

Mid-Term Self Evaluation Report

Project:	Going Back – Moving On: Economic and Social Empowerment of Migrants including Victims of Trafficking returned from the EU and Neighbouring Countries.
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Evaluation conducted:	August –September 2010
Evaluator:	Adam Burke (consultant) with project staff
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Executive Summary

Going back – moving on: Economic and Social Empowerment of Migrants including Victims of Trafficking Returned from the EU and Neighbouring Countries.

1. Overview

- 1.1. The Project's overall objective is to contribute to the reduction of labour and sexual exploitation of migrants including victims of trafficking through support to a humane return and reintegration process emphasizing economic and social empowerment. It aims to support migrants from Thailand and the Philippines to the EU and neighbouring countries who have experienced labour and sexual exploitation, including victims of trafficking, by addressing the problems they encounter on return to their respective countries. It does so by improving the capacities of service providers and by supporting direct assistance in order to improve their well-being and to protect them from further exploitation including re-trafficking
- 1.2. The project focuses on four key result areas: improving the knowledge base; better coordination between relevant agencies; services for migrants before and after return; and longer term social and economic support. Most of the project interventions work with government and non-government partners in Thailand and the Philippines, but the project also works with European bodies. The project is managed by a Chief Technical Adviser in the ILO Regional Office for Asia and the Pacific (in Bangkok), with one National Project Coordinator for Thailand and one for the Philippines, based in each country. Advisory support is provided by ILO specialists.
- 1.3. The project is currently just over half way through its three years. It has commenced most of its funding programmes for partners, and is on track to complete activities by the project end. Some delays have probably been caused by gaps in the Chief Technical Adviser post, and delays affected this mid-term evaluation's ability to appraise progress. But they should not seriously affect delivery of activities by the end of the project. Some key issues over the priority actions and strategic approach for the remainder of the project do arise.
- 1.4. This mid-term evaluation is designed to provide information for the ILO, the EC, project implementing agencies and others on project progress. It also aims to provide space and input to help define the direction and actions for the rest of the project.
- 1.5. The evaluation adopted a participatory approach, through meetings and the stakeholder consultation. The involvement of an external consultant provided a check and a balance within self-evaluation processes, and supported dialogue with partner agencies. The evaluation process has been conducted through: a review of progress reports, activity reports, project technical reports, and wider relevant documentation or analysis; stakeholder consultation meetings in Thailand and the Philippines, in which the project team and partner agencies assessed the programme's progress to date and key challenges; meetings with key partners in Thailand and the Philippines, including the EC, Government and non-governmental officials, and migrants themselves where possible; representatives in Europe who were contacted for interviews by phone; internal consultation within the ILO involving the ILO specialist on migration, ILO country management in Thailand and the Philippines, other ILO projects on migration governance, ROAP management, and others.

2. Main findings and conclusions

- 2.1. Generally the project has made good progress and is positioned well to perform in the second half of its timeframe. Its participatory involvement of partners, and efforts to ensure impact actually reaches the people who need it, is impressive. The overall project approach and field of engagement is appropriate and reflects need, as well as the long background on which the programme is built. The project is positioned to link with domestic agencies and initiatives, and with other current and future international projects of ILO and other bodies. It has the potential to build models for future action.
- 2.2. Some significant issues that stem from the fundamental design of the project do arise, though. Two main issues are: a) the problem that the project aims to address is less tightly defined than the original project design makes out; b) the project strategy for addressing the problem is not sufficiently highlighted, nor is there a clear process for defining a strategy over time. There are also other issues, some of which are more specific, and some of which stem from structural aspects of the project, the ILO more widely, and the EC funding process. Further explanation of these issues follows.
- 2.3. Process planning and essential flexibility: there is little formal room for flexibility and responses to learning within the formal project structure, budget, and activities (although it is happening in practice). Internal monitoring indicates progress against activities but does not provide information on impact (making evaluation challenging at the impact level). The project structure and design is similar in both countries even if actual partners and actions vary. The context in both countries has also changed over time, with new opportunities arising.

Target group

- 2.4. Both maintaining the target group of exploited returnee migrants and trying to look at 'upstream' prevention is perhaps an inevitable approach: repeat cycles of migration mean that prevention and post-migration services become indistinguishable at times, creating challenges and lack of clarity. The project has responded, but that leaves it a little vague over the precise target group and the methods for addressing their needs. In other words, once moving beyond direct assistance towards prevention, and away from a focus on trafficked sex workers to a more diverse group, the target group is far broader and needs to be defined once more.
- 2.5. Targeting specific numbers of beneficiaries appears to have some benefits, but risks distracting from a) wider issues, and b) issues of quality of outreach.
- 2.6. The focus on migration to Europe creates some challenges given its relatively low occurrence and higher rates of exploitation elsewhere. Useful models can still be developed, and support provided, that can be adapted elsewhere for other migrants and other European countries.
- 2.7. Work on European involvement has progressed, through Thai and Filipino government representation and NGOs. More work could be attempted but may require involvement with networks in Europe that are beyond the scope and remit of a project based in Southeast Asia.

Evidence base / institutional change analysis

- 2.8. The project is built on a fair evidence base, but has not clearly articulated how its proposed actions are designed to promote sustainable change, or what models of change plans are based on. Institutional analysis and a realistic approach to what changes can be achieved are not yet established. The expected impact of work with some partners is not yet clearly defined, and appraisal of their strengths and weaknesses not apparent.
- 2.9. These issues affect capacity building inputs in particular. It is not very clear how added capacity will achieve what end, addressing what deficiency and responding to what internal demand.

Understanding institutions' incentives for change is essential if capacity building is to have sustained impact. A relatively small project has to be strategic and catalytic (i.e. initiate change) in its work.

Further points

2.10. *'Reintegration'*: Reintegration as a concept needs careful treatment. For a majority of exploited returnee migrants, it is not a problem in itself but part of wider challenges.

2.11. *Continued paternalistic attitudes*: Some residual expectations that exploited migrants need to return to communities and practice sustainable local businesses still exist among some of the project partners. Exploited returnees need options and empowerment.

Some interventions, especially government-led actions, are not compatible with empowerment-based approaches. These are mostly not interventions that the project directly supports, but the project does support the same agencies, and so care needs to be taken in adopting an appropriate approach. This includes detention of returnees, information provision based around the assumption that government officials know more than migrants themselves, and projects that are focused on rural livelihoods alone rather than a more integrated approach to individuals' economic roles in an interconnected national and international context.

2.12. *Debt*: Debt incurred through the migration process and the need for up-front payment of fees emerges as the largest problem facing exploited returnee migrants.

2.13. *Material production*: It is not yet clear how and what documents will be produced by the project. Further planning is needed for appropriate and relevant documentation.

2.14. *Monitoring*: Project monitoring and evaluation at the activity level is satisfactory, although information could be harmonised further. Emphasis on monitoring impact is weaker however, both at the project level and as a part of service agreements with partners. As a result, it was hard for this evaluation to judge the impact of the various service agreements under the project. Increasing participatory monitoring may be a way to address this while also increasing the scope for returnees to express their needs.

3. Overview of Lessons for ILO and future projects in this and related fields

3.1. *Challenging attitudes and disempowering practice*: Despite years of international and domestic work on trafficking, return migration and related issues, patronising attitudes and services that are not focused around victims' rights and needs still continue.

3.2. *Accepting difference*: Multi-stakeholder approaches are not always best: some NGOs achieve change by being confrontational. While ILO may need to distance itself from such approaches, it is not always ideal to push agencies into common working.

3.3. *Question the relative merits of community and targeted approaches versus other work*: In places, community level work is essential to demonstrate and test approaches, and achieve some direct goals. But unless there is a strategic plan for replicating work or a clear reason for funding it, ILO's structure and operating methods do not make it a cost-effective use of resources.

3.4. *Think about when multi-partner approaches are most appropriate*: While such approaches inevitably look balanced and well designed on paper, they may stretch project resources too thinly. Other ways of working (e.g. specific partnerships) may be more appropriate in some instances since it is not always possible to create common ground on all issues.

- 3.5. *Consider fewer partners, and bigger service agreements:* This would enable more carefully managed inputs, and promote better institutional analysis. ILO should also look to increase the percentage of project budgets that is spent on service agreements from the low levels of this project.
- 3.6. *Appraise institutions carefully:* If undertaking capacity-building, it is vital that project actions are based on an understanding of organisational incentives, scope for change, etc. This can only happen by concentrating on a select few partners.
- 3.7. *Promote more flexibility within projects:* This is partly in the hands of the funder, but projects can integrate ongoing monitoring and revisions of the workplan and, where possible, budgets. Project design that comes up with the same list of activities in different countries looks as if it is not responding to context.
- 3.8. *In projects with returnees, focus on the needs of returnees. But in doing so, be realistic given the limits of the operating environment. Consider how to increase the voice of migrants or other final beneficiaries themselves.* This can be part of advocacy, monitoring, and service agreements.
- 3.9. *Ensure that models of support for returnees fit the wider context:* Ways of coordinating to support exploited returnees can be improved, and models established. But this should not be supply-driven and it is important to consider how projects fit into the wider picture.
- 3.10. *Be clear about what the target group is:* Specific initiatives to reach a relatively small number of people (i.e. exploited returnees) spread over a wide area need to be aware of the target group. Narrow area-based approaches may have little impact.
- 3.11. *Think about programmes to help reduce migrants' debt burdens:* This seems to be the largest issue for returnees who come home early, before they have been able to pay off loans through foreign earnings.
- 3.12. *Evaluations and monitoring of outreach quality:* Promoting better evaluation practice of partners should be a core aspect of service agreements, extending beyond counting numbers of recipients to include issues of quality, and to involve participation of beneficiaries.
- 3.13. *Unions and employers:* Revisit relations with unions and employers to see what scope exists for more collaboration.

4. Recommendations and next steps

4.1 For the Project in 2011

Overview: This project supports the work of over ten different partners in Thailand, the Philippines and Europe. Existing information and interviews demonstrate that implementation of activities is satisfactory. Testing of higher level impact and the relevance of activities to desired outputs is challenging at this stage however, given the number of different partners and countries involved. As a result, this evaluation provides as much analysis as is possible within information and time constraints. It diagnoses that the project requires further narrowing down to more specific objectives and more clearly defined target groups. It recommends a process for achieving that in the next few months.

- 4.1.1. Defining clear focus for upstream efforts of rest of project: So far, the project has undertaken a range of actions. There is no cause to change direction at this stage, but there is a need to concentrate staff time in a limited number of areas where some change can be made. The project will need to define these areas in early 2011 using the results of this evaluation.*
- 4.1.2. Definition of target groups and narrowing down remaining project actions: It is proposed that the project team agree on clear definitions of target groups for Thailand, the Philippines and more widely early in 2011. Information in this evaluation provides a basis for such closer definition. An internal workshop / meeting or similar step will help to define what outputs to focus on. At the time of finalising the evaluation, project members of the evaluation team were not in a position to define core outputs for the remainder of the project without further consideration.*
- 4.1.3. Focus capacity building efforts on a limited number of partners: Key institutions should be prioritised in each country.*
- 4.1.4. Analysis of key institutions: In order to ensure that capacity building engagement has a sustainable impact, a better understanding of the incentives and scope for change within key partners is needed. The project should tap ILO or external institutional experts with relevant experience in early 2011, as part of deciding exactly what activities (and partners) to prioritise over the remainder of the project.*
- 4.1.5. Build on new openings: Some opportunities within government systems have opened up in Thailand and the Philippines. In Thailand the project is already pursuing close engagement to follow up the case of labour abuses with seasonal migrants to Scandinavia. These new openings should be appraised as part of institutional analysis.*
- 4.1.6. Make routine revisions to the budget and activities: At this stage, changes should be made to respond to evolving circumstances and knowledge, in accordance with good developmental practice and in order to respond to the comments across this evaluation.*
- 4.1.7. Monitoring and evaluation: Various steps to improve monitoring and evaluation for this project are highlighted in the main recommendations.*
- 4.1.8. Thinking strategically about documentation and websites: Document production in the second half of the project should be conducted as part of the development of strategic models or for fulfilling another clear purpose. There is little point in producing documents or a website as a goal in itself. The project should devise a strategic communication approach during 2011.*

- 4.1.9. *Encourage extension of reach and improved services, not universal coordinated systems:* Realistically, support for exploited returnees will not be comprehensive, and many will choose to stay outside formal systems. The project should avoid encouraging governments to work towards state-centred and universal solutions, since it is a goal that cannot be achieved.
- 4.1.10. *Enabling different directions for different countries:* A more devolved planning structure and delegation of authority would assist the project by initiating *different and locally defined activities in each country*, rather than implementing the same list of actions in each place. The project can also take steps to ensure that the project management location in Bangkok does not skew attention too much towards the Thailand programme and offer less support to the Philippines.
- 4.1.11. *Link increasingly with other projects:* As the project continues, look to ensure that continuity is possible by linking with other ILO projects, but also with others outside the ILO. If project funding constraints limit action in response to new scope for critical work, consider linkages with other projects, or seeking further funds for more specific programming.

4.2 For the EC

- 4.2.1. *Enable budget and activity revisions:* Such steps enable rather than change commitment to the original aims of the project. Good projects usually follow evolving processes rather than simply implementing lists of pre-ordained activities.
- 4.2.2. *Enable a focus that includes but is not limited to migrants returning from Europe and surrounding countries:* This is relevant to this and future projects.
- 4.2.3. *Take a holistic view of return:* Narrow reintegration programmes will probably not stop migrants undertaking potentially risky repeat journeys for work in Europe. Wider approaches both to support and prevention, along with other measures in Europe, are needed, in keeping with wider perspectives on circular migration patterns.

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Acronyms and Abbreviations

CTA	Chief Technical Adviser
DAWN	Development Action for Women Network (Philippines)
DoE	Department of Employment (Ministry of Labour, Thailand)
DOLE	Department of Labour and Employment (Philippines)
EC	European Commission of the European Union
EU	European Union
GATW	Global Alliance Against Traffic in Women
HSF	UN Trust Fund for Human Security
ILC	International Labour Conference
ILO	International Labour Organisation
IOM	International Organisation for Migration
MoFA	Ministry of Foreign Affairs
MoL	Ministry of Labour (Thailand)
OWWA	Overseas Workers Welfare Administration (Philippines)
ROAP	ILO Regional Office for Asia and the Pacific
SIREN	Strategic Information Response Network
TESDA	Technical Education and Skills Development Authority (Philippines)
TLC	Thai Labour Campaign
UNFPA	United Nations Population Fund
UNIAP	United Nations Inter-Agency Project on Human Trafficking

1. Background to the project

1.1 The global context of migration

Millions of people worldwide leave their home countries every year in search of work. Migration of labour is a key feature of globalization, and it makes a significant impact on the world economy. Every year, migrant workers send home to developing countries large volumes of remittances, – estimated at US\$160 billion or US\$250 billion with informal remittances in 2005 – to support their families and communities, while at the same time contributing to the economic growth and prosperity in host countries.

Today's migrants face many challenges – including poor conditions of work and discrimination. Migrant workers are increasingly in demand, not only for high-skilled information technology and professional jobs, but also for many of the low-paid, less skilled jobs in agriculture, cleaning and maintenance, construction, domestic service, and health care. Many lower-skilled migrants are often relegated to the “three D” – dirty, dangerous, and degrading – jobs that national workers reject or are not available for given low wages and poor working conditions. Many migrants work in precarious and unprotected conditions in the growing informal economy.

There is global consensus now on contributions of labour migration to growth and development in both source and destination countries. It contributes to home country development through worker remittances, the transfer of capital and skills through returning migration and transfers of skills and technology and investments by transnational communities abroad. Yet the loss of crucial skills (brain drain) from developing countries is a cause for concern.

Global labour mobility ensures efficient and optimal utilization of labour. But barriers are being erected to mobility between potential migrants and labour market demand for foreign labour in host countries. This leads to the unfortunate result of making smuggling and trafficking of human beings a highly profitable enterprise at the expense of gross violations of basic human and labour rights.

Labour migration policies that are not founded on a respect for human and labour rights can exact high costs on individual migrants and their home societies. There is evidence that 10-15 per cent of migration today involves migration under irregular situations – entering or working in countries without authorization. Irregular migration leads to high levels of exploitation, forced labour, and abuse of human rights.

The global challenge today is to formulate policies and mechanisms to regulate and manage labour migration and ensure that it contributes positively to development of both home and host societies and to the well-being of migrants themselves.

1.2 Return and reintegration

Return and reintegration are integral parts of the same migration cycle, and should be approached as such when designing interventions.¹ Continued migrant flows create continual challenges to ensure that migrants' rights are upheld. Many agencies have responded, often from an initial focus on trafficking and exploitative commercial sex work. Key issues include efforts to prevent exploitation from occurring through a range of steps, as well as work to provide support for exploited migrants. Even the best prevention mechanisms are unlikely to be 100% effective, so the need to consider how to assist victims remains a pertinent issue.

¹ See training materials designed by the Project and used in the Turin training course.

Key elements include the 'return and reintegration' of migrants back to their home countries. This has been an issue of concern for recipient countries including European Union member states, Japan, and others for a long period. Managing return is a complex process, often seen from the perspective of recipient governments who, while wanting to uphold human rights, also wish to ensure that migrants do not return.²

There are two main categories of returnees: those who do not have, or no longer have, a legal basis for remaining in the destination country; and those with a legal basis for remaining in the destination country. The first group is basically forced to return, while the latter group normally would be referred to as voluntary returnees. Forced return is widely debated, and has to be carried out in line with migrant's human rights, safety and dignity.³

Reintegration is a concept filled with misconceptions. It includes but is not limited to victims of trafficking, labour abuses, and other issues, but is a wider concept. It is also not just about returning back home, but about being socially and economically empowered to make better informed decisions, and to become a healthy, productive member of society wherever that might be. In many cases (re)integration means migrants will return to his/her family and area of origin, but it may also involve integration into a new community or even a new country, depending on the needs and opportunities available. A central aspect of (re)integration is to promote self-reliance and resilience, and to empower, encourage, and equip returned migrants to improve their own situation based on their skills and aspirations.⁴

1.3 Southeast Asia and Europe

In Southeast Asia, Thailand and the Philippines are major source countries of migrants seeking foreign employment, to increase opportunities for a better living for themselves and their families back home. Nearly a million Filipino and Thai workers currently reside and work in Europe. Philippine overseas missions estimate that, as of June 2006, 530,989 Filipinos are working and living in Europe, 15% or 80,553 of whom are of irregular status.⁵

Estimates of Thai migrants in Europe vary between 200,000-300,000 Thais, many of whom have irregular status.⁶ Thai migrants can basically be found all over the EU, but the major destination country within Europe is Germany with 100,000 Thais residing, followed by France, United Kingdom, the Scandinavian Countries (Denmark, Sweden, and Norway), Switzerland, Belgium, and Holland. Filipino migrants in Europe are found in Germany, France, Italy, Greece, Spain, Switzerland and the United Kingdom.

The vast majority of Thai and Filipino migrants in Europe are female.⁷ The high percentages of female migrants among Thai and Filipino migrants mirror a global feminization of migration.⁸ This increase in

² See 'The return and reintegration of rejected asylum seekers and irregular migrants : an analysis of government assisted return programmes in selected European countries', IOM Research Series No 4, 2001, prepared for IOM by Khalid Koser

³ See Resource produced by this project: *Background & Discussion Paper: Overview of Thai and Filipina Migrants including Victims of Trafficking in the EU and Neighbouring Countries & Assistance available to them.* Anders Lisborg, January 2010

⁴ Based on *UNIAP Siren report: Re-thinking reintegration.* Lisborg (2009).

⁵ Lisborg 2010, op.cit.

⁶ Thailand's Ministry of Foreign Affairs, April 28, 2008 28, 2008

⁷ 80% of Thai immigrants in Germany and Denmark are female.

female migrants is also caused by a demand in most European countries for female labour within various care and service industries and the increase in possibilities for getting visas as au-pairs, nurse assistants, wives etc. Hence, most Thai and Filipino migrants enter Europe legally, but then later a substantial number end up in irregular status, due to, among other reasons, force and exploitation.⁹ A process during which responsible authorities and service providers lose contact with migrants.

Female migrant workers from Thailand and Philippines are heavily concentrated in the service sector, as waitresses in restaurants, and in entertainment venues, (including sex-establishments) and as household domestics. In many European countries Thai and Filipino women are among the largest group of women migrant workers, known as sex-workers and as household workers. Given their occupational profile and the irregularity of their employment status, it is not surprising that many Filipino and Thai migrant workers, especially women, have experienced some of the worst forms of exploitation in Europe. Reported cases of human trafficking, debt bondage, illegal recruitment and “run-aways”¹⁰ are well-known in their own community networks, though often are not reported to authorities because of the migrants’ fear of being deported.

Migrants returning home from such exploitative conditions often face a myriad of difficulties, in particular lack of decent livelihood opportunities, and serious stigma. As a consequence a large proportion, in some cases up to 75 percent, chooses to re-migrate, putting them at risk of re-trafficking and exploitation.¹¹ Thus, while efforts are being made at different levels to prevent this situation from continuing and to protect the rights of migrant workers, the reality is that many are still being exploited at destination countries and are in need of assistance and protection. The situation is further complicated by the finding that although substantial efforts and funding goes into supporting and assisting the return and reintegration of victims of trafficking, limitations in existing return and reintegration practices means that many victims of trafficking decline assistance being offered to them.¹²

In Europe, migration is at the heart of the political debate in Europe and, for a few years now, is one of the strategic priorities in the external relations of the Union. Following the entry into force of the Amsterdam Treaty, the Tampere and the Hague European Councils and, more recently, the Brussels European Council, which adopted the European Pact on Immigration and Asylum, have become the main reference and building blocks for a comprehensive migration and asylum policy. With the political framework in place, concerns related to migration and asylum issues have become firmly part of the external relations policy and cooperation programmes with third countries. The integration of concerns related to migration and asylum within the external policy and EU programmes forms part of a comprehensive effort to address migration issues in a coherent and efficient way at EU level.

Cheaper travel costs and other reasons for greater mobility are making circular migration more common, at times on a seasonal basis where labour is available on that basis. Within the EU, seasonal migration to Scandinavian countries for agricultural work is one area of current attention. Another critical issue is migration to new accession or neighbouring countries of the EU, in Eastern Europe and the Mediterranean fringe. Most often seen as source countries, they are also often destinations for migrants from various areas including Southeast Asia.

⁸ Women constitute almost half of all international migrants worldwide, UNFPA 2006:1

⁹ Ruenkaw 2000, Mix & Piper 2003

¹⁰ Workers fleeing from abusive employers, seeking refuge in either their embassies or in women’s shelters

¹¹ Lisborg, A. Re-thinking Reintegration, UNIAP SIREN Report, 2009

¹² FAFO 2005, 2006, 2007; Surtees & Bronowskis 2007

Increasingly, the EU is placing migration systematically on the agenda of its political, economic and social dialogues with third countries. Such dialogues address various dimensions of the migration phenomenon, such as the migration and development nexus, curbing irregular migration, readmission, human trafficking, integration of migrants in receiving societies, etc. The EU is addressing migration and asylum through various cooperation instruments, and it has been working with ILO on a range of related issues across the world.

The Overseas Workers Welfare Administration (OWWA), an attached agency of the Department of Labor and Employment (DOLE), is the lead agency for the promotion and protection of migrant workers from the Philippines. Assistance to migrants in difficulty is raised by subscription from departing migrants. The \$25 membership fee that migrants pay upon departure entitles them – and others in special circumstances if they have not paid – to such benefits as repatriation, financial assistance, counselling, and livelihood loans and training. For trafficking victims, these include:

- Rescue operation, if deemed necessary
- Temporary shelter at the Filipino Workers Resource Center
- Certain direct services, such as Counselling, and Medico-legal examination
- Interpreter and assistance in pursuing a court case, or negotiating a settlement outside of court.
- Livelihoods loans and training.

There is potential for assistance from the airport on arrival back in the Philippines, temporary shelter, and psycho-social counselling. Reintegration is also a part of their remit, though with a broader perspective to migrant workers. However, there is acknowledgement that with the economic conditions in the Philippines as they are, many of the returnees who may have been exploited will be hired overseas again.

The Technical Education and Skills Development Authority (TESDA) and the Department of Labour and Employment (DOLE) both have reintegration and training programmes for returnees. Issues have however been raised over the care afforded to trafficking victims, how they are recognized as victims, and the services they are offered. For example, whilst a response unique to each individual is advocated, some regard the current system offering a relatively uniform approach.

A number of NGOs are working with returned victims of trafficking, providing direct services and self-help groups. Some of these organizations, such as Batis, Kanlungan and DAWN, have the experience of former victims of trafficking, and emphasize the need to empower returnees to help themselves.

In Thailand, the main agencies involved are the Ministry of Labour, Ministry of Social Development and Human Security, and (outside Thailand) the Ministry of Foreign Affairs. In general, given that international migration is a smaller issue and a far less significant aspect of the Thai economy than for the Philippines, systems are less developed and receive less attention. Various NGOs are also involved, some focusing on supporting returnees, and others on labour rights more broadly.

1.4 ILO's involvement

The protection of migrant workers and improvement of their working conditions have been concerns of the ILO since its establishment in 1919. The emergence of international labour migration as an important global phenomenon has called for an intensified ILO role in this area.

The 92nd session of the International Labour Conference (ILC) in June 2004 adopted by consensus a “Resolution and Conclusions concerning a fair deal for migrant workers in a global economy”. This decision noted that: “The ILO’s mandate in the world of work as well as its competencies and unique tripartite structure entrust it with special responsibilities

regarding migrant workers. Decent work is at the heart of this. The ILO can play a central role in promoting policies to maximize the benefits and minimize the risks of work-based migration.”

The ILC called on the Office and its constituents to carry out a Plan of Action on migrant workers; this plan includes strengthening ILO activity in these fields:

- Development of a non-binding multilateral framework for a rights-based approach to labour migration, taking account of labour market needs and sovereignty of States;
- Wider application of international labour standards and other relevant instruments;
- Support for implementation of the ILO Global Employment Agenda at the national level;
- Upholding social protection for migrant workers;
- Providing capacity-building, awareness-raising and technical assistance worldwide;
- Strengthening social dialogue;
- Improving the information and knowledge base on global trends in labour migration;
- Participation in relevant international initiatives on migration.

The Plan of Action is now being implemented, following a rights based approach that stresses protection of labour migrants¹³. The ILO Multilateral Framework on Labour Migration will be promoted in all ILO labour migration activities.¹⁴ It aims to assist governments, social partners and stakeholders in their efforts to regulate labour migration and protect migrant workers. It provides a comprehensive set of rights-based guidelines and principles so as a global compilation of good practices on labour migration developed by governments and social partners.

Relevant Conventions

- *ILO Convention No. 97 on Migration for Employment, 1949*
- *ILO Convention No. 143 on Migrant Workers (Supplementary Provisions), 1975*
- *1990 International Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families*
- *All International Labour Standards apply to all migrant workers regardless of status, except where explicitly exempted in a few ILO Conventions.*

ILO has been involved in this field for some time in Southeast Asia, from a basis in trafficking prevention. The International Labour Organization (ILO) in the period 2006-2009 undertook a anti human trafficking project entitled “Economic and Social Empowerment of Returned Victims of Trafficking”, funded by the UN Trust Fund for Human Security (HSF). This was a three-year effort to provide direct assistance to returned victims of trafficking returning mainly from South-East Asia and Japan. The project also included components to strengthen national and institutional capacities to address the special needs of the target group in a sustainable manner. It built on and expanded relationships with partner agencies in Thailand and The Philippines to support trafficked victims and build the capacity of service providers. Its final evaluation recommended further involvement to ensure that gains are institutionalised.¹⁵

¹³ http://www.ilo.org/public/english/protection/migrant/download/rights_based_approach.pdf

¹⁴ For more information: www.ilo.org/migrant. The ILO Multilateral Framework on Labour Migration: Non-binding principles and guidelines for a rights-based approach to labour migration. www.ilo.org/public/english/protection/migrant/areas/multilateral.htm

¹⁵ See ILO / Japan Human Security Fund project ‘Economic and Social Reintegration of Returned Victims Of Trafficking In Thailand And The Philippines’ Final Evaluation Report,

Involvement to date has built relationships and action on the ground in partner countries. Within ILO, it has led to a deepening institutional knowledge and materials base, founded on stronger associations with domestic partners and greater understanding of how migration and labour exploitation interrelate. Other UN projects, such as the United Nations Inter-Agency Project on Human Trafficking (UNIAP), also link with ILO's work.

ILO has in places assumed greater interest in migration over time. In Asia, ILO engagement at country level and with ASEAN has been increasingly prominent since the mid 1990s. Global discourse on trafficking has also shifted, seeing it as a more rights-based and pragmatic view of the risks involved in migration.

1.5 The Project

Building on the knowledge and experiences, the ILO is expanding its efforts in 2009-2011 to cover the EU and its neighbouring countries under this EU-funded project. The ILO-EU project was initiated and developed to respond to the above mentioned situation, and in the light of the current lack or inappropriateness of quality services available. The project covers Thai and Filipino returnees from the EU and neighbouring countries and works with service providers particularly in the area of economic and social empowerment.

Project Overall Objective: To contribute to the reduction of labour and sexual exploitation of migrants including victims of trafficking through support to a humane return and reintegration process emphasizing economic and social empowerment.

A key aim of the project, which is too often neglected in current return and reintegration programmes, is to improve service providers capacity in the area of economic empowerment of return migrants focussing on being able to provide high quality career counselling, market oriented skills training and a sustainable livelihood e.g. through jobs and/or support to start up own businesses.

The project also puts emphasis on strengthening linkages between countries of origin and destination and developing a model of transnational cooperation. Due to lack of transnational coordination many returnees never receive pre-return and post-return services. Pre-return interventions are important to prepare exploited and trafficked migrants while still in the destination countries and link such services to reintegration options at country of origin. Thus the project will also engage service providers in EU countries toward improving international referral mechanisms and coordination with service providers in Thailand and the Philippines.

Specific objective 1: *By the end of the project, the capacities of service providers to return and reintegrate migrants who have experienced labour and sexual exploitation including victims of trafficking will have been improved in Thailand, Philippines and the EU and neighbouring countries through enhanced coordination and referral among focal agencies and key stakeholders.*

Specific objective 2: *By the end of the project, return migrants in Thailand and the Philippines who have experienced labour and sexual exploitation including victims of trafficking from the EU and neighbouring countries will have been assisted and economically and socially empowered to protect them from further exploitation including re-trafficking.*

The first planned step to enhance capacity and coordination was to improve the knowledge base on the situation of Thai and Filipino migrants emphasising in particular labour exploitation and cases of human trafficking and to map out existing support services and current practices. Next steps included bringing services providers in both regions together in a series of technical workshops and trainings in order to develop better referral mechanisms and guidelines and train social workers, career counsellors, embassy staff, overseas labour welfare officers etc. to be able to provide professional and high quality assistance to exploited migrants, including victims of trafficking.

The direct assistance objective is being fulfilled by providing Thai and Filipino migrants who have experienced exploitation, including victims of trafficking, a number of innovative and demonstrative pilot initiatives. Thai and Filipino migrants in need of assistance are throughout the process of return and reintegration – from pre to post return - offered a range of support options, in particular livelihood support including career counselling, skills training, job-placement, grants to start up business and support to safe and regular remigration. The main aim is to provide individualised and rights based return and reintegration assistance to Thai and Filipino migrants through a holistic and coherent approach that, based on the strengthened capacity of service providers, ensures safe and systematic case management and referral between services providers at inter-regional level.

It was expected that the specific objectives of the project would contribute to increased social protection of migrant’s workers and respects for their rights, and reduced irregular migration including human smuggling and trafficking, here in particular reduce the risk of (re)trafficking, through social and economic empowerment of vulnerable return migrants.

Key project partners

Philippines	Thailand	Europe
Department of Social Welfare and Development	Department of Consular Affairs, Ministry of Foreign Affairs	Filipino Women’s Council in Italy
Overseas Workers Welfare Administration	Department of Employment, Ministry of Labour	Thai Women Network in Europe
Batis and Batis AWARE	Ministry of Social Development and Human Security, and its Petchabun Provincial office	Thai Learning Center Association – Sweden
Kanlungan	Thai Labour Campaign	La Strada (Poland)
	Foundation for Women	
	Asia Regional Center for Migration (ARCM) Chulalongkorn University	

2. Purpose, scope and process of evaluation

The evaluation examines the progress of the project implementation and the development toward achievement of project's objectives, the ILO programme outcomes on labour migration the decent work country programme, and the ILO Plan of Action on labour migration in Asia Pacific. In other words, the evaluation will focus on

1. validity of the design
2. progress of the project in achieving each objective and challenges
3. relevance of the project
4. efficiency of resource use
5. Recommendations for improvement.¹⁶

The evaluation adopted a participatory approach, through meetings and the stakeholder consultation. The involvement of an external consultant provides a check and a balance within self-evaluation processes, and supports an honest dialogue with partner agencies. The evaluation process has been conducted through:

- A review of progress reports, activity reports, project technical reports, and wider relevant documentation or analysis.
- Stakeholder consultation meetings in Thailand and the Philippines, in which the project team and partner agencies assessed the programme's progress to date and key challenges. Meetings were kept broad and designed to support the main project process rather than extract information alone.
- Meetings with key partners in Thailand and the Philippines, where ILO arranged them. This included the EC, Government and non-governmental officials, and migrants themselves in the Philippines.
- Representatives in Europe were contacted for interviews by phone.
- Internal consultation within the ILO involving the ILO specialist on migration, ILO country management in Thailand and the Philippines, other ILO projects on migration governance, ROAP management, etc.

Interviews adopted what can be described as a semi-structured methodology, with a framework of key questions guiding but not dictating discussion. The specific ordering, phrasing and selection of questions depended on the interviewee(s) concerned, who varied from trafficked migrants to international officials. Questions also evolved over time as specific issues became apparent. Interview questions were based around the fields 1) to 5) listed above, although the lack of progress on specific project service agreements (i.e. funding for partners) meant that the focus shifted, to consider the role of past ILO projects, future plans, and associated issues.

With service agreements only recently commenced in many cases, and with an overall process that did not allow for close examination of partner agencies, the evaluation has been concentrated chiefly at a strategic level. For examination of many of the partners' programmes, see the final evaluation of the HSF project.

The overall emphasis of this evaluation is on: a) identifying key issues within the project; b) considering why the issues are arising; c) proposing reasonable ways to address them or move forward. Wider implications for ILO are also proposed. The bottom line for the evaluation was not whether the project is managing to implement its actions, but what the likely impact of those actions are, and what improvements might be possible within the remit, strengths and limitations of the ILO.

¹⁶ See Terms of Reference, Annex 1.

3. Presentation of findings

Findings are presented in sections following points 1) to 4) of the scope of work as defined in the Terms of Reference. Point 5), recommendations, is in a later section. For each point, the evaluation considers overall issues, and specific issues for the Philippines and Thailand or elsewhere as appropriate.

Note that this evaluation concentrates in particular on overall project direction. This is an evidence-based decision that was made as the evaluation proceeded. Without more time and written evidence, it is hard to monitor in detail small initiatives with roughly ten different organisations across two main countries, in addition to actions in Europe. Given acceptable process on implementing activities, it makes more sense to focus on higher level issues.

Both the Thailand and Philippines sections of the project have made progress in implementing activities as indicated in the project document, despite some delays. Assessments of the relevance of each initiative, the level of partner participation and commitment, and process of implementation show that implementation by project partners as well as disbursement from the project itself is fair.

3.1 Validity of the design

3.1.1 *Overall findings*

Overall, the design benefits from being based on past project experience and objective appraisal, both in identifying the key issues and considering what measures ILO is well positioned to take. This is explained in para 1.9.1 of the Project Document, the project being heavily influenced by previous work supported by Japan's Human Security Fund in Thailand and the Philippines. The focus on voluntary services for returnee migrants, the process of finding returnees, target numbers of recipients, key project partners, some project staff and management systems are adapted from HSF. This is a reasonable way to maintain assets and experience, and is broadly of benefit to the project. The final evaluation of HSF was itself broadly positive, as were other evaluations of similar projects at the time.

It is easy to pass judgment on all development projects in hindsight, and points made here are not intended as criticism of project staff or those involved in designing and overseeing the project. But some significant issues that stem from the fundamental design of the project do arise. Two main issues are: a) the problem that the project aims to address is less tightly defined than the original project design makes out; b) the project strategy for addressing the problem is not sufficiently highlighted, nor is there a clear process for defining a strategy over time. All projects learn as they progress, and as new information or understanding comes to light. This means they need adaptive 'process' based flexibility in order to address their goal efficiently. The prescribed activity-based approach of this project, in fulfilment of EC stipulations, means that although there is scope to adapt at the activity level, its scope to adapt to new learning is lessened.

These points are here clarified further. The project included considerable scope in its initial phases for defining specific project activities and selection of partners in a flexible, process-based, and participatory manner. It also included steering committee and various other meetings that provided overall direction. The basis was well set for moving on with carefully-defined project actions. Project staff and partners appreciated this, and were able to apply the rapid assessments conducted after the project was set up for this purpose. In terms of identifying appropriate services to support, the project demonstrates impressive response to specific circumstance. Considerable changes were made from the earlier HSF project, in Thailand for example shifting partners, focus provinces, research connections, and high-level connections in government. The rapid assessment led the project in the Philippines to

seriously consider returnees from neighbouring countries such as Lebanon, other than documented cases of exploitation in Cyprus, Romania and Poland.

These steps did not as successfully lead to flexibility and addressing gaps over the more strategic definition of the project's actions in order to achieve its stated aims: i.e. what partnerships with service providers are aiming to achieve, what direction to take with higher-level relationships, and how the project is to make an impact. The project document was written on the basis of prior work, but without the benefit of a long period of time to work out how and where the project can realistically and sustainably affect the context of returnee migrants.

3.1.2 Target group

The final beneficiaries as stated in the project document are *“return migrants from Thailand and the Philippines who have experienced labour and sexual exploitation including victims of trafficking from the EU and neighbouring countries.”* There are positive elements of this identification, but some challenges arise too.

Positively, it links with European Commission objectives and wider EU aims, giving policy coherence and potential for further action that can build on aspects of the project. Newer accession countries add further relevance, as well as the inclusion of neighbouring countries. It enables information and networks to be furthered, leading to potential models of action.

Focusing on specific migration streams in response to meetings in the early stages of the project – Thailand to Poland and Sweden, and the Philippines to Italy, Spain and Cyprus – enables models to be established that can then potentially be replicated and adapted for use elsewhere. The project concentrates on such specific streams to build case studies and reach exploited returnee migrants, working with government and non-government partners.

This project addresses issues at the end of the migration cycle but that doesn't prevent the project from targeting relevant issues at the recruitment stage. In so doing, the project hopes to hit both - improving how institutions operate so that incidences of exploitative migration are reduced and support for victims is improved. This balance is hard to achieve, and specific targets may not always help in doing so.

The challenges that the definition of target group generates are quite significant. Finding actual targets is not always easy, for various reasons: a majority of migrants from Thailand and the Philippines do not go to Europe, and still fewer are exploited in Europe in comparison with other regions. Many migrants, especially Filipinos, stay in Europe for many years if not permanently, making the notion of return less relevant. Furthermore, many migrants to Europe who experience severe problems remain unknown, given illegal or unclear status and an associated inability to present themselves to authorities. This problem was also encountered with the earlier HSF project for Thailand and the Philippines that limited assistance to returnees from Southeast Asia. It is a little surprising to see this project repeating the same process except for Europe instead of Southeast Asia, but for the ILO is a result of funder's stipulations.

Further challenges are created by the project's base in Thailand and the Philippines, making concerted engagement in Europe challenging. Finally, a concern that global economic crisis would lead to massive numbers of returnees has not come about, with a far smaller effect than anticipated.

In all, these issues have created some obstacles for the project. For its Thai component, it was possible to an extent to concentrate on specific migration flows where migrants had experienced acute

problems, most notably that of berry pickers travelling to Sweden for seasonal work. For the Philippines, the project concentrates on specific countries, but such an emphasis has been less simple. It has led to partner agencies already established under the earlier HSF project undertaking a slightly obscure search for migrants who went to Europe rather than elsewhere. The identification of Italy, Spain and Cyprus as key areas for the Philippines project actions is made on the basis of recommendations of the partners as well as from the results of the rapid assessment. Their selection is both for identifying returnees as well as establishing mechanisms for coordination and cooperation. Italy and Spain were identified for their large Filipino migrant population and their enabling environment for establishing mechanisms, and Cyprus for trafficking incidents. Philippine partners are also targeting Lebanon and other countries in the Mediterranean rim. Lebanon hosts to a large number of Filipino domestic workers who are prone to abuse and exploitation. The migration streams of Filipinos to Europe are quite clear as presented in the RA – the problem though is that there is apparently not enough numbers as regards return migration especially of exploited and trafficked migrants.)

When working at the local level in Thailand or the Philippines (to implement Specific Objective 2 aiming to assist return migrants), the project design encourages a search to find exploited individuals to assist. When accompanied by targets for numbers of beneficiaries to reach, this creates an approach that may not be ideally geared towards ILO's core strengths. The ILO has worked with community level partners in many projects in the region and in particular on child labour and trafficking. Its 'value added' is likely to come by leveraging these experiences for wider change, rather than focusing on them as a key goal.

The emphasis on reaching exploited migrants directly returning from Europe hits barriers when considering how in practice the problems of exploitative migration and return can be addressed. In short, work that aims to stop exploitation (i.e. prevention) rather than support for victims needs to look beyond such a narrow target group. This is especially the case given that exploitation through re-migration remains a risk for returnees. Local approaches (with communities or local government) as well as national or international initiatives also need to do so, since exploited returnees from Europe are rarely concentrated in just one area.¹⁷

3.1.3 Target numbers

The project document refers to "1,000 return migrants who have experienced labour and sexual exploitation including victims of trafficking from the EU and the neighbouring countries." The target of 1,000, as far as project staff recall, was identified to demonstrate viability of coordination and processes for economic and social empowerment. The number is determined on the basis of available budget. Directly targeting recipients has some advantages, for example ensuring some immediate impact and demonstration of models for potential replication. But it also has disadvantages: the target becomes an end in itself rather than one step on a longer road, in some countries taking up valuable time and obscuring the wider picture. (In other words, Strategic Objective Two – 'direct assistance' - takes prominence over Strategic Objective One – 'capacity building') This is especially relevant for a UN agency operating at a policy level in two middle-income countries. In this case, there is some evidence that searching for targets has absorbed project time (for partners in the Philippines especially), and detracted from the wider objective of improving how institutions operate so that incidences of exploitative migration are reduced and support for victims is improved (in both countries).

¹⁷ Note however that some exploited or trafficked migrant workers prefer to come home without obtaining support from authorities; thus, they come back without being assisted. Based on previous HSF project, outreach activities had resulted in many clients identified through referrals from community members. The other value is that outreach is undertaken through community migrant education sessions. While there is a potential to scare away returnees, safeguards are being adopted to avoid labelling.

The emphasis on number also detracts from quality. Taken too directly, reaching a set number of beneficiaries is meaningless (i.e. reached with what) without measurement of quality, sustainability, appropriateness and relevance, impact, etc.

3.1.4 Reintegration and return migration

A lack of immediate evidence (largely because this is a mid-term evaluation) makes it hard to comment on outreach work with returnees. In the Philippines, I met various individuals who had been exploited overseas, but project activities have only very recently begun. In Thailand, some activities have already begun, but meetings with project staff in Bangkok gave little direct detail on the context at ground level. Activities have not yet been documented. As a result, some general rather than specific comments follow.

Understanding the context of reintegration and return migration is important. A good short summary is the UN SIREN Report 'Rethinking Migration'¹⁸, which emphasises a people-focused empowerment-based approach. This was one of the topics in the training that the project organised in Turin.

First, Thailand and the Philippines are mobile societies. In the Philippines, international migration can be seen as the largest single economic activity; in Thailand, international flows are smaller although still significant, but internal mobility is very high. On other words it is normal to leave home to look for work elsewhere.

Upon return, various issues arise. For victims of sexual exploitation and related trafficking, issues of stigma create added social and psychological barriers. Experience in both Thailand and the Philippines has demonstrated ways of addressing such issues, and it remains a valid field for further work- as project design identifies. For most people exploited abroad, the problems they face include high debts incurred as a result of the experience, in addition to all the difficulties that led to their migration in the first place. Once used to travelling, it is very common for migrants – including exploited migrants – to choose to travel again.

People migrate for a host of structural and personal reasons, many of which do not change significantly upon return. In cases, they are often exacerbated by migration. Migrants who have experienced problems overseas are likely to have acquired significant debts, given the need in most cases to borrow funds for up-front payments that brokering agencies require (or, in cases, the cost of independent travel). This has led the Philippine government to amend the Migrant Workers Act by putting a cap on interest for loans obtained by migrants and prohibiting recruitment agencies from being a privy to the lending schemes for migrants. In Thailand issues of debt, fees and high-interest loans are also ones that the Government is aware of. Steps can be taken but these issues are not easy to tackle – repayment rates in the Philippines for government-backed low-interest loans are low, and in both countries many loans are made informally or underground. Familiarity with travel also gives the confidence and knowledge to travel once more. Repeated studies and discussions during this evaluation back these findings.

As a result, it is common for exploited migrants to wish to travel once more upon return. The 'push factors' that led to migration in the first place have rarely been tackled: a weak rural economy with few employment or income generating opportunities that match earning expectations; and difficult personal circumstances that often relate to structural gender inequalities. While intervention projects may on

¹⁸ "Re-Thinking Reintegration: What Do Returning Victims Really Want & Need? Evidence From Thailand And The Philippines". Strategic Information Response Network, United Nations Inter-Agency Project on Human Trafficking (UNIAP) Report GMS-07. Phase III Bangkok, Thailand. 28 August 2009

occasion be able to address these structural causes for some return migrants, on many occasions they will struggle to do so: like trying to swim upstream against a strong current in a river, small-scale initiatives at the local level will struggle to reverse wider economic trends. What is more, direct assistance is likely only to reach a limited percentage of exploited returnee migrants. Long term reductions in the cost of international travel are also likely to continue, furthering the attractiveness of repeat migration and cyclical migration.

In all, repeat migration is likely to be the most common livelihood strategy for many return migrants, including exploited migrants who are more likely to carry a significant debt burden. Reintegration itself is often a misconceived notion in many contexts, as many reports have indicated. The majority of returnee migrants appear to have less trouble returning to their communities than an incentive and desire to do differently.

Partner efforts to promote local livelihoods initiatives on a community basis, rather than with specific exploited returnees, are likely to be of limited value if trying to work on wider prevention.¹⁹ If focusing on specific exploited individuals, they can form part of individualised approaches that stress individual empowerment. Personal, psychological and social problems are also a significant aspect for many exploited returnees, but not necessarily for all.

3.1.5 Evidence base

The project is based on work to date, and a good appraisal of available information. Rapid assessments commissioned in the first year of the project provided more data. Ideally, such assessments should inform project design rather than being commissioned after activities are already finalised. With no budget for project preparation and a short time-frame for design, this was not possible, however.

While the analysis of the context of returnee migration is fair, and reflects a concern for the rights of migrants themselves, analysis of what interventions are likely to be most effective is less comprehensive. There are strong elements of participation in defining what partner implementing agencies should focus on (partly from the HSF project), and this is positive; the weaker link is in assessing the best way to support institutional capacity to deliver those services. In other words, institutional appraisal is not as strong as situational appraisal. With a short period of time for project design, this is perhaps an issue the project could have taken forward.

The original project design aimed (or so the evaluator understands) to identify services already in place and increase knowledge of what services were on offer, in order to assist referrals and long term assistance to exploited returnees. This has not been taken forward, although the project did compile a list of service providers compiled with basic information about services. The need is not for a list but for an analysis of how best to improve provision, within ILO's capabilities.

There is a minor jump in logic from the explanation of context (in the project document and rapid assessments), to the justification of the project approach. It was not clear from this evaluation where this element of project definition had been carried out. The project is based largely on experience of the HSF and other initiatives, but there is no overt comparison of different approaches and their relative merits. It is possible that this work was carried out informally during project design and subsequently by the project staff. Questions include: what change is viable in each country? What agencies are best positioned to promote change, and what experience is there of improving agency performance (especially of government agencies)? What interim steps will help reach the final aim? What evaluations

¹⁹ Note that the project tends not to support wider community approaches, but the issue is raised repeatedly in partner meetings.

of part projects exist, what models have been adopted by other projects, with what results? What is ILO's comparative advantage?

There is a strategic vision for the project, but its justification is not clear. The project, as mentioned in the project document, seeks to expand and further refine a customized multi-disciplinary approach (economic, social, legal, etc.) for target beneficiaries and further mainstream and institutionalize the approach. For instance, through ILO's reintegration projects (including the present one), DSWD in the Philippines has integrated in its budget economic assistance as part of its services for trafficked and exploited migrants and the referral system and databases are mainstreamed not only in their operations but also in those of other service providers. NGOs are strengthening multi-sectoral partnerships at the local level as a way of introducing to the local governments and other local partners their roles in the migration continuum and the viability of the approaches.

3.1.6 Focus

The project is not entirely consistent over the intended beneficiaries. This is not a fault of project implementation, but a result of some lack of clarity as described above, as well as the inevitable need to look at wider numbers for prevention as well as more specifically targeted 'victims'. Exploited migrant returnees are in places conflated with all returnees, for example, as if all returnees have been exploited. e.g. Indicator for Strategic Objective Two: "total number of return migrants ... who have recovered from their experience".

A direct focus on voluntary support for exploited returnee migrants that responds to demand rather than supply remains valid and worthwhile, including but not limited to victims of trafficking, and including but not limited to victims of sexual exploitation. Systematic work to address problems encountered in return and reintegration has to be undertaken as part of approaches to migration more widely, both generally (prevention) and for specific victims.²⁰ With 'reintegration' being an issue that is typically had to tackle directly, the project is rightly also looking at overall systems and problems that arise through migration.²¹

With a need to look more widely in order to reach a specific group, the project then has a broad range of potential initiatives with which to engage. The project structure, with support for government and NGO partners, leaves the potential to explore various different focuses. Without further focusing, the project risks being too broad, given that migration generally is a huge field – stretching well beyond those cases of serious exploitation. A fundamental challenge within this project is that what seems like a narrow, well-defined field of work in reality is not, resulting in a need to define more clearly the fields of engagement from an evidence-based approach to how change can be achieved.

3.1.7 Partners

Given the short duration of the project (3 years), it is appropriate to use and maintain existing partners rather than make any changes at this point. Most partners are suitable and appropriate for this project. The project at times seems fragmented, but in places that is because it responds to varied partner interests and concerns. This is appropriate, and demonstrates the sensitive way in which ILO has managed relationships.

²⁰ See HSF project final evaluation, section V, for steps worth taking, as well as background papers for the training in Turin and other material.

²¹ Stakeholder workshops in Thailand and the Philippines demonstrated this clearly.

ILO's core partner is usually the Ministry of Labour or its equivalent in all countries. For this project, other ministries including Foreign Affairs and Social Development / Welfare are also involved, in addition to specialised agencies set up to address trafficking. The combination of government partners inevitably adds to project complexity, but it enables critical multi-sectoral issues of return processes to be approached. In both Thailand and the Philippines, the project appears to have built good relationships with different government agencies. NGO partners are also well selected and appear to have relatively good relationships with ILO.

Some questions arise over relationships with government partners and NGOs for work other than direct assistance. It is hard, but critical, to assess how engagement with a partner agency is likely to lead to positive change. Standard challenges include inertia, lack of interest, resistance, corruption, lack of capacity, etc., and (as stated above) analysis of the relative strengths, weaknesses and potential for change within partners is not always evident. For example, local level work by the Ministry of Welfare in the Philippines and the Ministry of Social Development in Thailand was criticised (confidentially) by NGO partners, both in this project and more widely. Typical challenges include the difficulty of addressing change in decentralised systems²², little evaluation of activities, a focus on government-defined actions rather than people's needs, patronising attitudes to migrants (all in both countries), temporary involuntary detention of exploited returnees in a government welfare centre in Manila (Philippines), and top-down provision of poorly tested information by government (Thailand). For both countries' Ministries of Labour, irregular relationships between recruitment companies and government officials remain a key – and well known – issue.

These are challenging issues for any project, and they mean that while project-funded activities are likely to reach a stipulated number of beneficiaries, the overall scope for wider change needs closer attention.

Internationally, the project has developed a range of linkages with NGOs in Europe, but it is not well engaged with existing networks. Some of these – like GATW – originate from work on trafficking and may have some overlap with return and reintegration needs; others may be found through international bodies like IOM.

One further challenge is to assess the value of multi-stakeholder approaches. Support for exploited return migrants does often require tight cooperation between different government departments and also NGOs, and the project is working to promote such linkages. But in other cases, NGOs sometimes prefer a more confrontational advocacy style. This is not necessarily wrong, if carefully adopted as a means to assert pressure and encourage change. It does make it hard, however, for ILO to promote a multi-stakeholder approach. In cases, NGOs should not be pressured to work collaboratively if they can justify other ways of operating. An example is TLC in Thailand, whose confrontational former leader antagonized government, but (it could be argued) achieved some results.

The project and its partners do recognize these tensions, and see the difference between advocacy and cooperation over specific cases. There is value to be had from specific cooperation, undoubtedly- for example in the National Referral System (NRS) in the Philippines, where the project has recognized that the return of migrants may be channeled through governments or NGOs, but made sure also that documentation and referrals are connected at some point. The point here is that multi stakeholder approaches should not be a default mode of operation, but an approach selected for a specific purpose.

²² For example, DSWD has no supervision and control power over local social welfare offices. By virtue of the Local Government Code of 1991, social welfare services are devolved functions and the power of control and supervision over social welfare offices and officers are exercised by local chief executives. The DSWD merely provides technical assistance to local welfare officers.

The project approach is, on paper (and at times in practice at a more general level), similar in both Thailand and the Philippines – a design issue the project inherited. In practice, specific partner initiatives are generally well tailored to context in both countries (as already described), so this is not a pressing issue in terms of relevance of activities. But it reflects less context-driven planning at a more strategic level. The same combination of direct service projects through partners aiming at a target number, alongside multi-stakeholder approaches at a higher level, exists in both cases.

3.1.8 Gaps in project process

Several issues arise here. First, responsive projects need flexibility to respond as they learn and develop. For example, one of the first steps of the project was to commission knowledge development activities (rapid assessments). Presumably these will have increased understanding, and ideally they should have taken place as part of project design. (See for example the ILO- Ausaid Mekong migration project for an example of a more extended design process). The EC project format, with prescribed activities and budget right from the start, gives little scope for later development. There is little point in a mid-term evaluation if the project has no ability to change afterwards.

ILO, for its part, might have explored more innovative ways of planning within the EC framework. There is still time to do so. This includes further and more precise definition of the project's specific objectives. The Project's monitoring indicators are acceptable in terms of monitoring *inputs*, but do not facilitate monitoring of *outputs* (i.e. what change has the project achieved through an activity, both in terms of how it affected direct beneficiaries and how it affected the wider picture). Baselines are not revisited through further research, and other higher level indicators tend to monitor the establishment of systems rather than consider whether the system has had any impact. For example, monitoring total numbers of return migrants who have received return and reintegration services does not indicate level of quality or relevance of services. This compounds the lack of evaluation within government agencies.

The indicators in the project document are perhaps adequate at the start of a project, but they require further definition over time as the specific project aims are more clearly defined or revised. This has not yet happened.

3.1.9 Document production

Many internationally funded and implemented projects tend to produce guidance or documents to promote specific issues or ways of working. This is at times reasonable, but only as part of a clear strategy. Why produce a manual? What use will it have, and where? Documentation in English will not be accessible to most government staff and most NGOs, unions or employers in most countries (the Philippines is an exception).

To date the project has not fallen into the trap of over-zealous document production. But it remains a risk. A manual or guidance note is not in itself an output: it is a means to an end. That end needs closer definition that is country-specific or even institution-specific, before documents are produced. There may be value in generic global document production, but only if it serves a specific aim.

3.1.10 Management

Project staff comprises: two project secretaries (in Thailand from 1 February 2009, in Philippines from 1 June 2009); two National Project Officers (from June 1st 2009 both in Thailand and the Philippines) and one Chief Technical Advisor (CTA).

Selection and hiring of the CTA was delayed by time availability constraints of selected candidates to the post and by time implications of ILO administrative procedures for hiring of international staff. The CTA then left, creating a gap until a replacement could be found. These two gaps in the senior position were filled in management terms by the temporary involvement of the regional migration specialist, but they did create some issues. They may have contributed to minor project delays, and more significantly they may have added to a lack of clear strategic definition in each country. This includes overall aims of pursuing relationships with ministries, coordination with other ILO projects, considering networking and other measures in Europe, and defining a clearer focus for the project in each country (and more widely).

The first gap may have been avoided by more realistic project timing, accounting for the slow recruitment process more clearly. The second gap was probably unavoidable.

With the project hub being in Bangkok, there is a risk that the Thailand activities will receive disproportionate attention, and the Philippines end will miss out. This has been to some extent intentionally planned in response to a weaker base in Thailand and more diversified (and in places weaker) service providers both in Thailand and Europe. Regular contact and travel between Bangkok and Manila may be necessary, with the CTA travelling to Manila as well as the Manila Project Officer going to Bangkok. Generally, though, communication is good.

Coordination with other ILO projects will become increasingly important as the project continues.

The project document indicates a % of time committed from various ILO specialists, as part of the project budget. This should be tracked, as there is no means of verifying inputs at present.

The project is in the process of harmonising rolling workplans. These should be kept for each country programme, and for the overall project as a whole. At present, various different planning matrices are in operation.

3.1.11 Project structure

The project consists of project staff, and project-initiated actions, along with a series of small (c.\$20,000) grants to service providers. This structure means that the initiative for the project rests with ILO, with partners brought in but only funded with small, one-off amounts for prescribed activities. Most development projects structured in this way will suffer from a lack of continuity, superficial engagement in institutional issues, and externally driven agendas.

The project makes the most of the system it is operating within, does build good relationships, and does respond to partner interests. This is largely a result of involvement of partners (already familiar for ILO from previous projects) in project design, so activities are tailored around their interests. Continuity from past projects and towards potential future projects is also a clear and understandable objective.

But fundamental issues remain, as are perhaps best seen in the similarity of the overall strategy in both Thailand and the Philippines. Approaches defined and led by national institutions and national context would demonstrate more variety, and more appropriateness to context. It is fair to say that the national service providers meetings and individual planning sessions gave local contexts, but the point is more structural: the same overall approach was adapted to each country, rather than constructing the approach around the needs of each country.

This situation suggests that a more devolved planning structure and delegation of authority may assist the project by initiating *different and locally defined activities in each country*, rather than implementing the same list of actions in each place.

3.1.12 Reporting

Generally adequate data exists on progress over implementation of activities. The interim report and other steps provide reasonable information. (*“Progress on project implementation has been assessed and a reviewed 12-months work and monitoring plan was agreed during an internal review and planning meeting (Bangkok, 21-23 October 2009 for project staff). This includes clarification of internal monitoring and reporting requirements and procedures in consultation with relevant units and departments at ILO/HQ and within the Regional Office.”*)

Planning tools and reporting mechanisms could be simplified and standardized, as is currently being implemented.

No clear mechanism for revisiting and revising the original project document emerged. This is important given that baseline and assessment research was developed *after* the project document was finalized, including precise definition of activities. Both countries have seen policy changes and shifts in partner positions over the last 18 months, as well as development of new knowledge, that the project needs to respond to.

3.1.13 Design points specific to the Philippines

Most of the above points apply, including a clearer definition of how the project is using ILO's comparative advantage as an international UN agency to focus on defined critical issues, and how actions will enable change. At present the Philippines programme contains many useful activities, but a clearer focus may help define how to use staff time most effectively.

In general, labour migration from the Philippines is a bigger issue, and has a bigger profile domestically, than in Thailand. Organisations are generally more advanced in planning for returnees, exploited individuals, and related issues. Ironically perhaps, this makes it harder to define where to add value. These points are not fully reflected in project design (or at least not overtly so).

Funding agreements with project partners have only recently been concluded in the Philippines, meaning that it was hard to evaluate them. Discussions with partners, document review, and analysis of previous work seemed positive.

Debts were perhaps the largest problem facing returnee migrants in the Philippines. Past efforts to offer government-backed loans at lower interest rates to labour migrants failed owing to poor repayment rates. One reason for this may be the fact that many migrants choose not to return. Small steps to help improve the situation may be possible, especially for victims.

3.1.14 Design points specific to Thailand

Thailand's government and wider social set-up for return migrants is less comprehensive. Recent attention on labour migration up to the level of the Prime Minister in relation to poor regulation and management of recruitment practices, weak protection of Thai workers abroad and migrant workers in Thailand, with many high profile cases of human trafficking, does give opportunities for further interventions.

Debts are also a very serious issue, although higher repayment rates and recent experience of debt deferrals and cancellations gives scope for more policy interventions.

3.2. Progress of the project in achieving objectives and challenges

For ease of use, this section shows the structure and numbering of the original project document.

3.2.1 *Specific Objective One: Capacity building* *(By the end of the project, the capacities of service providers to return and reintegrate migrants who have experienced labour and sexual exploitation including victims of trafficking will have been improved in Thailand, Philippines and the EU and neighbouring countries through enhanced coordination and referral among focal agencies and key stakeholders.)*

Output 1.1: Knowledge base on return and reintegration between Asia and Europe

The project identifies lack of data as an important issue. The project has aimed to support action at the local level to find out more about returnee migrants from Europe, as well as commissioning broader rapid assessments on the context in Europe, in Thailand and the Philippines. Meetings and workshops have enabled the project to improve its knowledge and its scope to direct its interventions effectively (service providers' meetings, advisory group meeting, mid-term evaluation workshops etc.).

But some realism is also needed here, since data weaknesses as well as institutional capacity limits are likely to continue and inputs need to be prioritised. There is little clear evidence of an assessment of partners' information needs or of what services exist at present, even though this was part of the original project design.

The establishment of a 'community of practice' may help address the slightly isolated nature of the project (with links to direct partners, but not outside that), assuming that this 'community' extends outside ILO.

Activity 1.1.1 Rapid assessments / baselines provide reasonable summaries of information and a good basis for action, as well as recommendations for target areas. But baselines are hard to establish: many exploited migrants do not go through government channels. Research that aims to identify only migrants from Europe (as attempted for example by one NGO partner in the Philippines) appears to be less valuable than approaches that try to map returnees more widely (as in some other programmes).

Positively, partners in the Philippines and in Thailand (Kanlungan, Batis, others in Thailand) have been working with local authorities in mapping migrant returnees, and the mapping is done not only for returnees from Europe. Mapping results will be used in working with local governments to advance local agenda for migrants in general.

The final evaluation of HSF project recommended appraisals of the overall context of agencies and other bodies involved in return and reintegration support in both countries. Work produced to date is more an assessment of context than of institutions, leaving a gap in knowledge that affects plans for capacity building.

Activity 1.1.2 (Mapping of service providers) This activity could be revisited; original project design called for this measure. The potential value of improved information over what opportunities exist to access services is high, but only if any information produced will be used.

Activity 1.1.3 Merged with 1.1.1 (*Project documentation states: "A decision to carry out these two activities jointly have been taken after consideration of complementarities of the issues to be covered and the comparative advantage (both in substantive and financial terms) of having one authorship for the compilation of the information. The Thai and Filipino reports include: 1) estimates on the number of Thai and Filipino official and unofficial returnees; 2) existing practices on return and reintegration; 3) key*

trends of migration and return migration; 4) assessment of the quality of return and reintegration services based on information provided by service providers and returnees themselves; and 5) an updated listing of key service providers. Finally, the reports aim at identifying existing challenges and suggest priorities for intervention.”) This seems reasonable.

Activity 1.1.4 Campaign materials production: Is this relevant to both countries? Programmes should be taking different paths rather than following the same actions, and materials need to be produced as part of an approach rather than as an activity alone. It is not clear from assessments conducted since the project was designed that this step is necessarily most relevant to the needs of both countries. The actions could be revisited.

Activity 1.1.5 Website. It is worth asking whether a website is necessary, and what purpose it would serve.

Activity 1.1.6 Good practices, lessons learnt, other materials: This needs to be shaped specifically to the needs of each country. It may not be the best use of funds in all cases.

Output 1.2 Coordination mechanisms

This output is covered in general rather than by activity (excepting salient issues): again, there is little distinction between Thai and Philippine programmes, which is disconcerting since the same activities will not be valid in both cases. In practice, partners and project staff have taken activities in different directions, but within a centrally prescribed remit. Training programmes have been initiated as part of wider ‘capacity building’, and need consolidation as well as clearer focus

Here and in other areas, there is a need for monitoring that gains feedback from participants / partners / beneficiaries on whether actions undertaken by the project are useful and fit needs. Otherwise monitoring becomes simply a check of activities undertaken rather than an assessment of what value they add.

Activity 1.2.4 (Training in Turin) was conducted; participants seemed to have appreciated it, and benefitted from it. The training absorbed a high level of staff time (and cost). Follow-up is planned in Thailand and the Philippines. This is important to deliver, as well as at the international level, given the high levels of time and considerable funds spent on a fairly small group of people. This was designed as a core group of stake holders with a network behind them, i.e. one person from MOFA is a change agent for their unit but also their Embassies abroad, although it is not clear that this represents a sustainable approach to training and wider institutional change. Interviews during project development suggested considerable demand for further training from people in organisations including: OWWA both domestically and if posted overseas (from the Philippines); the Ministry of Labour (Thailand); NGOs like TLC (Thailand); and other social partners. In the Philippines, one suggestion from the workshop there was to integrate training into an existing Training Manual on Psychological Recovery, Social and Economic Reintegration.

Linkages within Europe/ networking: Progress has been made with specific cases and agencies including La Strada, a small NGO in Sweden, and others. But is it hard to attribute much specific change to ILO actions. Realistically, ILO is not well positioned undertake networking in Europe from Bangkok. It may be better to concentrate on single country cases rather than directly making networks in Europe an aim. An alternative would be to try to work more closely with a networking NGO already active in the field of trafficking.

Many of the proposed activities under 1.2 may need to be revisited, since the project now has more understanding of specific institutional needs in each country, and of what inputs will be best suited to assist them.

3.2.2 Specific Objective Two: Direct Assistance *(By the end of the project, return migrants in Thailand and the Philippines who have experienced labour and sexual exploitation including victims of trafficking from the EU and neighbouring countries will have been assisted and economically and socially empowered to protect them from further exploitation including re-trafficking.)*

Output 2.1 Services for exploited return migrants

The numbers of target beneficiaries, and extensive list of defined activities under this output, were finalized through consultation with potential partners. Progress to date has been reasonable, with partners remaining supportive of the project and beginning to implement. Some delays in the Philippines slowed implementation. Most partners have already established programmes in this field as a legacy of the earlier HSF project, making implementation relatively simple.

Most programmes have not been implemented yet, making it impossible to evaluate them fully. Critical issues are outlined in existing reports and elsewhere in this evaluation report.

Critical issues that remain have largely been covered in other sections of this report: the logic of combining direct action with rest of the programme; the cost-effectiveness of this approach; the purpose of presenting an actual number of planned beneficiaries; the quality of work of some partners (government partners in particular), given lack of evaluation of impact and the gap between small scale initiatives and wider change. The project may manage to reach the stipulated number of beneficiaries, but that does not ensure that the quality and level of impact of assistance is sufficient.

In the Philippines in particular, the search for returnees from Europe rather than elsewhere has taken up time and effort on the part of NGO partners. The project needs to weigh the added value of information and systems to track and support returnee migrants from Europe against the need to look at overall systems rather than a specific (and relatively small) group. Focusing only on migrants returning from one place may in places be useful for advocacy and promotion of change (as with Thai berry pickers from Sweden), but in other places it may be an artificial category that achieves little.

With small grants for each partner, ILO funded actions will be a small proportion of some partners' work. This makes it hard to evaluate impact beyond specific actions.

Output 2.2 Long term reintegration support for return migrants

Most of these activities are undertaken in concert with activities under 2.1. The emphasis on long-term support and sustainable impact is fair, but it also needs to be seen in wider context. In particular, some of the biggest problems faced by exploited returnees revolve around debt, and many will choose to re-migrate. This means that information on safe, legal migration options (2.2.5) is important.

Some partner agencies and other bodies may retain paternalistic views of migrants, for example that they should stay at home rather than being greedy, and should be content with self-sufficiency rather than aiming to earn a lot of money rapidly. These views may or may not be justified, but they are not a useful starting point for development programming, leading to misdirected information programmes and an over-reliance on small-scale rural income generation schemes that are unlikely to help returnee migrants repay huge debts. When working with government partners in particular (and occasionally with NGOs or other social partners), such attitudes present a risk to effectiveness.

A key lesson from HSF was the “Need to strengthen economic empowerment as a critical component of return and reintegration”. This is fair, but needs to be seen in the context of people’s overall livelihoods rather than the expectations that people want to stay in their places of origin (they often don’t), and that external interventions can produce viable economic activities in areas with underemployment and high rates of out-migration (they sometimes can, but often don’t). What is crucial here is the decision of the returnees, determined and reached with assistance from service providers.

3.2.3 Points on progress specific to the Philippines

The service providers meeting in the Philippines was delayed. Service agreement proposals were as a result developed by implementing partners in May 2010 when the project and project partners had better appreciation of the situation of migrants in Europe, as a result of the discussions and recommendations during the meeting of experts and the service providers meeting.

It makes sense to address the referral network, roles and responsibilities, training, and other elements the project is addressing to cope with exploited returnees, but there is a risk of placing too much emphasis on the National Recovery System and related Database. Efforts to create a fully functioning and coordinated system are unlikely to be successful given the number of gaps at many levels (local government in particular), and so a pragmatic approach is called for.

It may also make sense for institutionalization purposes. The support the project provides to DSWD is to roll out the systems in regions where the project is operating through their regional focal persons. The focal persons will then be responsible for cascading the systems at the local level through government funds. DSWD managed to include the budget in its annual appropriations to support this and other stuff they have learned through implementing the HSF and the current project. They have allocated resources on capacity building for its workers and integrated economic empowerment in its interventions. This should be monitored in any final evaluation or as part of follow-up: cascade systems are often challenging to deliver.

Similarly, recourse to legal action (against unscrupulous agents and others) is likely to be a part of the solution for some returnees, as well as generating wider incentives to change. But in many cases, as with returnees from textile work in Romania, legal action is likely to be very long-winded and possibly fruitless. Too much expectation that formal systems will effectively support exploited returnee migrants misses the reality, that many exploited returnees will only partially benefit if they do enter the official system, and many more return unofficially. There is no specific solution to this situation, but ILO needs to continue keeping a distance from government-based perspectives that regard tighter formal systems as the sole response.

Improved spending and investment of remittances is a major issue in the Philippines. However it may be moving too far from this project’s core area of competence,

The project can be clearer on defining policy advocacy targets for the Philippines. It is putting emphasis on the roles of local governments and local stakeholders. Through Kanlungan and Batis as well as OWWA, it hopes to be able to develop models on cooperating on reintegration assistance for beneficiaries by engaging and tapping local stakeholders.

3.2.4 Points on progress specific to Thailand

Local government work in Petchabun, building on earlier ILO assistance, has made impressive progress in preparation for the service agreement under this project. But there is also no assessment of whether proposed or past assistance actually helps. It is understandable that work with government requires long timeframes, but ILO has been involved in this field for a while, so should have some idea of how to promote evaluation of impact not outputs. This is important given systemic lack of evaluation in government.²³

Encouraging local government departments to consider different social issues is a valid endeavour, but where performance across all initiatives is blocked by systemic failures (like a failure to consider the actual impact of work) then it may act to distract from the need for wider reforms.

Following high-level pressure (from the Prime Minister and Minister of Labour), the Department of Employment of the Ministry of Labour is promoting improved registration systems for migrants, and other steps to reduce well-publicised cases of high (illegal) fees from recruitment agencies and allegations of nepotistic contacts between recruitment agencies and government officials. If this promotion is considered to be a serious step rather than a cosmetic response (and it is beyond the scope of this evaluation to tell), then it may be an opportunity for further ILO involvement from this or other projects.

Institutional change and promotion of accountability in this field is difficult. But there is continual NGO pressure, academic attention, and currently a sympathetic government. DoE plans for addressing the issue could benefit from further expert inputs: comparative experience of steps in other countries, or of how other agencies have successfully tackled similar issues in Thailand, support to develop pilots, strategic planning, etc.

OWWA, the government-run welfare agency for migrants from the Philippines, now works actively with migrants who have not paid subscriptions. Thailand could consider this model.

Service agreements with the NGO TLC have been undermined to an extent by staff changes. This may show the need to involve more than one member of a partner agency in project activities.

More widely, desire for information and knowledge on exploitative migration and returnees is high, and further training may be beneficial if well targeted.

Condescending government attitudes are noticeable – for example, a perception that migrants expose themselves to risk purely through ignorance, that should be tackled by civil servants telling rural people the truth. ILO needs to ensure it does not unwittingly back these attitudes, or activities that stem from them. This includes information campaigns by government departments (MoL and MoFA), training for migrants, etc.: much of it may be misguided at root unless conducted and designed with the input of migrants themselves.

Tension between NGOs and government is perhaps inevitable, and is not necessarily a problem. It does, however, mean that ILO needs to be careful who it supports, and at times should consider not aiming for common positions but accepting differences of opinion instead.

Processes in Thailand for supporting exploited returnees do need further regularisation, but supporting this process requires strong institutional understanding. The project has good relationships with

²³ Petchabun is singled out as a case of wider evaluation needs, given their otherwise excellent presentation at the evaluation stakeholder meeting in Bangkok,

government agencies, and may benefit from further specialist involvement to enable it to work out how best to take forward its involvement – in this project and others.

Where the project has found that it needs to ‘push’ government to make progress (as was mentioned), it should perhaps not do so, but concentrate elsewhere instead or find other ways of operating. Pushing for changes from outside rarely makes sustainable change.

As in the Philippines, there is some risk that continued promotion of regularising systems will create more red tape and push more migration underground. Some staff in MoL are aware of these risks, and try to reduce the bureaucratic burden of official migration, but the issue will continue.

3.3 Relevance of the project

The project is for the most part highly relevant to the context, and to ILO as well as EU policy. It responds to evaluations of earlier projects (notably HSF) that recommend further work in this field.

ILO managers, specialists, and project staff are all supportive of the project. They see its aims as relevant for ILO's Decent Work agenda, ILO's work on labour migration generally, and the specific country priorities of Thailand and the Philippines. EU staff met in the Philippines and Thailand were supportive of project aims, as were government counterparts. Non-governmental counterparts and academic researchers were also positive in their views.

Prevention of exploitation experienced through migration will not be achieved through legal steps alone: *"there is still a tendency amongst, in particular, receiving countries to see the problem of undocumented and/or irregular migration as one of 'better' security and policing rather than one which can be much improved through sensible labour migration governance measures inter alia by making legal migration cheaper and simpler."* (From Cluster 2 project evaluation) In this regard, the project is working on appropriate issues, within Europe and in sending countries.

Working relationships, models and practices developed during the project may be relevant to future and other ongoing ILO projects. The issues surrounding international cooperation over exploited returnees are of global relevance, with wider experience in Africa, Eastern Europe and elsewhere.

Some other specific issues:

- Small economic projects are unlikely to compete with macro-economic patterns, potential income from migration, etc. Overall livelihoods improvements are desirable but remain a national issue and beyond the reach of small projects. While high-quality community-based work can improve the lives of a small number of people, it is hard to see how it will tackle a problem that is not localised but covers large areas of the Philippines and Thailand from where migrants originate (See also point 4 on budgets below). This is not a new issue and is correctly identified in the project document risks section (1.9.1, para 3). See for example the recent ILO evaluation which found that outreach programmes in particular are in need of further evaluation, given that to state numbers of people 'reached' is not meaningful.²⁴

- Debts emerge as the biggest issue for re-migration, with migration being effectively a form of debt bondage.

As a result of these factors, some questions remain over the relevance of project inputs and activities in terms of achieving stated project aims. The likelihood of achieving significant impact depends on finding appropriate entry points and models that will support wider changes. The project is in many areas taking such an approach, but in other areas the links are less apparent.

²⁴ Independent Cluster Evaluation of Two ILO Projects On Labour Migration 1. ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration (RAS/05/M02/EEC) 2. ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia (RAS/05/M14/JPN) Niall O'Higgins, 30 January 2009.

3.4 Efficiency of resource use

3.4.1 *Overall findings*

The project budget gives a low percentage of overall funds to partner agencies through a series of relatively small service agreements. With this set-up, it is imperative that the project justify the costs of staffing, advisory inputs, etc., by promoting high level change, demonstrating the added value of ILO involvement. The project is part-way to achieving these goals, but requires some more definition of how its inputs will make a significant difference at the macro level. Similarly, the regional level of this project needs to demonstrate how it is adding value, given that a management function for a project involving only two countries should not be that burdensome. Such value can be added internationally (including in Europe or by building generic approaches), or by supporting strategic approaches within Thailand and the Philippines.

The regional advisory inputs stipulated in the project document (1.2.2 to 1.2.8) need tracking and monitoring. No evidence is available at present.

Some financial problems caused by the depreciation of the Euro might have been in part offset by savings through delayed deployment and gaps in filling the CTA position (assuming transferring resources between budget lines is allowed), but the budget remains tight.

The budget and activity plan, as with all projects, needs revisiting and adapting over time. This is not a reflection of project inadequacies, but a positive reflection of flexibility and willingness to enter into a process rather than produce pre-ordained and often irrelevant outputs.

In terms of sustainability, the project is aiming towards making lasting changes. But note that increased national capacity does not necessarily mean that exploitation of migrants or better support for victims is sustainably addressed (i.e. greater national capacity may not actually make any difference to the problem). More evaluation of outputs and impact rather than of activities will be required to test sustainability.

This will in turn require more input from final beneficiaries. A final evaluation will need such information on which to base judgments.

4. Conclusions

4.1 Overview

Generally the project has made good progress although the project was held up, especially in terms of definition of strategic direction, by delays in filling the CTA position. Now that the CTA is established, the project is positioned well to perform in the second half of its timeframe. The overall project approach and field of engagement is appropriate and reflects need as well as a long background on which to build the programme. The project is positioned to link with domestic agencies and initiatives, and with other current and future international projects of ILO and other bodies. It has the potential to build models for future action.

4.2 Key issues

Some significant issues that stem from the fundamental design of the project do arise. Two main issues are: a) the problem that the project aims to address is less tightly defined than the original project design makes out; b) the project strategy for addressing the problem is not sufficiently highlighted, nor is there a clear process for defining a strategy over time. There are also other issues, some of which are more specific, and some of which stem from structural aspects of the project, the ILO more widely, and the EC funding process.

4.3 Target group

Maintaining the target group of exploited returnee migrants while also trying to look at 'upstream' prevention is perhaps inevitable: repeated cycles of migration mean that prevention and post-migration services become indistinguishable at times. This creates some challenges and lack of clarity. The project has responded, but that leaves it a little vague over the precise target group and the methods for addressing their needs. In other words, once moving beyond direct assistance towards prevention, and away from a focus on trafficked sex workers to a wider and more diverse group, the target group is far broader. The proposed solution emerging appears to be a focus on only some limited and specific dimensions of migration where they specifically address issues that affect trafficked and other exploited returnee migrants. Even then, though, this is still a wide field with definition need.

Target numbers appear to have some benefits, but risk distracting from a) wider issues, and b) issues of quality of outreach.

4.4 Focus on Europe

The focus on migration to Europe creates some challenges given its relatively low occurrence and higher rates of exploitation elsewhere. But useful models can still be developed, and support provided, that can be adapted elsewhere for other migrants and other European countries.

4.5 Evidence base / institutional change analysis

The project is built on a fair evidence base, but has not clearly articulated how its proposed actions are designed to promote sustainable change, or what models of change plans are based on. Institutional analysis and a realistic approach to what changes can be achieved are not yet established. The expected impact of work with some partners is not yet clearly defined, and appraisal of their strengths and weaknesses not apparent.

These issues affect capacity building inputs in particular. A clear idea of what added capacity will achieve what end, addressing what deficiency and responding to what internal demand. Incentive for change is essential. A relatively small project has to be strategic and catalytic (i.e. initiate change) in its work.

A related point: multi-stakeholder approaches are of some value, but not always. Other ways of working may be more appropriate in some instances.

4.6 'Reintegration'

Reintegration as a concept needs careful treatment. For a majority of exploited returnee migrants, it is not a problem in itself but part of wider challenges.

4.7 Debt

Debt incurred through the migration process and the need for up-front payment of fees emerges as the largest problem facing exploited returnee migrants.

4.8 Continued paternalistic attitudes

Some residual expectations that exploited migrants need to return to communities and practice sustainable local businesses still colour some actions of the project and of partners. Exploited returnees need options and empowerment.

Some interventions, especially government-led actions, are not compatible with empowerment-based approaches. These are mostly not interventions that the project directly supports, but the project does support the same agencies, and so care needs to be taken in adopting an appropriate approach. This includes detention of returnees, information provision based around the assumption that government officials know more than migrants themselves, and projects that are focused on rural livelihoods alone rather than a more integrated approach to individuals' economic roles in an interconnected national and international context.

4.9 European aspect

Work on European involvement has progressed, through Thai and Filipino government representation and NGOs. More work could be attempted but may require involvement with networks in Europe that are beyond the scope and remit of a project based in Southeast Asia.

4.10 Material production

It is not yet clear how and what documents will be produced by the project. This is not in itself a problem, unless it leads to a rush to produce resources at the end of the project with little time to plan their form and use strategically.

The Turin training programme was a major financial and time investment. The training tools will be adapted as needed at country level, and the project can consider how best to do this so that others can access and use the material rather than relying on continuity of staff.

Referral guidelines are also mentioned. Similar issues apply.

4.11 Process planning and essential flexibility

There is little room for flexibility and responses to learning within the project structure, budget, and activities. Rapid assessments were conducted after the project began rather than as part of design. This suggests that a process-based approach is required. The context in both countries has also changed over time, with new opportunities arising. The EU has not received any proposals for changes to activities or budgets, and would not necessarily be resistant if changes were designed to improve project outcomes.

The project structure and design appears to replicate similar actions in two countries. It is not entirely clear why, even if in reality local partners do take the project in different, and appropriate, ways.

Strings of small service agreements to many different agencies may not be the most effective way to promote sustainable change. A long list of different activities does not give confidence that the project is responding to external demand. The project budget allocates a low overall percentage to a string of partner agencies. Demonstration of value added through ILO involvement is not yet prominent.

4.12 Monitoring

Project monitoring and evaluation places emphasis on activities, and the system for monitoring implementation could be harmonised. Emphasis on monitoring impact is weak, both at the project level and within service agreements. Increasing participatory monitoring may be a way to address this while also increasing the scope for returnees to express their needs.

5. Lessons for ILO

5.1 Lessons learnt For ILO and future projects in this and related fields

- 5.1.1. *Challenging attitudes and disempowering practice:* Despite years of international and domestic work on trafficking, return migration and related issues, patronising attitudes and services that are not focused around victims' rights and needs still continue. Governments also tend to focus on small numbers in the official system rather than the wider problem. Projects should realistically consider if they can change attitudes while having to work within existing systems and norms.
- 5.1.2. *Accepting difference:* Multi-stakeholder approaches are not always best: some NGOs achieve change by being confrontational. While ILO may need to distance itself from such approaches, it is not always ideal to push agencies into common working.
- 5.1.3. *Question the relative merits of community and targeted approaches versus other work:* In places, community level work is essential to demonstrate and test approaches, and achieve some direct goals. But unless there is a strategic plan for replicating work or a clear reason for funding it, ILO's structure and operating methods do not make it a cost-effective use of resources.
- 5.1.4. *Think about when multi-partner approaches are most appropriate:* While such approaches inevitably look balanced and well designed on paper, they may stretch project resources too thinly. They do not guarantee that the overall approach in any country is improved. In many cases, more focused interventions may make for more sustainable change. It is not always necessary to mix direct assistance with capacity-building.
- 5.1.5. *Consider fewer partners, and bigger service agreements:* This would enable more carefully managed inputs, and promote better institutional analysis. ILO should also look to increase the percentage of project budgets that is spent on service agreements.
- 5.1.6. *Appraise institutions carefully:* If undertaking capacity-building, it is vital that project actions are based on an understanding of organisational incentives, scope for change, etc. This can only happen by concentrating on a select few partners.
- 5.1.7. *Promote more flexibility within projects:* This is partly in the hands of the funder, but projects can integrate ongoing monitoring and revisions of the workplan and, where possible, budgets. Project design that comes up with the same list of activities in different countries looks as if it is not responding to context.
- 5.1.8. *In projects with returnees, focus on the needs of returnees. But in doing so, be realistic given the limits of the operating environment.* Programmes for exploited returnee migrants need to reflect the reality of people's lives and the options that they wish to choose. Exhaustive efforts to track down returnees may not be worthwhile. Local livelihoods and community based projects are hard to make successful, or to scale up beyond isolated incidents. Government welfare services and outreach are likely to remain patchy and of mixed quality in most developing sending countries for many decades to come. Many exploited returnee migrants do not go through official systems.

- 5.1.9. *Be clear about what the target group is:* Specific initiatives to reach a relatively small number of people (i.e. exploited returnees) spread over a wide area. Narrow area-based approaches may have little impact.
- 5.1.10. *Think about programmes to help reduce migrants' debt burdens:* This seems to be the largest issue for returnees who come home early, before they have been able to pay off loans through foreign earnings. At root, the loans taken out to pay large fees to official brokers and agencies to facilitate migration represent a form of debt bondage. ILO can, in some places, support better ways of managing the migration process so that loan amounts are reduced.
- 5.1.11. *Ensure that models of support for returnees fit the wider context:* Ways of coordinating to support exploited returnees can be improved, and models established. But this should not be supply-driven. *Consider how to increase the voice of migrants* or other final beneficiaries themselves. This can be part of advocacy, monitoring, and service agreements. It is important to consider how projects fit into the wider picture: Any single project is likely to be a very small part of wider processes and potential for change. Other international and domestic initiatives are as or more important.
- 5.1.12. *Evaluations and monitoring of outreach quality:*
- Many services are not properly evaluated. More evaluations, or overviews of evaluations if they exist, will help plan better work. This involves evaluating output and impact, not just completion of activities.
 - Promoting improved evaluation practice of partners should be a core aspect of service agreements, extending beyond counting numbers of recipients to include issues of quality, and to involve participation of beneficiaries. Evaluation is a core part of project work and government operations. (This comment is not about ILO's evaluation needs, but about how partners evaluate as a mainstream part of their work. If partners simply deliver projects but do not build their own evaluation capacity, it is unlikely that they will improve.)
- 5.1.13. *Unions and employers:* Revisit relations with unions and employers to see what scope exists for more collaboration.

6 Recommendations

6.1 For the Project, 2010 / 2011

- 6.1.1. *Defining clear focus for upstream efforts of rest of project:* So far, the project has undertaken a range of actions. There is no cause to change direction at this stage, but there is a need to concentrate staff time in a limited number of areas where some change can be made.

These areas can be defined separately for: a) Thailand, b) The Philippines, and c) more widely including Europe as well as generic model development. The project is a small, temporary initiative in a big field, and will only be able to achieve tangible, incremental steps.

- 6.1.2. *Definition of target group:* It is proposed that the project team agree on the clear definition for Thailand, the Philippines and more widely early in 2011.

The project can revisit its definition of its target group. If it is moving towards prevention work, it should be clear about the implications of that for defining whom it is aiming to assist. If the focus of some actions are (or are not) particularly on exploited commercial sex workers, then it should be clear about that. This process should also help define the focus for the remaining stages, ensuring that the targets set for direct assistance do not end up directing the project. Clarity and openness will help plan relevant interventions.

- 6.1.3. *Potential general focus fields:* Focus fields are already emerging from discussion: It is proposed that the project team hold an internal workshop or similar process in order to reach agreement on the clear focus fields for Thailand, the Philippines and more widely early in 2011.

It is critical to define in detail what the steps are to be taken over the remainder of the project, and justify them: how these steps will help attain overall project goals as well as specific institutional goals with partners, and how they address problems, build capacity, etc.

- 6.1.4. Potential general focus fields for multi-country work: should be defined as soon as possible by the project team.

a) Models of managing return – if this is prioritised, the project should look at other models – for example from Eastern European countries with migrants and trafficking flows to Europe.
b) Networks: but the project is not well positioned for work in Europe.
c) ‘Community of Practice’: this requires closer explanation of how it will help the specific aims of the project.

- 6.1.5. *Monitoring and evaluation*

a) The project is in the process of harmonising rolling workplans. These should be kept for each country programme, and for the overall project as a whole. At present, various different planning matrices are in operation.
b) The project document indicates a percentage of time to be committed from various ILO specialists, as part of the project budget. This should be tracked, as there is no means of verifying inputs at present.
c) Ensure that evaluation is approached as an element *within* service agreements.
d) Ensure participatory involvement as a part of standard project monitoring, to feed into final evaluation.
e) Consider how to evaluate impact, not outputs. This includes monitoring and evaluating impact on targeted direct beneficiaries, rather than just calculating numbers reached.

f) Participatory approaches to evaluation encourage partner agencies (and ILO) to listen to the views and needs of returnee migrants themselves.

6.1.6. *Thinking strategically about documentation and websites:* Document production in the second half of the project should be part of the development of strategic models or for fulfilling another clear purpose. There is little point in producing documents or a website as a goal in itself.

6.1.7. *Revisit the budget and activities:* At this stage, changes should be made to respond to evolving circumstances and knowledge, in accordance with good developmental practice and in order to respond to the comments across this evaluation. As already stated, no major changes are necessary but some alterations will be needed to reflect the issues mentioned in this evaluation.

6.1.8. *Focus capacity building efforts on a limited number of partners:* The project works with many partners. Capacity-building is a hard and intensive undertaking, and key institutions should be prioritised. At the same time, it is important to retain a focus on migrants themselves.

6.1.9. *Build on new openings:* Some opportunities within government systems have opened up in Thailand and the Philippines. Pending closer consideration, these may be worth focusing on.

In Thailand, high-level and non-governmental pressure to improve labour recruitment agencies and reduce fees has created high-level opportunities, but to take advantage of them will require close institutional analysis and learning from past experience.

6.1.10. *Analysis of key institutions:* In order to ensure that capacity building engagement has a sustainable impact, a better understanding of the incentives and scope for change within key partners is needed. The project should tap ILO or external institutional experts with relevant experience in early 2011.

6.1.11. *Encourage extension of reach and improved services, not universal coordinated systems:* Realistically, support for exploited returnees will not be comprehensive, and many will choose to stay outside formal systems. The project should avoid encouraging governments to work towards state-centred and universal solutions, since it is a goal that cannot be achieved.

6.1.12. *Enabling different directions for different countries:* A more devolved planning structure and delegation of authority would assist the project by initiating *different and locally defined activities in each country*, rather than implementing the same list of actions in each place.

6.1.13. *Link increasingly with other projects:* As the project continues, look to ensure that continuity is possible by linking with other ILO projects, but also with others outside the ILO. If project funding constraints limit action in response to new scope for critical work, consider linkages with other projects, or seeking further funds for more specific programming.

6.1.14. *Management:* Take steps to ensure that the project management location in Bangkok does not skew attention too much towards the Thailand programme and offer less support to the Philippines.

6.2 For the EC

- 6.2.1. *Enable budget and activity revisions:* Such steps enable rather than change commitment to the original aims of the project. Good projects usually follow evolving processes rather than simply implementing lists of pre-ordained activities.
- 6.2.2. *Enable a focus that includes but is not limited to migrants returning from Europe and surrounding countries:* This is relevant to this and future projects.
- 6.2.3. *Take a holistic view of return:* Narrow reintegration programmes will probably not stop migrants undertaking potentially risky repeat journeys for work in Europe. Wider approaches both to support and prevention, along with other measures in Europe, are needed, in keeping with wider perspectives on circular migration patterns.

Annexes

Annex 1. Terms of Reference

The External Collaborator will perform for the ILO the work described in detail below (including project code, dates of travel, countries of travel, as necessary) in accordance with the specifications and within the time-limits set out:

RAS/05/03M/EECProject: Going back - moving on : Economic and Social Empowerment of Migrants including Victims of Trafficking returned from the EU and Neighbouring Countries.

Terms of Reference - Project mid term self evaluation

Introduction:

The issues of international labour migration cut across all spheres of the normative and technical activities of the ILO. The search for employment and socio-economic security is the principal motive for the migration of workers. The social protection of migrant workers is at the core of the ILO's work, whether to protect workers against forced labour and against discrimination, provide them with social security coverage, improve better working conditions, and combat the spread of HIV/AIDS. The ILO's approach towards a fair deal for migrant workers is based on seven components: (1) promoting international labour standards to protect the basic rights of all migrants; (2) monitoring migration and the conditions of migrant workers; (3) working with social partners and other stakeholders to protection of migrant workers; (4) influencing the formulation of coherent national policies and measures on labour migration; (5) enhancing administrative capacities for managing migration; (6) preventing discrimination and facilitating the social and economic integration of migrants; and (7) engaging in regional and international dialogue and cooperation. In addition, promoting social dialogue on labour migration is one of the building blocks of ILO work on labour migration. This means putting migration on the agenda of the wide stakeholders, in particular encouraging their active advocacy for the policy reforms.

Rationale for evaluation:

It is a good practice that the project conducts a review of its progress and challenges/problems when the project implementation is at its half way. This will allow the project to improve and/or adjust its strategies for the remaining period. The self midterm evaluation is proposed as it is less expensive and can be responsible (and/or carried out) by project staff who are already familiar with the context of the project.

Purpose, scope and process of self-evaluation:

The evaluation will examine the progress of the project implementation and the development toward achievement of the project's objectives, contributions to the ILO programme outcomes on labour migration and the relevant decent work country programmes, and the ILO Plan of Action on labour migration in Asia Pacific.

Three questions, suggested by the United Nations Evaluation Group (UNEG), can be used as the basis of for the self-evaluations:

" Are we doing the right thing? Evaluation examines the rationales for the intervention (design) and looks at the relevance of



the intervention.

" Are we doing things in the right way? Evaluation also assesses the effectiveness of achieving expected results. It examines efficiency in the use of inputs to yield results. It also assesses the satisfaction of intended beneficiaries.

" Are there better ways of achieving the results? Finally, evaluation looks at alternative ways of achieving the same results. This relates to what has been learned and identifies good practice for future application.

In other words, the evaluation will focus on

- (i) the validity of their design
- (ii) the progress of the project in achieving each objective and challenges (effectiveness)
- (iii) relevance of the project
- (iv) efficiency of resource use
- (v) recommendations for improvement

Scope

The midterm self-evaluation examines the project period since the project implementation begins up to the evaluation mission date. The self-evaluation will examine all of the operational area covered by a project both in Thailand and in the Philippines.

Mid term self evaluation methodology:

The mid term self evaluation process will be conducted through review of the progress reports, the activity reports, the project technical reports. A one-day stakeholders consultation will be organized in Thailand and the Philippines, in which the project team and partner agencies assess the programme's implementation progress to date and key challenges. A participatory approach will be adopted in the stakeholder consultative process. Interview by phones with selected stake holders in the EU countries (Italy, Spain, Cyprus, Sweden, Poland and Switzerland) will be conducted. Consultations will be conducted with the EU representatives in the Philippines and Thailand. An internal consultation within the ILO will be conducted involving ILO specialist on migration Geneva and Bangkok, ILO country management in Thailand and the Philippines, other ILO projects on migration governance, and the ILO regional management .

The national stakeholders consultation workshop will have three main purposes, but not limit to, as follows:

- to gather key information from participants
- to answer evaluation questions by reviewing and discussing information about the project
- to make evidence based recommendations on any strategic adjustments (if needed)

Key evaluation questions/aspects to be addressed:

The mid term self-evaluation will make an attempt to answer the questions and aspects listed below, from which the evaluator will draw the conclusion and the recommendations.

1. Validity of design

" What was the baseline condition at the beginning of the means of action? How was it established?

" Are the planned immediate objectives relevant and realistic to the situation on the ground? Do they need to be adapted to specific conditions?

" To what extent is the design of the means of action sound in addressing the country's needs?

" Is the intervention logic of the means of action coherent and realistic?

" How appropriate and useful are the indicators described in the project document in assessing the progress of relevant means of action? Are the targeted indicator values realistic and can they be tracked? If necessary, how should they be modified to be more useful? Are indicators gender-sensitive? Are the means of verification for the indicators appropriate?

Project progress and effectiveness

" Is sufficient progress towards the planned objectives being made? Will the planned objectives likely to be achieved upon completion?

" Have the quantity and quality of the outputs produced so far been satisfactory? Do the benefits accrue equally to men and women?

" How do the outputs and outcomes contribute to the ILO Regional Plan of Action on Labour Migration and the ILO multilateral framework on labour migration?

" How have stakeholders been involved in the implementation? Has the project been effective in term of promoting national ownership?

" Have the means of action been appropriately responsive to the needs of the national constituents and changing partners' priorities?

" Which areas seem to have the least achievements? What have been the constraining factors and why? How can they be overcome?

3. Relevance and strategic fit

" How have the means of action contributed/ or had any added value to the larger initiatives?

- " Do these means of action address a relevant need and priorities of the countries? Was a needs analysis carried out at the beginning of the projects reflecting the various needs of different countries and stakeholders? Are these needs still relevant?
- " How do the means of action align with and support relevant national development plans and, national action plan on relevant issues e.g. on migration, anti-trafficking etc. as well as programmes and priorities of the social partners?
- " How do the means of action align with and promote the ILO's Asian Regional Strategy on Labour Migration, Asian Regional Plan of Action, and the ILO Multilateral Framework on labour migration?
- " How do the means of action support the DWCP of the target countries and complement and fit with other ILO projects and programmes in the countries of interventions and in the region?

4. Efficiency of resource use

- " Have resources (funds, human resources, time, expertise etc.) been allocated strategically to achieve outcomes?
- " Have resources been used efficiently? Have activities supporting the strategy been cost-effective? In general, do the results achieved justify the costs? Could the same results be attained with fewer resources?
- " Have the funds and activities been delivered in a timely manner?

Output of the self-evaluation

The output of the self-evaluation will be the report containing the following contents:

- " Cover page with key project data (project title, project number, donor, project start and completion dates, budget, technical area, managing ILO unit, geographical coverage); and evaluation data (type of evaluation, managing ILO unit, start and completion dates of the evaluation mission, name(s) of evaluator(s), date of submission of evaluation report).
- " Executive summary
- " Background on the project
- " Purpose, scope and process of evaluation
- " Presentation of findings (key evaluation questions and follow up on recommendations of the mid-term evaluation)
- " Conclusions
- " Recommendations (including to whom they are addressed)
- " Annexes

Management

The self-evaluation will be managed by the CTA of the project, with assistance of an international consultant who will collect and analyse the information, including tabulation of data. In Thailand and the Philippines, the project coordinators will facilitate the field visit and stakeholders consultation. In the evaluation, the stakeholders will provide inputs through consultative meeting at the national level, The draft report will then be shared with key ILO officials to provide comments before finalizing and submitting to the ILO-ROAP Evaluation Unit for sharing with stakeholders and the donor.

Annex 2.

Agenda

DATE AND TIME	ACTIVITY	CONTENT/REMARKS
September 2	Panudda Boonpala Pamornrat Pringsulaka Thetis Mangahas Emanuela Pozan (All ILO in Bangkok)	
September 6 (Monday)		
9:00 – 11:00	<ul style="list-style-type: none"> ▪ Keiki Niimi, Deputy Director ILO Manila ▪ Briefing and discussion at ILO Office <i>Persons met</i> Robert Larga, NPC Cocoy Sardaña, Sr. Prog. Off. Hilda Tidalgo, Prog. Asst. 	<ul style="list-style-type: none"> ▪ Purpose of the evaluation ▪ Overview and discussion of project implementation in the Philippines ▪ Schedule and administrative Arrangements ▪ Review of arrangements for Stakeholders’ Meeting ▪ Links with the Decent Work Country Programme
11:00 – 12:00	<ul style="list-style-type: none"> ▪ Meeting with the Representative of the EU Delegation to the Philippines <i>(30/F RCBC Plaza Tower 2, Makati City)</i> <i>Person to meet:</i> Ms. Camilla Hagström Deputy Head of Operations 	<ul style="list-style-type: none"> ▪ Purpose of evaluation ▪ Discussion about project progress in the Philippines ▪ EU developments
14:00 – 16:00	<ul style="list-style-type: none"> ▪ Meeting with the Department of Social Welfare and Development (DSWD) <i>(DSWD Office, Quezon City)</i> <i>Persons to meet:</i> Undersecretary Alicia R. Bala Assistant Secretary Florita Villar ABD Gemma Gabuya Ms Helen Suzara Ms April Mendoza 	<ul style="list-style-type: none"> ▪ Discussion of DSWD activities on national referral system, database and capacity building for service providers
PM	<ul style="list-style-type: none"> ▪ Brief meeting with Batis and Batis AWARE Officials 	
September 7(Tuesday)		
9:00 – 12:00	<ul style="list-style-type: none"> ▪ Meeting with OWWA beneficiaries ▪ Meeting with Overseas Workers Welfare Administration (OWWA) Officials and tour of OWWA facilities(<i>OWWA Office, Pasay City</i>) <i>Person to meet;</i> Director Vivian Tornea Plans and Programs 	<ul style="list-style-type: none"> ▪ Interaction with at least 5 potential project beneficiaries ▪ Discussion on OWWA’s programs and services and implementation of reintegration assistance under the project
14:00 – 15:00	<ul style="list-style-type: none"> ▪ Meeting with Kanlungan <i>(KFCI Office, Quezon City)</i> <i>Person to meet;</i> Exec. Dir. Wowie Lomibao Ms Rory Illumin 	<ul style="list-style-type: none"> ▪ Discussion on progress of implementation of project activities

15:30 – 16:30	<ul style="list-style-type: none"> ▪ Discussion with Kanlungan project beneficiaries (<i>Kalayaan Ave., Quezon City</i>) <i>Person to meet;</i> Exec. Dir. Andrea Anolin Ms Beryl Crespo 	<ul style="list-style-type: none"> ▪ Discussion on progress of implementation of project activities
September 8 (Wednesday)		
9:00 – 15:00	<ul style="list-style-type: none"> ▪ Stakeholders' Meeting (<i>ILO Auditorium, Makati City</i>) 	<ul style="list-style-type: none"> ▪ Estimated 20 participants that include implementing partners, ILO Constituents, government, and other stakeholders
15:30 – 17:00	<ul style="list-style-type: none"> ▪ Skype Call with Ms Charito Basa of Filipino Women's Council in Italy ▪ Teleconference with Welfare Officer Josephine Sanchez-Tobia from OWWA Office in Cyprus 	<ul style="list-style-type: none"> ▪ Feedback on capacity building, study tour and proposed transnational coordination mechanisms
Monday 13 September		
	<ul style="list-style-type: none"> ▪ Feedback on evaluation with ILO Director, NPC and Programme Officers (<i>teleconference</i>) 	
September 14		
10:00-12:00	Meeting with Thai Labour Campaign Staff and beneficiaries.	Ms. Suthasinee Kaew-leklai, Director. suthasinee.tlc@gmail.com Tel: 081 432 8259; 02 933 9492 Fax: 02 933 9492
September 16		
08.10-09.15	Meeting with Kusumal Rachawong Meeting with Guy Thijs (both ILO)	
10:00 -11:00	Meeting with Ms. Matthana Chetamee and others	Project Coordinator Foundation for Women e-mail: tukmatthana@gmail.com Tel: 02 435 1246, 087 498 8188 Fax: 02 434 6774
14:00-15:00	Meeting with Ms. Boonsom Wattanapane	Department of Consular Affairs, Ministry of Foreign Affairs e-mail: jasminthai@hotmail.com Tel: 02 9828128, 081 640 2434 Fax: 02 575 1052
September 20:	Pracha Vasuprasert, ILO Jiyuan Wang, Director Thailand, Cambodia, Laos Max Tunon, ILO	
September 21 : Stakeholders' Meeting (<i>Amari Watergate Hotel</i>) discussions with participants		
September 25 PM: Meeting with Project staff		
September 28: Meeting with Suthi Sukosol, Department of Employment, Ministry of Labour		
October 2: Discussion with Anders Lisborg, former ILO		
Interview with Stakeholders in EU		
Ms. Nonglak Trepp	<ul style="list-style-type: none"> ▪ President, Thai Women Network in Europe (TWNE) ▪ Tel: (41 79) 6858594 	

	▪ E-mail: nonglaktrepp@bluewin.ch
Mr. Boonsong Chaletorn	<ul style="list-style-type: none">○ Director, Thai Learning Center Association – Sweden○ Tel:46 8508338 (Thai mobile phone: 089 516 0621)○ E-mail: b1ramscan@yahoo.com, boonsong.ramscan@yahoo.com

Annex 3. Results of stakeholders meeting, Manila

DRAFT FOR COMMENTS

ILO-EC RETURN AND REINTEGRATION PROJECT

Going back – Moving on: Economic and Social Empowerment of Migrants including Victims of Trafficking Returned from the EU and its Neighboring Countries

Stakeholder's Meeting

ILO Auditorium
8 September 2010

Attendance:

Andrea Luisa Anolin – BATIS
Atty. Allan Montaña – FFW
Roryvie Ilumin – Kanlungan Center
Julius Cainglet – FFW
Dir. Thelsa P. Biolena – DSWD NCR
Margarito Raynera – EU Philippines
Atty. Nancy G. Lozano – DOJ
Aurora Lomibao – Kanlungan Center
April Ma-Anne Mendoza – DSWD
Atty. Enrico Fos – DFA OWWA
Dir. Teresa Manzala – NRCO
F. Teves III – NRCO
Dir. Vivian Tornea – OWWA
Jose Roland Moya – ECOP
Dir. Cecile Gutierrez – TESDA
Victorina Lloren – BATIS Center
Lala Javier – BATIS Center
Glenda Galabin – TESDA
Adam Burke – Consultant
Atty. Robert Larga – ILO
Desiree Joy Granil – ILO

Morning Session:

Welcome Remarks: Atty. Robert Larga

Introduction of Participants: NGO's (Kanlungan and BATIS)

GO's (DSWD,OWWA,ECOP,DOJ,DSWD,TESDA,NRCO,FFW)

Process of the workshop: Adam explain the flow of the workshop its objective and issues to be address:

Overall Objective: Contribute to the reduction of labour and sexual exploitation of migrants including victims of trafficking through return and reintegration assistance

Specific Objectives:

- Enhancing coordination and referral between and within origin and destination countries
- Improving capacities of service providers
- Providing social and economic empowerment assistance to return migrants

Issues need to address:

1. What this ILO-EU project has done: is it relevant to exploited return migrants ' needs, and to your organisations' priorities?

2. Are ILO and partners *identifying* and *addressing* key issues and challenges for assisting exploited return migrants?

Social problems

Debt, finance

Policy Framework

Institutional Capacity

Livelihoods

...and any other issues ...

Atty. Larga's Presentation:

Presented the EU Project Objectives and Key Result Areas that are already been completed, on-going, planned and continue until 2011 and summary of Recommendations.

Updates:

For the KR1 : Knowledge base -

For the KR2: Coordination

- During the Turin conference, it was raised in the conference that there is a need for inter regional referral system and guideline. There should be one form of guideline to guide public servant abroad and other organization.
- There are already 2 trade unions in Italy that will support

For KR3: - Pre return and after return review

- BATIS and KANLUNGAN already doing this. They are already half way in identifying and giving counseling and other services.

Realization: Tour in Italy

- Further strengthen the network in the Philippines and abroad (agencies DOJ, OWWA, Labor Attaché) – make the agencies accessible to the migrant workers

According to Atty. Fos - there should be a one country team.

WORKSHOP: The group was divided into 3.

Group I -

1. What this ILO-EU project has done: is it relevant to exploited return migrants ' needs, and to your organisations' priorities?

A. Kanlungan/BATIS

- Array of services for exploited migrants in far-flung areas

- Advocacy on the issues
- Baseline info for the whole province (and the profile of migrants, availability of services (lack of)
- Extension of geographic scope of services.

B. DSWD

- database captures reality on the ground – policy advocacy
- volume of active migrants makes migration project relevant
- services upon return is a priority

C. FFW

- if project intends to cover more, it can be very relevant to the institution (on-site services; in countries of destination)

D. ECOP

- Awareness – raising component (exploitation, trafficking and human rights)
- CSR of member companies (reintegration program – providing employment opportunities) – outreach activities of companies can address the needs of exploited migrants

-

2. Are ILO and partners *identifying* and *addressing* key issues and challenges for assisting exploited return migrants?

Yes it is relevant but the question is how we are adequately addressing the issues and challenges

- different level/integrated initiatives and sustaining this
- scope
- legal question/need for legal services
- need to intensify bilateral agreements
- involving LGUs/active partners in monitoring and protection should be prioritized
- valuation of competency training/certification
- Dynamics of an exploited migrant vis-à-vis government services.

Challenges:

The challenge is on how to function this. Example are the barangay official, there priority is more on the recreational activities (Ms. Gay, Lakbay Aral) but not focusing and giving importance to the social issues.

Group II

1. What this ILO-EU project has done: is it relevant to exploited return migrants 'needs, and to your organisations' priorities?

- Yes it is relevant and prioritized by organizations/agencies.

Policy FW:

- policies in place problem lies on how it is being translated to concrete services and programs
- capacity building

Social Problems:

- on site profiling done by posts

Institutional Capacity:

- management of database; on site capacity to process distressed migrants

Livelihood/Employment:

- centralizing government livelihood assistance under one (suggestion)
- DSWD provision of P 5,000.00

- NGOs facilitating establishment of group enterprises

Different Problems/Issues:

- the receiving countries has no access with the referral system
- policy of the inter agency database is not installed yet to the receiving country and not dependent on the hard copy of the referral.
- Database should be place abroad (referral form)
- DTI has a livelihood program then but now it is already with DSWD
- Concentrating one Government Livelihood Program – design one clearing house, more sustainable livelihood for the victims of trafficking.

Process:

- extract the victims to the exploitative purpose
- sworn statement, and filing of cases

Dynamics:

- sources of funds

Better to have many agencies to have for the livelihood project, but there must be a service standard procedure of agency on how to access this*

According to the Law there is a return and reintegration program for those who are victims of trafficking (survivors)

Clearing house -

How to address the trafficking victims with limited resources:

- There should be acceptance on the issue and it was address individually to the partner concern.

Challenges: Database

- The database was not yet use by the agencies concern, challenges of human resources and hardware, to move forward on details. There are still gaps in the operational issues. But for the Policy issue we are advance.

Challenges;

Battle neck from National to LGU and the capacity of the local unit to implement and we need to respond to the needs. And should have more dialogue with the LGU's and bridge the national policy to the local agencies.

Group III

1. What this ILO-EU project has done: is it relevant to exploited return migrants 'needs, and to your organisations' priorities?

- it is relevant to return migrants' need and to ILO priorities.

2. Are ILO and partners *identifying* and *addressing* key issues and challenges for assisting exploited return migrants?

Yes, ILO partners have identified and address key issues and challenges assisting exploited return migrants.

Challenges:

- timeliness of service delivery access to information sharing data, mechanisms data sharing within the government

- Limited resources like: IT information, availability of hardware/software, internet access, manpower and funding source)

Recommendations:

- There should be credible and capable champions of trafficking / labor migrant's rights.
- Awareness of trafficking and migration issues and concerns among LGUs
- Inclusion and strengthening of provision in labor mobility and social protection of migrants.
- Capability building among ILO partners
- Para legal

Other Recommendation:

- to have a Bilateral Labor Agreement – developed BLA's POLO and MOA's to Lebanon and other countries

Afternoon Session: looking ahead what for ILO to prioritize next?

Propose concrete actions and how to monitor the action: what targets or steps?

Instructions:

The group was divided into 3. They will discuss what the ILO can assist and can be of assistance. What are the strength and the possible recommendation that they can give to ILO.

Reaction from the participants:

Ms. Thelma – was suggesting on working on the result of the visit of Mr. Adam on some agencies.

Mr. Adam – have his own observation and recommendation. Want to collect more information for this workshop that will help in the over all overview of the entire project on what has been done and need to be done and recommendations.

Mr. Julius Caglet – better to start in the KRA's that Atty. Larga presented –

“How do you relate on the issues and different KRA”s, what will be the recommendation, and later on discussion”

These are the issues: Based on the KRA's

1. ON - SITE:

- needs of the migrants
- services inventory present
- process
- awareness ILO could core-in

2. Referral system – putting

3. Prosecution in the destination

4. One Country Term Approach

5. Prevention

6. Roles of LGU/PO, Communities in the prevention/reintegration

7. IT issues/ in KR 1 and KR 2

8. Champions

9. Resources and Capacity Building
10. makes TIP less profitable for the trafficker

The group decided to divide the issues into:

1. Coordination
2. Direct Service Provision
3. Prosecution and Legal Assistance/Legislation
4. Capacity Building

Workshop: Will focus on the ILO Perspective/Intervention on the Issue”

Group I – COORDINATION

* The crucial role of the posts in the Return and Reintegration Process *

CB

- Training of (posts) in the R and R framework, including the NRS (national recovery system) and database.
- Trust-building activities

A

- DFA issuance/ directive on use of NRS and Database

TA

- Posts should map and establish referral network in COD (country of destination)
- Timely response to reported cases
- Union – union bilateral agreement

NOTE: Welfare Attaché should be a Social Worker

* Focus on Upon Return *

1. Who will be the responsible Agency?
 - OWWA
 - DFA
 - DSWD
 - NGO

Recommendation:

- To have one agency to receive the returned worker (from seaport and airports) and facilitate the service delivery.
- Ideally, GO and NGO partnership

Recommendation: TA

- at the LGU level, establish local referral networks, which will include NGOs, POs, faith-based, IUs, Private sectors, etc.

For ILO – upon return of the migrants, ILO should help in the coordination in the local network.

OBSERVATION:

In the law, there is a specific provision regarding the repatriation. Thru IACAT (inter agency council against trafficking) to review the system of referral specially on the reintegration (NRS)

IACAT has an operational guideline - they called it Task Force Guideline which is now using by NAIA, but this guideline is not yet finalize but they are already using it.

Cebu and Diosdado Macapagal Airport is also using this guideline. IACAT should endorse the use of this guideline.

There are already airports that have social workers like in Cebu, DMIA and Zamboanga.

Group II - Direct Service Assistance

They need support from ILO for:

- Technical Assistance
- Expert's Advice

	Funding	Technical Assistance	Networking	Capacity Building
Temporary Shelter	Resources identification/mobilization			/
Economic Intervention	/	<ul style="list-style-type: none">- success stories- expert advice	/	/
Legal Service	/	/	/	/

Group III – Prosecution and Legal Assistance (ILO Perspective)

The group categories it into two:

Local; (LGU – Local Government Unit)

1. bridge resources for migrant worker's desk
2. additional incentives for State Prosecutors (books, laptops, internet and USB)
3. paralegal training for migrant worker's desk

Abroad: (Embassies/Consulate)

1. Training of Foreign Service personnel on the preparation of sworn statement and the use of Philippine Anti-Trafficking in Persons Database.
2. Collection of World's on TIP and IR

3. Continuing legal education on international laws on migration, TIP and IR

Group IV – Capacity Building

For Service Providers:

1. Refine and finalize the modules developed and used in Turin for adoption in our local trainings.
2. integrate the “Turin” manual into the existing manual (Training Manual on Psychological Recovery, Social and Economic Reintegration of TP)
3. Capacity building for partner agencies (airport social workers)and LGUs (selected) using the integrated manual.
4. ILO to continue offering coursed on Migration preferably subsidized, for service providers. As a result, we can develop s pool of experts/RPs on Migation. “Speaker’s Bureau “
5. Training on CSID
6. TOTs for pilot regions and Training for Regionas I and IV-A.
7. Paralegal Nationwide

Recommendation: That there would be a Multi- Stakeholders’ Training (GOs, NGOs, POs, FBOs and Teachers)

For Service – Users

1. Development and organization of Peer Support Groups
2. Training on Peer Counseling
3. Integration of Protective Behavior Program (personal safety program, prevention of re-victimization)
4. Skills enhancement (financial literacy, vocational technology), and enhancement of PES to include migration and trafficking
5. Training of Families on PES
6. Orientation of Employers on Migration and Trafficking and encourage them to provide employment opportunities to TP

Recommendation:

ILO helps to lobby for the integration of Migration and Trafficking in the curriculum.

Insight: Mostly the victims are college students.

Base on the reports – there is an impression that ILO is a donor agency. ILO is not a funding agency. It is innovative agency with standards and technical cooperation project, we developed manuals, compilation of laws, developing and strengthening local networks.....

End - 3:15 PM

บันทึกการแลกเปลี่ยนข้อมูลและความคิดเห็น วันที่ 21 กันยายน 2010

ผู้เข้าร่วมประชุมได้หารือแลกเปลี่ยนความคิดเห็นทั้งในส่วนที่เป็นปัญหา ส่วนที่ต้องปรับปรุงและส่วนที่เป็นข้อเสนอแนะต่อ 4 ประเด็นพอสรุปได้ดังนี้

1: ฐานความรู้

1. การประชาสัมพันธ์ PUBLICITY

ความต้องการของตลาดในประเทศปลายทาง

- มีการเผยแพร่เฉพาะกึ่งทักษะ skill อยู่ในส่วนกลาง กรมจัดหางาน แต่งานจากประเทศทางยุโรปยังไม่มี การประชาสัมพันธ์ความต้องการของตลาดแรงงาน
- เรื่องการเก็บลูกเบอรี่ตอนนี้ ส่วนใหญ่จะเอาแรงงานจากประเทศในอียูด้วยตัวเอง (ในกรณีแรงงานมีทักษะ)

2. การพัฒนาทักษะที่จำเป็นของงานเฉพาะด้าน

- มีอยู่ในส่วนกลางกรมจัดหางาน ส่วนงานทางประเทศยุโรปยังไม่มี

3. ความรู้เกี่ยวกับสภาพแวดล้อม

ภาษาและวัฒนธรรมของประเทศปลายทาง

- กรมการจัดหางานมีข้อมูลเป็นหนังสือเล่มเล็ก มีเนื้อหา เรื่องภาษาและวัฒนธรรม แต่ไม่ค่อยได้เผยแพร่ circulate เท่าที่ควร

4. การอบรมสถานการณ์จำลอง Simulation exercise

(กรมจัดหางานยังไม่ได้ทำ)

การอบรมจะประกอบด้วยรายละเอียดทุกขั้นตอนของการทำงาน ทั้งข้อมูลด้านบวก ด้านลบ

หลักสูตรส่วนหนึ่งจะประกอบเรื่องจริงที่ถ่ายวิดีโอในสถานที่จริง เช่น กรณีอบรมให้ความช่วยเหลือผู้อพยพที่ต้องการไปประเทศที่สาม ว่ามีการข้ามน้ำ มีปัญหาอุปสรรคต่างๆอย่างไร

ให้เห็นภาพโดยใช้เวลาทั้งวัน แต่ละชั่วโมงนับเป็น 1 เดือน หรือเรื่องจริงกรณีการเก็บลูกเบอร์รี่ป่าที่สวีเดน แต่ก่อนนั่งรถไปเข้าเย็นกลับ แต่ตอนนี้ป่าใกล้ๆหมดแล้ว ทำให้เดินทางไกลออกไปมาก จึงนอนในป่า อากาศหนาว ยุ้งเยอะมาก บางคนมีบาดแผลหิมะกัด บางคนใส่รองเท้าบูทและเดินไกลรองเท้าบิบบจนเล็บหลุดหมด หากสามารถออกแบบการอบรมแบบนี้ได้จะทำให้คนหางานสนใจและเข้าใจมากขึ้น

5. **ควรปรับปรุงข้อมูลหน่วยงาน agency/institution**
ให้ความช่วยเหลือทั้งต้นทางและปลายทางให้ทันสมัย
6. **ความรู้เรื่องการจัดการตนเอง**
การประพฤติตัวเมื่อไปถึงประเทศปลายทาง
7. **ควรรวบรวมและเผยแพร่**
ข้อมูลเกี่ยวกับรูปแบบของการแสวงหาประโยชน์จากคนหางาน
ตลอดจน
สิทธิขั้นพื้นฐานของคนหางานทั้งที่ประเทศต้นทางและปลายทาง
8. **ควรสำรวจความต้องการของแรงงานที่กลับมา(ผู้ไม่ประสบความสำเร็จ)** มุสนธิผู้หญิงเริ่มทำบ้างแล้ว
ข้อมูลปัญหาของคนที่ไม่ทำงานมีน้อยมาก
ที่โรงเรียนกระทรวงแรงงานมีประมาณร้อยละ 2.2 - 3
เจ้าหน้าที่กระทรวงแรงงานเห็นว่าปัญหาคือหลายกรณีไปด้วยตนเอง
พามาแจ้งก็ผิดตั้งแต่ต้นขอหาแจ้งความเท็จต่อเจ้าพนักงาน
มีจับนายหน้าจัดหางานแจ้งความเท็จ มีความผิดติดคุก
ที่จังหวัดหนองคาย ศาลพิพากษาลงโทษ สี่ปี แล้ว
แม้บริษัทเป็นนิติบุคคลก็เอาความผิดกับพนักงาน/เจ้าของบริษัท
9. **เจ้าหน้าที่แรงงานเห็นว่า ประเด็นการหลอกลวง deceit**
ไม่เข้าข่ายการค้ามนุษย์เพราะในคำนิยามเขียนระบุว่าเป็นการบังคับ

ใช้แรงงานที่ต้องมีการขู่เข็ญ บังคับ ใช้กำลังบังคับ
แต่การหลอกลวงเป็นเพียงการเอาเปรียบแรงงาน
น่าจะแก้กฎหมายให้ชัดเจนว่าเป็นการเรียกเก็บค่านายหน้าสูง
คนหลอกลวงคือสายแรงงาน
หลอกลวงว่าจะสามารถส่งคนไปทำงานต่างประเทศได้นั้น
เป็น“การแสวงหาประโยชน์” หมายถึง
การแสวงหาประโยชน์จากการบังคับใช้แรงงาน

10. เพื่อให้การเผยแพร่ข้อมูลมีประสิทธิภาพ
ดังนั้นจึงควรมีเครือข่ายคนงาน โครงการรณรงค์เพื่อแรงงานไทย
มีสมาชิกอยู่แล้ว 600 คน ใน 20 จังหวัด จึงได้จัดให้มี
ศูนย์คนหางานจังหวัดและผู้ประสานงานจังหวัด จัดทำสื่อสิ่งพิมพ์
มีหอกระจายข่าว วิทยุชุมชน ร่วมกับอบต.
ให้คำแนะนำปรึกษาระหว่างกัน
เพื่อให้คนหางานสามารถสื่อสารกันเองได้
กิจกรรมนี้เคยมีหน่วยงานภาครัฐจัดทำแล้ว
แต่ไม่ประสบความสำเร็จเท่าที่ควร เพราะหลายคนที่เป็นแกนนำ
เป็นสายให้บริษัทจัดหางาน

11. ควรมีการดูงานเพื่อศึกษาจาก
ตัวอย่างบุคคลที่เสียสละเพื่อแก้ไขปัญหา

12. การศึกษานำร่องแนวทางการเข้าถึงแรงงานย้ายถิ่น
ที่เช็คโกสโลวเกียร์ และโปแลนด์

มูลนิธิผู้หญิงตั้งใจร่วมกับหน่วยงานที่ La Strada ที่เช็คฯ
ต้องการสำรวจจำนวนคนไทยที่เข้าไปอยู่ในประเทศโปแลนด์
ทั้งวางแผนโบราณเก็บผลไม้ป่าและงานด้านอื่นๆ
คนงานโปแลนด์ที่ประสบปัญหา
ต้องกลับมารักษาตัวที่เมืองไทยจึงต้องการสำรวจแรงงานในเช็คฯแล
ะโปแลนด์ มีกรณีคนงานหญิงไส้ตั้งเตกในห้องพักที่โปแลนด์
ไม่ทราบข้อมูล
แม้ว่าจะมีข้อมูลหน่วยงานพิมพ์ในโปสการ์ดแต่เป็นภาษาอังกฤษ
ทำให้คนงานไม่ทราบ
มูลนิธิฯจึงจะแปลข้อความในโปสการ์ดเป็นภาษาไทย

13. ผู้ให้บริการต้องมีความรู้ เกี่ยวกับ กฎหมาย และองค์กรเครือข่ายทั้งในประเทศต้นทางและปลายทาง เพื่อให้คำปรึกษาที่ชัดเจนกับคนทำงาน อาทิ ประเทศมุสลิมห้ามดื่มสุรา การคัดแยกผู้เสียหายจากการค้ามนุษย์ด้านแรงงาน ซึ่งเป็นการคัดแยกเบื้องต้นในสถิติของกระทรวงแรงงานยังไม่พบ เพราะไม่มีการบังคับใช้แรงงาน สปป.เจดคือกรณีที่สภาพความเป็นอยู่ที่แย่ ชั่วโมงการทำงานที่มากกว่าปกติ ที่ลูกจ้างไม่ยินยอม ไม่ได้รับค่าจ้างตามที่ตกลง ทั้งนี้หากทางกระทรวงแรงงานเจอจะมีการส่งเรื่องกลับไปประเทศต้นทางเพื่อตรวจสอบข้อเท็จจริง หลายกรณีมีการโอนเงินค่าแรงคืนมาให้กับแรงงานแล้ว
14. ควรมีการถอดบทเรียนที่ดีการทำงานร่วมกันระหว่างประเทศต้นทางและปลายทาง

2: การประสานงาน

1. หน่วยงานประสานงานด้านแรงงาน

ที่ประสานกับหลายภาคส่วนที่เกี่ยวข้อง หน่วยงานดังกล่าวควรรู้บทบาทหน้าที่ และความรับผิดชอบของหน่วยงานตนเอง เพื่อที่จะสามารถประสานส่งต่อความช่วยเหลือได้ทั้งในและต่างประเทศ อาทิ ศูนย์ประสานงานในระดับต่างๆ –เช่นเดียวกับศปคม. ซึ่งต้องเป็นอิสระในการประสานงาน การแก้ปัญหาเป็นรายกรณี ซึ่งมีหน่วยงานอื่นเข้ามาทำงานในความร่วมมือ มีทำเนียบหน่วยงาน

- ในระดับต่างประเทศ มีสำนักงานแรงงานไทยในต่างประเทศ (สนร.) ซึ่งจะดูแลคุ้มครองคนหางานโดยเฉพาะ และสถานเอกอัครราชทูตไทยในต่างประเทศ

กงสุลซึ่งดูแลคนไทยในทุกเรื่อง

- ระดับชาติ ปัจจุบันเป็นกรมการจัดหางาน DOE กระทรวงแรงงาน
- ระดับจังหวัด สำนักงานจัดหางานจังหวัด

ในกทม.มีสำนักงานเขตพื้นที่ 10 เขต

ในกรณีแรงงานต่างด้าว จะมีคณะกรรมการชัดเจน

แต่ กรณีแก้ไขปัญหาคคนเดินทางไปทำงานต่างประเทศ

ยังไม่มีคณะกรรมการเข้ามา เพราะปัญหาเพิ่งเกิด

ซึ่งคณะกรรมการแก้ไขปัญหาสวีเดน ถือเป็นคณะกรรมการเฉพาะกิจ

ปัญหาคือเรื่องนี้เป็นประเด็นปัญหาระดับชาติหรือไม่

อย่างกรณีแรงงานลิเบียมีการไปชี้แจงกับสว.

มีข้อมูลว่าคนไทยทำผิดคือประท้วง

ซึ่งกฎหมายประเทศลิเบียไม่อนุญาตให้คนงานประท้วง

คนงานประเทศอื่นใช้วิธีเจรจากับนายจ้าง

ส่งผลให้นายจ้างสั่งหยุดงานแรงงานไทย 90 คน และกำลังทำ exit visa

ภายใน 30 วันทีรอส่งกลับ และนำแรงงานฟิลิปปินส์เข้าไปทำงานแทน

กรณีการช่วยเหลือโดยศปคม.จังหวัด

ตัวแทนกระทรวงแรงงานในระดับจังหวัดมีหลายคน คือ แรงงานจังหวัด

จัดหางานจังหวัด สสค.จังหวัด พัฒนาฝีมือแรงงาน ประกันสังคม

แต่ในคณะกรรมการ

การมีแค่เพียงสำนักงานเดียวเข้าไปร่วมเป็นคณะกรรมการ ดังนั้นกลไก

ศปคม.จังหวัดอาจจะต้องมีการปรับให้มีทุกสำนักงานของแรงงานเข้าร่วม

เป็นกรรมการ ศปคม.กทม.กำลังพัฒนา

อยากจะฝากเข้าไปด้วยว่าให้มี 5 หน่วยของ กท.แรงงานด้วย

- ❖ เสนอ น่าจะมีการประสานงานทั้ง 2 กฎหมายมาประสานงานกัน
อาศัยกรณีตัวอย่าง

2. บทบาทขององค์การลูกจ้าง (ประสานการใช้ข้อมูลกลุ่มเสี่ยง-ป้องกัน)

- เมื่อมีการ เลิกจ้างงานในประเทศไทย ส่วนมากจะเป็นวัย 40 ปีเป็นต้นไป
ซึ่งมักจะเป็นกลุ่มคนที่เดินทางไปทำงานต่างประเทศ

ซึ่งอาจมีคนมาชักชวนไปเก็บเบอร์รี่

ดังนั้นองค์การลูกจ้างที่ทราบข้อมูลว่าใครถูกเลิกจ้างก็ควรให้ความรู้เพื่อป้องกันการเสี่ยงต่อการถูกหลอกลวง

- เมื่อพบกรณีคนหางานถูกเรียกเก็บค่าหัวแพง จะมีการเพิกถอนหรือพักใบอนุญาตจัดหางาน นำเงินประกัน ห้าแสนเฉลี่ยจ่ายให้แก่คนงาน หากเกินจำนวนเงินประกันกระทรวงแรงงานจะสำรองจ่ายก่อน ในขณะที่ดำเนินคดีอาญา และคดีแพ่ง จากนั้นเข้าไปสู่กองส่งเสริมการมีงานทำ (E-JOB)
- กรณีการที่ลูกจ้างแจ้งเดินทางไปหางานด้วยตัวเองในประเทศ ปลายทาง หากได้งานจะมายื่นแจ้งที่กระทรวงแรงงานให้รับทราบ โดยกระทรวงแรงงานมีการตรวจสอบงานว่ามีอยู่จริง

3. พัฒนากลไกการประสานงานที่เป็นระบบ

มีแนวทางการปฏิบัติที่เป็นมาตรฐานทั้งในประเทศต้นทางและปลายทาง รวมถึงแลกเปลี่ยน เชื่อมโยง/ส่งข้อมูล

4. ควรมีการจัด Training workshop

อบรมกับหน่วยงานที่เกี่ยวข้องเพื่อให้ทุกฝ่ายเข้าใจชัดเจนร่วมกันทั้งภารกิจและการประสานหนุนช่วยซึ่งกันและกัน

3: บริการก่อนการเดินทางไปและกลับ

ก่อนไป

- สร้างความตระหนักถึงสภาพ/งาน สิ่งแวดล้อมในการทำงาน (ในรายละเอียดความเป็นจริงที่เกิดขึ้น –ตั้งรายละเอียดในฐานที่ 1)
- ให้การศึกษาเรื่องสิทธิที่ควรได้รับทั้งที่ประเทศต้นทางและปลายทาง (ให้ความรู้ก่อนว่าไปทำงานกลับมา มีสิทธิอะไรบ้าง จากนั้นพูดถึงวิธีการเข้าถึงสิทธิเหล่านั้น)

ก่อนกลับ

1. รับแจ้งข้อมูล/ปัญหาจากคนงานก่อนเดินทางกลับ
2. ขยายจุดให้บริการรับข้อมูลให้ทั่วถึงในประเทศปลายทาง
3. วิเคราะห์/วิจัยสภาพปัญหาที่เกิดเพื่อหาแนวทางแก้ไขโดยประสานความร่วมมือกับหน่วยงานที่เกี่ยวข้องในประเทศต้นทาง
4. ก่อนเดินทางกลับประเทศปลายทางควรประสานข้อมูลมายังประเทศต้นทาง

3: บริการหลังการกลับบ้าน

1. **สร้างฐานข้อมูล** เพื่อศึกษา กรณีที่ประสบความสำเร็จหรือล้มเหลวว่ามีปัจจัยอะไรบ้าง
2. **การติดตาม/เยียวยา**
โดยคำนึงถึงความต้องการของแรงงานและครอบครัว
ถ้าต้องการความช่วยเหลือ (กลับคืนสู่สังคม พัฒนาทักษะ การออมเงิน การมีเงินทุนขยายเล็ก การทำธุรกิจขนาดย่อม)
3. **ควรมีบริการ** ช่วยเหลือฟื้นฟูเยียวยาทางด้านร่างกายและจิตใจ
4. **ร้องเรียนต่อหน่วยงานรัฐ** (ร้องต่อกรมการจัดหางาน กองปราบ บก.ปคม. DSI)
5. **ดำเนินการด้านกฎหมาย** (ฟ้องศาล)
6. **ใช้สิทธิตามกฎหมายของประเทศปลายทาง** เพราะเมื่อกลับมาแล้วจะย้อนกลับไปแล้วลำบาก

4: การสนับสนุนด้านเศรษฐกิจและสังคมอย่างยั่งยืน

1. **จัดทำโครงการเสริมสร้างความเข้มแข็งทางเศรษฐกิจ** สร้างอาชีพ และจัดฝึกอบรมเพื่อให้คนงานมีองค์ความรู้เรื่องการพึ่งตนเองทางเศรษฐกิจ

2. ส่งเสริมแรงงานที่มีประสบการณ์ถ่ายทอดความรู้ด้านต่างๆ
แรงงานส่วนใหญ่ที่ไปต่างประเทศคือเกษตรกร ที่ไม่มีที่ดินทำกิน
ดังนั้นการสร้างอาชีพที่สามารถพึ่งตนเองได้จะเป็นทางเลือกหนึ่งที่ค
นหางานควรได้รับการสนับสนุน
ดังนั้นจึงควรมีฐานข้อมูลเกี่ยวกับศักยภาพหรือทักษะของกลุ่มแรงงา
นต่างๆ
3. หากเป็นกรณีการค้ามนุษย์ อาจขอใช้เงินกองทุนค้ามนุษย์ได้
แต่กู้ซื้อที่ดินไม่ได้ พิจารณาเดือนละครั้ง ไม่มีเพดานเงิน
แล้วแต่ข้อมูล หลักฐานที่ให้กับการกรรมการ
และขึ้นอยู่กับ การพิจารณาของคณะกรรมการ
4. กรณีเงินกองทุนคนหางาน
ของกระทรวงแรงงานมีให้ในเงื่อนไขที่ถูกละเลยทอดทิ้ง
ตกระกำลำบากที่ประเทศปลายทาง
จึงขอรับเงินช่วยเหลือเฉพาะหน้าได้ โดยขอได้รายละไม่เกิน
30,000บาท
5. ประสานให้ความช่วยเหลือทุนอาชีพและการศึกษาจาก IOM JICA
พม. และผู้บริจาคทั่วไป
 - ก่อนให้ทุนเขา ต้องรู้ก่อนว่าเขามีความรู้ความสามารถอะไร
ความต้องการที่แท้จริงของแรงงานคืนถิ่นคืออะไร
ถ้าให้ยืมจะส่งคืนไหม ถ้าให้เปล่าจะด้อยค่าเกินไปไหม พบว่า
90% ไม่ได้ทำงานตามที่ขอไป 100% ไม่ได้เงิน
 - ยกตัวอย่าง ยายขายน้ำส้ม
ที่ให้คำแนะนำปรึกษาแล้วประสบความสำเร็จ
6. ควรมีหน่วยงานหลักในการให้คำปรึกษาและเบอร์สายด่วนที่ชัดเจน
และยั่งยืน
 - ประเด็นที่สำคัญคือการสูติ
ทางเพศสามารถทำไปพร้อมกับทางอาญาได้เลย
 - การเรียกค่าเสียหายจากเงินหลักประกัน
ต้องมีหลายหน่วยงานเข้ามาช่วยเหลือนอกจากกระทรวงแรงงาน

7. นโยบายของประเทศ ต้องจัดให้มีระบบช่วยเหลือแรงงานที่ประสบปัญหาภาวะหนี้สินทั้งในและนอกระบบ
8. ควรมีการประชาสัมพันธ์กองทุนเพื่อการกู้ยืมสำหรับการพัฒนาอาชีพ/การเตรียมตัวก่อนเดินทางกลับไปทำงานต่างประเทศ (กรณีต้องการกลับไปทำงานตปท.อีก) ให้มากกว่านี้เท่าที่ผ่านมามีคนหางานไม่ทราบ เข้าไม่ถึงแหล่งข้อมูลนี้ ทั้งที่กระทรวง.แรงงานมีกองทุนมาก เช่นกองทุนรับงานไปทำที่บ้าน แต่วาระเบียบมากดังนั้นจึงต้อง จัดทำฐานความรู้ด้านอาชีพที่หลากหลายและกองทุนด้านอาชีพตลอดจนเงื่อนไขการขอกองทุน

ผู้เข้าร่วมพิจารณาสิ่งสำคัญที่ควรดำเนินการก่อนในช่วง 16 เดือนข้างหน้า

ฐานที่ 1

- การอบรมให้แก่กลุ่มเสี่ยงที่จะเดินทางไปทำงานต่างประเทศ เพื่อไม่ให้เกิดปัญหาซ้ำ ประกอบด้วยข้อมูลผู้ประสบปัญหาเดิม
- การสร้างข้อมูลที่เป็นมาตรฐานเดียวกัน ต้องศึกษาสิ่งที่มีอยู่ในปัจจุบัน เช่นข้อมูลหน่วยงาน
- ควรมีหลักสูตรอบรมให้แก่วิทยากรที่จะขยายความรู้ต่อไปยังพื้นที่

ฐานที่ 2 เป็นงานประจำและมีช่องทางอยู่แล้ว อย่างกท.ตปท. ไอโอเอ็ม อาสาสมัคร

- สํารวจสภาพปัญหาของผู้คํานึงว่าจริงแล้วขาดอะไร
ได้เรียนรู้อะไร

เพราะจากประสบการณ์พบว่าผู้ที่กลับมามีโอกาสเดินทาง
กลับไปทำงานต่างประเทศสูง แม้จะล้มเหลวกลับมา
เพราะอยากได้เงินมาใช้หนี้

ฐานที่ 3 พัฒนากลไกที่เป็นระบบ รวมถึงแลกเปลี่ยน เชื่อมโยง/ส่งข้อมูล

ในลักษณะแนวทางความร่วมมือและเชื่อมประสานองค์การเครือข่าย
ที่มีอยู่ในประเทศไทย

- ควรมีหน่วยประสานตั้งแต่หมู่บ้าน จากประสบการณ์พบว่า
แรงงานไปต่างประเทศแล้ว

ครอบครัวไม่ทราบข้อมูลความเป็นอยู่ของคนงาน

- ในประเทศปลายทาง ควรประสานหน่วยที่เกี่ยวข้อง
สถานทูต สํานักงานแรงงานไทย บริษัทจัดหางาน
- ในประเทศต้นทาง (ไทย)

- ด้านการเยียวยาความเสียหาย การร้องทุกข์ -

กรมการจัดหางาน ปัญหาคือเวลาดำเนินการประมาณ 3-4
เดือน เรื่องยังไม่เสร็จ

คนงานที่รอไม่ได้ก็เดินทางไปอีกประเทศแล้ว

(ความล่าช้าเกิดจากการสืบข้อเท็จจริง)

ฐานที่ 4 จัดหาเครื่องมือ ทรัพยากร

เพื่อเสริมพลังให้ผู้คํานึงได้ดำเนินชีวิตต่อไปได้

ข้อเสนอแนะ

1. ทำโครงการทดลองเก็บข้อมูลกลุ่มแรงงานที่ไปแล้วประสบความสำเร็จและไม่สำเร็จให้ความช่วยเหลือสนับสนุน
2. วิเคราะห์ข้อมูลปัญหาแรงงานจากแบบร้องทุกข์และแบบสอปากคำ ของกระทรวงแรงงาน

หลังจากการหารือ แลกเปลี่ยนความคิดเห็นแล้ว
มีการนำเสนอโครงการนำร่องอีกสองโครงการคือ

โครงการ การอบรมของสถาบันวิจัยแห่งเอเชีย

กิจกรรม 4 ประเภท คือ

1. การหารือระดับนโยบาย เพื่อหามาตรฐาน
สร้างความเข้าใจร่วมกัน ในการต่อสู้ การค้ามนุษย์ 1
วัน
2. จัดอบรมให้แก่เจ้าหน้าที่กระทรวงแรงงาน ประกอบด้วย
กรมจัดหางาน กรมสวัสดิการและคุ้มครองแรงงาน
สำนักปลัด กรมพัฒนาฝีมือแรงงาน
3. จัดอบรมระหว่างกระทรวงและหน่วยงานที่เกี่ยวข้อง
เพื่อทราบแนวทางการทำงานร่วมกัน
เพื่อประโยชน์สูงสุดของผู้เสียหาย
4. จัดอบรมแก่ผู้เสียหาย/แรงงาน/กลุ่มเสี่ยง
ภาคตะวันออกเฉียงเหนือและภาคเหนือ
กำลังพัฒนาหลักสูตร
ที่ต้องขอความร่วมมือจากหน่วยงานต่างๆ
รวมทั้งการทำธุรกิจขนาดย่อม
นอกจากนี้สถาบันยังพิจารณาจัดทำระบบการติดตามเพื่อ
ประมวลผลข้อมูล
เพื่อใช้ในการพัฒนาส่วนที่เกี่ยวข้องต่อไป

ทางสถานบันยินดี
ส่งร่างหลักสูตรให้แต่ละหน่วยช่วยให้ความเห็น

โครงการพัฒนาระบบติดตามช่วยเหลือแรงงานย้ายถิ่น
จังหวัดเพชรบูรณ์

มีไฟล์เพาเวอร์พ้อยท์แนบ