



## Evaluation Unit (EVAL)

- **Project Title:** Consolidating the Legal and Institutional Foundations of Social Dialogue in the Countries of Western Balkans and Moldova
- **TC/SYMBOL:** RER/07/08/AUT
- **Type of Evaluation:** Final
- **Country(ies):** Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia
- **Project End:** December 2011
- **Evaluation Manager:** Ms. Maria Borsos
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- **Date Evaluation Completed:** November 2011
- **Key Words:** Social dialogue; social partnership; collective agreements

**FINAL INDEPENDENT EVALUATION OF THE PROJECT**

**Consolidating the Legal and Institutional Foundations of Social Dialogue in the  
Countries of Western Balkans and Moldova**

**RER/07/08/AUT**

**EVALUATION REPORT**

**November 2011**

**Evaluator: Donata Maccelli**

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### **3. List of Acronyms or Abbreviations**

ACT/EMP: Bureau for Employers' Activities (ILO)

ADA: Austrian Development Agency

ADC HQ: Austrian Development Commission Head Quarters

Agency: Agency for the Amicable Settlement of Labour Disputes

BD: Brcko District (Bosnia and Herzegovina)

BiH: Bosnia and Herzegovina

CCM: TU Confederation of the Republic of Macedonia

CERM: Confederation of Employers of the Republic of Macedonia

CTUM: Confederation of Trade Unions of Montenegro

ELMO: Project 'Enabling labour market mobility'

EO: Employers' Organisation

ESC: Economic and Social Council

EU: European Union

FBiH: Federation of Bosnia and Herzegovina

FES: Friedrich Ebert Stiftung (Foundation)

FYRoM: Former Yugoslav Republic of Macedonia

ILO: International Labour Office

ILO DWT-CO Budapest: ILO Decent Work Team/Country Office

IMF: International Monetary Fund

IOE: Organisation of Employers

KOP: Konfederata Keshilli I Organizavate Punedhensesve, Albania

KOPSH: Council of Employers' Organisations in Albania

KSBiH: Confederations of Trade Unions of BiH

KSSS: Confederation of Trade Unions, FYRoM

MEF: Montenegro Employers' Federation

MLSP: Ministry of Labour and Social Policy

NCCCB: National Commission for Consultations and Collective Bargaining

NEZAVISNOST: Confederation of Trade Unions, Serbia

NGO: Non-Governmental Organisation

NLC: National Labour Council

PAC: Project Advisory Committee

PM: Prime Minister

RS: Republika Srpska (BiH)

SAA: Stabilization and Association Agreement

SC: Social Council

SEC: Social Economic Council

SEC: Social Economic Council

SP: Social Partner

SSS: Federation of Trade Unions, Serbia

SSSBIH: Confederation of Independent Trade Unions of BiH

ToRs: Terms of Reference

TU: Trade Union

UPS: Union of Employers of Serbia

WB: World Bank

## 4. Executive Summary

### 4.1. Background & Context

The present evaluation report aims at providing a comprehensive assessment of the project “*Consolidating the Legal and Institutional Foundations of Social Dialogue in the Countries of Western Balkans<sup>1</sup> and Moldova*”. It was developed and designed in 2007 and due to be implemented in 2008-2010. An extension until the end of 2011 was approved in January 2011.

#### 4.1.1. Summary of the project purpose, logic and structure

The overall objective of the project (called goal in the ToR) was *to contribute to the enhancement of governance in the Western Balkan countries and Moldova, through the strengthening of social dialogue institutions and the enhancement of the capacity of tripartite actors (ToR)*.

The project objective was *to consolidate the institutional and legal foundations of social dialogue and to promote an effective culture of social dialogue (ToR)*.

The strategy chosen to achieve these goals was a correct and effective combination of national and subregional activities linking capacity building, advocacy and technical and legal advice to accompanying measures to be taken by tripartite constituents themselves in the target countries (ToR).

#### 4.1.2. Present situation of the project

The project is now officially closed. A closing conference was held in Becici, Montenegro on 9-10 November 2011 with the objective of discussing main outcomes and elaborating ideas for new potential interventions.

#### 4.1.3. Purpose, scope and clients of the evaluation

This evaluation purpose and primary use is to provide the decision-makers in the Governments and social partners' organizations of targeted countries, the relevant departments of the ILO and the wider public with sufficient information to make an overall independent assessment about the past performance of the project. Particular attention is paid to the effectiveness, relevance and sustainability of the project actions against its objectives. This contributes to identify key lessons and to propose practical recommendations for potential follow-up actions. The evaluation covers the overall period of project implementation in six target countries (Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia).

#### 4.1.4. Methodology of evaluation

The method used in this evaluation is an analysis of a mix of documentation (project documentation, background studies and country analysis, data on labour etc.) and information collected at the meetings with stakeholders. Stakeholders interviewed included donor, implementing agency, country ILO representatives, and country level project stakeholders. Min limitations are linked to unavailability of beneficiaries and stakeholders working at the project or benefiting from project activities.

### 4.2. Main Findings & Conclusions

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<sup>1</sup> Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia. Activities were not implemented in the UN-Administered Territory of Kosovo which originally was one of the beneficiary countries.

**Relevance:** The project has been relevant. At strategic level, it has contributed to increasing awareness on benefits of social dialogue in a democratic society. The project was in line with national priorities determined by the EU accession or neighbourhood requirements. The economic and financial crisis started in 2008 found an adequate response from the project, which was able to adapt activities to the new needs of stakeholders.

**Effectiveness:** Seminars, workshops and capacity building activities – including advocacy to raise awareness on social dialogue with the government of targeted countries – have proven to be timely and useful. The project has offered support to key legislation on labour relations and other labour related issues. It has improved operational capacities of all the stakeholders, on the basis of consensus and demand driven approaches. Effectiveness problems are mostly related to the challenging political and economic background of most of the countries.

**Efficiency:** The ILO correctly made use as much as possible of its rich internal expertise; a substantial contribution was provided in this respect by the experience and skills of the three senior specialists from the ILO DWT-CO Budapest. Complementarity with other ongoing activities in the sector was fully ensured at the design phase.

**Impact:** Work done in the field of peaceful settlement of labour disputes has positively impacted on the countries. Work done on labour related legislation has had an undoubted impact on the legislative framework of targeted countries. In other cases, difficult political and administrative settings (BiH), early phase of transition to an open market economy and a democratic system (Moldova), persistence of conflicting stances among stakeholders (Serbia), politicisation of social dialogue (Albania, FyRoM) delayed the dialogue process and prevented from taking maximum advantage of project ideas and contents.

**Sustainability:** The project has contributed to the enhancement and improvement of several labour laws. However, implementation is still an issue in many countries. Commitment to reforms and to social dialogue by Governments has to be strengthened in most cases. Tripartite dialogue institutions need further work, related in particular to mandate, respect of councils' recommendations, involvement of councils in all labour related legislative work, as well as staffing and budgeting matters.

### **4.3. Recommendations & Lessons Learned**

#### **4.3.1. Important lessons learned**

1. The project has been designed and implemented in a participatory way, in close consultation with local stakeholders. This has contributed to create ownership and respond to countries' demands and needs.
2. Work on legislation, especially related to representativity criteria and establishment of tripartite and bipartite institutions, was key to enabling the countries to align with international best practices.
3. Work with TUs and EOs was useful, but it was not possible to address all the needs and cover all the issues during the life span of the project. This work needs to be further carried out to fully enable these social partners to correctly fulfil their mandates and satisfy their constituencies. More joint activities for TUs and EOs would have probably contributed to strengthening mutual understanding and dialogue.

#### **4.3.2. Good Practices**

The development of practical guides, manuals and handbooks (especially for EOs) has contributed to increasing the practical value of outputs and to consolidate information provided. Some activities, such as the development of campaigns to address specific issues (such as the TV campaign to fight informal economy in Montenegro) has encountered the favour of beneficiaries and has contributed to raise awareness among the public. Such initiatives should be disseminated in all targeted countries.



### 4.3.3. Recommendations

The evaluation has identified 4 main key areas for *recommendations*:

Key Area 1: Strengthen project design

Key Area 2: Streamline project management

Key Area 3: Streamline human resources

Key Area 4: Focus on long-term approaches (impact, sustainability)

Recommendations are given for each key area. A degree of priority is assessed for each recommendation on a high (XXX) to low (X) scale. An indicative timeframe for implementation of recommendations is also provided.

#### Recommendation 1 – Strengthen project design

<b>1a</b>	Priority: XXX	Timing: MT	<b>Introduce objectively measureable indicators (OVIs) in the project documents</b>
<b>Operational application:</b> OVIs, including quantifiable indicators (e.g., percentage increases, timelines etc.), should be included in the project documents and logframe matrices.			

#### Recommendation 2 – Streamline project management

<b>2a</b>	Priority: XXX	Timing: MT	<b>Focus on single country approaches</b>
<b>Operational application:</b> Target country instead of subregional level. Focus on pending issues in each country and develop a realistic workplan where only feasible objectives are stated.			

#### Recommendation 3 - Streamline human resources

<b>3a</b>	Priority: XXX	Timing: MT	<b>Consolidate capacity building activities</b>
<b>Operational application:</b>			
- Appropriate training and capacity building material should be prepared and made easily available to beneficiaries.			
- Training of Trainers activities should ascertain that trainers are utilised in future initiatives. A shift from theoretical traditional methods to more practical on-the-job training might also be needed.			
- Material prepared for capacity building activities should be carefully evaluated in order to ascertain that it is suitable for immediate and practical use and integration into the existing training programmes of countries' state institutions.			

**Recommendation 4: Focus on long-term approaches (impact, sustainability)**

<b>4a</b>	Priority:XXX	Timing: MT	<b>Strengthen coordination with other projects and donor community</b>
<b>Operational application:</b> Develop and encourage joint activities when appropriate and effective. Avoid potential overlapping. Focus on EU Accession or Neighbourhood process. Encourage transfer and sharing of best practices among different projects, both ILO and non-ILO, including those funded by other donors.			

<b>4b</b>	Priority: XXX	Timing: MT	<b>Disseminate best practices in all targeted countries</b>
<b>Operational application:</b> Implement in all targeted countries the activities or outputs, which proved to be particularly successful.			

## 5. Project Background

On 14 February 2008, an agreement was signed between the Austrian Government, represented by the Austrian Development Agency, and the International Labour Office. The agreement assigned to the ILO Subregional Office for Central and Eastern Europe in Budapest (ILO DWT-CO Budapest) the responsibility to implement a regional technical cooperation project entitled “*Consolidating the Legal and Institutional Foundations of Social Dialogue in the Countries of Western Balkans<sup>2</sup> and Moldova.*”

The present evaluation report aims at providing a comprehensive assessment of the aforementioned project. It was developed and designed in 2007 and due to be implemented in 2008-2010. An extension until the end of 2011 was approved in January 2011.

### 5.1. Problem context and intervention logic of the project

The project proposal clearly explains the relevant context and subsequent approaches used in the definition of problems and objectives.

At the time of the project’s conceiving, countries of the Western Balkans (WB) and Moldova were defined as being “in the middle of their transition towards functioning market economies”<sup>3</sup>. Most of them were already engaged in EU accession processes or EU neighbourhood policies.

#### 5.1.1. Background: previous social dialogue systems in targeted countries

In all targeted countries, before the collapse of socialist economies, labour issues presented quite common patterns. Trade union movements were not independent from the party, the state and managers, and were organised in a completely centralised way, with mandatory membership, with – in the case of Yugoslavia - republic-level organisations in each republic.

Employers' organisations did not exist, because in firms workers - in theory, at least – were supposed to decide. This led to the long-standing issue of who should represent employers from such countries in the International Labour Organisation.

A particular feature of the former Yugoslavia was the so-called 'social ownership' of means of production: firms were neither state nor privately owned, and all enterprises and craft workers were organised in chambers (parastatal organisations) with obligatory membership. As for employers, they were all members of Chambers of commerce, membership of which was compulsory.

In the territory of former Yugoslavia, even before the break-up of the State, important changes were made to the constitutional frameworks of the republics, starting from the end of the nineties. The old ideological paradigm, under which labour was considered the only important factor in production and other resources were underestimated, was rejected. This meant the abolition of the Yugoslav self-management model and constitutional and legal devolution of all formal powers within the enterprise to workers and their organisations. Under self-management, where workers had all formal power, trade unions had less importance in representing the collective interests of employees and were more important in protecting workers against unjustified behaviour and decisions by managers.

After the period of trade union 'unitarism' under the socialist regime of the former Yugoslavia, trade union pluralism began to develop in these countries since the early 1990s with the recognition of freedom of association and the abolition of obligatory union membership.

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<sup>2</sup> Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia. Activities were not implemented in the UN-Administered Territory of Kosovo which originally was one of the beneficiary countries.

<sup>3</sup> ILO, Project proposal, 2007

### 5.1.2. *Intervention logic*

The above overview shows that in all targeted countries some initial mechanisms of social dialogue had been already established at the time of the design of the project, although in different forms and features expressing countries' specifics and political views. ToRs of the project highlight that those attempts were in general perceived as aiming to please the international community, rather than focus to provide sustainable results.

The background analysis contained in the project proposal correctly identified the two main problems hindering social dialogue in targeted countries:

- Weaknesses in *tripartite policy dialogue* between government representatives and employers' and workers' organisations; and
- Weaknesses at the level of *bipartite social dialogue* and collective bargaining between employers and workers and their organisations.

Based on these conclusions, the key areas of intervention of the project focused respectively on:

- for the first issue, strengthening the role and functioning of Economic and Social Councils and similar tripartite institutions and enhancing the capacities of tripartite actors in relation to social dialogue;
- for the second issue, advocacy and technical advice to create alternative systems for the peaceful settlement of labour disputes, as well as enhancement of the skills of workers and employers in negotiating techniques and procedures and the improvement of their organisational capacities.

The ILO implementation strategy to meet these challenges consisted of a 'holistic approach', where social dialogue is developed through a gradual process of learning and confidence building.

Work with EO mainly aimed at improving services, in order to attract and retain members. Focus was given to role and functions of effective employers' organizations; negotiation and collective bargaining skills; outreach; flexibility, to address the changing circumstances surrounding the EOs. The economic and financial crisis moved the focus of EOs from sectoral collective bargaining to job-retention in sustainable enterprises. The EO component seems in general to have produced more concrete outputs, such as manuals, handbooks and other material of practical use which has been positively valued by all EOs interviewed during the field missions.

As regarding the TUs, analysis of the existing branch agreements and capacity building for enhancement of negotiating skills have been the focus of activities. Social dialogue is in many countries perceived by local TUs as a valuable tool to mitigate crisis effects.

## 5.2. **Project objectives**

The overall objective of the project (called goal in the ToRs) was *to contribute to the enhancement of governance in the Western Balkan countries and Moldova, through the strengthening of social dialogue institutions and the enhancement of the capacity of tripartite actors* (ToRs).

The project objective was *to consolidate the institutional and legal foundations of social dialogue and to promote an effective culture of social dialogue* (ToRs).

The strategy chosen to achieve these goals was a combination of national and subregional activities linking capacity building, advocacy and technical and legal advice to accompanying measures to be taken by tripartite constituents themselves in the target countries (ToRs).

This led to the definition of two main results:

- Enhancing the functioning of the Tripartite Social and Economic Councils (ESC) and similar institutions;

- Strengthening bipartite social dialogue, in particular at branch level, through strengthening of Social Partners (SP) and establishing systems for prevention and settlement of labour disputes (LDS).

ToRs also specify that particular attention was to be paid to freedom of association and gender equality as two of the main rights at work.

For each country, a detailed problem analysis was presented, followed by a logic intervention matrix and a list of activities.

The overall logic seems to be thorough and adequate, and activities reflect the main issues to be addressed.

### 5.3. Funding arrangements

The project was funded by the Government of Austria through Austrian Development Agency (ADA) with an overall contribution of 1,500,000 Euro. The Executing Agency was the ILO and the Lead Office of the project was the ILO Decent Work Team-Country Office (DWT-CO) in Budapest. The evaluator was not provided with detailed specifications of funding modalities (disbursement schedules, detailed budgets etc). Further information on funding will be provided in section 8.1.4.

### 5.4. Organisational arrangements

Organisational structure and arrangements were correctly described in the Project Proposal. The management was placed at two levels: i) ILO level, with responsibility on the Social Dialogue Team in Budapest under the supervision of ILO DWT-CO Director and with participation of the DWT-CO Financial and Programming Unit with regards to financial and administrative tasks; ii) national level with Project Advisory Committees in each targeted country.

In ILO DWT-CO, tasks were carried out by three senior specialists on Social Dialogue, Employers' Activities and Workers' Activities. The specialists have been cooperating and coordinating with each other in a satisfactory way, although better coordination in carrying out joint activities was reportedly expected by some local stakeholders, as highlighted in country chapters.

It is worth to be noted that the original idea to deploy a National Project Coordinator in each country was replaced with the involvement of the ILO National Coordinators. They have been mainly responsible for operational tasks related to logistics of events, while the main tasks of recruiting and selecting experts, providing advice to project partners and monitoring the overall implementation fell under the three senior specialists of ILO DWT-CO Budapest.

Monitoring was carried out regularly as per the ToRs and progress reports were submitted to the donor every six months. The evaluator was provided with copies of progress reports from the beginning of the project (July 2008) to July 2011. The final report is due two months after the end of the reporting period, which is February 2012.

### 5.5. Review of the project implementation

The project envisaged activities at both national and subregional level.

At national level, events and activities have been organised. A list of activities is presented in country subchapters.

At subregional and international level, the following activities have been carried out:

2008	TU Sub-regional conference, 2008, Budapest (EOs only)
2009	Employers' Organisations' Subregional Workshop on Effective Engagement in Economic Forums Including Developing Responses to the Financial and

	<p>Economic Crisis, 22-24 September 2009, Zagreb, Croatia (EOs only)</p> <p>Sub-regional Tripartite Conference on Mechanisms of Amicable Settlement of labour Disputes, February 2009, Becici, Montenegro</p>
2010	<p>ILO / AREC / ADA Workshop on Effective Strategies for Meeting the Challenges of Social and Economic Changes in Western Balkan Countries; Belgrade, Serbia, 29-31 March 2010 (EOs only)</p> <p>Sub-regional Tripartite Conference on the Role of Economic and Social Councils in the Western Balkans and Moldova at a Time of Crisis, Ohrid, FYRoM, 30 June – 1 July 2010 (Tripartite)</p> <p>Subregional conference on Governmental Action to Boost Collective Bargaining in the Western Balkan countries and Moldova, September 2010, Durres, Albania</p>
2011	<p>Employers' Organisations' Subregional Conference on Strengthening Social Dialogue to Meet Post-Crisis Opportunities and Challenges, Belgrade, Serbia, 5-6 October 2011</p>

The following Study Tours have been implemented:

2010	<p>Study Visit by four representatives of the National Confederation of Moldovan Employers (CNPM) (Moldova Employers' Organisation delegates) to Romania focusing on <i>OSH Developments and the Functioning of the Romanian Economic and Social Council</i>; 26 September – 1 October</p> <p>Study Visit by two SAE (Serbian Employers' Organisation) delegates to Croatia focusing on the establishment of a permanent training centre for employer members. 3 - 6 December</p>
2011	<p>Study visit of a tripartite delegation from the Macedonian ESC to the Dutch SER, March 2011</p> <p>Study visit of a tripartite delegation from the Moldovan Tripartite Commission for Consultation and Collective Bargaining to the Slovenian ESC, July 2011</p> <p>Study visit of a tripartite delegation from the Albanian NLC to the Dutch SER, September 2011</p> <p>Study Visit by four MEF (Montenegro Employers' Organisation delegates) to Malta focusing on the operation and activities of an EO in a country of similar size and with a similar economy 29 November – 2 December, 2011</p> <p>Study Tour of a delegation made up of conciliators and arbitrators of the Agency for Peaceful Settlement of Labour Disputes of Republika Srpska and Montenegro respectively to the Irish Labour Relations Commission, Ireland, 25-28 September 2011</p>

Project activities started in early 2008, with a series of identification missions carried out in the targeted countries by the ILO experts, with the objective to agree on beneficiaries' needs, expectations and demands.

The first progress report covering the period July-December 2008 already highlights new priorities deriving

from the global financial and economic crisis. The report expresses the necessity of including this reality into the social dialogue agenda, through consultations and decision making processes agreed among social partners to jointly develop anti-crisis measures and plans. The idea was that social dialogue, if effectively implemented, could prevent social conflicts possibly arising from the crisis. Several seminars were organised in targeted countries on this issue.

In May 2009, an ILO/ADA project review was undertaken to examine progress made, major achievements and issues to be further addressed. Adjustments to the implementation of the project were proposed by the ILO in light of the experience drawn from the inception phase (February to July 2008). Recommendations were developed to review the initial study visits programmes for EOs and strengthen capacity building activities for TUs. Project activities related to the financial crisis were also developed.

Minutes of the project review state that *a common understanding was reached that as long as the project's objectives and general goals were not changed and no serious budget implications would be involved, the ILO has the freedom to take measures to meet the real needs of the countries covered by the project so as they best benefit from the available European expertise.*

As a consequence of this, some changes were agreed and a new version of the logframe of the project was prepared (correspondence of 26 June 2009 with ADA).

## **6. Evaluation Background**

### **6.1. Purpose and primary use of the evaluation**

The ToR states that the main objective of the exercise is *to assess the efficiency and extent of the implementation of the project mentioned above. It would be particularly important to evaluate the efficiency and impact of the approach, against the background that the tripartite components adopted could be developed further for future use.*

This evaluation's purpose and primary use is to provide the decision-makers in the Governments of targeted countries, social partners' organizations, the relevant departments and units of the ILO and the wider public with sufficient information to make an overall independent assessment about the past performance of the project. Particular attention is paid to the effectiveness, relevance and sustainability of the project actions against its objectives. This contributes to identify key lessons and to propose practical recommendations for potential follow-up actions.

#### **Limits and constraints of the evaluation**

Considering the limited time-frame for mission execution and the priorities expressed by ILO DWT-CO Budapest, the mission mainly focused on the evaluation aspects of relevance, effectiveness and sustainability. Indeed, only some impact considerations can be done, in view of the fact that activities have been completed only recently. As for efficiency, the documentation made available and the specific budget arrangements of the project do not allow for a full efficiency evaluation.

### **6.2. Scope of the evaluation**

The present evaluation exercise covers the six countries where the project has carried out its activities. Kosovo was originally included in the project. Subsequently, the fact that the UN cannot formally recognise Kosovo as a state led to the decision to cancel activities there. Kosovo representatives were however involved in the tripartite activities organized within the project at sub-regional level, such as the Sub-regional Tripartite Conference on Mechanisms of Amicable Settlement of Labour Disputes, February 2009, Becici, Montenegro, Sub-regional Tripartite Conference on the Role of Economic and Social Councils in the Western Balkans and Moldova at a Time of Crisis, Ohrid, FYRoM, 30 June – 1 July 2010, Sub-regional

Conference on the Governmental Action to Promote Collective Bargaining (Durrës, Albania, September 2010).

### 6.3. Special focus areas (e.g., gender, collaboration, exit strategy etc.)

One of the issues highlighted in the project proposal is the limited participation of women in high level decision making bodies of social partners and labour related institutions (trade unions, employers' associations, ESCs), as well as the gender pay gap in targeted countries. The project allocated a special budget for gender related activities.

On social inclusion, the project proposed to pay attention to ethnic minorities making sure that representatives of all ethnic groups would be included in project activities.

### 6.4. Operational sequence of evaluation

Clients of the evaluation: Donor (ADA), Implementing partner (ILO Headquarters, ILO DWT-CO Budapest, ILO Coordinating offices in the targeted countries), Stakeholders (Governments, Trade Unions, Employers' Associations), local civil society if felt needed.

Evaluator: Donata Maccelli

Evaluation Manager: Ms Maria Borsos, ILO DWT/CO Budapest

The present evaluation has been carried out in three main phases:

1. An **Inception and Desk Phase**, which has focused on: preliminary meeting with the ILO Office in Budapest, collection and analysis of all relevant documents and materials, and a first field mission carried out in Bosnia - Herzegovina and Republika Srpska.

The output of this phase was an inception report.

2. A **Field Phase**, which split onto:
  - i) a preparatory phase, which, on the basis of the preliminary analysis of the existing documentation, focused on the preparation of a set of evaluation questions according to the DAC criteria, as stated in the relevant ToRs.
  - ii) field visits to five remaining countries, with identified questions addressed to target groups.
3. An **Analysis and Reporting Phase**. At the end of this phase, the present draft evaluation report has been prepared following the ILO evaluation methodology guidelines and the proposed format.

Following the ILO and stakeholders' comments during the presentation and after the circulation of the draft report to the relevant stakeholders, the final evaluation report was prepared.

The full mission schedule is presented in Appendix 6.

## 7. Methodology

### 7.1. Main evaluation criteria and questions

The ToRs of the mission clearly set up the criteria for the present evaluation, following the OECD/DAC Criteria for Evaluating Development Assistance, as follows:

#### VALIDITY OF DESIGN

- Are the objectives clearly stated, describing the solutions to the identified problems and needs?
- Are the indicators of achievement clearly defined, describing the changes to be brought about?
- Have the external factors affecting project implementation been identified and assumptions proven



valid?

- Is the project document logical and coherent linking the inputs, activities and outputs to objectives?
- Are the roles and commitment of the various partners clearly defined?

## PERFORMANCE

### 1) Relevance of the project (outcomes):

- Do the problems/needs that gave rise to the project still exist, have they changed or are there new needs that should be addressed?
- Was the project an appropriate response to the problems/needs that existed when it started?
- Have the priorities been given to the basic components of the project changed? If so, why?
- Were the activities appropriately adapted to the needs of the country?
- Did the government, / employers' organizations / unions understand the project's objectives and approach? How have they supported these objectives over the life of the project?
- Have the projects been appropriately *responsive to the needs of the national constituents*?

### 2) Effectiveness of the project (outcomes):

- What have been the major results/accomplishments of the projects?
- What progress has the project made towards achieving project outcomes?
- How does the project approach fit the on-going trends and patterns of social dialogue in the region?
- Have the quantity and quality of the outputs produced so far been satisfactory? What obstacles were encountered in project implementation?
- How have constituents been involved in the implementation? Are the constituents satisfied with the quality of tools, technical advice, training and other activities, delivered by the project? Have there been any resulting changes in constituents' capacities?

#### Effectiveness of the overall project management approach:

- Have resources (funds, human resources, time, expertise etc) been allocated strategically to achieve outcomes?
- Have project funds and activities been delivered in a timely manner?
- Have resources been used efficiently? Have activities supporting the strategy been cost effective?
- Has the project received adequate administrative, technical and- if needed- political support from the ILO office in the field, technical specialists in the field and the responsible technical unit at headquarters?
- Has the project received adequate political, technical and administrative support from their national partners?
- Has project governance been facilitating good results and efficient delivery? Is/was there a clear understanding of roles and responsibilities by all parties involved?
- Were the management arrangements effective? Has the division of work tasks and use of local skills been effective?

### 3) Efficiency:

- How were the available resources (staffing, time, skills and knowledge) used? Have they been used in an efficient manner?
- Were the actions of the various partners complementary?
- Were other funded activities/projects complementary?

### 4) Impact:

- What has happened as a result of the project?
- What real difference has the activity made to the beneficiaries?
- To what extent was the development intervention exemplary and had a broad effect?

### 5) Sustainability:

- What is the likelihood of sustainability of outcomes?
- What project components or results appear likely to be sustained after the project and how?

- Has the project successfully built or strengthened an enabling environment (laws, policies, people's attitude)
- *Should there be a continuation of the project to consolidate project achievements? What more should be done to improve sustainability?*

#### **CROSS CUTTING ISSUES (GENDER)**

- Has gender equality been taken into consideration at project design?
- Do women and men equally benefit from the project?

### **7.2. Evaluation methods - data collection - instruments used**

The method used in this evaluation is the analysis of a mix of documentation (project documentation, background studies and county analysis, data on labour etc.) and information collected at the meetings with stakeholders and individual interviews. Stakeholders interviewed included donor, implementing agency, country ILO representatives, and country level project stakeholders. Interviews were conducted both at ILO DWT-CO Budapest and in targeted countries.

The information necessary for the evaluation exercise was collected from various sources:

- background documentation on country specificities, relevant statistical data: ILO documents and reports, research papers
- ILO specific priorities and approaches: ILO documents collected at ILO DWT-CO Budapest
- data on project implementation: interviews with all stakeholders, progress reports, list of project activities, minutes/ reports of key events.

Information collected during interviews was cross-checked where possible with other stakeholders.

### **7.3. Limitations and potential sources of bias**

The tight time schedule for field missions has constituted a possible limitation to the accuracy of information and to the possibility to double check the data gathered in interviews. In some countries, specific political issues posed some constraints for the evaluator to verify the objectivity of comments and information provided by interviewees.

### **7.4. Stakeholder participation in evaluation process**

Evaluation norms<sup>4</sup>, standards and ethics have been correctly followed by all stakeholders. ILO staff both in DWT-CO Budapest and in targeted countries has been extremely cooperative and generous in providing timely and accurate information, data and documentation. Project beneficiaries and partners in countries have also provided abundant and precious information and comments on the situation of labour relations and on the overall implementation of the project. Finally, the final project conference, held in Montenegro on 9 and 10 November 2011, was extremely relevant for providing additional information and for contributing to draw future perspectives on social dialogue in WB and Moldova. It is hoped that those contributions will be used in the formulation of future potential actions.

## **8. Findings**

Findings will be divided into chapters. Chapter 8.1. regards overall findings (management, relevance and horizontal issues of gender and social inclusion, efficiency and impact). Chapters 8.2. to 8.8. will deal with the other evaluation criteria (effectiveness and sustainability), examining targeted countries separately.

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<sup>4</sup> UN Evaluation Norms and Standards and OECD/DAC Evaluation Quality Standards. See <http://www.ilo.org/eval/policy>.

## **8.1. General Findings**

### **8.1.1. Overall Relevance and Project Design**

#### **Relevance**

The project has been extremely relevant in its contributions to address the fundamental issue of social dialogue in transition countries. Social dialogue is in fact tightly linked with democratisation and increased citizens' participation in public policies and decisions. It was therefore of paramount importance that labour relations be developed in this spirit.

The EU accession or neighbourhood process, which is affecting all targeted countries, is going on the same track. In all candidate countries several projects have been or are being carried out bringing together employers' organisations, trade unions, governments and researchers to assess how social dialogue can be best utilised in their preparation for joining the EU.

The timeliness of the project intervention has been highlighted by developments at the country level, including labour law revisions, emerging mechanisms, or social dialogue on the crisis; all of those occurred in the project time.

Of particular importance is to be considered the flexibility and rapid reaction of the project to new issues and challenges posed to the labour markets by the 2008 economic and financial crisis. The project could identify such issues and elaborate/implement alternative activities to respond to social partners' needs.

More effort should be put by countries themselves and the international community to further carry out initiatives aimed at democratic growth and at the strengthening of a responsive, prepared and competent civil society, enabled to be a real actor and take active part in the development of public policies.

#### **Project design**

The project description is of good quality. The ToRs design is well structured, logical and clear. Problems and key issues are clearly described and the intervention logic is consequent. Inputs, activities and outputs are correctly linked. Roles of all stakeholders are correctly defined.

In the intervention logic matrix, the indicator for the project objective (tripartite general agreements signed in four countries) is too restricted; it excludes two of the targeted countries and does not deal with improved capacities of social partners, neither with the strengthening of bipartite dialogue and peaceful dispute settlements, - two key elements of the project. The matrix also mentions gender equality issues as indicators and not as results. All in all, the matrix would have needed some improvement and more details, as key reference document for evaluations.

As for risks and external factors, they are correctly indicated in the ToRs descriptive part and remained valid for the entire project duration. Assumptions have also been clearly identified.

### **8.1.2. Management**

The management arrangements are described above (see 5.4.).

The structure is solid and seems to correspond to ILO standards and management arrangements in similar projects. The three senior specialists from ILO DWT-CO Budapest have been universally acknowledged by local stakeholders as highly experienced and committed, and their contributions have been precious for the implementation of activities.

The choice of not having a project person in each country, responsible for the entire management of activities and continuous dialogue and coordination with stakeholders, is correct if seen in a view of reduction of project costs. However, an important success factor in such projects consists in creating a

favourable environment for strategic level achievements, where advocacy, lobbying and coming to shared consensus constitute key elements. It has been reported several times that some activities which were designed and implemented for each social partner should have been conducted jointly, in order to allow for better sharing of key themes and promoting dialogue on key issues. The example was reported of a seminar on collective bargaining, held for Trade Unions (TU) representatives of Montenegro: it is perceived that if Employers' Organisations (EO) would have been invited, more understanding of the background situation would have been reached, thus paving the way for future improvements of the dialogue.

### **8.1.3. Gender mainstreaming and social inclusion**

#### **Gender mainstreaming**

The ToRs call for *better representation of women workers, employers and government representatives in social dialogue institutions*. They also ask to pay special attention to women participation in project activities.

These goals have been although partially reached. In Albania, the National Labour Council (NLC) has currently a higher number of women members. In FYRoM, the new draft branch agreements included gender equality issues. In Moldova, the National Commission for Consultations and Collective Bargaining (NCCCB) has a gender balanced composition in accordance with ILO indications; also, gender equality issues were included in the new branch agreements. In Montenegro, the Social Council (SC) grants to women more seats than in the past. In Serbia women participation seems in general very high and does not require special attention. In general, women actively participated in project activities.

#### **Social inclusion**

The inclusion of ethnic minorities was also dealt with in the framework of the project, following ILO policies and indications. This is particularly valid in FYRoM, although the Government is itself implementing active measures to address the issue at general level.

### **8.1.4. Efficiency**

#### **Use of resources**

The ToRs specify that 74% of project resources would be devoted to activities and 26% to project support, including staff costs. The two Statements of Income and Expenditure (30 April 2009 and 31 December 2010) made available to the evaluator present a different repartition of costs so it was not possible to assess the extent to which ToR provisions were observed.

Disbursements were made in February 2008 (EUR 500,000) and June 2010 (EUR 850,000) according to the information made available to the evaluator; there is no available information on last disbursement(s).

Annex D to the project document indicates that the ILO made an additional contribution to the project for an amount of EUR 549,600 (Senior Specialists, General Service staff/secretarial support, National Coordinators in Albania, BiH and Moldova). Non-budgeted contributions are also indicated (infrastructure of DWT-CO Budapest and National Coordinators Offices).

As for human resources, the ILO correctly made use as much as possible of its rich internal expertise; a substantial contribution was provided in this respect by the experience and skills of the three senior specialists of ILO DWT-CO Budapest.

#### **Complementarity**

In many of the targeted countries, several donors provided assistance to social dialogue and other labour related issues. The ILO conducted a thorough review of the existing projects in the field at the time of the project design<sup>5</sup>.

Complementarity becomes an increasingly important factor in the framework of the EU accession process of

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<sup>5</sup> List of other interventions and projects in the field of social dialogue in the targeted countries of Western Balkans and Moldova, Annex D to project proposal, 2008.

all targeted countries<sup>6</sup>, which will considerably affect labour standards and norms. Coordination among projects active in this sector will contribute to move closer to the EU social model, of which social dialogue represents an important feature.

### **8.1.5. Impact**

As stated above (6.1.), it is perhaps too early to judge the real impact of the project. Work done in the field of peaceful settlement of labour disputes has positively impacted on the countries; the agencies have greatly benefited from concrete and targeted inputs in terms of expertise provided by ILO, and have improved quality of services. Work done on labour legislation has had an undoubted impact on the legislative framework of targeted countries.

In other cases, difficult political and administrative settings (BiH), early phase of transition to an open market economy and a democratic system (Moldova), persistence of conflicting stances among stakeholders (Serbia), delayed the dialogue process and prevented from taking maximum advantage of project ideas and contents.

## **8.2. Albania**

### **8.2.1. Country background**

Albania is a potential candidate country for EU accession following the Thessaloniki European Council of June 2003. On 18 February 2008 the Council adopted a new European partnership with Albania. The Stabilisation and Association Agreement (SAA) with the country was signed in June 2006 and entered into force in April 2009. All the main governmental reforms have been guided by the requirements under this integration process.

The Albanian Economy is prevailed by private investments, initiatives and companies (domestic or foreign). The percentage of State sector in the economy is reportedly about 30%.

In 1996 the government established the National Labour Council (NLC) to institutionalise tripartite social dialogue, and put in place a legal framework for the development of collective bargaining between workers and employers. In practice, little was done until 2008. At the beginning of the project, two major problems were still identified: the National Labour Council (NLC) did not work properly and bipartite social dialogue between workers and employers was still weak.

Regarding industrial relations, the main developments during 2010 were related to some changes made to the Labour Law, which were required by the Trade Unions and other social partners that are also members of the National Labour Council.

Regarding implementation and impact of the EU norms and standards, health and safety at the workplace is one of the main priorities. One of the main achievements was the adoption of the new law no. 10237, dated 18.02.2010 "On health and safety at the workplace", which was introduced for the first time in Albania and which was discussed in the NLC.

### **Progress in social dialogue**

Bilateral social dialogue was weak at the beginning of the project also at enterprise level. Employers were reluctant to engage in collective bargaining. On the other hand, the capacity of the local trade unions was weak due to lack of services provided by the confederation (i.e. training on collective bargaining techniques).

At tripartite level, the situation has been improved in the years in terms of gradual institutional improvement. A new composition of the NLC was established in consultation with the social partners, a new regulation of the NLC was adopted, the NLC has become better gender balanced, the NLC met six times in

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<sup>6</sup> Excluding Moldova. This country is however included in the EU neighbourhood policy, where labour issues are part of the approximation process.

2010. Furthermore, negotiations are taking place in order to transform the NLC into a National Economic and Social Council. Although the functioning of the NLC has significantly progressed at least in the last two years according to some of its members the activity of the current Council is still not fully adequate. Trade unions have many complaints related to the meetings of the council. Many times, there was no information regarding the items of the agenda to be discussed in the following meeting. Sometimes decision making has even been fictitious, decisions had been already made even before the meeting took place.

As regards social partners, EOs are still weak and poor in services. Membership is a concern, also due to high presence of the shadow economy. TUs enjoy low credibility, as they seem still influenced by old traditions of pluralistic, conflictive and politicized trade unions). According to the European Commission, the involvement of trade unions and employers' organisations in the policy-making process remains weak. Professional organisations as well as NGO's are still fragile due to public apathy and lack of organisational experience, financial resources and advocacy skills. External factors such as State reforms, the privatization process and the economic and financial crisis have contributed to further decrease the level of trade unions' representation. This is mainly observed in the new sectors of economy, mainly organized into small and medium enterprises, which are very difficult for the trade unions to penetrate.

### 8.2.2. Effectiveness

#### Expected outcomes, indicators, actual results

No.	Expected Outcomes	Indicators	Results
Outcome 1:	1. NLC functions more effectively	1.1 Government and the social partners examine and approve the new draft regulation, including criteria/procedure to assess representativity of the social partners  1.2 More seats for women members in the NLC	1.1. Partially achieved. New regulation adopted, the NLC met regularly and discussed important national legislation/strategy and programmes. The National Labour Council functions as a forum for discussing economic and social issues – it is a platform for tripartite social dialogue.  The members of NLC have been exposed to international expertise through sub-regional conferences and study tours. A  1.2 Achieved.
Outcome 2:	Tripartite social dialogue initiated at regional level	2.1 Initiatives are taken by regional authorities to institutionalize social dialogue at regional levels	2.1 Not achieved.
Outcome 3:	Capacity of the social partners strengthened to conduct Social	3.1 TUs: new draft branch agreements prepared with clear	3.1 Achieved. New branch agreements connect productivity and wages

	Dialogue, including bipartite SD	connection between productivity and wages, gender equality issues included  3.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership	3.2 Partially achieved. EO membership still weak, Given the economic crisis, employers are reluctant to engage in collective bargaining.
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The project specific priorities for Albania focused on four points:

- National Labour Council functioning more effectively
- Enhanced authority of NLC via revision of the regulation of the role and mandate of the NLC
- Improved gender balance in member representation
- Tripartite social dialogue initiated at regional level.

Regarding representativity, the project contributed to define criteria, and some provisions of the regulations on NLC were changed accordingly. A full agreement seems to have been reached with TUs on territorial criteria for representativity.

The NLC seems to still work in a limited way; the law on representativity is reportedly not respected and political criteria seem still to prevail in the Council's decisions. So called 'yellow' TUs (those who do not pay membership fees) are still represented in the NLC.

As for EOs, project activities have contributed to the enhancement of services. EOs are keen to participate in social dialogue at the national level and have undertaken surveys of their members on costs to business to enhance their ability to engage more effectively. The establishment of BIZNESALBANIA also sends a clear message that the EOs are more and more willing to co-operate to have a more coherent voice for employers. On the other side, employers are reluctant in a time of crisis to enter into collective bargaining where the expectations of TUs for increases in wages and conditions simply cannot be met. The high shadow economy also represents an obstacle to social dialogue.

One of the "successes" that can be attributed – at least in part - to the project is the establishment of a new umbrella Employer's Organisation BIZNESALBANIA which was registered in December 2010. 24 Albanian industrial, commercial and production-based associations form its membership and during 2011 it played an increasingly important role in bringing a more concerted voice for employers to social dialogue *fora*.

The Government recently asked support from the ILO to assist in drafting amendments to the Labour Law. In November 2011, the ILO sent experts to present a comparative analysis of the EU and Albania Labour Laws.

All stakeholders positively valued the quality and relevance of project outcomes. Activities planned were reportedly defined in close cooperation and consultation with all partners. TUs are reportedly still using the training material and have incorporated it into their training practices. Several stakeholders would have preferred to see more joint activities be conducted, with the participation of all social partners, to better boost social dialogue.

### **8.2.3. Sustainability**

Project activities have been useful to enhance capacities of local partners in conducting social dialogue. EOs have benefited the most from the project, due to their initial weaknesses and lack of entrepreneurial traditions in the country. An important indirect impact offered to EOs has been the exchange of experience with other countries and the support in building international networks. TUs, on their side, have been exposed to modern negotiation techniques and innovative approaches in labour relations. The inclusion of an agenda of economic crisis has been recognized as a valid contribution to see social dialogue as a key tool to face crisis challenges.

Ongoing political instability, however, hindered a full success of the project in the country. For instance, the new labour code revision, including provisions relating to institutionalisation of regional social dialogue was delayed. Seminars have been held on peaceful labour disputes settlements, but again the draft legislation, presented twice to the Parliament, was not approved due to the insufficient attendance by MPs. .

## **8.3. Bosnia and Herzegovina**

### **8.3.1. Country background**

BiH is a decentralized country comprised of two entities and one district. Competences in the particular area of labour are divided among levels of the state organization, with subsequent imbalances and limitations in cooperation, coordination and capacity of these components.

Bosnia and Herzegovina is a potential candidate country for EU accession following the Thessaloniki European Council of June 2003. In June 2008 the EU and Bosnia and Herzegovina signed the Stabilization and Association Agreement (SAA). Since then, limited progress was made in implementation of the reforms necessary to accelerate the process of obtaining of the status of a candidate country. The main reason for this is a lack of consensus of the political leaders on the main reform priorities.

The complex system of government and the fragmentation of legislation continue to hamper social dialogue across the country. The ratification of the revised European Social Charter was a positive step but the legislation of Bosnia and Herzegovina has not been yet fully aligned with the Charter.

Limited progress has been made in clarifying the rules for registration and recognition of trade unions. No progress has been made in establishing the trade union confederation (KSBIH) at State level, and as a result the trade unions continue to be based on the Entity structure.

The Union of Associations of Employers of Republika Srpska has expressed interest in forming an organization of employers at the BiH level that would be comprised of representative organizations of the entities and the Brecko District.

There is still no institution for conducting the social dialogue at the state level. Disagreements among the social partners, in particular employers' organizations continue to hinder the establishment of a country-wide Economic and Social Council. For the time being, the social dialogue is conducted at the Entity level through the Economic and Social Councils (ESC) of FBiH and RS, while in BD it is less developed. There are ESCs in some cantons of the Federation of BiH, functioning more or less successfully. ESCs have only an advisory role; often the Parliaments of the Entities do not take into consideration the positions adopted by the Economic and Social Councils.

Negotiations among social partners were held in 2010 on amendments to the existing Labour Law and the General Collective Agreement for the territory of the FBiH. In May 2010 the RS Prime Minister, the President of the RS Union of Associations of Employers and the President of the RS Confederation of Trade Unions signed the General Collective Agreement and the Minimum Wage Decision.

In accordance with the BiH Constitution, each Entity and the Brcko District has shaped a legal framework which regulates labour relations between employers and workers and their organisations. At the State level,



two important laws have been adopted<sup>7</sup>; they govern labour relations in the public service at the State level. Employers' and workers' organizations have been formed at both the entity/Brcko District (BD) and the State level and have started to operate. However, there are still some legal and procedural obstacles in the legislation-procedure of registration, which prevent workers' organisations from registering and functioning normally in order to further the interests of their membership. This situation appears to be hindering the promotion of an effective tripartite social dialogue at State level.

### 8.3.2. Effectiveness

#### Expected outcomes, indicators, actual results

No.	Expected Outcomes	Indicators	Results
Outcome 1	The legal framework improved and SD institutions established at state level	<p>1.1 Government and the social partners discuss and agree on composition and mandate of the Economic and Social Council at state level</p> <p>1.2 A tripartite agreement is reached on ESC establishment at state level</p> <p>1.3 Women are represented appropriately in the ESC at state level</p>	<p>1.1 Negotiations on ESC still blocked for substantial disagreement among parties.</p> <p>1.2 Not achieved.</p> <p>1.3 not applicable for absence of ESC at state level</p>
Outcome 2	Employers' organisations and trade unions strengthened	<p>2.1 TUs: new draft branch agreements prepared with clear connection between productivity and wages, gender equality issues included</p> <p>2.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership</p>	<p>2.1. Not achieved. The most important collective agreement in the Federation of BiH is the General Collective Agreement for FBiH, signed in 2005. it has been amended twice on amount of the minimum wage There are also 23 branch collective agreements in force. In RS 17 branch agreements signed and still function.</p> <p>2.2 partially achieved. EOs benefit from ILO contributions. Better dialogue between EOs in BiH and RS.</p>
Outcome 3	An action plan aimed to strengthening the role	3.1 Tripartite Action Plan was endorsed and	Not achieved at state level.

<sup>7</sup> The Law on Civil Service in BiH Institutions and the Law on Labour in BiH Institutions.

	of conciliation and mediation is implemented at both the entity /Brcko District and state level	implementation has been started jointly by state and entity governments and the social partners  3.2 Up skilled corps of mediators and arbitrators operates at entity /BD and state level	3.2 Partially achieved. Agency established in 2010 in Republika Srpska. Negotiations at state level on hold for regulations on LDS in the FBiH.
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The project has undoubtedly had a difficult implementation in the country, mainly due to political issues on territorial arrangements and competences. This has among others created an issue of representativity. The Confederation of TU of BiH (KSBiH) cannot be registered at State level because its member, the Confederation of Independent TUs of BiH (SSSBiH) is not registered. On the EO side, the local organisations (APBiH and UUPRS, the letter from RS) still disagree on the distribution of seats in the would be /potential ESC at the state level.

As regard with Alternative Labour Dispute Resolution, the most remarkable result is the establishment of an Agency in Republika Srpska, which is working well and has received considerable inputs from the project. At State level, the above problems have delayed agreements for a state level agency. The participation of BiH at the subregional Conference on Strengthening the mechanisms of labour disputes prevention and amicable resolution, held in the framework of the project, had the effect of finalising the draft law on labour disputes mediation.

ILO DWT-CO Budapest has made several attempts to speed up decisions, but the strict political character of the issue has impeded to reach the expected goals. *A posteriori*, the objectives set out in the project have been very ambitious and optimistic and did not pay sufficient attention to the political reality of the country. On the other side, the establishment of state level institutions for tripartite and bipartite dialogue have probably constituted an important priority in the project design. Not much more was objectively possible, given this framework.

On more specific results, all partners agree on the importance, quality and usefulness of knowledge and material provided by ILO experts. There is a general warm approval of methodology for developing training, based on stakeholders' own definition of needs.

### **8.3.3. Sustainability**

Given the complex political framework and the lack of consensus on fundamental elements of social dialogue and labour relations, such as representativity and issue of multiple administrative levels, it is not easy to make an assessment of sustainability.

## **8.4. Former Yugoslavian Republic of Macedonia (FYRoM)**

### **8.4.1. Country background**

The Former Yugoslav Republic of Macedonia was granted candidate country status for EU membership in 2005. On 18 February 2008 the Council adopted the Accession Partnership for the country.

The country economy is still state dominated. There are no official statistics of grey economy, but it is estimated by some experts that it might go up to 40% of the GDP.

The Labour law has been changed in 2010. According to some government sources, new regulation on

information, consultation and codetermination is in preparation.

The EU accession has imposed adjustment of legislation with the EU requirements.

Following advice of the ILO, the 2005 Labour Relations Act was amended in 2009 so as to include new representativity criteria of the social partners aiming at better reflecting the industrial relations system in the country, as well as a procedure of certification. As result of a six month process of administrative checking of the fulfilment of statutory representativity criteria by existing organizations, two workers' organizations and one employers' organization have been recognized as representative at the national level. These representative organizations have appointed their representatives in the new ESC and negotiated the new regulation of the latter with the Government. ILO has been providing intensive assistance over the process and facilitated the finalization of the negotiation on the new regulation. Following the adoption of the new regulation in August 2010, the new ESC started work in September 2010 after a two year break. Since then, the ESC has met every month and discussed important bills and national strategies. Under the presidency of the Prime Minister, the ESC established the national minimum wage for the first time in the last 20 years.

According to the new regulation on its functioning, the ESC is an advisory body to the Government and Parliament. The Government has the legal obligation to request the ESC's opinion before submitting a bill to Parliament and to provide feedback to the ESC in case of not following the latter's advice. The new regulation and new composition based ESC meets regularly with a wider economic and social policy related agenda. As shown by the minutes of its meetings, ESC participation in the policy making process has increased following the legal commitment of the Government to seek the ESC's advice. ESC legitimacy has improved due to a better representation of workers and employers' interests at the national level.

Despite these recent achievements, the culture of social dialogue and respect among social partners is reportedly still low.

The tripartite dialogue on regional or local level is still in the very beginning and there is only one regional body, with no significant impact on local economic life.

With changes of the Labour Law brought in November 2009, national collective agreements became obligatory for all employers in private and in public sector. The National Collective Agreement for the private sector was signed by the Confederation of Unions of Macedonia (SSM) and the Organization of Employers of Macedonia (ORM) in June 2010. The National Collective Agreement for the public sector is still negotiated among the Confederation of Free Trade Unions (KSS) and Confederation of Unions of Macedonia (SSM) and the Government. Until signing, the previous NCA is implemented.

In 2010, negotiations are going on for branch collective agreements in more sectors: agriculture; food industry, textile industry; chemical industry; health; etc.

#### **8.4.2. Effectiveness**

##### Expected outcomes, indicators, actual results

No.	Expected Outcomes	Indicators	Results
Outcome 1	Tripartite constituents approve a strategy to improve the role and composition of the ESC	1.1 New regulation on ESC functioning in place  1.2 New ESC composition better reflects present industrial relations including from a gender point of view	8.3. Achieved. New ESC established. Representativity criteria established through ILO support.  8.4. Achieved. ILO provided recommendations for ESC composition, as well as advice for

			enforcement of provisions related to ESC.
Outcome 2	Strengthened social partners and improved bipartite social dialogue	<p>2.1 TUs: new draft branch agreements prepared with clear connection between productivity and wages, gender equality issues included</p> <p>2.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership</p>	<p>2.1 9 branch collective agreement in place.</p> <p>2.2 Achieved</p>
Outcome 3	Government and social partners agree on a work plan for enhancing the alternative labour disputes mechanism	3.1 Action Plan adopted and implemented	3.1. Not achieved.

With regards to social dialogue, the ILO gave a significant boost to the re-launch of the ESC. Much however remains to be done in order to raise social partners' awareness, especially at enterprise level. All interviewees expressed the need for launching social dialogue at local level, where it is practically missing. The ESC also needs to further strengthen working practices, through more involvement of SP in the definition of labour related priorities and legislation; this is not happening presently.

All stakeholders recognised their involvement and active participation in the project design and needs definition.

EOs expressed satisfaction on project outcomes. Capacity building activities on collective agreements were considered particularly useful. Currently, the focus in the labour sector is on Occupational Health and Safety norms (OHS), whose alignment with EU standards is a priority in the EU accession process. ILO successfully contributed through awareness courses for enterprises and the development of OHS manuals for EOs.

Delays have occurred in negotiations on alternative labour disputes mechanisms. Seemingly, there is still a lack of awareness of potential benefits of PLDS, and the Government is not very active in proceeding further. This is the typical case where more continuous lobbying might have brought about better achievements.

#### **8.4.3. Sustainability**

This country can further progress in social dialogue if properly accompanied by awareness measures. As for the other targeted countries, the financial and economic crisis can be seen as an opportunity to increase cooperation among social partners in the work towards a common goal – employment and growth. However, all partners should be more committed.

The ESC has fully been working since its revival in Sep 2010, has met regularly and has adopted by tripartite consensus important decisions such as that on the national minimum wage reached for the first time in the last 20 years. All these represent a viable and sound premise for its sustainability

## 8.5. Moldova

### 8.5.1. Country background

The EU is developing an increasingly close relationship with Moldova, going beyond co-operation, to gradual economic integration and a deepening of political co-operation. Moldova is a partner country within the European Neighbourhood Policy (ENP) since 2006.

Moldova presents the typical features of a post-Soviet economy. Economic decline, restructuring and privatisation affect all the industrial sectors. The civil society is still in an early development phase and public participation in political life is weak. The public sector is still prevailing in the country's economic life, with about 80% of official GDP. On the other hand, shadow economy is reportedly increasing; no data on this regard were made available at the time of this report.

Continuous political crises and instability have slowed down the work of the tripartite National Commission for Collective Consultations and Negotiations (NCCCB) and hindered quality and effectiveness of the social dialogue.

The situation of trade unions is made difficult by heavy bureaucratic structure of the organizations, low levels of signing the collective agreements, corruption scandals.

Beginning with 2003, after adopting the new Labour Law, the social partners decided to negotiate collective agreements on the national level which would cover separate aspects of labour relations. Agreements negotiated by the social partners on a tripartite basis started to be signed at the beginning of 2007. In 2010, the social partners initiated dialogue on other issues, such as socio-economic protection of youth, criteria for dismissing employees and social protection of dismissed employees, vocational training of employees, safety and health on the work place.

At regional level, the situation is even more complicated. According to official figures there are structures of social partnerships in half of the districts (18 out of 34). Territorial commissions for consultations and collective bargaining suffer from lack of EOs in those regions and their input in the bargaining process is in practice insignificant.

During 2010, NCCB worked on - the minimum guaranteed salary in real economy, amendment of the Labour Law, OHS, subsidies for oil price increases, new bill on minimum subsistence.

### 8.5.2. Effectiveness

#### Expected outcomes, indicators, actual results

No.	Expected Outcomes	Indicators	Results
Outcome 1	Capacity of NCCCB members to conduct negotiations improved	1.1 Secretariat of the NCCCB established and up skilled 1.2 Gender balanced composition of the NCCCB	1.1. Established 1.2 Partially achieved.
Outcome 2	Creation of tripartite commissions at territorial and branch level initiated	2.1 Pilot experience conducted in two branches	2.1. Partially achieved at territorial level through synergy with other TC project.
Outcome 3	Capacity of social partners to conduct bipartite social dialogue strengthened	3.1 TUs: new draft branch agreements prepared with clear connection between productivity and	3.1. Partially achieved

		wages, gender equality issues included 3.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership	3.2 Partially achieved
Outcome 4	Government and social partners agree on a work plan for the establishment of an alternative for peaceful labour dispute settlement	4.1 Action Plan adopted and implemented	

The NCCCB work was delayed until mid 2009 due to the election campaign and subsequent delays in all state activities in public administration. In June 2009, a new president of the Commission was appointed and a decision on allocation for staff was made; ILO followed the process carefully. From mid 2010, the NCCCB did not seem to work regularly; one of the reasons was the general elections of November 2010. It resumed its regular activity with an enhanced secretariat (two more employees, three in total) after November 2010.

On the EO side, despite some delays, several activities were carried out. A study tour to Romania, focused on ESC work and on OHS issues, was reportedly extremely useful. Also, a workshop on how to improve EOs capacities of providing services was positively valued by participants.

The TUs seminar on negotiation Techniques held in Chisinau in December 2010 and January 2011 led to the drafting of new branch collective agreements. Main obstacles to the establishment of social dialogue are represented by: high presence of the State in country's economy; prominent role of the State in SD institutions and branch collective bargaining lack of awareness by all stakeholders on benefits of social dialogue; high presence of shadow economy in the private sector.

Bipartite social dialogue is still weak at both branch and enterprise level. No agreement on territorial level has been reached to date.

### **8.5.3. Sustainability**

At this stage, it seems clear that further support is needed to stabilise newly created institutions, promote these mechanisms at Government level, create more awareness on social dialogue advantages, encourage the private sector to actively participate in dialogue, face the increasing issue of shadow economy.

## **8.6. Montenegro**

### **8.6.1. Country background**

In December 2010, EU Council granted Montenegro the candidate country status for EU membership.

The private sector represents the majority of GDP in the country. Shadow economy is widely spread. According to recent estimates of the Employment Service Agency, in 2010 about 30,000 people were engaged in work outside employment, thus indicating that the rate of informal employment is nearly 20% of the total number of employed.

In the process of harmonizing legislation with the EU requirements, Montenegro adopted a number of significant laws, among which the Law on employment and the Law on representativity of trade unions (2010

Montenegro adopted the Law on Ratification of revised European Social Charter in December 2009. In 2010, an important law was adopted on Trade Union Representativity, determining numerical criteria.

Within the legislation reform, Montenegro has for the first time, normatively and comprehensively, regulated the matter of voluntary work, and in April this year it adopted a Law on Voluntary Work, which is in compliance with all relevant international regulations in this field.

In the area of employment, a new Law on Employment and attaining rights based on unemployment has been adopted.

In 2010, the Agency for Peaceful Settlement of Labour Disputes was established. Conciliators (for collective labour disputes) and arbitrators (for individual labour disputes) were elected in June.

The Law on Social Council (SC) was adopted in December 2007. The main objective of the Council is to monitor and influence the economic and social development, and to prevent industrial and social conflict and collective labour disputes. The Social Council can also be established for the area of municipality; currently, Social Councils are established in Montenegro at the level of 20 municipalities. The Podgorica SC is currently chaired by the representative of the Association of Employers, a novelty for the country.

In order to overcome the consequences of global economic crisis in Montenegro in 2009, a Memorandum of social partnership in the circumstances of the effects of global economic crisis was signed by the Government, TUs and EOs.

Activities aimed at improving social dialogue continued in 2010, with an agreement on combating undeclared work signed by the three SPs, and a memorandum of cooperation to increase employability and employment of people with disabilities, which was signed by the above mentioned parties and a number of NGOs in the field.

An important amendment to the National Collective Agreement was signed in 2010.

### 8.6.2. Effectiveness

#### Expected outcomes, indicators, actual results

No.	Expected Outcomes	Indicators	Results
Outcome 1	Social Council, including at local level functions and members' negotiating skills enhanced	1.1 Social Council regulation in place 1.2 Regular meetings held 1.3 More seats for women members in the Social Council	1.1. Achieved 1.2. achieved 1.3.Achieved
Outcome 2	Bipartite social dialogue and social partners strengthened	2.1 TUs: new draft branch agreements prepared with clear connection between productivity and wages, gender equality issues included 2.2 EOs: More effective engagement in Social Dialogue forums along with new or better	2.1. Achieved 2.2. Achieved

		services developed and delivered to ensure increased / retained membership	
Outcome 3	The law on Peaceful Settlement of labour Disputes enforced	3.1 Agency for Amicable labour Disputes Resolution operational	3.1.achieved

In Montenegro the project seems to have been in general successful. The commitment of the Montenegrin Government to the EU accession process, the overall social cohesion of the country and the absence of major political issues have undoubtedly contributed to this result.

The ILO efforts have been well focused, and activities run relatively smoothly. ILO contributions were particularly relevant in TU representativity issues, resulting in a new law on TU representativity, entered into force in May 2010. Also, amendments to the law on the Social Council were drafted with ILO support.

On EO side, among others the Montenegrin Employers' federation developed a strategic plan; a video clip was prepared to fight shadow economy, to be broadcast on local TV; more services were developed and a network among WB employers was established.

On regional and local social dialogue, a workshop was organised in Bjelo Polje in 2010 by the Employers' Organisation to encourage the establishment of more formalised social dialogue at regional levels.

A noticeable success of the project is the establishment in 2009 of the Agency for Peaceful resolution of Labour Disputes, which benefited from ILO capacity building activities in 2010. According to available data, since September 2010 until the 1st of June 2011, 239 requests for amicable settlement of labour disputes were submitted, out of which 234 concerned individual disputes and 5 collective disputes. Agreement between the disputing parties was facilitated by the Agency in 71.88 per cent of the cases.

### **8.6.3. Sustainability**

The sustainability of the project outcomes is good. It is expected that new institutions will continue working, and that improvements gained by SPs through the project will further produce results. Regional and local social dialogue needs to be further strengthened.

## **8.7. Serbia**

### **8.7.1. Country background**

Serbia presented its application for membership of the European Union on 22 December 2009.

State influence in the economy has remained high, with the private sector currently accounting for around 60% of GDP and total employment.

Serbia's working age population aged 15-64 in 2010 was assessed at 4.82 million, of whom an estimated 2.84 million are economically active. According to estimations, up to 1 million people are working in the informal economy.

Serbia has ratified the major labour rights conventions of the International Labour Organisation (ILO) as well as the revised European Social Charter.

The issue of the representativeness of trade unions at all levels is regulated by the Labour Law which defines specific criteria for each level.

In the case of labour-related disputes, the Labour Law and the Law on Amicable Resolution of Labour



Disputes, together with the Law on Mediation, provide the possibility of resolving individual and collective industrial disputes through conciliation, arbitration and mediation.

The Law on Strikes from 1996 is not fully in line with the ILO conventions, in particular as regards possible limitations to the right to strike; a new law is under preparation.

In 2004 the Law on Social and Economic Council (SEC) was adopted and thus a legal framework for the development of social dialogue in Serbia was in place. The present composition of the Council was constituted in 2008.

In spite of its broad mandate (the Council considers draft laws that regulate labour and social legislation, economic policy, minimum wages etc.) the Council is suffering from scarce financial resources, lack of staff and irregular attendance of the representatives of the social partners at the Council's meetings. Often, key draft laws are passed in parliament without being discussed in SEC. This makes SEC impact limited.

At lower level, dialogue is non-existent in most municipalities, as it was not possible to establish local SEC mainly because of lack of representative social partners, particularly on the employers' side. Even in those municipalities where the councils have been established, tripartite dialogue remains weak.

The Government adopted the Programme of Measures for Neutralizing Negative Effects of the Global Economic Crisis in 2009 and 2010. Anti-crisis measures have not been elaborated jointly with the social partners due to lack of political will and cooperation among the SPs.

Also, there is a lack of capacity of social partners to build mechanisms and practices of social partnership and lasting peace. This is also due to the permanence of old patterns in labour relations. Serbia still has a collective bargaining system inherited from the previous period, based on the National Collective Agreement, which essentially preserves mechanisms of the socialist time.

The Union of Employers of Serbia does not have yet a developed capillary organizational network, neither at geographical nor branch level. It mainly associates together local private owners of small and medium enterprises. Concerns remain as to the representativity criteria for employers' organisations.

Unions are divided and in conflict with each other, which is weakening their impact and credibility, and causing a decline in confidence of workers in TUs. Several registered trade unions are not recognised.

TUs and EOs face problems in initiating a dialogue, being often still inflexible on defensive positions and criticizing each other's approaches and methods.

The Agency for Peaceful Settlements of Labour Disputes was established in May 2005 after the approval in 2004 of the related law. It was restaffed in 2009 and now is working adequately, with some 4,000 cases solved to date. Its competences regard arbitration in individual disputes and mediation in collective labour disputes.

Collective agreements have been very difficult to conclude and they are not being respected. The National collective agreement was finally signed in 2008, after three years of negotiations between representatives of the representative trade unions and the Serbian Employers Union. Although these agreements should have ensured the implementation of the National collective agreement, with the outbreak of the economic crisis the application of the National collective agreement was suspended. Due to budgetary cuts, in January 2009 the Annex was adopted which froze its implementation during the period of the crisis.

The Social Pact was adopted in Serbia in 2011 within the Social and Economic Council.

### **8.7.2. Effectiveness**

#### Expected outcomes, indicators, actual results

No.	Expected Outcomes	Indicators	Results
Outcome 1	Tripartite constituents approve a strategy to	1.1 Sufficient resources allocated by the	SEC activities still uneven. Its recommendations are

	enhance the SEC	Government (premises) 1.2 SEC secretariat properly staffed and up skilled	not always followed. <sup>8</sup>
Outcome 2	Upgraded skills of tripartite actors to conduct tripartite social dialogue	2.1 Wide range of social and economic policy matters addressed by the SEC	2.1. Partially achieved (seminars successfully organised)
Outcome 3	Social partners strengthened and bipartite social dialogue improved	3.1 TUs: new draft branch agreements prepared with clear connection between productivity and wages, gender equality issues included  3.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership	3.1  3.2.  3.2. achieved
Outcome 4	The role of the Agency for Peaceful Settlement of labour Disputes enhanced	4.1 Tripartite Action Plan was endorsed and implementation has been started  4.2 Law on Agency for Peaceful labour disputes settlement revised  4.3 Number of labour disputes settled amicably increased	4.1. Action plan endorsed; established by the Agency.  4.2 Achieved.  4.3 Achieved. Agency is working according expectations.

Most delays and shortcomings of the project in Serbia were due to the difficult stances and attitudes/approaches of stakeholders, as detailed in 8.7.1.

The ILO contributed to draft the Law on strike and the Law on mobbing.

Work with SEC was correctly focused on the tripartite committees (legislation and collective bargaining) because of lack of permanent staff in the Secretariat. Its outcomes were hindered by structural weaknesses of SEC.

As result of the work done during the project the branch agreement in the agriculture and food industry was concluded after 20/twenty/ years of bargaining.

Work with EOs went relatively smoothly and outputs (a publication on impact of general collective

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<sup>8</sup> 1.1 and 1.2 are not indicators, but rather assumptions.

agreement, Guidelines for inspection, a recent workshop on social dialogue in economic crisis) were valued positively by beneficiaries. ILO activities were judged adequate and flexible enough so as to respond to changing needs.

Work with the Agency for Peaceful Settlement of Labour Disputes was quite successful. The Agency was restaffed in May 2009 and the project provided a capacity building workshop, which was highly valued by participants. ILO support reportedly contributed to increase competitiveness and quality of the Agency work. The Agency has solved to date about 4,000 cases.

Good coordination and exchange of information was reported with other donors' and national projects in the same field.

### **8.7.3. Sustainability**

Sustainability of the Agency is good. The Agency is working adequately and its credibility is increasing, although work should be further carried out to increase awareness.

SEC has to consolidate its mandate and more commitment from the Government should be encouraged in order to allow the Council to effectively fulfil its tasks.

Representativity is still an issue; the Agency reports as much as 32 cases regarding this point.

More work has to be carried out to strengthen sectoral EOs and TUs, both at central and local level.

In general terms, more commitment is needed from all stakeholders to recognise the central role of social dialogue in labour relations, and to change attitudes from reluctance to cooperation and dialogue.

## **9. Conclusions**

It has been said that social dialogue does not exist in a vacuum. Its effectiveness is linked to a number of factors, of which the main one is the real willingness to undertake dialogue and the awareness by its stakeholders of its potential to contribute to economic and social development.

Other factors are of paramount importance: an appropriate political environment necessary for open political dialogue, and an agreed sharing of basic values by all actors; a functioning market economy providing real decision making mechanisms; an appropriate legal framework, enabling the social partners to negotiate terms and conditions of employment; efficient institutions as the "hardware" of social dialogue; free, independent, representative and democratic employers' and workers' organizations; technical capacities of all stakeholders.<sup>9</sup>

Targeted countries of the project are still in a transition phase. Everywhere, democratic institutions and values need to be further consolidated. ESCs have been established in all targeted countries, with several positive effects. In many cases, the national tripartite councils contributed to better balanced labour laws (e.g. Serbia); in case of FYROM, the newly established ESC has fixed the Minimum Wage at the national level for the first time in the last 20 years ; in others, discussions were held on national strategies for employment, social protection, OSH matters or equal opportunities (e.g. Albania). On the other side, economic and social councils are in general affected by issues such as scarce awareness and commitment of their respective Governments, reflected in low budgets allocated to councils, low attendance rate, lack of participation of key decision makers in councils' sessions, narrow mandates or mandates restricted to merely advisory tasks.

EOs are relatively young in all the targeted countries; further work is necessary to strengthen their capacities, in particular as regards negotiation skills and quality/quantity of services provided to members. On the other side, TUs are still in the process of rediscovering their role in an open society and of rebuilding their mentality towards more strategic and realistic visions.

Two main factors are to be added to this picture: the economic and social crisis started in 2008 and still

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<sup>9</sup> Georges Minet, Some aspects of social dialogue from an ILO standpoint, 2008.

ongoing, which poses serious challenges to the competitiveness of European economies on the global market and has heavy impacts on employment rates and workers' negotiating powers; and the increasing numbers of informal economies in the region, which hinder the real process of social dialogue, excluding from it a substantial part of economic activities.

Another important element is the EU accession or approximation process, which affects all targeted countries (Moldova is a partner country within the European Neighbourhood Policy ENP) and can be considered as the main steering engine for boosting changes towards international labour standards.

### **Relevance**

Against this framework, the project has been of substantial importance. At strategic level, it has contributed to increasing awareness on benefits of social dialogue in a democratic society. The project was in line with State priorities determined by the EU accession or neighbourhood requirements. The economic and financial crisis started in 2008 found an adequate response from the project, which was able to adapt activities to the new needs of stakeholders, in particular for advocating social dialogue as an effective tool for conflict prevention and social peace. Degree of democratic participation is still an issue and will require long term efforts and strategies by both countries and international donors' community.

### **Effectiveness**

Seminars, workshops and capacity building activities – including advocacy to raise awareness on social dialogue with the government of targeted countries – have proven to be timely and useful. The project has offered support to key legislation on labour relations and other labour related issues. It has improved operational capacities of all stakeholders, on the basis of consensus and demand driven approaches. It has put at beneficiaries' disposal the broad and deep ILO expertise and knowledge. It has contributed to strengthen local networks, both at -country level among social partners working in the same country and at international level, through study tours to countries with advanced social dialogue institutions. It has also favoured exchange of experience at regional level, providing the necessary background for further activities among WB countries, some of which are initiating (as an example the Adriatic Regional Employers' Centre (AREC)). Work with the Agencies for peaceful settlement of labour disputes has been particularly successful, where the establishment of such bodies was possible; skills, visibility and credibility of agencies have benefited from ILO support. It has encouraged beneficiaries – when sufficiently responsive and skilled – to develop further initiatives, with a positive fall out effect.

Effectiveness problems are mostly related to the challenging political and economic background of most countries. The three senior specialists have put significant efforts in coordination and advocacy activities; however, better results might have come from a permanent presence.

Some stakeholders would have liked some of the activities (as example on collective agreements) to be conducted jointly for TUs and EOs to create a favourable environment for further dialogue.

EOs activities seem to have produced more concrete outputs, i.e. booklets, manuals and other publications which are considered very useful for practical use.

### **Efficiency**

Financial data made available to the evaluator do not allow for a complete efficiency assessment.

As for human resources, ILO correctly made use as much as possible of its rich internal expertise; a substantial contribution was provided in this respect by the experience and skills of the three senior specialists from the ILO DWT-CO Budapest.

Complementarity with other ongoing activities in the sector was fully ensured in the designing phase

### **Impact**

As stated above in chapter 8.1.5 it is perhaps too early to judge the real impact of the project. Work done in the field of peaceful settlement of labour disputes has positively impacted on the countries. Work done on labour related legislation has had an undoubted impact on the legislative framework of targeted countries. In other cases, difficult political and administrative settings (BiH), early phase of transition to an open market

economy and a democratic system (Moldova), persistence of conflicting stances among stakeholders (Serbia), politicisation of social dialogue (Albania, FyRoM) delayed the dialogue process and prevented from taking maximum advantage of project ideas and contents.

### **Sustainability**

The project has contributed to the enhancement and improvement of several labour laws. However, implementation is still an issue in many countries. Commitment to reforms and to social dialogue by Governments has to be strengthened in most cases. Tripartite dialogue institutions need further work, related in particular to mandate, respect of councils' recommendations, involvement of councils in all labour related legislative work, as well as staffing and budgeting matters.

Work done with EOs and TUs, although useful to strengthen capacities, needs further refinement. Material used for training seminars and workshops has in some cases been introduced in working practices; however, more attention should be paid to the consolidation of lessons learned. On a number of occasions a ToT approach has been applied and the training materials and tools produced under the project have been distributed to constituents. However, not many interviewees have been able to explain how and whether these trainers are utilised now.

The seven EOs involved in this project each had the opportunity to give a 30 minute presentation to their peers on activities, challenges, lessons learned and directions for the future at the Conference in Belgrade in October 2011. The sharing of materials and building on activities from one country to another showed that consolidation was in fact quite effective from the EOs' point of view.

Training related to social dialogue, focused on aspects that can be the proper subject of SD – macroeconomic issues, costs to business, impact of collective agreements, analysis of laws to identify where amendments need to be made etc. , should be part of routine training programmes of TUs and EOs. This seems to have been implemented only partially in targeted countries.

Agencies for peaceful settlements of labour disputes seem to work appropriately and be able to fruitfully continue in the future. Further advocacy and lobbying activities should be carried out in those countries where such institutions have not been set up yet.

Further work needs to be done in relation to EU accession status of targeted countries, in order to continue alignment of standards and practices with EU requirements.

## **9.1. Lessons Learned**

1. The project has been designed and implemented in a participatory way, in close consultation with local stakeholders. This has contributed to create ownership and respond to countries' demands and needs.
2. Work on legislation, especially related to representativity criteria and establishment of tripartite and bipartite institutions, was key to enable countries to align with international best practices.
3. Work with TUs and EOs was useful, but it was not possible to address all the needs and cover all the issues during the life span of the project. This work needs to be further carried out to fully enable these social partners to correctly fulfil their mandates and satisfy their constituencies. More joint activities for TUs and EOs would have probably contributed to strengthening mutual understanding and dialogue.

## 9.2. Good Practices

The design of project activities was carefully developed in close cooperation with relevant stakeholders, thus increasing project ownership and consensus.

The development of practical guides, manuals and handbooks (especially for EOs) has contributed to increase the practical value of outputs and to consolidate information provided.

Some activities, such as the development of campaigns to address specific issues (such as the TV campaign to fight informal economy in Montenegro) has encountered the favour of beneficiaries and has contributed to raise awareness among the public. Such initiatives should be disseminated in all targeted countries.

## 9.3. Recommendations

The evaluation has identified 4 main key areas for *recommendations*:

Key Area 1: Strengthen project design

Key Area 2: Streamline project management

Key Area 3: Streamline human resources

Key Area 4: Focus on long-term approaches (impact, sustainability)

Recommendations are given for each key area. A degree of priority is assessed for each recommendation on a high (XXX) to low (X) scale. An indicative timeframe for implementation of recommendations is also provided.

### Recommendation 1 – Strengthen project design

<b>1a</b>	Priority: XXX	Timing: MT	<b>Introduce objectively measureable indicators (OVIs) in the project documents</b>
<b>Operational application:</b> OVIs including quantifiable indicators (ex percentage increases, timelines etc) should be included in the project documents and logframe matrix.			

### Recommendation 2 – Streamline project management

<b>2a</b>	Priority: XXX	Timing: MT	<b>Focus on single country approaches</b>
<b>Operational application:</b> Target country instead of subregional level. Focus on pending issues in each country and develop a realistic workplan where only feasible objectives are stated.			

### Recommendation 3 - Streamline human resources

<b>3a</b>	Priority: XXX	Timing: MT	<b>Consolidate capacity building activities</b>
<b>Operational application:</b>			
- Appropriate training and capacity building material should be prepared and made easily available to beneficiaries.			
- Training of Trainers activities should ascertain that trainers are utilised in future initiatives. A shift from			

theoretical traditional methods to more practical on-the-job training might also be needed.

- Material prepared for CB activities should be carefully evaluated in order to ascertain that it is suitable for immediate and practical use and integration into existing training programmes of countries' state institutions.

**Recommendation 4: Focus on long-term approaches (impact, sustainability)**

<b>4a</b>	Priority:XXX	Timing: MT	<b>Strengthen coordination with other projects and donor community</b>
<b>Operational application:</b> Develop and encourage joint activities when appropriate and effective. Avoid potential overlapping. Focus on EU Accession or Neighbourhood process. Encourage transfer and sharing of best practices among different projects, both ILO and funded by other donors.			

<b>4b</b>	Priority: XXX	Timing: MT	<b>Disseminate best practices in all targeted countries</b>
<b>Operational application:</b> Implement in all targeted countries activities or outputs proven particularly successful.			

## **10. Appendices**

Appendix 1. Terms of Reference

Appendix 2. List of persons or organisations interviewed

Appendix 3. Data collection instruments

Appendix 4. List of publications cited

Appendix 5. List of activities by country

Appendix 6. Mission schedule



## TERMS OF REFERENCE

### FINAL INDEPENDENT EVALUATION OF THE PROJECT

- **PROJECT TITLE: RER/07/08/AUT**  
**Consolidating the Legal and Institutional Foundations of Social Dialogue in the Countries of Western Balkans and Moldova**
- Sub-region: Central and Eastern Europe  
Lead Office: ILO DWT/CO-Budapest  
Duration: 4 March 2008 - 31 December 2011  
Target countries: Albania, Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia and UNMIK Kosovo<sup>10</sup>  
Donor agency: Austrian Development Agency  
Budget: € 1,500,000

#### I. INTRODUCTION AND RATIONALE FOR EVALUATION

At the end of the implementation period of project “Consolidating the Legal and Institutional Foundations of Social Dialogue in the Countries of Western Balkans and Moldova, financed by the Austrian Development Agency (ADA), the ILO is conducting an independent final evaluation of the project in accordance with the ILO Evaluation Policy and donor requirements as specified in the ADA Guidelines for Project and Programme Evaluations, July 2009.

The objective of the evaluation is to assess the efficiency and extent of the implementation of the project mentioned above. It would be particularly important to evaluate the efficiency and impact of the approach, against the background that the tripartite components adopted could be developed further for future use.

#### II. BRIEF BACKGROUND ON PROJECT AND CONTEXT

##### ***Project summary***

The main goal of the project is to contribute to the strengthening of economic and social governance in the Western Balkan (WB) countries and Moldova. The focus of the project was to consolidate the institutional and legal foundations of social dialogue and to promote an effective culture of social dialogue. The project identified two problems which it proposed to address, namely:

- a) weak tripartite social dialogue; and
- b) weak bipartite social dialogue.

The project addressed the first problem through activities aimed at:

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<sup>10</sup> As defined by UN Security Council Resolution No. 1244

- strengthening the role and functioning of Economic and Social Councils and similar tripartite institutions; and
- enhancing the capacities of tripartite actors in relation to social dialogue.

The second problem was addressed through:

- advocacy and technical advice to create alternative systems for the peaceful settlement of labour disputes; and
- enhancement of the skills of representatives of workers' and employers' organisations in negotiating techniques and procedures and the improvement of their organisational capacities.

The project strategy was to address these two main problems identified based on the combination of a set of national and sub-regional activities linking capacity building, advocacy, and technical and legal advice to accompanying measures to be taken by tripartite constituents themselves in the target countries.

Special attention was paid to two principal and fundamental rights at work, namely freedom of association and gender equality. Concerning freedom of association, the project assisted in removing existing legal and institutional obstacles in some target countries, which prevent employers' organisations and trade unions from operating freely and independently. As far as gender equality is concerned, the project focused on two aspects, namely a) enhancing gender balanced representation in social partner organisations and social dialogue institutions and b) addressing gender equality issues through social dialogue and collective bargaining.

The project was managed and monitored by the social dialogue team of ILO DWT/CO Budapest.

#### **Development objective of the project**

The overall objective of the action was to consolidate the legal and institutional foundations of social dialogue and promote an effective culture of social dialogue in Western Balkans countries and in Moldova.

#### **Specific objectives of the project according to original Project Document**

The project has the following **two specific objectives**:

1. Enhancing the functioning of the Economic and Social Councils and similar institutions
2. Strengthening bipartite social dialogue, in particular at branch level
  - 2.1. Improving/helping create systems for the prevention and settlement of labour disputes
  - 2.2. Strengthening the capacity of social partners

The main expected results (outcomes) and indicators of achievement per country are the following according to the agreed changes to the initial version of the project document (correspondence of 26 June 2009 with ADA).

## **Albania**

Outcome 1:

2. NLC functions more effectively;

Indicators 1.1 Government and the social partners examine and approve the new draft regulation, including criteria/procedure to assess representativity of the social partners

1. 2 More seats for women members in the NLC

Outcome 2: Tripartite social dialogue initiated at regional level;

2. 1 Initiatives are taken by regional authorities to institutionalize social dialogue at regional levels

Outcome 3: Capacity of the social partners strengthened to conduct Social Dialogue, including bipartite SD

3.1 TUs: new draft branch agreements prepared with clear connection between productivity and wages, gender equality issues included

3.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership

## **Bosnia and Herzegovina**

Outcome 1: The legal framework improved and SD institutions established at state level.

Indicators 1.1 Government and the social partners discuss and agree on composition and mandate of the Economic and Social Council at state level

1.2 A tripartite agreement is reached on ESC establishment at state level

1.3 Women are represented appropriately in the ESC at state level

Outcome 2: Employers' organisations and trade unions strengthened

2.1 TUs: new draft branch agreements prepared with clear connection between productivity and wages, gender equality issues included

2.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership

Outcome 3: An action plan aimed to strengthening the role of conciliation and mediation is implemented at both the entity /Brcko District and state level

3.1 Tripartite Action Plan was endorsed and implementation has been started jointly by state and entity governments and the social partners

3.2 Up skilled corps of mediators and arbitrators operates at entity /BD and state level

## **The Former Yugoslav Republic of Macedonia**

Outcome 1: Tripartite constituents approve a strategy to improve the role and composition of the ESC

Indicators 1.1 New regulation on ESC functioning in place

1.2 New ESC composition better reflects present industrial relations including from a gender point of view

Outcome 2: Strengthened social partners and improved bipartite social dialogue

2.1 TUs: new draft branch agreements prepared with clear connection between productivity and wages, gender equality issues included

2.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership

Outcome 3: Government and social partners agree on a work plan for enhancing the alternative labour disputes mechanism

3.1 Action Plan adopted and implemented

## **Moldova**

Outcome 1: Capacity of NCCCB members to conduct negotiations improved

Indicators 1.1 Secretariat of the NCCCB established and up skilled

1.2 Gender balanced composition of the NCCCB

Outcome 2: Creation of tripartite commissions at territorial and branch level initiated

2.1 Pilot experience conducted in two branches

Outcome 3: Capacity of social partners to conduct bipartite social dialogue strengthened

3.1 TUs: new draft branch agreements prepared with clear connection between productivity and wages, gender equality issues included

3.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership

Outcome 4: Government and social partners agree on a work plan for the establishment of an alternative for peaceful labour dispute settlement

4.1 Action Plan adopted and implemented

## **Montenegro**

Outcome 1: Social Council, including at local level functions and members' negotiating skills enhanced

Indicators 1.1 Social Council regulation in place

1.2 Regular meetings held

1.3 More seats for women members in the Social Council

Outcome 2: Bipartite social dialogue and social partners strengthened

2.1 TUs: new draft branch agreements prepared with clear connection between productivity and wages, gender equality issues included

2.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership

Outcome 3: The law on Peaceful Settlement of labour Disputes enforced

3.1 Agency for Amicable labour Disputes Resolution operational

## **Serbia**

Outcome 1: Tripartite constituents approve a strategy to enhance the SEC

Indicators 1.1 Sufficient resources allocated by the Government (premises)

1.2 SEC secretariat properly staffed and up skilled

Outcome 2: Upgraded skills of tripartite actors to conduct tripartite social dialogue

2.1 Wide range of social and economic policy matters addressed by the SEC

Outcome 3: Social partners strengthened and bipartite social dialogue improved

3.1 TUs: new draft branch agreements prepared with clear connection between productivity and wages, gender equality issues included

3.2 EOs: More effective engagement in Social Dialogue forums along with new or better services developed and delivered to ensure increased / retained membership

Outcome 4: The role of the Agency for Peaceful Settlement of labour Disputes enhanced

4.1 Tripartite Action Plan was endorsed and implementation has been started

4.2 Law on Agency for Peaceful labour disputes settlement revised

4.3 Number of labour disputes settled amicably increased

International status of Kosovo is still regulated by the UN Resolution 1244. Considering that Kosovo is not an ILO member state no tripartite projects can be initiated, therefore the planned project activities have not taken place.

The influence of the financial crisis has reached the project as well. The workers and employers' organizations have been hit hard by economic difficulties on one hand and further flexibilisation of the labour market and austerity measures on the other.

## **III. PURPOSE, SCOPE AND CLIENTS OF THE EVALUATION**

The purpose of the evaluation is to inform internal decision making and ensure accountability to the Donor.

The evaluation will:

- Assess implemented activities and their effectiveness with regard to indicators of achievements and the overall and specific objectives of the project;
- Identify problems encountered during implementation and means undertaken by project staff to overcome these problems and interpret successes and failures;
- Document lessons learned and good practices in order to learn from experience;
- Develop recommendations for follow-up and similar interventions in the future.

The evaluation covers the whole period and entire scope of the implementation of the project.

It will serve the following - external and internal – groups:

- ILO tripartite constituents, including direct beneficiaries of the project action;
- Other national counterparts
- The Donor;
- ILO DWT/CO-Budapest and Headquarters;
- Project staff.

## IV. EVALUATION QUESTIONS

The evaluation will address the following aspects of the project:

### VALIDITY OF DESIGN

- Are the objectives clearly stated, describing the solutions to the identified problems and needs?
- Are the indicators of achievement clearly defined, describing the changes to be brought about?
- Have the external factors affecting project implementation been identified and assumptions proven valid?
- Is the project document logical and coherent linking the inputs, activities and outputs to objectives?
- Are the roles and commitment of the various partners clearly defined?

### PERFORMANCE

#### 6) **Relevance of the project (outcomes):**

- Do the problems/needs that gave rise to the project still exist, have they changed or are there new needs that should be addressed?
- Was the project an appropriate response to the problems/needs that existed when it started?
- Have the priorities been given to the basic components of the project changed? If so, why?
- Were the activities appropriately adapted to the needs of the country?
- Did the government, / employers' organizations / unions understand the project's objectives and approach? How have they supported these objectives over the life of the project?
- Have the projects been appropriately *responsive to the needs of the national constituents*?

#### 7) **Effectiveness of the project (outcomes):**

- What have been the major results/accomplishments of the projects?
- What progress has the project made towards achieving project outcomes?
- How does the project approach fit the on-going trends and patterns of social dialogue in the region?
- Have the quantity and quality of the outputs produced so far been satisfactory? What obstacles were encountered in project implementation?
- How have constituents been involved in the implementation? Are the constituents satisfied with the quality of tools, technical advice, training and other activities, delivered by the project? Have there been any resulting changes in constituents' capacities?

#### **Effectiveness of the overall project management approach<sup>11</sup>:**

- Have resources (funds, human resources, time, expertise etc) been allocated strategically to achieve outcomes?
- Have project funds and activities been delivered in a timely manner?
- Have resources been used efficiently? Have activities supporting the strategy been cost effective?

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<sup>11</sup> Personnel evaluation is not part of the scope of work under this TOR.

- Has the project received adequate administrative, technical and- if needed- political support from the ILO office in the field, technical specialists in the field and the responsible technical unit at headquarters?
- Has the project received adequate political, technical and administrative support from their national partners?
- Has project governance been facilitating good results and efficient delivery? Is/was there a clear understanding of roles and responsibilities by all parties involved?
- Were the management arrangements effective? Has the division of work tasks and use of local skills been effective?

#### **8) Efficiency:**

- How were the available resources (staffing, time, skills and knowledge) used? Have they been used in an efficient manner?
- Were the actions of the various partners complementary?
- Were other funded activities/projects complementary?

#### **9) Impact**

- What has happened as a result of the project?
- What real difference has the activity made to the beneficiaries?
- To what extent was the development intervention exemplary and had a broad effect?

#### **10) Sustainability:**

- What is the likelihood of sustainability of outcomes?
- What project components or results appear likely to be sustained after the project and how?
- Has the project successfully built or strengthened an enabling environment (laws, policies, people's attitude)
- *Should there be a continuation of the project to consolidate project achievements? What more should be done to improve sustainability?*

#### **CROSS CUTTING ISSUES (GENDER)**

- Has gender equality been taken into consideration at project design?
- Do women and men equally benefit from the project?

#### **LESSONS LEARNED:**

- What are the main lessons learned, good practices, innovations?
- To what extent are the best practices documented and shared with the broader community?
- Are there any areas where difficulties have been experienced? What are the reasons?
- Are there any alternative strategies which could have been more effective?

#### **RECOMMENDATIONS:**

- Are there any suggestions, recommendations for follow up activities?
- What would be the most appropriate next steps?

**Note:** OECD/DAC Criteria for Evaluating Development Assistance will be used to interpret the answers to the evaluation questions.

## **V. METHODOLOGY**

**Document Review:** The Evaluator will review project background materials before conducting any interviews or trips to the subregion, including:

- Project Document
- ILO Decent Work Country Programmes in Albania, Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia, Moldova and Serbia
- Work plans
- TORs
- Progress reports
- Mission reports
- Reports on specific activities
- Any surveys, studies, analytical papers produced
- Training evaluation documents e.g. summary of evaluation questionnaires
- Publications and promotion materials
- National policy documents, regulations prepared or adopted with the technical support of the project
- Information on other projects or programmes closely connected with the project
- List of contacts containing persons involved in the implementation of the project, including representatives of tripartite constituents' organizations in target countries

**Introductory/briefing meeting:** The Evaluator will have an initial consultation with the ILO specialists and support staff in Budapest 10-11 October 2011. The objective of the consultation is to fully brief the Evaluator on the various components of the project and to reach a common understanding regarding the status of the project, the priority assessment questions, available data sources and data collection instruments and an outline of the final assessment report. The following topics will be covered: project background and materials, status of logistical arrangements, key evaluation questions and priorities, outline of the inception report and the final report. Following the initial briefing and the desk review, the Evaluator will draft an inception report. After the inception report is approved by the ILO and the Donor, the Evaluator will undertake missions to Albania, Bosnia and Herzegovina, FYR of Macedonia, Moldova, Montenegro and Serbia to have meetings with constituents/stakeholders together with National Coordinators supporting the process.

**Inception Report:** After completion of the desk review and the planning briefing the Evaluator should prepare an inception report presenting preliminary findings based on the evaluation criteria and questions listed in the TOR and schedule of missions/meetings, preliminary hypotheses, concrete evaluation methods and instruments to be used in research. Methods of the evaluation should reflect the differentiation between men and women, to the extent possible.

**Individual Interviews and/or Group Interviews:** Individual or group interviews will be conducted with the following:

- a) ILO DWT/CO Budapest Specialists and Support Staff: Senior Specialist in Social Dialogue, Senior Employers' and Workers' Activities Specialists, etc.
- b) ILO Headquarters technical departments (phone interviews)
- c) Interviews with national counterparts (government, social partners etc);
- d) Interviews of direct and indirect beneficiaries, including Economic and Social Councils staff and members;
- e) Donor

**Field Visits:** The Evaluator will visit project implementation partners in Albania, Bosnia and Herzegovina, Former Yugoslav Republic of Macedonia, Moldova, Montenegro and Serbia and will attend the final workshop to be held on 9-10 November 2011 in Becici, Montenegro where she/he will present the draft findings of the evaluation prepared in form of a PowerPoint presentation. Feedback received during the meeting will be included in the draft evaluation report.



All costs will be met by the project. Meetings will be scheduled and organized by each' countries' National Coordinator and the Project Assistant in advance of the evaluator's visit, in accordance with the Evaluator's request and consistent with these Terms of Reference.

**Debriefing:** Upon completion of the missions, the Evaluator will provide a debriefing to the ILO/Budapest on the evaluation findings, conclusions and recommendations either in person or via telephone or Skype conference, as appropriate.

**Post-Trip Debriefing:** Upon completion of the report, the Evaluator will provide a debriefing to the ILO/Budapest on the evaluation findings, conclusions and recommendations.

### **Main Outputs (Deliverables)**

- A. Inception Report in English (in electronic format)
- B. Draft Report in English (in electronic format);
- C. Final Report in English (in electronic format);

- **SUGGESTED INCEPTION REPORT FORMAT**

The final version of the inception report will follow the below format and be no more than 5,000-5,500 words (approx. 10 pages) in length, excluding the annexes:

1. Title page
2. Project summary
3. Introduction (describing background, purpose and scope of the evaluation)
4. Schedule
5. Preliminary hypothesis based on evaluation criteria
6. Evaluation Methodology and Evaluation Questions

- **SUGGESTED REPORT FORMAT**

The draft version of the report will follow the below format and be no more than 10,000-12,500 words (approx. 20-25 pages) in length, excluding the annexes:

1. Title page
2. Table of Contents, including List of Appendices, Tables
3. List of Acronyms or Abbreviations
4. Executive Summary<sup>12</sup>
5. Background and Project Description
6. Purpose of Evaluation
7. Evaluation Methodology and Evaluation Questions
8. Status of outcomes
9. Overall findings, conclusions and recommendations<sup>13</sup>
10. Annexes (list of interviews, meetings' notes, relevant country information, policies, regulations or any other documents demonstrating the impact of the project)

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<sup>12</sup> **The Executive Summary should include:** a brief description of the subject being evaluated; the context, present situation, and description of the subject vis-à-vis other related matters; the purpose of the evaluation; the objectives of the evaluation; the intended audience of the report; a short description of methodology, including rationale for choice of methodology, data sources used, data collection and analysis methods used, and major limitations; the most important findings and conclusions; main recommendations.

<sup>13</sup> Please present recommendations in a concise and numbered list, to facilitate follow-up and entry into the evaluation database.

- **REPORT CRITERIA**

The draft report will be critically assessed according to the following criteria:

- Were the ToR fulfilled accordingly and is this reflected in the report?
- Does the report contain a comprehensive and clear summary?
- Is the report structured according to the OECD/DAC criteria and the evaluation questions?
- Are cross-cutting issues mentioned in the report separately?
- Does the report describe and assess the intervention logic (e.g. logframe)?
- Are the conclusions and recommendations based on clearly defined statements and can they be derived from the latter?
- Does the report clearly distinguish between conclusions, recommendations and lessons learnt?
- Is it comprehensible how the evaluators have achieved their findings?
- Can recommendations and lessons learnt be implemented and is it clearly recognisable whom they are directed to?
- Were the most important stakeholders consulted?
- Were the most important documents taken into account and is their content reflected in the report?
- Does the report present the information in a presentable and clearly arranged form?
- Is the report free from spelling mistakes and unclear linguistic formulations?
- Can the report be distributed in the delivered form?

## VI. MANAGEMENT ARRANGEMENTS

The tentative timetable of the evaluation is the following:

<b>1. Introductory/Briefing meeting</b>	Meeting ILO project team and DWT/CO Budapest colleagues involved in the project  (Evaluator and Project Team)	<i>1.5 day</i>
<b>2. Desk review</b>	Review of key project documents.  (Evaluator)	<i>5 working days</i>
<b>3. Inception report</b>	Draft inception report with hypotheses and individual evaluation questions.  (Evaluator)	<i>3 working days</i>
<b>4. Field visits</b>	The Evaluator visits project sites, interviews stakeholders and beneficiaries and gathers additional information.  Participation at the closing conference 9-10 November 2011.  (Evaluator and NCs)	<i>13 working days</i>
<b>5. Report drafting</b>	The Evaluator drafts the evaluation report and submits it to the Evaluation Manager.	<i>6 working days</i>
<b>6. Comments and</b>	The draft report is circulated internally for comments and feedback. These are	<i>10 working days</i>

<b>feedback</b>	consolidated and sent to the evaluator. (Evaluation manager and Project team)	
<b>7. Final report</b>	The Evaluator finalizes the report embedding the comments. (Evaluator and evaluation manager)	3 working days

(A total of 36.5 workdays plus travel days for the work of the Evaluator). Air tickets and DSA will be provided by the ILO.

Consultancy starting date: week of 3<sup>rd</sup> October 2011

Date of completion of work: 9 December 2011

The schedule of missions is provided in Appendix 6.

The list of institutions and organisations to be interviewed by the Evaluator is provided in Appendix 2.

### **Evaluator**

The Evaluator will have experience in the evaluation of development interventions, expertise in the subject matter, an understanding of the ILO's tripartite culture, profound gender expertise and knowledge of the region. The evaluation will be guided by high professional standards and principles of integrity in conformity with the UN Evaluation Norms and Standards.

The costs of the evaluation will be borne by the ILO Project (fees, travel and other related expenses).

The final selection of the Evaluator will be done by the Director of the ILO Decent Work Team and Country Office for Central and Eastern Europe, based on a short list of candidates from the Evaluation Focal Point/DWT-CO Budapest, prepared in consultations with the ILO technical specialists.

The final selection is subject to approval by the Evaluation Focal Point in the ILO/EUROPE.

### **Qualifications of the Evaluation Expert**

- Substantial knowledge in the field of project evaluation
- Knowledge of project monitoring and evaluation methodologies
- Advanced degree in social sciences or related fields
- Experience in interviewing, desk research, drafting and report writing.
- Excellent analytical skills, including gender-specific analysis skills
- Excellent communication and writing skills.
- Excellent command of English
- Command of any local language of the respective countries would be an asset

### **Project management and staff**

The names and contact details of the project management and ILO staff who will be involved in the evaluation are indicated in the table below.

<b>Evaluation focal person::</b>	Alena Nesporova, Deputy Regional Director, Regional Office for Europe and Central Asia, International Labour Office, tel++41 22 799 6781, email: <a href="mailto:nesporova@ilo.org">nesporova@ilo.org</a>
<b>Evaluation manager</b>	Maria Borsos, Programme Officer, ILO DWT-CO Budapest, tel. + 36 -1-301-4907, <a href="mailto:borsos@ilo.org">borsos@ilo.org</a>

<b>Project Technical Backstopping and Management:</b>	Cristina Mihes, Senior Social Dialogue and Labour Law Specialist ILO DWT/CO, Budapest – tel. +36 1 301 4913 – email: <a href="mailto:mihes@ilo.org">mihes@ilo.org</a>  Anne Knowles, Senior Employers’ Activities Specialist, ILO DWT/CO, Budapest – tel. +36 1 301 4909 – email: <a href="mailto:knowles@ilo.org">knowles@ilo.org</a>  Svetla Shekerdjieva, Senior Workers’ activities Specialist
<b>ILO support staff:</b>	Krisztina Homolya (Administrative and Financial Officer), ILO DWT/CO Budapest, Tel: +36 1 473 2652, email: <a href="mailto:homolya@ilo.org">homolya@ilo.org</a>  Eszter Szabo ( Administrative and Financial Officer), ILO DWT/CO Budapest, Tel: +36 1 301 4915, email: <a href="mailto:szabo@ilo.org">szabo@ilo.org</a>

Interpretation during the interviews will be provided by the National Coordinators of the ILO and interpreters if needed.

#### ROLES AND RESPONSIBILITIES

The Evaluator is responsible for conducting the evaluation according to the terms of reference (TOR). He/she will:

- Review the TOR and provide input, propose any refinements to assessment questions, as necessary.
- Review project background materials (e.g., project document, progress reports).
- Develop and implement the assessment methodology (i.e., conduct interviews, review documents) to answer the assessment questions.
- Conduct preparatory consultations with the ILO prior to the assessment mission.
- Prepare an inception report after the preparatory meeting and after concluding the desk review.
- Conduct field research, interviews, as appropriate and collect information according to suggested format.
- Prepare an initial draft of the assessment report with input from ILO specialists and constituents/stakeholders.
- Conduct briefing on findings, conclusions and recommendation of the assessment.
- Prepare the final report based on the ILO and constituents feedback obtained on the draft report.

The ILO DWT/CO-Budapest **Evaluation Manager** is responsible for:

- Drafting the TOR;
- Finalizing the TOR with input from colleagues;
- Preparing a short list of candidates for submission to the ILO/Budapest Director for final selection;
- Hiring the consultant
- Providing the consultant with the project background materials;
- Participating in preparatory consultations (briefing) prior to the assessment mission;
- Assisting in the implementation of the assessment methodology, as appropriate (i.e., participate in meetings, review documents);
- Reviewing the initial draft report, circulating it for comments and providing consolidated feedback to the Evaluator;
- Reviewing the final draft of the report;

- Disseminating the final report to all the stakeholders;
- Coordinating follow-up as necessary.

The Project Technical Backstopper is responsible for:

- Reviewing the draft TOR and providing input, as necessary;
- Providing project background materials, including studies, analytical papers, reports, tools, publications produced;
- Participating in preparatory briefing prior to the assessment missions;
- Scheduling all meetings and interviews for the missions;
- Ensuring necessary logistical arrangements for the missions (hotel reservations, travel);
- Reviewing and providing comments on the initial draft report;
- Participating in debriefing on findings, conclusions, and recommendations;
- Making sure appropriate follow-up action is taken.

## Appendix 2. List of persons or organisations interviewed

### Bosnia and Herzegovina

#### 10 Oct (Monday)

##### 10.00h - ILO

Ms. Lejla Tanovic, ILO National Coordinator in BiH

ILO Premises, Marsala Tita Street 48, 5 floor

Phone: +387 33 563 871

GSM: +387 61 216 170

E-mail: [ltanovic@ilo.ba](mailto:ltanovic@ilo.ba)

##### 11.30h – Association of Employers of BiH (APBIH)

Mr. Alija Remzo Baksic, Director-General

Mula Mustafe Baseskije 12/3 floor

Phone: +387 33 552 470; 552 460

E-mail: [apbuldozer@bih.net.ba](mailto:apbuldozer@bih.net.ba)

##### 13.30h – Austrian Embassy

Ms. Amira Omanovic, Consultant for Technical Cooperation

ILO Premises - Marsala Tita Street 48, 5 floor

Phone: +387 33 279 425

GSM: +387 61 330 684

E-mail: [amira.o@bih.net.ba](mailto:amira.o@bih.net.ba)

#### 11 Oct (Tuesday)

##### 9.00h - Trade Unions Confederation of the Republika Srpska

-Ms. Ranka Mistic, President

-Ms. Velka Odzakovic- Secretary- General

-Mr. Mile Ribic - President of RS TU in the construction industry - Project Working Group Coordinator

-Mr. Danko Ruzicic- President of RS TU in the textile and leather industry

-Mr. Tane Peulic- President of RS TU in metal industry and mining

- Mr. Tomislav Vrhovac-President of RS TU in civil service and administration

Srpska 32, Banja Luka

Phone: +387 51 214 543; 214 795; 214 927

E-mail: [ssrs-bl@blic.net](mailto:ssrs-bl@blic.net)

##### 11.30h - Ministry of Labour and War Veterans Welfare of the Republika Srpska

- Mr. Cedo Kovacevic – Assistant Minister

Trg Republike Srpske 1, Banja Luka

Phone: +387 51 338 602

E-mail: [c.kovacevic@mpb.vladars.net](mailto:c.kovacevic@mpb.vladars.net)

**14.30h - Agency for Amicable Resolution of Labour Disputes of the Republika Srpska**

- Mr. Borislav Radic, Director

Aleja Svetog Save 10, Banja Luka

Phone: ++ 387 51 327 040

E-mail: [office@radnispur.net](mailto:office@radnispur.net)

**12 Oct (Wednesday)**

**10.30h - Federal Ministry of Labour and Social Policy**

- Ms. Dzana Kadribegovic, Assistant Minister

Vilsonovo setaliste 10, Sarajevo

Phone: +387 33 712 340

E-mail: [dzana.kadribegovic@fmrsp.gov.ba](mailto:dzana.kadribegovic@fmrsp.gov.ba)

**13.00h - Ministry of Civil Affairs of Bosnia and Herzegovina**

- Mr. Damir Dizdarevic, Assistant Minister

Trg Bosne i Hercegovine 1, Sarajevo

Phone.: +387 33

E-mail: [damird@mcp.gov.ba](mailto:damird@mcp.gov.ba)

**13 Oct (Thursday)**

**10.00h - Confederation of Independent Trade Unions of Bosnia and Herzegovina**

- Mr. Ismet Bajramovic, President

Obala Kulina bana 1, Sarajevo

Phone.: +387 33 202 029; 664 872

E-mail: [ajdina@sindikatih.ba](mailto:ajdina@sindikatih.ba); [sssbih@sindikatih.ba](mailto:sssbih@sindikatih.ba); [sinbih@bih.net.ba](mailto:sinbih@bih.net.ba)

**12.30h - ITUC PERC SEE Office**

- Ms. Enisa Salimovic, Director

Džemala Bijedića 37, Sarajevo

Phone.: +387 33 715 305

GSM: +387 61 205 186

E-mail :[enisa.salimovic@ituc-csi.ba](mailto:enisa.salimovic@ituc-csi.ba)

**FYRoM**

**24 October**

**14:00 – 15:00 Meeting with representatives from Business Confederation of Macedonia**

*Participants:*

President: Mr. Mile Boshkov  
Mr. Mile Chupetrvski  
Ms. Sevdalinka Eftimova  
Ms. Viktorija Mitrikjeska

*Venue: Business Confederation of Macedonia*  
*Interpreter: Ms. Sofija Glavinova*

**25 October**

**10:00 – 11:00 Meeting with Organization of Employers of Macedonia**

*Participants:*  
Ms. Svetlana Ristovska Antikj  
Ms. Belinda Nikolovska

*Venue: Organization of Employers of Macedonia*  
*Interpreter: Ms. Sofija Glavinova*

**11:30 – 12:30 Meeting with representatives from the Ministry of Labour and Social Policy**

*Participants:*  
Mr. Sejdi Xhemaili  
Ms. Mirjanka Aleksevaska

*Venue: Ministry of Labour and Social Policy*  
*Interpreter: Ms. Sofija Glavinova*

**12:40 – 13:40 Meeting with representatives from Confederation of Free Trade Unions of Macedonia**

*Participants:*

President: Mr. Rasko Mishkovski  
Ms. Biljana Chklamovska

*Venue: hotel Arka*  
*Interpreter: Ms. Sofija Glavinova*

**13:40-15:00 Lunch**

**15:10-16:10 Meeting with representatives from Federation of trade unions of Macedonia**

*Participants:* President: Mr. Zhivko Mitrevski  
Ms. Liljana Jankulovska

*Venue: Federation of trade unions of Macedonia*  
*Interpreter: Ms. Sofija Glavinova*



**16:20-17:20 Meeting with representatives from Union of independent and autonomous trade unions of Macedonia**

*Participants:* President: Mr. Slobodan Antovski  
Ms. Divna Zmejkovska

*Venue:* Union of independent and autonomous trade unions of Macedonia  
*Interpreter:* Ms. Sofija Glavinova

**Serbia**

**26 Oct (Wednesday)**

**09.30h – ILO-Serbia**

Mr. Jovan Protic, ILO National Coordinator in Serbia  
ILO Premises, Nemanjina 22-26, 8<sup>th</sup> floor/room 13

Phone: +381 11 3616-128

GSM: +381 63 1159-721

E-mail: [protic@ilo.org](mailto:protic@ilo.org)

**11.00h – Austrian Development Agency (ADA) – Belgrade Office**

Mr. Klaus Kapper, Resident Coordinator

Senjacka 33, Belgrade

phone: +381 11 306 77 70

fax: +381 11 306 77 70

E-mail: [belgrad@ada.gv.at](mailto:belgrad@ada.gv.at)

<http://www.ada.gv.at>

**12.30h – Agency for Peaceful Settlement of Labour Disputes of Serbia**

Mr. Dejan Kostic, Director

Omladinskih brigada 1, Novi Beograd

Phone: +381 11 3131-416

GSM: +381 64 3008-419

E-mail: [kabinet@ramrrs.gov.rs](mailto:kabinet@ramrrs.gov.rs)

<http://www.ramrrs.gov.rs>

**14.00h – Serbian Association of Employers**

Mr. Bosko Savkovic, Secretary General

Ms. Dejana Kuzmic, Head of International Relations Department

Stevana Markovica 8, Zemun

Phone: +381 11 3620 149

GSM: +381 64 642 7727

E-mail: [d.kuzmic@poslodavci.rs](mailto:d.kuzmic@poslodavci.rs)

<http://www.poslodavci.rs>

**27 Oct (Thursday)**

**09.00h - Confederation of Autonomous Trade Unions of Serbia (CATUS)**

Consolidating the Legal and Institutional Foundations of Social Dialogue in the Countries of Western Balkans and Moldova

Mr. Dragan Zarubica, Vice-president of Confederation/President of Agriculture branch trade union  
Mr. Dusko Vukovic, Vice-president of Confederation/President of Construction branch trade union  
Mr. Zoran Vujovic/President of Metal workers branch trade union

Trg Nikole Pasica 5, 3<sup>rd</sup> floor, Belgrade, room 25

Phone: +381 11 333 5 184

Fax: + 381 11 3236 043

E-mail: [intdep@sindikat.rs](mailto:intdep@sindikat.rs)

<http://www.sindikat.rs>

#### **11.00h – Ministry of Labour and Social Policy**

Ms. Radmila Bukumiric Katic, Assistant Minister for Labour Sector

Ms. Rajka Vukomanovic, Advisor to the Minister

Nemanjina 22-26, 2<sup>nd</sup> floor

Phone: +381 11 3616-243

GSM: +381 63 387-979

E-mail: [Radmila.Katic@minrzs.gov.rs](mailto:Radmila.Katic@minrzs.gov.rs)

<http://www.minrzs.gov.rs>

#### **13.00h – Secretariat of the Economic and Social Council of Serbia**

Ms. Cedanka Andric, Secretary General

“Serbia” Palace, East wing, I floor, office 110-112, Belgrade

Phone: +381 11 2692-379

GSM: + 381 62 886 2462

E-mail: [sekretar@socijalnoekonomskisavet.rs](mailto:sekretar@socijalnoekonomskisavet.rs)

<http://www.socijalnoekonomskisavet.rs>

## **Albania**

### **28 Oct (Friday)**

#### **08.30h – MOLSAEO**

*Mr. Vasil Dodi, Director of Labour Inspection and Industrial Relations - MOLSAEO*

*Mr Gramoz Xhangolli, Specialist of Labour Inspection and Industrial Relations - MOLSAEO*

Ministry of Labour, Social Affairs and Equal Opportunities

Rruga e Kavajes, Tirana

#### **10.00h – Union of Independent Trade Unions of Albania (BSPSH)**

Ms. Hiqmete Daja, Director of Educational Department of BSPSH

Mr. Jonuz Xhetani, Independent Trade Union of Miners of Albania

Consolidating the Legal and Institutional Foundations of Social Dialogue in the Countries of Western Balkans and Moldova

ILO Premises, ISSH, Rruga e Durrësit, Nr 83, 3<sup>rd</sup> floor

Phone: +355 (0) 4 2270 274

GSM: +355 (0) 69 24 34 916

E-mail: [topi@ilo.org](mailto:topi@ilo.org)

[nika@ilo.org](mailto:nika@ilo.org)

#### **11.00h – Confederation of Trade Unions of Albania (KSSH)**

Mr. Taf Koleci, Deputy Chairman of Confederation of Trade Unions of Albania

ILO Premises, ISSH, Rruga e Durrësit, Nr 83, 3<sup>rd</sup> floor

Phone: +355 (0) 4 2270 274

GSM: +355 (0) 67 20 60 316

E-mail: [topi@ilo.org](mailto:topi@ilo.org)

[nika@ilo.org](mailto:nika@ilo.org)

#### **13.00h – 14.00h Austrian Development Agency (ADA) – Albania Office**

*Ms. Astrid Wein*, Head of Office

Rr. Mustafa Matohiti, Pallati ABAU, No. 1/7, P.O.Box 222/1, Tirana

Phone: +355 (0) 422 35 717

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#### **15.00h – Employers Organisations of Albania**

*Mr. Avenir Kika*, Association of Albanian Constructors (SHNSH) – Deputy Chair of the National Labour Council

*Mr. Enver Ferizaj*, Albanian Agribusiness Council (KASH)

*Mr. Bardhi Sejdarasi*, BiznesAlbania

KASH Premises

Rr. "Mine Peza", P. 87/3 Hyrja 1, Kati I,

Mbrapa Ambasadës Jugosllave

Tirana, Albania

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[info@kash.org.al](mailto:info@kash.org.al)

## **Montenegro**

### **31 October (Monday)**

#### **09.00h – Ministry of Labour and Social Welfare**

Mrs. Anka Stojkovic, Deputy Minister

Mrs. Vjera Soc, Advisor for International Relations

Trg Vektre bb

Podgorica

#### **10.30h – Social Council of Montenegro**

Mrs. Natasa Vukasinovic, Secretary of the Council

Stanka Dragojevic 2,  
Podgorica

**12.00h – Confederation of Trade Unions of Montenegro**

Mr. Nenad Markovic, President of Trade Union of Construction Workers and IGM  
Novaka Miloseva 29/I  
Podgorica

**01 November (Tuesday)**

**11.00h - Montenegrin Employers Federation**

Mrs. Suzana Radulovic, Secretary General  
Mr. Predrag Mitrovic, President (to be confirmed)  
Ul. 9 Crnogorske brigade br. 11  
Podgorica

**12.30h – Agency for Amicable Labour Dispute Resolution**

Ms. Zdenka Burzan, Director  
Novaka Miloseva 29/III  
Podgorica

**Moldova**

**2 November 2011**

**17:00** ILO National Coordinator  
Ms. Ala Lipciu  
Codru Hotel

**3 November**

**9:00 NATIONAL EMPLOYERS CONFEDERATION**  
Mr. Leonid Cerescu, President of NEC  
Mr. Vladislav Caminschi, External and Internal Relations Department  
16, Maria Cebotari street  
MD-2012, Chisinau, Moldova  
Phone: (+373 22) 222301

**11:00 NATIONAL TRADE UNION CONFEDERATION**  
Mr. Nicolae Suruceanu, Confederal Secretary  
Mrs. Nina Zghibarta, Head of External Relations Department  
129, 31 August 1989, 503 Office,  
MD-2012, Chisinau, Moldova  
Phone: (+373 22) 266509

**14:00 Mr. Mihai Moldovanu, Deputy Prime Minister,**

**Chairman of NCCCB**

1, Piata Marii Adunari Nationale bd., **Secretariate**  
 MD-2033 Chisinau  
 Phone: (+373 22) 250102

**15:30****Ministry of Labour, Social Protection and Family**

Mr. Sergiu Morari, Head of Labour Relations Department  
 1 Vasile Alecsandri Street, office 413,  
 MD-2009, Chisinau, Moldova,  
 Phone: (+373 22) 269371

**4 November****9:00****Austrian Development Agency**

Mr. Michael Schieder, Head of Mission  
 23B A. Mateevici Street,  
 MD-2009, Chisinau, Moldova

**10:15****Gangan Natalia****Secretary of NCCCB**

1 Vasile Alecsandri Street, office 617,  
 MD-2009, Chisinau, Moldova,  
 Phone: (+373 22) 269369

**Appendix 4. List of publications cited**

ILO project documentation (proposal, logframe, matrices, progress reports, evaluation guidelines)
UN Evaluation Norms and Standards
OECD/DAC Evaluation Quality Standards
Georges Minet, Some aspects of social dialogue from an ILO standpoint, 2008
Social Dialogue in Central and Eastern Europe, edited by Giuseppe Casale, 1999
Friedrich Ebert Stiftung, Annual Review 2010 on Labour Relations and Social Dialogue in South East Europe
EU Progress Reports for Albania, BiH, FYRoM, Moldova, Montenegro, Serbia (2009-2010)

**Appendix 5. List of activities by country****Albania**

2008	<p>Tripartite ADA Project Launch, Tirana, 21 March 2008</p> <p>Training Workshop on Collective Bargaining and Negotiating Skills; Tirana, 2-3 October</p>
2009	<p>Participation of an EO Albanian Delegation to the <i>ILO/AREC/ADA Central and Eastern Europe Subregional Capacity Building Workshop for Employers' Organisations on Effective Engagement in Economic Forums Including Developing Responses to the Financial and Economic Crisis</i>; Zagreb, Croatia, 22 – 24 September 2009</p>
2010	<p>Participation of an EO Albanian Delegation to the <i>Joint ILO / AREC / ADA Workshop on Effective Strategies for Meeting the Challenges of Social and Economic Changes in Western Balkan Countries</i>; Belgrade, Serbia, 29-31 March 2010</p> <p>Participation of a tripartite Albanian country delegation to the <i>Sub-regional Tripartite Conference on the Role of Economic and Social Councils in the Western Balkans and Moldova at a Time of Crisis</i>; Ohrid, FYROM, 30 June – 1 July 2010</p> <p>Workshop on Sectoral Collective Bargaining Issues focusing on the Textile (Facon) and Publishing / Printing Industries in Albania; Dures, 28 – 29 September</p> <p>Workshop on Labour Dispute Prevention and Resolution at the Enterprise through Enhanced People Management ; Dures, 26 and 27 October</p>
2011	<p>Workshop on The Role and Function of an Effective Employers' Organisation; Durres, 8-9 September</p> <p>Development of surveys, analysis, publication and conference on identifying barriers to doing business in Albania generally (with BiznessAlbania) and specifically (with KASH) in the agriculture / food processing sector; Albania, August - October 2011</p> <p>Participation in the Employers' Organisations' Subregional Conference <i>Strengthening Social Dialogue to Meet Post-Crisis Opportunities and Challenges</i>, Belgrade, Serbia 5-6 October 2011</p> <p>Launching Conference of publications to stakeholders – 22 December</p>

**Bosnia – Herzegovina**

2008	<p>Tripartite ADA Project Launch; Sarajevo, March 16-18</p> <p>Benchmark study on the <i>State of Collective Bargaining in BiH</i>; BiH, May - June</p>
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2009	Participation of an EO delegation from Bosnia and Herzegovina to the <i>ILO/AREC/ADA Central and Eastern Europe Subregional Capacity Building Workshop for Employers' Organisations on Effective Engagement in Economic Forums Including Developing Responses to the Financial and Economic Crisis</i> ; Zagreb, Croatia, 22 – 24 September 2009
2010	<p>Participation of an EO delegation from Bosnia and Herzegovina to the <i>Joint ILO / AREC / ADA Workshop on Effective Strategies for Meeting the Challenges of Social and Economic Changes in Western Balkan Countries</i>; Belgrade, Serbia, 29-31 March 2010</p> <p>Participation of a tripartite country delegation to the <i>Sub-regional Tripartite Conference on the Role of Economic and Social Councils in the Western Balkans and Moldova at a Time of Crisis</i>; Ohrid, FYROM, 30 June – 1 July 2010</p> <p>Two workshops on <i>Labour Dispute Prevention and Resolution at the Enterprise through Enhanced People Management</i> for Employers' Organisations; Banja Luka (primarily for the Republika Srpska EO) and Sarajevo (for the EOs in the Federation and in Brcko District), 29 November – 3 December 2010</p>
2011	<p>Workshop on <i>Minimum Wage Setting and the Role of an Employers' Organisation in EU Accession</i>; Sarajevo, BiH, 19 – 20 May 2011</p> <p>Publication of ILO material delivered in workshops over last three years (including the training manual on negotiation skills and collective bargaining) for members' use; September 2011</p> <p>Participation in the Employers' Organisations' Subregional Conference <i>Strengthening Social Dialogue to Meet Post-Crisis Opportunities and Challenges</i>, Belgrade, Serbia 5-6 October 2011</p> <p>Conducting analysis and developing studies on economic burden in the two Entities and the Brcko District of BiH, October – December 2011</p> <p>Launching Conferences of the publications in each of the Entities and BD – December</p> <p>Development of surveys, analyses publication and conferences on identifying barriers to doing business in the two Entities and one District of BiH to enable EOs at all levels to more effectively engage in social dialogue – September – December)</p>

**FYRoM**

2008	<p>ADA tripartite project launch; Skopje, 12 March</p> <p>Workshop on <i>Collective Bargaining and Negotiation Skills</i>; Skopje, 29 September</p>
2009	<p>Meeting on <i>"Development of Employers Organizations and Social Dialogue - Collective Bargaining on Company Level"</i>; Skopje, 1 April</p> <p>Development of a brochure for Employers on <i>OSH Risk Assessment Guidelines</i> plus a training of trainers workshop for CERM and ORM staff members by officials from</p>

	<p>MOSHA and the Labour Inspectorate in Skopje with an accompanying series of <i>Training Workshops on OSH Related Issues</i> in Tetovo, Prilep, Stip and Strumica; May – November</p> <p>Participation of an EO delegation to the <i>ILO/AREC/ADA Central and Eastern Europe Subregional Capacity Building Workshop for Employers' Organisations on Effective Engagement in Economic Forums Including Developing Responses to the Financial and Economic Crisis</i>; Zagreb, Croatia, 22 – 24 September</p>
2010	<p>Workshop on <i>OSH Risk Assessment</i>; Skopje, 8 – 10 February</p> <p>Participation of an EO delegation to the <i>Joint ILO / AREC / ADA Workshop on Effective Strategies for Meeting the Challenges of Social and Economic Changes in Western Balkan Countries</i>; Belgrade, Serbia, 29-31 March</p> <p>Training for media representatives on Social Dialogue; Skopje, 15 April (Tripartite)</p> <p>Participation of a tripartite country delegation to the <i>Sub-regional Tripartite Conference on the Role of Economic and Social Councils in the Western Balkans and Moldova at a Time of Crisis</i>; Ohrid, FYROM, 30 June – 1 July 2010</p> <p>Workshop on <i>Collective Bargaining Issues Focusing on the Textile and Trade Industries in FYR Macedonia</i>; Stip, FYR Macedonia, 30 September – 1 October</p> <p>Workshop on <i>Labour Dispute Prevention and Resolution at the Enterprise through Enhanced People Management</i>; Skopje, 28-29 October</p> <p>Preparation of a Website and training of two ORM employees; Skopje, October</p>
2011	<p>Six one-day workshops conducted by staff from ORM and BCM on <i>Labour Dispute Prevention and Resolution at the Enterprise through Enhanced People Management</i> with their respective members in three locations each; FYR Macedonia, January – March</p> <p>Training Seminar on <i>Development and Delivery of Services</i> for ORM and BCM staff and Board members; Skopje, 22 – 24 June</p> <p>Development of a submission for changes to the Labour Law developed by way of focus group meetings and expert input based on problems identified from previously-funded Guide to the Labour Law; Skopje, July – September</p> <p>Participation in the Employers' Organisations' Subregional Conference <i>Strengthening Social Dialogue to Meet Post-Crisis Opportunities and Challenges</i>, Belgrade, Serbia 5-6 October 2011</p>

## Moldova



2009	<p>Bipartite Workshop for EO and TU representatives from Ukraine and Moldova on <i>Macroeconomic Concepts for Negotiators</i> with a tripartite delegation from Belgium giving the Flemish experience on both negotiation practices as well as responses to the crisis; Kiev, Ukraine, 6 – 8 October</p> <p>Training for journalists and other media representatives on <i>Social Dialogue Issues and the Role and Function of an Employers' Organisation</i>; Chisinau, 12 – 13 November (Tripartite event)</p>
2010	<p>Six Workshops on <i>OSH and Risk Assessment</i>; Moldova, June - July 2010</p> <p>Three Workshops on <i>Developing Regional EOs including Issues on Collective Bargaining</i>; Cahul, Balti and Unghengi, 14,15 and 17 September</p> <p>Workshop on <i>Developing and Delivering Services</i>; Chisinau, Moldova,16 September</p> <p>Study Visit by four CNPM delegates to Romania focusing on <i>OSH Developments and the Functioning of the Romanian Economic and Social Council</i>; 26 September – 1 October</p> <p>Purchase of computer for training facility of CNPM; Chisinau, August 2010; Equipment purchase to support move of CNPM to new premises; Chisinau, October 2010</p>
2011	<p>Workshop on <i>Labour Dispute Prevention and Resolution at the Enterprise through Enhanced People Management</i>; Chisinau, 10 – 13 May</p> <p>Six workshops in regional areas on <i>Labour Dispute Prevention and Resolution through Better People Management</i> based on previous training given; Moldova, June</p> <p>Development of publication on <i>Employer-Required Changes to the Labour Code</i> with accompanying conference to launch the outcomes; Moldova, September</p>

### Montenegro

2008	<p>ADA Tripartite Project launch; Podgorica, 18 March</p> <p>Needs assessment meeting by the Sr. Specialist Employers' Activities to the Montenegrin Employers' Federation (MEF); Podgorica, 17- 18 December</p>
2009	<p>Participation by the Sr. Specialist Employers' Activities at the Strategic Planning Meeting of MEF to elaborate joint activities' work plan for 2009; Podgorica, 29 January</p> <p>Participation of an EO delegation to the <i>ILO/AREC/ADA Central and Eastern Europe Subregional Capacity Building Workshop for Employers' Organisations on Effective Engagement in Economic Forums Including Developing Responses to the Financial and Economic Crisis</i>; Zagreb, Croatia, 22 – 24 September</p>
2010	<p>Participation of an EO delegation to the <i>Joint ILO / AREC / ADA Workshop on Effective Strategies for Meeting the Challenges of Social and Economic Changes in Western Balkan Countries</i>; Belgrade, Serbia, 29-31 March</p> <p>Workshop for Board and Staff on <i>Service Development and Delivery</i>; Podgorica, 27</p>

	<p>April</p> <p>Workshop on <i>Dispute Resolution Mechanisms at the Enterprise Level Through Enhanced People Management Skills to Reduce Conflict</i>; Podgorica, 28 April</p> <p>Workshop on the <i>Role and Function of an Employers' Organisation</i> combined with <i>Issues of Rural Development</i>; Bijele Polje, 29 April</p> <p>Participation of a tripartite country delegation to the <i>Sub-regional Tripartite Conference on the Role of Economic and Social Councils in the Western Balkans and Moldova at a Time of Crisis</i>, Ohrid, FYROM, 30 June – 1 July</p>
2011	<p>Development of <i>Guides for the Employment of People with Disabilities</i> along with accompanying seminars in Podgorica and Budva; July – September</p> <p>Development of <i>Labour Law Changes and Amicable Dispute Resolution Guide</i> along with accompanying seminars; July – September</p>

### Serbia

2008	<p>Mission of Sr. Specialist EO Activities to launch the ADA project; Belgrade, 18 March</p> <p>Needs assessment meetings with SAE; Belgrade, 27 August</p>
2009	<p>Printing the publication <i>Negotiation Skills and Collective Bargaining</i> in Serbian, Belgrade, February</p> <p>Participation of an EO delegation to the <i>ILO/AREC/ADA Central and Eastern Europe Subregional Capacity Building Workshop for Employers' Organisations on Effective Engagement in Economic Forums Including Developing Responses to the Financial and Economic Crisis</i>; Zagreb, Croatia, 22 – 24 September</p> <p>Tripartite Round Table to discuss the issues of representativity of Trade Unions and Employers' Organisations; Belgrade, 16 – 17 December</p>
2010	<p>Participation of an EO delegation to the <i>Joint ILO / AREC / ADA Workshop on Effective Strategies for Meeting the Challenges of Social and Economic Changes in Western Balkan Countries</i>; Belgrade, Serbia, 29-31 March</p> <p>Participation of a tripartite country delegation to the <i>Sub-regional Tripartite Conference on the Role of Economic and Social Councils in the Western Balkans and Moldova at a Time of Crisis</i>; Ohrid, FYROM, 30 June – 1 July</p> <p>Three publications developed on the "hidden" costs of business for use in collective bargaining – one covering the general business situation and two sectoral publications - namely Tourism / Catering and Agricultural Processing supported by a launching Conference; Belgrade, Serbia, July – September</p> <p>Conference for media representatives on <i>Costs of Doing Business</i>; Belgrade, 21-22 October</p> <p>Study tour by two members of SAE to the Croatian Employers' Organisation on <i>Developing a Training Centre</i>; December 2010</p>
2011	<p>Meetings of Sr. Specialist EO Activities with Ministers of Labour and Trade and Services along with Antonio Penalosa of IOE on representativity criteria for EOs in Serbia and interference of Government in establishing a "new" EO under the auspices of the Chamber of Commerce; Belgrade, 10 – 11 January</p>

	<p>Workshop on <i>Labour Dispute Prevention and Resolution at the Enterprise through Enhanced People Management</i>; Belgrade, 21 - 23 March</p> <p>Workshop with SAE co-presenter on <i>Labour Dispute Prevention and Resolution at the Enterprise through Enhanced People Management</i>; Belgrade, 15-16 May</p> <p>Three one-day workshops conducted by staff of SAE on <i>Labour Dispute Prevention and Resolution at the Enterprise through Enhanced People Management</i>; May – June</p> <p>Bipartite workshop on <i>EU Accession Legislative Issues</i> – (co-funded with TU); Belgrade, 25 June</p> <p>Development of analysis, publication and accompanying seminar on issues of importance related to the expired General Collective Agreement and proposals for SAE negotiators to enable their effective input to new GCA; August – September 2011</p> <p>Development of <i>Guidelines for Employers on Meeting Inspection Requirements of Government Agencies within Serbia</i>, with accompanying seminars; August – September 2011</p> <p>Organisation and participation in the Employers’ Organisations’ Subregional Conference <i>Strengthening Social Dialogue to Meet Post-Crisis Opportunities and Challenges</i>, Belgrade, Serbia 5-6 October 2011</p> <p>Publication of the final report on a “Conducive Business Environment”, November – December 2011</p> <p>Funding by the Budapest Office of purchasing a laptop for PETUM Training Centre, December 2011</p>
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**Appendix 6. Mission schedule**

Action	Description	Foreseen No. of days	Actual <sup>14</sup> or proposed no. of days	Date
Introductory/Briefing meeting	Meeting ILO project team and DWT/CO Budapest colleagues involved in the project (Evaluator and Project Team)	1.5 day	1.5 day	10-11 Oct
Desk review	Review of key project documents. (Evaluator)	5 working days	3 days	17 Oct, 20-21 Oct
Inception report	Draft inception report with hypotheses and individual evaluation questions. (Evaluator)	3 working days	2 days	18-19 Oct
Field visits	The Evaluator visits project sites, interviews stakeholders and beneficiaries and gathers additional information. (Evaluator and NCs)	13 working days	BiH: 3.5 days MK: 2 days SR: 2 days AL: 2 days MN: 1 day ML: 3 days 13.5 days	11-14 Oct 24-25 Oct 26-27 Oct 28 -30 Oct 1 Nov 2-4 Nov
Conference	Participation at the closing conference 9-10 November 2011. (Evaluator and NCs)	2 days	4 days (including travel)	9/10 Nov 2011
Report drafting	The Evaluator drafts the evaluation report and submits it to the Evaluation Manager.	6 working days	10 days	14 -26 Nov
Comments and feedback	The draft report is	10 working	10 working days	

<sup>14</sup> Actual until 19 October 2011.

## Consolidating the Legal and Institutional Foundations of Social Dialogue in the Countries of Western Balkans and Moldova

	circulated internally for comments and feedback. These are consolidated and sent to the evaluator.  (Evaluation manager and Project team)	days		
Final report	The Evaluator finalizes the report embedding the comments.  (Evaluator and evaluation manager)	3 working days	6 days	
<b>Total days</b>		<b>33.5</b>	<b>40</b>	