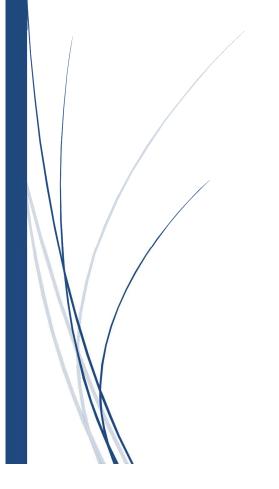
Final Report

Sri Lanka - ILO Decent Work Country Programme Review

DWCP 2013 - 2017



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List of Abbreviations

ACT/EMP Bureau for Employers' Activities (of the ILO)
ACTRAV Bureau for Workers' Activities (of the ILO)

CB Collective Bargaining

CEACR Committee of Experts on the Application of Conventions and

Recommendations (ILO)

CFA Committee on Freedom of Association (ILO)

CLEAR Country Level Engagement and Assistance to Reduce Child Labour

CO Country Office
CP Country Programme

CPR Country Programme Review

CSEC Commercial Sexual Exploitation of Children

CWC Ceylon Workers Congress

DWCP Decent Work Country Programme
EFC Employers' Federation of Ceylon

EGLR Employment Generation and Livelihoods through Reconciliation

ENNYI Employers' National Network of Youth Initiatives

EU European Union

FPRW Fundamental Principles and Rights at Work

FTZ Free Trade Zone

GBV Gender-Based Violence

ILO International Labour Organisation
ILS International Labour Standards

IOE International Organization of Employers

IR Industrial Relations

ITUC International Trade Union Confederation
LISA Labour Inspection System Application

MoJ Ministry of Justice

MoLTUR Ministry of Labour and Trade Union Relations and Sabaragamuwa

Development

MoSDVT Ministry of Skills Development and Vocational Training

MoWA Ministry of Women and Child Affairs

NATURE National Association for Trade Union Research and Education

NHREP National Human Resources and Employment Policy

NLAC
National Labour Advisory Council
NPC
National Project Coordinator
NPD
National Planning Department
NTUF
National Trade Union Federation
OSH
Occupational Safety and Health

P&B Programme and Budget

PHDT Plantation Human Development Trust

PIP Public Investment Program
PMP Performance Monitoring Plan

RB Regular Budget

RBM Results-Based Monitoring

RBSA Regular Budget Supplementary Account
RBTC Regular Budget Technical Cooperation

ROAP Regional Office for Asia and the Pacific (in Bangkok)

RPC Regional Plantation Companies

SCORE Sustaining Competitive and Responsible Enterprises

SD Social Dialogue

SLBFE Sri Lanka Bureau of Foreign Employment SLNSS Sri Lanka Nidahas Sewaka Sangamaya

SPF a) Social Protection Floor

b) Strategic Policy framework (ILO's medium-term planning document)

TOR Terms of Reference

UNDAF United Nations Development Assistance Framework

UNDP United Nations Development Programme

WB World Bank

WFCL Worst Forms of Child Labour WTO World Trade Organization

XBTC Extra-Budgetary Technical Cooperation
YENAP Youth Employment National Action Plan

Executive Summary

Background

This report provides the findings and recommendations of the Review of the Decent Work Country Programme (DWCP) of Sri Lanka 2013 – 2017 based on the specifications of the ToR (cf. Annex 1). This ToR states that the purpose of the review is to take stock of what has worked and has not worked and to see what needs improving and/or continuing to the next DWCP which is scheduled to begin in 2018, and will run for five years. The review is based on a desk review, an in-country mission undertaken by the Review Team from 31 July to 11 August 2017, and a stakeholder workshop held on 11 August 2018. The ROAP Monitoring and Evaluation Office in Bangkok coordinated this Country Programme Review (CPR) jointly with the ILO Country Office for Sri Lanka (CO-Colombo). The ILO constituents have been consulted throughout the process, in particular, the Ministry of Labour and Trade Union Relations, the Employers Federation of Ceylon and four Trade union Organisations, i.e. Sri Lanka Nidahas Sewaka Sangamaya, Ceylon Workers Congress, National Trade Union Federation and National Association for Trade Union Research & Education. The CPR will cover all interventions planned and carried out during the period 2013-2015, taking into account that the priorities remain the same. The main clients of this CPR are the ILO Country Office for Sri Lanka, ROAP and the ILO constituents in Sri Lanka.

Context

Sri Lanka is a Lower Middle-Income country with a total population of 21.2 million people in 2016. Following 30 years of civil war that ended in 2009, Sri Lanka's economy grew at an average 6.2 percent during 2010-2016. The economy is transitioning from a previously predominantly rural-based economy towards a more urbanized economy oriented around manufacturing and services. The country has made significant progress in its socio-economic and human development. Challenges include regional inequalities, technological change, environmental degradation and climate change, demographic change, and a skills-mismatch. Opportunities relate for example to Sri Lanka's economic growth and transformation, the continued focus on employment by the newly elected government in 2015 (e.g. target to create 1 million jobs), increased attention for social protection, and the enhanced market access to EU through GSP+ since May 2017.

Findings and Conclusions

The main findings and conclusions of the present Sri Lanka Decent Work Country Programme (DWCP) Review will be presented below according to the six Performance Criteria used in this report, plus the progress reported on the 12 CPOs.

The stakeholders interviewed generally underscore the *Role and Relevance of ILO in Sri Lanka* both at the time of the design of the DWCP in 2012 as well as today. The DWCP was designed in close cooperation with the Ministry of Labour and Trade Union Relations (MoLTUR), while the other two tripartite partners were involved somewhat less intensively at the design stage. National factors such as the end of the conflict in 2009 clearly had an impact on the formulation of the DWCP.

The priorities and outcomes are close to the ILO core mandate, covering in fact all 10 P&B Outcomes for 2016-2017. The DWCP is closely aligned to the MDGs as well as to the four pillars of the UNDAF 2013-2017. The UN agencies with which ILO is cooperating in projects as well as

the donors interviewed acknowledged ILO's comparative advantage in employment issues. The DWCP approach is in itself quite realistic taking into account budgetary realities (e.g. reduced donor funding for middle-income countries) and human resource constraints.

The second performance criteria is *Tripartite Participation and Capacity*. The DWCP had been developed based on meetings with MoLTUR, EFC and the Trade Unions although the feeling of ownership is largest in MoLTUR. The feeling of ownership of the DWCP of the other two constituents is generally limited to those specific activities in which they themselves are directly involved. Constituents are active in certain national development planning and other fora, such as the tripartite National Labour Advisory Council (NLAC) and the agreement process for EU's GSP+ where, in particular, the unions also played an important role.

Capacities of all three constituents have improved as a result of the capacity building efforts of the DWCP. This has been especially the case at MoLTUR, e.g. the training of labour officers, and support to LISA. Some of the structural characteristics of the trade union system in the country, in particular its fragmentation, were an important factor affecting the impact of capacity building efforts of trade unions. The efforts by the ILO to strengthen the NLAC is an important initiative in finding a longer-term solution to this issue. The regional representation of the trade unions has remained limited, and for example in the North, ILO continues to resort to working with cooperatives. Most of the tripartite constituents have some level of resources, but leveraging them to increase their capacity and to mobilize those for specific Decent Work issues remains a challenge.

The Focus and Coherence of the Programme's Design and Strategies has different elements. The design and strategy of the DWCP is in itself coherent with the three country priorities leading to the ten DWCP outcomes linked to national strategies reflecting government priorities. The 30 indicators are quite detailed and lack flexibility. The analysis has shown that there is a disjoint between the DWCP Outcomes and the CPOs which makes monitoring of the DWCP difficult. The DWCP fits within ILO's strategic policy framework and it is linked to 9 out of the 10 P&B Outcomes of ILO. Cross-cutting issues receive a lot of attention including specific activities related to gender, ILS and Social Dialogue, but the new one of 'Environmental sustainability' is yet to get the attention that is urgently needed. ILO responds to the recognized needs among constituents through the Task Force meetings with all tripartite partners and through the regular contacts of ILO staff with the constituents.

An explicit and consistent resource mobilization strategy is lacking, and the DWCP actually depends too much on one or two Technical Cooperation projects, with just one CPO accounting for half of the overall DWCP expenditures of 6.1 million US\$ in 2015-2017, and just two CPOs for almost three quarters. While these are respectively implemented in the North, and in the East and North, neither of them has a substantial Trade Union involvement. It has been difficult to get financial data on expenditures on the DWCP priorities and outcomes, but the limited data we have indicate that DWCP Priority 1 has received by far the largest volume of funding (almost three-quarters), while the second priority that is more explicitly dedicated to the tripartite constituents has remained far behind (12%).

Managing for Results: The DWCP consists of a systematic program based on three relevant priorities and ten logical DWCP Outcomes. The DWCP has in principle defined clear outcomelevel results against which it can be assessed, but the defined outcomes, indicators and targets

are not included in the RBM system which only reports by CPOs on a biennial basis. Therefore, comparisons with the five year country programme are rather difficult. In addition, DWCP indicators and targets are quite detailed and lack flexibility, and no systematic risk register is maintained. In short, a more user-friendly systematic M&E system is urgently needed at all levels of project design and implementation.

The DWCP does not provide an exit strategy, although the capacity building with partners' institutions could be considered as a *kind* of exit strategy facilitating sustainable results, but due to the fact that the social partners are mainly confined to the central level in Colombo, not all regions of the country can be covered.

The criterion of *Efficiency and Adequacy of Organizational Arrangements to deliver ILO's programme in Sri Lanka* has been on the whole satisfactory especially considering the limited number of staff in the CO Colombo. The operation and management set up are in part effective for DWCP implementation, but the linkages between staff responsibilities and the three DWCP priorities, ten outcomes and 12 CPOs have become less clear to the mission members. ILO has operated with integrity and fairness according to all constituents and other partners met. Stakeholders have generally expressed great appreciation for ILO's technical strength, either country-based, or short-term on demand from DWT in Delhi and in Bangkok or from Geneva, but at the same time there is a widely perceived shortage of permanent, country-based technical expertise.

Work processes and reporting differ by donor and type of project, and are sometimes a bit time-consuming, but overall a workable method appears to have evolved. Nevertheless, improvements are required in the efficiency of work processes such as operationalising results-based management and aligning financial data to the outcomes.

Regarding the last performance criteria, *Knowledge Management and Sharing*, it can be concluded that the CPOs are systematically monitored and reported on, but that there is no evidence that the DWCP itself is actually being monitored. Tripartite partners are not involved in these activities. The Task Force meetings bringing together all the constituents are documented and reports are made, but the presentations again are by CPO not by DWCP Outcome. Some stakeholders indicated that cross-fertilisation and synergies between different projects could be improved.

The sharing of knowledge gathered through the projects among the tripartite constituents and other close stakeholders is generally judged as being quite satisfactory, and stakeholders have expressed their appreciation for the quality of the projects' products. Distribution of publications to UN organisations and their websites can be improved, and some donors indicated that communication was slow to start in new projects. The visibility of ILO itself is sufficient, but could benefit from re-invigorating the ILO Newsletter of the CO Colombo. The DWCP has been very appropriately translated into three languages. Regarding national knowledge networks, the CO Colombo is cooperating only on an ad hoc basis with several policy and academic institutes in Colombo. Internationally, ILO is involved in networks related to for example labour migration, such as the Colombo Process, and the Abu Dhabi Dialogue.

The Operational assessment of the Progress made on tangible outcomes (CPOs) was undertaken according to five criteria. Firstly, the Resource adequacy of the CPOs differed vastly

with about 50% of the expenditures in 2015-1017 for only one CPO, while the six smallest CPOs only accounted for 2.8%. In between, were the CPOs on skills training (22.5%), the Declaration project on FPRW (11%), the project on labour migration and migrants' skills (7.8%) and the child labour project (6.5%). The main external funding organisations of these CPOs were DFAT, Norway, EU, USDOL, SDC, IOM and Japan. Secondly, the *Delivery of outputs* is summarized in Table 7 in Section 5.1.

Thirdly, the *Use of outputs by partners/ target groups* differs greatly among the CPOs. In a number of cases it is just still too early to tell whether the outputs will be used by the partners and/or the target groups since the development of these outputs is still ongoing and/or pending, while systematic tracking in the case of training still needs to be done. Some instances in which partners have been particularly successful in making use of the outputs are:

- LISA has been established, and the Ministry is already using it and developing further implementation mechanisms for it.
- ➤ The safe migration information package and curriculum are popular among newly appointed officers.
- The partnership within the tripartite PHDT worked well despite much hostility between the trade Unions and the RPCs.
- ➤ The participation of employers in the skills development project in the East is high through the Chambers of Commerce and associations.
- > Some trade unions are coming to the fore on specific issues such as GSP+ and/or the representation of young workers.

Some instances in which partners have particularly been left out are:

- ✓ The trade unions were often not involved in the projects in the North and in the East
 (together taking up almost three-quarters of the total ILO budget in Sri Lanka; see Table
 5), since they did not, and largely still do not, have branches there. In addition, their
 involvement in the child labour project has also been minimal.
- ✓ The Trade Union movement demonstrated some scattered progress and success, but no impact could be made on the overall situation of the representation of workers' organizations in national fora.
- ✓ Different social protection efforts by the ILO did not receive much traction on the side of the government or the social partners.

Fourthly, the *Progress made (against outcome indicators/milestones)* is sometimes difficult to establish when it has to be compared with rather ambitious indicators in the DWCP. In general, progress has been substantial, but there was also one important delaying factor and that was the change of government in early 2015 and the time it took to formulate new policies. Although this was not foreseen in the DWCP, the programme turned out flexible enough to adjust and incorporate for example the revision of the National Human Resources and Employment Policy (NHREP) Master Plan and Action Plan.

One area in which ILO needs to do better is gender. For example, the donor had to push hard to make gender an integrated element in the project in the North, and little progress could be made on gender issues in certain sectors of the skills training project in the East, for example as parents did not allow their daughters to get training for certain jobs due to the influence of strong cultural factors.

The indicators defined for the CPO on employers' organisations are quite concrete and directly related to the development of EFC and its members, and this has helped to achieve substantial progress on these indicators, and so has the fact that EFC is a well-organized federation. In contrast, progress of the Trade Unions on their representation in the regions has been slow partly caused by the low density of industrial and commercial establishments in a number of regions. Concerning support towards ratification, substantial progress has been made but especially related to the reporting obligation of the member states.

The ultimate proof of projects consist of facts indicating an improvement in the situation of the target group: This has been achieved in the child labour project with a substantial reduction in the number of children in the WFCL-categories, which can at least partly be attributed to the activities in this CPO. A different type of proof of the success of a project is that donors were satisfied with the project performance and have actually committed themselves for a next phase, such as in the case of LEED (DFAT), Labour Migration (SDC) and FPRW (USDOL).

Fifthly, it has been difficult to establish the *Measures to respond to emerging risks and opportunities* since there was no risk register related to the DWCP (and thus no monitoring). Generally, one could consider the great diversity in activities in a number of CPOs as a risk-spreading mechanism, where (temporary) lack of progress on one element may be compensated by progress on another, taking advantage of the opportunities available.

One of the main risks in hindsight was the change of government in 2015 and the regular shifts in ministerial mandates and officers at the decision-making level in government administrative structures which slowed down progress. The ministries and social partners, however, clearly remain supportive and committed to promoting decent work, and employment figures prominently among their plans for the medium-term. Sometimes projects needed to revert almost to a kind of trial-and-error approach, such as in the case of the LEED project where the ILO Team and the donor have been very flexible, and have piloted various LEED models, and sometimes were on the verge of stopping the project. Through good communication and a locally-based ILO Team, it was re-invigorated and now it is enjoying certain successes. The conflict affected regions in the North as well as in the East offered opportunities for rebuilding and re-invigorating society of which skills development is an important part, and as such this project has contributed in an important way to that goal.

Recommendations

The recommendations are summarized below according to the six performance criteria, and will include suggestions for the New ILO DWCP 2018-2022. For more details see section 5.2.

Role and Relevance of ILO in Sri Lanka:

- 1) Make sure the new DWCP is aligned with the needs and preferences of the three tripartite partners, so that it is explicit that the ownership of the DWCP lies squarely with the three constituent partners, and that the ILO is only a secretariat to support those partners. It is crucial to maintain a results-orientation, and to establish what constitutes the change that the three partners want for the coming five year period.
- 2) Make sure that the new DWCP is also aligned with the 17 SDGs, the new UNSDF 2018-2022, and as far as possible with the already existing multi-year planning of the main donors in Decent Work related areas (cf. Donor Mapping, etc.). At the same time, ILO needs

to maintain its distinct mode of operation through its unique tripartite approach even while being part of the worldwide UN efforts.

Tripartite Participation and Capacity:

- 3) Strengthen the joint partnership and ownership among ILO's Tripartite Constituents, and reinforce the linkages among the constituents, by:
 - a. continuing to organize at least **six-monthly tripartite Task Force meetings** on implementation and monitoring of the DWCP, and
 - b. supporting the tripartite and MoLTUR-led National Labour Advisory Council (NLAC), which currently enjoys the trust of most stakeholders provided it is legalized into a statutory body with its own autonomy and with support from moderators and/or experts.
- 4) Ideally there should be one signatory of the DWCP representing the Trade Unions, but in view of the multiplicity of unions representing various groups of workers, the issue of how many and who should sign on behalf of the unions needs to be revisited by the constituents. The principle should be that if a Union is registered, it should be consulted (not whether it is a member of ITUC or not, since ILO conventions indicate that affiliation is free for the union to decide). If the CO Colombo can expedite this process by acting as a secretariat, this should be seriously considered in view of the crucial importance of this matter to enhance tripartism in the country.

Focus and Coherence of DWCP Programme:

5) Maintain the current three DWCP Priorities since they are still valid: 1. Full, decent and productive employment, 2. Social Dialogue and Fundamental Principles and Rights at Work (FPRW), and 3. Social inclusion and Social Protection Floor. The current 10 DWCP Outcomes are generally still valid but need further refinement by the tripartite constituents. Given the continuing economic and administrative changes in Sri Lanka, maintain some degree of flexibility in the design of the DWCP when identifying the DWCP outcomes, indicators, targets and milestones.

Managing for Results:

6) Introduce a more user-friendly systematic M&E system at all levels of project design and implementation. In the meantime, set up systems to regularly monitor the progress towards DWCP Outcomes, indicators (quantitative and qualitative), targets and milestones, and align DWCP Outcomes and CPOs in the SMM/Implementation plan. Thereby also ensure the direct alignment of reporting on the five-yearly DWCP Outcomes and the biennial CPOs. Make provisions for inputs by DWT experts in Delhi and Bangkok into the DWCP reporting mechanism as now they are completely excluded from it. The new DWCP should also include a risk register and how it will be monitored and updated half-yearly.

Organizational Arrangements:

- 7) Increase the internal capacity of CO-Colombo, including but not limited to an international expert. At national level a gender expert is advisable.
- 8) Develop a systematic and coherent resource mobilisation strategy by the CO Colombo, which should include an exploration of ILO's RBSA allocation for Middle-Income Countries as these countries have difficulty accessing donor funding, and an exploration of cost-sharing with tripartite and other partners.

9) Streamline work processes both in Colombo CO as well as related to Bangkok and HQ Geneva, such as operationalising results-based management and aligning financial data to the DWCP Outcomes and CPOs. In fact, the DWCP is sometimes considered as an additional layer of M&E next to the biennial P&B and the regular reporting on CPOs, but one needs to remember that the DWCP is primarily a mechanism where the tripartite partners consult each other for longer term policy setting guided by the ILO.

Knowledge Management:

10) Enhance the visibility of ILO further and broaden the distribution of projects' outputs by re-invigorating the ILO Quarterly Newsletter, by producing project briefs, and by using internet-based communication networks. Translate DWCP in 3 languages, and in the case of selected technical publications translation of only the Executive Summary into Sinhala and Tamil can be considered. Distribution of publications in particular to UN organisations can be more widely undertaken and should include the use of UN Websites.

Priorities for the new DWCP

- 11) Start the Assessment Based National Dialogue (ABND) towards the Social Protection Floor (SPF) as was already guided by the ILO in about 20 countries. In particular when a country has entered middle-income status, like Sri Lanka, social security becomes increasingly important and even more reachable if contributory schemes can be combined with subsidised schemes for the poor. It is important to start as early as possible with this dialogue in order to assess the SPF-priorities jointly with the relevant stakeholders.
- 12) Investigate a number of topics proposed by the interviewed stakeholders for possible inclusion in the new DWCP 2018-2022 and discuss them with the tripartite constituents. An inclusive list of stakeholder priorities, meant for CO-Colombo to be used as a checklist for stakeholder interests, is categorized according to the three DWCP priorities Employment, Social Dialogue and Social Protection and is given in Section 5.2.

1 Introduction and Methodology

1.1 Objective and Scope

The purpose of the Country Programme Review (CPR) of the Decent Work Country Programme (DWCP) 2013-2017 for Sri Lanka is to take stock of what has worked and has not worked and to see what needs improving and/or continuing to the next DWCP which is scheduled to begin in 2018. The country situation and evolving national development frameworks and plans will be taken into account.

The review will assess the relevance and coherence of the DWCP design, the efficiency in implementation, effectiveness of its operations and sustainability or results. The review is also intended to provide a basis for improved insights within the country office as to how to better design, implement, monitor and assess country programmes in the future and also identify priorities by the constituents to inform the development of the next DWCP scheduled to start in January 2018. The CPR will take into consideration the political climate and changes that have taken place in Sri Lanka.

The scope of the CPR includes all interventions planned and carried out during the period 2013-2017, taking into account that the priorities remain the same. The CPR will cover the appropriateness and adequacy of the programme design, outreach/partnership and implementation performance of DWCP. It will also include an operational assessment of the progress being made on tangible outcomes directly resulting from ILO contributions in DWCP.

Partners and Clients

The main clients of the review are ILO Colombo, ROAP and the ILO constituents in Sri Lanka. The DWCP Priorities and Outcomes were agreed with the tripartite constituents (viz. the signatories of the DWCP), and they are:

- Ministry of Labour and Trade Union Relations
- Employers Federation of Ceylon
- Sri Lanka Nidahas Sewaka Sangamaya
- Ceylon Workers Congress
- National Trade Union Federation
- National Association for Trade Union Research & Education

Other key partners are: Ministry of Skills Development and Vocational Training, Ministry of Justice, Ministry of Women and Child Affairs, Ministry of Foreign Employment, Other Trade Unions and UN Organisations and Donors.

1.2 Methodology and Limitations

The review exercise concerns **a participatory assessment** of the implementation of the DWCP, and the tripartite constituents have been and will be consulted throughout the process: The constituents were involved in the drafting of the TOR, were interviewed by the CPR Team, commented on the preliminary findings presented in a PowerPoint, and will provide inputs to the draft report.

The *methodology* comprised the following specific elements:

- An extensive desk review of relevant documentation; a list of references is included in Annex
 4.
- 2) An in-country mission of the CPR team for information gathering, including a series of meetings/interviews between the CPR team and the Government, workers' and employers' organizations, other UN agencies, major donors and other relevant national partners as appropriate (e.g. academia).
- 3) The review team members conducted many discussions among themselves evaluating the performance of the different projects and of the DWCP as a whole.
- 4) A consultation and validation workshop was organized in Colombo on 11 August 2017 where the CPR team presented its preliminary findings through a PowerPoint Presentation, and where the constituents discussed these findings in the light of the preparations for the process towards the next DWCP 2018-2022.
- 5) The final report incorporated the inputs received on the draft report from key stakeholders.

Limitations

As the DWCP review was planned in a relatively short time period, this affected the preparation time available for the CO in Colombo, and as a result the CPR Team received the necessary documents rather late (the day before travelling or during the first week of the mission). Therefore, it was decided to use the weekend of 5-6 August 2017 for studying those documents received late as well as to prepare for the PowerPoint. This was judged the more important because the ToR (see Annex 1) stipulates that the draft report should be ready by 21 August, leaving relatively limited time after arriving back in the home base on the 12th of August to write the first draft report. Therefore, the CPR Team decided to refrain from project visits as also project locations are invariably far away requiring at least two days to visit (e.g. Killinochi in the North and Batticaloa in the East). The CO must in any case be commended for organizing a very good mission programme and interview schedule which included the key stakeholders of the DWCP.

For the previous DWCP Review in 2013 a so-called 'self-assessment' was still required under the CPR guidelines, but this requirement has been dropped under the new guidelines. A lesson learnt of this CPR is that such a self-assessment would have been very useful for the CPR Team as it would not only have triggered a more complete preparation by the CO, but also it could have been used as a benchmark to which information from all stakeholders could have been evaluated.

1.3 Management Arrangements, Work Plan and Key Deliverables

The *management arrangements* for this CPR are clearly spelled out in the ToR and include the following participating offices: CPR Task Force, ILO Colombo Office, ILO tripartite constituents and other key partners, ROAP Bangkok, DWT-New Delhi, and EVAL, PROGRAM and others in Geneva (see further Annex 1). ROAP Regional Programming Services (RPS) Chief, Ms. Reiko Tsushima, participated during the latter part of the mission.

A team of external consultants (international and national) was hired to facilitate the review process and to prepare the review report as per the TOR. The international consultant, Dr Theo van der Loop, is the team leader for the review, and the national consultants are Prof Sunil Chandrasiri and Dr Ramani Gunatilaka. As the CO Colombo could not identify on short notice one national consultant who would be available for the whole period of the CPR, it was decided to contract two national consultants each for one week full-time. In addition, both consultants were

available simultaneously on several days for discussions among the team and for the stakeholder workshop. The roles and responsibilities are specified in detail in the ToR (cf. Annex 1).

The time frame for the *Work Plan* is based on the scope of work and methodology outlined in the previous sections and on the resources available for the review. The main milestones and timeline are detailed in the following table:

Dates	Activities	Description
21 – 28 July 2017	Preparation in Home Base	 Desk review of documents (cf. Annex 4) Skype calls with ROAP Bangkok and CO Colombo. Support the development by CO Colombo of the Itinerary for the field mission to Sri Lanka jointly with ROAP Bangkok. Organize flight ticket, visa and hotel with support from CO Colombo and ROAP Bangkok. Initial discussions with national consultants. Write and submit Inception Report.
29 - 30 July 2017	Travel	Flight to Colombo with Emirates.
31 July – 11 August 2017	Mission to Sri Lanka	The programme of the visit to Sri Lanka including a listing of key stakeholders to be interviewed can be found in Annex 2.
11 August 2017	Workshop	Present a PowerPoint with the preliminary findings of the CPR at the consultation and validation workshop in Colombo. A draft programme is included in Annex 3.
12 August 2017	Travel	Flight to Amsterdam with Emirates.
14 – 24 August 2017	Draft Report	Produce a draft CPR report for submission to ILO ROAP in Bangkok and CO Colombo, which will be disseminated to relevant stakeholders.
24 August – 5 October 2017	Draft Report	Written comments on the draft report received.
5– 13 October 2017	Final Report	Incorporated the written comments received and consolidated them into the Final Report together with an Executive Summary in ILO template.

The following specific outputs or Key Deliverables have been produced:

- 1. Inception report outlining a plan for the review including purposes, scope, methodology, key questions and target stakeholders, the work plan, deliverables etc.
- 2. Power point presentation of preliminary findings and facilitation of the stakeholders' validation workshop.
- 3. Draft country programme review report (20-30 pages maximum).
- 4. Final report incorporating inputs from key stakeholders.

1.4 Report layout

The remainder of this report will start with the Country Context of Sri Lanka, and in particular its main opportunities and challenges, the priorities of the tripartite partners and the structure of the DWCP 2013-2017 (Chapter 2). In Chapter 3 the findings on the adequacy and appropriateness of the design, outreach and implementation of the ILO interventions in Sri Lanka will be analysed according to six evaluation criteria. In Chapter 4 an assessment of the progress made towards the 12 tangible outcomes or CPOs will be undertaken. Lastly, Chapter 5 provides an overview of the main conclusions as well as the recommendations concerning the six Evaluation Criteria and Possible Future Directions of the new DWCP for Sri Lanka.

2 Sri Lanka: Country Context

2.1 Overview¹

Sri Lanka is a Lower Middle-Income country with a GDP per capita of USD 3,835 in 2016 and a total population of 21.2 million people. Following 30 years of civil war that ended in 2009, Sri Lanka's economy grew at an average 6.2 percent during 2010-2016, reflecting a peace dividend and a determined policy thrust towards reconstruction and growth; although there were some signs of a slowdown in the last three years growth remains forecast at 4.7% for 2017. The economy is transitioning from a previously predominantly rural-based economy towards a more urbanized economy oriented around manufacturing and services.

The country has made significant progress in its socio-economic and human development. Social indicators rank among the highest in South Asia and compare favourably with those in middle-income countries. Economic growth has translated into a degree of shared prosperity and has more than halved the national poverty headcount ratio from 15.3 percent in 2006/07 to 6.7 percent in 2012/13. Extreme poverty is rare and is concentrated in some geographical pockets; however, a relatively large share of the population subsists *just above* the extreme poverty line. An important concern also remains over substantial remaining disparities, especially gender-wise and regionally in particular between the much more developed Western Province and the rest of the country.

Labour migration from Sri Lanka, especially to Gulf countries, has increased significantly during the last 2 decades, and various estimates range from 1.2 to 1.8 million Sri Lankans employed abroad. The National Labour Migration Policy for Sri Lanka (2008) provides the framework for action to strengthen the overall governance of labour migration. The main concern however lies in the protection of migrant workers who are the primary foreign exchange earners for this country. In 2016 migrant workers' remittances reached 8.9% of GDP, providing critical balance of payments support. In comparison, foreign direct investment inflows into the country remain low at 0.8% of GDP in 2016 (WB 2017). Additionally, as labour migration is temporary in nature, it raises the issue of reintegrating migrant workers. Of the total labour force of 8.1 million workers, 1.3 million are in public sector jobs, and some 60-65% works in the informal sector.

Sri Lanka has comfortably surpassed most of the MDG targets set for 2015, and was ranked 65th in Human Development Index in 2016 (out of 157 countries). Its overall performance on the new SDGs is also positive with an Index score of 65.9 ranking 81st (out of the same number of countries). In particular its performance on SDG 8 on Decent Work is above average with substantial GDP growth, only a small percentage of children involved in child labour, a high percentage of adults with a bank account and low unemployment rates of less than 5%.²

Challenges related to DWCP

 Economic growth since trade liberalization in 1977 has been mainly concentrated in and around the Western Province centring on the metropolitan hub of Colombo, and the continued regional inequalities remain a policy challenge.

¹ Sources: IMF (2017): World Economic Outlook, April 2017, and World Bank Sri Lanka Development Update, April 2017. ² Sachs, J., Schmidt-Traub, G., Kroll, C., Durand-Delacre, D. and Teksoz, K. (2017): SDG Index and Dashboards Report 2017. New York: Bertelsmann Stiftung and Sustainable Development Solutions Network (SDSN). http://sdgindex.org/

- Technological change, environmental degradation and climate change are transforming employment structures.
- Implications of demographic change, in particular the end of the demographic dividend and a rapidly ageing population.
- Skills-mismatch and shortage of labour in some sectors such as construction, tourism and tea plantations; danger of re-emergence of child labour.
- The mandate of ILO is spread over different government agencies: MoLTUR as the official
 partner, while specific projects involved different ministries, e.g. Ministry of Foreign
 Employment, Ministry of Skills, Ministry of Women and Child Affairs and Ministry of Justice.

Opportunities related to DWCP

- Sri Lanka's economic growth and economic transformation offer many opportunities.
- Post 2015 policies continue to recognize employment as a priority, e.g. the specific target to create 1 million jobs.
- Post 2015 policies begin to recognize social protection with the proposed creation of a new national pension fund (with a combined worth of Rs. 1.7 trillion).
- Exploiting opportunities for trade in regional markets in Asia.
- South-South Cooperation offer different opportunities, for example in the Colombo Process and Abu Dhabi Dialogue.
- Enhanced market access to EU through GSP+ since May 2017.
- The SDG's will provide an important incentive for all, including the new UNSDF 2018-2022 (replacing UNDAF).

ILO Commitment in the UNDAF 2013-2017

The United Nations Development Assistance Framework (UNDAF) 2013-2017 for Sri Lanka identified the following four pillars under the *overall goal* of "sustainable and inclusive economic growth with equitable access to quality social services, strengthened human capabilities and reconciliation for lasting peace":

- Pillar 1: Equitable Economic Growth and Sustainable Livelihoods.
- Pillar 2: Disparity Reduction, Equitable and Quality Social Services.
- Pillar 3: Governance, Human Rights, Gender Equality, Social Inclusion and Protection.
- Pillar 4: Environmental Sustainability, Climate Change and Disaster Risk Reduction.

The ILO DWCP was designed in the same period and covers the same five-year interval. The DWCP's priorities and outcomes are closely aligned to these four pillars.

2.2 Tripartite Partners in Sri Lanka

Government of Sri Lanka

The DWCP was aligned with several main policies of the Government of Sri Lanka at the time the DWCP was designed (in 2012):

- 1. National Policy for Decent Work in Sri Lanka (2006),
- 2. Mahinda Chintana: Ten Year Horizon Development Framework (2010),
- 3. National Human Resources and Employment Policy (2012).

The Mahinda Chintana vision was based on the economic philosophy that economic growth alone would not bring economic prosperity to Sri Lanka. The development framework aimed to increase the rate of economic growth but ensure that growth benefited every segment of society and so ensure social justice. This required building greater connectivity through roads, electricity,

telecommunications, information technology, education, and health services. Towards this end, providing electricity to all, popularizing mobile usage among all people, establishing IT centers in remote villages and developing the rural and agricultural road network, have transformed the rural economy.

In 2015 the new Government started to develop its priorities and strategies, but then several ILO projects were up and running, and the CPR Team could find no evidence of adjustments in the direction of the DWCP priorities and/or their outcomes. The new governments' priorities will be discussed in Chapter 5 dealing with the Recommendations for the new DWCP.

With respect to International Labour Standards (ILS), there are 43 ILO Conventions ratified by Sri Lanka, which includes the eight core conventions and 3 out of the 4 Governance conventions.³ The last three conventions ratified were:

- Employment Policy Convention, 1964 (No. 122) in February 2016.
- Seafarers' Identity Documents Convention, 1958 (No. 108) in December 2016, and
- Maritime Labour Convention, 2006 (MLC, 2006) in January 2017.

The latter convention was ratified but it will enter into force only on 12 January 2018. The Government of Sri Lanka also expressed its willingness to ratify another convention soon, i.e. the Occupational Safety and Health Convention, 1981 (No. 155). The ILO Office works through the respective technical interventions with the Government of Sri Lanka and the social partners on the follow up to a number of conventions, which will be discussed in Chapter 4.

Trade Union Movement

Historically the trade unions in Sri Lanka were at the forefront of the movement for independence prior to 1947. However, political parties have sought the support of working populations through trade unions leading to fragmentation, rivalry and organizational weakness among them. At the same time, unions are among the few voluntary associations with mass membership based on modern occupational interests (ILO 2016e).

All registered trade unions are required to submit annually a statement regarding their membership and finance for the renewal of their union recognition to the Ministry of Labour (cf. Trade Union Ordinance No.14 of 1935). Out of the total of 2,033 registered unions, only 270 have filed their annual returns in 2011, and they had a total membership of just over 1 million. In other words a unionization percentage of almost 13% out of the 8.1 million labour force at that time, and thus we can conclude that the union density is rather thin. In addition, there is no way to check the stated memberships by the unions because of the lack of a verification process under the Ordinance. The bigger ones identified by ILO (2016e) are:

- Ceylon Workers Congress (CWC) with a claimed membership of over 400,000;
- Lanka Jathika Estate Workers Union, part of NTUF (claimed membership of 268,000);
- Jathika Sewaka Sangamaya (claimed membership of 258,000);
- Sri Lanka Nidahas Sewaka Sangamaya, SLNSS (claimed membership of 95,000);
- National Workers Congress (claimed membership of 79,000); and
- Inter-Company Employee's Union (claimed membership of 38,000).

During the interviews the estimates given by several trade unions were similar: NTUF 280,000 members, SLSNN 89,000, and FTZ & General Services Employees Union 22,000 (up from 17,000 in the ILO study of early 2016), except for CWC whose membership has decreased to 110,000.

³ See: http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:103172.

Such a low union density makes collective bargaining often more difficult. These unions are all associated to ITUC, except for the FTZ Union which is associated with IndustriALL Global Union.

There were 25 registered Federations functioning in 2011, of which 12 function in the private and semi-government sectors, and 13 in the public sector proper. Figures on gender participation are generally difficult to find, but in certain sectors women represent a significant proportion of the unionized workers, such as in the plantation sector where a trade union (NTUF) reported that 90% of workers are women, but this also applies to the health sector, government clerical service, teachers and the 13 Free Trade Zones (FTZ) in the country. However, the number of women in traditional trade union leadership positions remains very low.

There was an attempt to arrive at a platform for unions called the National Association for Trade Union Research and Education (NATURE), which was formed in 1998 to undertake joint work of a non-controversial nature (e.g. workers education, training and research). Although 18 Founder member unions initially joined NATURE, in recent years some of the bigger unions have left this association following allegations of financial irregularities and inter-personal problems.

Employers' Organisations

The International Organisation of Employers (IOE) usually determines which national employers' organisation will be the official partner for the ILO in a given country, and in Sri Lanka the Employers' Federation of Ceylon (EFC) has been nominated as such. It was established in 1929 as an organization of employers dealing with labour and social issues in Sri Lanka. It is today the principal organization of employers, promoting employer interests at national level, especially focusing on industrial relations and labour law. EFC's Vision is to promote social harmony through productive employment, and its Mission is to encourage workers, their organizations and the Government to co-operate with business for the attainment of the following objectives:

- a. To make employees more efficient and quality conscious
- b. To achieve better terms and conditions of employment
- c. To prevent industrial strife and, where disputes have arisen, to resolve them in a fair and expeditious manner
- d. To generate employment opportunities.
- To provide members with services to achieve objectives of growth and stability, and this includes e.g. the Employers' Network on Disability, and the Employers' National Network of Youth Initiatives (ENNYI).

Its members are individual employers representing different business interests. The number of members has increased in recent years from 515 (2010) to 663 (2017), and 23 of these are plantations. These employers employ in total about 800,000 workers. The number of employees differs greatly between employers, with about 6% small companies (36 employers having less than 15 employees), 29% having between 15 and 100 employees, and 49% between 100 and 1000 employees. The remainder (16%) has more than 1,000 employees (with two employers reaching the highest category of 15,000 to 25,000). While the EFC represents the 'World of Work', the 35 national and regional Chambers of Commerce represent the 'World of Trade'.

Tripartite Consultation Mechanisms

The main tripartite body in the country that was recently re-invigorated is the National Labour Advisory Council (NLAC) which was established in terms of three ILO Conventions on tripartite consultation (No. 144, 152 and 113). Sixteen unions participate in this council along with the Ministry of Labour and the Employers' organisation (EFC) .There are a few other tripartite fora

such as the National Pay Commission and the Wage Boards dealing with minimum wage fixing where selected trade unions participate.

2.3 Sri Lanka - ILO Decent Work Country Programme 2013 – 2017

The Decent Work Country Programme (DWCP) is the main platform for delivery of ILO support to countries. The current Sri Lanka - ILO Decent Work Country Programme (DWCP) for 2013-2017 was built on the basis of the lessons learnt from the first DWCP 2008-2012 (reviewed in 2013). The current DWCP was developed and endorsed by the national tripartite constituents: the Ministry of Labour and Trade Union Relations, the Employers' Federation of Ceylon (EFC) and four Trade Unions. This DWCP was designed to contribute to the vision articulated in the Government of Sri Lanka's *Mahinda Chintana*, which was discussed in the above. It was also guided by the National Policy for Decent Work in Sri Lanka 2006, and the National Human Resources and Employment Policy (NHREP) 2012, which were developed with support from the ILO and which set out policies for creating opportunities for employment, ensuring rights and freedom at work, encouraging social dialogue and providing social protection for all. Lastly, it was also aligned with the four pillars of the UNDAF 2013-2017.

The following three strategic priority areas were identified in the course of developing the DWCP in 2013-2017:

- i. Promotion of full, decent and productive employment and enabling environment for competitive, sustainable enterprise development.
- ii. Strengthen democratic governance of the labour market.
- iii. Social inclusion and the establishment of a social protection floor.

The DWCP Outcomes for each of these priorities are listed in Table 1 below.

Table 1: The DWCP Outcomes of the Sri Lanka DWCP 2013-2017.

Outcome No.	Country Programme Outcomes (CPOs)				
Outcome 1.1	Government and social partners enhance employability and productivity of young women and men through market oriented skills training and measures to facilitate entry in to the labour force				
Outcome 1.2	Enterprises, both formal and informal, operate improved business environment, with access to quality services and better working conditions for sustainable development.				
Outcome 1.3	Disadvantaged and vulnerable groups especially in conflict-affected and economically lagging regions have equitable and enhanced access to more and better jobs and expanded product markets.				
Outcome 2.1	Improved labour administration and strengthened social dialogue mechanisms.				
Outcome 2.2	Strengthened institutional capacity of employers' organisations				
Outcome 2.3	Strengthened institutional capacity of workers' organisations				
Outcome 2.4	Strengthened capacity of members State to ratify and apply international labour standards and to fulfil their reporting obligations				
Outcome 3.1	Knowledge base enhanced and social partners empowered to work towards the establishment of a social protection floor.				
Outcome 3.2	Worst forms of child labour reduced				
Outcome 3.3	Policies and programmes in place to better govern labour migration particularly for reintegration and prevention of trafficking of persons				

Under these 10 DWCP-CPOs, the SMM/Implementation Plan identifies 12 Country Programme Outcomes, CPOs (i.e. LKA101 – LKA826), and the mapping of both is shown in the Table 2 and the full titles of the CPOs in Table 3.

<u>Table 2:</u> The DWCP Outcomes mapped against the CPOs.

DWCP Outcome	CPOs	Short description of CPOs		
1.1	LKA 101 & 102	 National Human Resources and Employment Policy (NHREP) & EU-SKILLED. 		
1.2	Part of LKA107 LKA110 Part of LKA103	 Local Empowerment through Economic Development (LEED) project. Cooperative Policy. Declaration/FPRW: SCORE. 		
1.3	Part of LKA107	 Local Empowerment through Economic Development (LEED) & Tea Plantations projects. 		
2.1	Part of LKA103 LKA104	 Declaration/FPRW: Labour Administration. Declaration/FPRW: Social Dialogue & OSH. 		
2.2	LKA 801	 Capacity Development of Employers' organization: Declaration/FPRW. 		
2.3	LKA 802	 Capacity Development of Workers' organisations: Declaration/FPRW. 		
2.4	LKA 826	 Capacity Development of member states on ILS: Declaration/FPRW. Maternity Protection (ILS). Gender-Based Violence (UN-wide). 		
3.1	LKA 108	 Knowledge base for SPF (incl. Employment injury assessment). 		
3.2	LKA 109	CLEAR – Child Labour & Child labour Japan.		
3.3	LKA 105 LKA 106	Labour Migration & Migration SKILLS.HIV/AIDS (no longer active).		

Table 3: The 12 CPOs and their full titles.

CPO No.	CPO Title					
LKA101	The Government and its social partners develop and implement employment policies in line with ILO principles					
LKA102	Government and social partners enhance employability and productivity of young women and men through market oriented skills training and measures to facilitate entry into the labour force					
LKA103	Improved labour administration and strengthened social dialogue mechanisms					
LKA104	Improved tripartite cooperation to achieve job security, productivity and competitiveness					
LKA105						
LKA106	The Government and social partners develop and implement policies in line with the ILO Code of Practice for HIV AIDS in the workplace					
LKA107	Disadvantaged and vulnerable groups in rural areas, especially in conflict-affected and economically lagging regions, have equitable and enhanced access to more and better jobs and expanded product markets					
LKA108	Knowledge base enhanced and social partners empowered to work towards the establishment of a social protection floor					
LKA 109	09 Worst forms of child labour reduced					
LKA801	Strengthened institutional capacity of employers' organisations					
LKA802	Strengthened institutional capacity of workers' organisations					
LKA826	Strengthened capacity of member States to ratify and apply international labour standards and to fulfil their reporting obligations					

3 Findings on the adequacy and appropriateness of design, outreach & implementation of ILO's interventions

The TOR identifies six 'Evaluation Criteria' for the Sri Lanka Decent Work Country Programme (DWCP) Review (see Annex 1), which are discussed in detail below in Sections 3.1 through 3.6. Each of these six criteria is subdivided in the ToR in a number of sub-criteria, or 'review questions' which will be discussed in the respective sections as far as these are relevant. The main conclusions of this analysis will be summarized in the concluding chapter (Section 5.1).

3.1 The role and relevance of ILO in Sri Lanka, its niche and comparative advantage

The stakeholders interviewed generally appreciate very much the role and relevance of ILO in Sri Lanka both at the time of the design of the DWCP in 2012 as well as today. The DWCP was designed in close cooperation with the Ministry of Labour and Trade Union Relations (MoLTUR), while the other two tripartite partners were involved as well in that design stage, although one leader of the employers' organisation and one union indicated that they were only involved at a very late stage. National factors have shaped the formulation of the DWCP, in particular the end of the conflict in 2009 led to such DWCP Outcomes as 1.3 on conflict-affected regions and 3.2 on the worst forms of child labour (WFCL).

It is important that the DWCP shows the flexibility needed to align with the new policies of the current Government of Sri Lanka which started in 2015. This policy was laid down in three documents:

- Medium Term Economic Development Policy Framework declared by the Prime Minister in his "Economic Policy Statement" in Parliament in November 2015.
- 2. National Planning Department (2016): Public Investment Program (PIP) 2017-2020.
- 3. The revised National Human Resources and Employment Policy, NHREP (January 2017).

The Medium Term Policy Framework envisions in particular:

- Creating a competitive economy with special emphasis on exports.
- > Based on socially responsible private sector led growth.
- > The Government aims to generate one million employment opportunities.
- > And to raise incomes of people to build a strong middle class.

The main thrust of the government's economic strategy is indicated in the concept of "socially competitive market" under which the economic advantages of competition to promote efficiency in the use of resources are combined with action to promote social equity (NPD 2016: i). The economic strategies spelt out by NPD (2016: 39) also include the following Decent Work topics:

- a. Promote development oriented policies that support productive activities and decent job creation
- b. Improve labour productivity by skills development
- c. Simplify minimum wages board system while expanding the coverage
- d. Develop a pension scheme for all workers amalgamating existing schemes.
- e. Ensure optimum occupational safety and health

- f. Ensure employment rights of female workers and enforce laws relating to child labour.
- g. Enhance quality of labour inspections
- h. Enhance skills of migrant workers and explore new markets

The UN recognizes these commitments of the new government to 'Accelerate Growth with Social Inclusion' whereby providing relief for the people of Sri Lanka is combined with paving the way for sustainable growth.

The 3 DWCP priorities and the 10 DWCP outcomes are close to the ILO core mandate, and the DWCP covers no less than 9 out of the 10 Programme and Budget (P&B) Outcomes for the Biennium of 2016-2017 (see Table 4). It is surprising, though, that the information provided by the CO indicates that the only P&B that is not covered is Number 5 relating to decent work in rural areas; two of the largest projects in the past years of the ILO in Sri Lanka deal particularly also with rural areas (as we will see in the next chapter). The priorities and outcomes are further a clear reflection of ILO's comparative advantage.

Table 4: The coverage of ILO's 10 P& B Outcomes by the Sri Lanka DWCP.

ILC	P&B Outcomes for Biennium 2016-2017	CPOs (LKA)	DWCP- Outcomes
1	More and better jobs for inclusive growth and improved youth employment prospects	101, 102	1.1
2	Ratification and application of international labour standards	826	2.4
3	Creating and extending social protection floors	108	3.1
4	Promoting sustainable enterprises	107	1.3
5	Decent work in the rural economy		
6	Formalization of the informal economy	106	3.1
7	Promoting workplace compliance through labour inspection	103, 104	2.1
8	Protecting workers from unacceptable forms of work	109	3.2
9	Promoting fair and effective labour migration policies	105	3.3
10	Strong and representative employers' and workers' organizations	801, 802	2.2, 2.3
	TOTAL	12	10

The DWCP is closely aligned to the MDGs as well as to the four pillars of the UNDAF 2013-2017 which is explicitly indicated for the 30 indicators in the DWCP. The UNDAF runs parallel in time to the DWCP, and recently the new framework was signed but is now entitled the 'United Nations Sustainable Development Framework (UNSDF) 2018-2022 for Sri Lanka'. It represents the UN's commitment to advancing 'Delivering as One' with the pillars of UN coherence adapted to the Sri Lanka context supporting joint programming that reflects commitments to '*leaving no one behind*' and to '*reaching the furthest behind first*'. The UNSDF drives joint and comprehensive UN work planning and monitoring for results, integrating the full range of UN, national and international partners' expertise and experience, facilitating the application of normative programming principles in alignment with national development priorities. The four drivers for Sri Lanka are as follows:

- Driver 1: Towards improved data, knowledge management and evidence based policy (UNFPA lead).
- Driver 2: Strengthened, innovative public institutions and engagement towards a lasting peace (UNDP lead).
- Driver 3: Human security and socio economic resilience (UNICEF lead).

• Driver 4: Enhancing resilience to climate change and disasters and strengthening environmental management (FAO lead).

The ILO is involved in all four drivers, but not in each of the 15 indicators under these drivers. In addition, there is the Gender Theme Group (UNFPA lead), and the Youth Theme group (UNV lead).

In the present DWCP, the ILO is working with several UN agencies including IOM (UN-Migration), UNICEF, UNDP, UNOPS, FAO and UNWOMEN. There is generally appreciation from these organisations for the active role that ILO is playing in various ways. Overall, other UN agencies and donors clearly acknowledged during the interviews ILO's special niche role and comparative advantage in employment issues.

The approach in the DWCP is in itself quite realistic taking into account budgetary realities and human resource constraints, stating for example: "Mobilization of resources will be critical for the implementation of the DWCP. With the global economic downturn and Sri Lanka reaching "middle income status", donor funding for Sri Lanka has been reduced." (2017: 25).

3.2 Tripartite participation and capacity

The DWCP had been developed based on meetings with MoLTUR, EFC and the Trade Unions and most interviewed stakeholders indicated that the programme was very relevant; there were doubts among some of the representatives of the employers and trade unions whether the DWCP fully reflects their needs as a substantial number of activities excluded one or the other as we will see in the next chapter. Some stakeholders' recollections indicated also that they had not been involved frequently in the designing phase of the DWCP. ILO did importantly commission a separate study on the trade union movement, entitled "Profile of Trade Unions in Sri Lanka" (ILO 2016e), but that did not include a systematic investigation let alone mapping of their needs.

Constituents are active in certain national development planning and other fora, such as the role played by trade unions in the process of Sri Lanka becoming a beneficiary to the EU's Generalised Scheme of Preferences (GSP+), including a 'Roadmap to Assert Labor Rights in Sri Lanka' in which the FTZ & General Services Employees Union played a leading role. Another example is the Working Group on Labour Law Reforms, an initiative of the 'Ministry of Development Strategies and International Trade', where unions logically insisted that MoLTUR instead should take the lead, and lastly, the active participation of employers and unions in the National Labour Advisory Council (NLAC).

At MoLTUR there is a clear sense of ownership of the DWCP, but this applies to the other two constituents only concerning those *specific* activities in which they themselves are involved directly. There were even instances when a constituent questioned the ILO undertaking specific activities/projects where they themselves were not involved, for example the project in the North where no trade unions were existing at the time.

Capacities of all three constituents have improved as a result of the capacity building efforts of the DWCP, although these efforts were more widespread in the case of MoLTUR, such as the training of labour officers, and support to labour administration and labour inspection, including LISA. Some of the structural characteristics of the trade union system in the country, in particular its fragmentation, however, seem to be an important factor affecting the impact of capacity

building efforts of trade unions. The efforts by the ILO to strengthen the NLAC is an important initiative in finding a longer-term solution to this issue.

Within the framework of the DWCP the ILO and the tripartite partners have worked in different forms of partnerships depending on the specific activity, for example in the North cooperatives took the place of non-existing trade unions, and in the case of labour migration the Ministry of Foreign Employment took a leading role.

Most of the tripartite constituents have some level of resources, for example some organisations own office buildings which are rented out. However, to leverage such resources to increase their capacity and to mobilize those for specific Decent Work issues remains a challenge. MoLTUR of course has clear linkages to the provinces and districts, while this is much less clear for the other constituents operating often mainly at the central level in Colombo, although EFC has members all over the country, for example also in the plantation sector, and some unions have their base in the plantation sector or are trying to expand their activities to selected regions outside the capital.

3.3 The focus and coherence of the programme's design and strategies

The design and strategy of the DWCP is in itself coherent with the three country priorities leading to the ten DWCP outcomes linked to national strategies reflecting government priorities. The indicators, totalling 30, are quite detailed and lack flexibility as discussed in the above. Overall, there seems to be quite a substantial degree of consensus between ILO and the constituents on DW priorities and areas of cooperation.

The DWCP fits within ILO's strategic policy framework and it is linked to 9 out of the 10 P&B Outcomes of ILO (cf. Table 4 above), although resources are thereby spread thinly over all these global outcomes. As is shown in Table 2, there is a disjoint between the DWCP Outcomes and the CPOs in that certain CPOs (e.g. LKA103 and 107) contribute to several DWCP-Outcomes and it is not monitored which part of the LKA contributes to which DWCP-Outcome; similarly, the reverse is also true, that certain DWCP-Outcomes are targeted by several CPOs/LKAs (e.g. Outcome 1.1, 1.2 and 2.1). This makes it difficult to monitor the achievements of DWCP Outcomes, milestones and indicators on a regular basis.

Cross-cutting issues receive a lot of attention including specific activities related to gender, International Labour Standards (ILS) and Social Dialogue (cf. Tables 1 and 2). There are also projects/activities dedicated to reducing the worst forms of child labour, and to people living with disabilities (e.g. on discrimination) and with HIV/AIDS. The new cross-cutting issue introduced at the ILC in June 2017, 'Just Transition to Environmental Sustainability", deserves more attention in the next DWCP.

ILO responds to the recognized needs among constituents through the Task Force (TF) meetings with all tripartite partners and through the regular contacts of ILO staff with the constituents. Until today six such TF meetings have been held partly on half-yearly, partly on yearly basis.⁴ The 7th TF meeting is now due in September or October 2017.

⁴ The first one was held after one year of implementation of the DWCP in January 2014, while the 2nd until the 5th were held with half year intervals; however, after the 5th in May 2016 it took almost a year to conduct the sixth in March 2017.

There are clear efforts to mobilize resources by the ILO CO-Colombo, but an explicit and consistent resource mobilization strategy is lacking, and it actually depends too much on one or two TC projects. This can be illustrated with an analysis of the financial data provided by the CO-Colombo; unfortunately, no data were available for 2013 and 2014, and also not for overhead, staff and other non-project expenditures for the full DWCP period, while 2017 is of course only halfway. One should thus keep in mind that the following provides only a partial overview.

Table 5 thus provides an overview of the outcome-related budget only (excluding staff, office, overhead and other expenditures). This table shows that there is a rather skewed division of expenditures with just one CPO accounting for half of the overall DWCP budget of 6.1 million US\$, and just two CPOs for almost three quarters (LKA107 & 102). While LKA107 is implemented in the North and LKA102 mainly in the East and North, neither of them have a substantial Trade Union involvement.

<u>Table 5:</u> Expenditures in US\$ for each of the CPOs for 2015, 2016 and 2017. *)

CPOs	2015	2016	2017 **)	TOTAL	%
LKA 101	13,000	12,902	38,722	64,624	1.0%
LKA 102	413,045	479,819	493,561	1,386,425	22.5%
LKA 103	211,103	34,267	30,734	276,104	4.5%
LKA 104	175,597	203,563	17,000	396,160	6.4%
LKA 105	257,660	92,332	130,860	480,852	7.8%
LKA 106	5,000	0	0	5,000	0.1%
LKA 107	1,409,317	1,151,799	499,793	3,060,909	49.6%
LKA 108	15,000	3,896	4,802	23,698	0.4%
LKA 109	71,709	257,615	75,000	404,324	6.5%
LKA 801	10,000	2,416	11,723	24,139	0.4%
LKA 802	20,000	6,642	15,000	41,642	0.7%
LKA 826	1,500	2,721	6,127	10,348	0.2%
TOTAL	2,602,931	2,247,972	1,323,322	6,174,225	100.0%

^{*)} Includes TC, RBTC, RBSA and XBTC; but excludes PSI.

Source: Provided by ILO Country office Colombo (August 2017).

In principle, these expenditures should be related to the ten DWCP Outcomes (1.1 until 3.3). However, the CO Colombo could not provide these figures as certain CPOs (e.g. LKA107, 103 and 104) feed into several DWCP Outcomes, and it could not be calculated how much feeds into each DWCP Outcome for lack of a DWCP monitoring system. If we just calculate equal shares for those projects feeding into more than one DWCP outcomes, then we arrive at the provisional overview given in Table 6 below. This clearly indicates that DWCP Priority 1 has received by far the largest degree of funding (almost three-quarters), while the second priority more explicitly dedicated to the tripartite constituents has remained far behind (12%). The third priority has with 15% even surpassed the second one.

^{**)} Expenditures for 2017 include only those until 31st July 2017.

<u>Table 6:</u> Cumulative expenditures in US\$ for each of the DWCP Outcomes for 2015, 2016 and 2017. *)

DWCP Priority	Total 2015-17	% of Exp.	DWCP Outc.	Total 2015-17	% of Exp.	CPOs (LKA)
1	4,511,958	73.1	1.1	1,451,049	23.5%	101+102
			1.2	1,530,455	24.8%	Half of 107
			1.3	1,530,455	24.8%	half of 107
2	748,393	12.1	2.1	168,066	2.7%	1/4 of 103/104
			2.2	192,205	3.1%	1/4 of 103/104 + 801
			2.3	209,708	3.4%	1/4 of 103/104 + 802
			2.4	178,414	2.9%	1/4 of 103/104 + 826
3	913,874	14.8	3.1	23,698	0.4%	108
			3.2	404,324	6.5%	109
			3.3	485,852	7.9%	105+106
	6,174,225		TOTAL	6,174,225	100.0%	

^{*)} Includes TC, RBTC, RBSA and XBTC; but excludes PSI. Expenditures for 2017 include only those until 31st July 2017. Source: Provided by ILO Country office Colombo (August 2017).

3.4 Managing for results

The DWCP consists of a systematic program based on three important and relevant priorities and ten crucial, clearly defined DWCP Outcomes. However, the identification of 30 indicators and targets is not sufficiently flexible and includes too many detailed indicators of such types as "15 training programmes by 2017" (Indicator 1.1.2), 10 enterprises reached by 2017 (1.2.1), 4 trade unions strengthened by 2017 (2.3.3) or 3 road maps on social protection endorsed (3.1.1). This is the more surprising since these 30 indicators and targets have not been included in the Results-Based Monitoring (RBM) framework used by the Country Office. This framework is focused on the CPOs/LKA, which requires reporting on a biennial basis, and therefore, comparisons with the five year country programme are rather difficult.

Several evaluation reports on ILO- DWCP projects (see e.g. ILO 2016a and 2016b) have also stated that Project Monitoring & Evaluation (M&E) indicators were not systematically tracked and hence, the task of mapping project progress has become very complicated. These reports have also identified the need for having a user-friendly systematic M&E system as a prime need at all levels of project design and implementation. This is even more important in using the "One UN" approach in future projects. Finally, the need for a well-informed comprehensive and systematic coordination strategy at all levels with clear roles and responsibilities has been stressed by some of the ILO project evaluators.

The DWCP does not provide an exit strategy, although the capacity building with partners' institutions could be considered as a *kind* of exit strategy facilitating sustainable results. Not all regions of the country will be reached, though, due to the fact that the social partners are relatively sparsely represented outside of the central level in Colombo.

3.5 The efficiency and adequacy of organizational arrangements to deliver ILO's programme in Sri Lanka

The operation and management set up are in part effective for DWCP implementation, but the linkages between staff responsibilities and the three priorities, ten outcomes and 12 CPOs have become less clear to the mission members. This may partly be attributable to the fact that staff responsibilities are being overly delineated by the specific CPO level causing fragmentation in the support of outcomes, and partly also resulting in issues with unequal division of workload.

As far as can be assessed in such a short mission, ILO has operated with integrity and fairness according to all constituents and other partners met. Stakeholders have generally expressed great appreciation for ILO's technical strength, either country-based, or short-term on demand from DWT in Delhi and in Bangkok or from Geneva. These short-term experts are not always available, though, when required (i.e. especially on short notice), and as a result there is a widely perceived shortage of permanent, country-based technical expertise. As discussed in the above, a resource mobilization strategy is not fully developed.

Work processes differ by donor, and type of project. Usually National Project Coordinators (NPC) acquire inputs on their draft reporting from DWT-Delhi experts and from the Programme Unit in the CO Colombo. Sometimes also inputs from DWT/ROAP in Bangkok are required. Final reporting then proceeds from the NPC directly to the Country Director and then on to Geneva and/or to the specific donor. This is sometimes a time-consuming process, but it seems overall a workable method. Regarding the efficiency of work processes such as operationalising results-based management and aligning financial data to the outcomes, improvements are required.

3.6 Knowledge management and sharing

The CPOs are systematically monitored and reported on, but this does not apply to the DWCP Outcomes as was discussed in the above. Tripartite partners are not involved in these activities. The Task Force (TF) meetings bringing together all the constituents are documented and reports are made, but the presentations again are by CPO, not by DWCP Outcome. Some stakeholders indicated that cross-fertilisation between the different projects could be improved leading to synergies, sometimes also with similar projects in other countries (see also ILO 2016a).

Information gathered through the projects is clearly being shared and made accessible to the national constituents and other partners through ILO website and direct distribution. Some donors indicated that communication was slow to start in new projects, and that this may be due in part to the fact that NPCs also had many other duties. Stakeholders have generally expressed their appreciation for the quality of the projects' products. In addition, the latest Newsletter of the CO Colombo is from September 2016 and needs to be re-invigorated. The DWCP has been translated in three languages, and this should apply to the next DWCP and to most publications. Distribution of publications in particular to UN organisations was limited and use was not made of UN, UNDAF or UNSDF Websites. On the whole, it can be concluded from the interviews that the visibility of ILO and the awareness of the DWCP itself is sufficient among the tripartite constituents and other close stakeholders.

The CO-Colombo is cooperating on specific activities with several national knowledge organisations, such as the Institute of Policy Studies (IPS) in Colombo, the University of Colombo, and the Centre for Women's Research (CENWOR) in Colombo. These activities will result in

some degree of strengthening of national knowledge networks, but it does not involve structural cooperation with these and other knowledge institutes, and therefore this may be a point for improvement. Internationally, ILO is involved in networks related to labour migration where it shares its knowledge products and technically supports collectives of countries of origin such as the Colombo Process (CP), and collectives of both countries of destination and of origin, such as the Abu Dhabi Dialogue (ADD) along with other agencies like IOM and UNWOMEN. It also supports the Global Forum on Migration and Development. The Sri Lankan Government plays an active and at times leading role in all these activities.

The assessment of the six evaluation criteria in this chapter will be complemented with an operational assessment of the progress made on tangible outcomes or Country Programme Outcomes (CPOs) in the next Chapter.

4 Operational assessment of the Progress made on tangible outcomes

The assessment of the progress made towards tangible outcomes, i.e. the 12 CPOs, will be undertaken by means of the review questions identified in the ToR (cf. Annex 1) which can be translated into five criteria as follows:

- A. Resource adequacy,
- B. Delivery of outputs,
- C. Use of outputs by partners/ target groups,
- D. Progress made (against outcome indicators/milestones), and
- E. Measures to respond to emerging risks and opportunities.

4.1 LKA101: The Government and its social partners develop and implement employment policies in line with ILO principles

A. Resource adequacy

The expenditures for LKA101 amount to just over US\$ 64,000, or only 1% of the total expenditures for 2015, 2016 and 2017 as indicated in Table 5. The funding was generally adequate for the activities undertaken.

B. Delivery of outputs

With the start of a new political regime as well as a new administrative structure in 2015, the NHREP (2012) as well as its Master Plan and its Action Plan needed to be revisited in order to align the proposed interventions with the current priorities of the government. The new government has pledged to create 1 million jobs to address issues of unemployment and decent work. Furthermore, the Government of Sri Lanka is committed to improving young people's prospects in their quest for decent jobs.

The following outputs have been delivered under this CPO:

- The development of the NHREP Master Plan in 2013 and the NHREP Monitoring mechanism, i.e. Action Plan, in 2014;
- NHREP revisited in 2015/2016 and aligned to the new Medium-Term Development Framework of the Government, and the NHREP Master Plan revised and published in January 2017, while the NHREP-Action Plan is currently under revision (expected in late 2017).
- National Employment Service Centre established, but not yet fully operational.
- Draft revised Youth Employment National Action Plan (YENAP) submitted to MoLTUR, but cabinet approval is pending.
- Undergraduate and graduate internship with private sector partnership strengthened. A
 programme was initiated by the Employers Federation of Ceylon (EFC) with the University
 Grants Commission to permit a number of undergraduate student opportunities for short
 spells of working with interested employers in order to tackle the skills mismatch which results
 in high unemployment among youth. This in turn provides quality learning opportunities to Sri
 Lanka's undergraduates and prospective employees.

These important activities are a step in the right direction but now need to be taken up by the ministry and/or the cabinet for approval and implementation. If that will be achieved by the end of the DWCP period is not sure as such processes take time. The internship scheme is planned to be pilot tested with a few Universities and then expanded and institutionalized as a practice with employers and Universities; this activity could benefit from more funding.

C. Use of outputs by partners/ target groups

The outputs have mostly been used by the partners; the government is very much committed to implement NHREP and YENAP, while the same holds for the EFC with respect to the Internship Programme.

D. Progress made (against outcome indicators/milestones)

The change of government in early 2015 was not foreseen in the DWCP, but the programme turned out flexible enough to adjust and incorporate the revision of the NHREP Master Plan and Action Plan.

E. Measures to respond to emerging risks and opportunities

One of the main risks was the change of government and the regular shifts in ministerial mandates and officers at the decision-making level in government administrative structures, which can slow down progress. The ministries and social partners, however, clearly remain supportive and committed to promoting decent work.

4.2 LKA102: Government and social partners enhance employability and productivity of young women and men through market oriented skills training and measures to facilitate entry into the labour force

A. Resource adequacy

The expenditures for LKA102 amount to US\$ 1,386,425, or a substantial 22.5% of the total expenditures (cf. Table 5). The total budget of the donor, the EU, was EUR 2 million dedicated to the skilled PROJECT under this CPO as part of the broader EU-SSDP programme. The funding was generally adequate for the activities undertaken.

B. Delivery of outputs

The following main outputs have been delivered under this CPO especially in order to address the mismatch between the demand and supply of skills in the labour market:

- Youth trained in vocational training centres in 4 districts and placed in employment (502; about 25% female).
- 15 demand-driven courses on emerging sectors developed/adapted.
- Youth certified via Recognition of Prior Learning (RPL) system (1200) in 4 districts: prior learning was assessed and National Vocational Qualification (NVQ) certificates approved.
- Trained 157 trainers from the 44 TVET centres on enterprise development, OSH, training methodology and other topics.
- Trained 194 trainers on career guidance.
- Labour Market Information System and Public Employment Service (PES) centers
 established in one district in the East to match supply and demand in the labour market (target
 is to get 3 PES more in Eastern and Northern districts).

 Capacity of government and social partners improved to make vocational training more relevant and readily accessible in rural communities in terms of skills and employment

In most of these activities the potential is there to increase the number of youth trained, courses developed, trainers trained and centres established by the end of 2017; the funding for that is still available.

C. Use of outputs by partners/ target groups

Without a systematic tracking mechanism of what happened to trained youth and trainers after the training/education and whether they will use what they have learned, it is difficult to assess in how far the outputs have actually been used by the target groups. There is attention for such issues in this project, and the PES created has been trying to track job placements of graduates.

Regarding the social partners, there is a large difference in participation in this CPO with trade unions being hardly involved while the participation of employers is high through the Chambers of Commerce and associations.

D. Progress made (against outcome indicators/milestones)

Progress made has been substantial and is on track. However, concerning gender issues more progress needs to be made, for example, in the hospitality trade in the eastern province parents do not allow their daughters to attend to training programmes.

E. Measures to respond to emerging risks and opportunities

The conflict-affected regions in the North and East offered opportunities for rebuilding and reinvigorating society of which skills development is an important part, and as such this project has contributed in an important way to that goal. To undertake tracer studies on training programmes completed would be a good strategy to ensure effectiveness of such programmes offered for target beneficiaries.

4.3 LKA103: Improved labour administration and strengthened social dialogue mechanisms

A. Resource adequacy

The expenditures for LKA103 amount for the period 2015-2017 to US\$ 276,104, or about 4.5% of the total expenditures (cf. Table 5). This CPO was part of what is referred to as the DECLARATION project dealing with different aspects of FPRW. The total budget of the donor of this project, USDOL, was actually US\$ 1.3 million most of which was spend in the years 2013-2014. The funding is spread over LKA103, 104, 801, 802 and 803 for which no breakdown is available.

B. Delivery of outputs

The following main outputs have been delivered under this CPO:

- A joint workplace cooperation programme framework was developed in a Public Private Partnership (PPP) between EFC and the National Productivity Secretariat.
- Strengthening of a mechanism for social dialogue and collective bargaining is ongoing. The reinvigoration process of the NLAC for tripartite social dialogue was initiated.
- Training of staff of Department of Labour for the Mediation & Conciliation Unit (to be set up) and developing a mediation guide for use by the Department of Labour.

- Selected labour laws were reviewed and a matrix of labour law reform proposals was submitted to MoLTUR, which has submitted it to the Ministry of Justice for required legislation.
- Support provided to finalize the draft OSH and Welfare Acts and to submit it to the Attorney General's office.
- Strengthened tripartism and social dialogue in the Free Trade Zones (crucial for GSP+).

C. Use of outputs by partners/ target groups

The joint workplace cooperation framework has been taken up by EFC, and in fact the trade unions have expressed their strong interest to be involved in this initiative. Most of the constituents met during the course of this review had high expectations about the NLAC and recognized its potential to deliver on the social dialogue front. Many proposed ways to move it forward as a legal and/or statutory body. MoLTUR clearly feels ownership of this council and is planning to take the leadership. Some of the other outputs are ongoing or pending, some were for example delayed by the change in government and in priorities in 2015.

D. Progress made (against outcome indicators/milestones)

On the whole, through the outputs mentioned above a number of important steps have been made towards the different goals, but it seems small compared to some of the indicators which were quite ambitious to start with, for example:

- ILO will work closely with the MoLTUR to develop a labour inspection policy for Sri Lanka that
 will provide new impetus to promote decent work to be the key means of improving the lives
 of its citizens and the business of enterprises.
- The ILO will work with the MoLTUR and the social partners in creating innovative practices
 that promote effective tripartite and bipartite mechanisms to promote greater cooperation and
 productivity.
- Formulation of OSH standards for selected sectors will be finalized by 2017.

It has proven quite difficult to reach such ambitious targets or indicators, although there was definite progress in a number of areas.

E. Measures to respond to emerging risks and opportunities

The change of government in 2015 has delayed several activities in this CPO as these are at least in part dependent on the activities undertaken by and within MoLTUR. A positive development concerns the plans to strengthen the NLAC which has been relatively inactive until recently.

4.4 LKA104: Improved tripartite cooperation to achieve job security, productivity and competitiveness

A. Resource adequacy

The expenditures for LKA104 amount to US\$ 396,160, or about 6.4% of the total expenditures (cf. Table 5). As indicated in the above, this CPO was part of what is referred to as the DECLARATION project funded by USDOL dealing with different aspects of FPRW (see further under LKA103-A).

B. Delivery of outputs

As LKA104 and LKA103 are parts of the same overall project on FPRW in some cases their outputs also overlap. The following main outputs have been specifically delivered under LKA104:

- Report prepared detailing a proposed strategy to promote the knowledge of social dialogue in the public service at the national, ministerial, and departmental level, and a draft mechanism was submitted to MoLTUR.
- Public sector dispute resolution mechanism operationalised with Ministry of Public Administration, but this is now pending.
- Trained 2,000 workers from Free Trade Zones (FTZ) on workers' rights and laws to secure freedom of association and collective bargaining, as well as the prevention of sexual harassment at the workplace and other forms of discrimination.
- Functional 'Labour Inspection System Application' (LISA) in place, and trained labour officers in Sri Lanka on IT-based reporting through LISA. LISA based OSH training was finalized by 2016, and LISA training on new internet based platform targeting 400 labour officers was completed.
- The external evaluation study of this 'Declaration Project' concluded that one of the project's good practices was "... educating workers on their labour rights, using approaches that facilitated women's participation and contributed to developing women leaders among workers in EPZs and conflict-affected regions. Workers' education on labour rights was an important step in creating awareness, in promoting union membership in areas where union activity is challenging, and in identifying and developing leadership at local levels." (ILO 2016b).

C. Use of outputs by partners/ target groups

The first two outputs above are pending at ministerial levels and were delayed by the change in government in 2015. The training of FTZ workers is important in itself and is also critical for GSP+ approval by the EU. Whether the trained workers will use the new knowledge still needs to be assessed. The importance of LISA has been established (see also the ILO/USDOL External Evaluation Report: ILO 2016b), and the Ministry is already using it and developing further implementation mechanisms for it.

D. Progress made (against outcome indicators/milestones)

Some of the indicators and targets set for this CPO are as follows:

- Public sector dispute resolution mechanism developed and operationalized.
- ILO backed training programmes, materials, and national campaigns will be tailored to achieve the goal of greater cooperation and productivity targeting dispute settlement in the private as well as the public sector, workplace cooperation and wage fixing.
- Computerized labour inspection system established across the district offices operationalised.
- The capacity of the labour inspectorate to develop Annual Reports in line with the ILO Convention 81 specifications strengthened. First National Labour Inspection Report to be produced by the end of 2017.

Some of the outputs mentioned above provided important first steps towards such, at times ambitious, targets. The progress on LISA has been substantial, but work on the national labour inspection report is still ongoing.

E. Measures to respond to emerging risks and opportunities

Again, the change of government in 2015 has delayed a few activities in this CPO as these are at least in part dependent upon actions undertaken by ministries. The diversity of activities in this CPO combined with those in LKA103 is quite large and as such can be considered as a risk-avoiding mechanism.

4.5 LKA105: Policies and programmes in place to better govern labour migration, particularly for reintegration and prevention of trafficking of persons in place

A. Resource adequacy

The expenditures for LKA105 in the period 2015 - 2017 amount to almost half a million (US\$ 480,852), or about 7.8% of the total expenditures (cf. Table 5). This includes activities both related to labour migration and to migrants' skills. The funding comes from SDC, partly directly, i.e. for the labour migration component, and partly indirectly, i.e. through IOM for the skills component. With respect to the former, the budgets for Phase II and III amounted to US\$ 600,000 for the period 2013-2015, and US\$1 million for 4 years (2016-2020). The budget for the skills component amounted to US\$ 340,000 for the period 2015-2018.

B. Delivery of outputs

Most of the outputs of Phase III under the labour migration component are still ongoing as this project phase started only last year and will be completed only in 2020. The following outputs have been started but are mostly still ongoing:

- Sub-Policy and Implementation Plan developed on National Action Plan on Return & Reintegration (NAPRR). In particular, the development and getting the acceptance of the government for this sub-policy can be considered the most significant output of the project's first phase (cf. the evaluation report, see: ILO 2015b).
- Identification of barriers to ratify Conventions 97, 143 & 181 through a Review of the SLBFE-Act of 1985.
- Enhanced safe migration information package, and a 7-day training curriculum with a resource Manual on Safe Migration Information for Migration Development Officers has been developed and already field tested through 2 training programmes.
- Review of gaps in the implementation of the 2008 National Labour Migration Policy (NLMP) and a review of gaps in the SLBFE Act of 1985 are completed, while the drafting on the new Act is in process.
- Partner Exchange Platforms with all partners of LM, supported by the Swiss Embassy (SDC), are being held.
- Identification of barriers to ratify Conventions 97, 143 & 181 through a review of relevant national legislation is completed.

Some of the work on outputs of the skills component of this CPO are also still ongoing as the project will only end in 2018:

- The review of a skills assessment and recognition mechanism for potential and returning migrants (RPL, Recognition of Prior Learning) is ongoing, with both the training of 400 construction workers and the testing of 200 returnees pending.
- Report on labour market trends is being updated with Occupational Classifications in SLBFE/Ministry of Foreign Employment and TVEC/Ministry of Skills.
- Report on mapping of certification requirements and equivalencies in the respective destinations and origin is ongoing.
- Development of multilateral or bilateral joint minimum standards for skills recognition is pending.
- Accreditation of government training centres by the UAE skills qualification authority has also partly benefited from this CPO.

C. Use of outputs by partners/ target groups

The role of the Government has been crucial in all aspects of the activities mentioned above, and there is no doubt that they will use the outputs of this CPO. Regarding the social partners and/or the target groups, it is still too early to tell whether they will also use the outputs since the development of most outputs is still ongoing and/or pending. Even so, it is already evident that the safe migration information package and curriculum are popular among newly-appointed officers and that the RPL mechanism will be very useful once fully developed. It is also important to note that the Sub-Policy developed on the NAPRR is unique in South Asia. In other words, the Ministry of Foreign Employment's vision of 'Safe and Skilled Migration' has come a step closer.

D. Progress made (against outcome indicators/milestones)

Good progress has been made on a number of outputs but many are not yet (fully) complete as both projects will run well beyond the current DWCP. The fact that SDC has decided on follow-on phases is an important indication of the project having been able to make good progress on the main indicators.

E. Measures to respond to emerging risks and opportunities

The emerging risks in major destinations for migrant labour (e.g. Middle East) include several external factors such as falling oil prices, tough competition among other countries of origin, monopsonistic character of labour markets and nationalization policies. In this regard, working through the internationally established channels of the Colombo Process and the Abu Dhabi Dialogue, in which Sri Lanka has been particularly active and in fact acted as the chair in several periods, tends to minimize emerging risks.

The opportunities for reintegration cover several measures targeted at improving labour market efficiency of the domestic labour market. Many of the return migrant workers could be encouraged to join the high growth sectors of the economy through positive responses from the demand side e.g. better wages, better social security, improved working conditions etc. At present, the economy is faced with serious labour shortages at low, medium and high skill categories and hence re-entry of migrant workers would be a major contribution to the problem of skill shortages at national level.

4.6 LKA106: The Government and social partners develop and implement policies in line with the ILO Code of Practice for HIV AIDS in the workplace

A. Resource adequacy

The expenditures for LKA106 amount to US\$ 5,000 or about 0.1% of the total expenditures (cf. Table 5). As indicated before, this concerns the years 2015-2017, while more funds were spend in 2013 and 2014 on this CPO as a follow up to the ILO Recommendation 200 of 2010 on HIV/AIDS, but data on those expenditures were not available.

B. Delivery of outputs

The following main outputs have been specifically delivered under LKA104:

 Improved knowledge of 300,000 men and women in workplaces, their spouses and the community on HIV transmission, prevention and testing.

- 5,000 men & women workers in vulnerable sectors received Voluntary Counselling and Testing (VCT).
- At least 5 insurance companies include People Living with HIV (PLHIV) in their health and/or life insurance policies.
- Livelihood skills improved among 100 PLHIV.

C. Use of outputs by partners/ target groups

Not much information could be acquired about this CPO as the original programme officers have retired or have left the office for other employment.

D. Progress made (against outcome indicators/milestones)

For the biennium the target for this CPO was set at a modest level: "At least one more insurance company includes PLHIV in their health and/or life insurance policies, and discriminatory clauses in health insurance policies removed". Unfortunately the achievement of such outputs is still pending due to a lack of funds.

E. Measures to respond to emerging risks and opportunities

Target setting had been at a very modest level in response to challenges faced, such as lack of funds and shortage of human resources in the CO-Colombo.

4.7 LKA107: Disadvantaged and vulnerable groups in rural areas, especially in conflict-affected and economically lagging regions, have equitable and enhanced access to more and better jobs and expanded product markets

A. Resource adequacy

The expenditures for LKA107 were by far the highest in the period 2015-2017 with US\$ 3,060,909, amounting to almost 50% of all expenditures (cf. Table 5). Two separate projects contributed to this CPO:

- 1) The ILO implemented the Local Empowerment through Economic Development (LEED) project from June 2010 to June 2016 and the Local Economic Development through Tourism (LED) from January 2015 to June 2016. For many practical purposes they are treated here as one and were also evaluated simultaneously (cf. ILO 2016a). The LEED project was recently followed up by the Employment Generation and Livelihoods through Reconciliation (EGLR) project. LEED/EGLR was funded at first by the Department of Foreign Affairs and Trade (DFAT) of Australia and later also by the Government of Norway. In total DFAT funded an amount of US\$ 6.9 million in Phases I and II until 2017, while Norway funded US\$ 2 million. The fact that the donors were satisfied with the performance of the project is shown by the fact that both have committed themselves for a follow-on phase from 2017-2021 with funding of US\$ 3 million by DFAT and US\$ 2.4 million by Norway.
- 2) The Promoting Decent Work in Plantation Sector in Sri Lanka project with a total funding of US\$ 387.700 for two years from ILO-RBSA from Geneva.

B. Delivery of outputs

LEED is an ILO response to the need to reduce fragility in the post-conflict setting of Northern and Eastern Sri Lanka by creating decent work opportunities and support inclusive growth and reconciliation. The following main outputs have been fully achieved by the LEED project:

- The 'LEED Model' piloted, developed and implemented in selected provinces and districts to improve local business: This Model adapted the tripartite framework to cater to the local conditions existing at that time in the war-affected North. Accordingly, it involved beneficiaries organised through cooperatives, local and central government agencies, and employers (private sector companies and EFC). This model enabled social dialogue and a modified form of collective bargaining between cooperatives and buyers. The fact that the ILO team was based in the North itself was considered by key stakeholders as a key ingredient for success!
- LEED programs implemented in selected provinces & districts to improve the local business climate including:
 - New women's' cooperative established.
 - o Two economic & gender empowerment programmes carried out with women from five cooperatives.
 - o Fair Trade Certification for Fruit & Fisheries sectors.
 - Supply chain for organic products established together with processing facilities.
- Programmes on community-based pro-poor sustainable tourism developed and implemented in selected districts in the Eastern Province:
 - o Support to link with tourism value chains.
 - o District Tourism Development plans for Ampara & Batticaloa developed.
 - o 15 model homestays established.
 - o Community tourism programmes (bicycle tours, fishing expeditions).
 - Sea Food Terrace established at Kallady Beach.
 - Souvenir shop/cafeteria at Kumana National Park established.
- Support to traditional way of fishing enhanced the possible accreditation of Jaffna port under the US Monterrey Standard.

The outputs of the EGLR phase are all still ongoing as they only started recently in late 2016/early 2017, such as:

- Mutually beneficial partnerships developed between producers in the target population and exporters in fishery, fruit & vegetable sectors.
- Producers in the target population linked to supply chains through cooperatives in fishery, fruit & vegetable sectors.
- Supply-organisations revitalized in fishery, fruit & vegetable sectors.
- Trade certifications received by the targeted cooperatives in fishery, fruit & vegetable sectors.
- Gender: Increased capacities among female producers related to production and marketing in fishery, fruit and vegetable sectors.

Regarding the tea plantations project, all outputs are also still ongoing as follows:

- Improved education and training opportunities for at least 1000 plantation youth on core work and life skills development, whereby half of them are women.
- Improved Social Dialogue among constituents in the plantation sector.
- Enhanced awareness and practice on Occupational Safety and Health (OSH) among plantation workers and employers.
- Strengthened Labour Inspection (LI) in the plantation sector in two Districts.
- Increased awareness on ratified ILO conventions on plantation in Sri Lanka among tripartite constituents.
- A gender audit conducted for the sector during the life cycle of the project.
- The knowledge generated is documented and best practices are advocated.

C. Use of outputs by partners/ target groups

The outputs of LEED are clearly used by the partners and target groups, but for those of the EGLR project it is too early to tell. The trade unions were originally not involved as they did not

have branches in the North and East when the LEED project was designed in 2010. Some trade unions state that now they do have branches in those regions and would therefore expect to be involved in the next phase.

In the Tea Plantation project the pivotal organisation is the Plantation Human Development Trust (PHDT), a Tripartite Organization formed by the government to implement social development programmes to enhance the quality of life of the one million Plantation Community in the Estates managed by the Regional Plantation Companies (RPCs). The PHDT consists of representatives of the Government of Sri Lanka, the RPCs and five Plantation Trade Unions. The partnership worked well despite much hostility between the unions and the RPCs.

D. Progress made (against outcome indicators/milestones)

The LEED programme has made substantial progress as was demonstrated in the above through the achieved outputs. In addition, the fact that the donors have committed to further funding until 2021 (through EGLR) indicates clearly their satisfaction with the progress made to date. One area in which ILO needs to do better is gender, and they need to do more to avoid outcomes such as a papaya cooperative of women with an all-male leadership.

With respect to the tea plantations project, it is too early to tell the amount of progress made as most indicators and targets are set for 2018. For example, it is expected that: "By May 2018 at least 2000 plantation workers and employers have benefitted from training and awareness raising campaign on OSH related matters in the plantations."

E. Measures to respond to emerging risks and opportunities

The LEED project and its donor have been very flexible, and have piloted various LEED models, and sometimes even came on the verge of stopping the project. However, it was re-invigorated through good communication, and now it is enjoying certain demonstrable successes.

In the plantation project one risk needs to be taken into account which was raised during the interviews, which is that the 23 Regional Plantation Companies (RPC) do not maintain the estates well leading to environmental degradation and to an increase in the incidence of flooding.

4.8 LKA108: Knowledge base enhanced and social partners empowered to work towards the establishment of a social protection floor

A. Resource adequacy

The expenditures for LKA108 amount to US\$ 23,698 or 0.4% of the total expenditures (cf. Table 5).

B. Delivery of outputs

The following main outputs have been specifically delivered under this CPO:

- Rapid assessment completed of the social protection schemes in the country to obtain a
 comprehensive understanding of the appropriateness and effectiveness of current social
 protection schemes in both formal and informal sectors. Recommendations arising from the
 review have been submitted to the Government.
- Reviews on Maternity Benefit Insurance.
- Assessment of legislation on Employment Injury Insurance.

 An econometric analysis conducted to assess the minimum payment required as social security for the country which is currently being discussed with the constituents.

C. Use of outputs by partners/ target groups

Mapping these schemes provided all stakeholders with baseline information, and created a common reference base on concepts and experiences, thus facilitating discussions aimed at furthering policy development and advocacy on the national Social Protection Floor (SPF). The need to adopt a comprehensive social protection policy providing protection to all, based on the principles set out in ILO Convention on Social Security Convention, 1952 (No. 102), (Minimum Standards) has been on the agendas of the constituents for many years, but did not receive much traction from the government or the social partners. Therefore, most activities were left unused, but could be taken up in the next DWCP.

D. Progress made (against outcome indicators/milestones)

Several activities were undertaken but not much actual progress made on social security measures as this was not one of the priorities of the tripartite partners. The ILO will continue to support the tripartite partners in developing a draft road map to establish a Social Protection Floor (SPF) on a phased basis so that the financial burden on the state can be reduced.

E. Measures to respond to emerging risks and opportunities

Target setting had been at a very modest level in response to a lack of resources and a lack of traction on the side of the tripartite partners.

4.9 LKA 109: Worst forms of child labour (WFCL) reduced

A. Resource adequacy

The expenditures for LKA109 amount to US\$ 404,324 or 6.5% of the total expenditures (cf. Table 5). The funding for this CPO came from different sources. It was mainly funded by USDOL which provided a budget of US\$ 333,444 for 2016-2018 for the project entitled 'Country Level Engagement and Assistance to Reduce (CLEAR) Child Labour'. The remaining funds came from RBTC, as well as from an earlier project on Child Labour funded by the Government of Japan (2014-2016), entitled "Social protection for families of children at risk of exploitative employment" (see also the project's evaluation report: ILO 2016c).

B. Delivery of outputs

The following main outputs have been specifically delivered under this CPO:

- Strengthened district networks of local government, Regional Plantation Companies (RPCs) and private sector partners, in order to contribute to the prevention of child labour on plantations (Child Labour-free district model).
- Finalized the policy for elimination of WFCL through involvement of all line ministries, and the policy submitted to the cabinet for approval.
- Review of child labour laws, and recommendations on alignment with ILS submitted to MoLTUR.
- Capacity building of social partners in 25 districts on better enforcement of WFCL, and of key national and subnational stakeholders on implementation of Child Labour Road Map.
- Report on Commercial Sexual Exploitation of Children (CSEC) completed and recommendations submitted to Government of Sri Lanka

 Report on Child Activity Survey for Sri Lanka finalised by the Department of Census for dissemination, and a Plan of Action was developed.

C. Use of outputs by partners/ target groups

The strengthened district networks of local government and employers are an important instrument to achieve child labour-free districts/zones. The capacity building of social partners and other stakeholders are ongoing and whether the enhanced knowledge will be used (effectively) cannot as yet be established. Most of the other outputs involve recommendations submitted to the government and are generally awaiting actual implementation. The involvement of the third tripartite partner, the trade unions, has been minimal and should be enhanced, although many trade unions do not have a presence at district level; this is an issue which the trade unions need to take up urgently.

D. Progress made (against outcome indicators/milestones)

The Child Activity Survey 2008/2009 found that the number of children in economic value was 107,259 of whom 63,916 were in hazardous forms of child labour. In a repeat survey conducted in 2016 the number of children in hazardous forms of child labour was reduced to 39,007. This significant reduction can at least partly be attributed to the advocacy of Sri Lanka's Policy and Road Map, and thus to this CPO. The NHREP too reiterated that child labour issues need to be mainstreamed into other sectoral programs with a view to reaching a goal of zero tolerance for WFCL. As a means of achieving this target DWCP encouraged the tripartite constituents and other stakeholders to implement the Road Map to reach zero tolerance of WFCL soonest.

E. Measures to respond to emerging risks and opportunities

Through a combination of improved legislation, capacity building of targeted stakeholders and the child labour free district model, this CPO has spread the risks and taken advantage of the opportunities available. It has led to a reduction in the WFCL, and the website of the CO Colombo, when reporting on the World Day against Child Labour, can be quoted as follows: "Sri Lanka stands at a delicate moment in making child labour one for the history books."

4.10 LKA801: Strengthened institutional capacity of employers' organisations

A. Resource adequacy

The expenditures for LKA801 amount to only US\$ 24,139 or 0.4% of the total expenditures (cf. Table 5); EFC itself has also contributed financially to most activities discussed below.

B. Delivery of outputs

The following outputs have been specifically delivered under this CPO:

- Improved EFC's organizational and management practices, including EFC corporate Plan for the next 2 years.
- Capacity of EFC's Human Resources Unit strengthened.
- Certificate course on OSH conducted for EFC members.
- New training package introduced on Labour Law, Social Dialogue and Workplace Relations.
- Established Employers' National Network of Youth Initiatives (ENNYI).
- Sixty internships and training opportunities for university students awarded in 2016.
- Revised and published three EFC Publications on IR, Wages Boards, and Investors' Guide.

- Regional representation strengthened: 4 district chambers affiliated with EFC for provision of services to MSME sector.
- EFC's research capacity strengthened and evidence-based policy recommendations made to government, including surveys on minimum wage fixation and collective bargaining.
- EFC developed, based on an ILO concept, a Skills Passport, and it was launched with the Ministry of Skills in July 2017.

C. Use of outputs by partners/ target groups

Since this CPO is directly targeted at the employers' organisation EFC, the use of the outputs is more or less guaranteed by this organisation.

D. Progress made (against outcome indicators/milestones)

The indicators and targets determined for this CPO are quite concrete and directly related to the development of EFC and its members. This has helped to achieve substantial progress on these indicators, and so has the fact that EFC is a well-organized federation. Some delays in meeting projected targets may well be caused by the multi-institutional network system of the government with a large number of ministries and a relatively large number of civil service staff.

E. Measures to respond to emerging risks and opportunities

Risk measures include in particular a diversity of activities undertaken by the EFC, where temporary lack of progress on one element may be compensated by progress on another.

4.11 LKA802: Strengthened institutional capacity of workers' organisations

A. Resource adequacy

The expenditures for LKA802 on workers' organisations amount to US\$ 41,642 or 0.7% of the total expenditures (cf. Table 5).

B. Delivery of outputs

The following outputs have been specifically delivered under this CPO:

- Strengthened capacity of trade unions to monitor effective application of labour standards (including the Maritime Labour Convention) through 10 capacity-building workshops
- Outreach programmes implemented to promote youth and women's leadership within trade unions. Some unions when interviewed for this review underlined that as a result of these programmes second-level leaders are gradually coming up.
- Strengthened capacity of trade unions, particularly in the FTZs and apparel sector, and also
 in the north and east amongst emerging workplaces under the administration of the Board of
 Investment, on:
 - o promoting Freedom of Association and Collective Bargaining, and
 - preventing sexual harassment in the workplace, including translation of the Sexual Harassment Code of Conduct into local languages.
- Profile of Trade Unions developed to better understand the nature, strength, and outreach of trade unions.

C. Use of outputs by partners/ target groups

Some scattered and fragmented progress seems to have been made, but no impact could be made on the overall situation of the representation of workers' organizations in national fora. On

one occasion the unions did manage to elect a representative among themselves who would then represent all unions at the ILO's ILC in Geneva. However, the MoLTUR subsequently overruled that election as they are the deciding body. Interestingly, the union that was elected is not among the four trade union signatories of the current DWCP, but it is the Inter-Company Employees Union, affiliated to the political party, Janatha Vimukthi Peramuna (JVP).

D. Progress made (against outcome indicators/milestones)

Most indicators are focussed on capacity building of the trade unions and in some cases this may have been achieved but overall their capacity generally remains at a rather low level. In addition, their representation in the regions outside the Western Province and the plantation districts is generally very low or non-existent partly due to the low density of establishments in these areas.

E. Measures to respond to emerging risks and opportunities

A much broader and more widely funded effort will be needed to enhance representative structures among at least the 16 unions represented in the NLAC and this council may well prove to be the main vehicle to support which the ILO has already set in motion.

4.12LKA826: Strengthened capacity of member states to ratify and apply international labour standards and to fulfil their reporting obligations

A. Resource adequacy

The expenditures for LKA826 on the capacity of member states amount to US\$ 10,348 or 0.2% of the total expenditures (cf. Table 5).

B. Delivery of outputs

The following outputs have been specifically delivered under this CPO:

- Review of selected national laws, and drafting of additional legal provisions to align labour laws/circulars with ILS.
- Review of selected Conventions for ratification.
- Training on reporting for the Maritime Labour Convention.
- Aligned Maternity Benefits between factory and office workers as a first step towards implementing relevant ILS.
- Participation in thematic UN group on Gender-Based Violence (GBV) (led by UNFPA).

C. Use of outputs by partners/ target groups

Sri Lanka has ratified 43 ILO Conventions including the eight core ILO conventions on the Fundamental Principles and Rights at Work (FPRW) and is committed to respecting those commitments in national law and practice. While MoLTUR has strengthened its compliance with FPRW and other conventions in recent years by implementing a number of programmes to improve the Sri Lankan workplace, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) and the Committee on Freedom of Association (CFA) has pointed out gaps in law and practice that needed further attention on subjects of freedom of association, collective bargaining, maternity protection, labour inspection and other ratified conventions. The Government will be supported to review, ratify and apply selected conventions and follow up on meeting its obligations, especially on improved capacity for monitoring and reporting. A number of conventions have been identified for ratification.

D. Progress made (against outcome indicators/milestones)

Substantial progress has been made on support towards ratification but especially on support for reporting obligation of the member states. At the same time much remains to be done as was indicated in the above.

E. Measures to respond to emerging risks and opportunities

A much broader budget is needed to support the member states in their reporting obligations and in preparing for ratification which would involve substantial additional work especially for MoLTUR but also for other ministries.

In sum, in spite of major changes in political regimes and policy making bodies during the DWCP period (2013-2017), the programme has made a satisfactory progress. It is a clear demonstration of the lead role played by the ILO in very diverse areas of activity with adequate support from employers' organizations, workers' organizations, and government agencies as well as from the donor community. ILO's ability to bring these actors together has been commended by many stakeholders during the interviews. The DWCP has also placed due emphasis on North and East provinces in promoting Decent Work practices and inclusive growth. Further recommendations for reaching optimal benefits in the next DWCP will be shared in the next chapter.

5 Conclusions and Recommendations

In this chapter we will summarize the main conclusions (in Section 5.1) and formulate the main recommendations related to the six performance criteria discussed in this report with a focus on possible future directions of the next DWCP (see Section 5.2).

5.1 Conclusions

The main conclusions of the present Sri Lanka Decent Work Country Programme (DWCP) Review will be presented below according to the six Performance Criteria used in this report, plus the progress reported on the 12 CPOs.

The stakeholders interviewed generally underscore the *Role and Relevance of ILO in Sri Lanka* both at the time of the design of the DWCP in 2012 as well as today. The DWCP was designed in close cooperation with the Ministry of Labour and Trade Union Relations (MoLTUR), while the other two tripartite partners were involved somewhat less intensively at the design stage. National factors such as the end of the conflict in 2009 clearly had an impact on the formulation of the DWCP.

The priorities and outcomes are close to the ILO core mandate, covering in fact all 10 P&B Outcomes for 2016-2017. The DWCP is closely aligned to the MDGs as well as to the four pillars of the UNDAF 2013-2017. The UN agencies with which ILO is cooperating in projects as well as the donors interviewed acknowledged ILO's comparative advantage in employment issues. The DWCP approach is in itself quite realistic taking into account budgetary realities (e.g. reduced donor funding for middle-income countries) and human resource constraints.

The second performance criteria is *Tripartite Participation and Capacity*. The DWCP had been developed based on meetings with MoLTUR, EFC and the Trade Unions although the feeling of ownership is largest in MoLTUR. The feeling of ownership of the DWCP of the other two constituents is generally limited to those specific activities in which they themselves are directly involved. Constituents are active in certain national development planning and other fora, such as the tripartite National Labour Advisory Council (NLAC) and the agreement process for EU's GSP+ where, in particular, the unions also played an important role.

Capacities of all three constituents have improved as a result of the capacity building efforts of the DWCP. This has been especially the case at MoLTUR, e.g. the training of labour officers, and support to LISA. Some of the structural characteristics of the trade union system in the country, in particular its fragmentation, were an important factor affecting the impact of capacity building efforts of trade unions. The efforts by the ILO to strengthen the NLAC is an important initiative in finding a longer-term solution to this issue. The regional representation of the trade unions has remained limited, and for example in the North, ILO continues to resort to working with cooperatives. Most of the tripartite constituents have some level of resources, but leveraging them to increase their capacity and to mobilize those for specific Decent Work issues remains a challenge.

The *Focus and Coherence of the Programme's Design and Strategies* has different elements. The design and strategy of the DWCP is in itself coherent with the three country priorities leading

to the ten DWCP outcomes linked to national strategies reflecting government priorities. The 30 indicators are quite detailed and lack flexibility. The analysis has shown that there is a disjoint between the DWCP Outcomes and the CPOs which makes monitoring of the DWCP difficult. The DWCP fits within ILO's strategic policy framework and it is linked to 9 out of the 10 P&B Outcomes of ILO. Cross-cutting issues receive a lot of attention including specific activities related to gender, ILS and Social Dialogue, but the new one of 'Environmental sustainability' is yet to get the attention that is urgently needed. ILO responds to the recognized needs among constituents through the Task Force meetings with all tripartite partners and through the regular contacts of ILO staff with the constituents.

An explicit and consistent resource mobilization strategy is lacking, and the DWCP actually depends too much on one or two Technical Cooperation projects, with just one CPO accounting for half of the overall DWCP expenditures of 6.1 million US\$ in 2015-2017, and just two CPOs for almost three quarters. While these are respectively implemented in the North, and in the East and North, neither of them has a substantial Trade Union involvement. It has been difficult to get financial data on expenditures on the DWCP priorities and outcomes, but the limited data we have indicate that DWCP Priority 1 has received by far the largest volume of funding (almost three-quarters), while the second priority that is more explicitly dedicated to the tripartite constituents has remained far behind (12%).

Managing for Results: The DWCP consists of a systematic program based on three relevant priorities and ten logical DWCP Outcomes. The DWCP has in principle defined clear outcomelevel results against which it can be assessed, but the defined outcomes, indicators and targets are not included in the RBM system which only reports by CPOs on a biennial basis. Therefore, comparisons with the five year country programme are rather difficult. In addition, DWCP indicators and targets are quite detailed and lack flexibility, and no systematic risk register is maintained. In short, a more user-friendly systematic M&E system is urgently needed at all levels of project design and implementation.

The DWCP does not provide an exit strategy, although the capacity building with partners' institutions could be considered as a *kind* of exit strategy facilitating sustainable results, but due to the fact that the social partners are mainly confined to the central level in Colombo, not all regions of the country can be covered.

The criterion of *Efficiency and Adequacy of Organizational Arrangements to deliver ILO's programme in Sri Lanka* has been on the whole satisfactory especially considering the limited number of staff in the CO Colombo. The operation and management set up are in part effective for DWCP implementation, but the linkages between staff responsibilities and the three DWCP priorities, ten outcomes and 12 CPOs have become less clear to the mission members. ILO has operated with integrity and fairness according to all constituents and other partners met. Stakeholders have generally expressed great appreciation for ILO's technical strength, either country-based, or short-term on demand from DWT in Delhi and in Bangkok or from Geneva, but at the same time there is a widely perceived shortage of permanent, country-based technical expertise.

Work processes and reporting differ by donor and type of project, and are sometimes a bit time-consuming, but overall a workable method appears to have evolved. Nevertheless, improvements

are required in the efficiency of work processes such as operationalising results-based management and aligning financial data to the outcomes.

Regarding the last performance criteria, *Knowledge Management and Sharing*, it can be concluded that the CPOs are systematically monitored and reported on, but that there is no evidence that the DWCP itself is actually being monitored. Tripartite partners are not involved in these activities. The Task Force meetings bringing together all the constituents are documented and reports are made, but the presentations again are by CPO not by DWCP Outcome. Some stakeholders indicated that cross-fertilisation and synergies between different projects could be improved.

The sharing of knowledge gathered through the projects among the tripartite constituents and other close stakeholders is generally judged as being quite satisfactory, and stakeholders have expressed their appreciation for the quality of the projects' products. Distribution of publications to UN organisations and their websites can be improved, and some donors indicated that communication was slow to start in new projects. The visibility of ILO itself is sufficient, but could benefit from re-invigorating the ILO Newsletter of the CO Colombo. The DWCP has been very appropriately translated into three languages. Regarding national knowledge networks, the CO Colombo is cooperating only on an ad hoc basis with several policy and academic institutes in Colombo. Internationally, ILO is involved in networks related to for example labour migration, such as the Colombo Process, and the Abu Dhabi Dialogue.

The *Operational assessment of the Progress made on tangible outcomes (CPOs)* was undertaken according to five criteria. Firstly, the *Resource adequacy* of the CPOs differed vastly with about 50% of the expenditures in 2015-1017 for only one CPO, while the six smallest CPOs only accounted for 2.8%. In between, were the CPOs on skills training (22.5%), the Declaration project on FPRW (11%), the project on labour migration and migrants' skills (7.8%) and the child labour project (6.5%). The main external funding organisations of these CPOs were DFAT, Norway, EU, USDOL, SDC, IOM and Japan. Secondly, the *Delivery of outputs* is summarized in Table 7.

Table 7: Selected Key Outputs of the DWCP 2013-2017.

A Selection of Some of the Key Outputs of the DWCP 2013-2017

- In more than half of the CPOs important outputs included the reviews of laws and acts, the recommendations made to the relevant ministries, and the identification of barriers to ratify Conventions.
- A revisit to the National Human Resources and Employment Policy (NHREP) of 2012 and to its Master Plan and Action Plan aligned to the new Medium-Term Development Framework of the new Government since 2015.
- Youth trained in vocational training centres in 4 districts and youth certified via Recognition of Prior Learning (RPL).
- Trained over 150 trainers from the 44 TVET centres, and a Public Employment Service (PES) centre established in one district in the East.
- A joint workplace cooperation programme framework was developed in a Public Private Partnership (PPP) between EFC and the National Productivity Secretariat.
- Started the reinvigoration process of the NLAC for tripartite social dialogue.
- Trained staff of Department of Labour on mediation and conciliation and developed a mediation guide for use by this Department.
- Educating workers from Free Trade Zones (FTZ) on their labour rights, using approaches that facilitated women's participation

- Functional 'Labour Inspection System Application' (LISA) in place, and trained labour officers.
- Sub-Policy and Implementation Plan developed on National Action Plan on Return & Reintegration (NAPRR).
- Enhanced safe migration information package (and 7-day curriculum).
- Review of a skills assessment and recognition mechanism for potential and returning migrants (RPL), and the training of construction workers and the testing of returnees.
- Report on mapping of certification requirements and equivalencies in the respective destinations and origin is ongoing.
- Improved knowledge of 300,000 men and women in workplaces, their spouses and the community on HIV transmission, prevention and testing, and at least 5 insurance companies include PLHIV in their health and/or life insurance policies.
- The successful development of the 'LEED Model' in the conflict-affected North and East, which enabled collective bargaining between cooperatives and buyers; a key ingredient for success was that the ILO Team was based in the North itself.
- Programmes on community based pro-poor sustainable tourism developed and implemented in selected districts in the Eastern Province (LED Tourism).
- Support to traditional way of fishing enhanced the possible accreditation of Jaffna port under the US Monterrey Standard.
- Improved education and training opportunities for plantation youth on core work & life skills.
- Improved Social Dialogue among constituents in the plantation sector.
- Rapid assessment of the social protection schemes in the country, and reviews of Maternity Benefit Insurance and of legislation on Employment Injury Insurance, and recommendations submitted to the Government.
- Strengthened district networks of local government, RPCs and private sector partners, in order to contribute to the prevention of child labour on plantations (Child Labour-free district model).
- Finalized the policy for elimination of WFCL through involvement of all line ministries, and the policy submitted to the cabinet for approval.
- Improved organizational and management practices of EFC, enhanced capacity of its HR Unit, and regional representation somewhat strengthened.
- Established Employers' National Network of Youth Initiatives (ENNYI), and internships and training opportunities for university students were awarded in 2016.
- Ministry of Skills launched the Skills Passport developed by EFC based on an ILO concept.
- Strengthened capacity of trade unions to monitor application of labour standards, and outreach programmes implemented to promote youth and women's leadership within trade unions, resulting in the occasional rise in second-level leaders.
- Strengthened capacity of trade unions on promoting Freedom of Association & Collective Bargaining, and prevention of sexual harassment in the workplace.
- Training on reporting for the Maritime Labour Convention.
- Streamlined Maternity Benefits preparing for implementing the relevant ILS, and participation in thematic UN group on Gender-Based Violence (GBV) led by UNFPA.

Thirdly, the *Use of outputs by partners/ target groups* differs greatly among the CPOs. In a number of cases it is just still too early to tell whether the outputs will be used by the partners and/or the target groups since the development of these outputs is still ongoing and/or pending, while systematic tracking in the case of training still needs to be done. Some instances in which partners have been particularly successful in making use of the outputs are:

- LISA has been established, and the Ministry is already using it and developing further implementation mechanisms for it.
- > The safe migration information package and curriculum are popular among newly appointed officers.
- The partnership within the tripartite PHDT worked well despite much hostility between the trade Unions and the RPCs.

- The participation of employers in the skills development project in the East is high through the Chambers of Commerce and associations.
- Some trade unions are coming to the fore on specific issues such as GSP+ and/or the representation of young workers.

Some instances in which partners have particularly been left out are:

- ✓ The trade unions were often not involved in the projects in the North and in the East
 (together taking up almost three-quarters of the total ILO budget in Sri Lanka; see Table
 5), since they did not, and largely still do not, have branches there. In addition, their
 involvement in the child labour project has also been minimal.
- ✓ The Trade Union movement demonstrated some scattered progress and success, but no impact could be made on the overall situation of the representation of workers' organizations in national fora.
- ✓ Different social protection efforts by the ILO did not receive much traction on the side of the government or the social partners.

Fourthly, the *Progress made (against outcome indicators/milestones)* is sometimes difficult to establish when it has to be compared with rather ambitious indicators in the DWCP. In general, progress has been substantial, but there was also one important delaying factor and that was the change of government in early 2015 and the time it took to formulate new policies. Although this was not foreseen in the DWCP, the programme turned out flexible enough to adjust and incorporate for example the revision of the National Human Resources and Employment Policy (NHREP) Master Plan and Action Plan.

One area in which ILO needs to do better is gender. For example, the donor had to push hard to make gender an integrated element in the project in the North, and little progress could be made on gender issues in certain sectors of the skills training project in the East, for example as parents did not allow their daughters to get training for certain jobs due to the influence of strong cultural factors.

The indicators defined for the CPO on employers' organisations are quite concrete and directly related to the development of EFC and its members, and this has helped to achieve substantial progress on these indicators, and so has the fact that EFC is a well-organized federation. In contrast, progress of the Trade Unions on their representation in the regions has been slow partly caused by the low density of industrial and commercial establishments in a number of regions. Concerning support towards ratification, substantial progress has been made but especially related to the reporting obligation of the member states.

The ultimate proof of projects consist of facts indicating an improvement in the situation of the target group: This has been achieved in the child labour project with a substantial reduction in the number of children in the WFCL-categories, which can at least partly be attributed to the activities in this CPO. A different type of proof of the success of a project is that donors were satisfied with the project performance and have actually committed themselves for a next phase, such as in the case of LEED (DFAT), Labour Migration (SDC) and FPRW (USDOL).

Fifthly, it has been difficult to establish the *Measures to respond to emerging risks and opportunities* since there was no risk register related to the DWCP (and thus no monitoring). Generally, one could consider the great diversity in activities in a number of CPOs as a risk-

spreading mechanism, where (temporary) lack of progress on one element may be compensated by progress on another, taking advantage of the opportunities available.

One of the main risks in hindsight was the change of government in 2015 and the regular shifts in ministerial mandates and officers at the decision-making level in government administrative structures which slowed down progress. The ministries and social partners, however, clearly remain supportive and committed to promoting decent work, and employment figures prominently among their plans for the medium-term. Sometimes projects needed to revert almost to a kind of trial-and-error approach, such as in the case of the LEED project where the ILO Team and the donor have been very flexible, and have piloted various LEED models, and sometimes were on the verge of stopping the project. Through good communication and a locally-based ILO Team, it was re-invigorated and now it is enjoying certain successes. The conflict affected regions in the North as well as in the East offered opportunities for rebuilding and re-invigorating society of which skills development is an important part, and as such this project has contributed in an important way to that goal.

5.2 Recommendations

The recommendations will be presented below according to the six performance criteria, and will include suggestions for the New ILO DWCP 2018-2022. For easy reference the recommendations are numbered, and a table is added for each with the key data following the ILO template.

Role and Relevance of ILO in Sri Lanka:

13) Make sure the new DWCP is aligned with the needs and preferences of the three tripartite partners, so that it is explicit that the ownership of the DWCP lies squarely with the three constituent partners, and that the ILO is only a secretariat to support those partners. It is crucial to maintain a results-orientation, and to establish what constitutes the change that the three partners want for the coming five year period.

Responsible Unit	Priority	Time Implication	Resource Implication
MoLTUR, EFC and Trade	Very High	Second half of 2017	None
Unions, CO-Colombo			

14) Make sure that the new DWCP is also aligned with the 17 SDGs, the new UNSDF 2018-2022, and as far as possible with the already existing multi-year planning of the main donors in Decent Work related areas (cf. Donor Mapping, etc.). At the same time, ILO needs to maintain its distinct mode of operation through its unique tripartite approach even while being part of the worldwide UN efforts.

Responsible Unit	Priority	Time Implication	Resource Implication
CO-Colombo, DWT	Medium	Second half of 2017	None
Delhi/Bangkok and HQ Geneva			

Tripartite Participation and Capacity:

- 15) Strengthen the joint partnership and ownership among ILO's Tripartite Constituents, and reinforce the linkages among the constituents, by:
 - a. continuing to organize at least **six-monthly tripartite Task Force meetings** on implementation and monitoring of the DWCP, and

b. supporting the tripartite and MoLTUR-led National Labour Advisory Council (NLAC), which currently enjoys the trust of most stakeholders provided it is legalized into a statutory body with its own autonomy and with support from moderators and/or experts.

Responsible Unit	Priority	Time Implication	Resource Implication
CO-Colombo, MoLTUR, EFC, Trade Unions and NLAC	Very High	From September 2017, every half year	Allocate regular budget

16) Ideally there should be one signatory of the DWCP representing the Trade Unions, but in view of the multiplicity of unions representing various groups of workers, the issue of how many and who should sign on behalf of the unions needs to be revisited by the constituents. The principle should be that if a Union is registered, it should be consulted (not whether it is a member of ITUC or not, since ILO conventions indicate that affiliation is free for the union to decide). If the CO Colombo can expedite this process by acting as a secretariat, this should be seriously considered in view of the crucial importance of this matter to enhance tripartism in the country.

Responsible Unit	Priority	Time Implication	Resource Implication
Trade Unions, CO-Colombo	High	From today.	Re-allocation of un- committed funds if funds would be required

Focus and Coherence of DWCP Programme:

17) Maintain the current three DWCP Priorities since they are still valid: 1. Full, decent and productive employment, 2. Social Dialogue and Fundamental Principles and Rights at Work (FPRW), and 3. Social inclusion and Social Protection Floor. The current 10 DWCP Outcomes are generally still valid but need further refinement by the tripartite constituents. Given the continuing economic and administrative changes in Sri Lanka, maintain some degree of flexibility in the design of the DWCP when identifying the DWCP outcomes, indicators, targets and milestones.

Responsible Unit	Priority	Time Implication	Resource Implication
Tripartite Partners and CO-Colombo	Medium	Include in the design of the new DWCP	None

Managing for Results:

18) Introduce a more user-friendly systematic M&E system at all levels of project design and implementation. In the meantime, set up systems to regularly monitor the progress towards DWCP Outcomes, indicators (quantitative and qualitative), targets and milestones, and align DWCP Outcomes and CPOs in the SMM/Implementation plan. Thereby also ensure the direct alignment of reporting on the five-yearly DWCP Outcomes and the biennial CPOs. Make provisions for inputs by DWT experts in Delhi and Bangkok into the DWCP reporting mechanism as now they are completely excluded from it. The new DWCP should also include a risk register and how it will be monitored and updated half-yearly.

Responsible Unit	Priority	Time Implication	Resource Implication
CO-Colombo, DWT	Medium to	Include in the design of	Allocation of funds from
Delhi/Bangkok and HQ Geneva	High	the new DWCP	HQ-Geneva

Organizational Arrangements:

19) Increase the internal capacity of CO-Colombo, including but not limited to **an international expert**. At national level **a gender expert** is advisable.

Responsible Unit	Priority	Time Implication	Resource Implication
CO-Colombo, ILO HQ	High	2017 - early 2018	Allocation of funds by ILO HQ from
Geneva and ILO Bangkok			Regular Staff Budget, and or pool
			resources from projects (e.g. for
			gender expert)

20) Develop a systematic and coherent resource mobilisation strategy by the CO Colombo, which should include an exploration of ILO's RBSA allocation for Middle-Income Countries as these countries have difficulty accessing donor funding, and an exploration of cost-sharing with tripartite and other partners.

Responsible Unit	Priority	Time Implication	Resource Implication
CO-Colombo	High	2017 – early 2018	Re-allocation of un- committed funds, or request HQ-Geneva for this specific activity

21) Streamline work processes both in Colombo CO as well as related to Bangkok and HQ Geneva, such as operationalising results-based management and aligning financial data to the DWCP Outcomes and CPOs. In fact, the DWCP is sometimes considered as an additional layer of M&E next to the biennial P&B and the regular reporting on CPOs, but one needs to remember that the DWCP is primarily a mechanism where the tripartite partners consult each other for longer term policy setting guided by the ILO.

Responsible Unit	Priority	Time Implication	Resource Implication
CO-Colombo, ILO Bangkok and	Low to	2018	Allocation from HQ
ILO HQ Geneva	Medium		

Knowledge Management:

22) Enhance the visibility of ILO further and broaden the distribution of projects' outputs by re-invigorating the ILO Quarterly Newsletter, by producing project briefs, and by using internet-based communication networks. Translate DWCP in 3 languages, and in the case of selected technical publications translation of only the Executive Summary into Sinhala and Tamil can be considered. Distribution of publications in particular to UN organisations can be more widely undertaken and should include the use of UN Websites.

Responsible Unit	Priority	Time Implication	Resource Implication
CO-Colombo	Medium	2017 - 2018	Budget allocations in the
			new DWCP

Priorities for the new DWCP

23) Start the Assessment Based National Dialogue (ABND) towards the Social Protection Floor (SPF) as was already guided by the ILO in about 20 countries. In particular when a country has entered middle-income status, like Sri Lanka, social security becomes increasingly important and even more reachable if contributory schemes can be combined with subsidised schemes for the poor. It is important to start as early as possible with this dialogue in order to assess the SPF-priorities jointly with the relevant stakeholders.

Responsible Unit	Priority	Time Implication	Resource Implication
CO-Colombo with support from	Medium	2018	Support from HQ
HQ Geneva			Geneva.

24) Investigate a number of topics proposed by the interviewed stakeholders for possible inclusion in the new DWCP 2018-2022 and discuss them with the tripartite constituents. The following is an inclusive list, meant for CO-Colombo to be used as a checklist for stakeholder interests. The stakeholder priorities are categorized according to the three DWCP priorities:

A. Employment:

- 1. Skills development, certification of skills (RPL) and skills passport.
- 2. Vocational education for school drop-outs, especially technical education.
- 3. Analysis of Labour Law reforms.
- 4. Promotion of youth entrepreneurship in rural areas and/or among small and medium enterprises.
- 5. Focus on private sector development and Business Development Facilities.

B. Social Dialogue:

- 1. Capacity building for MoLTUR and Department of Labour, including support for Labour Administration Reform (especially LISA).
- 2. Social dialogue on gain sharing and productivity wages.
- 3. Training for trade unions, including leadership training for young leaders.
- 4. Worker education on FPRW, Social Dialogue and Collective Bargaining.
- 5. Focus on Rights at Work.
- 6. Support for NLAC.

C. Social Protection:

- 1. Social protection, including for the informal sector and for migrant workers.
- 2. Promote green jobs and enhance environmental sustainability (e.g. sustainable enterprises, deforestation leading to landslides, disaster management, and solid waste management).
- 3. Study on child labour on smallholder farms.

Responsible Unit	Priority	Time Implication	Resource Implication
CO-Colombo and tripartite	Medium	Second half 2017	Support from HQ
partners			Geneva.

Annex 1 Terms of Reference (TOR)

Insert here the Final TOR.

Annex 2 Mission Programme in Sri Lanka of the CPR Team

DWCP Review: Sri Lanka Decent Work Country Programme Review (DWCP 2013-2017)

Mission Programme of the Country Programme Review (CPR) Team: Dr. Theo van der Loop, Prof Sunil Chandrasiri and Dr Ramani Gunatilaka.

31st July – 11th August

Insert here the Final DWCP Mission Plan: Attached as a separate document.

Annex 3 Tentative Agenda of National Tripartite Consultation Workshop

NATIONAL TRIPARTITE CONSULTATION

on

The Preliminary findings of Sri Lanka Decent Work Country Programme Review Renuka Hotel, Colombo

11th August 2017

Agenda

08:45 - 09:00 Registration

09:00 - 09:30 Welcome remarks by Ms Simrin Singh, Director, ILO Country Office for Sri Lanka and Maldives

- Remarks by Mr S.A.N. Saranatissa, Secretary, Ministry of Labour, Trade Union Relations and Sabaragamuwa Development
- Remarks by a Mr Kanishka Weerasinghe, Director General, EFC
- Remarks by Mr Leslie Devendra, General Secretary, SLNSS

09:30 - 09.45 Tea break

9.45 - 11:15 Presentation of the Preliminary findings of the Sri Lanka DWCP (2013-2017) review by

- Theo van der Loop
- Prof Sunil Chandrasiri
- Dr Ramani Gunatilaka

11:15 - 12:45 Plenary Discussion

12.45- 13.00 Briefing on new DWCP development process and closing remarks

Mrs Simrin Singh

13:00 - 14:00 Lunch

Annex 4 List of References

- Government of Sri Lanka (2006): National Policy for Decent Work in Sri Lanka.
- Government of Sri Lanka (2010): Mahinda Chintana: the Ten Year Horizon Development Framework.
- Government of Sri Lanka (2012): National Human Resources and Employment Policy.
- ILO (2013): Sri Lanka Decent Work Country programme (DWCP) 2013-2017. Colombo: May
- ILO (2013): Review of the Decent Work Country Programme (DWCP): Sri Lanka 2008–12. ILO, Bangkok: 2013.
- ILO (2015a): Conducting Decent Work Country Programme Internal Reviews. Guidance Note No. 17. ILO - Evaluation Office, Guidance Note No. 17, I-eval Resource Kit, Geneva: September 2015.
- ILO (2015b): Project on "Promoting Decent Work through Good Governance, Protection and Empowerment of Migrant Workers: Ensuring the Effective Implementation of the Sri Lanka National Labour Migration Policy" - Phase II. Final Evaluation. Geneva: December 2015
- ILO (2016a): Local Empowerment through Economic Development and Local Economic Development through Tourism Projects. Final Independent Evaluation. Geneva: Aug. 2016.
- ILO (2016b): Promoting Fundamental Principles and Rights at Work in Sri Lanka; Phase III. External Independent Final Evaluation (Joint Collaborative Evaluation). Geneva: Sept. 2016.
- ILO (2016c): Project on "Social Protection for Families of Children at Risk of Exploitative Employment through Strengthening of Supplementary Service Provision in Selected Locations on the Plantations". Final Evaluation. Geneva: September 2016.
- ILO (2016d) Programme and Budget (P&B) 2016-2017. ILO: Geneva.
- ILO (2016e): Profile of Trade Unions in Sri Lanka. ILO Office for Sri Lanka and the Maldives; Colombo, 21 June 2016.
- IMF (2017): World Economic Outlook. April 2017.
- National Planning Department NPD (2016): Public Investment Program (PIP) 2017-2020. Colombo.
- UN (2017): SDG Index and Dashboards Report 2017. Global Responsibilities.
- UNDAF (2012) United Nations Development Assistance Framework Sri Lanka 2013-2017. Colombo, October 2012.
- UN (2017): Sri Lanka United Nations Sustainable Development Framework (UNSDF) 2018 - 2022. Colombo. Draft 28 April 2017.
- World Bank (2017) Sri Lanka Development Update. Washington DC: June 2017.

Other project related documents:

- Updated DWCP monitoring plan and implementation plan, and DWCP implementation reports (SMM/IR).
- ✓ Relevant key project documents and report.
- ✓ TC project documents (evaluation reports).✓ Other EVAL Notes and Checklists, ILO Geneva.