



Evaluation Summaries

Strengthening the social partners capacity for promotion of social dialogue in Jordan

Quick Facts

Countries: *Jordan*

Final Evaluation: *February 2007*

Mode of Evaluation: *independent*

Technical Area: *Social Dialogue*

Evaluation Management: *RO-Beirut*

Evaluation Team: *Steve Gibbons*

Project End: *December 2007*

Project Code: *JOR/01/50/USA*

Donor: *United States Government*

Keywords: *Social Dialogue, Capacity Building*

Background & Context

This evaluation summary was excerpted from the Executive Summary of the Evaluation Report

The development of social dialogue and the reform of labour market institutions and labour legislation in a country like Jordan are far from an easy task. The nature of the social and political systems within the country and its recent history mean that there are a number of competing tensions which will at any one time lead to different priorities facing both social partners and the national government in addition to the need to improve the conditions in the country for workers. In many ways, these difficulties have been further complicated by a rapid growth in export industries, an enormous influx in migrant workers to work in those industries and the related demand from a range of international

actors, including trade unions and governments, that the international labour standards be enforced within those very same export industries. The ILO Declaration project which is being evaluated in the current report sought to improve social dialogue within Jordan, through defined activities working with the social partners, promoting the reform of labour legislation, and working with the labour ministry and inspectorate in order to improve competencies, skills and understanding. Its task was a far from straightforward one, but it has made an important contribution and brought about tangible results.

As this is a formal evaluation of a project with defined objectives and predetermined indicators and project management plans, it is important to note that the scope of the evaluation is restricted to those activities which are directly in control of the project or could be influenced by project activities. As such, this report should not be taken as a comprehensive review of the current situation with regard to labour laws within Jordan. Such issues are only relevant insofar as they arise from project activities, have an impact on the project or are intended to be outcomes of the project. However, as one of the intended outcomes of the Declaration project was intended to be a contribution to the reform of labour legislation within Jordan, there are some important issues that need to be considered in this regard.

As well as seeking to promote the reform of Jordanian labour legislation in a manner which

brings it towards compliance with internationally recognised standards, other key objectives of the project were the establishment of an effective and sustainable social dialogue mechanism, the enhancement of collective bargaining at a national, sectoral and enterprise level and the enhancement of the labour administration system.

With regards to the first immediate objective of the project, which was formally defined as that an 'adequate legal framework [should be] promoted', the project has carried out a number of very important activities and has probably taken all of the steps that could be expected towards achievement of this objective. A key methodology of the project has been to establish a national tripartite committee, with representatives of government, employers' organizations and trade unions, to which a wider stakeholder group with a relevant interest in labour relations issues was added with the agreement of the existing members. This group has been exposed to a range of information and expertise with regard to the building support for the revision of the Jordanian labour code. The project also established working groups within this committee to consider particular aspects of Jordanian legislation that was considered to be out of line with international standards. So, for example, one group looked at and reported on the question of the ability of migrant workers to be members of trade unions. It is no mean achievement that the project managed to gain acceptance for both a gap analysis of the differences between Jordanian legislation and that which would be closer to compliance with ILO standards and also to produce proposals for legislation which were agreed to by the tripartite group. This draft has been subsequently commented on and reviewed by experts within the headquarters of the ILO in Geneva and these comments have been relayed to the group.

In carrying out these activities related to the labour code, the declaration project has probably taken things as far as can reasonably be expected. Even bearing in mind the requirements of the international law and

undertakings which have been given by the Jordanian government in some international trade treaties, the reform of labour legislation is a matter for the sovereignty of the Jordanian government and, as such, is not something which is in the gift of the project. At the time of the carrying out of the evaluation there was a great degree of confusion about the exact status of labour law reform, and it was unclear whether or not the government would be prepared to take action on a number of issues which have been identified during the course of the project's activities as being needy of attention in relation to the legislation. Foremost amongst these being the reform of the law relating to freedom of association – currently only a defined number of state-sanctioned trade unions are able to operate legally – and the rights of migrant workers in relation to basic employment legislation and, particularly in the context of this project, to join and form trade unions.

In relation to the second immediate objective of the project, namely the promotion of sectoral dialogue, the project has devoted a substantial amount of time and resources to seeking to develop a Social and Economic Council which is intended to operate at a national Jordanian level. The project has utilized the expertise and additional resources of a number of European countries in order to ensure that the role of such a council is fully understood by all of the relevant social partners and also that the benefits that such a council could bring to Jordan are clear. All of the indicators suggest that the activities of the project in this regard have been efficiently and positively made and that all of the relevant social partner groups are fully in support of the establishment of such a council. Unfortunately, the council has yet to be established. This is so even in the light of very clear and defined statements from the most senior figures within Jordanian political life that the council would be established over a year ago.

The final immediate objective of the project related to the strengthening of labour administration. While this was an important part of the agreement between the ILO and the

Jordanian government for the establishment of the project, this aspect of activities understandably took a back seat during the early stages of the project given the necessity of seeking to promote reforms to the labour law and also to develop a wide consensus among the social partners. Since the publication of a very critical report by a U.S. based NGO in mid-2006, however, the project has commenced a number of very defined activities aimed at supporting the capacity of labour inspectors in Jordan. A series of focused training sessions on a range of subjects relevant to the labour inspectors have been carried out in the final phase of the project. These have been assessed very positively by the labour inspector participants and those who come into contact with the labour inspectorate on a regular basis. The development of this part of the project will be one of the crucial steps for the next phase, should it be funded.

The management of the project has been assessed as being well executed, subject to a failure to produce a number of the performance indicators that were required by the donor. This latter failing is in many ways due to the fact that the project's management has sought to prioritise activities around those actions which are considered to be the most appropriate to the national circumstances and capacities in the current climate.

In short, this project has produced very real and sustainable outcomes in terms of raising the level of understanding, capacity and debate on social dialogue issues. It has obtained and retained wide stakeholder support and has been a positive advert for both the DOL and the ILO.