ILO EVALUATION

- **Evaluation Title:** **Promoting Fundamental Principles and Rights at Work in the Maldives - Final Independent Evaluation**

- **ILO TC/SYMBOL:** **MDV/10/01/USA**

- **Type of Evaluation :** **Final independent evaluation**

- **Country(ies) :** **Maldives**

- **Date of the evaluation:** **June 2015**

- **Name of consultant(s):** **Christoph David Weinmann**

- **ILO Administrative Office: ILO-CO for Sri Lanka and Maldives**

- **ILO Technical Backstopping Office: FUNDAMENTALS, DWT New Delhi**

- **Date project ends: 30 June 2015**

- **Donor: US Department of Labor (USD 640,000)**

- **Evaluation Manager: Rakawin Leechanavanichpan**

- **Evaluation Budget*:* USD 14,000**

- **Key Words: governance, labour administration, economic and social rights, freedom of association, right to strike, institutional framework, institutional capacity building, collective bargaining, trade union rights, labour relations, employers and workers organizations**

FINAL REPORT

Independent Final Evaluation

**Promoting Fundamental Principles and Rights at Work
in the Maldives
(July 2011 – June 2015)**

MDV/10/01/USA

September 2015

Christoph David Weinmann

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LIST OF ACRONYMS AND ABBREVIATIONS

CO	Country Office
DO	development objective
DWT	Decent WorkTeam
ET	Employment Tribunal
ILO	International Labour Organization
IO	immediate objective
LRA	Labor Relations Authority
MACI	Maldives Association of Construction Industry
MATI	Maldives Association of the Tourism Industry
MED	Ministry of Economic Development
M&E	monitoring and evaluation
MHRYS	Ministry of Human Resources, Youth and Sport
MPWU	Maldives Ports Workers Union
NGO	non-government organization
ODA	official development assistance
OECD	Organization for Economic Cooperation and Development
OSH	occupational safety and health
ROAP	Regional Office for Asia and the Pacific
SCORE	Sustaining Competitive and Responsible Enterprises
TEAM	Tourism Employees Association of the Maldives
UN	United Nations
UNDP	United Nations Development Programme
US	United States (of America)
USD	United States Dollar
USDOL	United States Department of Labor

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1 ACKNOWLEDGEMENTS

The results of evaluations, understood as joint learning exercises in a process of continuous improvement, essentially depend on the participation of key stakeholders and availability of key informants.

The participation of all tripartite stakeholders has turned out to be difficult to organize from the outset -- in the context of the project evaluated. This situation, including a very late meeting with MED during the course of the evaluation, reflects the difficulties remaining in forging a stronger dialog between all stakeholders, and establishing a working routine with the Maldives as a new member country with the ILO.

The fact that it was possible to arrive at a joint and valid agreement on the status of implementation in the light of these circumstances was due to the readiness of the participating stakeholders to go through a guided neutral assessment process during a stakeholder meeting held on 17 June 2015 at the Ministry of Economic Development in Malé.

The fact that it was possible to collect a fair amount of relevant information on the Project on Promoting Fundamental Rights and Strengthening Labour Market Governance in the Maldives during the short time period accorded to this exercise is mainly a result of

- the positive attitude to sharing information and discussing the design of the project and the status of implementation by all interlocutors that were (or made themselves) available for meetings during the evaluation period, notably the different ILO specialists, based in different locations, involved with the implementation of the project at different stages, including those who have moved on to other assignments in the meantime

- the preparation of an updated summary of achievements and the organization of the field visit by the National Project Coordinator of the Project on Promoting Fundamental Rights and Strengthening Labour Market Governance in the Maldives

- the written comments received by all concerned following the submission of the draft evaluation report which also included additional information that was not available during the field visit

The independent consultant deployed to lead this evaluation exercise reiterates his highest appreciation to all concerned for the valuable support provided to this mission.

All errors and omissions remain at the entire responsibility of the consultant.

2 SUMMARY

Quick Facts

Countries: Maldives

Final Evaluation: June 2015

Mode of Evaluation: Independent

ILO Office Administratively backstopping the Project: Colombo

ILO Technical Backstopping Office: FUNDAMENTALS, DWT New Delhi

Evaluation Manager: Rakawin Leechanavanichpan

Evaluation Consultant: Christoph David Weinmann

Project End: June 2015

Project Code: MDV/10/01/USA

Award Number: 500849

Donor and Project Budget: USDOL (USD 640,000)

Keywords: governance, labour administration, economic and social rights, freedom of association, right to strike, institutional framework, institutional capacity building, collective bargaining, trade union rights, labour relations, employers and workers organizations

Background and Context

The Project "Promoting Fundamental Rights and Strengthening Labour Market Governance in the Maldives" strived to contribute to the transition of the Maldives to a stable, multi-party democracy, with effective and independent institutions of governance, supported by a vibrant civil society by promoting good governance and the rule of law in the world of work. (Development Objective). Immediate Objectives were:

● A revised legal framework is developed that implements international labour standards, protects fundamental labour rights, in particular freedom of association and collective bargaining, establishes dispute resolution mechanisms, defines the right to strike and promotes labour-management cooperation.

● A reformed labour law administration machinery at the central and selected atoll levels for a more effective provision of services, including clearer functions, working procedures and reporting systems, improved mechanisms for labour law

implementation, particularly for labour inspections and dispute resolution, improving the Employment Tribunal's capacity and better co-ordination between the central, the provincial labour offices and other government agencies.

● Independent workers' and employers' organizations with strengthened capacities to engage in sound workplace cooperation and labour- management relations, participate in social dialog, improve working conditions and enhance productivity.

The project strategy consisted of the implementation of a mix of higher-level legal, institutional development, and reform interventions in order to improve the legal framework, as well as measures of organizational development and capacity building in the fields of labor administration and social dialog.

The project was planned for a duration of three years. It was extended on a no-cost basis for 6 months in order to permit for the delivery of all planned inputs, some of which had incurred delay.

The evaluation was to provide the project stakeholders, the donor (USDOL) and the ILO with an independent assessment of the progress made and with lessons learned for further projects in the Maldives, projects of similar structure, and/ or projects of similar content.

Methodology of evaluation

An independent consultant was asked to evaluate the Programme on the basis of existing documentation, a brief field visit (Sri Lanka, Maldives), and telephone discussions with key informants who were available during the evaluation period. The evaluation is based on selective (non-random) probing, determined by availabilities of counterparts and travel constraints.

Main Findings and Conclusions

Major conclusions from this evaluation of the project "Promoting Fundamental Rights and Strengthening Labour Market Governance in the Maldives" include:

● The project was fully relevant to the different processes supported in the target country as well as to ILO and USDOL higher-level strategies -- relevance of project design was ensured both by ILO specialists and the ILO Country Office. Yet there were very divergent perceptions of relevance among the tripartite stakeholders in the Maldives, ranging from welcoming to hostile, which had negative impact on project effectiveness, efficiency, sustainability, and impact.

● The project will not be able to ensure sustainability of achievements without further assistance beyond project duration. The project has not been effective in delivering its planned outcomes, even if many planned and useful outputs have been delivered. Only under one of the three outcomes have outputs been put to use.

● The major reason for the lack of success in reaching defined outcomes related to the

design of the project which was based on a relatively high number of assumptions that were not tenable (killer assumptions) relating to ownership and participation. While readiness of government to participate was influenced by a change in government, employers resisted implementation from the outset. Basing the project strategy on a high number of assumptions has also led to responsibility for achieving project outcomes not been properly assumed (externalized outcomes).

- The project to a certain extent reflects a lack of strategies for dealing with new member countries of the ILO. ILO mechanisms and routines are well developed for those countries that have been members all along or developed their capacities over time. However, there is no strategy for "greenfield" developments.

- Management arrangements generally were effective, however, it may possibly be more effective to deploy international project coordinators in a situation where a country is completely new to the ILO (lack of sufficient funding/ higher cost, possibly, limiting this option).

- The ILO has had difficulties in making itself and its tripartite approach properly understood in the Maldives. There are several reasons for this, including different teminologies and possibly a politicized perception of the ILO because from the viewpoint of important stakeholders in the Maldives the accession to the ILO is largely associated with the presidency of Nasheed.

For recommendations based on the findings cf. section 8 of the report.

3 PROJECT BACKGROUND

The project "Promoting Fundamental Rights and Strengthening Labour Market Governance in the Maldives" strived to contribute to the transition of the Maldives to a stable, multi-party democracy, with effective and independent institutions of governance, supported by a vibrant civil society (Development Objective).[1]

This contribution was to manifest itself in reaching three Immediate Objectives:

1) A revised legal framework is developed that implements international labour standards, protects fundamental labour rights, in particular freedom of association and collective bargaining, establishes dispute resolution mechanisms, defines the right to strike and promotes labour-management cooperation.

2) A reformed labour law administration machinery at the central and selected atoll levels for a more effective provision of services, including clearer functions, working procedures and reporting systems, improved mechanisms for labour law implementation, particularly for labour inspections and dispute resolution, improving the Employment Tribunal's capacity and better co-ordination between the central, the provincial labour offices and other government agencies.

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[1] Extracted from the project document.

USDOL had agreed the following with ILO in the respective grants and cooperative agreement: The overarching objective is to assist the Maldives in realizing the Fundamental Principles and Rights at Work embodied in the ILO 1998 Declaration and develop a well-functioning system of labor relations, labor law, and laobr administration. Intermediate objectives include the development of labor law; government-led social dialog; laws, policies, and regulations protecting freedom of association; establishing collective bargaining; dispute resolution mechanisms. Moreover, the project would develop the Labor Relations Authority and the Employment Tribnal (organizational development, capacity building); data collection; address OSH issues; and build the capacities of the tripartite constituents to engage in social dialog.

In ILO terminology, the *development objective* represents the impact level whereas the *immediate objective* level represents the project outcome level. In the cooperative agreement, the *overarching objective* represents the impact level, and the *intermediate objective* level represents project outcomes.

Observation: While there is no binding standard on word usage and every agency has developed its own terminology, there seems to be a more general consensus (DAC level) that the causal chain is being described by the terms in the sequence "input" -> "output" -> "outcome" -> "impact". Some agencies add steps to this basic sequence (e.g. "use of outputs") in order to describe significant details. -- "Impact", according to this word usage, usually is located outside the intervention's own reach to the extent that the intervention can only contribute to it. Impact usually depends on further factors to also work in favor of the desired development.
-- The "outcome" level is the level that is expected to be achieved and under control of the project (with risks mitigated for by appropriate measures and/ or by redesign of the intervention). "Outcome", translated to economic jargon, is therefore where the "benefit" of a project is being measured.
In this context, note also that "under control of the project" cannot be equated with "under control of ILO" because the project entity in a cooperation project comprises all key stakeholders directly responsible for implementation (in this case: the government, employers, and workers of the Maldives, and the ILO).

3) Independent workers' and employers' organizations with strengthened capacities to engage in sound workplace cooperation and labour- management relations, participate in social dialog, improve working conditions and enhance productivity.

The three-year project, therefore, distinguishes 3 components that will be designated as follows in order to avoid excessive repetition in the text:

1) developing and improving the legal framework,

2) building a modern labor administration, and

3) promoting freedom of association and the right to collective bargaining (social dialog).

The project strategy consisted of the implementation of a mix of higher-level legal and institutional development and reform interventions in order to imporve the legal framework, as well as measures of organizational development and capacity building in the fields of labor administration and social dialog. These included, at output level:

● reaching agreement with social partners on major principles for labour law reform

● drafting and discussion of a new legal framework with the tripartite social partners

● establishing a dynamic of tripartite social dialog through labour law reform

● assessing needs and developing a comprehensive strategy on awareness raising regarding the new laws prepared and agreed upon by the tripartite social partners

● supporting the MHRYS to ensure finalization and adoption of new laws

● assessing the current structure of the MHRYS, and agreeing and implementing an action plan for building a modern labor administration

● improving the strategic vision of the MHRYS in the field of labour

● Improving the internal functioning of the labour administration system

● developing more efficient mechanisms for implementing labour law provisions

● creating a bipartite structure for sectoral social dialog

● developing the capacities of workers and employers to understand the challenges of enterprises and workers, and the potential benefits of workplace cooperation

The implementation of the project was based on the establishment of a project office with an ILO National Coordinator in the Maldives who coordinated project activities including the deployment of ILO specialists from Geneva's Governance and Tripartism Department and the ILO Decent Work Team for South Asia based at New Delhi, and contributions by local and international short-term experts. Administrative backstopping was provided by the ILO Office for Sri Lanka and the Maldives (CO-Colombo),

Annex A.1 provides an overview of the project's implementation status in June 2015 (table).

4 EVALUATION BACKGROUND

The evaluation was to provide the project stakeholders, the donor (USDOL) and the ILO with an independent assessment of the progress made and with lessons learned for further projects in the Maldives, projects of similar structure, and/ or projects of similar content.

Specific questions to be addressed are referenced in the terms of reference for the evaluation (cf. Annex A.10).

In practice, the evaluation's scope was limited by the resources and the short time slot available for the exercise. The evaluation mission ultimately occurred according to the following sequence (travel time excluded):

12 June:	Colombo, Sri Lanka
13-18 June:	Malé, Maldives
21 June - 17 July:	interspersed home-based interviews with key informants (telephone, email)

Clients of the evaluation are the stakeholders of the project "Promoting Fundamental Rights and Strengthening Labour Market Governance in the Maldives" , notably the tripartite stakeholders in the Maldives, the US Department of Labor as a donor organization, and the concerned ILO units (GOVERNANCE, CO-Colombo, DWT-New Delhi, ROAP).

5 METHODOLOGY

The methodology[2] of the evaluation has largely been determined by the short notice prior to the evaluation, resulting from an administrative constraint, and the time available in the field (meant to be completed before the fasting month). This, for example, excluded any surveys or specific data collection for the evaluation (which would need extensive preparation). It implied that the inception report could only be produced while the field mission was already being conducted. It also influenced the total number of interviews which effectively could be organized in the field.

The main methodological elements of this evaluation consisted of a desk review of programme documents, meetings with available stakeholders, a field visit to the Maldives and Sri Lanka, semi-structured interviews (following the standard project evaluation criteria set), triangulation of observations in the field, as well as informed judgment. The interviews in the field were supplemented with additional interviews following the field visit in order to

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[2]   See also the TOR in Annex A.10 which detail the conceived methodological approach.

broaden the information collection and to obtain additional angles on the findings from the field.

In this context, it needs to be pointed out that technical literature and publications on the Maldives, not only on issues relating to labor and employment, but also on the culture and the fairly complex socio-political fabric of the country is rather limited in number, and deducting the proper framework for assessing the relevance and the strategic options for implementing ILO projects in the Maldives therefore is fraught with uncertainties.

Given the existing issues relating to tripartitsm in the Maldives, the evaluation debriefing workshop was made use of to reinforce the practice of conducting tripartite discussions. Instead of the evaluator reporting on potentially dismal findings, tripartite stakeholders were invited to participate in a joint assessment of the results of the project based on an evaluation grid rooted in quality management. The process and the results of the assessment are described in Annexes A.3-A.5 as well as section 6.3 below.

This was important as an exercise in itself because it

- allowed stakeholders to see that it is possible to jointly and candidly assess and agree even when coming from different perspectives;

- somewhat tied together lose ends in the absence of a project closure event and avoided ending on a frustrating note;

- may provide a jointly accepted basis for potential follow-up.

6 EVALUATION FINDINGS

6.1 Relevance and strategic fit

The relevance and strategic fit of the project depends very much on the points of view held by the different stakeholders or the perspectives taken. It is also influenced by existing development challenges, independent of the perspectives specific stakeholders may have.[3]

The relevance and strategic fit of the project from the point of view of

- national development challenges: has been <u>medium</u> -- it contributes to improved governance and social stability, but does not directly address the highest level priorities (increasing economic sustainability and preparing for climate change)[4]

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[3] Note that the relevance for a negotiated project on legal and institutional change in a specific country cannot be defined by an external evaluator. The attributable relevance depends exclusively on the parties to the project and their respective work environments. They constitute a given context and cannot be measured against situations in other countries or any "world average".

[4] The question of relevance is of higher order and therefore always asked outside the scope of a

- national policies and priorities: has been <u>varying from high relevance to low relevance</u> during the project implementation period (given differences in priority accorded by different governments, cf. pp.19-21 below)[5]

- the ILO: has been <u>high</u> -- in a bid to integrate a new member country and bring it up to speed with international standards

- the USDOL: has been <u>high</u> -- in response to its task of improving global working conditions, protect workers' ability to exercise their rights, and ensuring a fair playing field for American workers

National development challenges

The Maldives are composed of 1,192 islands with a combined land area of only 298 km2 (a little smaller than Malta),[6] making it the smallest country in Asia.[7] These islands, however, are distributed over an area of ca. 90,000 km2 (an area comparable to the land areas of Hungary or Portugal, or US federal state Maine). In other words, the population is much more dispersed than the land area suggests. Only 192 of the islands are inhabited by local population, and there is a strong income disparity between the primate city and the rest of the country.

The total population is currently estimated at 358,000 persons with a median age of 23.1 years, and an annual rate of population change of 1.9. Growth of the working age population (15-64) has reached the inflection point of the working age population curve and currently stands at over 230,000 persons. The working age population is projected to increase to ca. 330,000 before leveling during the 2040s.[8]

Population density, calculated on the basis of land area, is one of the highest in the world (ca. 1,200 per km2), similar to Malta and Bangladesh. It is not without reason that the capital city,

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project. Though it may be nice, it is not necessary for all projects to fall into the highest categories of relevance for each and every stakeholder. What is important, however, is to avoid irrelevance.

  It has been commented that the project also contributes to economic stability by developing agreed and tested mechanisms to deal with labor issues. It cannot be ignored, however, that in the changes required are causing frictions, at least in the short term, which need to be resolved before a contribution to economic stability (in the medium and long term) can be ascertained. Justified or not, it needs to be recognized that the current administration appears to fear that economic stability is partially threatened by the changes proposed during the course of the project.

[5] The degree of perceived relevance for direct beneficiaries significantly varied harshly between the tripartite stakeholders, workers according high, employers according low priority, while government priority, excluding direct beneficiaries such as in the LRA or the ET that had specific need, changed.

[6] The US Virgin Islands have a land area of ca. 346 km2, with a population of ca. 106,000 in 2010. The US cities of Tampa (Florida) and Omaha (Nebraska) have similar land areas and similar population sizes as the Maldives.

[7] The smallest island nation in the Pacific (Nauru, 21 km2) is also the smallest island nation in the world. The smallest country in Africa is the Seychelles (452 km2, more than 100 islands). The smallest nation in the Americas, the Federation of Saint Christopher and Nevis, is composed of only 2 islands separated by 3km of water and with a total land area of 261 km2.

[8] UNDESA 2012.

Malé, which hosts well over one-third of the population[9] figures among the most densely populated cities in the world, with densities similar to Seoul and Cairo.

Calculated in relation to the surface area over which the atolls of the Maldives are distributed, however, the population density amounts to merely 4 persons per km2, a value comparable to the densities of Australia, Botswana, Canada, Libya, or Mauritania. The country, arguably, possesses a number of "oases" located in a desert of water. The distances have been increasingly bridged by camparably large scale seaplane operations since the beginning of the 1990s. However, providing public services or the services of a state over the whole territory requires considerable effort and stretch of resources. The geographic setting, in combination with traditional socio-political structures, has a potential of encouraging the emergence of "fiefdoms" unless properly administrated.

The last decade has seen major political changes to the extent that multi-party democracy has been introduced and the country has increased its exchanges with the rest of the world. This is a major socio-cultural transformation which needs to be accompanied by a whole set of institutional changes. Such changes usually do not come about swiftly but rather take their time -- even if they involve highly visible events like the accession of the country to the ILO in 2009 or the country's active stance on climate change. After all, many of the relationships underpinning political life have formed over centuries so that patronage is a fact of life (and thus difficult to break with), and in a country with a very small population the statistical likelihood to be acquainted if not related to counterparts in office is much higher than in countries with larger populations. Arm-length's relationships effectively are much more difficult to implement.

At the same time, shifts in a political structure that has been established over a long time naturally affect vested interests and the established distribution of resources. Such changes trigger interest-based responses, including resistance to change. It therefore would be unrealistic to expect linear and mechanical processes to lead from the old structure to the new structure.
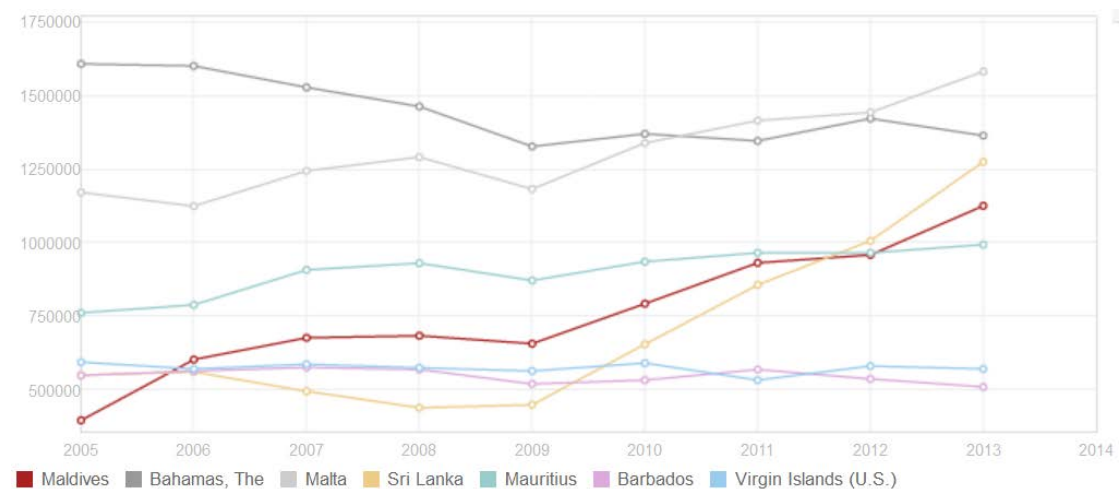

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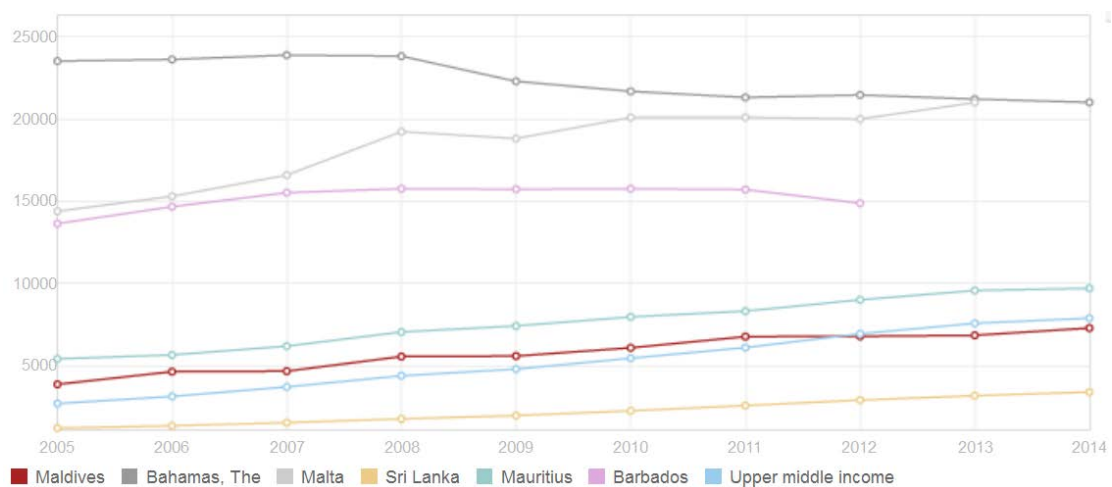
9   Estimated at 133,000 according to the preliminary results of the Population and Housing Census 2014, similar to the number of inhabitants of Charleston, South Carolina.

Due in particular to the development of the tourism sector, consciously promoted over several decades in order to diversify the economy away from fisheries, per capita income in the Maldives has been steadily increasing, reaching USD 7,290 in 2014 as in the graph above, and the country is rated upper middle income according to the classifications of the World Bank. This is a level that *prima facie* compares to a number of island countries such as Dominica, St. Lucia, and Montenegro, or even countries with more complex economies such as South Africa, China, or Bulgaria.

G.2 International tourist arrivals.
Source: http://data.worldbank.org/indicator/ST.INT.ARVL/countries/MV-BS-MT-LK-MU-BB-VI?display=graph

This sectoral growth has led to a situation where the tourism industry dominates the economy at all levels, to the point where the ministry in charge of tourism is being described, by diverse interlocutors, as being the most powerful ministry in the country. In the same vein, business interests of the tourism industry are said to dominate in parliament -- a reflection of the difficulty to implement arm's length principles.

With tourist industry interests apparently able to influence both the legislative and the executive, there is little reason to assume that any developments in potential rivalry with interests of the tourism industry would find more substantial support. As a matter of fact, the evaluation cannot fail to notice that the project has not been able to secure the participation of representatives of the employers of the tourism industry while Maldivian workers of the tourism industry were interested and participated in the project.

So far, more than 110 islands have been developed as tourist resorts. Developing tourist resorts, arguably, not only serves to attract tourists to the Maldives, thereby contributing to economic growth, but also allows for segregating the Maldivian population from the foreign tourists, the lifestyles of whom are not always deemed to be compatible with the traditional or professed lifestyle of the Maldives. Possibly for similar reasons, the development of the

tourism sector is also associated with the recruitment of foreign labor. Foreign labor currently also appears to be both more qualified for tourism and more conveniently managed by employers due to differentiated treatment under prevalent legislation.

It is symptomatic of the current situation that the employers of the construction sector participated in the project -- after all, most of the workers in the construction industry are foreign migrants which do not fall under the same legislative regime as Maldivian workers, and employers in the construction industry therefore would not see any major alteration of status quo as a result of advances in defending Maldivian workers' rights.
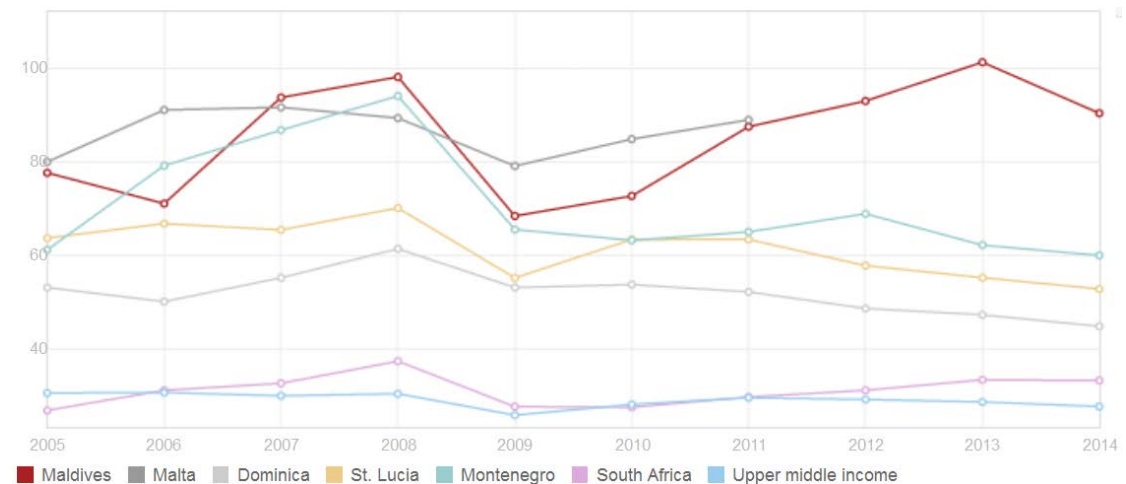
G.3 Imports of goods and services as a percentage of GDP.
Source: http://data.worldbank.org/indicator/NE.IMP.GNFS.ZS/countries/MV-MT-DM-LC-ME-ZA-XT?display=graph

The country, essentially, has shifted from one narrow base (fish) to a new narrow base (tourism), albeit a base with better returns. At the same time, the Maldives have become vulnerable to international travel trends.

While tourism is interlinked with construction, transport, telecommunication, and distribution, the current development trajectory is highly import intensive (cf. graph above) and does not entail enough backward linkages within the Maldivian economy to increase sufficient opportunities for sustainable job creation. While there are island countries with similar levels of import dependency (e.g. Malta), and while external trade usually is more important in smaller economies than in large economies, the current degree of import dependence is clearly unsustainable and does not favor broad-based development.

From the perspective of the government and UNDP, key development challenges include

● improving choices for vulnerable segments of the population

● improving spacial planning

● diversifying the economy and stimulating further growth

● enhancing the capacity of institutions to expand the degrees of freedom for human

> development

- optimizing the governance system to reduce inequality and vulnerability

Beyond this, the future of the country as such, is going to be significantly affected by climate change. The highest point of elevation in the country currently stands at only 2.4 meters above sea level. At current rates of climate change, there are indications that the Maldives could become uninhabitable within a time span of 3-4 decades or by the end of the century.

Given the severity of the expected impact and the usual timelines required for implementing deeper structural changes, this scenario should lead to an overwhelming priority of developing strategies for a sustainable economy at different sea levels (be they developed abroad and/ or within the Maldives). These pressing developments objectively reduce the relative importance of issues associated with the ILO.

National policies and priorities

Throughout their history, the Maldives have never had a focus on fundamental rights and labor market governance. Following independence from the United Kingdom, the country has been ruled by strong-handed governments, challenged by occasional (or attempted) coups, which since the 1980s focused on diversifying the economy towards tourism. Freedom of association and even assembly, while granted in the constitution of 2008, is currently not granted in practice.

Moreover, the term "labor" traditionally is associated with labor imports (migrant labor) and therefore is not yet uniformly understood as relating to nationals of the Maldives. The vast majority of policy documents in the Maldives do not mention the term "labor". Even the term "employment" is difficult to locate in policy documents although job creation has become a topic discussed in relation to youth under the current government.[10]

The responsibility for the labor portfolio, mainly concerned with issuing work permits to foreign migrant workers and establishing the respective quotas, within government has never existed in an independent ministry, but always in connection with other portfolios, e.g. higher education and social security, or trade, or youth and sports, and most recently economic development. This is not unusual for small countries which need to integrate several functions in one ministry in order to keep the overall size of government in line with their smaller population figures. However, it bears the risk of joining conflicting interests under the same administrative roof, e.g. when administering policies meant to cater to business interests on the one hand and to labor interests on the other, some of which may

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[10] The government has pledged to create, *inter alia*, 94,000 job opportunities for the youth within 5 years (during the current term).

significantly diverge.[11] There is also a significant risk that the labor portfolio will be neglected if the number of tasks assumed by the ministry in charge become overwhelming. Some interlocutors referred to the current ministry as a "mega ministry" in this context.

National policies and priorities in the Maldives are very much defined by the pledges made by the presidential candidates, and, since the introduction of a multi-party system, may vary under different governments, subject to the views of parliament to the extent they require legislative approval. This has become particularly obvious during the period the project has been negotiated and implemented.

While the government under President Mohamed Nasheed, who was elected in October 2008 and resigned in February 2012 under disputed circumstances, has been very responsive to the approaches of the ILO, to the extent that fundamental rights and principles promoted by the ILO reflected a perceived popular "mandate", the government under President Yameen Abdul Gayoom, who assumed office in November 2013, following an interim period under President Mohammed Waheed Hassan, has been much less enthusiastic despite the fact that the current president used to head the ministry in charge of employment and labor issues.[12] In the words of key MED staff, there is a certain amount of concern that the country had rushed to implement "first world labor standards in a third world setting".

Given many decades of individual rule since independence, the introduction of multi-party democracy and the first democratic election of a new president generated enormous expectations relating to the development of the political and social structures in the Maldives. This has not only influenced the political landscape in the Maldives, but also the perception of the Maldives abroad.

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[11]   The strength of tripartite mechanisms is that they are conducive to negotiating best possible solutions for all parties concerned, and need not leave it to individual decision makers to work out the conflicts.

[12]   It is not without reason that higher level ILO staff had access to the Presidency during the presidency of Nasheed while this contact has essentially ceased during the presidency of Yameen.
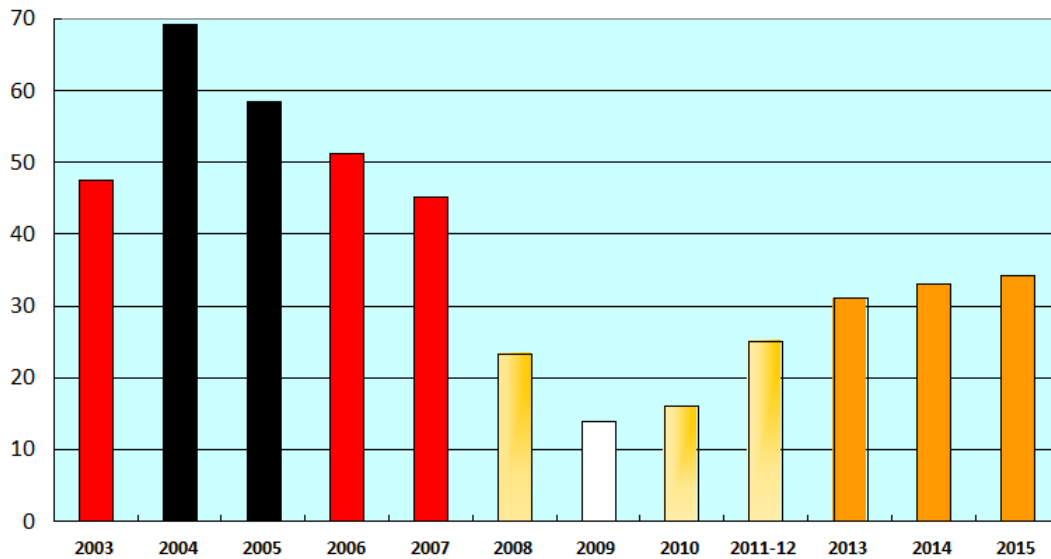
G.4 World Press Freedom Index for the Maldives.
Source: RSF (different years).
Observation: The index distinguishes four categories from bad to good: black: very serious situation; red: difficult situation; orange: noticeable problems; yellow: satisfactory situation; white: good situation.

The shift in international perceptions is maybe best represented by the World Press Freedom Index which is established annually by Reporters Without Borders. Independent of the extent to which such an index is able to accurately reflect the reality of different countries for the purpose of comparison, the Maldives had significantly improved their perception abroad by moving from the worst category in the index to the best category within a time span of only four years. The project was negotiated in the light of these developments, which naturally have influenced project design.

It is during the Nasheed presidency that the Maldives acceded to the ILO. It is during the interim presidency of Waheed that the Maldives have ratified the fundamental ILO conventions. However, even under these two presidencies, which were instrumental for ILO participation, the labor portfolio has not obtained any more prominent status.

In other words, national priorities, as revealed by political developments in the Maldives, have significantly changed from a situation where human rights and democratic developments were of no concern to a situation where they became a key focus of the highest level of government and later to a situation where the priorities accorded to rights and dialog are of much lower priority.[13] At the same time, labor issues as understood within the framework of the ILO have never received strong attention. Over recent years, it even appears that the little institutional structure that hitherto existed is slowly disintegrating.

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[13]   Assessing to which extent these developments reflect the will of the majority of the people eligible to vote and/ or whether these developments were of lawful nature is neither part of the scope of this evaluation, nor within the competencies of the evaluator.

Priorities of the ILO

The Maldives became the 183rd member country of the ILO on 15 May 2009 and ratified the 8 core conventions that embody the fundamental labour rights only three-and-a-half years later, on 4 January 2013. It is the ILO's responsibility to assist the country with the implementation of these conventions and to promote the causes of the ILO in the Maldives.

The project has responded to key priorities of the ILO and contributes to achieving decent work outcomes under plan and budget 2011 relating to freedom of association and collective bargaining, labour administration and labour law, and international labour standards. It also contributes to achieving country programme objectives relating to strengthening labour administration and promotion of tripartism and social dialog, and strengthened capacity of member state to ratify and apply international labour standards and to fulfill their obligations.

Further priorities of the ILO for the Maldives are currently being developed within the framework of the preparation of a decent work country program. Suggested topics include

- good governance system for labour (functioning dialog, consultation, co-ordination, and collective decision-making mechanism; efficient and effective labour relations system; enhancing better working conditions; foundation for a culture of work safety and health)

- decent employment for all (enhancing employability of young men and women; establishing the conditions for full and sustained employment of workers with family responsibilities; policies and programs to govern migrant labour and prevent trafficking of persons)

- comply with international labour standards (strengthening the capacities of government, employers', and workers' organizations)

The process of developing the DWCP is still work in process, and the ILO will ensure that the program will respond to the needs of the country and the constituents in the best possible way. In this context, ILO will need to take into account the existing culture of patronage and the lack of experience with social dialog when fine tuning its interventions.

Priorities of the US Department of Labor

US foreign assistance resources in the Maldives aim to promote and enhance maritime security, counterterrorism, law enforcement, and counternarcotics cooperation with Maldivian forces, and to help the country's adaptive capacity and resilience to the negative effects of global climate change.

The US Government had suspended the Maldives' eligibility for tariff preferences under the

US Generalized System of Preferences (GSP) in 1995 because the country failed to take steps to afford internationally recognized worker rights to Maldivian workers. In a bid to promote exports, the US government restored the GSP trade preference program to Maldives in the end of 2009, the same year the Maldives joined the ILO. As a condition of receiving this status, in the US was to review the Maldives' eligibility under the GSP program, including whether and to what extent it has taken or is taking steps to afford internationally recognized worker rights.

In the meantime, the Maldives have signed a trade and investment framework agreement with the United States. As a beneficiary country under the GSP program, a range of products that Maldives might seek to export would be eligible for duty-free entry to the US. The GSP program provides an incentive for investors to produce in Maldives and export selected products duty-free to the US market.

The USDOL Bureau of International Labor Affairs' (ILAB) mission is to improve global working conditions, raise living standards, protect workers' ability to exercise their rights, and address the workplace exploitation of children and other vulnerable populations. ILAB helps to ensure a fair playing field for American workers and contributes to stronger export markets for goods made in the United States.

A USDOL mission in 2010 had assigned highest technical assistance and cooperation priority to the following issues:

- labor law reform and

- capacity building in the LRA and worker organizations.

It has detailed further potential for assistance in the following areas:

- Labor law reform, with these elements: Protecting freedom of association rights and prohibiting violations; establishing collective bargaining; registration procedures for worker and employer organizations; dispute resolution procedure; and rules on strikes.

- Strike resolution procedures (with or without law reform), with these elements: Rules for police engagement; and ministry procedures for mediating disputes and coordinating with other ministries.

- Protecting the rights of ex-pat workers, establishing a government office and/ or establishing inter-ministerial and tripartite task forces. (Also, possible reform of laws and regulations.)

- Drafting and reviewing OSH regulations, most likely led by ministry and involving the Ministry of Home Affairs, MATI and possibly others (such as Health which has subsequently been involved by ILO).

- Building capacity in the LRA, in these areas: Operating policies and procedures; mediation/conciliation; labor inspection training; educational material; and labor

inspection data collection.

- Building capacity in the Employment Tribunal, in these areas: Education material for workers and employers as potential litigants; improve hearing and case-handling procedures, and help ensure they are more user-friendly, particularly for workers and managers not represented by attorneys.

- Building capacity in the Civil Service Commission, in these areas: Improve procedures and regulations for better case handling; educational material for civil servants and managers as potential litigants; and developing a coordinated system to facilitate the resolution of cases before reaching the CSC and mediating their resolution.

- Build capacity in worker organizations, in these areas: Servicing members through education, advocacy, representation, and dispute resolution and bargaining (and possibly job placement); basic operations: organizing, communicating with members, self-sustaining democracy, simple office management, and understanding business/ governance.

- Employers, in these areas: Improve vocational training and apprenticeship programs; and engage in tripartite dialog.

This is a tall order by any standards, particularly for a country with comparably low implementation capacities and essentially starting from scratch. However, the project has catered to a high number of these identified needs which was possible because the visions of the ILO and USDOL are strongly congruent on these issues. Differences in emphases (e.g. whether legislation should precede ratification of ILO conventions or vice versa) were not of substantial importance for the design or the implementation of the project.

6.2 Validity of design

The most striking feature of the design of the project is that its intervention strategy was very much based on assumptions.[14] This feature ultimately turned into a key weakness or *Achilles heel*. All other features of design (outcomes, outputs, activities) were useful to achieve the stated purpose, but could not compensate for this single point of failure.[15]

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[14] It has been commented on the draft that the project design team clearly felt that the assumptions were valid which may be true, and that political will at the time indicated that the project's approach could get traction. The way some assumptions were formulated, however, also would seem to indicate that there was some apprehension that cooperation of key stakeholders was not going to be forthcoming, at least not easily. From our diverse interviews, it would also seem that there already were uncertainties emerging during the design phase, although probably not across the board.

[15] One comment received on the draft questioned whether the evaluator was correct to assume that the deciding factor is logic and reasonable pragmatism on the part of the donor and grantee in designing the project and whether given the long list of objectives and priorities of USDOL and ILO, there was realistically any question about whether the activities would be attempted, even if they were not feasible in reality. Both USDOL and the ILO certainly were ambitious and strove to support the Maldives in achieving fundamental changes in governance. The evaluator, however, has not found any indication

Although no specific logframe forms part of the project document, the design of the project as in the document incorporates all the elements that a logframe typically contains and that are required to formulate and monitor the implementation of a feasible project: descriptions of the intervention logic, of the assumptions relating to the intervention logic, as well as of the indicators that may be used to measure the achievements of the project and the respective sources of information.

Assumptions in project design (project planning) relate to external factors that need to be taken into account when implementing a project. In standard planning processes, assumptions are entered into the right hand column of the logframe at the level where they apply to the intervention logic which is usually entered on the left hand side. The planning of a project is incomplete if the logic has not been tested against the assumptions. The testing process consists of walking thru the logic as described in the graph below, and by reviewing the quality of assumptions according to a standard algorithm (described further below).

| Intervention logic	Objectively verifiable indicator	Means of verification	Assumptions
Goal, development objective [impact], e.g. number of work-related accidents reduced, number of jobs created			
Purpose, immediate objective [outcome] e.g. knowledge and skills applied, new mechanism put into place			e.g. agreed legislative changes are approved in due course
Results [outputs], e.g. capacity built, new mechanism agreed, increased awareness			e.g. consensus on permanent funding can be achieved with Ministry of Finance
Activities [inputs], e.g. expert deployment, workshop, fellowship			e.g. key partner staff is available for workshop during 2nd half of 2012

G.5 Logic in project planning (in any typical logframe).
a) If <u>activities</u> are implemented and the respective <u>assumption</u> holds true, then the *result* is achieved.
b) If <u>results</u> are achieved and the respective <u>assumption</u> holds true, then the <u>purpose</u> is achieved.
c) If the <u>purpose</u> is achieved and the respective <u>assumption</u> holds true, the the outcome will contribute to achieving the <u>goal</u>. The exact terms used ("goal", "objective", etc.) and the exact placement in the table usually vary between agencies, but the logic is inherent to all logframes.

The 15 (!) assumptions made under the three different immediate objectives of the project have been extracted and subjected to an analysis according to the standard algorithm used to assess asumptions within the framework of project design, in Annex A.2, which see. The standard algorithm is described in the flowchart below.[16]

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that efforts in designing the project generally lacked a logic or were of unreasonable pragmatism.

[16] It has been commented on the draft report that the elaboration on assumptions was too extensive and could better be referred to the annex. It is the extensive number of assumptions made, however, and their quality that prompted their discussion in the first place, and that justify the attention given in this sub-chapter even if it may seem a tedious exercise for readers fully versed in project planning.
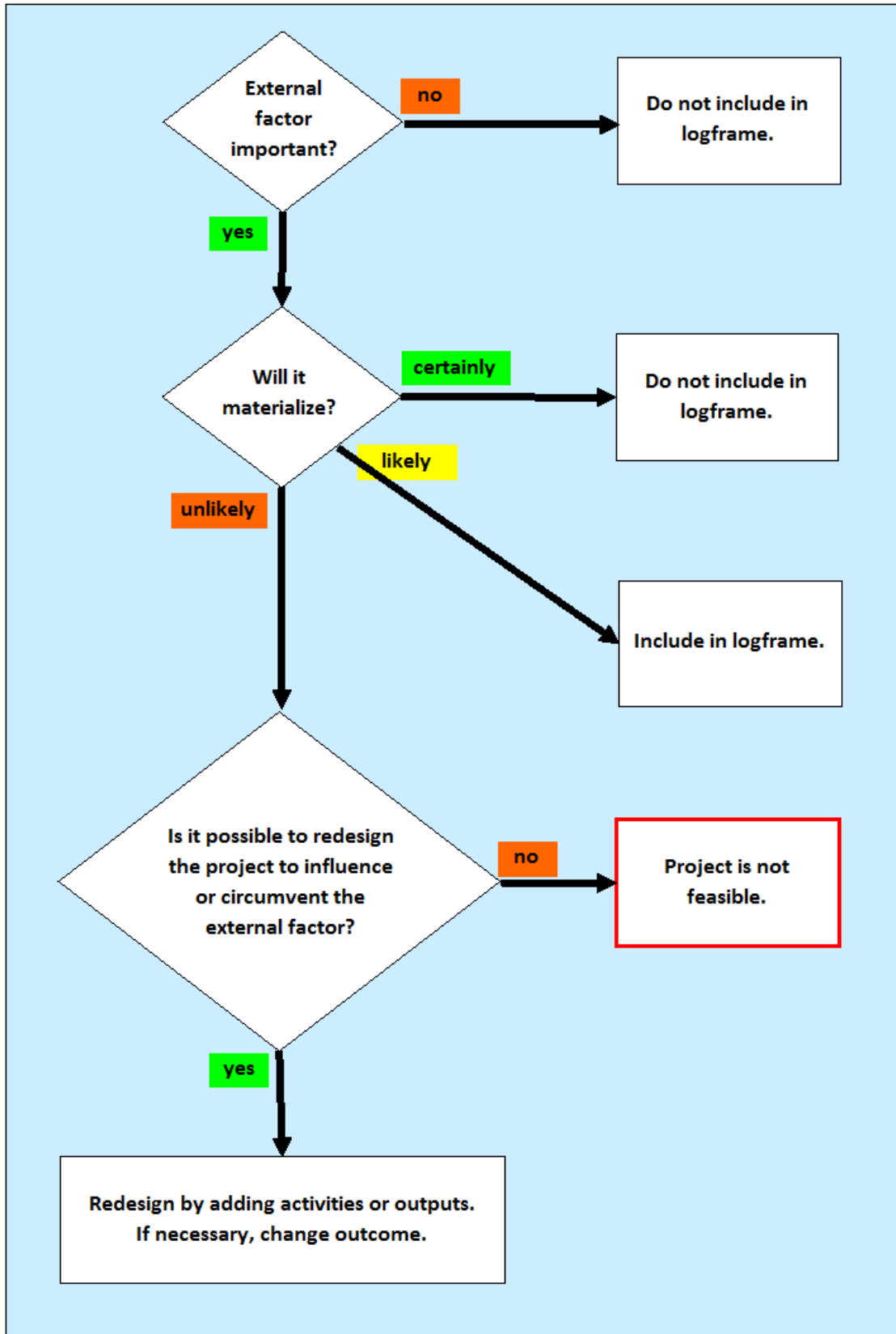
G.6 Standard algorithm for treatment of assumptions in logframes (project design)
[Source: own flow chart based on standard practices]

Roughly half of the assumptions made bear the quality of killer assumptions. "Killer assumptions" are the term used in the trade to describe assumptions that will not hold and therefore lead to project failure. In the case of the project in the Maldives, these include, for example, statements such as

> Throughout the Project the MHRYS and the social partners will each be genuinely committed to the process of labour law reform, and will effectively participate in Project activities.

> The tripartite partners are committed to social dialog for the entire duration of the Project.

While such asumptions may have ensured, on paper, that planned activities and outputs would lead to expected outcomes, these assumptions were obviously not held against the standard algorithm.

Had they been held against the algorithm, they should have been rated as "unlikely" and therefore not been eligible assumptions for a feasible project. As a matter of fact, they should have led to a redesign of the project.

While acknowledgedly the situation at the time of project appraisal may have been strongly influenced by the enthusiasm for the promotion of fundamental rights that may have come with the presidency of Mohamed Nasheed, it had also been clear that the President Nasheed did not possess of a majority in parliament which would have enabled him to push thru any changes in legislation required to further such aims (cf. graph below).
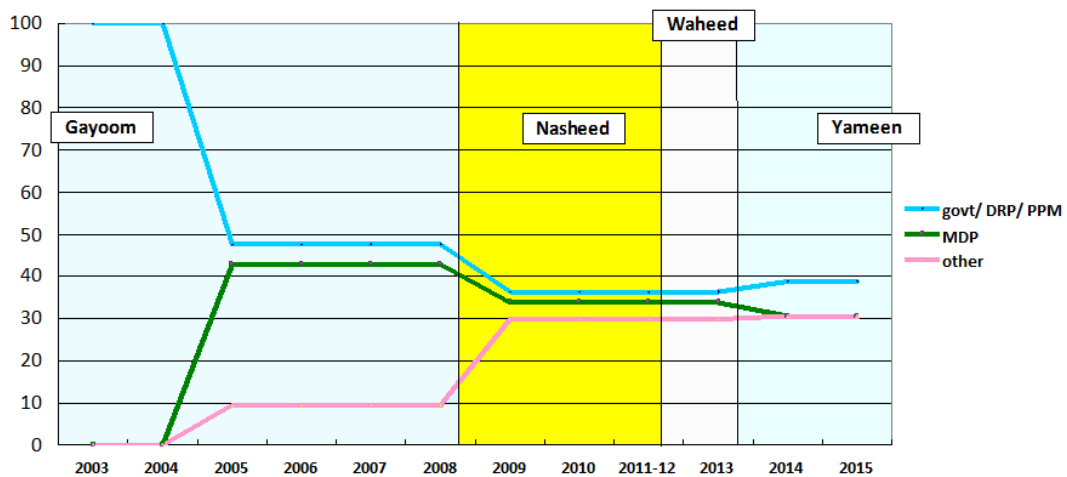
G.7 Presidencies and shares of seats in parliament of major parties 2003-2015.
Observation: President Nasheed could only count on votes by the MDP.

Even with such majorities, implementation of the systemic changes intended would have required a change of mindsets and a critical mass of support in order to turn the legislative decision into applied practice. It was not just a matter of pushing for an important legislative

change in a country with strong democratic traditions. In a country that operates on the basis of a closely knit fabric of personal relations that have evolved over decades if not centuries, the adoption of a new behavior by key stakeholders for the sake of the project clearly was an unrealistic expectation.[17]

Going thru each of the different assumptions made would be an otiose exercise for a final evaluation. (Scrutinizing A.2 may serve readers wishing to take a deeper look.) What is more instructive is to discuss the alternatives available once such assumptions emerge.

If during project design assumptions are identified that are unlikely to hold, the project designers are faced with the following choice: redesign the project in a way that either influences or circumvents the external factor concerned, or abandon the project because it is infeasible.

A second alternative consists of changing the intended objective (outcomes). This alternative can be selected if no way is found to influence or circumvent the external factor. It usually requires a more comprehensive reassessment because it is important to ensure that the new objectives (outcomes) are worthy of the investment.

Redesigning the project would have implied changing approaches, for example:

- identifying ways of stimulating the interest of the employers in working with the ILO, explicitly setting aside additional resources to improve the understanding of the employers for the benefits resulting from ILO membership, ideally working with peers from other island countries or further countries in the region (e.g. Bahamas, Malta; Malaysia) that come from the same industry (notably tourism)[18]

- defering activities depending on tripartism and bringing forward or prioritizing activities that do not depend on the cooperation of all tripartite constituents

- focusing on priorities shared by a majority of parliamentarians in order to first build mutual trust and increase the exposure of stakeholders to the ILO on matters that, *prima facie*, are of less conflictive nature, possibly in the area of employment promotion and the management of migrant labor[19] (which provide many entry points for raising issues at the heart of the ILO and this project)

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[17]   This would seem to be corroborated by comments received on the draft which elaborate that the project's scope, funding and systematic application of adoption of conventions, establishing a legal framework and implementation of activities to achieve the projects objectives is a standard ILO/ USDOL approach. The cultural change suggested would need a more complex set of interventions that the project was not designed to handle.

[18]   By all means, we are not suggesting this is an easy task. It has been underlined by ILO that most attempts to organize employers failed due to lack of interest or commitment on their part. Many forums were organized for employers over the life of the project and in some instance only 2-3 people participated in these sessions. Nevertheless, while this reflects lack of interest on their part, it reciprocally reflects a lack of ability of the ILO to get them interested during the course of the project.

[19]   The request of the government for ILO to conduct a study on the migrant quota system (following the closure of the present project) highlights the interest in discussing these issues. Switching over to other topics to build more trust may have required out-of-the-box thinking (and interconnecting different units

- developing the information basis available to decision makers and the general public so as to promote more evidence-based policy making in relation to the concerns

Redesigning could have also simply consisted of reducing expectations to more reasonable levels. This would have implied a reformulation of immediate outcomes or the indicators used to measure achievement.

What if it had not been possible to recognize the assumptions as killer assumptions during the design stage of the project and redesign the project accordingly? Normally, sound project management practice requires for assumptions to be monitored, as much as the project's activities are to be followed and the achievement of outputs tracked.

Should an assumption not hold (e.g. as when a perceived window of opportunity closes), the monitoring of assumptions would reveal this fact. In this case, the achievement of the outputs and objectives that depend on the assumption are at risk, and risk mitigation needs to take place. Carefully planned projects have risk mitigation measures spelled out before the risks materialize. Once the risk materializes (the assumption does not hold), the project implements the planned risk mitigation measures. The degree of detail of such risk planning usually depends on the project budget (the investment made). A project valued at USD 640,000 would not have developed an elaborate risk mitigation plan, but it should have been very clear about the quality of the assumptions and the risks they entail from the outset, and could have sketched or brainstormed potential responses ("what if...").

Unless discovered earlier, the midterm evaluation usually would be the point in time where risk mitigation measures are agreed. In the case of this project, not only was the situation very much in flux due to the changes in government (and the midterm evaluation postponed), but the duration of the project itself was possibly too short to allow for the agreement of any more substantial changes during implementation.

Reaction to changes

None of the above is intended to minimize the contributions and legitimate efforts made by all concerned to use a window of opportunity for change as perceived in order to develop and improve the legal framework, build a modern labor administration, and promote the freedom of association and the right to collective bargaining (social dialog) in the Maldives. It is meant to point out that a stronger focus on the quality of design may have left project staff in a better position to quickly respond to changes ("plan B -- what to do if the window of opportunity closes"), and point to the risks that usually are associated with enthusiasm for perceived processes of change.

This sub-chapter usually deals with reviewing the validity of the design, and not with the validity of corrective actions undertaken. Hence, the above also is not meant to suggest that the project or the ILO have not at all reacted to the changes that took place -- to the

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of the ILO within a single project), of course. It is acknowledged that the ILO has supported the TVET assessment (albeit outside the scope of the project).

[final]

contrary. Action taken in response to the changes in government that have been highlighted by ILO include:

- obtaining formal reaffirmation of the government commitment to the project through letters and directly to the ILO country Director in Colombo (while living with the impression that there is a lack of practical commitment)

- reminding the government regarding its reporting requirements vis-à-vis the ILO following the ratification of ILO conventions[20]

- finding alternative ways to engage constituents in social dialogue such as by implementing a short version of the SCORE program (as a mitigation measure) and organizing a tripartite workshop on social dialog

- continuing to work with those stakeholders who were interested and sought support, in particular workers organizations (instead of abandoning them by closing the project)

6.3 Project achievements and effectiveness

Measurement of effectiveness usually occurs at project outcome level. "Effectiveness" is a term which implies that we assess to which extent we are good at reaching our goals. "Achievements" is a term that is more losely defined as it does not necessarily impose a reference frame for rating the results obtained. It is useful to document results which may not conform to intended objectives but are considered valuable independent of their relation to the intended outcome.

The project document has formulated a number of indicators to measure the attainment of the different immediate objectives formulated.

The formulation of indicators usually is meant to specify what is understood by achieving an intended outcome. This is particularly important where outcomes are more difficult to measure.[21] It is also important to ensure that stakeholders involved in the project are clear about the implications of outcomes that sometimes may be formulated in rather broad or more categorical terms.

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[20] Without questioning the legitimacy of the approach, it is unclear whether the employment of the "stick" is productive at this time because it potentially reinforces the perception that accession to the ILO was an error committed by the government of Nasheed and because it may create the impression that the ILO is "legalistic" in a country where the concept of a legal state is not firmly rooted.

[21] For example, in a project where all (or the vast majority of) benefits can be expressed in monetary terms, there is no need for formulating indicators because the benefit can be expressed as a sum of money and then held against the sum of money used to achieve the benefit, the standard practice of cost-benefit analysis. Where benefits cannot be specified in monetary units, we look for alternative units of measure so we can measure effectiveness by holding the units of benefits against the sum of money used to achieve them (and compare unit costs). Where this is not possible, e.g. in projects meant to trigger policy changes or benefits are intangible, we attempt to quantify benefits in other ways to make them comparable. However, effectiveness is difficult to judge on that basis, and needs to resort to a least-cost analysis: Could the benefit have been achieved with a smaller sum of money?

Reaching indicators is not the same as achieving an outcome.[22] The formulation of indicators may occasionally distort the understanding of a project, namely when the indicators that are meant to specify and represent an outcome which cannot be directly measured are being adopted as the key targets to achieve. Indicators are always meant to indicate, and the assessment of the achievement of an outcome usually involves the weighing of a number of indicators as well as supplementary information obtained and holding them against the formulated outcome.

Immediate objective 1

The immediate objective 1 had been formulated as follows:

A revised legal framework is developed that implements international labour standards, protects fundamental labour rights, in particular freedom of association and collective bargaining, establishes dispute resolution mechanisms, defines the right to strike and promotes labour-management cooperation.

Indicators selected to help with measuring the achievement of this outcome were:

● New labour laws drafted, and, if required existing laws revised, in consultation with the tripartite constituents that covers each key area. ("partially achieved")

● Representatives of government, workers and employers have substantially increased capacity to understand the key issues and challenges, and to participate effectively in law reform. ("partially achieved")

● Representatives of trade unions employer and government are substantially more familiar with international labour standards, and with national law in the Maldives. ("partially achieved")

● Appropriate regulations and guides for implementation of the revised legal framework are drafted. ("achieved")

● Minimum of [six] tripartite meetings take place during the course of the Project, resulting in agreements on key labour law policy issues. ("partially achieved")

Technically speaking, the indicators are not much more specific than the intermediate outcome formulated. If the accent of the outcome is on developing something that implements specific rights and mechanisms, the accent of the indicators is to draft something that is appropriate, understood, and discussed.

At the time of the final evaluation, the underline immediate objective 1 was therefore rated against a quality management grid, jointly with the project stakeholders, with the following results:

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[22] The project's implementation and monitoring was very much based on delivering inputs (activities) to achieve outputs. This input and output delivery is documented in Annex A.1 (q.v.). While it is natural to focus on output delivery during implementation because a combination of ouptuts is expected to deliver the outcome (if assumptions made at the outcome level hold), the summing up of outputs is not equivalent to achieving an outcome.

	Quality management criterion	Rating for Immediate Objective 1
A	Resource adequacy	[5] Resources show substantial increase and / or all the relevant needs are met.
B	Delivery of outputs	[3] Output delivery shows flat trends and / or some outputs are delivered.
C	Use of outputs by partners/ target groups	[1] No use of outputs is measured and / or no information is available.
D	Progress made (against outcome indicators/ milestones)	[1] No progress is measured and / or no information is available.
E	Measures to respond to emerging risks and opportunities	[2] Measures do not mitigate negative [seize positive] trends and / or measures are insufficient to respond.
Observation: Cf. Annex A.3 for the structure of the assessment grid and Annex A.4 for joint view for all outcomes and a description of the process.		

This assessment is more informative than the notion that the outcome has been "partially achieved". Normally, achievements need to be measured against outcomes. This is where the benefit of the project is specified. It puts on record that some outputs were delivered (the quality of which is fine in the view of this evaluator and meets all expectations with regard to the resources used and the setting of the project), yet it also shows that the outputs have not yet been put to use and therefore the outcome cannot be considered as achieved.[23]

If the benefit consists of an achieved outcome as formulated, it would be fair to say that the outcome has not been achieved. Partial achievement is not an option, at least not in the absence of a strategy how the outcome will be achieved without the support of the project. In this context, the notion that "the project" can only contribute at output level, as emerging from several comments on the draft report, seems to be based on an erroneous demarcation of the project entity (cf. section 6.5).

If the formulation of the outcome has not been carefully made (possibly as a consequence of overexpectations) and therefore was too strict, the outcome may also be considering as achieved by the fact that the outputs have been delivered (draft legislation), and the process may continue. However, the assumption that outputs translate into achieved outcomes in the absence of available funding to continue the process would seem somewhat heroic.

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[23] It may be argued that most (and not only some) outputs have been delivered (and therefore a the next higher rating should have been assigned) as put forward in one of the comments received on the draft report. The root for the discrepancy in the assessment lies in the fact that there are differing views regarding whether the process of consultation regarding the legislation prepared has been completed, the (current) government insisting that further consultation is required.

In keeping with the spirit of tripartism, it is more productive to accept additional consultation in order to ensure that broader consensus is achieved rather than insisting that the process has been completed and thereby essentially contributing to maintaining the present stalemate.

Immediate objective 2

The immediate objective 2 had been formulated as follows:

A reformed labour law administration machinery at the central and selected atoll levels for a more effective provision of services, including clearer functions, working procedures and reporting systems, improved mechanisms for labour law implementation, particularly for labour inspections and dispute resolution, improving the Employment Tribunal's capacity and better co-ordination between the central, the provincial labour offices and other government agencies.

Indicators selected to help with measuring the achievement of this outcome were:

- The organizational structure of the MHRYS discussed, and changes agreed upon, with clear roles and responsibilities for the different departments, with a strong primary focus on the Labour Relations Authority (LRA). ("partially achieved")

- The LRA's significantly increase its capacity to sustain its own training system with access to research and support materials. ("partially achieved")

- New working procedures in place. ("achieved")

- New systems and processes are in place for effective delivery of MHRYS services throughout the Archipelago. ("not achieved")

- LRA/ MHRYS significantly increase its ability to resolve disputes through various approaches, such as mediation and conciliation. ("partially achieved")

- Coordination between the LRA, the Employment Tribunal, other government ministries and, where appropriate, foreign High Commissions in the Maldives. ("partially achieved")

- Employment Tribunal significantly increases its capacity to efficiently, fairly and effectively adjudicate disputes and educate litigants and the public. ("achieved")

Technically speaking, the indicators partially are more specific than the intermediate outcome formulated. The institutions and processes have been specified in more detail and certain key events or milestones ease the measurement of achievements.

At the time of the final evaluation, the immediate objective 2 was rated against a quality management grid, jointly with the project stakeholders, with the following results:

	Quality management criterion	Rating for Immediate Objective 2
A	Resource adequacy	[6] Resources are available to sustain the results achieved. All the relevant needs are met.
B	Delivery of outputs	[3] Output delivery shows flat trends and / or some outputs are delivered.

|		
C	Use of outputs by partners/ target groups	[4] Use of outputs shows improving trends and / or most of the outputs are used.
D	Progress made (against outcome indicators/ milestones)	BETWEEN: [2] Progress is measured and shows negative or flat trends and / or progress is insufficient for achieving outcome while some progress is made. AND: [3] Progress shows flat trends and / or some progress is made.
E	Measures to respond to emerging risks and opportunities	[2] Measures do not mitigate negative [seize positive] trends and / or measures are insufficient to respond.
Observation: Cf. Annex A.3 for the structure of the assessment grid and Annex A.4 for joint view for all outcomes and a description of the process.		

The notion that "the project" can only contribute at output level, as emerging from diverse comments on the draft report, seems to be based on an erroneous demarcation of the project entity (cf. section 6.5).

The assessment, again, is more informative than the notion that the outcome has been "partially achieved". It puts on record that some many outputs were delivered (the quality of which has allowed the both the LRA and the ET to become operational in the view of this evaluator), and it also shows that outputs have already been put to use -- which objectively justifies the higher rating of 4 regarding the use of outputs for this intermediate objective. Nevertheless, progress made against the outcome must be considered insufficient for achieving the outcome.

If the benefit consists of an achieved outcome as formulated, i.e. a reformed labour law administration machinery at the central and selected atoll levels for a more effective provision of services, it would be fair to say that the outcome has not yet been achieved. This is clearly evident from the prevalent trends in the application of the machinery which illustrate that effectiveness in key areas has not increased despite the support of the project.

number of inspections per month
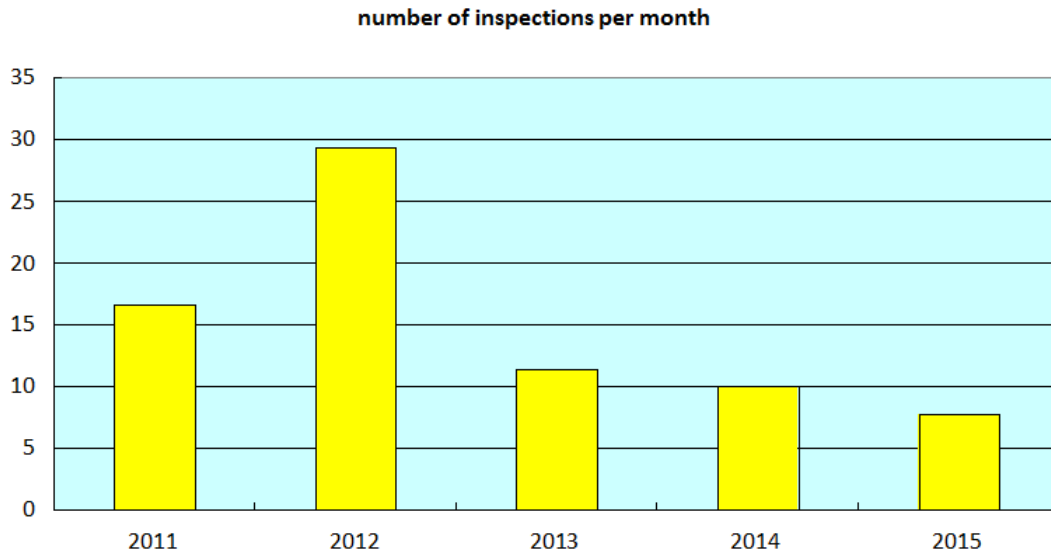
G.8 Number of inspections per month as conducted by the LRA.
Source: LRA.

number of cases submitted per month
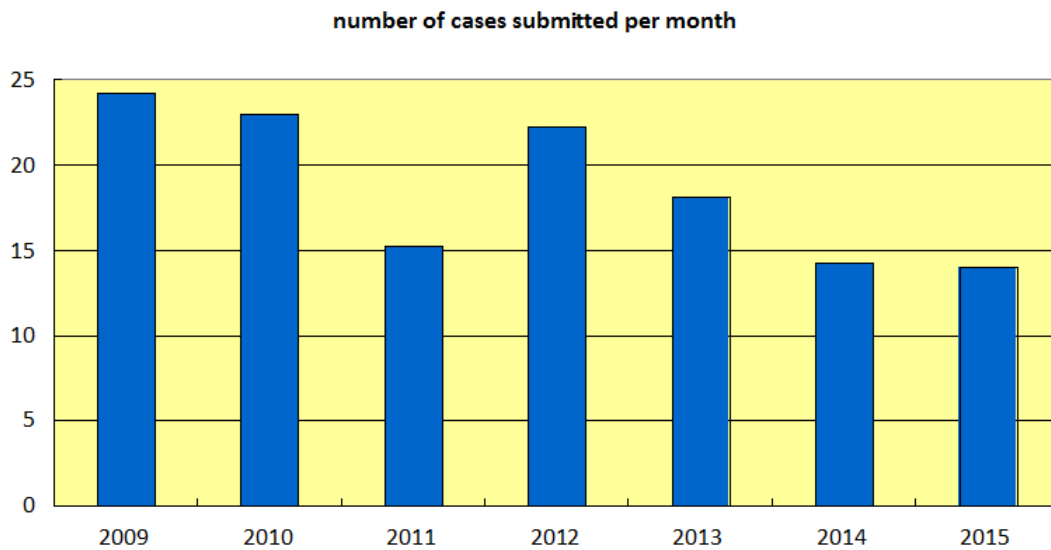
G.9 Number of cases submitted to the ET per month.
Source: ET

The reasons for the lack of increase in effectiveness of the machinery essentially are not related to the quality of the outputs delivered by the project, but they relate to the general socio-economic and political environment of the machinery in which the machinery is attempting to extend its operations.

The success of the outcome is linked to important assumptions, e.g. that there will be strong

and sustained political will from the minister and the senior civil servants in the ministry in charge for implementing the structural change agreed to, and that the ministry in charge will be allocated sufficient infrastructural resources to be able to deliver services and facilitate co-ordination throughout the Archipelago. It is also linked to institutional issues (such as remuneration in the civil service) and the traditional social fabric (which allows for employers to take decisions of the ET to the high court for revision, in ignorance of the agreed framework the ET operates under). Also, by the end of the project duration, attempts to conduct cases on atolls via magistrate courts have not yet seen fruition due to reservations of the Judiciary and budgetary constraints.

If the formulation of the outcome has not been carefully made (possibly as a consequence of overexpectations) and therefore was too strict, the outcome may also be considering as achieved by the fact that the outputs have been delivered (draft legislation), and the process may continue. Again, a strategy on continuing the work in the absence of a project would need to be put in place and the funding would need to be available to ensure translation into outcomes.

Immediate objective 3

The immediate objective 3 had been formulated as follows:

Independent workers' and employers' organizations with strengthened capacities to engage in sound workplace cooperation and labour- management relations, participate in social dialog, improve working conditions and enhance productivity.

Indicators selected to help with measuring the achievement of this outcome were:

- Eighty representatives of the social partners with a better understanding of FPRW, labour-management relations, workplace cooperation and productivity. ("partially acieved")

- A well functioning bipartite social dialog structure established in one or more sectors of the economy. ("not achieved")

- Eighty representatives from workers' and employers' organizations trained on workplace cooperation and with the capacity to create mechanisms at the workplace level.[24] ("partially achieved")

At the time of the final evaluation, the <u>immediate objective 3</u> was rated against a quality management grid, jointly with the project stakeholders, with the following results:

	Quality management criterion	Rating for Immediate Objective 3
A	Resource adequacy	[6] Resources are available to sustain the results achieved. All

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[24] Interest shown by all the sectors unfortunately is very low. There was only one tourist sector enterprise that expressed any interest in SCORE. From that enterprise, two city hotels located in Malé participated. Their performance was not overly satisfactory.

		the relevant needs are met.
B	Delivery of outputs	[2] Output delivery is measured and shows negative trends and / or outputs are not conducive to achieving outcomes.
C	Use of outputs by partners/ target groups	[2] Use of outputs is measured and shows negative trends and / or use of output is not relevant for achieving outcomes.
D	Progress made (against outcome indicators/ milestones)	[2] Progress is measured and shows negative trends and / or progress is insufficient for achieving outcome.
E	Measures to respond to emerging risks and opportunities	[2] Measures do not mitigate negative [seize positive] trends and / or measures are insufficient to respond.
Observation: Cf. Annex A.3 for the structure of the assessment grid and Annex A.4 for joint view for all outcomes and a description of the process.		

This assessment, in line with the other outcomes, is more informative than the notion that the outcome has been "partially achieved". It puts on record that even the delivery of outputs has run into difficulties and has not been conducive to achieving the outcome. Given this lack, it is not surprising that use of outputs and progress made against outcome could not achieve any higher ratings.

It should be overlooked that the capacity building workshops which were conducted were made good use of by the workers' organizations in order to enhance their capacities while the employers were much more reluctant to make use of the capacity building offers brought about by the project. The introduction of SCORE also opened a way to engage with single businesses which in the current situation possibly bears higher overall potential for developing industrial relations as long as the more formalized mechanisms of governance are still in a process of gaining foothold in the socio-cultural fabric of the Maldives.

If the benefit consists of an achieved outcome as formulated, it would be fair to say that the outcome has not been achieved. Partial achievement, again, is not an option, at least not in the absence of a strategy how the outcome will achieved without the support of the project.

If the formulation of the outcome has not been carefully made (possibly as a consequence of overexpectations) and therefore was too strict, the outcome may also be considering as partially achieved by the fact that the some outputs have been delivered, the uptake, however was only partial, and the process may continue. Here, as with the other outcomes, the absence of available funding to continue the process discounts the premise that delivering outputs translate into achieved outcomes.

From the perspective of effectiveness and achievements, the sum or average of assessment results would seem to indicate that, in the view of the stakeholders in the Maldives, and shared by this evaluator, that the project has not been effective in achieving its outcomes. This "verdict" is independent of the delivery of the outputs which has occurred at a level of

quality that is fully acceptable within the framework of the resources allocated to the project.

Should we be disappointed with the effectiveness of the project? Only if there would have been options for achieving a higher level of effectiveness in reaching the immediate objectives.

Let us look at potential options for achieving higher effectiveness:

- Effectiveness sometimes can be increased by focusing resources on achieving a more narrow outcome.[25] For example, the project could have decided to focus on only two or only one of the outcomes and committed all of its resources to the selected outcome(s). It is unclear, however, to which extent existing absorption capacities of the stakeholders in the Maldives actually allow for additional inputs to be fed in on a specific outcome. Possibly, if more funds had been spent upfront on awareness raising (of the public, of parliamentarians, of specific interest groups) these resources could have been spread on the same outcome yet distributed meaningfully over more diverse target groups and thus avoided running into absorption problems while reinforcing the thrust of action and establishing a stronger basis of support.[26] A case in point would be the organization of technical exchanges for employers with peers from their respective sectors (in particular tourism), e.g. from the Bahamas or Malaysia, or higher level interaction, i.e. with high-level ILO representatives from Geneva.[27]

  The root cause for the lack of use of outputs and progress on outcomes is not linked to the resources available, but more related to the socio-political environment (including the willingness to move forward by key stakeholders, notably employers). This could be an argument for either maintaining the different outcomes, or employing more funds to influence socio-political change (by ways of awareness raising and information exchange). Working on socio-political and institutional changes probably would have required a different mix of experts, with at least a certain amount of expertise on policy reform and organizational development processes as well as on communication

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[25] Effectiveness is different from efficiency which compares inputs to outputs or outcomes. ("Cost-effectiveness" is a measure of efficiency, not of effectiveness.)

[26] This is not to say that the project was not concerned with awareness raising to enhance trust. For example, it supported the development of a video on the LRA. (Finalization of this video was postponed several times due to delays to obtain feedbacks from constituents.) The project also developed a communication strategy in relation to the draft employment act and is finalizing the development of 4 billboards, 800 posters, 2 videos, a Tribunal booklet. The project also supports the creation of the MNTUC website and the LRA website. In addition, the project also led interactive sessions with the Parliament.

[27] The Director of ILO-CO Colombo, besides participating in PAC meetings, had certainly done everything possible to make representations to and maintain regular communication with the Ministers to emphasize the importance of promoting fundamental labour rights and social dialogue. Also, international specialists deployed by ILO have sought to improve the understanding at government level, however, have not been able to gain sufficient access. In a situation where there is resistance to change, highest ranks by virtue of their office are usually better able to nudge high-level government officials. Unfortunately, the availability for highest level representatives of ILO Geneva to pass by the Maldives is limited.

strategies and techniques on top of the required technical expertise.

In this context, it is conceivable that intervening with more thrust and resources regarding the outcome on improvements of the legal framework may have led to higher effectiveness -- if the improved legal framework would have been pushed through under the Presidency of Nasheed which appeared more favorable to such reforms. However, given the exisiting majorities in parliament and the short time available, it is unlikely that such a high-speed strategy would have been successful. Besides the mere time required for drafting legislation, legal reforms are not easily pushed thru when the reforms are changing important systemic features.[28]

- Effectiveness may have possibly been increased by working out strategies for dealing with the different assumptions introduced during the design stage and redesigning the project accordingly. Most likely, this type of change would have led to an adjustment of the outcomes (to more realistic leves).

   It could have possibly also led to the discovery of different approaches for addressing the external factors. It would have been particularly important to develop a strategy for achieving a buy-in by employers' organizations. While employers appear to have displayed a hostile attitude to the project, more creative thinking may have found ways of bringing them on board, though the challenge of bringing on board more hostile elements is certainly not to be underestimated.

- More effectiveness may have been possibly achieved by combining the strive for selected outcomes with measures that cater more to the immediate needs felt by the government of the Maldives. For example, had the project worked on issues of employment and vocational training[29] in parallel with labor market governance and fundamental rights, it may have been in a better position of bargaining for stakeholder contributions than when obliged to exclusively cater to interests which, currently, appear to be perceived as "foreign", ILO interests. Such a setup requires a substantial amount of negotiation skills and usually is difficult to implement within the setting of a (time-bound) project where the leverage is with the beneficiary side as time is running out. But it is definitely an option to consider.

In sum, there would have probably been some options for increasing effectiveness by narrowing in on selected outcomes and moving in with more thrust. In particular, setting aside some resources for dealing with assumptions (risks) may have provided for a competitive edge over the project design implemented. At the same time, as already

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[28]   According to project management, the minister at the time of consultation to draft the IR bill, Mohamaed Hussain Shareef, indicated that he would be able to get the bill passed by parliament, and the permanent secretary in May 2014 agreed with the mid-term review mission to send it to parliament. All this changed when the ministry changed in June 2014, and MED refused to send the bill to the parliament based on the interests of employers' organizations.

[29]   ILO did provide some support to TVET, but not within the scope of this project.

mentioned in the preceding section, a project valued at USD 640,000 would not have too many resources available to afford all of the flexibilities suggested.

Questions beyond and between the immediate objectives

● Was the scope of the project in fact too broad and ambitious given the time frame and meagre budget?

The project was ambitious in its intent. It was planned for a situation with downwind and incurred the respective risks. Neither the budget nor the time frame were meagre for achieving the objectives. Policy-level projects usually do not require extensive resources in terms of expert inputs and therefore usually have a high leverage.

With the change of wind that took place, it was impossible to reach the objectives of the project in time, despite the significant efforts that were invested to churn out useful outputs. Continuation along the time line would require additional resources. However, these resources should remain at similar or slightly lower levels (given that continuation may be based on outputs already achieved/ in place).

The tripartite assessment of relating to reaching the immediate objectives as described above also confirmed that resources were adequate for the purpose.

● Has the project integrated gender equality as a cross-cutting concern throughout its methodology and all deliverables, including the final report?

The final report was not available at the time the evaluation mission was conducted. The last report currently available to the evaluator is the technical progress report April-June 2015, submitted in the end of July 2015.

Generally, gender equality has not been integrated as a cross-cutting concern throughout the methodology and all deliverables of the project. The documents screened by the evaluator generally do not contain any specific sections relating to gender, and many do not refer to the term itself. Also, the indicators specified have not adopted specific gender-based shapes or content. However, activity reports usually contain information disagregated by sex that can be used to review whether there are any undue biases in delivery. ILO mission reports also make reference to discussions where the topic of gender apparently has been probed.

According to the *Review of Employment Act and Employment Regulations for Compliance with ILO Standards and National Employment Policy Goals and Objectives*, workplace discrimination based solely on gender is not prevalent in the Maldives. The Employment Act of 1951 prohibits discrimination on determination of remuneration, based not only on gender but also other attributes of an employee and the national Constitution enshrines worker's right to equal remuneration for work of equal value.

The extent to which these legal bases are being enforced and/ or correspond to actual practices could not be sufficiently verified within the scope of the evaluation.[30]

From the perspective of the evaluator, it is difficult to assess to which extent the apparent neglect of gender as a cross-cutting issue should raise specific concerns. There are, certainly, useful insights to be gained from a more differentiated approach, in particular in a country where religious practice emphasizes different roles for females and males. For example, it is surprising that the communication strategy developed would have more explicitly sought how to convey messages to members of different sexes (or age groups, for that matter). At the same time, promoting gender as a cross-cutting issue in an environment where the basic legal setting for gender is "right" while the basic legal setting for freedom of association is "wrong" may also create confusion that may turn out to be counterproductive for achieving the outcomes, and it would be understandable if the topic has not been pushed.

- To what extend has the project promoted the <u>ratification and implementation of ILO core labour standards</u> in Maldives?

  The project has been created for the purpose of promoting and implementing core labor standards in the Maldives (by working with all tripartite constituents). Most of the inputs and outputs of the project therefore were related to either directly or indirectly promote international labor standards.

  When it comes to ratifications, project activities included a campaign for the ratifications, developed and implemented by workers' organizations in October 2012, assisting in the development of workers' organizations demands for ratification of core labour standards (prepared and presented to parliament and government), and a workers' organizations educators network campaign for the ratification of core labour standards.

- To what extend has the project promoted <u>tripartite and/or bipartite social dialogue</u> in the Maldives?

  One of the outcomes of the project (immediate objective 3) was exclusively devoted to promoting social dialog by ways of strengthening the two most important players (workers and employers) in order to be able to engage in the same and strove to create bipartite structures for sectoral social dialog.

  As mentioned above, workers' organizations made good use of the capacity building exercises offered by the project in order to strengthen their capacities to engage in social dialog while employers' organizations essentially rejected participation. Some

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[30] Significant shares of the professionals trained under this project and of those who acted as informants for this evaluation were of female gender which points to a relatively balanced overall situation among professional occupations.

small starting points for building bridges between selected employers and workers were created by working with SCORE (i.e. at enterprise level). The outcome by end of project, however, has been marginal.

- To what extend has the project participated in the <u>improvement of the labour administration machinery</u> of the Maldives?

  One of the outcomes of the project (immediate objective 2) was exclusively devoted to improving the labor administration machinery. This occurred by ways of capacity and institution building notably for the LRA and the ET. The LRA has explicitly underlined that all of its procedures are a result of the project's interventions. Prior to the project, there had been no structured approach to their work.

  Both made good use of the assistance offered by the project and have significantly increased their capacities. At this stage, however, both are not able to fully translate these capacities into operational successes on the ground. The additional administrative burden now carried by the LRA poses practical difficulties of management (more administrative tasks to be managed by the same number of staff) while pay scales are not sufficiently attractive for staff to commit more permanently to the LRA. The ET's authority is actively being challenged by employers who take ET decisions (which are deemed final) to the next level of jurisdiction (which is not foreseen). There are also significant issues with covering the geographic space of the country for both organizations which remain unsolved.

- To what extend has the project <u>supported trade unions to better defend freedom of association and collective bargaining</u> rights in the country?

  As mentioned above, workers' organizations have made good use of capacity building measures delivered under the project. Beyond this, the Director of ILO-CO Colombo and short-term specialists of the ILO have reminded the government about the importance of respecting fundamental rights and of the country's obligations under the conventions ratified.

  In this context, it should be mentioned that the Tourism Employees Association of the Maldives (TEAM) has been able to file a complaint before the ILO Governing Body Committee on Freedom of Association on infringements of ILO Conventions 87 and 98 in March 2014. The complaint refers to, inter alia, excessive use of force to stop a strike, intervention of police and military in industrial dispute, multiple arrests without probable cause, and lack of enforcement of court orders by resorts.

6.4 Efficiency of resource use

Efficiency of resource use is influenced both by inputs made and by outputs delivered. In the absence of reaching outcomes to the planned extent, a look at the efficiency of resource use

is of particular importance to assess whether efficiency of delivery has possibly had an impact upon our effectiveness. At the same time, it cannot hurt to understand whether we obtained or delivered value for money.

Resource use has generally been at normal levels for ILO interventions that are knitted around a national project coordinator in order to manage the project on the spot in the Maldives. Project offices were provided by the government (in-kind contribution).

The project coordinator has received administrative backstopping and support from the Colombo office of the ILO which is responsible for the Maldives and also the office located most closely to Malé. Technical backstopping has been provided by ILO headquarters in Geneva, mainly on an electronic basis (email, telephony). Experts deployed in the Maldives either were staff members of the ILO or selected international and national consultants, experienced in South Asia or the Asia-Pacific region. ILO staff members deployed usually came from New Delhi (the DWT responsible for the Maldives and other countries of South Asia) or Sri Lanka. From this perspective, the project has been implemented in a cost-effective manner.

Backstopping a national coordinator out of a different country always entails a certain amount of cost (travel etc.). These costs need to be compared to the cost of establishing more comprehensive structures in the country concerned, and are far below. The Maldives are a small country and the portfolio of projects implemented by ILO does not justify the creation of an ILO office in Malé.

The United States government which has generously supported this project also administers its activities in the Maldives thru its embassy in Colombo. As a matter of fact, USDOL has also been able to combine its monitoring missions with missions relating to projects implemented in Sri Lanka.

As far as inputs delivered are concerned, the inputs seen by the evaluator meet all expectations, were practical, and have been tailored to the needs of the counterparts in the Maldives.

Could efficiency have, nevertheless, been increased to a higher level despite the apparent cost-effectiveness and the quality of the inputs provided? ("unlikely given the overall circumstances")

- The efficiency of resource use has been affected by the (partial lack of) response to expert missions in the field. This problem is rooted in the assumptions made about the participation of stakeholders which did not hold, notably with regard to employers' organizations. Redesign may therefore possibly have led to higher levels of delivery of and use of outputs, and progress on outcomes.

- The efficiency of resource use has been significantly affected by the change in the

government that has occurred following the resignation of President Nasheed. The new government took time to pick up on projects left by the former government. This has caused delays with implementation that required not only an extension, but led to considerable haste in finalizing activities during the final year of implementation.

It should be noted that changes in government often affect the efficiency of implementation in international projects because of the reorganization of responsibilities in beneficiary government bodies. It is a fact of life of project implementation. At the same time, the recent change of government in the Maldives has made itself felt particularly strong with all international projects related to governance, some of which were redesigned in order to meet the expectations of the new government. From this perspective, the project evaluated emerged relatively unscathed.

However, the project experienced significant difficulties in establishing the same level of intimacy with the new ministry it was transferred to, and it required substantial direct support by the Director and staff of the ILO Colombo office in order to ensure that inputs could be delivered and planned outputs achieved by the end of the duration. (In other words, backstopping responsibilities were assumed to the fullest possible extent in Colombo.)

The reasons for the difficulties in establishing a better relationship with the MED are multifaceted. They have been affected by a different general stance vis-à-vis labor issues (and another level of understanding of the same), an apparent tendency to favor the views of employers' organizations (as opposed to a neutral stance), uncertainties of the new government about accepting the continuation of projects negotiated by the preceding government (an issue that not only affected ILO projects, but projects by other agencies as well), different personalities and forms of communication (between permanent secretary and national project coordinator), a different understanding of project management procedures (based on exposure to projects with other international agencies than the ILO) and of the identification of the specific benefit for the country (input vs. output or outcome levels).

The ability to successfully deal with such a host of important changes is usually not given, especially for a project with a short time horizon.

6.5 Effectiveness of management arrangements

There are three points which merit consideration when discussing the effectiveness of management arrangements for this project. The general understanding of what constitutes the project entity (which is partially lacking as emerging from comments received on the draft report), the inter-relationship between funding and management arrangements, and

the effectiveness of ILO backtopping.

What is the project entity?

In most of the communications received relating to this project, the term "project" appears to refer to the "project management unit" of the ILO as the key international implementing agency. This reflects a perception of the project as being an internal entity to ILO which is managed by ILO from different locations (Malé, Colombo as well as support from New Delhi and Geneva). At the same time, ILO acts as a grantee and has an interface with the donor USDOL that is essentially adminstered at Geneva.

While this perception is fine for ILO internal purposes, it is, technically speaking, too restricted to represent the project as a whole and to manage it accordingly. While the restricted definition of what constitutes the project is unlikely to cause any difficulties when the project operates in downwind mode ("all in favor", window of opportunity), it is likely to exacerbate frictions if the wind changes (window closing). The reason is that it creates an artificial barrier between the elements that constitute the project as a whole.

A majority of comments received on the draft evaluation report seek to assign responsibility for the lack of success in achieving outcomes to the new government. While, certainly, frustration is bound to arise if the perspective and attitudes of any stakeholder changes during the course of the implementation of a cooperation project and appears to affect the achievement of previously agreed objectives, there is no other solution than accepting this reality (unless withdrawing is considered to be a valid option). In particular, it is standard practice that any project implemented within the framework of international cooperation both cannot and should not be implemented against the government.

The project entity for the project in the Maldives, therefore, consists not only of the "project management unit" and its "backoffice" support around the globe, but it consists of the government unit responsible for implementation, the "project management unit", and the key stakeholders contributing and participating in the Maldives. The distinction has important management implications because it attributes the responsibility for implementation not to the "project management unit" (or the ILO), but to the project entity as a whole. It puts Maldivian stakeholders in the driver's seat -- which essentially is the only way to ensure a sustainability of results. And successes and failures are shared by all key stakeholders. Moreover, it underlines that outcomes of a project are actually within the control of the project!

It is open to speculation whether it would have made a fundamental difference given there is no counterfactual to prove or disprove the point. Had the ILO possibly taken a more open and active approach towards integrating the new government into the project entity, the project may have possibly increased its efficiency and overall effectiveness during the final stages of implementation even on the basis of negotiating compromise solutions.

Of course, this requires highly developed listening and negotiation skills on behalf of the staff and experts deployed, including an occasional swallowing of pride. Yet, the basic

mindset that the true project entity is not the "project management unit" needs to be in place for this to be able to happen.

From the feedback received on the draft evaluation report, clearly, the project has been perceived as the "project management unit" and "liability" therefore was restricted to delivery of outputs. Statements such as "not achieving the outcome is related to structural issues within LRA, lack of leadership by the MED, and the dynamics between LRA and MED" or "all the indicators listed above are achieved except the ones that are beyond the control of the project", or "after the bill is drafted and submitted to government, it is upto them to take further action" reflect this understanding.

Funding available influencing management arrangement

Generally, management arrangements have been effective. However, a different management arrangement may possibly have achieved a higher degree of achievement of outcomes.

The project has been designed to be managed by a national project coordinator. The reason for this design has been rooted in the amount of funds that could be earmarked for the project, i.e. the decision for this management arrangement was significantly influenced by a notion of what can be done with a given amount of funds.

While it is common practice and frequently both efficient and effective to plan projects in consideration of available funding, it is not necessarily a reflection of the state of the art of project planning. Project planning is a process that begins with the identification or formulation of a problem, proceeds with an analysis of its root causes, continues with a development of solutions for the root causes, and usually ends with a strategic decision relating to the cause(s) to tackle and the tools or mechanisms to implement this decision. The quality of the first steps of this process benefit very much from creative thinking, and therefore should usually not be subjected to too many constraints.

Only when the solutions for the root causes of the problem have been found or developed is it appropriate to introduce constraints in order to shape the selection of the strategy. In other words, once the solution is mapped out, the options are held against the resources avaiable. This way creative thinking can be exploited to a maximum for the benefit of designing sound solutions.

In the situation of the project in the Maldives where fundamental rights and labor market governance need to essentially be developed from scratch in a socio-political environment that is partially hostile to the changes implied and partially ignorant of the larger benefits associated with ILO membership,[31] for example, it could have been useful to deploy an international expert to coordinate the project.[32]

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[31] Ratification of ILO conventions usually is the beginning of a long-term process that is meant to implement them, and not the end of this process.

[32] It should be noted that this consideration is completely unrelated to the quality of the work or performance of the national project coordinator of the ILO. It is merely a consideration of options for

Advantages of deploying an international expert would have consisted of

● not being part of the local social fabric and therefore not exposed to social pressures or association with specific structures when promoting the objectives of the project

● a more tolerant reception of diverging views and less expectations regarding compliance with traditional viewpoints entertained in the Maldives

● a higher visibility of the project and thereby more opportunities to create awareness and understanding for issues relating to fundamental rights and labor market governance

● a higher propensity in the beneficiary country to listen to statements and recommendations made (given "a prophet is not without honor, save in his own country")

Deploying a foreign advisor to coordinate the project was not included in the range of possible options because such a deployment usually requires a larger amount of funds. Effectively, deploying an international expert may have required reducing the amount of short-term experts that could be made available to the project, or focusing on a reduced number of outcomes, or maybe shortening the duration of the project, or a combination of such measures. It could have implied a trade-off between resource efficiency and effectiveness. Yet when it comes to achieving outcomes, effectiveness is a more important criterion than efficiency.

Obviously, there are also potential downsides to the deployment of international experts. However, in the case of the Maldives the benefits may have outweighed the costs.

Are there any other ways that management arrangements could have been made more effective?

● Difficulties faced by the project were reported in technical progress reports. More explicit monitoring of assumptions and risks, however, may have possibly triggered earlier intervention or a more timely redesign of the project because the management structure would have actively sought to monitor assumptions/ risks (and not merely output delivery). That being said, the resources available to the project did not lend themselves to establishing elaborate monitoring mechanisms.

● Depending on the experiences with international projects, and in line with the Paris Declaration which commits donors to use beneficiary country systems, beneficiary country stakeholders may occasionally expect a stronger say regarding the allocation of the project budget. This may cause frictions during implementation when the ILO alone is accountable for the grant, and the counterpart wants to directly control spending decisions (based on the assumption the funds have been granted to the country). Frictions are also likely because the budgetary requirements and procurement

management arrangements.

procedures of the ILO may substantially diverge from those of the beneficiary country, and communication about spending decisions therefore is difficult.

While there appears to have been no issue with regard to the management of the project budget while the responsibility was with the MHRYS, the MED was more concerned about managing the budget of the project and complained about a lack of transparency. In such cases, it may be useful for ILO to provide a higher degree of transparency by providing an overview of the budget that is based on quantities instead of monetary values. For example, the beneficiary could be provided with an overview of the number of months of short-term expertise, the number of workshops, the number of publications,etc. earmarked/ allocated to the project so as to allow for a more specific discussion of activities. It also requires that the beneficiary becomes sufficiently acquainted with the procedures of ILO procurement so that trust in appropriate handling of funds is established. (On the whole, this type of situation is difficult to manage because the backgrounds that the beneficiary and ILO staff have in project management are bound to vary, and there are different budgetary practices by different organizations.)

Effectiveness of ILO backstopping

There are indications that the effectiveness of ILO backstopping for the national project coordinator in the Maldives has varied considerably during the course of implementation. This appears to have been related to heavy work loads of the senior program officer initially responsible for the project at ILO-CO Colombo and who had retired in the end of December 2014. The national project coordinator solved this situation partially by asking backstopping support from ILO in Geneva. Following the retirement of the initial backstopper, both quantity and quality of backstopping out of ILO-CO Colombo increased, with a high reached during the no-cost extension phase.

As to the availability of ILO specialists out of New Delhi and Geneva (or international consultants within their realm), support apparently was also not as consistent over the whole project period as desired. For example, the initial assessment by the labor administration specialist took 5 months to complete and was followed by the (unrelated) resignation of the specialist. Consultants were employed for follow-up. A specialist from Geneva had to be deployed (who moved on to another post soon after completing his mission). Commenting on the review of the employment act by an ILO specialist took three months. The first OSH specialist was deployed in December 2013 and was only back during the final months of the project for additional support. On the whole, substantially more ILO expertise has been deployed on labor administration reform than on legal drafting.

A trade union specialist was available in New Delhi until May 2014 to organize all relevant trainings, and an employers specialist was available until December 2014 (implementing the assignments directly).

Given the importance of the legal drafting for the overall process (and particularly the

achievement of the immediate objective 1 relating to the legal framework), the question may be asked to which extent a swifter finalization of the the tasks depending on legal expertise could not have secured the adoption of a new legal framework before the change of government took place.

6.6 Impact orientation and sustainability of the project

Impact is usually measured as an effect that occurs outside the scope of direct control of the project, i.e. one level higher than outcome, while sustainability refers to the capability of project outcomes or selected outputs to survive in the absence of project support. Impact and sustainability are related to the extent that achieving impact depends on the creation of institutions or an enabling environment that deliver benefits over a long period of time. Sustainability essentially is concerned with establishing patterns that are able to ensure a lasting success of a given measure or the continuous presence or activity of institutions or organizations created to address specific issues on a continuous basis.

The project document has not spelled out any specific impacts, and it is therefore difficult to assign the project any impact orientation. Formulations related to the impact level should usually be contained in the description of project development objectives, i.e. the overarching objective the project would contribute to, usually in combination with contributions by other agencies or factors. In this case, the project strived to contribute to the transition of the Maldives to a stable, multi-party democracy, with effective and independent institutions of governance, supported by a vibrant civil society. However, the impact has not been properly spelled out, and indicators for measuring impact have not been specified. Therefore, an analysis of impact is not meaningful in the context of this final evaluation.

It should also be noted that impact by definition can only occur once the project is completed, or during the final stages of implementation of a project. The prerequisite for (attributable) impact to occur is that project outcome has been achieved so that it can be made use of to achieve impact. Given that outcome usually is only achieved during the final stages of implementation, impact assessments are usually scheduled as post-project evaluations because some time has to be given for changes to work their way thru the system before impact can reasonably be expected. This is another reason why the final evaluation does not lend itself to the purpose of impact assessment.

However, the project did strive to achieve sustainable results. According to the project document:

● The project will assist in creating a lasting and enabling framework for the effective organization and coordination of the labour administration system, based on a policy focused on labor law compliance. This policy will be a vital factor in developing an

enforcement system that can continue beyond the life of the project, and will be supported by institutional capacity building in the form of a sustainable training plan to ensure that the training activities of the project can be replicated. The MHRYS will strengthen its capacity in the medium and long term to provide better services to workers and employers.

- Knowledge of the labour law and the means for its enforcement, once learned by workers and employers, will remain. The project will build the institutional capacity of the social partners, certify a core group of trainers and identify means for them to internalize training. Where possible, the project will make every effort to use national training institutions, consultants and individuals to conduct its activities.

- The establishment of social dialog mechanisms will contribute to the establishment of a culture of cooperation. From ongoing support to social dialog throughout the life of the project, the social partners will develop the capacity to better understand the concerns and interest of the other parties, reach consensus, and thus strengthen democracy.

The achievement of sustainability is based on the following main assumptions:

- The political and the security situation will not deteriorate.

- The government, employers' and workers' organizations will support the project with the highest level of political commitment.

- They will collaborate fully in the project's activities and for certain specific outputs, such as the legal and/or institutional reforms, they will deliver the final product to the appropriate authorities for adoption.

- The government and social partners will exert every possible effort to participate in training seminars and discussions and put into practice lessons learned throughout the project.

There are several comments that may be made relating to the concept of sustainability as formulated for the project.

- The link between a policy focused on labor law compliance and developing an enforcement system that can continue beyond the life of the project is not straightforward. It appears to be based on the notion that a policy automatically leads to an implementation mechanism, an assumption which may hold for countries which have a strong tradition of implementing policies or for legal states, but possibly not for the Maldives.

- Supporting the policy by a sustainable training plan may be necessary, but certainly would not be sufficient to ensure that capacities are at the level required to sustain the mechanism.

- Some of the measures such as the ministry "strengthening its capacity in the medium

and long term to provide better services to workers and employers"; or "knowledge of the labour law and the means for its enforcement, once learned by workers and employers, remaining" bear the hallmarks of assumptions rather than measures to achieve sustainability.

- The assumptions made regarding sustainability are fraught with the same technical issues as the assumptions made regarding the achievement of the different outcomes of the project.

In sum, from a technical perspective, <u>the project strategy for achieving sustainability is weak</u>. Sustainability needs to be concerned with the long-term survival of the mechanisms and institutions created, in this case notably the LRA and the ET, but also the employers' and workers' organizations. The short-term experts and ILO specialists that have worked on and with the respective institutions/ organizations have recognized these challenges. The measures need to go far beyond training plans, and require a look and organizational structures and ways of funding the respective activities.[33]

- Key issues related to the LRA concern the remuneration of staff. They are not solved by drafting a training program, as suggested in comments to the draft evaluation report. At this time, the LRA provides a sound stepping stone for young professionals to a career in other government institutions, but is not able to attract them to stay (despite the career path developed by the project). Vacancies budgeted for cannot be filled.

- The ET's sustainability is bound to suffer from institutional requirements for judges, appointed by the President, to move on after completing one period of appointment. This issue is not solved by enhancing the judges leadership skills, as suggested in comments to the draft evaluation report.

- The employers' forum may be considered to be in its initial stages, and the strengthening of workers' organizations during the course of project implementation does not prevent harassment and intimidation of workers by professional thugs once they represent workers' interests.

In other words, sustainability has not been achieved for any of the organizations that have been assisted during the course of the project.

Could a higher degree of sustainability have been achieved within the framework of the project? ("unlikely in the given circumstances")

- Given that outcomes have not (or only partially) been achieved, it is difficult to expect that sustainability would have been attained. Outcomes need to be achieved before they can become sustainable.

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[33] Referring the sustainability of the solutions developed to the world outside the scope of the "project", as suggested in some of the comments received, is not in line with good practice.

- Focusing on one institution may have possibly provided stronger results. However, all of the institutions assisted are also limited in their absorption capacity, and it is unclear whether they would have been able to benefit from additional inputs.

- The change in government has reduced the likelihood of implementing the legal reform desired. Reforming the legal structure is one of the prerequisites for mobilizing public funds which can enhance sustainability.

- As long as there is massive resistance to allowing workers' organizations to assume their roles, there is little likelihood that workers organizations will become sustainable in their present format (other than by developing a culture of struggle).

  On the other hand, it is probably only a matter of time that the country can permit itself to ignore the legitimate aspirations of this major segment of society. Similar to the so-called Arab Spring, dignity denied may ultimately spark much broader levels of unrest, and disregard for basic workers' rights may eventually impact upon the image of the Maldives as a tourist destination. Such developments are likely to emerge in the absence of the implementation of fundamental rights.

- Finding ways to achieve a stronger buy-in by employers' organizations may have increased the potential for achieving sustainably results. The partially hostile attitudes displayed by employers to the project and the ILO did have a massive impact on the achievement of outcomes and therefore also on the sustainability of the outcomes as far as achieved.

6.7 Partnership

There were two levels of partnership at work within the framework of this project. One between the ILO and the direct recipient and tripartite constituents in the Maldives, the other between the ILO and USDOL as the donor that supported the project.

Regarding the partnership between the ILO and the ILO constituents in the Maldives:

- The ILO has had difficulties in making itself and its tripartite approach properly understood in the Maldives. Besides the recency of accession and the ratification of fundamental conventions, several factors may have contributed to misperceptions:

  - strong association with the Presidency of Nasheed from the point of view of important stakeholders in the Maldives is likely to have politicized ILO membership of the Maldives to a certain extent

  - an understanding of the role of the ILO is still lacking, both as a result of a lack of awareness and as a result of terminology, labor being a term traditionally associated with labor imports

- ■ the project has very much focused on perceived needs from the perspective of USDOL and the ILO and may not have sufficiently been integrated with ongoing policy processes in the Maldives

  - ■ negative if not hostile attitudes by powerful employers' organizations, reinforced by a misperception that the ILO exclusively caters to workers interests

  - ■ a strong fear that labor relations may slip away from the traditional control exercised in a cultural fabric of patronage, and lead to economic losses

- ● The tripartite constituents in the Maldives have not found appropriate ways of partnering with each other and establishing social dialog other than for the purpose of steering the project and attending the ILC. Resistance by employers' organizations to partnership is the overriding obstacle and warrants higher attention. Otherwise partnership and its benefits will remain elusive.

Regarding the partnership between the ILO and USDOL:

- ● Both the ILO and USDOL have shared considerable enthusiasm in supporting the development of fundamental rights and labor market governance in the Maldives. Both were happy to seize the opportunity that offered itself in the advent of the election of President Mohamed Nasheed for promoting these topics and have actively contributed to the design of the project. Both have developed overexpectations at the outset of the project that may have led to disappointments or frustrations during the implementation of the project, shared and equally distributed.

- ● This project is not the first partnership the ILO and USDOL are entertaining. Both are aware of each other's procedures and practices and are able to communicate and understand each other. Differences in opinion were not of any substantial nature for the implementation of the project and have not had any negative impact on achievements.

7 CONCLUSIONS

Major conclusions from this evaluation of the project "Promoting Fundamental Rights and Strengthening Labour Market Governance in the Maldives" are the following:

①. The project was <u>fully relevant</u> to the different processes supported in the target country as well as to ILO and USDOL higher-level strategies -- relevance of project design was ensured both by ILO specialists and the ILO Country Office.

②. There were and there continue to be <u>very divergent perceptions of relevance among the tripartite stakeholders</u> in the Maldives, ranging from welcoming to hostile, which have reduced the speed of implementation and had negative impact on project

effectiveness, efficiency, sustainability, and impact.

③. The project has <u>not been effective in delivering its planned outcomes</u>, even if many planned and useful <u>outputs have been delivered.</u> Only under one of the three outcomes have outputs been put to use.

④. The project has only been <u>moderately efficient</u> as a result of different degrees of success obtained under different outcomes.

⑤. The project <u>will not be able to ensure sustainability</u> of achievements without further assistance beyond project duration. The notion that the seeds for the future have been planted by the project implies that there will be someone to water them. However, no such assistance has been mobilized by the end of the project duration.

⑥. The major reason for the lack of success in reaching defined outcomes related to the design of the project which was based on a relatively <u>high number of assumptions that were not tenable</u> (killer assumptions). It is only through the dedicated efforts of the ILO Country Office and the ILO specialists involved that the project was ultimately able to deliver many of the key outputs. Had the assumptions been properly tested during the design stage, the project would, as a minimum, have been better prepared to react once they did not materialize, or it may have been redesigned before launch of activities. The key killer assumptions revolved around the readiness of government and employers to participate in the processes. While readiness of the former was influenced by a change in government, the latter resisted implementation from the outset.

⑦. Basing the project strategy on a high number of assumptions (about external factors) apparently also has led to a perception of the <u>project entity</u> as being the "project management unit" whereas the project entity should usually encompass all key stakeholders (not only ILO, but also the government, and the social partners). As a consequence, <u>responsibility for achieving project outcomes has not been properly assumed</u>.

⑧. The project to a certain extent also reflects a <u>lack of strategies for dealing with new member countries of the ILO</u>. ILO mechanisms and routines are well developed for those countries that have been members all along or developed their capacities over time. However, there is no strategy for "greenfield" developments.

⑨. <u>Management arrangements</u> generally were effective, however, it may possibly be more effective to deploy international project coordinators in a situation where a country is completely new to the ILO (lack of sufficient funding/ higher cost, possibly, limiting this option). There is also a possibility that a window of opportunity was not fully exploited due to a relatively slow process of working on the legal framework while the window of opportunity closed earlier than anticipated at the outset.

⑩. The ILO has had <u>difficulties in making itself and its tripartite approach properly understood</u> in the Maldives. There are several reasons for this, including different

teminologies and possibly a politicized perception of the ILO because the accession to the ILO from the point of view of important stakeholders in the Maldives is largely associated with the presidency of Nasheed.

8 RECOMMENDATIONS

Major recommendations emerging from this evaluation are the following. Due to the fact that the project is closing, a significant share of the recommendations can only be applied to future projects to be implemented by the ILO.

①. In future ILO projects that seek to introduce fundamental changes in labor market governance, ILO needs to ensure that, before approval, the relevance is properly assessed from the perspectives of all constituents and stakeholders. Where there are significant discrepancies with regard to perceived relevance, they need to be taken into account for project design and strategies for dealing with these discrepancies need to be drawn up before or during the early stages of implementation. (No implication for resources. Should be standard in project planning routines.)

②. For any ILO project, an analysis of assumptions as well as strategies for dealing with assumptions is of key importance for ensuring feasibility (and constitutes good practice). Merely listing the assumptions is insufficient. Testing of assumptions is required. Besides monitoring activities and results, ILO also needs to monitor assumptions during implementation, and ideally prepare mitigation measures or strategies in advance ("Plan B") in case assumptions do not materialize as expected. All projects concerned with governance, legal reform, and structural changes certainly need to consider the potential effects of changes in government on achieving project outcomes. (No implication for resources. Should be standard in project planning and management routines.)

③. No project that contains killer assumptions should be approved. Where specific assumptions are or turn out to be killer assumptions, there is a single choice to be made: redesign or close the project. Redesign often is not feasible once the project has been launched because of diverse lock-ins (staff contracted, locations established, funds allocated, etc.) and may usually only be implemented when several phases are envisioned. This is why projects need to be tested for assumptions prior to approval. The project evaluated was conceived for a single phase only and therefore did not have flexibility for redesign. (No implication for resources. Should be standard in project planning and management routines.)

④. Changes of socio-political and legal systems require time, anywhere in the world. A project time frame of 3-4 years (often resulting from medium-term expenditure planning) is usually insufficient to change systems even in a friendly environment. Where a specific donor support is not available for longer periods than 3-4 years, securing additional funding from other sources to continue the work should be part of the tasks to be accomplished by the project team and the responsible ILO offices, in coordination with ILO Geneva.

⑤. Ways need to be found to systematically assist new members of the ILO in developing their legal systems and organizational structures to match or respond to ILO standards.

This could include the drafting of a guideline for staff responsible or assigned to new member countries (e.g. on what to look for and how to proceed, how to negotiate) and how "greenfield" assessments should be undertaken. Such assistance should not depend on the availability of donor resources. While it may be difficult to justify the creation of separate funds for this purpose at the ILO, earmarking may assign a higher priority to new member countries (e.g. for a period of 5-10 years following accession) for existing funds.

⑥. When dealing with a new member country, relying on national coordinators to advocate for ILO principles and strategies may not always be the best possible option because they are often perceived as being part of the local system and will find it more difficult to act as advocates. An advocacy role in a new member country constitutes a different setting than technical or administrative representation of the ILO and would call for an international coordinator. Once the country has sufficient experience in dealing with the ILO, a switch to national coordinators will be efficient because the share of advocacy work is bound to decrease and the technical and administrative content to increase. As the cost of international coordinators is significantly higher than the cost of national coordinators, this will not easily be financed out of available budgets, and respective funds need to be made available from other sources.

⑦. Managing small countries out of larger countries' Country Offices is not very effective while basic systems still need to be built and a general understanding for the role and work of the ILO is still lacking. Permanent ILO presence is of utmost importance in order to be able to respond *ad hoc* to any new governance related processes and maintain close relationships with tripartite stakeholders. Following project closure, it would therefore be important to maintain a permanent representative of ILO in the Maldives, possibly integrated at UNDP's office. Respective funds need to be made available.

⑧. For all ILO projects, effectiveness of management arrangements can be significantly enhanced by verifying the concrete availability of specialists to directly contribute to projects during the project planning stage, and obtaining commitments for participation prior to the launch of the project (just as bidders for a project tendered would need to in order to secure the human resources required for implementation). Contributions by specialists from different offices around the globe at times seem to be taken for granted and they are difficult to substitute for at short notice if specialists are blocked by other tasks or move on to new posts.

⑨. The ILO, at all levels, not only at the level of CO-Colombo, should seek to (continue to) demonstrate to the government in the Maldives that it is not part of the political processes in the Maldives and impartial regarding the individuals or parties in power. It is important that the ILO is perceived as a reliable and consistent partner and that its presence in the Maldives is not perceived as related to the political future of any of the groups seeking power, or attributable to financial resources being made available by third parties (donors). Despite all odds, the ILO also needs to more actively seek to build and expand contacts with the employers in the Maldives both because of their strong

influence in the political sphere and because their understanding of the benefits of working with the ILO needs to be significantly enhanced. This process is bound to take several years, and it needs to be continuously nourished because the Maldives are largely governed by personal relationships.

⑩. In countries where the socio-political framework is complex and relationships between the social partners are <u>polarized and confrontational</u>, the ILO should consider more actively supporting processes of change and cooperation by <u>organizing highest-ranking visits from ILO headquarters</u>. While highes-level attention never is a substitute for the groundwork that is being made by the ILO units directly responsible for the country, it can be effective for nudging key decision makers to go an extra mile for improving relationships between the tripartite constituents. The Maldives would certainly be eligible for such a "treatment".

9 Lessons Learned and good practices

1) Assumptions regarding activities, results, and outcomes must be carefully reviewed or even tested before a project is approved. When designing any type of project, we are usually making assumptions regarding factors external to the project. "All things equal", our project will achieve its objectives. Most of us have become very capable of spelling out assumptions, but we may need to do more in order to review and test them before we approve a project. We also need to monitor them as much during implementation as we are monitoring our activities.

2) When attempting to introduce major changes in socio-political and legal systems, do not forget about the time factor. A project time frame of 3-4 years (often resulting from medium-term expenditure planning) is usually insufficient to change systems even in a friendly environment. It is not unusual for major institutional changes to take at least 7-10 years.

3) For all ILO projects, effectiveness of management arrangements can be significantly enhanced by verifying the concrete availability of specialists to directly contribute to projects during the project planning stage, and obtaining commitments for participation prior to the launch of the project.This will ensure that funding for external collaborators is available to take on tasks that cannot be delivered by the specialist.

(See the template in Annex A6)

ANNEX

A.1 Monitoring and Evaluation Plan – Indicators, Status 30 June 2015

Source: Project documentation (National Project Coordinator).

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
IO 1: A revised legal framework is developed that implements international labour standards, protects fundamental labour rights, in particular freedom of association and collective bargaining, establishes dispute resolution mechanisms, defines the right to strike and promotes labour-management cooperation.	New or revised labour law provisions on freedom of association, collective bargaining and/or labour law compliance drafted in conformity with international labour standards and in consultation with tripartite constituents	At least new/revised labour law provisions endorsed by tripartite constituents to improve recognition and protection of freedom of association and collective bargaining rights	**Partially achieved.**
Output 1.1: Agreement reached with tripartite constituents on major principles for labour law reform	Representatives of government, workers and employers have substantially increased capacity to effectively participate in labour law reform	At least 50 tripartite constituents trained on labour law reform processes	**Achieved**. Establishment and meetings of the tripartite task force on labour law reform (2 meetings October 2012 [26 participants], December 2012 [15 participants], December 2012 [16 participants]). Total number of participants: 57.
	Tripartite agreement reached on key areas for law reform	Tripartite agreement on key areas of labour law reform include protection of the right to organize and bargain collectively	**Achieved**. Following the mission of an ILO Specialist's mission to the Maldives in January 2012, the tripartite constituents agreed that the Project's technical assistance will focus on drafting a draft law on trade unions and industrial relations.

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
Output 1.2: A new legal framework drafted and discussed with the tripartite constituents	Representatives of the Government, workers and employers have substantially increased understanding of relevant international labour standards, particularly on freedom association, CB and labour law compliance	At least 20 representatives of tripartite constituents trained on relevant international labour standards	**Achieved**. Tripartite workshop on fundamental principles and rights at work conducted in October 2012. [33 participants]. TOT Training on Labour Laws and ILS for tripartite constituents conducted in March 2015. (16 participants) Introduction to the ILO normative system for tripartite constituents in May 2015. (29 participants. International Labour Standards for Judges, Lawyers and Legal Educators conducted by ITC and ILO conducted in May 2013. (17 participants) 2 LRA officials participated in Distance Training in best practice in ILS Reporting of ILO/ITC in March 2013. (2 participants) Tripartite Consultative Workshop on OSH bill conducted in December 2013. It covers ILS on OSH. (38 participants). OSH workshop for workers and employers of construction sector conducted in December 2013. It covers ILS on OSH (14 participants) Labour Inspection & Occupational Safety and Health workshop in May 2015. Includes ILS & law on OSH. (8 labour inspectors & 36 participants from enterprises. Total 44 **Total number of participants: 193**

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
	A technical memorandum on the conformity of national legislation with international labour standards drafted and discussed with tripartite constituents	One technical memorandum on the conformity of national legislation with international labour standards drafted and discussed with tripartite constituents	**Achieved.** **IR bill** Technical Memorandum on the Industrial Relations System shared with the tripartite constituents drafted and discussed with the tripartite constituents. **OSH Bill** A technical memorandum consisting of ILO technical comments on the draft OSH Bill shared & discussed with the tripartite constituents.

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
	A set of new or revised legal provisions drafted and discussed with the tripartite constituents	At least new/revised labour law provisions endorsed by tripartite constituents to improve recognition and protection of freedom of association and collective bargaining rights	**Partially achieved.** **Industrial relations Bill** Industrial relations Bill drafted in consultation with the tripartite constituents and submitted to MoYS. It includes provisions on fundamental collective rights of workers (and employers), system of registration and regulation of trade unions and employers' associations, collective bargaining, creating a system for resolving collective labour disputes, setting up a high-level tripartite council to engage in dialog on labour industrial relations issues. The NTLAC in November 2014 agreed to circulate IR Bill for comments and, provide two weeks for comments and convene a small group from NTLAC to finalize the IR draft bill. The bill is currently with the Ministry of Economic Development. **Partially Achieved.** **Amendments to the Employment Act** Review of the Employment Act conducted in January 2015. However, Amendments are not drafted **Partially Achieved.** **OSH Bill** A technical memorandum consisting of ILO technical comments on the draft OSH Bill provided and discussed in a tripartite workshop in December 2013. Following the workshop, agreement reached on the establishment of a tripartite steering committee to revise the Bill. The tripartite steering committee chaired by the Ministry of Health reviewed the Bill. The bill is currently with the Ministry of Economic Development.

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
Output 1.3: A dynamic of tripartite social dialog established through the labour law reform	A tripartite social dialog mechanism established with clear operational procedures for the discussion of the labour law reform, and if possible other labour related issues	A tripartite social dialog mechanism is established with clear operational procedures and meets regularly on all matters pertaining to labour, employment and other labour related issues	**Partially Achieved.** Tripartite Dialog Consultation meeting to discuss the issue of a tripartite labour dialog Forum was held in May 2013 (28 participants) National Tripartite Labour Advisory Council (NTLAC) established & met for the 1st time in April 2014. The Terms of References are agreed by the members and is to meet every 3 months. Issues discussed: 1st meeting held on April 2014: Draft Labour Policy, Draft Industrial Relations Bill, Draft National Human Resource & Employment Policy. 2nd meeting held on 13th Nov 2014. The following points were agreed upon: Circulate IR Bill for individual NTLAC member comments and other stake holder comments. Provide two weeks for comments. After two weeks, convene a small group from NTLAC to finalize the IR draft bill. Circulate Employment Policy paper with stakeholders for comments and share the comments with ILO for finalization and subsequently to be validated through a national level workshop. Work with ILO to make the Employment Policy Options Paper and actionable document. Follow up with ILO on seeking additional technical assistance to carry out studies on regulating foreign employment etc. Tripartite Workshop on Social Dialog held in May 2015. (16 participants)

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
		Regular meetings on matters pertaining to labour, employment and other labour related issues	**Partially Achieved.** The NTLAC is established to have meetings in every 3 months. Meetings were held on April 2014 & November 2014. Total number of Meetings: 2
Output 1.4: A needs assessment and a comprehensive strategy on awareness raising on the new laws prepared and agreed upon by the tripartite social partners	Needs assessment conducted on the new laws and agreed upon by the tripartite social partners	Needs assessment conducted	**Achieved.** Needs assessment to conduct awareness raising on the Employment Act, 2008 conducted in May 2015.
	An awareness raising strategy designed on the new laws	At least 60% of the recommendations from the needs assessment incorporated in the strategy on awareness raising	**Achieved.** Communication Strategy and Action Plan to raise awareness on the Employment Act, 2008, developed in May 2015.

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
	Representatives of trade unions employers and the Government are substantially more familiar with international labour standards and with national law of the Maldives Social partners are better equipped to reach out to their members with information on Maldives national laws, proposed new or revised provision and international labour law	At least 100 representatives of trade unions, employers and the Government received information on international labour standards and with national law of the Maldives	**Achieved**. Interactive session with members of Parliament conducted (Oct 2012). (6 MPs) Tripartite Workshop to discuss the Industrial Relations Bill conducted in December 2012. (16 participants) Training Workshop on Fundamentals of Employment Law conducted for LRA in November 2013. (15 participants) NTLAC meeting held in April 2014 included a presentation & discussion on the IR bill (7 participants) Tripartite workshop on the core conventions and ILO standards system conducted in October 2012. [33 participants]. Campaign for the ratifications developed & implemented by trade unions in October 2012 (16 participants) Employment Act Review Tripartite Consultation Workshop in January 2014 (24 participants) Introduction to the ILO Normative System for tripartite constituents in May 2015. (29 participants) International Labour Standards for Judges, Lawyers and Legal Educators conducted by ITC and ILO conducted in May 2013. (16 participants) 2 LRA officials participated in Distance Training in best practice in ILS of ILO/ITC in in March 2013 (2 participants) Labour Inspection & Occupational Safety and Health workshops in May 2015. Includes ILS & law on OSH. (8 labour inspectors & 36 participants from enterprises. Total 44 Supported trade union to train workers on national labour labour laws and ILS: (Training by TEAM in May 2015, 14 participants. Training by Maldives Ports Workers Union in June 2015, 20 participants. Total 34). **Total number of participants: 258** Communication materials printed & disseminated: 100 brochures on the ILO Declaration on Fundamental

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
Output 1.5: Ministry responsible for labour affairs supported to ensure finalization and adoption of new laws	Meetings held with other Ministries, members of Parliament and the Judiciary to facilitate the labour law reform	At least one meeting held with otherMinistries, members of Parliament and the Judiciary to facilitate the labour law reform	Meeting held with Attorney General who expressed full support to establish separate legislation for the recognition of employers and worker's associations in Oct 2012.
IO 2: A reformed labour law administration machinery at the central and selected atoll levels for a more effective provision of services, including clearer functions, working procedures and reporting systems, improved mechanisms for labour law implementation, particularly for labour inspections and dispute resolution, improving the Employment Tribunal's capacity and better co-ordination between the central, the provincial labour offices and other government agencies	A reformed labour administration system operates with modern functioning procedures and tools, and reports improvements in the delivery of its services	At least 70% of labour inspection visits conducted according to new procedures and reported to be of better quality. At least three of the recommendations of the assessment implemented and their results reported.	**Partially achieved.**
Output 2.1: An assessment of the current structure of the labour administration carried out, and an action plan agreed and implemented	Technical assessment conducted on the capacity of the labour administration	Technical assessment includes at least a review of two or more of the following topics: labour administration on organizational structure, role, scope and functions of the MHRYS, adequacy of financial and human resources, legal status of officer, enforcement mechanisms such as labour inspection and conciliation and labour justice	**Achieved**. Assessment of the Labour administration conducted in April 2012 and includes a review of: organizational structure of LA, role, scope and functions of the MHRYS, adequacy of financial and human resources, legal status of officer, enforcement mechanisms such as labour inspection and conciliation and labour justice

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
	Adoption and implementation of an action plan for the implementation of the recommendations of the assessment	An action plan including at least half of the short term and long term recommendations of the assessment implemented	**Achieved.** Adoption of a work plan for the LRA with short term, mid term and long term targets based on the recommendations of the assessment based on the assessment in 2012 [for 2012-2014] and of a corporate plan for 2014-2015 (updating the initial work plan). Most of the short term recommendations of the assessment have been implemented & corporate plan 2014-2015 implemented.
Output 2.2: Improved strategic vision of the Ministry responsible for labour affairs in the field of labour	Development of Ministry responsible for labour affairs policies on labour related issues	At least two policies developed on key portfolios/functions of the Ministry responsible for labour affairs	**Achieved.** Labour Policy and Labour Inspection strategy submitted in June 2015 to MED

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
Output 2.3: Improved internal functioning of the labour administration system	New systems and processes are in place for effective delivery of Ministry responsible for labour affairs' services throughout the archipelago	New systems include at least two of the following measures: manual, operation and/or guidelines procedures for labour inspection visits	**Achieved.** Labour Inspection forms, Compliance Order, Manual, Training Strategy, Outline of draft labour inspection annual reports, Enterprise Registration, Monthly Inspection Record Form, Complaint & Information Form, 2-year corporate plan, code of ethics for the labour inspectorate developed [2012-2014] Labour Inspection Field Guides developed in May 2015. 50 copies printed for LRA **Partially Achieved.** LRA regulations developed & shared with LRA. The regulation sets out the manner in which the work of the LRA will be carried out, the manner in which matters submitted to it shall be reviewed and deliberated, and which sets out all other matters related to the LRA and its work. The regulations cover the following issues: - The organizational structure, including divisions and subdivisions and showing the location of the LRA on the hierarchy of the MED. Includes central structures and regional structure - Management of the LRA and its functional relationship with the MED and main partners - Mandate and responsibilities, including geographical areas, sectors of economic activity and the issues or topics covered by the scope of work and jurisdiction of the LRA, at both central and regional levels. - Staffing and human resources management, including the following: - Numbers, job titles and qualification of the staff required for the optimal functioning of the LRA and each of its divisions and units. - Extent and type of training each category of the staff - The inspectors' duties, authorities and obligations. - Vertical and horizontal flow of work for the main operations, including frequency and sequential steps of planning, implementation and reporting and specifying

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
CSTI	The LRA significantly increases its capacity to sustain its own training system with access to research and support materials	Planning tools developed A career path for junior and senior labour administration officials developed Implementation of a sustainable training programme for senior and junior officials	**Achieved.** National training strategy for the labour inspectorate developed in February 2014 and implemented in June 2015. Career Path for labour officials developed in June 2015 Labour Inspections Training provided to 20 officials over 5 workshops by May 2014. Training Programme for LRA developed. It includes 15 ITC/ILO modules on labour inspections adapted and modules on Labour Dispute Prevention and Resolution and soft skills developed. The Civil Service Training Institute (CSTI) have agreed to provide the training and project provided TOT to 9 trainers of CSTI 30 copies of the training modules are printed for LRA and CSTI

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
Output 2.4: More efficient mechanisms for implementing labour law provisions	Coordination between the LRA, the Employment Tribunal and other government ministries LRA/Tribunal significantly increase its ability to resolve disputes through various approaches, such as mediation and conciliation	A strategy addressing most of the recommendations of the assessment to improve the effectiveness of labour law enforcement mechanisms implemented	**Achieved.** Assessment of the labour dispute prevention and resolution system conducted in June 2012. Assessment of the Employment Tribunal conducted & recommendations made in February 2014. Action Plan on the recommendations developed and most of it implemented by June 2015. Specialized technical and professional training to the 7 members of the Employment Tribunal and the Registrar of the Tribunal in order to enhance dispute resolution methods and improve quality of judgments provided in Feb 2014 & April 2015. Vocational (labour administration, case management, labour relation and dispute resolution) and leadership training to 12 Employment Tribunal officers and administrators provided in Feb 2014 & April 2015, & to 6 LRA officials in April 2015. Training provided on industrial relations, labour dispute prevention, and dispute resolution through conciliation/ mediation (to 10 LRA officials in 2012 and 2013, to 5 Employment Tribunal officers in 2012

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
	Employment Tribunal significantly increases its capacity to efficiently, fairly and effectively adjudicate disputes and educate litigants and the public	Employment Tribunal with the capacity to provide its services in at least pilot atolls	**Partially Achieved.** An MOU for cooperation between Employment Tribunal and Ministry of Economic Development in respect to disputes resolution issues which are not currently specifically regulated by the Employment Act finalised. It is not signed yet. **Not Achieved.** Attempt to introduce video/audio conference to conduct cases from atolls via magistrate courts failed due to budget constraints and reservations of judiciary. Tribunal Budget proposal for 2015 in this regard has been denied by Finance Ministry. Tribunal intend to propose amendment to the Employment Act with regard to access to tribunal service to atolls. (this will be initiated by AGO in 2015).
3: Independent workers' and employers' organizations with strengthened capacities to engage in sound workplace cooperation and labour- management relations, participate in social dialog, improve working conditions and enhance productivity.	Number of measures taken by social partners to improve their ability to represent their members' interests and engage in sectoral social dialog.	At least 2 measures taken by each social partner, and one sectoral bipartite mechanism established.	**Partially Achieved.**

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
Output 3.1: Bipartite structure created for sectoral social dialog	Number of employers and trade unions trained on social dialog and labour management cooperation at the sectoral level	At least 50 trade unions and employers representatives trained	**Partially Achieved.** Through Sustaining Competitive and Responsible Enterprises (SCORE) programme training provided on workplace cooperation to managers and workers from 3 enterprises. (16 participants) Tripartite Workshop on Social Dialogue, Workplace Corporation, Collective Bargaining held in May 2015. (Participants: 7 from Government, 3 from EOs, 5 from TUs. Total 15) Bi-partite Training provided on Workplace Cooperation, Managing conflict at the workplace, Negotiating Skills and Techniques, Development of a bipartite dialog Mechanism at the workplace. (Participants: 3 from EOs & 6 from TUs. Total 9) Total number of participants: 40.

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
	A capacity building plan implemented to support trade unions to represent and defend worker's interests.	Number of measures of the plan of action effectively implemented by trade unions	**Achieved.** **Trade Unions** Technical assistance for the establishment of the Maldives Trade Union Interim Council – presently called Maldives National Trade Union Council (MNTUC). Joint plan of action for trade union strengthening adopted in 2012. 6 out of 7 measures of the plan of action implemented: They are to develop trade profiles, establish alliance of trade unions and workers' association, Trade union demands for ratification of core labour standards prepared & presented to parliament, government, TU proposals for TU act prepared & consolidated, TU educators network National TU Trainers' Training & Follow up workshops at union level conducted, campaign for the ratification of core labour standards conducted. **Employers Oganisations** Effective Employers Orgnisations workshop conducted in March 2012 (7 participated). Technical Assistance provided to establish Maldives Employers Forum in February 2013.

Intervention logic (Development objective/Immediate objective/ Output)	Indicator	Target/ Benchmark	Status
	A well-functioning bipartite social dialog structure established in one or more sectors of the economy	At least one bipartite structure for social dialog established	**Not Achieved.** Enterprise Improvement Teams established. They comprised of managers and workers in 3 enterprises in SCORE programme (30 participants) Tripartite Workshop on Social Dialogue, Workplace Corporation, Collective Bargaining held in May 2015. (Participants: 7 from Government, 3 from EOs, 5 from TUs. Total 15) Bi-partite Training provided on Workplace Cooperation, Managing conflict at the workplace, Negotiating Skills and Techniques, Development of a bipartite dialog Mechanism at the workplace. (Participants: 3 from EOs & 6 from TUs. Total 9)

A.2 Project assumptions held against the standard algorithm

	Assumptions (about external factors)	Factor important?		Will the factor materialize?			Redesign possible?	
		yes	no	certainly	likely	unlikely	yes	no
1.1	MHRYS will take leadership of the process, and finalize the drafting in full consultation with the social partners.	X		X				X
1.2	Throughout the Project the MHRYS and the social partners will each be genuinely committed to the process of labour law reform, and will effectively participate in Project activities.	X				X		X
1.3	MHRYS will have the capacity to promote labour law reform within the government, and to ensure endorsement from the relevant institutions in the legislative process until new legislative texts are finally adopted by the People's Majlis.	X			X			X
1.4	The tripartite partners are committed to social dialog for the entire duration of the Project.	X				X		X
1.5	MHRYS will secure Government support for enacting a law or regulations, if needed, that govern the tripartite social dialog structure.	X		X				X
1.6	MHRYS will provide secretarial and technical support to the social dialog process.	X		X				X
1.7	Workers' and employers' organizations that will be involved in social dialog under the auspices of the Project are truly representative of segments of the Maldivian workforce.	X			X		X	

	Assumptions (about external factors)	Factor important?		Will the factor materialize?			Redesign possible?	
		yes	no	certainly	likely	unlikely	yes	no
2.1	The MHRYS will provide full support and actively participate in the assessment and restructuring process.	X		X				X
2.2	There will be strong and sustained political will from the Minister and the senior civil servants in the MHRYS for implementing the structural change agreed to.	X		X				X
2.3	The MHRYS will be allocated sufficient infrastructural resources to be able to deliver services and facilitate co-ordination throughout the Archipelago.	X				X		X
2.4	A process is set in motion in collaboration with the Civil Service Commission to tackle the human resource and capacity building implications of the new structure and related regulations.	X			X			
3.1	Throughout the Project, there will be a sustained and genuine commitment from the workers' and the employers' organizations to support the process and fully engage in project activities.	X				X		X
3.2	The tripartite partners are committed to sectoral social dialog for the duration of the Project.	X				X		X
3.3	Workers' and employers' organizations that will be involved in social dialog under the auspices of the Project are truly representative of segments of the Maldivian workforce.	X			X		X	
3.4	Employers will facilitate the participation of workers in Project training activities.	X			X			X

Observations:

All assumptions in the above table are explicitly listed in the project document which provides the basis for the implementation of the project. An assumption is an external factor upon which the project intervention (inputs, outputs, outcomes) depends for achieving success. Ideally, a project does not depend on external factors, but is able to control all important factors. When assumptions do not materialize as expected, outputs, outcomes, and impact are at risk.

The answers to the questions (boxes ticked) are suggested by the evaluator on the basis of a reconstruction of the situation at project design.

Many of the assumptions for this project, arguably, do not refer to external factors. For example, from a tripartite point of view, all tripartite stakeholders (government, employers, workers) are, by definition, internal factors for the project. Their support can normally either be taken for granted or be negotiated within the framework of the project. It can be influenced by the shape of the project (and therefore is not external).

In a country where tripartism cannot be taken for granted, however, some of these internal factors (stakeholders) may effectively become external factors. As a minimum, however, there should be no assumptions made about the partner responsible for implementation of the project, the government. The government may take the lead in changing structures in the country so they reflect tripartite principles, and as a sovereign possesses the authority to sign a project agreement on behalf of the country with the ILO and/ or other agencies.

Where the agenda of government is effectively being controlled by either employers or workers, and government does not take a neutral stance, as it appears to be the case in the Maldives, there obviously are limitations to implementing projects based on the principles of tripartism. In such cases, and especially where tripartism is not an outcome supported by government, the formulation of "initial" objectives which address currently shared concerns of both the ILO and the government may be the only approach to designing a feasible project.

Assumptions made about the participation of stakeholders unwilling to participate or even hostile to the project essentially have the character of killer assumptions (highlighted in red color in the rightmost column in the above table) which ultimately lead to project failure.

A.3 Performance Assessment Grid for Tripartite Project Evaluation -- 17 June 2015

Performance area	Score	1	2	3	4	5	6
A. Resource adequacy		0-10 No resources are measured and / or no information is available.	11-30 Resources are measured and show negative trends and / or resources do not meet relevant needs.	31-50 Resources show flat trends and / or some resource needs are met.	51-70 Resources show improving trends and / or most of the relevant needs are met.	71-90 Resources show substantial increase and / or all the relevant needs are met.	91-100 Resources are available to sustain the results achieved. All the relevant needs are met.
B. Delivery of outputs		0-10 No outputs are measured and / or no information is available.	11-30 Output delivery is measured and shows negative trends and / or outputs are not conducive to achieving outcomes.	31-50 Output delivery shows flat trends and / or some outputs are delivered.	51-70 Output delivery shows improving trends and / or most of the outputs are delivered.	71-90 Output delivery shows substantial increase and / or all relevant outputs are delivered.	91-100 Output delivery is sustainable for the period required. All the relevant outputs are delivered.

Performance area | Score	1	2	3	4	5	6
C. Use of outputs by partners/ target groups	0-10 No use of outputs is measured and / or no information is available.	11-30 Use of outputs is measured and shows negative trends and / or use of output is not relevant for achieving outcomes.	31-50 Use of outputs shows flat trends and / or some outputs are used.	51-70 Use of outputs shows improving trends and / or most of the outputs are used.	71-90 Use of outputs shows substantial increase and / or all relevant outputs are used.	91-100 Use of outputs is sustainable for the period required. All the relevant outputs are used.
D. Progress made (against outcome indicators/ milestones)	0-10 No progress is measured and / or no information is available.	11-30 Progress is measured and shows negative trends and / or progress is insufficient for achieving outcome.	31-50 Progress shows flat trends and / or some progress is made.	51-70 Progress shows improving trends and / or most of the outcome is achieved.	71-90 Substantial progress is made and / or outcome is achieved.	91-100 Outcome is sustainable for the period required. The outcome is achieved.

Performance area	Score	1	2	3	4	5	6
E. Measures to respond to emerging risks and opportunities	0-10 No measures are in place and / or no information is available.	11-30 Measures do not mitigate negative [seize positive] trends and / or measures are insufficient to respond.	31-50 Response measures mitigate negative [seize positive] trends and / or measures are responding to [seizing] some risks [opportunities].	51-70 Measures lead to improving trends and / or most of the risks [opportunities] are met with responses [seized].	71-90 Measures have substantial effect and / or all of the risks [opportunities] are met with responses [seized].	91-100 Measures are sustainable for the period required. All relevant risks [opportunities] are met with responses [seized].

A.4 Results of tripartite assessment of project performance (June 2015)

In order to establish an objective overview regarding the performance of the project, government, employer, and worker representatives as respresented in the project steering committee assessed the achievements of the project based on a quality management grid which was introduced to the stakeholders by the evaluator. The presentation of the evaluator (cf. presentation slides in Annex A.5) first reiterated the purpose of the evaluation and reminded the participants about the terminologies used in project management and how they relate to the project in order to ensure that a homgeneous understanding would form the basis of the assessment.

During the process of the assessment, the evaluator walked the participants through the outcome level of the project (where the project benefit is measured), i.e. one-by-one thru immediate objectives 1-3. Participants were asked to assign a grid rating to each of the performance areas specified. Ratings proposed by participants needed to be supported with evidence (e.g. which outputs were delivered and which not, whether they have actually been made use of, etc.). Moreover, they needed to be agreed by all tripartite stakeholders. This process, including its facilitation by the evaluator, was accepted by all stakeholders, and the discussions remained technical in nature.

The ILO project coordinator was present during the meeting and available for clarifications on the status of any project activities. However, participants generally were well informed about the status of activities (having directly participated, or otherwise benefited from them).

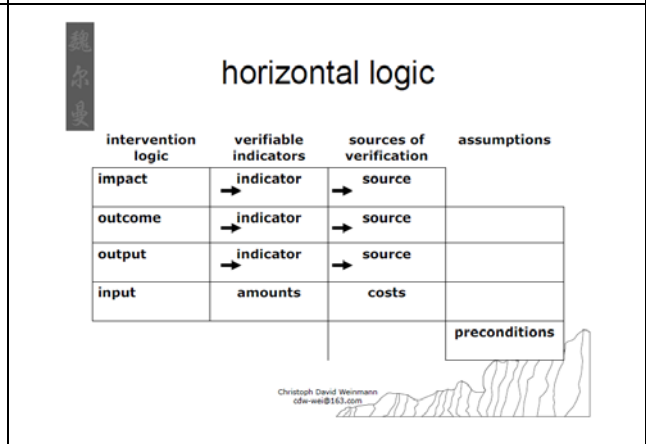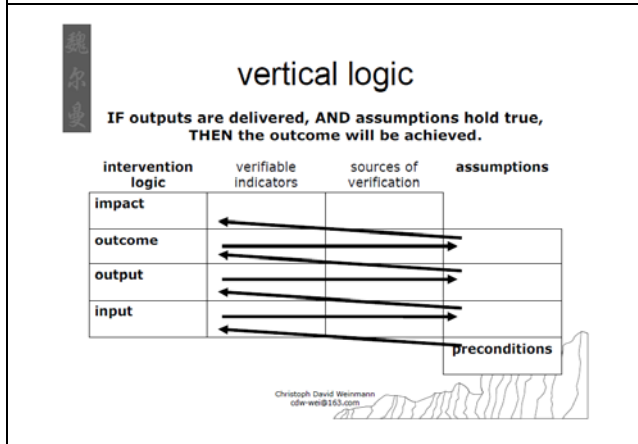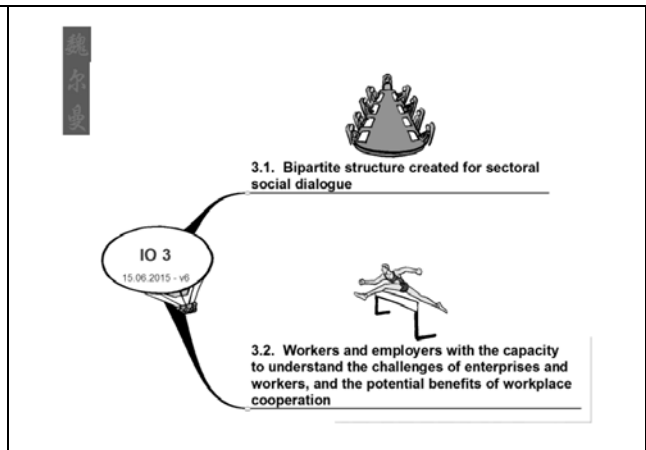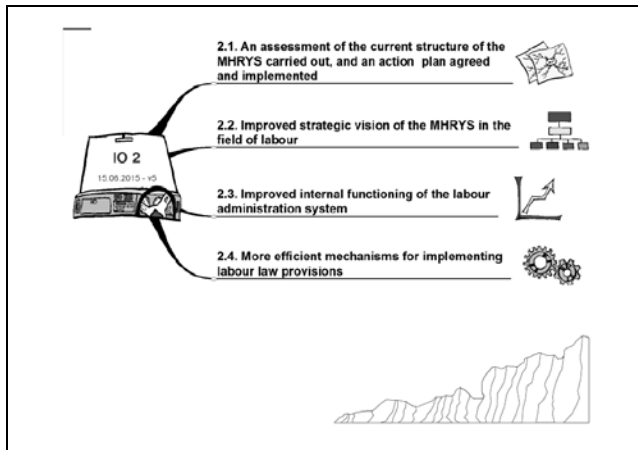| performance area	immediate objective 1	immediate objective 2	immediate objective 3
A. Resource adequacy	5	6	6
B. Delivery of outputs	3	3	2
C. Use of outputs by partners/ target groups	1	4	2
D. Progress made (against outcome indicators/ milestones)	1	2-3	2
E. Measures to respond to emerging risks and opportunities	2	2	2

T.1

The table above represents the joint assessment of all stakeholders. There were no divergent opinions (consensus on all ratings). The exact meaning of (or wording represented by) the values entered in the grid can be taken from the grid description in the preceding Annex A.3.

This type of grid assigns values according to a bell-shaped curve, implying that "excellence" and "major failures" only occur in a few cases and that "average" results are more common. High values (5,6) indicating more positive results and low values (1,2) indicating more negative results.

Clearly, the project has not suffered from a lack of funds. Results have been strongest for immediate objective 2 (building a modern labor administration) and generally weak for the immediate objectives 1 (developing and improving the legal framework) and 3 (promoting freedom of association and the right to collective bargaining, social dialog).

A.5 Workshop presentation

Slide 1

Evaluation of Project on Promoting Fundamental Rights and Strengthening Labour Market Governance in the Maldives

Debriefing
Malé, 2015-06-17

Christoph David Weinmann

Slide 2

Outline

- Recapitulating the project logic.
- Where do we measure success?
- What and how do we measure?
- Standard criteria for an evaluation.
- An assessment grid based on quality management practices.
- Joint assessment of the project.
- Lessons learned and next steps.

Slide 3

project logical structure

intervention logic	verifiable Indicators	sources of verification	assumptions
development objective (impact)			
immediate objective (outcome)			
results (output)			
activities (input)			
			preconditions

Slide 4

immediate objectives

- IO1: revised **legal framework** developed
- IO2: reformed labour law **administration machinery** at **central** and selected **provincial** offices
- IO3: independent **workers and employers organizations** with strengthened capacities

Slide 5

0   →   ↗   ↗↗   +

outcome indicators

indicator	target/ benchmark
New or revised labour law provisions on freedom of association, collective bargaining and/or labour law compliance drafted in conformity with international labour standards and in consultation with tripartite constituents	At least new/revised labour law provisions endorsed by tripartite constituents to improve recognition and protection of freedom of association and collective bargaining rights
A reformed labour administration system operates with modern functioning procedures and tools, and reports improvements in the delivery of its services	At least 70% of labour inspection visits conducted according to new procedures and reported to be of better quality. At least three of the recommendations of the assessment implemented and their results reported.
Number of measures taken by social partners to improve their ability to represent their members' interests and engage in sectoral social dialogue.	At least 2 measures taken by each social partner, and one sectoral bipartite mechanism established.

Slide 6

IO 1
15.06.2015 - v5

1.1. Agreement reached with social partners on major principles for labour law reform

1.2. A new legal framework drafted and discussed with the tripartite social partners

1.3. A dynamic of tripartite social dialogue established through the labour law reform

1.4. A needs assessment and a comprehensive strategy on awareness raising on the new laws prepared and agreed upon by the tripartite social partners

1.5. MHRYS supported to ensure finalisation and adoption of new laws

2.1. An assessment of the current structure of the MHRYS carried out, and an action plan agreed and implemented

2.2. Improved strategic vision of the MHRYS in the field of labour

2.3. Improved internal functioning of the labour administration system

2.4. More efficient mechanisms for implementing labour law provisions

IO 2
15.06.2015 - y5

3.1. Bipartite structure created for sectoral social dialogue

IO 3
15.06.2015 - v6

3.2. Workers and employers with the capacity to understand the challenges of enterprises and workers, and the potential benefits of workplace cooperation

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vertical logic

IF outputs are delivered, AND assumptions hold true, THEN the outcome will be achieved.

Christoph David Weinmann
cdw-wei@163.com

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horizontal logic

Christoph David Weinmann
cdw-wei@163.com

---

beneficiary's response

Christoph David Weinmann
cdw-wei@163.com

---

evaluation criteria

relevance ☑
effectiveness ☑
efficiency ☑
impact ☑
sustainability ☑

◆ **Relevance:** Are we doing the right thing?
◆ **Effectiveness:** Are we good at reaching our objective(s)?
◆ **Efficiency:** Are we doing things the right way? (input-output ratio)
◆ **Impact:** Did we contribute to higher-level objectives outside our immediate project environment?
◆ **Sustainability:** Will our results last beyond the project duration?

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areas to assess

performance areas
– resource adequacy
– delivery of outputs
– use of outputs by partners/ target groups
– progress made (against outcome indicators/ milestones)
– measures to respond to emerging risks and opportunities

---

quality management grid

gauge used

0 1. Not measured / no information is available.

2. Measured and showing negative trend / does not meet relevant requirements.

3. Measured and showing flat trend / some requirements are met.

4. Measured and showing improving trend / most of the relevant requirements are met.

5. Measured and showing substantial increase / all the relevant requirements are met.

\+ 6. Measured and available to sustain the results achieved. All the relevant requirements are met.

results of joint assessment of project performance by tripartite stakeholders

performance area	immediate objective 1	immediate objective 2	immediate objective 3
A. Resource adequacy	5	6	6
B. Delivery of outputs	3	3	2
C. Use of outputs by partners/ target groups	1	4	2
D. Progress made (against outcome indicators/ milestones)	1	2-3	2
E. Measures to respond to emerging risks and opportunities	2	2	2

Thank you for your interest

For further questions and follow-up

Christoph David Weinmann

cdw-wei@163.com

Christoph David Weinmann
cdw-wei@163.com

ILO Lesson Learned Template

Project Title: **Project on Promoting Fundamental Rights and Strengthening Labour Market Governance in the Maldives**

Project TC/SYMBOL: **MDV/10/01/USA**

Name of Evaluator: *Christoph David Weinmann*

Date: September 2015

The following lesson learned has been identified during the course of the evaluation. Further text explaining the lesson may be included in the full evaluation report.

LL Element 1	Text
Brief description of lesson learned (link to specific action or task)	Assumptions regarding activities, results, and outcomes must be carefully reviewed or even tested before a project is approved. When designing any type of project, we are usually making assumptions regarding factors external to the project. "All things equal", our project will achieve its objectives. Most of us have become very capable of spelling out assumptions, but we may need to do more in order to review and test them before we approve a project. We also need to monitor them as much during implementation as we are monitoring our activities. Untested assumptions constitute a flaw in project design which is to be avoided. Where a project is approved despite dependence on important assumptions, these need to be monitored and strategies need to be drawn up early how to continue "if the wind changes".
Context and any related preconditions	The only preconditions for a proper review or testing of assumptions is knowledge of the way a logframe is being constructed and understanding its hierarchy. Where the effect of important assumptions on the project is unclear, additional research and consultation may be necessary. Usually, they require knowledge of the specific context of the project and are project specific.
Targeted users / Beneficiaries	**Assumptions may exist at all levels of the logframe. Therefore, they also exist at the level of users and beneficiaries. For example, we may make assumptions about the behavior of users and beneficiaries when designing services for them and then be surprised if they do not adopt the services because we made the wrong assumptions.**
Challenges /negative lessons - Causal factors	Both Enthusiasm and effective lack of time may lead to projects being approved although important assumptions do not hold. If you are willing to take a risk, do take it. But make sure that you have a Plan B to pull out from your drawer and do not be carried away by enthusiasm.

Success / Positive Issues - Causal factors	
ILO Administrative Issues (staff, resources, design, implementation)	Staff should have proper training in logframe analysis so they know what to look for when testing the logframe against assumptions. There is a standard algorithm that can serve as a basis for assessing assumptions. This should be available to every planner, and must be adhered to by project appraisal teams.

LL Element 2   Text

Brief description of lesson learned (link to specific action or task)	When attempting to introduce major changes in socio-political and legal systems, do not forget about the time factor. A project time frame of 3-4 years (often resulting from medium-term expenditure planning) is usually insufficient to change systems even in a friendly environment. It is not unusual for major institutional changes to take at least 7-10 years.
Context and any related preconditions	There are no preconditions for sound analysis at the outset of a project, and ILO usually invests sufficient resources in analyzing the context before launching a project.
Targeted users / Beneficiaries	It is important to remember that the delivery of outputs may not be sufficient to achieve project outcomes. This requires, as an intermediate step, use of outputs by targeted users or beneficiaries. This step alone, from outputs to use of outputs, often requires considerable amounts of time.

Challenges /negative lessons - Causal factors	The project underestimated the amount of time required to achieve outcomes by assuming that the introduction of legal system changes, development of proper procedures, and training would be sufficient to fundamentally change adminstrative practice. It underestimated the general inertia of the political and administrative systems and did not fully appreciate to which extent conflicting relationships would be able to delay implementation.
Success / Positive Issues - Causal factors	
ILO Administrative Issues (staff, resources, design, implementation)	Planners need to make sure that time frames are sufficient for achieving the intended outcomes. This not only includes assessing the specific operational context of the project, but also the magnitude of the changes intended in the specific political and socio-cultural setting.

Where required time frames are relatively long and specific donor support is not available for longer periods than 3-4 years, securing additional funding from other sources to continue the work should be part of the tasks to be accomplished by the project team and the responsible ILO offices, in coordination with ILO Geneva. |
LL Element 3	**Text**
Brief description of lesson learned (link to specific action or task)	For all ILO projects, effectiveness of management arrangements can be significantly enhanced by verifying the concrete availability of specialists to directly contribute to projects during the project planning stage, and obtaining commitments for participation prior to the launch of the project. This will ensure that funding for external collaborators is available to take on tasks that cannot be delivered by the specialists.
Context and any related preconditions	Proper coordination between different ILO units may be a precondition for ensuring the joint management of human resources. Awareness of project planners right from the project planning stage should go a long way in solving such problems, by reviewing staff availability beforehand.

Targeted users / Beneficiaries	
Challenges /negative lessons - Causal factors	Contributions by specialists from different ILO offices around the globe at times seem to be taken for granted. However, these resources are limited, and they are difficult to substitute for at short notice if specialists are blocked by other tasks or move on to new posts. One project incurred significant delays because of unavailabilities that have made a difference for achieving results as early as possible, with some knock-on effects for achieving objectives before project end.
Success / Positive Issues - Causal factors	
ILO Administrative Issues (staff, resources, design, implementation)	Possibly, introduce an obligatory check for human resource availability prior to project approval. Where specialists are assumed to be available for too many projects, self-assessment may be required. It is important for ILO specialists to make sure they do not overstretch (personal responsibility).

A.7 List of persons met

(by order of organizational affiliation and function; ☎,⌨ indicate other than face-to-face contacts)

Name	Organization	Function
International Labour Organization		
Li, Donglin	ILO Country Office for Sri Lanka and the Maldives	Director
Tudawe, Indra	ILO Country Office for Sri Lanka and the Maldives	Senior Programme Officer
Seneviratne, Asitha	ILO Country Office for Sri Lanka and the Maldives	Programme Assistant
Abdul Rahman, Shahida	Project on Project on Promoting Fundamental Rights and Strengthening Labour Market Governance in the Maldives	National Project Coordinator
Staermose, Tine [☎]	ILO	Special Adviser on Labour Market Institutions and Governance (for Sandra Polaski)
Torres, Katherine [☎]	ILO Fundamental Rights Branch	Senior Technical Officer
Fenwick, Colin [☎]	ILO Labour Law and Reform Unit	Head
Issa, Wael [☎/⌨]	ILO #	
Kompier, Coen [☎]	ILO Decent Work Team for South Asia	Specialist on International Labour Standards
Verick, Sher Singh	ILO Decent Work Team for South Asia	Senior Specialist on Employment
Al-Wreidat, Amin [☎]	ILO Decent Work Team for South Asia	Specialist on Occupational Safety and Health
Dasanayaka, Gotabaya [☎]	ILO Decent Work Team for South Asia	Senior Specialist on Employers Activities (retired)
Government and social partners, project counterparts		
Saeed, Mohamed	Ministry of Economic Development	Minister

Name	Organization	Function
Riza, Yusuf	Ministry of Economic Development	Permanent Secretary
Mohamed, Abdul Lateef	Ministry of Economic Development	Minister of State for Economic Development
Sharif, Mohamed Mahid	Ministry of Youth and Sports	Permanent Secretary
Ismail, Idrees	Employment Tribunal	President
Ali, Abdullah	Employment Tribunal	Vice President
Haneef, Aliya	Employment Tribunal	Registrar
Ahmed, Aishath Nafa	Labor Relations Authority	Assistant Director
Shareef, Ali	Labor Relations Authority	Asst. Inspection Officer
Mohamed, Shaneez	Labor Relations Authority	Asst. Inspection Officer
Warudhy, Moosa	Labor Relations Authority	Asst. Inspection Officer
Mariyam Rafeega	Labor Relations Authority	Asst. Investigation Officer
Ahmed, Nathasha	Labor Relations Authority	Asst. Inspection Officer
Haleem, Adnan	Maldives Association of Construction Industry Maldives Employers' Forum	Vice President Secretary General
Zakir, Mauroof	Tourism Employees Association of Maldives	General Secretary
Khalid, Mohamed	Tourism Employees Association of Maldives	EXCO Member
Khaleel, Ibrahim	Maldives Ports Workers Union	President
Jaleel, Mohamed	Labour Union	President
Siraj, Hussain	independent/ freelance	Legal consultant
Mirshan, Ahmed	Housing Development Corporation	Director Human Resources (SCORES trainee)
Nazima, Mariyam	independent/ freelance	Trainer
Aroosha, Aminath	Customs Service	former employee of LRA
Donors and development partners		
Jeffrey S. Wheeler [☎]	US Department of Labor, Bureau of International Labor Affairs	International Relations Officer

Name	Organization	Function
Keith L. Goddard [☎]	US Department of Labor, Bureau of International Labor Affairs	International Relations Officer
Billings, Alexander	International Organization for Migration	Project Manager
Thoha, Nasheeth	United Nations Development Programme	Assistant Resident Representative
Shafeeq, Aminath Inasha	World Bank Group Country Management Unit	Operations Analyst
Redaelli, Silvia	World Bank Group South Asia	Senior Economist

A.8 References

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Summary of meetings held by Gotabaya Dasanayaka, ILO senior Specialist , Employers Activities for South Asia, New Delhi office (GD), with Maldivian Employer Organisation representatives on 31st March & 1st April 2013.

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Maldives Mission   Report 24th -26th February 2015- Ms Pramo Weerasekera ILO Office Sri Lanka and Maldives.

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LS mission report Maldives, Male, 22 – 29 May 2015, Coen Kompier, ILS specialist DWT South Asia

Training on Social Dialog, Workplace Cooperation, Collective Bargaining & Negotiation Skills. Kanishka Weerasinghe and T.M.R.Rasseedin 23 March 2015

Career Structure for Labor Relation Officers. Ahmed Mirshan 6-14-2015.

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Mariyam Nazima. Report on Training of Trainers Programme on Labour Inspection, Dispute Prevention and Resolution.

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Labour Inspection Strategy for the Maldives.

Action Plan on the Recommendations of the Commissioner Julius Roe, Fair Work Commission Australia on Labour Dispute Prevention and Resolution 2014-2015.

Employment Act - Communication Plan Schedule.

A. Shifaya Ibrahim. FIRST DRAFT. WORKPLACE HEALTH & SAFETY REGULATION – MALDIVES.

A.9 Itinerary

11th June (Thursday)	
	Arrival in Sri Lanka **(flight details to be include)** **Check-in to Hotel –**
12th June (Friday)	
10:00 am – 12:30 pm	Meeting with **Asitha** **Venue:** ILO conference room
12:30 pm – 13:30 pm	**Lunch by Donglin**
14:00 pm – 15:00 pm	Meeting with **Donglin,** **Venue:** Directors Office **(Confirmed)** (Indra and Asitha join)
15:30 pm – 16:30 pm	**Meeting with Mr: Peter Zirnite, Economic Officer,** **Venue:** US Embassy, Colombo **(Tentatively)** (Asitha join)
13th June (Saturday)	
	Arrival in Maldives **(flight details to be include)** **Check-in to Hotel –**
14th June (Sunday)	
08:45 am -10:15 am	Meeting with **Shahida (National Project Coordinator)** **Venue:** Project Office, Ministry of Economic Development (MED) 3rd Floor, (Waterfront), Boduthakurufaanu Magu **(Confirmed)** (Shahida join)
10:30 am – 11:00 am	**Meeting with Labour Inspectors**, **Venue:** Labour Relations Authority (LRA), Haveeree Higun **(Confirmed) (Shahida join)**
11:15 am – 12:45 am	Meeting with **Mr: Idrees Ismail, President of the Employment Tribunal (ET)**, **Venue: ET** **(Confirmed)** (Shahida join)
12:45 pm – 13:45 pm	**Lunch**
14:00 pm – 15:30 pm	Meeting with **Mr: Yoosuf Riza, Permanent Secretary**, **Venue:** MED, Velaanaage 11th Floor, Henveiru, Ameeru Ahmed Magu **(Tentatively)** (Shahida join)
15:30 pm – 16:30 pm	
15th June, Monday	
08:30 am -10:00 am	Meeting with **Mr. Mahid Shareef, Former Chairperson** (January 2012 – March 2014)**, Project Advisory Committee (PAC),** **Venue:** Ministry of Youth and Sports, 3rd Floor, Velaanaage 3rd Floor, Henveiru, Ameeru Ahmed Magu **(Tentatively) (Shahida join)**

10:15 am – 11:45 am	**Courtesy Call to Hon: Mohamed Saeed, Minister of Economic Development,** **Venue:** MED, Velaanaage 11th Floor, Henveiru, Ameeru Ahmed Magu **(Tentatively) (Shahida join)**
12:00 pm – 13:30 pm	**Lunch**
14:15 pm- 15:15 pm	Meeting with **Maldives Association of Tourism Industry (MATI),** **Venue:** MATI **(Tentatively)** (Shahida join)
15:30 pm – 17:00 pm	
16th June (Tuesday)	
9:00 am – 10:00 am	
10:45 am- 12:15 am	Meeting with **Ms: Aishath Nafa Ahmed, Assistant Director (OIC, LRA)** **Venue:** LRA **(Tentatively)** (Shahida join)
12:30 pm – 13:30 pm	**Lunch**
13:45 pm – 15:15 pm	Meeting with the **Maldives Employers Forum** **Venue: Maldives Association of Construction Industry (MACI)** **(Tentatively) (Shahida join)**
15:30 pm – 17: 00 pm	Meeting with **Maldives National Trade Union Congress** **Venue:** Project Office, Ministry of Economic Development (MED) 3rd Floor, (Waterfront), Boduthakurufaanu Magu **(Confirmed) (Shahida join)**
17th June (Wednesday)	
10:00 am – 12:00 am	**Debrief with the stakeholders (PAC members) ,** **Venue:** MED, Velaanaage 11th Floor, Henveiru, Ameeru Ahmed Magu **(Tentatively)** (Shahida, Riyaz join)
12:30 pm – 13:30 pm	**Lunch**
13:30 pm – 15:00 pm	
18th June (Thursday)	
	Depart Maldives **Flight details to be include**

A.10 Terms of reference

Terms of Reference (draft as of May 19, 2015)

Independent Final Evaluation

Promoting Fundamental Rights and Strengthening Labour Market

Governance in the Maldives

Project title	**Promoting Fundamental Principles and Rights at Work Project in Maldives**
TC Code	**MDV/10/01/USA**
Donor	**US Department of Labour**
Total budget	**US$ 640,000**
ILO Administrative Unit	**CO-Colombo**
ILO Technical Unit	**Fundamental Principles and Rights at Work, Labour Law, Labour Administration and Social Dialog**
Evaluation date and the field work dates	**April –June 2015**
Evaluation Manager	**Rakawin Leechanavanichpan**
TOR preparation's date	**15 April 2015**

1) Background and Justification:

1.1) Introduction and Rational

This term of reference covers the final evaluation of the project. The project is implemented by ILO and funded by the United State Department of Labour (USDOL). In December 2010, USDOL and the ILO signed a cooperation agreement in which USDOL provided USD 640,000 to the ILO to implement the project Promoting Fundamental Principles and Rights at Work in Maldives. Following one no cost extensions, in December 2014, the project will close at the end of June 2015. As stated in the project document, the ILO is to conduct a final independent evaluation to notably assess project's effectiveness, impact and sustainability and identify lessons learned.

1.2) Project context

The Republic of Maldives is an island nation in the Indian Ocean composed of 26 atolls. Despite the dispersion of land, small population and limited resources, Maldives has achieved remarkable economic progress over the last two decades with an average growth rate of 6.6 per cent from 1992 to 2014. The economic success was largely driven by its booming tourism industry which is 28.7% (2013) of Total GDP,

and other related industries including construction, transportation, telecommunication and distribution.

Economic development has improved social development. Extreme poverty (US$1.25 a day) declined from 12 per cent in 2003 to 8 per cent in 2010. In 2011 Maldives became a middle-income country.

Maldives became an ILO Member State in 2009 and ratified the eight ILO fundamental Conventions on 4 January 2013, including Convention No. 87 and Convention No.98 promoting freedom of association and collective bargaining (FoACB) rights.

Though Maldives has made great strides in raising incomes, tackling poverty and improving human and social development, a number of critical challenges remain.

In particular, political instability in the country slows the democratic reform process. For instance, in September 2013, Presidential elections were cancelled by the Supreme Court and the holding of new elections took several months. Following these elections, it was unclear under the authority of which Ministry would labour issues fall. After, several ministerial changes the Labour portfolio was allocated to the Ministry of Economic Development (MED) in mid-2014. Following the allocation of the Labour Portfolio to MED, the Labour Relations Authority (LRA) was also put under the authority of MED.

Trade unions capacity is weak and some union members reported that they have been threatened of sanctions and dismissals by management for involvement in project activities.

1.3) The FPRW project in Maldives

Immediate objective/ Output/
IO 1: A revised legal framework is developed that implements international labour standards, protects fundamental labour rights, in particular freedom of association and collective bargaining, establishes dispute resolution mechanisms, defines the right to strike and promotes labour-management cooperation.
Output 1.1: Agreement reached with tripartite constituents on major principles for labour law reform
Output 1.2: A new legal framework drafted and discussed with the tripartite constituents
Output 1.3: A dynamic of tripartite social dialog established through the labour law reform
Output 1.4: A needs assessment and a comprehensive strategy on awareness raising on the new laws prepared and agreed upon by the tripartite social partners
Output 1.5: MHRYS supported to ensure finalization and adoption of new laws
IO 2: A reformed labour law administration machinery at the central and selected atoll levels for a more effective provision of services, including clearer functions, working procedures and reporting systems, improved mechanisms for labour law implementation, particularly for labour inspections and dispute resolution, improving the Employment Tribunal's capacity and better co-ordination between the central, the provincial labour offices and other government agencies
Output 2.1: An assessment of the current structure of the labour administration carried out, and an action plan agreed and implemented
Output 2.2: Improved strategic vision of the MHRYS in the field of labour

Output 2.3: Improved internal functioning of the labour administration system
Output 2.4: More efficient mechanisms for implementing labour law provisions
IO 3: Independent workers' and employers' organizations with strengthened capacities to engage in sound workplace cooperation and labour- management relations, participate in social dialog, improve working conditions and enhance productivity.
Output 3.1: Bipartite structure created for sectoral social dialog
Output 3.2: Workers' and employers with the capacity to understand the challenges of enterprises and workers, and the potential benefits of workplace cooperation

The project was designed following consultations with the tripartite constituents on the main challenges and opportunities to improve the application of fundamental principles and rights at work in the country conducted early 2011. It was first agreed that the Government of Maldives needed assistance to develop strong, independent and widely-respected legal institutions to continue the country's transition to multi-party democracy (IO1). It was then agreed to support the Government to build a modern labour administration to make the law effective in practice (IO 2). Finally, it was agreed to promote sound industrial relations by building the capacity of tripartite constituents to engage in effective social dialog, as a stepping stone to the development of mature industrial relations in the Maldives (IO 3).

The FPRW strategy was designed to achieve a number of outputs aligned with each objectives as outlined in the table below.

The first objective of the project aims to support the revision of the legal framework, to better respect international labour standards and promote fundamental labour rights, with a particular focus on freedom of association and collective bargaining rights. In this respect, the project supports a participative approach promoting social dialog to reach common agreements on the content of the new draft laws.

The second objective of the project aims to assist the reform of the labour law administration machinery at the central and selected atoll levels for a more effective provision of services, including clearer functions, working procedures and reporting systems, improved mechanisms for labour law implementation, particularly for labour inspections and dispute resolution, improving the Employment Tribunal's capacity and better co-ordination between the central, the provincial labour offices and other government agencies.

The third objective of the project aims to strengthen the capacity of workers' and employers' organizations for them to engage in sound workplace cooperation and labour management relations, participate in social dialog and enhance productivity.

2) Management Structure of the Project:

The Project is managed by a nationally recruited National Project Coordinator (NPC). The NPC is responsible for administrative, operational, and technical supervision, as well as for the implementation of different Project interventions.

The NPC reports to the Director of the ILO Office for Sri Lanka and the Maldives located in Colombo. Backstopping support is provided by the FUNDAMENTALS Branch of the Governance Department in HQ. Regular technical support is provided by (i) the Specialists in the Decent Work Team for South Asia; and (ii) relevant HQ technical units, in particular Dialog, LABADMIN/OSH, NORMES, ACTEMP and ACTRAV.

3) Purpose, scope and clients of the evaluation

As per ILO evaluation policy and USDOL Management Procedure Guidelines, OTLA-funded projects are subject to independent final evaluations. The final evaluation of the FPRW is due in May/June 2015.

Purposes:-

The purposes of this final evaluation are to fulfil the accountability to the donor, to serve as internal organizational learning and for improvement of similar projects in the future. The evaluation will assess the extent to which the project objectives have been achieved as per project logical framework, and whether the extent to which the project partners and beneficiaries have benefited from the project and the effectiveness and efficiency of the implementation. The evaluation also aims to identify lessons learnt and possible good practices. The evaluation should provide concrete recommendations that can be follow up by key constituents and also ILO.

Scope: -

The overall purpose of this final evaluation is to ascertain what the project has or has not achieved; how it has been implemented; how it is perceived and valued by target groups and stakeholders; whether expected results are occurring (or have occurred) based on performance data; the appropriateness of the project design; and the effectiveness of the project's management structure. In addition, the evaluation aims to describe practices that can and should be replicated; and identify those factors that enable the sustainability of the interventions undertaken during the project. Finally, the evaluation will investigate how well the project team managed project activities and whether it had in place the tools necessary to ensure achievement of the outputs and objectives.

Specific Focus: The project should assess the potential for the sustainability of project interventions. The evaluator should be able to recommend best strategies and activities to accomplishments of the project and ensure their sustainability beyond the project's implementation period.

Intended Users:

The primary stakeholders of the evaluation are project management, ILO (ILO CO-Colombo, DWT India, ROAP and FUNDAMENTALS Branch at HQ), the Government of the Maldives and USDOL. The ILO, the tripartite constituents and other parties involved in the execution of the project would use, as appropriate, the evaluation findings and lessons learned. The evaluations findings, conclusions and

recommendations will also serve to inform stakeholders in the design and implementation of subsequent projects in the country and elsewhere as appropriate.

4) Evaluation criteria and questions

The evaluation should address the overall ILO evaluation concerns such as relevance, effectiveness, efficiency, sustainability and impact as defined in the ILO Policy Guidelines for results-based evaluation, 2012 (http://www.ilo.org/eval/Evaluationguidance/WCMS_176814/lang--en/index.htm). The planned evaluation will include similar questions.

The following OECD/DAC evaluation criteria will be applied.

- Relevance and strategic fit of the project;
- Validity of the project design;
- Project effectiveness;
- Efficiency of resource use;
- Sustainability of project achievements/results;
- Impact orientation;

These criteria are explained in detail below by addressing their associated questions. In addition the evaluation is expected to be based on the following principles:

- Application of result-based management;
- Gender equality;
- Adoption of human rights-based approach;
- Capacity development;
- Environmental sustainability;

Gender equality, along with development, has been identified by the ILO as a cross-cutting issue of the strategic objectives of its global agenda of Decent Work. To the extent possible, data collection and analysis will be disaggregated by gender as described in the ILO Evaluation Policy Guidelines and relevant Guidance Notes.

The above gender concerned and the following two questions that should be taken into consideration throughout the findings, observations, conclusions and recommendations.

Evaluation Question

The key evaluation questions will synthesis on the basis of following two questions.

- What lessons learnt and good practices from the project can be applied to similar future projects in Maldives?

- What should have been different, and could have been avoided?

The evaluator may adapt the evaluation criteria and questions, but any fundamental changes should be agreed between the evaluation manager and the evaluator, and reflected in the inception report.

Validity of the project design

- To what extent was the project design logical and coherent? Were the objectives/outcomes, targets and timing clearly established and realistically set? Was this objective realistic and valid?

- How appropriate and useful are the indicators described in the project document and other adjustments made after in assessing the project's progress? Is the project's performance monitoring plan practical, useful, and sufficient for measuring progress toward achieving project objectives? How is the gathered data used? How could it be used better?

Relevance and strategic fit

- To what extent were the project's immediate objectives consistent with the needs of the key stakeholders including workers, employers, labor ministry officials in charge of labor inspections, worker and employer organizations, Were appropriate needs assessments or diagnostics conducted at the inception of the project? Have the needs of these stakeholders changed since the beginning of the project in ways that affect the relevance of the program?

- Was there tripartite agreement on the changes needed to bring labor law into full compliance with ILO principles of freedom of association and the right to collective bargaining? How collaborative or inclusive was the process?

Project progress and effectiveness

- Have project objectives been achieved and outputs produced according to plan? If not, what have been the obstacles to achievement?

- How effectively has the project engaged stakeholders in project implementation? How effective has the project been in establishing national ownership? What is the level of commitment of the government, the workers' and employers' organizations to, and support for, the project?

- Are there external factors influencing the delivery of project services?

- What are the challenges to workers' participation, and how might they be overcome as the project transitions into its sustainability and exit strategy phase? What was the nature of training received and what evidence is there that it has been effectively applied? Were the training services provided relevant? What are the areas for improvement?

Efficiency of resource use

- Have resources (funds, human resources, time, expertise, etc.) been allocated strategically and

efficiently to achieve outcomes? How might they have been allocated more effectively?

Effectiveness of management arrangements

- Was the project adequately staffed? What are the key strengths of the technical team responsible for the project's interventions? What are the areas for improvement?

- To what extent did management capacities and arrangements put in place support the achievement of results?

- Did the project governance and management facilitate good results and efficient implementation?

Impact orientation and sustainability, including effectiveness of stakeholder engagement

- What was the nature of the commitment from national stakeholders, including the Government of Maldives, the labour movement, and the private sector? What are opportunities for greater engagement?

- Has the project communicated effectively with national stakeholders? Do the stakeholders feel that their concerns have been sufficiently addressed?

- How the project ownership drives to the sustainability of project? and at what level stakeholders shows the ownership of the project

Gender:

- Has the project integrated gender equality as a cross-cutting concern throughout its methodology and all deliverables, including the final report?

International Labour Standards

- To what extend has the project promoted the ratification and implementation of ILO core labour standards in Maldives?

Social Dialog

- To what extend has the project promoted tripartite and/or bipartite social dialog in the Maldives?

Labour administration

- To what extend has the project participated in the improvement of the labour administration machinery of the Maldives?

Trade unions

- To what extend has the project supported trade unions to better defend freedom of association and collective bargaining rights in the country?

5) Evaluation Methodology

The evaluation will comply with evaluation norms and standards and follow ethical safeguards, all as specified in ILO's evaluation procedures. The ILO adheres to the United Nations system evaluation norms and standards as well as to the OECD/DAC Evaluation Quality Standards.

In order to enhance usefulness and impartiality of the evaluation, evidence-based approach to evaluation will be adopted. A combination of tools and methods will be used to collect relevant evidences. Adequate time will be allocated to plan for critical reflection processes and to analyse data and information. The methodology for collection of evidences will include:

- Review of documents related to the project, including the initial project document, progress reports, technical assessments and reports, project monitoring plan.
- Review other relevant documents in Maldives context related to FPRW.
- Conduct an evaluation field mission which will be qualitative and participatory in nature. Qualitative information will be obtained through field visits, interviews and focus groups as appropriate. Opinions coming from stakeholders will improve and clarify the use of quantitative analysis. The participatory nature of the evaluation will contribute to the sense of ownership among stakeholders.
- Gather relevant quantitative data which may be drawn from project documents including the Technical Progress Reports (TPRs) and other reports to the extent that it is available. For those indicators where the project is experiencing challenges, a brief analysis will be included in the results.
- At the completion of the field mission, a meeting will be organized by the Project for the evaluator to share the preliminary findings with stakeholders (to validate the preliminary findings)
- Ensure a pro-active and consultation with and participation of the key stakeholders in the evaluation process is implemented throughout the evaluation process (draft TOR and draft report will be shared with key stakeholders for inputs, stakeholders will actively participate in the stakeholders workshop)
- The draft terms of reference for the evaluation and a draft evaluation report will be shared with relevant stakeholders
- Methods of data collection and stakeholder perspectives will be triangulated to the greatest extent possible.

Interviews: Interviews will be held with as many project stakeholders as possible. Technically, stakeholders are all those who have an interest in a project, for example, as implementers, direct and indirect beneficiaries, employers' and workers' organization representatives, community leaders, donors, and government officials. For the Maldives project, this includes but is not limited to the following groups:

- ILO/FUNDAMENTALS staff and other relevant HQ staff

- ILO Project Staff working in Maldives

- Director and relevant officials of the ILO Colombo Office

- Selected individuals from the following project's beneficiaries or partners group in Maldives :
    - Relevant staff from the Government
    - Relevant representatives from employers' and workers' organizations
    - Employers and workers trained or assisted by the project.

USDOL and US Embassy in Sri Lanka Depending on the circumstances, these meetings will be one-on-one or group interviews. The exact itinerary will be determined based on scheduling and availability of interviewees. Meetings will be scheduled in advance of the field visit by the project staff, coordinated by the designated project staff, in accordance with the evaluator's requests and consistent with these terms of reference. The evaluator should conduct interviews with beneficiaries and stakeholders without the participation of any project staff.

Field Visits: The evaluator will visit the country and meet with key stakeholders. During the visits, the evaluator will observe the activities and outputs developed by the project. Meetings will be scheduled in advance of the field visits by the ILO project staff, in accordance with the evaluator's requests and consistent with these terms of reference.

Stakeholders Meeting: The stakeholder workshop will take place towards the mid of June 2015. This meeting will be conducted by the evaluator to provide feedback on and validate initial evaluation results. It will bring together a wide range of stakeholders, including the implementing partners and other interested parties. The agenda of the meeting will be determined by the evaluator in consultation with project staff. The list of participants to be invited will be drafted prior to the evaluator's visit and confirmed in consultation with project staff during fieldwork. The exact program for the workshop will be decided jointly with the project staff during the first week of the evaluation.

Time Frame

Task	Responsible person	Time frame
Preparation of the TOR –draft	Evaluation Manager	5th May 2015
Preparation of list of stakeholders with E-mail addresses	Project Manager	5th May 2015
Sharing the TOR with all concerned for comments/inputs	Project Manager Evaluation Manager	13th May 2015
Finalization of the TOR	Evaluation Manager	21th May 2015
Approval of the TOR	Evaluation Office	22th May 2015
Selection of consultant and finalisation	Evaluation Manager/ Evaluation Office	25th May 2015

Task	Responsible person	Time frame
Draft mission itinerary for the evaluator and the list of key stakeholders to be interviewed	Project Manager	26th May 2015
Ex-col contract based on the TOR prepared/signed	Project Manager /ILO Director, CO-Colombo	29th May 2015
Brief evaluator on ILO evaluation policy	Evaluation Manager	2nd June 2015
Inception report submitted to Evaluation Manager	Evaluators	5th June 2015
Evaluation Mission	Evaluators	8-16th June 2015
Draft report submitted to Evaluation Manager	Evaluators	21 June 2015
Sharing the draft report to all concerned for comments including EVAL	Evaluation Manager	22 June 2015
Consolidated comments on the draft report, send to the evaluator	Evaluation Manager	25 June 2015
Finalisation of the report and submission to Evaluation Manager	Evaluator	26 June 2015
Review of the final report	Evaluation Manager	27 June 2015
Submission of the final report to EVAL	Evaluation Manager	27 June 2015
Approval of the final evaluation report	Evaluation Office	30 June 2015

6) Deliverables

The evaluator will provide:

1. A short inception report, including the work plan and details on methods, data sources, interviews, participatory methodologies, draft mission schedule and draft report format. This report should also provide a review of the available documents. It should set out the evaluation instruments (which include the key questions, participatory workshop and data gathering/and analysis methods) and any changes proposed to the methodology or any other issues of importance.
2. A power-point presentation on the preliminary findings of the evaluation mission at a stakeholders' meeting to be held at the end of the evaluation mission, for the purpose of providing the project's stakeholders a chance to jointly assess the adequacy of the findings and emerging recommendations as well as recommend areas for further considerations by the evaluators.
3. A draft evaluation report of approximately 30 pages, excluding annexes. It will contain an executive summary, a section with project achievements to date, findings and

recommendations for short and medium term action. The report should be set-up in line with the ILO's 'Quality Checklists 4 and 5' for Evaluation Reports which will be provided to the evaluator.

4. A final evaluation report, which integrates comments from ILO and project stakeholders. The evaluation summary according to ILO template will also be drafted by the evaluator together with the finalised evaluation report.

The evaluation report should include

- Title page (**standard ILO template)**
- Table of contents
- Executive summary (**standard ILO template**)
- Acronyms
- Background and project description
- Purpose of evaluation
- Evaluation methodology and evaluation questions
- Project status and findings by outcome and overall
- Conclusions and recommendations
- Lessons learnt and potential good practices (**please provide also template annex as per ILO guidelines on Evaluation lessons learnt and good practices**) and models of intervention
- Annexes (list of interviews, overview of meetings, proceedings stakeholder meetings, other relevant information)

The deliverables will be circulated to stakeholders by the evaluation manager and technical clearance for the deliverables will come from the evaluation manager. The evaluation report will be in English.

All draft and final outputs, including supporting documents, analytical reports and raw data should be provided in electronic version compatible with WORD for Windows. Ownership of the data from the evaluation rests with the ILO. The copyright of the evaluation report will rest exclusively with the ILO.

Use of the data for publication and other presentation can only be made with notification and agreement by the ILO. Key stakeholders can make appropriate use of the evaluation report in line with the original purpose with appropriate acknowledgement.

6) Management arrangement and work plan

The evaluation will be funded from the project budget. The evaluation is being managed by Ms Rakawin Leechanavanichpan based at the ILO Regional Office in Bangkok. She will be in charge of developing the evaluation ToR, the selection of the consultants in consultation with ILO's Monitoring and Evaluation Officer and Evaluation Office (EVAL) who will provide quality assurance to the evaluation process.

An independent evaluator for the final evaluation

The international evaluator will be recruited to conduct this final independent evaluation and to deliver the outputs required as per this TOR. The evaluator will report to the evaluation manager. The evaluator will be responsible for refining the proposed methodology in consultation with the evaluation manager;

gathering information from key stakeholders during the field visit; directly conducting interviews and facilitating other data collection processes; analysing the evaluation material gathered; presenting feedback on the initial findings of the evaluation during the national stakeholder workshop; and preparing the evaluation report. Specifically

- Review project and relevant background documents

- Conduct planning meetings/calls, as necessary, with ILO (evaluation manager and project staff)

- Prepare a field visit – which include a review of the evaluation questions and refine the questions, as necessary

- Develop and implement an evaluation methodology to collect information as per evaluation questions, including a detailed discussion of constraints generated by the retrospective nature of this evaluation methodology and data collection and how those constraints could be avoided in future projects

- Decide and select field visit and the interviews to ensure objectivity of the evaluation

- Present a preliminary findings to project field staff and other key stakeholders

- Prepare an initial drafts of the evaluation report and share with ILO

- Prepare and submit final report incorporating comments and inputs from key stakeholders

One member of the project staff may accompany the evaluator to make introductions. This person will not be involved in the evaluation process and will not attend the evaluators' meetings or interviews with key informants.

ILO Evaluation manager- is responsible for:

- Draft and finalize the evaluation TOR upon receiving inputs from key stakeholders

- Reviewing CV of the proposed Evaluators

- Providing project background documents to the Evaluator

- Coordinate with the project team on the field visit agenda of the evaluator

- Briefing the evaluation consultant on ILO evaluation procedures

- Circulating the report to all concerned for their comments

- Reviewing and providing comments of the draft evaluation report

- Consolidate comments and send them back to the evaluator

Monitoring and Evaluation Officer –Regional Office for Asia and the Pacific (ROAP)

- Provide quality assurance for the evaluation process including quality review of the draft TOR and draft evaluation report

- Approve the final TOR and the choice of possible evaluators in consultation with EVAL

Evaluation Office (Geneva)

- Approve the final TOR and final evaluation report

- Follow up with CO- Colombo on the actions undertaken as per evaluation's recommendations

USDOL and key stakeholders

- USDOL project manager and USDOL Evaluation Manager will actively participate in the evaluation process

- Will be consulted on the TOR and draft report for inputs. Review the TOR and draft evaluation report and provide comments/inputs as necessary, directly to the evaluation manager

- Participate in a stakeholders workshop

FPRW Project management

- Provide project background materials to the evaluator

- Prepare a list of recommended interviewees

- Schedule meetings for field visit and coordinating in-country logistical arrangements

- Be interviewed and provided inputs as requested by the evaluator during the evaluation process

- Review and provide comments on the draft evaluation reports

- Organize and participate in the stakeholder workshop

- Provide logistical and administrative support to the evaluator, including travel arrangements (e.g. plane and hotel reservations, purchasing plane tickets, providing *per diem*) and all materials needed to provide all deliverables.

The evaluation is estimated to be undertaken during the period between May to June 2015. The field mission will be in June 2015.

6) Legal and ethical matters

The evaluation will comply with UN Norms and Standards. The TOR is accompanied by the code of conduct for carrying out the evaluations. UNEG ethical guidelines will be followed.   It is important that the evaluator have no links to project management or any other conflict of interest that would interfere with the independence of evaluation.

Annexes

Annex 1: Project performance framework/log frame

Annex 2: Tentative mission schedule (to be prepared by project)
Annex 3: List of documents to be reviewed (to be prepared by project)
Annex 4: List of ILO staff and key stakeholders to be interviewed (draft to be prepared by project)
Annex 5: list of relevant ILO evaluation guidelines

Annex1: Project performance plan/log frame (to be provided by the project)

Annex2: Tentative mission schedule (to be provided by the project)

Annex3: List of documents to be reviewed (to be provided by the project)

Annex4: List of ILO staff and key stakeholders to be interviewed (to be provided by the project)

Annex5: All relevant ILO evaluation guidelines and standard templates

Code of conduct form (To be signed by the evaluators)
http://www.ilo.org/eval/Evaluationguidance/WCMS_206205/lang--en/index.htm

Checklist No. 3 Writing the inception report
http://www.ilo.org/eval/Evaluationguidance/WCMS_165972/lang--en/index.htm

Checklist 5 preparing the evaluation report
http://www.ilo.org/eval/Evaluationguidance/WCMS_165967/lang--en/index.htm

Checklist 6 rating the quality of evaluation report
http://www.ilo.org/eval/Evaluationguidance/WCMS_165968/lang--en/index.htm

Template for lessons learnt and Emerging Good Practices
http://www.ilo.org/eval/Evaluationguidance/WCMS_206158/lang--en/index.htm
http://www.ilo.org/eval/Evaluationguidance/WCMS_206159/lang--en/index.htm

Guidance note 7 Stakeholders participation in the ILO evaluation
http://www.ilo.org/eval/Evaluationguidance/WCMS_165986/lang--en/index.htm

Guidance note 4 Integrating gender equality in M&E of projects
http://www.ilo.org/eval/Evaluationguidance/WCMS_165986/lang--en/index.htm

 Template for evaluation title page
http://www.ilo.org/eval/Evaluationguidance/WCMS_166357/lang--en/index.htm

Template for evaluation summary:
http://www.ilo.org/legacy/english/edmas/eval/template-summary-en.doc