

# ILO EVALUATION

Evaluation Title: Sustaining GSP-Plus Status by strengthened national capacities to improve ILS compliance and reporting – Final Internal Evaluation

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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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#### List of acronyms

ANEP National Association of Private Enterprises

ACTEMP Bureau for Employers' Activities
ACTRAV Bureau for Workers' Activities

CAS Committee on Application of Standards

CACIF Coordinating Committee of Agricultural, Commercial, Industrial and Financial

**Associations** 

CEACR Committee of Experts on the Application of Conventions and

Recommendations

CFA Committee on Freedom of Association
CMTU Confederation of Mongolian Trade Unions

CO Country Office

CODEPI Departmental Committees for the Eradication of Child Labour
CONAPETI National Commission for the Eradication of Child Labour
CST Consejo Superior del Trabajo - Higher Labour Council

EU European Union

EVAL Evaluation department

FPRW Fundamental principles and rights at work

GSP Generalized Scheme of Preferences

HQ Headquarters

ICESCR International Covenant on Economic, Social and Cultural Rights

ILO International Labour Organization
ILS International Labour Standards

ITC-ILO International Training Centre of the International Labour Organization

MBA Mongolian Bar Association

MLSP Ministry of Labour and Social Protection

MONEF Mongolian Employers' Federation

MoOPHRD Ministry of Overseas Pakistanis and Human Resource Development

MTPS Ministry of Labour and Social Welfare

NHRCM National Human Rights Commission of Mongolia

NORMES International Labour Standards department
PARDEV Partnerships and Field Support Department
PTCC Provincial Tripartite Consultative Committee

SME Small or medium-sized enterprise

TOR Terms of Reference

US United States

#### **Executive summary**

#### Project background

The European Union (EU) Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) is part of the EU's Generalised Scheme of Preferences and grants preferential treatment to vulnerable countries under the condition that they ratify and effectively implement 27 international conventions on human and labour rights, environmental protection and good governance.

Since a key component of the International Labour Organization (ILO) action in the field of International Labour Standards (ILS) includes technical assistance to countries to overcome difficulties in reporting and application of ILO Conventions, the two institutions launched a project on "Sustaining GSP-Plus status by strengthened national capacities to improve International Labour Standards compliance and reporting". The project covered four countries, two beneficiaries of the EU preferential GSP+ scheme: Mongolia and Pakistan, as well as in two of the Parties of the EU Central-America Association Agreement: El Salvador and Guatemala (beneficiaries of the GSP + scheme at the beginning of the project). The project budget amounted to 842,741.5 EUR.

The project's objective was to assist countries to take action to apply the 8 fundamental ILO conventions and better meet their standards-related obligations as well as reporting obligations, in particular on the critical issues raised by the ILO supervisory bodies, reflected under EU GSP+ monitoring. In each country, selected stakeholders, who were identified as key for improving the implementation of ILS or the reporting, received technical assistance and training. This included members of the national administration, workers' and employers' representatives, members of the judiciary and parliamentarians.

The management structure was comprised of the International Labour Standards department (NORMES) at headquarters, ILO Country Offices (COs) and ILS field specialists, and for certain activities, the ILO International Training Center (ITC-ILO). Other ILO technical specialists were involved (e.g. specialists from the Fundamental Principles and Rights at Work Branch) when considered necessary.

#### Evaluation background

This internal project evaluation served two main purposes, project improvement and organizational learning. The evaluation covers the full period of the project, including the six-month no cost extension, from October 2015 till March 2018 and reviews the implementation of the project components across the four countries.

The evaluation is based on the following criteria: (i) the relevance and strategic fit of the project, (ii) the validity of project design, (iii) project results and effectiveness, (iv) efficiency of resource use, (v) effectiveness of management arrangements, and (v) sustainability. The methodology included a desk review of the project document and implementation reports, background documents from the countries, reports from ILO supervisory bodies and EU, and selected project outputs. In addition, interviews with project stakeholders in HQ and the four target countries, were conducted face-to-face and over Skype/phone. This mix of methods allowed the triangulation and validation of findings. Given the qualitative nature of the data collected, content analysis was employed.

#### Main findings and conclusions

The project focused on improving application and reporting on ILS in countries that were benefiting from the GSP+ scheme. The target countries were identified jointly by ILO and the EU. Similarly, the logical framework for each country was agreed with the relevant ILO CO, in consultation with tripartite constituents. Each country had a specific focus, on one or various fundamental conventions.

The project's outcomes and outputs were highly relevant with regards to the priorities set by the ILO supervisory bodies and EU in terms of ILS. As a result of the participatory design process, the implemented activities were also largely in line with the needs of tripartite constituents. Some project outcomes are listed among the priorities identified in development and/or labour policies. In Mongolia and Pakistan, interviewed stakeholders confirmed that compliance with ILS is a priority for the government, whereas in El Salvador and Guatemala, the government's commitment, beyond the discursive level, was questioned.

While the project's methods followed standard practice for implementation of ILS (changing/updating relevant laws, supporting law implementation, and strengthening capacity of tripartite constituents), weaknesses were identified in the logical framework developed for each country. Outcomes and outputs were formulated in a very general manner, which resulted in a dispersed work plan and a discrepancy between the logical framework in paper and in practice. Moreover, the logical links between the outcomes and outputs were not always evident.

In general terms, the project contributed to strengthening national capacities for ILS compliance and reporting. However, the project faced several challenges during implementation, and while results vary between countries, with better results in Mongolia, Pakistan and Guatemala than El Salvador, not all outcomes were achieved. Despite this, most stakeholders were satisfied with the support provided by the ILO and interested in continuing collaboration in the future. Some argued that the intended outcomes are long-term processes, and thus, the lack of immediate results is not synonym to failure.

Most countries showed an improvement in terms of reporting to ILO supervisory bodies, though quality of the reports still needs to be improved in some of them. Progress was made with regards to updating legislation (in Mongolia and Pakistan), raising awareness and improving access to information on ILS. However, none of the revised laws had been adopted before the project ended and enforcement capacities for effective implementation of ILS in practice are still lacking.

Tripartite constituents were engaged in the labour law revision processes and various events on ILS reporting. More importantly, they expressed interest in additional capacity building opportunities.

Delays can be largely attributed to external factors, some of which had been identified during project design. This include absence of political will and social dialogue, changes in government due to elections, staff turnover, and deferrals in legislative review processes. The lack of a dedicated project coordinator at the national level also affected project implementation and monitoring.

The project spending rate was 88.9%. A significant share of the resources was allocated for the implementation of activities to increase capacity, such as workshops and provision of technical support to relevant staff, in line with the project's objective. The project built on and collaborated with existing initiatives to make the most out of the available resources.

Conversely, resources were not always used efficiently, as activities were very diverse and not always part of a cohesive approach. Furthermore, the existence of similar projects implemented concurrently translated into increased administrative workload for staff in the COs.

Although the project was centralized, responsibility for implementation and budget execution fell on the ILO CO. In general, there was good coordination between staff in HQ and the COs, and the project received the necessary technical and political support from the relevant technical specialists and country directors. Nevertheless, this centralized-decentralized arrangement demanded additional efforts during monitoring and reporting.

Since the project is part of a wider engagement on ILS and a second phase has already started, the project's achievements should be sustainable in the medium-term. However, there are concerns

regarding sustainability, as the factors that affected project implementation, such as lack of political will and high staff turnover, are still present and will continue to have an impact.

Regarding gender and non-discrimination, the general perception was that more could have been done. Gender was considered to a certain extent during implementation, e.g. capacity building activities on ILS reporting include this topic, but it was not consistently covered during reporting. Thus, it would be good to increase efforts to incorporate gender and non-discrimination issues in the project's second phase.

#### Lessons learned

- 1. Validity of project design is key: outcomes should be precise, causal links between outcomes and outputs clear, selected approach should be cohesive and assumptions carefully reviewed.
- 2. Implementation and monitoring of projects focusing on application of ILS are time-intensive tasks and require presence on-site.
- 3. There is interest from tripartite constituents and national stakeholders, such as members of the judiciary, to learn more about ILS and GSP+ requirements, particularly, practical application.

#### Recommendations

Although the second phase of the project already started, these recommendations might still be relevant to improve its approach (some have already been incorporated). Most are relevant for future projects.

- Assess and improve the design of development cooperation projects through better formulation
  of outcomes and outputs; development of a cohesive work plan aligned with the objectives: and
  analysis of assumptions and risks as well as the preparation of contingency measures in the face
  of political changes and other factors that may affect project implementation.
- 2. Improve project management arrangements for the second phase by assigning enough resources for staff in COs and HQ, and strengthen capacity of NORMES staff on results-based management and project management to improve project design. This has been partially implemented in the second phase, resources were allocated to have a national officer (50%) and administrative position (25%) in each country.
- 3. In collaboration with national partners, develop capacity building strategies (as opposed to single activities) on ILS to build on the project's results and guide future engagement. Since awareness has already been raised among different stakeholders, there is scope for deepening the engagement and developing tailored capacity building programmes (including practical training) for tripartite constituents, members of the judiciary, particularly in El Salvador and Mongolia, parliament and cabinet members in Guatemala and Pakistan, to name a few.
- 4. Prepare a monitoring and evaluation approach to assess and follow up on the outcomes of capacity building activities for this and other projects, i.e. the degree to which the learnings are being applied. ILO could rely on the experience of ITC-ILO in this regard.
- Identify opportunities to directly target gender and non-discrimination issues in the second phase.
   At the very least, track and report on actions on gender mainstreaming and non-discrimination throughout implementation.
- Develop an Exit Strategy for the project's second phase, in order to build ownership of the outcomes among national partners and thereby increase the likelihood of sustainability in the long-term
- 7. During the implementation of the second phase and in future multi-country projects, facilitate the sharing of information, good practice and challenges between the different project components.

8.	Continue discussions with donors to create joint initiatives instead of having multiple projects targeting similar issues in the same countries.

#### 1. Project background

#### Context, intervention logic and project objectives

The European Union (EU) Special Incentive Arrangement for Sustainable Development and Good Governance (GSP+) is part of the EU's Generalised Scheme of Preferences and grants full removal of certain tariff lines to vulnerable countries which make binding obligations to ratify and effectively implement 27 international Conventions on human and labour rights, environmental protection and good governance. Out of the 27 Conventions, 8 are core ILO Conventions.

At the same time, an important component of the ILO action in the field of ILS is the technical assistance offered to countries to overcome difficulties in reporting and application of ILO Conventions. This action leads the countries to analyse their "report writing" practices and to benefit from ILO technical advice and training with a view to building their reporting capacity in both quantitative and qualitative terms. Countries also benefit from technical advice and training on the application of ILS, which allow them to carry out actions with a view to reducing the implementation gap with respect to the specific conventions they ratified.

The project "Sustaining GSP-Plus status by strengthened national capacities to improve International Labour Standards (ILS) compliance and reporting" was developed to improve the application of the 8 fundamental ILO Conventions in countries which were beneficiaries of the EU preferential GSP+ scheme: Mongolia and Pakistan, as well as in two of the Parties of the EU Central-America Association Agreement: El Salvador and Guatemala (beneficiaries of the GSP + scheme at the beginning of the project).

The selected countries were assisted to take action to apply the 8 fundamental ILO Conventions and better meet their standards-related obligations, in particular on the critical issues raised by the ILO supervisory bodies and reflected under EU GSP+ monitoring. They were also assisted to fulfil their obligation under the ILO Constitution to report on ratified conventions.

The project expected results (outputs) were:

- The selected countries, following an assessment of their reporting practices and technical advice
  from the project, training and tripartite dialogue to quantitatively and qualitatively improve
  reporting practices on ratified ILS, will better comply with their reporting obligations as well as
  enhance their capacities to comply and implement ILS in law and in practice.
- Tripartite constituents, with enhanced capacity to effectively address the reporting implementation gaps identified by the ILO supervisory bodies, will actively and more efficiently participate in the reporting process.
- Tripartite constituents take advantage of their increased capacity to use the updated ILO information resources and reporting system to enhance the quality of the reports.
- Tripartite constituents are able to use training materials on ILS and reporting obligations, with a view to increasing and consolidating the capacity of the respective institutions/organizations.
- Tripartite constituents, parliamentarians and professionals in the judiciary, better sensitized on fundamental conventions and on issues raised by the ILO supervisory bodies concerning their implementation, take action to strengthen the application of fundamental conventions.

The objective and outputs were adapted for each country, thus the project had four logical frameworks.

#### Funding arrangements

The project was funded by the European Commission's DG TRADE, owing to a shared interest to intensify cooperation with the ILO for the implementation of fundamental principles and rights at work (FPRW) in the context of trade related matters in the frame of EU Free Trade Agreements and the GSP+ scheme. The project budget amounted to 842,741.5 EUR.

#### Management arrangements

The management structure was comprised of NORMES (HQ) responsible for the overall programming, coordination and reporting of the project; ILO field offices and ILS field specialists responsible for the planning and implementation of the project at the national level; and ITC-ILO, which was responsible for specific training activities.

For each of the beneficiary countries, selected stakeholders, who were identified as key for improving the implementation of ILS or the reporting, received technical assistance and training. This included members of the national administration, workers' and employers' representatives, members of the judiciary and parliamentarians.

#### **Project implementation**

The project started in October 2015 for a period of 24 months. A request for a six months no-cost extension was submitted to the European Commission in August 2017 and subsequently approved. The project finalized on 31 March 2018.

In El Salvador, the project was launched in September 2016 and focused on freedom of association and collective bargaining. The target group included tripartite constituents: Ministerio de Trabajo y Previsión Social – MTPS (Ministry of Labour), workers and employers, as well as other ministries and state institutions (members of the judiciary, parliament). The project also aimed to support tripartite institutions, particularly the Consejo Superior del Trabajo - CST (High Labour Council), which has been inactive since 2013 due to disagreements on the representation of workers and employers.

In Guatemala, the project worked primarily on freedom of association, collective bargaining and child labour. The work on freedom of association was framed in the 2013 roadmap relating to the examination by the ILO Governing Body of a complaint concerning the non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), submitted by delegates to the 101st session (2012) of the International Labour Conference under Article 26 of the ILO Constitution. Therefore, it was implemented in close collaboration with the Special Representative of the ILO Director General in the country. Other beneficiaries included the National Commission team for the Elimination of Child Labour (CONAPETI) and state bodies responsible for implementing national legislation on FPRW (Ministry of Interior, officials of the Attorney General and the judiciary, including investigators, prosecutors and judges).

The focus in Mongolia was on supporting the revision of the Labour Law and advocating for better understanding about the relevance of fundamental labour rights. The project provided technical assistance to the tripartite constituents of Mongolia, mainly the Ministry of Labour and Social Protection (MLSP), the Confederation of Mongolian Trade Unions (CMTU), the Mongolian Employers' Federation (MONEF) to participate in the labour law revision process. It also collaborated with the National Human Rights Commission of Mongolia (NHRCM) and the Mongolia Bar Association (MBA).

The project's implementation in Pakistan was framed in a much broader interaction with the EU, who is funding the International Labour and Environmental Standards Application in Pakistan's SMEs (ILES) and another project on GSP (see below), and within the Decent Work Country Programme-

III (DWCP) (2016-2020). The project provided technical assistance to both federal and provincial governments, particularly the Ministry of Overseas Pakistanis and Human Resource Development (MoOPHRD), and the Provincial Labour Departments in Balochistan, Punjab and Sindh, to carry out legislative development, policy and project formulation and enforcement reforms, in consultation with social partners.

In Pakistan and Mongolia, the project was implemented jointly with another project funded by EU DEVCO on "Sustaining GSP-Plus beneficiary countries to effectively implement ILO and comply with reporting obligations". This project specifically focused on Convention 100 - Equal Remuneration Convention, 1951 and 111 - Discrimination (Employment and Occupation) Convention, 1958.

#### 2. Evaluation background

The present evaluation is in line with guidelines set by the ILO Evaluation Office for development cooperation projects with a budget between 500,000 USD and 1,000,000 USD lasting between 18 and 30 months. Since it is an internal evaluation, it served two main purposes, project improvement and organizational learning.

The evaluation covers the full period of the project, including the six-month no cost extension, from October 2015 till March 2018 and reviews the implementation of the project components across the four countries, as reflected in the project document as well as subsequent modification and alterations made during its implementation.

The evaluation aimed to give an assessment of the effectiveness and the sustainability of the project across the major outcomes; assessing performance as per the foreseen targets and indicators of achievement at output and outcome levels; strategies and implementation modalities chosen; partnership arrangements; constraints and opportunities; and to provide lessons to improve performance. Thus, it serves two main purposes, project improvement and organizational learning.

It should be noted that when the TOR was drafted, the evaluation was expected to guide the project's second phase, which was about the start. Due to the delays in starting the evaluation, the second phase had already started. Therefore, the results of the evaluation were not taken into account during the inception of the second phase.

The findings and recommendations from the evaluation are directed to the NORMES department, in charge of project management, the ILO COs in Beijing, Islamabad and San Jose, and the Evaluation Department (EVAL).

The evaluation was conducted between June – August 2018: A desk review was carried out during the first month, based on documents provided by the project team, as well as reports from the ILO supervisory bodies. Skype/telephone interviews were conducted between 1 June – 27 July 2018 with ILO staff involved in the project as well as interviews with representatives from tripartite constituents and other project beneficiaries and collaborators. Once the data collection was concluded, the report was drafted and shared with the project team and the EVAL department for comments.

#### 3. Methodology

The evaluation was guided by the evaluation questions identified in the TOR and presented in Table 1 below. It used a mix of methods to collect data from different sources, and involved a wide range of stakeholders. Due to the project's nature and the fact that the outcomes and outputs were not always quantifiable, the evaluation method was mainly qualitative. The gender dimension was considered as a cross-cutting concern throughout the methodology and final report of the evaluation.

This evaluation was guided by the ILO Policy Guidelines for Evaluation (ILO, 2017). As such, this evaluation adheres to the Norms and Standards for Evaluation of the United Nations Evaluation Group. The evaluation questions have been derived from evaluation criteria specified by OECD/DAC.

Table 1. Evaluation criteria and questions

Criteria	Key questions
Relevance and strategic fit	<ul> <li>Is the project aligned with national plans on labour rights or ILS related strategies, and how did it align with and support issues such as (i) capacity development (ii) sustainability and knowledge sharing?</li> <li>How does the project address the needs of the social partners?</li> <li>Have more relevant needs emerged that the project should address?</li> </ul>
Validity of design	<ul> <li>Were the planned project objectives and outcomes relevant and realistic to the situation on the ground? Were they adapted to specific national needs or conditions? How was the gender dimension considered?</li> <li>What have been the main means of action? Are they appropriate and effective to achieve the planned objectives?</li> <li>Are there any changes needed to improve development impact from the project?</li> </ul>
Project results and effectiveness	<ul> <li>To what extent the project achieved planned objectives?</li> <li>Has the quantity and quality of the outputs produced been satisfactory?</li> <li>How were stakeholders involved in project implementation?</li> </ul>
Efficiency of resource use	<ul> <li>Were resources (funds, human resources, time, expertise etc.) allocated strategically to achieve outcomes?</li> <li>Were resources used efficiently? Were activities supporting the strategy cost- effective?</li> <li>Were project funds and activities being delivered in a timely manner? If not, what were the bottlenecks encountered?</li> </ul>
Effectiveness of management arrangements	<ul> <li>Is the project receiving adequate political, technical and administrative support from its national partners?</li> <li>Did the project receive adequate administrative, technical and – if needed - political support from the ILO country offices and the responsible technical units at headquarters?</li> <li>How effectively is the project management monitoring project performance?</li> </ul>
Sustainability	<ul> <li>How effectively is the project building necessary capacity of people and institutions (of national partners and implementing partners)?</li> </ul>

#### Desk review

The desk review included different types of documents:

- Project document and implementation reports to the donor (mid-term and final). These were
  useful for analysing the rationale, logical and monitoring framework of the project as well as
  the progress and adjustments that were done during project implementation.
- Background documents, such as relevant national development and employment policies, the DWCP-III for Pakistan, and the 2013 Roadmap for Guatemala, in order to contextualize the project and assess its relevance.
- Reports from ILO supervisory bodies, including the reports from the Committee of Experts
  on the Application of Conventions and Recommendations, the Committee on the Application
  of Standards and Committee on Freedom of Association as well as the EU GSP+ monitoring
  reports, to understand the context and assess progress throughout the project period.
- Selected *project outputs*, such as guides on ILS, studies on trade unions and child labour that resulted from the project.

#### Stakeholder interviews

In order to complement and validate the findings of the desk review as well as to obtain multiple perspectives to the evaluation questions listed above, the evaluation gathered data through interviews with relevant stakeholders. A semi-structured interview protocol was developed following the six evaluation criteria, but also a structure that would facilitate the conversations and allow to tailor the questions to the stakeholders' background and role within the project. In general, interviewees were asked to:

- Describe their role and main responsibilities, level of involvement in the project's different phases (design, implementation, monitoring), management and monitoring arrangements, and how gender was included in design and implementation;
- Given an opinion on the project's relevance with regards to the particular context and stakeholders' needs as well the project's main achievements and failures;
- Express their views on the sustainability of the project's outcomes; and,
- Share lessons learned.

In total, 31 interviews with 36 stakeholders (19 women, 17 men) were conducted. A selective sampling (non-random) method was used, where the relevant stakeholders were identified by the project team and the interviews were subject to the availability of the counterparts. Interviews lasted between 20 – 90 minutes, depending on the level of involvement in the project. Most interviews were conducted over the phone/Skype (both individual and group interviews). Among those interviewed were:

- Staff at ILO Headquarters involved in project management and reporting.
- Staff at ILO COs, whose role was to support project implementation and reporting and to coordinate with tripartite constituents and other beneficiaries.
- Project partners: tripartite constituents (national and provincial government, workers and employers), who were the primary targets of the project, and staff from other organizations who participated or supported outputs and activities.

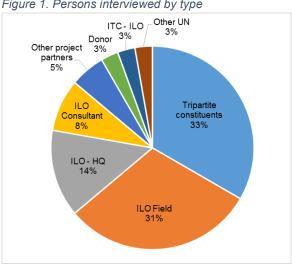


Figure 1. Persons interviewed by type

Table 2. Persons interviewed by country

	El Salvador		Guatemala		Mongolia		Pakistan	
	F	М	F	М	F	М	F	М
Tripartite constituents	2	1		1	2	1		5

ILO Field	21	1	2	3	2	1	1	1
Consultant	1	1	1		-	-	-	-
Other project partners	-	-	-	-	2	-	-	-
Donor	-	-	-	-	-	-	-	1
Other UN	-	-	-	-	-	-	1	-

Given the qualitative nature of the data collected, the information was analysed through content analysis, using the evaluation criteria and questions as the categories for classifying data.

#### Limitations

Although the chosen evaluation methods enabled a triangulation of the results, as in any other process, there were some limitations that have had an impact on the findings:

- According to the Terms of Reference, the evaluation was meant to start in April 2018, right after the project finalized. The fact that the evaluation was conducted much later had certain implications. Firstly, it was not possible to organize visits to the countries to meet the stakeholders. This would have allowed the use of other collection methods. Secondly, some interviews were conducted prior to finalizing the desk review and interview protocol to take advantage of the stakeholders' presence in Geneva during the International Labour Conference. Finally, the evaluation was meant to guide the next phase of the project which started in April 2018. Whereas some of the lessons learned seem to have been incorporated in the new phase and there might be scope for including others, having the evaluation results earlier could have helped improve its design.
- Although phone interviews worked relatively well and most stakeholders were reached, there were some issues that affect the validity of results. In Guatemala, despite several attempts, it was not possible to interview all tripartite constituents, particularly those from the government, who were the main targets of the action. In Mongolia, some interviews required using an interpreter, who was often a colleague of the interviewee. Poor connection/sound problems also affected the quality of the calls. In order to reduce the risk of misinterpretations, the evaluator repeated the main idea to ensure it had been correctly understood.
- While the semi-structured nature of the interviews provided flexibility in terms of topics
  covered, it was difficult to compare answers between stakeholders. More importantly, once
  certain issues are mentioned by various stakeholders, there might be a bias on the side of
  the evaluator, as the answers are interpreted to fit the predominant "storyline". In an effort to
  avoid this, the evaluator paraphrased the interviewees to confirm a correct understanding.
- In all four countries, the project was implemented jointly with other initiatives from the local ILO office. In Mongolia and Pakistan, there was another project funded by EU DEVCO on "Sustaining GSP-Plus beneficiary countries to effectively implement ILO and comply with reporting obligations". In Guatemala, the project supported the implementation of the 2013 roadmap, the work plan from the Special Representative from the ILO Director General for Guatemala, and was implemented alongside a project on "Strengthening the national mechanism to protect fundamental rights at work, in particular freedom of association and collective bargaining" financed by United States (US) Department of State. Thus, it is not possible to attribute certain achievements exclusively to the project. In addition, some interviewees stated that they could not specifically refer or differentiate between the different

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<sup>&</sup>lt;sup>1</sup> Since the Project in El Salvador and Guatemala was implemented by the ILO office in San José (Costa Rica), the same people responded the interview for the two countries. Thus, these interviewees were counted for both countries.

projects and initiatives from the ILO CO. Furthermore, in some cases, the interviewee had been involved in a particular activity, therefore he/she could only provide an opinion on a specific aspect of the project.

#### 4. Findings

#### Relevance and strategic fit

Relevance was assessed based on alignment with national, ILO and EU priorities and the needs of social partners.

In general, the project was highly relevant with regards to ILO's and EU priorities in terms of ILS, and effectively reflected the needs of tripartite constituents and local stakeholders, particularly on legislative and capacity gaps. This is probably a result of the joint selection of countries (between ILO and EU); joint identification of priorities and linkages to ongoing activities and country programme outcomes (NORMES and COs); and work plan development (ILO COs, tripartite constituents and occasionally, local EU delegations). Each country had a specific focus, on one or various fundamental conventions, which seemed pertinent in all cases, as it was complementary to other initiatives.

While some of project's outcomes appear as priorities or targets in development and labour policies in all countries, to different extents, it is difficult to ascertain if it goes beyond the discursive level in the two Central American countries.

#### National priorities and stakeholder needs

For each country, national, development and employment policies were reviewed and compared against the project's outcomes and outputs:

#### El Salvador

The Plan Quinquenal de Desarrollo 2014-2019 (Five-year Development Plan) explicitly acknowledged the need to "strengthen the institutional capacities and productive sector capacities to insert themselves in international markets, within the framework of the rules derived from trade and environmental agreements" and "strengthen and consolidate the role of the state as guarantor of human rights of the population, as well as ensure that it complies with international obligations that derive from the treaties and conventions that it has ratified". Similarly, the Política Nacional de Empleo Decente 2017 – 2030 (National Decent Work Policy) included as a priority action under one of its objective to "illustrate workers and employers about compliance with labour regulations" through "training and dissemination". It should be noted however, that neither of them make reference to collective bargaining. In addition, despite this apparent recognition at the discursive level, some stakeholders expressed doubts on the level of commitment, particularly from the government, to take steps to improve social dialogue. According to an interviewee, the government often send requests for technical assistance as a way of showing progress but little implementation happens on the ground.

With regards to the specific needs of the tripartite constituents and other project beneficiaries, all interviewed stakeholders considered the project addressed them, mainly because the outputs and activities were jointly agreed, but also because knowledge of ILS and its application was limited. In the words of an interviewee: "For us, International Labour Standards, it's like you were speaking in Chinese, so it was important because it was not part of our day-to-day work [...] (Now) We've been able to use them". The interviewees also recognized that additional capacity building is needed, either increasing the involvement of other state institutions (e.g. legislative body) or follow-up capacity building activities, both general and practical knowledge.

#### Guatemala

The Plan Nacional de Desarrollo K'atun Nuestra Guatemala 2032 (National Development Plan, prepared in 2012-2014) under Axis 3: "Wealth for all" refered, in general terms, to the need for "making progress on labour legislation and strengthening public agencies in charge of ensuring compliance" and "respecting collective bargaining agreements and legal measures against discrimination". Ensuring compliance with labour legislation also appeared as a strategy and objective in the National Employment Policy 2012 – 2021 and the Política General de Gobierno 2016-2020 (General Government Policy), respectively. None of the documents explicitly mentioned freedom of association, but they do mention the elimination of child labour as an objective.

Compliance with ILO conventions was a priority for the government and the social partners in the context of a complaint concerning the non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). The 2013 Roadmap was a result of tripartite dialogue and listed a set of measures to improve application of ILO conventions 87 and 98. In addition, the project work plan was prepared together with tripartite constituents and thus, it is said to respond to the capacity needs they identified<sup>2</sup>.

#### Mongolia

The Action Program of the Government of Mongolia (2016-2020), which reflects Mongolia's Sustainable Development Vision 2030, established as one of its goals to: "Improve the monitoring of the implementation of treaties and agreements concluded by Mongolia with foreign countries on trade, investment and double taxation and implement the policy to align them with Mongolia's interests." There was also a call to improve "the judiciary system, ensuring guarantees for human rights and freedoms". On the other hand, the National Human Rights Commission of Mongolia (NHRCM) often included labour issues in the annual reports presented to the Great State Kural (Parliament) in 2014-2017. In the 2017 report, there was a recommendation to "Draft and enact a new Labour Code as the current Labour Code cannot fully regulate labour relations by failing to ensure the implementation of right of individuals to labour and enterprise and to fit to the current market requirement". This coincides with the perception of tripartite constituents – including the Ministry of Labour and Social Protection - who agreed that the existing labour law is not in line with the realities of the labour market in Mongolia. The issue of child labour and equal remuneration for work of equal value were often mentioned in the reviewed policies and partially addressed through some activities.

As in the other countries, there were discussions with the Ministry of Labour and Social Protection, the Confederation of Mongolian Trade Unions (CMTU) and the Mongolian Employers' Federation (MONEF), as well as with other partners, such as the NHRCM, during the design phase. Thus, most of the activities either responded to requests from the local partners or were agreed with them.

#### Pakistan

As a result of a Constitutional Amendment in April 2010, labour as well as other subjects were devolved to the provinces. Consequently, the need for capacity development at the provincial level, revision of laws to bring them into compliance with international standards and improved coordination among federal and provincial governments was stressed in the One UN Programme II (2013 – 2017). One of the thematic areas in the Government's Action Plan for Human Rights (2016) was

<sup>&</sup>lt;sup>2</sup> As mentioned before, only the employers' representative was interviewed in Guatemala, hence this statement is based on his and other interviews with project staff. On the other hand, the evaluation of the project *Fortalecimiento de los mecanismos nacionales para proteger los derechos fundamentales en el trabajo, en particular la libertad de asociación y la negociación colectiva*, which finalized in December 2016, mentioned that the perception of interviewed stakeholders, including workers and public officials, was that the strengthening of institutional capacities to enforce labour rights, and in particular, freedom of association and collective bargaining, was not a priority for the government.

International/UN treaty implementation, including as proposed actions, capacity building of relevant public officials and the "examination of policies, legal frameworks and existing institutional mechanisms to identify gaps against Core Human Rights Convention ratified by Government of Pakistan". At the provincial level, the Punjab Labour Policy included labour law reform to conform to ratified Conventions and the elimination of child and forced labour as priorities (focus of two project outputs). On the other hand, Pakistan Vision 2025, the government's long-term development agenda, acknowledges the need for collaboration among federal and provincial governments for effective implementation and states that the "establishment and application of the rule of law - which includes the protection of the fundamental rights of every Pakistani citizen, is a condition for the realization of the Vision", but does not explicitly mention labour rights or child labour.

The interviews confirmed that compliance with ILS remained a priority for the government and pressure had increased, ever since Pakistan was awarded the GSP+ status back in 2014. According to an interviewee at the provincial level, there is will to implement, thus the deficiencies in ILS compliance cannot be attributed to lack of commitment but to other factors. These include lack of resources and the fact that there are many stakeholders involved. Such a wide participation often complicates the coordination. Both employers and workers saw opportunities under the GSP+, for the former in terms of business and sustainable development, for the latter, as a way to put pressure on the government to address labour issues, e.g. open cases in the Committee on Freedom of Association (CFA). Furthermore, the project addressed an issue identified by most interviewed stakeholders by focusing the support in the Balochistan province, which was lagging behind in the development of the provincial legislation and where capacity of the provincial government was limited. Other priorities that appear in policies and were cited by stakeholders include gender equality and non-discrimination, and freedom of association. According to ILO staff, there were other projects in Pakistan that were focusing on these areas, e.g. DEVCO specifically focusing gender equality and non-discrimination.

#### **ILO** priorities

Given that the project focused on the application of fundamental conventions as well as reporting to the supervisory bodies, it is clearly aligned with ILO's commitments, which include providing technical cooperation and assistance for countries where the supervisory bodies note continuous or serious failures to do so.

The project was also in line with the ILO's priorities at country level and the comments from the supervisory bodies:

- The Committee of Experts in the Application of Conventions and Recommendations (CEACR) had listed El Salvador as one of the countries with serious failures to fulfil specific obligations mentioned in the report of the Committee on the Application of Standards (CAS), although some improvement was acknowledged in the 2015 CEARC Report. During 2014-2017, there have been also several observations and direct requests on various fundamental conventions (C-29, C-87, C-98, C-138, C-182) as well as Convention 144 on Tripartite Consultations and various active Freedom of Association cases. ILO staff confirmed the challenges, particularly with regards to freedom of association and collective bargaining.
- As mentioned before, in Guatemala, the project took into account the roadmap and the key indicators elaborated by the tripartite constituents in the context of the examination by the ILO Governing Body of a complaint concerning the non-observance by Guatemala of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87). Thus, it was guided by the comments from the supervisory bodies. According to the 2013 Roadmap: "Measures need to be taken to build capacity within the relevant State's institutions, including the Ministry of Labour and Social Welfare, the Public Prosecutor's Office, the Specialized Human

Rights Unit at the Ministry of the Interior, the Judiciary, the Legislative Branch, the Office of the Human Rights Ombudsman, among others, as well as for the social partners on freedom of association and collective bargaining and in the area of social dialogue."

- In Mongolia, the project supported ongoing work from the ILO office, particularly with regards to the 1999 Labour Law revision process. In 2014 a Memorandum of Technical Comments on the draft Labour Law of Mongolia was prepared by the ILO. The Technical Memorandum issued specific recommendations in light of international labour standards and comparative labour law and practice and also highlighted the need for clarifying the state's role in collective bargaining processes, as this was a relatively new concept in Mongolia, hence a focus on collective bargaining. With regards to the supervisory bodies, the Committee of Experts had noted in its 2013 report the failure of Mongolia to supply information to reply to its comments related to the application of conventions.
- Application and reporting on ILS was a priority in both DWCP 2010-2015: "Priority 1 Labour law reform, application and reporting on ILS" and DWCP 2016-2020 to "Strengthening compliance with International Labour Standards through Social Dialogue". Country programme priorities and outcomes reflect the strategic results framework of the ILO, adapted to national situations.

#### EU priorities

EU's GSP+ scheme sets criteria for extending the GSP+ status. One criterion is that the country must have ratified the 27 international conventions required under GSP+, including ILO's Fundamental Conventions and the most recent conclusions of the monitoring bodies must not identify any serious failure to effectively implement them (European Commission, 2017). The EU has developed a monitoring framework, which includes checking implementation of conventions and compliance with reporting requirements, among others. Given this overlap with ILO priorities, the topic of trade and ILS was listed as one of the strategies for a targeted ILO-EC cooperation during the High-Level Meetings that took place during the project period.

The country selection process was done jointly based on the list of GSP+ beneficiaries (both Guatemala and Pakistan were identified as priority countries for cooperation on ILS during the High-Level meetings) and relied on ILO's and EU's experience with regards to the contexts, ongoing projects, interest from relevant stakeholders, and available resources.

Hence, the project's goals and target countries reflected the donor's priorities.

#### Validity of design

In order to establish the validity of the project's design, two main aspects were considered: relevance of outcomes vis-à-vis the national context and coherence of the design/logical framework, i.e. causal link between outputs and intended outcomes. The third evaluation question focused on opportunities for project improvement.

Before discussing the findings, it is important to clarify some concepts. According to the ILO Results-Based Management Framework, the **outcomes** correspond to the expected and likely effects of the combined outputs of an intervention (short to medium-term). They are significant changes (policies, knowledge, skills, behaviors or practices, etc.) that are intended to occur as a result of actions taken with the ILO's support. On the other hand, **outputs** (often called expected results in ILO documents) are products, goods and services which result from an intervention or changes resulting from the intervention that are relevant to the achievement of outcomes (ILO, 2011). Thus, there should be a clear distinction between outcomes and outputs in the project's logical framework, and one should observe a causal link between the two.

As mentioned before, the project design process entailed defining the general objective (outcome) and expected results (outputs) between the ILO NORMES department and the donor. Subsequently, a logical framework was developed for each project in collaboration with the ILO COs. The overall focus was on core labour standards and reporting, but the outcomes, outputs and activities were adapted to the national context and usually focused on one or various fundamental conventions. Nevertheless, the approaches were not significantly different because implementation of ILS usually requires the following measures: changing/updating relevant laws, supporting law implementation, and strengthening the capacity of those who play a role in both application and reporting (governments, including ministries other than labour and other institutions, workers and employers).

The logical frameworks for El Salvador and Guatemala were fairly similar and are presented in Figures 2 and 3. The project aims to build institutional capacity of the government to enforce labour laws and guarantee fundamental rights by, improving the capacity of tripartite constituents for participation in the ILS reporting process (S1.1 and G1.1); supporting the government to initiate actions for compliance with specific ILO conventions, selected based on priorities and ongoing initiatives in the two countries (S1.2 and G1.2); and strengthening the capacity of the tripartite constituents to pursue social dialogue (S1.3) or implementing the 2013 Tripartite Roadmap (G1.3).

The first observation to be made is that the outcomes and outputs are very broad. The way they are formulated, the proposed outputs seem to be more appropriate as outcomes, as they are not "products" resulting from the activities. The indicators for the outcome are more specific, focusing mainly on improvements on reporting rather than measuring improvements in capacity for law enforcement and application of fundamental rights at work, which are the intended outcomes.

Outputs S1.1, S1.3 and G1.1 seem to have a broader scope than the outcome, as the aim is to build the capacity of all tripartite constituents and not only the government. The causal link between outputs S1.2 and G1.2 and the outcome is not obvious, building the government's capacity to enforce laws and fundamental rights could also result in starting actions for compliance with ILO conventions.

Conversely, there is a causal link between output G1.3 and the outcome, as most of the proposed actions in the 2013 Roadmap aim to strengthen the government's capacity for implementing fundamental rights at work.

In El Salvador, effective social dialogue among tripartite constituents, which was one of the assumptions, did not hold, i.e. the CST was not reactivated during the project period, despite the efforts made in the frame of the project, and led to delays, particularly with regards to output S1.3.

Figure 2. El Salvador - Logical Model

Sustaining GSP+ Status by strengthened national capacities to improve ILS compliance and reporting Outcomes S1. Strengthening the institutional capacity of the government > By end of Project, ILS Reporting system is in place > By end of Project, at least 30 per cent of comments of to effectively enforce labour laws, guarantee fundamental rights at work and enhance social dialogue. CEACR are addressed S1.2 Government supported to initiate S1.1 Improved capacity of tripartite actions for compliance with ILO S1.3 Strengthened capacity of the constituents for effective participation in fundamental Conventions on freedom tripartite constituents to pursue an the reporting process to the CEACR of association, collective bargaining and effective social dialogue. and the CFA. non-discrimination. Prepare reference and training material on Article 22 • Studies on legislation gaps against ILS and CEACR reporting on ILS and on fundamental rights at work. reports, and unacceptable forms of work. Capacity building activities (e.g. workshops, trainings) on • Technical assistance to the government (e.g. MTPS, ILS, Article 22 and CFA reporting for tripartite labour inspectors, judges) on ILO conventions and CFA constituents. reporting and to the Higher Labour Council. Compliance with ILS remains a priority for the Employers' and workers' organizations have the capacity to Government (political commitment, allocation of participate in the reporting process and actively do so resources for ILS system) Tripartite constituents actively pursue an effective social ILS reporting system continues to work after project dialogue

Source: Own elaboration based on logical framework

Figure 3. Guatemala - Logical Model

	Impact	Sustaining GSP+ Status by strengthened national capacities to improve ILS compliance and reporting					
	Ourcomes	G1. Strengthening the institutional capacity of the government to effectively enforce labour laws, guarantee fundamental rights at work and enhance social dialogue  1. By end of Project, a national system for reporting on ILS is in place 2. By end of Project, at least 30 per cent of comments of CEACR are addressed.					
4:40	outpurs	G1.1 Improved capacity of tripartite constituents for effective participation in the reporting process to the CEACR and the CFA.  G1.2 Government supported to initiate actions for compliance with ILO fundamental standards focusing on freedom of association, child labour and non-discrimination.  G1.3 Strengthened the capacity of the actions to implement the 2013 Tripartite Roadmap.					
A still it a	Activities	<ul> <li>Prepare reference and training material on Article 22 reporting on ILS and on fundamental rights at work.</li> <li>Capacity building activities (e.g. workshops, trainings) on ILS, Article 22, and CFA reporting for tripartite constituents as well as mediation.</li> <li>Meetings to discuss legislative reforms in line with CEACR's recommendations.</li> <li>Studies on legislation gaps against ILS and CEACR reports Technical assistance to strengthen strategy against child labour and combat trafficking in persons.</li> <li>Exchange experiences on reporting and mediation with other governments from the region</li> </ul>					
	Assumptions	<ul> <li>ILS reporting system continues to operate after support withdraws.</li> <li>Tripartite constituents continue to actively support the implementation of the 2013 Roadmap.</li> <li>Employers' and workers' organizations have the capacity to participate in the reporting process and actively do so</li> <li>There is a conducive security and political environment to develop new systems</li> </ul>					

Source: Own elaboration based on logical framework

The logical framework in Mongolia is significantly different (see Figure 4 below). It is organized around four outcomes: Up-to-date reporting (M1), improved law and legislation (M2), raised awareness, particularly on collective bargaining (M3), and enhanced capacity of tripartite constituents in the application of conventions (M4).

The formulation of outputs M1.2 and M1.3 is very similar to outcomes M2 and M4, respectively. While the causal link between M1.1 and M1 is clear, a direct causal link between output M1.2 and the outcome is debatable: compliance of laws and legislation with FPRW might not automatically translate in up-to-date reporting of ILO conventions.

The issuing of recommendations for changes in the law (M2.3) and more clarity on and access to the text of ILO conventions (M2.1, M2.2) is connected to improving law and legislation. Within the GSP+ framework, improving knowledge on the linkages between international trade and ILS could provide incentives for legislative review.

It is clear how improving parliament members' knowledge and understanding of the (draft) Labour Law, particularly on wage policy development and mechanisms for bipartite collective agreements (M3.1), will contribute to raising awareness on the new labour law and how those aspects are incorporated. Similarly, increasing parliament members understanding of ILS and ILO's review mechanisms (M3.2), contributes to highlight the importance of adopting the suggested changes to the labour law, in line with Mongolia's international commitments on labour issues.

In general, outputs M4.1, M4.2 and M4.3 contribute to enhancing the capacity of tripartite constituents in the application of conventions. With regards to M4.4, given that human rights encompass labour rights, the causality is inverted, an increase in capacity for application of labour conventions should lead to enhancement of national capacity on human rights.

With regards to the indicators, it is unclear how the increased interest of Mongolian parliamentarians in ILS and trade, to assess progress on outcome M3, can be measured<sup>3</sup>. There is no specific indicator for M4 on the evolution of law towards compliance with ILS, although this is being monitored by the local office.

Outcome M2 and M3 depended on the approval of the revised labour law, which didn't happen during the project period, for different reasons.

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<sup>&</sup>lt;sup>3</sup> Measuring increased awareness is not easy but proxy indicators could be an increased mention of ILS in parliamentary debates or the percentage of parliament members who know about ILS, as measured through a survey.

Figure 4. Mongolia - Logical Model

, ,	gı	ire 4. Morigolia - Logicai M	oder					
+00000	IIIIpacı	Sustaining GSP+ Status by strengthened national capacities to improve ILS compliance and reporting						
4.0	California	work, particularly collective bargainin M3. Awareness is raised on (soo provisions on collective bargaining	vards further compliance with fundaring n to be approved/draft) labour law ment, workers and employers' organ	particularly on	reflected in N > CEACR no developments conventions > Increased into	ement over baseline on reporting as ORMLEX tes with Interest or satisfaction in the application of fundamental erest of Mongolian parliamentarians in kages with international trade		
4	Curpuis	M1.2 Law and legislation evolve towards further compliance with fundamental rights at work in particular with standards on collective bargaining.  M2.2 Iranslation of ILO conventions will be widely accessible to key stakeholders  M2.3 Recommendations for possible changes in law and legislation will be submitted to government.  M3.2 Parliam			understanding ur Law, policy d mechanisms ective l be improved. members will erstanding of	M4.1 Key labour market institutions have tools to raise their members' awareness and understanding about fundamental principles and rights at work and labour law revision.  M4.2 Priorities and recommendations concerning institutional capacity building established.  M4.3 A national ILS knowledge centre identified for further investment.  M4.4 Gradual enhancement of national capacity in human rights and ICESCR reporting.		
Activities	CONTARION	Adapt and translate reference main Capacity building (e.g. workshop for constituents and other actors instruments.     Technical assistance on ILO monitoring mechanisms	<ul> <li>Support to so campaigns ar revised labour</li> </ul>	ocial partners to de nd help desks to s law	s for possible changes on legislation avelop advocacy materials, information upport effective implementation of the stion of labour law by labour market			
Aeemptione	o de la constanta de la consta	<ul><li>period)</li><li>Parliamentary discussion sessi project period.</li></ul>	e September 2017 (end of project ons are held regularly during the tted to fulfil Mongolia's reporting	translation of Government	ILO ratified conve of Mongolia sub	s working group to review the current entions. mits revised labour and employment- ommendations to Parliament.		

Source: Own elaboration based on logical framework

igure 5. Pakistan - Logical Model					
Sustaining GSP+ Status by strengthened national capacities to improve ILS compliance and reporting					
P1. Strengthening the institutional capacity of the Government of Pakistan to effectively implement fundamental principles and rights at work and increase coordination between the federal and provincial levels to foster compliance and enforcement of labour laws.  > By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.  > By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.  > By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.  > By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.  > By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.  > By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.  > By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.  > By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.  > By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.  > By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.					
P1.1 Provincial Governments supported to complete the first cycle of labour legislation including laws for the elimination of Child and Forced Labour.  P1.2 Federal and Provincial Governments supported to initiate actions for compliance with ILO fundamental standards focusing on Child Labour.	P1.3 Capacity of Employers and Workers strengthened to actively participate in Labour Administration system in line with ILO C-87 and 98.  P1.4 Improved capacity of Federal and Provincial Labour Departments for effective communication and reporting on ILS.				
Develop resource material on role of governments, workers and employers in application of labour laws.     Studies on law compliance with Fundamental Conventions and level of unionization     Capacity building activities (e.g. workshops, seminars, trainings) on better reporting on fundamental rights	Technical support on: labour laws/ amendments for compliance with ILS as well as support to social partners to produce position papers, developing national strategy and initiating projects for the elimination of Child and Bonded Labour, developing national strategy to address comments on C-87 and 98, establishing inter-ministerial and inter-departmental coordination platforms to improve ILS reporting.				
Adherence to ILS remains a pre-requisite for social and economic development. Political will for compliance with and reporting on ILS will remain intact among national /provincial governments Provincial Parliaments and governments support and provide resources for labour law revision and compliance.	ILS unit continues to operate after ILO support is withdrawn and there are no major turnovers.     Employers' & workers' organizations actively participate in project interventions and have the capacity to support initiatives for labour law application.				
	Sustaining GSP+ Status by strengthened national of P1. Strengthening the institutional capacity of the Government Pakistan to effectively implement fundamental principles and at work and increase coordination between the federal provincial levels to foster compliance and enforcement of laws.  P1.1 Provincial Governments supported to complete the first cycle of labour legislation including laws for the elimination of Child and Forced Labour.  P1.2 Federal and Provincial Governments supported to initiate actions for compliance with ILO fundamental standards focusing on Child Labour & Forced Labour.  Develop resource material on role of governments, workers and employers in application of labour laws. Studies on law compliance with Fundamental Conventions and level of unionization Capacity building activities (e.g. workshops, seminars, trainings) on better reporting on fundamental rights  Adherence to ILS remains a pre-requisite for social and economic development. Political will for compliance with and reporting on ILS will remain intact among national /provincial governments				

Source: Own elaboration based on logical framework

In Pakistan, the project had one outcome: strengthening the institutional capacity of the government to effectively implement FPRW and increase coordination between the federal and provincial levels to foster compliance and enforcement of labour laws. This outcome was seeking the increased coordination among federal and provincial levels. The strengthening of institutional capacities and increased coordination was a need, which was fitted to the Pakistani context in the post devolution arena, where labour aspects are managed at the provincial level, but ILS reporting is coordinated at the federal level.

Supporting federal and provincial governments to complete the first cycle of labour legislation (P1.1), to initiate actions for compliance with ILO fundamental standards (P1.3), and improving capacity for effective communication and reporting on ILS (P1.4) were logically linked to the outcome. Strengthened capacity of social partners (workers and employers) was equally important for an effective implementation of ILO conventions for bettering the labour administration as part of the outcome, however, it goes beyond strengthening the institutional capacity of the government.

#### General observations on validity of design

Whereas the project was adapted to the particular country context and the methods followed standard practice for improving application and reporting of ILS, there were weaknesses in the design. The formulation of outcomes and outputs was rather general and not always coherent, i.e. logical links some outputs and outcomes are questionable. The broad formulation of outcomes and outputs led to confusion evidenced in the reporting and to the implementation of a diverse list of activities, rather than a cohesive approach. Some of the assumptions did not hold and affected the project's progress.

The broad nature of the outcomes and outputs seems to have created confusion, as in both the midterm and final report, outputs were often referred to as outcomes and progress was measured based on whether or not these general outputs (and not the outcomes) had been achieved. It could be argued that some of the proposed outputs correspond to outcomes, in which case the reporting was adequately done, but it would corroborate the fact that the logical framework had deficiencies and that there was a discrepancy between the log frame matrix, as presented in the documents and what was implemented in practice. This seems to have been the case to some degree and perhaps the mistake consisted in not updating the logical model to reflect the reality on the ground<sup>4</sup>. In Pakistan, for instance, part of the work was focused on the Balochistan province because other provinces were farther ahead in terms of legislation and had more capacity. This prioritization was justified and is reflected in the reporting but not in the log frame<sup>5</sup>. It is acknowledged, however, that adapting outputs and outcomes during project implementation might be subject to agreement with the social partners.

An additional implication of the general outcomes/outputs relates was that a wide range of activities could be implemented under them. According to ILO CO staff, the fact that the expected outcomes were well aligned with ILO outcomes and owing to the limited budget, the action was integrated in the field office work plan and used to respond to requests from the tripartite constituents and other local partners. As a result, many (relevant) activities were implemented but they lacked cohesion. From what was gathered, this is often the case with projects that cover many countries (with limited money allocations per country), especially if the goals are not precisely defined. While this flexibility

<sup>5</sup> According to CO staff, the provincial emphasis was not included in the log frame because it could not be foreseen at the project formulation stage.

<sup>&</sup>lt;sup>4</sup> Both in Mongolia and Pakistan some changes were made to the logical framework during the mid-term progress review. In Mongolia, this was due to the fact that one of the main assumptions, namely that the revised labour law would be approved during the project timeframe did not hold.

allows COs to support ongoing work and respond to the requests of constituents, there is a risk that the intended outcome will not be achieved because the actions are dispersed.

The project timeframe is another aspect that comes into play. For a two-year project, the question was raised if the outcomes/outputs were achievable, given that improving implementation of ILS can a lengthy process. The views were mixed in this regard, while some actors thought the goals were ambitious given the two-year period, as building a social dialogue mind-set takes time, others considered that the intended goals could have been reached within the project timeframe and that delays were due to external and unforeseen situations.

Project implementation was indeed affected by external factors. The project team in all countries tried to mitigate these effects and when necessary adjusted the project's logical framework after the mid-term review.

When considering external factors, it is important to verify the assumptions made, which describe conditions that are necessary for the success of the project but are largely beyond the project's control. A common assumption was political will for compliance and ILS reporting<sup>6</sup>, which was indeed one of the causes for delays during implementation. In three countries, capacity of workers and employers to participate in the process appears as an assumption. This is counterintuitive because one of the project's aim is to build their capacity, which means that it is not entirely outside of the project's scope and cannot be taken for granted beforehand. In at least two of the countries, low staff turnover was included as an assumption for some outcomes and activities, although many documents and interviewed stakeholders identify high staff turnover as a continuous challenge. A lesson learned is that assumptions should be checked during project design (likelihood and expected impact) to adjust the design accordingly or, if this is not possible<sup>7</sup>, prepare strategies to manage the risk.

Project staff and partners coincided that the proposed outcomes and outputs were highly relevant and necessary for the application of ILS. In such a context, it would have been better to redefine or adjust outcomes (or indicators) to reduce expectations.

This calls for a more thorough design process, whereby precise outcomes and outputs are determined, a cohesive strategy is defined, and assumptions are carefully identified and tested to avoid or mitigate the risks posed by aspects beyond the project's control.

#### Project results and effectiveness

Effectiveness was measured by assessing the extent to which the project achieved the intended outcomes, the quantity and quality of outputs produced and the involvement of stakeholders in project implementation.

According to the project document, the project's immediate objective (outcome) was to strengthen the countries' capacity to meet their standards-related obligations as well as to fulfil their obligation to report on ratified conventions. As a result, the countries would sustain the GSP+ status (impact).

This section presents a summary with regards to progress achieved in the application of ILS and reporting on the same. Results for each country are presented in Tables 3 – 6 below.

The project's progress with regards to intended outcomes varied from country to country, with better results in Mongolia, Pakistan and Guatemala than El Salvador. Main challenges in implementation

<sup>&</sup>lt;sup>6</sup> What this exactly meant in practice was well described in the Mongolia component, but not in the other three.

<sup>&</sup>lt;sup>7</sup> It was argued that even if there is a difficult environment, the ILO has an obligation to work on these issues, e.g. social dialogue in El Salvador, accompany law reform in Mongolia.

were due to external factors, some of which had been included among the assumptions in the logical framework.

The ILO COs worked closely with tripartite constituents and other project stakeholders in all four countries. Irrespective of the level of achievement, almost all project partners and beneficiaries expressed their satisfaction with the support provided by the ILO.

#### Strengthening capacity for application of ILO conventions

The project supported the revision and drafting of labour-related laws (e.g. Labour Law in Mongolia, Industrial Relations Act in the Balochistan province), and succeeded in incorporating comments from the ILO supervisory bodies. Similarly, other legislative acts in Mongolia were amended to include recommendations on child labour. In El Salvador and Guatemala, the project supported gap analysis of the legislation with regards to ratified Conventions and comments made by the CEACR. The project also worked to raise awareness among parliamentarians in Guatemala and Mongolia on the required changes to the law.

Conversely, due to different reasons, the draft revised laws were not submitted to legislative branch and had not been adopted by the time the project ended.

The project organized trainings on ILS for members of the judiciary branch and legal advisors in three target countries as well as labour inspectors in one of them. In El Salvador and Guatemala trainings aimed to strengthen capacities for submitting reports under Article 22 of the ILO Constitution, but also support the advancement of investigations and judicial resolutions on cases involving violations of freedom of association and collective bargaining. Hence, trainings were provided to a range of stakeholders: staff from the Ministries of Labour and Ministries of Foreign Affairs, prosecutors, police, and judges involved in administrative and judicial proceedings. However, at present, there is little evidence that the capacity building activities have led to improved application of ILO conventions yet. In addition, enforcement capacities for effective implementation of ILS in practice in Mongolia and Pakistan are still limited.

Finally, the project contributed to developing many products that may contribute to future actions, for instance, a study on the state of unionization in Pakistan, research on worst forms of child labour in El Salvador and child labour among indigenous peoples in Guatemala (used for creating an operational guide) and a self-assessment tool for SMEs in Mongolia. As relevant as these instruments may be, it would be naïve to assume they have automatically contributed to strengthening capacity to improve application of ILS. Thus, follow up is needed.

#### Strengthening capacity for reporting on ratified conventions

With the exception of El Salvador, all countries maintained or showed improvement with regards to their reporting obligations<sup>8</sup>. Furthermore, in Mongolia and Pakistan, national bodies for reporting were established and benefitted from training and technical assistance. However, according to the final report, CO staff and some constituents, the quality of reports still needs improvement in El Salvador, Guatemala, Mongolia and Pakistan. According to CO staff, staff turnover or rotation in the government units responsible for preparing the reports will influence the quality of the report. The project provided a stimulus to clear out backlogs. Sustainable capacity on reporting is to be created through a longer term approach.

<sup>&</sup>lt;sup>8</sup> Pakistan submitted all 7 reports requested in 2017 after the deadline. As a result, these were not included in the CEACR report.

25 21 20 15 15 15 11 10 10 5 0 2015 2016 2017 2018 2015 2016 2017 2018 2015 2016 2017 2018 2015 2016 2017 2018 El Salvador Guatemala Mongolia Pakistan ■ Requested ■ Received Received after deadline

Figure 6. Reports requested and received during the project period

The project contributed in raising awareness and increasing understanding on ILS and the reporting process among tripartite constituents (in the case of Pakistan, both at the federal and provincial level), but also other actors, such as ministries of foreign affairs, ministries of justice, members of the judiciary, and public prosecutor's office. The assumption was that by making other institutions aware of the country reporting obligations vis-à-vis ILO, coordination and the quality of information provided would improve. While interviewees agreed that progress has been made, additional support is needed, particularly in the Central American countries and Pakistan.

#### Participation of social partners on ILS implementation and reporting

With technical and financial support from the project, the Ministries of Labour in Mongolia and Pakistan engaged the social partners in the revision Received after deadline cour-related laws, providing them with prolonged opportunities to closely examinate proposed providing. In addition, the capacity building activities for tripartite constituents contributed to a better understanding of ILS and the role of the social partners in reporting. In Guatemala, for example, the social partners submitted observations on the application of the ratified conventions. According to the 2018 CEACR Report, national employers and/or workers for all countries, except Mongolia, made observations on various conventions.

Furthermore, there is an increased interest and request for additional capacity building. In El Salvador and Mongolia, for example, the judiciary branch seems interested in continuing and expanding capacity building activities on this topic. However, stakeholders, including ILO staff, consultants and constituents, emphasized the need for moving beyond single events and developing (applied) capacity building programmes.

In general, ILO's contribution and technical support was greatly appreciated among national partners. For example, in El Salvador and Guatemala, many of the topics covered by capacity building activities were relatively new to the recipients, who identified opportunities for future collaboration. In Pakistan, the provincial governments<sup>9</sup> were mostly satisfied with the support provided by ILO, given the capacity constraints they face. In Mongolia, the tripartite constituents valued the support during the labour law revision process, the efforts to clarify the concept of

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<sup>&</sup>lt;sup>9</sup> Staff from the Federal Government could not be consulted, thus only the opinion of interviewees from provincial governments is mentioned.

collective bargaining and the support in developing practical tools to improve compliance with ILOs conventions and GSP+ requirements.

#### Challenges

The project's implementation in all countries was hindered by factors that were not entirely under the project's control. In El Salvador, it was difficult to carry out the work plan due to the lack of social dialogue owing to political issues and disagreements among tripartite constituents. In Guatemala and Mongolia, changes in government after elections led to postponing some activities. In Mongolia and Pakistan, the process for revising and adopting laws took longer than expected, owing to challenges is Balochistan, e.g. geographical placement, Quetta being too far from Islamabad with limited flight operations, inadequate capacity of the Directorate General of Labour Welfare in Balochistan etc. In all countries, high staff turnover in the government affected the project's progress.

Whereas the project staff in all countries actively worked, with different degrees of success, to adjust to these challenges, none of the project outcomes at the national level was entirely achieved. The existence of similar initiatives in the country seems to have helped work around the challenges, this was the case in Guatemala, Mongolia and Pakistan.

The lack of a dedicated project coordinator at the national level also had an impact on the implementation. As will be discussed in further detail in the following sections, the tasks fell on the shoulders of specialists and coordinators, who had other responsibilities, thus the project was added to their existing workload.

A common theme that emerged in the interviews with project staff and tripartite constituents was that the project's intended outcomes are processes that take time and entail changing mind-sets and building a culture of social dialogue. Thus, they argued that the project contributed to *paving the path*, and thus, the lack of immediate results cannot be considered a failure.

Table 3. El Salvador – Progress on intended outcomes

Outcome S1: Strengthening the institutional capacity of the government to effectively enforce labour laws, guarantee fundamental rights at work and enhance social dialogue.

Level of achievement: Low

#### Indicators:

## By end of Project, ILS reporting system is in place

By end of Project, at least 30 per cent of comments of CEACR are addressed.

#### Results achieved:

- Project implementation in El Salvador was hindered by political issues, particularly those activities under output S1.3. As a result, while various workshop and studies were undertaken targeting all tripartite constituents (separately) and were considered valuable by the recipients, there were few concrete results, with regards to the goals outlined at the beginning.
- Though stakeholders, who participated in capacity building activities, perceive an improvement in the reporting process and expressed their satisfaction with the technical support and workshops, according to final report and some interviews, there are still gaps in terms of submission of reports as well as the quality of the same. There is interest for additional capacity building on ILS, but project partners, including constituents and consultants supporting project implementation, highlighted the need for more practical training and follow-up after the activities to guarantee that what was learned is being put into practice.
- In 2017, several issues raised by the CEACR and the CAS had not been resolved, thus a direct contacts mission took place in July 2017. Consequently, in December 2017, the MTPS requested technical assistance from ILO for conducting tripartite consultations, drawing up a proposal for regulating the CST and providing technical advice for a proposal on Labour Code Reforms in fundamental rights.
- A study presenting the comments and recommendations made by the CEACR on ratified conventions was conducted and a work plan was developed, but neither had been validated when the project ended.

Output S1.1 - Improved capacity of tripartite constituents for effective participation in the reporting process to the CEACR and the CFA.

#### Indicators:

By the end of the project, social partners participated in the reporting process and 100 per cent of reports are sent to the ILO

- In 2016 and 2017, El Salvador submitted 8 (out of 10) and 7 (out of 9) reports requested. The 2 reports not received in 2017 were on C-138 and C-182, both fundamental conventions. All reports were submitted in 2014 (15), and 2015 (10), respectively. Both employers and workers made observations on various conventions in 2017.
- In order to improve the quality of the information submitted to the ILO supervisory mechanisms, the project supported different capacity building activities targeting the government (mainly MTPS, but also the Ministry of Foreign Affairs, Supreme Court of Justice, Legal Secretariat of the presidency), including:
  - o Online course on ILS organized by ITC-ILO (two members of employers' organizations also participated)
  - Workshop with government officials on data collection, coordination, timely submission to competent authorities and drafting of reports to ILO.
  - o A permanent inter-institutional group to work on regulatory matters was formed.

The interviewed stakeholders confirmed that there were improvements in reporting. However, according to the final report, the quality of the information submitted and poor coordination among government bodies to collect it remain an issue.

- Both in 2016 and 2017 workshops on ILS and the ILO reporting obligations were held for trade union leaders. An additional workshop targeted trade union lawyers and legal advisers.
- Also in 2016, a two-day workshop for employers on the ILO supervisory mechanism and on the FPRW was attended by 21 participants. According to the interviewees, there is interest from employers on applied trainings on ILS.
- Other activities under this output included supporting a study on the Worst Forms of Child Labour Convention, 1999 (No. 182) and its linkages to violence and gangs, in coordination with ANEP (employers' organization). The study was not launched before the project ended.

Output S1.2 - Government supported to initiate actions for compliance with ILO fundamental Conventions on freedom of association, collective bargaining and non-discrimination.

#### Indicators:

CEACR noted with interest or satisfaction progress made on the implementation of Conventions Nos. 87, 98, 100 and 111

- The ILO (both in Geneva and San José) met regularly with officials of the MTPS concerning the implementation of ILS, particularly on conventions 87, 98, 100 and 144. However, the application of C-87 was discussed during the CAS for two consecutive years (2015 and 2016) and the CFA also had examined several cases, hence a direct contacts mission took place in 2017.
- The project supported capacity building activities for:
  - Judges and magistrates on the application of ILS in judicial resolutions (35 participants).
  - Labour and Occupational Safety and Health inspectors of the MTPS on ILS, fundamental rights at work and the CEACR and CFA comments (120 participants).
  - Directors and legal staff of the MTPS as well as the inter-institutional government team on the ILO supervisory mechanism, fundamental rights at work with an emphasis on freedom of association, collective bargaining, equality of opportunity and treatment at work.
- A study on labour legislation that identified legislative provisions that need legal reform, taking into account the CEACR comments, was prepared.

Output S1.3 – Strengthened capacity of the tripartite constituents to pursue an effective social dialogue.

#### Indicators:

By end of project, comments are made by workers' and employers' organisations to the ILO on the government's report.

Many of the activities planned under this output could not be implemented due to the lack of tripartite dialogue and the fact
that the CST was inactive due to disagreements on the representation of workers and employers in the council. There were
various meetings with tripartite constituents but the situation remained unchanged by the time the project ended. The social
partners believe that there was lack of political will from the government. According to CO staff, technical assistance was

provided after the Project ended but there is need for a tripartite agreement to modify the CST's regulation and designate representatives from workers and employers.

- In February 2016, the MTPS requested support to organize an international mediation to establish clear rules for the appointment of workers' representatives to the CST. Meetings were held with workers' organizations involved in the CST aiming to find a solution to the problem.
- In December 2017, the MTPS requested technical assistance in order to elaborate a regulation for the CST, as well as to
  elaborate and consult new proposals for a legal reform related to fundamental labour rights following the supervisory bodies
  and direct contacts mission recommendations. Consultations with both workers' and employers' representatives were
  scheduled to take place in February and March 2018 but were later rescheduled by the MTPS to May 2018.
- A booklet on Fundamental Rights (Conventions Nos. 87 and 98) and a booklet on Labour Inspection (Conventions Nos. 81 and 129) were edited and published.

Table 4. Guatemala - Progress on intended outcomes

Outcome G1: Strengthening the institutional capacity of the government to effectively enforce labour laws, guarantee fundamental rights at work and enhance social dialogue. Level of achievement: Medium

Indicators:

By end of Project, a national system for reporting on ILS is in place

By end of Project, at least 30 per cent of comments of CEACR are addressed

#### Results achieved:

- Trainings and capacity building activities organized for staff from the MTPS and other state organizations that, according to
  the ILO staff, led to increased awareness and improved government capacity on ILS as well as to better coordination for
  reporting.
- The project contributed to the establishment of the Tripartite National Committee on Labour Relations and Freedom of Association.
- All reports were submitted in time. Workers and employers submitted observations on the application of the ratified conventions.
- In March 2018, the ILO Governing Body acknowledged the efforts and significant progress made on the implementation of the Roadmap (to which the project contributed to) and deferred the decision on the appointment of a commission of inquiry until the next session (June 2018).
- The project provided support for drafting National Road Map against Child Labour 2016-2020 through a tripartite consultation
  process and to conduct a study on child labour amongst indigenous families that was used to develop an operational guide
  for CODEPETIs that takes into account the cultural perspective of indigenous peoples.

#### Output G1.1 - Improved capacity of tripartite constituents for effective participation in the reporting process to the CEACR and the CFA.

#### Indicators:

By end of project, 100 per cent of the reports are communicated to the ILO.

All tripartite constituents are represented in the reporting process.

- All 21 reports due in 2016 and all 8 in 2017 were submitted on time. Furthermore, the social partners submitted observations
  on the application of the ratified conventions. The interviews confirmed that there has been progress in reporting, however,
  according to the final report, there is still room for improvement in terms of quality and coordination between state institutions
  for timely data collection.
- The project supported various activities and meetings to strengthen the capacity of the MTPS and other state institutions to submit reports within the deadlines:
  - Online course on ILS organized by ITC-ILO (2 officials of the MTPS)
  - Workshops for MTPS officials and other government institutions on Article 22 reporting (including judiciary, Attorney General's Office, the Ministry of Interior). This apparently contributed to improving coordination for reporting.
  - Workshop for the International Affairs Unit of the MTPS (10 participants, 2 women) on the reporting process to the CEACR, the CAS and the CFA.
  - Workshop with staff from other units of the MTPS (26 participants, 19 women), who are not directly involved in reporting but are key for improving quality of reports.
  - o Officials from the MTPS shared experiences on ILS reporting with other countries in the region.
- The social partners also participated in activities on reporting obligations, particularly on the role of employers' and workers' organizations.
- A draft study on the comments and recommendations made by the CEACR on ratified Conventions, including a work plan, was completed.

### Output G1.2 - Government supported to initiate actions for compliance with ILO fundamental standards focusing on freedom of association, child labour and non-discrimination.

#### Indicators:

By the end of project, at least 50% of the CEACR's comments on Conventions Nos. 87, 111 and 182 are addressed

- Despite timely submission of reports, the CEACR issued observations on C-87 and C-111, in 2017 and 2016, respectively.
   There's a direct request on C-182 made in 2015 that should be addressed in the 2018 report.
- In the context of the 2013 Tripartite Roadmap, tripartite constituents have been involved in processes of drafting legislative
  proposals on labour inspection, to restore the authority of the labour inspectorate to impose penalties, and to implement the
  comments made by the CEACR on amending the national legislation in line with C-87 and 98.
- Meetings with parliament members, tripartite constituents and the Tripartite Commission on International Affairs of the MTPS were held to discuss and raise awareness on the legislative reform to harmonize national legislation with C-87 and 98.

- Through the project, state institutions, such as the Public Prosecutor's Office, the Ministry of the Interior, the Judiciary (national and regional level) and parliamentarians received technical assistance and advice on fundamentals conventions.
- In addition, a training plan was elaborated in collaboration with the MTPS, particularly the labour inspection team, on the Labour Code reform, unified technical criteria for the effective running and management of labour inspection cases and fundamental rights at work. However, the starting date was postponed by the government and was not implemented before the project ended.
- The project provided support to the drafting of the National Road Map against Child Labour 2016-2020 through a tripartite
  consultation process with all members of the CONAPETI and selected Departmental Commission against Child Labour
  (CODEPETI). The strategy was adopted and officially launched in January 2017.
- A study on child labour amongst indigenous families was conducted and served as the basis for developing an operational
  guide for CODEPETIs that takes into account the cultural perspective of indigenous peoples. The guide was launched after
  the project had ended (June 2018).
- The project also supported the CONAPETI and the National Statistics Institute in analysing data from the module on child labour that was included in the National Survey on Living Conditions (2014). The results were presented in 2017.

#### Output G1.3 - Strengthened capacity of the tripartite constituents to initiate actions to implement the 2013 Tripartite Roadmap.

#### Indicators:

By end of project, more than 50% of the 2013 Tripartite Roadmap is implemented.

By end of project, comments are made by the workers and employers' organisations to the ILO on the government's report.

- The Project worked in close collaboration with the Representative of the ILO Director-General in the country, and specialists from the San Jose Office (e.g. ACTRAV, ACTEMP, NORMES). In March 2018, the ILO Governing Body acknowledged the efforts and significant progress made on the implementation of the Roadmap and deferred the decision on the appointment of a commission of inquiry until the next session (June 2018).
- A National Tripartite Agreement was signed in 2017 establishing the National Tripartite Committee on Labour Relations and Freedom of Association. According to some stakeholders, there's an increased awareness among social partners on the importance of dialogue.
- There were several meetings and training workshops on social dialogue, mediation and settlement of disputes:
  - Members of the Committee for the Settlement of Disputes of Colombia (CETCOIT) visited Guatemala to share their experience.
  - After an assessment of the functioning of the Tripartite Committee for the Settlement of Disputes was completed in 2017, there was a workshop to validate the assessment and determine corrective measures for its adequate operation.
  - There was an awareness raising campaign and awareness raising workshops with members of the press and editorials to address the bias created against freedom of association and collective bargaining.

O A booklet on the different ILO Conventions was elaborated, as set out in the 2013 Tripartite Roadmap.

Table 5. Mongolia - Progress on intended outcomes

**Outcome M1:** Mongolia is up-to-date on the reporting of ILO Conventions including all eight Fundamental Conventions. **Level of achievement: Medium – high** 

#### Indicators:

75% improvement over the baseline information on reporting as reflected in NORMLEX as of January 2016

#### Results achieved:

- Over the project period, Mongolia complied with its reporting obligations: in 2016 and 2017, all reports due were timely submitted (6 and 7, respectively), including those on fundamental conventions. It should be noted, however, that the number of reports requested was lower than in the previous years: in 2014, Mongolia submitted 7 out of 13 requested reports. In 2015, 8 out of 11 were submitted.
- The MLSP established a National Tripartite Subcommittee on the Application of International Labour Standards to deal with Mongolia's reporting obligations in 2017, but according to the final report, capacity is still hampered by high staff turnover and coordination between ministries for preparing reports on ILO conventions remains a challenge. The Parliamentary Election in June 2016 and the merging of the Ministry of Labour with the Ministry of Population Development and Social Protection to establish the Ministry of Labour and Social Protection, which happened after the project started, caused delays in project implementation. The new ministry needed to organize itself within and appoint a focal point for the project. According to CO staff, this also had certain implications on reporting of ILO conventions. Many of the CEACR comments and observations were addressed in the draft revised Labour Law, which was submitted to Parliament for discussion on 26 March 2018. However, the law was not approved before the project ended.
- The project provided technical assistance to the tripartite constituents, including reviewing comments from the CEACR and
  the draft revised Labour Law. The interviews with ILO staff and project partners showed that it also helped raise awareness
  on ILS beyond the MLSP.

Output M1.1 Improved capacity of tripartite constituents for effective participation in the reporting process to the ILO on fundamental rights in particular on the Right to Organise and Collective Bargaining Convention, 1949 (No. 98).

#### Indicators:

A handy reference is prepared and made available to all the parties involved in ILO reporting obligations

Number of annual training sessions

- The "Rules of the Game" publication, an ILO document explaining the ILS system was translated into Mongolian, printed and disseminated in 2016.
- Technical assistance was provided to the tripartite constituents for reviewing comments from the CEACR and the draft revised Labour Law.
- In 2016, a national tripartite workshop on Article 22 reporting took place, covering technical discussions on ILS reporting procedures and the CEACR's comments on reports due for submission that year. There were 41 participants (24 government officials, 3 from CMTU, 2 from MONEF and 9 representatives of national commissions and organizations). The MLSP

organized a similar workshop in 2017 with the National Tripartite Subcommittee on the Application of International Labour Standards. In 2017, the ILO and CMTU ran a three-day workshop for trade union activists and trainers on collective bargaining methods. Output M1.2 - Mongolian law and legislation evolve towards further compliance with fundamental rights at work in particular with standards on collective bargaining. Indicators: See above According to the final project report, the Criminal Code was amended to set out various offences as regards to child labour. However, an additional amendment, whereby discrimination based on a wide range of characteristic is criminalized was also adopted, against ILO advice. The addition of using child jockeys during the most dangerous time of the year (due to extremely cold weather conditions) to the list of jobs prohibited for minors partially addressed a CEACR's 2015 observation under C-182. However, there have been frequent changes in the ban, hence children are still working as jockeys. Output M1.3 - Enhanced capacity of Government, workers' organizations and employers' organizations in the application of fundamental labour standards. Indicators: See above Through different activities, the project provided technical assistance to the tripartite constituents, including reviewing comments from the CEACR and the draft revised Labour Law. In 2017, the ILO provided technical inputs to CMTU's workshop on collective bargaining and in 2018, provided support to conduct an overall review of the draft revised Labour Law. As a result, the CMTU developed a list of issues and priorities around the draft revised Labour Law. Outcome M2: Mongolian law and legislation evolve towards further compliance with fundamental rights at work, in particular the Rights to Organise and Collective Bargaining Convention, 1949 (No. 98) Level of achievement: Medium Results achieved: Indicators: Many CEACR comments on the fundamental conventions were addressed in the revised Labour Law, however, it had not By December 2017, the CEACR notes been adopted by the time the project ended. Furthermore, the Government engaged the social partners in the labour law with interest or satisfaction developments revision process. There have been other related legislative changes as mentioned under outcome M1. in the application of the fundamental conventions, specifically C98 Several direct requests on the application of conventions were issued in 2017 for C87, C98, C100, and C111, among others. While the CEACR welcomed some of the changes that have been included in the revised labour law with regards to C100 and C111, on C-98, the committee requested information on the progress made in the adoption of the revised Labour Law and expects that the new law meets the convention's requirements.

The project also supported the revision of Mongolian translations of the ILO fundamental Conventions to improve understanding and correct application of the same, and prepared policy briefs on ILS trade and collective bargaining.

<ul> <li>There were debates and dialogues organized by the project to help clarify the roles of tripartite organizations in a market economy.</li> </ul>

Output M2.1 - As a result of editing, translation of ILO Conventions will be precise and validated by the Parliament.

#### Indicators:

Number of the edited/updated Mongolian translations of fundamental Conventions published on State Bulletin

The MLSP, supported by the ILO, used a participatory approach to review and edit the Mongolian translations of the ILO fundamental Conventions. Some critical concepts that were lost in translation in the original translation were detected, discussed among the tripartite partners and corrected in the edited version. However, the MLSP had not made the submission to the Ministry of Foreign Affairs. Consequently, by the time the project ended, these had not been published in the State Bulletin.

Output M2.2. - New translation of the ratified conventions will be widely accessible to key stakeholders.

#### Indicators:

MLSP, CMTU and MONEF published the official Mongolian translation of fundamental Conventions in their respective public information platforms

• Although the edited Mongolian translations of ILO conventions had not been made official, they were disseminated among tripartite constituents and other project partners such as the NHRCM and the MBA.

Output M2.3 - Recommendation for possible changes in law and legislation on strengthening collective bargaining will be submitted to the Government in line with ILO Conventions Nos. 87 and 98.

#### Indicators:

At least 75% of ILO recommendations are reflected in newly revised or approved laws and ministerial directives, or in draft revised laws and ministerial directives.

- The project assisted the Government in the process of amending the draft Labour Law taking into account comments from the CEACR. According to the final report, the draft revised Labour Law reflects the adoption of 55 (out of 80) ILO's recommendations, or 65% of recommendations.
- The draft revised Labour Law contains provisions on collective bargaining and the ILO advised the MLSP and CMTU on the
  need to align these provisions with Conventions Nos. 87 and 98. According to the final report, further strengthening of these
  provisions will be required.
- ILO published a policy brief on freedom of association and collective bargaining (as well as other on child and forced labour), which contains recommendations on this respect.

Output M2.4 - Knowledge and capacity of stakeholders will be improved on linkages between international trade and international labour standards.

#### Indicators:

See above

The ILO produced a policy brief on ILS and trade, available on the website, in order to make constituents aware of the linkages between ILS and trade.

Outcome M3: Awareness is raised on (soon to be approved, or draft) Labour Law, particularly on provisions on collective bargaining Level of achievement: Low	
Indicators:	Results achieved:
Increased interest of Mongolian parliamentarians in ILS and its linkages with international trade	<ul> <li>Given the delay on the adoption of the draft revised labour law, the project work plan was adjusted by replacing the awareness-raising activities planned to take place after the adoption of the draft revised Labour Law with an advocacy campaign on the importance of the key principles included in the draft.</li> </ul>
	<ul> <li>Parliamentarians participated in various activities and received relevant publications. According to project staff, they had started discussing the draft labour law and reached out to the ILO office asking additional questions. Since no parliamentarians were interviewed, it was not possible to collect more evidence on the level of awareness.</li> </ul>
Output M3.1 - Parliament members' knowledge and understanding of the new Labour Law, including wage policy development and mechanisms for bipartite collective agreements, will be improved.	
Indicators: See above	The project provided technical assistance to the tripartite constituents, including parliamentarians, on the review of comments from the CEACR and the draft revised Labour Law.
Output M3.2 - Parliamentarians will have a better understanding of ILS and the ILO's review mechanism of FPRW	
Indicators: See above	The project provided technical assistance to the tripartite constituents, including parliamentarians, on the review of comments from the CEACR and the draft revised Labour Law.
	The "Rules of the Game" publication was disseminated among the Parliamentarians.
Outcome M4 - Enhanced capacity of Government and workers' and employers' organizations in the application of Fundamental ILO Conventions, particularly the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)  Level of achievement: Medium-high	
Indicators:	Results achieved:
By December 2017, the CEACR notes with interest or satisfaction developments in the application of core ILS.	<ul> <li>Due to the delays on approving the labour law, the focus of the project was changed after the mid-term review to increase the capacity of workers and employers to promote better understanding on ILS and FPRW.</li> </ul>
	The project's resources provided an opportunity to intensify the engagement with the tripartite constituents and respond to specific needs of both CMTU and MONEF.
	<ul> <li>Furthermore, the project collaborated with the NHRCM to conduct research on labour rights on SMEs and the MBA to build capacity of judges and lawyers on ILS. A follow up survey with the participants from this training suggests that the training was effective and that there's interest in learning more.</li> </ul>
Output M4.1 - Key labour market institutions have tools to raise their members' awareness and understanding about FPRW and labour law revision.	

## Indicators:

Number of services on the revised Labour Law provided by the MLSP, CMTU and MONEF

- With support of the project, MONEF developed a due diligence toolkit for small and medium-sized enterprises (SMEs), which
  includes self-assessment questions to determine compliance with FPRW and recommended actions to ensure responsible
  business practices. MONEF has requested the ILO for further assistance in setting up a training programme.
- A seminar was organized to increase understanding among CMTU trainers on collective bargaining in a market economy. In addition, the ILO collaborated with the CMTU in reviewing the existing Mongolian translation of ILO fundamental conventions and translating ILO's "Rules of the Game" publication.

Output M4.2 Priorities and recommendations concerning institutional capacity building established.

#### Indicators:

MLSP and relevant ministries are advised on a longer-term strategy to strengthen application of the revised Labour Law.

• The ILO supported the NHRCM to conduct research into the labour rights situation of SMEs in the private sector, including those involved in informal business practices, in order to identify measures to decrease violations of labour rights, raise public awareness, and issue proposals and recommendations to relevant authorities. Findings were submitted for inclusion in the NHRCM's 17th annual human rights report, presented to the parliament in March 2018.

Output M4.3 - A national ILS knowledge centre identified for further investment.

#### Indicators:

MLSP and relevant ministries are advised on a longer-term strategy to strengthen application of the revised Labour Law.

- Not achieved due to the relative instability of the national administrative structure and the project's limited resources.
- Instead, the increase in ILS knowledge was fostered through work with the NHRCM and collaboration with the CMTU and the MBA.

Output M4.4 - A gradual enhancement of national capacity in human rights and ICESCR reporting.

#### Indicators:

The number of NHRCM staff trained through the project.

- The project, in collaboration with the ITC-ILO, supported the development of a customized ILS training for Mongolian labour rights advocates in 2017. Ten lawyers and ten judges participated in the training. After the training, the MBA listed the training materials as recommended readings for the bar examination.
- According to a survey conducted by MBA among participants, those who responded indicated that they have continued to
  deepen their knowledge about ILS, applying them for resolution of labour disputes in court and sharing knowledge with their
  peers. They also expressed interest to learn more about the application of ILS in domestic labour disputes.

## Table 6. Pakistan - Progress on intended outcomes

**Outcome P1:** Strengthening the institutional capacity of the Government of Pakistan to effectively implement FPRW and increase coordination between the federal and provincial levels to foster compliance and enforcement of labour laws

#### Level of achievement: Medium

Indicators:

Results achieved:

By the end of the project, more than 50 percent of the CEACR's comments are addressed in the reports.

By the end of the project a self-reliant national ILS reporting system/mechanism is in place

- All 8 reports were timely submitted in 2016, however, in 2017, the reports (7) were submitted after the deadline and could
  not be taken into account by the CEACR in its report.
- The MoOPHRD assigned human resources for ILS reporting (one technical officer and two section officers). The officers
  received training on ILS (online training organized by ITC-ILO) and have started preparing the reports themselves (previously
  relied on external support). According to the final report, this was an interim arrangement, as the MoOPHRD had requested
  the Federal Public Service Commission to permanently staff ILS positions, however, the Ministry of Finance has decided
  not to provide funds.
- Various laws were prepared for submission to the Balochistan Cabinet: the Balochistan Industrial Relations Bill, Prohibition
  of Employment of Children Bill, Minimum Wages Bill, Payment of Wages Bill and Workers Compensation Bill. However, the
  laws were not submitted by the end of the project.
- The project provided technical assistance on designing two projects for combatting child labour in Punjab and Balochistan.
- The project organized two workshops on ILS requirements and reporting obligations of the country where all provincial governments took part. More practical capacity building on the requirements set by ILS and GSP+ was requested by a project partner.

Output P1.1 - Provincial Governments supported to complete the first cycle of labour legislation including laws for the elimination of Child and Forced Labour.

#### Indicators:

By the end of the project, legislation of basic/essential laws (including Laws on Child and Forced Labour) is completed by all four provincial Labour Departments through a tripartite consultative process

- By the start of the project, Balochistan had only enacted the Industrial Relations Act, while the other provinces had already
  completed most of their first cycle of labour legislation. Therefore, the project focused on supporting the Government of
  Balochistan to facilitate a tripartite review of draft labour laws to ensure their compatibility with ILS and convene two
  Provincial Tripartite Consultative Committee (PTCC) meetings on the draft labour laws.
- As a result, five laws were prepared for submission to the Cabinet: the Balochistan Industrial Relations Act, Prohibition of Employment of Children Act, Minimum Wages Act, Payment of Wages Act and Workers Compensation Act. The project also facilitated the translation of draft labour laws into Urdu, as this is a requirement from the provincial cabinet. However, the laws had not been submitted by the end of the project (expected to happen after the general elections in July 2018).
- However, several amendments still need to be made to provincial laws with regards to freedom of association, child labour and bonded labour and new enactments are in needed on health and safety and no-discrimination.

Output P1.2 - Federal and Provincial Governments supported to initiate actions for compliance with ILO fundamental standards focusing on Child Labour and Forced Labour.

## Indicators:

By the end of the project, at least two provincial governments would be

 Technical assistance (through a consultant) was provided to the Government of Punjab on the review of the design and implementation plan of a project for eliminating child and bonded labour. An action plan with all recommendations was drafted. facilitated to start projects on elimination of Child and Forced labour

- The project also provided support to the Government of Balochistan to roll out a project on "Combating Worst Forms of Child Labour in 8 Districts of Balochistan". This was approved by the provincial government.
- In Sindh and Khyber Pakhtunkhwa, the project provided information, education and communication materials in order to raise awareness on the various forms of child work.

Output P1.3 - Capacity of Employers and Workers strengthened to actively participate in Labour Administration system in line with ILO Conventions Nos. 87 and 98.

#### Indicators

By the end of the project, substantial progress is made to address ILO CEACR comments on conventions 87 and 98 in case of Pakistan

- CEACR observations and direct requests were addressed during the revision of the Balochistan Industrial Relations Act which was done in collaboration with tripartite constituents. According to ILO staff, the social dialogue around the draft laws was successful.
- The project supported the organizations of seminars on ILS and social dialogue:
  - Compliance with International Labour Standards through Social Dialogue emphasizing the need for Pakistan to improve its compliance with core labour standards and other UN standards under the GSP+ framework to support economic growth and development. Participants included the federal government, provincial labour departments, employers, workers, academics, independent experts, development partners and the civil society. A project partner called for more practical capacity building on how to comply with the requirements set by ILS and GSP+.
  - Promoting Trade Unionism, Social Dialogue, Collective Bargaining and Occupational Health and Safety for Industrial Peace that aimed to increase workers' capacity on labour rights issues, including core labour standards. There were 64 participants from a labour federation.
  - The project supported the realization of a study on the state of unionization in the country, including a historical perspective on trade unionism, information on national and provincial level federations, and density of unionized workforce, it also issues a set of specific recommendations for provincial labour departments on how to improve compliance with C-87 and 98.

Output P1.4 - Improved capacity of Federal and Provincial Labour Departments for effective communication and reporting on ILS.

## Indicators

By the end of the project, ILS unit in Government of Pakistan will be fully operational and self-reliant

- The MoOPHRD assigned human resources, one technical officer and two section officers, for ILS reporting. The project supported the participation of the appointed officers in an online course on ILS from the ITC-ILO. In addition, technical assistance was provided for preparing the reports on Conventions No. 87 and 98.
- The ILS unit produced reports on the GSP+ and ILS compliance and child labour in Pakistan. It has also drafted a procedure
  for responding to the CEACR queries, but it had not been presented to the Federal Tripartite Consultative Committee for
  adoption by the time the project ended.
- In partnership with the DEVCO financed projects, two workshops were organized in 2017 covering ILS requirements, reporting obligations of the country (including the GSP+ scorecard), and review of provincial labour laws:



 Another in Lahore for the PTCC of Punjab, Khyber Pakhtunkhwa, Azad Jammu and Kashmir, Gilgit-Baltistan and Islamabad capital.

According to the final project report, during these events, the need for better communication and coordination between federal and provincial governments and tripartite institutions was emphasised.

# Resource efficiency

The project's total budget was USD 842.741,5 of which USD 749.225,37 (88.9%) were spent by the end of the project.

As discussed above, this can be attributed to external factors, to a certain extent. As illustrated in Figure 7, the spending rate was high for HQ, Mongolia and Pakistan and lower for the countries in Central America (budget was managed jointly), particularly for El Salvador, where, despite the 6 month no-cost extension, some activities could not be implemented before the project ended<sup>10</sup>.

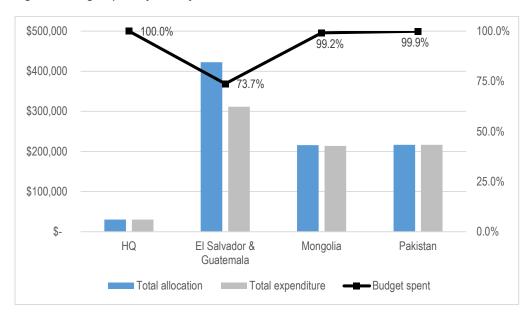


Figure 7. Budget spent by country

Source: Own elaboration based on data found in the ILO Development Cooperation Dashboard.

Table 7 provides an overview of the budget breakdown. The largest spending categories were the organization of conferences and seminars, followed by technical support on ILS and human resources, including technical staff. This aligns well with the intended outcome of strengthening institutional capacity. However, the human resources allocation was insufficient, as there was no dedicated project coordinator. Hence, the responsibility for implementation fell either on technical specialists or national coordinators, who had other duties (see following section).

There were some changes on the work plan after the mid-term review due to the delays in the activities caused by external factors. This explains the discrepancies between the actual budget breakdown and the initial budget. All changes in the budget had to be approved by the project management team in coordination with the CO, budget and Partnerships and Field Support (PARDEV) department at ILO HQ, to ensure that the new activities would contribute to the project and country outcomes. On the other hand, the broad outcomes allowed for a

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<sup>&</sup>lt;sup>10</sup> In both El Salvador and Guatemala technical assistance activities (on the CST in El Salvador and training for labour inspectors and ministry officials in Guatemala) scheduled for January-March 2018 were postponed by decision of the country's Ministry of Labour and Social Welfare. Similarly, there were reports and guides that were finalized in March 2018, but could not be disseminated during the project's first phase. This affected budget execution. These activities were included in the project's second phase and constituents are aware of this.

diversity of actions. Even if these corresponded to the needs of the project partners, the atomized nature of the project was not conducive to an efficient use of resources.

Table 7 Budget allocations and actual expenditure

	Budget	Actuals	% of total spending	Spending rate
Conferences/seminars	302,686.00	201,607.28	27%	66.6%
Technical support	183,900.00	197,906.22	26%	107.6%
Human resources	169,350.50	172,046.38	23%	101.6%
Studies	48,350.00	70,698.48	9%	146.2%
Project office	12,000.00	14,914.49	2%	124.3%
Travel	31,120.00	14,904.43	2%	47.9%
Publications	7,250.00	9,302.86	1%	128.3%
Others	32,952.00	18,831.13	3%	57.1%
Administrative costs	55,133.00	49,014.10	7%	88.9%
Total	842,741.50	749,225.37	100%	88.9%

Source: Elaborated based on the final financial report sent to the donor. Categories do not exactly correspond to the budget lines in the financial report.

For the amount of resources available, the project supported the completion of a wide range of activities and products. It is commendable how the project successfully built on and collaborated with existing initiatives to achieve this. In Mongolia and Pakistan there was good synergy with the DEVCO project and in Guatemala with a project funded by the US. In all cases, resources were pooled for organizing workshops and providing technical support. In addition, some of the products and activities in Central America were developed jointly or concurrently to reduce costs. The general opinion was that there was more complementarity than overlaps with other initiatives in the countries. However, the fact that there were similar projects running in parallel, translates into additional administrative tasks for the staff. Although this is often due to the presence of different donors, it would be advisable to discuss arrangements, where resources can be pooled from the start. Staff at HQ recognized this challenge and are exploring alternatives to address it.

On the whole, the project focused its resources on activities related to capacity building on ILS, through workshops and provision of technical support. Whereas the project successfully collaborated with existing initiatives to make the most out of the available resources, the increased administrative burden owing to the existence of similar initiatives and the diverse range of activities are not consistent with an efficient use of resources.

## Effectiveness of management arrangements

As a global project, overall management and reporting was done by the NORMES department in HQ, but COs were responsible for day-to-day implementation. According to the interviews, the project was centralized at the donor's request. The expectation was that the project would help procure funds from the local EU delegations for future work on ILS.

As abovementioned, there was no dedicated project coordinator at HQ nor at country level, thus in each case the responsibility for implementation and monitoring fell on different people:

- A Legal Standards specialist in HQ
- In the Central American countries, the ILS technical specialist from the ILO Office in San Jose, and later, the social dialogue and labour law specialist. In Guatemala, it also involved the Special Representative of the ILO Director General. Since there is no local staff, many activities were undertaken by consultants.
- In Mongolia and Pakistan, national project coordinators and programme officers in Ulaanbaatar, Beijing and Islamabad.

The fact that implementation was delegated to COs facilitated integration with ongoing work in the countries, allowed tailoring the approach to the context and constituents needs, and facilitated execution as financial approvals could be done at the country or regional level.

Conversely, it posed challenges when preparing progress and financial reports since three or four different reports had to be aggregated at the HQ level. In a sense, it led to a duplication of tasks, as each country had to submit a progress and financial report that would have to be revised and compiled by staff at HQ.

The project received adequate support from country directors, who were involved and participated in high-level events and political meetings. In general, the project also received support from HQ and the regional offices, particularly advice from technical specialists. The level of coordination between the ILO COs, including the office in Brussels, HQ staff and ITC-ILO was generally described as good. However, there was little exchange between project components, with the exception of those in Central America. Even if the context and needs are different, there could have been opportunities for learning from what was being done in other countries.

The lack of a dedicated project coordinator at the national level was identified as a major shortcoming, because local staff had to assume responsibility for implementation, in addition to their existing duties. The ILS specialist in Costa Rica, for instance, was in charge of three concurrent (and similar) projects and consequently, struggled to effectively monitor implementation <sup>11</sup>. Since a great deal of work happens 'between the lines', e.g. informal and planning meetings with partners to agree on the way forward, continuous follow-up is essential for success.

At HQ level, the staff also faced some challenges as this was one of the first development cooperation projects of this kind, they had little prior experience and it added to the existing workload. A few CO staff perceived that there was not a continuous involvement from HQ during project implementation, except when preparing reports. Conversely, staff at HQ considered that they were sufficiently engaged throughout the process and that their engagement was consistent with the decentralized nature of the project.

There was involvement from the EU local delegations, particularly in Guatemala and Pakistan. However, at least two COs struggled with the visibility requirements at the beginning. This is an expectation from the EU that was difficult to fulfil at times due to the nature of the activities

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<sup>&</sup>lt;sup>11</sup> Information on implementation had not been collected systematically, which made the reporting process difficult.

and other factors, e.g. meetings which cannot be public, security issues, in the case of Pakistan.

The COs worked closely with national partners during project inception and implementation, thus, the latter provided technical and administrative support. On the other hand, political support for the realization of certain activities was harder to get in some countries, for different historical and political reasons.

## Sustainability

The project contributed to raising awareness and increasing interest on ILS<sup>12</sup> through organizing workshops for governments, tripartite constituents, and other stakeholders, but also through the facilitation of tripartite meetings on issues that had been highlighted by the ILO supervisory bodies, such as revision of labour-related laws. It also contributed to the creation of teams responsible for reporting in Mongolia and Pakistan within the relevant institutions, and in the latter, a draft procedure for responding to queries from the ILO supervisory bodies.

The project's products and publications provide information on ILS, e.g. translations of Rules of the Game publication; a snapshot of the current situation and recommendations for addressing gaps, such as the study on trade unions in Pakistan; or layout practical steps, for instance, the due diligence toolkit for SMEs developed by MONEF and the operational guide for CODEPETIS.

Conversely, it is not possible to affirm that the project succeeded in building the necessary capacity of national partners, as there is little evidence of follow-up to evaluate whether the implemented activities were effective, i.e. learning outcomes were achieved. Whereas studies and publications on ILS are available, it cannot be assumed that the stakeholders will use them in the future. Moreover, staff turnover at government level remained high, particularly in Guatemala, Mongolia and Pakistan, threatening the progress that had been made so far.

Although progress was made in terms of labour law compliance with ILS, nothing is certain until these have been approved by the relevant legislative bodies. In El Salvador, where political issues continue to be a challenge, a lot will depend on the constituents' will and ability to solve their impasse, though some believe this will happen if there is a government change in the next elections.

Despite these challenges, sustainability of the project's achievements is to be expected in the medium-term, due to the launch of the second phase and the project's alignment with the ILO's objectives. Compliance and reporting on ILS are part of the ILO's core mandate, consequently, the COs will continue working on these issues beyond this and future projects. Furthermore, ILO supervisory bodies and the EU have been following up on the project's progress and will continue to monitor and request the governments to continue working on these topics. Nonetheless, it would be pertinent to develop an Exit Strategy for the project's second phase, to strengthen ownership of outcomes among national partners.

<sup>&</sup>lt;sup>12</sup> National stakeholders, including constituents and ILO staff and consultants, expressed interest in more practical training on ILS in El Salvador, Mongolia and Pakistan as well as incorporating these topics in existing curricula for lawyers and judges in El Salvador and Mongolia.

In brief, by virtue of being part of wider framework, the progress made in terms of capacity building for people and institutions can be maintained through the project's second phase as well as other projects and initiatives from the ILO COs. However, several challenges that affected implementation, such as lack of political will and high staff turnover will continue to have an impact. The development of an Exit Strategy for the second phase, could be useful for ensuring sustainability in the long-term.

## Cross-cutting dimensions: gender and non-discrimination

Both ILS and social dialogue were at the heart of the project's intended outcome and approach. Consequently, this section will focus on gender and non-discrimination.

According to CEACR and GSP+ reports, several issues have been raised with regards to compliance with conventions No 100 and 111 in all four countries. In Pakistan, for example, female labour force participation is low and there are hardly any women in tripartite fora. In El Salvador, women participation in trade unions appears to be low and there are capacity gaps in issues such as harassment. Thus, there was scope for including gender outcomes. However, in all countries more pressing priorities were identified or there were other initiatives targeting these issues (e.g. DEVCO project specifically targeting C-100 and C-111 in Pakistan and Mongolia and the ILES project being implemented in Pakistan).

The issue of non-discrimination was explicitly mentioned in the logical model for El Salvador and Guatemala, but few activities were implemented. In the latter, a study on child labour amongst indigenous families was conducted and served as the basis for developing an operational guide on child labour that takes into account the cultural perspective of indigenous peoples. In Mongolia, in collaboration with the Korean Labour and Social Institute, the project supported the MLSP to develop a methodology for gender-neutral job evaluation in the mining sector. The resulting wage scale should be used for future collective bargaining.

According to ILO staff, gender and non-discrimination were automatically incorporated due to the focus on ILS. This is true to an extent, as gender issues in ILS reporting were covered by staff and consultants delivering workshops. Similarly, trainings organized by the ITC-ILO have a module on integrating gender in ILS reporting.

Conversely, the general impression was that more could have been done in this respect. Whereas women participation was apparently encouraged when organizing activities and workshops, the number of women participants was not reported in all countries. Although the report to the European Commission had a section on cross-cutting issues, including gender, there was little mention of actions undertaken by the project in this respect.

Thus, there is scope for increasing work on gender and diversity issues in the second phase, if not as part of the outcomes and outputs, it should be at least more consistently covered during implementation and reporting, for instance, by tracking and reporting on actions to increase participation on events, collecting data disaggregated by sex and gender, number of activities that targeted women, indigenous and other vulnerable groups, etc.

#### 5. Conclusions

The project focused on **improving application and reporting on ILS** in countries that benefit from the GSP+ scheme, which were jointly identified by ILO and the EU. The country work plans were agreed with the relevant ILO COs, in consultation with the tripartite constituents.

The intended **outcomes and outputs were highly relevant** with regards to the priorities set by the ILO supervisory bodies and EU in terms of ILS. As a result of the participatory design process, the planned activities were also **largely in line with the needs of tripartite constituents** and fitted the national context. At the national level, there is evidence that the project's outcomes are relevant, as they appear in development and/or labour policies. This was confirmed in the case of Mongolia and Pakistan by interviewed stakeholders, whereas in El Salvador and Guatemala, the government's commitment, beyond the discursive level, was questioned by some stakeholders.

The project's methods followed standard practice for implementation of ILS, but **weaknesses** were identified in the logical framework: outcomes and outputs were formulated in a very general manner and not always coherent, i.e. logical links between the two are not evident in all cases. This resulted in a **dispersed work plan** and caused confusion during reporting. Some of the **assumptions did not hold** and affected the project's progress. Thus, a more thorough project design process is necessary.

With regards to **project results and effectiveness**, the level of achievement of the intended outcomes **varied between countries**, with better results in Mongolia, Pakistan and Guatemala, than in El Salvador. Most countries showed an **improvement in terms of reporting** to ILO supervisory bodies. In terms of application of ILS, there was some progress with regards to **updating legislation**, **raising awareness and providing information** on gaps that need to be addressed. Tripartite constituents engaged in the legislative review processes in Mongolia and Pakistan, have a better understanding of the reporting process and expressed interest in additional capacity building activities on ILS. Still not all **outcomes were achieved**. The quality of the reports on ILS needs further improvement, none of the revised laws had been adopted before the project ended, and there is little evidence that the capacity building activities led to concrete result with regards to improving application of ILO conventions yet.

Relevant **stakeholders were involved** throughout project implementation. The majority were **satisfied** with the support provided by the ILO and interested in continuing the collaboration. Some interviewees argued that the **intended outcomes are long-term processes**, and thus, the **lack of immediate results is not synonym to failure**.

**External factors affected project execution**. This included absence of political will and social dialogue, changes in government due to elections, staff turnover, and deferrals in the law review process. The **absence of a dedicated project coordinator** at the national level also had an impact on implementation and monitoring.

The project overall **spending rate** was **88.9%.** In line with its objective to build capacity for ILS application and reporting, the project focused its resources on activities that aimed to increase capacity, such as workshops and provision of technical support to relevant staff. The project also **collaborated with existing initiatives** to make the most out of the available resources. However, **resource efficiency could be improved**, given the diverse range of activities, which are not conducive for achieving outcomes, and the administrative burden of implementing similar projects at the same time.

Although the project was centralized, responsibility for implementation and budget execution fell on the ILO field offices. In general, there was **good coordination** between ILO staff in HQ and the field, and the project **received the necessary technical and political support** from the relevant technical specialists and country directors. Nevertheless, this **centralized-**

decentralized arrangement posed some challenges with regards to monitoring and reporting.

By virtue of being part of wider framework, the progress made by the project can be sustainable in the medium-term. The project's second phase has already started and will build on the results achieved, there are other initiatives at the country level with similar objectives, and the ILO supervisory bodies and EU will continue monitoring progress towards the outcomes. However, factors, such as lack of political will and high staff turnover, are still present and will continue to have an impact. Thus, an Exit Strategy should be drafted for the project's second phase.

With regards to **cross-cutting dimensions**, ILS and social dialogue were at the heart of the project's intended outcome and approach. Despite an explicit mention on non-discrimination in one of the outputs of the Central American countries, **few specific activities were implemented**. Gender issues were considered during implementation, to a certain extent, but were not consistently covered during reporting. The **general perception was that more could have been done**. It would be good to increase efforts to incorporate gender and non-discrimination issues during the second phase, if not at the outcome level, at least by consistently tracking relevant measures and data.

## 6. Lessons learned

<u>Lesson learned 1:</u> Validity of project design is key: outcomes should be precise, causal links between outcomes and outputs clear, selected approach should be cohesive and assumptions carefully reviewed.

The project successfully involved CO, tripartite constituents and institutions during the design process, which resulted in a work plan that was responsive to the needs of national partners. However, there were weaknesses in the project design that affected project implementation and results. Thus, when designing projects on implementing ILS, NORMES and CO staff should establish precise outcomes and outputs that can be achievable within the specified time-frame and available resources. In this case, outcomes and outputs were very broad for a two-year project, leading to a disperse work plan that was not conducive to fully meeting the objectives.

Furthermore, assumptions should be tested, both to fine-tune the project's approach and develop strategies to avoid or mitigate the risks posed by external factors. The project team tried to mitigate the effects of external factors and, in some countries, made adjustments the project's logical framework after the mid-term review. Still, having a contingency plan could have helped better manage the risks.

<u>Lesson learned 2:</u> Implementation and monitoring of projects focusing on application of ILS are time-intensive tasks and require presence on-site.

A common observation in all target countries was that effective application of ILS is often about changing mind-sets and building trust among stakeholders. These processes require time.

The project management arrangements distributed responsibilities for coordination, implementation, monitoring and reporting among the COs, the NORMES department and other departments at HQ. Despite the efforts of the local CO staff in coordinating the activities, the lack of a dedicated project coordinator was challenging because staff had to add project tasks to their existing duties. Strengthening capacity for applying ILS requires frequent

exchanges with tripartite constituents, especially in contexts where social dialogue is limited. For instance, according to some interviewees, several meetings were necessary in order to agree on a particular activity. Therefore, a strong presence through the existence of a dedicated project coordinator that can continuously engage with stakeholders as the project progresses, is essential.

<u>Lesson learned 3:</u> There is interest from tripartite constituents and national stakeholders, such as members of the judiciary, to learn more about ILS and GSP+ requirements, particularly, practical application.

Through the different workshops and activities, the project succeeded in raising awareness on ILS requirements and the link with GSP+ among tripartite constituents and other partners, including judiciary and national human rights institutions. In general, there is interest to continue learning about practical application of ILS (e.g. in national courts) and GSP+ requirements (e.g. at the company level) and, in some cases, integrating these topics in existing curricula. There was little evidence of follow-up after the workshops to assess learning outcomes and application, which could be useful for preparing follow-up capacity building activities.

## 7. Recommendations

Although the second phase of the project already started, some of these recommendations might still be relevant to improve its approach (some have already been incorporated). Most are relevant for future projects. However, it was difficult to estimate resource implications of each recommendation, as the main input is staff time.

## Recommendation 1: NORMES department, Country Offices, and PARDEV; priority: high

Assess and improve the design of development cooperation projects through better formulation of outcomes and outputs; development of a cohesive work plan aligned with the objectives; and analysis of assumptions and risks as well as the preparation of contingency measures in the face of political changes and other factors that may affect project implementation.

## Recommendation 2: NORMES department; priority: high

Strengthen project management arrangements for the second phase by assigning enough resources for staff in COs and HQ, and strengthen capacity of NORMES staff on results-based management and project management to improve project design. This has been partially implemented in the second phase, resources were allocated to have a national officer (50%) and administrative position (25%) in each country.

## Recommendation 3: Country Offices, NORMES department, and ITC-ILO; priority: high

In collaboration with national partners, develop capacity building strategies (as opposed to single activities) on ILS to build on the project's results and guide future engagement. The project raised awareness among different stakeholders and there is scope for deepening the engagement and developing tailored capacity building programmes (including practical training) for tripartite constituents, members of the judiciary, particularly in El Salvador and Mongolia, parliament and cabinet members in Guatemala and Pakistan, to name a few.

<u>Recommendation 4: Country Offices, NORMES department, and EVAL department; priority:</u> medium

Prepare a monitoring and evaluation approach to assess and follow up on the outcomes of capacity building activities for this and other projects, i.e. the degree to which the learnings are being applied, as well as to track the use and application of products and studies supported by projects. ILO could rely on the experience of ITC-ILO in this regard.

## Recommendation 5: Country Offices, NORMES department; priority: medium

Identify opportunities to directly target gender and non-discrimination issues in the second phase. At the very least, track and report on actions on gender mainstreaming and non-discrimination throughout implementation.

# Recommendation 6: Country Offices and NORMES department; priority: medium

If not yet available, develop an Exit Strategy for the project's second phase, in order to build ownership of the outcomes among national partners and thereby increase the likelihood of sustainability in the long-term.

## Recommendation 7: NORMES department and Country Offices; priority: medium

During the implementation of the second phase and in future multi-country projects, facilitate the sharing of information, good practice and challenges between the different project components.

## Recommendation 8: NORMES department, ILO Brussels, and PARDEV; priority: medium

Continue discussions with donors to create joint initiatives instead of having multiple projects targeting similar issues in the same countries.

# **Appendices**

## Interview protocol

I am responsible for conducting an internal evaluation of the project on *Sustaining GSP-Plus Status by strengthened national capacities to improve ILS compliance and reporting*. The purpose of the evaluation is to assess of the effectiveness and the sustainability of the project across the major outcomes.

As part of the evaluation, I am conducting interviews with relevant stakeholders and greatly appreciate your input. The interview today should take between 60 - 90 minutes. Your responses will be kept confidential: nothing you say will be attributed to you personally.

- 1. What were your main responsibilities / functions within the project? At what stage in the process did you come in?
- 2. Could you briefly describe the process for developing the project proposal? Which key factors influenced the project design?
- 3. How does the project respond to the priorities identified by supervisory bodies in term of implementation and reporting of International Labour Standards? Or, how does the project respond to your organisation's needs?
- 4. How were constituents / how were you involved during project design and implementation?
- 5. What were the project's main achievements, in terms of the outcomes (e.g. effective reporting on ILS, improving capacity for compliance with International Labour Standards, strengthening the capacity of workers and employers)?
- 6. Which outputs/outcomes were not achieved or were particularly difficult to achieve?
- 7. Was there a clear understanding of roles and responsibilities by all parties involved? How was the coordination between ILO staff, in HQ and in the field, and project partners?
- 8. To what extent can the project's results be maintained in the medium / long term?
- 9. What would you have been done differently i.e. what are the main lessons learned from the project?

# List of persons interviewed

Country	Organization	Name
ILO	ILO - Brussels	Audrey LeGuevel
ILO	ILO - BUD/CT	Olivier Chaillet
ILO	ILO - NORMES	Chittarath Phouangsavath
ILO	ILO - NORMES	Karen Reyes Tolosa
ILO	ILO - NORMES	Karen Curtis
ILO	ILO - PARDEV	Liliana Rossels Lovera
ITC – ILO	ITC - ILO	Maura Miraglio
El Salvador	National Association of Private Enterprises	Waldo Jiménez
El Salvador	Consultant	Ena Nuñez
El Salvador	Consultant	Francisco Martínez
El Salvador	Ministry of Labour and Social Protection	Irma Iraheta
El Salvador	Ministry of Labour and Social Protection	Michelle García
El Salvador/Guatemala	ILO - San Jose (former)	Carmen Moreno
El Salvador/Guatemala	ILO - San Jose	Tania Caron
El Salvador/Guatemala	ILO - San Jose	Fernando García
Guatemala	Coordinating Committee of Agricultural, Commercial, Industrial and Financial Associations	Guido Ricci
Guatemala	Consultant	Cristina González
Guatemala	ILO - San Jose	Sergio Paixao
Guatemala	ILO - San Jose	Carlos Linares
Mongolia	Confederation of Mongolian Trade Unions	Otgontungalag Tsevel
Mongolia	ILO - Beijing	Tim de Meyer
Mongolia	ILO - Beijing	Parissara Liewkeat
Mongolia	ILO - Mongolia	Bolormaa Purevsuren
Mongolia	Ministry of Labour and Social Protection	Maya Sholtoi
Mongolia	Mongolian Employers' Federation	Khuyag Ganbaatar
Mongolia	Mongolia Bar Association	Mongoljingoo Damdinjamts
Mongolia	National Human Rights Commission of Mongolia	Unurgargal Zagdaa
Pakistan	Employers' Federation of Pakistan	Majyd Aziz
Pakistan	European Union Delegation to Pakistan	Michele Rizzi
Pakistan	ILO - Islamabad	Abid Niaz Khan
Pakistan	ILO - Islamabad	Ingrid Christensen
Pakistan	Labour Department Balochistan	Mohammed Zahir
Pakistan	Labour Department Punjab	Suhail Shahzad
Pakistan	Ministry of Human Rights	Muhammad Hassan Mangi
Pakistan	Pakistan Workers' Federation	Zahoor Awan
Pakistan	United Nations Country Team	Nadja Wuensche

Lessons learned (EVAL template)

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