



International Labour Organization

**Fundamental Principles and Rights at Work - ILO/FUNDAMENTALS
Independent Final Cluster Evaluation
Outcome Based Funding
Norway and Sweden**

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This evaluation has been conducted according to ILO’s evaluation policies and procedures. It has not been professionally edited, but has undergone quality control by the ILO Evaluation Office.

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Acronyms and Abbreviations

C87	Convention on Freedom of Association and Protection of the Right to Organize
C98	Convention on Right to Organize and Collective Bargaining
CPO	Country Programme Outcomes
FACB	Freedom of Association and Collective Bargaining
FPRW	Fundamental Principles and Rights at Work Branch
HQ	Headquarters
ILO	International Labour Organization
ILS	International Labour Standards
ITC	International Training Center
MENA	Middle East & North Africa
NAP	National Action Plan
OBF	Outcome Based Funding
P & B	Programme and Budget
ToT	Training of Trainers
SIDA	Swedish International Development Cooperation Agency
TLAC	Tripartite Labour Advisory Council
USD	United States Dollar
VCCI	Vietnam Chamber of Commerce and Industry
VGCL	Vietnam General Confederation of Labour

Executive Summary

This report documents the main findings and conclusions of an independent final evaluation of two global technical cooperation projects conducted by the International Labour Organization (ILO) entitled “Promoting the Right to Freedom of Association and the Right to Collective Bargaining.” As indicated by their title, the projects’ main objective was to promote the effective recognition and implementation of freedom of association and collective bargaining rights, which are described in ILO Conventions 87 and 98.

The projects had the following two immediate objectives:

- a. Strengthened ILO knowledge-base and capacity to implement high impact strategies on freedom of association and collective bargaining;
- b. Improved respect for freedom of association and collective bargaining rights in law and practice in target countries and sectors.

These projects built on previous phases of technical cooperation assistance by the Governments of Norway and Sweden dating from 2011. Both countries contribute funding using the Outcome-Based Funding (OFB) modality. Since both donors were supporting the same outcome within the ILO strategic framework (outcome 14), and to capitalize on the potential for synergies, they agreed to have one common project document and monitoring and evaluation framework. Therefore, for the purposes of this evaluation, the two projects are treated as one. Norway’s contribution amounted to USD 1,130,686 and Sweden to USD 1,158,439.

The project was conceived to address the needs of ILO constituents in target countries to effectively realize, in law and practice, the fundamental rights of freedom of association and collective bargaining with particular focus on three economic sectors, namely, agriculture, ready-made garment and mining. It had two components, one global and the other country level. The global component planned interventions to increase knowledge, support advocacy and develop intervention models. The country level component was to provide technical assistance to harmonize national laws, develop and implement policies and build the capacity of stakeholders in the following 12 countries: Bolivia, Brazil, China, Jordan, Kenya, Malawi, Niger, Philippines, Rwanda, Sri Lanka, Togo and Zambia. Kenya and Togo were dropped early in the project and replaced by South Africa, Morocco and Vietnam.

Evaluation Background

This independent final evaluation serves two main purposes:

1. Give an independent assessment of the project. Factors to be considered were its design, relevance to the social, political and economic context of target countries, alignment with the needs and priorities of key stakeholders, the effectiveness of project strategies, implementation modalities and partnership arrangements, resource use efficiency, and overall project sustainability;

2. Document challenges, lessons-learned, good practices, and recommendations for future, similar interventions.

The evaluation considers project implementation from 1 January, 2014 to 31 March 2016 (Norway) and 15 August, 2014 to 31 December, 2015 (Sweden). The evaluation findings are destined primarily to the donor, the ILO's project management team and the key stakeholders involved in the project (representatives of Government counterpart agencies and employers' and workers' organizations).

Methodology and Sample

Between February and March 2016, the evaluator reviewed project documents and products, carried out semi-structured, individual interviews via SKYPE with the main ILO personnel and some consultants involved in project implementation at both the global (mainly Geneva) and country levels. The evaluator also visited three project target countries (Jordan, Vietnam and Zambia) where she interviewed national stakeholders and project beneficiaries in individual or group meetings. Lastly, the evaluator solicited feedback from national stakeholders in target countries not visited in person via an online survey. The evaluation was guided by the key questions identified in the final evaluation terms of reference (ToR) as well as by the project work plan and monitoring and evaluation matrix.

Evaluation limitations

The evaluator was only able to get direct feedback from ILO national constituents in three out of 13 countries included in this project. Other national stakeholder feedback was solicited via an online survey; unfortunately, the latter only yielded 2 responses. As result, national stakeholder feedback from target countries NOT visited is nearly absent; evaluation analysis relied on information provided by a limited number of ILO programme managers in most target countries. Lastly, the ability of the evaluator to determine project resource use efficiency was limited by the amount of financial data provided.

Main Findings

Finding 1 on Project Design: *The project design generally contributed positively to implementation by making good strategic choices at the inception of the project but some country targeting decisions were poor.* The project built on the achievements of previous partnership phases by following up or continuing interventions in previously targeted countries (Brazil, Malawi, and South Africa) and capitalizing on tools developed in previous phases. In addition to the country targeting criteria presented in the PRODOC (outstanding cases on freedom of association and collective bargaining before the ILO Committee of Experts and relevant links with the country's decent work country programme and ILO country programme outcomes), the project created effective synergies with other ongoing or recently concluded projects in a number of target countries (Jordan, the Philippines, Sri Lanka, Vietnam, and Zambia).

However, in a few target countries, project interventions appeared to be more ad hoc and suffered from the absence of qualified ILO personnel in country. In these countries, project follow-up on its main interventions was lacking which limited both short term and most likely medium term results.

Findings 2 and 3 on Project Relevance: *The global component interventions were relevant to build capacity within the organization for the promotion Freedom of Association and Collective Bargaining, according to most stakeholders interviewed.* Stakeholders within the ILO appreciated the flexibility of outcome based funding which allows the ILO to invest in developing new strategies, produce global tools and offer professional development opportunities for its staff. Some thought the global level intervention strategy would have been more effective if it were more focused, with fewer strategic outputs.

Strategies at the country level that contributed to project relevance included being responsive to specific requests for assistance, conducting needs assessments, and regularly consulting with stakeholders. The relevance of some interventions was heightened by analyzing and capitalizing on factors such as the importance of the targeted economic sector in the national economy, external trade and investment related pressures, and internal social, political and economic factors which made interventions more or less urgent/timely/risky. Project interventions in Vietnam and the Zambia stand out as being particularly timely – the former, because of unexpected political openness to allowing independent trade unions and the latter because of the potential negative consequences of falling copper prices on industrial harmony.

Finding 4 on the Global Interventions' progress and effectiveness: *The global component contributed to the ILO knowledge-base and capacity on freedom of association and collective bargaining but did not meet all its planned targets.* Although it produced or contributed to a large variety of relevant and potentially useful knowledge materials, several were not finalized by project end making their actual effectiveness hard to predict. The planned global advocacy campaign was significantly scaled back and reformulated. As implemented, the global aware-raising and advocacy strategy was much more “timid” than originally planned, but produced relevant communication tools and activities in two countries. Progress on the development of intervention strategies was slower than expected; one of two models was produced in draft form. The draft model highlights some innovative strategies for promoting freedom of association and collective bargaining in plantations that might be taken up later in the FUNDAMENTALS branch’s work on the rural economy and supply chains. Two unplanned regional activities were successful – the regional journalist workshop capitalized on the potential of the media to inform and shape public opinion on labour right issues and the MENA bipartite workshop on collective bargaining capitalized on South-South exchanges as a means to spread good practices.

Finding 5 on Country Level Interventions' progress and effectiveness: *The country level component featured a variety of effective interventions in 13 countries which were generally in line with the project intervention strategy presented in the PRODOC.* Analysis of project results shows that it contributed successfully to practical measures to improve respect for freedom of association and collective bargaining rights in a number of countries. Examples include developing guidelines and raising the awareness of judges and prosecutors involved in labour rights cases (Sri Lanka and

the Philippines), supporting the creation of tripartite social dialogue forums (Malawi, Morocco, Zambia), and the development and support for implementation of national or sectoral action plans on freedom of association and collective bargaining (Malawi, Brazil, Rwanda, Zambia). Project assessments were generally very effective in identifying and defining the challenges to be addressed by national stakeholders.

Finding 6 on Gender Mainstreaming: *Effective Measures were taken to mainstream gender in project strategies and activities.* Gender was mainstreamed into project strategies and activities effectively in many countries and in some of the global component products. Some of the knowledge materials and many of the activities of the Project focused on labour relations challenges in sectors where women workers are predominant. In most countries and in global training activities, the project sought to achieve gender balance among participants and records of participation were sex-disaggregated. Some countries were purposeful in mainstreaming gender into programme activities by focusing on discrimination and sexual harassment.

Finding 7 on factors that affected implementation: *Factors beyond the project's challenged project implementation but also created some opportunities on which capitalized.* The project's late start complicated country level planning, delayed the availability of funds and contributed to large numbers of activities being implemented in the last months of the project as well as to some activities and deliverable being cancelled or left in draft form at project end. The project was able to capitalize on economic and trade related factors beyond its control in Vietnam and Zambia while in China, the social and economic trends related to the country's slowing growth and the political response increased project challenges.

Finding 8 on Project Monitoring and Evaluation Systems: *Finding 8: The project's efforts to develop and implement a monitoring and evaluation system were modest but sufficient for tracking progress against the work plan and larger project objectives.* Data on some indicators was not tracked due to insufficient monitoring systems or poor indicators. Reporting was adequate and balanced the need for formal reporting with managers' time constraints and their need to focus on implementation. Geneva and country managers reported regular consultations which contributed to strategic management decisions in at least one case highlighted during the evaluation.

Finding 9 on Efficiency of Resource Use: *In the programmes for which budget and expenditure information is the most complete (decentralized programmes), resource use was efficient.* However, information provided to the evaluator by the project was insufficient to evaluate its overall efficiency and cost effectiveness. Based on available information, the rate of decentralization of funding to country programmes did not meet targets. The project effectively leveraged human and financial resources from other ongoing ILO programmes in about half of its target countries.

Finding 10 on Sustainability: *At both the global and country levels, project managers implemented strategies to favor the sustainability of project actions.* Some of these resulted in changes in partner institutional capacity and strategic priorities that may sustain project efforts. In other cases, sustainability may hinge on the ability of the ILO to continue its support for a longer period of time. Efforts to mobilize resources for such efforts are ongoing in some countries; in other countries, the

ILO indicated that there is commitment by ILO specialists to follow-up and sustain project work in at least a limited way.

Conclusions

This project implemented many effective strategies which, with a few exceptions, were in line with its initial implementation strategy. These strategies were effective in contributing to Outcome 14, “making the right to freedom of association and collective bargaining more widely known and exercised” within the limits of a two year, two million dollar technical cooperation programme.

A number of country level interventions contributed to practical results that improved respect for freedom of association and collective bargaining rights or have the potential to do so if followed up on and sustained by the relevant ILO constituents. Notable project achievements were the creation/reconstitution of tripartite social dialogue bodies in Malawi and Zambia. Vietnam is a noteworthy example of a country where the project was able to complement the work of an existing ILO programme and capitalize on an unexpected political/trade related opening which may lead to the ratification of C. 87 and 98 in the next five years. Programmes in Jordan, Morocco, and Zambia were exemplary for their efforts to work with relevant national stakeholders on promoting collective bargaining in particularly strategic sectors of their target countries’ national economies. Most countries integrated gender considerations in meaningful ways – but in particular the programme in Sri Lanka.

The global component of the project produced a number of potentially useful information and capacity building tools and training activities. However, several research products and training tools were not yet finalized or diffused by the end of the project implementation period. The capacity of the FUNDAMENTALS branch to follow-up and complete these deliverables is challenged by staff reductions and strategic reorientations.

Lessons Learned

Analysis of the project design findings highlights that operational factors play a big role in project in the success of technical cooperation programmes and are not-to-be underestimated at the design stage. Factors to be considered include the availability of qualified national staff, the potential to complement other on-going programmes, and/or the possibility to work in countries with sufficient intensity to justify allocating resources to keep/hire experienced country based programme staff.

Analysis of findings on project relevance indicate that assessing and documenting the large variety of issues that limit freedom of association and collective bargaining should be at the front end of technical cooperation programmes in order to guide interventions. Adequate follow-up and attention to building capacity to overcome the challenges identified in the assessments is critical to project effectiveness and sustainability.

Analysis of effectiveness findings indicate that holistic approaches to promoting freedom of association and collective bargaining, such as is the case when they part of larger ILO programmes that address a variety of challenges facing a particular economic sector or the labour market governance/industrial relations system, may work better than more limited strategies.

Emerging Good Practices

The evaluation report highlights many good practices by project programme managers. Three emerging good practices are described in more detail:

1. Making strategic linkages between awareness raising activities on sexual harassment in the ready-made garment factories and trade union activities to overcome its challenges to recruit new members among female workers, as implemented in Sri Lanka.
2. The use of a social impact assessment of the effects of the Zambian mining industry on workers' rights and sustainable business practices to drive industry level reforms.
3. The mainstreaming of support for freedom of association and collective bargaining in broader sector focused programmes to boost productivity and competitiveness in Jordan's Better Work Programme.

Recommendations

Recommendation 1 for the ILO: In future multi-country thematic projects on the promotion of freedom of association and collective bargaining, the ILO should work in fewer countries but with higher intensity. It should favour project implementation modalities capitalize on experienced national staff in country programmes (versus strategies that are implemented by Geneva or regionally based specialists).

In this project, for the most part, the volume of ILO activities is aligned with programme effectiveness. Among the operational reasons for this may be because higher intensity programmes can justify having an effective manager based in the country and include sufficient resources to implement relatively holistic approaches to promote freedom of association and collective bargaining rights.

Recommendation 2 for the ILO: Future project designs may consider factoring in the potential for South-South cooperation in country targeting strategies by choosing geographically proximate countries and common sectors.

The choice of some target countries in this project created opportunities for such cooperation, but on a limited basis. Participants in the MENA workshop reported that learning about the experiences of countries that share common challenges was helpful. Stakeholders in Zambia suggested that there were many countries in southern Africa with large mining sectors that could learn from its experiences in this project.

Recommendation 3 for the ILO: Future technical cooperation programmes on freedom of association and collective bargaining should favour designs that are sector and perhaps even commodity specific.

Programme managers in the country level activities reported that sector focused programmes elicited higher levels of stakeholder engagement because they were able to deal more directly with practical concerns and address challenges related to freedom of association and collective bargaining. Emerging findings from research on intervention models in the plantation sector likewise indicate that working on specific international traded commodities may offer opportunities for the ILO to capitalize on new, innovative supply chain related strategies. Within sector focused programmes there may likewise be opportunities to implement more integrated

programmes which, like the Better Work Programme, consider productivity and workers' rights issues in an integrated and holistic manner.

1. Introduction and Project Background

This report documents the main findings and conclusions of an independent final evaluation of two global technical cooperation projects conducted by the Fundamental Principles and Rights at Work (FPRW) Branch of the International Labour Organization (ILO) entitled “Promoting the Right to Freedom of Association and the Right to Collective Bargaining.” As indicated by their title, the projects’ main objective was to promote the effective recognition and implementation of freedom of association and collective bargaining rights, which are described in ILO Conventions 87 and 98.

The projects had two immediate objectives:

1. Strengthened ILO knowledge-base and capacity to implement high impact strategies on freedom of association and collective bargaining;
2. Improved respect for freedom of association and collective bargaining rights in law and practice in target countries and sectors.

These projects built on previous phases of technical cooperation assistance supported by the Governments of Norway and Sweden dating from 2011¹. The projects fall under the ILO’s outcome based funding modality. Outcome-Based Funding (OBF) aligns with the ILO’s strategic objectives and expected outcomes as set down in the Organization’s Strategic Policy Framework. Both Norway and Sweden contribute to ILO technical cooperation programmes using this modality, which allows a high degree of flexibility in programming so as long as funding is allocated in line with ILO’s biennial priorities and goals. This project is developed in relation to ILO Programme & Budget (P&B) Outcome 14 “The right to freedom of association and collective bargaining is widely known and exercised”.² The overall goal of the P&B strategy during the 2014-2015 biennium was to achieve a greater realization of freedom of association and collective bargaining rights for workers and employers who encounter significant obstacles to the exercise of these enabling rights either in law or in practice. Since both donors were supporting Outcome 14, and wished to maximise synergies between their contributions, they agreed to have one common project document and monitoring and evaluation framework. Therefore, for the purposes of this evaluation, the two projects are treated as one.

The project was conceived to address the needs of ILO constituents in target countries to effectively realize, in law and practice, the fundamental rights of freedom of association and collective bargaining with particular focus on three economic sectors, namely, agriculture, ready-made garment and mining. It had two components, one global and the other, country level. The global component planned interventions to increase knowledge, support advocacy and develop intervention models.

¹ In 2011, the ILO renewed its partnership agreements with Norway covering a four-year period (Phase I 2012-13, and Phase II 2014-15) and entered into the second phase of its partnership agreement with Sweden (2012-13). Under these partnership agreements, funding is no longer project based but outcome-based and aligned with the Strategic Policy Framework (SPF) 2010-15 and the Programme and Budget (P&B) for 2012-13 and 2014-15.

² The project supports 14.1. Number of member States that, with ILO support, improve the application of basic rights on freedom of association and the right to collective bargaining.

The country level component was to provide technical assistance to harmonize national laws, develop and implement policies and build the capacity of relevant stakeholders in the following 12 countries: Bolivia, Brazil, China, Jordan, Kenya, Malawi, Niger, Philippines, Rwanda, Sri Lanka, Togo and Zambia. Kenya and Togo were dropped early in the project and replaced by South Africa, Morocco and Vietnam, bringing the total number of countries targeted by the project to 13. The full logical framework, including outputs per objective is presented in Annex A.

The project implementation period was 1 January, 2014 to 31 March 2016 for Norway and 15 August, 2014 to 31 December, 2015 for Sweden. Norway's contribution amounted to USD 1,130,686 and Sweden to USD 1,158,439. Overall project management for both the global and country level component was coordinated by a three person team based in the ILO's FPRW branch known as the FUNDAMENTAL's branch. In Geneva, the team coordinated implementation of the global component and some target country interventions with other relevant branches including INWORK, the Gender, Equality and Diversity Branch, and relevant specialists. The administration of country level activities was decentralized in four countries (China, the Philippines, Sri Lanka and Zambia) and implemented by national programme officers or coordinators under the supervision of country offices. ILO Decent Work Team specialists based in regional offices contributed to project implementation in a number of countries.

2. Evaluation Background

This independent evaluation has two objectives:

1. Give an independent assessment of the project. Factors to be considered were its design, relevance to the social, political and economic context of target countries, alignment with the needs and priorities of key stakeholders, the effectiveness of project strategies, implementation modalities and partnership arrangements, resource use efficiency, and overall project sustainability;
2. Document challenges, lessons-learned, good practices, and recommendations for future, similar interventions.

The evaluation considers the entire project implementation period³. The evaluation findings are destined primarily to the donor, the ILO's project management team and the key stakeholders involved in the project (representatives of Government counterpart agencies and employers' and workers' organizations).

3. Methodology

Between February and March 2016, the evaluator reviewed project documents (the PRODOC, available mid-term and final reports, trip reports from key missions) and products (global component produced guides and reference material, training modules and awareness raising material as well as various assessment reports), and carried out semi-structured, individual

³ 1 January, 2014 to 31 March 2016 for Norway and 15 August, 2014 to 31 December, 2015 for Sweden.

interviews via SKYPE with the main ILO personnel and some consultants. The selection of individuals within the ILO for interviews was based mainly on who was involved in project implementation at both the global (mainly Geneva) and country levels and able to speak about what was done, challenges and outcomes.

The evaluator also visited three project target countries (Jordan, Vietnam and Zambia) where she interviewed national stakeholders and project beneficiaries in individual or group meetings. These countries were selected in consultation with the ILO Senior Project Manager, the evaluation manager and the FUNDAMENTALS branch evaluation officer because they:

- Exemplified achievements and/or particular challenges from which potential good practices and lessons learned could be derived;
- Included at least one country with interventions funded by Sweden and at least one funded by Norway;
- Were representative of the diverse regions of the world in which project interventions took place;
- Considered evaluation time, cost and logistical constraints.⁴

National stakeholders in visited countries were identified in consultation with ILO programme managers and included when possible ILO Country Directors, relevant ILO country or regional specialists, ILO constituents within the Government, usually the Ministry of Labour, National Tripartite Committee members (or in Zambia, the Tripartite Partnership Committee for the Mining Sector), Employers Organization representatives (from national federations and/or in target sectors), Workers' Organization representatives (from National trade unions and/or sector specialized trade unions or branches of national trade unions with members in target sectors and regions), workers and employers in target sectors who benefited from project activities, and consultants/ national experts with whom the project worked to carry out studies, assessments or training programmes.

Lastly, the evaluator solicited feedback from national stakeholders in target countries not visited in person via an online survey. For this, she relied on ILO focal points in each country to distribute the questionnaire to the appropriate stakeholders and to follow-up to encourage a response. The evaluation was guided by the key questions identified in the final evaluation terms of reference (see Annex D) as well as by the project work plan and logical framework outcome and output indicators (see Annex A).

⁴ The final selection includes three regions: Africa, MENA and Southeast Asia. Norway funded project interventions in Zambia and Jordan while Sweden funded project interventions in Vietnam. Project interventions in Vietnam were relatively limited but very strategic given that they coincided with the Government's decision to accelerate labour law reform and improve its record on freedom of association rights. Project interventions in Zambia complemented a larger project on FACB in the mining sector. The Zambian case is interesting because many project interventions were focused on improving collective bargaining within a key sector of the economy at a time of economic downturn.

Evaluation limitations

The evaluation findings are based on information collected from background documents and in interviews with stakeholders and project staff. The accuracy of the evaluation findings is determined by the integrity of information provided to the evaluator from these sources.

Feedback from national stakeholders was quite limited in this evaluation. The evaluator was only able to get direct feedback from ILO national constituents in three out of 13 countries included in this project. Other national stakeholder feedback was solicited via an online survey; unfortunately, the latter only yielded 2 responses. As result, national stakeholder feedback from target countries NOT visited is nearly absent; the evaluator relied exclusively on ILO reports and the knowledge and perceptions of ILO personnel involved in implementation to feed her analysis of project outputs and outcomes in the 10 countries not visited. Moreover, sources of information within the ILO were limited for a few of the target countries. The evaluator was unable to speak to anyone directly involved in the activity in Niger (the relevant specialist did not respond to requests for an interview). For Bolivia, Brazil and Rwanda, the evaluator was only able to speak with Geneva-based ILO experts about project interventions (in Rwanda, the National Programme Coordinator had left the ILO; for the others, implementation was managed from Geneva). In China, Morocco, the Philippines, and Sri Lanka, the main source of information was the Programme Officer in charge of implementation. With these limitations, it was not possible to triangulate responses from various project stakeholders as a “check” or to have a “beneficiary” perspective.

Lastly, the ability of the evaluator to determine project resource use efficiency was limited by the amount of financial data provided. Adequate information about how funds were allocated was provided for target countries with decentralized administration (China, the Philippines, Sri Lanka, and Zambia). Some other financial data was provided about the cost of specific activities in Jordan, Morocco, and Vietnam. The evaluator requested but did not receive an overall report on expenditures in an appropriate format.⁵ Due to this limitation, it was not possible to evaluate “what was done” through the lens of “what was spent.” Not only did this hinder cost efficiency analysis, it also made it difficult to evaluate the level of project funding for some activities which would have been interesting to check attribution, especially for activities with multiple sources of funding.

4. Main Findings

1.1 Project Design

Finding 1 The project design generally contributed positively to implementation by making good strategic choices at the inception of the project. These included building on the achievements of previous partnership phases,

⁵ The most likely reason this information was not made available is that most of the ILO project management staff, including the person managing the programme budgets, had moved on to other activities by the time the evaluation occurred. They did not leave a financial report by major activity (which would be necessary for someone outside the project to understand project finances). The overall project manager was ill for much of the evaluation period and was unable to produce the requested financial report.

considering operational issues (in most countries), and focusing on relevant sectors. In most countries, project interventions were sufficiently aligned with country programme priorities and available human resources, existing partnerships and other ILO strategies in the country. However, in a few target countries, project interventions appeared to be more ad hoc and suffered from the absence of qualified ILO personnel in country. In these countries, project follow-up on its main interventions was lacking which limited both short term and most likely medium term results. These challenges might have been foreseen and avoided at the design phase by choosing countries with a stronger ILO presence in country and stronger linkages with existing programmes even if this meant targeting fewer countries.

Building on previous Partnership phases

The project built on previous phases of the Norwegian and Swedish partnership by following up on past interventions in some target countries. Some examples include:

- Following-up on previous freedom of association and collective bargaining diagnostic exercises: In Brazil and Malawi, the project followed up by presenting the main findings of the assessments and identifying priority follow-up actions in consultation with tripartite stakeholders.
- Staying with some target countries: The decision to again⁶ include China as a target country was likewise strategic. It recognized that contributing to improving industrial relations in the country, a powerful player in the global economy, would take time and required consistent efforts by the ILO.
- Using tools produced in previous phases: Under the previous 2013-2014 Norway/Sweden partnership for Outcome 14, the ILO developed and piloted a manual on freedom of association and collective bargaining and Labour Inspection in rural areas (2014) in South Africa. On the basis of this pilot, this project conducted a rapid impact assessment to see the results of the training and advice provided. The results of the assessment will feed the design of a similar training initiative in Malawi.

On the latter point, this project had planned to scale up the use of the Global Diagnostic Tool on freedom of association and collective bargaining⁷ which had been developed in the previous two phases of the Swedish partnership. In addition to using the tool in some of its target countries, the project had planned a training seminar to promote greater use of tool among ILO experts which was not carried out. Overall, the importance accorded to the Global Diagnostic Tool was much less in the actual implementation of the project. A diagnostic exercise was carried out in Bolivia using the tool and previous diagnostic exercises were followed up on in Brazil and Malawi. The change of course was explained as being related to changes in staff (staff who were involved in developing the

⁶ China was targeted by the previous phase of the Norwegian partnership.

⁷ The Tool is a means for the ILO to engage with the tripartite constituents to understand the opportunities of moving forward in the areas of freedom of association and collective bargaining. It was adapted for application in three sectors (rural, export-processing and domestic) and was been pilot tested in a few selected countries (Brazil, Jordan, Kenya, Malawi and the Philippines).

tool left the team) and feedback from previous evaluation -which pointed out limits in the tool's effectiveness.⁸

Linkages with ILO country strategic frameworks, and other past and ongoing programmes

Because the project was funded through the outcome based funding modality, the evaluator expected that the countries selected for project support to have Outcome 14 in their biennium plans with specific Country Programme Outcomes (CPOs), linked to the global ILO targets. Based on available information, this was the case in only five countries (Brazil, Jordan, Philippines, Sri Lanka and Vietnam), where the project linked with relevant CPOs on the promotion of freedom of association, collective bargaining or improved industrial relations. Linkages with Decent Work Country Programmes (DWCP) objectives, where these existed, were also made. The project contributed to ongoing DWCP objectives to strengthen social dialogue or respect for fundamental principles and rights at work in China, Malawi, Niger, Rwanda, the Philippines, Sri Lanka and Zambia. The linkages with the ILO strategy for China were described as very strong by the ILO industrial specialist who coordinated implementation for this project. He indicated that the promotion of improved industrial dispute resolution mechanisms and genuine collective bargaining agreements was very much a part of the ongoing ILO strategy in the country and would have been implemented with or without the funding allocated by this project, albeit with less intensity. In some countries, specific work on freedom of association and collective bargaining appeared less strongly integrated into the country office strategy (see below).

Box 1 Project linkages with other past or ongoing technical cooperation programmes

Jordan: Project activities were implemented in tandem with a \$500k Canadian funded project that provided technical assistance to update laws and regulations to tighten the labour law compliance system in Jordan and to capitalize of the garment sector collective bargaining agreement to promote similar agreements in the agro-food and construction sectors.

Malawi: The project worked closely with an on-going ILO project to combat child labour in tobacco growing regions funded by Japan Tobacco International.

Morocco: Project interventions followed up on another ILO project to promote social dialogue and collective bargaining in the agriculture sector, "Promoting Good Labour Market Governance and Fundamental Rights at Work in Morocco," (2012-2015), which finished in December 2015.

Philippines: Project followed a three-year United States Department of State-funded project on Fundamental Principles and Right of Work (2011-2014).

Sri Lanka: Since 2009, the ILO has been providing assistance to national constituents to address freedom of association issues through the project "Promoting Fundamental Principles and Rights at Work in Sri Lanka," which is funded by the US Department of Labour and is now wrapping up its third phase.

Vietnam: The project complemented the ongoing US government funded Industrial Relations project, which has been providing technical assistance to the Government and social partners to strengthen social dialogue and improve industrial relations since 2011.

Zambia: Activities funded by this project complemented another US government funded project on fundamental principles and rights at work in the mining sector.

⁸ Although the evaluator was asked to give her opinion on the Global Diagnostic TOOL, she does not have sufficient information to draw conclusions about the relevance as only one assessment was carried out using the tool in this partnership phase. This was in Bolivia, where for unrelated reasons, project interventions did not go forward.

Design decisions such as choosing countries where there were other relevant ongoing or recently concluded ILO programmes for country level interventions contributed positively to project effectiveness. In Jordan, Sri Lanka, Zambia, and (eventually) Vietnam, project activities were able to leverage other on-going ILO programmes with similar or compatible objectives. In the China, the Philippines and (later) Morocco, the project followed on the heels of another relevant ILO project. These two strategies had clear advantages in terms of the facilitating the availability of qualified project management personnel and in the former, complementary budget resources in the target countries.

In Bolivia, Malawi, Niger and Rwanda, project interventions appear to have been more ad hoc (not as closely tied with ongoing ILO strategies and activities in the country) with fairly limited results. In these countries, the project mainly relied on short term missions by Geneva or ILO regional office personnel for project implementation. The level and types of follow-up assistance currently being provided by Geneva based and regional specialists may not be sufficient to follow-up on this project's interventions so that they have lasting effects.

In Niger and Malawi, project implementation appears to have suffered from the absence of available human resources to follow up on the main project interventions. In Niger, a regional ILO specialist provided assistance to national stakeholders to draft a collective agreement in the transport sector. The evaluator was not able to ascertain what if any support has been provided to stakeholders in Niger to finalize and implement the agreement. The regional specialist involved in the activity did not respond to the evaluator's requests for information and Geneva-based programme managers were likewise unable to report on outcomes. The nature of the support may have been appropriate for a "light" project intervention strategy implemented through short missions but because no follow-up information is available, it appears not to have been effectively managed to ensure a meaningful outcome.

In Malawi, the project followed up on an assessment on freedom of association in a previous phase of the ILO partnership with Sweden. In this phase, the project supported national stakeholders to develop an action plan to follow-up on the diagnostic exercise and had planned additional support for a number of planned activities. One positive outcome of the action plan was the reconstitution of the Tripartite Labour Advisory Council (TLAC). However, most of the more focused activities on the promotion of freedom of association have not been implemented⁹. According to the Programme Officer responsible for Malawi, some additional follow-up is planned in the next biennium supported by regional specialists.

⁹ Planned actions included: capacity building for judges, labour inspectors and representatives of workers and employers' organizations, development of a coordinated bipartite mechanism to harmonise industrial relations, and awareness raising for workers and employers and a public information campaign on freedom of association. The project supported a ToT workshop for women trade union members. A training Programme was planned, and may still be carried out with other funding, for labour inspectors.

In Bolivia, the limited contributions of the project are due to a combination of factors, mainly but not entirely beyond its control. The project carried out an intensive assessment on freedom of association and collective bargaining in the domestic labour sector in 2014. The assessment findings were never presented due to the government’s withdrawal of support for the exercise. At the time of the evaluation, there were no ILO personnel based in Bolivia who were able to report on what, if any use, has been made of the diagnostic exercise. This negative outcome in Bolivia may be chalked up to unforeseen political events¹⁰; however, it still begs the question about why a comprehensive assessment of freedom of association was carried out without there being significant involvement (and ownership) by ILO personnel based in the country and/or region and/or a clear link with existing ILO programmes in the country.

Sector focus was strategic

The design choice to focus on specific sectors in most countries (versus a more general approach) likewise fostered project relevance. The project was designed to focus on strengthening freedom of association and collective bargaining in agriculture, mining and ready-made garment factories. This sector focus carried forward the sector orientation from the previous Swedish-funded Programme which focused on promoting freedom of association and collective bargaining in rural and export processing zone enterprises and in domestic work. It also aligned with ILO P&B outcome¹⁴ guidance, which indicated that biennium activities should focus on:

- Facilitating the effective exercise of organizational rights in the rural sector by strengthening national capacity to ensure their respect, partly through a better understanding of their relevance for social and economic development, and;
- Creating enabling environments in the export processing sector that will build the capacity of the national constituents to exercise organizational and bargaining rights.

Work in these sectors in the past and current phase of the project allowed the ILO to focus on issues affecting workers that are particularly vulnerable to labour exploitation.

Table 1 Sector focus of target countries

Agriculture	Mining	Ready Made Garment	Other	None
Malawi, Morocco, Rwanda (tea), South Africa,	Zambia (copper)	Sri Lanka	Bolivia, Brazil (domestic work), Niger (transport), Rwanda (construction)	China, Jordan ¹¹ , the Philippines ¹²

¹⁰ The Bolivian Government withdrew its support for the assessment due to disagreements with the ILO on a different issue related to its laws on child labour and the ILO response.

¹¹ The project supported activity in Jordan on labour mediation and arbitration was in fact sector-neutral but it built upon and complemented other initiatives that were sector oriented, especially on the Better Work Programme in the Ready Made Garment sector and on the Canadian funded project with a focus on Garments, Agro and food processing

¹² The Philippines organized one workshop for sectoral trade unions and employers’ organizations on collective bargaining in the latter stages of the project. The Ministry of Labour selected the sectors which included the main productive sectors of the economy. However, most of the project interventions were cross sectoral.

The sector selected for project interventions in some countries was particularly strategic because of its importance to the overall national economy (ready-made garments in Sri Lanka and Jordan, Tea in Rwanda, mining in Zambia, agriculture in Morocco) which helped to garner the interest of national decision makers.

Regardless of what sector was chosen, several project stakeholders indicated that, in general, having a sector focus increased project relevance by facilitating work with sectoral trade unions and employers' associations, organizations that tend to be more closely in tune with the needs and constraints of their stakeholders. It also narrowed the scope of project assessments and contributed to its ability to identify the key issues that were immediately relevant to employers and workers and to orient its technical assistance and capacity building activities to where they could make a difference.

1.2 Relevance and strategic fit

Finding 2: Global component interventions were relevant to build capacity within the ILO for the promotion Freedom of Association and Collective Bargaining, according to most stakeholders interviewed. Stakeholders appreciated the flexibility of outcome based funding which allows the ILO to invest in developing new strategies, produce global tools and offer professional development opportunities to its staff.

Freedom of association and collective bargaining are considered to be enabling rights and are often mainstreamed as cross-cutting objectives in ILO technical cooperation projects focused on other issues. Stakeholders within the ILO noted that the research and documentation of country and industry level experiences, good practices and lessons learned and other capacity building tools produced by the were relevant to help ILO technical cooperation programme managers and specialists to provide effective assistance to constituents on these issues. Several stakeholders within the ILO likewise noted that building these kinds of capacity building tools afforded ILO specialists in different departments within Headquarters an opportunity collaborate effectively.

Many of the people interviewed within the ILO also expressed appreciation for the flexibility of the outcome based funding modality of the Norwegian and Swedish Partnership. They noted that it is one of few readily available sources of funding for carrying out new research, developing global tools and offering professional development opportunities for ILO staff within the organization.

Finding 3: At the country level, the ILO used good strategies to align its interventions with national stakeholders' needs and priorities in relation to freedom of association and collective bargaining rights. Strategies at the country level that contributed to project relevance included being responsive to specific requests for assistance, conducting needs assessments, and regularly consulting with stakeholders. The relevance of some interventions was heightened by factors such as the importance of the targeted economic sector in the national economy, external trade and investment related pressures, and internal social, political and economic factors which made inventions more or less urgent/timely/risky.

The project considered stakeholder priorities and needs in the selection of target countries and in the design of project interventions at the country level. In some cases, its interventions in a country responded to a specific request for assistance from one or more of its tripartite constituents

(Vietnam, Zambia, Niger, Rwanda), was based on participative assessments of stakeholder needs and responded to action points agreed on in tripartite forums (Malawi, Brazil, Zambia), and/or considered internal and external political and economic factors affecting key stakeholders motivation to promote greater freedom of association or engage in good faith collective bargaining (China, Vietnam, Sri Lanka, Zambia, the Philippines).

The table below summarizes countries factors that made project interventions relevant in five target countries.

Country	Contextual factors that heighten the relevance of project interventions	How the project responded to stakeholder needs
China	The Chinese economic policy is shifting emphasis from investment and export to growing domestic consumption by, among other strategies, improving workers' wages and strengthening social programmes. In recent years, there have been a number of wild cat strikes in Chinese factories, which are indicative of growing worker demands and insufficient dispute resolution mechanisms. ¹³ These factors highlighted the importance of collective bargaining and the need to build effective institutions, mechanisms, and practices to promote harmonious industrial relations.	ILO supported studies focused on good dispute resolution practices for resolving wild-cat strikes. They provided practice-based knowledge for developing a more systematic and deliberate approach to developing dispute resolution procedures that are oriented to promoting collective bargaining.
Philippines	A High-Level Mission on Freedom of Association and the Protection of the Right to Organize (FACB) Convention conducted in 2009 highlighted issues of violence, intimidation, threat and harassment of trade unionists and an absence of convictions in relation to those crimes, and obstacles to the effective exercise of trade union rights. Other challenges to freedom of association and collective bargaining rights cited in the <i>Philippine Labour and Employment Plan: 2011-2016</i> include declining trade union membership and collective bargaining coverage, the absence of avenues and channels for workers representation, especially in the informal sector, and delays and problems of governance in the labour dispute resolution system.	The project implemented one of the recommendations of the 2009 Mission to provide training to members of the Armed Forces of the Philippines (AFP) and the Philippines National Police (PNP) on freedom of association and its linkages to civil liberties. It raised the awareness of prosecutors responsible for investigating and bringing to justice human rights violations experienced by labour rights activists on fundamental labour rights.
Vietnam	In 2015, Vietnam was in the midst of negotiating a regional trade agreement with the United States which has contributed to the decision to accelerate Labour Law reforms over the next five years. This has strengthened the political will of the Government to consider ratification of C.87 and C.98.	The project provided technical assistance to assess the feasibility of ratifying C.87, 98, and 105. Assessments identified gaps in Vietnam regulations and conventions including both the laws as well as in key stakeholders' implementation and enforcement capacity. The ILO also assessed the impact of ratification on key stakeholders in the Vietnamese economy.
Niger	The transport sector in Niger is expanding and formalizing its operations. Between 2010 and 2015, the government registered thirteen new transport companies operating in the formal sector.	An ILO social dialogue and labour administration specialist trained members of the collective bargaining committee on negotiation techniques and provided technical inputs on the draft collective bargaining agreement in the transport sector.

¹³ From 2011 to 2013, China Labour Bulletin (CLB), a Hong Kong-based workers' rights group, recorded around 1,200 strikes and protests in China. In 2014 alone, there were more than 1,300 incidents. The following year, that number rose to over 2,700 — more than one a day in Guangdong province — a pattern that has continued into 2016.

Sri Lanka	<p>Concerns have been raised regarding the application of FPRW in Sri Lanka's Export Processing Zones (EPZs) including comments received by the Government of Sri Lanka from the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) and the Committee on Freedom of Association (CFA) on the country's application of the principle of freedom of association and the right to collective bargaining. Many of these comments were focused on anti-union practices in the EPZs.</p> <p>The sectoral focus of the project was on the Ready Made Garment sector which is known for its low prevalence of unionization, both within and outside the Free Trade Zones in Sri Lanka</p>	The project provided capacity building support, including training, awareness raising and funding for relevant outreach activities to trade unions, employers, and public officials active in the EPZs.
Zambia	<p>Project Focus on pillar of Zambia economy; coincided with a period of economic downturn due to falling commodity prices, subsequent economic restructuring in the industry resulting in massive layoffs of workers. One project activity was specifically oriented to preparing ILO constituents for renegotiating a collective agreement which included agreeing on compensating laid off workers.</p>	The project trained members of the negotiation teams in the mining sector on needs based negotiation. Concepts were used in the process of negotiating for the severance packages and sustainability of jobs for those who remained in employment. As a result, there were no disruptive work stoppages in the process.

Vietnam and Zambia Success Stories

In Vietnam and Zambia, the support provided to country level constituents was particularly relevant to their priorities and needs. In these two examples, the relevance of project assistance to national stakeholders' needs was heightened the high level of interest from the countries' political leadership.

In Vietnam, assistance provided through the partnership responded to a direct request from the Government of Vietnam at a turning point in labour relations.¹⁴ Until very recently, according to multiple stakeholders in Vietnam, no one would have suggested the Government would allow free, independent trade unions in the country. This changed in 2015, when in the context of negotiations for a regional trade agreement with the United States, Vietnam committed to accelerating fundamental labour law reforms over the next five years. In addition, the Government also indicated it was considering the ratification of C.87 and C.98.

Partnership funds were able to complement other sources of ILO funding, including an existing Industrial Relations project in the country, to meet stakeholders' request for assistance to understand

Box 1: Norwegian Partnership Supported Activities in Vietnam

- Review of the conformity of national legislation and practice with Conventions No.87 and No.98. The review also included an assessment of the legal and institutional impact of ratification of these two core conventions at the national and enterprise level;
- Survey to examine the awareness, capacity, institutional arrangement and readiness of application as well as the impacts of the ratification of C. 87 and 98 at the enterprise level.
- December 2015, tripartite discussion facilitated by the project on the Review's findings and recommendations; Three expert meetings were organized which focused on building consensus on the new legislative agenda for the period 2016-2020 in regard to industrial relations, employment and social affairs with a focus on improved compliance with C.87, C.98 and C.105.

¹⁴ Industrial relations in Vietnam are undergoing substantial changes as a consequence of the economic opening process and the concomitant restructuring of the Vietnamese economy towards a global market economy "of socialist orientation." Over the last ten years, the growing influence of foreign investors and the increase in wild cat strikes has put pressure on the Vietnam General Confederation of Labour (VGCL), Vietnam's one state-affiliated trade union, to be more effective representing workers' interests.

the ramifications of this reform. According to one stakeholder within the Vietnam Ministry of Labour, having a full understanding of the implications of ratification in law and practice is essential for the proposed reform to become effective. Research and expert facilitated discussion supported by the ILO (see text box 1) allowed the Ministry of Labour, the Vietnam Chamber of Commerce and Industry (VCCI) and the Vietnam General Confederation of Labour (VCGL) to clarify their positions on the proposed reform and to formulate recommendations to the Government. The same stakeholder within the Ministry of Labour said that the ILO supported survey assisted his Ministry to identify some of the actions it needed to take to be ready for ratification.

Previous and ongoing work being carried out in Vietnam through its Industrial Relations project contributed significantly to the overall relevance of the ILO's assistance to prepare national stakeholders for ratification of C.87 and C.98. Over the last five years, ILO supported "pilot" programmes allowed trade unions and employers to understand and practice forms of industrial relations relevant to the country's changing economy.¹⁵

Promotion of social dialogue and collective bargaining within the Copper Mining Industry in Zambia

Multiple stakeholders in Zambia highlighted that ILO assistance to strengthen social dialogue within the copper mining industry came at the right time. Copper is the mainstay of the Zambian economy. According to a Ministry of Labour official, it has been a source of serious concerns about rights at work and has been characterized by high levels of distrust among social partners which, in the past, resulted in violent clashes. The ILO action responded to a specific request from the Government for assistance to improve industrial relations. The start of project activities in 2014 coincided with a period of significant economic downturn due to falling copper prices and subsequent economic restructuring in the industry which resulted in massive layoffs of workers.

National stakeholders within the government, trade unions and the industry all expressed that ILO assistance helped them to avert significant unrest in the mines. Workers representatives from mining sector labour unions cited training they received from the project on needs-based negotiation as particularly timely and relevant to their needs. Participants in the training, which included both worker and employer representatives, indicated that exchanges during the workshop contributed to dispelling high levels of mutual mistrust and set the stage for more effective negotiations.¹⁶ More broadly, project support to constitute a tripartite committee specifically focused on the mining sector was credited with enabling productive social dialogue at a time of crisis.

¹⁵ The pilots included bottom up organizing by trade unions, new forms of partnership between high level trade unions and grassroots workers' organizations, and collective bargaining and social dialogue initiatives at the enterprise and industry levels. These Programmes may have strengthened the hand of reformers by modelling how social dialogue and representative workers' organizations can reduce strikes and improve industrial harmony and by preparing stakeholders within affected institutions for their new roles.

¹⁶ Worker's representatives said that they learned how to prepare for negotiations by conducting research to guide their negotiation strategy and were able to use what they learned immediately following the workshop in the process of negotiating for the severance packages and sustainability of jobs for those who remained in employment. As a result, there were no disruptive work stoppages.

1.3 Project progress and effectiveness

Finding 4: The Global component did not meet all its planned targets. Although it produced or contributed to a large variety of relevant and potentially useful knowledge materials, several were not finalized by project end. The planned global advocacy campaign was significantly scaled back and reformulated. The global information tools produced, while potentially useful, were not innovative. One of two intervention models was developed in draft form, and if completed, may contribute to better technical cooperation strategies on freedom of association and collective bargaining in the plantation sector in the future.

The global component planned three major outputs: Knowledge materials, advocacy and awareness raising campaigns, and new intervention models for promoting freedom of association and collective bargaining the Agriculture and Mining sectors.

Output 1.1 Knowledge materials

According to its monitoring and evaluation matrix, nine knowledge materials were to be developed, shared with experts and disseminated to strengthen the knowledge base on freedom of association and collective bargaining by the end of the project. Depending on what “counts” as a knowledge material, the project produced or contributed to close to this number but only a few are finalized and diffused.

The project contributed technical inputs for an e-learning course on Freedom of Association and Collective Bargaining for employers (still being finalized). The tool, which was funded by the ILO core budget and developed by an international consultant in collaboration with Verite, is designed for people responsible for carrying out due diligence activities within businesses such as Corporate Social Responsibility managers, auditors, and monitors. The project also developed a Training of Trainers programme directed to enterprise managers, line supervisors and workers in export processing zone factories, and guide for enterprises on creating a code of conduct on freedom of association. To date, these tools have not been formally validated or diffused. One stakeholder indicated that “global tools built by project were innovative but need to mature and be piloted. They responded to original project focus on vulnerable workers in agriculture, domestic work and EPZ.”

The project also contributed to finalizing a policy guide for collective bargaining which is currently available online. The tool was developed by INWORK in the previous phase of the Partnership and pilot tested in Rwanda and Sri Lanka during this project. One stakeholder within the ILO credited the pilot in Rwanda with helping INWORK to make the guide more practical (with the integration of case studies) and more useable (by considerably shortening the guide from 150 pages to 40). The guide is gradually being translated into other languages to support various ILO programmes. In Rwanda, the workshop that piloted the new policy guide helped stakeholders to identify gaps in the country’s law and practices in regards to collective bargaining. It led to the formulation of an action plan and recommendations for updating the labour law.

The project also contributed to expanding the [ILO Legal Database on Industrial Relations](#) as planned in the PRODOC. The database, which was created in response to reportedly frequent information requests on its subject matter, provides reference information on the regulatory framework and practices for industrial relations under six main headings: regulatory framework, organizations and their administration, tripartite consultation, information/consultation procedures, collective bargaining, labour dispute and their resolution. The database was created in 2013; it started out with 25 country profiles and now has 41, with two additional profiles soon to be added. The database was recently opened to the public via an online interface and an “official launch” is imminent, according to its manager. This activity was cited by a stakeholder within the ILO as an example of effective cooperation across three departments. It was also cited as the type of activity that is difficult to fund through project based funding and where the flexibility of outcome based funding is critical.

Output 1.2 Advocacy Campaign

In addition to the various knowledge products, the project had planned an outward-oriented global advocacy strategy on freedom of association and collective bargaining rights with activities at both the global and national levels. According to the Senior Programme Manager, plans to develop a global awareness raising campaign were affected by differences within the ILO on the right to strike which led to the decision scale back and reformulate the sub-component to focus on producing information tools on freedom of association and collective bargaining. Two information tools were produced:

1. Booklet on Freedom of Association and Collective Bargaining Conventions
2. Catalogue of ILO resources on Freedom of Association and Collective Bargaining

http://www.ilo.org/global/topics/freedom-of-association-and-the-right-to-collective-bargaining/WCMS_423680/lang-en/index.htm

Box 2 *Country level communication campaigns in Brazil and Morocco* With project support, an awareness raising campaign targeting domestic workers was carried out in Sao Paulo through a domestic workers' center. Various communication materials targeting domestic workers were produced. One stakeholder within ILO called the campaign “one of the best country level project achievements” because it coincided with a new law on domestic work and contributed to spreading the word among workers on their newly acquired rights. It had been planned to have regional workshops to follow-up which was not carried out and may have increased the scope and relevance of the diagnostic exercise and follow-up activities.

In Morocco, the project contributed to the production of a [video](#) documenting a successful experience in collective bargaining in the agricultural sector. It highlights the benefits for both workers and employers of collective bargaining via an example of a recent agreement concluded in a large Moroccan agro-food enterprise. The video has been used to support other project activities to promote collective bargaining in agricultural enterprises in Morocco. To date, the video has had a relatively low number of online views (63), indicating that more might be done to promote it as an awareness raising tool.

In addition to the above, the project contributed to country specific awareness raising and communication tools in Brazil and Morocco (see text box)

Output 1.3 Intervention models

One of its more ambitious strategies, the project planned to undertake country and sectoral research and knowledge sharing exercises to identify, document and validate intervention models¹⁷ for promoting freedom of association and collective bargaining in the agriculture and mining sectors. Planned work on intervention models was scaled back to one model focused on the plantation sector, which is still in draft form. The selected topic is relevant to two of the new priority areas of the new FUNDAMENTALS branch, namely the rural economy and global supply chains. The project commissioned research on trends in labour relations in four countries (Spain, Cost Rica, Malaysia, and Tanzania). The resulting studies contain a lot of information¹⁸ but they lack clear analysis of the lessons learned from the country experiences to help guide ILO interventions. Therefore, as standalone reports, their usefulness is limited. According to the person responsible for this activity, a draft Working Paper encapsulating key global and country level trends on freedom of association in plantations will be produced using the research before the expiry of the project, thanks to the extension.

The work done to date on the model, although incomplete, is a relevant effort to update ILO freedom of association and collective bargaining intervention strategies in the plantation sector in light of globalization and evolving consumer demands. It documents some recent, non-traditional strategies to promote freedom of association and collective bargaining including new alliances formed between national and international trade unions, labour-oriented NGOs and other civil society organizations and consumer groups at the international/global level and the use of Internet platforms to exchange experiences, strategies and good practices on freedom of association and collective bargaining.

Unplanned Regional Training

The project organized two regional workshops that were not specifically planned in the Global component work plan but contributed to its objectives.

Eighteen journalists from Asia (Bangladesh, Philippines, Sri Lanka, and Vietnam) were trained to report on freedom of association and collective bargaining rights by the International Training Center (ITC) in Turin. The course included a three day workshop in Turin in November 2015 as well as distance learning components. To receive “diploma” participants were required to produce a relevant story; this was an effective way to get participants to use what they learned and contribute to project objectives by producing publishable content. In parallel, the ILO launched the Media Labour Prize to encourage the media to report on topics related to fundamental principles and rights at work. Timing the workshop with the launch of the media prize was likewise motivating for the participants. In the end, 12 out of 18 participants produced a story; several

¹⁷ These were to include a step-by-step strategic guide for practitioners in the field to understand how to promote freedom of association and collective bargaining rights in the context of ILO technical cooperation projects, taking into account the development stage of industrial relations in a target country.

¹⁸ The research examined in depth the transnational strategies and alliances that sectoral trade unions in the various countries are implementing in response to the governance changes of the global value chain of plantation products.

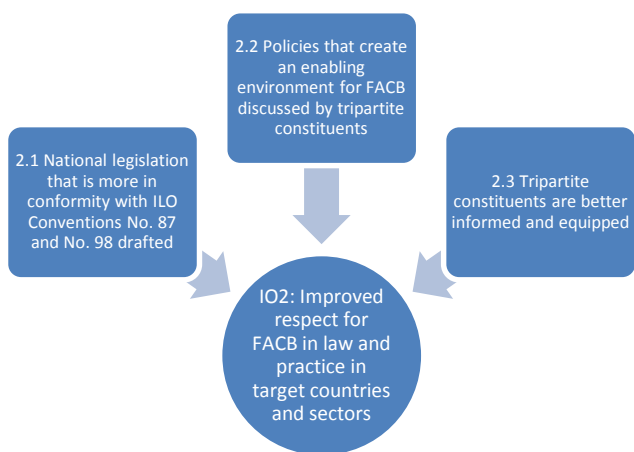
participants entered the Media prize and were short-listed. To continue its support to journalists, the ITC may create a community of practice to support networking and knowledge sharing among former course participants.

MENA Regional workshop to share good practices on collective bargaining

The project also organized a bipartite training programme on social dialogue and collective bargaining for social partners from Egypt, Jordan, Morocco and Tunisia in partnership with the International Training Center (ITC) in Turin. The activity took place in late summer 2015 in Jordan and brought together 25 employer and worker representatives from the garment and agro-industrial industries. The organizers reported that participants were strongly engaged in the workshop. One workshop participant indicated that bringing employers and workers together in one workshop was positive to improve mutual understanding. The workshop highlighted positive efforts by stakeholders in all participating countries, with good South-South knowledge sharing dynamics and a potential multiplier effect. It was followed up by an additional South-South exchange between Tunisia and Egypt. In Morocco, the workshop linked with ongoing, project supported bargaining processes in the agro-industry in two big agricultural regions.

Finding 5: The country level component featured a variety of interventions in 13 countries which were generally in line with the project intervention plan and targets. Project interventions contributed to draft legislation to strengthen freedom of association and collective bargaining rights and proposed practical measures to improve the application of existing laws. Project assessments resulted in proposals for policy changes or actual policy changes in some countries. Improvements in collective bargaining practices and outcomes were recorded in some countries as a result of project capacity building exercises.

The country level component had three main outputs as pictured below:



Output 2.1 Draft Laws

Under Output 2.1, the project planned to contribute to draft legislation on freedom of association and collective bargaining in at least two countries.

Project contributed to draft legislation in Sri Lanka and Rwanda

In Sri Lanka, partnership funds were used to engage a former Justice of the Supreme Court to provide technical support for the labour law review process with special focus on laws regulating freedom of association and collective bargaining. A particularly “hot” and relevant piece of legislation under review was a law that requires a trade union to represent 40% of workers to be considered a single bargaining agent for collective bargaining. Seven stakeholder consultations were held to facilitate analysis and the formulation of proposed amendments. The proposed amendments generated through these consultations along with the rationale were presented to National Labour Advisory Council Members on the 2nd of November 2015. No immediate action was taken; further stakeholder discussions to gain consensus on the draft amendments are required, according to the national project manager. Another ongoing project in Sri Lanka plans additional follow up.

The ILO also contributed input to labour law reforms in Rwanda, following the project’s national tripartite workshop on collective bargaining policy. The ILO has previously provided support in the area of social dialogue in Rwanda including through the development and conclusion of the law regulating labour in Rwanda (No. 13 /2009) which provides a legislative framework for the promotion and regulation of collective bargaining. In 2013, national stakeholders requested additional assistance from the ILO to identify collective bargaining models and the role of Government in their promotion. During the project supported National Labour Council Sensitization Workshop held in Kigali, Rwanda in October 2013, using the “How to promote collective bargaining – a handbook for practitioners,” various collective bargaining models were presented and debated. As a result, participants identified a number of provisions in the labour code which needed to be revised, clarified or added to ensure the right to bargain collectively in the country.¹⁹ The proposed reforms coming out of the workshop were timely as the labour code was in the process of revision. According to ILO programme managers, ILO specialists provided follow-up assistance to national stakeholders working on the labor code reform but she was not able to report on the final outcome.

Project contributed to measures to improve the application of laws

In addition to the above, the project introduced activities that were oriented to influencing the application of the law.

- In the Philippines, project capacity building activities for prosecutors and special investigators handling cases of grave trade union rights and human rights violations addressed delays in the prosecution of cases involving trade unionists. According ILO Philippines staff, the project contributed to facilitating a more active role for prosecutors in promoting trade union rights.

¹⁹ Examples of proposed changes included (1) including a definition of the “negotiating unit” in the labour law; (2) including provisions regarding “recognition” and “representativity”; (3) adding provisions which clarify who is bound by collective bargaining conventions; (4) clarifying mandatory vs. optional collective bargaining subjects; (5) strengthening protection for trade union representatives in the labour law; and (6) strengthening the role of labour inspectors in the labour law.

- Sri Lanka’s Labour tribunals were created to address labour matters with an emphasis on a speedy resolution of disputes. The tribunals lack a standard set of procedures to be followed. The project engaged a consultant to develop procedural guidelines for labour tribunal presidents (LTPs) and High Court Judges dealing with cases referred from the labour courts. These were discussed in a project supported symposium for LTPs held in November 2015. The guidelines are pending validation and implementation by the Ministry of Justice.

Output 2.2: Policies

Under output 2.2, the project planned to carry out an array of activities for the tripartite constituents to support the development of revised policies that promote the effective implementation of freedom of association and collective bargaining rights. These were to include country studies and assessments and related follow-up activities to identify and develop plans of action to overcome the challenges identified in the studies.

Project assessments contributed to the formulation of new policies

Various assessments identifying issues and gaps in country level contexts related to the exercise of freedom of association and collective bargaining were carried out by the project. These were the subject of a large number of tripartite workshops organized with project assistance to identify follow-up actions. Some examples are given below:

- In 2012 the ILO undertook a diagnostic exercise on freedom of association and collective bargaining rights in the rural sector in Malawi which highlighted gaps in the countries institutional framework for dealing with labour issues. In April 2015, a tripartite meeting developed an action plan to promote freedom of association and collective bargaining rights in agriculture following up on the diagnostic findings. As part of the implementation of the Plan of Action, the Tripartite Labour Advisory Council was re-launched in late 2015 to serve as the national platform for social dialogue on legal, policy and institutional reforms. However, while there is some ongoing support for reforms and capacity building by ILO specialists based in Pretoria and Lusaka, ILO mission reports indicate that more resources are needed to adequately follow-up on the freedom of association and collective bargaining assessment and the related action plan.
- In Zambia, the project contributed to three assessments that were cited by stakeholders as enhancing their capacity to understand and address significant issues affecting employers and workers in Zambia’s mining sector. These were the mining sector “mapping,” the social policy impact assessment and the assessment of opportunities and gaps related to trade union functioning. Together, these led to the following policies or policy actions:
 - ✓ Tripartite Partnership Committee established (TPCM) for the Mining Sector
 - ✓ Development of an OSH check-list for labour inspectors (agreement among public agencies engaged in OSH inspection to strengthen role of labour inspectors).
 - ✓ Discussions among 2 of 3 trade union confederations about unification.
 - ✓ New law limiting use of short term contract labour for jobs of a permanent nature.
- In Rwanda, the project supported a rapid assessment of challenges and opportunities for the promotion of collective bargaining in the country with focus on two sectors: construction and tea.

One stakeholder indicated that the project supported rapid assessment of challenges and opportunities came too late in project; more might have been accomplished had this assessment occurred earlier. She highlighted that for her, a key lesson learned was that freedom of association and collective bargaining interventions need to be highly “context specific.” Skill training delivered prior to the assessment did not adequately target the key stakeholders or align with how they work.

Output 2.3: Capacity Building

Under this output, the project planned to carry out capacity building activities and provide technical advisory services and support in four key areas: training on freedom of association and collective bargaining; technical advisory services to constituents to build systems for effective labour disputes prevention and resolution; technical support to the collection of data to ensure that violations of trade unionists’ civil liberties can be monitored and brought to trial; and provide technical support to the implementation of Plans of Action in target countries.

- Workshops on collective bargaining were carried out in 7 countries. In the Philippines, Zambia and the MENA regional training, stakeholders highlighted that the opportunities for interaction between workers and employers in the training workshops helped diffuse mistrust and favored social dialogue and collective bargaining post-training.
- In Jordan, 25 labour inspectors participated in two workshops on labour mediation. The participants expressed appreciation for practical aspects of the workshops, including the use of role playing and case studies. The Ministry of Labour reported that as a result of the training, fewer labour disputes are referred to the central office for mediation from the regional labour offices.

Finding 6: Effective Measures were taken to mainstream gender in project strategies and activities.

Gender was mainstreamed into project strategies and activities effectively in many countries and in some of the global component products. Some of the knowledge materials and many of the activities of the Project focused on labour relations challenges in sectors where women workers are predominant. In most countries and in global training activities, the project sought to achieve gender balance among participants and records of participation were sex-disaggregated.

Some countries were purposeful in mainstreaming gender into programme activities. Below are some examples:

- In the Philippines, the programme managers reported that gender equality and non-discrimination were integrated in the presentation of the core conventions and the case studies for shop stewards and collective bargaining during trade union capacity building activities. The workers’ leadership training included gender as a cross-cutting issue. Gender issues were integrated into the presentations of case exercises on Collective Bargaining. The strategy paper on collective bargaining developed by the project delineated the strategic role of women in collective bargaining.

- In China, gender-related issues such as discrimination and women specific issues, such as, maternity leave, and working hours were addressed specifically within the framework of project research and capacity building activities.
- In Sri Lanka, gender issues were addressed directly in many project activities. Discrimination, equality, addressing harassment in the workplace and indicators for gender disaggregated data collection were some of the areas that were covered. Sexual Harassment awareness raising was likewise addressed to employers representatives (human resource managers), the Export processing zones monitoring team of the Bureau of Investment, and to workers (see good practice one).
- In Malawi, in collaboration with the Gender, Equality and Diversity branch, the project supported training on freedom of association for rural women workers in collaboration with a trade union and contributed to building the capacity of the union to mobilize women participation in Union activities.

According to the Chief Technical Advisor in charge of mainstreaming, the project team was exceptionally responsive, and indeed proactive, in working with him to identify opportunities. However, many of the planned activities were not carried out, most likely because of time constraints at the country programme level (see table 2).

Table 2 Status of Planned Gender Equality and Diversity Branch Activities

Activity Description	Status
Production of a promotional video on how Freedom of Association and Collective Bargaining can be used to promote gender equality	Video Produced.
Development of guidelines to combat violence and sexual harassment for women workers in EPZs	Guidelines completed but not yet formatted and made available online.
A fact sheet on gender and freedom of association is prepared (as part of FPRW series of fact sheets)	Not produced.
Tripartite Trainings on Freedom of Association for Women Workers in EPZs in the Philippines	The TOT was completed, while the trainings themselves were not carried out because of time constraints.
Development of an Action plan on promoting freedom of association for Women Workers in EPZs in the Philippines	Not carried out because of time constraints.
Training (using above-mentioned guidelines) for women workers on using collective bargaining to combating violence and sexual harassment against Women Workers in EPZs in the Sri Lanka	Training carried out. Training did not use the guidelines listed above because they were not ready in time.
Training using the manual 'Freedom of Association for Women Rural Workers' Malawi	Training carried out.
Tripartite training on integrating gender into collective bargaining China	Training not carried out because of time constraints.
Total	

Finding 7: External and internal constraints affected project implementation and its success. Factors that affected project progress included its late start and challenges identifying and recruiting qualified staff as well as changes within partner organizations. Social, economic and political events that were beyond its control offered opportunities on which the project capitalized in some cases but in others these added additional challenges.

External and Internal Constraints Affected Implementation

According to programme managers in headquarters, implementation of the global component was complicated by the restructuring of the FUNDAMENTALS branch during the project implementation period, which was a time when priorities and needs were in the process of being reconsidered. In addition, the decision to decentralize 60 percent of project funding to country offices constrained funding for Geneva based human resources, which affected the delivery of global outputs.

The project implementation team was not able to access project resources until later than planned. The project's senior manager explained that the decision to decentralize donor funds to the country level came fairly late in the project approval process and that this took time to administer. Programme managers in the field noted that the late project start affected planning and implementation and resulted in a large number of activities coming late in the project. The extension of the project's period of performance helped to alleviate some of the negative consequences.

Two target countries were dropped by the project due to factors outside its control. In Togo, issues about the independence of one of the main tripartite partners were raised and in Kenya, there were issues of security. The decision to drop these countries was taken early in the project avoiding problems that might have weighed down overall project implementation.

National programme managers noted that working within the priorities and capacity constraints of some of the project's key tripartite partners took time and effort. Implementation in Sri Lanka was affected by national elections. In China, the project faced a number of ad hoc difficulties brought about by major changes in the organization of the partners.

In the big picture, the project "won some and loss some" in terms of whether larger political, social and economic changes in its enabling environment helped or hindered the project. In Vietnam, unexpected events created openings for the ILO while in China, the Government's response to slowing economic growth was to move toward more interventionist strategies to regulate industrial disputes and the Project had to invest greatly in re-asserting the importance of promotion of collective bargaining. The downturn in the Copper industry, although it certainly might have gone in another direction, created openings for improved social dialogue in the sector in Zambia. Even so, the project still was not successful in engaging Chinese mining companies in project activities in any substantial way due to cultural and business practice related factors that were largely beyond its control.

In some target countries, identifying qualified programme management personnel as well as the lengthy administrative process for recruiting new staff delayed project implementation. In other countries, the absence of in-country personnel dedicated to programme implementation made the project dependent on bringing in resources from outside the country with some accompanying scheduling challenges.

Finding 8: The project's efforts to develop and implement a monitoring and evaluation system were modest but sufficient for tracking progress against the work plan and larger project objectives. Data on some indicators was not tracked due to insufficient monitoring systems or poor indicators. Reporting was adequate and balanced the need for formal reporting with managers' time constraints and their need to focus on implementation. Geneva and country managers reported regular consultations which contributed to strategic management decisions in at least one case highlighted during the evaluation.

The project established a monitoring and evaluation matrix with indicators and targets for planned outcomes and outputs based on the PRODOC. About half of the indicators established in the overall project monitoring and evaluation matrix were relevant and tracked. Others proved too difficult to track or not relevant given changes in the project work plan. While this is not an exemplary use of monitoring and evaluation tools, it shows that at least modest efforts were made to use the matrix to track project performance. Some of the countries with intensive levels of activities such as the Philippines, Sri Lanka, Jordan and Zambia established and used their own framework for monitoring and evaluation based on their own, more detailed work plan and country level objectives.

The project management team produced two project progress reports- one midterm and another final report. Given the short implementation period, limiting the intensity of formal reporting was a reasonable strategy to focus efforts on delivering project activities versus reporting on them. There is not yet a consolidated final report on the project. However, most of the final reports elaborated by country level programme managers in countries with intensive levels of activity were detailed and showed strong efforts to extract lessons learned and highlight next steps.

Country level programme managers reported that they consulted with Geneva-based programme managers at regular intervals and it appears that sufficient management control was exercised to ensure that work plans were on track while leaving room to seize unforeseen opportunities. An example of fruitful consultation between the Zambia National Programme Officer and the Geneva based Senior Programme Manager was cited during the evaluation visit; the two conferred and decided to reorient the needs based negotiation training to target constituents involved in upcoming collective bargaining negotiations, a decision that was highlighted by several stakeholders as strategic and contributed to successful negotiations.

The loss of nearly all of the Geneva based project staff and some country level staff at the end of December 2015, even though activities continued for three additional months (at least those funded by the Norwegian partnership) had negative consequences for project monitoring and evaluation. It made collecting information for the final evaluation more challenging for the evaluator and may also have affected the level of support and monitoring provided to country level programme managers in the final quarter of the project.

1.4 Efficiency of resource use

Finding 9: Information was insufficient to evaluate overall project management effectiveness relative to financial resource allocation because updated, output based information was not available to the evaluator. Based on available information, the rate of decentralization of funding to country programmes did not meet targets. In the Programmes for which budget information by output is the most complete (decentralized programmes), resource use was efficient. The project leveraged human resources from other ILO programmes effectively.

Information Insufficient to Resource Efficiency

At the time of that this final evaluation draft report was produced, the evaluator did not have sufficient financial data on the project budget and expenditures per major output to do a thorough analysis of resource use efficiency. In Geneva, information on how much was allocated and spent for backstopping, on specific outputs in the global component work plan, and for activities in countries for which financial administration was not delegated to the country level was not readily available.²⁰ Therefore, it is not possible to have a comprehensive picture of how project financial resources were allocated. Internally, ILO programme managers in Geneva may or may not have had a clear picture of project expenditures and used this information to achieve timely and efficient resource allocation. Information is insufficient to evaluate management effectiveness in this area.

Decentralization of Funding to Country Programmes did not Meet Targets

According the Senior Project Manager of this project, the ILO and the donor agreed that at least 60% of Partnership funds allocated to support Outcome 14 objectives would be decentralized to the country programme level. Project budgets and their administration were decentralized in the country programmes in China, Sri Lanka, the Philippines, and Zambia. Based on budget information provided by the project, these funds were allocated as follows.

Table 3 Budget Allocations to Countries w/decentralized Administration

Countries with Decentralized Budget	Budget Amount
China	\$ 192,800
Philippines	\$ 156,400
Sri Lanka	\$ 159,900
Zambia	\$ 183,800
Total	\$ 692,900

Based on the information above and the total budget allocated by Sweden and Norway, the project did not achieve a rate of 60% for decentralization. The Senior Project Manager reported that management efforts were made to identify countries with conditions conducive to decentralization (mainly the availability of qualified national staff) but that there were a limited number of choices given the short time frame for project implementation.

²⁰ There are circumstances that may explain the difficulty experienced by the project to produce expenditure data in a format that could be readily read and understood by an external evaluator. The contracts of most Geneva based Programme staff expired at the end of 2015. This included the Programme person who handled budget and expenditure matters. In addition, the Senior project manager was on sick leave for several weeks during the evaluation period.

Activity Levels Correlate with Budget Allocations in Decentralized Programmes

Based on a general evaluation, the level of activity in these countries justifies the level of funding. Indeed, the decentralized countries programmes performed well in terms of designing and delivering their work plans. Their reliance on national programme staff and extensive use of national experts or regionally based specialists explain their success from a resource allocation perspective.

Without detailed information on how resources were spent in countries with programmes that were administered from Geneva, it is not possible to examine resource efficiency with clarity. Generally, in these countries, the programmes were more reliant on international experts or short term missions from ILO specialists for implementation. Although various reports and feedback from stakeholders indicate that the project used highly qualified consultants, the costs associated with this project management modality would be higher and generally less cost-effective since follow-up support on interventions was more limited.

Project Leveraged Resources from other ILO Programmes and Regional Technical Teams Effectively

As previously highlighted (see box 1), the project was designed and implemented to leverage resources from other ongoing programmes in the target countries, which appears to have contributed to both its effectiveness and its efficiency. On the efficiency side, it is clear that in countries with other related ongoing programmes, the project was able to allocate human resources more efficiently by charging them with overall management of ILO activities, regardless of the source of funding.

The project also made good use of regionally based specialists to deliver capacity building activities. For example, regional specialists based in Pretoria provided effective support to the programme in Zambia for the needs based negotiation workshop and the assessment of trade union capacity.

1.5 Sustainability

Finding 10: At both the global and country levels, project managers implemented strategies to favor the sustainability of project actions. Some of these resulted in changes in partner institutional and strategic priorities that may sustain project efforts. In other cases, sustainability may hinge on the ability of the ILO to continue its support for a longer period of time. Efforts to mobilize resources for such efforts are ongoing in some countries; in other countries, the ILO indicated that there is commitment by ILO specialists to follow-up.

Sustainability Embedded in Changes within Partner Organization Institutions and Strategies

The sustainability of project achievements is closely aligned with the degree to which it was successful in creating greater capacity among key stakeholders in ways that become embedded within the partners' ongoing efforts. There are a number of examples of at least preliminary project successes in this regard:

- According to programme managers in Sri Lanka, sustainability was build into most of the activities at inception stage. For instance the labour law reform related research has been handed over to the Ministry of Labour for further discussion with tripartite stakeholders prior to the drafting of legislation/amendments. The research work/guidelines on Labour Tribunal

Presidents were handed over to the judicial services commission for their consideration and adoption.

- In Zambia, the project facilitated a workshop for tripartite constituents on the Social Impact Assessment to identify priority follow-up actions. They identified five issues and priorities that were forwarded to the Tripartite Partnership Committee on Mining. The Committee agreed to follow up on the following;
 - (a) Stakeholder Sensitization on Fundamental Principles and Rights at work
 - (b) Incorporate OSH Standards in Tender Guidelines for Mining Contractors
 - (c) Development of Code of Ethics for Tripartite Constituents
 - (d) Urgently review the Industrial and Labour Relations Act so as to strengthen social dialogue mechanisms and strengthen the enforcement capacity of Labour and OSH inspectors. (work is ongoing to integrate OSH into regular labour inspectors' inspection check list)
 - (e) Introduction of Sector Minimum Wage for the Mining Sector (now taken up by the Government)
- In Morocco, following ILO efforts to strengthen social dialogue in the agriculture sector, the Ministry of Labour decided to move ahead on the creation of sector focused national and regional tripartite committees;
- In Malawi, based on project follow-up on the diagnostic exercise on freedom of association and collective bargaining, the National Tripartite Labour Council was reconstituted;
- At the global level, the new strategy of the FUNDAMENTALS branch is focused contributing to technical cooperation programmes on four thematic areas, two of which were addressed in global knowledge materials: the rural economy and global supply chains.

Project Sustainability affected by intervention levels and continuity of ILO support

It is almost certain that in countries where project's interventions were light, its chances of making a sustainable impact on constituent capacity are diminished. Even in countries with more intensive intervention levels, some of the activities were perhaps too light to achieve lasting impact. In the Philippines, one of the programme managers indicated, for example, that the leadership training for young trade union leaders required more follow-up to be effective and for benefits to be sustained. Project efforts in Rwanda, although met with relatively high levels of "buy in" from national stakeholders, were regarded as too short to achieve sustainable impact by programme managers involved in project implementation there.

National stakeholders and programme managers indicated that continuity in ILO support is important for sustainable impact:

- In Vietnam, even though the government's intention is to ratify C. 87 and 98 is a major milestone, all national stakeholders expressed that even actual ratification will be just the beginning of a new chapter in Industrial Relations, and that significant follow-up support will be needed to ensure that freedom of association and collective bargaining rights are respected "in law and practice."
- Even though national stakeholders in Zambia were unanimous in regards to the positive impact of the Tripartite Partnership Committee on Mining on Copper Mining industrial relations, some

expressed concern about its sustainability in the absence of the ILO as a “convener.” It should be noted the project asked the Committee to address its sustainability in a recent meeting, as part of the project phase-out plan. More generally, many stakeholders thought that the project implementation period was too short and that this might affect its overall sustainability.

- In the Philippines, the Department Order 40-I-15, which firmed up the employer-as-bystander rule and streamlined the process of voluntary recognition of trade unions as collective bargaining agents through Sole and Exclusive Bargaining Agent certification, was the culmination of five years of ILO advocacy.

Resource Mobilization Efforts Ongoing for Follow-on Programmes

In light of the importance of continuity in ILO efforts to support freedom of association and collective bargaining, there are ongoing efforts in some countries to mobilize resources to follow-up on project interventions. In Morocco, project interventions were specifically designed to bridge funding for ILO efforts in to promote freedom of association and collective bargaining in the Agriculture sector. Fundraising efforts were reported as ongoing in the Philippines, Sri Lanka, and Zambia. In Zambia, the country director indicated that he would like to mobilize resources to extend the benefits of the project approach to other sectors including Agriculture and Tourism.

In the absence of technical cooperation programmes, stakeholders within the ILO indicated that some project efforts will continue to be supported by ILO specialists. For example, in China, project activities were wholly integrated into the regular activities of the Industrial Relations specialist and contributed mainly by allowing him to intensify his efforts. ILO programme managers specifically highlighted that regionally based ILO specialists planned ongoing support for freedom of association and collective bargaining issues in Rwanda and Malawi as part of the current biennium plan.

2. Conclusions

This project implemented many effective strategies which, with a few exceptions, were in line with its initial implementation strategy. These strategies contributed to Outcome 14, “making the right to freedom of association and collective bargaining more widely known and exercised” within the limits of a two year, two million dollar technical cooperation programme. The main ways it did so was by launching awareness raising activities and programmes on freedom of association and collective bargaining targeting the ILO’s tripartite constituents and establishing or expanding policies and mechanisms to promote collective bargaining.

A number of country level programmes contributed to practical results that led to greater respect for freedom of association and collective bargaining rights or have the potential to do so if followed up on and sustained by the relevant ILO constituents. Notable project achievements were the creation/reconstitution of tripartite social dialogue bodies in Malawi and Zambia. Vietnam is a noteworthy example of a country where the project was able to complement the work of an existing ILO programme and capitalize on an unexpected political/trade related opening which may lead to the ratification of C. 87 and 98 in the next five years. Programmes in Jordan, Morocco, and Zambia were exemplary for their efforts to work on promoting collective bargaining in particularly

strategic sectors of their target countries' national economies. Most countries integrated gender considerations in meaningful ways - in particular the programme in Sri Lanka.

All of the country programme in which there were relatively intensive levels of activity used strategies that favored buy in from national stakeholders and with this, sustainability. Training was a significant strategy to build capacity and promote sustainability in many countries. Its relevance and effectiveness was enhanced by linking workshops with the results of project assessments and contextual factors in the target countries that increased training relevance (examples include high level commission recommendations to speed the prosecutions of abuses of trade union leaders' civil liberty rights in the Philippines, imminent collective bargaining negotiations in the midst of depressed copper prices in Zambia, the risk of suspension of generalized scheme of preferences in Sri Lanka, Trans Pacific Trade Negotiations in Vietnam, significant increases in the numbers of wild cat strikes in China).

The global component of the project produced a number of potentially useful information and capacity building tools. Several research products and training tools were not yet finalized or diffused by the end of the project implementation period which naturally limited their contribution to capacity building within the ILO and among ILO constituents at the time of the evaluation. Likewise, at the time of the evaluation, the capacity of the FUNDAMENTALS branch to follow-up and complete these deliverables is challenged by staff reductions and strategic reorientations.

3. Lessons learned

The following lessons learned emerge from the main findings of this evaluation reports.

Lesson Learned One: Working at a certain scale, over longer periods of time and with country-based personnel was more likely to produce tangible outcomes than “light” interventions carried out through short term technical assistance missions, even well-targeted ones. Efforts to improve respect for freedom of association and promote collective bargaining were also more effective when they were integrated with broader types of sector or industry focused technical cooperation programmes.

The ILO frequently implements multi-country programmes around a given goal or outcome linked with a particular theme or issue (in the case of this project, the promotion of freedom of association and collective bargaining) within its Decent Work agenda as part of its technical cooperation programmes. The choice of countries is made by the ILO during the design stage and is usually based on a number of factors including the openness of the country to ILO assistance, need (existence of significant decent work deficits) and where ILO assistance can be most effective.

On the latter issue, analysis of the project design findings highlights that operational factors such as the availability of qualified national staff, the potential to complement other on-going programmes, and/or the possibility to work in countries with sufficient intensity to justify allocating resources that allow for consistent follow-up support are important for project success and are not-to-be underestimated in the design stage.

Analysis of effectiveness findings indicated that holistic and mainstreaming approaches to promoting freedom of association and collective bargaining may work better than more focused strategies. Project efforts appeared to be more effective when they were part of larger ILO programmes that addressed a variety of challenges facing a particular economic sector or the labour market governance/industrial relations system.

- In Vietnam, because of the pilot activities of the Industrial Relations project, which among other things modelled effective collective bargaining and how independent trade unions recruit members, there are a number of key ILO constituents who understand the implications of ratifying C.87 and 98 and have started to prepare for the implementation of the Conventions.
- In Zambia and Jordan, the project was able to address many dimensions of social dialogue in their respective target sectors which built trust with stakeholders and is contributing to the implementation of ILO recommendations (new labour legislation in Zambia, renewal of collective bargaining agreement and new regulations that address migrant workers status in Jordan).
- In Rwanda, even though there is political will to strengthen social dialogue and collective bargaining and nascent efforts in some sectors to negotiate agreements, in the absence of follow-up support, some ILO programme managers are doubtful that project efforts will bear fruits.

Lesson Learned Two: Project interventions were more effective when they were based on careful analysis of the country/industry/enterprise context early in project implementation. After the assessment, it was likewise important to share and discuss findings, build consensus, and establish priorities with relevant stakeholders. Assessments, however insightful, were not sufficient to guarantee that recommendations would be implemented; therefore assessments should only be undertaken when resources are available to follow-up.

This project frequently used assessments to guide project interventions. The ILO used the Global Diagnostic Tool developed in previous phases of the Partnership in some countries while in other countries, the assessments applied different methodologies. Analysis of findings on project relevance indicate that assessing and documenting the large variety of issues that limit freedom of association and collective bargaining at the front end of technical cooperation programmes was an effective way to identify gaps as well as a good way to introduce the objectives of the project to national stakeholders and get their feedback.

Related effectiveness and sustainability findings show that these assessments were most effective when the results were shared and discussed by national stakeholders, used to formulate an action plan with clearly identified priorities and followed up on in a timely manner with adequate resources to implement at least some of the proposed recommendations.

A positive aspect several of the assessments produced in this project was that they produced a limited number of priority recommendations, many of which were practice-oriented (versus focusing mainly on laws and high level policies that take a long time to put in place and then often

are not applied anyway). This seems to have contributed to forward movement and to stakeholders achieving at least some of their objectives.

In Rwanda, the project aimed to support the development of collective bargaining agreements in the tea sector. According to an ILO programme manager, project efforts could have been more effective if they had assessed opportunities and constraints for collective bargaining earlier in the project implementation period (an assessment was carried out in the last months of this project). The assessment contributed to a better understanding of the key stakeholders on the employers' side including how their sector professional associations were structured. Having this information earlier and being able to follow-up may have led to greater project success.

In Malawi, the project followed-up on an assessment of freedom of association and collective bargaining in the rural economy that had been carried out in a previous phase of the project. Consultations with stakeholders on the findings of the assessment highlighted the need to reactivate the national tripartite labour council, which was a positive outcome of this phase of the project. Additional actions were identified in the follow-up action plan but these have not yet received adequate follow-up to be realized, which is a lost opportunity.

4. Emerging Good Practices

Good Practice One: Tackling Sexual Harassment and Freedom of Association together in Ready Made Garment Factories

In Sri Lanka, the project featured training for both Human Resource managers and workers on sexual harassment. The integration of the issue in the project's activities in Sri Lanka, which were focused on promoting increased respect for the right of freedom of association, was very relevant and is a good practice that might be replicated elsewhere.

According to research on the issue, sexual harassment is widespread and takes various forms in the Ready Made Garment Industry. There are several structural features of the export-oriented garment industry in the developing world that make this industry particularly prone to higher incidence of sexual harassment. These are: 1) the large power differential between men and women workers in the industry, where it is common to see large numbers of women, especially young, inexperienced, often illiterate workers migrating from rural areas or overseas, who are supervised by a small number of men; 2) stereotypes about garment workers that lead to them being perceived as promiscuous and having "low status"; and 3) the pressure to meet production targets that leads to abusive disciplinary practices on the factory floor.²¹

²¹ Based on ILO report looking at the issue in garment factories in Jordan: <http://betterwork.org/jordan/wp-content/uploads/Classic-Fashion-Apparel-Industrie-allegations-of-sexual-assault-and-Better-Work-Jordan-follow-up2.pdf>

In Sri Lanka, trade unions have experienced many challenges organizing workers in the garment sector, particularly women. Long working hours and the, sometimes gender-specific, demands made on women workers for the little free time they have, are among the reasons women do not join trade unions. Another reason in Sri Lanka and elsewhere is the perception that trade unions do not provide services that are highly relevant to their needs.

One of the main Sri Lankan trade unions working in the garment sector, in collaboration with this project, introduced workshops to help garment workers to deal with sexual harassment. The trade union found that, in addition to helping women to address an issue that was affecting their working lives negatively, the workshops were an excellent means to attract women to trade unions. The workshops created opportunities for trade union organizers to meet with workers and explain the advantages of membership. In Sri Lanka, the same trade union also provided free medical clinics to workers with project support, another practice they found effective to meet the needs of workers and boost their membership.

This practice could relevantly be applied by trade unions in any sector that employs similarly vulnerable women or adapted, as in the case of medical clinics in Sri Lanka, to attract both men and women to trade union activities.

Good Practice Two: Using a social impact assessment to drive industry level reforms in mining

A social impact assessment, which was co-financed by this and another project, was carried out to assess the effects of the Zambian mining industry on workers' rights and sustainable business practices. It addressed the spheres of compliance with international and national labour standards, protection of workers' rights (including freedom of association, collective bargaining and occupational safety and health [OSH]) and the effective exercise of social dialogue.

The assessment documented a number of negative impacts of some prevalent business practices in the mining industry in Zambia. These included significant differences in salary and other benefits for employees doing the same or similar work depending on whether they worked for the principal enterprise or a sub-contractor, poor standards of occupational safety and health in some mines, and unequal pay for equal work favoring expatriate workers. The study highlighted two distinct business models that are commonly practiced in the sector in Zambia and how the problems that were identified link with these models. The study also discussed issues affecting the efficacy of labour inspection and the trade union movement in the mining sector.

One of the strengths of the Zambia assessment, according to stakeholders, was that it documented problems based on evidence derived from a diverse sample of mining enterprises. They emphasized that although many of the problems were known – reporting on them in a credible way helped to mobilize decision-makers. Stakeholders said that they have been able to “use” the specific findings of the research to advocate for reforms, some of which have been picked up by government (new law to regulate out-sourcing, proposed minimum wage in mining sector, new integrated approach to mine inspection). In a related good practice, the project contributed to effective follow-

up on the study by leading stakeholders to prioritize which issues they would address and agree on the strategies they would pursue.

Replicating this experience in other sectors and countries may be possible. However, it is important to consider that the economic importance of the copper sector in Zambia and its link with national politics contributed to the study garnering the attention of high level decision makers. The same strategy in a less strategic sector might have had less impressive results.

Good Practice Three: Mainstreaming freedom of association and collective bargaining with broad country and sector focused programmes to enhance economic competitiveness such as Better Work Programmes

Since 2008, Jordan has hosted an ILO/International Finance Corporation Better Work Programme in its garment sector. In 2013, it contributed to a “breakthrough” when the first sector wide collective bargaining agreement was signed between two apparel employers’ associations and Jordan’s garment union. Following the agreement, Better Work began monitoring employer compliance with the terms of the agreement. Recent monitoring reports (available on the Better Work website) show an improvement in respect for international labour standards, with some problems remaining. According to stakeholders interviewed in Jordan, the agreement and related monitoring resulted in an increase in orders from international buyers who were reassured that core labour standards would be upheld in their supply chains.

Promoting workplace cooperation through improved communication and mutual understanding is one of the main strategies of Better Work. The practice of demonstrating the link between productivity gains and better workplace cooperation and dialogue is not ground-breaking but in Jordan, the project went a bit farther and mainstreamed support for collective bargaining in the package, which not all programmes do but might do with additional inputs.

The ILO is looking for strategic openings to promote collective bargaining. One of the places to start may be programmes where the organization or one of its partners is already working on boosting competitiveness in a sector using broader strategies. The advantage of the approach is that it uses a deep understanding of the challenges facing the industry and having a track record with key stakeholder to bring workers and employers to the bargaining table.

5. Recommendations

Recommendations in this section focus on strategic directions that the ILO and the Donor may wish to consider in future efforts to promote Outcome 14 “The right to freedom of association and collective bargaining is widely known and exercised” based on the findings of this final evaluation.

Recommendation 1: In future multi-country thematic projects on the promotion of freedom of association and collective bargaining, the ILO should work in fewer countries but with higher intensity. It should favour project implementation modalities capitalize on experienced national staff in country programmes (versus strategies that are implemented by Geneva or regionally based specialists).

Responsible entity	Deadline	Resource Implications	Priority
ILO	N/A	None	Medium

In ILO future technical cooperation programmes on freedom of association and collective bargaining, it may be better to work in fewer countries but more comprehensively. In this project, for the most part, the volume of ILO activities is aligned with programme effectiveness. Among the operational reasons for this may be because higher intensity programmes can justify having an effective manager based in the country and hiring or keeping national programme staff. Having experienced national programme staff as programme managers appears to contribute positively to the project’s understanding and ability to deal with contextual issues such as the factors that affect partner institutions’ engagement with the project. Country based project managers seemed more effective in mobilizing qualified national consultants, which lowered activity costs (in most cases) and built capacity within the country.

Recommendation 2: Future project designs may consider factoring in the potential for South-South cooperation in country targeting strategies by choosing geographically proximate countries and common sectors

Responsible entity	Deadline	Resource Implications	Priority
ILO	N/A	None	Medium

Future project designs may also consider choosing geographically proximate countries and common sectors to capitalize more extensively on opportunities for South-South cooperation.

The choice of some target countries in this project created opportunities for such cooperation on issues related to the promotion of freedom of association and collective bargaining in specific sectors, but on a limited basis. Project objectives in Brazil and Bolivia were similar and because of their geographic proximity, might have allowed for meaningful knowledge sharing between stakeholders in the respective countries in the domestic work sector had Bolivia continued its collaboration with the ILO.²² Similarly, South Africa and Malawi shared similar objectives in the rural economy and indeed, an effort was made to capitalize on lessons learned from inspector training in South Africa through similar training in Malawi, but implementation was delayed. The MENA regional workshop on bi-partite social dialogue was a successful strategy to foster knowledge sharing among Arabic speaking countries that share similar challenges related to collective bargaining.

The promotion of “better work” in mining in southern Africa (featuring strategies for strengthening respect for freedom of association and collective bargaining) is a possible area of focus for a future project with great potential for South-South exchanges. It could also capitalize on good practices and lessons learned in Zambia. Several stakeholders in Zambia highlighted that there are many sub-

²² Bolivia withdrew from this project after receiving criticism from the ILO on its child labour record.

Saharan African countries in which mining is a significant economic activity and that face similar challenges; they suggested that a regional project focused on the mining sector would be relevant and enable stakeholders to share good practices.

Recommendation 3: Future technical cooperation programmes on freedom of association and collective bargaining should favour designs that are sector and perhaps even commodity specific.

Responsible entity	Deadline	Resource Implications	Priority
ILO	N/A	None	Medium

Programme managers in the country level activities reported that sector focused programmes elicited higher levels of stakeholder engagement because they were able to deal more directly with practical concerns and address challenges related to freedom of association and collective bargaining. These were viewed as more likely to have tangible and immediate effects on workers’ lives closer to the “ground” and may also strengthen trade union membership. They also reported that it allowed them to build the capacity of sectoral trade unions that have not previously been included in ILO programmes and to demonstrate to national level trade union confederations ways that they can be more responsive to their base. It may also allow the ILO to break new ground with professional associations such as National Chamber of Mines (example from Zambia) or Agricultural Growers’ Associations (example from Morocco).

Emerging findings from research on intervention models in the plantation sector likewise indicate that work on specific, internationally traded commodities may offer significant opportunities that complement ILO traditional strategies to improve the labour governance system at the national level. Future projects on freedom of association would benefit from designing national level strategies within the broader framework of global supply chains, seizing relevant opportunities to leverage multi-stakeholder partnerships that engage the power of consumers and civil society organizations to influence labour practices in a given sector or commodity production and distribution system in target countries.

Within sector focused programmes there may likewise be opportunities to implement more integrated programmes that, like the Better Work Programme, consider productivity and workers’ rights issues in an integrated and holistic manner. The FUNDAMENTALS Branch is seeking ways to integrate work on all fundamental principles and rights at work in its programmes in a more integrated strategy. This is likely to draw work on freedom of association and collective bargaining programmes more directly into “root causes” that affect production systems and household employment/revenue. Work such as this, to be meaningful, may well require implementing programmes that are (either or both) more sectorally and geographically focused.

Appendices

Annex A. Status of Project Output Table

Outputs	Indicator	Activities planned in PRODOC	What was done
Output 1.1 Knowledge on freedom of association and collective bargaining rights enhanced and shared	<i>Number of ILO experts with the skills to implement the Global Diagnostic Tool on freedom of association and collective bargaining</i> <i>Data not available</i>	<ol style="list-style-type: none"> 1. Carry out baseline assessments on freedom of association and collective bargaining with both a national level and sectoral level focus. 2. Conduct a peer review of the baseline assessments and provide inputs for the development of the intervention models (see output 1.3). 3. Develop factsheets and case studies. 4. Disseminate the factsheets and case studies among the ILO constituents. 5. Hold a training seminar on how to use the Global Diagnostic Tool on Freedom of Association and Collective Bargaining for ILO experts. 6. Develop training exercises for the tripartite constituents on how to implement freedom of association and collective bargaining rights in practice 7. Support the collection of data for the inclusion of new countries in the ILO Global Database on Industrial Relations 	<ul style="list-style-type: none"> • Project produced draft studies on FACB rights in Costa Rica, Malaysia, Tanzania, and Spain and another report called "Baseline Assessment Report-Agrifood and plantations. • In Malawi, the Global Diagnostic Tool on FACB was used to assess FACB in agriculture enterprises in 2012. In April 2015, ILO carried out a mission to follow-up during which it organized a tripartite workshop to produce and validate an action plan based on the findings of the assessment. • The Global Diagnostic Tool was used to carry out an assessment of FACB rights in the domestic work sector in Bolivia and Brazil. ILO staff members not previously familiar with the tool were trained to carry out the survey. • Assessments of FACB were carried out using other methodologies (not the Global Diagnostic Tool) in Rwanda, Sri Lanka, Vietnam, and Zambia. • The project contributed technical inputs for the following: e-learning course on global supply chains directed to managers (still being finalized), Training of Trainers Program directed to managers, line supervisors and workers, and guide for creating a code of conduct • Bipartite training programme on social dialogue and collective bargaining developed and piloted in regional activity (MENA region: social partners' from Egypt, Jordan, Morocco and Tunisia). These exercises were developed in partnership with ITCILO Turin. Activity took place from August 30-September 3, 2015. It brought together 25 employer and worker representatives from the garment and agro-industrial industries. • New Policy Guide on "How to Promote Collective Bargaining" finalized, printed and piloted (Rwanda, Sri Lanka); Also available online. Short course was piloted in Rwanda on 12-14 May 2014 and in Sri Lanka 28 September to 1 October 2015 • Supported the collection of data for the inclusion of new countries in the ILO Global Database on Industrial Relations. At the start of the project the number of countries covered was 25 and is now 41. Collaboration for this activity was between FUNDAMENTALS and INWORK.

Outputs	Indicator	Activities planned in PRODOC	What was done
Output 1.2: Advocacy campaign on freedom of association and collective bargaining rights conducted	<i>Increased number of views of the freedom of association and collective bargaining webpage of the ILO website</i> <i>Data not available</i>	1. Design and implement a global advocacy campaign on freedom of association and collective bargaining rights 2. Hold a tripartite meeting to launch the “How to promote collective bargaining - a handbook for practitioners”	<ul style="list-style-type: none"> • Video on collective bargaining in agricultural sector in Morocco produced (https://www.youtube.com/watch?v=taGxrXZAPTs) • Video on Gender and Freedom of association (not yet available online) • 18 journalists from Asia (Bangladesh, Philippines, Sri Lanka, Vietnam) trained to report on freedom of association and collective bargaining rights and to raise public awareness of internationally recognized human and labour rights in this area. Training “Communicating freedom of association standards and principles,” was conducted by the ITC in Turin 16 to 18 November 2015. Training had blended format with some reading assigned before a 3 day workshop in Turin followed by remote support for production of a story. • Media Labour Prize 2015 edition launched in collaboration with ITCILO Turin to encourage media to report on FACB rights. • New tools developed with information on ILO core conventions on FACB rights and relevant publications (interactive catalogue). The following tools were shared with the evaluator: Document “Key Instruments of Freedom of Association and Collective Bargaining”, FACB Catalogue of ILO Resources, Guide on how to develop a policy to Promote Freedom of Association in the workplace.
Outputs	Indicator	Activities planned in PRODOC	What was done
Output 1.3: Intervention model on freedom of association and collective bargaining developed and piloted	<i>Number of intervention models validated during the Global Meeting (target:2)</i> <i>0 final validated intervention models</i>	1. Develop draft intervention models at the national and sectoral levels based on the country studies on challenges and opportunities to promote freedom of association and collective bargaining in the agrifood and plantation sectors and on 2. Develop a draft compilation of good practices of ILO technical cooperation interventions on FACB 3. Hold the second global meeting on FACB to validate the intervention models and assess good practices of ILO technical cooperation projects on freedom of association and collective bargaining rights 4. Finalize the intervention models	<ul style="list-style-type: none"> • Draft invention model on FACB in plantations and agrifood value chains

Outputs	Indicator	Activities planned in PRODOC	What was done
Output 2.1 Draft National Legislation is more in conformity with ILO Conventions N°87 and 98	<p><i>Number of Countries where draft national legislation is more in conformity with ILO Conventions No. 87 and No. 98</i></p> <p><i>Draft national legislation was proposed in Rwanda and Sri Lanka</i></p> <p><i>A review of relevant legislature was carried out in Vietnam</i></p> <p><i>Philippines: Tripartite partners endorsed key legislative reforms aimed at strengthening the observance of the rights to freedom of association and collective bargaining in the country.</i></p> <p><i>On September 7, 2015, the Philippine Labour Secretary signed Department Order 40-I-15, which firmed up the employer-as-bystander rule in any certification election</i></p>	<p>1. Carry out workshops for the tripartite constituents to elaborate the comments of the ILO supervisory mechanisms in relation to ILO Conventions No. 87 and/or No. 98</p> <p>2. Provide technical advisory services on drafting legislation that is more in conformity with ILO Conventions No. 87 and/or No. 98</p> <p><i>Activities were planned in Jordan and Rwanda</i></p>	<p>Sri Lanka:</p> <ul style="list-style-type: none"> • A former Justice of the Supreme Court engaged to provide technical support for the labour law review process. The main laws under consideration were the Industrial Disputes Act, Shop and Office Act, Termination of Employment of Workmen Act, Wages Board Ordinance, Trade Union Ordinance and Gratuity Act. • Seven stakeholder consultations were held to facilitate analysis and the formulation of proposed amendments. • The proposed amendments generated through these consultations along with the rationale were presented to National Labour Advisory Council Members on the 2nd of November 2015. No action was taken; further stakeholder discussions to gain consensus on the draft amendments are required. Additional ILO support is foreseen via another on-going project. • Two Labour Tribunal Presidents were trained on International Labour Standards at the ILO ITC in Turin. • A project consultant developed procedural guidelines for labour tribunal presidents (LTPs) and High Court Judges dealing with cases referred from the labour courts. These were discussed in a project supported symposium for LTPs held in November 2015. The guidelines are pending validation and implementation by the Ministry of Justice.
			<p>Rwanda:</p> <ul style="list-style-type: none"> • Training for national tripartite constituents to strengthen the legal and policy framework for collective bargaining. Tripartite partners produced an action plan which included a component on legal reforms. ILO program manager reports that proposed reforms were discussed during the workshop and follow-up assistance was provided by ILO regional specialists following the workshop.
			<p>Philippines:</p> <ul style="list-style-type: none"> • Production of a strategy paper to strengthen the legal framework for collective bargaining • Tripartite training on Conciliation and Mediation and the new implementing rules of the Mandatory Conciliation and Mediation Law
			<p>Vietnam :</p> <ul style="list-style-type: none"> • Review of the conformity of national legislation and practice with Conventions No.87 and No.98. The review also included an assessment of the legal and institutional impact of ratification of these two core conventions at the national and enterprise level;

			<ul style="list-style-type: none"> • Survey to examine the awareness, capacity, institutional arrangement and readiness of application as well as the impacts of the ratification of C. 87 and 98 at the enterprise level. • By December 2015, tripartite discussion facilitated by the project on the Review's findings and recommendations
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Outputs	Indicator	Activities planned in PRODOC	What was done
Output 2.2: Policies that create an enabling environment and promote the effective implementation of freedom of association and collective bargaining rights are discussed by the tripartite constituents	<p><i>Number of policies that strengthen respect for freedom of association and collective bargaining rights</i></p> <p><i>Morocco: Decision to move ahead on the creation of national and regional tripartite committees for Agriculture Sector by Ministry of Labour in Morocco</i></p> <p><i>Malawi: Tripartite Labour Advisory Council was re-launched in Nov. 2015</i></p> <p><i>Zambia: Tripartite Partnership Committee established (TPCM) for the Mining Sector</i></p> <p><i>-Development of an OSH check-list for labour inspectors (agreement among public services engaged in OSH inspection to strengthen role of labour inspector).</i></p> <p><i>-Discussions among 2</i></p>	<ol style="list-style-type: none"> 1. Conduct country studies on challenges and opportunities to promote freedom of association and collective bargaining in the agriculture and mining sectors 2. Hold tripartite validation workshops with a view to drafting policy responses to the country studies 3. Provide technical support to the tripartite constituents to draft policies for realizing freedom of association and collective bargaining rights, using inter alia the ILO tool "How to promote collective bargaining – a handbook for practitioners" 4. When draft policies are endorsed by tripartite constituents provide technical support for their implementation 5. Hold seminars for policy and decision makers on how to improve compliance with freedom of association and collective bargaining rights and promote tripartite social dialogue <p><i>Activities were planned in China, Kenya, Philippines, Rwanda, Sri Lanka, Zambia</i></p>	<p>Brazil:</p> <ul style="list-style-type: none"> • The ILO carried the diagnostic mission in 2014 in the domestic work sector (this was part of the previous phase). Approximately 750 domestic workers, and 40 employers participated in the Diagnostic Exercise • A Draft National Plan of Action on Domestic Work drafted and presented to tripartite constituents in September 2015; • As part of the implementation of the Plan of Action awareness raising activities for domestic workers on their rights carried out in Sao Paulo through a domestic workers' center. • Various communication materials targeting domestic workers were produced with support from the project. <p>Bolivia</p> <ul style="list-style-type: none"> • 744 domestic workers, 89 employers and 18 members of the government participated in a diagnostic process to build a national plan of action on domestic work <p>Malawi</p> <ul style="list-style-type: none"> • In 2012 the ILO undertook a diagnostic exercise on freedom of association and collective bargaining rights in the rural sector. • In April 2015, a tripartite meeting developed an action plan to promote freedom of association and collective bargaining rights in agriculture following up on diagnostic findings. • As part of the implementation of the Plan of Action, the Tripartite Labour Advisory Council was re-launched to serve as the national platform for social dialogue on legal, policy and institutional reforms, including in the agriculture sector in Nov. 2015 • Sensitization Workshop on Social Dialogue for members of the TLAC in Nov. 2015. • Workshop for Rural Women Workers on Freedom of Association organized w/GED funding in September 2015

	<p><i>of 3 trade union confederations about unification.</i></p> <p><i>-New law limiting use of short term contract labour for jobs of a permanent nature.</i></p> <p><i>-Minimum wage for mining sector under discussion</i></p> <p><i>Vietnam: Trade union and employers' organizations recommend ratification of C.87, 98 and 105.</i></p> <p><i>Prime Minister indicated intention of Government to ratify C. 87, 98 and 105 in December 2015.</i></p> <p><i>Jordan: Sectoral collective bargaining agreement renewed in the garment sector covering 60,000 workers mainly migrant workers; The CBA was renewed for another two year period in August 2015.</i></p>		<p>Rwanda</p> <ul style="list-style-type: none"> • 18 senior tripartite constituents trained on the design of policies for the promotion of collective bargaining rights using ILO's new policy guide on "How to Promote Collective Bargaining." 12-14 May, 2014 • Plan of Action for the promotion of collective bargaining adopted by tripartite constituents. The Plan of Action has three main components: labour law reform, increasing awareness and capacity building. • As part of the implementation of the Action Plan, a Code of conduct on collective bargaining drafted to support good faith and meaningful negotiations. • Rapid assessment of challenges and opportunities for the promotion of collective bargaining in the country with focus on two sectors: construction and tea. <p>Zambia</p> <ul style="list-style-type: none"> • Tripartite Partnership Committee established (TPCM) for the Mining Sector aimed at adopting policies, programmes and other initiatives to improve harmonious industrial relations, social dialogue and productivity in the sector. • An Impact Assessment conducted on the effects of the mining industry on workers' rights and sustainable business practices; • A study on industrial relations and dispute prevention and resolution systems carried out with a particular emphasis on the mining sector; • An actor mapping conducted for the mining sector; • A study on opportunities and gaps related to trade union functioning carried out by ILO specialist; <p>Philippines</p> <ul style="list-style-type: none"> • The project supported the development of a collective bargaining strategy and held consultation workshop with Regional Tripartite Industrial Peace Councils from various regions; • This process resulted in the amendment of the implementing rules and procedures of the Labour Code (Department Order No. 40.1.15) in September 2015; <p>Sri Lanka</p> <ul style="list-style-type: none"> • Study on challenges on FACB rights in the Ready Made Garment (RMG) sector produced. • A female officer of the Ministry of Labour (Development Assistant attached to the unit on labour and foreign relations) was trained on International
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			<p>Labour Standards. She is responsible for Sri Lanka's reporting to the International Labour Congress.</p> <ul style="list-style-type: none"> • Rapid assessment of legal, institutional and practical framework for the promotion of collective bargaining in the country carried out by consultants from 28 September to 1 October 2015. • As part of the same mission, 50 decision and policy makers from tripartite constituents trained (1.5 days) on the design of policies for the promotion of collective bargaining rights using ILO's new policy guide on How to Promote Collective Bargaining." • Recommendations drafted for the adoption and key provision of a collective bargaining policy in the country.
			<p>China (total budget \$192.8k)</p> <p>Policy documents and studies were conducted focused on regulations on collective bargaining (CB), trade unions elections, collective labour disputes:</p> <ul style="list-style-type: none"> • International conference on collective bargaining in China, 25-27 October 2014 • Workshop on the draft regulation on collective bargaining and labour disputes in Guangdong Province, 10 Jan 2015 • Study on the development of legislative provisions on collective bargaining • Study on the regional-level regulations on collective bargaining included: translation of ILO publication: <ul style="list-style-type: none"> -Promoting Collective Bargaining – annotated guide to C. 154 and R. 163 -A Policy Guide: Collective bargaining • Workshop on US-China Comparative Collective Dispute Resolution Systems, 25-26 April, 2015 • High level research seminar on the "Opinion of the Central Committee and the State Council on Building Harmonious Labour Relations", 31 May 2015 • Seminar on assessment of Guangdong regulation on collective bargaining • Study on the issues and challenges for rebuilding trade unions for effective representation and collective bargaining in implementing the ACFTU programmes for trade union strengthening • Study on challenges in effective collective bargaining in the Guangdong Province under the new regulation on collective bargaining • Workshop on legislative and institutional reform for effective collective bargaining, 16 Jan 2016
Outputs	Indicator	Activities planned in PRODOC	What was done
Output 2.3: Tripartite	<i>Number of constituents with</i>	1. Carry out trainings for the tripartite constituents on how to implement freedom of association and	<p>Jordan</p> <ul style="list-style-type: none"> • Sectoral collective bargaining agreement renewed in

<p>constituents are better informed and equipped to promote and exercise their rights and obligations in relation to freedom of association and collective bargaining</p>	<p><i>improved knowledge on freedom of association and collective bargaining through the implementation of Action Plan activities</i></p>	<p>collective bargaining rights in practice (based on 1.1.5)</p> <ol style="list-style-type: none"> 2. Provide technical advisory services to the constituents on how to develop effective strategies on labour dispute prevention and resolution 3. Provide technical support to the constituents for the collection of data on violations of trade unionists' civil liberties 4. Support the implementation of Action Plans developed in target countries 	<p>the garment sector covering 60,000 workers mainly migrant workers; The CBA was renewed for another two year period in August 2015. Project contributed to the salary and travel for senior technical advisor based in Geneva who initiated the first CBA negotiations and took part in the renegotiation. Project also funds salary of program assistant.</p> <ul style="list-style-type: none"> • 25 MoL Officials from the Labour Relations Directorates and 16 Field Offices trained on mediation skills and techniques The first session was organized 24 – 28 May, 2015 and the second, 24-27 January, 2016
	<p><i>Data provided by some countries on total numbers of participants in activities:</i></p>		<p>Morocco National tripartite awareness raising workshop on collective bargaining</p> <ul style="list-style-type: none"> • Workshop on social dialogue mechanisms in the agricultural sector • Technical support to 4 agro-industry enterprises to initiate collective bargaining negotiations. • Production of a video documenting collective bargaining good practice in the Moroccan agricultural sector. <p>http://www.ilo.org/global/topics/freedom-of-association-and-the-right-to-collective-bargaining/WCMS_435653/lang--en/index.htm</p>
	<p><i>China: Participants included 223 representatives from workers organizations, 74 from employers' organizations and 140 from government organizations. (437 total)</i></p> <p><i>Philippines: 165 Workers, 132 employers and 190 Government representatives</i></p> <p><i>Sri Lanka: 217 constituents of whom 149 were female participants. 117 workers, 40 government officials, 8 officials from the Employers' Federation of Ceylon (EFC) and the 52 HR managers from the apparel sector attended the programs.</i></p>		<p>China</p> <ul style="list-style-type: none"> • Workshop on Issues and Trends in Labour Disputes, Challenges for the Labour Dispute System and the Role of Trade Union, 20-21 Nov 2014 • Dissemination of international comparative information on mechanisms and procedures for labour dispute settlement included translation of an ILO study: "Labour Dispute Resolution Systems in the Asia-Pacific Region – a nine country comparison and a comparative study on the laws on strike • Study on the procedures and performance of various mechanisms and processes for prevention and resolution of labour disputes in China • Workshop on the issues and challenges for reform of dispute settlement system in Guangdong, 14 Nov. 2015 • Study on the features of current collective labour dispute resolution practices: lessons for the development of effective interest dispute settlement procedures • International comparative study of collective labour dispute resolution systems and practices Special Session on Labour Relations and Government Regulation, International Industrial Relations Conference on Regulating Labor Relations and

	<p><i>Zambia: 93 government representatives, 112 workers representatives and 39 employers.</i></p>		<p>Government Labour Policy, 28-29 Nov. 2015</p> <ul style="list-style-type: none"> • Training for mediators and arbitrators - international standards, best practices, and emerging issues in labour disputes in China, June 2014 <hr/> <p>Philippines</p> <ul style="list-style-type: none"> • 80 DOLE officials trained on conciliation and mediation and the new implementing rules of the Mandatory Conciliation and Mediation Law; • 68 employers' representatives were trained on Labour Law Compliance through Social Dialogue; • 56 enterprise-based action plans to promote social dialogue formulated by both current and potential ECOP members; • 60 workers and employers were provided with bipartite training on social dialogue, problem solving skills and CB based on good faith ; • 83 young trade union leaders from NCR, Luzon, Visayas and Mindanao were provided with training on leadership, organizing, workers' education methodologies; • 12 workers' organizations at the national and local union levels, are in the process of implementing their respective action plans to organize more young workers and mainstream youth participation in union activities, specifically in union organizing, collective bargaining and other forms of social dialogue at the workplace. • 50 tripartite constituents trained on evolving forms of employment relationships and decent work, including impact on the effective recognition of freedom of association and collective bargaining rights; • 50 Prosecutors and Investigators Handling Cases of Grave Trade Union Rights Violations (A.O. 35 Team) and Selected Members of the National Tripartite Industrial Peace Council Monitoring Board and Regional Tripartite Monitoring Boards trained on international labour standards, freedom of association and collective bargaining principles, and labor relations system. Institutional sustainability of this intervention will be ensured with proposals for establishment of coordinating mechanisms between the national and regional/field tripartite monitoring bodies and the A.O. 35 teams, as one major output of this Trainers' Training and Workshop. <hr/> <p>Rwanda</p> <ul style="list-style-type: none"> • 30 social partners' representatives jointly trained on negotiation skills in the tea and construction sector was conducted successfully in August 2014; • Second management/trade union session on different collective bargaining processes, methods and
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			<p>improved negotiating skills in August 2015;</p> <p>Zambia</p> <ul style="list-style-type: none"> • 28 union officials from the five mining sector unions trained on the advantages and pre-requisites of co-ordinated collective bargaining strategy; • 26 participants represented by a number of employers and trade unions officials from the mining sector were trained in the joint union/management ILO training package on Needs Based Negotiations; <p>Sri Lanka</p> <ul style="list-style-type: none"> • Workshop on labour mediation and conciliation held on 17-18 September, attended by 44 constituents (14 employers, 14 workers representatives and 16 government officials) • 120 workers trained on International Labour Standards, fundamental concepts of gender, discrimination in the workplace, identifying and addressing sexual harassment in the workplace; • 336 workers reached out by Awareness Raising Programme delivered by the Free Trade Zone and General Services Employees Union; • 22 Industrial Relations officers of the Bureau of Investment (administrator of the Export Processing Zones) were trained in the areas of International Labour Standards, Industrial relations issues specific to the EPZs, addressing Gender equality, addressing sexual harassment in the workplace, communication and negotiation skills and HIV/AIDS awareness; • 50 Human Resources managers employed in the ready-made garment sector trained on International Labour Standards with a focus on freedom of association and collective bargaining, negotiation and communication skills. • A partnership was developed between the ILO, EFC and CIMA Sri Lanka for the roll out of the Sustainable, Competitive and Responsible Enterprises Short Programme (SCORE SP) • 40 constituents trained on the collection of sex-disaggregated data on violations of trade unions rights and civil liberties <p>Vietnam:</p> <ul style="list-style-type: none"> • 65 VCCI (Vietnam Chamber of Commerce and Industry) representatives and selected key business associations in Hanoi and Ho Chi Minh trained on the principles and issues covered by C87 and C98 and shared experience of application in Indonesia, Myanmar, Australia and other Asian countries.
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Annex B : Lessons Learned

ILO Lesson Learned

Project Title: *Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Outcome 14*

Project TC/SYMBOL: *GLO/14/30/SID; GLO/14/66/SID; PHI/14/51/SID; SRL/14/51/SID; GLO/13/43/NOR; GLO/14/51/NOR; CPR/14/51/NOR & ZAM/14/53/NOR*

Name of Evaluator: Sandy Wark

Date: 23/5/16

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

LL Element	Text
Brief description of lesson learned (link to specific action or task)	<p><i>Working at a certain scale, over longer periods of time and with country-based personnel was more likely to produce tangible outcomes than “light” interventions carried out through short term technical assistance missions, even well-targeted ones. Efforts to improve respect for freedom of association and promote collective bargaining were also more effective when they were integrated with broader types of sector or industry focused technical cooperation programmes.</i></p> <p>The ILO frequently implements multi-country programmes around a given goal or outcome linked with a particular theme or issue (in the case of this project, the promotion of freedom of association and collective bargaining) within its Decent Work agenda as part of its technical cooperation programmes. The choice of countries is made by the ILO during the design stage and is usually based on a number of factors including the openness of the country to ILO assistance, need (existence of significant decent work deficits) and where ILO assistance can be most effective.</p> <p>On the latter issue, analysis of the project design findings highlights that operational factors such as the availability of qualified national staff, the potential to complement other on-going programmes, and/or the possibility to work in countries with sufficient intensity to justify allocating resources to offer consistent follow-up support are important for project success and are not-to-be underestimated to the design stage.</p> <p>Analysis of effectiveness findings indicated that holistic and mainstreaming approaches to promoting freedom of association and collective bargaining may work better than more focused strategies. Project efforts appeared to be more effective when they were part of larger ILO programmes that addressed a variety of challenges facing a particular economic sector or the labour market governance/industrial relations system.</p>

Context and any related preconditions	This lesson learned applies mainly to the design of multi-country project that share a common goal and/or theme and assumes that the ILO is allowed to choose or influence the choice of target countries as well as the number of countries that will be targeted for interventions.
Targeted users / Beneficiaries	ILO personnel or consultants involved in project design. ILO strategic planners.
Challenges /negative lessons - Causal factors	In Rwanda, even though there is political will to strengthen social dialogue and collective bargaining and nascent efforts in some sectors to negotiate agreements, in the absence of follow-up support, some ILO programme managers are doubtful that project efforts will bear fruits.
Success / Positive Issues - Causal factors	<p>In Vietnam, because of the pilot activities of the Industrial Relations project, which among other things modelled effective collective bargaining and how independent trade unions recruit members, there are a number of key ILO constituents who understand the implications of ratifying C.87 and 98 <u>and</u> have started to prepare for the implementation of the Conventions.</p> <p>In Zambia and Jordan, the project was able to address many dimensions of social dialogue in their respective target sectors which built trust with stakeholders and is contributing to the implementation of ILO recommendations (new labour legislation in Zambia, renewal of collective bargaining agreement and new regulations that address migrant workers status in Jordan).</p>
ILO Administrative Issues (staff, resources, design, implementation)	

ILO Lesson Learned

Project Title: *Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Outcome 14*

Project TC/SYMBOL: *GLO/14/30/SID; GLO/14/66/SID; PHI/14/51/SID; SRL/14/51/SID; GLO/13/43/NOR; GLO/14/51/NOR; CPR/14/51/NOR & ZAM/14/53/NOR*

Name of Evaluator: Sandy Wark

Date: 23/5/16

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

LL Element	Text
Brief description of lesson learned (link to specific action or task)	<p><i>Project interventions were more effective when they were based on careful analysis of the country/industry/enterprise context early in project implementation. After the assessment, it was likewise important to share and discuss findings, build consensus, and establish priorities with relevant stakeholders. Assessments, however insightful, were not sufficient to guarantee that recommendations would be implemented; therefore assessments should only be undertaken when resources are available to follow-up.</i></p> <p>This project frequently used assessments to guide project interventions. The ILO used the diagnostic tool developed in previous phases of the Partnership in some countries while in other countries, the assessments applied different methodologies. Analysis of findings on project relevance indicate that assessing and documenting the large variety of issues that limit freedom of association and collective bargaining at the front end of technical cooperation programmes was an effective way to identify gaps as well as introduce the objectives of the project to stakeholders.</p> <p>Related effectiveness and sustainability findings show that these assessments were most effective when the results were shared and discussed by national stakeholders, used to formulate an action plan with clearly identified priorities and followed up on in a timely manner with adequate resources to implement at least some of the proposed recommendations.</p>

Context and any related preconditions	A positive aspect of this project was that study recommendations and resulting action plans featured a limited number of priorities, many of which were practice-oriented (versus focusing mainly on laws and high level policies that take a long time to put in place and then often are not applied anyway). This seems to have contributed to forward movement and to stakeholders achieving at least some of their objectives.
Targeted users / Beneficiaries	This lesson learned is intended for ILO programme managers and project designers.
Challenges /negative lessons - Causal factors	In Rwanda, the project aimed to support the development of collective bargaining agreements in the tea sector. According to an ILO programme manager, project efforts could have been more effective if they had assessed opportunities and constraints for collective bargaining earlier in the project implementation period (an assessment was carried out in the last months of this project). The assessment contributed to a better understanding of the key stakeholders on the employers' side including how their sector professional associations were structured. Having this information earlier and being able to follow-up may have led to greater project success.
Success / Positive Issues - Causal factors	<p>In Malawi, the project followed-up on an assessment of freedom of association and collective bargaining in the rural economy that had been carried out in a previous phase of the project. Consultations with stakeholders on the findings of the assessment highlighted the need to reactivate the national tripartite labour council, which was a positive outcome of this phase of the project. Additional actions were identified in the follow-up action plan but these have not yet received adequate follow-up to be realized, which is a lost opportunity.</p> <p>In Zambia, the social impact assessment partially funded by this project identified a number of significant issues negatively affecting working conditions in the countries copper mining sector. The findings of the study were discussed and debated during two follow-up workshops and priority actions established, some of which have benefited from follow-up actions by the project. The study was credited as having contributed to a number of reforms or reform initiatives in Zambia including a new law that limits contract labour, a proposal for a mining sector minimum wage that is currently being considered by legislators and an initiative to coordinate mine inspections more effectively among various relevant regulatory bodies.</p>

ILO Administrative Issues (staff, resources, design, implementation)	
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Annex C Emerging Good Practice

ILO Emerging Good Practice

Project Title: Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Outcome 14

Project TC/SYMBOL: GLO/14/30/SID; GLO/14/66/SID; PHI/14/51/SID; SRL/14/51/SID; GLO/13/43/NOR; GLO/14/51/NOR; CPR/14/51/NOR & ZAM/14/53/NOR

Name of Evaluator: Sandy Wark

Date: May 2016

The following emerging good practice has been identified during the course of the evaluation. Further text can be found in the full evaluation report.

GP Element	Text
Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc.)	<p>In Sri Lanka, the project featured training for both Human Resource managers and workers on sexual harassment. The integration of the issue in the project's activities in Sri Lanka, which were focused on promoting increased respect for the right of freedom of association, was very relevant and is a good practice that might be replicated elsewhere.</p> <p>One of the main Sri Lankan trade unions working in the garment sector, in collaboration with this project, introduced workshops to help garment workers to deal with sexual harassment. The trade union found that, in addition to helping women to address an issue that was affecting their working lives negatively, the workshops were an excellent means to attract women to trade unions. The workshops created opportunities for trade union organizers to meet with workers and explain the advantages of membership. In Sri Lanka, the same trade union also provided free medical clinics to workers with project support, another practice they found effective to meet the needs of workers and boost their membership.</p>
Relevant conditions and Context: limitations or advice in terms of applicability and replicability	<p>This practice could relevantly be applied by trade unions in any sector that employs similarly vulnerable women or adapted, as in the case of medical clinics in Sri Lanka, to attract both men and women to trade union activities.</p>
Establish a clear cause-effect relationship	<p>In Sri Lanka, trade unions have experienced many challenges organizing workers in the garment sector, particularly women. Long working hours and the, sometimes gender-specific, demands made on women workers for the little free time they have, are among the reasons women do not join trade unions. Another reason in Sri Lanka and elsewhere is the perception that trade unions do not provide services that are highly relevant to their needs.</p> <p>By addressing a real concern of woman workers, the trade union was able to make the union more relevant to women and provided an opening to demonstrate other ways union membership could be useful to women workers.</p>

Indicate measurable impact and targeted beneficiaries	Information on impact not available. The purpose of the awareness raising was to alert women to the issue of sexual harassment and suggest strategies to deal with it.
Potential for replication and by whom	This good practice could apply to other project promoting FACB in the garment sector or sectors with similar dynamics. According to research on the issue, sexual harassment is widespread and takes various forms in the Ready Made Garment Industry. There are several structural features of the export-oriented garment industry in the developing world that make this industry particularly prone to higher incidence of sexual harassment. These are: 1) the large power differential between men and women workers in the industry, where it is common to see large numbers of women, especially young, inexperienced, often illiterate workers migrating from rural areas or overseas, who are supervised by a small number of men; 2) stereotypes about garment workers that lead to them being perceived as promiscuous and having “low status”; and 3) the pressure to meet production targets that leads to abusive disciplinary practices on the factory floor.
Upward links to higher ILO Goals (DWCPs, Country Programme Outcomes or ILO’s Strategic Programme Framework)	
Other documents or relevant comments	

ILO Emerging Good Practice

Project Title: Promoting the Right to Freedom of Association and the Right to Collective Bargaining - Outcome 14

Project TC/SYMBOL: GLO/14/30/SID; GLO/14/66/SID; PHI/14/51/SID; SRL/14/51/SID; GLO/13/43/NOR; GLO/14/51/NOR; CPR/14/51/NOR & ZAM/14/53/NOR

Name of Evaluator: Sandy Wark

Date: May 2016

The following emerging good practice has been identified during the course of the evaluation. Further text can be found in the full evaluation report.

GP Element	Text
<p>Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc.)</p>	<p>A social impact assessment, which was co-financed by this and another project, was carried out to assess the effects of the Zambian mining industry on workers’ rights and sustainable business practices. It addressed the spheres of compliance with international and national labour standards, protection of workers’ rights (including freedom of association, collective bargaining and occupational safety and health [OSH]) and the effective exercise of social dialogue.</p> <p>The assessment documented a number of negative impacts of some prevalent business practices in the mining industry in Zambia. These included significant differences in salary and other benefits for employees doing the same or similar work depending on whether they worked for the principal enterprise or a sub-contractor, poor standards of occupational safety and health in some mines, and unequal pay for equal work favouring expatriate workers. The study highlighted two distinct business models that are commonly practiced in the sector in Zambia and how the problems that were identified link with these models. The study also discussed issues affecting the efficacy of labour inspection and the trade union movement in the mining sector.</p>
<p>Relevant conditions and Context: limitations or advice in terms of applicability and replicability</p>	<p>One of the strengths of the Zambia assessment, according to stakeholders, was that it documented problems based on evidence derived from a diverse sample of mining enterprises. They emphasized that although many of the problems were known – reporting on them in a credible way helped to mobilize decision-makers.</p> <p>The project contributed to effective follow-up on the study by leading stakeholders to prioritize which issues they would address and agree on the strategies they would pursue.</p>

Establish a clear cause-effect relationship	Stakeholders said that they have been able to “use” the specific findings of the research to advocate for reforms, some of which have been picked up by government (new law to regulate out-sourcing, proposed minimum wage in mining sector, new integrated approach to mine inspection).
Indicate measurable impact and targeted beneficiaries	The study contributed to a number of reforms or reform initiatives including a new law that limits contract labour, a proposal for a mining sector minimum wage that is currently being considered by legislators and an initiative to coordinate mine inspections more effectively among various relevant regulatory bodies.
Potential for replication and by whom	Replicating this experience in other sectors and countries may be possible. However, it is important to consider that the economic importance of the copper sector in Zambia and its link with national politics contributed to the study garnering the attention of high level decision makers. The same strategy in a less strategic sector might have had less impressive results.
Upward links to higher ILO Goals (DWCPs, Country Programme Outcomes or ILO’s Strategic Programme Framework)	
Other documents or relevant comments	

ILO Emerging Good Practice

Project Title: Promoting the Right to Freedom of Association and the Right to Collective Bargaining - Outcome 14

Project TC/SYMBOL: GLO/14/30/SID; GLO/14/66/SID; PHI/14/51/SID; SRL/14/51/SID; GLO/13/43/NOR; GLO/14/51/NOR; CPR/14/51/NOR & ZAM/14/53/NOR

Name of Evaluator: Sandy Wark

Date: May 2016

The following emerging good practice has been identified during the course of the evaluation. Further text can be found in the full evaluation report.

GP Element	Text
Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc.)	Since 2008, Jordan has hosted an ILO/International Finance Corporation Better Work Programme in its garment sector. In 2013, it contributed to a “breakthrough” when the first sector wide collective bargaining agreement was signed between two apparel employers’ associations and Jordan’s garment union.
Relevant conditions and Context: limitations or advice in terms of applicability and replicability	One of the key to success in Jordan was that the ILO was working on boosting competitiveness in a sector using broader strategies. It therefore had a deep understanding of the challenges facing the industry and a track record with key stakeholder which created trust and confidence and helped it to bring workers and employers to the bargaining table. Another relevant factor was external pressure from international buyers concerned with respecting international brands corporate social responsibility Programmes and standards.
Establish a clear cause-effect relationship	Following the agreement, Better Work began monitoring employer compliance with the terms of the agreement. Recent monitoring reports (available on the Better Work website) show an improvement in respect for international labour standards, with some problems remaining.
Indicate measurable impact and targeted beneficiaries	According to stakeholders interviewed in Jordan, the agreement and related monitoring resulted in an increase in union membership as well and new orders from international buyers who were reassured that core labour standards would be upheld in their supply chains.

Potential for replication and by whom	Promoting workplace cooperation through improved communication and mutual understanding is one of the main strategies of Better Work. The practice of demonstrating the link between productivity gains and better workplace cooperation and dialogue is not ground-breaking but in Jordan, the project went a bit farther and mainstreamed support for collective bargaining in the package, which not all programmes do but might do with additional inputs.
Upward links to higher ILO Goals (DWCPs, Country Programme Outcomes or ILO's Strategic Programme Framework)	
Other documents or relevant comments	



International Labour Organization-

Fundamental Principles and Rights at Work

ILO/FUNDAMENTALS

Terms of Reference

For

Independent Evaluation

Outcome Based Funding

Norway and Sweden

Independent Final Cluster Evaluation

ILO Projects' Title	“Promoting the Right to Freedom of Association and the Right to Collective Bargaining”
ILO Project Codes	Umbrella Code for Swedish funding: GLO/14/30/SID Outcome 14 Codes for Swedish funding: GLO/14/66/SID; PHI/14/51/SID SRL/14/51/SID Umbrella Code for Norwegian funding: GLO/13/43/NOR Outcome 14 Codes for Norwegian funding: GLO/14/51/NOR; CPR/14/51/NOR & ZAM/14/53/NOR
Countries	Brazil, China, Jordan, Philippines, Rwanda, Sri Lanka, Malawi, Morocco, Niger, Vietnam and Zambia.
Duration	48 months
Starting Date	01 January 2014 – (Norway) 15 August 2014 (Sweden)
Ending Date	29 February 2016 (Norway) 31 December 2015 (Sweden)
Project Language	English
Executing Agency	ILO-FUNDAMENTALS
Donors contribution	Norway USD 1,130,686 Sweden USD 1,158,493
Evaluation date	January-March 2016

List of Abbreviations

C87	Convention on Freedom of Association and Protection of the Right to Organize
C98	Convention on Right to Organize and Collective Bargaining
FACB	Freedom of Association and Collective Bargaining
FUNDAMENTALS	Fundamental Principles and Rights at Work Branch
HQ	Headquarters
ILO	International Labour Organization
ILS	International Labour Standards
MENA	Middle East & North Africa
NAP	National Action Plan
NC	National consultant
TL	Team leader
ToT	Train of Trainers
SIDA	Swedish International Development Cooperation Agency

I. Background and Justification

One of the aims of the Fundamental Principles and Rights at Work Branch of the International Labour Office is to contribute to the implementation of Outcome 14 on freedom of association and collective bargaining rights. To support these efforts, the Governments of Norway and Sweden funded two global technical cooperation projects entitled “Promoting the Right to Freedom of Association and the Right to Collective Bargaining”.

These projects build on previous phases of technical cooperation assistance on freedom of association and collective bargaining rights funded by the Governments of Norway and Sweden since 2011. In 2014, the ILO conducted a final independent evaluation to assess the 2012-2014 phase of this assistance. On the basis of the main findings and recommendations of this evaluation, the ILO designed and implemented these two global projects for the period of 2014-15. As both sources of funding aimed at supporting the realization of Outcome 14, it was decided to design a project document common to both sources of funding as well as common monitoring and evaluation framework. Norway’s contribution amounted to USD 1,130,686 and Sweden to USD 1,158,439.

The projects’ development objective is to “Promote the effective recognition and implementation of freedom of association and collective bargaining rights”. For this purpose, the projects aimed at realizing the following two immediate objectives:

Strengthened ILO knowledge-base and capacity to implement high impact strategies on freedom of association and collective bargaining

Improved respect for freedom of association and collective bargaining rights in law and practice in target countries and sectors

At the global level, the projects targeted three economic sectors, namely, agriculture, ready-made garment and mining. At the country level, the project provided technical assistance in the following 13 countries: Bolivia, Brazil, China, Jordan, Philippines, Rwanda, South Africa, Sri Lanka, Malawi, Morocco, Niger, Vietnam and Zambia. At the time of drafting the project proposal, Kenya and Togo were target countries. However, due to political constraints in these countries, the projects decided to shift funding to Vietnam and Morocco and South Africa. These three countries were identified as places where the projects’ intervention could have a real impact.

The projects' strategy supported synergies between global and national level interventions and mainstream gender and diversity in its components. The full logical framework, including outputs per objective is presented in Annex II.

The direct recipients of the project are, first and foremost, the decision makers as well as staff of the Ministries of Labour and the employers' organizations and trade unions, as well as their respective members. The ultimate beneficiaries of the project are the labour officials, workers and employers in the target countries.

The focus of the evaluation will be on the CPOs achieved and Global Products (GP). As of December 2015, the project's main results are global and country levels are as follows:

Under Immediate Objective 1:

Output 1.1: Knowledge on FACB rights enhanced and shared

- Baseline assessment carried out on FACB rights in plantations and agrifood value chains with global and country level research (Costa Rica, Spain, Tanzania and Malaysia)
- Baseline methodology to identify sectoral level trends and CB opportunities developed and implemented at the country level (Malawi, Jordan);
- Baseline assessment carried out on the effectiveness of ILO's technical assistance on workplace cooperation and freedom of association rights in supply chains (joint activity with INWORK, Better Work and SCORE) ;
- ILO experts meetings held to design guidelines on workplace cooperation and freedom of association rights in factories/supply chains (joint activity with INWORK, Better Work and SCORE);
- ILO experts meeting held to review baseline assessment and draft intervention model on FACB in plantations and agrifood value chains;
- New countries added to ILO's new Global Database on Industrial Relations;
- Bipartite training programme on social dialogue and collective bargaining developed and piloted in regional activity (MENA region: social partners' from Egypt, Jordan, Morocco and Tunisia). These exercises were developed in partnership with ITCILO Turin.
- Basic short training course on collective bargaining developed and implemented at the country level (Jordan, Malawi);
- New Policy Guide on "How to Promote Collective Bargaining" finalized, printed and piloted (Rwanda, Sri Lanka and Philippines); Also available online.

Output 1.2: Advocacy campaign on freedom of association and collective bargaining rights conducted

- Short videos produced for the promotion of FACB rights;

- 18 journalists from Asia (Bangladesh, Philippines, Sri Lanka, Vietnam) trained to report on freedom of association and collective bargaining rights and to raise public awareness of internationally recognized human and labour rights in this area;
- Media Labour Prize 2015 edition launched in collaboration with ITCILO Turin to encourage media to report on FACB rights;
- New tools developed with information on ILO core conventions on FACB rights and relevant publications (interactive catalogue);
- New Policy Guide on “How to Promote Collective Bargaining” launched during ILO’s Governing Body session in November 2015, and presented to ILO specialists in December 2015.

Output 1.3: Intervention model on freedom of association and collective bargaining developed and piloted

- Intervention Model developed for the Promotion of FACB rights in plantations and agrifood value chains;
- Package of tools developed for the Promotion of FACB rights in supply chains (Guide to compliance with FACB in Supply Chains,; an E-learning tool for employers, guidelines for the development of FACB rights at the workplace level and Training of Trainers program on workplace cooperation)

Under Immediate Objective 2:

Output 2.1 Draft National Legislation is more in conformity with ILO Conventions N°87 and 98

Sri Lanka

- Review of the conformity of national legislation with Conventions 87 and 98 (matrix);
- Tripartite discussions facilitated on amendments to bring national legislation in conformity with Conventions n°87 and 98;
- Amendments submitted to the National Labour Advisory Council;
- A set of guidelines for High Court Judges drafted on how to address matters that are referred from Labour Tribunals

Vietnam

- Review of the conformity of national legislation and practice with Conventions No.87 and No.98. The review also included an assessment of the legal and institutional impact of ratification of these two core conventions at the national and enterprise level;
- By December 2015, tripartite discussion facilitated by the project on the Review’s findings and recommendations;

Output 2.2: Policies that create an enabling environment and promote the effective implementation of freedom of association and collective bargaining rights are discussed by the tripartite constituents

Brazil:

- Approximately 750 domestic workers, and 40 employers participated in the Diagnostic Report;
- A Draft National Plan of Action on Domestic Work drafted and presented to tripartite constituents;
- As part of the implementation of the Plan of Action awareness raising activities for domestic workers on their rights carried out in Sao Paulo.

Bolivia

- 744 domestic workers, 89 employers and 18 members of the government participated in a diagnostic process to build a national plan of action on domestic work

Malawi

- National Plan of Action adopted to promote freedom of association and collective bargaining rights in agriculture;
- As part of the implementation of the Plan of Action, the Tripartite Labour Advisory Council was re-launched to serve as the national platform for social dialogue on legal, policy and institutional reforms, including in the agriculture sector.

Rwanda

- Rapid assessment of challenges and opportunities for the promotion of collective bargaining in the country;
- 18 senior tripartite constituents trained on the design of policies for the promotion of collective bargaining rights using ILO's new policy guide on "How to Promote Collective Bargaining";
- Plan of Action for the promotion of collective bargaining adopted by tripartite constituents. The Plan of Action has three main components: labour law reform, increasing awareness and capacity building;
- As part of the implementation of the Action Plan, a Code of conduct on collective bargaining drafted to support good faith and meaningful negotiations;

Zambia

- Tripartite Partnership Committee established (TPCM) for the Mining Sector aimed at adopting policies, programmes and other initiatives to improve harmonious industrial relations, social dialogue and productivity in the sector.

Philippines

- The project supported the development of a collective bargaining strategy and held consultation workshop with Regional Tripartite Industrial Peace Councils from various regions;
- This process resulted in the amendment of the implementing rules and procedures of the Labour Code (Department Order No. 40.1.15) in September 2015;

Sri Lanka

- Rapid assessment of legal, institutional and practical framework for the promotion of collective bargaining in the country;
- 50 decision and policy makers from tripartite constituents trained on the design of policies for the promotion of collective bargaining rights using ILO's new policy guide on "How to Promote Collective Bargaining";
- Recommendations drafted for the adoption and key provision of a collective bargaining policy in the country.

China

- Policy documents and studies were conducted focused on regulations on collective bargaining (CB), trade unions elections, collective labour disputes

Output 2.3: Tripartite constituents are better informed and equipped to promote and exercise their rights and obligations in relation to freedom of association and collective bargaining

Jordan

- Sectoral collective bargaining agreement renewed in the garment sector covering 60,000 workers mainly migrant workers;
- 25 MoL Officials from the Labour Relations Directorates and 16 Field Offices trained on mediation skills and techniques

Morocco

- (to be completed based on December 2015 results)

Philippines

- 80 DOLE officials trained on conciliation and mediation and the new implementing rules of the Mandatory Conciliation and Mediation Law;
- 68 employers' representatives were trained on Labour Law Compliance through Social Dialogue;
- 56 enterprise-based action plans to promote social dialogue formulated by both current and potential ECOP members;
- 60 workers and employers were provided with bipartite training on social dialogue, problem solving skills and CB based on good faith ;

- 83 young trade union leaders from NCR, Luzon, Visayas and Mindanao were provided with training on leadership, organizing, workers' education methodologies;
- 12 workers' organizations at the national and local union levels, are in the process of implementing their respective action plans to organize more young workers and mainstream youth participation in union activities, specifically in union organizing, collective bargaining and other forms of social dialogue at the workplace.
- 50 tripartite constituents trained on evolving forms of employment relationships and decent work, including impact on the effective recognition of freedom of association and collective bargaining rights;
- 50 Prosecutors and Investigators Handling Cases of Grave Trade Union Rights Violations (A.O. 35 Team) and Selected Members of the National Tripartite Industrial Peace Council Monitoring Board and Regional Tripartite Monitoring Boards trained on international labour standards, freedom of association and collective bargaining principles, and labor relations system. Institutional sustainability of this intervention will be ensured with proposals for establishment of coordinating mechanisms between the national and regional/field tripartite monitoring bodies and the A.O. 35 teams, as one major output of this Trainers' Training and Workshop.

Rwanda

- 30 social partners' representatives jointly trained on negotiation skills in the tea and construction sector was conducted successfully in August 2014;
- Second management/trade union session on different collective bargaining processes, methods and improved negotiating skills in August 2015;

Zambia

- An Impact Assessment conducted on the effects of the mining industry on workers' rights and sustainable business practices;
- A study on industrial relations and dispute prevention and resolution systems carried out with a particular emphasis on the mining sector;
- Recommendations adopted by tripartite constituents on how to improve dispute prevention and resolution services;
- An actor mapping conducted for the mining sector;
- A study on opportunities and gaps related to trade union functioning were commissioned;
- 28 union officials from the five mining sector unions trained on the advantages and pre-requisites of co-ordinated collective bargaining strategy;
- 26 participants represented by a number of employers and trade unions officials from the mining sector were trained in the joint union/management ILO training package on Needs Based Negotiations;
- 28 union officials from five mining sector unions trained on the advantages and pre-requisites of co-ordinated collective bargaining strategy;

- 28 newly recruited labour Inspectors trained on modern labour inspection techniques in the mining sector;

Sri Lanka

- 120 workers trained on International Labour Standards, fundamental concepts of gender, discrimination in the workplace, identifying and addressing sexual harassment in the workplace;
- 336 workers reached out by Awareness Raising Programme delivered by the Free Trade Zone and General Services Employees Union;
- A partnership was developed between the ILO, EFC and CIMA Sri Lanka for the roll out of the Sustainable, Competitive and Responsible Enterprises Short Programme (SCORE SP);

Vietnam

- 65 VCCI (Vietnam Business Forum) representatives and selected key business associations in Hanoi and Ho Chi Minh trained on the principles and issues covered by C87 and C98 and shared experience of application in Indonesia, Myanmar, Australia and other Asian countries.

Evaluation background

ILO considers evaluation as an integral part of the implementation of technical cooperation activities. Provisions are made in all projects in accordance with ILO evaluation policy and based on the nature of the project and the specific requirements agreed upon at the time of the project design and during the project as per established procedures.

Evaluations have a strong focus on utility for the purpose of organisational learning and planning for all stakeholders and partners in the project.

The evaluation will highlight the value of the funding and how it furthered the ILO agenda and promoted internal learning and accountability. An additional aim is to provide learning on the value of outcome based programming and funding as modality, including feed the learning from the evaluation into a longer-term goal of establishing monitoring and evaluation procedures under Outcome-Based Funding.

II. Purpose and Scope

Purpose

The main purposes of the final evaluation are:

- Determine project effectiveness: level of achievement of Project objectives and understanding how and why have/have not been achieved
- Identify relevant unintended changes/side effects.
- Assess the project implementation efficiency.

- Establish the relevance of the project outcomes and the level of sustainability attained.
- Provide recommendations, building on the achievements of the Project toward the sustainability of the project outcomes and initial impacts and their replication and scaling-up.
- To identify lessons and emerging potential good practices valid for the various key stakeholders.
- Provide recommendations relevant for the various actors for the national and local levels towards the sustainability of the project outcomes and initial impacts

The final evaluation should provide all key stakeholders with information to identify the potential impact on mainstreaming policy and strategies and suggest a possible way forward for the future.

The main users of the evaluation will be FUNDAMENTALS headquarters and field specialists, main workers' organizations in the countries under review, programme managers, main national partners, ILO field office directors, technical support at headquarters, field and HQ technical specialists, and the donors. ILO Evaluation Office and responsible evaluation focal points will also be users.

The evaluation analytical scope should include identifying levels of achievement of objectives and explaining how and why they have been attained in such ways (and not in other alternative expected ways, if it would be the case). The purpose is to help the stakeholders to learn from the project experience.

Scope

The evaluation will focus on the ILO/FUNDAMENTALS projects mentioned above, its achievements and its contribution to the overall national efforts to achieve full compliance of FACB. The evaluation should focus on all the activities that have been implemented since the start of the projects to the moment of the field visits.

The evaluation should look at the projects as a whole, including issues of initial project design, implementation, lessons learnt, replicability and recommendations for future projects and scale up of interventions models.

The evaluation should cover expected (i.e. planned) and unexpected results in terms of non planned outputs and outcomes (i.e. side effects or externalities). Some of these unexpected changes could be as relevant as the ones planned. Therefore, the evaluation team should reflect on them for learning purposes.

III. Suggested Aspects to be addressed (Evaluation Criteria and Questions)

The evaluation should be carried out in context of criteria and approaches for international development assistance as established by OECD/DAC Evaluation Quality Standard. The ILO policy guidelines for results-based evaluation and the technical and ethical standards and abide by the Code of Conduct for Evaluation on the UN System are established within these criteria and the evaluation should therefore adhere to these to ensure an internationally credible evaluation. Particularly the evaluation will follow the ILO EVAL Policy Guidelines Checklists 5 and 6: “Preparing the evaluation report” and “Rating the quality of evaluation reports”.

Gender concerns should be addressed in accordance with ILO Guidance note 4: “Considering gender in the monitoring and evaluation of projects. All data should be sex-disaggregated and different needs of women and men and of marginalized groups targeted by the project should be considered throughout the evaluation process. In terms of this evaluation, this implies involving both men and women in the consultation, evaluation analysis and evaluation team. Moreover the evaluators should review data and information that is disaggregated by sex and gender and assess the relevance and effectiveness of gender-related strategies and outcomes to improve lives of women and men. All this information should be accurately included in the inception report and final evaluation report.

In line with established results-based framework approached used for identifying results at global, strategic and project level, the evaluation will focus on identifying and analysing results through addressing key questions related to the evaluation concerns and the achievement of the Immediate Objectives of the project using data from the logical framework indicators.

Annex I contains specific suggested aspects for the evaluation to address. Other aspects can be added as identified by the evaluation team in accordance with the given purpose and in consultation with the evaluation manager. It is not expected that the evaluation address all of the questions detailed in the Annex I; however the evaluation must address the general areas of focus. The evaluation instrument (summarised in the inception report) should identify the general areas of focus listed here as well as other priority aspects to be addressed in the evaluation.

Below are the main categories that need to be addressed:

- Relevance of the Project
- Validity of Intervention design

- Effectiveness and efficiency of resource use (implementation process and achievement at objective level)
- Sustainability
- Special Aspects to be Addressed

IV. Expected Outputs of the Evaluation

The expected outputs to be delivered by the evaluation team are:

- Inception report: this report based on the Desk review should describe the evaluation instruments, reflecting the combination of tools and detailed instruments needed to address the range of selected aspects. The instrument needs to make provision for the triangulation of data where possible.
- Global stakeholders' workshop at the end of the field work in Geneva.
- Draft evaluation report in English. The evaluation report should include and reflect on findings from the desk review, interviews, field work and the global stakeholders' workshop.

Final evaluation report English including:

- Executive Summary with key findings, conclusions, recommendations, lessons and good practices
- Clearly identified findings
- A table presenting the key results (i.e. figures and qualitative results) achieved per objective (expected and unexpected)
- Clearly identified conclusions and recommendations linked to the various key stakeholders (i.e. specifying to which actor(s) applies each one)
- Lessons learned
- Potential good practices and effective models of intervention.
- Appropriate annexes including present TORs, Inception report, schedule and list of interviewed persons,
- Standard evaluation instrument matrix (adjusted version of the one included in the Inception report)

The total length of the report should be a maximum of 30 pages for the main report, excluding annexes; additional annexes can provide background and details on specific components of the project evaluated. The report should be sent as one complete document and the file size should not exceed 3 megabytes. Photos, if appropriate to be included, should be inserted using lower resolution to keep overall file size low.

All drafts and final outputs, including supporting documents, analytical reports, and raw data if applicable, should be provided both in paper copy and in electronic version compatible for

Word for Windows. Ownership of data from the evaluation rests jointly with the ILO and the consultants. The copyright of the evaluation report will rest exclusively with the ILO. Use of the data for publication and other presentations can only be made with the written agreement of the ILO. Key stakeholders can make appropriate use of the evaluation report in line with the original purpose and with appropriate acknowledgement.

The draft report will be circulated to key stakeholders (those participants present at stakeholder evaluation workshop will be considered key stakeholders), including project staff for their review. Comments from stakeholders will be consolidated by the evaluation manager, and provided to the team leader. In preparing the final report the team leader should consider these comments, incorporate as appropriate, and provide a brief note explaining why any comments might not have been incorporated.

V. Evaluation Methodology

The following is the proposed evaluation methodology. While the evaluator can propose changes in the methodology, any such changes should be discussed with and approved by the evaluation manager, provided that the research and analysis suggest changes and provided that the indicated range of questions is addressed, the purpose maintained, and the expected outputs produced at the required quality.

The evaluation will be carried out using a desk review of appropriate materials, including the project documents, progress reports, outputs of the project results of any internal planning process; and relevant materials from secondary sources. At the end of the desk review period, it is expected that the evaluation consultant will prepare an inception report indicating the methodological approach to the evaluation in the form of the evaluation instruments, to be discussed and approved by the evaluation manager and provided to the Project for input prior to the commencement of the field mission.

The evaluation team leader will be briefed by the evaluation manager and then will interview the donors' representatives, ILO- HQ and the ILO Sub-regional Office key officers through conference calls or face-to-face interviews early in the evaluation process, preferably during the desk review phase.

The evaluation team will undertake field visits to 3 of the 10 covered countries and will contact key stakeholders in the other 7 countries through Skype calls and/or questionnaires.

The three countries will be selected during the desk review phase considering the following criteria:

- Countries with successful and less or unsuccessful results (from the perception of the ILO project team and various reports). The rationale is that extreme cases, at some extent, are more helpful than averages for understanding how process worked and results have been obtained
- Countries that have been identified as providing particular good practices or bringing out particular key issues as identified by the desk review and initial discussions.

After the country visit and interviews with stakeholders in the 10 countries the evaluator will travel to Geneva to carry out discussions with project management and other relevant HQ officers. At the end of the mission to Geneva, there will be a debriefing workshop with project staff and relevant HQ officers to present preliminary findings to obtain their viewpoints and any additional information, and clarify outstanding issues before drafting the evaluation report.

The evaluator will be responsible for organizing the methodology of the workshop. The identification of the participants of the workshop and logistics will be the responsibility of the project team in consultation with the evaluator.

The evaluator will be responsible for drafting and finalizing the evaluation report. Upon feedback from stakeholders to the draft report, the team leader will further be responsible for finalizing the report incorporating any comments deemed appropriate. The evaluator leader will have the final responsibility during the evaluation process and the outcomes of the evaluation, including the quality of the report and compliance with deadlines.

The evaluation will be carried out with the technical support of the ILO evaluation manager and the FUNDAMENTALS evaluation coordinator and logistical support of the project coordinator and ILO country offices. The evaluation manager will be responsible for consolidating the comments of stakeholders and submitting them to the team leader.

It is expected that the evaluation team will work to the highest evaluation standards and codes of conduct and follow the UN evaluation standards and norms.

The evaluator responsibilities and profile

Evaluator (International consultant):

Responsibilities	Profile
Desk review of project documents	Not have been involved in the project.
Development of the evaluation instrument	Relevant background in social and/or economic development.
Briefing with ILO	Experience in the design, management and evaluation of complex development projects, in particular with policy level work, institutional building and local development projects.
Telephone interviews with ILO-FUNDAMENTALS HQ and ILO sub-regional officers and the donor	Experience in evaluations in the UN system or other international context as team leader
Undertake field visits in three countries to be defined	Experience in the area of freedom of association and collective bargaining in a normative framework and operational dimension are highly appreciated.
Facilitate debriefing workshop in Geneva	Experience in the UN system or similar international development experience including preferably international and national development frameworks and UNDAF.
Draft evaluation report	Fluency in English
Finalize evaluation	Experience facilitating workshops for evaluation findings.

Evaluation Timetable and Schedule

The total duration of the evaluation process including submission of the final report will cover the period from January 26, 2016 to March 24, 2016.

The timetable is as follows:

I	Evaluator (International Consultant)	Desk Review of project related documents Telephone briefing with the evaluation manager, ILO FUNDAMENTALS- HQ and ILO sub regional and donors Preparation of the inception report	5
II	Evaluator (logistical support by the project and ILO country offices) (International Consultant)	Interviews with project staff, partners and beneficiaries Field visits in three countries Interviews with project staff and other relevant officers in in Geneva	19
III	Evaluation team leader (International Consultant)	Preparation of the workshop Workshop with project management and ILO relevant officers for sharing of preliminary findings	2
IV	Evaluation team leader (International Consultant)	Draft report based on desk review, field visits, interviews/questionnaires with stakeholders in the 10 countries and the final workshop Debriefing	8
V	Evaluation Manager	Circulate draft report to key stakeholders Stakeholders provide comments Consolidate comments of stakeholders and send to team leader	(10)
VI	Evaluation team leader (International Consultant)	Finalize the report including explanations on why comments were not included	2
TOTAL			36

Summary schedule

Phase	Duration	Dates
I	5 days	21-24 January
II-III	21 days	25 January -21 February
IV	8 days	22 February-5 March
V	10 days	6-22 March
VI	2 day	23-24 March

Sources of Information and Consultations/Meetings

To be supplied by the evaluation manager	ILO-EVAL Guidelines
Available in project office and to be supplied by project management	Project document Progress reports Project outputs reports Mission, meeting, workshop and training reports Project budgets – planned and actual expenditures List of key documents for the evaluation List of key stakeholders and possible key informants

Consultations with:

- Project steering committee
- Project team
- ILO/HQ and regional backstopping officials
- ILO training Centre – ITC-ILO Turin

ILO Field offices – directors and staff

- Project consultants

- Governments
- Employers' and workers' organizations
- National partners involved in the project
- Gender Program ILO HQ
- INWork Program ILO HQ
- Employers and workers as ultimate beneficiaries

Final Report Submission Procedure

For independent evaluations, the following procedure is used:

- The evaluator submits a draft report to the evaluation manager in Geneva
- The evaluation manager forwards a copy to key stakeholders for comments on factual issues and for clarifications
- The evaluation manager consolidates the comments and send these to the evaluator by date agreed between both or as soon as the comments are received from stakeholders.
- The final report is submitted to the evaluation manager who will then officially forward it to stakeholders, including the donor, as per established process.

VI. Resources and Management

Resources

The resources required for this evaluation are:

For the evaluation team leader:

Fees for an international consultant for 36 work days

DSA in project locations as follows:

- 4 nights in Lusaka (Zambia) USD 832 at USD 208
- 4 nights in Amman (Jordan) USD 956 at USD 239
- 4 nights in Hanoi (Vietnam) USD 692 at USD 173
- 1 night in Geneva (Switzerland) USD 373 at USD 373

Travel from consultant's home residence to visit field countries (Zambia, Jordan and Vietnam), Geneva mission and field locations will be provided separately in line with ILO regulations and rules.

Once the missions' dates are confirmed, security clearances must be obtained prior to the travel.

For the evaluation exercise as a whole:

Local travel in-country supported by the project

Management

The evaluation team will report to the evaluation manager in Geneva, with whom he/she should discuss any technical and methodological matters, should those arise. In addition methodological support to the evaluation will be provided by the FUNDAMENTALS evaluation coordinator. The ILO Offices in selected countries for field work will provide administrative and logistical support during the evaluation mission.

Suggested Aspects to Address (Evaluation Questions)

Validity of design

- o Determine the validity of the project design, the effectiveness of the methodologies and strategies employed for it and whether it assisted or hindered the achievement of the project's goals as set out in the Project Document.
- o Have the time frame for project implementation and the sequencing of project activities logical and realistic?
- o Assess whether the project design was logical and coherent: at internal level and external level (degree to which the project fits into existing mainstreaming activities that would impact on freedom of association)
- o Assess if it took into account the institutional arrangements, roles, capacity and commitment of stakeholders.
- o Were the objectives of the project clear, realistic and likely to be achieved within the established time schedule and with the allocated resources?
- o Assess the extent to which the global diagnostic process developed by the Swedish project can be considered as a model for on-going ILO interventions.

Relevance and strategic fit

Was the project relevant to its key stakeholders' priorities, concerns, needs in respect to FACB?

- o Assess validity of the project approach and strategies and its potential to be replicated.
- o Examine whether the project responded to the real needs of the beneficiaries and stakeholders, particularly addressing decent work deficit.
- o Assess whether the problems and needs were adequately analyzed and determine whether the needs, constraints, resources and access to project services of the different beneficiaries

were clearly identified, taking national development priorities, gender issues and decent work deficit into concern.

- o Assess whether the problems and needs that gave rise to the project still exists or have changed.

- o To what extent did the projects effectively address national development priorities and donors' specific priorities/concerns?

- o How effective has the project been at stimulating interest and participation in the project at the local and national level?

Project progress and effectiveness

Project Progress

- o Examine delivery of project outputs in terms of quality, quantity and timing

- o Have unplanned outputs been identified and if so, why were they necessary and to what extent were significant to achieve project objectives?

Effect of factors outside the control of the project on implementation

- o How did positive and negative factors outside of the control of the project affect project implementation and project objectives and how did the project deal with these external factors?

Achievement of Project Effectiveness targets

- o Assess whether the project has achieved its immediate objectives.

- o To what extent did the project results contribute to the strengthening of the influence of labour standards; to the strengthening of the social partners and social dialogue; and to gender equality?

Key Achievements

In which areas (i.e. sectors and issues) did the projects have the greatest achievements? What were the supporting factors? How could this be built upon?

- o Assess the process for documenting and disseminating models of intervention for scaling-up and lessons.

- o How successful has the project been in mainstreaming the issue of freedom of association and collective bargaining (e.g., national legislation, codes of conduct, policies)?

- o Examine how the ILO/FUNDAMENTALS project interacted and possibly influenced national level policies, debates and tripartite forums.

o Assess the extent to which the ILO/FUNDAMENTALS project has been able to promote a NAP regarding FACB.

o How relevant and effective were the studies commissioned by the project in terms of affecting the full compliance with FACB?

Effectiveness of Gender Mainstreaming Activities

o Assess the degree to which the project sustainability strategy includes a gender perspective and a social inclusion of the vulnerable groups, especially at outcome level.

o Assess whether the problems and needs were adequately analyzed and determine whether the needs, constraints, resources and access to project services of the different beneficiaries were clearly identified, taking national development priorities, gender issues and decent work deficit into concern.

Effectiveness of Project Monitoring and Evaluation Systems

o Do the projects make use of monitoring and evaluation frameworks? To what extent are project indicators useful to measure progress and strike the balance in demonstrating accountability for progress against the projects objectives and not burdening project staff?

Efficiency of resource use

Project efficiency

o Assess the effectiveness of the project i.e. compare the allocated resources with results obtained. In general, did the results obtained justify the costs incurred?

o Have synergies been created between different initiatives that allowed for more efficient use of resources?

o Assess project success in leveraging resources for ongoing and continuing efforts to promote FACB.

Sustainability

Project contributions to national stakeholder capacity and knowledge

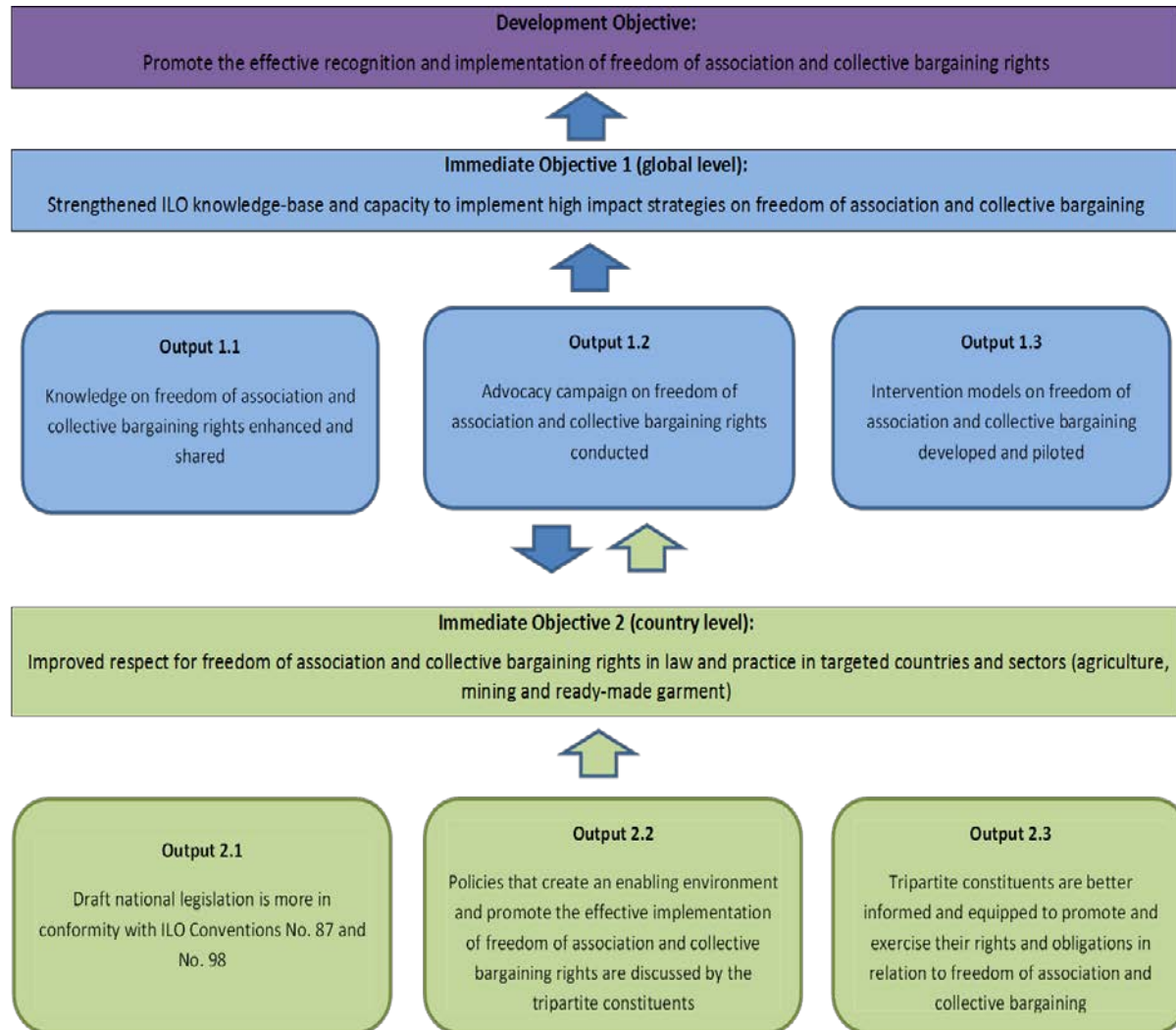
Assess what contributions the project did in strengthening the capacity and knowledge of national stakeholders and to encourage ownership of the project to partners.

Existence and adequacy of Project Phase Out Strategy

o Assess to what extent a phase out strategy was defined and planned and what steps were taken to ensure sustainability. Assess whether these strategies had been articulated/explained to stakeholders.

o Has the strategy for sustainability of project results been defined clearly at the design stage of the project?

Project Objectives and outputs



Project Activities	Project Target Countries												
	Global	Bolivia	Brazil	China	Jordan	Kenya	Malawi	Niger	Philippines	Rwanda	Sri Lanka	Togo	Zambia
Development Objective:													
Promote the effective recognition and implementation of freedom of association and collective bargaining rights													
Output 2.1: Draft national legislation is more in conformity with ILO Conventions No. 87 and													
2.1.1: Carry out workshops for the tripartite constituents to elaborate the comments of the ILO supervisory mechanisms in relation to ILO Conventions No. 87 and/or No. 98													
2.1.2: Provide technical advisory services on drafting legislation that is more in conformity with ILO Conventions No. 87 and/or No. 98													
Output 2.2: Policies that create an enabling environment and promote the effective implementation of freedom of association and collective bargaining rights are discussed by the tripartite constituents													
2.2.1: Conduct country studies on challenges and opportunities to promote freedom of association and collective													

Project Activities	Project Target Countries												
	Global	Bolivia	Brazil	China	Jordan	Kenya	Malawi	Niger	Philippines	Rwanda	Sri Lanka	Togo	Zambia
bargaining in the agriculture and mining sectors													
2.2.2: Hold tripartite validation workshops with a view to drafting policy responses to the country studies													
2.2.3: Provide technical support to the tripartite constituents to draft policies for realizing freedom of association and collective bargaining rights, using inter alia the ILO tool “How to promote collective bargaining – a handbook for practitioners”													
2.2.4: When draft policies are endorsed by tripartite constituents provide technical support for their implementation													

Project Activities	Project Target Countries												
	Global	Bolivia	Brazil	China	Jordan	Kenya	Malawi	Niger	Philippines	Rwanda	Sri Lanka	Togo	Zambia
2.2.5: Hold seminars for policy and decision makers on how to improve compliance with freedom of association and collective bargaining rights and promote tripartite social dialogue													
Output 2.3: Tripartite constituents are better informed and equipped to promote and exercise their rights and obligations in relation to freedom of association and collective bargaining													
2.3.1: Carry out trainings for the tripartite constituents on how to implement freedom of association and collective bargaining rights in practice (based on 1.1.5)													
2.3.2: Provide technical advisory services to the constituents on how to develop effective strategies on labour dispute prevention and resolution													

Project Activities	Project Target Countries												
	Global	Bolivia	Brazil	China	Jordan	Kenya	Malawi	Niger	Philippines	Rwanda	Sri Lanka	Togo	Zambia
2.3.3: Provide technical support to the constituents for the collection of data on violations of trade unionists' civil liberties													
2.3.4: Support the implementation of Action Plans developed in target countries													

Annex E. Inception Report
Inception Report
Final Independent Evaluation
Outcome Based Funding
Norway and Sweden

ILO Projects' Title	"Promoting the Right to Freedom of Association and the Right to Collective Bargaining"
ILO Project Codes	Umbrella Code for Swedish funding: GLO/14/30/SID Outcome 14 Codes for Swedish funding: GLO/14/66/SID; PHI/14/51/SID SRL/14/51/SID Umbrella Code for Norwegian funding: GLO/13/43/NOR Outcome 14 Codes for Norwegian funding: GLO/14/51/NOR; CPR/14/51/NOR & ZAM/14/53/NOR
Countries	Brazil, China, Jordan, Philippines, Rwanda, Sri Lanka, Malawi, Morocco, Niger, Vietnam and Zambia.
Duration	48 months
Starting Date	01 January 2014 – (Norway) 15 August 2014 (Sweden)
Ending Date	29 February 2016 (Norway) 31 December 2015 (Sweden)
Project Language	English
Executing Agency	ILO-FPRW unit
Donors contribution	Norway USD 1,130,686 Sweden USD 1,158,493
Evaluation date	January-March 2016

This inception report lays out the scope, methodology and implementation planning for the final independent evaluation of Outcome Based Funding Norway and Sweden for the implementation of Outcome 14 on the Freedom of Association and the Right to Collective Bargaining.

Purpose and Scope:

This independent evaluation serves two main purposes:

3. Give an independent assessment of the project's design, its relevance to the social, political and economic context of target countries and its alignment with the needs and priorities of key stakeholders, the effectiveness of project strategies, implementation modalities and

partnership arrangements to produce planned project outputs and outcomes, resource use efficiency within the project, and overall project sustainability;

4. Document challenges, lessons-learned, good practices, and recommendations for future similar interventions.

The evaluation considers project implementation from 1 January, 2014 to 29 February 2016 (Norway) and 15 August, 2014 to 31 December, 2015 (Sweden). The findings of this final evaluation are destined primarily to the donor, the ILO's project management team and the key stakeholders involved in the project (Government counterparts and the main employers and workers' organizations).

Methodology

The evaluation will respect ILO evaluation guidelines and the use of the required templates. The proposed evaluation methodology includes a review of project documents, products and other documents related to the project or the project subject matter, stakeholder interviews and focus groups, and a survey of national stakeholders in target countries. The evaluation framework is guided by the key questions identified in the final evaluation terms of reference (ToR) as well as the project work plan and logical framework outcome and output indicators. Annex A contains a table listing all the key questions included in the ToR organized by evaluation criteria with summary descriptions of proposed methodology to be used to answer the questions, some sample questions, anticipated data sources, key stakeholders to be interviewed and key documents to be reviewed.

The document review will include the project proposal, work plan, M&E framework, progress reports, activity reports as well as project products including studies, guidelines and awareness raising material. A list of documents the evaluator proposes to consult is included in Annex B. The table indicates which documents have already been provided by the project team and which have not and are requested.

Evaluation Consultations with Key Stakeholders

Key stakeholders

Project key stakeholders vary from country to country but in general include: Donor representatives, ILO program managers in Geneva and the target countries, ILO Country Directors, relevant ILO country or regional specialists, ILO constituents within the Government, usually the Ministry of Labour, National Tripartite Committee members (or in Zambia, the Tripartite Partnership Committee for the Mining Sector), Employers Organization representatives (from national federations and/or in target sectors), Workers' Organization representatives (from National trade unions and/or sector specialized trade unions or branches of national trade unions with members in target sectors and regions), workers and employers in target sectors who benefited from project activities, and consultants/ national experts with whom the project worked

to carry out studies, assessments or training programs. The list of actual stakeholders to be consulted will be prepared based on input from the project and will be used as the basis for establishing interviews and distributing the questionnaire.

The evaluator proposes to visit three of the ten project target countries: Jordan, Vietnam and Zambia. The evaluator selected these countries in consultation with the ILO project manager and evaluation manager and the FUNDAMENTALS branch evaluation officer using the following criteria:

- Countries should have exemplary achievements and/or particular challenges from which potential good practices and lessons learned could be derived;
- Countries should include at least one country with interventions funded by Sweden and at least one funded by Norway;
- Countries should be representative of the diverse regions of the world in which project interventions took place;
- Country selection should consider evaluation time, cost and logistical constraints.

The final selection includes three regions: Africa, MENA and Southeast Asia. Norway funded project interventions in Zambia and Jordan while Sweden funded project interventions in Vietnam. Project objectives in Jordan were ambitious but were implemented with significant external constraints (the crisis in Syria) which affected implementation. The evaluator will look at what the project was able to accomplish and what it was not able to do in the context of the crisis. Project interventions in Vietnam were relatively limited but very strategic given that they coincided with the Government’s decision to accelerate labour law reform and improve its record on freedom of association rights. The evaluator will look at if/how the ILO was effective in capitalizing on the political opening to advance FACB rights and to what degree national stakeholders are prepared for to exercise of new rights. Project interventions in Zambia complemented a larger project on FACB in the mining sector. The Zambian case is interesting because many project interventions were focused on improving collective bargaining within a key sector of the economy at a time of economic downturn. The evaluator will look at to what degree the project was able to contribute to effective dialogue between workers and employers during a time of layoffs and how it complemented the USDOS project.

The following is the schedule proposed for field work:

<i>Jordan</i>	<i>Zambia</i>
31 January Rabat to Amman Consultations 1 -3 February 4 February Amman-Rabat	7 February Casablanca to Lusaka Consultations Feb. 9-12
<i>Vietnam</i>	
Saturday 13 February Lusaka to Hanoi	

Consultations 15-17 February Thursday 17 (evening) Hanoi to Casablanca (arrive in Morocco 18 February)
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In the seven countries not visited, the evaluator will collect stakeholder feedback using an online questionnaire. In addition to the questionnaire, the evaluator will conduct telephone interviews with national program managers of countries not visited.

The national stakeholder questionnaire and interview questions will be designed to obtain stakeholder feedback on (i) the quality and relevance of project activities, (ii) the progress toward impact of project activities on their awareness and capacity to understand, defend and participate in freedom of association and collective bargaining, and (iii) stakeholder recommendations for future projects with a similar focus. The evaluator will ask questions to assess the internal and external contextual factors affecting project implementation including about national stakeholder communication and collaboration with ILO representatives and the social, economic and political context in the target countries. A draft of the stakeholder questionnaire is included in Annex C.

Debrief in Geneva

Following the main data collection phase, the evaluator organized a debriefing meeting with project stakeholders in Geneva to present preliminary findings to obtain their viewpoints and clarify outstanding issues before drafting the evaluation report.

Circulation of Draft Report

The evaluation manager will circulate the draft report to project stakeholders for feedback before it is finalized by the evaluator.

List of Evaluation Deliverables

1. This inception report.
2. Debriefing of data collection phase
3. Draft report following the report structure outlined below:
 - Cover page with key project and evaluation data
 - Executive Summary
 - Acronyms
 - Description of the project
 - Purpose, scope and clients of the evaluation
 - Methodology
 - Findings by the components or areas of output

- Conclusions
 - Recommendations
 - Lessons learned and emerging good practices
 - Annexes: TORs, list of persons met and consulted, list of meetings and interviews, other relevant documents.
4. Final evaluation report.

Evaluation Workplan

Phase	Dates
<ul style="list-style-type: none"> • Desk Review of project related documents • Telephone briefing with the evaluation manager, ILO FUNDAMENTALS- HQ and ILO sub regional and donors • Preparation of the inception report 	18-23 January
<ul style="list-style-type: none"> • Interviews with project staff, partners and beneficiaries • Field visits in three countries • Interviews with project staff and other relevant officers in Geneva • Workshop with project management and ILO relevant officers for sharing of preliminary findings 	24 January -21 February
<ul style="list-style-type: none"> • Draft report based on desk review, interviews, stakeholder questionnaires in the 10 countries. • Submit draft on 29 February 	22-29 February
<ul style="list-style-type: none"> • Circulate draft report to key stakeholders • Stakeholders provide comments • Consolidate comments of stakeholders and send to team leader 	1-14 March
<ul style="list-style-type: none"> • Finalize the report including explanations on why comments were not included 	15-20 March

Inception Report Data Collection Matrix

Documents to be Consulted

Project Documents	Received	Not received
Global		
Budget breakdown by country and if possible main activity within target countries (like Sri Lanka budget)		X
The Right to Freedom of Association and Collective Bargaining is Widely Known and Exercised, Funded by the Government of Norway, Progress made in 2014	X	
The Right to Freedom of Association and Collective Bargaining is Widely Known and Exercised, Funded by the Government of Sweden, Progress made in 2014	X	
M&E Framework – Global Outputs (Norway and Sweden)	X	
Norway-ILO Programme Cooperation, Agreement 2012–15 (PCA) Phase II, 2014–15, 2014 Progress Report Outcome 14	X	
Table summarizing Gender Equality and Diversity Branch inputs for Gender Mainstreaming in FoACB Projects	X	
Guide On How To Develop A Policy To Promote Freedom Of Association At The Workplace, Draft 3	X	
Baseline Assessment report(s) on FACB rights in plantations and agrifood value chains		X
Reports of country level research (Costa Rica, Spain, Tanzania and Malaysia)		X
Baseline methodology to identify sectoral level trends and CB opportunities		X
Baseline assessment report on the effectiveness of ILO's technical assistance on workplace cooperation and freedom of association rights in supply chains (joint activity with INWORK, Better Work and SCORE) ;		X
Guidelines on workplace cooperation and freedom of association rights in factories/supply chains (joint activity with INWORK, Better Work and SCORE);		X
Baseline assessment and draft intervention model on FACB in plantations and agrifood value chains		X
Bipartite training programme on social dialogue and collective bargaining developed with ITC/ILO Turin.		X
Basic short training course on collective bargaining		X
Policy Guide on "How to Promote Collective Bargaining"		X
URLs of videos including "promotional video on the gender dimensions of Freedom of Association and Collective Bargaining"		X
2015 Media Labour Prize http://www.ilo.org/global/topics/freedom-of-association-and-the-right-to-collective-bargaining/WCMS_430268/lang--en/index.htm	X	
Fact sheet on gender and freedom of association		X
Journalist training workshop report		X
Bolivia		
Towards Full Freedom Of Association And Collective Bargaining In The Domestic Work Sector In Bolivia, Report of an ILO diagnostic process 2014 to form the basis of the tripartite constituents' development of a national plan of action 2015, 13 March 2015	X	

Brazil		
Brazil Diagnostic Report FACB Domestic Work	X	
China		
Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – China CPR/14/51/NOR	X	
Study on the issues and challenges for rebuilding trade unions for effective representation and collective bargaining		X
Study on challenges in effective collective bargaining in the Guangdong Province under the new regulation on collective bargaining		X
Study on the features of current collective labour dispute resolution practices: lessons for the development of effective interest dispute settlement procedures		X
International comparative study of collective labour dispute resolution systems and practices		X
Study on the procedures and performance of various mechanisms and processes for prevention and resolution of labour disputes in China		X
Jordan		
Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Jordan GLO/14/61/NOR	X	
M&E framework Jordan	X	
Report of Regional workshop for workers and employers on Bipartite Social Dialogue, Collective Bargaining and Consensus-Building Skills for participants from Jordan, Egypt, Morocco and Tunisia		X
Report of Labour Inspector training		X
Malawi		
Towards Full Freedom Of Association And Collective Bargaining In The Tobacco Sector In Malawi, Report of an ILO diagnostic process in November 2012 to form the basis of the tripartite constituents' development of a national plan of action 2015-2016.	X	
Mission report, Diagnostic Mission, Lilongwe, Malawi, 27-30 April 2015.	X	
Mission Report, Working Session on the Validation of the Report on the Functional Review of the Ministry of Labour and Manpower Development Official re-launch of the Tripartite Labour Advisory Council Sensitization Workshop on Social Dialogue for Members of the Tripartite Labour Advisory Council, Malawi, Lilongwe, 14-16 September 2015	X	
National plan of action 2015-2016: Towards full freedom of association and collective bargaining rights in the rural sector in Malawi	X	
Morocco		
Progress Report Norway Funded Activities Morocco	X	
Niger		
Projet De Convention Collective Des Entreprises Du Secteur Des Transports Routier Du Niger	X	
Rapport de Mission de Formation en techniques de négociation collectives des partenaires sociaux du secteur des transports du Niger. Niamey du 19 au 22 Janvier 2015.	X	
Philippines		
Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Philippines PHI/14/51/SID	X	
M&E framework Philippines	X	

Collective Bargaining Strategy and report on validation workshop		X
Report on training of military and policy on labour relations		X
Strategy paper on collective bargaining reforms		X
Report on employer representative training on workplace social dialogue		X
Regional Framework Plans on strengthening the capacity and involvement of union leaders in organizing and paralegal service		X
Rwanda		
Report on Rapid Assessment of challenges and opportunities for the promotion of collective bargaining in the country		X
Training Workshop report on the design of policies for the promotion of collective bargaining rights		X
Plan of Action for promotion of collective bargaining		X
Draft Code of conduct on collective bargaining		X
Sri Lanka		
Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining - Sri Lanka SRL/14/51/SID	X	
Procedural guide for Labour Tribunals		X
Study on progress made and persistent challenges on FACB rights in the RMG sector.		X
Report on SCORE implementation		X
Vietnam		
TOR Research Ratification of ILO Conventions 87 and 98	X	
Research Ratification of ILO Conventions 87 and 98		X
TOR Consulting stakeholders on Legislative Development (FACB)	X	
Report on Stakeholder Consultations on Legislative Development (FACB)		X
TOR VCCI workshops on ILS C.87 and C.98	X	
Report on VCCI workshops on ILS C.87 and C.98		X
Zambia		
Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Zambia ZAM/14/51/NOR	X	
Stakeholder Mapping of the Mining Sector		X
Impact Assessment of the effects on the mining industry on workers' rights and sustainable business practices		X
Assessment of Alternative dispute resolution mechanisms in Zambia		X
Participatory diagnostic on opportunities and gaps in trade union capacity on FACB etc.		X
Workshop reports (preparation for collective bargaining, labour and OSH inspector training)		X
Project Documents	Received	Not received
Global		
Budget breakdown by country and if possible main activity within target countries (like Sri Lanka budget)		X
The Right to Freedom of Association and Collective Bargaining is Widely Known and Exercised, Funded by the Government of Norway, Progress made in 2014	X	
The Right to Freedom of Association and Collective Bargaining is Widely Known and Exercised, Funded by the Government of Sweden, Progress made in 2014	X	

M&E Framework – Global Outputs (Norway and Sweden)	X	
Norway-ILO Programme Cooperation, Agreement 2012–15 (PCA) Phase II, 2014–15, 2014 Progress Report Outcome 14	X	
Table summarizing Gender Equality and Diversity Branch inputs for Gender Mainstreaming in FoACB Projects	X	
Guide On How To Develop A Policy To Promote Freedom Of Association At The Workplace, Draft 3	X	
Baseline Assessment report(s) on FACB rights in plantations and agrifood value chains		X
Reports of country level research (Costa Rica, Spain, Tanzania and Malaysia)		X
Baseline methodology to identify sectoral level trends and CB opportunities		X
Baseline assessment report on the effectiveness of ILO's technical assistance on workplace cooperation and freedom of association rights in supply chains (joint activity with INWORK, Better Work and SCORE) ;		X
Guidelines on workplace cooperation and freedom of association rights in factories/supply chains (joint activity with INWORK, Better Work and SCORE);		X
Baseline assessment and draft intervention model on FACB in plantations and agrifood value chains		X
Bipartite training programme on social dialogue and collective bargaining developed with ITC/ILO Turin.		X
Basic short training course on collective bargaining		X
Policy Guide on "How to Promote Collective Bargaining"		X
URLs of videos including "promotional video on the gender dimensions of Freedom of Association and Collective Bargaining"		X
2015 Media Labour Prize http://www.ilo.org/global/topics/freedom-of-association-and-the-right-to-collective-bargaining/WCMS_430268/lang--en/index.htm	X	
Fact sheet on gender and freedom of association		X
Journalist training workshop report		X
Bolivia		
Towards Full Freedom Of Association And Collective Bargaining In The Domestic Work Sector In Bolivia, Report of an ILO diagnostic process 2014 to form the basis of the tripartite constituents' development of a national plan of action 2015, 13 March 2015	X	
Brazil		
Brazil Diagnostic Report FACB Domestic Work	X	
China		
Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – China CPR/14/51/NOR	X	
Study on the issues and challenges for rebuilding trade unions for effective representation and collective bargaining		X
Study on challenges in effective collective bargaining in the Guangdong Province under the new regulation on collective bargaining		X
Study on the features of current collective labour dispute resolution practices: lessons for the development of effective interest dispute settlement procedures		X
International comparative study of collective labour dispute resolution systems and practices		X

Study on the procedures and performance of various mechanisms and processes for prevention and resolution of labour disputes in China		X
Jordan		
Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Jordan GLO/14/61/NOR	X	
M&E framework Jordan	X	
Report of Regional workshop for workers and employers on Bipartite Social Dialogue, Collective Bargaining and Consensus-Building Skills for participants from Jordan, Egypt, Morocco and Tunisia		X
Report of Labour Inspector training		X
Malawi		
Towards Full Freedom Of Association And Collective Bargaining In The Tobacco Sector In Malawi, Report of an ILO diagnostic process in November 2012 to form the basis of the tripartite constituents' development of a national plan of action 2015-2016.	X	
Mission report, Diagnostic Mission, Lilongwe, Malawi, 27-30 April 2015.	X	
Mission Report, Working Session on the Validation of the Report on the Functional Review of the Ministry of Labour and Manpower Development Official re-launch of the Tripartite Labour Advisory Council Sensitization Workshop on Social Dialogue for Members of the Tripartite Labour Advisory Council, Malawi, Lilongwe, 14-16 September 2015	X	
National plan of action 2015-2016: Towards full freedom of association and collective bargaining rights in the rural sector in Malawi	X	
Morocco		
Progress Report Norway Funded Activities Morocco	X	
Niger		
Projet De Convention Collective Des Entreprises Du Secteur Des Transports Routier Du Niger	X	
Rapport de Mission de Formation en techniques de négociation collectives des partenaires sociaux du secteur des transports du Niger. Niamey du 19 au 22 Janvier 2015.	X	
Philippines		
Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Philippines PHI/14/51/SID	X	
M&E framework Philippines	X	
Collective Bargaining Strategy and report on validation workshop		X
Report on training of military and policy on labour relations		X
Strategy paper on collective bargaining reforms		X
Report on employer representative training on workplace social dialogue		X
Regional Framework Plans on strengthening the capacity and involvement of union leaders in organizing and paralegal service		X
Rwanda		
Report on Rapid Assessment of challenges and opportunities for the promotion of collective bargaining in the country		X
Training Workshop report on the design of policies for the promotion of collective bargaining rights		X
Plan of Action for promotion of collective bargaining		X
Draft Code of conduct on collective bargaining		X

Sri Lanka		
Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining - Sri Lanka SRL/14/51/SID	X	
Procedural guide for Labour Tribunals		X
Study on progress made and persistent challenges on FACB rights in the RMG sector.		X
Report on SCORE implementation		X
Vietnam		
TOR Research Ratification of ILO Conventions 87 and 98	X	
Research Ratification of ILO Conventions 87 and 98		X
TOR Consulting stakeholders on Legislative Development (FACB)	X	
Report on Stakeholder Consultations on Legislative Development (FACB)		X
TOR VCCI workshops on ILS C.87 and C.98	X	
Report on VCCI workshops on ILS C.87 and C.98		X
Zambia		
Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Zambia ZAM/14/51/NOR	X	
Stakeholder Mapping of the Mining Sector		X
Impact Assessment of the effects on the mining industry on workers' rights and sustainable business practices		X
Assessment of Alternative dispute resolution mechanisms in Zambia		X
Participatory diagnostic on opportunities and gaps in trade union capacity on FACB etc.		X
Workshop reports (preparation for collective bargaining, labour and OSH inspector training		X

Draft Stakeholder Questionnaire
National Stakeholder QUESTIONNAIRE

Outcome 14: The Right to Freedom of Association and Collective Bargaining (FACB)
is Widely Known and Exercised

Dear Madam, dear Sir, dear colleague,

We highly appreciate your willingness to contribute to the evaluation of ILO assistance aimed at improving respect for freedom of association and collective bargaining rights in law and practice in your country.

You have been selected as a potential respondent due to your past or current involvement with relevant ILO supported activities that have been carried out in your country. Therefore, we would love to learn about your assessment of these activities.

Please submit your answers to the following online questionnaire. It is very brief, comprising of three parts.

In case of any questions, feel free to contact the project evaluator:

sandy@mtds.com

Part 1: Institutional affiliation and country

Please specify your institutional affiliation:

- ILO national staff
- Government Counterpart
- Trade Union Representative
- Employers' Association Representative
- NGO representative
- Staff of university or research institution
- Other

Please identify your country of residence:

...

Part 2: Technical questions

For the following questions, response options range from 1 (“not at all”) to 5 (“very much”). Please click on the one of the five points which corresponds to the degree you consider appropriate. In case you feel that you are not in a position to respond to the question, or alternatively, click on “don’t know/not applicable”.

Output 1.1 Knowledge on freedom of association and collective bargaining rights enhanced and shared

To what extent did ILO assistance contribute to raising the awareness of people within your institution on the importance of FACB for improving working conditions, promoting decent work and improving industrial relations?

Output 1.2: Advocacy campaign on freedom of association and collective bargaining rights conducted

To what extent did ILO assistance contribute to your institution's capacity to conduct advocacy on freedom of association and collective bargaining rights?

Output 2.1 Draft National Legislation is more in conformity with ILO Conventions N°87 and 98 (Sri Lanka, Vietnam)

To what extent was ILO assistance successful in identifying weaknesses in national laws and policies that affect FACB and recommending changes?

How likely to you think it is that recommended changes in your country’s legal framework will be implemented?

How likely is it that the findings of the ILO supported assessments will influence policies and/or programmes on freedom of association and collective bargaining in your country?

Output 2.2: Policies that create an enabling environment and promote the effective implementation of freedom of association and collective bargaining rights are discussed by the tripartite constituents (Brazil, Bolivia, Malawi, Rwanda, Zambia, Philippines, Sri Lanka, China)

To what extent has ILO support since 2014 influenced priorities for improving policies and programmes on freedom of association and collective bargaining in your country (in general or in particular sectors targeted by the project such as agriculture, domestic work, agriculture, and mining)?

How likely is it that the findings of the ILO supported assessments will influence policies and/or programmes on freedom of association and collective bargaining in your country?

To what extent did ILO training programs build the capacity of your institution to develop and/or implement a national plan of action on FACB

Output 2.3: Tripartite constituents are better informed and equipped to promote and exercise their rights and obligations in relation to freedom of association and collective bargaining (Jordan, Morocco, Philippines, Rwanda, Zambia)

To what extent has the ILO contributed to building the capacity of your institution to develop policies on FACB?

To what extent has the ILO contributed to building the capacity of your institution to effectively participate in collective bargaining?

To what extent has the ILO contributed to building the capacity of your institution to effectively participate in dispute resolution and negotiation?

To what extent has the ILO contributed to building the capacity of your institution to effectively participate in social dialogue?

To what extent has the ILO contributed to building the capacity of your institution to effectively participate in workplace cooperation activities?

Part 3: Overall assessment

Check any of the following outcomes you think are likely in your country in the next 2-3 years as a result of ILO support:

- Improved mechanisms for resolving labour disputes.
- Better information available about violations of trade unionists' civil liberties.
- Fewer restrictions on the establishment of workers' and employers' organizations or the right to join them.
- Reduced interference by Governments and other parties in the functioning of employers' and workers' organizations.
- More effective dialogue between employers and workers.
- Less discrimination against union members.
- Fewer undue restrictions on the right to strike.

Lastly, please provide a few comments on your perception of the overall process and the results of the project in your country.

A) How responsive has ILO support on FACB been to your institutions needs and priorities in the last two years?

Please comment:

B) How satisfied are you with the way the ILO has communicated and collaborated with your institution in the last two years?

Please comment:

C) How satisfied are you with the results of FACB activities supported by the ILO in the last two years?

Please comment:

D) Please comment on any problems or obstacles encountered:

E) Please note the most significant achievements that you (at least partly) attribute to ILO support in the last two years:

Thank you very much for your important contribution.

We wish you all the best, particularly with regards to the continuation of your efforts relating to FACB.

The project evaluation team

Annex F. List of interviews

1. **Katherine Torres**, FPRW Branch, Senior Project Manager responsible for project implementation
2. **Maité Llanos**, Former FPRW Branch Programme officer, ILO Geneva, member of project implementation team until December 2015 covering Brazil, China and Rwanda and global tool development
3. **Justine Tillier**, Former FPRW Branch Programme officer, ILO Geneva, member of project implementation team until December 2015
4. **Edlira Xhafa**, Former Labour Relations and Collective Bargaining Officer, INWORK, ILO Geneva, member of project implementation team
5. **Karen Curtis**, Deputy Director of Normes, ILO Geneva, senior ILO officer involved in project steering committee in Geneva, was Outcome 14 coordinator, and carried out missions to Malawi
6. **Sharon Chitambo**, National Programme Officer, Lusaka, Zambia, involved in project implementation in Malawi
7. **Khalid Hassan**, Chief Technical Advisor, Project to Eliminate Child Labour in the Tobacco Sector in Malawi, involved in project implementation in Malawi
8. **Susan Hayter**, Senior Specialist, Labour Relations and Collective Bargaining, ILO Geneva, member of project steering committee, involved in development of “How to Promote Collective Bargaining” guidelines and the ILO Legal Database on Industrial Relations (IRLex)
9. **Fatima Idahmad**, National Coordinator ILO Morocco, managed project activities in Morocco
10. **Edward Lawton**, Chief Technical Advisor, Gender, Equality and Diversity Branch, ILO Geneva, supported mainstreaming gender in project activities
11. **Vongai Masocha**, Junior Professional Officer (JPO) for Business and Decent Work at International Labour Organization, involved in implementation of ILO Legal Database on Industrial Relations (IRLex)
12. **Valentine Offenloch**, former FPRW Programme officer, ILO Geneva, previous member of project implementation team, participated in Bolivia FACB assessment
13. **Dwight Ordonez**, consultant Zambia, carried out social impact assessment in Zambia
14. **Cerilyn Pastolero**, National Programme Officer, ILO Country Office for the Philippines, responsible for project implementation in the Philippines
15. **Diane Lynn C. Respall**, Senior Programme Officer, ILO Country Office for the Philippines, provided oversight for project activities in the Philippines
16. **Claude Rioux**, Consultant Sri Lanka, Rwanda, Jordan, carried out FACB training and assessments
17. **Shyama Salgado**, National Programme Officer, ILO Sri Lanka, provided oversight for project activities in Sri Lanka
18. **Randika Jayasinghe**, Programme officer, ILO Sri Lanka, responsible for project implementation in Sri Lanka

19. **Youngmo Yoon**, Senior Specialist on Social Dialogue and Industrial Relations, ILO China, responsible for project implementation in China
20. **Maura, Miraglio**, Programme Officer. International Training Centre of the ILO, responsible for journalist training

Jordan 1 February – 4 February, 2016

21. **Phillip Fishman**, Senior Advisor, Fundamental Principles and Rights Branch at International Labor Organization, responsible for project implementation in Jordan
22. **Nelly Wakeem Awad**, National Project Officer FPRW, Programme assistant to Senior Advisor for project implementation in Jordan
23. **Haitham Khasawneh**, Assistant Secretary General, Ministry of Labour
24. **Abdullaj Al Jbourn**, Head of Inspection
25. **Salah Al Hwait**, Inspector, participant in mediation training
26. **Patrick Daru**, Jordan Country Coordinator
27. **Ahlam Al-Terawi**, Executive Committee Member, General Trade Union of Workers in Textile, Garment & Clothing Industries, participated in MENA regional training
28. **Sreenath, K.P.** Manager Special Projects, Classic Fashion, participated in MENA regional training

Vietnam

29. **Phillip Hazelton**, CTA of Industrial Relations Project, Vietnam, responsible for project implementation in Vietnam
30. **Nguyen Thi Hai Yen**, National Project Coordinator, Wage and Employers' Activities, Industrial Relations Project ILO Vietnam
31. **Nguyen Van Binh**, Deputy Director of Legal Department, MoLISA
32. **Tran Thi Lan Anh**, Deputy Director, Bureau for Employers' Activities, Vietnam Chamber of Commerce and Industry
33. **Le Dinh Quang**, Deputy Director of IR Department, Viet Nam General Confederation of Labour

Zambia

34. **Mukubesa Sanyambe**, ILO National Programme Officer, responsible for project implementation in Zambia
35. **Jeanette Hedstrom**, ILO Programme assistant
36. **Dr. Jumard**, Director, Department of OSH, Zambia Ministry of Labour
37. **Khadija Sukala**, Assistant Labour Commissioner in charge of Industrial Relations, Zambia Ministry of Labour
38. **Newira Wisdom**, President, United Mine Workers Union of Zambia and Assistant Executive Secretary of the Federation of Free Trade Unions of Zambia
39. **Lyson Mando**, National Executive Secretary, Federation of Free Trade Unions of Zambia
40. **Mangamu Oswald**, General Secretary, United Mine Workers Union of Zambia
41. **Hilary C. Hazele**, Manager- Economics and Policy, Zambia Federation of Employers

42. **Francis Mulimbika**, Industry Training Manager, Zambia Chamber of Mines
43. **Griffin Nyirongo**, “mapping” consultant
44. **Clement Kasonda**, Executive Director, Labour Institute of Zambia
45. **Deluxe B. Mwanza**, Director of Education, Zambia Union of Financial Institutions and Allied Workers, project consultant (workshop on trade union coordination)
46. **Boniface Phiri**, Director for Research and Economics, Zambia Confederation of Trade Unions
47. **Martin David Chembe**, Director Public Relations, Zambia Confederation of Trade Unions
48. **Gideon Ndacama**, Director of Mines Safety
49. **Ngosa Chisupa**, Independent Consultant (priority setting workshop)
50. **Sarah Benova**, HR Manager, Lumwana Mine
51. **Shirley Mulalabungi Malyenge**, Principal Labour Officer, Kitwe Office, Ministry of Labour
52. **Oscar Matebele**, Manager Research and Reporting, Mopani Mine
53. **George Mayeya**, Employee Relations Manager, Mopani Mine
54. **Levi Chimfwembe**, General Secretary, Mine Contractors and Allied Workers Union
55. **Joseph Kasonda**, Deputy General Secretary in Charge of Recruitment and Organization, Mine Contractors and Allied Workers Union
56. **Stephen Mukupa**, National Union of Miners and Allied Workers
57. **Alexio Musindo**, Director for ILO’s Country Office for Zambia, Malawi and Mozambique.

Annex G. List of Documents Consulted

Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining - Sri Lanka SRL/14/51/SID

Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Philippines PHI/14/51/SID

Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Jordan GLO/14/61/NOR

Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – China CPR/14/51/NOR

Final Progress Report, Promoting the Right to Freedom of Association and the Right to Collective Bargaining – Zambia ZAM/14/51/NOR

The Right to Freedom of Association and Collective Bargaining is Widely Known and Exercised, Funded by the Government of Norway, Progress made in 2014

The Right to Freedom of Association and Collective Bargaining is Widely Known and Exercised, Funded by the Government of Sweden, Progress made in 2014

M&E Framework – Global Outputs (Norway and Sweden)

M&E framework Philippines

M&E framework Jordan

Norway-ILO Programme Cooperation, Agreement 2012–15 (PCA) Phase II, 2014–15, 2014 Progress Report Outcome 14

Towards Full Freedom Of Association And Collective Bargaining In The Domestic Work Sector In Bolivia, Report of an ILO diagnostic process 2014 to form the basis of the tripartite constituents' development of a national plan of action 2015, 13 March 2015

Towards Full Freedom Of Association And Collective Bargaining In The Tobacco Sector In Malawi, Report of an ILO diagnostic process in November 2012 to form the basis of the tripartite constituents' development of a national plan of action 2015-2016.

Mission report, Diagnostic Mission, Lilongwe, Malawi, 27-30 April 2015.

Mission Report, Working Session on the Validation of the Report on the Functional Review of the Ministry of Labour and Manpower Development Official re-launch of the Tripartite Labour Advisory Council Sensitization Workshop on Social Dialogue for Members of the Tripartite Labour Advisory Council, Malawi, Lilongwe, 14-16 September 2015

National plan of action 2015-2016: Towards full freedom of association and collective bargaining rights in the rural sector in Malawi

Table summarizing Gender Equality and Diversity Branch inputs for Gender Mainstreaming in FoACB Projects

Guide On How To Develop A Policy To Promote Freedom Of Association At The Workplace, Draft 3

Progress Report Norway Funded Activities Morocco