



**ILO-DFID Partnership Programme on Fair Recruitment and Decent Work for Women Migrant Workers in South Asia and the Middle East (Phase 2)**

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

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## ABBREVIATIONS

ABC	Agroforestry, Basic Health, and Cooperative, Nepal
ANTUF	All Nepal Trade Union Federation
ARM	Anti-Racism Movement, Lebanon
BILS	Bangladesh Institute of Labour Studies
BLA	Bilateral Labour Agreement
BOMSA	Bangladeshi Ovhibashi Mohila Sramik Association
CB	Collective Bargaining
CBO	Community Based Organisation
CINI	Child in Need Institute, india
CMIE	Centre for Monitoring Indian Economy
CoD	Country of Destination
CoO	Country of Origin
CPD	Centre for Policy Dialogue, Dhaka
CSO	Civil Society Organisation
CTA	Chief Technical Advisor
CWDS	Centre for Women's Development Studies, Delhi
DFID	(former) Department for International Development
EA	Evaluability Assessment
FCDO	Foreign and Commonwealth Development Office
FENASOL	National Federation of Employees' and Workers' Unions in Lebanon
FGD	Focus Group Discussion
FoA	Freedom of Association
GAATW	Global Alliance Against Traffic in Women
GAFWU	Garment and Fashion Workers Union, Tamil Nadu
GBV	Gender Based Violence
GCC	Gulf Cooperation Council
GEFONT	General Federation of Nepali Trade Unions
GOB	Government of Bangladesh
IDS	Institute for Development Studies (University of Sussex)
IFPRI	International Food Policy Research Institute
IGA	Income Generating Activity
ILO	International Labour Organisation
ILS	International Labour Standards
IOM	International Organisation for Migration

ISS	Institute for Social Studies (The Hague)
ITUC-NAC	International Trade Union Confederation–Nepal Affiliated Council
JCLA	Jordan Centre for Legal Aid
JTGCU	Jordan Textile Garments and Clothing Industries Union
JGKU	Jharkhand General Kamgar Union
KII	Key Informant Interview
LA	Legal Agenda, Lebanon
LGU	Local Government Unit
MCC	Migrant Community Centre, Lebanon
MiRiDEW	Migrant Rights and Decent Work Project, Nepal
MTE	Mid-Term Evaluation
MDW	Migrant Domestic Worker
MOL	Ministry of Labour
MOU	Memorandum of Understanding
MP	Member of Parliament
MRC	Migrant Resource Centre
MW	Migrant Worker
NAWO	National Alliance of Women’s Organisations, India
NCCWE	National Coordination Committee for Workers’ Education, Bangladesh
NGO	Non-Governmental Organisation
NPC	National Project Coordinator, Work in Freedom
NTUC	Nepal Trade Union Congress
NWWT	National Workers Welfare Trust, India
OECD-DAC	Organisation for Economic Cooperation and Development – Development Assistance Committee
OKUP	Ovibashi Karmi Unnayan Program, Bangladesh
PCR	Polymerase Chain Reaction test
PDOS	Pre-decision Orientation Sessions
PTS	Penn Thozhilalargal Sangam Union, Tamil Nadu
RA	Recruitment Agent
RWA	Residents Welfare Association, India
Samarthan	Samarthan Centre for Development Support, India
SEWA	Self-Employed Women’s Association, India
SHG	Self-Help Group
SORAL	Syndicate of the Owners of the Recruitment Agencies in Lebanon
SUC	Standard Unified Contract, Lebanon
Tamkeen	Tamkeen for Legal Aid and Human Rights, Jordan
ToR	Terms of Reference

TU	Trade Union
UN	United Nations
UNDESA	United Nations Department of Economic Affairs
UNDP	United Nations Development Programme
VAWG	Violence Against Women and Girls
WC	Workers Centre, Jordan
WIF	Work in Freedom Project
WMW	Woman Migrant Worker
WOREC	(former) Women's Rehabilitation Centre, Nepal

## **EXECUTIVE SUMMARY**

### **Programme Purpose and Approach**

Work in Freedom (WIF) is a ten-year development cooperation programme supported by the UK Foreign and Commonwealth Development Office (FCDO) that commenced in 2013. It has adopted an integrated and targeted approach to creating practices and multi-sectoral policy measures to reduce the susceptibility of women and girls to trafficking and forced labour in South Asian countries of origin (Bangladesh, India, and Nepal) and chosen destination countries (India, Jordan and Lebanon).

The main goal of the WIF Programme is to help reduce the vulnerability of women and girls to trafficking and forced labour along migration routes leading to the care sector (particularly domestic work) and the garment sector. By 2023, the Programme's second phase aimed to reach at least 350,000 women and girls directly at source and destination areas in designated countries.

There are three objectives for the programme.

- Women have greater ability to make their own decisions throughout the migration process in an enabling atmosphere for safe migration into decent work.
- Increased levels of collaboration, accountability, and respect among key actors along migration pathways in order to create an enabling environment for safe migration into decent work.
- Strengthened laws, policies, practices, and systems for social protection, safe labour migration, and decent work for women.

### **Programme Context**

The programme targets specific, known trafficking routes, where women and girls from Bangladesh, India and Nepal are trafficked internally within South Asia, and to the Middle East. It takes a 'whole trafficking chain approach' (or migration cycle approach) by developing interventions and policy actions at source, recruitment and destination.

The overall scale of labour migration in the Middle East is immense. In 2019, according to the Population Division of the United Nations Department of Economic Affairs (UNDESA), there were 35 million international migrants in the Gulf Cooperation Council (GCC) countries, and Jordan and Lebanon, of whom 31% were women.<sup>1</sup> While the GCC states host only 14% of the world's migrant workers, this population comprised 41.45 of the total workforce in 2019, compared with the global average of 5%.<sup>2</sup>

Given this scale, the health, welfare and safety of migrant workers in the Middle East continues to be a subject of enormous importance, especially given the poor record of all these countries in protecting migrant worker rights with respect to legislation, regulation and practice. The core challenge remains the obduracy of the kafala system that ties all migrant workers to a single employer. Whilst there is more focus and attention on the system than at the outset of the WIF programme, reform processes remain stuttering and easily subject to reversals with changes in incumbent ministers of labour and senior government officials across the region.

The Covid-19 pandemic has acted as a hammer blow for women's employment both in WIF countries of origin and destination. In the South Asia countries of origin job losses have been immense during the pandemic. More than one million garment workers in Bangladesh were fired or furloughed as a result of order cancellations and the failure of buyers to pay for these cancellations (Anner, 2020). That represented one quarter of the workforce in the sector. Women represent 60 per cent of the workforce.<sup>3</sup> In Bangladesh, 1.2 million domestic workers lost their jobs (National Domestic Women Workers Union, 2020) and in Nepal 85 per cent of Nepali domestic workers lost their jobs. In India, by

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<sup>1</sup> <https://www.brookings.edu/blog/future-development/2020/09/17/pandemic-highlights-the-vulnerability-of-migrant-workers-in-the-middle-east/>

<sup>2</sup> <https://www.ilo.org/beirut/areasofwork/labour-migration/lang--en/index.htm#>

<sup>3</sup> Mustafizur Rahman & Md. Zafar Sadique & Estiaque Bari, 2016, [Advancing the Interests of Bangladesh's Migrant Workers: Issues of Financial Inclusion and Social Protection](#), Centre for Policy Dialogue (CPD) Working Paper No.112, Dhaka.

August 2020, 121 million people, especially young adults, had lost their jobs.<sup>4</sup> In Lebanon in 2021, new and renewed work permits for women migrant domestic workers was less than one third of the 2019 figure, and in Jordan there was a 42% fall in MDWs and 27% fall in garment factory workers in 2020.

In this setting, the role and function of the WIF 2 programme is a highly challenging one. Whilst it may be difficult for the programme to meet all its result targets, its role in holding the line at the minimum on some of these policy issues is vital, whilst at the same time making progress where possible to empower, protect and create opportunities for potential, existing or returnee women migrant workers

### **Mid-Term Evaluation Objectives and Approach**

The mid-term evaluation has two different purposes: accountability and learning. The main purpose of the MTE is **to review the programme's strategy and performance in the evolving national and regional context and to enhance learning within the programme.**

In addition, the MTE aims **to review the extent to which annual and cumulative targets planned in the log frame are attainable considering the 50% budget cuts in years 4 and 5 and other changing labour migration trends**, such as the COVID-19 crisis, falling wages and demand for migrant workers, and to gather information needed to evaluate the programme as recommended in the evaluability assessment and designed in the logical framework.

With WIF due to end after 10 years of programming at the end of March 2023, the MTE also focuses on the question of what overall has the programme achieved, what will be its impact, how sustainable are its core activities, and how should WIF's legacy be built upon

### **Methodology**

The MTE has been carried out by a team of 3 people, after one of the South Asian team members was forced to withdraw through illness. Physical visits were undertaken in Bangladesh, India (Chennai and Delhi), Jordan and Lebanon. In Nepal the work was undertaken virtually. Altogether some 60+ key informant interviews (KIIs), 9 focus group discussions (FGDs), and a range of other discussion meetings were conducted with WIF staff and partners.

In addition, a wide ranging literature review was also conducted, of WIF annual reports, the large number of special research studies commissioned and conducted by the programme, online news and journal articles, and other briefing documents.

Part of the findings section reviews the set of OECD-DAC plus additional ILO cross-cutting criteria and associated questions provided in the ToR. A synthesis matrix then includes a colour coded summary to indicate the programme's current level of achievement for each of the criteria, with justification and evidence provided for the rankings.

### **Findings by Region and Outcome**

#### **Key Issues**

The following summarises key issues that the programme has sought to address.

- Sequenced annual **50% budget cuts** in programme funds from the FCDO during years 4 and 5 resulted in the early curtailment of some of the community based awareness raising and women's empowerment activities in South Asia especially.
- Dealing with the **effects and repercussions of the Covid-19 pandemic**, both in terms of its drastic effects on migrant workers jobs, benefits and circumstances, and on its prevention of work related travel and physical meetings.
- The economic and political challenges in CoOs and CoDs have **decreased job opportunities**, increasing both demand for migration but reducing opportunity supply. This has created added pressure on WIF's pro-choice approach, whilst at the same time increased the need for it, since the environment is more conducive for unethical recruitment.

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<sup>4</sup> Centre for Monitoring Indian Economy (CMIE), 2020.



- **Achieving kafala system reform/ elimination in the Middle East** has become more rather than less challenging, as economic circumstances have deteriorated in many countries and political systems become more insular and inflexible.
- **Middle East challenges within the tripartite structure.** In Jordan, all members are collaborating to eliminate an effective complaints system. In Lebanon, RAs have been using WIF engagement to strengthen their position and obstruct labour rights reform rather than change their behaviour.
- **Intolerance of migrant worker grievance mechanisms** within the Middle East. This is a major issue for workers' rights given the current negative climates towards workers' rights in many countries and in particular the lack of receptiveness to the submission of complaints by workers.
- **Protecting the legacy of WIF** – For a migration programme concerned with anti-trafficking and workers' rights issues, the learning achieved by WIF is invaluable and irreplaceable, but it is not currently guaranteed that it will be preserved and built upon within ILO.

## **South Asia**

### *India Summary*

- WIF has built strong and significant partnerships with trade unions, CBOs and NGOs, researchers and research organizations, and some government officials. Unions such as PTS and SEWA would not normally collaborate with NGOs linked to GAATW, since they have not previously dealt with anti-trafficking issues. Now they are not only cooperating within the context of WIF but also do so on their own outside the scope of the programme.<sup>5</sup> Partners in the field have been committed to the issue and have been a central factor in enabling change.
- Organizations and partners of WIF worked tirelessly during the pandemic to secure workers' rights. The AP Domestic Workers' union advocated better living and working conditions in the slums. In Jharkhand, Orissa and Chhattisgarh, organizations met virtually to discuss strategies in upholding workers' rights (through GAATW) allowing them to assist women from migrant communities once Covid-19 mobility restrictions were lifted.
- The pandemic created a stronger network of organizations working at the grassroots level. There was also an increased number of Union members (an increased number of members does not necessarily mean that the members were all empowered but a few strong leaders did emerge).
- There have been relevant and pertinent studies and research papers done by various organizations and individuals, seeking to better inform safe and rights-based migration for women. This includes GAATW and SEWA's infographic using comic strips: [Workbook, Narrative for Domestic Workers, 2020](#), which is available in several languages.<sup>6</sup>

### *Nepal Summary*

- Over 7,200 aspirant MWs provided orientation training, with returnee migrant women included as social worker resource persons by the three partner CSOs involved.
- Women's forums and networks established for returnee MWs. Some of the returnee MWs were employed as social workers by the partner CSOs and a few now have become employed by LGUs for the same purpose.
- Local partners established door to door orientation, schools visited, guidance documents disseminated, and work on gender rights issues including VAWG.
- During the pandemic period all the partner CSOs worked very closely with local government units to reach out to women and vulnerable population and support them. Work on data

<sup>5</sup> Example provided by CTA on draft text, September 2022.

<sup>6</sup> You could mention as an example GAATW and SEWA's infographic using comic strips: [Workbook, Narrative for Domestic Workers, 2020](#) (available in several languages).

keeping of migrants, returnees and internal labour force has been initiated in some of the locations with the help of WIF partners.

- Collaboration between CSO partners and LGUs to address women's and girls' rights issues and expand choice. This has resulted in the establishment of migrant resource centres in district administration offices, to which women are referred if they come to the centre to apply for a passport.
- Govt policy on WMWs to Gulf changed, but only first step with seven highly restrictive preconditions still to be met.
- Some LGU and other resources mobilised to support NGO partners, and the migration network with WIF/ ILO leadership highly active at national level. This has now resulted in an extension of the establishment of MRCs to 44 districts, and the pre-decision orientation training for women, emphasizing their right to choose, is now being extended to 13 districts.
- These are important achievements for the longer term sustainability of WIF's work in Nepal, but there remain issues about the limited range of actual choices that women have for income generating.

### *Bangladesh Summary*

- Increased awareness and understanding of rights and entitlements at work, family and community amongst women, and an enhanced level of understanding on informed choice of migration and ability to make decision on her work and mobility within the family sphere for women in the intervention areas. A series of stories have been documented by GAATW on 'Our Work, Our Lives in their e-magazines that are illustrative of this.<sup>7</sup>
- Increased understanding and awareness on the cost of migration amongst women in the areas of intervention. In particular, the fact that migration is cheaper for women than for men, which means the pressure on women to migrate will continue. Increasing women's knowledge and decision making ability in this process, as WIF has been doing, therefore remains critical.<sup>8</sup>
- Increased understanding on women's mobility and work through an empowerment angle amongst local partners, communities and other stakeholders. This is again illustrated through the GAATW e-magazine accounts of women.
- Increased awareness of different actors within the migration system and increased accountability amongst key stakeholders, through the guidance and advocacy activities undertaken, increasing both trade union and government understanding and engagement.
- Extensive research forms the basis for incremental and multi-level advocacy work with key government stakeholders (for policy and programming).<sup>9</sup>

### *Middle East*

#### *Lebanon Summary*

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<sup>7</sup> <https://www.gaatw.org/resources/our-work-our-lives>

<sup>8</sup> Therese Blanchet and Hannan Biswas, December 2021, [Migration and gender in Bangladesh: An irregular landscape](#), ILO WIF.

<sup>9</sup> ILO household survey: [Migration and gender in Bangladesh: An irregular landscape](#), by Therese Blanchet and Hannan Biswas, December 2021;

ILO ethnographic study: [The invisible workers: Bangladeshi women in Oman](#), by Therese Blanchet, December 2021;

ILO ethnographic study: Women's migration pathways from Bangladesh to Lebanon and Jordan before and after the pandemic, 2019-2022 by Dr. Therese Blanchet;

ILO ethnographic study: Rebels, victims, agents of change: The singular histories of women migrant workers, 2022, by Thérèse Blanchet, Anisa Zaman and Hannan Biswas;

ILO ethnographic study: Bangladeshi Domestic Workers inside Saudi homes: pillars and witnesses of a rapidly changing society, 2022;

ILO media review: Media Representation of Women Migrant Workers: a critical look, 2022, by Nazneen Ahmed and Thérèse Blanchet.

- Networks and partnerships have been formed involving CSOs, migrant worker organisations and international organisations. These interact with the government, when it is possible, as for instance occurred through the kafala working group.
- The significance of freedom - empowering forms of work that inspire people to work more freely in the future.
- Since the ILO has limited funding, a digital application was created to facilitate work between national workers and employers. The goal is to disturb the system's perception of what domestic labour is.<sup>10</sup> The application will be launched in conjunction with a media campaign on the rights of domestic workers.
- Legal Agenda, one of WIF's CSO partners in Lebanon, created a model defence that may be used by any lawyer in Lebanon or elsewhere to employ the elements linked to false accusation. Another tool being developed is a training manual, which was one of the report's recommendations.<sup>11</sup>
- Legal Agenda is designing a sensitization tool to engage with legal practitioners at universities or special schools where layers attend in order to sensitize more lawyers and judges about the cases and ensure that there is more information available about the situation.
- One of the most significant accomplishments was the creation of safe spaces for people to connect. The Eгна Legna is a startup that has received funding through the Anti-Racism Movement (ARM), another WiF partner.
- Working with ARM and Legal Agenda allowed them and WIF to grow and learn together.

#### *Jordan Summary*

- Al Hasan Workers Centre provides an irreplaceable recreational and grievance outlet for migrant garment workers (247 cases registered in 2020 involving 6,461 workers, as the only functioning mechanism whereby workers can submit complaints relatively safely).
- During the pandemic the Workers Centre collaborated with a wide range of external actors, including even NGOs in countries of origin, to facilitate access to vaccines and medical treatment for the workers in Jordan, and the return home of those who lost their jobs or had wages unmet.
- WIF maintains relationships with all social partners and continues to defuse hostility and promote improved understanding and rights for women migrant workers, even if official recognition of migrant worker rights and protections has deteriorated since the onset of the pandemic.
- Policy reforms: Three legislative pieces related to domestic workers have been amended – domestic workers regulations, recruitment agency regulations and related instructions. Other WIF policy contributions are: input to agricultural worker regulations; labour code changes (ongoing); some input to Anti-Trafficking Law.

*Overall*, in countering the key issues and challenges faced, Work in Freedom has made some key strategic advances within South Asia, and in the Middle East shown persistent stamina and a commitment to research that deepens understanding of issues and helps generate ideas for innovation and advancing in particular workers' voice, even if this can be challenging to translate into policy gains.

- ***Advancing women migrant workers' empowerment and choices.*** The shift in WIF's approach to the 'pro-choice' orientation, guidance and capability development work in South Asia is a prime example of what a well-led, adaptive 'learning' programme can achieve. This work, undertaken through a set of partnerships in all three South Asian countries with civil society organisations that specialize in women's empowerment work and have familiarity working

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<sup>10</sup> Discussion with Zeina Mezher, Lebanon NPC, April 2022

<sup>11</sup> Ibid

with migrant workers, has resulted in the development of approaches capable of wider dissemination and scale up.

- **The commitment to analysis and investigation** of the ‘knotty’ problems to achieving kafala system reform and improved rights and protections for migrant workers of WIF has also been remarkable and laudable, a second example of an effective learning programme. The social research undertaken by WIF has led to a better understanding of the ‘push’ contexts that create a supply of potential migrant workers, and the receiving contexts in which migrant workers have to learn how to make the best of their circumstances. Although the benefits of the research are also longer term, WIF has used the insights and understanding generated to inform their advocacy and intervention strategies. Publications have been organized under the following themes: Policies to address unfree labour; Agrarian crisis and women’s migration; Labour market intermediation; Working and living conditions; Violence in the world of women’s work
- WIF has achieved a series of **solid and valued relationships** across origin and destination contexts. This improves the likelihood of progress in approaches being sustained to some extent in countries of origin through alliances of local partners with local government units or other funding agencies, but less so in countries of destination where the challenges are more intractable. Nevertheless, the work in contexts like Lebanon has led to an increased commitment to supporting forms of migrant worker organization, capacity building, and access to forms of legal services to address labour rights issues.
- **Facilitation of effective advocacy work at different levels**, notably at national level. WIF partners have worked well with district and state governments in South Asian countries, but of particular importance has been the national level advocacy work that WIF has often led or facilitated. This includes changes to the law allowing women domestic workers to migrant in Nepal (even though now the over-restrictive preconditions need to be addressed), the leadership role of WIF in the kafala working group in Lebanon, leading to the 2020 reforms in the Standard Unified Contract, which even if subsequently put on hold by the Shuria Council still provide a template for future reform; and the advocacy work led by SEWA with opposition and ruling MPs in India on domestic worker legislation.

### **Findings by OECD-ILO Criteria**

#### *Relevance*

The holistic approach to the migration cycle, the active involvement of WMWs (especially experienced returnee MWs), the use of participatory research to inform design and the experience of key staff has ensured the programme’s ongoing adaptation and support from all partners. Much of the programme’s core work has been to influence policy in different countries and regions, since often policy and legislation has failed to recognise and protect migrant worker rights adequately, especially those of WMWs working in more vulnerable occupations. With the Covid-19 pandemic and economic downturn of the last few years WIF has also been adept at adapting to changing circumstances and constraints, aided by partners working within migrant sending or receiving communities

#### *Coherence and Validity of Design*

The WIF programme theory of change, with its focus on the empowerment of women migrant workers and expanding their knowledge, choices and protections, remains as relevant as ever. The consistency, coherence and adaptive nature of the design, with its focus on expanding choice for all migrant women are all programme strengths. Risks and vulnerabilities addressed through the programme exist through both lack of information about the nature of the migration process and how to navigate it safely, and the nature of the patriarchal relations in sending communities, which often limits women’s control and decision-making authority. WIF is tackling both these major factors and attempting to cultivate women leaders and put local institutional mechanisms into place (with their leadership) to

sustain mechanisms in the longer term. This is a solid strategy, and its robustness has been shown by the adaptiveness that took place during the pandemic, and now in the post-pandemic phase, with continuing economic fall outs in origin and destination countries and locations. WIF has contributed to country programme outcomes in all its operational contexts. In Nepal, WIF has contributed perhaps to the greatest extent, but progress has been made in India, Bangladesh, Lebanon, and even Jordan, as documented in the country findings sections.

### *Effectiveness*

The country of origin interventions have been highly effective, whilst the tenacity of country of destination interventions continues to chip away at outdated and abusive systems and practices and inject opportunities for change. WIF has followed through on recommendations made in the EA conducted during 2020. Multi-level advocacy work has been strengthened in the three South Asian countries, where this is most feasible. Efforts to continue the focus on promoting women's agency, in order to enhance their choices and shift patriarchal power relations, has also continued, but been affected by the funding cuts to orientation work over the last two years. The engagement of TUs in Tamil Nadu, SEWA in the Delhi area, and Awaj and BOMSA in Bangladesh has advanced the process of collectivisation and unionisation of workers in South Asia, and the already well developed process in Nepal has been advanced further. The one area of concern remains the poor state of women's rights and protection and the lack of choices they have, including for instance around the option for part time work, which has been a stated preference of many employers as well as WMWs in destination contexts. Nevertheless, WIF has continued its search to find points of leverage and opportunities for innovation in these contexts, whilst maintaining relations, even if difficult, with key tripartite actors in both Jordan and Lebanon.

The research promoted by WIF has provided in depth understanding of the lives of women migrant workers in sending and receiving communities and this has contributed substantially to WIF's ability to provide evidence based contributions to policy debates. The depth of knowledge held by WIF programme staff, coupled with their constructive approaches to building relationships and working in progressive networks has gained widespread respect.

WIF differs from many anti-trafficking and migration programmes in its treatment of women as active agents, capable of control over their own lives, rather than as passive (potential) victims of illegally acting recruitment agents and exploitative sets of social relations. The latter two do exist and need to be addressed, but focusing on them rather than the women, is not the most effective way to address the risks, vulnerabilities and power relations involved. Educating and empowering the women and strengthening the legal and policy support environment in complementary ways, is an effective mechanism, as WIF has ably demonstrated. There are a series of high quality WIF publications that highlight differences between conventional approaches to anti-trafficking and more effective approaches tailored and tested by WIF.

### *Efficiency*

Considering the exacting constraints of the last several years, including the Covid-19 pandemic, the growing economic crisis in many operational countries, and the reduction in budgets over the last two years for some of the orientation activities in countries of origin, WIF's achievement of programme outputs in terms of quality and quantity, is better than could reasonably be expected. The programme has used its resources well and wisely, and demonstrates good value for money when the achievements from comparatively low investments in local partners is analysed. Partner organisations bring their perspectives, knowledge and skills. There is learning across organisations and networks. WIF has been good at integrating its work into that of its civil society partners; all have talked about the WIF work as being fully aligned with their own organisational objectives. Programme staffing has also been much improved this phase of WIF.

### *Gender and Non-Discrimination*

Overall, WIF continues to sharpen its approach to gender and inclusion through its ongoing research into the complex nature of social contexts across the migration cycle. In respect of gender and power

relations, these are couched broadly within the context of patriarchal social relations in both South Asia and the Middle East. WIF has done well to collaborate with progressive women's organisations and networks in South Asia, since these organisations will not work with organisations they would view as having an insufficient grasp of the issues and commitment to social reform and women's empowerment to be effective. With these partners WIF has developed effective methodologies that have enhanced the self-awareness and decision making ability of work-age women and girls, especially in communities of origin, but progress has also been made in destination communities. The potential multiplier effects lie in the ability to secure further resources for the orientation and capacity building work in communities of origin, for which there is huge expansion potential, as well as the more focused work in communities of destination. In destination communities, work has proceeded both within the confines of the kafala system and outside it. Workers in Lebanon and Jordan who are working informally outside the kafala system also continue to need support to regularise this way of working that meets also a growing employer demand, as well as those within the system for improved rights and protections. On the policy front, WIF together with its partners, has published several policy briefs, papers and studies that frame the issues affecting women's lives within the migration cycle and ways in which a pro-choice approach can be advanced.

### *Sustainability*

There is substantial potential to sustain the outcomes of the WIF programme given the effectiveness of the approaches that have been developed and the quality of the research that has been undertaken, the civil society partners by and large, and the programme staff. What is needed however are further resources, on a lower scale than previously, to maintain and expand these approaches, as well as the retaining of key staff. The evidence thus far from Nepal, where the government at national, district and local levels has been supportive of WIF's work, is an encouraging example of this potential. WIF's innovative approach to pre-decision orientation training that focuses on addressing constraints on women and increasing their agency and decision making ability, is being spread from the original five to 13 districts in a government supported initiative, funded by USAID.<sup>12</sup> In addition, the placing of a migrant resource centre in each district administration office, where women have to go to obtain a passport, is now being extended to 44 district centres, with all women passport applicants being referred to these desks for guidance information.<sup>13</sup> For the future, WIF and the ILO should work on twin tracks – with the traditional tripartite partners and with progressive women's empowerment focused civil society organisation, that include or work directly with women migrant workers. In particular, it is important that WIF focus efforts on collaboration with government at different levels in the final months of the programme. Nepal provides a good example, with its adoption of the pre-decision orientation training and the migrant resource centres. Support by government has also been received in some Indian States, Bangladesh, and even if grudgingly, in Lebanon. This support is critical for legitimacy purposes and potentially expanding the scale of WIF approaches.

### *Impact*

WIF has evolved and demonstrated a highly effective agency focused approach. Whilst the scale of impact is still limited, there is ready potential to expand this considerably. In each context in which WIF operates WIF interventions have now left clear marks – the orientation approaches in Nepal, Bangladesh and the states of origin in India, the work with garment and domestic worker unions in Tamil Nadu, and with SEWA in Delhi, the Workers Centre in Jordan, and the work with organizing and capacity building of migrant workers in Lebanon. All of this work has laid foundations for WIF to work on policy issues with partners in a knowledgeable and expert manner, backed by its topical social and policy research. As an overall approach to achieve impact on complex, long term issues such as improving women migrant worker rights and protections, reform of the kafala system, changing patriarchal social relations to recognize better women's agency and rights, WIF has ticked many of the

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<sup>12</sup> The Hamro Samman project implemented through the Foreign Employment Board.

<sup>13</sup> Discussion with NPC Nepal, October 2022.

right boxes. More can be done during the remainder of this phase to assess and document these overall achievements.

WIF points the way to a different and more effective type of anti-trafficking programming that seeks to recognise and develop the agency of those that are vulnerable, and the need to develop their freedom of choice and expand the range of those choices. A learning focused approach has been used to achieve iterative programme improvements, particularly in countries of origin. As such the programme has enhanced both its impact and potential for sustainability over time, with support and approval of its partners. However, the aspirations of the programme are long term, and although a great deal has been achieved, the work of WIF is not done. If sustainability is a really valued goal of both the FCDO and ILO, the work of WIF should be continued for another three years in order to embed fully operational practices and ensure the sustainability of institutions such as the Workers Centre in Jordan, and the effective approaches that have been developed for the protection and empowerment of migrant women.

### **Lessons Learned**

Work in Freedom itself has engaged in a great deal of lesson learning and produced now several publications on the topic. These include three Lessons Learned documents produced in April and September 2021 and June 2022, each on a specific area of the migration cycle. In the lessons learned listed here we are not repeating the more technical orientation of these very useful lessons learned documents, but rather are reflecting on the WIF process itself and what has been learned.

#### *South Asia*

##### ❖ *Circular nature of migration.*

WIF commissioned research on migrating women in both origin and destination countries illustrates that many women have migrated several times to similar or different regions, illustrating a trend of circular international (and internal) migration. Thus despite the challenges, risks and frequency of rights abuses, migrants are returning to work internationally. This indicates that once a woman becomes a migrant there is often social pressure on her to continue, in part because economic needs within the household have not been met, also that the person now understands better how to migrate and third, that she may find it difficult to reintegrate into her community of origin through forms of stigma,

##### ❖ *Facilitating choice: Pre-departure training and recruitment processes.*

An early lesson of WIF1 was the dangers of hiring training and capacity building organisations that are wholly didactic in their delivery style. Adopting a strategic focus on women's empowerment and their ability to make informed choices signalled a huge shift in the aims and style of WIF. Nevertheless, empowering potential or actual migrant women is easier said than done in a political economic system that favours recruitment agencies and employers, and where the agents that seek out potential women migrants have a far greater reach than an orientation programme is ever likely to have. A lesson learned from Nepal is the importance of ensuring such training is voluntary and involving returnee migrant women workers as trainers if possible. From India, the value of having solidarity based organisations with membership networks was also learned. The content of all conversations should be relevant to women's mobility, women's work and well-being, locally available resources and the political context of migration. Methods should be interactive and should encourage communication and learning for both individuals and groups. Settings and training content are more effective when they are informal. Perceptions about training should be managed carefully depending on local stigma associated with women's mobility and paid work. This is all a long reach from the early days of training in Chhattisgarh and shows how far WIF has come in this regard.<sup>14</sup> In this phase too, Bangladesh has now also been fully incorporated in this process with partners that do have strong community networks, and the lessons learnt from India and Nepal applied there too

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<sup>14</sup> Ibid

❖ *Quality and commitment of local partners.*

An additional related lesson that applies to the Middle East too, is the importance of working with local partners that are embedded in local communities and structures, understand the importance and means to facilitate processes, and are brave and committed in what they do. Commitment includes the ability and willingness to engage in advocacy related work where necessary, and thus to challenge power, since the way in which recruitment works will not be shifted by other means.

*Middle East*

❖ *Abolition of the kafala system.*

*“The importance of thinking outside the box. Maybe we should just focus on the idea that the system should be dismantled rather than always just looking to reform it.”<sup>15</sup>*

We have been struck by how abusive labour practices remain in the Middle East.<sup>16</sup> The commodification of migrant domestic workers, and their treatment as mere chattels noted in the Evaluability Assessment of WIF2 is a cultural outlook and practice that persists. It originates largely in two practices, the fact that employers pay a recruitment fee, and that the migrant domestic workers under kafala practices have to live in. The fee provides employers with the sense of ownership. They have paid for an expensive commodity, now the commodity owes them. Having the employee live under the same roof reinforces this sense of ownership. Seeking reform of the system and more effective regulation of recruitment practices will not change this essential dynamic. What needs to change is the relationship between employer and employee so that it is reconstructed purely as a labour relation. Practice and culture have made it clear this will only happen outside the kafala relationship.

❖ *Obstructive political influence of recruitment agents.*

In a current context like Lebanon the existing kafala system serves neither the interests of employers and employees. So why does the system persist? As has been learned through the experience of Work in Freedom, the system persists because of the role of recruitment agents and the considerable political influence they leverage.

❖ *Promoting solidarity – Migrant and national domestic workers.*

The premise and potential contribution of a human security framework to WIF thinking has been introduced earlier. An initial discussion around the concept of solidarity was held with the Lebanon National Project Coordinator, and that this was insightful and productive provides a sense of the value the framework can serve. In Lebanon WIF is piloting a digital app targeted at national domestic workers/ carers, rather than migrant workers, in an imaginative pilot that is about the kind of bridge building between national (and Syrian) workers) and migrant workers that is necessary, to generate a wider cultural acceptance of domestic work being treated as a legitimate form of work. Although targeted at national workers, the app also provides a precedent for a mode of employing care workers that is wholly outside the kafala system.

❖ *Policy persistence and stamina.*

As noted, by the WIF Advisory Board, the current policy climate is bleak. ‘We note that WIF has undertaken some significant policy interventions, nevertheless. There have been significant changes in Jordan in relation to the domestic work regulation and in Nepal in relation to the partial removal of the ban on women emigrating to work’.<sup>17</sup> In Lebanon too, persistent pressure by the ILO has helped to prevent the new Minister of Labour instituting an entirely undesirable replacement SUC and go back to accepting more of what had been agreed earlier. This persistence of the WIF team, despite repeated rebuffs, and its foundation in a continuous process of relationship building and

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<sup>15</sup> Zeina Mezher, Inception discussion, 21 April 2022

<sup>16</sup> FAIRWAY MTE case studies.

<sup>17</sup> International Labour Organization, ‘Work in Freedom Programme (phase 2), Annual Report of the Advisory Board, December 2021



consolidation, is one of the more remarkable traits of the team, in spite of the snail pace of some of these reform processes. It is both a laudable achievement and lesson in managing the reform of migrant labour laws, policies and regulations in the Middle East.

❖ *The value of good research.*

An outstanding feature of WIF has been the quality of the research conducted. In particular, what has been of value is the specific studies conducted in order to throw a light on thorny problems identified.

❖ *The need to document and disseminate further and more widely.*

This echoes the last point made above by the WIF Advisory Board. The research, learning and experience of WIF is extremely rich, and in many ways represents the greatest value and contribution made by the programme. The lessons learned by WIF need to continue to be applied by the ILO, and other organisations that focus on migration issues

❖ *Adopting a programmatic approach and protecting the legacy of Work in Freedom.*

This is a broader lesson for the ILO with respect to its work on highly complex migration issues. WIF has shown the essentiality of a long and deep rooted approach. We have seen the journey the programme has undertaken, and it is highly impressive. But with FCDO funding due to end early in 2023, it is experience that the ILO cannot afford to lose. From a programme quality perspective, the ILO talks of having programmes but in practice has projects, in that each project has its own theory of change and results framework, but there are no overarching theories of change that connect these project based frameworks.

## **Recommendations**

The recommendations in this section include recommendations both for the remainder of this phase of the programme, as well as for the broader ILO.

1. *Adopting a programmatic approach and promoting the legacy of Work in Freedom.*

The evolution undertaken by the Work in Freedom programme during its 10 year life span has been quite remarkable. When then first EA was undertaken in 2014, the approaches that WIF was using in countries of origin were didactic, disempowering and ineffective.<sup>18</sup> Since then the programme has built new strategic partnerships with women's organisations in South Asia, changed completely its outlook and philosophy, and generated orientation approaches that are both empowering of women and expand their knowledge and possible options. Now what is necessary is to build a longer-term commitment to these ground-breaking approaches, turning them into models and deploying them in a 10-15 year programme framework to ramp up the scale of impact.

2. *Continue the twin track approach working with tripartite partners and progressive civil society organisations* that include migrant women and advance principles of women's empowerment and gender equality in the contexts in which WIF and the ILO operate.

3. *Seek forms of funding to sustain the pro-choice orientation and guidance approach developed for South Asia.*

With the budget cuts made to the funding of orientation work in Nepal and India over the last two years, the opportunity to increase the scale of the work and generate a greater return of investment for WIF has been lost. Some additional funding has been generated in Nepal, with other projects expanding pre-decision orientation training and the district centre located migrant resource centres, but more is required if the work is to be sustained and expanded for the longer term, and also in India and Bangladesh, with further local and regional government support.

- *Special strategy needed for the Workers Centre in Jordan*

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<sup>18</sup> Evaluability Assessment, Work in Freedom First Phase, 2014.

The current situation in Jordan is especially bleak, given the lack of official support for migrant worker right, and now even the threat to the existence of the Ministry of Labour itself. The only point of light in a bleak context from the perspective of garment migrant workers is the Al-Hasan Workers Centre. Currently the Workers Centre is providing almost the only place where workers can go to discuss and register complaints, since labour inspectors no longer fulfil this role with the advent of the Hemayeh platform. The recreational and training role the WC plays is also essential. It also should provide health facilities, now shut down too with the same antipathetic logic. For WIF, the WC is the only current entry point to protect migrant textile worker rights, and the future of the centre needs to be secured before the end of this phase. We recommend a marketing campaign, for instance around South Asian national days and to draw in embassies, CSOs, and potential donors. The recreational role the centre plays needs also amplifying, to gain more support for the centre's continuing functioning from garment factory owners themselves.

4. *Continue efforts to pilot new approaches in Lebanon.*

A strength of the approach in Lebanon has been the efforts to use research to identify potential opportunities for new initiatives that will advance migrant worker rights and then to seek a way of establishing a pilot to test the opportunity. One recent opportunity identified based on the rising demand for part time workers, and the fact that officially only Lebanese and Syrian women can meet such demand, has been through the agreement reached with the Ministry of Labour to pilot an app where potential employers could post requests and find care workers to meet their needs. This would require employers to agree to certain terms and conditions for employment, with the potential to link this to migrant worker conditions too. The MoL has now been pressured by WIF to agree to the pilot, and is why WIF should continue to seek to pilot such initiatives.

5. *Build on the solidarity principle in origin and destination contexts to promote human security (freedom from fear, freedom from want and freedom to live in dignity) of all domestic care and garment workers.*

The initiative referenced above is an example of the solidarity principle within a human security framework, in that it seeks to align the interests of national (and Syrian) domestic carers and migrant workers performing the same role in Lebanon. In the conceptual framework section of the main report, the importance of the solidarity principle is described, and together with that, that of Common Security (and inclusion) – that one group can typically only be secure if the groups with whom it is significantly connected are secure too. For migrant workers, to advance the solidarity principle there are three key requirements:

- Decommodification of MWs requires them to be seen as workers not migrants
- Seeking to unify initiatives for decent work across national and migrant workers in a sector
- (Re-)Integration of MWs into sending/ receiving communities

6. *Conduct an assessment of the effectiveness of the orientation work in communities of origin covered by WIF.*

An area of work that has been impressive for WIF is the agency focused work on orientation guidance for potential migrant workers in areas of origin, including the use of returnee migrant women to provide their experience. However, there is limited data on the efficacy of this work, and this is one survey we would recommend that is conducted by WIF to provide outcome indicator data. Our recommendation would be to work through the CSOs that have been conducting the work, and to use a participatory survey in keeping with the methodology itself.

7. *Retain ILO technical staff knowledge and experience.*

The collective experience of the WIF CTA and national programme coordinators has been noted in this evaluation. It is a sign of the overall quality of the WIF programme that it has gathered together and retained, a high calibre group of experienced professionals, who have now gained hugely valuable experience. Their collective persistence in the face of numerous obstacles, and their ability to maintain communications even with those whose attitudes and policies are in opposition to the aims of the programme is fundamental to the programme's effectiveness and considerable achievements. We would recommend extremely highly that the ILO seeks ways to retain all these staff if at all possible.

1. *Consolidate a summary of the top 20 lessons learned.*

Work in Freedom has produced lengthy glossaries of lessons learned, that are rich, full of detail, and very unlikely to be read by many people so extensive are they. The last three lessons learned documents covering the whole migration cycle are wonderful documents, and full of helpful guidance. We wonder however if WIF could not seek to distil all this documentation down to a set of 20 core 'must do' lessons learned during the programme's implementation. This will require a process of selection and synthesis that will be invaluable, allowing a set of core recommendations to be identified and presented. The lessons learned listed here are of course one attempt at a synthesis, but given the comprehensive and technical nature of WIF's own documentation, their own distillation will of immense value, and would be a widely read document.

- *Focus of final evaluation.*

The final evaluation will follow on shortly after the finalisation of this mid-term reporting. As such, the evaluation should be complementary and not repetitive. We would recommend that the evaluation focuses on assessing existing and generating new evidence around the Outcome indicators for the Results Framework. A second focus of any final evaluation should be the sustainability strategy for the programme. We have sought to highlight needs relating to that here, and there are just a few months to put more pieces into place regarding this. This should be a priority for the ILO itself, considering the quality of WIF's work, and the nature of its achievements thus far across its lifespan.

## **Conclusion**

Few programmes evolve as much and as effectively as Work in Freedom has done during its ten years of existence. In the series of good practices it has developed, WIF is an exemplar, adaptive learning programme. Many of these practices are unusual within the ILO, and as such it is vital that appropriate broader lessons are drawn from within the organisation, especially with respect to approaches for working with migrant workers. The agency centred approaches of WIF with women are challenging of patriarchal practices in sending and receiving communities but undertake this through forms of dialogue that can lead to sustained engagement.

Overall, Work in Freedom has pursued an approach to anti-trafficking work that rehumanises women migrant workers, and in this process of de-commodification lies the future seeds for reform. Despite the cuts to the community outreach work in South Asia in the last two years WIF has shown it is capable of consistently exceeding its outreach targets. With its programmatic work influenced by the topical research undertaken to explore migration contexts in countries of origin and destination, there is much the programme has been doing right. What is critical now is that ways continue to be found to build upon and expand this success.

## 1.0 OVERVIEW

Work in Freedom (WIF) is a ten-year development cooperation programme supported by the UK Foreign and Commonwealth Development Office (FCDO) that commenced in 2013. It has adopted an integrated and targeted approach to creating practices and multi-sectoral policy measures to reduce the susceptibility of women and girls to trafficking and forced labour in South Asian countries of origin (Bangladesh, India, and Nepal) and chosen destination countries (India, Jordan and Lebanon).

The main goal of the WIF Programme is to help reduce the vulnerability of women and girls to trafficking and forced labour along migration routes leading to the care sector (particularly domestic work) and the garment sector. By 2023, the Programme's second phase aimed to reach at least 350,000 women and girls directly at source and destination areas in designated countries.<sup>19</sup>

## 1.1 PROGRAMME AND CONTEXT

The programme targets specific, known trafficking routes, where women and girls from Bangladesh, India and Nepal are trafficked internally within South Asia, and to the Middle East (primarily Jordan and Lebanon with a limited focus on Oman and Kuwait removed following FCDO funding cuts from 2020). It takes a 'whole trafficking chain approach' (or migration cycle approach) by developing interventions and policy actions at source, recruitment and destination.

The overall scale of labour migration in the Middle East is immense. In 2019, according to the Population Division of the United Nations Department of Economic Affairs (UNDESA), there were 35 million international migrants in the Gulf Cooperation Council (GCC) countries, and Jordan and Lebanon, of whom 31% were women.<sup>20</sup> While the GCC states host only 14% of the world's migrant workers, this population comprised 41.45% of the total workforce in 2019, compared with the global average of 5%.<sup>21</sup>

Given this scale, the health, welfare and safety of migrant workers in the Middle East continues to be a subject of enormous importance, especially given the poor record of all these countries in protecting migrant worker rights with respect to legislation, regulation and practice. The core challenge remains the obduracy of the kafala system that ties all migrant workers to a single employer. Whilst there is more focus and attention on the system than at the outset of the WIF programme, reform processes remain stuttering and easily subject to reversals with changes in incumbent ministers of labour and senior government officials across the region.

As noted in the ToR, the Covid-19 pandemic has acted as a hammer blow for women's employment in both WIF countries of origin and destination. In the South Asia countries of origin job losses have been immense during the pandemic. More than one million garment workers in Bangladesh were fired or furloughed as a result of order cancellations and the failure of buyers to pay for these cancellations (Anner, 2020). That represented one quarter of the workforce in the sector. Women represent 60 per cent of the workforce.<sup>22</sup> In Bangladesh, 1.2 million domestic workers lost their jobs (National Domestic Women Workers Union, 2020) and in Nepal, according to a rapid assessment conducted by General Federation of Nepali Trade Unions (GEFONT), 85 per cent of Nepali domestic workers lost their jobs. In India, by August 2020, 121 million people, especially young adults, had lost their jobs.<sup>23</sup>

Yet even though more women in countries of origin are looking for potential migrant labour opportunities, jobs at destination have also sharply reduced. In Lebanon, which has been affected by

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<sup>19</sup> TOR

<sup>20</sup> <https://www.brookings.edu/blog/future-development/2020/09/17/pandemic-highlights-the-vulnerability-of-migrant-workers-in-the-middle-east/>

<sup>21</sup> <https://www.ilo.org/beirut/areasofwork/labour-migration/lang--en/index.htm#>

<sup>22</sup> Mustafizur Rahman & Md. Zafar Sadique & Estiaque Bari, 2016, [Advancing the Interests of Bangladesh's Migrant Workers: Issues of Financial Inclusion and Social Protection](#), Centre for Policy Dialogue (CPD) Working Paper No.112, Dhaka.

<sup>23</sup> Centre for Monitoring Indian Economy (CMIE), 2020.

an economic crisis in addition to the pandemic, huge numbers of domestic migrant workers have lost employment. The number of new and renewed work permits for migrant domestic workers fell from 207,757 in 2018 to just 65,825 in 2021, with most of the permits in 2020 and 2021 being renewals, as shown in the table below. This however excludes the numbers of workers that are now working part time or informally, employers having either ejected them or agreed to such a non-legal arrangement. With work having been scarce these numbers, although undocumented, are smaller than at the outset of the pandemic. In Jordan too, whilst the ToR also shows figures for a 42% fall in migrant domestic workers and 27% decrease in garment workers in 2020.<sup>24</sup>

**Table 1: Lebanon Migrant Domestic Worker Permits 2019-2021<sup>25</sup>**

	<b>Renewed 2021</b>	<b>First Time 2021</b>	<b>Total MDW 2021</b>	<b>Renewed 2020</b>	<b>First Time 2020</b>	<b>Total MDW 2020</b>	<b>Renewed 2019</b>	<b>First Time 2019</b>	<b>Total MDW 2019</b>
<b>Total</b>	<b>56,063</b>	<b>9,762</b>	<b>65,825</b>	<b>109,672</b>	<b>9,409</b>	<b>119,081</b>	<b>151,121</b>	<b>33,075</b>	<b>184,196</b>

This massive loss of jobs has depressed wages in both destination countries and countries of origin, as well as created additional risks and vulnerabilities for existing and potential migrant workers. The dangers in the migration process occur precisely because of the fragmentation of responsibilities amongst diverse stakeholders, and the lack of legal and contractual accountabilities across the board.

In destination countries, the trend towards working informally outside the kafala system grew during 2020, owing to the numbers of women migrants released from work, but who could not afford to return home yet, and were still desperate to find forms of employment, even if the risk of falling foul of labour and immigration authorities was higher. For them, at least the informality gave them greater chance of working for multiple clients and avoiding some of the risks of being unable to escape a particularly abusive employer.<sup>26</sup> However, it should also be noted that a further effect in contexts like Lebanon, has been to increase the burden on many wives and daughters working in poorer families who can no longer afford a domestic worker. More Lebanese and Syrian women are undertaking domestic and care work, and as such also experience the lack of labour rights in the sector. This creates an opportunity for seeking ways to bridge the perceptual gap between national and migrant workers

In this current setting, the role and function of the WIF 2 programme is a highly challenging one. Whilst it may be difficult for the programme to meet all its result targets, its role in holding the line at the minimum on some of these policy issues is vital, whilst at the same time making progress where possible to empower, protect and create opportunities for potential, existing or returnee women migrant workers. There are many complex challenges the programme faces at a time when the lives of many people have been shattered by the pandemic and associated economic consequences and are facing tough circumstances in seeking ways to reboot their lives. This goes for host communities in destination countries as well as the source communities in countries of origin. In this evaluation we will assess how Work in Freedom has performed in continuing to facilitate the innovative thinking and practices that are required around the dual subjects of migrant women's protection and empowerment in order to improve their rights and wellbeing.

The programme<sup>27</sup> aims to contribute to a sustained situation in which women and girls in South Asia and the Arab States are less exposed to human trafficking and forced labour in emerging sectors of migrant employment. The programme's overarching objectives are as follows:

- Women have greater ability to make their own decisions throughout the migration process in an enabling atmosphere for safe migration into decent work.

<sup>24</sup> WIF2, 2022, 'Call for Expressions of Interest for Independent Mid-Term Evaluation'.

<sup>25</sup> WIF2, January 2022, Based on Ministry of Labour Data

<sup>26</sup> Michael Drinkwater, Puja Roy and Gulnar Wakim, 2021, 'Work in Freedom 2 Evaluability Assessment'.

<sup>27</sup> A note on terminology. Although WIF is strictly a project, it is referred throughout this document as a programme. This is because it has operated for 10 years and functioned as a programme would over this lengthy period of time, taking a broad and holistic programmatic approach. This is discussed subsequently.

- Increased levels of collaboration, accountability, and respect among key actors along migration pathways in order to create an enabling environment for safe migration into decent work.
- Strengthened laws, policies, practices, and systems for social protection, safe labour migration, and decent work for women.

As such, the programme uses an approach that seeks to empower, rather than victimise, migrant women during the whole migration cycle. A holistic approach is taken to understanding forms of abuse and exploitation that occur during the migration process and to seeking both community and systems-based measures of addressing these. The programme attempts to understand root causes of issues, undertaking new research on knotty policy issues such as the Middle East kafala system that it aims to address. It has been creative and innovative in testing new approaches.<sup>28</sup>

## 2. EVALUATION BACKGROUND AND APPROACH

### 2.1 PURPOSES, SCOPE, AND CLIENTS

#### *Purposes*

The mid-term evaluation has two different purposes: accountability and learning. The main purpose of the MTE is **to review the programme's strategy and performance in the evolving national and regional context and to enhance learning within the programme.**

In addition, the MTE aims **to review the extent to which annual and cumulative targets planned in the log frame are attainable considering the 50% budget cuts in years 4 and 5 and other changing labour migration trends**, such as the COVID-19 crisis, falling wages and demand for migrant workers, and to gather information needed to evaluate the programme as recommended in the evaluability assessment and designed in the logical framework.

With WIF due to end after 10 years of programming at the end of March 2023, the MTE also focuses on the question of what overall has the programme achieved, what will be its impact, how sustainable are its core activities, and how should WIF's legacy be built upon?

#### *Scope*

The MTE of the WIF Programme was planned during the first quarter of 2022. The period under evaluation is from January 2018 until December 2021. The evaluation mainly covers the duration of the current phase of the Programme since its beginning and all targeted countries (Bangladesh, India, Nepal, Kuwait, Jordan and Lebanon). All outcomes of the programme will be evaluated, and all programme countries will be assessed as part of the desk review and in-depth analysis as well as meetings with programme stakeholders and beneficiaries (country visits/virtual engagements).

#### *Clients*

The clients of the evaluation include the ILO and FCDO, the donor. The evaluation is aimed at a wide range of potential readers. These include WIF itself, its partners, and other ILO projects and programmes that can benefit from the lengthy and insightful experience of the two phases of Work in Freedom. Externally, the evaluation is also intended for FCDO the donor, the WIF advisory group, and other organisations and researchers interested in issues of migration and anti-trafficking work between South Asia and the Middle East especially.

The evaluation itself began in April 2022, with the main field visits undertaken between May and July 2022. The report drafting has been through several iterations and has taken time owing to the range

<sup>28</sup> Discussion with Zeina Mezher, 21 April 2002

of specific requirements for it, including the Annexes. A specific briefing note on the Workers' Centre in Jordan was also prepared as a separate annex.

## 2.2 CRITERIA AND EVALUATION QUESTIONS

Specifically, as per the ToR, the MTE aims to:

- a) Examine the relevance and validity of the programme design and implementation strategy with the Evaluability Assessment as one of the key references;
- b) Determine the implementation efficiency of the programme and how it may have achieved value for money;
- c) Assess the extent to which the programme has achieved its outcomes and to identify the supporting factors and constraints that have led to this achievement or lack of achievement (by paying attention to other initiatives in South Asia funded by the same donor (DFID/UK FCDO) as well as by the ILO);
- d) Identify unintended changes at the policy (policy influence), institutional and beneficiaries' level, both positive and negative at outcome level, in addition to the expected results;
- e) Assess the relevance of the sustainability strategy, its progress and its potential for achievement, identifying the processes that are to be continued by stakeholders;
- f) Assess the programme's contribution to gender equality and non-discrimination;
- g) Provide recommendations to programme stakeholders to support the completion, expansion or further development of initiatives supported by the programme.

With regard to the OECD-ILO criteria, the following table lists the key questions that are addressed here in the Findings section, as taken from the ToR.

Criterion	Questions
Relevance	<ul style="list-style-type: none"> <li>• Examine whether the programme responded to the real needs of specific target groups in consideration of the different contexts in the countries covered. This should include intersecting dimensions such as class, caste, religion, sexuality, race and identity, which influence behaviours and change at all levels</li> <li>• Are the Programme initiatives aligned with national policies and priorities? What are the changes caused by the programme at the policy (policy influence), institutional and beneficiaries level, both positive and negative, expected and unexpected?</li> <li>• Assess whether and how the COVID-19 pandemic has affected the planned objectives and whether the programme was able to make adjustments to remain relevant.</li> <li>• Has the program made adjustments that directly address adverse impacts on women migrants in response to the COVID-19 pandemic?</li> <li>• Has the programme identified any other constraints or opportunities that need to be accommodated in the design in order to increase the impact and relevance of the programme?</li> </ul>
Validity of Design and Coherence	<ul style="list-style-type: none"> <li>• Are the programme's defined outputs and performance indicators with baselines and targets, realistic in contributing to the country programme outcomes (e.g., NPL105 and NPL828, BGD303, IND151, JOR103, LBN151 and LBN152) given the intervention logic, time and resources available?</li> <li>• To what extent are the programme's theory of change and its mechanisms, assumptions and counter-trends still relevant?</li> </ul>

Criterion	Questions
	<ul style="list-style-type: none"> <li>• Have the programme strategies addressed the different needs, roles, constraints, access to resources of the target groups, and to what extent do the programme strategies, within their overall scope, remain flexible and responsive to the emerging concerns of target groups, and the changing context in each of the countries covered by the programme?</li> <li>• To what extent do other interventions and policies support or undermine the WIF interventions, and vice versa?</li> <li>• Are there possible ways to maximize synergies and improve collaboration with new or existing actors? Has there been a duplication of efforts/resources?</li> <li>• Identify if there would be any other partnerships to consider.</li> </ul>
Effectiveness	<ul style="list-style-type: none"> <li>• Examine whether significant changes have been made related to the programme’s desired outcomes and the contributing and hindering factors for moving towards their achievement and whether the programme’s responses were appropriate and sufficient as mentioned in the Results Framework of the Evaluability Assessment conducted in January 2021.</li> <li>• Review and analyse whether the programme approaches are appropriate in achieving the immediate objectives of the programme?</li> <li>• To what extent has the programme increased the voice and representation among women workers in destination areas and enabled the provision of support services to workers? (Outcome 1.1)</li> <li>• What are the programme’s contributions to new or revised legal or policy initiatives that protect the rights of women migrant workers?</li> <li>• Examine how the programme’s approach to anti-trafficking and migration issues differ or resemble those of other projects/ programmes and how these programme approaches may be affecting results (e.g. on sustainability and empowerment).</li> <li>• Examine the systems, networks, processes that are in place towards influencing laws, policies, and allocation of resources.</li> <li>• How is the programme keeping track of fluid policy environments to remain effective? What is the programme’s extent and means of promoting an enabling environment to reduce vulnerability to forced labour and trafficking of women and girls in the target areas, taking into account the contribution of relevant factors and developments in national processes, including the contribution of different stakeholders?</li> </ul>
Efficiency	<ul style="list-style-type: none"> <li>• Examine delivery of programme outputs in terms of quality and quantity as planned in the programme document. Have they been delivered in a timely manner?</li> <li>• Were the right resources chosen to deliver outputs and expected quality? Has programme management and staffing to implement and monitor the programme been adequate?</li> <li>• Is the programme adequately resourced to enable the achievement of desired outcomes?</li> <li>• Review and comment on the relevance, reliability and robustness of data sources of the programme’s value for money indicators. How did the programme achieve (or not achieve) value for money?</li> </ul>



Criterion	Questions
	<ul style="list-style-type: none"> <li>• To what extent has the programme leveraged resources with other projects/ programmes, and through partnerships with other organizations/networks, to enhance the programme’s impact and efficiency?</li> </ul>
Gender and Non-Discrimination	<ul style="list-style-type: none"> <li>• To what extent has the programme enhanced the empowerment process of work-age women and girls during the life of the programme, and what interventions had effects on gender and power relations? What multiplier effects can be identified? How have policy measures, related to the programme or not, affected the empowerment process?</li> <li>• To what extent has the programme improved targeting the most vulnerable women migrant workers both in origin communities and destinations (in terms of targeting the group, presenting alternatives to migration)</li> </ul>
Sustainability	<ul style="list-style-type: none"> <li>• Determine the potential to sustain the outcomes of the programme beyond its life and what measures are needed to ensure this.</li> <li>• Where should the ILO focus its interventions in order to achieve sustainable impacts in women’s empowerment in the future and to improve decent work and living conditions in destination areas?</li> <li>• Assess to what extent the practical tools developed by the programme (e.g. Worker Centres, policy briefs, training materials) are likely to produce a direct impact if their use is extensively promoted, or even better enforced. (Outcome 3.3)</li> </ul>
Impact	<ul style="list-style-type: none"> <li>• Assess the role and contribution of the programme to the development and strategies of targeted governments in reducing vulnerability to forced labour and trafficking; as well as to the FCDO, UK and ILO strategic priorities, such as addressing other fundamental principles and rights at work and the modern slavery agenda of the UK Government.</li> <li>• Has the programme management and programme strategy for each output steered towards impact and sustainability?</li> <li>• Review and provide clear accounts of WIF’s achieved impacts/results (e.g. how have WIF policy interventions led to shifts towards better policy outcomes, including changes in laws and regulation, or change in institutional and organizational capacity, improved collaboration and relationships, etc.)? To what extent does the programme contribute to reduced forced labour and labour trafficking (programme goal)?</li> </ul>

### 3. CONCEPTUAL FRAMEWORK AND THEORY OF CHANGE

The conceptual framework outlined below is intended as a tool to help assess progress and contribute to synthetic thinking during the MTE, and the generation of additional ideas. We do not intend to lead with the framework, since the primary focus will be on WIF 2’s theory of change and results framework, but it will help us frame ways of approaching and thinking about the programme’s work.

#### *Conceptual Framework*

A topic we have given thought to is how we might add to the methodology we used during the Evaluability Assessment (EA) so as to provide an additional dimension to our work. What we propose is a multi-layered approach that seeks to open space to explore at least two big issues. The first is the effects of the Covid-19 pandemic, in terms of aggravating poverty and inequality amongst host communities, especially in Lebanon and Jordan, and in origin communities in South Asia. The second issue is how to break open some of the institutional impasses that exist in the Middle East with regard

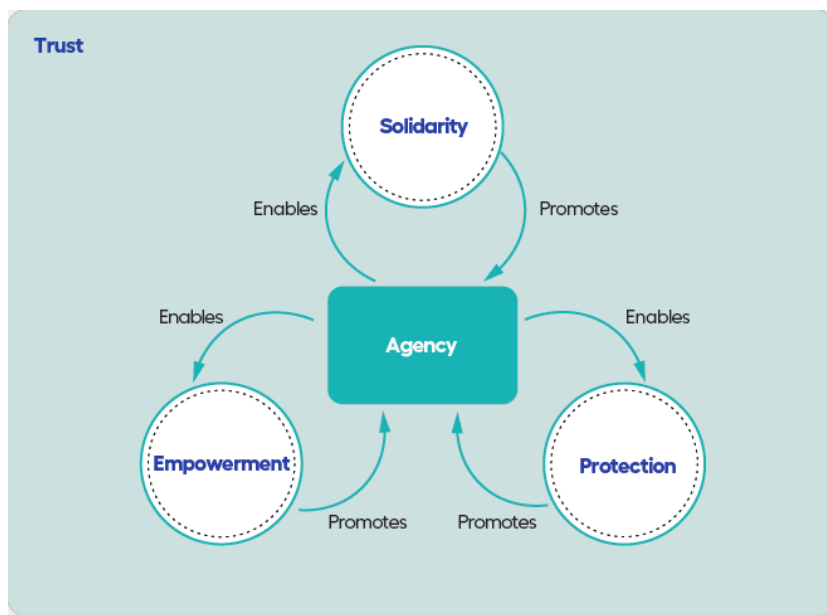
to legal and regulatory frameworks for migrant workers within the confines of the kafala system, as well as in terms of bilateral relations between South Asian countries and the Middle East, and the effects of patriarchal social structures in both regions. We wish to emphasise that this framework is intended to support us in fulfilling the requirements of the MTE, not take us away from the primary aims of the evaluation.

First of all, we are employing an overarching human security approach. This is a framework which the UN has been promoting as a way of transcending some of the current limitations of concepts around addressing risks, vulnerabilities, exclusion, and rights failures, especially at the institutional level. ‘Grounded in realities of everyday life, human security recognizes three freedoms — freedom from fear, freedom from want and freedom to live in dignity — to be fundamental to people’s lives and aspirations.’<sup>29</sup> The approach focused initially on two core dimensions – Protection + Empowerment<sup>30</sup> – which are both central to the objectives of WIF2.

In a recent 2022 UNDP special report on this approach, two additional dimensions have been added, those of Agency and Solidarity, as depicted in the diagram, with agency playing a central enabling role. Both these dimensions are also important for Work in Freedom. The ability of potential, existing and returnee migrant domestic workers to make choices, is Outcome 1, and thus already incorporates the concept of agency. However, the concept needs to be seen more broadly. To address the knotty problem of kafala, in particular, work in the Middle East will need to be more inclusive than only focusing on migrant workers.

In addition, the concept of solidarity as a *necessary* condition for our human security, stresses the interdependence of us all. In contexts where migrant workers have been seen as divorced commodities, this is a somewhat different perspective to that governments have been applying. Shifting this perspective is thus a core challenge for WIF, especially in the Middle East.

**Figure 1: Enriching human security for the Anthropocene**



Source: Human Report Development Office<sup>31</sup>

To amplify this a little further, one function of a human security approach is as ‘policy orientation and philosophy’. This includes a series of principles relevant to the current economic and social risks and

<sup>29</sup> Gabriele Koehler et al, 2012, ‘Human Security and the Next Generation of Comprehensive Human Development Goals’, IDS, UK/ ISS, the Netherlands.

<sup>30</sup> United Nations Trust Fund for Human Security, 2021, ‘Leave No One Behind: Harnessing lessons learned from implementing the human security approach’.

<sup>31</sup> UNDP Special Report, 2022, ‘New Threats to Human Security in the Anthropocene: Demanding Greater Solidarity’.

vulnerabilities experienced by potential, current and returnee women migrants both in countries of origin and destination, and during transition.<sup>32</sup>

1. *Principles of precaution and prevention*, especially to support the most vulnerable, and as a way of addressing the risks they face. The idea of precaution can be looked at for instance in respect to the approaches used to provide guidance in sending communities that the programme has already adopted, and how improved forms of protection could be provided to migrant workers working informally in the Middle East outside the formal constraints of the kafala system.

2. *Attention to both empowerment and protection; promotion of resilience*. Protection and empowerment for women migrant workers are both important elements of the WIF programme, but the challenges to achieving them remain significant, especially where the rising informality in the way that women migrant workers are working removes even the minimum protections the kafala system offers. If host governments reduce the limited legal protections even further, as for instance is contained in the latest ministerial draft of the Standard Unified Contract (SUC) in Lebanon, then this will push even more women to seek to work informally and escape the confines of the kafala restrictions but with the resulting escalation in risk and vulnerability.

3. *The principle of Common Security* – that one group can typically only be secure if the groups with whom it is significantly connected are secure too; and the sister principle of the centrality of Public Goods—local, national, regional and global. This principle of *inclusion* we see being of paramount importance, especially when previous host communities for domestic migrant workers have become poor themselves, e.g., through the economic crisis and falling value of the Lebanese lira. Until now migration work has focused only on the migrants themselves, but when host governments have turned attention from migrant protections to protections for their own citizens, there is a strong policy rationale for looking at both migrant and national workers in a more collective sense. Already WIF 2 has enhanced its focus on employment creation strategies in countries of origin to increase options for potential or returnee migrant workers and this is a similar strategy of inclusion.

This both/and dimension, inclusive of migrant and national workers, contrasts with existing policy perspectives on the kafala system whereby it tends to be viewed through an either/ or lens – either you do away with or ease restrictions within the kafala system in order to advance the rights of migrant workers, or you maintain and strengthen it to protect the situations of employers. Yet as was discussed during the Evaluability Assessment, the kafala system serves employers for the most part as badly as it does employees.<sup>33</sup> The political dimension of policy making can make it hard to shift this thinking, but a purpose of the programme is to continue to seek ways to achieve this.

In line with the learning objective of the MTE we see this as an opportunity to test and explore the utility of this framework to support the WIF programme both with the mid-term review of its current progress and with ideas to address some of the current challenges the programme faces.

The human security framework also allows us to incorporate a gender transformative approach, with some of the key elements of that being included above. For instance, the Oxfam gender transformative framework,<sup>34</sup> illustrated emphasises four components: women's access to resources (and forms of protection can be included in this); formal institutions, laws and practices, cultural norms, values, practices, and women's and men's consciousness. These elements also co-exist on two axes, one from individual to systemic change and the other from formal to informal change.

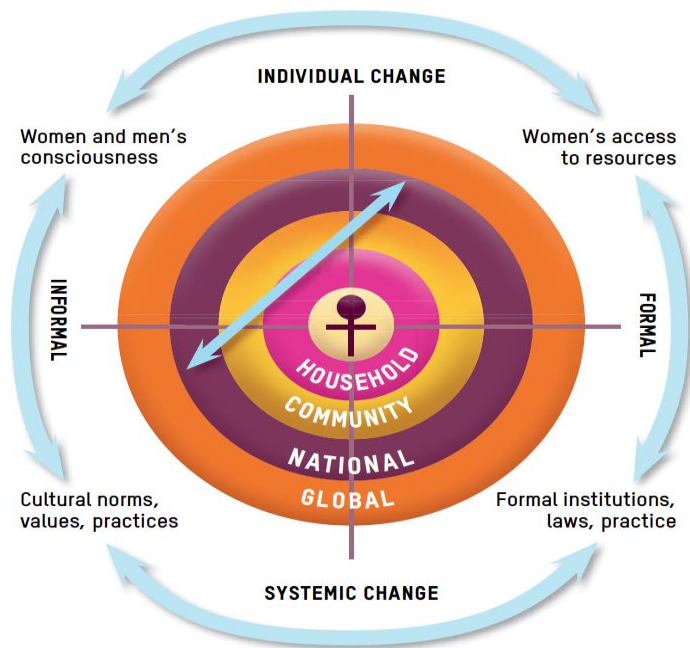
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<sup>32</sup> Oscar Gomez and Des Gasper, 2021, 'The position of crises in human development processes and thinking Using the human security perspective in an era of transitions', Final report to Human Development Report Office, UNDP

<sup>33</sup> Michael Drinkwater, Puja Roy and Gulnar Wakim, 2021, 'Work in Freedom 2 Evaluability Assessment'.

<sup>34</sup> The ILO has a 2018-21 Action Plan for Gender Equality, but this lacks an easy to use heuristic device like this framework to grasp quickly and holistically the key elements of the framework.

Figure 2: Integral framework<sup>35</sup>



This framework is normally used within women's empowerment project settings. Within the context of a migration programme its value is that it helps to show that a **policy and regulatory focused approach** in itself is likely to have a limited chance for success in social environments where migrant workers are still treated in an exclusionary manner and their humanity is still frequently denied. Indeed in a presentation on 'Human Security as if gender mattered', Goetz notes that owing to their insecurity in private spaces, the fact that women are still often treated as less than human, and the invisibility of care and domestic work means that 'human security from a feminist perspective

requires a revolution in human relationships'.<sup>36</sup>

**Theory of Change**

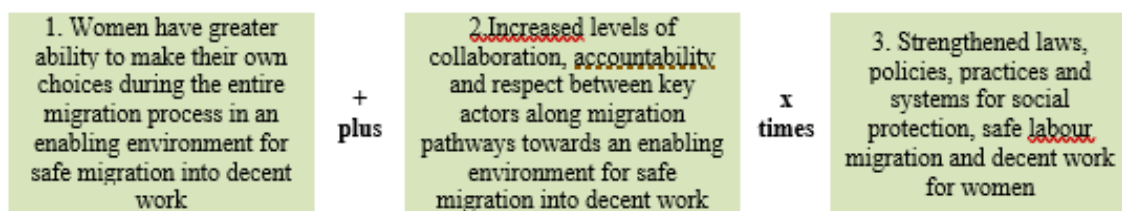
This human security + gender transformation framework is reflected in the three outcome areas for WIF2 as shown below. Written concisely these are about:

$$\begin{aligned}
 & \text{Women's agency and choices} + \text{Transformed relationships and accountabilities} \\
 & \times \text{Strengthened laws, policies, practices and support institutions}
 \end{aligned}$$

The framework will help us in our review of the programme's progress with respect to these outcome areas, which is essentially the crux of the MTE.

Figure 3: Work In Freedom 2 Outcome Areas<sup>37</sup>

outcome level



**Cross-cutting issues/Issues of special interest to the ILO**

The ToR for the MTE in addition highlights a series of cross-cutting issues to be taken into account. They are referenced here, since they all align with the elements of the conceptual framework we have outlined above.

<sup>35</sup> Oxfam Canada, 2013, 'The Power of Gender-Just Organisations Toolkit: Annex 3 – The Integral Framework'.

<sup>36</sup> Anne-Marie Goetz, 2021, 'Human Security as if Gender Mattered', Contribution to Session 4, Human Development Report Office, A New Generation of Human Security online event.

<sup>37</sup> Annex D, WF2, 2022, 'Call for Expressions of Interest for Independent Mid-Term Evaluation'.

### ***International Labour Standards (ILS)***

The degree to which intervention activities, outputs, and objectives are consistent with prescriptions in relevant normative instruments where they have been formally embraced through ratification or expressions of endorsement by stakeholders.

#### **Social dialogue**

To what extent has the program further enhanced the social dialogue among the constituents and partners in each of the programme countries and at regional level (in order to advance the principle of common security)?

#### **Gender and non-discrimination**

- To what extent has the programme improved the empowerment process of work-age women and girls during the life of the programme, and what interventions had effects on gender and power relations? What multiplier effects can be identified? How have policy measures, related to the programme or not, affected the empowerment process?
- To what extent has the programme improved targeting the most vulnerable women migrant workers both in origin communities and destinations?

#### **Lessons learned**

- What could have been different, and should be avoided in similar future programmes/projects?
- Identify potential good practices and models of intervention that could inform future migration/human trafficking labour programmes, especially those that the national partners could incorporate into national policy and implementation.

In addition, we would wish to understand how learning is taking place in the programme itself.

## **4. METHODOLOGY**

Our proposed methodology for this evaluation has two components to it.

- 1) A set of methodological principles that underpin the way we shall work. These are important to us and inbuilt into the methodology and activity sequencing.
- 2) An iterative, phased methodology, as encapsulated in the outline work plan.

### ***Methodological Principles***

Our evaluation has utilised an ***appreciative enquiry*** approach. We recognise the complexity of the issues and challenges involved and have focused on learning what is working well with regards to the programme and how this experience can be built upon. We have also sought to identify the most critical challenges being faced and ways in which the programme is trying to address these that also build on the strengths of WIF.

We have also utilised a ***participatory methodology***, involving programme staff and partners as fully as possible in the MTE and seek to ensure that their views and experiences are represented well in the final report. It is this team that has the main experience of the programme and thus we see the evaluation as an opportunity to draw out and represent their own learning and perspectives to date.

As part of this approach, we have drawn upon principles of ***triangulation***, using both alternative methods to check and validate information and triangulating information amongst the different staff and actors with whom we have engaged.

Our methodology has also been ***iterative*** in the sense that we sought to draw out some of the main challenges and lessons during the inception phase, in order to discuss these further in more detail during the analytical stage. These issues also served as areas of focus during the fieldwork stage. We

sought to elicit responses and ideas from staff that have allow us to make recommendations that have already been discussed with and received input from staff. Our intent has been that the final set of recommendations incorporates the maximum amount of input as per the process.

It is an important part of our operating principles to be **gender sensitive and transformative** in all we do. The previous EAs we have conducted for the Work in Freedom (WIF) programme have largely focused on women's migration to the Middle East so we are aware of the additional vulnerabilities they face especially around GBV, but also often working conditions that greatly restrict their freedom. Men too are exploited particularly in Gulf countries; the kafala system and its tying of workers to a particular employer renders all migrants vulnerable. There have been attempts to reform the system in the Middle East, but accompanying change is slow paced. In looking to understand the role of WIF in promoting legal and policy reforms we shall analyse the gendered dimensions of this.

We have made the methodology as **data driven** as possible. On a subject as sensitive as the welfare, wellbeing and rights of women and men migrant workers in the Middle East, there are a range of conflicting views and interests. This can create a sensitivity around actual data, especially that depicting the vulnerabilities and rights failures experienced by workers. As such, we have sought to understand the data generated and used by the programme and explored other sources of data regarding migrant workers' lives and situations in sending and receiving communities, as well as with respect to migration pathways.

### **Analytical Methods**

The methodology incorporated a desk literature review, some field visits with the easing of the Covid-19 situation, and key informant interviews, both in person and online. Field visits were undertaken in India to Delhi and Chennai, Bangladesh, Jordan and Lebanon. Only Nepal was not visited, owing to programme work not being funded there the last two years. Some focus group discussions (FGDs) were held with returnee and potential migrants, most notably in the Workers Centre in Al-Hasan industrial zone in Jordan, but also in India.

*Literature and Data Review.* At the outset of the MTE available recent programme documentation was reviewed to update our understanding of how the WIF programme has progressed since the EA. Our aim was to understand how the programme has continued to respond to the Covid-19 pandemic, as well as to the budget cuts over the last two years, and how these have affected activities and progress made. In addition, the research contribution undertaken to date by IFPRI as well as other independent researchers, has been assessed, especially in respect of insights provided into the current dynamics related to migrant workers at different points of the migration cycle and their relationships with their *kafeels* and peers in destination countries, and with agents and local communities in source countries. Altogether, a wide ranging literature review was conducted, of WIF annual reports, the large number of special research studies commissioned and conducted by the programme, online news and journal articles, and other briefing documents.

*Key Informant Interviews.* The majority of KIIs conducted were those with all the main actors identified by WIF programme staff as being important to interview as part of the MTE. This list provided by each country NPC was added to by those we felt were necessary to triangulate the perspectives, understandings and experiences we were gathering. Most interviews were conducted in person during the country visits, in India and Bangladesh by the national consultant, and in Jordan and Lebanon by the team leader and national consultant, who conducted the field visits together. The Nepal KIIs were conducted remotely by the team leader. He also conducted supplementary interviews online for triangulation and additional data gathering purposes.

Once the initial analysis and field visits were undertaken a few follow up KIIs were also conducted, largely with programme staff, to obtain more detailed information on key issues, but also to test ideas and recommendations with them, and to obtain their own views on these.

**Table 2: Numbers of KIIs and Types of Informants**

	India		Bangladesh		Nepal		Lebanon		Jordan		Totals	
	F	M	F	M	F	M	F	M	F	M	F	M
Total KIIs	12	0	11	3	9	0	7	7	10	4	49	14
ILO Staff	2		1		4		2	4	3	1	11	6
TUs	4						0	1	1	1	5	2
Employers							0	1			0	1
CSOs	6		9	2	4		4	1	4	1	27	3
Other (incl Govt)			1	1	1		1		2	1	5	2
FGDs	3		3						3		9	

*Note:* With some programme staff more than one KII has been held

*Focus Group Discussions.* These were limited in nature, with the most important being three that were held during a one day visit to the Al-Hasan industrial zone in Jordan, since this was the only opportunity to obtain the views of garment factory workers during the MTE. Discussions were also held with returnee or existing migrant workers as part of meetings in India, Bangladesh and Lebanon.

*Country findings review.* A key part of the findings section reviews progress made across the three main outcome indicators by country. This is an important part of the findings, since it also provides an opportunity to review key challenges and context issues by country, and how strategies have varied across the destination and origin countries, including with respect to the Covid-19 pandemic and the 50% budget cuts of the last two years.

*OECD Criteria synthesis review.* The final part of the findings section reviews the set of OECD-DAC plus additional ILO cross-cutting criteria and associated questions provided in the ToR. A synthesis matrix then includes a colour coded summary to indicate the programme's current level of achievement for each of the criteria, with justification and evidence provided for the rankings. This section draws from the country findings analysis.

### **Methodological Limitations**

Adjustments to the methodology had to be made owing to the untimely ill health of one of our South Asian team members. As a result the team member assigned to cover Bangladesh, based in Kolkata, also covered India, whilst the team leader covered Nepal, through online interviews. Short field visits were undertaken as planned in both India (Delhi and Chennai) and Bangladesh, and also in Jordan and Lebanon.

Additional limitations relate to the scope of the interviews. A limited number of government officials have been interviewed, chiefly owing to their limited direct involvement – much of WIF's work with government has been of a more advocacy related nature. There have also been limited interviews with employers too.

## **5. FINDINGS BY REGION AND OUTCOME**

This section covers South Asia and the Middle East in turn. Elements of these summaries still need completion.

### **5.1 SOUTH ASIA**



This covers Bangladesh and Nepal as countries of origin, and India as a country of origin and destination. States covered in India by the programme include Chhattisgarh, Jharkhand and Orissa as states of origin, and Delhi and Tamil Nadu as destination states. In Nepal the focus was on states in eastern and mid-west Nepal, from which extensive migration has taken place.

## REGIONAL CHALLENGES

The work in sending communities across South Asia was affected by the Covid-19 pandemic and the 50% FCDO budget cuts applied in the last two years of Work in Freedom. This resulted in the curtailment of the outreach orientation activities conducted with potential migrants. Substantive challenges that WIF has taken on include:

- Improving MW voice in domestic TUs, with focus on their empowerment and rights.
- Shifting attitudes and securing policy and resource support in government at different levels.
- Trending policy focus on reintegration of migrant workers in countries of origin without considering scalable levels of local employment. The Covid-19 pandemic and the movement and labour restrictions impeded the programme from conducting outreach activities during specific periods.
- The combination of agrarian distress, limited decent work options and patriarchal stereotypes about women's mobility and work, continue to generate environments of vulnerability.
- Adverse policy environments in relation to migrant workers: In spite of significant cross-national variance, States across the region are either rolling back protections that were supposed to guarantee equal rights between migrants and non-migrants or developing protections that further undermine women's agency to seek better livelihoods (e.g. anti-trafficking policy initiatives).
- Institutional tendency for regulators of recruitment to gloss over decent work outcomes. Policy initiatives to regulate recruitment tend to advocate for command and control forms of regulation as if recruitment to domestic or garment work could be regularised and formalised simply by holding labour recruiters accountable. As long as working conditions do not improve, any type of recruitment however well intended cannot ensure a decent work outcome.
- Difficulties in enabling freedom of association (FoA) and collective bargaining (CB): Even in contexts where FoA and CB are not banned, in practice they remain a distant reality for the significant majority of migrant domestic and garment workers – especially, but not limited to, live-in domestic workers and hostel residing garment workers.
- Shrinking policy space to seriously address factors of exclusion: In most countries of origin where migration is often related to exclusion from development efforts and countries of destination that tacitly accept the hierarchisation and retrenchment of rights (depending on migrant's gender, origin, caste, ethnicity or age), the space for rights-based policies and affirmative action of a structural nature is shrinking. Ratification of C189 is important.
- Ability to focus on the positive effects of migration on women workers. However, this is not to gloss over the injustice, violence and discrimination women face at different stages of the migration process.
- Promote and secure rights of women workers, especially domestic workers and garment workers, so that they get decent work both at home and abroad.
- States need to focus on job creation for women in their own countries so that migration is an active choice for women and not the only option.

### 5.1.1 INDIA



Perhaps one of the most important principles underpinning WIF's work in South Asia is inclusion and

"It is important to acknowledge that ILO, through Work in Freedom (WIF), has always stood for the most vulnerable and marginalized women."

*Neha Wadhawan, National Project Coordinator, WIF India*

promoting the rights of the most vulnerable women migrants and workers, at all stages of the migration and labour process.<sup>38</sup> Other significant features of the WIF programme include the importance given to collectivization and unionization as a strategy in giving space and voice to women migrants; advocacy in strengthening policies and conducting research which enables stronger advocacy and learning. WIF, in its second phase, has a comprehensive and multi-layered framework that attempts to take into account the complexities of the issue of women's right to safe migration and decent work, while positioning trafficking as a violation of that right.

## CHALLENGES

- Funding cuts to WIF meant that some of the work at the community level was phased out or scaled down eg for Child in Need Institute (CINI), Samarthan, Self-Employed Women's Association (SEWA).
- Stringent labour codes by the government affected domestic workers' rights adversely and increased vulnerability.
- While increased unionization in terms of numbers seems positive, empowerment and leadership of workers has to be further strengthened.
- Complexities of the context: Working with a diverse set of communities and people from different backgrounds requires various approaches and an in-depth socio-economic analysis.
- Understanding shifts in migration patterns during and after the pandemic; during the pandemic, there was a demand for live-in domestic help, now part time workers are in demand; distress migration, reverse migration. Workers from abroad who were repatriated hadn't received their wages. Domestic workers were free to travel but there is a two year lock-in period which deterred many from travelling.
- There is no data regarding number of women working abroad as domestic workers.

## FINDINGS BY OUTCOME

### Outcome 1: Women have greater ability to make their own choices during the entire migration process

Under this outcome of strengthening women's empowerment, ILO worked with GAATW (Global Alliance Against the Trafficking of Women), to strengthen the leadership, knowledge and decision-making power of women workers and migrants, mainly in Eastern India. The main interventions were training sessions with women workers on skill building, information sharing and awareness raising; community level leadership building of women and local level advocacy initiatives.

WIF has worked with unions and collectives of women workers in South India - National Workers Welfare Trust (NWWT), Garment and Fashion Workers Union (GAFWU), Penn Thozhilalargal Sangam Union (PTS), SEWA and Jharkhand General Kamgar Union (JGKU) in Jharkhand and National Alliance of Women's Organisations (NAWO) in Orissa. These unions intervene through awareness raising activities on migrant and women workers' rights, gender-based violence, information dissemination and knowledge building on available government livelihood and other schemes (including E-shram), and how to access and avail them. The unions focus on improving the collective bargaining skills of

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<sup>38</sup> Discussion with Neha Wadhawan, April 2022

women workers for better working conditions and wages, among domestic and garment workers. These unions engage with both workers who migrate internally and those who migrate overseas.

Many scheduled activities could not be conducted during the pandemic so budgets were repurposed to meet urgent needs. Workers and their families were given safety kits. Organisations, unions and their members were also trained in using technology and many were given Zoom accounts so that they could conduct meetings and also remain in touch to deal with crises. Domestic workers have been provided training in digital literacy and digital financial literacy.

“We should be able to carry ourselves with self-respect. The union should support this. There are problems everyday – disrespect, shouting. We can’t talk about all this at home. They will say change jobs. That doesn’t solve problems. From the union we ask for change”.<sup>39</sup>

By the end of 2021, WIF phased out of or scaled down work with many community-based NGOs, due to fund restrictions and focused a lot more on unions and advocacy/ policy work.

## **Outcome 2: Increased levels of collaboration, accountability and respect between key actors along migration pathways**

In India, there has been a discernible rise in the number of union members among women, including migrant workers. During the pandemic, there was a lot of mobilization around safety and workers’ rights issues and violence against women and girls (VAWG). SEWA (Self-Employed Women’s Association) and GAATW (the **Global Alliance Against Traffic in Women**) developed manuals to advocate workers’ rights, and to address violations of these rights, which include areas that are not necessarily linked only to sexual violations. These manuals are being used by unions and groups to advocate workers’ rights.

WIF participated in a few meetings with state recruitment agencies to discuss issues regarding negotiating MOUs, to sensitize officials on the need to reduce requirements for workers (the more requirements, the more problems), stronger contracts with workers, and to create an awareness that age bans do not work – adolescent girls over 14 are allowed to work, but under regulated conditions, and it is better to ensure their legal protection. ILO provided inputs to the federal anti-trafficking bill since, in its current state, it is in violation of several conventions and does not clearly address the prevention of trafficking.

WIF has a wide reach through partners present both in source and destination areas. This enabled partners to provide support to workers during the pandemic especially early in the lockdown when thousands of migrant workers were stranded in their workplaces, far away from home. The Jharkhand government had reached out to WIF asking for links to destination areas since a large number of workers from Jharkhand had to be brought home.

The WIF programme has supported not just individual organisations but networks as well. Through SEWA it facilitated the participation of the National Platform for Domestic Workers (NPDW) in a national meeting of TUs. Perhaps most remarkable is how WIF has looked to link systematically returnee migrant and other social workers implementing the programme, with other trade unions and women’s and migrant rights organisations and finally academics to bring forward knowledge to the Government and each other.

As such, WIF works with various stakeholders, including state governments (the Jharkhand government works closely with the WIF programme).

Several research studies have also been commissioned and supported by WIF. A survey was undertaken by the Indian Institute for Human Settlements (IIHS) on occupational hazards around the workplace from the workers’ perspective. Several other studies and research have been conducted by

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<sup>39</sup> A member of a garment workers’ union, Chennai, May 2022.

various organizations and individuals (READ in Tirrupur, Indrani Mazumdar on migration from Ganjam in Orissa, garment workers in Jharkhand working in Kerala.)

### **Outcome 3: Strengthened laws, policies, practices and systems for social protection, safe labour migration and decent work for women**

The work on the ground including research and publications by WIF has provided the basis for advocacy regarding the rights of women workers. IHS has done a study across 10,000 households about employer attitudes to domestic workers and needs of (employer) households. Praveena Kodoth conducted a study on the migration of women workers from South India to the Middle East. WIF has put in place research to facilitate a change in the discourse regarding migrant women workers from trafficking to decent work.

Strong organisations on the ground enable women workers to raise their voices. On January 16, 2022, 500 women domestic workers came together in Chennai under the aegis of Penn Thozhilalargal Sangam (PTS), the women's trade union in Tamil Nadu, to speak publicly about their demands on International Domestic Workers' Day. The local branches are working to create Residents' Welfare Association (RWA) based units of domestic workers' unions so that workers in one residential complex can gain rights uniformly. SEWA members in Delhi have been conducting the My Fair Home Campaign where they collect in front of residential complexes and engage with employers of domestic workers about the workers' demands and what makes a home a fair workplace for domestic workers.

SEWA engages with elected representatives at the municipal, state and national levels. In August 2021, there was a Round Table discussion with Opposition MPs on legislation for domestic workers, then in April 2022, another Round Table was organised with 13 MPs from the ruling party at the Centre. This is also a space for TUs and workers' organisations to raise the issue of the ratification of ILO's Domestic Workers Convention 189 (C189).

WIF has enabled Unions to discuss the issue of sexual harassment with women workers – garment workers, domestic workers and others. TUs don't traditionally see sexual harassment as a matter of labour rights. Some are also moving to begin campaigning for setting up Local Committees as prescribed in the law against sexual harassment.

### **FINDINGS SUMMARY**

- WIF has built strong and significant partnerships with trade unions, CBOs and NGOs, researchers and research organizations, and some government officials. Unions such as PTS and SEWA would not normally collaborate with NGOs linked to GAATW, since they have not previously dealt with anti-trafficking issues. Now they are not only cooperating within the context of WIF but also do so on their own outside the scope of the programme.<sup>40</sup> Partners in the field have been committed to the issue and have been a central factor in enabling change.
- Organizations and partners of WIF worked tirelessly during the pandemic to secure workers' rights. The AP Domestic Workers' union advocated better living and working conditions in the slums. In Jharkhand, Orissa and Chhattisgarh, organizations met virtually to discuss strategies in upholding workers' rights (through GAATW) allowing them to assist women from migrant communities once Covid-19 mobility restrictions were lifted.
- The pandemic created a stronger network of organizations working at the grassroots level. There was also an increased number of Union members (an increased number of members does not necessarily mean that the members were all empowered but a few strong leaders did emerge).
- There have been relevant and pertinent studies and research papers done by various organizations and individuals, seeking to better inform safe and rights-based migration for

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<sup>40</sup> Example provided by CTA on draft text, September 2022.

women. This includes GAATW and SEWA's infographic using comic strips: [Workbook, Narrative for Domestic Workers, 2020](#), which is available in several languages.<sup>41</sup>

- WIF has worked with the most vulnerable and marginalized and has stood for their rights. The programme emphasises grassroots organizing and increase in union membership
- Being a programme focused on women, it has taken a gender transformative approach and built a [large body of learning](#)<sup>42</sup> to understand women's rights in migration and enhance better and more effective programming.

### 5.1.2 NEPAL

Nepal ranks as a success story for Work in Freedom, even if budget cuts this year ended prematurely the community outreach activities. This curtailed a potential increase in the scale and scope of these activities, but has tested instead, earlier than intended, their potential sustainability without direct WIF resources. The initial results of this are encouraging. An opportunity was perhaps lost with respect to WIF being able to support the scale up of the work and demonstrate enhanced value for money, but. Nevertheless, WIF and its local CSO partners, as part of the Migration Group Nepal (MGN), have been working with the government to gain their support for this replication. Potentially this is a huge gain for the sustainability of key components of the women's empowerment and pro choice focused foundations of the programme.

This section examines the current status of the Nepal activities, and what has been achieved over the course of this phase of WIF.

#### CHALLENGES

- The pandemic created a lot of upheaval in people's lives and the programme's implementation. Community mobilization was more difficult during this period.
- Communities' social economic conditions worsened. There was also an increase in returnee migrants during the Covid-19 pandemic, quite often with their contract payments having not been fully paid, and thus they also need forms of social protection support and access to legal aid.
- Domestic workers in Nepal also lost their jobs.
- The 50% budget cuts to WIF in the final two years were sudden and it took time to adjust in year four. The work in the communities with WOREC, Pourakhi and ABC Nepal was discontinued, although these partners have worked very well with communities and sought in particular to keep engagement with LGUs.
- While the advocacy work in Nepal has been strong, there needs to be constant engagement with all stakeholders to sustain achievements and move forward towards greater progress. Community partners and social workers have been trying to stay involved with the work, but without funds cannot undertake the pre-decision orientation work directly. They are still part of the migrant network in Nepal and contribute to national advocacy work too.
- The pro-choice nature of WIF's work has been critical for women's empowerment, but the actual choices women have for earning an income remain limited. For this reason alone migration will continue to be a choice that is in demand.

#### FINDINGS (BY OUTCOME)

##### Outcome 1: Women have greater ability to make their own choices during the entire migration process

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<sup>41</sup> You could mention as an example GAATW and SEWA's infographic using comic strips: [Workbook, Narrative for Domestic Workers, 2020](#) (available in several languages).

<sup>42</sup> <https://workinginfreedom.wordpress.com/>

This has been an extremely effective set of interventions but conducted so far on a limited scale across five districts in eastern and mid-west region of Nepal. The three implementing local NGO networks have been WOREC Nepal, which works on a range of women's rights issues, Pourakhi an organisation that focuses solely on migrant women, their families and the whole migration cycle, and ABC (Agroforestry, Basic Health, and Cooperative) Nepal, which focuses on anti-trafficking and women and child rights issues.

All three have implemented a suite of similar activities. The work with communities since 2018, has always positioned migration as a choice for women, among other livelihood choices. Training programmes with women workers focus on their rights, choice and decision-making. Returnee migrant women have been engaged as community or social workers so their experience can be drawn upon to help other women make an informed decision and to enhance the authenticity of the training. Activities have included door-to-door visits, group discussions, school visits, and two day pre-decision making orientation training for women. This training covers the whole migration cycle and goes through the livelihood choices that women have, including government schemes, to enable them to explore alternate forms of work. Those who decided to travel would be given the appropriate training, with a focus on their right to choice and decision making.

These activities also raise and address the causes of migration, including early marriage and gender based violence, both in terms of community based VAW/G and that which occurs during the migration cycle. In this sense the starting point of all these activities is awareness raising and discussion of issues of gender inequality and patriarchy in communities, and hence women's rights and choices. Throughout aims are to make women (and men) more self-aware, and to return decision making around migration, or other economic choices, to the women themselves. Wider reporting of issues of women's abuse is also encouraged. The tailoring of the orientation and awareness raising discussions to local contexts and needs was a further strength of these activities.

As part of this work, these women's organisations also work with local government authorities, including judicial authorities to support the addressing of issues of violence against women as well as other severe rights abuses.

Efforts have been made to embed this work with local authorities where possible. As noted by the local NGO networks, the migrant women's networks in the areas of operation have become more capable with some strong leaders. To some extent they have been successful in accessing some funding from the local municipalities, for instance a small number of seed grants to help returnee migrant women start small businesses. The two day, pre-decision orientation sessions for potential migrant workers have also been incorporated within local government plans.<sup>43</sup>

Overall, sufficient women have benefited from the WIF programme to demonstrate the effectiveness of the approach, but ways need to be found now to expand the reach. Across the three NGOs by the end of year three, over 7,200 women (and some men) had benefited from the two day pre-decision training on women's mobility, work and access to local entitlements to enable them to make an informed choice on foreign employment.<sup>44</sup> In addition, as an example, Pourakhi supported 834 women with access to local entitlements (234), local employment and wage opportunities (72), training (327) and relief assistance. It should be noted that Pourakhi's budget for this work was just \$30,000.

The range of women's rights topics covered at community level is wider than might be expected. This is owing to the programme's commitment to addressing a range of gender equity and women's rights issues that affect their life options and ability to choose freely. Women's SHGs have been strengthened to protect against VAW and GBV amongst peers. Pourakhi and the other CSOs did 15 days empowerment training amongst social workers and mobilisers to become peer educators in their communities. The aim is to raise awareness of members against gender-based violence, and to

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<sup>43</sup> Written notes submitted by Manju Gurung, co-founder and strategic advisor, POURAKHI Nepal, July 2022.

<sup>44</sup> ILO Work in Freedom, Technical Cooperation Progress Report, Third Year, May 2021

empower women to claim their rights. Local service organisations that became part of the programme 'are acting against all forms of violence and cultural practices against women and girls that lead to abuse of rights and forms of violence'.<sup>45</sup> Members of local judicial committees have become more aware of women's and girls' rights and a series of capacity building trainings were conducted with different organisations to gain better recognition of domestic work and domestic worker rights.

Whilst sustainability remains a work in progress, most encouraging has been the strengthening of the migrant women's network involved, the continued dedication of the NGO networks supported by WIF, and the buy in of local government not only in the five districts that have been the focus of WIF's work in the eastern and mid-west regions of Nepal but now more widely too, as noted in the next outcome. There is now more reporting of incidents of all kinds of abuse, violence, harassment, and injustice that occur in the programme locations. Communities are involved with local advocacy initiatives with government officials at the local level and accessing ward level government funding.

## **Outcome 2: Increased levels of collaboration, accountability and respect between key actors along migration pathways**

The levels of collaboration between NGOs, WIF and local government in the areas of eastern and mid-west Nepal where WIF has been operational through its three local network partners, has been high. In particular LGUs have collaborated with WIF partners on the provision of the two day orientation training for potential migrant worker and for the establishment of migrant resource centre (MRC) desks in district administration offices,<sup>46</sup> to which all applicants for passports at district offices are referred, and dealing with a range of community issues affecting women, such as sexual harassment.

The extent of collaboration is demonstrated by the high levels of potential future sustainability for both these areas. The government Chief District Officers have taken ownership of the MRCs. The Safer Migration (SaMi), a bilateral initiative between the Government of Nepal and Government of Switzerland and supported technically by Helvetas<sup>47</sup> has taken over responsibility for the MRCs and extended them to cover 44 (of 75) districts in Nepal. With respect to the pre-decision orientation training this is also being extended to 13 districts through the USAID funded Hamro Samman project,<sup>48</sup> which has supported the Foreign Employment Board to develop the curriculum. The WIF NPC has been part of the curriculum design team for this, and the WIF curriculum with its focus on women's agency and decision making has served as a basis for the design.<sup>49</sup>

Advocacy events have also been organised with mayors and deputy mayors at local and national levels should be mentioned. The ILO together with a consultant conducted six two-day workshops on October-November 2019 with Municipal Assembly members of Morang, Rupandehi and Chitwan districts on integrating gender equality and decent work for women into local development processes. A total of 269 (122 women and 147 men) Municipal Council members including Mayors, Deputy Mayors, Ward Chairpersons, Ward representatives etc. participated in the workshops.<sup>50</sup>

ILO/ WIF collaborates with trade unions such as the General Federation of Nepalese Trade Unions (GEFONT), the Nepal Trade Union Congress (NTUC) and the All Nepal Trade Union Federation (ANTUF), under the umbrella of the International Trade Union Confederation–Nepal Affiliated Council (ITUC-NAC), to advocate for decent work for domestic workers.

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<sup>45</sup> Manju Gurung, Co-founder and Strategic Advisor, POURAKHI Nepal, KII, 6 July

<sup>46</sup> A recent regulation of the Government of Nepal has been to restrict the use of district offices by CSOs to run activities supported by the LGUs.

<sup>47</sup> <http://www.sami.org.np/about-us>

<sup>48</sup> <https://winrock.org/project/hamro-samman-partnerships-to-combat-human-trafficking-in-nepal/>

<sup>49</sup> Discussion with Sandhya Basini Sitoula, Nepal NPC, 31 October 2022

<sup>50</sup> Comment from NPC on draft report, August 2022.



Training was conducted on leadership, gender, and women's labour issues among electoral representatives of the municipal government.

During the pandemic, WIF organized webinars to help domestic workers get vaccinated. Conducted webinars with unions, placement agencies and domestic workers advocating for decent work for domestic workers.

### **Outcome 3: Strengthened laws, policies, practices and systems for social protection, safe labour migration and decent work for women**

The advocacy work conducted at different levels in Nepal to advance the rights of women migrant workers has been particularly strong. During 2022, the focus in Nepal has been primarily on advocacy, with the community work phased out by the end of 2021, due to the funding cuts that WIF has experienced. Pourakhi, WOREC and ABC Nepal have continued the work in their districts as best they can, with some government support. There has been an effort to seek sources of small-scale funding to keep community and district level activities going

One of the principal advocacy issues that WIF and the national migration network organisations have engaged with the Government of Nepal over is the ban on women being able to migrate to the Gulf for domestic work. Jordan had been one of the few countries for which this had been an exception, but for other countries, the Government had been insistent that it did not want Nepali women to be subject to the types of rights abuses commonly occurring in domestic work under the kafala system.

A political economy analysis was undertaken of how bans become policies and how to address them.<sup>51</sup>

However, the net outcome of this ban was that women simply went to India and migrated from there, but with a much greater risk of being exploited by recruitment agents and having no control over the recruitment process. Eventually, in 2020 the Parliamentary Committee involved was persuaded to lift the ban; however a set of seven pre-conditions were imposed instead, and these remain nearly as restrictive as the original ban. Still, as noted the government is beginning to change its language around migrant women, and in a highly patriarchal nation, this is a significant starting point.<sup>52</sup>

I know there has been many actors involved but the sustained work that WIF has done over eight years to build the understanding with our social partners and change the discourse putting women's agency in the forefront has been really important [for removing the ban on MW travel in 2020]. And doing the groundwork, raising the voice of women migrant workers and getting the returnees involved in the program, and shaping the discourse on women's mobility WIF has had a very significant impact. *Neha Choudhary, National Project Coordinator (NPC), Migrant Rights and Decent Work (MiRiDEW) Project, ILO Nepal*

Although much advocacy work remains to be done to persuade the government to moderate the policy further, so that Nepali women can safely travel from Nepal itself, which will allow their travel to be better monitored and protected than it is now, the change in policy and language does mark a breakthrough. It is also an outcome to which Work in Freedom has contributed to significantly, as noted by ILO's Senior Programme Officer in Nepal. Overall, there has been considerable collaboration in advocacy initiatives between WIF, researchers, CSOs, communities, and different levels of government.

<sup>51</sup> [A comprehensive analysis of policies and frameworks governing foreign employment for Nepali women migrant workers and migrant domestic workers. Exploring the migration policymaking process with a specific focus on bans and restrictions on foreign employ.](#) May 2021, ILO

<sup>52</sup> Neha Choudhary, Migrant Rights and Decent Work Programme Manager, ILO Nepal, Discussion, July 2022

The programme was taking initiatives to formulate gender policy, employment policy, and labour policy to ensure rights of women formally in coordination with LGUs but this more district level work was halted due to the discontinuing of the programme funding to CSO partners.<sup>53</sup>

## FINDINGS SUMMARY

- Over 7,200 aspirant MWs provided orientation training, with returnee migrant women included as social worker resource persons by the three partner CSOs involved.
- Women's forums and networks established for returnee MWs. Some of the returnee MWs were employed as social workers by the partner CSOs and a few now have become employed by LGUs for the same purpose.
- Local partners established door to door orientation, schools visited, guidance documents disseminated, and work on gender rights issues including VAWG.
- During the pandemic period all the partner CSOs worked very closely with local government units to reach out to women and vulnerable population and support them. Work on data keeping of migrants, returnees and internal labour force has been initiated in some of the locations with the help of WIF partners.
- 834+ participants benefited through successful referrals for different schemes (Pourakhi)
- Collaboration between CSO partners and LGUs to address women's and girls' rights issues and expand choice. This has resulted in the establishment of migrant resource centres in district administration offices, to which women are referred if they come to the centre to apply for a passport.
- Capacities of local CSOs, LGUs, local judicial authorities, all strengthened.
- Govt policy on WMWs to Gulf changed, but only first step with seven highly restrictive preconditions still to be met.
- Some LGU and other resources mobilised to support NGO partners, and the migration network with WIF/ ILO leadership highly active at national level. This has now resulted in an extension of the establishment of MRCs to 44 districts, and the pre-decision orientation training for women, emphasizing their right to choose, is now being extended to 13 districts.
- These are important achievements for the longer term sustainability of WIF's work in Nepal, but there remain issues about the limited range of actual choices that women have for income generating.

### 5.1.3 BANGLADESH

In its own internal presentation to the ILO Bangladesh early this year, the WIF programme noted that beyond the multiple crises that affected countries in the region (health, economic and political), the turn of the decade had been characterized by a few specific trends related to domestic and garment workers:

6. *Return migration and reduction of frequency of migration flows was temporarily noticed during the covid-19 restrictions.* More circuitous migration for those who were desperate.
6. *A drastic reduction of the workforce of both domestic and garment workers.* Non-regular, freelance and other daily wage workers were the most affected.

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<sup>53</sup> Written notes submitted by Manju Gurung, co-founder and strategic advisor, POURAKHI Nepal, July 2022.



6. *A significant rise of grievances such as unpaid women's work, unpaid wages, forced dismissals, unpaid overtime, forced immobilisation.*
6. *Policies characterised by (1) ad-hoc and symbolic relief measures for migrant workers, (2) trending focus on reintegration of migrant workers without scalable measures for local employment and (3) measures restricting their voice and representation.*

As a consequence, vulnerability to forced labour, the key parameter that the programme seeks to address, has unequivocally increased, making the programme more difficult and relevant.<sup>54</sup>

## FINDINGS (BY OUTCOME)

### Outcome 1: Women have greater ability to make their own choices during the entire migration process

**The programme provided continued support for women empowerment:** Up to June 2022 56,408 work-age women, girls and their family members were provided counselling on how to make informed migration decisions largely through WIF's Bangladesh partners, Ovibashi Karmi Unnayan Program (OKUP) and Kormojibi Nari. This included door-to-door visits, courtyard meetings, women-led sessions and sensitization meetings on how to make informed migration decisions. In addition, 14,946 work-age women and girls from the targeted communities participated in two-day orientation sessions. The discussions covered topics like women's mobility, work and access to basic services & entitlements especially employment options in locality and/or abroad.<sup>55</sup>

The non-conventional component of this work is the direct outreach and interaction between social workers and women considering paid employment and migration. This usually happens through door-to-door visits by social workers. During such interactions social workers listen to questions from the visited women and provide counselling and referral advice, connecting and facilitating their access to public or other services, providing advice on local paid employment options, alternative livelihood activities, and so on. Since there is a demand for women domestic workers in destination countries, women often feel pressured by their families to migrate for work. Added to this is the lack of employment opportunities at home. There is also the belief that working abroad will mean greater income. This type of activity is demanding as it requires that social workers spend individual time listening and counselling each woman, and also that they be able to follow up in facilitating referrals. During direct interactions, social workers are able to address questions and anxieties mentioned earlier. In order to ensure the buy-in of the community leaders and the men of these families, interventions usually include local meetings with them. In addition to this, special events are often organized around a specific theme, such as Women's Day, Migrant's Day, and so on.

Partner organisations emphasise the point that culturally women are expected to subsume their needs to those of the family. Therefore, questioning family directives require direct outreach, individual counselling and training. Understanding gender roles and expectations, as well as oppression within the family and outside is crucial if women workers have to stand up for their rights in the workplace.

During the trainings provided by WIF partners, women are told about the ways of the destination country. They are also told about securing their own future, distinct from that of their families. For example, trainers explain that women must have their individual bank accounts so that they can keep some of their earnings for themselves. They must not send all their earnings to their family.

Pre-decision orientation sessions (PDOS) are meant to affect the behaviours of aspiring migrant women by exposing them to information that can prepare them to make an informed choice about migration before they migrate. They take place in *para* (villages) or *basti* (slums). The key actor in these types of interventions is usually a social worker who lives in the same location or near the

<sup>54</sup> Work in Freedom, 'Update of the Programme for ILO Bangladesh: Period of 2020-21', 1 February 2022, ppt.

<sup>55</sup> Work in Freedom, 'Update of the Programme for ILO Bangladesh: Period of 2020-21', 1 February 2022, ppt.

women with whom they work. The social workers are either workers of an NGO, members of a local trade union, and/or extension agents of government schemes or services meant for local populations. Pre-decision orientation sessions are usually accompanied by community briefings meant to explain the purpose of PDOS to other members of the community and ensure that they do not feel left out. The Work in Freedom programme was among the first programmes to roll out this type of intervention; however, today such interventions are common among other anti-trafficking and safe-migration programmes.

Resource and facilitation centres (RFCs): These centres are usually established at the district or local block level in locations where migrants tend to converge in order to depart towards their labour destinations. They are often referred to as migrant resource centres. These centres are meant to be a “one-stop shop” where migrants can get comprehensive information and advice about migration and work. These institutions may be run by government departments, non-governmental organizations (NGOs), trade unions, or a combination of these. The quality of these centres can vary, but the Nepal model has proved one with value in emulating.

WIF partners- Karmajibi Nari and Bangladesh Nari Progati Sangha runs Women’s Cafes and *Narider Adda*, which are ‘women’s own spaces’. These centres allow women to come together and discuss issues amongst themselves on local employment, foreign employment, as well as other issues in their workplaces and households that need addressing to support their empowerment, including gender relations broadly. The support delivered through the centres are facilitated by social workers – who are available to provide guidance and support to women in seeking legal support, taking collective actions for addressing workplace issues, and finding linkages to local skills trainings or social security related services

## **Outcome 2: Increased levels of collaboration, accountability and respect between key actors along migration pathways**

Support for trade unions to reach out to migrant women workers and making returnee migrant women workers members and active participants and representatives of a union: They enrol interested members, provide orientation meant to strengthen members’ capacity to negotiate migrating to similar destinations, or collectives of women workers in specific or varying occupations.

Trade Unions were supported with guidance material prepared by specialized WIF partner-Bangladesh Institute of Labour Studies (BILS) for enhanced understanding and sensitization towards women’s mobility, employment at home and overseas, discrimination and overcoming risk factors in coordination with National Coordination Committee for Workers’ Education (NCCWE). ILO and other constituents of WIF have also brought out several publications to highlight issues related to rights of women workers in Bangladesh, patterns of migration for women’s from different districts and women’s experience to different destination countries. There has also been a sustained effort to create volunteers at the ground level to support women through the process of migration. NGO staff go through various capacity building processes so that they are well-equipped to support women through the migration journey where they are aware and alert that they are workers with rights.

Capacity-building of social workers and local women leaders (CBSW) consists of supporting capacity development and other measures for social workers to be able to work with aspiring migrant women. It can involve training, learning and exchange visits, and in case they are not directly employed by the programme, advocacy to ensure that their work is fully recognized and remunerated by respective institutions. The capacity of social workers is important for the success of many other types of interventions listed here. These interventions may also involve capacity development programmes, involving locally elected officials, on women’s employment, mobility and empowerment.

“We are migrant workers ourselves. So migrant women trust us. They tell us things they don’t tell others.” *Lily Jahan, Chair, BOMSA*

### Outcome 3: Strengthened laws, policies, practices and systems for social protection, safe labour migration and decent work for women

There have been discussions at various levels in Bangladesh both in WIF and with other actors about the Government of Bangladesh ratifying C189. WIF has worked to put greater pressure on GOB to ratify C189. In meetings with TUs and NGOs they believe that it will be easier to secure rights of migrant Bangladeshi domestic workers abroad if GOB ratifies C189 and takes steps towards enactment of the National Domestic Workers’ Protection and Welfare Policy 2015. Ratification of C189 and enactment of the policy will also enable women domestic workers in Bangladesh demand their rights. Earlier research undertaken by WIF shows that Article 1 of Bangladesh’s Labour Act (2006) excludes domestic workers and agricultural workers from its provisions, leaving large numbers of workers, particularly those from indigenous groups, marginalised social backgrounds, internal migrants and women unprotected. In 2011, the Supreme Court directed the government to extend protections to domestic workers, and the government formulated a Domestic Workers Protection and Welfare Policy. However, in practice, this is yet to be implemented and its provisions fall short of international labour standards.<sup>56</sup> A government Action Plan to implement the policy is needed that could be assisted by the ratification of ILO Convention 189. This is the advocacy that WIF has been undertaken, but with limited progress thus far.

Some TU leaders say that a campaign for ratifying C190 might find more takers among the government and that could facilitate the ratification of C189. TUs and NGOs also agree that there has to be greater public discussion within Bangladesh on rights of women domestic workers and the media can play a significant role in these discussions.

### FINDINGS SUMMARY

- Increased awareness and understanding of rights and entitlements at work, family and community amongst women, and an enhanced level of understanding on informed choice of migration and ability to make decision on her work and mobility within the family sphere for women in the intervention areas. A series of stories have been documented by GAATW on ‘Our Work, Our Lives in their e-magazines that are illustrative of this.<sup>57</sup>
- Increased understanding and awareness on the cost of migration amongst women in the areas of intervention. In particular, the fact that migration is cheaper for women than for men, which means the pressure on women to migrate will continue. Increasing women’s knowledge and decision making ability in this process, as WIF has been doing, therefore remains critical.<sup>58</sup>
- Increased understanding on women’s mobility and work through an empowerment angle amongst local partners, communities and other stakeholders. This is again illustrated through the GAATW e-magazine accounts of women. For instance, the December 2021 edition focuses on the ‘Return, reintegration and social inclusion of migrant workers’.<sup>59</sup> The issue actually covers 17 countries, and all three covered by WIF in South Asia, and illustrates the complexities of reintegration and dealing with some of the forms of stigma that occur.

<sup>56</sup>Igor Bosc et al, 2022 ‘Understanding patterns of structural discrimination against migrant and other workers in some countries of South and West Asia’, ILO

<sup>57</sup> <https://www.gaatw.org/resources/our-work-our-lives>

<sup>58</sup> Therese Blanchet and Hannan Biswas, December 2021, [Migration and gender in Bangladesh: An irregular landscape](#), ILO WIF.

<sup>59</sup> <https://www.gaatw.org/resources/our-work-our-lives/1133-our-work-our-lives-issue-5-return-reintegration-and-socio-economic-inclusion>

- Increased awareness of different actors within the migration system and increased accountability amongst key stakeholders, through the guidance and advocacy activities undertaken, increasing both trade union and government understanding and engagement.
- Extensive research forms the basis for incremental and multi-level advocacy work with key government stakeholders (for policy and programming).<sup>60</sup>

#### Strengths (of programme processes and strategies)

- Strong grassroots base
- Strong and expanding partnership base
- Focus on research and documentation
- Ability to learn from review and evaluation exercises and make required changes
- Strong relationships with relevant government departments /cells
- Ability to adapt to changing situations on the ground
- Persistence and resilience in the face of challenges at different levels

## 5.2 MIDDLE EAST

“One of the lessons given the precarious context of Lebanon is to continue to trial different approaches. It’s important to be creative how we approach every topic, given sustainability issues in the context in general.”

*Zeina Mezher, National Project Coordinator, WIF Lebanon*

Throughout the lifespan of the WIF programme, ILO’s work in the Middle East has remained as much about preventing steps backwards, as it has been about progressing reform. At times this constant can make the work WIF has conducted in Lebanon and Jordan seem underwhelming. However, looked at more closely, challenging as it has been, what is evidenced in both countries is the stamina of WIF in both persisting with seeking ways to proceed that are consistent with the programme objectives, as well as build a body of research that furthers an understanding of the complexities of migrant worker lives through the migration process, and the factors behind the stuttering nature of reform.

#### REGIONAL CONTEXT AND CHALLENGES

The effects of the onset of the Covid-19 pandemic were dramatic for especially migrant domestic workers in the region. In Lebanon, already experiencing an economic crisis, in large part brought on by the structural ossification of the political system, whereby no-one can be removed easily across the set of political blocs entrenched in the system, and whereby existing forms of incompetence and

<sup>60</sup> ILO household survey: [Migration and gender in Bangladesh: An irregular landscape](#), by Therese Blanchet and Hannan Biswas, December 2021;

ILO ethnographic study: [The invisible workers: Bangladeshi women in Oman](#), by Therese Blanchet, December 2021;

ILO ethnographic study: Women’s migration pathways from Bangladesh to Lebanon and Jordan before and after the pandemic, 2019-2022 by Dr. Therese Blanchet;

ILO ethnographic study: Rebels, victims, agents of change: The singular histories of women migrant workers, 2022, by Thérèse Blanchet, Anisa Zaman and Hannan Biswas;

ILO ethnographic study: Bangladeshi Domestic Workers inside Saudi homes: pillars and witnesses of a rapidly changing society, 2022;

ILO media review: Media Representation of Women Migrant Workers: a critical look, 2022, by Nazneen Ahmed and Thérèse Blanchet.

corruption are also near impossible to challenge. The fact that the huge explosion in the Beirut port area on 4 August 2020, owing to a massive set of safety failures has resulted in no significant change in the system, highlights the problem. This was a massive explosion, akin almost to a nuclear blast (without the radiation fallout). Two years later its effects remain widely evident. Huge numbers of people had their lives and livelihoods shattered, yet there has been no accountability. For migrant domestic workers, the blast coupled with the pandemic led to a huge loss of employment with employers no longer able to afford live in workers. WIF's partner, the Anti-Racism Movement (ARM), documented the unequal effects of the blast on migrant workers.<sup>61</sup> Since then, and following too the Covid-19 pandemic, some two thirds of workers have lost jobs changing the nature of the domestic and care work market, with now a hugely increased demand for part time workers instead.

In Jordan, the effects of the pandemic also resulted in a significant, 42% decline in the migrant domestic worker labour force in 2020, with a lesser but still significant 27% decrease in garment workers.<sup>62</sup> The economic downturn created by the pandemic led to an immediate protectionist response from the Jordanian government, worried by the economic effects on nationals and seeing migrant workers as a threat rather than aid to the national work force. Attitudes towards migrant workers, their rights and protections hardened.

### 5.2.1 LEBANON

#### CHALLENGES

- Until the end of 2020, momentum had been gained on the policy challenge of dismantling Kafala. Following the lengthy work of a kafala working group, set up by the Minister of Labour, and with the ILO through WIF as a pre-eminent member, a new Standard Uniform Contract (SUC) for migrant domestic workers was agreed in mid-2020. There was an action plan in place with the previous three governments, including for the implementation of the new SUC. Soon after its enactment, however, a legal challenge was launched by the RAs and the process was halted by the High Judicial (Shurah) Court.<sup>63</sup> According to the president of the Syndicate of the Owners of the Recruitment Agencies in Lebanon (SORAL), they blocked the proposed regulatory changes because they 'put all the weight on one party'. There was no probation period for the MDW and no compensation system in the SUC should the migrant worker abscond or be deemed unsuitable by the employer, and they demanded their fee back from the RA. According to the SORAL president, 'It was not the Minister's job' to pass the reform, and thus in inference to bypass the political protections that the RAs had previously enjoyed.<sup>64</sup>
- In 2021 the appointment of a new Labour Minister in Lebanon resulted in further setbacks for the reform of the SUC. This minister has sided much more with the RAs – the SORAL president described him as a 'special' minister. The first proposed new revision to the SUC proffered by this minister would have severely undermined existing labour rights and protections for migrant domestic workers, representing a severe setback for the kafala reform efforts. The draft of this proposed reform was found online by Legal Agenda, a WIF partner, and resulted in an outcry that led to the proposals at the formal request of the ILO, and led by WIF, being removed. More recently, however, further changes have been enacted granting legal registration to several new RAs with less track record. It is clear that the members of the previous kafala working group, have their work cut out to regain momentum over the SUC reform process

<sup>61</sup> [Beirut blast solidarity tainted with racism](#), MCC Public Statement, 13 August 2020;

[Homelessness among migrant workers on the rise](#), Public Statement, 2 September 2020.

<sup>62</sup> WIF2, 2022, 'Call for Expressions of Interest for Independent Mid-Term Evaluation'.

<sup>63</sup> Discussion with Zeina Mezher, Lebanon National Programme Coordinator, 21 April 2022.

<sup>64</sup> Discussion with Joseph Kamal Saliba, President SORAL, 17 June 2022.

- Gaining MOL acceptance to work on piloting initiatives to improve domestic worker labour rights even for nationals and Syrians. WIF obtained an initial agreement from the Ministry to pilot a digital app for employers wishing to hire domestic staff, but even on this the MOL appears reluctant, since it does require prospective employers who are posting to agree to basic labour rights for employees. This is the aim of WIF, to pilot another approach to promoting decent work and solidarity for domestic carers but Ministry cooperation is required.

## FINDINGS (BY OUTCOME)

### Outcome 1: Women have greater ability to make their own choices during the entire migration process

Work on this outcome area has been restricted in Lebanon, especially owing to the pandemic. One focus has been to support the Anti-Racist Movement (ARM) with supporting migrant workers to form associations and take initiatives. Eгна Legna, the organisation supporting mainly Ethiopian workers has been one of the strongest. It is not surprising given the fact that domestic workers are often forced to network, if they can, in haste and with limited access to mobile phones and data, that their network groups are usually ethnicity based. In discussing the issue of solidarity, ‘When we monitor the work of ARM it is still much easier for workers of the same nationality to support each other, rather than to remove the ethnicity hat and just be workers’.<sup>65</sup>

A factor that accentuates this is the ‘class’ based nature of domestic work, that different nationalities command different salary levels with Filipinos at the top of the salary scale, and Bangladeshi and African workers much lower. The comparative growth in the percentage of African migrant workers reflects the lowered income status of Lebanese employers. Avoiding this ‘race to the bottom’ is one aim of efforts in this outcome area in countries of origin as well as destination through capacity building and empowerment work, and the work on policy and legal regulation. It remains a challenging area to make progress in Lebanon.

We are very proud of what ARM and LA have achieved in terms of incubating small organisations, and the way they are redefining the narrative around MDWs and the right to association/ labour protections. *Zeina, inception meeting, 7 April*

### Outcome 2: Increased levels of collaboration, accountability and respect between key actors along migration pathways

This outcome area remains challenging owing to the often negative influence of recruitment agencies. The fact that employers of domestic workers are not organised means they have no defence to the political influence of the agencies, when they are seeking to block reforms. Fenasol, the general trade union, remains supportive of efforts to organise migrant domestic workers, but since they cannot organise formally, the tripartite set of relationships that ILO is founded on are missing two key pillars in Lebanon, and as has happened with the current Minister of Labour, as discussed below, even the government pillar can be missing at times.

“The work with LA is to highlight the gap to access to justice for MWs in general, and MDWs in specific. This is in line with the areas that we look at in WIF, the empowerment of DWs, the migration trajectory (role of RAs), and the rights and protections.”  
*Zeina Mezher, Discussion 21 April*

<sup>65</sup> Discussion with Zeina Mezher, 21 April 2022



Given this context, research conducted by WIF has included support to Legal Agenda for research on access to justice issues. ‘There is a solidarity element to this, through empathy and showing we are equal in wanting and requiring our rights to justice and it is not happening for domestic workers.’<sup>66</sup> With the support of WIF a play was scripted from this research and performed in Beirut and other urban centres in Lebanon, transposing the situation of domestic workers to an office context, but with the same abuses of rights taking place to a woman office worker. Meant to elicit discussion, the aim is to continue to gain respect for DWs as workers and for them to be wider social consensus they should be treated as such.

WIF’s work with the kafala working group should also be highlighted. This group, established under the Minister of Labour pre the 4 August 2020 Beirut explosion, established a networking group of organisations, including other UN agencies, the TU and CSOs, around kafala reform. As such the group even if it no longer formerly functions still serves as a network of agencies that can continue to advocate with the Ministry of Labour, with WIF’s leadership role also ongoing.

### **Outcome 3: Strengthened laws, policies, practices and systems for social protection, safe labour migration and decent work for women**

In respect of this outcome, a great deal of effort has been expended by the WIF programme, often for seeming little impact. Throughout the life of WIF a target has been to achieve reform to the Standard Unified Contract (SUC) in Lebanon, that sets out the regulations affecting migrant domestic workers, since domestic workers do not fall under the Labour Code. In 2020, following an extremely lengthy process, agreement was reached with the Minister of Labour on a reform to the SUC that met a range of rights and safeguards that the ILO and others within the kafala working group working with the Minister and senior Labour officials had been pushing for. The reform was enacted but then blocked by the High Judicial Council, following representation by the Recruitment Agencies, who were the only actors really to lose from better protection of worker rights.<sup>67</sup> When the Labour Minister subsequently changed following the August 2020 Beirut explosion, in order to try and protect the progress made with the government, the ILO, with their good working relationship with the Minister, prepared a hand over report on the topic, which the Minister provided to his successor in the caretaker government at a ceremony attended by the ILO. The new Minister, even though from a completely different party, largely accepted what has been agreed, but then with the end of the caretaker government term, a third Minister now took over and despite the handover process being repeater this minister was not supportive of the kafala working group process that had taken place and the measures agreed. He was more inclined to listen to the political influential recruitment agencies, disregarded the experienced advisors even in the ministry, and proposed changes to the SUC that would strip away most of the rights and protections that the domestic workers did have. One of WIF’s partners, Legal Agenda, found these changes were being circulated to the media, and raised a wider alert. It transpired that even Ministry officials were unaware of this version of the SUC. Following representation to the Minister, he was persuaded to back a less idiosyncratic process. Even so, the Minister is still being pressured by recruitment agency syndicate to allow the registration of currently unlicensed agencies even if they have not demonstrated they can meet regulatory standards.<sup>68</sup>

This account illustrates why reform of the SUC has been so complicated in Lebanon, and why the slowness of reform does not indicate a lack of effort on the part of WIF. There has been recognition that given the decline in the numbers of migrant domestic workers and the increasing burden placed on Lebanese (and Syrian) women to act as carers, that a more inclusive approach may be more effective in promoting improved regulation and treatment of domestic workers. Accordingly using internal ILO funds, WIF is piloting the use of a digital app for Lebanese nationals to find and apply for domestic and caring work, with the Ministry of Labour’s support. As such ILO argued that the Ministry

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<sup>66</sup> Ibid

<sup>67</sup> WIF2 Evaluability Assessment; Discussion with Zeina Mezher, 21 April 2022.

<sup>68</sup> Discussion with Zeina Mezher, 21 April 2022.

could not support such a pilot, unless it was willing to agree to the minimum standards and protections for workers provided by the Labour Code. The pilot is also intended to test the reaction of employers to employing domestic workers under more regulated working conditions. An advantage to the employer is the ability to hire a person on a part time basis too. The Ministry has see-sawed with its support for this piloting, first agreeing, then withdrawing, but has now been persuaded to accept a pilot that will begin in December 2022.<sup>69</sup> This is potentially an important experiment.

It is this type of experiment that demonstrates WIF's willingness to push boundaries and explore new ways of continuing to push for policy reform.

## FINDINGS SUMMARY

- Networks and partnerships have been formed involving CSOs, migrant worker organisations and international organisations. These interact with the government, when it is possible, as for instance occurred through the kafala working group.
- The lessons [learned documents](#) and [glossary](#) contain a good summary of WIF's technical experience. The glossary defines terminology related to freedom and unfreedom. There is an attempt to see beyond narrow definitions.<sup>70</sup>
- The significance of freedom - empowering forms of work that inspire people to work more freely in the future.
- Since the ILO has limited funding, a digital application was created to facilitate work between national workers and employers. It is not stated that the software is only available to nationals, yet it implies this. The goal is to disturb the system's perception of what domestic labour is.<sup>71</sup>
  - The first phase of the application was designed, and the company is currently ready to expand to do the second half, with testing scheduled for June.
  - The application will be launched in conjunction with a media campaign on the rights of domestic workers.
- Legal Agenda created a model defence that may be used by any lawyer in Lebanon or elsewhere to employ the elements linked to false accusation. Another tool being developed is a training manual, which was one of the report's recommendations.<sup>72</sup>
- Legal Agenda is designing a sensitization tool to engage with legal practitioners at universities or special schools where layers attend in order to sensitize more lawyers and judges about the cases and ensure that there is more information available about the situation.
- One of the most significant accomplishments was the creation of safe spaces for people to connect. The Eгна Legna is a startup that has received funding from the MCC.
- Working with ARM and Legal Agenda allowed them and WIF to grow and learn together.

## 5.2.2 JORDAN

### CHALLENGES

- The effects of the pandemic have been negative on labour rights in Jordan. During the evaluation team's visit to Jordan, it was remarked by more than two people on separate occasions that the tripartite environment is more hostile to MW rights than it was five years ago. In particular this reflects attitudes of those within government and the nature of present

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<sup>69</sup> Discussion with Zeina Mezher, 28 October 2022

<sup>70</sup> As per comment by Igor Bosc

<sup>71</sup> Discussion with Zeina Mezher, Lebanon NPC, April 2022

<sup>72</sup> Ibid



government policies. For example, with respect to the implementation of the online Hemayeh platform for the registration of labour complaints, migrant workers were asked to register in the platform to return to their countries of origin during the pandemic. However, the garment factory workers who did register this way were then not allowed to come back to Jordan for further employment (which is usually managed in terms of 2 or 3 year contracts) since their passports were blocked. With this decision employers too were prevented from being able to bring back skilled and experienced workers back to the factories. These attitudes of government officials resulted in misinformed and biased policy decisions which effected both employers and migrant garment workers.<sup>73</sup>

- Some of these policies have been to reinforce the inaccurate perception by politicians and senior officials that migrant workers are ‘taking away’ jobs from Jordanians, for instance, in the garment sector. Given the poor labour rights and working conditions in the sector, this is not the case in this sector, whilst MWs if they help lead to the growth of the sector can also help increase the overall job market.
- The overall number of work permits fell by 38% in 2020, but rebounded to approximately pre-recession levels in 2021. The tripartite committee raised Jordanians' national minimum wage from 220 to 260 JDs and MWs to 230 JDs. Unfortunately, the decision to raise the minimum wage excludes domestic and garment workers - domestic labour is covered by BLAs, while garment work is covered by collective bargaining. As a result, garment workers, both Jordanian and migrant workers minimum wage was retained at JOD 220.
- Work permit fees, a modest rise for employees, and permit prices are high, ranging from \$1200 to \$1500 in the agriculture and construction sectors only.
- The government revisions of labour related legislation. There were modifications to regulations for DWs and RAs. Some give stronger protections, but there are still many gaps, as is discussed in the findings section below.
- The government announced an amnesty for two months starting in early July 2021, allowing employers to correct the legal situation of work, without paying fees or penalties for previous years, for their already employed workers whose permits were not renewed after the Covid-19 virus struck. During the amnesty employers only needed to pay the current fee to rectify workers' status. The amnesty did not apply to undocumented workers.<sup>74</sup>
- Migrant garment workers were terminated during the pandemic by several big factories without the consent of the workers and workers who did not complete 24 months of their current contract and who came to work in Jordan for the second time were sent without their social security entitlements.
- In late July 2022, the government has announced a so-called government reform process that will lead to the abolition of the Ministry of Labour. It is hard to see how this can be anything but a disaster for labour rights and especially those of migrant workers. As CSOs such as Tamkeen have already noted, ‘in a labour market, which is indicative of abuses of labour rights... the structural changes that are set to take place could negatively impact [a] decent work environment in Jordan and increase labour violations.’<sup>75</sup>

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<sup>73</sup> Comment on draft report

<sup>74</sup> Work in Freedom Inception meeting, 7 April 2022

<sup>75</sup> <https://www.albawaba.com/news/abolishing-labour-ministry-spells-disaster-jordan-1485973>

## FINDINGS (BY OUTCOME)

### Outcome 1: Women have greater ability to make their own choices during the entire migration process

The main activities in this area continue to be through WIF's support to the Workers Centre in the Al-Hassan Industrial Zone, which works with migrant garment workers. The WC founded initially as a meeting and recreational centre, has increasingly taken on the task of collating and seeking to gain government redress of workers' complaints about their rights abuses, given that no other organisation is currently accessible to them. Altogether during 2021 the Workers' Centre received 17,301 visits of workers (of which 6,907 were women), with 1,036 individuals using one or more services.<sup>76</sup> During the Covid-19 pandemic the Workers' Centre provided services to comply with specific provisions introduced, including PCR testing, registration of self-declaration (208), withdrawing social security insurance (86), medical consultations (8), retrieval of confiscated passports (46), ticket booking and online registration (19) and complaints registration on the Government Complaints (Hemayah) platform (48).<sup>77</sup>

These figures emphasise that during the pandemic, when MWs were losing their jobs, the WC played a significant role in recording these cases, especially for garment workers, and to facilitate their return travel to CoOs. This was challenging with the need for Covid-19 testing and the restrictions on travel. At the same time, the Social Security Corporation had decided only to give MWs their social security payments after their return to CoO. However, the WC persuaded them at least for the garment sector to give the social security in Jordan before departure. At the same time, migrant workers social security entitlements were kept pending for a month because of technical upgradation of the Social Security system. The workers whose contracts are terminated and kept waiting for their social entitlements were banned from entering Jordan again because they incurred overstay penalties. Same with the migrant workers who has been waiting for the airports to re-open. These workers contracts were terminated and they were made to wait till the planes resumed to their country of origin. Once they left after airports re-opened, their passports were banned because they incurred overstay penalties. Workers were made to pay the penalty for things which are not under their control.

There remains a lot of resistance to the WC role in registering MW complaints, the scale of which is shown in the table below. The Ministry of Labour still represses any publicity around adverse MW conditions and rights abuses fearing that if violations come out, Jordan's reputation will be tarnished. 'So, the government is focused on making sure these violations do not come out into the public domain, rather than addressing the violations themselves and holding these employers to greater account'.<sup>78</sup> Since in practice MWs do not enjoy collective bargaining rights and cannot form a union of their own or be represent themselves in existing unions, employers think it is abnormal to focus on workers' rights. They have simply not witnessed this happening.<sup>79</sup>

**Table 3: Cases Registered by Workers Centre**

Year	Individual Complaints	Collective Complaints	Total # Cases	# of Workers
2019	38	12	50	960
2020	154	93	247	6,461

<sup>76</sup> Technical Cooperation Progress Report WIF 2 - 4th Year (April 2021 – March 2022)

<sup>77</sup> Ibid

<sup>78</sup> Discussion with Suneetha Eluri, Workers Centre Coordinator, Jordan, 20 April 2022

<sup>79</sup> Discussion with Suneetha Eluri, Workers Centre Coordinator, Jordan, 20 April 2022

Most recently the government has established the worker complaints system called Hemayeh, a digital platform for the registration of workers grievances. This was also used by the WC during the pandemic to register those workers wishing to return home. However, the platform, still being piloted, is currently only available in Arabic, and once complaints are submitted, even though there is no follow up, the WC has observed that the cases are being closed and registered as being dismissed. With the existence of the platform the Ministry of Labour has said that the WC should no longer submit complaints directly, and nor should MWs report them to labour offices. Thus the suspicion remains that a primary purpose of the platform is to ensure that abuses of workers rights do not receive any publicity. In addition, all migrant workers that registered on the platform during the pandemic, even just to return home, had their passports blocked preventing them from returning to Jordan again, a handicap to employers as well as employees. The fact that the government is seeking to restrict the ability for migrant garment workers to make complaints is shown by the substantially increased numbers registered at the WC during the pandemic, when no other avenue was available for the workers.

The training and skills development function of the Workers Centre is also important to note. Migrant workers mix across nationalities, which often does not happen, and are able to learn computer skills, English and other languages, as well as learn dance and use the gym. One male migrant worker said he had been promoted to an HR role after improving his computer skills at the centre.<sup>80</sup>

‘I come here to meet friends, relax, and escape the monotony of the work routine’  
‘I love the centre. My heart feels good when I come here!’  
*Women Migrant Worker, FGD, June 2022*

A concern of the WIF staff and the evaluation team is for the future funding of the Worker Centre beyond March 2023. It is important that WIF and the ILO secure ongoing funding for the centre, since its existence is fundamental for migrant garment worker rights in Jordan.

## **Outcome 2: Increased levels of collaboration, accountability and respect between key actors along migration pathways**

Similarly to Lebanon and as across the Middle East, there is an inadequate tripartite structure in Jordan that renders migrant domestic workers (and migrant workers in general) voiceless. ‘The TUs and the employers’ associations are one body essentially. So the only way to have workers voices is through the Workers Centre for example. The inspection directorate should feed into hearings but doesn’t’.<sup>81</sup> With all Jordan’s challenges today, the government still deprioritises migrant workers issues believing that structural issues around unemployment (25% unemployment, 40% youth unemployment) are a priority. In this regard, the employment of migrant workers is seen as taking jobs away from Jordanian nationals, for instance in the garment sector. This is a misnomer, especially given MW salary and contract conditions, and the exclusion of the sector from minimum wage fixing. The symbiosis between migrant workers and national workers – how the former facilitates the latter - is misunderstood. WIF itself has sought to deconstruct this narrative amongst other common misperceptions of migrants.<sup>82</sup>

Issues with domestic worker representation thus continue. Freedom of association in Jordan is closely controlled by the General Intelligence Department. In the past two years, Teachers Trade Union members were arrested when they tried to protest against their wages and working conditions and these were Jordanians. In an effort to dispel criticism in July 2022, the Minister of Labour issued a decree to re-classify occupations and industries where workers can join trade unions. The re-classification covered workers in agriculture and domestic work. Thereby, agricultural workers now

<sup>80</sup> FGDs held at Al-Hassan Workers Centre, 10 June 2022.

<sup>81</sup> Discussion with Suha Labadi, National Project Coordinator, Jordan, 20 April 2022

<sup>82</sup> [Policy Brief on Policies Related to Migrants and Unemployment in Times of Crisis](#), WIF ILO, 2019..

fall under the General Trade Union of Workers in Food Industries and domestic workers under the General Trade Union of Public Services and Free Vocations. WIF has not been able to access who the members of the domestic worker structure are, and they have received no capacity building. Whether it serves any function is not yet apparent.

WIF has also worked closely with the Solidarity Network, including holding two webinars on issues faced by MDWs during the pandemic. But the Solidarity Network has not been able to bring more DWs into their network (about 250-400 workers). Existing DW members are mostly live-out rather than live-in workers. During the pandemic, migrant workers were more interested to obtain jobs than their rights, since they wanted an income source at the end of the month as they lacked work so much during the pandemic – ‘live-out workers were seen as virus carriers’. So, they were more concerned about their families abroad than to speak about their rights and freedom of association.<sup>83</sup>

Another area of collaboration expanded during the pandemic is that The Workers’ Centre in collaboration with Tamkeen and Jordan Centre for Legal Aid (JCLA), facilitated legal support for incarcerated workers and coordinated with the CSOs Caritas, Awaj Foundation (Bangladesh) to facilitate migrant workers’ return to their respective countries.<sup>84</sup> Other unconventional partners the WC collaborated with included medical labs, airlines and NGOs in countries of origin. It also worked with Embassies of India, Bangladesh, Sri Lanka, Myanmar (based in Israel) and Nepalese authorities to facilitate the returnee workers travel from Jordan. At times social media (twitter) is used to communicate with the airlines, all of this an indication of the range and scope of the functions played by the Workers Centre,<sup>85</sup> not a single one of which is provided by the Jordan Textile Garment and Clothing Industries Union (JTGCU), whose offices in Al-Hasan are only open during normal working hours, and neither in evenings nor weekends, when workers have time off.

For two years WIF also worked on gender issues. A campaign was launched to raise public awareness on workplace sexual harassment and for this during 2020 quotes from the campaign were obtained from garment workers and MDW.

### **Outcome 3: Strengthened laws, policies, practices and systems for social protection, safe labour migration and decent work for women**

In a similar way to Lebanon, achieving any kind of legislative or policy reform in Jordan is a lengthy and thankless process that requires considerable stamina, and an ability to keep reaching out to the government, in particular. It is therefore some achievement that WIF has managed to get three legislative pieces related to domestic workers amended. It has taken five years to get changes agreed to the domestic workers regulations, recruitment agencies regulations and related instructions. These regulations do not go through Parliament but rather to the legislative bureau to be passed. This should be a faster process but in practice is not.<sup>86</sup>

With respect to the Domestic Workers Regulation #90, the ILO had been pushing for a larger reform with WIF playing a key role in the provision of technical input. Thus far only a few provisions have been changed. Under these amendments, approved by the Cabinet and published in the official gazette, improvements include better protective provisions to migrant domestic workers on payment of wages, complaint confidentiality, workers right to leave work immediately and seek justice if subject to abuse or any violation of fundamental rights. Employers are also subject to penalty for filing false ‘runaway’ reports.<sup>87</sup>

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<sup>83</sup> Ibid

<sup>84</sup> Technical Cooperation Progress Report WIF 2 - 4th Year (April 2021 – March 2022)

<sup>85</sup> Suneetha Eluri, Project Technical Officer, Jordan, comment on draft report, September 2022.

<sup>86</sup> Discussion with Suha Labadi, National Programme Coordinator, Jordan, 20 April 2022.

<sup>87</sup> Comment from CTA on draft report.

DWs now have to be paid within the first seven days of the following month similar to other workers. Before this there was no mention of wage payments in the regulations so that delays or failures in paying wages was difficult to address. A confidentiality clause on filing complaints was also added, making the migrant worker less vulnerable (on paper) in this regard. Fundamentally, if any of the rights of the DW have been breached (under the law), the DW has the right to leave the employer. This is potentially a significant change, depending on the DW's options thereafter. However, there is a large caveat here. First of all the regulation failed to specify the means and methods of payment. In addition to that, the bylaw still lacks ways to ensure compliance in the sector, such as through labour inspection. And second, complaints now have to be filed through the Hemayeh complaints platform, and even for Jordanian workers, wage complaints are simply written off after the 7 days.<sup>88</sup> For MWs, despite the confidentiality clause, the employer is almost invariably immediately contacted on receipt of a complaint, adding to the jeopardy involved for the worker.

A further regulation that was revised was the Private Recruitment Agency (PRA) Regulation. Previously RAs responsibility towards the DW was only in the first 30 days from the workers arrival into Jordan. This created many issues, for instance around residence of the DW if they wanted to leave the employer. If the DW wants to change the employer the DW should be able to do so, but the main issue blocking this is that the employer sees the fee they are paying as an investment (almost \$5,000). If the DW wants to leave, the employer will 'lose' this amount. Under the new amendment the DW was given the right to change employer within the first 90 days of arrival. It was a very tough policy reform because the RAs were consulted at each step of the regulations amendment, protracting the process considerably. 'So they are the ones that basically decide whether DWs are given protective provisions or not.'<sup>89</sup>

Although not within their mandate, the WIF programme also provided input to the agricultural workers regulation, since like domestic workers they were never included in the labour code. Thus when the government decided there should be a regulation for them, the ILO provided input into this too, based on their experience of the gaps in the DW regulation. For DWs the umbrella is the labour code, since it says that if there are provisions not covered in the DW regulation, the Labour Code will apply. WIF managed to get this provision included for agricultural workers too in the Agricultural Workers Regulation.

In addition, WIF also worked for quite some time with the government on the Anti-Trafficking Law. For years the govt refused to share the draft with stakeholders. But eventually two better provisions have been gained. One is related to intensifying provisions against traffickers. The other is a provision for victims. But despite the fact that the ILO advocated to the government that any protection for victims should come from funds seized from traffickers, the government has not yet agreed with this. Such funding they hold would only come from donors, a situation that seems wrong in principle.

The last policy reform is with respect to the Labour Code of 1996. This has been revised a number of times. One process went on for more than 8 years. The government did not consider at the time provisions provided by the ILO, especially provisions related to freedom of association. WIF provided subsequent inputs on Article 12, relating to the employment of migrant workers (and thus use of the kafala system), but until now the law has not yet been revised. The labour code is still being considered by Parliament and it remains unclear how the government will try and push it through.

## FINDINGS SUMMARY

- Al Hasan Workers Centre provides an irreplaceable recreational and grievance outlet for migrant garment workers (247 cases registered in 2021 involving 6288 worker, as the only functioning mechanism whereby workers can submit complaints relatively safely).

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<sup>88</sup> Discussion with Suha Labadi, National Programme Coordinator, 7 July 2022.

<sup>89</sup> Ibid

- During the pandemic the Workers Centre collaborated with a wide range of external actors, including even NGOs in countries of origin, to facilitate access to vaccines and medical treatment for the workers in Jordan, and the return home of those who lost their jobs or had wages unmet.
- WIF maintains relationships with all social partners and continues to defuse hostility and promote improved understanding and rights for women migrant workers, even if official recognition of migrant worker rights and protections has deteriorated since the onset of the pandemic.
- Policy reforms: Three legislative pieces related to domestic workers have been amended – domestic workers regulations, recruitment agency regulations and related instructions. Other WIF policy contributions are: input to agricultural worker regulations; labour code changes (ongoing); some input to Anti-Trafficking Law.

## 6. FINDINGS BY OECD-ILO CRITERIA

This section covers the set of OECD-ILO criteria listed in the ToR and provides a summary analysis of each of the questions listed.

### 6.1 RELEVANCE

- a) Examine whether the programme responded to the real needs of specific target groups in consideration of the different contexts in the countries covered. This should include intersecting dimensions such as class, caste, religion, sexuality, race and identity, which influence behaviours and change at all levels.*

The holistic approach to the migration cycle, the active involvement of WMWs (especially experienced returnee MWs), the use of participatory research to inform design and the experience of key staff has ensured the programme's ongoing adaptation and support from all partners.

The research drawn upon is innovative and extensive. It includes the anthropological research on Bangladeshi women MWs that Thérèse Blanchet has undertaken in Lebanon, Oman and Bangladesh itself, the feminist participatory action research undertaken by GAATW with women garment workers in Jordan, and Praveena Kodoth's publication on the recruitment and migration of Indian women domestic workers to the Middle East.<sup>90</sup> Factors of intersexuality are covered extensively in the work, and the enhancing of WMWs voice, and the involvement of organisations consisting of or representing MWs in both countries of origin and destination, means that WIF has stayed attune of migrant worker needs and shifts in trends, before, during and post-pandemic.

- b) Are the Programme initiatives aligned with national policies and priorities? What are the changes caused by the programme at the policy (policy influence), institutional and beneficiaries level, both positive and negative, expected and unexpected?*

Much of the programmes's core work has been to influence policy in different countries and regions, since often policy and legislation has failed to recognise and protect migrant worker rights adequately, especially those of WMWs working in more vulnerable occupations. In South Asia, for example, in India WIF has worked with civil society partners to block a poor anti-trafficking law at national level, to continue to advocate for the rights and protections of domestic workers at federal and state level, with a government looking to row these back rather than advance them. In Nepal, advocacy involving WIF leadership and partners has resulted in the national government permitting women migrants to travel to the Middle East, including Jordan, even if the conditions established are still largely prohibitive. But in a deeply patriarchal society, precedent has been set. In Jordan and Lebanon, in the

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<sup>90</sup> [Feminist Participative Action Research](#), the Drishti [publications](#), [Praveena Kodoth's publication](#)



Middle East, again WIF leadership in the kafala working group in Jordan, and in maintaining some form of dialogue with the Ministry of Labour in Jordan, has also been instrumental in securing some gains and halting the more severe erosion of WMW rights in both countries.

- c) Assess whether and how the COVID-19 pandemic has affected the planned objectives and whether the programme was able to make adjustments to remain relevant.*

WIF adjusted as well as it could to the pandemic and the halt that it placed on physical activities. As has been documented, many WMWs were dumped on the streets at the outset of the pandemic in Lebanon, but also in Jordan too. WIF worked with civil society partners in Lebanon, especially ARM and Legal Agenda, on efforts to mitigate the effects. ARM has continued to provide training to migrant worker solidarity groups, and Legal Agenda to provide evidence on the government's actions, and to provide legal aid check lists. Across contexts, there were efforts by civil society partners to improve their own digital literacy capacities and advocacy efforts, and to involve MW groups in these.

- d) Has the program made adjustments that directly address adverse impacts on women migrants in response to the COVID-19 pandemic?*

The programme has attempted to address issues around rising unemployment and a decline in opportunities to migrate in countries of origin, by exploring the extent to which more opportunities for alternative local employment could be created. This work remains small scale. Work was also undertaken to improve protection measures for returnee WMWs, for instance in Nepal, and to address the issues around the lack of payment of wages and return air fares for those removed from their jobs in the countries of destination. Whilst not always able to address these issues, WIF has documented the scale of abuse, for instance through the registration of grievances at the Workers' Centre in Jordan, where other tripartite partners were more interested to cover over than address these abuses.

- e) Has the programme identified any other constraints or opportunities that need to be accommodated in the design in order to increase the impact and relevance of the programme?*

WIF's ongoing adaptation process has made it adept at identifying constraints that need to be addressed, and where there are potential opportunities to build upon. A good example has been to make the most of progressive TUs in Tamil Nadu, and to work with them in the recruitment of women migrant textile and domestic workers. This work provides examples of what TUs can do in destination locations, if a union has a leadership and aims that are more women centric and address gender inequalities and the lack of rights of women workers in vulnerable industries.

In this phase WIF has also undertaken much consolidation of its work, even if the funding cuts in the last two years have halted expansion in origin locations. The broader association with the ILO has facilitated WIF's ability to join and play a leadership role in wider processes and alliances, a feature that ILO colleagues have remarked upon in different locations (eg Nepal and Jordan/ Lebanon).

## 6.2 VALIDITY OF DESIGN AND COHERENCE

- a) Are the programme's defined outputs and performance indicators with baselines and targets, realistic in contributing to the country programme outcomes (e.g., NPL105 and NPL828, BGD303, IND151, JOR103, LBN151 and LBN152) given the intervention logic, time and resources available?*

WIF is as well placed as any migration programme to meet both shorter and longer term country programme outcome targets, as confirmed by other ILO staff in at least some of the countries covered by the programme. With respect to the country office programme outcomes referred to and listed in the table below, WIF has contributed to all of them. In Nepal, WIF has contributed perhaps to the

greatest extent, but progress has been made in India, Bangladesh, Lebanon, and even Jordan, as documented in the country findings sections.

CPO Code	CPO Description
NPL105	The social partners have effectively implemented good governance frameworks and rule of law on labour migration.
NPL828	The government and social partners have promoted fundamental principles and rights at work to protect workers especially from unacceptable forms of work
BGD303	Effective implementation of policies and regulations on safe, orderly and regular migration
IND151	Regulatory and Policy frameworks developed or revised and implemented for protection of workers from unacceptable forms of work
JOR103	Improved governance of labour migration and mobility in line with ILS
LBN151	Improved governance of labour migration and mobility in line with ILS
LBN152	Improved regulatory framework and implementation mechanisms to protect migrant workers and vulnerable groups, including women and children

NPL: Nepal. IND: India. BGD: Bangladesh. JOR: Jordan. LBN: Lebanon.

*b) To what extent are the programme's theory of change and its mechanisms, assumptions and counter-trends still relevant?*

The WIF programme theory of change, with its focus on the empowerment of women migrant workers and expanding their knowledge, choices and protections, remains as relevant as ever. The impact goal is awkward since it focuses on a counter-factual (reduction to vulnerability) and it has a direct and indirect component, the latter through policy change. All three outcomes remain highly relevant, as do the related outcome indicators. The reduction to vulnerability can be assessed by the extent to which key risks and vulnerabilities have been addressed through the programme. These exist through both lack of information about the nature of the migration process and how to navigate it safely, and the nature of the patriarchal relations in sending communities, which often limits women's control and decision-making authority. WIF is tackling both these major factors and attempting to cultivate women leaders and put local institutional mechanisms into place (with their leadership) to sustain mechanisms in the longer term. This is a solid strategy, and its robustness has been shown by the adaptiveness that took place during the pandemic, and now in the post-pandemic phase, with continuing economic fall outs in origin and destination countries and locations.

*c) Have the programme strategies addressed the different needs, roles, constraints, access to resources of the target groups, and to what extent do the programme strategies, within their overall scope, remain flexible and responsive to the emerging concerns of target groups, and the changing context in each of the countries covered by the programme?*

The consistency, coherence and adaptive nature of the design, with its focus on expanding choice for all migrant women are all programme strengths. As highlighted in 1a) strategies have focused on identified needs in an adaptive way, owing to the participatory nature of the programme activities and research. Local partners have continued to adapt and use opportunities that emerge, as for instance in the advocacy work of SEWA in India in direct meetings with MPs. The experienced national program coordinators have also continued to look for and encourage opportunities for innovation. Through the pandemic too, WIF sought to respond to the more immediate protection needs of WMWs, as their situations became more acute. The confidence of local partners in the programme remains clear. Partnerships have persisted through this phase, even in contexts like Nepal where the funding has largely ended, and the partners themselves remain fully appreciative and supportive of WIF's strategies and the manner in which national programme coordinators (NPCs) have engaged with them. This includes the tripartite partners who have not always been so supportive of efforts to improve MWs rights and protections, but have acknowledged the efforts of NPCs to keep the door open to constructive communication.



*d) To what extent do other interventions and policies support or undermine the WIF interventions, and vice versa?*

This is perhaps a question for the wider ILO. Whereas in a country like Nepal, we have noted good collaboration between WIF and other ILO migration and women focused activities, this does not necessarily apply across all contexts in which WIF is operating. Given the progressive, coherent and effective nature of the WIF strategy, this is unfortunate. We would like to see more organisational attention given to the longer term sustainability and replication of WIFs strategic approach.

*e) Are there possible ways to maximize synergies and improve collaboration with new or existing actors? Has there been a duplication of efforts/resources?*

In general, WIF has networked and collaborated well at country level, and has identified appropriate and experienced partners, who have implemented innovative activities, involving WMWs and achieved results on limited resources. A principle of WIF's partnerships in this phase is that organisations work directly with migrant workers, or, like SEWA and the Tamil Nadu unions, commit themselves to doing so. This means that partners provide outlets for MW voices, and WIF has sought to amplify this and then use the voices for guidance and advocacy purposes. With resources available to local partners being cut in the last two years, organisations that have been less effective in working with MWs have at times been side lined, such as FENASOL, the TU in Lebanon. FENASOL's inability to reform, despite for instance having two WMWs on the board for a while, has been at root of this. This creates a dilemma for the NPC, FENASOL is still willing, but its structure is rigid and it is still controlled by a single person, even if well intentioned. Textile employers in Jordan and SORAL, the recruitment organisation in Jordan are other examples. These organisations are feeling economic pressures, which means they are concerned with their own survival rather than worker's rights. As such, lines of communication with them remain important to safeguard existing conditions and facilities like the Workers Centre in Jordan, whilst continuing to put forward the case for kafala reform. These are the difficult relationships, where WIF is still better positioned than many to engage since it has built trust. In contrast, the productive relationships between CSOs, government agencies, the ILO, and other UN and bilateral agencies in Bangladesh, Nepal, and in India, inclusive of the women focused unions, continue to yield positive outcomes in terms of extending the approaches piloted by WIF and of ongoing advocacy for migrant worker rights and protections.

*f) Identify if there would be any other partnerships to consider.*

At this late stage of the programme the focus of WIF should be on consolidation and sustainability. For partners this means working with existing partners to sustain activities, including through efforts to source additional resources, as has been taking place in Nepal, rather than looking for any new partners at this point. The one value of any new partnerships would be to support this aim of sustainability, for example, finding new potential funders with respect to the Al-Hasan Workers Centre in Jordan.

### 6.3 EFFECTIVENESS

*a) Examine whether significant changes have been made related to the programme's desired outcomes and the contributing and hindering factors for moving towards their achievement and whether the programme's responses were appropriate and sufficient as mentioned in the Results Framework of the Evaluability Assessment conducted in January 2021.*

WIF has followed through on recommendations made in the EA conducted during 2020. Multi-level advocacy work has been strengthened in the three South Asian countries, where this is most feasible. Efforts to continue the focus on promoting women's agency, in order to enhance their choices and shift patriarchal power relations, has also continued, but been affected by the funding cuts to orientation work over the last two years. The engagement of TUs in Tamil Nadu, SEWA in the Delhi

area, and Awaj and BOMSA in Bangladesh has advanced the process of collectivisation and unionisation of workers in South Asia, and the already well developed process in Nepal has been advanced further. The one area of concern remains the poor state of women's rights and protection and the lack of choices they have, including for instance around the option for part time work, which has been a stated preference of many employers as well as WMWs in destination contexts. Nevertheless, WIF has continued its search to find points of leverage and opportunities for innovation in these contexts, whilst maintaining relations, even if difficult, with key tripartite actors in both Jordan and Lebanon.

*b) Review and analyse whether the programme approaches are appropriate in achieving the immediate objectives of the programme?*

The country of origin interventions have been highly effective, whilst the tenacity of country of destination interventions continues to chip away at outdated and abusive systems and practices and inject opportunities for change. Immediate objectives were achieved except when funding cuts affected programme targets (eg community outreach targets in Nepal). The number and quality of publications has enabled the programme to strengthen advocacy efforts, aided by its range of influential partnership collaborations.

With respect to the programme's three outcomes, the approaches used by WIF have advanced the programme objectives, with some illustration of each provided below.

*Outcome 1: Women have greater ability to make their own choices during the entire migration process.*

The focus on identifying and addressing the constraints to women's decision making, especially within the context of patriarchal social relations, and empowering women to be aware of and make their own choices, has been taken seriously throughout the programme, with a range of experimental and innovative approaches adopted, and those which work have been extended. Having a growing range of partnerships with organisations that are founded by or represent women migrant workers has helped foster and augment this approach. As the quality of the partnerships established has improved, so has the work advanced, with Bangladesh the last of the countries of origin to demonstrate this, since the Evaluability Assessment of 2020.

Three major constraints affect the ability of women to make their own choices. One is patriarchal social relations, two, is the nature of the kafala system in the Middle East, and three is the lack of choices themselves. The first two constraints routinely result in the commodification of women, but the lack of economic (and social) choices, often mean that women will opt to migrate once they do understand their choices, since it offers potentially more reward than existing options they have at their origin location. Supporting these choices by focusing on protecting and advancing women's rights, as WIF has done is then critical. To a limited extent WIF has sought to expand the access of returnee migrant women to grants that will support income generating activities (IGAs), but this is not really the role of WIF, but other livelihood focused initiatives. What WIF has done appropriately is signal the need for returnee WMWs to be provided with more support, ranging from legal aid, forms of social protection, and access to economic opportunities and resources.

In countries of destination, the challenge to increase choice for WMWs is more substantial, but progress in this regard is being made too. In Lebanon, during the pandemic there was an agreement with the General Administration not to pursue women with permits working on a part time basis, and migrant workers organisations there, with WIF support for capacity building, have become better organised. In Jordan, the Al-Hasan Workers' Centre played an indispensable role in the protection of workers' rights and providing a place for workers to be free in a context where they are working regularly 10+ hours a day without overtime pay.

*Outcome 2: Increased levels of collaboration, accountability and respect between key actors along migration pathways towards an enabling environment for safe migration into decent work.*

Significant progress towards the achievement of this outcome has also been seen during this phase of WIF, owing to the improved nature of partnerships, and the levels of trust and mutual collaboration developed. Across the countries of origin, WIF is now partnering with organisations that are capable of delivering appropriate pre-decision training, of using returnee WMWs as community advisors, facilitating a range of engagement methods at local level, and forming alliances in advocacy work at different levels of governance. All of this has improved forms of collaboration, and begun to result in local government taking on WIF's aims and approaches more readily with regard to women's situations and rights.

The trickiest area of relationships is with those organisations, particularly in destination countries, that are not committed to improving WMW works. This applies particularly with regard to the textile industry in Jordan, where narrow profit margins mean employers are not interested in relieving conditions for workers, and where the government is still inclined to see MWs as a threat to local employment, even if erroneously. WIF maintains relations with these organisations, but for instance, with the need to safeguard the future of the Workers' Centre, a more ambitious advocacy strategy is needed with employers and local embassies in particular. In Lebanon, WIF has sought to collaborate with FENASOL, the traditional trade union supporting women migrant workers, but even though the President is willing, his patriarchal and controlling style, have rendered unsuccessful attempts to reform the TU so women migrant workers are better incorporated and included in leadership positions. This has led to WIF supporting more independent CSOs representing migrant workers and developing the capacity of their own institutions. This is appropriate as a strategy, especially as WIF has remained open to supporting FENASOL, but the pace of change that is required means that it is not possible to wait for these traditional unions to become much more inclusive in their leadership styles and reform themselves.

*Outcome 3: Strengthened laws, policies, practices and systems for social protection, safe labour migration and decent work for women.*

Advocacy work undertaken under this outcome area, is intended to advance the choices and rights of potential, existing and returnee WMWs. The advocacy work has been informed by the research carried out and undertaken at different levels of government in countries of origin, and with Ministries of Labour in destination contexts. In general, the advocacy has been more successful in origin contexts, since here governments are more likely to be supportive of reforms that protect their citizens. Owing to the patriarchal nature of these South Asian societies, misinformation persists; Nepal's labour policies in particular have been based on misconceptions around women migrants. In Nepal, by providing more accurate information through the research undertaken, WIF has helped to dispel some of these misconceptions and led to policy change, even if more still needs to be done. Local government has also been more supportive in the areas in which WIF partners have worked in Nepal, India and Bangladesh, showing there is potential for wider policy change at different levels. In the Middle East, maintaining relations with the respective Ministries of Labour has been trying, but in Lebanon, WIF has continued to make progress. Most recently, the agreement by the Ministry of Labour for WIF to pilot the digital app for employing care workers who don't require permits, is another step towards reforming the kafala system itself.

- c) *To what extent has the programme increased the voice and representation among women workers in destination areas and enabled the provision of support services to workers? (Outcome 1.1)*

This has been a challenging area of operation, in which WIF has continued to work with civil society partners. There has been greater success in Lebanon than Jordan, owing to the nature of the respective states. The work with ARM in Lebanon for the provision of capacity building support in

particular to migrant worker organisations, whilst it slowed down during the pandemic, has continued again this year. This work, in conjunction with that of Legal Agenda, has also supported these organisations in how to file complaints and increase their solidarity in pushing for the respect of WDW rights. The effective work of MW organisations like Eгна Legна during the pandemic, has shown there is potential to increase the voice of migrant women workers, and for them to reach agreements with, for instance, General Security, as they did during the pandemic, around the issue of informal work. The workers' centre in Jordan has enabled garment workers to congregate and discuss their concerns and issues opening a window into worker perspectives that is enabling much better policy advocacy on wages, contract termination, overtime, social security, occupational safety and health and other matters. In India, SEWA and PTS have also expanded union membership and conducted several advocacy campaigns on worker concerns.

*d) What are the programme's contributions to new or revised legal or policy initiatives that protect the rights of women migrant workers?*

In Lebanon, WIF worked with Legal Agenda who developed a legal aid template for women migrant workers making claims for unpaid wages and benefits. More broadly in Lebanon too, WIF has continued to seek dialogue with the Minister and Ministry of Labour around the aborted reforms to the SUC. This communication has at least prevented the removal of MW rights, and remains ongoing, given that sooner or later recruitment agents will have to recognise the way the deterioration of the economic situation has adversely affected the labour market and demand for full time, live-in domestic workers. In Jordan, WIF has also worked painstakingly on positive changes to labour regulations, moving domestic worker to be treated similarly to other forms of labour and being afforded similar protections. In India, learnings from WIF ensured that ILO was the first UN agency to highlight significant concerns regarding the Anti-Trafficking Bill in 2019 and in 2021. Such advocacy was important to ensure that the Bills were not passed. For countries of origin, the advocacy work in Nepal that led to the government allowing women to migrate more easily is the starting point for improving policies and ultimately legislation in Nepal, that is both more permissive but at the same time regulates recruitment agents and improves recruitment practices so that a much greater percentage of Nepali women are able to migrate safely and legally from Nepal.

*e) Examine how the programme's approach to anti-trafficking and migration issues differ or resemble those of other projects/ programmes and how these programme approaches may be affecting results (e.g. on sustainability and empowerment).*

WIF differs from many anti-trafficking and migration programmes in its treatment of women as active agents, capable of control over their own lives, rather than as passive (potential) victims of illegally acting recruitment agents and exploitative sets of social relations. The latter two do exist and need to be addressed, but focusing on them rather than the women, is not the most effective way to address the risks, vulnerabilities and power relations involved. Educating and empowering the women and strengthening the legal and policy support environment in complementary ways, is the most effective mechanism, as WIF has ably demonstrated. There are a series of high quality WIF publications that highlight differences between conventional approaches to anti-trafficking and more effective approaches tailored and tested by WIF. These include a policy brief on anti-trafficking laws, policies and practices, the Work in Freedom glossary on terminology of freedom and unfreedom, and several published iterations of lessons learned.<sup>91</sup>

*f) Examine the systems, networks, processes that are in place towards influencing laws, policies, and allocation of resources.*

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<sup>91</sup> [Policy brief on anti-trafficking laws, policies and practices; The Work in Freedom Handbook, A critical glossary of terms relating to freedom and unfreedom in the world of work; Worker Centers from a Fundamental Principles and Rights at Work Lens.](#)

WIF has tied in with and helped to strengthen women's movements in the countries of operation. In India the programme has successfully persuaded powerful network organisations like SEWA and the Tamil Nadu women's TUs to be inclusive of migrant women and ensure their rights and protections are incorporated within their organisational agendas and advocacy initiatives. In Nepal, women's organisations, including ones like Pourakhi which have been established by migrant women have also been strengthened in that WIF has helped them develop effective approaches for mobilising women, including returnee migrant women as social workers, and developing orientation programmes that not only address the risks and social pressures faced by migrant women, but by all women. Through this broader process of empowerment, WIF also addresses the stigma issues faced by returnee migrant women to secure their re-acceptance into communities. In Lebanon too, the work with local civil society allies has also led to a growing formation and strengthening of incipient groups that represent migrant workers. Eгна Legna is the best example so far, but other groups have also begun to emerge, and systems are in place (although they continue to need resourcing) to continue such institutional strengthening.

- g) How is the programme keeping track of fluid policy environments to remain effective? What is the programme's extent and means of promoting an enabling environment to reduce vulnerability to forced labour and trafficking of women and girls in the target areas, taking into account the contribution of relevant factors and developments in national processes, including the contribution of different stakeholders?*

WIF's national programme coordinators, who are all highly experienced and competent staff, several of whom have now been in their roles for several years, are responsible for maintaining relationships with social partners and staying on top of the policy environments. It should be noted that even when relationships are difficult with tripartite partners, including the Ministry of Labour, that the NPCs have continued to keep lines open, and continue to be respected. This is a substantial achievement in itself.

In addition, the research promoted by WIF has provided in depth understanding of the lives of women migrant workers in sending and receiving communities and this has contributed substantially to WIF's ability to provide evidence based contributions to policy debates. The depth of knowledge held by WIF programme staff, coupled with their constructive approaches to building relationships and working in progressive networks has gained widespread respect. As noted for example, even organisations whose efforts have been counter to those aimed at improving rights and protections for MWS, such as SORAL in Lebanon, and the JTGCU in Jordan, still acknowledge and respect the role and work of WIF

## 6.4 EFFICIENCY

- a) Examine delivery of programme outputs in terms of quality and quantity as planned in the programme document. Have they been delivered in a timely manner?*

Considering the exacting constraints of the last several years, including the Covid-19 pandemic, the growing economic crisis in many operational countries, and the reduction in budgets over the last two years for some of the orientation activities in countries of origin, WIF's achievement of programme outputs in terms of quality and quantity, is better than could reasonably be expected.

- b) Were the right resources chosen to deliver outputs and expected quality? Has programme management and staffing to implement and monitor the programme been adequate?*

Programme staffing has been much improved this phase of WIF, and overall the management and staffing has been excellent. For example, the CTA and National Programme Coordinators proactively wrote blogs, articles and studies advancing policy advocacy.

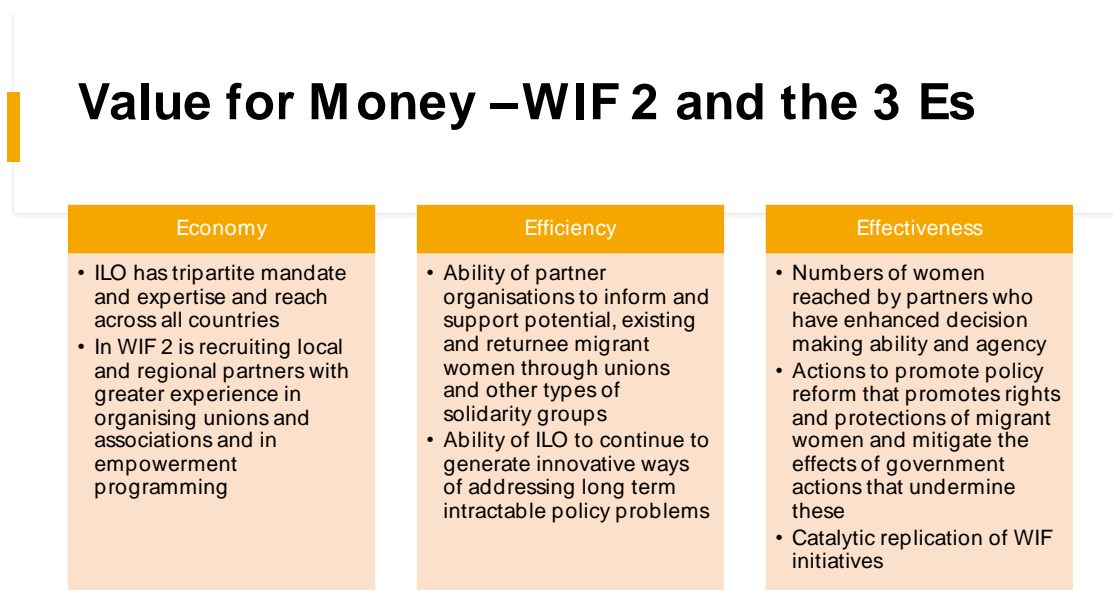
- c) Is the programme adequately resourced to enable the achievement of desired outcomes?*

The programme has used its resources well and wisely, and demonstrates good value for money when the achievements from comparatively low investments in local partners is analysed. The reduction in budget over the past two years has unfortunately prevented WIF from being able to test and explore the degree of scale up of activities that could have been managed in origin locations in India and Nepal, with the proven orientation methodologies. This could have been a real demonstration of the value for money of the approach developed, and it would behove the ILO to continue to seek to achieve this.

*d) Review and comment on the relevance, reliability and robustness of data sources of the programme's value for money indicators. How did the programme achieve (or not achieve) value for money?*

The value for money indicators noted in the Evaluability Assessment are as follows:

**Figure 4: Value for Money Indicators in EA**



As noted, the indicators for Economy and Efficiency have been achieved, whilst for those under Effectiveness the achievements have been constrained by the budget cuts.

*e) To what extent has the programme leveraged resources with other projects/ programmes, and through partnerships with other organizations/networks, to enhance the programme's impact and efficiency?*

WIF has been good at integrating its work into that of its civil society partners; all have talked about the WIF work as being fully aligned with their own organisational objectives. Nevertheless the WIF resources have been instrumental to the partners being able to undertake the work they have. Some additional resources have been leveraged in Nepal, but not yet at the scale needed to ensure the full continuation of programme objectives. More attention will need to be paid during the remainder of the programme to how resources can be raised to ensure key activities are continued, with the Workers Centre in Jordan being one institution of real concern.

**6.4 GENDER AND NON-DISCRIMINATION**

*a) To what extent has the programme enhanced the empowerment process of work-age women and girls during the life of the programme, and what interventions had effects on gender and power relations? What multiplier effects can be identified? How have policy measures, related to the programme or not, affected the empowerment process?*

There is no doubt that WIF has developed effective methodologies that have enhanced the self-awareness and decision making ability of work-age women and girls, especially in communities of origin, but progress has also been made in destination communities. In respect of gender and power relations, these are couched broadly within the context of patriarchal social relations in both South Asia and the Middle East. WIF has done well to collaborate with progressive women's organisations and networks in South Asia, since these organisations will not work with organisations they would view as having an insufficient grasp of the issues and commitment to social reform and women's empowerment to be effective. The potential multiplier effects lie in the ability to secure further resources for the orientation and capacity building work in communities of origin, for which there is huge expansion potential, as well as the more focused work in communities of destination. On the policy front, WIF together with its partners, has published several policy briefs, papers and studies that frame a women's empowerment approach (eg Bangladesh anthropological research, Centre for Women's Development Studies, Delhi (CWDS) action research, GAATW's Our work, Our lives papers, Frequently Asked Questions in Jordan, ARM/MMC press releases.

- b) To what extent has the programme improved targeting the most vulnerable women migrant workers both in origin communities and destinations (in terms of targeting the group, presenting alternatives to migration)*

In origin communities WIF has improved its targeting immensely over time. Involving returnee migrant workers and knowledgeable, experience women's organisational partners has ensured this. In destination communities in Lebanon and Jordan, targeting is always a trickier process. More could perhaps be done to access women domestic worker migrants in Jordan, who are a very hard to reach group, in addition to the garment factory workers. Workers in Lebanon and Jordan who are working informally outside the kafala system also continue to need support to regularise this way of working that meets also a growing employer demand.

In destination communities in Lebanon and Jordan, targeting is always a trickier process. More could perhaps be done to access women domestic worker migrants in Jordan, who are a very hard to reach group, in addition to the garment factory workers., work has proceeded both within the confines of the kafala system and outside it. Workers in Lebanon and Jordan who are working informally outside the kafala system also continue to need support to regularise this way of working that meets also a growing employer demand, as well as those within the system for improved rights and protections. On the policy front, WIF together with its partners, has published several policy briefs, papers and studies that frame the issues affecting women's lives within the migration cycle and ways in which a pro-choice choice approach can be advanced.

## 6.5 SUSTAINABILITY

- a) Determine the potential to sustain the outcomes of the programme beyond its life and what measures are needed to ensure this.*

There is substantial potential to sustain the outcomes of the programme given the effectiveness of the approaches that have been developed and the quality of the research that has been undertaken, the civil society partners by and large, and the programme staff. What is needed however are further resources, on a lower scale than previously, to maintain and expand these approaches, as well as the retaining of key staff.

The evidence thus far from Nepal, where the government at national, district and local levels has been supportive of WIF's work, is an encouraging example of this potential. WIF's innovative approach to pre-decision orientation training that focuses on addressing constraints on women and increasing their agency and decision making ability, is being spread from the original five to 13 districts in a government supported initiative, funded by USAID.<sup>92</sup> In addition, the placing of a migrant resource centre in each district administration office, where women have to go to obtain a passport, is now

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<sup>92</sup> The Hamro Samman project implemented through the Foreign Employment Board.



being extended to 44 district centres, with all women passport applicants being referred to these desks for guidance information.<sup>93</sup>

- b) Where should the ILO focus its interventions in order to achieve sustainable impacts in women's empowerment in the future and to improve decent work and living conditions in destination areas?*

The ILO is mandated to work with the tripartite partners, but as WIF has demonstrated these are not the organisation that will have the greatest impact on women's empowerment. Indeed, they need to be cajoled into providing support to approaches that WIF are demonstrating to be successful and to support even modest improvements to migrant women's rights and protections. From our perspective as evaluators, the ILO should work on twin tracks – with the traditional tripartite (so-called 'social') partners and with progressive women's empowerment focused civil society organisations. It should be noted that WIF has maintained good relationships with tripartite partners, and the operational and advocacy support provided through the CSO partners has been instrumental in efforts to move forward an agenda with the former.

In particular, it is important that WIF focus efforts on collaboration with government at different levels in the final months of the programme. Nepal provides a good example, with its adoption of the pre-decision orientation training and the migrant resource centres. Support by government has also been received in some Indian States, Bangladesh, and even if grudgingly, in Lebanon. This support is critical for legitimacy purposes and potentially expanding the scale of WIF approaches.

- c) Assess to what extent the practical tools developed by the programme (e.g. Worker Centres, policy briefs, training materials) are likely to produce a direct impact if their use is extensively promoted, or even better enforced. (Outcome 3.3)*

The practical tools include the pre-decision orientation approaches in countries of origin, and all will produce an ongoing direct impact if sustained. Outcome 3.3 focuses on advocacy work. This has been increased in the last two years and should be continued in a strategic manner for the remainder of the programme. 'Strategic' means continuing to work with programme partners in this week, and seeking both ongoing relevant policy change, and further resources to keep programme activities going

## 6.6 IMPACT

- a) Assess the role and contribution of the programme to the development and strategies of targeted governments in reducing vulnerability to forced labour and trafficking; as well as to the FCDO, UK and ILO strategic priorities, such as addressing other fundamental principles and rights at work and the modern slavery agenda of the UK Government.*

WIF points the way to a different and more effective type of anti-trafficking programming. By its nature, anti-trafficking work lends itself to a victim-oppressor-saviour world view. This works against more empowerment focused approaches that seek to recognise and develop the agency of those that are vulnerable, and the need to develop their freedom of choice and expand the range of those choices. As such WIF is making important contributions to the work of the FCDO and ILO. Our concern is that this is recognised by both agencies.

- b) Has the programme management and programme strategy for each output steered towards impact and sustainability?*

WIF in general has used its learning focused way of working to achieve iterative improvements in its programming, particularly in countries of origin. As such the programme has enhanced both its impact and potential for sustainability over time, with support and approval of its partners. However, the aspirations of the programme are long term, and although a great deal has been achieved, the work

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<sup>93</sup> Discussion with NPC Nepal, October 2022.



of WIF is not done. If sustainability is a really valued goal of both the FCDO and ILO, the work of WIF should be continued for another three years in order to embed fully operational practices and ensure the sustainability of institutions such as the Workers Centre, and the effective approaches that have been developed for the protection and empowerment of migrant women.

*c) Review and provide clear accounts of WIF's achieved impacts/results (e.g. how have WIF policy interventions led to shifts towards better policy outcomes, including changes in laws and regulation, or change in institutional and organizational capacity, improved collaboration and relationships, etc.)? To what extent does the programme contribute to reduced forced labour and labour trafficking (programme goal)?*

WIF has evolved and demonstrated a highly effective agency focused approach. Whilst the scale of impact is still relatively limited, there is ready potential to expand this considerably. In each context in which WIF operates WIF interventions have now left clear marks – the orientation approaches in Nepal, Bangladesh and the states of origin in India, the work with garment and domestic worker unions in Tamil Nadu, and with SEWA in Delhi, the Workers Centre in Jordan, and the work with organizing and capacity building of migrant workers in Lebanon. All of this work has laid foundations for WIF to work on policy issues with partners in a knowledgeable and expert manner, backed by its topical social and policy research. As an overall approach to achieve impact on complex, long term issues such as improving women migrant worker rights and protections, reform of the kafala system, changing patriarchal social relations to recognize better women's agency and rights, WIF has ticked many of the right boxes. More can be done during the remainder of this phase to assess and document these overall achievements.

## 6.7 SUMMARY MATRIX

**Table 4: Summary Matrix**

Criterion	Comments	Rating
Relevance	The holistic approach to the migration cycle, the active involvement of WMWs, the use of research to inform design and the experience of key staff has ensured the programme's ongoing support from all partners.	
Coherence and Validity of Design	The consistency, coherence and adaptive nature of the design, with its focus on expanding choice for all migrant women are all programme strengths.	
Effectiveness	The country of origin interventions have been highly effective, whilst the tenacity of country of destination interventions continues to chip away at outdated and abusive systems and practices and inject opportunities for change.	
Efficiency	The programme has used its resources well and wisely, and demonstrates good value for money when the achievements from comparatively low investments in local partners is analysed.  Partner organisations bring their perspectives, knowledge and skills. There is learning across organisations and networks.	

Criterion	Comments	Rating
Gender and Non-Discrimination	WIF continues to sharpen its approach to gender and inclusion through its ongoing research into the complex nature of social contexts across the migration cycle	
Sustainability	The exemplary approach evolved in countries of origin should be increased in scale and scope to preserve and enhance WIF's legacy. That in countries of destination is remarkable in its persistence but retention of key staff by the ILO is critical	
Impact	WIF has evolved and demonstrated a highly effective agency focused approach. Whilst the scale of impact is still limited, there is ready potential to expand this considerably.	

## 7. REVIEW OF PROGRESS ON RESULTS FRAMEWORK INDICATORS

The results framework is reviewed in a table contained in Annex 1. In this review we have focused on the Outcome level results, to the extent that this is possible. Perhaps the important point to note is that this framework does not capture all the achievements of Work in Freedom, since more formal assessment of the outcomes is still required.

## 8. SUMMARY FINDINGS AND KEY ISSUES

### 8.1 KEY ISSUES

- Sequenced annual **budget cuts** in programme funds from the FCDO during years 4 and 5 resulted in the early curtailment of some of the community based awareness raising and women's empowerment activities in South Asia especially.<sup>94</sup> Overall 80% of the original budget was delivered, but the cuts affected the potential for increasing the scale and scope of the South Asian outreach activities in communities of origin through the replication of proven, effective approaches to increase choices and empower prospective, existing and returnee women MWs. WIF has continued to exceed its reduced outreach targets, thus this was a real lost opportunity and decreases the potential value for money that the FCDO could have achieved through the programme.
- Dealing with the **effects and repercussions of the Covid-19 pandemic**, both in terms of its drastic effects on migrant workers jobs, benefits and circumstances, and on its prevention of work related travel and physical meetings, forcing an adaptation to an online work culture. In working with migrant workers with limited access to smart phone and data services this added sharply to the risk factors women migrant workers were dealing with, as well as increasing the programme's challenges in reaching them.
- The economic and political challenges in CoOs and CoDs have **decreased job opportunities**, increasing both demand for migration but reducing opportunity supply. This has created

<sup>94</sup> Work in Freedom Inception meeting, 7 April 2022.

added pressure on WIF's pro-choice approach, whilst at the same time increased the need for it, since the environment is more conducive for unethical recruitment.

- ***Achieving kafala system reform/ elimination in the Middle East*** has become more rather than less challenging, as economic circumstances have deteriorated in many countries and political systems become more insular and inflexible. Misguidedly governments often perceive the situation of migrant workers versus national workers in a zero-sum manner, the Jordanian government in particular viewing migrant worker jobs, for instance in the textile sector as being a potential source of increased employment for Jordanian workers, even if the salaries and conditions will not attract nationals. As employers, whether companies or households complain of straitened economic circumstances, governments back away from labour reforms.
- ***Middle East challenges within the tripartite structure.*** In Jordan, all members are collaborating to eliminate an effective complaints system. In Lebanon, RAs have been using WIF engagement to strengthen their position and obstruct labour rights reform rather than change their behaviour. Within WIF they are the main part of the problem. Whilst they wish to protect themselves from employers who wish to terminate contracts early, or 'absconding' employees, they say their aim is to protect employers. They are, however, not meeting the demand of employers for part time workers (and nor that of MWs who also wish to work part time).
- ***Intolerance of migrant worker grievance mechanisms*** within the Middle East. This is a major issue for workers' rights given the current negative climates towards workers' rights in many countries and in particular the lack of receptiveness to the submission of complaints by workers. Typically, in both Jordan and Lebanon, if a migrant domestic worker, or garment worker in Jordan, submits a complaint the employer is immediately contacted and asked if they wish to submit a counter-complaint, even if this is against labour code regulations. The result is for the worker rather than employer to be penalised, often through deportation. This makes the protection of women migrant workers' rights and lives double difficult; it is not just about legislation and labour regulations in themselves, but their modes of implementation and lack of accountability mechanisms.
- ***Addressing the advocacy related challenges of patriarchy*** within especially South Asia. Patriarchal attitudes, perspectives and systemic practices negatively affect attitudes towards women migrant workers in both the Arab States and in South Asia. The consequences are different. In South Asia, the effects of patriarchy are to take a protectionist stance towards women migrant workers, as in Nepal, or to devalue the function of domestic work, as in India, where the current government has declassified it as a form of work equivalent to others under the labour code. Addressing these issues requires sustained national level advocacy, even when political trends are negative. WIF itself has shown the value of sustaining dialogue with government agencies and unions in particular to halt some of the more regressive legislative proposals, as for instance with the anti-trafficking legislation in India.
- ***Protecting the legacy of WIF*** – For a migration programme concerned with anti-trafficking and workers' rights issues, the learning achieved by WIF is invaluable and irreplaceable, but it is not currently guaranteed that it will be preserved and built upon within ILO. This is a serious concern. How will the Fundamentals and Workers' Right Branch, which the WIF programme is located within, and the Migration Branch, ensure that future work on forced labour does build on the lessons learned, even if these are uncomfortable for the way the ILO traditionally operates? There is an element to the work that is disturbing to modern notions about forced labour and trafficking, in that it challenges the conventional narratives around these topics, which tend to portray migrant women as victims. In changing the narrative, it changes too the way the subject needs to be approached, and particularly how migrant workers are perceived and involved. The concern is that the technical teams in each location, operating through the prevailing tripartite structures, will not have the ability and agility to use all of the lessons and

research from the WIF programme, and to engage civil society more broadly than normally takes place in the ILO.<sup>95</sup>

## 8.2 SUMMARY OF FINDINGS

In countering these issues, Work in Freedom has made some key strategic advances within South Asia, and in the Middle East shown persistent stamina and a commitment to research that deepens understanding of issues and helps generate ideas for innovation and advancing in particular workers' voice, even if this can be challenging to translate into policy gains.

- **Advancing women migrant workers' empowerment and choices.** The shift in WIF's approach to the 'pro-choice' orientation, guidance and capability development work in South Asia is a prime example of what a well-led, adaptive 'learning' programme can achieve. This work, undertaken through a set of partnerships in all three South Asian countries with civil society organisations that specialize in women's empowerment work and have familiarity working with migrant workers, has resulted in the development of approaches capable of wider dissemination and scale up.
- **The commitment to analysis and investigation** of the 'knotty' problems to achieving kafala system reform and improved rights and protections for migrant workers of WIF has also been remarkable and laudable, a second example of an effective learning programme. In this instance, the social research undertaken by WIF has led to a better understanding of the 'push' contexts that create a supply of potential migrant workers, and the receiving contexts in which migrant workers have to learn how to make the best of their circumstances. Although the benefits of the research are also longer term, WIF has used the insights and understanding generated to inform their advocacy and intervention strategies. Publications have been organized under the following themes: Policies to address unfree labour; Agrarian crisis and women's migration; Labour market intermediation; Working and living conditions; Violence in the world of women's work.
- WIF has achieved a series of **solid and valued relationships** across origin and destination contexts. This improves the likelihood of progress in approaches being sustained to some extent in countries of origin through alliances of local partners with local government units or other funding agencies, but less so in countries of destination where the challenges are more intractable. Nevertheless, the work in contexts like Lebanon has led to an increased commitment to supporting forms of migrant worker organization, capacity building, and access to forms of legal services to address labour rights issues.
- **Facilitation of effective advocacy work at different levels**, notably at national level. WIF partners have worked well with district and state governments in South Asian countries, but of particular importance has been the national level advocacy work that WIF has often led or facilitated. This includes changes to the law allowing women domestic workers to migrant in Nepal (even though now the over-restrictive preconditions need to be addressed), the leadership role of WIF in the kafala working group in Lebanon, leading to the 2020 reforms in the Standard Unified Contract, which even if subsequently put on hold by the Shuria Council still provide a template for future reform; and the advocacy work led by SEWA with opposition and ruling MPs in India on domestic worker legislation.

## 9. LESSONS LEARNED

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<sup>95</sup> Inception meeting

Work in Freedom itself has engaged in a great deal of lesson learning and produced now several publications on the topic. These include Lessons Learned documents produced in April and September 2021 and a third produced in June 2022, each on a specific area of the migration cycle.

In the lessons learned listed here we are not repeating the more technical orientation of these very useful lessons learned documents, but rather are reflecting on the WIF process itself and what has been learned. Some of the ‘lessons’ we have listed here will also be incorporated into the recommendations. It should be noted too that the lessons we are drafting here are rooted in our longer term engagement with WIF.

## 9.1 SOUTH ASIA

### ❖ *Circular nature of migration.*

WIF commissioned research on migrating women in both origin and destination countries illustrates that many women have migrated several times to similar or different regions, illustrating a trend of circular international migration, not to mention circular internal migration, which has been well documented in some countries, such as India. While some South Asian women working in domestic or garment labour in other countries may be first-time migrants, the majority have migrated numerous times<sup>96</sup>. Several points can be made here. First, is that despite the challenges, risks and frequency of rights abuses, migrants are returning to work internationally. This indicates that once a woman becomes a migrant there is often social pressure on her to continue, in part because economic needs within the household have not been met, also that the person now understands better how to migrate and third, that person may find it difficult to reintegrate into her community of origin through forms of stigma, as was documented during the WIF2 Evaluability Assessment. Women also understand the value of their time better, which makes paid work more of an aspiration<sup>97</sup>. As WIF has been doing, it emphasises the need to work with returnee migrants in CoOs, as well as prospective first time migrants. Using their experience to influence government strategies in CoOs, including with respect to BLAs, is important.

### ❖ *Facilitating choice: Pre-departure training and recruitment processes.*

An early lesson of WIF1 was the dangers of hiring training and capacity building organisations that are wholly didactic in their delivery style. Adopting a strategic focus on women’s empowerment and their ability to make informed choices signalled a huge shift in the aims and style of WIF. Nevertheless, empowering potential or actual migrant women is easier said than done in a political economic system that favours recruitment agencies and employers, and where the agents that seek out potential women migrants have a far greater reach than an orientation programme is ever likely to have.

A lesson learned from Nepal is the importance of ensuring such training is voluntary and involving returnee migrant women workers as trainers if possible. From India, the value of having solidarity based organisations with membership networks was also learned. The content of all conversations should be relevant to women’s mobility, women’s work and well-being, locally available resources and the political context of migration. Methods should be interactive and should encourage communication and learning for both individuals and groups. Settings and training content are more effective when they are informal. Perceptions about training should be managed carefully depending on local stigma associated with women’s mobility and paid work. This is all a long reach from the early days of training in Chhattisgarh and shows how far WIF has come in this regard.<sup>98</sup> In this phase too, Bangladesh has now also been fully incorporated in this process with partners that do have strong community networks, and the lessons learnt from India and Nepal applied there too

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<sup>96</sup> Lessons learned report 1, April 2021, p.17

<sup>97</sup> Comment on draft report, Narendra Bollepalli, WIF MEL Coordinator.

<sup>98</sup> Ibid

❖ *Quality and commitment of local partners.*

An additional related lesson that applies to the Middle East too, is the importance of working with local partners that are embedded in local communities and structures, understand the importance and means to facilitate processes, and are brave and committed in what they do. Commitment includes the ability and willingness to engage in advocacy related work where necessary, and thus to challenge power, since the way in which recruitment works will not be shifted by other means.

In Lebanon, the importance of having partners that have developed and learned together with WIF was mentioned,<sup>99</sup> rather than just seeing WIF as another donor.

## 9.2 MIDDLE EAST

❖ *Abolition of the kafala system.*

*“The importance of thinking outside the box. Maybe we should just focus on the idea that the system should be dismantled rather than always just looking to reform it.”<sup>100</sup>*

We have been struck by how abusive labour practices remain in the Middle East.<sup>101</sup> The commodification of migrant domestic workers, and their treatment as mere chattels noted in the Evaluability Assessment of WIF2 is a cultural outlook and practice that persists. It originates largely in two practices, the fact that employers pay a recruitment fee, and that the migrant domestic workers under kafala practices have to live in. The fee provides employers with the sense of ownership. They have paid for an expensive commodity, now the commodity owes them. Having the employee live under the same roof reinforces this sense of ownership. Seeking reform of the system and more effective regulation of recruitment practices will not change this essential dynamic. What needs to change is the relationship between employer and employee so that it is reconstructed purely as a labour relation. Practice and culture have made it clear this will only happen outside the kafala relationship.

❖ *Obstructive political influence of recruitment agents.*

In a current context like Lebanon the existing kafala system serves neither the interests of employers and employees. So why does the system persist? As has been learned through the experience of Work in Freedom, the system persists because of the role of recruitment agents and the considerable political influence they leverage. It was the recruitment agencies that blocked the reforms to the Standard Unified Contract in Lebanon in 2020 with their appeal to the State Shura Council. There are often ownership ties with political elites of the largest agencies. In the current economic circumstances, when the demand for part time domestic and care work is growing, rather than having a full time live in employee, it is the recruitment agents that are refusing to recognize how trends are shifting. In a discussion held with SORAL in Lebanon, there was no appetite for reviewing their current business model, although this is what is necessary.

This similarly applies in countries of origin too. Recruitment agencies play a role in blocking reform in contexts like Bangladesh too. This creates a thorny knot in the reform process. It is also where thinking outside the box comes into the picture.

❖ *Promoting solidarity – Migrant and national domestic workers.*

The premise and potential contribution of a human security framework to WIF thinking has been introduced earlier. An initial discussion around the concept of solidarity was held with the Lebanon National Project Coordinator, and that this was insightful and productive provides a sense of the value the framework can serve. In Lebanon WIF is piloting a digital app targeted at national domestic

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<sup>99</sup> Zeina Mezher, Inception discussion, 21 April 2022

<sup>100</sup> Zeina Mezher, Inception discussion, 21 April 2022

<sup>101</sup> FAIRWAY MTE case studies.

workers/ carers, rather than migrant workers, in an imaginative pilot that is about the kind of bridge building between national (and Syrian) workers) and migrant workers that is necessary, to generate a wider cultural acceptance of domestic work being treated as a legitimate form of work. Although targeted at national workers, the app also provides a precedent for a mode of employing care workers that is wholly outside the kafala system.

❖ *Policy persistence and stamina.*

As noted, by the WIF Advisory Board, the current policy climate is bleak. 'We note that WIF has undertaken some significant policy interventions, nevertheless. There have been significant changes in Jordan in relation to the domestic work regulation and in Nepal in relation to the partial removal of the ban on women emigrating to work'.<sup>102</sup> In Lebanon too, persistent pressure by the ILO has helped to prevent the new Minister of Labour instituting an entirely undesirable replacement SUC and go back to accepting more of what had been agreed earlier. This persistence of the WIF team, despite repeated rebuffs, and its foundation in a continuous process of relationship building and consolidation, is one of the more remarkable traits of the team, in spite of the snail pace of some of these reform processes. It is both a laudable achievement and lesson in managing the reform of migrant labour laws, policies and regulations in the Middle East. In a context like Lebanon, the fact that WIF has continued to knock at the Ministry of Labour's door, has also meant that gradually concessions around piloting new initiatives have been won too.

❖ *The value of good research.*

An outstanding feature of WIF has been the quality of the research conducted. In particular, what has been of value is the specific studies conducted in order to throw a light on thorny problems identified. This find-a-problem-and-see-to-understand-it-in-order-to-find-a-way-of-addressing-it approach has resulted in high quality, original research being conducted, especially as WIF has commissioned those who are either highly familiar with the topic, or committed themselves to addressing it, to undertake the research. What is outside this oeuvre is the work of IFPRI, the official research partner. It is surprising to this evaluation team that they do not appear to have engaged a great deal with the excellent research undertaken by WIF itself. Work in Freedom is an exemplar, applied research programme.

On this research we note the comments of the WIF Advisory Board, which we would endorse.

One major contribution of many of these studies has been to challenge conventional wisdom— especially around issues of trafficking and recruitment, as well as women's inter-sectoral work mobility. In this context, the compilation of the glossary reflecting the complexity of free/ unfree labour has been a major contribution. These kinds of research interventions open up space for major policy intervention, such as the WIF's intervention with the Indian government's trafficking legislation (2018, 2021). To take these further, however, two further steps may be useful. First, there could be some more publications, which draw on the micro-studies to reflect on the key findings across the origin and destination studies. Secondly, there remains a need to find ways to disseminate these studies more widely and for them to be part of policy discussions.<sup>103</sup>

❖ *The need to document and disseminate further and more widely.*

This echoes the last point made above by the WIF Advisory Board. The research, learning and experience of WIF is extremely rich, and in many ways represents the greatest value and contribution made by the programme. The lessons learned by WIF need to continue to be applied by the ILO, and other organisations that focus on migration issues. The lessons learned documents produced by WIF

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<sup>102</sup> International Labour Organization, 'Work in Freedom Programme (phase 2), Annual Report of the Advisory Board, December 2021

<sup>103</sup> International Labour Organization, 'Work in Freedom Programme (phase 2), Annual Report of the Advisory Board, December 2021



are of great value. However, what perhaps remains is more of an account of how and what WIF learned itself in how to approach this work and to make a difference in a problem that at times has seemed, within the Middle East at least, impervious to change. To help preserve the legacy of WIF, a special report of this nature, and a wide launch strategy could play a major role in ensuring it, as well as contribute to the point below. The WIF Advisory Board members could also bring their own experience and learning to this report too; the synthetic value of their December 2021 Annual Report was extremely high.

❖ *Adopting a programmatic approach and protecting the legacy of Work in Freedom.*

This is a broader lesson for the ILO with respect to its work on highly complex migration issues. WIF has shown the essentiality of a long and deep rooted approach. We have seen the journey the programme has undertaken, and it is highly impressive. But with FCDO funding due to end early in 2023, it is experience that the ILO cannot afford to lose. From a programme quality perspective, the ILO talks of having programmes but in practice has projects, in that each project has its own theory of change and results framework, but there are no overarching theories of change that connect these project based frameworks over 10-15 year time frames. Initiatives like that for Decent Work, could support the fulfilment of this role, but have only the starting points for a theory of change. The FAIRWAY migration programme looking at migration linkages between Africa and the Middle East, for example, does not (yet) have an empowerment component to it. But from the lessons learned from WIF, this is essential to any migration initiative that wishes to treat women as active agents and not victims. It is positive that the migration team within the Beirut regional office works as a single team and plans activities jointly, even if they are supported through different projects.<sup>104</sup> This needs to be extended though into the development of overarching programme frameworks too. We believe this is essential to preserving the legacy of WIF and the longer term struggle the ILO is engaged in to humanise and eradicate the kafala system in the Middle East. Any aim short of this, is less than migrant workers deserve. Women migrant workers especially have had their humanity denied for too long, and WIF has shown the rights abuses that regularly take place cannot be treated without deep knowledge, relationships and capabilities.

## 10. RECOMMENDATIONS

The recommendations in this section include recommendations both for the remainder of this phase of the programme, as well as for the broader ILO.

1. *Adopting a programmatic approach and promoting the legacy of Work in Freedom.*

The evolution undertaken by the Work in Freedom programme during its 10 year life span has been quite remarkable. When then first EA was undertaken in 2014, the approaches that WIF was using in countries of origin were didactic, disempowering and ineffective.<sup>105</sup> Since then the programme has built new strategic partnerships with women’s organisations in South Asia, changed completely it’s outlook and philosophy, and generated orientation approaches that are both empowering of women and expand their knowledge and possible options. Now what is necessary is to build a longer-term commitment to these ground-breaking approaches, turning them into models and deploying them in a 10-15 year programme framework to ramp up the scale of impact.

Address to (who to address this recommendation)	Priority (High, medium, low)	Time implication (short, medium, long term)	Resource implication (High/low/none)
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<sup>104</sup> Zeina Mezher, Inception discussion, 21 April 2022

<sup>105</sup> Evaluability Assessment, Work in Freedom First Phase, 2014.



ILO Fundamentals and Migration Branches	High	Medium to Long Term	Technical Resources
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2. *Continue the twin track approach working with tripartite partners and progressive civil society organisations* that include migrant women and advance principles of women’s empowerment and gender equality in the contexts in which WIF and the ILO operate.

WIF, at the behest of the FCDO, who wanted the programme to work directly with organisations representing migrant women workers, works to a greater extent with civil society organisations than the ILO usually does. It is clear that in working to mitigate the risks and vulnerabilities and improve the rights, protections and lives of women migrant workers that it is essential to work directly with structures that represent these women. Yet by and large, with the ILO’s tripartite mandate, it is less common for the ILO to work with labour representing organisations other than trade unions. In the Gulf, and in South Asian communities of origin, this is clearly inadequate as an approach. WIF should continue its work with TUs and leverage the example of the unions in Tamil Nadu as much as possible. FENASOL in Lebanon is willing, even if traditional and paternalistic in its approach. Nevertheless WIF should ideally look to provide a path to TU reform in the Middle East, and continue to engage with FENASOL on this,

<b>Address to</b> (who to address this recommendation)	<b>Priority</b> (High, medium, low)	<b>Time implication</b> (short, medium, long term)	<b>Resource implication</b> (High/low/none)
ILO Regional Offices in South Asia, Middle East and Africa	High	Medium to Long	Higher engagement of CSOs working with WMWs

3. *Seek forms of funding to sustain the pro-choice orientation and guidance approach developed for South Asia.*

With the budget cuts made to the funding of orientation work in Nepal and India over the last two years, the opportunity to increase the scale of the work and generate a greater return of investment for WIF has been lost. Some additional funding has been generated in Nepal, with other projects expanding pre-decision orientation training and the district centre located migrant resource centres, but more is required if the work is to be sustained and expanded for the longer term, and also in India and Bangladesh, with further local and regional government support.

<b>Address to</b> (who to address this recommendation)	<b>Priority</b> (High, medium, low)	<b>Time implication</b> (short, medium, long term)	<b>Resource implication</b> (High/low/none)
WIF and ILO South Asia	High	Medium	Medium

4. *Special strategy needed for the Workers Centre in Jordan.*

The current situation in Jordan is especially bleak, given the lack of official support for migrant worker right, and now even the threat to the existence of the Ministry of Labour itself. The only point of light in a bleak context from the perspective of garment migrant workers is the Al-Hasan Workers Centre. As noted, the government seems unable to see beyond a national workers vs migrant workers zero-sum approach to labour market employment. Whilst this is a false dichotomy and the existence of migrant textile workers is not taking jobs from Jordanians, it is leading to a wholly negative approach from the government in permitting even legitimate worker complaints. Currently the Workers Centre is providing almost the only place where workers can go to discuss and register complaints, since labour inspectors no longer fulfil this role with the advent of the Hemayeh platform. The recreational and training role the WC plays is also essential. It also should provide health facilities, now shut down too with the same antipathetic logic. For WIF, the WC is the only current entry point to protect migrant textile worker rights, and the future of the centre needs to be secured before the end of this phase. We recommend a marketing campaign, for instance around South Asian national days and to draw in embassies, CSOs, and potential donors. The recreational role the centre plays needs also amplifying, to gain more support for the centre’s continuing functioning from garment factory owners themselves.

<b>Address to</b> (who to address this recommendation)	<b>Priority</b> (High, medium, low)	<b>Time implication</b> (short, medium, long term)	<b>Resource implication</b> (High/low/none)
WIF and ILO Regional Office, Beirut	High	Short	Continued funding

5. *Continue efforts to pilot new approaches in Lebanon.*

A strength of the approach in Lebanon has been the efforts to use research to identify potential opportunities for new initiatives that will advance migrant worker rights and then to seek a way of establishing a pilot to test the opportunity. One recent opportunity identified based on the rising demand for part time workers, and the fact that officially only Lebanese and Syrian women can meet such demand, has been through the agreement reached with the Ministry of Labour to pilot an app where potential employers could post requests and find care workers to meet their needs. This would require employers to agree to certain terms and conditions for employment, with the potential to link this to migrant worker conditions too. The MoL has now been pressured by WIF to agree to the pilot and is why WIF should continue to seek to pilot such initiatives. A further idea suggested in a discussion with one member of the kafala working group was to work with General Security to pilot an initiative for migrant workers to be allowed to work part time.<sup>106</sup> This pilot could be undertaken in different ways. There are kafeels that allow their worker to work for others, since it allows them to defray the costs for the person. Such a pilot would again be in line with the increasing demand for part time rather than full time workers, but opposition will come from recruitment agents and it would take a while to get the MoL on board. But it is the kind of initiative that is needed.

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<sup>106</sup> Discussion with Dima Haddad, IOM, 16 June 2022.

<b>Address to</b> (who to address this recommendation)	<b>Priority</b> (High, medium, low)	<b>Time implication</b> (short, medium, long term)	<b>Resource implication</b> (High/low/none)
WIF Lebanon and Regional Office	High	Medium	Retention of NPC, Lebanon

6. *Build on the solidarity principle in origin and destination contexts to promote human security (freedom from fear, freedom from want and freedom to live in dignity) of all domestic care and garment workers.*

The initiative referenced above is an example of the solidarity principle within a human security framework, in that it seeks to align the interests of national (and Syrian) domestic carers and migrant workers performing the same role in Lebanon. In the earlier conceptual framework section, the importance of the solidarity principle, and together with that, that of Common Security (and inclusion) – that one group can typically only be secure if the groups with whom it is significantly connected are secure too. For migrant workers, to advance the solidarity principle there are three key requirements:

- Decommodification of MWs requires them to be seen as workers not migrants
- Seeking to unify initiatives for decent work across national and migrant workers in a sector
- (Re-)Integration of MWs into sending/ receiving communities

Examples of each of these from WIF’s experience are illustrated in the diagram below. With its focus too on agency (and therefore empowerment), we recommend that WIF uses this human security framework more since it encompasses the core elements of WIF’s approach in a coherent way and in particular that WIF develop this solidarity element further. It is a way of promoting the rights and protections of women migrant workers in a time of economic downturn. The digital app is one potential initiative in Lebanon, but otherwise would involve more cross over initiatives between ARM and the migrant worker CSOs it is capacity building and more conventional women’s organisations in the country. In Jordan, it requires looking for openings to being the Jordanian government around to seeing migrant workers not as a threat but a support to the country’s economy. In South Asia the work with the TUs in Tamid Nadu and with SEWA in Delhi can also be built on, and the use of returnee migrant women as social workers in Nepal and Bangladesh is also an approach with considerably more mileage.

<b>Address to</b> (who to address this recommendation)	<b>Priority</b> (High, medium, low)	<b>Time implication</b> (short, medium, long term)	<b>Resource implication</b> (High/low/none)
WIF and other teams working on migration and decent work	Medium	Medium to Long	Low

**Figure 5: The Solidarity Principle and Migrant Workers - Requirements**

## Examples of potential policies and practices from WIF experience

### Decommodification of MWs requires them to be seen as workers not migrants –

- Building MW organisations and forms of collective support
- Creating innovative ways to build bridges and forms of engagement with local communities and groups
- Engaging further with recruitment agencies and Ministries of Labour, changing language and practices

### Unifying initiatives requires inclusive approaches

- Development of online apps for care work recruitment (Lebanon),
- Having common labour regulations, rights and protections across national and migrant workers

### Integration of MWs

- Using returnee migrant workers as community social workers to provide orientation to new potential migrants
- Establishment of migrant resource centres
- Facilitating the policy means for part-time/informal work outside the kafala system
- Incorporation within existing trade unions

#### 7. Conduct an assessment of the effectiveness of the orientation work in communities of origin covered by WIF.

An area of work that has been impressive for WIF is the agency focused work on orientation guidance for potential migrant workers in areas of origin, including the use of returnee migrant women to provide their experience. However, there is limited data on the efficacy of this work, and this is one survey we would recommend that is conducted by WIF to provide outcome indicator data. Our recommendation would be to work through the CSOs that have been conducting the work, and to use a participatory survey in keeping with the methodology itself. Through this survey benefits of the orientation guidance, in the various ways it has been provided (women's groups, schools, community meetings) can be identified, and then information gathered on the numbers of women who participated in the orientation activities who have experienced specific benefit. Purposive sampling can be undertaken of an agreed number of the groups or locations targeted. This kind of participatory numbers survey can be undertaken rigorously and provide often more insightful and valid data than a more expensive formal quantitative survey. WIF does need some evidence of the value of the methodology it has developed for the orientation and guidance training and an assessment that will be widely accepted is required.

Address to (who to address this recommendation)	Priority (High, medium, low)	Time implication (short, medium, long term)	Resource implication (High/low/none)
WIF	High	Short	Part of Final Evaluation

#### 8. Retain ILO technical staff knowledge and experience.

The collective experience of the WIF CTA and national programme coordinators has been noted in this evaluation. It is a sign of the overall quality of the WIF programme that it has gathered together, and retained, a high calibre group of experienced professionals, who have now gained hugely valuable

experience. Their collective persistence in the face of numerous obstacles, and their ability to maintain communications even with those whose attitudes and policies are in opposition to the aims of the programme is fundamental to the programme’s effectiveness and considerable achievements. We would recommend extremely highly that the ILO seeks ways to retain all these staff if at all possible.

<b>Address to</b> (who to address this recommendation)	<b>Priority</b> (High, medium, low)	<b>Time implication</b> (short, medium, long term)	<b>Resource implication</b> (High/low/none)
ILO Regional and Country Offices in ME and South Asia	High	Short	Costs of Staff Retention

9. *Consolidate a summary of the top 20 lessons learned.*

Work in Freedom has produced lengthy glossaries of lessons learned, that are rich, full of detail, and very unlikely to be read by many people so extensive are they. The last three lessons learned documents covering the whole migration cycle are wonderful documents, and full of helpful guidance. We wonder however if WIF could not seek to distil all this documentation down to a set of 20 core ‘must do’ lessons learned during the programme’s implementation. This will require a process of selection and synthesis that will be invaluable, allowing a set of core recommendations to be identified and presented. The lessons learned listed here are of course one attempt at a synthesis, but given the comprehensive and technical nature of WIF’s own documentation, their own distillation will of immense value, and would be a widely read document. *What would also be immensely valuable here, is WIF’s documentation of its own approach to learning, since this has been unique within the ILO.*

<b>Address to</b> (who to address this recommendation)	<b>Priority</b> (High, medium, low)	<b>Time implication</b> (short, medium, long term)	<b>Resource implication</b> (High/low/none)
WIF	Medium	Short	Low

10. *Focus of final evaluation.*

The final evaluation will follow on shortly after the finalisation of this mid-term reporting. As such, the evaluation should be complementary and not repetitive. We would recommend that **the evaluation focuses on assessing existing and generating new evidence around the Outcome indicators for the Results Framework.** This will allow a more precise assessment of WIF’s achievements with respect to its overall objectives. This would include indicator 1.2 on Sustainability and replication of processes/ methods, since this will also help elaborate efforts already undertaken to ensure the continuity and expansion of WIF’s approaches on topics like the pre-decision orientation training. Since WIF itself has been highly innovative, so should these assessments. We have already recommended that the assessment be conducted in a participatory manner, involving WMWs themselves, whether returnee, existing or prospective, and be conducted using a purposive sampling framework for locations. The aim of the survey for the first objective is to find out what difference the various forms of orientation training and discussions made to women’s lives – what types of changes, how many women did each type of change apply to, with what effects on their lives. This will be appropriate across the three countries of origin, and in India, can also be conducted in destination locations. Within the Middle East a substantial survey will not be possible.

A second focus of any final evaluation should be the sustainability strategy for the programme. We have sought to highlight needs relating to that here, and there are just a few months to put more

pieces into place regarding this. This should be a priority for the ILO itself, considering the quality of WIF’s work, and the nature of its achievements thus far across its lifespan.

Indicator 3.1 is related to research with policy makers, these being defined very broadly. It would require identification of some of the broad constituents of WIF, and a purposive sampling of them. The indicator is not altogether clear, as noted in our remarks, but there can be a survey on how WIF has changed perceptions of a targeted range of ‘policy makers’.

Finally, much of the results framework focuses on the provision of illustrative examples, and numbers of cases. We would recommend that the final evaluation also focuses on teasing out and documenting the complete lists of cases for each of these outcome indicators – 1.2, 1.3, 1.4, 2.1, 2.2, 2.4 (suggested), 3.2, 3.3.

<b>Address to</b> (who to address this recommendation)	<b>Priority</b> (High, medium, low)	<b>Time implication</b> (short, medium, long term)	<b>Resource implication</b> (High/low/none)
WIF and Evaluation Branch	High	Short	Final Evaluation

## 11. CONCLUSION

Few programmes evolve as much and as effectively as Work in Freedom has done during its ten years of existence. In the series of good practices it has developed, WIF is an exemplar, adaptive learning programme. Many of these practices are unusual within the ILO, and as such it is vital that appropriate broader lessons are drawn from within the organisation, in particular with respect to approaches for working with migrant workers. The agency centred approaches of WIF with women are challenging of patriarchal practices in sending and receiving communities, but undertake this through forms of dialogue that can lead to sustained engagement.

In South Asia, Work in Freedom has had considerable success. In Bangladesh, which was the last of the three South Asian countries to adopt more progressive empowerment focused approaches more broadly within WIF, there has been significant progress in the period since the 2020 Evaluability Assessment. Progress in difficult employment conditions in India, through progressive trade unions in Tamil Nadu, and women’s networks such as SEWA, has set the basis for future expansion of such work. This is also the case in Nepal where network organisations link local and national levels more readily, and there is cooperation at district level between CSO partners and local government to keep orientation approaches going.

In the Middle East, progress has been more taxing and required considerable tenacity to survive and overcome the changes in Ministers and key ministry personnel in Jordan and Lebanon, and the frequent reverses that are experienced with respect to migrant women’s rights. Nevertheless, justifications for sustaining the kafaka system continue to be whittled away, even if governments remain reluctant to embrace reform, and recruitment agencies are keen to throttle any signs of doing so. Yet the nature of domestic work is changing, and the demand for part time live out rather than full time, live in workers is growing. We have highlighted opportunities to advance forms of solidarity that may help to bridge this gap.

Overall, Work in Freedom has pursued an approach to anti-trafficking work that rehumanises women migrant workers, and in this process of decommodification lies the future seeds for reform. Despite the cuts to the community outreach work in South Asia in the last two years WIF has shown it is capable of consistently exceeding its outreach targets. With its programmatic work influenced by the topical research undertaken to explore migration contexts in countries of origin and destination, there

is much the programme has been doing right. What is critical now is that ways continue to be found to build upon and expand this success.

## 12. ANNEXES (SEPARATE FILES)

ANNEX 1: INDICATOR PROGRESS MATRIX

ANNEX 2: WORKERS CENTRE NOTE

ANNEX 3: LESSONS LEARNT

ANNEX 4: WIF PUBLICATION 2022

ANNEX 5: TOR FOR THE INDEPENDENT MIDTERM EVALUATION