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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 Unit.



Final report

Independent final evaluation of support for Employers' Organisations in
Myanmar (MMR801)

December 2017

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ABBREVIATIONS

ACT/EMP	Bureau of Employers' Activities (ILO)	MGMA	Myanmar Garment Manufacturers' Association
ACTRAV	Bureau for Workers' Activities (ILO)	MICS	Myanmar Industries Craft & Services Unions Federation
AFFIUF	Agriculture & Farmer Federation	MoLIP	Ministry of Labour, Immigration & Population
BMO	Business Membership Organisation	MRCCI	Mandalay Regional Chamber of Commerce & Industry
CPO	Country Programme Outcome	MTF	Myanmar Tourism Federation
CTA	Chief Technical Adviser	NGO	Non-governmental organisation
CTUM	Confederation of Trade Unions of Myanmar	P&B	ILO Programme & Budget
DCED	Donor Committee on Enterprise Development	PPD	Public private dialogue
DG	Director General (of the ILO)	UMFCCI	Union of Myanmar Federation of Chambers of Commerce & Industry
DWCP	Decent Work Country Programme	UMTA	Union of Myanmar Travel Association
EO	Employers' Organisation		
EOD	Employers' Organisation Department		
INGO	International NGO		
IWFM	Industrial Workers' Federation of Myanmar		

ILO Evaluation of support for EOs in Myanmar: final report

1. Summary

1.1 Background

Successful enterprises are at the heart of any strategy to create employment and improve living standards. Employers' organisations (EO) help to create the conditions for success by influencing public policy relating to the environment in which they do business, in particular in relation to labour law, and by providing services to business that improve their individual performance.

Employers' organisations generally include amongst their objectives (i) an intent to represent their members and seek to influence public policy; and (ii) a desire to offer appropriate services to their members. It is anticipated that if they do this well it will lead to a more stable and predictable business enabling environment and thus to more investment, more jobs, decent work, greater profitability and higher tax revenue. However, they are not always able to do this effectively without support and so the ILO aims to provide that support, as set out in the Strategic Policy Framework (ILO 2009) and amplified in the DG's Programme & Budget (ILO 2015) which explains that the ILO aims to ensure "increased representativeness and organisational and analytical capacity of employers' and business organisations to influence national, regional and international policy-making."

This project aims to support the Union of Myanmar Federation of Chambers of Commerce & Industry (UMFCCI) to fulfil the role of a peak employers' organisation requiring considerable institution building as well as engagement in the tripartite dialogue. In addition, some support has been provided to the Myanmar Tourism Federation (MTF), the Myanmar Garment Manufacturers' Association (MGMA) and the Mandalay Regional Chamber of Commerce & Industry (MRCCI).

Funding was provided from 1 January 2014 until 31 August 2017.

1.2 Evaluation background

The objective of this final evaluation is to assess the relevance, effectiveness, efficiency, impact and sustainability of the interventions and actions undertaken under the RBSA MMR/14/01/RBS and MMR/16/02/RBS projects in Myanmar from 1 January 2014 to 31 August 2017. The ILO work to be evaluated is all its interventions from all sources of funds that have contributed to the Country Programme Outcome (CPO) MMR 801 on *Strengthened institutional capacity of employers' organisations*. The main focus is to assess the institutional change and the capacity of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI). The terms of reference specify 17 evaluation questions.

The primary audience for the evaluation findings will be the employers' organisations in Myanmar, ILO Liaison Office in Myanmar, and ACT/EMP. Secondary parties making use of the results of the evaluation will include ILO technical departments, DWT-Bangkok and ROAP.

The independent evaluators commenced work on 11 October 2017 and submitted the final report on 9 January 2018.

1.3 Methodology

The evaluation took a scientific realist approach and used a mix of complementary methods:

- Conceptualisation of the programme theory of change, mechanisms and contexts;
- Interviews with ILO staff;
- Semi-structured interviews with stakeholders to discuss objectives, challenges and achievements;
- Analysis of reports and documentation;
- Analysis of the assumptions underlying the programme and examination of evidence, from other programmes, supporting or contradicting them.

In line with the ToR, the evaluation has largely focused on whether UMFCCI has enhanced its capacity and whether that has led to it being able to fulfil its role as a representative body more effectively.

1.4 Summary of main findings and conclusions

The work has been successful. ACT/EMP has supported UMFCCI to strengthen employer related services and to enhance its capacity. UMFCCI is participating more in bilateral and tripartite discussions. It is developing policy positions and is using more evidence to support those positions. However, its omnibus policy proposal on labour law reform, which is commendably precise in its proposals, would benefit from more evidence and more cogent argument. There are some issues (such as minimum wage) which the employers could potentially reframe in such a way that it would lead to collaboration rather than competition.

EOs may exist primarily to represent their members' views but they also have a responsibility to promote good practice back to their members, for example in relation to gender equality and greening economies. Indeed, this will contribute to the EOs' credibility when they are advocating reform to government. There is some evidence that UMFCCI is beginning to do this, for example through its training programmes. UMFCCI plans to build on this looking at women in business as a policy area.

The work at MGMA – training, advice on labour law, information dissemination – is beginning to deliver positive results and they are looking closely at how to ensure that the work can now be sustained.

Relevance: The work is very relevant. Supporting UMFCCI and others to become more effective representatives of their members, and to engage in dialogue and advocacy, will make a difference at bilateral and tripartite dialogues. Supporting UMFCCI in turn to build the capacity of individual employers will lead to improved labour relations at the enterprise level.

Effectiveness: To date the programme has been effective. Progress was slow in the first two years though it was important to develop a relationship built on trust with the ILO; however, since then, a great deal seems to have been achieved, with the gathering of research evidence and the preparation of policy positions on all aspects of labour law. UMFCCI has been participating in bilateral and tripartite dialogue and appears to have had some, if limited, success in influencing public policy. However, as it builds its skills and experience, it might be expected to achieve much more over the next three years.

Efficiency: Much of the support is the provision of one to one advice from ILO field specialists, supported by consultants brought in by ILO. The evaluators support this approach of bringing in people with expertise, who can support the team and instil new skills and knowledge, or undertake research on their behalf, in a limited time. There may be scope to improve efficiency by collaborating more closely with the providers of other support and advice, but that carries with it a danger than the ILO message is diluted. ILO is encouraged to keep on supporting UMFCCI and others in much the same way, building their skills through a combination of development and learning on the job. Rather

than striving for efficiency, it would make more sense to strive for value for money. The evaluators' assessment is that, so far, this programme of support has delivered good value for money.

Impact: Impact is usually an assessment of the difference made to members (and the wider business community) as a result of reforms brought about by the business association. In this case, there are two possible impacts. The first is the improvements in labour relations supported by EOD training. UMFCFI is confident that there has been improvement. The second is the economic impact arising from policy reforms. It is too early to make an assessment but it is likely that there will be an impact arising from the reforms that are being negotiated at the moment.

Sustainability: It is unlikely that any business association can wholly sustain itself from offering services. It may be able to sustain itself through a combination of services and membership fees. This means that the employers' organisations need to prepare a broader strategy for sustainability. MGMA is moving in this direction, though its strategy is not yet tested; UMFCFI is still working on it. But it should be possible for both to offer employer services on a sustainable basis.

Cross cutting issues: The key cross cutting issue is gender. Here it seems that there is still some work to do, both in terms of encouraging UMFCFI and MGMA, in particular, to gather and disaggregate gender participation data; to encourage them to consider gender differences in their research evidence; and to encourage them to raise gender issues in bilateral and tripartite dialogues, though that is expected now to change as UMFCFI starts to do more on women in business.

1.5 Lessons & good practice

Lesson 1: EOs need a competent and knowledgeable staff team from a variety of backgrounds supported by board members who share their desire to reform public policy, but it takes time and effort to build these teams so that they work together in a way that is efficient and effective.

Good practice 1: Placing a person from ILO in the office with the employer organisation team can speed up the process of learning amongst the team.

Good practice 2: EOs (and indeed BMOs in general) cannot simply rely on connections and networks to influence government: rather they need to undertake (or commission) excellent and objective research and need to be able to prepare persuasive policy position papers. They can then use both the research evidence and the argumentation when they advocate reform. The omnibus proposal for labour law reform is a good example of precise policy proposals allied to a strategic framework.

Good practice 3: it is very easy to see dialogue with government and especially with other interests as a zero-sum game. It is generally more effective both to reframe issues in such a way as to promote collaboration and also to look for areas of common ground, perhaps in bilateral meetings before participating in tripartite dialogue.

Good practice 4: Whilst there is a desire to work with organisations which are sustainable, there are also good arguments on occasion for supporting EOs more directly, especially with the costs of employing a policy officer or even a policy team.

Lesson 2: EOs need support all the way through an advocacy project whilst they are developing their competence. ACT/EMP has identified that support for EOs is not necessarily immediately reflected in greater influence or even in more dialogue: it takes time for governments and BMOs to become confident in talking with each other and even when the parties are confident, often the complexities of an issue mean that it can take years for a policy reform to work through the policy system.

1.6 Recommendations

Recommendation 1: ILO should continue to support employers' organisations in Myanmar, especially UMFCCI and MGMA and, to a limited extent, other employers' organisations as well, that may be expected to be able to make a difference.

Recommendation 2: ACT/EMP should articulate its overall theory of change for its programme of support for employers' organisations to become more effective advocates. This would then serve as a reminder both of the point at which ACT/EMP is intervening but importantly show the intended ultimate outcomes from the interventions. Outcomes and targets for individual projects should then clearly relate back to the theory of change.

Recommendation 3: ILO should encourage UMFCCI to retain the employers' organisation department rather than hiving it off, recognising that this could offer significant synergies with other departments within UMFCCI (and ensuring that the team can focus on the important activities of delivering services and engaging in dialogue and advocacy rather than being diverted into discussions on structure and funding).

Recommendation 4: ILO should encourage the staff teams at both UMFCCI and MGMA, when they are meeting with businesses, perhaps whilst training, to use the opportunity to gather intelligence about issues and priorities and indeed on their views on the association and what it could do better.

Recommendation 5: UMFCCI and MGMA should follow up all training participants around three months after a course has been run to assess whether the training has made any difference to the way in which they work and whether, on reflection, there need to be changes to the training programme.

Recommendation 6: UMFCCI should be encouraged to do more research – to identify issues, to frame issues, to prioritise issues, to gather evidence to understand the issues and to prepare policy positions on the issues. The sense at the moment is that they are falling back on the omnibus policy proposal for labour law reform, rather than continuing to progress.

Recommendation 7: UMFCCI should expand its staff team. It is already challenging to provide all the services expected of an employers' organisation with just three people, but the lack of a member of staff with private sector background is a weakness.

Recommendation 8: UMFCCI (ideally in partnership with other employers' organisations) should set up a web based issue tracker, so that members (and others) can follow and contribute to issues. This could be integrated into the new UMFCCI website already intended to provide advice and guidance on labour law.

Recommendation 9: ILO, perhaps in partnership with the Solidarity Centre, should explore the scope to take a group of employers and trade unionists together on a study visit to a country where employers and trade unionists are collaborating on a topic like improving productivity.

2. Background

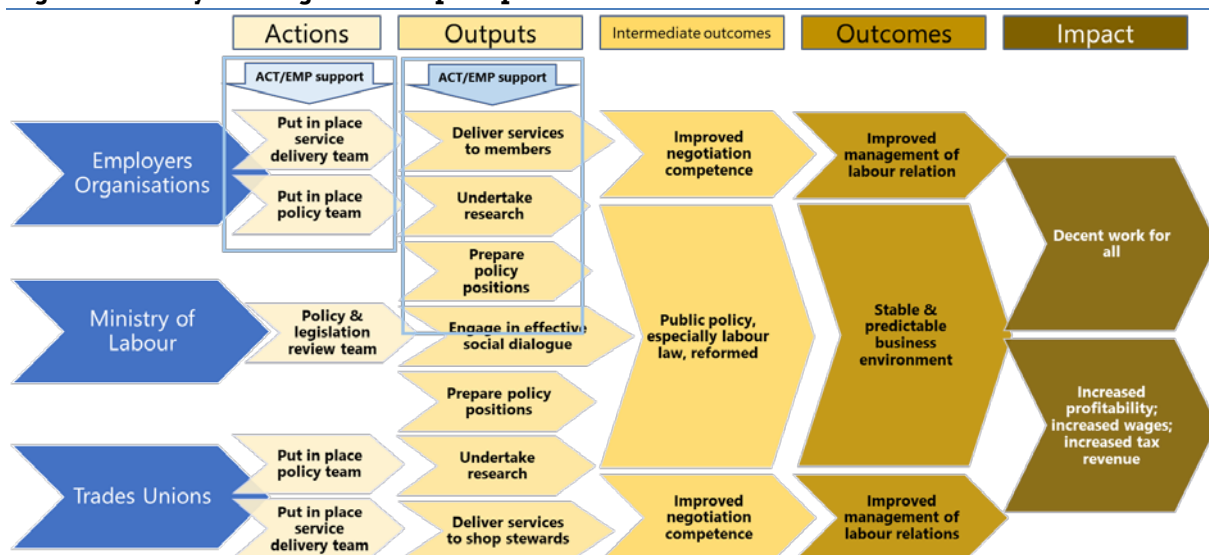
Successful enterprises are at the heart of any strategy to create employment and improve living standards. Employers' organisations (EO) help to create the conditions for success by influencing public policy relating to the environment in which they do business, in particular in relation to labour law, and by providing services to business that improve their individual performance. As one of its three constituents, employers' organisations have a special relationship with the ILO. The Bureau for Employers' Activities (ACT/EMP) is responsible for nurturing that relationship as well as building the capacity of partners.

2.1 ACT/EMP strategy

Employers' organisations and, indeed, business membership organisations generally include amongst their objectives (i) an intent to represent their members and seek to influence public policy; and (ii) a desire to offer appropriate services to their members. In some cases, the second provides members with a 'selective benefit', and thus a reason to join the organisation, whereas the first confers a public benefit, that is, all businesses benefit irrespective of whether they join the organisation. As a result, business membership organisations tend to offer a mix of services together with advocacy and generate income through a combination of subscriptions, fees for services and other sources including sponsorship and donations.

A complete, but simplified, theory of change assumes that reform of public policy will lead to a more stable and more predictable investment climate and that such an investment climate will lead to more investment. It is further assumed that more investment will lead to a more competitive private sector, a well-functioning labour market creating more and better jobs and paying better wages, thus delivering poverty alleviation and decent work. Indeed, the ILO and others see the private sector as the engine of growth for developing countries (ILO 2007; Kraus 2002). A comprehensive theory of change would include workers' representatives and government as well, as shown in Figure 1.

Figure 1: Theory of change: the complete picture



Source: developed by David Irwin informed by documents provided by and discussions with ILO

Employers' organisations will put in place policy teams and service delivery teams; they will deliver services, including training, to their members; they will undertake research; they will prepare policy positions; and they will engage in effective dialogue. They will expect that their members will become better at negotiating at the enterprise level and that they will become better at securing reforms of public policy, leading to a more stable and more predictable business environment. The trades unions

will broadly be aiming to do exactly the same. And the government will be aiming to keep all its policies and legislation under review in order to balance different and often competing interests, to minimise the burden on businesses and, usually, to increase tax revenue. If all get this right, and it does lead to a more stable business environment, then it should lead to more investment, improved labour relations, more employment, increased profitability, higher wages and increased tax revenue. In practice, however, all three parties need support and the ILO aims to provide this.

The ILO's strategy is set out in the Strategic Policy Framework (ILO 2009) and then amplified in the DG's Programme & Budget (ILO 2015). The theory of change, in so far as it is articulated in the P&B (p37), explains that the ILO aims to ensure "increased representativeness and organisational and analytical capacity of employers' and business organisations to influence national, regional and international policy-making."

There is an implicit assumption in the P&B that EOs are not always effective at doing this and it is this weakness that the ILO intervention is intended to address. Specifically, the ILO notes that there are challenges for employers' organisations in relation to their representativeness, governance and management and their capacity to engage in policy-based advocacy. The ILO also notes that many employers' organisations are evolving beyond the role of being partners in industrial relations towards a more comprehensive role as the voice of business and the private sector, advocating policies across a range of areas and with a large number of different partners. The P&B sets out three objectives for EOs with which it works:

- To enhance the capacity of the governance bodies, membership management structures and leadership to adapt to a changing policy environment and fulfil their representative functions;
- To improve and innovate the service mix offered to retain and recruit members and to improve business performance; and
- To improve EOs' analytical capacity to engage in evidence-based policy advocacy on a broad range of policy issues affecting business

2.2 The project

A scoping mission in 2013 concluded that, after 2011, aspirations that had lain dormant for past 60 years seem to have been revived (ILO 2013). Myanmar had set an objective to deliver 7.7 per cent annual GDP growth during the five-year period 2011-2016. Whilst the development of business, investment and entrepreneurship was being promoted, sound legislation and policies were being enacted to safeguard the interests of workers. The relationship between the business community and the labour community was moving from conflict toward cooperation. It was thus recognised that there was the need for a business organisation capable of providing sound leadership and effective public private dialogue. It was believed that UMFCCI might be able to fulfil that role, building on a long history (see Appendix 7), though at the time it operated mainly on trade promotions and business affairs.

About this time the government introduced a range of new labour legislation: the Labour Organisation Law (2011), the Settlement of Labour Dispute Law (2012), the Social Security Law (2012) and the minimum wages Law, 2013. A national level committee to implement the law was formed in September 2013 with representatives from employer and employee organisations and others. One consequence of the introduction of the Labour Organisation Law was a rapid rise in the number of labour organisations.

Myanmar had no formally recognised employers' organisation and so discussions therefore took place with UMFCCI to explore whether it could potentially become the main focal point for employers recognising that, if it was to do this, it would need considerable support. The aim was to provide entrepreneurs with an umbrella organisation and a place of cooperation for business development, access to business development services, and direct contact with a union-level organisation for government services on legal and policy matters. This was eventually agreed but a further challenge

was posed by the fact that the management of UMFCCI largely relies on volunteers working through a committee structure, rather than on a professional staff.

Furthermore, it was perceived at the time that services provided by UMFCCI were neither demand-driven, nor needs-based, nor results-oriented.

It was agreed to start providing support to UMFCCI, to help them recruit a small team, to build the capacity of that team, and to support them to start offering services, especially training, to members and to research and prepare policy positions. Funding was found for the period 2014-2015, with the support extended to 31 August 2016; a second phase of support covered a further year to 31 August 2017, this time with a much clearer description of 'milestones' and outputs. Support was also provided to the Myanmar Tourism Federation (MTF), the Myanmar Garment Manufacturers' Association (MGMA) and the Mandalay Regional Chamber of Commerce & Industry (MRCCI), but the bulk of the support has gone to UMFCCI.

The original programme document sets out initial objectives focused on capacity building:

- To enhance the capacity of employers' organisations to provide greater leadership for the Myanmar business community and, in particular, to engage in evidence based dialogue and policy development with government and other stakeholders
- To enhance the capacity of regional chambers and sectorial associations to provide services and guidance to enterprises to improve working conditions and raise productivity.

The revised plan, adopted for 2016/7, sets out three milestones, which are in reality statements of intended activity, that build on this initial capacity building:

- UMFCCI will provide training and labour advisory services to businesses on a regular basis
- UMFCCI will participate in national labour and social policy-related dialogue in a consistent and evidence based way
- UMFCCI regional chambers and affiliated associations will provide basic training and advisory materials to member businesses.

The outputs, and their links back to the milestones and on to the indicators described in the P&B are set out in appendix 4 together with a summary of performance. These milestones imply the need for intervention (a) to develop the institutional capacity of UMFCCI, and maybe other employers' organisations, and (b) to support UMFCCI to participate in bipartite and tripartite dialogue. This support is indicated in figure 1.

3. Evaluation background

The objective of this final evaluation is to assess the relevance, effectiveness, efficiency, impact and sustainability of the interventions and actions undertaken under the RBSA MMR/14/01/RBS and MMR/16/02/RBS projects in Myanmar from 1 January 2014 to 31 August 2017.

The ILO can self-evaluate projects with budgets less than \$500,000; over the four years, this project has had support of about \$1.2m, thus requiring an independent evaluation. For the first two years, progress reports were scant and of limited use; for the last two years, the reporting has improved considerably with detailed quarterly reports. There are, however, a wide number of other documents including research reports, policy positions, power point training presentations, etc. This report draws on many of those reports and reviews.

For understandable reasons, considerable effort has been made to monitor progress against the milestones and outputs, but less effort was made to assess outcomes or impact. Arguably it is too early to assess the UMFCCI's impact in terms of influencing public policy but outputs can be assessed and it should be possible, at least to some extent, to assess outcomes. This is discussed in section 4.5.

3.1 Purpose, scope and audience

The ILO work to be evaluated is all its interventions from all sources of funds that have contributed to the Country Programme Outcome (CPO) MMR 801 on *Strengthened institutional capacity of employers' organisations*. The objective of the CPO is to develop the capacity of Myanmar's central, sectoral, and regional business and employers' organisations sustainably to lead the Myanmar business community on labour and employment issues while promoting enterprise development and Decent Work principles. The CPO will primarily contribute to enhanced social dialogue as the cross cutting policy driver, but will also address gender equality and contribute to better understanding and implementation of international labour standards.

The main focus of the final evaluation is to assess any institutional change and the capacity of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI), the direct recipient of this project. The evaluation will assess the extent to which the project has contributed to improving the capacity of UMFCCI vis-à-vis the state of its capacity before the project started. The evaluation will also provide lessons learnt and recommendations for possible future programming.

As per the ToR, the main focus was the activities during 2016-17 but earlier work and significant milestones resulting from ILO technical support during 2014-15 have also been reviewed.

The primary audience of the evaluation findings will be the employers' organisations in Myanmar, ILO Liaison Office in Myanmar, and ACT/EMP. Secondary parties making use of the results of the evaluation will include ILO technical departments, DWT-Bangkok and ROAP.

3.2 Timetable and missions

The independent evaluator started on this assignment on 11 October 2017, with a detailed desk review and interviews with key personnel in ACT/EMP. A mission to Myanmar was undertaken in November and supported by a local consultant.

The following work plan was agreed with the evaluation manager:

- | | |
|--|----------------|
| ▪ Draft inception report submitted to evaluation manager | 6 November |
| ▪ Mission to Myanmar | 13-17 November |
| ▪ Draft report to evaluation manager | 4 December |
| ▪ Stakeholder comments back to evaluator | 6-22 December |
| ▪ Final report to evaluation manager | 5 January 2018 |

There had been an intention to hold a workshop on the last day of the mission to present to key stakeholders and seek feedback. Diary problems for several of the stakeholders made that impossible but the evaluators did present to the ILO CTA.

4. The approach

4.1 Methodology

The evaluation took a scientific realist approach (Pawson & Tilley 1997), which seeks a disaggregated understanding of programmes, distinguishing between different programme elements, outcomes, contexts and mechanisms. The evaluation:

- Used mixed methods to estimate changes and attribution at each stage in the programme logic;
- Combined data gathering and interpretation by programme staff with external review;
- Used, where appropriate, monitoring systems developed and results gathered by ILO.

The evaluation adhered to the United Nations Evaluation Group norms; their standards and ethical safeguards were followed.

4.2 Evaluation criteria and evaluation questions

Each ILO evaluation is expected to assess the programme in question against the evaluation criteria defined by OECD/DAC which are in line with international standards of good practice: (i) relevance, (ii) effectiveness, (iii) efficiency, (iv) impact and (v) sustainability. These criteria form the basis for the first 17 questions specified in the ToR and which are addressed individually in section 5.2; lessons and recommendations are addressed separately.

4.3 Methods

The evaluation used a mix of complementary methods:

- Conceptualisation of the programme theory of change, mechanisms and contexts;
- Interviews with ILO staff;
- Semi-structured interviews with stakeholders to discuss objectives, challenges and achievements;
- Analysis of reports and documentation;
- Analysis of the assumptions underlying the programme and examination of evidence, from other programmes, supporting or contradicting them.

4.4 Caveats and limitations

The programme of support is intended to build capacity (“contribute to the strengthening the institutional capacity of employers’ organisations”). There are two intended outcomes from improved capacity: (i) the institutional capacity to deliver services, mainly training, to members; and, (ii) engagement with the public sector through dialogue and advocacy to achieve policy reform, specifically in the area of labour law. As a chamber, however, with a broader remit, UMFCCI’s advocacy and dialogue might be expected to lead to improvements in the business enabling environment in the hope that this will lead to the creation of more jobs and the generation of more tax revenue.

One would anticipate that assessing the ability of UMFCCI and others to deliver services would be relatively straightforward. However, services include training for example for employers to be able to engage more effectively in negotiations with trades unions, so a detailed evaluation would need to assess whether participants in training have been able to put into effect new skills and expertise. This is beyond the scope of the evaluation and so it is appropriate to look for proxies that can give an indication of whether this is likely to be the case, including looking at the actions taken by UMFCCI and others and talking to trades unions.

Assessing the impact of advocacy is complex (for example because of attribution, and because reforms are lagged) but UMFCCI is still at an early stage in its advocacy so there is little impact to measure.

Note that despite repeated attempts, it was not possible to interview anyone at MoLIP. It is helpful to seek a public sector view of the competence of organisations that are seeking to influence policy. However, given that much of the work so far has been capacity building, and that policy advocacy is still at an early stage, the evaluators concluded that this would not have a material effect on the conclusions.

4.5 Indicators

The P&B sets out indicators which could be regarded as outcomes, in that they imply a change of behaviour. Specifically, they contribute towards the P&B outcome of ‘strong and representative employers’ and workers’ organisations’. It also sets out results criteria for reportable results. The document called *MMR 801 2016 final* sets out milestones and outputs. The milestones are written as though they are intended activities. The outputs provide a means by which progress can be assessed though there are no formal targets for each of these. There is no formal baseline, although in most cases, there was no activity so the baseline is effectively zero.

4.6 Validity

As well as supporting UMFCCI, initially ILO provided some support to MTF. It has now started to support MGMA and has also provided limited support to MRCCI. The bulk of the current support however is directed towards UMFCCI. It clearly makes sense therefore to focus the evaluation on the progress made by UMFCCI.

4.7 Cross-cutting themes

Gender is important to the ILO and the gender dimension is highlighted in the ToR. This requires reporting for example on composition of the chamber members as well as on the gender balance in the EOD and amongst the people interviewed for the evaluation.

There is not a clear view about whether the Chamber or the MGMA has an explicit policy on gender but, irrespective of whether there is a policy, gender aspects of policy have not been sufficient thought, though that is about to change. The chamber does not record ownership by gender and, in any event, that is problematic, because most members are incorporated. The chamber has not disaggregated participation in training. Gender is an important aspect in labour law reform, especially for the MGMA, as many of the people employed in the garment sector are women but gender issues were not raised as being of more importance than other issues. However, from the last quarter of 2017, UMFCCI has decided to focus on women in business as a policy area, funded by another donor. They will undertake an enterprise level survey and then prepare a national report that highlights opportunities and challenges for women in the workplace.

Two of the three staff in the EOD are women as is the joint secretary general of UMFCCI who leads on this work in the board. The deputy secretary general of the CTUM is female. All four were interviewed for this evaluation. Four of the seven ILO people interviewed were women. Together these gave a good gender balance amongst interviewees.

4.8 Stakeholder participation

Mission notes were prepared and shared with interviewees to allow them to comment and correct. ILO was able to comment on a draft of the final report.

5. Main findings

5.1 Country programme outcomes

This section looks first at ILO's performance against the formal indicators, provides some examples and then assesses the work against the OECD/DAC's key evaluation criteria. White (2013) suggests a number of impact indicators for business environment reform programmes including, inter alia, increase in investment, increase in competitiveness and reduction in poverty. However, the ILO's programme is not a business environment reform programme, *per se*, but rather a capacity building programme which, if successful, will lead to UMFCCI (and MGMA) lobbying for business environment reform, particularly labour law reform. Indicators need therefore to be chosen carefully.

DCED suggest further indicators which are worth a mention: an outcome of 'more and better jobs' fits neatly with the ILO objective to deliver 'decent work' and, at the intermediate outcome level, 'improvements in business advocacy and public private dialogue' with an indicator of improvements in the quality and quantity of PPD could be useful additions to the way in which ACT/EMP measures its work with EOs in general and with UMFCCI in particular. These are not suggested as alternatives but as additional indicators that could help to demonstrate the positive effects achieved by ACT/EMP.

One other indicator that is often used by donors, though not recommended by DCED and with a methodology that is not consistent with ILO principles, is the Doing Business ranking; many

governments also set themselves targets for how high they can rise in the league table. Myanmar currently does poorly both in the ranking and in the Distance to the Frontier score (see Appendix 6). The scoring does not include labour legislation and so does not provide a measure of effectiveness for the primary work of an employers' organisation, though may be relevant for measuring the impact of advocacy on other issues addressed by UMFCCI. Whilst it may take time to reduce the burden of regulation, it should be possible for UMFCCI to argue for more transparency, not least since in time that is likely to lead to better regulation.

5.1.1 The first phase of support 2014/6

The project document explains that the objective of the support was to equip the business community to engage in dialogue with workers and their emerging associations; and, to balance the different interests and priorities of employers and employees and ensure social peace in conjunction with sustainable enterprise development. The document goes on to say that the project would ultimately contribute to building and strengthening the institution and institutions of social dialogue over the longer term. The description suggests a degree of imprecise thinking about the theory of change and the interventions to be made by ILO. The document includes a log frame with two immediate objectives: (1) The capacity of UMFCCI is strengthened to provide greater leadership for the Myanmar business community to promote sustainable enterprises and Decent Work principles; and (2) Regional chambers and sectoral associations have been provided with capacity and tools to provide services and guidance to enterprises to help improve working conditions and productivity and to respond more effectively to members' needs. These could have been written more clearly to stress the need to develop capacity, in relation both to engaging in dialogue and service delivery, within one or more business associations (and are not quite the same as the wording set out in the original programme document described in section 2.2).

It is clear from the monthly reports for the first two years (not least because there are only three monthly reports) that not much tangible happened, though ILO and UMFCCI did forge a relationship built on trust and the Union of Myanmar Travel Association was supported to develop codes of conduct for the tourism sector.

A new CTA started in August 2015. He immediately started to make a difference. In particular, ILO commissioned the preparation of a report (ILO 2015b) setting out options for developing EOs in Myanmar. He aimed to increase visibility of the project and to lay the groundwork for improved co-operation. ILO started some training and ensured UMFCCI engagement in the National Tripartite Dialogue Forum. ILO aimed also to develop the relationship with MTF and MGMA.

5.1.2 The report on structural change & organisational development

The report looked in detail (in November 2015) at the work of UMFCCI and other EOs and made 10 recommendations. These included the suggestion that a national employer confederation be effectively integrated into UMFCCI through the creation of an Employers' Organisation Department (EOD), that UMFCCI negotiate with MoLIP recognition of UMFCCI as the peak EO, and that UMFCCI adopt a three-year work plan and commit to contributing funding for staff. The report was broadly accepted and laid the groundwork for the second two years of support.

The report was followed by a further review (ILO 2016c) in April 2016 which primarily recommended that UMFCCI be acknowledged as the central organisation of employers in Myanmar until either this arrangement is formalised or a new national employers' organisation emerges. This was supported by a large number of further recommendations which mainly focused on process.

5.1.3 The second phase of support 2016/7

A new project document (MMR 801: ILO 2016b) was prepared and set out revised objectives as described in section 2.2. The bulk of the work has been to support UMFCCI though there has been

some support for MRCCI, including supporting a part time trainer to deliver training courses, and more recently support has been provided to MGMA, which initially did not wish to participate in this programme, but has now concluded that it could be beneficial. Progress reports have been prepared quarterly and show steady progress.

Institutional capacity

Following these reports, UMFCCI committed to create an EOD and this became operational in June 2016. It has set aside an office within UMFCCI. It has recruited three professional staff and two administrative staff, with the team leader also designated as Deputy CEO for UMFCCI. The team leader had been Deputy Director General at MoLIP. The two other professional staff comprise a lawyer who had previously also worked for MoLIP and a researcher who was previously an academic at the Yangon University of Economics. The staff salaries were initially subsidised by the ILO, but UMFCCI is now covering the costs (though ILO still supports additional activities such as research).

The team effectively reports to UMFCCI's Employer Organisation Committee but also to a Chamber joint secretary general. The CTA works most days from the EOD office, so he is on hand whenever there is a need to consult. This is very positive.

There have been a number of activities to develop the knowledge and skills of the team, including a study visit to the Employers' Federation of Ceylon in Sri Lanka (and earlier visits to Sweden and New Zealand) and two of the staff participating in an ILO training course in Turin. Staff have received ILO training on topics such as governance, strategy, advocacy and communications.

In addition, the Government of Denmark is providing training on social dialogue to UMFCCI and Myanmar trades unions, GIZ provides some support to UMFCCI (but not EOD) and there is talk of USAID supporting the development of the Chamber's Economic Survey Research Department.

There is a desire for the EOD to become sustainable. In practice, however, there are only three ways for this to happen: (i) the Chamber think that this role is sufficiently important that it covers the costs (and assumes that the costs will be covered through increased subscription income from attracting additional members); (ii) through asking employer members to pay a supplement (which is the approach with which MGMA is about to experiment); or (iii) through offering services for which fees are charged at a rate high enough to cover all the costs and generate a surplus. In practice, the last is all but impossible; the fees may well cover the costs of delivery and generate a small surplus, but it will never be able to cover the costs of the whole department (because if they demonstrate a market at a high price, new entrants will depress the fees that can be charged). So UMFCCI needs to consider which of the first two to pursue. The first is recommended on the basis that it does not create two classes of member and, in any event, the cost of the EOD is marginal compared to the rest of the Chamber. It is recognised, however, that it may take time to increase membership and therefore ILO is encouraged to continue to provide at least some staff support.

Service delivery

By the end of 2016, UMFCCI had provided training to over 1,000 employers from 23 regional chambers throughout Myanmar. In 2017, to the end of September, a further 37 training courses were provided with 1,600 participants. Six courses have been developed covering these topics: labour law for business, workers' rights & responsibilities, factories and shop laws, understanding social dialogue, wages calculations and dispute resolution.

In 2016, UMFCCI took the training round the country, visiting 12 regional chambers and 8 industrial zones. In 2017, they visited 15 regional chambers and one industrial zone. The three professional staff from EOD delivered the training to a total of 573 participants. The objective was to raise awareness on current labour law as well as to cover topics like social dialogue and dispute resolution. Overall, the training appears to have been well received.

The training materials are mostly only available in Burmese, but one on calculating wages is also available in English. Some of the slides have too much on them, which makes them hard to read. The Burmese versions were considered to have too much text, a lack of illustrations, no summaries and generally to be rather boring, though this may reflect the way that much of training is delivered in Myanmar. Good power point slides simply provide a crib-sheet for a presenter rather than, as these, trying to cover everything. Some topics (especially wages calculation) would benefit from a handbook to be given to participants after the training as a summary. This is better than giving out the power point slides.

There is an evaluation of training courses immediately after their delivery, but there is no follow up. It is suggested that UMFCCI and MGMA should contact training course participants around three months after their training to ask questions designed to establish whether participants have changed their behaviour as a result of the training (ie, to identify that the outcome has been achieved) and to reflect on whether the training is appropriate or needs amending. UMFCCI has produced a series of wall posters summarising the labour laws. Until recently, participation in training has been free. In an effort to become sustainable, UMFCCI has now started charging, though the fee is currently a modest \$2-4. Given that some courses attract 200+ people, this could make a decent contribution, but it will certainly not cover all the costs of the EOD. EOD hopes to be able to raise the course fee to \$40-50, but has not tested this yet.

A possible consequence of the current focus on training and income generation is that there is too little focus on identifying issues, researching issues, or preparing policy positions. There is an argument that policy positions have been prepared and indeed were the focus of the work in earlier in the period. But dialogue has been slow and so there has been little need to review the policy positions. Dialogue can be slow, but this may provide an opportunity to gather better, more persuasive, evidence; it may be too that dialogue could be speeded by reframing the issues so that they become more salient. The team would benefit from coaching on the use of research evidence for advocacy.

UMFCCI is planning to launch a website (which should have been launched in November 2017) to provide detailed guidance to labour law and interpretation along with copies of directives from the Ministry of Labour which are often not available from other sources. This would be a valuable additional service. Much of the work to prepare information appears to have been completed; all that is necessary is for the creation of the website.

ILO has also supported the employment of a Labour Officer at MGMA. Most businesses in the garment sector are members of MGMA, giving them about 450 members, because that is necessary to secure import permits and export licences.

ILO has supported MGMA to develop training materials, to prepare guidelines on setting up a workplace committee and to prepare guidance on workplace dialogue. Indeed, MGMA's main activity at present is providing training on labour law on a factory by factory basis, so that management teams can apply the law practically. Employers seem to be struggling to understand the law but it is also the case that government struggles to implement the law consistently. The Labour Officer gathers intelligence as he meets businesses. It is not clear, however, how much this informs the views of those prioritising issues and formulating policy positions. Perhaps a more formal feedback mechanism would help.

MGMA has recently launched a newsletter which focuses on labour law and the progress that is being made in reforming labour law. When they engage in dialogue or advocacy that is also reported. This is also used to promote MGMA's training courses.

It is proposed shortly to offer employment related services to MGMA members for an additional subscription of \$75-500 dependent on their size. They hope to sign up an initial 20 members. The service will include support to set up a workplace committee, one day of training each year and advice on labour law as necessary.

In 2016, ACT/EMP helped Myanmar Tourism Federation to develop a manual for the hospitality sector. It also supported MTF to assess its institutional structure and consider how this could be restructured.

ILO has also provided support to MRCCI to set up a resource library and to provide training as required to employers in Mandalay.

Engagement in dialogue and advocacy

ACT/EMP and UMFCCI contributed to ILO's programme on labour law reform, specifically in relation to the preparation of a manual describing labour law. This was followed by the preparation of a report (ILO 2017a) setting out suggestions for labour law reform in Myanmar. For each of the laws covering labour, it describes the purpose of the policy and the law as it currently stands, employer views, a broad context and reform options with suggested priorities and recommendations. This is well put together and very comprehensive and involved a large number of members through participation in five working groups. This was followed by a strategic overview for employers (ILO 2016b) which suggests how the proposed reform priorities effectively fit together in an overarching strategy. EOD has subsequently prepared a detailed employer agenda for labour law reform (UMFCCI 2017). This sets out the importance of reforms contributing to improving competitiveness and productivity, encouraging job creation and building confidence in government and labour market institutions.

For each area of law, it sets out priorities for reform, with references to the legislation, reform options, the political context and proposed reforms. The proposed reforms are admirably precise, much better than achieved by many BMOs in developing countries. However, the document would benefit from better argument and justification for why reform is needed. As an aide memoire, the document is excellent. It is however rather long at 76 pages: it might be more effective for UMFCCI to publish a series of policy position papers, each focused on a different law. A policy paper focused on a single issue would mean that policy makers focus on UMFCCI's priorities and it would provide more opportunities to demonstrate to members that UMFCCI was advocating on their behalf. Publishing the position papers on the proposed website would ensure that all members had easy access to them.

UMFCCI has undertaken one survey, of 265 businesses, focusing on the minimum wage. The aim was to gather evidence that could help to support UMFCCI's arguments in the social dialogue process as the government is considering the size of increase in the minimum wage. There is a detailed report and also a power-point presentation. Overall, the survey has generated some helpful evidence, but the question asking employers about their likelihood of reducing levels of employment depending on wage increases, ability to pay wage increases and sensitivity to wage increases are hypothetical and unlikely to produce the robust evidence required to support an argument in the tripartite dialogue. The conclusion that wage increases in line with inflation is acceptable is a reasonable conclusion. Pushing wages higher than inflation will require an increase in productivity which may suggest a way in which the issue could be reframed.

EOs and workers both want to secure reforms to the labour law and have been able to find some areas, in bilateral discussion, on which they agree. They then become frustrated when the government does not adopt their agreed proposals. The employers have, however, achieved some success. For example, until recently, the government insisted that all employers, regardless of circumstance, use the same 13-page employment contract. That has now been reduced to a core of around four pages, which the employers are able to amend as required.

EOD has brought employers together to gather ideas on areas that need to be reformed and on what the reforms should be. It seems however that the priorities are chosen by majority vote when it may be beneficial to prioritise in a different way. It also seems that there is not much effort to pull together evidence to support proposals for reform other than that provided by participants.

The EOD is preparing strategy papers, policy positions and briefing materials. These are being used by the people whom they nominate to participate (UMFCCI nominates all of them) in the trilateral

dialogues. UMFCCI has set up five EO committees. When discussing issues, the Chamber opens these up to the whole membership and seek views. The representatives have mostly been involved in the working groups that prepared the policy positions and they do apparently meet with the EOD staff team for a briefing prior to trilateral meetings. UMFCCI explains that they do their best to convey a collective view rather than a personal view at bilateral and tripartite meetings. It does not appear, however, that representatives record minutes of the discussions or are provided with written briefs on a meeting by meeting basis which would make it easier to continue discussions when representatives change.

UMFCCI says that there have been several successful reforms or indicators of success:

- Labour organisation law: this has been reformed to allow trades unions to associate and says that employers have to follow similar rules without being clear; this is interpreted as meaning that an employers' organisation needs 30 members which makes it really difficult if they follow the zone, township, region, national confederation model. It seems that employers and trades unions agreed on much of this. Government has now agreed that two people from each employer can be counted, thus reducing the number of employers to 15.
- Dispute resolution: the employers have agreed a position with the unions and believe that the government's position will reflect the joint position; EOD has been lobbying the Parliament on one aspect where the employers do not agree with the trades unions (it is difficult to regard this as a success until they know the outcome).
- Termination: employers and workers agreed to revise the termination process, with the employer view based on work of a UMFCCI working group. The process is now codified in the new Employment Contract Directive.
- Employment contract: the rules for this have been amended and now reflect the joint position of employers and trades unions (though CTUM says that the employers and trades unions failed to compromise before going to the tripartite dialogue, so the government eventually decided). It seems that the decision of the government reflected, with the exception of requiring agreement from at least 50 per cent of workers, the position of the employers. EOD sees it as a success but it is not clear whether the reform was due to UMFCCI influence.
- Overtime calculations: Employers and trades unions agreed to a change and now the government has agreed also. This appears to be a success, though it is change of interpretation rather than a reform of the policy or the law
- Terminology: EOD says that the law has been changed to reflect nuances in the language, for example, using the word 'negotiation' rather than 'demanding'. Whilst this is positive, it is more of a change in interpretation than a change in the policy.

Collaboration

ACT/EMP is working closely with two other ILO projects and also with the Solidarity Centre.

Box 1: ILO: Labour market governance programme

This Programme contributes to the labour law reform process through strengthening the capacity of the Government, employers' and workers' organisations to develop and apply a labour law framework. The objective is to "improve labour market governance through legislative and institutional reforms". It seeks to deliver this by assisting the tripartite constituents in ensuring that laws and regulations are aligned with International Labour Standards; developing a labour law framework based on social dialogue principles; contributing to the capacity building of labour market institutions; and building the capacities and confidence of the social partners to engage in social dialogue. This project aims to involve all the social partners in reviewing and where necessary amending labour law, though the provision of independent and impartial advice, based on international labour standards. It should therefore complement the work being undertaken with the employers.

ACT/EMP has worked closely with this programme. Indeed, the programme CTA has facilitated meetings of employers and trades unions and helped them to identify areas where they can agree. She has also been involved in some of the tri-partite meetings. ILO sees a need to do more with government and with the Parliament which is becoming more interested in labour law reform. The ILO's assessment is that last year the Chamber came along to meetings and just made comments but that this year they have been coming with proposals supported by evidence and argument (and the workers have a better understanding of employers and are getting better at making proposals even if the proposals are unacceptable to employers) though she feels they would need more support from the ILO to gain a better understanding of the international labour standards and to develop their proposals more in line with the ILS.

Box 2: ILO: Garment Industry Project

The Garment Industry Project (ILO-GIP) aims to improve labour relations, social dialogue and gender equality in the garment sector. The intention is that the project should assist employers and workers in selected enterprises to build sound labour relation practices in areas including occupational safety & health, collective bargaining and overcoming barriers to women's participation in social dialogue; deliver a health education programme; and support employers and workers' organisations at sectoral level develop effective dialogue. The project aims to work, inter alia, with MGMA and the main industrial relations unions, including CTUM and MICS. The project is having difficulty in engaging with MGMA. One of the reasons highlighted by MGMA is the presence of H&M as a minority funder of the project. It is planning to implement pilot arrangements in 20 garment factories: it has recruited 10 factories owned by inward (Chinese) investors but has yet to identify 10 locally owned factories willing to participate. It has not yet started training as materials are still being developed. ILO-GIP aims to build skills amongst employers' and workers' representatives at enterprise level and to build capacity in the employers' and workers' organisations so that they can deliver improved services to their members as well as building trust.

This project, with a narrow sectoral focus, and a wide capacity building focus neatly complements the ACT/EMP project support for UMFCCI and MGMA.

Conceptually there are no overlaps between the ILO programmes which are intended to be complementary, though in practice it appears that there is some potential for confusion in the minds of those being supported. However, this should easily be overcome by continuing the close co-operation between the programmes. The projects are complementary and the expectation is that they will become more coherent once they are all written into a DWCP for 2018 onwards.

Turning to relationships between employers and workers, there is a challenge to support them both in a way that brings them together rather than entrenching positions. As noted above, in relation to the labour market governance programme, progress is being made on improving relationships and on seeking areas where it is possible to come to agreement. This is very positive. Often support for employers from ACT/EMP might be mirrored by support for workers from ACTRAV. In Myanmar, however, the bulk of the support for workers is being provided by the Solidarity Centre with funding from the US (see box).

CTUM reports that there had been a good relationship between the employers and trades unions until 2015, but it then seemed to deteriorate. CTUM feels that the attitude of the employers coming to bilateral and tripartite discussions is becoming less flexible and less collaborative especially in relation to the minimum wage. In relation to collective bargaining, CTUM complains that employers say they need another five years before they are ready, yet they apparently have a code of conduct that accepts collective bargaining. CTUM argues that social compliance and, by implication, adherence to the international labour standards should make it easier to sell products at higher prices. (The evaluators do not necessarily accept this argument, except in so far as compliance leads to higher productivity, which would reduce costs and increase profitability, without increasing prices.) Indeed, the early discussions with employers, in 2015, before the minimum wage was introduced for the first time

focused on productivity at the request of the employers but after two meetings, apparently the employers took a different tack. (It was therefore rather surprising to be told by the joint secretary general that UMFCCI wants ILO's help to promote the concept of linking wage levels to productivity.) CTUM says that it is very keen to promote the international labour standards. It recognises that both sides need to change their attitudes but it senses that UMFCCI is running away from the standards and thinks that ILO could do more to raise employer awareness of the standards. In reality, both sides are keen to promote the standards when they perceive it to be advantageous to them and less keen when they perceive it to be disadvantageous.

Box 3: Solidarity Centre

The Solidarity Centre is an INGO, originally set up by AFL-CIO, the main trades unions confederation in the US. AFL-CIO is on their board but it is an independent organisation largely funded by donors to provide technical assistance to trades unions and to give a voice to workers. In mid-2016, the Solidarity Centre was awarded a grant from the US Department of State to support bilateral dialogue in Myanmar to help cultivate constructive industrial relations.

As part of this program, the Solidarity Center collaborated with ACTRAV in early 2017 to conduct a workshop providing legal advice to the trades unions in Myanmar regarding labour law reform. ACTRAV's limited funding meant that the Solidarity Centre effectively took over the work of advising and supporting the trades unions regarding labour law reform and it subsequently continued the process with two follow-on workshops. These workshops involved a labour law expert from the Solidarity Centre to help the three unions representing labour at the tripartite process to identify problems within the initial labour laws that were prioritised for amendment, discuss options to correct the problems, and draft proposal language to amend the laws.

In addition to helping the unions prepare their labour law reform proposals, the Solidarity Centre collaborated with ILO's programme to bring the unions and employers together for bilateral dialogue regarding proposed amendments. The first of these collaborations was conducted in May 2017 during which bilateral dialogue resulted in significant agreements between the unions and employers regarding important aspects of the Labour Organisations Law. ILO's CTA for Employers and CTA Labour Market Governance were present at this meeting. Follow-up meetings – supported by the Solidarity Centre and the ILO – helped to structure the agreement into a joint proposal using legislative language. The proposal was shared with government, which reacted largely negatively to the surprise of both the employers and trades unions. The Solidarity Centre continues to seek further bilateral dialogue under its current programme.

Importantly, however, the employers and trades unions – and ACT/EMP and Solidarity Centre – discovered through this process that they could work together. There seems to be a good relationship between ILO's CTA for ACT/EMP and the Country Programme Director at the Solidarity Centre. There have been occasions when the employers have not seemed prepared (and one occasion when they came with a proposal which they retracted after finding that their argument was weak); however, they are perceived to be getting better at preparing for bilateral discussions.

UMFCCI as the employers' organisation

The government has conferred unofficial recognition on UMFCCI to act on behalf of the employers, pro tem, but EOD explains that the intention is to set up a parallel and standalone employers' organisation. The argument is that otherwise there would need to be a change in the law and that in any event a number of UMFCCI members are not employers so UMFCCI could not fulfil both functions. The UMFCCI board was more cautious, though did say that this was under consideration. A new association would need to be funded by subscriptions and although EOD is confident of securing enough members, the evaluators are more dubious. In any event, there should be synergies from being part of a larger trade association, in the form of common research and building the dialogue and advocacy skills of staff. There are many other examples round the world where the employers'

organisation is also a more general business association (such as the UK's Confederation of British Industry and the Vietnam Chamber of Commerce).

Some aspects of the UMFCCI, such as its research department, are weak, but that perhaps strengthens the argument to remain united, and to build up UMFCCI's other capabilities. The EOD can then potentially also benefit from the Chamber's monthly meetings with the Ministry of Commerce.

Perceptions

There are two perceptions that may be unhelpful. Firstly, the UMFCCI is perceived by some to be too close to government and thus not an independent party. On the other hand, if it does have close links to government, and it could potentially exploit these, not just in relation to labour law reform but to all aspects of public policy reform that might lead to improvements in the business enabling environment.

Secondly, the word 'labour' in the ILO's name confers the belief amongst some that the ILO is not a neutral player either. There is probably little that can be done about this, but it was raised by several of the interviewees. One consequence is that employers do not entirely trust the ILO, though, as noted earlier, the evaluators gained the impression that ACT/EMP has built a good relationship with UMFCCI and is building a similarly good relationship with MGMA.

Outcomes

One important outcome is, it seems, that membership of the Chamber is growing. It would be difficult to ascribe this all to the impact of EOD but they certainly see that as one of the reasons.

Further support

EOD has three requests to ILO:

- To support the creation of an independent employers' organisation
- To continue to offer technical and financial support
- To continue to top up the salaries of the EOD team.

Summary of achievement

The table below summarises the intended outputs and the achievements as recorded in the most recent quarterly report and also provides an assessment of what has been achieved.

Table 1: Summary of indicators, outputs and performance assessment

Milestone		
UMFCCI will provide training and labour advisory services to businesses on a regular basis		These outputs links to 10.2 above. NB in reality the 'milestone' describes an activity and not a milestone
Baseline		Assumptions
The original scoping mission suggested that UMFCCI lacked the ability to offer these services		Whilst UMFCCI was committed to this programme and it was believed that it could recruit suitable staff, it was anticipated that there would be a need to engage in building the capacity of the staff before they could deliver the outputs
Outputs	As reported in 2017 Q3	Our assessment
1.0 Training delivery plan that enables delivery by partners using UMFCCI training materials and trainers developed		Achieved: a plan has been prepared and implemented
1.1 At least three new training courses on labour and social issues in direct response to member demand are developed and launched	<ul style="list-style-type: none"> • Training consultant hired • Member survey undertaken • Training course developed • Five training courses delivered, round country, with 573 businesses participating 	<p>Achieved: all the EOD team engage in training; training courses have been written and delivered; a survey has been undertaken.</p> <p>The evaluations, such as they are, are very positive, but participants were not interviewed</p>
1.2 Regular communications resource are developed and disseminated to raise members' awareness of UMFCCI policy advocacy, products and services	<ul style="list-style-type: none"> • Labour law posters distributed • Newsletter launched • Labour library website launched 	<p>Partly achieved: materials such as posters have been printed and distributed but there is little evidence of regular communications. MGMA has launched a monthly newsletter, but UMFCCI does not appear to communicate with its (employer) members on a regular basis.</p> <p>Background work for the website appears to be largely completed but the website has not yet been created.</p>
1.3 Labour dispute resolution, conciliation and arbitration services developed and launched	<ul style="list-style-type: none"> • Training programme of negotiation & conciliation developed and delivered • Advisory services available but not overtly promoted 	Achieved: training programmes and advisory services available

Milestone		
UMFCCI will participate in national labour and social policy-related dialogue in a consistent and evidence based way		The first three of these outputs link to 10.3 and the fourth output links to 10.2 above
Baseline		Assumptions
The original scoping mission suggested that UMFCCI lacked the ability to engage in dialogue in any meaningful way		Whilst UMFCCI was committed to this programme and it was believed that it could recruit suitable staff, it was anticipated that there would be a need to engage in building the capacity of the staff before they could deliver the outputs. It should be noted however that much of the dialogue is undertaken by board members rather than by staff members
Outputs	As reported in 2017 Q3	Our assessment
2.1 Evidence based reports and member consultations are utilised as a basis of policy positions	<ul style="list-style-type: none"> • 17 working group meetings covering 6 topics • Enterprise survey results presented • Strategic guide for employers published • Review and recommendations on labour law reform completed • Review of EO role in fragile situations • Research undertaken on enforcement of labour law 	<p>Achieved: there has been progress in preparing evidence and consulting with members (for example for the omnibus compendium of labour law reform and on the minimum wage); however, consultation could be systematised more</p> <p>UMFCCI met with CTUM to agree a common position on collective bargaining and jointly submitted this to government</p>
2.2 Evidence based policy positions are prepared for at least two dialogue events on key labour market issues	<ul style="list-style-type: none"> • Presentation on minimum wage • Preparation of small business profiles 	Achieved: there is a detailed employer agenda for labour law reform. The danger, however, is that EOD fails now to follow up on this. There is scope, also, to work more broadly with colleagues in UMFCCI (especially the economic research department) on evidence gathering and policy positions to broaden the work (and share the skills of the team) beyond labour law.
2.3 Major enterprise survey (at least 250 firms) with a specific focus on labour and employment challenges of private sector, carried out to inform policy positions and training needs of UMFCCI	<ul style="list-style-type: none"> • Survey undertaken and results collated and analysed 	Achieved: a survey has been undertaken but it does not really provide the evidence base required to inform policy positions or define training needs
2.4 Training programmes developed and delivered to strengthen the capacity of relevant staff to support the advocacy function	<ul style="list-style-type: none"> • Study trip to Sri Lanka • Training programmes delivered 	Achieved: visiting Sri Lanka resulted in recommendations which have largely been implemented. It was disappointing however that the opportunity to visit other chambers, such as the Ceylon Chamber of Commerce which is an effective advocate, was not taken up.

Milestone		
UMFCCI regional chambers and affiliated associations will provide basic training and advisory materials to member businesses		This first output links to 10.1 and other two outputs link to 10.2 above
Baseline		Assumptions
The original scoping mission suggested that UMFCCI lacked the ability to offer these services		Whilst UMFCCI was committed to this programme and it was believed that it could recruit suitable staff, it was anticipated that there would be a need to engage in building the capacity of the staff before they could deliver the outputs
Outputs	As reported in 2017 Q3	Our assessment
3.1 Sustainable plan to develop and offer training and advisory services adopted by partner organisations	<ul style="list-style-type: none"> • MGMA adopts delivery plan • MoU signed with MGMA to develop in-house services • Launch of MGMA labour services 	Partly achieved: UMFCCI is beginning to charge for training; MGMA is intending to offer an employer package at an additional subscription. The UMFCCI approach will only cover the cost of training but will not generate enough of a surplus to cover all the costs of EOD; it is too early to comment on the MGMA approach.
3.2 Training programmes developed and implemented by selected regional or sectoral partners either using their own internal resources or drawing on the centralised technical capacity of UMFCCI	<ul style="list-style-type: none"> • Additional staff member at MGMA started • Training programme at MGMA • Training programme at MRCCI 	Achieved
3.3 Advisory services developed and launched, including regional or local employer organisations develop in-person representation services for conciliation and dispute resolution, either alone or in conjunction with UMFCCI		Partly achieved: advisory services now available from UMFCCI but not yet widely promoted; advisory services available from MGMA and will be more widely available after launch of employer package.

5.2 Key evaluation questions

This section addresses the first 17 evaluation questions. Lessons and recommendations are addressed in the sections that follow.

5.2.1 Validity & coherence of intervention design

Q1. Is the programme design (i.e. activities, outputs & outcomes) and the underlying theory of change valid given the business process and Myanmar context? Assess whether the problems and needs that gave rise to the work still exist or have changed.

The programme design focuses on capacity building (of both UMFCCI and employers) and largely makes an assumption that this will lead to desired outcomes and impacts. The assumption is not unrealistic. At the time of the evaluation, the focus was on service delivery (that is, providing training to employers); the evaluators were told that earlier the greater focus was on policy dialogue and advocacy. Both are important and EOD needs to balance them as best it can with limited resources. The theory of change is sound, though largely implicit, and it would be worthwhile being more explicit about it. This would then help to ensure an understanding of the expected outcomes and impacts and provide a better means to assess whether activities were moving UMFCCI, MGMA and others in the right direction.

The problems that gave rise to the need – lack of capacity within the associations that represent employers and lack of resource – remain though are diminishing with ILO's support. It is not enough however just to provide a small team. The team itself needs to be developed and, whilst they are gaining experience, they still have some development needs. The structure of UMFCCI is not entirely helpful, though difficult to change, so effort needs to be made by UMFCCI to ensure that the EOD team are given enough autonomy to deliver effectively.

Q2. How appropriate and useful are the milestones in assessing the progress made? Is the project coherent with the ILO's priorities and policy – P&B outcome 10? Has the approach been strategic and exploited the comparative advantage of the ILO?

The project is coherent and it aligns closely with the ILO's priorities. The overall approach has been strategic and the ILO has delivered considerable support that would have been unlikely to be offered by any other donor. Its hands-on support has clearly made a difference. The milestones could be better. The word, 'milestone' has been used to describe the completion of an action, such as the launch of a training programme or the undertaking of a survey. It would be more appropriate to use the word to assess the progress towards achieving a specified outcome. So, if the intended outcome, for example, is that UMFCCI is consulting with members over issues and priorities, the milestone would be that it has in place, and is using, a system to consult members and gather views. If milestones are not being met as anticipated, then the activities can be adjusted accordingly.

Q3. What, if any, alternative strategies would have been more effective in achieving its objectives?

Overall, the approach and strategy has worked well. One possible approach would have been to provide UMFCCI with advice and capacity building but not to subsidise the cost of staff or even to provide additional resources for research and publications. The ILO is commended for taking the approach of supporting the employment of staff, at least for a limited period; this has made a considerable difference to UMFCCI being willing to move forward on behalf of the employers.

5.2.2 Relevance

Q4. Has the project responded to the real needs of UMFCCI and other EOs and is it still consistent and relevant to the needs of the business communities and current development in Myanmar?

The programme of support was highly relevant in terms of improving the capacity of EOs and supporting them to engage more effectively in dialogue and advocacy.

One of ACT/EMP's objectives is to support EOs to strengthen their services. This begs a question about why EOs offer services: is it to generate income, to help to pay for 'public' goods such as advocacy and influence, or is delivering services a core objective for EOs? The reality is that EOs offer services for all those reasons. There is not much profit to be made in services (if there was, others would be offering the service already). But offering services may encourage businesses to join and pay their subscription, can contribute to overheads and can allow EOs to employ more staff than might otherwise be the case, giving the EO a wider pool of expertise on which to draw for projects. In relation to advocacy, businesses can 'free-ride'. Some businesses will take an altruistic approach, but others will need to be enticed with at least some selective benefits. If EOs go too far and come to perceive that they exist primarily to offer services, they become more of a business and lose sight of their role in dialogue and advocacy. It is important therefore to keep the balance right. In fact, the services being offered by UMFCCI and MGMA are specifically related to labour relations and labour law so this is not currently an issue.

5.2.3 Effectiveness

Q5. Have the planned objectives been achieved? To what extent have UMFCCI and partner organisations 1) been able actively to engage in labour and employment policy reform; 2) are able to provide new labour related services to members. If yes, what are the main contributing factors? If no, what are the constraints, problems and areas in need of attention?

The planned objectives have been largely achieved. UMFCCI has actively engaged in policy advocacy, in bilateral discussions with the trades unions and in tripartite dialogue. It claims that it has delivered some reforms to labour law, though it is not entirely clear whether that is really so. However, it is still early days, and believing that it is delivering will build its confidence to deliver in the future. Much of public policy advocacy allows for 'win-win' proposals, in which a burden on the private sector can be reduced without government or other interests suffering, and sometimes with the expectation that tax revenues might rise. Labour relations tend to be seen as a zero-sum game: for the workers to win (say an increase in minimum wage) requires employers to lose (because costs rise). There is therefore some scope to encourage both employers and trades unions to reframe the debate, so that both are moving together (for example, improving productivity could lead to wage rises and increased profitability).

UMFCCI and MGMA have both been able to provide labour related services to members. To date this has mostly been training. UMFCCI has been offering some advisory services and MGMA intended to do this as well. It seems, however, that UMFCCI does not keep any record of this activity, yet keeping such records would be helpful, both for when employers return for further advice and to enable UMFCCI to demonstrate the extent of its activity. The main constraint appears to be the lack of resource to do this on a larger scale.

Q6. Does the project collaborate with other projects and programmes to enhance its impact and effectiveness?

There is good evidence that ACT/EMP has collaborated closely with two other ILO programmes and with the work of the Solidarity Centre.

Q7. Has the project received adequate administrative, technical and, if needed, political support from concerned ILO offices (Liaison Office, ACTEMP and DWT-Bangkok)? If not why?

The project appears to have received adequate support. The CTA is able to call on colleagues within the Myanmar Liaison Office, ILO Bangkok and ILO Geneva and they have been very supportive.

Q8. Has the project management arrangement been adequate to carry out the work? Any monitoring plan or tools used to monitor the progress made?

Since the appointment of the current CTA, it seems that the project management arrangements have been good. ILO has put in place an effective system of quarterly monitoring. As noted above, there would be merit in rethinking the milestones, so that they enable the assessment of whether the

activities are the 'right' activities or whether there need to be changes. The timescale has been very short, especially given the lack of progress in the first two years. Building an organisation to become an effective public policy advocate takes several years and requires limited staff turnover (which thankfully has been achieved). Perhaps the real challenge is that UMFCCI requires a team of more than three if it is to make a real difference, given the lack of other people in UMFCCI with dialogue and advocacy expertise.

Q9. Have there been synergies/ collaboration with other initiatives/ projects? If so, has this enhanced the effectiveness/ impact of the project?

As noted in Q6, ACT/EMP has collaborated with other ILO programmes and with the Solidarity Centre. The Solidarity Centre has effectively taken over the role that might have been taken by ACTRAV. However, it is clear that they and ACT/EMP work together and, together with ILO's programme on labour law reform, have aimed to bring employers and workers together and to look for areas where they can agree. This has been positive. This has increased effectiveness in the sense that they have then taken their common position to government; it is not clear that government has adopted these positions so, as yet, the impact has been limited.

5.2.4 Efficiency of resource use

Q10. Have resources been allocated strategically to achieve results? And have they been delivered in a timely manner? If not, what were the factors that have hindered timely delivery of outputs? Any measures that have been put in place?

An overall programme of support was proposed and budgeted. The resources have enabled the results achieved so far to be achieved. Resources have been provided when they were needed. However, there are now some key decisions to be made. Will ILO continue to support staff costs? It should be encouraged to do so, not least because UMFCCI needs to expand its team to include at least one person with private sector experience, and because there is a need to do more research on more issues, which will probably require the sub-contracting of some research. There is also a need to continue to develop the team.

Q11. The extent to which the resources have been leveraged with other related interventions or other projects to maximise impact, if any?

It is likely that resources have been leveraged. For example, close collaboration with other ILO programmes means that this project has benefited from their expenditure. However, it is difficult to be precise about the extent of the leverage. There is considerable leverage with UMFCCI who are now funding the five members of staff of EOD from their own resources and providing the office.

5.2.5 Impact

Q12. What has been the impact of the project on Institutional building, process, and policy change that can be attributed to the ILO work in strengthen the capacity of the UMFCCI and other employers' organizations?

There has been considerable institution building within UMFCCI, who now have a team dedicated to employer needs and issues. There is a danger that UMFCCI will decide that the EOD should be hived off into a standalone organisation. This would be a mistake. It will mean that the team spend their time worrying about structure and resources rather than about services and advocacy. It will also mean a loss of any synergy with other parts of UMFCCI (this is weak at present, but would encourage UMFCCI and ILO to explore, perhaps with other donors, how this could be strengthened).

UMFCCI claims a number of policy reform successes. The evidence to support this claim is rather limited however. There have been some 'technical' reforms, and there has been at least one reform which mirrored the objectives of UMFCCI. However, believing that they are succeeding will build confidence and it is still early days.

It would be sensible for ILO to think now about impact might be measured, perhaps through a cost benefit analysis, and to consider whether it needs to assess baselines now in order to measure economic impact in say three years' time.

Q13. Have there been changes (or some progress) made on the economy and society – that the EO has played in relation to labour related issues in Myanmar which can be attributed to the project (due to the fact that the employers' organisation has embraced the labour mandate, etc)?

There is now a greater willingness of employers and trades unions to sit together and discuss issues. It seems that they have may have proffered joint positions to government, though government has not always adopted them. This progress is undoubtedly due to the project (and to the efforts of the labour law reform project) which has brought the parties together in a neutral venue and with an independent facilitator. It is not clear however that the employers are yet sold on the need to adhere to the international labour standards.

Q14. The extent that the UMFCCI has played its role as a social partner, representative voice of business and as a source of information for its members.

UMFCCI has been very active in its role as social partner and as the representative voice of business. It is providing training and advisory services to business. It has provided information about labour legislation in printed form and translated it into Korean at the request of some employers. It could however expand its role as a source of information (which is intended but the proposed website is not yet available). There is, for example, scope to offer short 'business information factsheets' to members and to promote its advisory service. MGMA is further ahead with its newsletter but it too could do more to make information available to business.

5.2.6 Sustainability

Q15. Considering the political context, the extent to which the results (particularly the institutional building of UMFCCI) are likely to be durable or even scaled up and replicated by the partners after the project ended. What has been planned as an exit strategy?

The EOD is unlikely ever to become sustainable through its own efforts alone. It will need to be supported by UMFCCI. Indeed, it should be supported by UMFCCI, most of whose members are employers, and should be pitching to be recognised not just by government but by other associations that represent employers as the apex employers' organisation. That would almost certainly encourage more businesses to join UMFCCI. It needs to think through its arrangements for other business associations to join, offering a subscription arrangement that allows all their members to access the same services and to benefit from UMFCCI's work generally on labour relations. This would build UMFCCI's credibility as representing a large proportion of employers as well as building its revenue.

5.2.7 Special aspects to be addressed

Q16. The extent that the work has promoted ILO's mandate on social dialogue and international labour standard (taking into consideration the context of the project). Any improvement in the tripartite or bipartite social dialogue in Myanmar?

Employers are suspicious of the ILO, do not always have a full understanding of the international labour standards and are sometimes confused by committee interpretations of the standards. However, it does appear that UMFCCI is moving in that direction. They have engaged well in the social dialogue – participating in bilateral and tripartite discussions. The omnibus policy position on labour law reform draws attention to where current legislation does not meet international labour standards.

Q17. The extent to which gender has been addressed in the design, and implementation or in the results of the interventions?

Gender is important to ILO. There is an expectation that gender will be addressed in all interventions, and given the large number of women employed in garment manufacture, this is particularly

important. However, many of the issues are broad based issues rather than gender specific. UMFCCI does not disaggregate membership based on gender; it does not even record participation in training courses based on gender. However, many of the spokespeople are women, not least UMFCCI's joint secretary general, and she will ensure that gender issues are not overlooked. Gender is however now becoming more important to UMFCCI.

5.3 Approach to monitoring & evaluation

The monitoring and evaluation focuses on actions and outputs rather than on outcomes and impact. It is too early to be looking at impact, but there should be some consideration of outcomes, that is, is behaviour changing in the way that was desired. A focus on actions and outputs is appropriate if there is a clear theory of change and if it is clear that the outputs will lead to the desired outcomes. It is not yet demonstrated that this is the case. However, this would also make reporting easier since there is a tendency to change actions and then explain why without necessarily setting the explanation in the context of the desired outcome.

6. Conclusions

The ILO supports all the social partners and aims to be impartial with all of them (for example, through stressing the need to use agreed socio-economic indicators during negotiations). It is a normative organisation whose objective is to develop international law, approved by treaty, and then to aim to bring the social partners into agreement. It also stresses its tripartite nature, treating all stakeholders equally, and indeed this is reflected in its structure. This is appreciated by the social partners who recognise that ILO's role is to help them all become better at what they do, on the basis that balance and equity are valued by all the stakeholders.

The work has been successful. ACT/EMP has supported UMFCCI to strengthen employer related services and to enhance its capacity. UMFCCI is devoting more of its own resources to advocacy and dialogue and is participating more in bilateral and tripartite discussions. It is developing policy positions and is using more evidence to support those positions. However, its omnibus policy proposal on labour law reform, which is commendably precise in its proposals, would benefit from more evidence and more cogent argument. There are some issues (such as minimum wage) which the employers could potentially reframe in such a way that it would lead to collaboration rather than competition.

EOs may exist primarily to represent their members' views but they also have a responsibility to promote good practice back to their members, for example in relation to gender equality and greening economies. Indeed, this will contribute to the EOs' credibility when they are advocating reform to government. There is some evidence that UMFCCI is beginning to do this, for example through its training programmes.

The work at MGMA – training, advice on labour law, information dissemination – is beginning to deliver positive results and they are looking closely at how to ensure that the work can now be sustained.

6.1 Relevance

The work is very relevant. Supporting UMFCCI and others to become more effective representatives of their members, and to engage in dialogue and advocacy, will make a difference at bilateral and tripartite dialogues. Supporting UMFCCI in turn to build the capacity of individual employers will lead to improved labour relations at the enterprise level.

6.2 Effectiveness

To date the programme has been effective. Progress was slow in the first two years though it was important to develop a relationship built on trust with the ILO; however, since then, a great deal seems to have been achieved, with the gathering of research evidence and the preparation of policy positions on all aspects of labour law. UMFCCI has been participating in bilateral and tripartite dialogue and appears to have had some, if limited, success in influencing public policy. However, as it builds its skills and experience, it might be expected to achieve much more over the next three years.

6.3 Efficiency

Efficiency is perhaps the hardest criterion to assess. Much of the support is the provision of one to one advice from ILO field specialists, supported by consultants brought in by ILO. Could the support have been delivered in a different way? Probably. Would that have led to better outcomes? Probably not. The evaluators support an approach that brings in people with expertise, who can support the team and instil new skills and knowledge, or undertake research on their behalf, in a limited time. There may be scope to improve efficiency by collaborating more closely with the providers of other support and advice, but that carries with it a danger than the ILO message is diluted. So the ILO is encouraged to keep on supporting UMFCCI and others in much the same way, building their skills through a combination of development and learning on the job. Rather than striving for efficiency, it would make more sense to strive for value for money. The evaluators' assessment is that, so far, this programme of support has delivered good value for money.

6.4 Impact

Impact is usually an assessment of the difference made to members (and the wider business community) as a result of reforms brought about by the business association. In this case, there are two possible impacts. The first is the improvements in labour relations supported by EOD training. It is not possible to comment on the extent to which that has been achieved, though UMFCCI is confident that there has been improvement. The second is the economic impact arising from policy reforms. It is too early to make an assessment but it is likely that there will be an impact arising from the reforms that are being negotiated at the moment.

6.5 Sustainability

It is unlikely that any business association can wholly sustain itself from offering services. It may be able to sustain itself through a combination of services and membership fees, though in the US the average business association generates less than 50 per cent of its income from membership fees. This means that the employers' organisations need to prepare a broader strategy to sustainability, perhaps aiming to cover their core costs and to stay in business on the back of membership fees, to offer additional service which generate additional income, and to look for sponsorship for specific projects. MGMA has an advantage that businesses need to join to secure import licences and export permits, so it probably can be sustainable, until the law changes. UMFCCI has an advantage that many businesses join to secure certificates of origin. But nevertheless, they need to think through their overall approach to funding and how much they are prepared to subsidise their work on employers' services.

6.6 Cross cutting issues

The key cross cutting issue is gender. Here it seems that there is still some work to do, both in terms of encouraging UMFCCI and MGMA, in particular, to gather and disaggregate gender participation data; to encourage them to consider gender differences in their research evidence, and to encourage them to raise gender issues in bilateral and tripartite dialogues, though that is expected now to change as UMFCCI starts to do more on women in business.

7. Lessons & good practice

Lesson 1: EOs need a competent and knowledgeable staff team from a variety of backgrounds supported by board members who share their desire to reform public policy, but it takes time and effort to build these teams so that they work together in a way that is efficient and effective.

Good practice 1: Placing a person from ILO in the office with the employer organisation team can speed up the process of learning amongst the team.

Good practice 2: EOs (and indeed BMOs in general) cannot simply rely on connections and networks to influence government: rather they need to undertake (or commission) excellent and objective research and need to be able to prepare persuasive policy position papers. They can then use both the research evidence and the argumentation when they advocate reform. The omnibus proposal for labour law reform is a good example of precise policy proposals allied to a strategic framework.

Good practice 3: it is very easy to see dialogue with government and especially with other interests as a zero-sum game. It is generally more effective both to reframe issues in such a way as to promote collaboration and also to look for areas of common ground, perhaps in bilateral meetings before participating in tripartite dialogue.

Good practice 4: Whilst there is a desire to work with organisations which are sustainable, there are also good arguments on occasion for supporting EOs more directly, especially with the costs of employing a policy officer or even a policy team.

Lesson 2: EOs need support all the way through an advocacy project whilst they are developing their competence. ACT/EMP has identified that support for EOs is not necessarily immediately reflected in greater influence or even in more dialogue: it takes time for governments and BMOs to become confident in talking with each other and even when the parties are confident, often the complexities of an issue mean that it can take years for a policy reform to work through the policy system. This is not always well captured due to the biennial nature of ILO programming.

8. Recommendations

This section addresses Q19 of the ToR and offers some recommendations.

Recommendation 1: ILO should continue to support employers' organisations in Myanmar, especially UMFCCI and MGMA and, to a limited extent, other employers' organisations as well, that may be expected to be able to make a difference. (This is a high priority, and has resource implications.)

Recommendation 2: ACT/EMP should articulate its overall theory of change for its programme of support for employers' organisations to become more effective advocates, perhaps along the lines of the graphic in Figure 1. This would then serve as a reminder both of the point at which ACT/EMP is intervening but importantly show the intended ultimate outcomes from the interventions. Outcomes and targets for individual projects should then clearly relate back to the theory of change. (High priority; no resources required.)

Recommendation 3: ILO should encourage UMFCCI to retain the employers' organisation department rather than hiving it off, recognising that this could offer significant synergies with other departments within UMFCCI (and ensuring that the team can focus on the important activities of delivering services and engaging in dialogue and advocacy rather than being diverted into discussions on structure and funding). (High priority; no resources required.)

Recommendation 4: ILO should encourage the staff teams at both UMFCCI and MGMA, when they are meeting with businesses, perhaps whilst training, to use the opportunity to gather intelligence

about issues and priorities and indeed on their views on the association and what it could do better. (Medium priority; no resources required.)

Recommendation 5: UMFCCI and MGMA should follow up all training participants around three months after a course has been run to assess whether the training has made any difference to the way in which they work and whether, on reflection, there need to be changes to the training programme. (Medium priority; very low level of resource by way of staff time required.)

Recommendation 6: UMFCCI should be encouraged to do more research – to identify issues, to frame issues, to prioritise issues, to gather evidence to understand the issues and to prepare policy positions on the issues. The sense at the moment is that they are falling back on the omnibus policy proposal for labour law reform, rather than continuing to progress. (Medium priority; may require some limited resource to commission the undertaking of research.)

Recommendation 7: UMFCCI should expand its staff team. It is already challenging to provide all the services expected of an employers' organisation with just three people, but the lack of a member of staff with private sector background is a weakness. It needs a member of the team who can both empathise with members and also ensure that the views taken forward really do reflect the will of the private sector. (Medium priority; resource implication as would need to find the costs of a further member of staff.)

Recommendation 8: UMFCCI (ideally in partnership with other employers' organisations, should set up a web based issue tracker, so that members (and other) can follow and contribute to issues. This could be integrated into the new website already intended to provide advice and guidance on labour law. It would make it much easier to consult with members and would offer them a way to have their say without having to come to meetings or participate in working groups. (Medium priority; should be possible within the budget already set aside to set up the website.)

Recommendation 9: ILO, perhaps in partnership with the Solidarity Centre, should explore the scope to take a group of employers and trade unionists together on a study visit to a country where employers and trade unionists are collaborating on a topic like improving productivity. This would provide an opportunity both to learn from the experience of others and also for the employers and trade unionists to get to know each other better. (Low priority; would require resources.)

Appendix 1 Terms of reference

A1.1 Introduction

ILO Yangon with technical support from Bureau of Employers' Activity (ACTEMP) received Regular Budget Supplementary Account (RBSA) funding of 2014-15 and of 2016-17 biennia to support the capacity of business and employers' organization in Myanmar. The work has contributed to the Myanmar country programme outcome (CPO) MMR801 on Strengthened institutional capacity of employers' organizations. MMR801 contributes to the ILO Programme & Budget (P&B) Outcome 10 on Strong and representative of Employers and Workers' organizations; and to SDGs goal no.8 and 16 on Decent Work and Peaceful societies, respectively. Significant amount of RBSA funding (2016-17) has continued to be provided to MMR801 and its activities are coming to an end by August 2017 project, thus the final independent evaluation is required as per ILO evaluation policy. The purposes of the final evaluation are both for accountability and for organizational learning within the ILO.

The objective of this final evaluation is to assess the relevance, effectiveness, efficiency, impact and sustainability of the interventions' actions undertaken under the project. The main focus of the final evaluation is to assess any institutional change and the capacity of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI), the direct recipient of this project. The evaluation will assess the extent to which the project has contributed to improve the capacity of UMFCCI vis-à-vis the initial state of its capacity before the project started. The evaluation should also made an attempt to assess the contribution of the project that has played in doing direct coordinating role and in building capacity of employers so that they can engage in labour related work in a more informed and substantive way. The evaluation will also provide lessons learnt, recommendations for possible future programming.

The evaluation process will be from 10 August to mid October 2017 (with field work and interviews ideally conducted during 21-25 August 2017). It will be conducted in compliance with the principles, norms and standards for project evaluation set forth in the *ILO policy guidelines for results-based evaluation: principles, rationales, planning and managing for evaluations, 2nd edition* (July 2013). The final evaluation will be carried out in close consultation with the project, key stakeholders in Myanmar and ACTEMP. The final evaluation will take into account the contextual situation that the project has been operating in Myanmar during the project period.

Responsibility for management of the evaluation is with the ILO's Regional Monitoring and Evaluation Officer, based at the ILO Regional office- Bangkok who has no prior involvement in the project with oversight provided ILO Evaluation Office. The evaluation will be carried out by an independent external evaluator. The evaluation will be funded by evaluation provision of the RBSA M&E fund and it will comply with UN Norms and Standards¹.

A1.2 Background and description of the programme

ILO Yangon, through the provision of RBSA funding in the 2014-2015 and 2015-2016 biennium and with technical support from ACTEMP, has been working to develop capacity of business and employers' organizations in Myanmar. The primary partners for this work is the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI). The project also has a wide range of other external partnerships. The ILO also works in close coordination with the Myanmar Garment Manufacturers' Association (MGMA), the Korean Garment Manufacturers' of Myanmar, and the Hlaing Tharyar Garment Employers' Organization. These are three of the biggest and most active business associations and employer organizations in the garment sector in Myanmar. The project also has coordinated with the World-Bank Funded Myanmar Business Forum in the organization of regular

¹ United Nations Evaluation Group (UNEG), Norms and Standards for Evaluation. June 2016.

private sector consultation events on labour market issues. Through its partnership with UMFCCI, the project also works with a significant number of the 72 business associations that are affiliated with UMFCCI. It also has engagement with a wide range of Myanmar's 22 industrial zones, where the vast majority of manufacturing businesses are located. Regular training, consultation and engagement is conducted with both affiliated associations and industrial zones.

UMFCCI has not traditionally been active in labour and employment issues, which were heavily controlled by the government through recent years, and has little experience in engaging with trade unions, which were not recognized in Myanmar until 2012.

With the support of ILO, UMFCCI has started becoming active in labour and employment issues in Myanmar and taking on the role of employer organization alongside its traditional chamber functions. UMFCCI's move towards functioning as an employer organization is a response to the complex and evolving situation in Myanmar, with the country moving towards greater democracy. The new system is significantly more open to private sector as well as worker and employer organizations. These changes have increased demand on UMFCCI to expand its policy portfolio to cover labour and employment issues, and provide new labour-related services to members.

At the regional level, UMFCCI has a strong network of affiliated associations, and work has already begun to develop the capacity of these organizations to deliver targeted and tailored support to business members. At present, given the lack of capacity at local organizations, this work often takes the form of helping regional associations play a facilitating role in the delivery of technical materials developed by UMFCCI. In time, it is envisioned that these organizations can shift from playing a facilitating role to a more direct one, in which they deliver basic services themselves while working with UMFCCI for the delivery of more advanced technical materials.

It is envisaged that the capacity built through the interventions will contribute to improving the understanding and participation of representative organizations of business in Myanmar in newly developing bipartite and tripartite dialogue mechanisms and gain better understanding of implications of international labour standards for employers.

The ILO work to be evaluated has contributed to the Country Programme Outcome (CPO) MMR 801 on Strengthened institutional capacity of employers' organizations. The objective of the CPO is to develop the capacity of Myanmar's central, sectoral, and regional business and/or employers organizations to sustainably lead the Myanmar business community on labour and employment issues while promoting enterprise development and Decent Work principles. The CPO will primarily contribute to enhanced social dialogue as the cross cutting policy driver, but will also address gender equality and contribute to better understanding and implementation of international labour standards

Key milestones

UMFCCI, with technical support from ILO (during 2014-15), has made a new and significant commitment to serving and representing employers, having formed an Employer Services Department (ESD), which as of June 2016, is fully staffed with 3 technical professionals and 2 administrative staff. The purpose of the department is to represent employers at the national level, and assist member businesses and affiliated associations on labour and employment issues. UMFCCI has also established a board of directors for the Department, and initiated quarterly employer dialogue forums.

A1.3 Purpose and scope of the evaluation

Purpose

The main purposes of the final independent evaluation is to promote accountability to ILO key stakeholders and donor, and to enhance learning within the ILO and key stakeholders.

The main objective of the evaluation are as follows:

- Assess the relevance of the ILO support in strengthening the capacity of employers' organisations in the context of Myanmar;
- Assess the effectiveness of the project – the extent to which the UMFCCI and other employers' organizations have increased its capacity and are capable of providing new labour related services to members, and to what extent its policy portfolio has covered labour and employment issues
- Assess/identify new developments and/or challenges that may have contributed or hindered the achievement of the objective of the CPO MMR 801
- Identify possible impact (intended and unintended) and the contribution of the work in enhancing social dialogues and gender mainstreaming
- Provide recommendations for possible future programming;
- Identify emerging potential good practices and lessons learnt

Scope

The evaluation will cover all interventions from all sources of funds that has been contributing to the achievement of the **outcome MMR801: Strengthened institutional capacity of employers' organizations**. The main focus will be the work during 2016-17 but earlier work and significant milestones resulted from ILO technical support during 2014-15 will also be taken into account within this evaluation. This is because the progress made during 2014-15 biennium provided strong justification for further RBSA funding support for 2016-17. The timeline of the evaluation therefore will be from January 2014-August 2017.

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

The gender dimension should be considered as a cross-cutting concern throughout the methodology, deliverables and final report of the evaluation. In terms of this evaluation, this implies involving both men and women in the consultation, evaluation analysis and evaluation team. Moreover, the evaluators should review data and information that is disaggregated by sex and gender and assess the relevance and effectiveness of gender-related strategies and outcomes to improve lives of women and men. All this information should be accurately included in the inception report and evaluation report.

Client: The primary end users of the evaluation findings is the Employers' organization in Myanmar, ILO Liaison Office in Myanmar, and ACTEMP. Secondary parties making use of the results of the evaluation will include ILO technical departments, DWT-Bangkok and ROAP.

A1.4 Suggested aspects to be addressed

The evaluation should be carried out in adherence with the ILO Evaluation Framework and Strategy, the ILO Guideline, the UN System Evaluation Standards and Norms, and the OECD/DAC Evaluation Quality Standard.

The evaluation will address the overall ILO evaluation concerns such as relevance, effectiveness, efficiency and sustainability (and potential impact) to the extent possible as defined in the ILO Policy Guidelines for Results-Based Evaluation: Principles, Rationale, Planning and Managing for Evaluations (i-eval resource kit)', 2013.

Gender concerns should be addressed in accordance with ILO Guidance note 4: "Considering gender in the monitoring and evaluation of projects" All data should be sex-disaggregated and different needs of women and men and of marginalized groups targeted by the programme should be considered throughout the evaluation process.

Below are the main categories that need to be addressed:

Coherence and design (the extent to which the design is logical and coherent)

- Does the programme design (i.e. outcomes, outputs and activities) and the underlying theory of change still valid given the business process and Myanmar context. Assess whether the problems and needs that give rise to the work still exists or have changed
- How appropriate and useful are the milestones identified in assessing the progress made? Is the project coherent with the ILO's priorities and policy – P&B outcome 10? Has the approach been strategic and exploited on the comparative advantage of the ILO?
- What, if any, alternative strategies would have been more effective in achieving its objectives?

Relevance

- Examine whether the project has responded to the real needs of the UMFCCI and other employers' organizations and whether it is still consistent and relevant to the needs of the business communities, and current development in Myanmar?

Effectiveness (including effectiveness of management arrangement)

- Have the planned objectives been achieved? To what extent 1) the UMFCCI and other partner organizations are able to be actively engage in labour and employment policy development; 2) the UMFCCI and other partner organizations are able to provide new labour related services to its members. If not, what are the main constraints, problems and areas in need of further attention? if yes, what are the main contributing factors.
- Does the project collaborate with other projects and programmes to enhance its impact and effectiveness?
- Has the project received adequate administrative, technical and if needed, political support from concerned ILO offices (liaison Office, ACTEMP and DWT-Bangkok)? If not, why?
- Has the project management arrangement been adequate to carry out the work? Any monitoring plan or tools used to monitor the progress made?
- Has there been any synergies/collaboration with other initiatives/projects? If so, whether it is likely to enhance the effectiveness/impact of the project?

Efficiency (A measure of how economically resources/inputs i.e.funds, expertise, time etc. are converted to result)

- Have resources been allocated strategically to achieve results? And have they been delivered in a timely manner? If not, what were the factors that have hindered timely delivery of outputs? Any measures that has been put in place?
- The extent to which the resources have been leveraged with other related interventions or other projects to maximise impact, if any?

Impact

- What has been the impact of the project on Institutional building, process, and policy change that can be attributed to the ILO work in strengthen the capacity of the UMFCCI and other employers' organizations?
- Has there been any changes (or some progress) made on the economy and society – that the employers' organization has played in relation to labour related issues in Myanmar which can be attributed to the project (due to the fact that the employers;' organization has embraced the labour mandate, etc.)?
- The extent that the UMFCCI has played its role as social partners, representative voice of business and as a source of information for its members.

Sustainability

- Taking into account the Myanmar's context, the extent to which the results of the interventions (particularly on the institutional building of the UMFCCI) are likely to be durable and can be maintained or even scaled up and replicated by the partners after the project ended. What has been planned as exist strategy?

Special aspects to be addressed

- The extent that the work has promoted ILO's mandate on social dialogue and international labour standard (taking into consideration the context of the project). Any improvement in the tripartite or bipartite social dialogue in Myanmar?
- The extent to which gender has been addressed in the design, and implementation or in the results of the interventions?

A1.5 Expected outputs of the evaluation

The expected outputs to be delivered by the evaluator are:

- Inception report: this report based on the Desk review should describe the evaluation instruments, reflecting the combination of tools and detailed instruments needed to address the range of selected aspects. The instrument needs to make provision for the triangulation of data where possible. It will cover how the more detailed analysis on the focus areas will be integrated in the analysis and reporting.
- Stakeholders' workshops, as part of the in-country field work to gather collective stakeholder views, present proposed focus of the evaluation and as part of full data collection.
- Draft evaluation report for the project: the evaluation report should include and reflect on findings from the fieldwork and the stakeholders' workshop.
- Final evaluation report after comments from stakeholders.
- Upon finalization of the overall evaluation report, the evaluator will be responsible for writing a brief evaluation summary which will be posted on the ILO's website. This report should be prepared following the guidelines included in Annex and submitted to the evaluation manager.

Draft and Final evaluation reports include the following sections:

- Executive Summary (standard ILO format) with key findings, conclusions, recommendations, lessons and good practices (each lesson learned and good practice need to be annexed using standard ILO format)
- Clearly identified findings
- A table presenting the key results (i.e. figures and qualitative results) achieved per objective (expected and unexpected)
- Clearly identified conclusions and recommendations (i.e. specifying to which actor(s) apply)
- Lessons learned
- Potential good practices and effective models of intervention.
- Appropriate Annexes including present TORs
- Standard evaluation instrument matrix (adjusted version of the one included in the Inception report)

The entire draft and final reports (including key annexes) have to be submitted in English.

The total length of the report should be a maximum of 30 pages. This is excluding annexes; additional annexes can provide background and details on specific components of the project evaluated.

The report should be sent as one complete document and the file size should not exceed 3 megabytes. Photos, if appropriate to be included, should be inserted using lower resolution to keep overall file size low.

All drafts and final outputs, including supporting documents, analytical reports and raw data should be provided in electronic version compatible for Word for Windows. Ownership of data from the evaluation rests jointly with ILO, World Bank, and the consultants. The copyright of the evaluation report will rest exclusively with the ILO. Use of the data for publication and other presentations can only be made with the written agreement of ILO. Key stakeholders can make appropriate use of the evaluation report in line with the original purpose and with appropriate acknowledgement.

The draft reports will be circulated to key stakeholders, tripartite constituents, and ILO staff i.e. project management, ILO liaison Office in Myanmar, ACTEMP, DWT Bangkok, ILO Regional office) for their review. Comments from stakeholders will be consolidated by the evaluation manager and will be sent to the evaluation consultant to incorporate them into the revised evaluation report. The evaluation report will be considered final only when it gets final approval by ILO Evaluation Office.

A1.6 Methodology

The ILO policy guidelines for results-based evaluation provide the general framework for carrying out the evaluation and writing the evaluation report, including the requirements for the recommendations made, lessons learned and good practices documented in the report (http://www.ilo.org/eval/Evaluationguidance/WCMS_176814/lang--en/index.htm).

These guidelines adhere to the evaluation norms and standards of the United Nations system, as well as to the OECD/DAC Evaluation Quality Standards. In addition, the UNEG Ethical Guidelines for Evaluation are to be followed by all parties involved with the process.

The evaluation is to be carried out independently and the final methodology and evaluation questions will be determined by the evaluator, in consultation with the evaluation manager. The following primary and secondary data collection techniques are recommended:

The evaluation process will be participatory. All key stakeholders will have the opportunity to be consulted, provide inputs to the ToR and evaluation report, and use the evaluation findings and lessons learnt, as appropriate.

Sources of information and field visit

The evaluator will conduct a desk review first to be followed by interviews and field visits to Myanmar. He/she can make use of the sources of information exhibited below for desk review and interview, namely the review of selected documents (1.1), and the conduct of interviews (1.2).

1. Sources of information

1.1 Documents review

The evaluator will review the following documents at home based before undertake mission to Myanmar:

- Project document (description of actions)
- Progress reports
- Other relevant documents e.g. Mission, meeting, workshop and training reports, Project budgets – planned and actual- expenditures, Monitoring and evaluation plan.

1.2 Individual interviews/focus group discussions

Individual interviews in person during the field visit, by phone, e-mail or Skype and/or a questionnaire survey can be conducted with the following:

- a) ILO staff in Myanmar
 - Liaison Office
 - Mr. Rory Mungoven, Liaison Officer
 - Ms. Piyamal Pichaiwongse, Deputy Liaison Officer
 - Ms. Elkaye Santos, Programme Officer
 - Project team
 - Mr. Jared Nathan Bissinger, ILO CTA
 - Project staff (including the Administrative and Finance Officer), if relevant
 - Other CTAs of other projects, if relevant
 - Selim Benaissa, CTA Elimination of Child Labour project

- Natsu Nogami, Labour Market Governance project manager
- Catherine Vaillancourt-Laflamme, CTA Garment Industry project

b) Other key stakeholders:

- ACTEMP specialists both at DWT-Bangkok and at HQ
 - Gary Rynhart
 - Sanchir Tugschimeg
- Employers' organisations and Government and Trade Union in Myanmar
 - Daw Khine Khine New, UMFCCI/MGMA Rosaline
 - Employers' organisation department staff, UMFCCI
 - U Tun Tun, MGMA
 - U Myint Soe, MGMA
 - U Khin Maung Aye, MGMA/HTGEO
 - MGMA Staff
 - Wai Phyo Hein, MRCCI
 - Thet Htun Lin, MRCCI
 - U Thet Lwin Toe, UMTA
- Others
 - Jamie Davis, Solidarity Centre
 - U Maung Maung, Phyo Sandar Soe and others, CTUM
 - U Myo Aung, MoLIP
 - U Win Shein, MoLIP

a. The evaluator responsibilities and profile

Responsibilities	Profile
<ul style="list-style-type: none"> • Desk review of programme documents and other related documents • Development of the evaluation instrument • Briefing with ILO • Telephone interviews with HQ and DWT-Bangkok specialists • Undertake a field visit in Myanmar • Facilitate stakeholders' workshop/debriefing with the programme and key stakeholders • Draft evaluation report • Finalize evaluation • Draft stand-alone evaluation summary as per standard ILO format 	<ul style="list-style-type: none"> • Not have been involved in the programme. • Relevant background in social and/or economic development. • Experience in evaluations in the UN system or other international context - human rights based approach –inclusiveness • Demonstrate an understanding of the ILO mandates and tripartism • Demonstrate an understanding of the dynamic of employers' organization vis-à-vis chamber of commerce and their membership nature • Adequate technical specialization of relevant ILO labour related issues will be a great advantage • Experience in the UN system or similar international development experience • Experience in Myanmar will be an advantage • Fluency in spoken and written English and understanding of ILO cross-cutting issues • Experience facilitating workshops for evaluation findings.

A1.7 Management arrangements

The evaluator will report to the *Evaluation Manager*, Ms. Pamornrat Pringsulaka, Regional Monitoring and Evaluation Office in ILO Regional Office for Asia and the Pacific. The evaluation manager takes the responsibility in drafting TOR in consultation with all concerned and will manage the whole evaluation process and will review evaluation report to make sure it has complied to the quality checklist of ILO evaluation report.

Evaluation Office in Geneva (EVAL) will do quality assurance of the report and give approval of the final evaluation report.

ILO Liaison Office for Myanmar and the ILO project management team will provide administrative and logistical support during the evaluation mission. The project management team will also assist in organizing a detailed evaluation mission agenda, and to ensure that all relevant documentations are up to date and easily accessible by the evaluator.

Roles of other key stakeholders: All stakeholders, particularly the relevant ILO staff, the donor, tripartite constituents, relevant government agencies, NGOs and other key partners will be consulted throughout the process and will be engaged at different stages during the process. They will have the opportunities to provide inputs to the TOR and to the draft final evaluation report.

A1.8 Calendar and payment

The duration of this contract is for 25 working days between 30 October 2017- 31 January 2018. The mission in Myanmar is expected during 13-17 November 2017.

Phase	Responsible Person	Tasks	Proposed timeline	Days
I	Evaluator	Desk Review of programme related documents Telephone briefing with the evaluation manager, and project CTA Preparation of the inception report	November 2017 – to submit the inception report by 6 November 2017	5
II	Evaluator (logistical support by the project)	Field visit (to Liaison Office in Myanmar and to project sites) Interviews with project staff and other relevant stakeholders (including ILO officials –via skypes?) Preparation of the workshop Workshop with the programme management and ILO relevant offices for sharing of preliminary findings	November 13-17, 2017	9
III	Evaluator	Analysis of data based on desk review, field visit, interviews/questionnaires with stakeholders Draft report	Draft report submitted to Evaluation Manager by December 4, 2017	9
IV	Evaluation manager	Circulate draft report to key stakeholders Stakeholders provide comments Consolidate comments of stakeholders & send to team leader	December 6-22, 2017	
V	Evaluator	Finalize the report including explanations on why comments were not included	January 5 2017	2
VI	Evaluation Manager	Review the revised report and submit it to EVAL for final approval	By mid January 2018	
Total no. of working days for Evaluator				25

ROAP will finance the evaluation from RBSA M&E allocation. It can be spent on:

- Consultancy fee;
- Travel and DSA

Based on the TOR, the ILO will prepare an external collaborator contract with an evaluator.

National consultant will be sourced to be a team member of this evaluation and to support the international evaluator in meetings and interviews where it is required. National consultant may also be requested to contribute to the report writing. TOR of the national consultant is in section XI Annex 2.

A1.9 LEGAL AND ETHICAL MATTERS

The evaluation will comply with UN Norms and Standards. UN Evaluation Group (UNEG) ethical guidelines will be followed.

All draft and final outputs, including supporting documents, analytical reports and raw data should be provided in electronic version compatible with WORD for Windows. Ownership of the data from the

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

Annex 1: All relevant ILO evaluation guidelines and standard templates

- Code of conduct form (To be signed by the evaluator)
http://www.ilo.org/eval/Evaluationguidance/WCMS_206205/lang--en/index.htm
- Checklist No. 3 Writing the inception report
http://www.ilo.org/eval/Evaluationguidance/WCMS_165972/lang--en/index.htm
- Checklist 5 Preparing the evaluation report
http://www.ilo.org/eval/Evaluationguidance/WCMS_165967/lang--en/index.htm
- Checklist 6 Rating the quality of evaluation report
http://www.ilo.org/eval/Evaluationguidance/WCMS_165968/lang--en/index.htm
- Template for lessons learnt and Emerging Good Practices
http://www.ilo.org/eval/Evaluationguidance/WCMS_206158/lang--en/index.htm;
http://www.ilo.org/eval/Evaluationguidance/WCMS_206159/lang--en/index.htm
- Guidance note 7 Stakeholders participation in the ILO evaluation
http://www.ilo.org/eval/Evaluationguidance/WCMS_165982/lang--en/index.htm
- Guidance note 4 Integrating gender equality in M&E of projects
http://www.ilo.org/eval/Evaluationguidance/WCMS_165986/lang--en/index.htm
- Template for evaluation title page
http://www.ilo.org/eval/Evaluationguidance/WCMS_166357/lang--en/index.htm
- Template for evaluation summary: <http://www.ilo.org/legacy/english/edmas/eval/template-summary-en.doc>

Appendix 2 Inception report

This appendix reproduces the main text from the inception report. Appendices from the inception report are not reproduced here since they are included as other appendices.

A2.1 Introduction

The objective of this final evaluation is to assess the relevance, effectiveness, efficiency, impact and sustainability of the interventions and actions undertaken under the RBSA MMR/14/01/RBS and MMR/16/02/RBS projects in Myanmar from 1 January 2014 to 31 August 2017.

The ILO work to be evaluated has contributed to the Country Programme Outcome (CPO) MMR 801 on Strengthened institutional capacity of employers' organizations. The objective of the CPO is to develop the capacity of Myanmar's central, sectoral, and regional business and employers' organisations sustainably to lead the Myanmar business community on labour and employment issues while promoting enterprise development and Decent Work principles. The CPO will primarily contribute to enhanced social dialogue as the cross cutting policy driver, but will also address gender equality and contribute to better understanding and implementation of international labour standards

The main focus of the final evaluation is to assess any institutional change and the capacity of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI), the direct recipient of this project. The evaluation will assess the extent to which the project has contributed to improving the capacity of UMFCCI vis-à-vis the state of its capacity before the project started. The evaluation will also provide lessons learnt and recommendations for possible future programming.

Funding was provided in two tranches, from the Regular Budget Supplementary Account (RBSA) in the 2014-15 and of 2016-17 biennia.

The scope of the evaluation is all interventions from all sources of funds that have contributed to the achievement of the outcome MMR801: Strengthened institutional capacity of employers' organizations. As per the ToR, the main focus will be the work during 2016-17 but earlier work and significant milestones resulted from ILO technical support during 2014-15 will also be reviewed.

The primary audience of the evaluation findings will be the Employers' organisation in Myanmar, ILO Liaison Office in Myanmar, and ACTEMP. Secondary parties making use of the results of the evaluation will include ILO technical departments, DWT-Bangkok and ROAP.

The evaluation will be managed by the Evaluation Manager (Ms. Pamornrat Pringsulaka, Regional Monitoring and Evaluation Office, ILO Regional Office for Asia and the Pacific) with co-ordinating, administrative and logistical support provided by relevant ACT/EMP officials at Headquarters and ILO Regional and Country Offices.

The evaluation is carried out by external evaluator David Irwin with the support of a national consultant, Ms. Min Min Han.

The external evaluator started on this assignment on 11 October 2017, with a detailed desk review and interviews with key personnel in ACT/EMP. A mission to Myanmar is planned for 13-17 November with a deadline for completion of the final report by 15 January 2018.

This inception report provides the means to ensure mutual understanding of the consultant's plan of action and timeline for undertaking the evaluation. In accordance with the ToR, the purpose of this inception report is "to identify key aspects to address as well as approach and methods to be used" during the evaluation.

In accordance with the ToR, this evaluation will be guided by:

- The logical frameworks defined in the programme documents and the ILO *Programme and Budget for 2016-2017*.

- The evaluation criteria defined by OECD/DAC, that is, relevance, effectiveness, efficiency, impact and sustainability, which form the basis for the 17 evaluation questions specified in the ToR.

A2.2 Theory of change and objective of intervention

The theory of change is effectively set out in the *Director-General's Programme & Budget Proposals for 2016-17*. This explains that, for outcome 10, the objective is to deliver "strong and representative employers' and workers' organisations". For some employers' organisations (EO), significant capacity challenges exist in relation to their representativeness, governance and management and their capacity to engage in policy-based advocacy. As the programme & budget proposals explain, many employers' organisations are evolving beyond the traditional role of being partners in industrial relations towards a more comprehensive role as the voice of business and the private sector, advocating policies across a range of areas and with many different partners. The hope is that effective EOs will contribute to an enabling environment of policies, institutions, relationships and behaviours that foster private sector development, thereby producing the jobs and incomes needed to raise living standards.

There is an implicit assumption that EOs are not always effective at doing this and it is this failure that ILO intervention is intended to address. In Myanmar, labour and employment issues were controlled by the government with trades unions only recognised in 2012. As the country becomes more open to private sector organisations, it was perceived necessary to provide support to UMFCCI and others to build their capacity to engage.

The programme & budget proposals anticipate that it will be necessary to intervene in three areas:

- Developing the capacity of governance bodies, membership management structures and leadership to adapt to a changing policy environment and fulfil their representative functions;
- Supporting EOs to improve and innovate in relation to their service offer to members; and
- Enhancing the analytical capacity of EOs to engage in evidence based policy advocacy on a broad range of policy issues.

The original programme document follows this same logic and sets out initial objectives focused on capacity building:

- To enhance the capacity of employers' organisations to provide greater leadership for the Myanmar business community and, in particular, to engage in evidence based dialogue and policy development with government and other stakeholders
- To enhance the capacity of regional chambers and sectoral associations to provide services and guidance to enterprises to improve working conditions and raise productivity.

The revised plan, adopted for 2016/7, sets out three milestones that build on this initial capacity building:

- UMFCCI will provide training and labour advisory services to businesses on a regular basis
- UMFCCI will participate in national labour and social policy related dialogue in a consistent and evidence based way
- UMFCCI regional chambers and affiliated associations will provide basic training and advisory materials to member businesses

Though they are described as milestones, arguably these are the outputs; indeed, the second one could even be described as an outcome since it touches on behavioural change. Each of the milestones has three or four outputs associated with it, though in fact they are a mixture of inputs and outputs. Indicators are described in the quarterly reports, though tend simply to be evidence that the input has been delivered. There is a focus on activity and measuring activity rather than on behaviour change and measuring behaviour change.

Given that the focus of the work is on activity in 2016/7, the evaluation will use the later milestones, outputs and indicators against which to assess progress, though as far as possible the evaluation will assess progress against outcomes, that is, changes in behaviour, and impacts (and thus place less emphasis on the specific activities which can and do change during the programme of support). Implicit in the intervention is the expectation that UMFCCI will be able sustainably to engage in dialogue and advocacy and to represent its members especially in relation to labour law reforms and labour relations. Specifically, the evaluation will assess whether the interventions have contributed to building the capacity of UMFCCI and its partners and whether that has led to them being able to fulfil their role more effectively as a representative body. Where possible, the evaluation will look at impact since this is the best indicator of whether the capacity building has been successful.

A2.3 Methodology

Approach

The evaluation will follow a scientific realist approach (Pawson & Tilley 1997), which seeks a disaggregated understanding of programmes, distinguishing between different programme elements, outcomes, contexts and mechanisms. The evaluation will:

- Use mixed methods to estimate changes and attribution at each stage in the programme logic;
- Combine data gathering and interpretation by programme staff with external review;
- Use, where appropriate, monitoring systems developed and results gathered by ILO.

Methods

The evaluation will use a mix of complementary methods:

- Conceptualisation of the programme theory of change, mechanisms and contexts;
- Interviews with ILO staff;
- Semi-structured interviews with stakeholders to discuss objectives, challenges and achievements;
- Analysis of reports and documentation;
- Analysis of feedback on training and consultancy;
- Analysis of the assumptions underlying the programme and examination of evidence, from other programmes, supporting or contradicting them.

Interviews

It will be essential to meet with UMFCCI and ideally with MGMA. I understand that work with the Mandalay Chamber and the tourism association took a much lower priority. Ideally interviews will also be undertaken with their key government target audience, primarily the Ministry of Labour, though if UMFCCI has also engaged in dialogue with Ministries of Commerce, Industry and Finance, there would be merit in talking to them also. A good approach, if it were possible to organise, would be:

- to meet or speak with ILO (including in Myanmar, DWT Bangkok and HQ ACTEMP)
- to meet with UMFCCI, MGMA, MRCCI et al
- to meet with key members of UMFCCI and MGMA in a focus group
- to meet, or at least to speak, with key contacts in government

Caveats and limitations

Assessing the impact of advocacy is complex because:

- Attribution is likely to be complex and multi-dimensional. Influence can be diffuse and hidden.
- Changes in legislation or policy are likely to be complex and lagged. The impact lies not just in the sum of the agreed changes, but also in how these play out during implementation.
- Objectives for advocacy evolve during the influencing process. Having to compromise, (especially sacrificing some short-term goals so as to maintain a relationship that promises long-term benefit) is not an indication of failure, as might be the case in physical or service delivery projects.

- Especially in business environment work, impact is often preventative and repetitively preventative: successes can consist in delaying, and then the next year also delaying, changes proposed by the government that business perceive as damaging.
- Impact is not always positive. Some business membership organisations (BMO) pursue anti-competitive projects that could have an overall negative effect.
- Each policy proposal is unique and additionally all businesses benefit irrespective of whether they are members of the association undertaking the advocacy. This militates against providing a counterfactual analysis, except through comparing what happened with what most likely would have happened if the advocacy had not occurred.
- Policy influence can take a long time, measured in years rather than months, and the ILO support has been for a relatively short period. It is unlikely therefore that organisations will have had time to make major differences to public policy.

One would anticipate that assessing the ability of UMFCCI and others to deliver services would be relatively straightforward. However, services include training for example for employers to be able to engage more effectively in negotiations with trades unions, so a detailed evaluation would need to assess whether participants in training have been able to put into effect new skills and expertise. This is beyond the scope of the evaluation and so it is appropriate will look for proxies that can give an indication of whether this is likely to be the case, including looking at the actions taken by UMFCCI and others and talking to trades unions.

Terms of reference

I have one minor comment on the TOR which is that there is an expectation that progress will be assessed against a baseline, but there is no formal baseline. However, I understand that prior to the ILO intervention, UMFCCI was engaging in dialogue and advocacy on an ad hoc basis, so arguably the baseline position is that there was no formal engagement in dialogue and advocacy. UMFCCI was previously offering services, but not in relation to labour relations, so again the baseline may reasonably be regarded as there being nothing formal.

Question five in the ToR (and in appendix 1) relates specifically to the delivery of outputs (engaging with government in labour and employment policy reform and providing new labour related services to members) but neither asks about outcomes (eg whether policy reforms have been delivered or whether services have made a difference to members) nor whether structures have been put in place by EOs as a foundation for these activities. Both are reviewed.

I have added two questions to the list of questions, one on lessons and one on recommendations. These may well be implicit in the other questions, but there is merit in stating them explicitly.

Data collection

In line with ILO's "I-eval Resource Kit", a data collection worksheet has been prepared (appendix 1). A more detailed list of questions to use with UMFCCI and other employers' organisations (appendix 2) and further probing questions (appendix 3) have been prepared as an aide memoire for interviews.

A large number of documents have been provided by the Evaluation Manager and by ILO officials. All documents consulted will be recorded in an appendix in the final evaluation report.

DCED makes suggestions for outcomes, outputs and indicators that may be appropriate in measuring business environment reform. Most are not relevant to capacity building but their recommendations related to business advocacy and public private dialogue suggest some additional lines of questioning in addition to those derived from the ToR questions.

Table 2: Selected outcomes, outputs & indicators

Outcomes	Indicators
Sustained increase in the quality and quantity of advocacy and public-private dialogue (PPD)	Number of funded advocacy projects with documented evidence of achievement of advocacy and PPD outcomes
Improved voice and accountability for poor men and women	Number of firms participating in BMOs (disaggregated by female and male-owned enterprises)
Possible outputs	Indicators
Increase in BMO resources devoted to advocacy and PPD	Changes in BMO budgets devoted to advocacy and PPD
More inclusive practices (e.g., more women involved in advocacy and PPD)	Changes in BMO membership: ratio of male and female
Copying and crowding-in by system actors	Increase in the number of actors engaging in advocacy and PPD

Source: White, S (2013) *Supporting Business Environment Reforms: Practical guidance for development agencies: Annex: Measuring donor supported business environment reform*, Donor Committee for Enterprise Development

In all cases, questions will be posed to ensure as far as possible that they are neutral rather than leading the respondent to a specific answer.

Cross-cutting themes

Gender is an important aspect of the evaluation and is highlighted in the evaluation questions. In particular it will be necessary to assess to what extent gender was considered in the design and implementation of the interventions and whether it has had any impact on the results. This reinforces the importance of establishing a balance between men and women among stakeholders who will be interviewed during the field mission. It also implies that data, for example, on the usage by EO members of services or on participation in training programmes should wherever possible be disaggregated by gender.

A2.4 Work plan

The following work plan has been agreed with the evaluation manager:

- Draft inception report submitted to evaluation manager 6 November
- Mission to Myanmar 13-17 November
- Draft report to evaluation manager 4 December
- Stakeholder comments back to evaluator 6-22 December
- Final report to evaluation manager 5 January

A2.5 Structure of the evaluation report

The structure of the evaluation report will follow the guidance provided in ILO's *Checklist 5: preparing the evaluation report*. In addition to formal title page and a summary (in standard ILO format), the report will include:

- Project background
- Evaluation background
- Methodology
- Main findings (including an assessment of gender issues)
- Conclusions
- Lessons learned and emerging good practices
- Recommendations
- Appendices (including but not limited to ToRs, persons interviewed, documents reviewed, bibliography, merging lessons learned, emerging good practices)

Adherence to ILO guidance and formatting requirements

The consultant acknowledges that he understands the formatting requirements for the evaluation report, including acceptance of the terms of checklist 5: preparing the evaluation report.

The consultant confirms that he has received all necessary documentation in accordance with checklist 10: documents for the evaluator

Appendix 3 Persons consulted

ILO: Myanmar		
Rory Mungoven	Liaison Officer	mongoven@ilo.org
Piyamal Pichaiwongse	Deputy Liaison Officer	piyamal@ilo.org
Lourdes Kathleen Santos (Elke) Macasil	Head of Programme	santos@ilo.org
Jared Bissinger	CTA, Employers	bissinger@ilo.org
Catherine Vaillancourt-Laflamme	CTA, Improving labour relations	Vaillancourt-laflamm@ilo.org
Natsu Nogami	CTA, Labour market governance	nogami@ilo.org
Nyein Chan	Project Officer	chan@ilo.org
ILO: Other		
Sanchir Tugschimeg	ACT/EMP	tugschimeg@ilo.org
UMFCCI		
Khine Khine Nwe	Joint Secretary General	umfcci@mptmail.net.mm; so.umfcci@gmail.com
U Thet Naing Oo	Dep CEO, and EOD, team leader	eodumfcci@gmail.com
Saw Hnin Swe	EOD, Training & Research Officer	sawhninswe@gmail.com
Me Me Aung Myint	EOD	memeaungmyint@gmail.com
MGMA		
Min Soe Han	Labour Officer	labourofficer.myanmargarments@gmail.com
Other stakeholders		
Jamie Davis	Solidarity Centre, Country Program Director	jdavis@solidaritycenter.org
Phyo Sandar Soe	CTUM, Assistant General Secretary	Ctumags2014.2019@gmail.com

Appendix 4 Indicators, targets & performance assessment

High level indicators and targets are included in the Director General's Programme & Budget Proposals for 2016-17 and are reproduced here:

Indicator 10.1: Organizations that have successfully adjusted their organizational structures or governance or management practices to increase leadership capacity, effectiveness, relevance and representativeness

Measurement: To be counted as reportable, results must meet at least one of the following criteria:

- A strategic plan for the organization is endorsed and implemented.
- Membership is increased, including as a result of the extension of geographical or sectoral coverage, or the increase of the size of enterprise.
- Management and governance structures are adapted and improved or new or revised organizational structures are put in place for improved governance.

Indicator 10.2: Organizations that have successfully created, strengthened and delivered sustainable services to respond to the needs of existing and potential members

Measurement: To be counted as reportable, results must meet at least one of the following criteria:

- New services are provided by the organization and a sustainability plan for the new service is adopted by the organization.
- Improved services are provided by the organization and a sustainability plan for the improved service is adopted by the organization.

Indicator 10.3: Organizations that have successfully enhanced their capacity to analyse the business environment and influence policy development

Measurement: To be counted as reportable, results must meet at least one of the following criteria:

- The organization formulates advocacy strategies or develops well-researched policy positions or advocacy materials based on membership needs.
- The organization engages in dialogue or partakes in consultations with government and other key actors, enters into partnerships with other institutions or launches advocacy campaigns to extend the outreach of its policy positions.

The document saved as MMR 801 and entitled DWCP outcome, prepared in advance of the second stage of funding support for this project, sets out 'milestones' and outputs, as shown in the table below. With the exception of the first output, quarterly reports have since the first quarter of 2016 reported against these outputs (though the numbering system was changed in the last quarter of 2016). I have therefore used the numbering system used in the three most recent quarterly reports (and numbered the output missing from those as 1.0

Appendix 5 Evaluation questions

Evaluation questions	Indicators	Sources of existing data	Methods for additional data
Validity & coherence of intervention design: <i>the extent to which the design is logical and coherent</i>			
1. Is the programme design (i.e. activities, outputs & outcomes) and the underlying theory of change valid given the business process and Myanmar context? Assess whether the problems and needs that gave rise to the work still exist or have changed.	Assessment of implicit result chains/ theory of change/ logical frameworks combined with information from stakeholders	(i) document studies	(ii) semi-structured interviews with stakeholders (ILO staff, EO representatives, EO members, government, etc)
2. How appropriate and useful are the milestones in assessing the progress made? Is the project coherent with the ILO's priorities and policy – P&B outcome 10 ² ? Has the approach been strategic and exploited the comparative advantage of the ILO?	Assessment of how indicators and means of verification function in theory and practice	(i) document studies	(ii) semi-structured interviews with stakeholders (ILO staff, EO representatives, EO members, government, etc)
3. What, if any, alternative strategies would have been more effective in achieving its objectives?	Literature search, assessment of theory of change	(i) document studies	(ii) semi-structured interviews with stakeholders (ILO staff, EO representatives, EO members, government, etc) (iii) literature on interest groups and policy reform

² P&B2016-17 outcome 10: Strong and representative Employers' and Workers' Organisations. Link to indicator 10.2 on Organisations that have successfully created, strengthened and delivered sustainable services to respond to the needs of existing and potential members; and Indicator 10.3 on Organisations that have successfully enhanced their capacity to analyse the business environment and influence policy development.

Relevance:

The extent to which the objectives of a development intervention are consistent with beneficiaries' requirements, country needs and priorities, partner and donor policies.

4. Has the project responded to the real needs of UMFCCI and other EOs and is it still consistent and relevant to the needs of the business communities and current development in Myanmar?	Identification and assessment of links for each component in relation to other ILO Outcomes and DWCPs. Compilation of stakeholder opinions	(i) document studies	(ii) semi-structured interviews with stakeholders (ILO staff, EO representatives, EO members, government, etc)
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Effectiveness

A measure of the extent to which an aid activity attains its objectives.

5. Have the planned objectives been achieved? To what extent have UMFCCI and partner organisations 1) been able actively to engage in labour and employment policy reform; 2) are able to provide new labour related services to members. if yes, what are the main contributing factors? If no, what are the constraints, problems and areas in need of attention?	Assessment of (expected) degree of achievement of objectives; assessment of the extent to which the organisation has been (re)structured to provide additional activities on a sustainable basis	(i) progress reports; (ii) research reports; (iii) policy position papers; (iv) minutes from meetings with government	(v) semi-structured interviews with stakeholders (ILO staff, EO representatives, EO members, government, etc)
6. Does the project collaborate with other projects and programmes to enhance its impact and effectiveness?	Assessment of (expected) degree of achievement of objectives	(i) progress reports; (ii) research reports; (iii) policy position papers; (iv) minutes from meetings with government	(v) semi-structured interviews with stakeholders (ILO staff, EO representatives, EO members, government, etc)
7. Has the project received adequate administrative, technical and, if needed, political support from concerned ILO offices (Liaison Office, ACTEMP and DWT-Bangkok)? If not why?	Assessment of amount of support, advice and guidance provided to EOs	(i) progress reports	(ii) semi-structured interviews with stakeholders (ILO staff, EO representatives, EO members, government, etc)
8. Has the project management arrangement been adequate to carry out the work? Any monitoring plan or tools used to monitor the progress made?	Assessment of amount of support, advice and guidance provided to EOs	(i) progress reports; (ii) monitoring & evaluation framework; (iii) monitoring & evaluation reports	(iv) semi-structured interviews with stakeholders (ILO staff, EO representatives, EO members, government, etc)

9. Have there been synergies/ collaboration with other initiatives/ projects? If so, has this enhanced the effectiveness/ impact of the project?	Builds on Q6: Assessment of (expected) degree of achievement of objectives	(i) progress reports; (ii) research reports; (iii) policy position papers; (iv) minutes from meetings with government	(v) semi-structured interviews with stakeholders (ILO staff, EO representatives, EO members, government, etc)
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Efficiency of resource use

Efficiency measures the outputs – qualitative and quantitative – in relation to the inputs.

10. Have resources been allocated strategically to achieve results? And have they been delivered in a timely manner? If not, what were the factors that have hindered timely delivery of outputs? Any measures that have been put in place?	Assessment of degree of achievement allied with assessment of resource use	(i) progress reports; (ii) information from ILO accounts	(iii) Interviews with stakeholders
11. The extent to which the resources have been leveraged with other related interventions or other projects to maximise impact, if any?	Assessment of resource use and assessment of leverage	(i) progress reports; (ii) information from ILO accounts	(iii) Interviews with stakeholders

Impact

The positive and negative changes produced by a development intervention, directly or indirectly, intended or unintended.

12. What has been the impact of the project on Institutional building, process, and policy change that can be attributed to the ILO work in strengthen the capacity of the UMFCCI and other employers' organizations?	Assessment of degree of achievement	(i) progress reports	(ii) interviews with stakeholders
13. Have there been changes (or some progress) made on the economy and society – that the EO has played in relation to labour related issues in Myanmar which can be attributed to the project (due to the fact that the employers' organisation has embraced the labour mandate, etc)?	Assessment of degree of achievement	(i) progress reports	(ii) interviews with stakeholders
14. The extent that the UMFCCI has played its role as a social partner, representative voice of business and as a source of information for its members.	Assessment of degree of achievement	(i) progress reports	(ii) interviews with stakeholders

Sustainability

Sustainability is concerned with measuring whether the benefits of an activity are likely to continue after donor funding has been withdrawn.

15. Considering the political context, the extent to which the results (particularly the institutional building of UMFCCI) are likely to be durable or even scaled up and replicated by the partners after the project ended. What has been planned as an exit strategy?	Assessment of the degree to which the interventions are leading to sustainable results.	(i) Document studies	(ii) interviews with stakeholders
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Special aspects to be addressed

16. The extent that the work has promoted ILO's mandate on social dialogue and international labour standard (taking into consideration the context of the project). Any improvement in the tripartite or bipartite social dialogue in Myanmar?			
17. The extent to which gender has been addressed in the design, and implementation or in the results of the interventions?	Analysis of theoretical opportunities to mainstream gender equality and the extent these opportunities were exploited in interventions Assessment of past and continuing policy processes Cf. ILO guidance note 4 on gender	Study of documents with a special focus on gender equality	Stakeholder interviews

Lessons learned

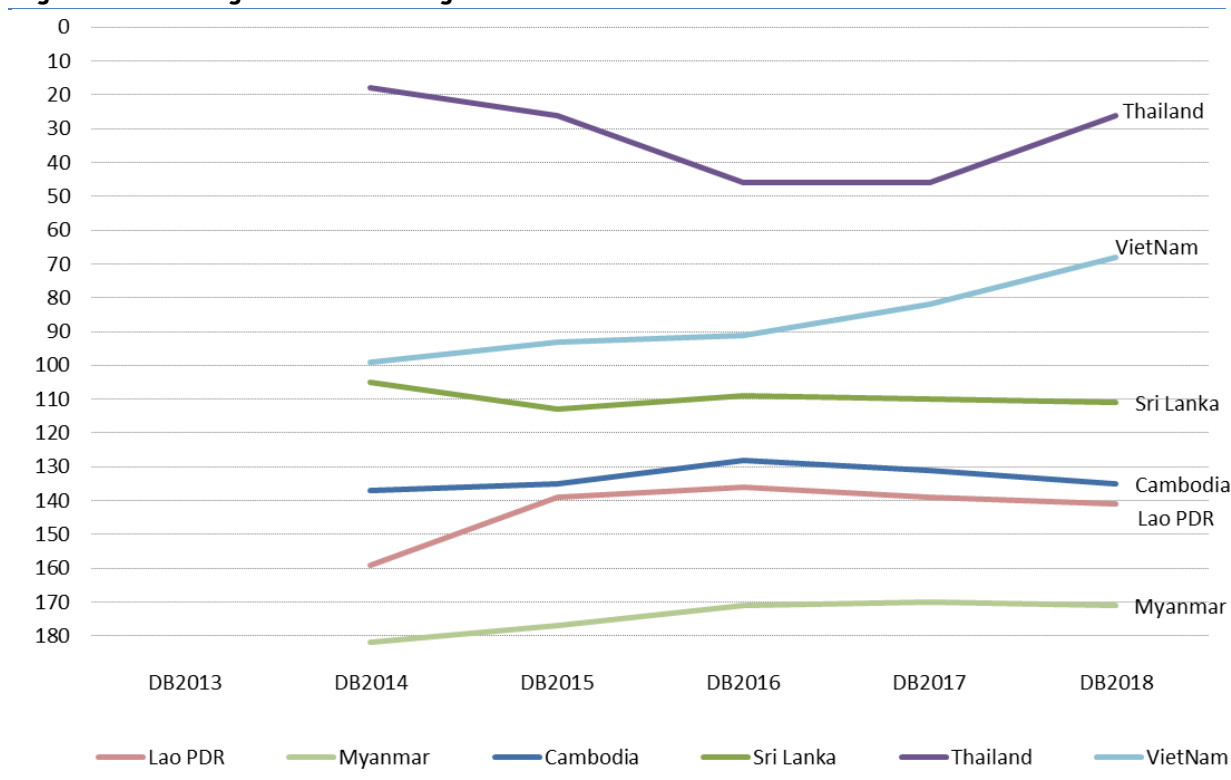
18. What good practices and lessons emerge from the interaction of the EO and the ILO?			Stakeholder interviews
19. How could the support from the ILO be improved?			Stakeholder interviews

Appendix 6 Review of enabling environment

This appendix gives a brief overview of the enabling environment in Myanmar compared to neighbours based on the World Bank's Doing Business surveys. Labour regulation is reviewed but is no longer included in the ratings and does not affect the ranking of countries. This appendix therefore offers a general overview.

Figure 2 shows the Doing Business rankings for Myanmar, four near neighbours and Sri Lanka (since this was selected for a study visit). Changes in methodology by the World Bank make it increasingly difficult to assess a country's performance by looking at its absolute rank but it, nevertheless, gives a feel for how they are doing. The sample varies from Thailand (ranked 26 in DB2018) to Myanmar (ranked 171), a difference of 145 positions out of 190 countries (76%).

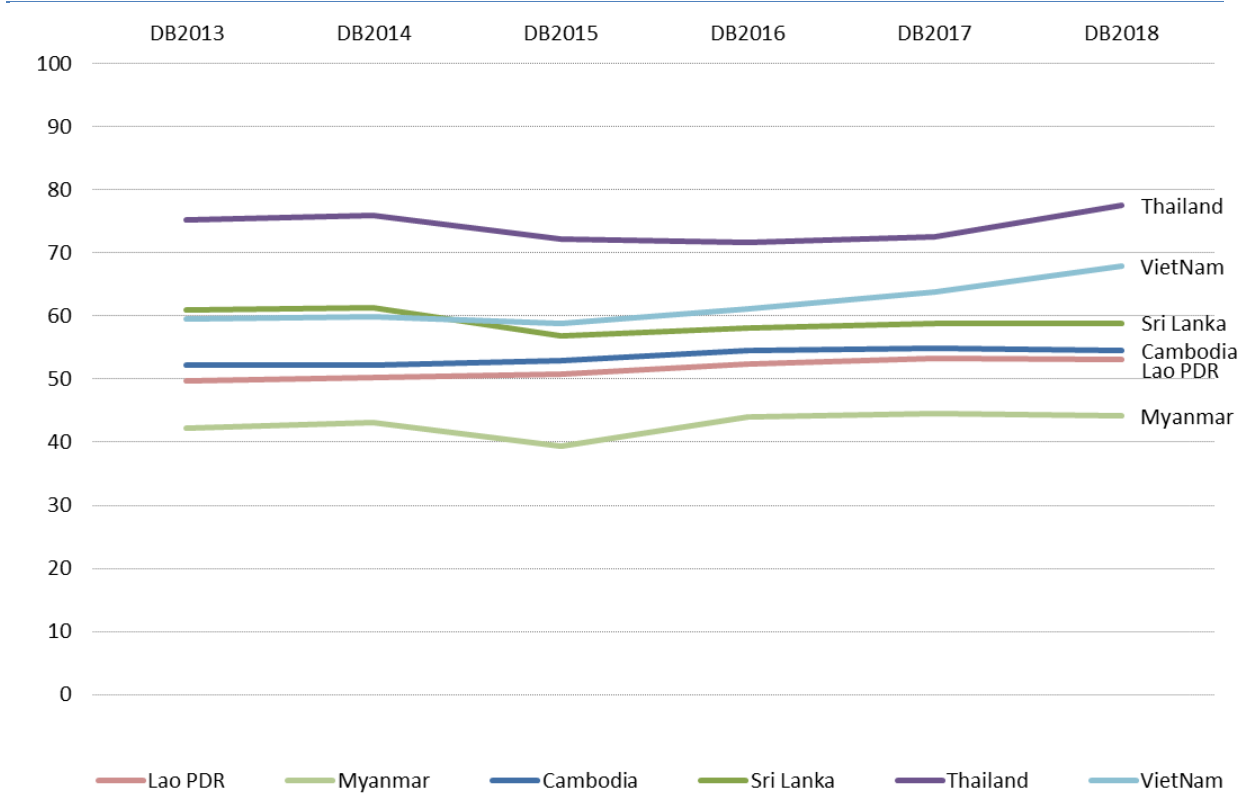
Figure 2: WB Doing Business rankings



Source: Data from WB Doing Business reports (2014-2018) (see doingbusiness.org)

Whilst the rankings might be good for headlines, they do not provide a fair representation of what countries have actually done to improve the enabling environment – they merely show how they have performed relative to others. The World Bank itself has recognised this and, since DB2010, has scored countries on their 'distance to the frontier', though this is still relative and dependent on the performance of the best. The scale for DTF is 0-100 (rather than to 190), with 100 the best (rather than 1). What is immediately obvious when looking at the chart is that the variation for any country has now reduced to no more than 8 per cent (for VietNam) and for most it is around 3 per cent, suggesting that there has in reality been little change in the enabling environment in these countries. The total variation (from Myanmar, still bottom, on 44 and Thailand, still top, on 77) is now 33 percentage points. This is still significant, but it is much easier to envisage a country improving its distance to the frontier score by 5 or even 10 percentage points than it is to envisage it moving 30 or 40 places in the ranking, especially when others are also trying to improve their ranking. Significantly, the distance to the frontier score does show some recent, albeit modest, improvement in Myanmar.

Figure 3: WB Doing Business Distance to Frontier



Source: Data from WB Doing Business reports (2013-2018) (see doingbusiness.org)

Appendix 7 Union of Myanmar Federation of Chambers of Commerce & Industry

The UMFCCI originated as the Burma Chamber of Commerce (BCC) in 1919. In the post-independence period between 1948 and 1962, BCC developed into Union of Burma Chamber of Commerce & Industry (UBCCI). The operations of the Chamber ceased in 1962 after the nationalisation of businesses. The Chamber was revived in 1988 when the market economy was adopted. In 1989, the Ministry of Trade permitted the Union of Myanmar Chamber of Commerce and Industry (UMCCI) as the umbrella organisation to provide leadership to the business associations and organisations in Myanmar. The UMCCI was structured as a non-profit organisation. Until the 2013 elections, the leadership of the Federation consisted of Ministry appointees; the election of the executive committee in June 2013 was the first through a democratic vote.

While UMFCCI membership is voluntary and firms are not required by law to join, there are compelling reasons for membership for certain types of firms. For example, certificates of origin, which are part of the required documentation for exports, are issued only to UMFCCI members, with the result that export companies need to be members. However, firms that do not export are not under pressure to join. Total membership in 2013 amounted to around 27,000 of which around 7,000 were active. The proportion of female membership is around 28 per cent. Only a little more than 18 per cent of trade associations and 20 per cent of tourism, food processing and garment associations are among the active members. It is estimated that around 20 per cent members join simply to secure country of origin certificates and endorsement for export/import licences. Such members are generally ignorant about the other activities of the chamber.

As a federation, UMFCCI mainly focuses on national issues with independent regional chambers focusing on local issues. There are 8 regional chambers, 8 state chambers and 9 border trade chambers. Other associations, such as the Myanmar Garment Manufacturers' Association also join the Federation.

The Executive Committee members and Central Executive Committee members contribute their time voluntarily, though often fulfil what would normally be considered executive positions, instructing staff. Consequently, the operation of the organisation is rather weak even though the chamber employs around 120 people.

The income of UMFCCI arises from: (1) membership fees; (2) issuing certificates of origin; (3) endorsement for export/import licences; (4) room and hall rentals; (5) fees collected from commercial training; (6) income from trade fair and promotion; (7) donations. In financial year 2013, membership fees accounted for around 25 per cent.

UMFCCI is involved regionally and internationally in organisations such as Ayeyarwady Chao Phray-Mekong Economic Cooperation and BIMST-Economic Cooperation. It has bilateral cooperation in trade, investment, culture and connectivity with countries such as Japan, Thailand and India. UMFCCI joined the international Chamber of Commerce (ICC) in 1989. It became a member of the ASEAN Chamber of Commerce and Industry in 1997.

Appendix 8 Emerging good practice

The following pages record example of emerging good practice, using the ILO template.

Emerging good practice 1: supporting the employment organization team

Project title:	Project TC/SYMBOL:
Evaluator: David Irwin	Date: 28 Nov 2017
GP element	Text
Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc)	The Chamber set up an employers' organisation department, providing an office and recruiting five people (three professional and two administrative) to staff it as well as providing an office. The good practice is that the ILO CTA decided that the most appropriate way to support the team was to have a desk within the Chamber office and to do much of his work from there. This means that he is available quickly and easily when advice and support is needed by members of the team.
Relevant conditions and context: limitations or advice in terms of applicability and replicability	In many cases, ILO's ACT/EMP staff will have multiple projects making it difficult for them to replicate this. In this case, supporting UMFCCI is the major activity and so being easily available means that they are not waiting for advice. It is better than relying on telephone or e-mail since the person is there ready to provide support.
Establish a clear cause-effect relationship	It is clear that having an ILO person available has led to much advice, discussion and debate about how to manage the team, to manage the work and to support employers.
Indicate measurable impact and targeted beneficiaries	The beneficiaries are predominantly the EOD team, though board members who drop into UMFCCI have also benefitted. ILO also benefits in that they meet board members much more often than they otherwise would. It is difficult, however, to measure the impact.
Potential for replication and by whom	There is potential for other ILO offices to do something similar though staff with competing interests will find it difficult to do.
Upward links to higher ILO goals (DWCPs, Country Programme Outcomes or ILO's Strategic Programme Framework)	It has helped to build the capacity of the team, which in turn has helped them to be more effective in their work
Other documents or relevant comments	

Emerging good practice 2: preparing policy positions

Project title:	Project TC/SYMBOL:
Evaluator: David Irwin	Date: 28 Nov 2017
GP element	Text
Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc)	Influencing policy makers requires compelling evidence, persuasive arguments and precise proposals. The omnibus review of labour law with proposals for amendment is comprehensive in its assessment of need for reform, is very precise in its recommendations and links the recommendations to strategic objectives to improve the business enabling environment.
Relevant conditions and context: limitations or advice in terms of applicability and replicability	It is quite easy for a business association to see every issue as independent of every other issue, and in many cases this is the most appropriate strategy. Labour law needs to be more integrated, since some legislation builds on, or takes into account, other legislation. It makes sense therefore to consider it as a whole as well as reviewing each law individually. Looking at it all together also makes it easier to prioritise.
Establish a clear cause-effect relationship	UMFCCI was supported by an external consultant to review the spectrum of labour law and then continued themselves to develop and refine their policy positions.
Indicate measurable impact and targeted beneficiaries	Ultimately, the beneficiaries will be employers, who hope to reduce bureaucracy and increase profitability. However, a balanced approach should ensure that workers also benefit, though employers creating more jobs and through paying higher wages as productivity improves.
Potential for replication and by whom	There is potential for employers' organisations in other countries, if they are not already taking this approach, to adopt it.
Upward links to higher ILO goals (DWCPs, Country Programme Outcomes or ILO's Strategic Programme Framework	It has helped to build the capacity of the team, which in turn has helped them to be more effective in their work
Other documents or relevant comments	Anderson, P (2017), Labour Law Reform in Myanmar: a resource handbook for employers, ILO ACT/EMP Anderson, P (2017), Labour Law Reform in Myanmar: a strategic overview for employers, ILO ACT/EMP UMFCCI (2017) The employer agenda for labour law reform in Myanmar

Emerging good practice 3: forging bilateral positions

Project title:	Project TC/SYMBOL:
Evaluator: David Irwin	Date: 28 Nov 2017
GP element	Text
Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc)	The employers' organisation and the trades union confederation sat down together (in the ILO) to look for the areas on which they agreed and were able to forge a common position on many aspects of collective bargaining, with the objective of taking their position to government.
Relevant conditions and context: limitations or advice in terms of applicability and replicability	The current legal position had been explored in detail. The employers and trades unions were both receiving advice and support to reach their own conclusions but were able to come together in a meeting facilitated by a member of staff of the ILO and look for the commonalities.
Establish a clear cause-effect relationship	This was the first time that employers and trades unions had come together to have bilateral discussions. Whilst each had developed their own positions in advance, efforts had been made to encourage both that there was scope to agree, at least on some of the issues. And indeed an agreement emerged from the initial discussion and subsequent follow on meetings.
Indicate measurable impact and targeted beneficiaries	On this occasion, there was no impact because the government did not accept the recommendations, but it is hoped that the employers and trades unions will now be more willing to work together in the future.
Potential for replication and by whom	There is potential to involve more employers' organisations and more trades unions and to extend the discussions to all aspects of labour law.
Upward links to higher ILO goals (DWCPs, Country Programme Outcomes or ILO's Strategic Programme Framework	Securing agreement on a range of labour issues will contribute to the ILO's desire for Myanmar to move towards adopting all of the International Labour Standards.
Other documents or relevant comments	

Emerging good practice 3: direct support for employers' organisations

Project title:	Project TC/SYMBOL:
Evaluator: David Irwin	Date: 28 Nov 2017
GP element	Text
Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc)	Whilst there are good arguments for supporting employers' organisations indirectly, largely to avoid dependence, there are also good arguments for why, on occasion, it makes sense to support employers' organisations directly. In this case, UMFC CI was creating a completely new department to take on a completely new role. They were encouraged to do this by sharing the risk and have been sufficiently happy with the progress that they have now taken on the commitment to pay the staff from their own resources. Without a dedicated team, and staff development, UMFC CI would have been unable to deliver the agreed objectives.
Relevant conditions and context: limitations or advice in terms of applicability and replicability	UMFC CI was active as a Chamber but was not engaging in activities that might be regarded as the domain of an employers' organisation. They had limited experience in engaging in dialogue and advocacy and no experience of doing this in relation to labour law. The support enabled UMFC CI to launch an employers' organisation department and to make rapid progress thereafter. UMFC CI reports that membership is growing and puts this down primarily to its employers' organisation activities.
Establish a clear cause-effect relationship	ILO agreed to contribute to the costs of employing staff and thus UMFC CI was able to take a more limited risk. Without this support it is doubtful whether UMFC CI would have been willing to do this.
Indicate measurable impact and targeted beneficiaries	The impact comes about through influencing labour law reform, still limited at present but the building blocks are now in place for this to grow, and thus improving the business enabling environment. Beneficiaries are primarily employers. The Chamber itself is also a beneficiary since it should be able to attract more members and is able to offer a wider range of services.
Potential for replication and by whom	There is potential for ILO to support any employers' organisation in this way.
Upward links to higher ILO goals (DWCPs, Country Programme Outcomes or ILO's Strategic Programme Framework)	Building a strong and representative employers' organisation is a major objective set out in the DG's Programme & Budget
Other documents or relevant comments	

Appendix 9 Lessons learned

The following pages record example of lessons learned, using the ILO template.

Lesson learned 1: EOs need competent and knowledgeable staff

Project title:	Project TC/SYMBOL:
Evaluator: David Irwin	Date: 28 November 2017
LL element	Text
Brief description of lesson learned (link to specific action or task)	Too often, EOs make assumptions about the skills and experience of staff and, in particular, the mix of skill and knowledge across the team. UMFCCI has thought carefully about the mix of experience and expertise (though being able to recruit a larger team would allow them to broaden the experience and expertise further).
Context and any related preconditions	An employers' organisation team needs to be able to work with employers; to identify, frame and prioritise issues; to gather evidence; to prepare compelling policy positions; to engage in dialogue and advocacy; to develop and deliver services, especially training and information, to members. The team also needs excellent networks and to be able to develop and maintain new relationships. No single individual can do all this and it is tough to do in a small team.
Targeted users/ Beneficiaries	The target is the EO but the beneficiaries are the private sector and potentially the workers when firms becomes more profitable and pay higher wages.
Challenges/ negative lessons – causal factors	The team is still very small, so there is a need to balance the focus on policy and advocacy with the need to deliver training to employers.
Success/ Positive issues – causal factors	Success tends to come when employers' organisations are very focused and are able to support their policy positions with persuasive evidence
ILO administrative issues (staff, resources, design, implementation)	The only implication is for the advice given to employers' organisations. In this case, it appears as though the advice has been good and generally well received

Lesson learned 2: Support EOs through all stages of advocacy projects

Project title:	Project TC/SYMBOL:
Evaluator: David Irwin	Date:
LL element	Text
Brief description of lesson learned (link to specific action or task)	Employers' organisations need advice and support all the way through advocacy projects. It is not enough simply to give some advice, and perhaps some training, at the outset and then expect them to undertake later stages, especially the advocacy itself, on their own. Encouraging EOs to take minutes in meetings and to brief effectively those participating in subsequent meetings will ensure that old ground is not covered again. It takes time for EOs to begin to make a difference, so starting with less contentious, perhaps more technical, issues can help to build confidence. ILO can support the EO through all the stages (and in this case it appears that they have done so).
Context and any related preconditions	In developing countries, it is difficult for people employed by business associations to learn about research, dialogue and advocacy from other trade associations as most are inexperienced. The most effective way to learn therefore is from people from developed countries with experience in these areas.
Targeted users/ Beneficiaries	The target is the EO but the beneficiaries are the private sector and potentially the workers when firms becomes more profitable and pay higher wages.
Challenges/ negative lessons – causal factors	The key challenge comes from employing people with experience in related sectors, such as policy within government, who may then feel that they do not need further development. ILO seems to have overcome this by offering study visits and by placing a member of staff within the EOD office in UMFCCI.
Success/ Positive issues – causal factors	The staff seem to be developing well. Feedback on their training for employers is largely positive; they are beginning to have some influence in the tripartite dialogue.
ILO administrative issues (staff, resources, design, implementation)	The support of the ILO has been welcomed and is clearly making a difference to the approach of the EOD team.

Appendix 10 Documents consulted

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- ILO (2013), Assessment of the Union of Myanmar Federation of Chambers of Commerce and Industry (UMFCCI) and its key sectorial members, ILO: Bangkok
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