledged by ILO and USDOL. The purpose was to carry out an in-depth analysis of the implementation in order to improve, where necessary, the project performance and sustain its achievements. The assessment team presented its report in Tanzania in

²⁷ The LESCO chair did not attend PAC meetings, despite being invited (source: Written comment by CTA).

²⁸ Source: Project Document (PRODOC) - the key Steering Document for the Project.

²⁹ Source: Terms of Reference of the PACs.

³⁰ Ibid.

³¹ Source: Report on Interim assessment, December 2012.

December the same year. This was about five months after the mission had taken place, by which time *approximately five months only remained for the Project to implement recommendations emanating from the assessment*. Ideally, this would have been a good time for the Project's CTA to start consolidating its achievements and prepare for an exit strategy.

4.4.1 Salient points made by the assessment team

In order for the reader to appreciate the efforts of the ILO-USDOL in helping improve Project performance, these are the salient points included in the December 2011 report (recommendations and conclusions are not clearly separated under sub-headings)³²:

- The project design remains relevant and valid;
- The project design allows some good flexibility to cope with emerging technical and human resources needs;
- Direct and ultimate beneficiaries considered project activities of good quality;
- National constituents expressed their continued commitment to the project. In the same section/paragraph it emphasised that the project should give urgent priority to revisit with key stakeholders the importance of continuing commitment to the planned programme of activities;
- Delivery is the primary concern of this project and in the same section emphasises that the project management must develop a greater sense of urgency about the need to carry out project activities within the planned timeframe; and the project must urgently re-evaluate its progress in completing all activities envisaged in the PRODOC, against the original planned timeline;
- At this stage, and with the very low implementation rates registered for some of the objectives, the project will not be able to deliver all the technical assistance planned in the PRODOC. The revised project work plan should reflect project priorities from now until its closure in May 2012. This paragraph also emphasised that the “project must give urgent priority to conduct the planned public awareness raising campaigns, agree with the Ministries on a set of activities for the labour inspection to be included in the revised work plan and continue to develop and support the implementation of training programmes on labour laws”;
- Areas for project management improvement: The project team has insufficiently performed in the following areas: communication with stakeholders, responsiveness to implementation challenges, and timely delivery of funds for social partners' activities under the project. Part of these challenges can be explained by insufficient human resources available to the project. Others are attributable to inadequate planning of activities and management of ILO administrative processes.
- Monitoring and overseeing: In order to improve the overseeing of the project, weekly conference calls with the CTA and ILO/DECLARATION³³, and when possible the donor, will be conducted to ensure that the project is on track in delivering its activities in the remaining period. The CTA should submit a revised work plan based on the discussions during the interim assessment and a proposal for a budget revision.

4.4.2 Progress identified by the team

Despite the shortcomings and gaps identified, the team determined that there was “considerable progress” with regard to some of the envisaged outputs³⁴. The achievements are not clearly linked to the outputs/ objectives in the Project Document/Logical Framework. In the listing below the linkage

³² Source: Terms of Reference. For more details see the Interim Assessment report.

³³ These weekly follow-up communications were put in place by DECLARATION and the donor to remedy the situation - which did have a positive impact on project's delivery (source: Comments from DECLARATION on the first draft final evaluation report, July 2012).

³⁴ Source: Interim assessment report, page 8, paragraph 15.

has been made by inserting the output numbers and the objectives that they are intended to lead to, for ease of reference (*in italics*):

Public information and awareness-raising campaign (*Output 1.1, under immediate objective 1. “Increased knowledge among employers and workers of rights, obligations and services under national labour laws”*):

- Consultations on key problems in labour law compliance;
- Establishment of tripartite Working Group on Communication and Awareness-Raising; and
- Ongoing development and production of information tools, such as a Comic Book on key points of the labour legislation for young entrepreneurs and workers and brochures on the services provided by the Commission for Mediation and Arbitration.

Employers and workers and their representatives at the central and regional levels trained on the labour laws (*Output 1.2, under immediate objective 1*)

- Establishment of Labour Law Trainers Network among social partners, with TOT (Training of Trainers) provided on training techniques, labour laws, social dialogue, joint union/management negotiation;
- Establishment and ongoing support to social partners’ labour law training programs (over 600 employers and workers trained), including consideration of sustainability issues;
- High-level trainings for leaders of employer association and trade unions on freedom of association, rights to organize and bargain collectively and social dialogue; and
- TOT on labour laws for youth (via Kazi Nje Nje youth BDS providers).

Audit carried out in collaboration with the Ministries of Labour (mainland and Zanzibar) and ILO-LAB/ADMIN, and published by ILO, of the structure of the mainland and Zanzibar labour administration and labour inspection systems³⁵ (*Output 1.1, under immediate objective 2: “Increased effectiveness of the labour administration/inspection system that includes compliance with the Employment and Labour Relations Act and the Labour Institutions Act of 2004 for mainland Tanzania mainland”*)

- Audit carried out and published;
- Presentations made to very senior officials in the Ministries of Labour; and
- Recommendations proposed; some accepted.

Strengthened central authority for labour administration/labour inspection system in mainland and Zanzibar, as well as strengthened regional level authorities (*Output 2.2, under immediate objective 2*).

- Agreed priorities for drafting of regulations under auspices of Labour Advisory Board in Zanzibar; and
- Training for MoL and tripartite representatives to strengthen capacity on international labour standards, supervisory bodies and reporting on ILO conventions.

The capacity and efficiency of the labour inspection officers to conduct inspection strengthened (*Output 2.4, under immediate objective 2*):

- National Training Strategy for Labour Inspection being developed (currently in draft form) under the auspices of the tripartite Working Group on Labour Inspection.

³⁵ This should have been named correctly as “Output 2.1 An audit of the structure of the labour administration/labour inspection systems following principles of C. 81 and C.129 and C.150” in accordance with the Project Document/Logical Framework.

Increased effectiveness of the Labour, Economic and Social Council and the Labour Advisory Board in Zanzibar (*Output 2.5 under immediate objective 2*)

- Training provided to LESCO and LAB members on social dialogue, tripartism and Convention 144 on Tripartite Social Consultation;
- Consultations with LESCO, high-level representatives from social partners; and
- High-level training for tripartite leaders on international labour standards, tripartism and social dialogue.

Increased effectiveness of other labour institutions (CMA, Dispute Handling Unit, Labour and Industrial Courts) (*Output 2.6, under immediate objective 2*)

- Training on labour dispute resolution (mediation and arbitration) for CMA and DHU officials;
- Training on Case reporting, digesting and dissemination of jurisprudence for officials from CMA, DHU and Labour/Industrial Court;
- Training for Labour Court and other members of the High Court and Court of Appeal on international labour standards;
- Assisted in the development and publication of guide to CMA jurisprudence and awareness-raising brochures; and
- Technical assistance and provision of hardware to develop and publish a compilation of Labour Court decisions.

4.4.3 Observations by the final (independent) evaluation

There are three outputs that are not mentioned in the listing above in the assessment report, and it is understood here that this is because no, or few, activities were identified at the time that would lead to these outputs. They are:

Output 1.3 under objective 1: “A system of voluntary self-evaluation tested & implemented;

Output 2.3 under objective 2: The administrative career path for the labour administration reviewed & enhanced; and

Output 3.1 under objective 3: National registry of enterprises in both Ministries of Labour established.

According to the interim assessment, there were some activities undertaken by the Project, which had not been included in the PRODOC. These were:

- Implementing regulations on child labour and apprenticeships (with particular focus on labour inspection) drafted by tripartite-plus task force; and
- Jointly supported (jointly with JP2) development of a checklist on maternity protection.

4.5 Overall Project activities and events 2009 – 2012

The activities narrated below summarise the Project activities and are drawn from 11 Progress Reports³⁶ submitted to the ILO and donor agency between June 2009 and end of May 2012³⁷.

³⁶ Project quarterly Progress Reports (quarterly): June – 30 September 2009; 1 October – 31 December 2009; January – 31 March 2010; 1 April – 30 June 2010; July – September 2010; October – 31 December 2010; January – 31 March 2011; April – 30 June 2011; 1 July – 30 September 2011; 1 October – 31 December 2011; 1 January – 31 March 2012.

³⁷ Sources: i) Most of the information derives from ILLC Progress Reports 2009-2010. To the knowledge of the evaluator, no report on the activities and accomplishments during the last quarter April-May 2012 (as this was not requested by DECLARATION) and no final report has been produced/received to date. The evaluator has attempted to capture the events through discussion with the CTA and consultations with stakeholders.; ii) other sources are consultations with the CTA and

2009 start-up

In 2009, the ILO-USDOL representatives carried out a mission to Tanzania go over the Project document with the constituents, gather their inputs and agree on a final project document (the first USDOL visit was during an earlier, preparatory stage).

In the first six months the project office was set up to operate from the ILO building in Dar-es-Salaam. Support staff members were engaged and equipment procured. Contacts were made with the constituents, including the Ministries of Labour, the Employers and Workers organisations, in Tanzania mainland and Zanzibar. The Project also established contacts with the US Embassy and other development partners working in related areas, such as the World Bank and DfID for issues regarding private sector development, and Danida regarding programmes that support labour institutions and business environment, aiming at strengthening and reforming the legal sector.

Two Project Advisory Committees were formed and launched on the mainland and Zanzibar, respectively. The Project carried out an Audit (or Review) of the labour administration and labour inspection systems in mainland Tanzania and Zanzibar, which was recognised to be used both as a baseline and an implementing tool. The overall aim was to help both Tanzania and Zanzibar to improve their labour administration and inspection services and to draw up action plans for the implementation. It was submitted to the Ministries of Labour whose officials reviewed and endorsed it. This provided a basis for further work with the two labour institutions.

A Labour Law Trainers Network (LLTN) was formed and training events were undertaken for social partners, namely on labour laws for Employers and Workers organisations on the mainland and Zanzibar. Labour institutions and social dialogue bodies also participated in training and workshops organised by the Project. These are the Labour, Economic and Social Council on the mainland and the Labour Administration on Zanzibar; the labour inspectorate and labour dispute resolution bodies i.e. the Commission for Mediation and Arbitration and Labour Court on the mainland; and Dispute Handling Unit (DHU)³⁸ and Industrial Court on Zanzibar.

Due to circumstances surrounding an industrial relations crisis and the 2010 national elections, a number of activities were postponed and/or delayed.

2010 events

During the period **January to June**, emphasis was placed on setting the LLTN and the social partners' training plans in motion. The project provided further Training of Trainers for 24 members of the LLTN and supported labour law training activities, reaching an additional 164 workers and employer representatives. An agreement with TUCTA and ATE on joint activities to promote negotiation and collective bargaining was reached. The audit report was finalized and sent for publication. On Zanzibar, the project facilitated an agreement between the Labour Commissioner and the Director of Public Prosecutions with the aim of empowering the Labour Commission to enforce the labour laws. The activities planned with TUCTA and the Government were slowed by tense industrial relations in the public sector.

During **July to September**, the project continued to support the LLTN and the labour law trainings run by employers and workers. The project also organized trainings and consultative workshops that were primarily for government officials on international labour standards and reporting to ILO supervisory bodies, and on the development of a training strategy for labour inspection. In total, 299 participants attended training. On Zanzibar, staff members from the Labour Commissioner were seconded to the Director of Public Prosecutions, with the aim of certifying selected labour officers as public prosecutors – intended to lead to their certification as public prosecutors and to empower the Labour Commission to enforce the labour laws. Agreements were also made on training activities with the involved stakeholders.

ILO officials. It should be noted that the ILLC Progress Reports did not separate events under mainland and Zanzibar under dedicated headings.

³⁸ The DHU is a separate unit within the Labour Commission, of MLEC.

Activities with TUCTA and the Government were reportedly further delayed, for the same reasons as mentioned above. This affected the public information/media campaign on worker rights in particular and the involvement of the Government regarding regulatory, institutional and policy reforms.

During **October to December**, the project organized trainings and consultative workshops primarily for government officials on labour inspection, regarding a training strategy and tools for including maternity protection in labour inspection. Training also involved members of the judiciary on international labour standards. For the labour dispute resolution bodies (CMA, Labour Court on the mainland, and Dispute Handling Unit and Industrial Court on Zanzibar) training was organised on “comparative approaches to digesting and disseminating jurisprudence”. In total, 298 participants attended training.

Following the elections both the mainland and Zanzibar Ministries in charge of Labour were re-organized. New Ministers and senior managers (Principals/ Permanent Secretaries) were appointed. The Zanzibar LAB was dissolved (but with no new appointments at this stage). The Judge of the Industrial Court Judge was re-assigned with no new appointment made. The project continued to report delays, for the same reasons as mentioned above.

2011 events

During the **first six months in 2011**, the Project organised training for youth entrepreneurs on labour laws, jointly with the ILO Project entitled Youth Entrepreneurship Facility (YEP). Training events also involved labour dispute resolution for the CMA in Tanzania mainland; the Dispute Handling Unit and partners on Zanzibar; as well as the Labour Court (mainland) and Industrial Court (Zanzibar). Training also involved dispute resolution practitioners from the Tanzania mainland social partners (ATE and TUCTA).

In the second half of the year, in July and December 2011, a **Mid-Term Assessment team visited the Project**³⁹; with the actual assessment work undertaken in July and the presentation of the report in December. The assessment team consisted of one representative from USDOL and one from ILO DECLARATION Programme, ILO Headquarters, responsible for the Project. The purpose was to carry out an in-depth analysis of to improve project performance and sustain its achievements. The report was presented in December the same year.

During this period the Project trained 114 labour officers in Tanzania mainland and Zanzibar on modern labour inspection techniques. Related activities were revision and development of labour inspection forms and other tools for labour inspection⁴⁰. Training was also organised involving all twelve sectoral Minimum Wage Boards in mainland Tanzania, covering the applicable law, minimum wage concepts and negotiation skills (94 trainees). Social partners were supported to deliver labour law training programs to workers and employers, reaching 470 participants. The Employers on Zanzibar was supported to undertake a final session of Labour Law training. Training was also undertaken on mediation, arbitration and the jurisprudence of the CMA for 308 tripartite representatives (212 male, 96 female) in eight regions on Tanzania mainland. Both CMA and (mainland) and DHU (Zanzibar) officials were involved in a Training of Trainers workshop on Conciliation and Mediation of Labour Disputes. Other training was organised for members and Secretariat staff of Zanzibar’s LAB including assistance in preparing an Action Plan.

PAC meetings were held on Tanzania mainland and Zanzibar. On Zanzibar, the Project also contributed to the drafting of regulations regarding child labour and apprenticeships, jointly with other ILO projects, with focus on labour inspection. Meetings were held with Working Groups on Labour Inspection (regarding the development of a national training strategy for labour inspection and other activities). Assistance to the Labour Court (mainland) was provided regarding an electronic filing system for Labour Court judgments and to CMA in finalizing a Guide on decisions/jurisprudence from 2007-2009. It also assisted the Labour Court to compile scanned judgments from 2010 into a bound volume and developed and tested a prototype electronic Rulings Management System.

³⁹ See the Interim Assessment report, ILO, December 2011. For details of the report, see section 3.3

⁴⁰ This included checklist, compliance order forms, and internal reporting forms (Project progress report, Jan-June 2011).

The Project also supported the Ministry of Labour and social partners to finalize and submit regulations on child labour and apprenticeships⁴¹. Various materials were developed (brochures, comic book, television programming). During this period it was announced that twenty labour officers on mainland Tanzania had been certified as public prosecutors. In Zanzibar four labour officers were certified as prosecutors last year, the Labour Commission successfully prosecuted its first two cases. Capacity building for the prosecution function was thus discussed with the Ministries of Labour. Other activities undertaken in this period were tripartite workshops on promoting Freedom of Association and Collective Bargaining⁴² and on developing successful media strategies; Revision and piloting of awareness-raising materials (“comic book”) aimed at explaining labour laws to youth, and preparation for publication of other materials (compilations of Labour Court decisions, explanatory brochures among others).

2012 events

During the period January – March 2012⁴³, the Project supported ZATUC and ZANEMA (training on labour laws at selected workplaces, including 240 workers and managers)⁴⁴.

Among the activities reported in this period was training held in the mainland and in Zanzibar for labour officers, which included advanced Training on Trainer skills, as well as field-based practical instructions in labour inspection techniques (10 labour officers from Zanzibar). An experienced international consultant organised and undertook the training (earlier engaged several times). The training included field visits and inspections of enterprises, such as rubber and sugar plantations, a hotel and factories. Underpayment of wages was detected in the rubber plantations. The visit resulted in all payment of minimum wages to all 309 workers and was covered by TV and print media. It was expected that this media coverage would have an impact particularly on employers’ awareness.

In February, the project trained officials of Zanzibar’s Labour Commission and DHU on establishing a registry for tracking labour disputes filed at the DHU. The training workshop was attended by 14 government officials (9 men, 5 women), and resulted in the development of a pilot registry database. Six DHU mediators and arbitrators took their Oath of Office in March, a ceremony attended by the Minister for Labour, Principal Secretary and senior members of the Judiciary and covered in the local media. The Chief Justice and Registrar worn in the mediators and arbitrators at the Zanzibar High Court. PAC meetings were held both in mainland and in Zanzibar.

The Project also supported CMA (mainland) on tripartite training workshops, targeting around 250 workers. The aim was to build capacity and skills among stakeholders on mediation and arbitration. The Case Management Guide was disseminated in these events (which the project earlier helped CMA to develop and publish). CMA was also supported in the development of a Dispute Prevention and Resolution Training Guide. The ILO assisted with a technical review of the Guide.

The independent final evaluation was undertaken in May, and the Project officially closed ended on 31st of May 2012. The final evaluation has attempted to determine which of the planned outputs of the Project’s Logframe could be determined as “produced” (chapters 4 and 5). In so doing, it was noted that that some outputs were cancelled (should not be pursued) as it was assessed by the Interim Assessment to be unlikely that the Project would implement them successfully.

4.5.1 CTA’s reporting in the last PAC Meeting on 22nd May 2012

The evaluator attended the last PAC meeting, held in Zanzibar on 22nd May 2012. This was a **joint meeting with the committees from both mainland and Zanzibar**. At the end of the meeting the CTA confirmed to the participants that the following had been undertaken, some of which had taken place during the two months prior to the meeting⁴⁵.

⁴¹ This was done through cost sharing with other ILO projects.

⁴² This was done in cooperation with ITC-ILO and a Norwegian-funded project on Freedom of Association and Collective Bargaining (FACB).

⁴³ April and May 2012 have not been covered in any Progress report in 2012 (to the knowledge of the evaluator).

⁴⁴ Project Progress report January – March 2012.

⁴⁵ Source: Powerpoint by CTA. This information is included here, even though there may be some repetition - as no final report exists, and no progress report covering April and May 2012.

Tanzania mainland

Produced

- A CMA Case Management Guide vol. 1, and a CMA Dispute Prevention and Resolution Training Guide produced. Preparations for publication and CMA Case Management Guide vol. 2 – technical review and finalization of draft;
- An Annual Labour Inspection report;
- A technical review of draft Regulations for Essential Services Committee;
- Labour Court case reports and databases.

Tripartite training conducted

- ATE training for Private Security Sector & Small and Medium-scale Entrepreneurs (SMEs);
- TOT in Labour Inspection (15 Labour Officers);
- Field/Practical Instruction in Labour Inspection;
- Training for Secretariats of Tripartite Bodies (March 2012) for officials supporting LESCO, Wage Boards, ESC; and
- High Level Dialogue meeting (Mainland & Zanzibar in Arusha) focused on social dialogue, labour laws.

Other training both in Tanzania mainland and Zanzibar

- Employers and workers and their representatives at the central and regional levels trained on the labour laws; and
- Finalization of draft tools – checklists, compliance orders, internal reporting forms, training strategy, guidelines.

Other activities/products

- The project worked with the ILO staff and UN counterparts to include the project objectives and activities in the UNDP, believed to open up opportunities for cost-sharing or supplementary funding from the One UN fund and place labour law issues firmly within a wider UN context – still within the framework of the Decent Work Agenda.
- Implementing regulations on child labour and apprenticeships (focus on labour inspection), by tripartite-plus task force⁴⁶.
- Jointly with JP2, the Project prepared checklist on labour inspection of maternity protection issues, for Labour Inspectors (according to the CTA, MoLE acknowledged this in December 2011⁴⁷).

Zanzibar

“Products” of the Project presented as recent (no dates provided) at the last PAC meeting on 22nd May 2012:

- Brochures on DHU;
- Comic book (a cartoon), Kiswahili Labour Laws (Zanzibar), additional brochures (not finalised);
- Preparation of Industrial Court case report, database; and

⁴⁶ According to the CTA, MoHSW acknowledged this in May 2012. The evaluation has not received information whether or not it has been *gazetted*, as such, by the Ministry.

⁴⁷ The CTA has commented that this, although not specifically mentioned in the Project Document, however, the it is indicated that this activity could be encompassed in regards to providing technical assistance in the development and revision of forms, checklists” (source: CTA’s written comments on the draft evaluation report, ILLC project)..

- How to engage with Media, Skills for using the media effectively; Media coverage of labour inspection; Development of customized media strategies for partners

Tripartite training

- ZATUC-ZANEMA workplace-level training on labour laws;
- TOT in Labour Inspection (10 participants in Zanzibar, 10 in Pemba);
- Field/Practical Instruction in Labour Inspection in Zanzibar, Pemba;
- Training for LAB on ILS and Domestic Workers (in cooperation with ILO-HQ/TRAVAIL): and
- High Level Dialogue meeting (Mainland & Zanzibar in Arusha) focused on social dialogue, labour laws.

Training involving both Tanzania mainland and Zanzibar

- Employers and workers and their representatives at the central and regional levels trained on the labour laws; and
- Finalization of draft tools – checklists, compliance orders, internal reporting forms, training strategy, guidelines.

The CTA informed the meeting that some tasks were yet to be done by the constituents, and were possible areas where UNDAP could assist partners in labour law and related activities. These were not part of the project's PRODOC or work plan, as such, and their implementation/support from the Project was *conditioned to the availability of funds and time*:

- Enforcement/Prosecutions training; and Publication of CMA Case MG volume 2;
- Labour Court case reports 2011, an example of an output that was not planned. The Court had committed to producing the 2011 report by itself – and the project was only supposed to assist with the 2010 report - but was asked to provide further assistance; and
- Labour Court Law Report (2007-2011), a DHU study tour to Lesotho, and a DHU review meeting.

5 Tanzania mainland: Achievements against plans

5.1 Increased knowledge of labour laws (IO.1)

1.1 Public information & awareness-raising campaign

Planned activities to lead to this output included mapping, design strategy, training & media tools. However, media the planned tools and engagement with the daily *Daladala* TV show, could not be produced/take place as planned, as the Permanent Secretary, MoLE (mainland) informed the ILO that MoLE did not support moving ahead with the pilot. Consequently, the Interim Assessment also recommended that the Project should not pursue the activities.

This output (the campaign) was, thus, not achieved and was subsequently dropped after the Interim Assessment in 2011. However, the Project carried out awareness raising activities and produced tools (such as “Put your message to Work”); trained its stakeholders on communication strategies, developed a comic book, translated labour laws into *Kiswahili*, - which all contributed to increased awareness and understanding on labour laws among constituents and partners (*source*: ILO DECLARATION).

1.2 Employers, workers & their representatives at the central and regional levels trained on the labour laws.

This output was achieved as training was carried out, including the training of trainers, and training plans were developed, technical reviews and adjustments (see Annex VIII. ILLC capacity building/training activities for details).

1.3 A system of voluntary self-evaluation tested & implemented.

This output was not achieved, as it was dropped after the Interim Assessment in 2011. The activities that were intended to lead to this output included adapting ILO’s experiences from other countries, and “evaluating the evaluation system”.

5.2 Increased effectiveness of the labour administration (IO.2)

2.1 An audit of the structure of the labour administration/labour inspection systems following principles of C. 81 and C.129 and C.150.

This output is assessed as only partially achieved. The audit⁴⁸ (review) of labour administration and inspection services carried out, and finalised in 2010, in collaboration with MoLE and published by ILO. Presented to senior officials in the Ministry, and some recommendations endorsed (ToR, p. 7). However, no Action Plan to follow the audit was developed. Repeated attempts to meet with Ministry officials to develop action plans were delayed until after the elections (Oct 2010) and formation of a new Government (Dec 2010) and appointments (Jan-Mar 2011). Eventually, USDOL and ILO DECLARATION recommended to drop the idea of a comprehensive action plan, and to develop plans only for specific components.

2.2 Strengthened central authority for labour administration/labour inspection system as well as strengthened regional level authorities.

The output was not achieved. It was dropped after the Interim Assessment in 2011. No activities took place and there was lack of interest by MoLE. This was an ambitious output as the *planned activities themselves qualify as proper outputs* such as: A national policy & strategy; internal regulations; rules and guidelines on the revised systems; training

⁴⁸ This audit of Tanzania’s labour administration and inspection services was undertaken during the period of September – November 2009. It covered mainland Tanzania and Zanzibar. The draft report was discussed and validated with the mainland and Zanzibar governments in February 2010. The overall aim of the audit was to help both jurisdictions improve the effectiveness and efficiency of their labour administration and inspection services and to draw up action plans for implementing these improvements (http://www.ilo.org/labadmin/what/pubs/WCMS_144184/lang--en/index.htm)

programme for MoLE⁴⁹ etc. It has been confirmed, though, that rulings management system was developed, which was part of this work.

2.3 *The administrative career path for the labour administration reviewed & enhanced*

Improving labour law compliance entails that the labour administration authorities in charge of this task have the adequate capacity to do so. In many countries, this capacity is undermined by ineffective career paths⁵⁰. However, despite the fact that this was part of the recommendations of the audit (endorsed by the Government) this output could not be achieved and seemed not, in reality, to attract the interest of the Government. Thus, the output was subsequently dropped after the Interim Assessment in 2011. The activities originally planned included developing a proposal for MoLE and promoting (advocating) it to relevant Government bodies, *as well as dissemination of the new regulations*. The ILO in Dar, and the CTA, assessed that this after all was not realistic and was a task that would belong to the Public Service Management, under President's Office.

2.4 *The capacity & efficiency of the labour inspection officers to conduct inspection strengthened.*

The output was achieved as practically all Labour Inspectors trained. 1) Training on labour inspection, 2) Field - practical skills, 3) Revised forms 4) Drafted national training strategy for labour inspection.

2.5 *Increased effectiveness of the Labour, Economic & Social Council⁵¹.*

The assessment is that this output was not achieved. The planned activities included amendments to the regulations of LESCO, and support for independent secretariats for LESCO training, advisory services and evaluation of progress, to take place eighteen months after the start. There was a lack of interest by LESCO officials to be involved and most of activities planned with LESCO did not take place. The Government did not approve proposals from (there were several, according to the CTA) for substantive engagement with LESCO members, with the exception of training for MoLE officials - who acted as Secretariat staff to LESCO. Lack of interest is also exemplified by the fact that LESCO representatives did not participate in PAC meetings although they were members (and invited).

2.6 *Increased effectiveness of other labour institutions (CMA, Labour Court)*

This output was achieved. CMA also confirmed that it had received satisfactory support and enjoyed cooperation with the Project staff. The materials that were produced with the assistance of the Project were of good quality⁵², such as the CMA Case Management Guide, and CMA Dispute Prevention and Resolution Training Guide (prepared for publication at the time of the evaluation) and the Case Management Guide, volume 2.

5.3 Increased ability to collect and analyse Labour Market Information (IO.3)

3.1 *National registry of enterprises in both Ministries of Labour established.*

The only output to lead to the objective was not achieved. However, one out of the six planned activities was carried out (activity 3.1.6), labour disputes Case Management Guide and exploring similar options for the Labour Court. The other five outputs were dropped after the Interim Assessment. Planned activities included a comprehensive survey involving several institutions, proposing a registry, testing & evaluating, procurements, develop and install systems, training.

⁴⁹ In the activities section of the Logframe it is also mentioned the labour administration/inspection should have yearly and quarterly plans developed at the central level, and yearly, quarterly and monthly plans developed at the regional levels.

⁵⁰ *Source:* ILO DECLARATION. DECLARATION (in its comments on the draft evaluation report) also emphasised that "outputs on this issue have been included in many other ILO DECLARATION projects, with positive results".

⁵¹ The Labour Institutions Act (No. 7) of 2004 established LESCO, which replaced the Labour Advisory Council (*Source:* DWCP Profile, Tanzania, 2010).

⁵² For example the compendium on the arbitration awards (*Source:* ILO LAB/ADMIN technical staff).

This output had to be dropped, and it was the single output to lead to the third immediate objective – thus even the objective was cancelled after the 2011 interim assessment. The planned activities that should have generated the output included the establishment of a national registry of enterprises in both Ministries of Labour, to be piloted and tested in one or more regions. It also entailed developing a simple electronic case management system for the CMA, and possibly also for the Labour Court (mainland) and Industrial Court (Zanzibar).

5.4 Training activities/capacity building

The Project's training program took off in February 2010, with a workshop for the designated focal persons at each partner organization, followed by the partner organisations' nomination of their representatives to the Labour Law Trainers Network. The themes of training involving the constituents and stakeholders throughout the Project were many. The following are some examples of these training themes⁵³).

- Training on labour laws for workers organised by TUCTA in Dodoma for unionists from Tabora, Morogoro, Dodoma and Singida regions; and the second in Mtwara for unionists from Lindi, Mtwara and the Coast region;
- ATE organized training on labour laws in Arusha and Dar es Salaam, and the project supported ATE in delivering one-day seminars on the labour laws for representatives (owners and managers) from the Small and Medium Enterprises sector.
- The project supported the Commission for Mediation and Arbitration to carry out a series of training workshops to build stakeholder capacity for mediation and arbitration and, at the same time, to disseminate the case management guide (which the project earlier helped CMA to develop and publish). CMA carried out training for 308 tripartite representatives in eight regions on Tanzania mainland.
- Training of Trainers workshop on Labour Laws for Youth Entrepreneurship - for the participants of the *Kazi Nje Nje!* (KNN) Network in the mainland⁵⁴.

Training events involving both mainland and Zanzibar participants

Training events held in mainland often included participants from Zanzibar:

- Training and up-to-date information on the roles and responsibilities of LESCO and LAB, especially under Conv. 144, and in relation to the LESCO and LAB responsibilities with reference to Tanzania's reporting to ILO supervisory bodies (at ILO office, Dar es Salaam).
- Training programme on social dialogue, tripartism and secretariat management for Government officials (all of whom serve as Secretariat staff for the key tripartite bodies on mainland and Zanzibar, including LESCO, the 12 sectoral Wage Boards and the Essential Services Committee on the mainland; and the LAB, Wages Advisory Board and the Tripartite Committee on Dispute Handling). The workshop also provided participants with a wide range of tools, forms and templates for use in supporting national social dialogue bodies⁵⁵.
- A High Level Seminar on Promoting Freedom of Association and Effective Recognition of the rights to Collective Bargaining⁵⁶ with participation from unions, employers and workers organizations in Tanzania mainland and Zanzibar.

⁵³ This is here provided to show the training themes, for details on dates and training venues etc, see the ILLC Progress Reports 2009-2012.

⁵⁴ This was a collaborative venture under the ILLC project's objective 1. on increasing knowledge of the labour laws, and under YEF's KNN initiative. The two projects also worked on a comic book-style brochure for dissemination to youth.

⁵⁵ The training was based on the ILO's Guide for Secretariats of National Tripartite Consultation Bodies in English-speaking African Countries, and covered topics including social dialogue, tripartism and secretariat management. The workshop also provided participants with a wide range of tools, forms and templates for use in supporting national social dialogue bodies.

⁵⁶ This seminar was carried out in collaboration with the Norwegian-funded global project on promoting FACB.

- Training of Trainers on Conciliation and Mediation of Labour Disputes (in cooperation with ITC-ILO), which was attended by the DHU staff as well as some CMA staff. The project also worked with the CMA to develop a Dispute Prevention and Resolution Training Guide, which will be of use to all future stakeholders. The ILO assisted with a technical review of the Guide and will support a stakeholder consultation in early April.

Conclusions

The following is concluded regarding evidence on findings in sections 4.5.1 – 4.5.3, above:

Project's immediate objectives	Level of achievement
Immediate objective 1 (IO.1). <i>“Increased knowledge among employers and worker of rights, obligations and services under national labour laws”</i>	Objective only partially reached , as only one output (output 1.2) was produced
Immediate objective 2 (IO.2) <i>“Increased effectiveness of the labour administration/inspection system that includes compliance with the Employment and Labour Relations Act and the Labour Institutions Act of 2004 for mainland Tanzania mainland” -</i>	Objective only partially reached , as only three out of six outputs were produced as shown below (of the <i>original</i> outputs, and considering that output 2.2 and 3.3. were dropped).
Immediate objective 3 (IO.3). <i>“Increased ability to collect and analyze Labour Market Information related to labour relations” -</i>	Objective not reached as the only output to lead to this objective was cancelled.

Figure 2. Conclusions derived from the findings on Project achievements in Tanzania mainland.

6 Zanzibar: Achievements against plans

In Zanzibar, the Project activities started at the same time as in the mainland (2009-2010). The ZANEMA and ZATUC representatives were enthusiastic and active from the start, organising training programs supported by the project in 2010. There was motivation and willingness to participate and acquire new learning, and good experiences from SLAREA

However, there was little engagement with the Project from the MLEC and altogether little progress before 2011. With the new Government officials⁵⁷ in place at the end of 2010, and beginning of 2011, there was a significant improvement in the implementation and the constituents embraced the Project. The MLEC Minister, PS, Labour Commissioner et. al. provided the necessary high-level support and a national ILO Liaison Officer, based in Zanzibar, assisted the CTA with networking and communication with the partner organisations.

6.1 Increased knowledge of labour laws (IO.1)

The extent of the achievements of outputs under immediate objective 1 (IO.1) are assessed below:

1.1 Public information & awareness-raising campaign:

The output was not achieved: The output was dropped after the Interim Assessment in 2011. Planned activities to lead to this output included mapping, design strategy, training & media tools.

1.2 Employers, workers & their representatives at the central and regional levels trained on the labour laws.

This output was very successfully achieved. The training included TOT, training plans, pilot trainings, technical review & adjustments, scaling-up of training programmes. Reportedly the social partners in Zanzibar together trained around 35% of the total number of persons trained through the project. Considering the size and scale of ZATUC and ZANEMA, this is a very good achievement. It was also reported that concrete results generated were formation of a Human Resources Managers Association, joint union/management trainings in the workplaces, bargaining for increased wages and better working conditions (source: CTA, ILLC Project).

1.1 A system of voluntary self-evaluation tested & implemented

The output was not achieved as it was dropped after the Interim Assessment in 2011. It was assessed as not being realistic. The activities that were planned to lead to this output included adapting ILO's experiences from other countries, and a meta-evaluation (evaluating the evaluation system).

6.2 Increased effectiveness of the labour administration (IO.2)

2.1 An audit (produced) of the structure of the labour administration/labour inspection systems following principles of C. 81 and C.129 and C.150.

This output was only partially achieved, as the Audit (Review) was undertaken and disseminated, but not the Action Plans that were to follow.

2.2 Strengthened central authority for labour administration/labour inspection system in Zanzibar, as well as strengthened regional level authorities.

This outputs was not achieved, as it was dropped after the Interim Assessment in 2011. This was an ambitious output. The planned activities *themselves qualify as proper outputs* such as: A national policy and strategy; internal regulations; rules and guidelines on the revised systems; and training programme for Ministry of Labour and Economic Empowerment

⁵⁷ The Minister, Permanent Secretary, the Deputy Permanent Secretary and Labour Commissioner were new.

(MLEC)⁵⁸ among others. It has been confirmed, though, that rulings management system was developed, which was part of this work.

2.3 The administrative career path for the labour administration reviewed & enhanced.

The output was not achieved as it was dropped after the Interim Assessment in 2011. Planned activities included developing a proposal to the MLEC, “advocating it” to the relevant Government bodies, and disseminate the new regulations.

2.4 The capacity & efficiency of the labour inspection officers to conduct inspection strengthened.

This output is assessed as well achieved, as practically all Labour Inspectors were trained. 1) Training on labour inspection, 2) field - practical skills, 3) Revised forms 4) Drafted national training strategy for labour inspection.

2.5 Increased effectiveness of the Labour Advisory Board (LAB) in Zanzibar.

This output was assessed as achieved. Training was conducted for LAB on social dialogue and tripartism (Dec 2011), Labour Laws (Feb 2012), Organization / Secretariat (in cooperation with DWT Specialist) in March 2012), and on ILS and Domestic Workers (in cooperation with ILO-HQ/TRAVAIL, in April 2012).

2.6 Increased effectiveness of other labour institutions (Dispute Handling Unit, Industrial Court).

This output is assessed as having been achieved, as the DHU⁵⁹ was established as well as equipped and started its operations (on the basis of cases received) before the closing of the ILLC Project. The Project contributed to effectiveness at Industrial Court⁶⁰. However, there was possibility for the Project to monitor developments, due to lack of time.

6.3 Increased ability to collect and analyse labour market institutions (IO.3)

The output was dropped after the Interim Assessment in 2011.

Conclusion:

The following is concluded regarding evidence on findings (from sections 4.6.1 – 4.6.3 above):

Project’s immediate objectives	Level of achievement
Immediate objective 1 (IO.1). <i>“Increased knowledge among employers and worker of rights, obligations and services under national labour laws”</i>	Objective was reached in Zanzibar as the numbers trained was high in proportion to the economically active population, combined with other factors such as high level of commitment among the stakeholders. This is assessed, despite the fact that only one of the three outputs was produced.
Immediate objective 2 (IO.2) <i>“Increased effectiveness of the labour administration/inspection system that includes compliance with the Employment and Labour Relations Act and the Labour Institutions Act of 2004 for mainland Tanzania mainland” -</i>	Objective only partially reached , as only three out of six outputs were produced as shown below (of the original outputs, and considering that outputs 2.2 and 3.3. were dropped.
Immediate objective 3 (IO.3). <i>“Increased ability to collect and analyze Labour Market</i>	Objectives was not reached , as the only output leading to this objective was cancelled.

⁵⁸ In the activities section of the Logframe it is also mentioned the labour administration/inspection should have yearly and quarterly plans developed at the central level, and yearly, quarterly and monthly plans developed at the regional levels.

⁵⁹ DHU is a similar to CMA in mainland.

⁶⁰ The English name for this institution/body is Industrial Court in Zanzibar.

Project's immediate objectives	Level of achievement
Information related to labour relations".	

Figure 3. Conclusions derived from the findings on Project achievements in Zanzibar

6.4 Training activities/capacity building

- Knowledge Sharing and Training of Trainers Workshop on Labour Laws and Negotiation Skills, facilitated by ILO officials from Dar es Salaam, a lecturer in Labour Law from the University of Dar es Salaam's Faculty of Law, and ILO specialists in employers' and workers' activities based in the ILO's Regional Office for Africa in Addis Ababa (jointly for mainland and Zanzibar).
- Trainings for union members from nine of ZATUC's affiliate unions, including those operating in the health, education, public service, commerce and transport sectors (in Unguja and Pemba).
- Labour laws for employers: The project supported ZANEMA to carry out a training sessions for participants from enterprises in a range of sectors, including tourism and hospitality, media, education and commerce (a little over half of the participants were members of ZANEMA).
- Training on social dialogue, tripartism and international labour standards, including Convention No 144 on Tripartite Social Dialogue, for LAB members and secretariat staff (this generated an Action Plan).
- Training for Labour Prosecutors.
- Training workshop on establishing a registry for tracking labour disputes filed at the DHU, for Zanzibar's Labour Commission and Dispute Handling Unit (DHU). It resulted in the development of a pilot registry database. The pilot database was since refined.

*Training events in mainland involving **both** mainland and Zanzibar participants*

- Training and up-to-date information on the roles and responsibilities of LESCO and LAB, especially under Conv. 144, and in relation to the LESCO and LAB responsibilities with reference to Tanzania's reporting to ILO supervisory bodies (at ILO office, Dar es Salaam).
- Training programme on social dialogue, tripartism and secretariat management for Government officials (all of whom serve as Secretariat staff for the key tripartite bodies on mainland and Zanzibar, including LESCO, the 12 sectoral Wage Boards and the Essential Services Committee on the mainland; and the LAB, Wages Advisory Board and the Tripartite Committee on Dispute Handling). The workshop also provided participants with a wide range of tools, forms and templates for use in supporting national social dialogue bodies⁶¹.
- A High Level Seminar on Promoting Freedom of Association and Effective Recognition of the rights to Collective Bargaining⁶² with participation from unions, employers and workers organizations in Tanzania mainland and Zanzibar.
- Training of Trainers on Conciliation and Mediation of Labour Disputes (in cooperation with ITC-ILO), which was attended by the DHU staff as well as some CMA staff. (The project also worked with the CMA to develop a Dispute Prevention and Resolution Training Guide, which will be of use to all future stakeholders. The ILO assisted with a technical review of the Guide and will support a stakeholder consultation in early April.)

⁶¹ The training was based on the ILO's Guide for Secretariats of National Tripartite Consultation Bodies in English-speaking African Countries, and covered topics including social dialogue, tripartism and secretariat management. The workshop also provided participants with a wide range of tools, forms and templates for use in supporting national social dialogue bodies.

⁶² This seminar was carried out in collaboration with the Norwegian-funded global project on promoting FACB.

7 Project assessment

The following sections include assessments of the Project and its implementation in Tanzania mainland and Zanzibar, based on the findings in chapter 3⁶³.

7.1 Validity of the project design

In this section, the validity of the overall Project design is assessed, including the cause-effect as well as means-ends relationships as described in the Project's Logical Framework⁶⁴ (or logframe) – which is based on the overall design as narrated in the Project Document.

- The joint USDOL-ILO interim assessment mission fielded in July 2011, found that the Project design was valid. However, this final evaluation, has noted that ILO did not pay sufficient attention to the human resources required to implement this Project – thus the strength and composition of the team did not match the ambitions.
- The Project's logical framework is not constructed according to standard project logframe, as it lacks assumptions/risks, objectively verifiable indicators, means of verification, as well as any reference to the Project Document or costs.
- Indicators are quantitative or qualitative factors or variables that provide simple and reliable means to measure achievement, to reflect changes connected to the interventions and should be SMART (Specific, Measurable, Achievable⁶⁵, Realistic and Time bound). They should be part of the logframe matrix. However, neither the PRODOC nor the Project Monitoring Plan (PMP) have indicators that can be used in measuring progress, as they have left out specifics.
- The indicators in the PMP are listed under the immediate objectives but are not linked to the outputs (examples of the indicators for Immediate Objective 1: “Workers and employers have greater awareness and understanding of the labour laws and how to apply them”, and “Number of enterprises that apply the self-evaluation system promoted by the project”). The PMP has columns for “Data Source and Measurement” and “Instructions for Indicators/Measurement” but the problem here is that the indicators are not quantified/specific – thus, this is not when attempting to determine or assess progress.
- Outputs should be phrased as direct/tangible results, like goods and services delivered/produced or conducted by the Project, and which are under project management control. Some outputs are well defined, for instance outputs 1.1 and 2.1. Others are so broad that they could qualify as immediate objectives, for instance outputs 2.2, 2.3 and 2.5 – and are therefore confusing the picture. Others were not realistic.
- Assumptions are external factors, completely beyond the control and influence of the Project at its key stakeholders, but vital for achieving a successful implementation, and realisation of the outputs and the objectives. Assumptions should be placed at output (or outcome) and objectives level in the Logframe. In this Project, they are only mentioned in the Project Document - not in the Logframe. Further, they are *within* the influence/control of the Project itself⁶⁶. There is no discussion or analysis of risks in the Project Document – which in a project of this kind, dealing with law compliance, a sensitive subject, should have been spelled out prior to the start of the Project.

⁶³ The evaluation criteria applied are the ones proposed in the Terms of Reference and referred to in chapter 2. Methodology. The definitions of the *criteria* are drawn from OECD/DAC and UN standards. The *definitions* of the criteria are from OECD/DAC (DAC Glossary of Key Terms in Evaluation, May 2002).

⁶⁴ The pros and cons of Logical Framework Approaches and matrices are well documented. However, before an alternative has been found and introduced, this ought to be used as stipulated by the ILO.

⁶⁵ Or: Acceptable, applicable, appropriate, attainable or agreed upon.

⁶⁶ E.g. it is stated: “...the government, employers’ and workers’ organizations will support the project with the highest level of political commitment, that they will collaborate fully in the project’s activities and that, for certain specific outputs, such as the legal and/or institutional reforms, they will deliver the final product to the appropriate authorities for adoption. It is also assumed that the government and social partners will exert every possible effort to facilitate the development of the media campaign and minimize the cost of production and broadcasting.” (p. 25 in ILLC Project Document).

- The Logframe (see below) should be part and parcel of the document, either included in the text, or in an annex. However, this matrix was developed after the Project Document and kept as a separate document, and is named Project Strategic Framework.
- The Logframe should be a management tool, as well as an evaluation tool. However, the CTA has stated that “to the best of his knowledge” he had not seen the version of the Logframe that ILO DECLARATION provided the evaluator⁶⁷.

Conclusion: The Logical Framework Matrix was not constructed to serve as a useful management tool it was supposed to be. The logic and coherence in the design of the ILLC project was somehow overlooked and important elements are missing, e.g. SMART indicators (even in the Project Management Plan, indicators are not specified or quantified – there is only mention of *areas* of indicators – thus they cannot be used in measuring any progress, as such).

7.2 Effectiveness

Effectiveness is here understood as assessment of the contribution made by results to achievement of the project purpose.

Interim Assessment, in July 2011, recommended that the Project should not continue to pursue the following outputs/objectives, as it was determined that there was little chance in being able to successfully reach these within the lifetime of the Project:

- Output 1.3: A system of voluntary self-evaluation tested & implemented (under IO:1);
- Output 2.2: Strengthened central authority for labour administration/labour inspection system in mainland & Zanzibar, as well as strengthened regional level authorities; and
- Output 2.3: The administrative career path for the labour administration reviewed & enhanced (both under IO:2); and
- Output 3.1: National registry of enterprises in both Ministries of Labour established⁶⁸.

It should be noted that the *majority of the activities that remained* were, in fact, undertaken at the end of the Project term. The following looks at effectiveness as regards Project management, the Project Advisory Committees and implementation.

7.2.1 Tanzania mainland: Key achievements and lack of effectiveness

In the mainland, the Project contributed to two of the three immediate objectives. The third objective dropped, and the other two were only partially met. It produced only four out of possible ten (original) outputs.

The first 1 ½ years most activities were much delayed – which improved after the national elections were over and new government officials appointed, and after the Interim Assessment. The Project contributed to two of the three immediate objectives.

Among the key achievements in mainland, however, are capacity building/training, specifically training on the labour laws and it is assessed that capacity and efficiency of the labour inspection officers to conduct inspection was strengthened - new labour inspection forms were developed, and MoLE officials and other beneficiaries were more knowledgeable about Labour Law issues as a result of the Project. Labour law issues were also incorporated in Youth Entrepreneurship Facility (YEF) Training of Trainers courses and training of young entrepreneurs.

Other key achievements emanated from the fruitful cooperation with CMA, which among other things, resulted in the production of the CMA Case Management Guide Mediators, Arbitrators and

⁶⁷ Source: CTA’s written comments on the draft evaluation report, received on 27th July 2012, through Mr. Gugsu Yimer Farice, Senior Evaluation Officer, ILO Regional Office for Africa Addis Ababa, Ethiopia.

⁶⁸ This was the only output under IO:3, thus the removal of this output removed the whole immediate objective. Some work that had been initiated did, however, continue.

other Stakeholders of the Commission⁶⁹. It is a collection of sixty-five cases of labour disputes, which shows the decision of CMA on one hand and the ruling of the Labour Court on the other hand. The CMA received support from the Project. The aim is that the materials would be used as an aid in educating and facilitating the procedures for mediation. Another publication produced with support from the Project was the CMA Dispute Prevention and Resolution Training Guide – all of which are likely to increase the effectiveness of CMA.

Effectiveness was lacking in the operations with some Government institutions, in particular MoLE, as there was a lack of attention and willingness to participate in the Project, an example being the lack of success in involving the concerned officials in the improving the functioning of labour administration⁷⁰

7.2.2 Zanzibar: Key achievements and lack of effectiveness

In Zanzibar, the Project produced only five of ten outputs and contributed to two of three Immediate Objectives. The 3rd objective was dropped, and the other two objectives were only partially met.

The first “phase” of the ILLC (first 1 ½ - 2 yrs) most activities were much delayed. This improved after the Interim Assessment and there were good achievements in Zanzibar after the installation of the new Government in early 2011.

All stakeholders expressed much appreciation and support for Project in the interviews and discussions during the course of the evaluation. *Among the key achievements* were the training of Employers, Workers and their representatives were trained on the labour laws. The training included TOT, training plans, pilot trainings, technical review & adjustments, scaling-up of training programmes. Reportedly, the social partners in Zanzibar together trained around 35% of the total number of persons trained through the project. Considering the size and scale of ZATUC and ZANEMA, this is a very good achievement. It was also reported that concrete results generated were formation of a Human Resources Managers Association, joint union/management trainings in the workplaces, bargaining for increased wages and better working conditions.

The capacity of the labour inspection officers to conduct inspection was strengthened. Practically all Labour Inspectors were trained and new inspection forms were developed. Labour officers were also certified to prosecute labour cases in Court (they won the first two cases, as a direct result of the training they had received).

The Project contributed to increased effectiveness of the Labour Advisory Board (LAB) through training on social dialogue and tripartism, Labour Laws, and ILS and Domestic Workers. The Project also achieved in contributing to the establishment, training and equipment of Dispute Handling Unit⁷¹. DHU started its operations (on the basis of cases received) even before the closing of the ILLC Project, however, there was no possibility for the Project to monitor the work of the new DHU, due to lack of time, before ending the Project activities. The Project also made contributions toward an increased effectiveness of the Industrial Court⁷².

7.2.3 Training/capacity building

It should be noted that the evaluator has not had access to any list, or information, showing the final/total number of training events organised *per training theme*. The CTA however, has provided information about the *total numbers of trainees* (sex disaggregated) and the organisations involved in running the training programs of the Project. The Project organised a number of training events, involving a total of 3,007 participants - of which 1,023 (34%) were women. The majority were trained on Tanzania mainland (1,752 participants, or 58% of the total - of which 507 were women).

⁶⁹ Source: p. VII in Case Management Guide, Volume 1. 2007 - 2009. CMA also received support from the Project in the production of Volume 2, which was about to be completed at the time of the evaluation.

⁷⁰ This was also mentioned in the ToR for the evaluation assignment.

⁷¹ DHU is a similar to CMA in mainland.

⁷² The English name for this institution/body is Industrial Court in Zanzibar.

Training venues on Zanzibar accommodated 1,255 participants, of which 739 were men and 516 were women. The training events on the mainland often (though not always) included trainees from Zanzibar, while those held on Zanzibar generally did not include participants from the mainland. This was done to minimize costs, i.e. through combining trainees from Tanzania mainland and Zanzibar in the same training events - often held at the ILO office in Dar). As a result, the number of people from Zanzibar trained by the project is somewhat higher than that suggested by the figures here⁷³.

See a summary of capacity building⁷⁴ activities undertaken during the period under review (for more details, see Evaluation report, Part II. Annex VIII. ILLC capacity building/training activities).

Lead organiser (constituent/partner)	Persons trained	Male	Female
ATE	266	202	64
TUCTA	81	57	24
ZANEMA	280	184	96
ZATUC	535	271	264
ZATUC & ZANEMA jointly	240	131	109
CMA	642	453	189
ILO (initiated/organised)	963	686	277
Total	3007	1984	1023

Primary audience	Persons trained	Male	Female
Workers	657	361	296
Employers	572	406	166
Government	503	345	158
Tripartite	887	640	247
Bipartite (workers & ERs)	328	199	129
Other (youth, media)	60	33	27
Total	3007	1984	1023

Venue for the training (Tanzania mainland/Zanzibar)	Persons trained	Male	Female
Mainland	1752	1245	507
Zanzibar (incl. Pemba)	1255	739	516
Total	3007	1984	1023

7.2.4 Project management

The project team has consisted of a CTA, an Administrative/Finance Assistant and a Driver. At the time of the evaluation, a Secretary assisted the Project (part time). In 2011, the Project was also consisting of a National Project Coordinator during four months. For the operations in Zanzibar, an ILO Liaison Officer based in the UN office greatly facilitated the Project with maintaining the contacts with the Project's stakeholders and was an important asset as she has previous work experience from MLEC.

The *Interim Assessment in 2011* found:

⁷³ Source: CTA, ILLC Project, in comments on the draft evaluation report.

⁷⁴ The information here is based on the information received from the CTA on 15th June 2012, after the ending of the Project and after the evaluator ended her mission and left Tanzania (23 May 2012). The information in Annex VIII has been stripped of its figures/tables but the original text by the CTA remains.

“...the project team has insufficiently performed in the following areas: communication with stakeholders, responsiveness to implementation challenges, and timely delivery of funds for social partners’ activities under the project Part of these challenges can be explained by insufficient human resources available to the project. Others are attributable to inadequate planning of activities and management of ILO administrative processes.”

It also found that the constituents had good relations with the CTA but that they desired to have some aspects of the project better managed, in particular issues related to communication. The ILO DECLARATION, after the assessment, started monitoring the situation and had weekly conference calls with the CTA and at times with the donor. This apparently helped the situation and many activities that had been delayed took off during the Project’s last year.

This evaluation found there was a high level of effort on the part of the management of the Project. The CTA was well respected and known to be knowledgeable on the subject matter by many of the persons the evaluator contacted - both within and outside the ILO in Tanzania and Zanzibar. However, it also found that both the CTA had difficulties in handling their work burdens exemplified by late submission of progress reports and work plans⁷⁵.

At times, priorities were not set right, and there were also some missed opportunities that had consequences for the Project progress. At times, minutes/records from meetings/workshops were not produced, or never finalised - and subsequently could not be disseminated to the participants. An example is the report from the Judges Workshop⁷⁶. The evaluation has also noted, and thoroughly discussed with the CTA, that there were some errors in judgement for instance the go ahead to print books with compilations of Labour Court decisions in which there were errors - however, this was rectified with the printing of new books. In this matter, the responsible person at the Court informed the evaluator that mistakes had been made on “both sides”.

Quarterly reports were often delayed. The accounts of activities often mix what has already been undertaken with what shall be done in the subsequent period. The narratives are activity-oriented (not results-oriented), in the sense that they do not mention actual outputs that were to be produced during reporting periods - only the activities sorted under the immediate objectives.

One important reason for the difficulties must be attributed to the fact that the **ILLC Project’s human resources were not adequate**. As already noted, the staff team envisaged was too small to efficiently handle all the work it was set to undertake. The absence of a national technical expert in the team had consequences both for the contacts with the stakeholders, some Government institutions in particular, and subsequently on the level of achievements. The CTA missed the opportunity to recruit a National Project Coordinator when there was a window to do so and when ILO DECLARATION, ILO field office and the donor supported this⁷⁷. Efforts were made to select and hire a local professional, including entering an open ILO competition – but unfortunately, in the end this did not materialise.

A national (Tanzanian) coordinator working under the supervision of the CTA and having entry/inroads to the government and stakeholders is a necessity in a project of this kind in Tanzania. An important reason for this is that the issues the Project tackled on a daily basis were dealing with compliance to the national laws of the country and thus were in the realm of being sensitive⁷⁸.

The Project manager also spent quite some time and effort on the technical inputs to UNDAF. This work was not part of the Project’s planned activities and was possibly undertaken at the expense of

⁷⁵ DECLARATION instructed the CTA to not produce a quarterly report for the last period (March-May 2012) - only a final report. To date, this report has not been produced.

⁷⁶ The evaluator received an unfinished report from this workshop way after the mission in Tanzania. It was noted that participants never received this report – a missed opportunity considering that the participants (including the Labour Court Judge) considered this workshop to be “very good” and had high-level participation (high level judges incl. judges from the Court of Appeals).

⁷⁷ Source: ILO DECLARATION in its written comments on the draft evaluation report.

⁷⁸ It should be noted that the SLAREA regional project (which most stakeholders kept referring to when discussing the ILLC Project) did have a national expert, as well as a Secretary who assisted the NPC with the activities in Tanzania, in addition to the Secretary to the overall regional Project (who assisted the CTA) (Source: the CTA; ILLC Project).

making preparations for Project work during the time of elections – at a time when organising workshops and major events were not easy and much were at a standstill. ILO and DECLARATION have, in this regard, expressed concern. The evaluation has noted that the ILO Director requested the CTA to be involved in the UNDAF work, which was seen as one way of sustaining labour law compliance issues in Tanzania after mid 2012. The UN Resident Coordination representative in Dar expressed much satisfaction with the cooperation with the ILO and expects that ILO will continue to be committed to the UNDAF.

7.2.5 The Project Advisory Committee

The CTA served as the PAC Secretary and was responsible for the communication and distribution of PAC agendas, minutes and other relevant documents to all PAC members, and for calling and organising the PAC meetings (his task was not to conduct the actual meetings). The role of the PACs was advisory - as the name suggests:

Provide general guidance and support to Project in the execution of the Project work plan and serve as advocates in promoting the Project and its goals; review strategy and work programmes of the Project; and In light of relevant developments, make recommendations for the enhancement of the Project and achievement of its objectives⁷⁹.

The Minutes of the meetings did not indicate when the next meeting should be held – which would have facilitated the organisation of these meetings, as indicated by the CTA.

The Chairperson of the PAC was at the Permanent Secretary level. Some of the participants in the meetings did apparently not have the mandate to reach agreements regarding the Project, e.g. the Assistant Labour Commissioner who attended the mainland PAC, representing MoLE. This could sometimes result in delays in carrying out certain activities. Other reflections are that the PACs were not held regularly, and were not quite effective as instruments to gather constituents' views, evolving concerns and interests regarding the project and in to really encourage tripartite participation and encourage ownership.

Conclusion: The PACs were not held regularly, and were not quite effective in gathering constituents' views, evolving concerns and interests regarding the project and really encourage tripartite participation and encourage ownership. Regarding the role of the PAC, the evaluator has listened to different views by the CTA, the ILO Director and the ATE Executive Director, regarding what would have been the preferred level of the officials on the Chair and as members of the committees. The assessment of the evaluation is that despite the fact that the Project issues certainly were important enough to expect commitment and engagement from high-level Government officials - it would have been *more practical* if the PAC leadership had not been placed at a very high level.

7.2.6 Relevance and Strategic fit

Relevance is here understood as the extent to which the Project was in line with the national development priorities as stated in the national development frameworks.

The Project was in line with the national development frameworks, such as the Second National Strategy for Growth and Reduction of Poverty (NSGRP II Poverty Reduction Strategy (PRS)/MKUKUTA⁸⁰ and the Decent Work Country Programme 2006-2010⁸¹. The three priority areas of the former DWCP were in the areas of employment (with focus on youth employment), social security and social dialogue. Although none of these areas specifically focus on compliance to labour laws, the themes of the Project are well covered by ILO's strategic objectives/pillars, in particular governance and social dialogue.

Regarding the Project's strategic fit with the national plans, the Evaluation report of the DWCP⁸² pointed to the fact that although the MKUKUTA Cluster III (Governance and accountability) is not

⁷⁹ Ibid.

⁸⁰ The issue of decent work as a concept was not part of the MKUKUTA I - however, in MKUKUTA II, ILO has played an instrumental role in promoting the Decent Work Agenda.

⁸¹ The new DWCP is in the process of being development and had not been available.

⁸² Independent Evaluation of ILO's Country Programme for the United Republic of Tanzania 2004- 2010.

actually listed as one of the DWCP priorities, ILO support to the legal sector under Cluster III has been prominent in safeguarding workers' rights and assisting in the implementation and compliance of the labour laws⁸³. The DWCP Evaluation also acknowledges the audit of the labour administration and inspection services implemented through the ILLC Project, in the United that was carried out in order to improve labour law compliance, and pointing out that it can be used both as a baseline and an implementation planning tool⁸⁴.

The DWCP states, that by working in close partnership with the Government of Tanzania, the UN, its social partners and development partners, the private sector and civil society, the ILO will strengthen its efforts in increasing its financial and technical resources for sustainable development of Tanzania through decent work and conditions for its people in areas where there is a stated need for assistance. *It also points to the fact that the key players in the prevention of labour disputes, their resolution and their enforcement are the Ministry of Labour, the Employers and Workers.* In order to have an equitable negotiation and bargaining process, there is a need to have more balanced powers of the negotiating actors/parties.

The DWCP further states that the institutional and human capacity limitations of the Ministries will be addressed by *supporting training programmes for labour officials at all levels, in the prevention and settlement of labour disputes.* Further, it states "training will also be extended to industrial court judges and their supporting panellists or assessors. Training programmes will also be mounted in negotiation skills, in collective bargaining, and in the gathering of appropriate information; and in socio-economic and labour market data to support collective bargaining for employers and workers' representatives"⁸⁵.

The Project is also in line with the newly produced UN Development Assistance Plan (UNDAP) 2011-2015 in which the issues of labour law compliance and gender are stressed as a result of the efforts of the ILO programming staff at ILO Dar and the CTA of the ILLC Project).

It is important to acknowledge that it was also assessed as fully consistent with the beneficiaries'/target groups' needs. In Zanzibar, in particular, the evaluator found that all contacted beneficiaries and stakeholders perceived the Project's themes as having high relevance. The Project also contributed to other ILO activities, e.g. ILO YEN, which also adds to the relevance of the themes it has focused on.

Conclusion: Although the Project faced certain problems which delayed, and even obstructed some of the implementation that was planned (in the mainland in particular), the evaluator found that the long-term objective of improving on the compliance of labour laws was, was and **remains relevant** in mainland of Tanzania mainland and Zanzibar.

7.3 Efficiency

Efficiency relates to the utilisation of resources. It is here understood as the cost, speed and quality with which inputs/means have been converted into activities and the quality of the results achieved.

This section relates to overall Project:

After the Interim Assessment, the ILO undertook regular follow-up which seemed to have resulted in improved management and monitoring of the Project in Tanzania – in turn improving the overall performance and utilization of resources.

⁸³ This assessment is under "Outcome 3.2: Sector policies and legislation that address HIV/AIDS in the workplace in accordance with the ILO Code of Practice and International Labour Standards adopted.", p. 15. Independent Evaluation of the ILO's Country Programme for the United Republic of Tanzania: 2004-2010, International Labour Organization August 2010, Prepared by Ali Dastgeer and Francisco L. Guzmán.

⁸⁴ Ibid (p. 35, para 127).

⁸⁵ Source: DWCP 2006-2010, p. 18.

At the end of the Project, in May 2012, the budget delivery rate was estimated to be satisfactory; above 90 % was estimated by the Project to have been spent and committed - as a result mainly of the increased number of capacity-building events during the last year, both in mainland and in Zanzibar.

The issue of utilization of human resources has been explained in this report. There were problems associated with the recruitment of NPC, which clearly had consequences for, in particular, the speed with which inputs/means were transformed into activities. All key parties, including the constituents, have acknowledged the lack of efficiency that this caused the Project implementation.

Conclusion: It is assessed that in the end the efficiency was satisfactory in terms of budget delivery - and also many activities had good and high quality. During the period under implementation, however, there were problems with the “speed” of converting inputs/means into activities and producing the outputs.

7.4 Impact and sustainability

Sustainability is here understood as the extent of which the benefits of the Project continue after donor funding ceased and the major factors influencing the achievement or non-achievement of sustainability of the programme or project.

The project document foresaw that a detailed sustainability plan would be drawn up by the project in consultation with the tripartite constituents in the first year of the project⁸⁶. Such a plan seems not to have been produced. It also states that the Project should engage a communications/media consultant to design the public awareness raising campaign’s strategy in collaboration with the tripartite constituents – a strategy that would include mechanisms for its sustainability⁸⁷.

7.4.1 Tanzania mainland

The overall impact of the Project activities in mainland Tanzania - that finally were successfully implemented after quite a number had been cancelled - is assessed as medium. The reasons that it has not been determined as high, is mainly the lack of commitment to the Project’s themes observed among some of the key senior MoLE senior officials, mainly.

It is however, expected that the training on e.g. labour laws and labour inspection - as well as actual techniques of ToT - will benefit the trainees and that they have increased their knowledge and skills. How effectively the Project has built necessary capacity of people and institutions remains to be seen. It has not been evident that any results will be anchored in the government institutions, nor the employers or the workers organisations.

Good results were found in CMA, as confirmed in this report and one reason for this is that the CMA has a dynamic leadership that embraces cooperation with others to increase the effectiveness of the institutions. It must be pointed out, however, that improved approaches and systems to undertake e.g. labour inspection, will continue to be highly dependent on Government resources available for actual on-site inspections as well as the number of inspectors (the same applies to Zanzibar).

Conclusion: The overall impact of the Project in mainland Tanzania in contributing towards increased labour law compliance is assessed to be medium only, as there was a lack of commitment to the Project’s themes observed among some of the key senior MoLE senior officials. There is likelihood, however, that at the level of capacity building, the training events will leave impressions, change attitudes and that the knowledge acquired will stay with the trainees.

No.	Immediate objectives (IOs)	Impact	Likelihood of sustained systems & benefits in the short and medium term
IO: 1	<i>Increased knowledge among employers and worker of rights, obligations and services</i>	medium	medium

⁸⁶ ILLC Project Document, p. 25

⁸⁷ Ibid, p. 8.

No.	Immediate objectives (IOs)	Impact	Likelihood of sustained systems & benefits in the short and medium term
	<i>under national labour laws”</i>		
IO:2	<i>“Increased effectiveness of the labour administration/inspection system that includes compliance with the Employment and Labour Relations Act and the Labour Institutions Act of 2004 for mainland Tanzania mainland” -</i>	medium	medium
IO:3	<i>“Increased ability to collect and analyze Labour Market Information related to labour relations”.</i>	N.A.	N.A.

Figure 4. Assessed impact and likelihood of sustainability of Project in the mainland.

7.4.2 Zanzibar

In Zanzibar, the overall impact is assessed as medium \Rightarrow high, which is a good indication considering that the Project only had less than 1 ½ yrs implementation in Zanzibar. The reason that the assessment points to high is the establishment of the DHU and the fact that it was already in operation before the Project had ended. The certification of the labour inspectors during the reporting period was an important event, and it has been reported here that the Zanzibar Labour Commission undertook its first two prosecutions of labour law violations, in exercise of this new certification – and both prosecutions were successful. Other factors observed, are the attitudes among the constituents and beneficiaries showing an apparent willingness to improve and modernize the labour administration system, as well as the handling of labour disputes. ZANEMA and ZATUC also seemed willing to maintain social dialogue, with each other and the Government.

As the time for implementation was very short and monitoring systems are weak, it is very difficult to gauge what the longer term impact will be, however, it is not unlikely that the project has made an impression that will last, considering the above.

Conclusion: In Zanzibar, the overall impact is assessed to be medium \Rightarrow high, taking into account that the Project only had less than 1 ½ yrs implementation in Zanzibar and it is not unlikely that the project has made an impression that will last.

No.	Immediate objectives (IOs)	Impact	Likelihood of sustained systems & benefits in the short and medium term
IO: 1	<i>Increased knowledge among employers and worker of rights, obligations and services under national labour laws”</i>	medium \Rightarrow high	medium
IO:2	<i>“Increased effectiveness of the labour administration/inspection system that includes compliance with the Employment and Labour Relations Act and the Labour Institutions Act of 2004 for mainland Tanzania mainland” -</i>	medium	medium
IO:3	<i>“Increased ability to collect and analyze Labour Market Information related to labour relations”.</i>	N.A.	N.A.

Figure 5. Assessed impact and likelihood of sustainability of Project in Zanzibar.

7.5 Gender equality – mainstreaming in the Project and its activities

The project document foresaw that the Project, through the awareness campaign and outreach activities targeting workers, employers and their organizations would include messages that reinforce the roles of these organisations and that **care would be taken to address target groups’ literacy and education levels, gender issues and local language requirements**. As mentioned in this report, the specific awareness campaign, as such, could not take place.

However, the CTA informed the evaluation that gender issues had, in fact, been “brought up repeatedly” but it could not raise interest among the Partners to discuss gender issues. These are examples of events in which gender issues had been brought up to discussion⁸⁸:

“..training for the wage boards, which asked (among other questions) why sectors that typically employ women (e.g. domestic work) have wages set lower than sectors that typically employ men (e.g. private security). In the area of labour inspection, the issue of discrimination and maternity protection were highlighted. E.g. in December 2011, the project worked with JP 2 and MoLE to help create a supplementary inspection checklist on maternity protection in the workplace.”

The Project also consulted with the Gender Specialist, based in the ILO Regional Office for Africa (ROAF), in Addis⁸⁹. The discussions led to, for instance, changes made in the structure and contents of the Comic Book on Labour Law issues for young entrepreneurs - an example of a gender sensitive material developed through the Project⁹⁰.

It also included information on the participation of men versus women, in terms of numbers, in all quarterly progress reports in narrative descriptions of each workshop/event – which is commendable. The data Project showed that women have constituted approximately 1/3 of the participants in all training events (Annex VIII, Part II)⁹¹. Other than reporting on the numbers (sex disaggregation) the Project documentation is quite silent on gender issues. The evaluation has not been able to identify any particular analysis or strategy developed vis-à-vis gender.

The evaluator brought up the issue of the apparent lack of a discussion on gender equality and gender mainstreaming with representatives of some of the constituents and beneficiaries, both in mainland and in Zanzibar. Most stated that gender had not been an important focus in the Project - but referred to the fact that women have *participated* in most events organised. The idea that gender, in fact, relates the socially constructed roles and needs of women, men, boys and girls – seem not to have been part of any discussion. Rather, gender has been interpreted to mean “women” only.

The evaluation has assessed that more could have been done to bring gender issues into light, as there are important areas where gender issues are relevant. One example is Zanzibar, where there are issues of vulnerability of women, girls and boys working in the plantations and in the tourism industry, but where very few cases of exploitation/harassment are filed with the authorities or the workers organisations and where workers do not file cases for fear of reprisals⁹².

Conclusion: It is acknowledged that the Project made attempts to bring gender issues to discussion with the constituents, although the specific awareness campaign was not undertaken. However, it appears that more could have been done to increase awareness and knowledge about gender issues in relation to labour law compliance and labour inspection themes. Further, it has not made use of (or made constituents aware of) any gender mainstreaming tools such gender analysis, gender auditing and gender budgeting.

⁸⁸ This information was received as written comments by the CTA, in his comments on the first draft evaluation report.

⁸⁹ Source: Mission report from Morogoro, March 2011, and comments from the CTA.

⁹⁰ This is part of the planned activity 1.1.5 under output 1.1 Public information and awareness raising campaign.

⁹¹ Disaggregated data (women/men participation) was received after the evaluation mission had ended and after the closing of the Project.

⁹² Interview with ZUTUC representatives, Focus Group Discussions with employees in the tourism industry and Labour Inspectors (former trainees in ILLC Project training events) in Zanzibar.

7.6 Barriers to successful implementation

The Project faced certain barriers that adversely affected activities, resulting in postponement and delays in implementation among others. These are examples:

- The public information/media campaign, which was a key element to focus on worker rights, was cancelled and difficulties were faced regarding engagement with the governments on regulatory, institutional and policy reforms.
- The national elections in October 2010 and an industrial relations crisis (including strike threats from TUCTA) created a politically sensitive environment, in which senior government officials (mainly in mainland⁹³.) in many cases were either unable or unwilling to be involved with the ILO ILLC project⁹⁴. (Although this was certainly a barrier the Project could have focused on activities that were not tripartite in nature. The work with ATE, for instance, could have continued).
- The report on the Audit of the labour administration and labour inspection systems in mainland Tanzania and Zanzibar was submitted to the Ministries of Labour. The ministries were reluctant to take any action and no action plans followed the Audit, as had been planned⁹⁵. ILO was requested to delay releasing the report until after the elections and the new government had been formed. Later the CTA met with the new PS and senior leadership of the Zanzibar Ministry of Labour. The audit report was *re-submitted*, and the CTA made a presentation on the report's findings. Discussions were held on the desirability of disseminating the report in a tripartite forum, ideally in LAB. The Ministry agreed, but noted that LAB had still not been re-appointed.

7.7 Good practices

There are some examples of good practices:

- Training workshops, in which Zanzibar and mainland trainees attended together, were beneficial as the trainees could share knowledge and experience;
- The practical, participatory field training sessions (for instance in plantations in Zanzibar and the mainland) for labour inspectors, and the revision of inspection instruments (forms) done in stages, were examples of solid and useful learning platforms;
- Setting up the two tripartite working groups were also examples of good practices during the duration of the Project; namely the working group on labour inspection and the working group on communications and awareness-raising (it is however doubtful that these groups are sustained after the ending of the Project); and
- Incorporation of Labour Law issues in the work of the Youth Entrepreneurship Facility (YEF) (TOT & training of young entrepreneurs) was a positive initiative and a good practice as an outreach to actors in the informal economy.

7.8 Lessons to be drawn

An important lesson to be drawn by the ILO and the USDOL is that more needs to be done in terms of participation and creating ownership before launching a Project. ILO did consult with the key partners during the preparatory stage and also before the start-up of the activities in 2009, also jointly with

⁹³ This was a difficulty that persisted *in the mainland* even after the new administration was in place following the elections and in fact to the very end of the Project.

⁹⁴ *Source*: ILLC Project Progress report, covering January – March 2011 and discussions with the ILO Director and CTA who claimed that this was especially true for the period of March 2010 to around Dec 2010/Jan 2011. The same has also been verified by many with whom the evaluator interviewed, e.g. the Project management, the ILO Director, the TUCTA, the ATE.

⁹⁵ *Source*: ILLC Progress report, Jan-March 2011.

USDOL. Yet, there are signs⁹⁶ that the Project with all its key outputs and activities was not sufficiently or equally anchored at high and medium management level in the Government (MoLE) in the mainland.

Some key high-level MOLE officials appeared to have no more than a lukewarm interest to be engaged in Project activities, particularly those oriented towards public information campaigns, social dialogue, policies and regulations – even though such activities clearly were not only part of the project document but also part of their core responsibilities.

An example is that despite the success of training for the Wage Boards, the mainland Ministry was somewhat reluctant to engage fully, or receive assistance, from the project in the areas of social dialogue, policies and regulations, or public information campaigns, *although it continued to engage on more technical issues e.g. labour inspection*. This could also be a reflection of varying degrees of interest and commitment among officials at different levels of the Ministry management.

A lesson to be drawn is that before technical cooperation activities are started up, the Project Document should not only be completed but be “owned” by the constituents at all key levels⁹⁷. National ownership and the necessity of acquiring political commitment for a technical cooperation Project such as the ILLC, should not be underestimated and is thus crucial for success. An example is that once the new government was formed and the new Ministry leadership was in place with a strong commitment to the Project - Zanzibar moved quickly to produce results.

⁹⁶ One such sign is a Tanzanian & Zanzibar delegation that expressed concern about the Project at ILO Headquarters in Geneva, re. an e-mail to DECLARATION dated 06/01/2010. Other signs are MoLE’s the lack willingness to participate in, and support, some of the key activities of the Project.

⁹⁷ When the CTA took up his posting in Tanzania mainland, the Project Document was still not finalised.

8 Conclusions and Recommendations

8.1 Overall conclusions on the ILLC Project

The evaluation has attempted to determine what the ILLC Project has managed to achieve. In so doing, the evaluator has first and foremost looked at the original plans and stated goals – what did the Project intend to achieve? The assessment, thus, determined what had been realised/materialised in terms of producing the **ten outputs and reaching the three immediate objectives – and making contributions to the long term objective (goal) of improved Labour Law Compliance in Tanzania.**

It has been found that the achievements of the ILLC Project were mixed, as some activities went very well, displayed good quality and were also perceived as fruitful by the key partners, as well as beneficiaries/ trainees of the capacity building programme on various topics. Other activities could not even be started up, for various reasons - one of them being reluctance among constituents to participate in the planned activities – which resulted in non-achievement both in mainland and Zanzibar of whole outputs/objectives.

Thus, *on one hand*, the Project initiated, funded and organised/implemented a great number of events including training and capacity building which have been thoroughly reflected in this report. It also provided technical support to constituents for activities that were partly or fully initiated, financed and organized by them, such as in the areas of reviewing the labour provisions of the mainland’s proposed draft on National Law of the Child Act, as well as ongoing discussions on the development of draft regulations under the Zanzibar labour laws. *On the other hand*, the Project management was not able to overcome some of the challenges it faced, and could not go through with undertaking some of the planned key outputs. Some of these challenges were outside the control of the Project, as they were related to political events and tense industrial relations. Some related to the proportionally small Project team in relation to the tasks foreseen. There were also other problems accounted for in this report.

Its capacity building activities were, overall, successfully carried out, involving a total of 3,007 participants, of which 1,023 (34%) were women. Thus the Project’s contributions towards the project objective related to knowledge and learning (Immediate Objective 1) is fully acknowledged by this evaluation.

As regards the achievements in producing the planned ten outputs and reaching the three objectives, the evaluation has concluded that the Project only partially achieved what it had set out to achieve:

- Four⁹⁸ out of ten planned outputs were satisfactorily produced and two of the three immediate objectives were *contributed* to in the mainland;
- Five out of ten planned outputs were produced and one immediate objective was contributed to and one was actually *reached* in Zanzibar⁹⁹.

The Project faced certain barriers that adversely affected activities, mainly in mainland, resulting in postponement and delays in implementation among others. These were difficulties in ensuring commitment from the government stakeholders in mainland in a politically sensitive time and the effects of tense industrial relations, among others. The evaluation has taken into account that the joint ILO-USDOL Interim Assessment, in July 2011, recommended that the **Project should not continue** to pursue certain activities, and outputs 1.3, 2.2, 2.3, and 3.1 were cancelled.

Recommendation

ILO and USDOL should continue its support to the constituents and partners in Zanzibar if this would fit within the priority areas of the upcoming DWCP in Tanzania - and use the momentum that finally was created in certain areas, to reach further to support systems that promote labour law compliance.

⁹⁸ The outputs produced in both Tanzania mainland and Zanzibar are 1.2 (under IO:1), and 2.1, 2.4 and 2.6. (under IO:2).

⁹⁹ The additional output, produced in Zanzibar only, is output 2.5 (under IO:2).

There is much more to be accomplished in this area, related to the tourism industry, the plantations and in the field of small- and medium-scale entrepreneurship (informal economy) among other areas.

8.2 Specific conclusions and recommendations

8.2.1 Validity of project design/Logical Framework

Conclusion

The Logical Framework Matrix did not serve the Project management or reviews/evaluations as the useful management tool it is meant to be. The logic and coherence in the design of the ILLC project was somehow overlooked and important elements are missing, including SMART indicators. The Project Monitoring Plan (PMP) has the same problem, as the indicators are neither specified nor quantified – there is only mention of areas of indicators – thus they cannot be used in measuring progress.

Recommendation

- a) ILO should always strive to adhere to the international standards for the design of technical cooperation projects, to ensure that Project Logical Frameworks form the basis of Project Documents; and are logical and coherent tools, with SMART indicators to facilitate project management (planning, implementation, internal monitoring) and evaluation. Logframes should be completed before the start-up of the Project and included, or attached to, the Project Document.
- b) The Logframe matrices should include clear narratives and logic in its chain of objectives, outcomes/outputs and/or results, objectively verifiable indicators (at immediate objectives and output levels), means of verification, activities and assumptions that are beyond the influence/control of the project, including the influence by the constituents and other stakeholders.

8.2.2 Effectiveness

Key achievements in mainland

Conclusions

The Project contributed to two of the three immediate objectives. The third objective dropped, and the other two were only partially met. It produced only four out of ten outputs.

The key achievements are capacity building/training, specifically training on the labour laws and it is assessed that capacity and efficiency of the labour inspection officers to conduct inspection was strengthened. Good work has been undertaken, regarding the attempts to reform the inspection system, the training of labour inspectors and initiation of new inspection forms. It is expected that the constituent will follow up on the initiated reform process, followed by an instruction to the inspectors in the field on the launching of the new inspection form (relates both to mainland and Zanzibar).

It was also assessed that MoLE officials and other beneficiaries were more knowledgeable about Labour Law issues as a result of the Project. Labour law issues were also incorporated in Youth Entrepreneurship Facility (YEF) Training of Trainers courses and training of young entrepreneurs. Other key achievements were the production of the CMA Case Management Guide Mediators, Arbitrators and other Stakeholders of the Commission¹⁰⁰. Another publication produced with support from the Project was the CMA Dispute Prevention and Resolution Training Guide, all of which are likely to contribute to increased effectiveness of CMA.

Key achievements in Zanzibar

Conclusions

The Project produced only five of ten outputs and contributed to two of three Immediate Objectives. The 3rd objective was dropped, and the other two objectives were only partially met.

¹⁰⁰ Source: p. VII in Case Management Guide, Volume 1. 2007 - 2009. CMA also received support from the Project in the production of Volume 2, which was about to be completed at the time of the evaluation.

The constituents and stakeholders in Zanzibar embraced the Project. It was found that there was motivation and willingness to participate and acquire new learning (and good experiences from SLAREA project) as well as support received from the MLEC Minister, PS, Labour Commissioner et. al.

Among the key achievements are training of Employers, Workers and their representatives on the labour laws. Output 1.2 was well achieved, with relatively high numbers of persons trained in proportion to the economic active population in Zanzibar. The evaluation, therefore, *has assessed that in producing this output, Zanzibar contributed well to the immediate objective No. 1*. This should also be seen in the light of the evaluation's recognition of the relatively high interest in Zanzibar for the project activities and the high level of effort of the involved stakeholders.

Training events included TOT, training plans, pilot trainings, technical review and adjustments, scaling-up of training programmes. The capacity of the labour inspection officers to conduct inspection was strengthened. Practically all Labour Inspectors were trained and new inspection forms were developed. Labour officers were also certified as Prosecutors, to prosecute labour cases in Court (they won the first two cases, as a direct result of the training they had received).

The Project contributed to increased effectiveness of the Labour Advisory Board (LAB) through training on social dialogue and tripartism, Labour Laws, and ILS and Domestic Workers. The Project also achieved in contributing to the establishment, training and equipment of Dispute Handling Unit DHU started its operations (on the basis of cases received) even before the closing of the ILLC Project, however, there was no possibility for the Project to monitor the work of the new DHU, due to lack of time, before ending the Project activities. Contributions were also made toward an increased effectiveness of the Industrial Court.

Project Management

Conclusion a)

One conclusion is that the Project CTA generally demonstrated a good level of effort, and performed well in many of his endeavours, when considering some complicated circumstances under which he operated - as described in this report. He, however, faced a number of problems in working with the Government before, during and even after the election period and the lack of commitment from some of the key Government officials. *The lack of a NPC who could have assisted in this situation is another important circumstance - both a CTA and a NPC would have been required in this particular Project, which encompassed both Tanzania and Zanzibar.*

Recommendation a)

ILO should ensure that national project coordinators are recruited in cases where a CTA is employed in a Project – in particular if it is a project that requires that entry/in-roads to the government and stakeholders and if it is dealing with issues such as compliance to the laws of the country. Projects also need to have adequate “staff strength” as managers often need assistance in collecting information and sorting data to prepare the progress reports.

Conclusion b)

Progress reporting was not done timely – which was a pattern throughout the Project period.

Recommendation b)

ILO should emphasize the importance of progress reports being systematic accounts of what has been undertaken and be results-oriented and timely. Templates for final reports should be provided in good time. Progress reports should always include a work plan for the subsequent work period (normally 6-months), which would be helpful for both staff and any external reviewer/evaluator when determining what has been accomplished against the work plan. The work plan may include a simple bar chart and have all the activities sorted under the outputs and objectives – in such a way that monitoring and cross-checking can easily be done.

Programme Advisory Committee

Conclusion

The PACs were not held regularly, and were not quite effective in gathering constituents' views, evolving concerns and interests regarding the project and really encourage tripartite participation and encourage ownership. Regarding the role of the PAC, the evaluator has listened to different views by the CTA, the ILO Director and the ATE Executive Director, regarding what would have been the preferred level of the officials on the Chair and as members of the committees. The assessment of the evaluation is that despite the fact that the Project issues certainly were important enough to expect commitment and engagement from high-level Government officials - it would have been *more practical* if the PAC leadership had not been placed at a very high level.

Recommendation

MoLE/MLEC and ILO should jointly adopt practical approaches vis-à-vis leadership and membership of Programme Advisory Committees, in order to benefit the implementation of any future technical cooperation projects and for the purpose of increased effectiveness.

Training/capacity building

Conclusion

The Project performed well as regards to training and capacity building, as it organised a number of training events involving a total of 3,007 participants - of which 1,023 (34%) were women. The majority were trained on Tanzania mainland (1,752 participants, or 58% of the total of which 507 were women).

8.2.3 Relevance and strategic fit

Overall conclusion

Although the Project faced certain problems which delayed, and even obstructed some of the implementation that was planned (in the mainland in particular), the evaluator found that its objective of improving on the compliance of labour laws was, and remains fully relevant in both mainland of Tanzania mainland and Zanzibar. The Project's overall long-term objective was in line with national priorities in the mainland and was also relevant and in line with other ILO activities (e.g. ILO YEN). The Project also successfully contributed to increasing the relevance of ILO's work on labour law compliance and strategic fit of an important ILO theme within the context of UNDAP (even though this was not part of the Project activities) –which was appreciated by the ILO Director and the Monitoring and Evaluation Expert at the UN Resident Coordination office, among others.

The Project was in line with priorities also in Zanzibar. The ILLC Project was relevant and the partners appreciated its contributory role. The needs for increased knowledge and new systems in the area of labour law compliance were increasingly recognized by the MLEC during the short period of implementation, as well the other partners. The ZANEMA and ZATUC were well acquainted with SLAREA, and several persons had been active in this earlier Project.

8.2.4 Efficiency

Conclusion

It is assessed that in the end, the efficiency was satisfactory in terms of budget delivery - and also many activities had good and high quality. During the period under implementation, however, there were problems with the speed of converting inputs/means into activities and producing the outputs.

Recommendation

ILO should adapt the human resources to the nature and ambition of the projects and monitor implementation and issues of closely.

8.2.5 Impact and sustainability

Conclusions

The overall impact of the Project in mainland **Tanzania** in contributing towards increased labour law compliance, is assessed to be medium, however, it is not easy to determine what will be sustained, mainly due to the fact that MoLE and its officials did not fully “buy into” the Project. There is likelihood, however, that at the capacity-building level, the training events will leave impressions, change attitudes and that knowledge acquired will be sustained among the trainees which may lead to improved work performance and better systems developed.

In **Zanzibar**, the overall impact is assessed to be medium - high. It is not unlikely that the project has made an impression that will last.

Recommendation

The ILO Dar office should follow-up developments regarding labour law compliance issues both in mainland and Zanzibar, aided by ILO UNDP Coordinator and/or the newly recruited ILO Labour Law official in order to maximise potential impact of what has been possible to achieve. As much as possible, ILO Dar should ensure, in contacts with the Partners, that the UNDP commitments on labour law compliance are honoured, a responsibility already acknowledged and embraced by the ILO Director. Other issues to monitor are the endorsement of labour inspection forms and finalisation of various guidelines - and any remaining relevant and purposeful activity¹⁰¹ generated from the ILLC Project that the ILO office staff realistically could pursue.

8.2.6 Gender equality and mainstreaming

Conclusion

It is acknowledged that the Project made attempts to bring gender issues to discussion with the constituents, although the specific awareness campaign was not undertaken. However, it appears that more could have been done to increase awareness and knowledge about gender issues in relation to labour law compliance and labour inspection themes. Further, it appears that the management has not made fully use of (or made constituents aware of) the gender mainstreaming tools, such gender analysis, gender auditing and gender budgeting.

Recommendations

ILO should:

- a) Follow its gender policy and bring up even sensitive issues to discussion - although social, cultural and/or religious beliefs may persist that favour conserving gender roles and “traditional” norms.
- b) Encourage gender equality and gender mainstreaming – in relation to employment, education, at workplaces as well as regarding labour law compliance and make more use of gender specialists and available gender tools (e.g. gender analysis/mainstreaming/auditing/budgeting)

Conclusions

These are examples of identified good practices:

- Joint training and joint workshops for mainland and Zanzibar trainees and representatives of the constituents;
- Participatory training sessions for labour inspectors and others (which included visits to plantations in Zanzibar and the mainland);
- Training that included revision of inspection instruments, assessed as being solid and useful learning platforms;
- Setting up the two tripartite working groups were also examples of good practices during the duration of the Project, namely the working group on labour inspection and the working group on communications and awareness-raising (but doubtful that these groups are sustained after the ending of the Project), and

¹⁰¹ The planned Study Tour should be an exception – as there is little justification/rationale for this activity. It was also noted that the Project’s suggestion to organise a study tour in Lesotho was not met with any enthusiasm by Government officials.

- In mainland: the incorporation of Labour Law issues in the work of the Youth Entrepreneurship Facility (YEF) (TOT & training of young entrepreneurs) was a positive initiative and a good practice as an outreach to actors in the informal economy.

8.2.7 Lessons to be drawn

- Although the Project “only” has three immediate objectives, the intentions for this Project were ambitious, possibly over-ambitious.
- The ILO and USDOL consulted with the constituents and key partner organisations of the Project in its design during the preparatory stage and also before the start-up of the activities in 2009. Yet, there are signs¹⁰² that the Project with all its key outputs and activities was not sufficiently or equally anchored at high and medium management level in the Government (MoLE) in the mainland. An example is that despite the success of training for the Wage Boards, the mainland Ministry was somewhat reluctant to engage fully, or receive assistance, from the project in the areas of social dialogue, policies and regulations, or public information campaigns, *although it continued to engage on more technical issues e.g. labour inspection*. This could be a reflection of varying degrees of interest and commitment among officials at different levels of the Ministry management. A lesson to be drawn is that before technical cooperation activities are started up, the Project Document should not only be completed but be “owned” by the constituents at all key levels.
- The necessity of acquiring political commitment, for a technical cooperation Project such as the ILLC, should not be underestimated. An example is that once the new government was formed and the new Ministry leadership was in place with a strong commitment to the Project – Zanzibar moved quickly to produce results.
- Project staff developed a Logical Framework Matrix after the start up of the Project – which should have been done before the launching and start-up – another lesson to be drawn from the ILLC Project.

8.2.8 Mid-Term Evaluations

Conclusion

The MTE was referred to in Tanzania as the Interim Assessment and took place in July 2011. ILO DECLARATION programme and USDOL undertook the joint exercise and it had positive effects on the progress and achievements. It should however, have taken place 18 months after the start of the Project as an independent evaluation, according to the Project Document¹⁰³ (p. 26).

Recommendation

ILO should ensure that Mid Term Evaluations take place at Projects’ actual mid term and that they, preferably, are independent reviews. These are crucial events/processes and can help redirect activities, oversee the original plans and set new priorities generally, assist managers to sort out issues that may have arisen with constituents –situations that are not uncommon (this has been well acknowledged by both ILO and the donor agency).

¹⁰² One such sign is a Tanzanian & Zanzibar delegation that expressed concern about the Project at ILO Headquarters in Geneva, re. an e-mail to DECLARATION dated 06/01/2010. Other signs are MoLE’s the lack willingness to participate in, and support, some of the key activities of the Project.

¹⁰³ The Evaluation of the 2006-2011 DWCP also recommended that ILLC Project should undergo an independent mid-term evaluation (source Evaluation, DWCP 2006-2011, p. 41).