



Evaluation Unit (EVAL)

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Mannu Bheel-Bonded Forever?

Mannu Bheel is a Hindu *hari*¹ from Sindh. His story is that of a person deprived of law and justice. This story tells how difficult it is for a poor person to seek justice in our society. By law every individual has the right to legal defence and this right cannot be taken away from him/her under any condition. During the recent years many people went missing in Pakistan without any charges against them. Ten years ago on May 2, 1998 Mannu's entire family consisting of nine members, parents, brother, wife, two sons, two daughters and one guest were kidnapped. Currently he is jobless and living in Sikandarabad Hari Camp located on government land in Kotri Taluka of Jamshoro District. This camp was established in 2000 by activists in order to provide refuge to peasants released from private jails maintained by feudal lords in Sindh.

Mannu went on a hunger strike for 1287 days against the kidnapper and the news was highlighted in all local and national dailies. Only then Chief Justice of Pakistan took a notice of his hunger strike. But his stance was that, he is frustrated with the system of justice and yet he will not give up his struggle to regain his family. He believes Abdul Rehman Marri a landlord has kidnapped his family. Even threats to his life failed to stop Mannu's epic struggle against people who have detained his family for over a decade. Once the police touted that his two daughters had been freed but it turned out to be a farce to silence him. Mannu himself lives under constant fear for his life, having endured a severe beating by a senior police officer in an effort to "persuade" him to withdraw the case.

In 2007, the District Police Officer informed the court about a confession of Jan Singh who had lived with Abdul Rehman Marri for ten years. According to Jan Singh, Mannu Bheel and his family borrowed two lakh rupees from Abdul Rehman Marri. Later Mannu Bheel revealed that Abdul Rehman Marri was living in an air-conditioned room in jail and serving meals to the inmates. Mannu Bheel's case is just not one person's misery. This is a tragedy of thousands of missing people, separated from their families and victimized by the cruelty of feudalism and bonded labour. Many of these missing people are still suffering in private jails of feudal lords.

¹ Landless peasant

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List of Acronyms

BL	Bonded Labour
BLF	Bonded Labour Fund
BLSAA	Bonded Labour System (Abolition) Act 1992
CSA	Civil Services Academy Lahore
CSO	Civil Society Organization
CIWCE	Centre for the Improvement of Working Conditions and Environment
CNIC	Computerized National Identity Card
CSR	Corporate Social Responsibility
DPO	District Police Officer
DWCP	Decent Work Country Program
EBLIK	Elimination of Bonded Labour in Brick Kilns
EFP	Employers Federation of Pakistan
FPAP	Family Planning Association of Pakistan
FSC	Federal Shariat Court
FJA	Federal Judicial Academy
HQ	Headquarters
HR	Human Resource
HRCP	Human Rights Commission of Pakistan
ILO	International Labour Organization
LASU	Legal Aid Service for Assistance of Bonded Labourers
NCABL	National Coalition Against Bonded Labour
NFE	Non Formal Education
NGO	Non Government Organization
NPPA	National Policy and Plan of Action
NPC	National Project Coordinator
NRDF	National Rural Development Foundation
NRSP	National Rural Support Program
NSC	National Steering Committee
NWFP	North West Frontier Pakistan
PCMLF	Pakistan Central Mines Labour Federation
PEBLIP	Promoting Elimination of Bonded Labour in Pakistan
PEBLISA	Promoting Elimination of Bonded Labour in South Asia
PESSI	Punjab Employees Social Security Institution
PIDE	Pakistan Institute of Development Economics
PM	Project Manager
PTA	Police Training Academy
PWF	Pakistan Workers Federation
SHO	Station House Officer (In-charge of police station)
SPARC	Society for the Protection of the Rights of Children

SAP-FL Special Action Programme to Combat Forced Labour (SAP-FL)
TOR Terms of Reference

1. Executive Summary

PEBLISA, the regional project to eliminate bonded labour, started in Oct 2004 and was completed in Feb 2006. PEBLISA established the significance of civic awareness, social empowerment and economic stability of freed bonded labour; it empowered 850 *Hari* families settled in various camps in Sindh through a package of micro credit & savings, skill development, a land-lease program, and awareness raising, and linkages. PEBLIP Pakistan is based on the lessons learnt during the implementation of PEBLISA. The project was rolled out by engaging a diverse range of stakeholders belonging to different sectors of the society. The project suffered delays and finally started in April 2007 while the activities' implementation did not start before Dec 2007. Frequent changes in management also did not help matters as the first project manager left after a year, and the new project manager was appointed after eight months of interim arrangement. Due to time constraints, maintaining quality and initiating the direct services component became two of the major challenges. The project picked up those activities in priority that could be put on a fast track. The Friday sermon developed for mass awareness, capacity building of key government institutions, media orientation, technical support to Punjab Government for preparing project documents for the brick kiln project have been the strong implementation areas of the project. The project design offers some challenges for the implementers. Initiation of activities is well taken care of but continuity and sustenance offers some problems. Also, the short duration of the project leaves little room for consolidating activities.

For the remaining project period, the PEBLIP may continue with the highly successful awareness activities that were initiated with employers, workers and religious leaders. A hallmark of the employers' and workers' seminars/ workshops was that both sectors regularly attended the meetings called by either constituent. A platform for ensuing a productive social dialogue was thus created and it is important to sustain that dialogue in future to tackle issues like working conditions, payment of minimum wages, employers' code of ethics, model contract and the fate of *Peshgi*². A big breakthrough was made by involving religious scholars through the collaborative preparation of the Friday sermon. There is a strong justification for carrying the intervention further into the future and expanding its horizontal coverage. Also more information could be added to the sermon to make it more effective and varied than before. It is a very effective device for mobilizing mass support. As for legal reforms, along with the experts it is necessary to get access to the parliamentarians especially the Human Rights Committee to inform them of the current situation and seek political support for effective implementation and

² Advance money given to labour against which work is pledged

possible amendment of the law. A national level seminar can effectively get the message across to the legislators.

The capacity building of government officers by linking up with the regular programs in various training academies was a great success and it needs to be consolidated in the remaining project period. This can be done effectively by developing a booklet containing all necessary information for ready reference, a Website and E-Forum to keep the issue alive among the decision makers in the government. Many stakeholders pointed lackluster performance of districts in reducing bonded labour. It would be useful for PEBLIP to support the development of District Plans to Combat Bonded Labour, two of which could be done in the same districts in Punjab where EBLIK is being implemented while the other two could be developed in Sindh. The first half of PEBLIP did not offer any direct services to the bonded labour. In the second half, PEBLIP could collaborate with the Punjab Government and come up with complementary interventions to strengthen the project and make the outcomes more visible.

As for enhancing the knowledgebase, PEBLIP may commission studies in collaboration with experts in government and private sector to study the role of the tenancy system, payment of minimum wages, abolition of *Peshgi*, and activation of District Vigilance Committees.

2. Background Information

2.1 Project Introduction

In March 2007, ILO launched the current phase of the project “Promoting Elimination of Bonded Labour in Pakistan (PEBLIP)” funded by the Government of Netherlands, though the activities did not begin until December 2007. The project is scheduled to end in April 2010. This midterm evaluation report looks into the achievements of the project till March 2009 and suggests a route map for maximizing the benefits of the project for the intervening period before its completion. This evaluation was carried out during April 2009. The PEBLIP Project has been formulated in the wake of the earlier project launched in 2002 in collaboration with government and key social partners to assist a group of about 700 families, mainly haris (agricultural workers) who were released from debt bondage in rural and peri-urban Sindh. The project sought to establish integrated socio-economic models of direct assistance to these families. The present project has a broader focus on bonded labour and is aimed to address the policy level and capacity gaps within the government and other stakeholders so a sustainable national effort can be

launched to eliminate bonded labour in its various forms. The project outcomes and outputs are listed below:

1. Reduced incidence of bonded labour through development of knowledge base and awareness on aspects of bonded labour.
 - Knowledge generated and disseminated on different aspects and manifestations of bonded labour. The role of different institutions, legal framework and gender dimension of BL will also be reviewed.
 - Partners and stakeholders sensitised (particularly parliamentarians, religious groups, civil society coalition and media)
 - The weaknesses in legal framework identified and discussed in NSC. Alternate proposals for law reform proposed
2. Institutional capacity of government (at all levels federal to local); judiciary, police; district vigilance committees; labour inspectorates; employers; workers; parliamentarians; media; religious leaders and civil society enhanced.
 - Targeted state functionaries, workers and employers organisations, CSOs, religious leaders, trained and ILO training module mainstreamed into regular training courses;
 - New rehabilitation and assistance initiatives under the BL Fund in place based on ILO research;
 - Social dialogue mechanisms in place in targeted sectors
 - BL issue mainstreamed under the Global Compact initiative
3. Improved conditions of Labour, particularly for women in targeted sectors through improved contractual arrangements and the introduction of a regulatory framework and increased social/economic development services for families in targeted areas
 - Model contractual arrangements will have been tested in the brick kiln sector and one more sector and independent monitoring and complaints system in place;
 - Social sector development schemes/programmes extended to targeted sector families
 - Appropriate financial services extended to targeted sectors, particularly women, and special products developed to assist in income generation and risk management
 - Social dialogue mechanisms in place in targeted sectors.

2.2 Management Structure and Coordination

The Project Team has provided technical support to all the project partners. The team comprises ILO National Project Coordinator, Programme Assistant, Admin-Finance Assistant, and one driver. The NPC has managed the implementation of all interventions under the PEBLIP, and has provided technical inputs to strengthen upstream linkages including coordination with Ministry of Labour. The NPC is also responsible for planning, management, implementation and monitoring of PEBLIP. Under the project, the NPC has coordinated with partners at the national and provincial levels in implementing the activities. The NPC is responsible for project management and providing technical support to the staff and partner agencies. The Programme Assistant has provided technical assistance to the implementing agencies, particularly in program design, delivery, monitoring, and reporting. In addition, the Programme Assistant has also assisted the NPC in planning, monitoring and reporting. The Admin-Finance Assistant has managed the administrative matters and all work related to finance, budget and accounts. PEBLIP has been provided technical support from Headquarters in Geneva, and the Regional Office in Bangkok. Technical and methodological guidance was provided by Declaration Unit in planning, monitoring and evaluation of the Project.

PEBLIP has worked closely with the ILO constituents – the government, employers’ and workers’ federations. Although the project touched all four provinces through its awareness and capacity building activities, the main geographical focus was on Punjab and Sindh and therefore the provincial Labour Departments were closely involved in the project. PEBLIP also developed partnerships with NGOs such as SPARC and NRDF and private sector consultants for instance Juris Consult and Media Mark to undertake innovative activities. However, ground breaking work was done by reaching out to and influencing government agencies such as the Federal Judicial Academy and Foreign Services Academy in Islamabad and Civil Services Academy in Lahore.

2.3 Evaluation Background & Methodology

The midterm evaluation covers all components supported by the project from March 2007 to the date of the evaluation. The overall progress made against the planned activities and the assumptions of the project is assessed. The midterm evaluation focuses on the possibilities of the project achieving the outcomes towards the end of the project period. The findings and recommendations of the evaluation are aimed to help the project management, ILO Islamabad, ILO technical backstopping team at HQ and the project partners and key stakeholders, to adjust the strategy and plans to meet the challenges, and avail opportunities that may have come up. The evaluation also assesses linkages with Decent Work Country Programme (DWCP) for Pakistan. The evaluation will oversee the

delivery of activities and provide recommendations for the remaining period. The study requires meeting with all stakeholders and beneficiaries to determine the extent of relevance and usefulness of interventions and future expectations. The evaluation addresses the overall ILO evaluation concerns such as relevance, validity of the design, project progress and effectiveness, efficiency, and sustainability as defined in the ILO Guidelines for Planning and Managing Project Evaluations. Other concerns to be addressed are technical support provided to further implementation of the National Policy and Plan of Action on Bonded Labour, project's influence on national policy, debate and institutions, promotion of planning, monitoring and evaluation tools at different levels. Project's influence on national data collection and poverty monitoring processes, gender concerns and project delivery against work plans are other issues to be considered.

Desk review of the Project documents, which included the Project Document, Service Contracts, and Ex-Cols, progress reports of the Project, progress reports of implementing partners, Research studies, Laws, Rules and National Policy and Plan of Action, and communication materials, was undertaken. Visits were made to Islamabad, Lahore, Karachi, and Hyderabad to meet ILO, project beneficiaries, and government officials (Labour, Law, Civil Service, and Foreign Service), Employers and Workers Representatives, research scholars, media personnel, representatives of NGOs, human rights activists and current and former bonded labour. Meetings were held with Provincial Labour Secretary (Sindh) in Karachi and the newly inducted Minter for Bonded Labour (Sindh) in Hyderabad. A mini-stakeholder workshop was conducted in Lahore to seek the views of primary stakeholders. The mini-stakeholder workshop planned for Sindh could not be organized because of law and order situation. The evaluation norms, standards, and ethical safeguards have been followed during this evaluation.

3. Implementation of Project Activities

A number of activities were undertaken under the umbrella of Project by various partners and stakeholders. The activities can be broadly classified into:

- Involvement of employers in promoting decent work conditions with emphasis on elimination of bonded labour, including bonded labour concerns in their CSR policies, and developing a model contract between employer-worker to reduce the possibilities of financial exploitation.
- Sensitization of media and religious scholars to mobilize mass support against bonded labour.

- Promotion of social dialogue and advocacy through government, employers and workers' organizations and NGOs to develop consensus on addressing bonded labour
- Making efforts to improve the laws related to bonded labour so the shortcomings are removed and meaningful action can be taken.
- Capacity building of government functionaries, employers and workers to take effective action in their own spheres for elimination of bonded labour.
- Using the on-going courses in training academies of civil service, foreign service, police and judiciary to sensitize the trainees to play a proactive role to combat bonded labour.
- Provision of technical assistance to the Government of Punjab for launching a major initiative for elimination of bonded labour at brick kilns.
- Production of awareness raising materials for key stakeholders and carrying out studies to assess health and safety risks faced by the brick kiln workers.

Outcome I. Development of Knowledge Base and Awareness of Bonded Labour

A number of awareness raising and information dissemination activities were initiated under PEBLIP for different sectors of the society. Besides the ILO tripartite partners – government, employers' and worker's organizations – experts from the private sector were engaged to bring the bonded labour issues on the national agenda. While the trade unions rallied workers and other stakeholders to highlight the issues relating to implementation of the law, social services, legal aid cells and the banning of *Peshgi*, the employers' focus was on incorporating bonded labour issues in HR policies under the wider Corporate Social Responsibility (CSR) umbrella, developing code of conduct and model contract, and implementation of Labour Standards in the context of Global Contact principles. The government departments took up the agenda of implementing the National Policy and Plan of Action Against Bonded Labour by organizing workshops for a wide range of stakeholders and giving impetus to the movement against bonded labour. SPARC and NCABL took on the mantle of compiling comprehensive information on the bonded labour situation and seeking legal reforms through experts. They organized seminars and rallies to muster public support to address the bonded labour problems. Media sensitization workshops were organized in collaboration with a private sector organization and these were extremely useful in understanding media perception and identifying ways to work with them in future. By far the most innovative intervention was the drafting of Friday religious sermon which was the outcome of consultative meetings with several groups of religious scholars. The sermons were adopted and delivered after Friday prayers thus paving the way for further collaboration. Friday sermons have been assessed to be an effective and economic means to take the message

to the general public as the mosque is as much a social gathering as a place to offer prayers. PEBLIP has acquitted itself with distinction in delivering Outcome I. Almost all the activities have been completed though there might have been some delays because of external factors like law and order situation and non-availability of key resource persons or stakeholders.

Awareness Raising of Employers

The Employers Federation of Pakistan (EFP) was a key partner of the Project. The EFP organized six seminars for employers to promote the adherence to social norms particularly to highlight various forms of bonded labour. It provided a discussion forum for a diverse range of stakeholders. Over 270 people attended the seminars and except for Karachi the attendance was excellent. The workshops covered International Labour Standards on Forced/Bonded Labour, National Legislation, Decision of Supreme Court, and case studies on forced labour. The linkages of Forced Labour with the Global Compact Principles were explored and policies and strategies to combat forced labour discussed. The participants recommended that brick kiln employers and workers should develop a code of conduct and eliminate the middleman; and that the District Vigilance Committees be activated. The Pakistan Brick Kiln Association took the responsibility of preparing the first draft of the model owner-worker model contract. Emphasis was laid on developing cordial relationship between management and workers, resulting in fair working conditions including payment of minimum wages. In one of the seminars, freed bonded labour narrated the stories of their struggle prompting the audience to call for greater rehabilitation efforts. The major outcome of the activity was the sensitization of HR managers on bonded labour issues as human rights violations and lobbying on making it part of the Human Resource policy. The importance of enforcing labour standards was emphasized. The employers agreed that the bonded labour issues in brick kilns arising primarily out of *Peshgi* could be resolved through mechanization, skill development, written owner-worker contracts and by minimizing the role of the middle men. While *Peshgi* is used on the one hand for perpetuation of bonded labour, it is also used a blackmailing tool by the contractors to extort money from the owners.

The EFP also sent a person to Bangkok for capacity building on bonded labour issue.

National Awareness Raising Conference for Workers

A National Conference on Elimination of Bonded Labour organized by Pakistan Workers' Federation (PWF) in Lahore in Feb 2008 was attended by nearly 60 people including representatives of trade unions and federations, elected representatives, and representatives of Pakistan Bonded Labour Organization. Resource persons from PWF,

ILO, and the government addressed the conference. The participants identified occurrence of bonded labour in rural sectors of Sindh and Punjab in the brick kiln industry, domestic services (including women and children), and mining. They emphasized that bonded labour is to be eliminated through legal aid, moral assistance, and through the enforcement of law. PWF committed to set up a special desk to tackle bonded labour at its headquarters and regional offices, and to prioritize the organization of workers engaged in brick kiln and other informal sectors. The participants emphasized on adherence to ILO C-29 and C-105, and implementation of the Bonded Labour Act through the Labour Department-District Vigilance Committees-Labour Organizations. They called upon the government to set up free legal aid cells, declare brick kilns as organized factories to organize labour, orient district police officers and effectively utilize the Workers' Welfare Fund for children education and social development.

Tripartite Awareness Workshop

A PCMLF/ILO Tripartite Workshop on Bonded Labour was organized by PCMLF/ILO in Quetta in Aug 2008. The participants included representatives of government, Workers Federation (coal mines, agriculture, brick kilns), brick kiln workers, ILO, NGOs, Civil Society, mines workers, and lawyers. The mine workers strongly recommended the abolition of *Peshgi*, awareness of coal mine workers, their registration with relevant government department departments and activation of District Vigilance Committees as some of the measures to combat bonded labour. Agricultural workers called for written contracts between landowners-peasants and a comprehensive survey in Balochistan to determine the extent and nature of bonded labour. Brick kiln workers demanded registration of brick kilns and their workers, provision of social services and elimination of bonded labour specially child bonded labour. All the participants stressed the need for translating and disseminating the information on relevant laws to the public, effective working of government committees and legal reforms to provide relief to bonded labour.

Sensitization of Religious Scholars

The PEBLIP initially partnered with Juris Consult that facilitated a preliminary round of orientation of religious scholars on the bonded labour issue. Subsequently, in late 2008 PEBLIP partnered with National Rural Development Foundation (NRDF) to develop Friday Prayer Sermon that covers the Islamic teachings on the core International Labour Standards, particularly the bonded labour issues. The NRDF then organized orientations workshops for religious scholars on the Friday Prayer Sermon to highlight the Islamic teachings and core International Labour Standards. These religious scholars then also encouraged to use the template of Friday Prayers Sermon during their weekly prayers to highlight the Islamic teachings on the core international labour standards. This process

helped develop the text of the Friday sermon to build the capacity of religious scholars on the International labour standards including the bonded labour issue. The NRDF engaged with religious scholars representing three major sects i.e. Deobandi, Barelvi and Ahle-Hadith. The objective was to sensitize the religious scholars and seek their cooperation in creating mass awareness about the core International Labour Standards and particularly the rights of the bonded labour. It was for the first time that an international agency had been able to work in collaboration with religious scholars to combat a social problem condemned both by the religion as well as the international covenants. Under these two interventions materials were prepared for dissemination through religious seminaries and Jurist Consult organized six seminars in Lahore, Quetta and Multan and NRDF organized six additional seminars at various places in the North Western Frontier Province, attended by 1592 participants. The seminars covered Islamic concept of dignity labour, decision of Federal Shariat Court declaring bonded labour as un-Islamic, child labour, discrimination, and freedom of association and right for collective bargaining, international conventions and national legal regime about bonded labour. The participants comprised religious scholars, teachers and instructors at *madrassas*³ and *Imams*⁴. These seminars were addressed by prominent religious scholars, academicians and legal experts. The success of the seminars has led to the ideas of translation of Federal Shariat Court judgment into Urdu language, development of a model Friday Sermon, a national conference of religious scholars to rally their support, and the initiation of a study on labour rights in Islam. As a result of the activity, 11 sermons were delivered by the trainees at Friday prayers including contents on the issues of Bonded Labour, Workers Rights & child Labour.

Sensitization of Media

Four one-day Capacity Building Workshops on the “Role of Media in Eradication of Bonded Labour in Pakistan” were organized by Media Mark for the capacity building of print and electronic media journalists in Lahore, Hyderabad, Karachi and Faisalabad from October 2008 to February 2009. Key speakers from ILO, Labour Department, media, Employers Federation of Pakistan, and Pakistan Workers Federation addressed the audience. A video documentary was telecast at the start of each technical session. The participants highlighted the role of media in projecting the bonded labour issues and in mobilizing support for the victims. National media can play a key role by giving space to bonded labour cases in news, documentaries, talk shows and district coverage emphasizing the role of law, judiciary, District Vigilance Committees and police. There was unanimity of views on the importance of follow up of such cases. Information could

³ Religious schools often affiliated with a mosque

⁴ Prayer leaders in mosques

also be provided in regional language programs on radio channels. Some participants advocated that success stories of freed bonded labour be highlighted. Most of the participants felt that ILO could provide information on developments in bonded labour to them on a regular basis through a Website. Organizing media groups on labour issues in general was debated as an effective pressure group. Journalists demanded orientation programs which they thought would help them in improved coverage in future.

Advocacy for Legal Reforms

The National Coalition Against Bonded Labour (NCABL) was formed in 2004, and its secretariat was shifted to SPARC in 2007. SPARC was assigned to rally public opinion against bonded labour practices, to influence public policy, to strengthen protection, and to review national laws, and advocate for enforcement of labour laws. Two seminars were organized on the prevalence of bonded labour in Peshawar and Quetta in Jul-Aug 2008. The participants of the seminars comprised representatives of NGOs, trade unions, labour, social welfare, and human rights departments, lawyers, journalists, and elected representatives. It was surmised that bonded labour goes unchecked in both provinces, and is more prevalent in brick-kilns, agriculture sector and carpet industry. The participants felt that there is a need to register the bonded labour by conducting a national level survey.

Orders Passed by the Supreme Court of Pakistan in the Human Rights Case No, 5091 of 2006

The complainant Mr. Fazal Hussain, a brick kiln worker approached thrice the Lahore High Court for the recovery of his whole family from the forcible detention of brick kiln owner in Rajanpur. On this complaint to the Honourable Chief Justice of Pakistan, the DPO Muzaffargarh was directed to recover the family of the complainant. The DPO recovered 18 persons from 2 different brick kilns. While passing the Orders the august Supreme Court of Pakistan passed the following observations/directions:

“The Bonded Labour System (Abolition) Act 1992 does not meet the requirements as it is difficult to implement for the enforcement agencies and the courts, who cannot affect the recovery of detained persons and punish the delinquents. The law needs to be made more stringent. The law givers (parliament) have been asked to review the existing law and make changes according the requirements of the present day industry and practices.

- The Chief Secretaries have been directed to get all brick kilns registered through the Labour Departments
- Brick kiln owners have been directed to keep a record of their workforce and provide it to the respective Labour Officers and notify whenever there is a change in the workforce

- The provincial government can seek assistance from Free Legal Aid Committees of the Provincial Bar Councils.
- The Court has observed that Police has not paid due attention to the bonded labour problem. The DPOs have been directed to issue standing instructions to the SHOs to keep an eye on the brick kilns in their areas and proceed against the delinquent employers to ensure that the fundamental rights of the citizens as guaranteed by the Constitution are given to the workers in this sector.
- The Chief Secretaries have been asked to launch a campaign in their respective provinces using the concerned agencies (Section 9 of the Bonded Labour System (Abolition) Act 1992) to publicize these Orders and mobilize the concerned stakeholders on bonded labour.
- The Chief Secretaries have also been asked to ensure that the law is implemented in letter & spirit in their respective provinces so that bonded labour is controlled.

A rally for the freedom of bonded labour and to mark the Indigenous People's World Day was arranged in Hyderabad in Aug 2008 participated by hundreds of peasants, women, children, civil society members, and workers. These events were followed by a seminar and rally demanding abolition of bonded labour in Pakistan held in Lahore in Sep 2008. The participants articulated that bonded labour and child slavery must be on nation's highest agenda, and emphasized that the review of existing legislation was imperative.

SPARC organized civil society organizations on the platform of National Coalition against Bonded Labour (NCABL). It held consultations of experts and parliamentarians and has come up with a draft for amendments in the Bonded Labour Abolition Act 1992 for making it effective. A round table of experts was held in Lahore to review Bonded Labour System (Abolition) Act 1992 in Jul 2008 participated by practicing lawyers, representatives of legal aid services, and Punjab Labour Department. The practice of *Peshgi*, special courts, powers of District Vigilance Committees (DVCs), enhanced penalties for violators, and exemption of court fee to bonded labour seeking relief came under discussion. The major recommendations pertained to clarity of definitions and powers, functionality of DVCs, and making the law strict and implement-able.

NCABL organized a one day consultative meeting in Hyderabad in Jul 2008 to review Sindh Tenancy Act 1950, and to lobby with government authorities to amend it. The participants included government officials, media, lawyers and civil society organizations. The Act was found deficient to deal with the current issues related with bonded labour and it does not cover all categories of landless peasants. The major recommendation was establishment of *Hari* (Peasant) Courts and provision of free legal aid to bonded *haris*. It was also recommended that any loan agreements between tenants

and owners be in form of legal documents. The advocacy to amend the law has initiated the process through which the proposals may go for comments and feedback by the provincial government, Ministry of Labour and Law Commission. Apparently the government itself has already proposed amendments to the law and the support extended by PEBLIP has provided impetus to the previous efforts.

An International Non-Governmental Organization, Trocaire is funding the NCABL to develop a report on “State of Bonded Labour” which will provide a situation analysis, challenges faced, progress made, law reforms, violations and lessons learnt.

Outcome II. Building Institutional Capacity of Government Institutions

Major headway was made by PEBLIP in achieving Outcome II. As a result of consultations, the Ministry of Labour and provincial departments named a Focal Person each to deal with the Bonded Labour issues. This move helped in further collaboration and taking the agenda forward. The Ministry of Labour believes that greater participation and a tangible role in the decision making processes in future in project design, planning, monitoring and implementation will give a sense of ownership to the government. The major technical support extended by PEBLIP was to the Punjab Labour Department in the form of consultancy services which helped the department to develop a Rs. 123 million (US\$ 1.5 million) project to address bonded labour in the brick kiln sector. PEBLIP made inroads into the on-going courses for officials of several relevant government departments by offering orientation on labour standards, international conventions and national legislation and rules on bonded labour. This is a noteworthy success since it provided PEBLIP the opportunity to reach out to civil services officers, officials in the foreign service cadre, and those attending various courses at the police and judicial academies. The project seems to have done well to integrate its information dissemination activities into on-going programs at different government training academies. Through this approach, decision makers in the government sector have been provided orientation in an economical way. By providing consultancy services to the Government of Punjab, the project managed to leverage huge amount of resources and acted as a catalyst in starting the first ever Government of Punjab project on bonded labour.

Collaboration with Ministry of Labour and Provincial Departments of Labour

The collaboration with the Ministry of Labour under PEBLIP resulted in the government naming a Focal Point on Bonded Labour to facilitate matters. Following suit, each of the provincial Departments of Labour also nominated a focal person respectively. The establishment of Legal Aid Service Units provided the necessary momentum for closer

cooperation between the PEBLIP and the Ministry/ Departments of Labour to coordinate activities.

The Department of Labour Sindh organized a capacity building workshop in Karachi in Jul 2008 with the support of PEBLIP project. The workshop was participated by representatives of government, workers' federation, brick kiln owners and employers' association, NGOs, and freed bonded labour. The major objectives were to raise awareness about bonded labour, make NPPA and Bonded Labour Fund operational in Sindh, and to build the capacity of district level functionaries. Besides disseminating information on National Policy and Plan of Action, the role of District Vigilance Committees (DVCs) and District Labour Department, and accessing Bonded Labour Fund, rehabilitation of bonded labour and a case study of Hyderabad DVC were presented. This workshop has prompted the department to undertake more activities on bonded labour, like starting the process for establishing Legal Aid Service Unit in Sindh.

Capacity Building of Government Officers

The project integrated with the on-going courses at the Civil Services Academy Lahore, Police Training Academy Sihala, and Foreign Service and Judicial Academies in Islamabad to build the capacity of the trainees and in-service functionaries on the Core International Labour standards, including the bonded labour issue. These trainees of these academies play key role in the implementation laws and have crucial responsibilities under the Bonded Labour System (Abolition) Act 1992, Employment of Children Act 1991 and other related laws. Trainees of the Civil Services Academy Lahore were provided knowledge and viewpoints of ILO, government, employers, workers and NGOs as a part of their mainstream training program. The management of the academy has shown interest in including the topics of core international labour standards and bonded labour in their regular training programme. The Civil Service Academy found the training contents and materials provided by ILO to be of value for the sensitization of District Coordination Officers and District Police Officers.

The trainee officers at the Foreign Services Academy were provided orientation on labour issues including child labour and bonded labour. Various speakers from the ILO Project visited the academy and made presentations to the officials on relevant subjects. The ILO presentations and talks provoked productive discussions among the officials. The Foreign Services Academy finds these sessions extremely useful in educating the trainees and is interested in making them part of their regular program.

For the trainees at the Judicial Academy in Islamabad, the PEBLIP intervention brought in speakers who oriented judges, magistrates, district judiciary, and civil judges on the interpretation and implementation Bonded Labor Abolition Act 1992, the implications of Federal Shariat Court judgment, and international conventions. The sessions were extremely useful in the training of judicial officers.

Technical Support to Department of Labour Punjab

PEBLIP successfully lobbied with Government of Punjab and played a catalytic role in prompting the government to allocate resources “Elimination of Bonded Labour at Brick Kilns (EBLIK)” project and to select bonded labour in brick kilns as a priority area for funding in the Annual Development Program. At the initiation of the Labour & Human Resource Department (DOL)-Government of Punjab, PEBLIP provided the services of a consultant to formulate the project document in the form of PC-I which is an essential government requirement for project approval and allocation of resources. The Focal Point, Center for Improvement of Working Conditions and Environment (CIWC&E) facilitated the consultant by provision of data, arranging dialogue with key stakeholders and holding consultations in Lahore and Faisalabad to obtain stakeholders input about the project’s proposed strategies and activities. With a budget of Rs 123.367 million (US\$ 1.54 million), EBLIK is expected to be implemented in 48 months in two district. Thus the PEBLIP project was able to leverage government resources which are 50% higher than its own budget.

Outcome III. Improved Conditions of Labour and Socio-economic Development Services for Families

This is the weakest component of the project. Interventions on direct service delivery could not be started in time and synchronized with the rest of the activities. The awareness activities of the projects had build expectations among the stakeholders that the project would take off in a befitting manner. But delays have plagued the start of direct services activities. To-date no decision has been made on the partners and interventions while the project has barely one year left. It seems that the project is bogged down by procedural issues more than anything else. The only activity worth mentioning is the support provided to CIWCE to undertake an Occupational Safety and Health Profile on Brick Kilns to provide information for designing an appropriate intervention in the brick kilns project started by the Government of Punjab.

Health and Safety Assessment of Work at Brick Kilns

PEBLIP supported CIWCE-Punjab Labour Department in carrying out a study to assess hazards and risks faced by workers in brick kiln sector. Out of 3836 brick kilns, 3579

kiln employing 97,455 workers were registered. A qualitative micro survey of six brick kilns showed that 70% of the children (10-14 years) were out of schools, and female health indicators were far worse than male indicators. The prevalence of respiratory diseases and musculoskeletal problems was high while many suffered from scabies, cuts and bruise. The workers also suffered from high dust exposure, heat stress, burns and cuts, very poor personal hygiene, heat and cold stress, and bites from insects and snakes. These findings while distressing will help the EBLIK project in coming up with health interventions that are of direct benefit to the labour.

4. Findings

4.1 Project Design and its Relevance

Article 11 of the Constitution of Islamic Republic of Pakistan mandates that all forms of forced labour and traffic in human beings are prohibited. IT further states that “Slavery is non-existent and forbidden and no law shall permit or facilitate its introduction into Pakistan in any form”. Convention 29 of International Labour Organization (ratified by Pakistan) reads that each ratifying member undertakes to suppress the use of forced or compulsory labour in its all forms within shortest possible time. The prevalent legal framework against the Bonded Labour in Pakistan finds its roots in the historic judgment of Supreme Court of Pakistan manifested in Darshan Masih case which required the state to curb bonded labour in the society. As a sequel to this judgment, the Bonded Labour System (Abolition) Act 1992 was promulgated, which abolished the system of monetary advances known as “*Peshgi*” for perpetuating bonded labour. However, bonded labour system is still prevalent in the society and the courts have expressed dissatisfaction over the role of the state and its functionaries in not being able to curb this phenomenon.

In 2001 the Cabinet approved “National Policy and Plan of Action for the Abolition of Bonded Labour and the Rehabilitation of Freed Bonded Labourers” which is the guiding document for all actions for elimination of bonded labour. The NPPA reaffirms the government’s adherence to all relevant international instruments, covenants, conventions and protocols; commitment to eliminate bonded and forced labour practices through concerted efforts aiming to transform socio-economic structures, reduce poverty and by developing a comprehensive putting in place a comprehensive action plan through an integrated and coordinated approach for the eradication and rehabilitation of workers in bondage”.

ILO’s PEBLIP project was launched in order to strengthen the national efforts for elimination of bonded labour as enunciated in the National Policy and Plan of Action

(NPPA). The project design followed a three pronged strategy. On the one hand it planned to create awareness on bonded labour issues across a cross section of stakeholders, and on the other it aimed to build the capacity of government officials to support them in playing a positive role in eliminating bonded labour. The third component of the project design was related to direct service to the bonded labour victims to provide them relief. All three components were build on the National Plan of Action to Abolish Bonded Labour.

4.2 Project Effectiveness

The project has made adequate progress towards reaching Outcomes I and II but has lagged behind in Outcome III. The awareness activities launched with a variety of implementing partners have been a tremendous success. This is evident from the fact the three government agencies: Civil Services Academy, Federal Judicial Academy and Foreign Services Academy are all interested in making the awareness activities a regular part of their training programmes. The Federal Judicial Academy has also shown interest in having a reference booklet developed for judicial officers. The Foreign Services Academy is concerned about lack of awareness of officials on the issue and believes that it could benefit from a website that could be easily accessed a reference. The media persons have also advocated the same idea. Both the workers and employers have moved forward on the idea of model contract for the brick kiln industry. The development and use of Friday sermon has been a major success as it is an outcome of several meetings with religious scholars.

The activities with media and religious scholars in particular were extremely effective as they managed to cover participants who are normally not included. The development of a Friday sermon with reference to the core international labour standards including bonded labour issues in particular turned out to be a very successful intervention. Its success has paved the way for future activities for conveying messages to the general public who would conventionally not be a part of awareness meetings. In almost all awareness meetings, participants have urged that District Vigilance Committees be strengthened and District Government officials particularly police officers be oriented on bonded labour issues. However the fact remains that implementation of the law at the district level is in a poor state and not much headway was made for improvement of the laws related to bonded labour, although a number of recommendations have come forward and a few parliamentarians have also been contacted in this regard. The amendment of law is a slow moving process with a lot of stakeholders, thus it may take some time before a more effective and stringent law is enacted. Meanwhile the orders of the Supreme Court of Pakistan indicating flaws in the law will also support the case for amendment of the law.

The project interventions managed to bring out the demands to improve the implementation of legislation at the district level but did not offer any real follow up to these suggestions.

District devolution is being rolled back in Punjab and elected representatives all over Pakistan are showing scant interest in human rights and development issues currently. The positive response has come from provincial labour departments. In Sindh, a new department dedicated to bonded labour has been established with a minister heading it. The new Bonded Labour Department in Sindh needs institutional support to take roots and start taking positive steps to address bonded labour in the province.

PEBLIP's interventions with the top government training institutions of the civil services, police, foreign services and judiciary have been rated as extremely useful. All institutions have expressed the desire to include the orientations as part of their regular courses. The acceptance of PEBLIP's orientation and awareness activities makes the program very effective since it has a chance of being regularized. It was an effective strategy to access the decision makers in different services while they were under training in their own institutes.

The PEBLIP project had an intended output to promote model contract in brick kilns and other sectors, the idea has not so far been realized. The employers are serious in picking up on this issue. The Punjab Government's EBLIK project also intends to test and introduce a model contract. However some of the workers' representatives are concerned that this will legalize the advances.

One of the project outputs related to social dialogue. Although employers are organized to some extent in brick kilns, but in agriculture, and many other bonded labour prone sectors the employers are not well organized. Though a number of activist NGOs exist who purport to represent the interest of workers vulnerable to bonded labour, trade union activity in brick kiln manufacturing and other prone sectors is almost nonexistent. Though the PEBLIP project tried to promote social dialogue, the lack of trade unions of bonded labour prone secretors was serious hindrance in carrying on a sustained social dialogue.

4.3 Efficiency

The project strategy was based heavily on minimum monetary input from ILO and maximum mobilization of political and financial support from the key stakeholders. The key stakeholders interacted during this evaluation told that they were consulted during the

preparatory phase of the project, however the Ministry of Labour felt that greater participation and a role in decision making for key stakeholders throughout the project implementation period should have been envisioned. Director CIWCE stated that he had asked the project management to allocate some resources for direct service delivery, but PEBLIP mainly relied on potential support from the Bonded Labour Fund and other government sources. The project was able to leverage government funds to the tune of Rs. 123 million (US\$ 1.5 million) by successfully lobbying with the Punjab Government to allocate funds from the regular Annual Development Program for starting a project to address bonded labour in the brick kiln industry. This achievement alone qualifies the project to highly efficient as it was able to mobilize one and half times more funds than its own budget outlay. Similarly, the approval for the establishment of Legal Aid Service Units in Sindh and Balochistan utilizing the Bonded Labour Fund is another success of the project, although this achievement cannot be wholly attributed to the project.

4.4 Sustainability

The project strategy was based on a wide range of awareness activities organized by ILO constituents, NGOs and private sector partners. This was to be followed by advocacy and lobby for legal reforms, and activation of district based institutions for implementation of the law. Besides attempting to influence employers to include bonded labour issues in HR policy, pushing the agenda of code of ethics and development of model contract; the idea was spread the awareness net over hitherto un-reached audience like media persons and common people. While all this was successfully achieved with a lot of useful inputs, none of it can be deemed as sustainable. Neither of the ILO constituent or other partners is expected to sustain the awareness, advocacy or legal reform activities since all of them are resource intensive. However, the institutional capacity building with several government departments especially the training academies have a strong possibility of being sustained if these can be consolidated in the second half of the project. PEBLIP would need to develop information material and a simplified method of its delivery in such a manner that it becomes useful for all the training academies reached up to now. Also the value of the material that needs to be developed can be enhanced if it can be used as reference by the government officers in their normal course of work. A common demand that emerged from a number of stakeholders and beneficiaries of the awareness and capacity building programs was that of Website comprising information on bonded labour. Many participants, heads of institutions and media persons felt that a dynamic Website would be extremely useful to them and indeed, it could be a device to sustain the PEBLIP work. Possibly PEBLIP may consider contracting out the Website development and maintenance work to one of its NGO or private sector partners.

4.5 Special Concerns

ILO provided technical input for the training of district officials in Sindh for the implementation of the National Policy and Plan of Action on Abolition of Bonded Labour. This exercise is expected to activate DVCs and generate action at the district level. The commitment of the Sindh government and the appointment of a Minister for Bonded Labour are positive developments in this regard. The Senior Research Officer in the Bonded Labour Unit in the Federal Ministry was included in seminars and other events for capacity building. The Federal Ministry is interested in a more proactive role on further development and implementation of the National Policy and Plan of Action. There are possibilities for the project and the ministry to work together. A positive outcome has been naming of focal persons at the federal and provincial levels.

The project supported PWF in organizing a national level workshop for workers to sensitize them on bonded labour issues and to seek their consensus in coming up remedies. SPARC was supported in organizing an experts meeting to review the Bonded Labour Abolition Act 1992 using the platform of NCABL. The project's work with the government training academies helped in bringing awareness to decision makers in different disciplines.

The integration of planning, monitoring and evaluation tools in the National Policy and Plan of Action are pending dialogue on the policy with government and other partners. So far there is no evidence of the influence of the project on national data collection methods.

Efforts were made to ensure that women were included in awareness and capacity building sessions. Maximum women participation was in media workshops and rallies where large number of women turned to voice their rights. The project will have the options of benefiting women in the service delivery component through financial packages and provision of health service. Similarly the service delivery component will provide the opportunity to engage district departments.

Despite some slippages, the components on awareness raising and building the capacity of government functionaries are largely in line with the work plan. However the component pertaining to direct service delivery has a late start. Its subcomponents like non formal education and micro credit may be difficult for the implementers to complete in the short time left in the project.

5. Findings: Partners/Stakeholders Opinions during the Evaluation Process

5.1 Individuals' Opinions

The key ILO partners in PEBLIP implementation were:

- Ministry of Labour
- Department of Labour, Sindh
- Department of Labour, Punjab
- Employers Federation of Pakistan (EFP)
- Pakistan Workers' Federation (PWF)
- Society for the Protection of the Rights of Children (SPARC)
- Federal Judicial Academy (FJA)
- Media Mark
- Juris-Consult
- NRDF

The ILO-PEBLIP implementation team presented their stakeholders' matrix as follows:

Stakeholders Matrix: ILO Project Team Perspective							
Partner/Intervention	Upstr-eam Impl.	Down-stream Impl.	Duty Bearer	Stake-holder	Direct Benef.	Indir-ect Benef.	Value Addition
Federal Ministry of Labour - Strengthening BL Cell - Collaboration & supervision	√		√	√	√		- Make NPPA-BL operational
Provincial Dept of Labour (Punjab)/ CIWCE - Provincial Consultations/ - OSH profile - TA/ FA for PC-1 consultancy - Collaboration	√		√	√	√		- Make NPAP-BL operational - Demand for ILO support for PC-1 - Demand for TA/FA for NFE
Provincial Dept of Labour (Sindh/ - Training of Dist. Officials (DLOs, Labor Insp.) - Collaboration & supervision/	√		√	√	√		- Make NPPA-BL operational
Employers Federation of Pakistan (EFP) - Sensitization/ Model Contract	√	√	√	√	√	√	- Establish UN Global Compact
Pakistan Workers' Federation (PWF) - Orientation/ Legal Aid	√	√	√	√	√	√	

SPARC-NGO - Review of BL Law - Consultations with Govt Officials, parliamentarian, - 3 proposals to access BL Fund		√	√	√	√		- Secretariat for NCABL - SPARC starts BL Program in Sindh
Federal Judicial Academy - Training of Judicial Officers (Sr. Civil Judges and Magistrates)	√		√	√	√		- Demand for focused refresher courses (district session judges)
Media Mark-Private Sector - Orientation of Media	√	√			√		- Increased media coverage (print and electronic). JC offers ILO to develop N Strategy
Juris-Consult-Private Sector - Capacity Bldg of Religious Scholars - Study Role of Judiciary - Resource person for Capacity Bldg of State Functionaries		√			√		
NRDF-NGO - Sensitization of Religious Scholars/Sermon		√	√	√	√		Monitoring study expected from NRDI

The ***PEBLIP Project*** points out that the project objectives tie in with the Pakistan Decent Work Country Plan (DWCP) that includes elimination of bonded labour as a country priority in its 2008-09 work plan. The DWCP is being promoted by a tripartite task force through steering committees on bonded and child labour. The implementation of DWCP is being done as institutional capacity building exercise of the concerned government department to enable them to place mechanisms to ensure elimination of bonded and child labour. The Project is the advisory and supervisory body for the implementation of this work. The DWCP supports the promotion of International Labour Standards with focus on elimination of child and bonded labour and the implementation of NPPA against bonded labour.

HQ Special Action Programme to Combat Forced Labour (SAP-FL) identifies capacity building activities as potentially the most promising but stresses on evidence of relief provided to bonded labour, prosecutions of violators of law and practical action taken by those who benefited from the training provided by the project. The support to the Ministry of Labour has not yet resulted in utilization of the Bonded Labour Fund. The project's support to the Punjab Government's brick kiln project is likely to have a significant impact though it is difficult to measure at this early stage. The major obstacles indicated are the security situation in the country and the delay in replacing the NPC. As for the NPPA against bonded labour, the project has contributed in spreading awareness especially in government institutions, the question of its implementation (activating DVCs, conducting national survey, rehabilitation of bonded labour) is still there. At the same time, there has been progress in awareness raising, legal aid cells and brick kiln registration. The project needs to continue fostering a close relationship with the Bonded Labour Cell to work on updating and implementing the NPPA. For sustaining the project activities, the project may focus on building the capacity of implementing partners of the Punjab Government project. The finalization of the model contract, code of ethics for brick kiln owners and documentation of project learning could contribute to sustainability. The project has required little technical support as it is quite decentralized though the contacts between the project team and SAP-FL became more frequent since the new NPC took over.

The ***Ministry of Labour*** advised closer collaboration with ILO, greater participation and a tangible role in the decision making processes in future in project design, planning, monitoring and implementation for greater government ownership. The Ministry feels that a study to propose amendments to the Bonded Labour Abolition Act 1992 and its implementing rules and regulations is necessary after the Federal Shariat Court ruling, and that it can provide substantial intellectual input to such an exercise. The need for the

Ministry and Federal Bureau of Statistics to work in collaboration to design a national level survey on bonded labour was stressed. The Ministry can become more productive if technical human resources are placed at its disposal for a given time period and a rapid study is undertaken to build its institutional capacity.

The *Minsiter for Bonded Labour Sindh* believes that while labour is exploited in some districts but at the some time, some contractors get advance but are unable to produce adquate labour so they the rest end up working in bonded conditions. He is critical of the poor track record of the District Vigilance Committee. He stated that the Bonded Labour Department is not bifurcated from the Labour Department and as such it is difficult to plan and implement interventions to address bonded labour without adminstrative and management support. The *Secretary Labour Sindh* acknowledges the technical support provided by ILO and seeks institutional support to strengthen the Bonded Labour Department.

Juris Consult feels that ILO has taken the lead in reaching out to government officials through their training academies, something which has never been achieved before by any other UN agency. The orientation sessions were well received and ILO needs to continue the program for them, however the orientation duration needs to be reduced as it becomes tedious and repetitive for the audience. However, *NRDF* also feels that the Religious Scholars play an equally important role in influencing the mindsets of the masses and therefore, it is essential to tap them as primary stakeholders. The idea of developing a Friday sermon on bonded labour stemmed from the Federal Shariat Court ruling; it was tried successfully with religious scholars representing three major sects i.e. *Deobandi, Barelvi* and *Ahle-Hadith* and the practice needs to be replicated to mobilize wider support.

The *Media Mark* workshops were widely appreciated by the media persons who identified the means through which the media could project the bonded labour issues and support the victims. The media persons felt there was a strong need for a Website with updated information on bonded labour. Majority of the participants advocated the formation of Media Watch Groups at the district level and recommended that training be imparted on objective reporting of bonded labour cases.

The main activities undertaken by *SPARC/NCABL* have been built around public awareness, lobbying, policy making and reporting. The areas of interest for NCABL have been the enforcement of the Bonded Labour Abolition Act 1992, and the implementation of the Sindh Tenancy Act. The experts meeting to review the legislation has given its preliminary findings which would be useful in suggesting legal reforms. The research

based publication on State of Bonded Labour is in the final stage of publication. NCABL calls for active District Vigilance Committees, proper utilization of the Bonded Labour Fund, rehabilitation freed bonded labour through political empowerment and national registration.

The *Foreign Services Academy* believes that the information on bonded labour would help diplomats and spokespersons to deal with such issues in bilateral, regional and international meetings. The Foreign Services Academy wants to make these information sharing sessions a regular part of its training program. The PEBLIP intervention brought in speakers who oriented judges, magistrates, district judiciary, and civil judges in the *Federal Judicial Academy* on the interpretation and implementation Bonded Labor Abolition Act 1992, the implications of Federal Shariat Court judgment, and international conventions. The sessions were extremely useful in the training of judicial officers. Both the academies would appreciate if the relevant information can be summarized into booklets and a Website developed on labour issues for the use of diplomats and judicial officers in their work.

Pakistan Institute of Development Economics' (PIDE) work is focused on policy oriented research work (usually related to social and economic aspects) and developing policy briefs. Though PIDE was not assigned any work under the PEBLIP, it could be a potential future partner. It believes that loopholes in the tenancy system in Pakistan are at the root of bonded labour in agriculture. Unfortunately the welfare aspect of the bonded labour is usually ignored in many projects. ILO's sectoral work in bonded labour is effective overall awareness is still lacking and more work needs to be done in this areas.

National Rural Support Program (NRSP) believes that bonded labour is prevalent in rural areas largely because the people are landless and they have no other skill of income generation than tilling the land. NRSP designed a Micro Finance Product for bonded labour freed under PEBLISA by procuring a 20 acre property, constructing and handing over 75 houses to families with women as the owners. Almost the entire land loans have been repaid. NRSP seeks collaboration with the Government of Sindh with the support of ILO to get access to funds and build more houses for free bonded labour. Under a separate initiative, NRSP has developed a similar proposal to build and hand over 150 houses to Secretary Labour Sindh.

5.2 Mini-Stakeholder Workshop, Lahore

Activities with ILO Bonded Labour Project

Respondent	What assignment did you do in the ILO Bonded Labour Project?	How did it contribute to the eradication of bonded labour?	What challenges did you face?
Civil Services Academy, Lahore-Government	Organized seminar at Civil Services Academy for senior and junior CSS officer. Excellent facilitation provided by ILO. Reading material and CD was really excellent.	District Coordination Officers/DPOs are well informed about bonded labour problem. Employers & workers can approach these officials for solving their problems at the district level.	During the capacity building of the CSS officers I did not face any difficulties. It is a very good program introduced by the ILO.
CIWCE, Punjab Labour Department, Lahore-Government	1) Organized the workshops on PC-1 by the consultant. 2) Conducted research on health issues in brick kilns. 3) A brochure developed for awareness on health issues on brick kilns.	Govt. of Punjab started a Rs 123 million project for elimination of bonded labour in 2 districts. ILO support was crucial in developing the project and conducting research.	Faced problems of coordination. Govt. process for approval and implementation is very slow.
Pakistan Workers' Federation-Workers	1) Organized meetings & workshops for awareness. 2) Organized rallies of workers & structured the workers for making unions.	Enhanced confidence of workers, employers more aware of worker rights, Minimum Wages Board lobbied	Brick kilns access issues & owners' resistance in meeting workers. High cost of legal aids. Non-cooperative attitude of police and Labour Department.
Pakistan Brick Kilns Association-Employers	1) Organized meetings & seminars.	Created awareness to Resolve worker issues. Problems can be solved if laws are made according to the working conditions & <i>peshgi</i> culture.	Most workers do not have NIC cards. Micro credit not available to workers. No written agreement between owners & labour.
Secretary, Bhatta Mazdoor Mahaz (Brick Kiln Worker Front)-Workers	Awareness of workers on rights & govt. notifications.	We have freed many workers from bonded labour. We have created awareness.	Police always supports owners. Labour Dept does not cooperate on wages issue. Workers not allowed to go to meetings.

Situation Analysis of the Brick Kiln Industry

The *Peshgi* (advance) amount taken by the workers keeps increasing despite the fact that regular deductions are made from the wages. Since the record is kept the brick kiln owners' *munshis*⁵ and most brick kiln workers are illiterate, they have no way of knowing whether fair accounts are being kept. The *Peshgi* does not finish with the death of debtor, it is simply passed on to the next generation thus perpetuating slavery. The

⁵ Accountants keeping track of work done, wages and advances

wage rates are normally way below the legal rates and deductions are made on different pretexts. Low wages presumably compel the entire families including children to get engaged in work. If workers demand full wages, false cases (often accusing them of theft) are registered against them and they are left at the mercy of police. There is no medical care whatsoever and any work related injuries or ailments are deemed to be part of the workers' risk. The whole family is expected to work to meet targets and children are not paid separately. Many brick kiln owners discourage children's education even when opportunities are available for they want cheap labour in the long term. Generally workers have a 12-hour work day with no regular holidays, many times they are denied leave even to attend family functions. Workers demanding their rights are dealt with severely and they are denied work by other owners as a measure of solidarity. Threatening to kill family members or kidnap them to pressurize workers is a common tactic. A female brick kiln worker narrated how she was beaten and degraded by the owner's men at her own doorstep. The brick kiln workers demand the implementation of the Bonded Labour Act 1992, Minimum Wage Act, registration of brick kilns, registration of workers with the Social Security system, death grants, and reimbursement of maternity expenses.

The trade unions emphasized on registration of brick kilns and workers with a Code of Conduct for the brick kiln owners. They stressed that living conditions of the workers must be improved and their children may be given access to social development opportunities. The government recognized that implementation of the laws is weak because of lack of human and financial resources. It is important to encourage owners and workers to solve problems through a dialogue rather than confrontation, and trade unions can play a very important role in that. Punjab Government has helped more than 11,000 brick kiln workers to get national ID cards and started a Help-Line for bonded labour. The Punjab Government has started a Rs. 123 million project for helping bonded labour in brick kilns and more needs to be done through the government and donor agencies. The workers are advised to approach law officers like the Assistant Commissioners and Assistant Superintendents Police for help if their rights are being usurped.

The Brick Kiln Association felt that the bonded labour issue was being made complicated by sensationalizing it in the media. The owners' capital and operational investments and efforts in making brick kilns functional were not being appreciated as the system cannot function without giving advance money to the workers. Since wages are paid on piece rates, the workers are free to choose their working hours and there is no restriction on taking holidays. All records pertaining to work and advances are maintained by *munshis* and it is rare that any worker lets himself be exploited. The Association felt that *Peshgi* is the root of the problem and that if it is banned by the government, the owners and workers

would have far less to complain about. The Pakistan Brick Kiln Association offered free space for establishing schools at the brick kiln sites.

Main Problems Identified

Usually brick kilns are situated away from each other and in remote areas, therefore it is difficult to get the first hand information and plan interventions accordingly. This is one reason why comprehensive research studies on different aspects of the bonded labour are not available. On top of it, some of the owners are very insecure and they do not allow the researchers to meet with their workers. Police and Labour Departments are generally ineffective with the police invariably taking sides. There are only 150 Labour Inspectors for a population of 90 million in Punjab. *Peshgi* is the major problem area. It is obvious that a large unorganized workforce cannot hope to improve working conditions while dealing with organized group of employers. A vast majority of the workers is unaware of the legal provisions, such as the fact that *Peshgi* was declared illegal by the Bonded Labour Act 1992.

Suggestions

Registration of brick kiln workers is the most critical intervention as they cannot hope to secure their rights without a legal entity. The brick kiln owners and workers may be encouraged to enter into standard time bound contracts for protection of their respective rights. Workers should exercise caution in spending money beyond their means and the employers should refrain from giving *Peshgi* as it gives them an unfair advantage but in the meantime, all advances and their repayments need to be recorded in writing. The government on its part must aware the workers and employers of the law on minimum wages and ensure its compliance. Bonded labour needs extensive awareness of legal provisions and their rights and this activity can be undertaken by trade unions, NGOs and the media. The practice of involving children in brick making must be stopped and free and compulsory elementary education should be implemented for them. The social development of the brick kiln families can be undertaken through micro credit offered by a host of government banks and civil society organizations. Trade unions should play a role in resolving issues through a dialogue to avoid high legal costs and lengthy discourses. District Vigilance Committees need to be activated for creating awareness and generating action against bonded labour as directed under the law. Capacity building of both the Labour Department and the police officials was identified as an effective intervention in extending support to bonded labour. Both the government and private sector need to be encouraged to have a CSR policy on brick kiln industry as it would add social pressure on the industry to bring about improvements.

Perceived Role of Major Stakeholders

<p>Government Government should make it compulsory for the brick kilns and the workers be registered. The government needs to review the current laws, their rules and regulations and their implementation mechanism to ensure that the law effectively abolishes bonded labour. Police should be oriented to comply with the provisions of the law and stop discrimination against bonded labour. Written agreement between the owners and labour should be made mandatory and minimum wages should be ensured. District Vigilance Committees need to be reactivated with the responsibility to visit and inspect violations of the law in coordination with the Labour Department. Social services education, health, micro credit and social security and safety nets should be made accessible to bonded labour and to those who are freed.</p>	<p>Employers’ Federations and Employers The Employers’ Federation should develop a Code of Conduct to discourage bonded labour and violations of labour laws. The practice of <i>Peshgi</i> which encourages bonded labour must be banned and the employers should be encouraged to pay wages through banks. The Employers’ Federation should make efforts to have brick kiln sector recognized as an industry so that the workers can be organized under the law. Awareness raising on bonded labour as a violation of law can be an effective deterrent. Employers need to manage their work place in accordance with the labour laws and by developing & implementing a Code of Conduct that protects the interests of both the parties. The employers can promote social dialogue to resolve issues through discussions rather than through confrontation. Taking on issues under the Corporate Social Responsibility umbrella is another practice prevalent these days.</p>
<p>Workers Federations Workers’ Federations shoulder the responsibility of organizing the bonded labour into unions and make them aware of the relevant laws and their rights. They should mediate between the employers and workers to resolve issues through negotiations. The Workers’ Federations should prioritize children for rehabilitation and for providing social services to them.</p>	<p>Media Media can identify and highlight violations of the law on bonded labour as human rights issues. Special programs including interviews, documentaries and site visits can be developed and telecast. Awareness through electronic media in particular can be very helpful in getting mass support on the issue.</p>
<p>NGOs and Civil Society Organizations All members of the society have the responsibility to end bonded labour. While NGOs must create awareness on these issues, they should refrain from sensationalizing them. Social services which the NGOs can provide are health and education and by prioritizing children, a step forward can be taken to eliminate bonded labour in future.</p>	<p>ILO and other UN Agencies ILO’s major role is to create awareness & facilitate the stakeholders in identifying their role in the elimination of bonded labour. ILO can share the good practices of other countries to address bonded labour. ILO can complement governmental efforts, influence government policy and urge the government to take affirmative action. Education and health are the main sectors where UN agencies can provide support.</p>

6. Impact

“Elimination of Bonded Labour at Brick Kilns (EBLIK)” - Project Launched by the Labour Department Punjab

EBLIK was developed through technical collaboration between the PEBLIP Project and the Labour & Human Resource Department in the Government of Punjab. PEBLIP lobbied successfully with the Punjab Government to allocate resources for the EBLIK project and to select this project on a priority for funding in the Annual Development Programme. The project documents were developed through a consultant hired under the PEBLIP Project. EBLIK will be implemented in Kasur and Lahore districts in 48 months at a cost of Rs. 123.367 million (US\$ 1.5 million). The project offers non-formal primary education to 9000 children, provision of Computerized National ID Cards to approximately 13000 workers and their family members, enrolment in voter lists, veterinary services and provision of micro finance (40 million rupees interest free in the form of small loans). Additionally, the project would focus on welfare measures for brick kiln workers like coverage under PESSI (Punjab Employees Social Security Institution) and income support programs, institutional interventions like promotion of model contract, activation of District Vigilance Committees, introduction of brick making technology, and research, publications and awareness drives. The Punjab Department of Labour has requested the PEBLIP project to launch complementary activities in the target districts of EBLIK project so that that EBLIK and PEBLIP projects can mutually learn from each other.

CNIC Drive in Punjab

A major campaign was launched in Punjab to help the brick kiln workers and their family members to acquire CNICs. This campaign was supervised by the Secretary Labour and the Director Labour Welfare Punjab. The Minister for labour also reviewed the progress of this campaign. This campaign proved very successful as over 11000 workers and their family members benefited from all over the province. Though this was not a PEBLIP project supported activity, the Project management through its frequent meetings with the DOL Punjab convinced the government to launch this campaign.

Registration of Brick Kilns

The department staff visited all the brick kilns in Punjab and registered more than 93% of them under the Factories Act, 1934 to ensure legal protection to the workers under the labour laws. Thus, out of a total of 3836 brick kilns, 3,579 have been brought under the ambit of law. This is a major step forward in implementing the labour laws on the brick kilns and bringing the exploitative practices of poor wages, unfair deductions, long working hours, leave problems and *Peshgi* to an end.

Bonded Labour as CSR Issue

The PEBLIP project joined hands with Tripple Bottom Line, a CSR journal to streamline the issue of bonded labour in the CSR policies and programs by corporate sector. The Punjab Labour Department's subordinate institution, the Centre for the Improvement of Working Conditions & Environment (CIWCE) signed a Cooperation Agreement in March 2007 with Total Parco Pakistan for external monitoring. Total provides the list of suppliers of bricks for construction of its new outlets. These brick suppliers are then visited by the department officials to verify if child and bonded labour is being used for the production of bricks at the brick kilns, and the company is accordingly informed. The PEBLIP project management facilitated the signing of this agreement.

Legal Aid Service Units (LASU) for Assistance of Bonded Labourers

Supported by the Bonded Labour Fund (BLF), LASU had been functioning under the Punjab Labour Department more than a year before PEBLIP started. The performance of LASU in Punjab and the awareness raising activities undertaken in Sindh and Balochistan prompted the government to approve the establishment of LASUs in the latter two provinces. Until then only three projects had been funded under BLF since its inception eight years ago, and the progress in establishment of Legal Aid Service Units in two new provinces is a welcome step forward. It is in accordance with the demands of the workers and human rights activists articulated in various awareness raising meetings.

7. Conclusions

Labour is largely been exploited in its worst form in two sectors in Pakistan – agriculture and brick kilns. In the case of agriculture, it is obviously the landless peasants who fall into the trap. Largely illiterate and completely unaware of the law and their rights they fall into the traps of middle men who commit their labour to landlords, often cheating them in payment of wages and many times leaving them at the mercy of the henchmen of the landlords. These peasants work long hours for petty wages, unfair deductions and their family members are forced into work because of verbal contracts that they are totally unaware of. In brick kilns, the role of middle men is picked up by *jamadars*⁶ and the workers are condemned to the same fate as their counterparts in agriculture. The whole families including women and children are often expected to work, and matters are made worse by successive loans which the workers have to take to make ends meet – loans that are termed as *Peshgi*, forbidden by the law.

⁶ Contractors working on behalf of owners and managing workers

At the district level, the implementation of the law is extremely weak. There are a very few labour inspectors with little or no facilities. The District Vigilance Committees which were established under the law to facilitate implementation are either on paper or largely ineffective. It is difficult enough for the Labour Departments to inspect the formal sector and bonded labour which is almost entirely in the informal sectors continues to suffer in silence. There are instances when women are abused, men are physically beaten up and those who try to seek legal remedy are implicated in false cases where the police treat them indifferently at best.

The bonded labour families live either in camps, guarded sites or close to work place with very little physical facilities. Some of the owners strongly discourage workers from participating in awareness events or stop the children from going to school thus perpetuating bonded labour into the next generation. In general the plight of bonded labour is a silent cry and it is heard sporadically only when the very heinous cases come to light.

Unfortunately there is very little information on the situation of bonded labour in Pakistan, and more importantly, as to what can be done to improve their plight. Even the decision makers in the government departments seemed to be largely unaware of their role and responsibilities in this regard. The media was unsure of who was exploiting whom in the bonded labour market and in this scenario, an enabling environment to combat bonded labour was difficult to create. It was in this backdrop that the project was launched and it did well in selecting the awareness targets which covered a cross section from workers and employers to religious scholars, media and decision makers in the government.

The PEBLIP project was started at the time when the Government and society at large was coming to grips with the problems that had long remained unrecognized and therefore ignored. This project succeeded at strategic level to educate and sensitize the key stakeholders and opinion makers like top civil servants, religious leaders and journalists to the sensitivities of bonded labour and the compelling need to play their respective roles in addressing it. The results of this strategic level interaction have started bearing fruit. The major breakthrough has occurred with the Labour and Human Resource Department, Government of Punjab which has launched a 4-year project at a cost of 123 million rupees for elimination of bonded labour at brick kilns in two districts of Punjab. All provinces have nominated focal persons on bonded labour which in itself manifests their readiness to work on this issue and take serious steps for elimination of bonded labour. The project was however not able to mobilize the Bonded Labour Fund in

the Ministry of Labour for launching action oriented projects for rehabilitation of bonded labourers.

The project tried to mobilize the civil society organizations to form a coalition and work on the improvement of the existing law. However the legal reforms cannot be initiated by the organizations. Strong action and leadership from the government particularly the Ministry of Labour would be required to undertake legal reforms. However with the support of the project, the experts and stakeholders have indicated the problems in the BLSAA. Similarly the evidence of development of knowledge base was very limited. No major study was undertaken to document the economic and social dimensions of bonded labour.

Based on the project's Performance Management Plan updated on six monthly basis and the corresponding matrix with narrative data, activities under Component 1 are generally on schedule. The development of the Friday sermon, public mobilization campaigns including rallies by NCABL, training of 220 media personnel and coverage by print media – 70 clips against 25 targeted – demonstrate adequate progress. Proposal on law revisions has been developed but the law revisions work itself will be time consuming. Dialogue with parliamentarians has lagged and will need an early start. In Component 2, the indicators set initially seem to be on the ambitious side. While building institutional capacity of government officials, workers, employers and religious leaders has been a productive exercise, it appears that given the time available, the project will have to make strong efforts to reach the capacity building targets. A positive development is the approval to establish LASUs in Sindh and Balochistan provinces which makes access to Bonded Labour Fund possible in future. The direct services component has suffered delays. The model contract for brick kiln workers is still not finalized and will require urgent attention if the workers are to get written contracts. Children's access to non formal education will be cut short as the project comes to an end unless the government is willing to take over this sub component. The health services sub component may well be completed in the remaining period but the financial services package will not be easy to manage in such a short time. Also its impact may not be very visible during the project duration. Even if the quantitative achievements fall somewhat short of targets, the immediate objectives of creating awareness and building institutional capacity are likely to have an appreciable impact as the government training academies are interested in making these activities a regular part of their programme. The third objective of providing direct services will perhaps be constrained because of limited time available.

8. Recommendations

Awareness Raising workshops with Workers and Employers

So far, the project has sensitized 300 workers and 270 employers through a series of seminars/workshops. As a result, workers' organizations are motivated to organize labour in the informal sectors to protect them from bonded labour. The employers have greater awareness and are increasingly seeing the bonded labour issue in the context of Global Compact and CSR. Although awareness on the bonded labour issues has been raised in general, there has been a focus on brick kilns and agriculture particularly in the seminars/workshops with workers and media respectively thus highlighting these sectors. It is therefore proposed that the project should focus on two additional sectors to demonstrate that bonded labor is not limited to two sectors only. Alternatively, the awareness focus could be widened to show that bonded labour may exist across the board in a number of economic sectors. This work can be entrusted to trade unions and employers' associations. The endeavour to develop a model contract can be taken up jointly by the employers' and workers' organizations.

Awareness through Religious Leaders

The Friday sermon, or *khutba*⁷, was acclaimed to be a unique success as it was the outcome of deliberations with a large number of religious scholars. The Friday sermon should be disseminated among the *imams* (prayer leaders) in an organized form. Instead of having a standard text, the document should provide highlights on labour rights in Islam from the two sources – the *Quran*⁸ and the *Hadith*⁹. The emphasis should be on human rights of bonded labour in the context of contemporary situation in Pakistan. Also the primary contents should be translated into vernacular languages and shared with heads of different schools of religious thoughts for delivery by *imams*. After the initial exercise, it should not be difficult for the project to disseminate the sermon for wider public awareness. The assignment to promote Friday sermons can be given to NRDF and other organizations enjoying credibility at the local level. This work may comprise twelve sermons in three months.

Dialogue with the Parliamentarians

The project has initiated a dialogue on legal reforms and effective implementation of the bonded labour law. The Sindh Government has recently established a separate Department of Bonded Labour. It may be a timely intervention to initiate a series of dialogue with the selective parliamentarians on the issues of bonded and child labour. A

⁷ Religious sermon delivered in a mosque

⁸ The Holy Book of Islam

⁹ Sayings of the Holy Prophet of Islam

group of legislators would be oriented to information regarding legal frameworks and policies about bonded and child labour. The preliminary meetings can be followed by a national workshop on bonded labour culminating in an action plan. Thus the suggested legal reforms can be advocated to start a campaign on amending the law and implementing rules. Human Rights Commission of Pakistan and SPARC can undertake the assignment in partnership but it may require six to eight months to have a meaningful and productive dialogue.

Capacity Building of State Functionaries

More than 160 state functionaries were oriented on International Labour Standards, Decent Work, Bonded Labour, and implementation of the law in government training academies. There is a strong need to continue this activity and develop booklets containing relevant information for the ready reference of the government officials. Also, there is a strong demand for developing a Website so that updated information could be accessed by the officials as and when required. Managements of all the training academies have demanded this information and a continuation of orientation sessions. An additional step would be availability of an E-Forum where the government officials and civil society could discuss relevant issues. The development and maintenance of Website and E-Forum can be contracted out to a private party with technical input from ILO. The assignment would require 3-4 months to be completed.

Development of District Plan for Abolition of Bonded Labour

Various stakeholders have been critical of the implementation of the law and the attitude of the government officials in the districts on bonded labour issues. It seems that at the district level, the bonded labour issues virtually carry no weight. At the same time, the awareness level among the high authorities in both Sindh and Punjab is fairly high. The Government of Sindh has created a separate Department of Bonded Labour while the Government of Punjab has initiated a 123 million rupee project to eliminate bonded labour in brick kilns. A CSO has recently signed a project with Asia Foundation for improving the performance of District Vigilance Committees in three districts in Punjab. It is, therefore, proposed that two districts each in Punjab and Sindh be selected as pilot districts for development of District Labour Plans. Among others issues, these plans will identify strategies, interventions, financial layout and stakeholder responsibilities to address bonded and abusive child labour. The project may collaborate with the Punjab Government project EBLIK to pilot District Plans to be developed by NGOs assigned direct service delivery component in two districts. The District Plans which may take 4-5 months to complete may be used for advocacy for government funds to address bonded labour.

Direct Services to Reduce Bonded Labour

The request by the Government of Punjab EBLIK project for launching complementary activities by the PEBLIP project in the same districts creates an opportunity to launch action oriented activities which can potentially be adopted by the district and provincial governments. As the PEBLIP has not made any social and direct interventions to address bonded labour problem, it is recommended that project strategy should focus more on this side in the remaining period so replicable models for addressing bonded labour could be established. PEBLIP may intervene with health program, training of Labour Inspectors, strengthening the legal aid support system and quality inputs to augment the government interventions of micro-credit, CNIC acquisition and education for children of bonded labour families.

Enhancing the Knowledgebase

Practically no updated and analytical information is available on several important aspects of bonded labour in Pakistan. For instance, the tenancy system in the country is under severe criticism for being one of the root causes of abject poverty in rural areas. Similarly there are pros and cons in the matter of *Peshgi*. While many feel that it should be abolished completely, there are dissenters who fear that it may deprive the workers of legitimate access to advance against salary. Ensuring the payment of minimum wages is yet another thorny issue. The performance and functionality of the District Vigilance Committees is a big question mark. PEBLIP may well commission studies on these subjects in collaboration with experts in government and private sector in the remaining project period thus providing a solid base for further interventions in the future.

9. Lessons Learnt

- The project can act as a catalyst for action by other key stakeholders including government departments
- Bonded labour can be made a key priority issue within government and other stakeholders through persistent awareness and advocacy efforts
- There is a strong need to promote a healthy social dialogue among the stakeholders even though they may have conflicting points of views and interests. The project interventions have shown that the stakeholders are willing to discuss issues on proper forums and deliberate together to find solutions to even the most complicated issues
- The experience with religious scholars demonstrates that when we ignore certain stakeholders, we do so at a cost. The religious places are most effective in spreading the message on the community level whereby the people can be influenced to at least start seeing issues with a receptive mind

- The state's training academies offer a unique opportunity for social and human issues to be discussed, orientation provided and future course of action outlined. It is important to establish credibility with the state's training academies to pave the way for an on-going intervention and constant dialogue with the government officers all of whom are decision makers in their field of operation. It is also important to note that government academies prefer regular programs rather than one-time efforts and without consolidation, any such initiatives fall apart
- The knowledge gaps in addressing bonded labour in Pakistan merit serious studies without which the interventions will be weak and ineffective

10. Potential Good Practices

Interaction with religious scholars was a unique practice tried through this project. The PEBLIP project partnered with an NGO to introduce the bonded labour issue in the religious seminaries and academies. The NGO arranged several workshops in key religious seminaries. This is the first time that an international agency has been able to get a foothold with religious scholars to combat a social problem condemned by religion as well as the international covenants. Through this intervention materials were prepared for dissemination through religious seminaries. The 12 seminars were addressed by prominent religious scholars, academicians and legal experts. This effort can become sustainable with some more support from the PEBLIP project and possible mould the public opinion against bonded labour practices.

The idea of approaching government training academies and offering them orientation and awareness on bonded labour as a part of their regular training courses worked extremely well. So much so that the Federal Judicial Academy, Foreign Service Academy and the Civil Service Academy are all interested in making the intervention as part of their regular training courses. It should be a priority of PEBLIP to build upon this goodwill and appreciation by ensuring the awareness material is consolidated and documented in various forms for reference and use by the government officers in their regular course of work.

The launch of EBLIK project is a pertinent example of strong leadership by the government which has shown its resolve to address bonded labour problem and allocated substantial funds for this purpose. This was made possible through technical support provided by PEBLIP. Similar support can encourage other provincial/ district governments to develop viable plans and secure government funding to implement projects addressing bonded labour. Under EBLIK, the Punjab Government has registered more than 90% of the brick kilns and over 11,000 brick kiln family members to address a

long standing grievance of the lost identify of the workers. This is the first step towards organizing the brick kilns and the workers.

Annex-1: List of Persons Consulted During the Mid Term Evaluation

Name	Designation/Organization
Mr. Osama Tariq	Deputy General Secretary, Pakistan Workers Federation, Lahore
Mr. Saeed Awan	Director, CIWCE, Punjab Department of Labour, Lahore Lahore
Chaudhry Siddique	Dy. Director [Coordination], Civil Service Academy (CSA), Lahore
Mr. Shoaib Khan Niazi	President, All Pakistan Brick Kiln Association, Lahore
Mr. Akhter	Producer Aaj News, Aaj TV, Lahore
Ms. Hameeda Bibi	Brick Kiln Worker (Bonded Labour)
Mr. M. Rehmat Ali	Secretary, Bhatta Mazdoor Mahaz (Brick Kiln Worker Front)
Mr. Abdul Sattar	Former Secretary, Bhatta Mazdoor Mahaz, (Brick Kiln Worker Front)
Mr. Bashir Masih	Brick Kiln Worker (Bonded Labour)
Mr. Shoukat Ali	President, Bhatta Mazdoor Mahaz (Brick Kiln Worker Front)
Mr. Faqir Ahmad	Brick Kiln Worker (Bonded Labour)
Mr. Shoukat Ali	Brick Kiln Worker (Bonded Labour)
Mr. I. A. Rahman	Director, Human Rights Commission of Pakistan (HRCP), Lahore
Ms. Caroline O'Reilly	HQ Special Action Programme to Combat Forced Labour
Mr. M. Saifullah Chaudhry	Senior Programme Officer, International Labour Organization, Islamabad
Mr. Muhammad Benyameen	National Project Coordinator, ILO PEBLIP, Islamabad
Ms. Rabia Razaque	Programme Assistant, ILO PEBLIP, Islamabad
Mr. Muhammad Anwar	Admin. Finance Assistant, ILO PEBLIP, Islamabad
Mr. Zafarullah Khan	Bar-at-Law, Advocate, Islamabad
Mr. Muhammad Amir Munir	Civil Judge Ist Class/Magistrate S-30, Additional Director (Academics), Federal Judicial Academy, Islamabad
Mr. Tajammul Altaf	Director (Administration), Foreign Service Academy Islamabad
Dr. G.M. Arif	Chief of Research/Head, Department of Population Sciences Pakistan Institute of Development Economics (PIDE), Islamabad
Mr. Javed Choudhry	Chief Executive Officer, Media Mark, Islamabad
Qindeel Shujaat	CEO, SPARC, Islamabad
Mr. Mazhar	National Rural Support Programme, Islamabad
Mr. Moazam	Director General, Federal Judicial Academy, Islamabad

Mr. Ali Nawaz Shah Rizvi	Minister for Bonded Labor, Sindh
Mr. Alam Din Bullo	Secretary, Department of Labour, Sindh
Mr. Athar Ali Shah	ILO Coordinator, Department of Labour, Sindh
Mr. Fasihul Karim Siddiqi	Convenor Bonded Labour Project (PEBLIP), Employers Federation of Pakistan, Karachi
Mr. Saud Alam	Employers Federation of Pakistan, Karachi
Mr. Nazar Hussain Jyo	NRSP, Hyderabad
Ms. Meeran	Activist, Bonded Labour Camp, Haji Baba Salahuddin, Kotri-Hyderabad
Ms. Margerette	Activist-Teacher, Bonded Labour Camp, Haji Baba Salahuddin, Kotri-Hyderabad

Annex-2: Some Publications

Bonded Labour (A Toolkit for Practitioners)

This toolkit has been developed by SPARC. The toolkit provides a relatively simple resource for training and information to a variety of stakeholders including government functionaries dealing with issues of bonded labour at the federal, provincial, and local level; human rights associations; activists; the media and the general public at large. The first part of the toolkit provides facts on bonded labour, its extent and prevalence, and case studies associated with rehabilitating bonded labour. The second part discusses possible strategies, tactics and techniques that policy makers, social workers, media activists, human rights activists and even government employees can apply in order to address the problem of bonded labour.

Core Labour Standards (Legislation & Initiatives in Pakistan)

The study is developed by ILO and EFP to highlight the importance of Core Labour standards and National Legislation. The following contents are focused:

- Core ILO Conventions in the global context
- ILO as Standard setting Organization
- Pakistan: Labour Market and Employment Trends
- The pattern of social progress and social justice in the context of national labour policies and labour legislation
- Constitution of Pakistan and Fundamental Rights
- ILO Convention and Core Convention ratified by Pakistan
- Core Convention on forced and compulsory labour, related national labour legislation and issues
- Core Convention on child Labour, related national legislation and issues
- Core Convention on Employment and Occupational discrimination, related national legislation and issues
- Core Convention on Industrial relations, related national legislation and issues
- Role of EFP in implementation of ILO Core Conventions through social dialogue
- Selected Pakistani organizations' understanding of FPRWs and application of Core standards-case study on Enterprise practices.

Islam and Bonded Labour

It is an informative two page publication in Urdu defining Bonded Labour, its types and sectors, national and international laws, some famous hearings and the responsibilities of religious scholars. It was published for "Sensitization and Capacity Building Seminars for Religious Scholars" under PEBLIP.

PEBLISA Project Completion Report (Oct 2004-Feb 2006)

The report highlights the significance of civic awareness, social empowerment and economic stability of freed bonded labour haris. PEBLISA started in Oct 2004 and it was completed in Feb 2006. It was implemented with about 850 *Hari* families settled at various temporary camps in Hyderabad, Jamshoro and Matayari. The main objective was to rehabilitate and empower the most vulnerable communities through social safety nets comprising a package of micro credit & savings, skill development and a land-lease program, and social empowerment, awareness raising, and productive linkages development.

Annex-3: Reading Material for Capacity Building

1. Capacity Building of State Functionaries for Action against Bonded Labour-ILO Pakistan

It contains five booklets:

- International Conventions Related to Bonded Labour comprising C-29 Forced Labour Convention, 1930 and C-105 Abolition of Forced Labour Convention, 1957.
- National Legal Regime Against Bonded Labour
- National Policy and Plan of Action for Abolition of Bonded Labour
- Trade and Social Linkages
- Awareness Raising and Capacity Building of Police

It also contains a CD, having soft copies of the above booklets, and ILO working papers and publications on Bonded Labour and some presentations

2. Major Features-Judgment of Federal Shariat Court on Bonded Labour (2005)

Points of Petitioners

- Definitions challenged
- Agreement custom, etc. To be void
- Liability to repay bonded debt to stand extinguished
- Sale, transfer, charge etc illegal
- SC considered in light of FR, not Islam
- Peshgi is based on lawful agreement

Judgment

- Effacement of SC judgments not possible
- It is beneficial statute to curb and to put to irreversible end BL
- FR: life and liberty:9; safeguards to arrest and detention:10; 11; dignity of man: 14; freedom of movement: 15; freedom of profession: 18;
- Quote articles 4, 5 of ILO C 29 and Universal Declaration of Human Rights (UNDHR)

Rightful dues: hadith

- Subordinates like brother: hadith
- Who wrongs with servants, will not enter paradise
- Employer has to give even if labourer does not know or ask rights
- Work but no legitimate wages is slavery: Asqalani on Hadith
- Peshgi leads to exploitation as ad infinitum, no writing, vague system
- Contract terms for job and wages be determined

3. Fund for the Education of Working Children and the Rehabilitation of Freed Bonded Labourers

- Established by the Federal Govt. by initial contribution of Rs. 100 million from Pakistan Bait-ul-Maal. Priority areas of the Fund:
 - - Training and rehabilitation of freed bonded labour
 - Provision of legal and financial assistance to bonded labour or their families
 - Micro credit schemes
- Accessing BLF: Follow these steps
- Application Procedure (how and when)
- Implementing Agencies (Provincial Labour/Home Departments. Pakistan Bait-ul mal, District Governments through District Labour Officer

Other Reading Material

- C-100 Equal Remuneration Convention, 1951
- C-111 Discrimination (Employment and Occupation) Conventions, 1958
- C-29 Forced Labour Convention, 1930
- C-105 Abolition of Forced Labour Convention, 1957
- Features of BL System (Abolition) Act, 1992
- Bonded Labour System (Abolition) Rules, 1995
- Case study of Darshan Masih Supreme Court Ruling, 1989
- Abolition of Bonded Labour in Pakistan-Human Resource Commission of Pakistan
- National Policy and Plan of Action for Abolition of Bonded Labour and Rehabilitation of Freed Bonded Labour 2001
- Role of Religious Scholars in Elimination of Bonded Labour in Pakistan
- Forced Labour: Definitions, Indicators and Measurement
- Action Research on Creating Sustainable Market Linkages for Women Entrepreneurs in Earthquake-affected Areas
- Pakistan Decent Work Country Programme, Report of the Director General, ILO. 87th Session, ILC, 1999
- A Global Alliance Against Forced Labour 2005
- Combating Bonded Labour by Capacity Building District Government Functionaries 2005
- Occupational Health and Safety Hazards of brick kiln workers-Research study by CIWCE 2008
- Training Module on Bonded Labour by CIWCE 2007
- Bhatta ki Sanat mein Sehat wa Tahafaz ke Masail aur unka Hal (Urdu) by CIWCE
- Jabri Mushaqat ka Khatma (Urdu) by IRI, Punjab Labour Department

Annex-4: Timeline of Activities

Partner/organization	Activity	Timeline of the activity		No of trainees/ participants	Gender representation Women: Men
		From	To		
Federal Ministry of Labour	Strengthening Bonded Labour Cell Collaboration & supervision	March 2007	To date	2 focal persons based in the Bonded Labour Cell	1:1
Provincial Department of Labour (Punjab)	Preparation of PC-I for a government funded project for elimination of bonded labour at brick kilns, consultation of stakeholders, OSH study at brick kilns	Dec 15, 2007	March 15, 2008	2 consultative workshops with 105 participants	2:103
Key Chain Films	To highlight the issue of Bonded Labour in Agriculture Sector in Sindh and Brick Kilns in Punjab focusing Gender Dimension	Dec 03, 2008	To date	Government (MoL), EFP, PWF and Key implementing partners and Stakeholders	12:18
Provincial Department of Labour Sindh	Training of District Officials (DLOs, Labor Insp.). Collaboration & supervision/	Dec 26, 2007	Jun 30, 2008	Capacity building workshop	3:68
Employers Federation of Pakistan	Sensitization of employers Preparation of Model Contract	Dec 25, 2007	Dec 31, 2008	6 seminars with 270 participants	32:238
Pakistan Workers Federation	National Tripartite Conference to deliberate on synergizing efforts to eliminate bonded labour	27 February 2008	-	1 day National Tripartite conference with 57 participants	22:35
National Coalition Against Bonded Labour (NCABL)	Review of law of bonded labour. Consultations with government Officials, parliamentarian, proposals to access BL Fund	Dec 19, 2007	Nov 30, 2008	21 member NGOs	5:16
Foreign Services Academy	Capacity Building of State Functionaries	January 06, 2009	January 06, 2009	34	1:33
Federal Judicial Academy	Training of Judicial Officers (Sr. Civil Judges and Magistrates)	April 10, 2009	April 10, 2009	26	4:22
Sindh Judicial Academy	Training of NILAT staff and officers	June 06, 2008	Nov 30, 2008	1 training workshop	0:25
Pakistan Workers' Federation (PWF)	Orientation of workers through Series of workshops Legal Aid to victims of bonded labour	Dec 25, 2007	Dec 31, 2008	5 seminars with 300 participants	15:285
SPARC (NCABL)	Workshops, Advocacy, Legal Reforms, Strengthening NGO Coalition Against Bonded Labour	Dec 19, 2007	Nov 30, 2008	3 workshops, 2 rallies, 1 experts meeting	450:600

				1050 participants in different events	
Media Mark	Orientation of Media	Dec 26, 2007	Dec 31, 2008	4 workshops with journalists (148) 2 round table consultations with senior columnists (25)	56:92 0:25
Juris-Consult	Capacity Building of Religious Scholars Study on Role of Judiciary to combat bonded labour Resource person for Capacity Bldg of State Functionaries	Nov 1, 2007	Feb 28, 2008	6 seminars with 1592 participants	0:1592
CIWC&E	Consultative workshops	Jan 1, 2008	Jun 30, 2008	2 consultative workshops	4:101
NRDF	Sensitization of Religious Scholars/ Sermon	Nov 11, 2008	Jan 11, 2009	6 seminars with 391 participants	0:391
Pakistan Central Mines Labour Federation (PCMLF)	Sensitization of workers	Aug 16, 2008	Aug 16, 2008	1 seminar	0:55

Annex-5: Evaluation Work Plan

Date	Location	Activities
Mar 29, Mon	Islamabad	- Meeting with ILO NPC - Meeting with Senior Programme Officer (Former PM)
Apr 2-4, Thu-Sat Apr 6-7, Mon-Tue	Lahore	- Review guidelines/documents received from ILO - Review project documents received from NPC-ILO - Develop Preliminary Work Plan - Develop Preliminary Evaluation Strategy/Methodology - Outline Information Collection Instruments - Plan Islamabad visit
Apr 7, Tue		Travel to Islamabad
Apr 8, Wed	Islamabad	- Guidelines by Director ILO - Meeting with ILO Project Team - Project presentation, discussion, Q&A - Develop Stakeholder Matrix
Apr 9, Thu	Islamabad	- Finalize Evaluation Strategy/Methodology - Finalize Information Collection Instruments - Schedule appointments
Apr 10, Fri	Islamabad	- Ministry of Labour - Service Contractors
Apr 10, Fri		Travel to Lahore
Apr 14, Tue	Lahore	- Mini Stakeholder Meeting
Apr 15, Wed	Lahore	- Meeting with Former ILO NPC - Department of Labour - Service Contractors
Apr 16, Thu	Lahore	- Service Contractors
Apr 19, Sun		Travel to Sindh
Apr 20, Mon	Sindh	- Meetings with: EFP, Secretary Labor, Minister for Bonded Labor
Apr 21, Tue	Sindh	- Meeting with NRSP, Dist Labor Dept official Visit bonded labor camp, freed bonded labor camp
Apr 22, Wed	Sindh	- Meeting with former Director Department of Labour - Meetings with human rights activists
Apr 22, Wed		Travel to Lahore
May 1-2, Fri-Sat May 4-5, Mon-Tue	Lahore	- Draft Evaluation Report
May 24, Sun	Lahore	- Submit Draft Report to ILO Evaluation Officer
Jul 9, Thu	Lahore	- Submit Revised Draft Report to ILO Evaluation Officer
Aug 21, Fri	Lahore	- Submit Final Report to ILO Evaluation Officer

Annex-6: Mid Term Evaluation TORS



FINAL
VERSION

PROMOTING ELIMINATION OF BONDED LABOUR IN PAKISTAN

TERMS OF REFERENCE for Independent Mid-Term Evaluation (2009)

ILO Project Code:	PAK/06/51/NET
TC Code :	O27006342810
Financing Agency:	The Netherlands
Type of Evaluation:	Independent Evaluation
Geographic Coverage:	Punjab and Sindh
Project start date:	March 2007
Project end date:	April 2010
Date of the Evaluation:	March 2009
Total Project Funds of Donor:	US\$ 999,363

I. Introduction and rationale for evaluation

The project has delivered a number of planned activities and the project is half way through the current phase. The project will benefit from a midterm evaluation as the evaluation will provide an opportunity to assess progress, and to assess whether the project is still relevant, capitalizes on opportunities and moves in the right direction. It also offers an opportunity for learning from experiences and considering suggestions for improvements for future work and the work in the remaining period. All projects with a budget over US\$ 500,000 require an independent evaluation at least once during the project lifetime according to the ILO evaluation policy. The midterm independent evaluation is therefore proposed.

The midterm evaluation will focus on the likelihood of the project achieving the outcomes towards the end of the project period. The midterm evaluation will also provide an opportunity for in-depth reflection on the strategy and assumptions guiding the project. The findings and recommendations of the evaluation will help the project management, ILO Islamabad, ILO technical backstopping team at HQ and the project partners and key stakeholders, to adjust the strategy, plans and activities to reflect the challenges, opportunities and other changing situations that may have happened on the ground.

The evaluation will comply with the UN evaluation norms and standards, and that the ethical safeguards will be followed.

A final expanded evaluation cum impact assessment exercise is planned to take place towards the end of project implementation.

II. Background on project and context

Project Background

The issue of forced labour in Pakistan until about the late 1990s was a veiled and highly politicised one. Pakistan having ratified the ILO Conventions 29 and 109 as early as 1960's, the existence of national laws such as the Bonded Labour System (abolition) Act 1992 and the Children (Pledging of Labour) Act 1933 and other national policies most notably the National Policy and Plan of Action for the Elimination of Bonded Labour etc, there was an element of complacency and inaction as a whole by national actors. This inaction was mainly the result of little empirical knowledge regarding the issue, a general lack of institutional capacity to take appropriate action and a socio-cultural acceptance of this age-old and traditional system of labour relation in the highly stratified social framework of the country. The issue is complex and multi-tiered linked directly to the issues of poverty (both human poverty and income poverty), social exclusion (especially

political and social disenfranchisement), general widespread unemployment in the country, lack of effective social protection and entrenched cultural practices.

In 2001, ILO launched its first intervention in collaboration with government and key social partners in 2002 to assist a group of about 700 families (mainly *haris* – agricultural workers) who were released from debt bondage in rural and peri-urban Sindh. The project sought to establish integrated socio-economic models of direct assistance to these families and concurrently work towards creating a conducive national environment for their assistance. In 2003 the strategy for institutional development was integrated as a major component along with the direct support actions. In addition over these two phases an effort was made to generate knowledge on the incidence of bonded labour in Pakistan, so as to facilitate informed national programming and action. In March 2007, the project initiated its offshoot separately in Pakistan.

The project is funded by Government of the Netherlands. The total budget is USD 999,363 with the duration of 3 years (March 2007- April 2010). The project's geographical coverage is spread over all four provinces of Pakistan.

Cumulatively, within the period, a number of successes took place. Most notably,

- The development of a national knowledge base;
- The operationalisation of the National Steering Committee and the Bonded Labour Fund;
- The reinvigoration of District Vigilance Committees in some districts to monitor violations under the Bonded Labour System (Abolition) Act 1992;
- Capacity building of some officers of the judiciary, police, district government and other civil servants etc;
- The establishment of a civil society coalition against bonded labour;
- The efforts of trade unions to raise awareness on bonded labour and efforts to organize them;
- The efforts of employers to address the issue.

Another achievement is the movement towards law reform; the Government's commitment is evident from the recent meetings of the legislators with the National Coalition against Bonded Labour also supported by the ILO. This activity has led to successful deliberations on the national law on bonded labour, and the discrepancy found between Sindh Tenancy Act and Bonded Labour System Abolition Act 1992 has been addressed in these revisions.

Religious Scholars have played a significant role in shaping this society and its morals. They have a massive following and that is why the ILO in collaboration with some local NGOs who have prior experience of working with Ulema (Religious Scholars) launched an Ulema Development Approach in the most conservative areas of NWFP. It is the result of such movement that a Sermon has been developed that addresses the Issue of Bonded Labour in the Light of the religion. It has been the first time that dignity of Labour, fair wages, equal work opportunity, and collective bargaining, freedom of association and mobility and child labour will be talked about by the Religious Scholars.

The collaboration with Media has also been a strong tool to advocate the issue to affluent class, decision makers, policy makers, law enforcers etc. The seminars with media will not only result in immediate outcomes but longer term exposure and coverage.

At the level of social partners, bonded labour is one of the regular agenda items of the major trade unions of Pakistan. At the employers level the commitment to address the issue has been demonstrated through their proactive involvement in the past project activities for awareness raising and sensitization.

Parliamentarians have a vital role to play when it comes to advocating and lobbying the agenda of bonded labour in political parties manifestos. It is therefore an ongoing activity which needs aggressive follow-up.

The Government of Punjab has allocated its own resources to address the issue of bonded labour. A PC-1 has been developed with the technical assistance from the ILO. The project will be launched in Punjab soon. To augment the efforts of the Government, ILO will also launch an action programme which will be executed through an implementing partner. The bonded labourers will be the direct beneficiaries and it is aimed that the project will establish a link between all stakeholders; NGOs, Government, Workers and Employers and Civil Society who may be engaged at different levels of recovering, rehabilitating or providing support to bonded labourers, families or those susceptible to bondage.

The delay caused in the implementation of the action programme will now be met with a holistic approach to ensure that district, provincial and Federal Level Governments work coherently and take the ownership of the activity so that it sustains even after the completion of the project.

Management Arrangements:

The project is operating under the overall supervision of the Director of the ILO office in Islamabad. SAP-FL is the technical backstopping unit at HQ level. The SRO specialists (on labour standards, gender, skills/employment, social security, employers' and workers' activities) provide support to the implementation of the activities when required. Gender Bureau, IFP/ DECLARATION and the Social Finance Programme are also sought for technical support. Consultations are carried out with other programmes as necessary. ITC Turin has successfully implemented several trainings on forced/bonded labour and ILS, and are a key collaborating unit of the project.

The project is managed by a NPC based in Islamabad, who supports all local partners. Project staff provides assistance to the NPC directly on matters involving project planning and implementation of activities. This information is collected from implementing and collaborating partners.

While the National Steering Committee on Bonded Labour provides policy guidance, it is also consulted during the formulation of project workplan or before initiating a new activity.

<p>Outcome 1: Development of knowledge base and awareness on aspects of bonded labour</p>	<p>This component focuses on resulting in greater protection of fundamental principles and rights at work (particularly women workers rights)</p>
<p>Outcome 2 Capacity Building of Government, Social partners, Media, Religious Scholars etc</p>	<p>This component focuses on strengthening national institutional capacity to implement the national legislative and policy instruments, effective utilisation of national bonded labour fund to design meaningful and needs based interventions. This component has medium to long term benefits and is essential for the sustainability of the project.</p>
<p>Outcome 3 Field Interventions</p>	<p>This component focuses on Improved conditions of labour, particularly for women in targeted sectors through improved contractual arrangements and the introduction of a regulatory framework and increased social/economic development services for families in targeted areas including education, health, and employment generation opportunities.</p>

Under Outcome 1, there are 3 outputs. Under Outcome 2 there are 4 outputs and under Outcome 3 there are 4 outputs. (See Annex- 2 for further details on Project Outcomes).

The aim of the project is therefore: 1) strengthening national legal and policy frameworks on bonded labour through developing strong knowledge base; 2) increasing the capacity of the government, workers organizations, and employers organizations and other social partners, law enforcement and other agencies to tackle the issue effectively; and 3) field-testing tripartite models for the prevention of bonded labour and for the rehabilitation of bonded labourers, in particular through pilot initiatives in the brick-kiln sector in Punjab, to develop a regulatory framework, improve legal implementation and provide other social services. The project’s approaches will be mainstreamed in social partners’ activities and in major poverty reduction programmes of government, donors and civil society targeting the very poor.

Progress to date:

The present project is an expansion and continuation of on-going technical cooperation under taken by ILO in South Asia including Pakistan since 2001. The Project has established coordination with key stakeholders including ILO’s tripartite constituents; The Government, Employers and the Workers. The stakeholders have been sensitized on the existence and the gravity of the issue of bonded labour. These actors have been oriented to the international and national context of the problem and its implications.

Their role has been laid out and outputs are being delivered. The law reform is a big achievement in terms of strengthening legal and policy framework. Integration into the Islamic Model of preaching through Sermons, and curricula of premier public training institutes is another. Similarly, Bonded labour issue has become a beat line for many media personnel. The provincial Departments of Labour have become active in taking up the issue and have notified DVCs on their functions in Sindh and Punjab. Law enforcement agencies are being imparted training on handling bonded labour cases.

III. Scope, Purpose and clients of the evaluations

Scope:

The midterm evaluation should cover all components supported by the project from March 2007 to the date of the evaluation. The overall progress made against the planned activities and the assumptions of the project should be assessed. The evaluation should also focus on how well the project-level action links to and supports higher level strategies and outcomes articulated in the Decent Work Country Programme (DWCP) for Pakistan and consequently its contribution to national action plans.

Purpose:

As mentioned earlier, the project is scheduled to end in April 2010. The project management team at ILO has been collecting regular information about project activities for effective monitoring to ensure that the project stays on course and all activities are undertaken as planned/ scheduled. The project is almost in its mid, and the ILO is interested in knowing whether or not the project has really delivered what it intended to deliver, and whether all the activities envisaged in the project document were undertaken in line with the international best practices. This requires a close examination of the qualitative and quantitative patterns of implementations; institutional mechanisms, norms and practices; indicating issues and opportunities for improvement (based on current implementation); and providing recommendations for subsequent action related to project implementation practices.

The Terms of Reference (ToRs) developed by ILO for the Evaluator require the study to assess processes based on the direct and indirect interventions of the project (for all stakeholders, from target group to the direct beneficiaries like the Government of Pakistan (GoP), and other intermediary organizations associated with the project), this being a specific requirement of the GoP and other stakeholders who would like to decide their support for another phase, scale-up and replication of the project and its models based on the assessment of project delivery so far. The study will also require more detailed information on the needs/ expectation of the target groups from the project and assess the extent to which the same have been met.

The midterm independent evaluation is also intended to provide information on the extent of progress toward the project's outcomes (objectives), the reasons for success and

failures, and challenges and opportunities. The findings will provide feedback to the ILO and its key constituents to further refine the project implementation.

IV. Stakeholder Analysis and Identification of Clients/ Audience

To begin with a stakeholder analysis will be conducted to identify stakeholders, and their interests, expectations and needs. This will help in formulating the evaluation questions and identifying clients and audience for the assessment study.

Stakeholders	Key Person(s)	Interests, expectations and information needs
ILO: since ILO is pursuing the DWCP wherein the Elimination of Bonded labour is a Country Priority for the biennium 2008-09 (Country Priority #1: PAK100-Operationalize Pakistan Decent Work Country Programme & Promote Productive Employment)	Advisor to MoL on Bonded Labour	Programme relevance and effectiveness, comparison with best practice, appropriate targeting, process for client recruitment and retention, programme outreach, strategic gains, overall success of the project in realization its stated objectives, goodwill of GoP and other organizations, sustainability of operations
GoP, Provincial Governments, District Government Officers	Secretary MoL, Provincial Labour Secretaries, Members of DVCs, District EDOs and Dos (Labour)	Long term goals, poverty reduction, programme outreach, relevance, effectiveness and efficiency, utilization of BLF, Activation of DVCs
NGOs and other development agencies	Representatives	Comparison with best practice, lessons learnt, poverty reduction, rehabilitation of erstwhile bonded labour, coordination and collective action
Employers and Workers	Representatives	Integration of the project objectives into their agendas
Donor	Representatives	To assess the effective implementation of the project activities, status of the goals & objectives as laid out in the approved pro-doc. A need assessment after implementation of this phase with findings on need for improvement, expansion or extension of project activities, if any

Client of the evaluation

The primary clients are the project management team, ILO Islamabad, ILO technical units at HQ and/or SRO Delhi which backstop the project. The national constituents, project partners and donor are also key external clients of the evaluation.

V. Suggested Aspects to be addressed

The evaluation should address the overall ILO evaluation concerns such as relevance and strategic fit, validity of the design, project progress and **effectiveness, efficiency, and sustainability** as defined in the ILO Guidelines for Planning and Managing Project

Evaluations, April 2006 and for gender concerns see: ILO Guidelines for Considering Gender in Monitoring and Evaluation of Project, September 2007.

The following are the broad suggested aspects that can be identified at this point for the evaluation to address. Other aspects can be added as identified by the evaluator in accordance with the given purpose and in consultation with the Evaluation Manager. The evaluation instrument prepared by the evaluator will indicate further selected specific aspects to be addressed.

The evaluation will be conducted following the UN evaluation standards and norms.

Project Design (Validity of Project) and Relevance

- Assess whether the stakeholders (particularly the tripartite constituents) were consulted in the project design and formulation
-
- Assess whether the objectives of the project are responsive to the identified problems and needs.
- Assess whether the linkages between inputs, activities, outputs and objectives are clear and logical.
- Has the project document provided adequate guidance on how the intervention would address the relevant gender issues among the target groups?
- Assess the relationships between the project and other labour rights-focused interventions supported by the ILO (such as Women Employment Concerns, Child Labour etc) and by other organizations in the country. Have adequate synergies and coordination been developed?
- Is the project design relevant according to the other existing interventions? Have synergies and economies of scale been created?
- Has the project design been logical and coherent? Were relevant indicators of achievement and means of verification properly designed? Usefulness of the indicators for monitoring and measuring impact should also be assessed.
- Assess how the idea of a phase-out/exit strategy for project components has been addressed during the projects' design phase, as well as the actual efforts to phase out activities or to transfer responsibilities to local partners as a means of promoting sustainability.
- How well did the project design take into account local capacity and efforts already underway to address bonded labor and its elimination? How well has the project design taken into account the involvement and coordination of major partners, such as

the Ministry of Labor, Employers and Workers?

Achievements and Implementation of the Project (Effectiveness)

- Is the project making sufficient progress toward its Project outcomes? Is the expected number of beneficiaries being reached? Are outputs being delivered on a timely basis, and are they of appropriate quality?
- How has the capacity of the implementing agencies and other relevant partners to develop effective action against bonded labor been enhanced as a result of the project activities? In particular, what has been the impact of capacity building on the enforcement of laws related to bonded labour?
- The government has devolved authority and resources at the district level to expedite social development process. Assess the level of success the project has achieved in mainstreaming BL into development thinking and programs of the target district governments.
- How is the level of the government's involvement to support the project? Which departments in the government?
- How effective has the efforts of both the project and its partners been so far on upstream policy level interventions of the project and what impediments, if any, are there for more impact of the project in this regard?
- Have there been other initiatives undertaken by the provincial/district governments, NGOs and communities to combat bonded labor, if so, in what sectors and what are they? How are they linked to the project and what was the involvement of the PEBLIP project in these initiatives?
- Have there been initiatives undertaken by the Employers? What is the employers strategy to address the UN Global Compact?
- What initiatives have been taken for awareness raising amongst workers and what support has been provided to the bonded labourers and their families?
- How effective is the project in raising awareness about bonded labor and in promoting social mobilization to address this issue?
- What, if any, lessons learned have been produced from these Action Programs at this stage in project implementation so far? What possibilities are there for effective replication of efforts?
- What has been the impact on the overall program of the delayed implementation of the Action Programs?
- Review whether technical and administrative guidance and the support provided by the project staff, relevant ILO units and partner organizations have been adequate for

the implementing partners.

- To what extent are factors outside the control of project management affecting project implementation and attainment of the objectives/goal?
- How effective has the project been in building the capacity of national, state, and local staffs? What were the effective methods used for capacity building?
- How well are management structures, such as the National Steering Committee, working? Assess the participation of different stakeholders in these structures and in program implementation? How is this participation, or lack thereof, affecting progress toward project's objectives? How can the NSC be made more effective?
- How effective is the process by which action program proposals are reviewed and approved and resources ultimately allocated?
- How well does the project work with the Government of Pakistan, provincial labour departments and other partners in the targeted sectors and districts?
- Is the project strategy in line with the relevant Conventions on bonded labour?

Efficiency

- Are financial and time resources being used efficiently in the collection of data and measurement of the indicators?
- Given project resources, will the project be able to achieve its goals and targets? What are the major constraints/impediments and how can these be addressed?
- Assess the overall efficiency of the project by comparing the allocated resources with the results obtained so far by the project.

Sustainability of the Project

- How effective has the project been to date in promoting local and national ownership of the program and promoting long-term sustainability? Has the idea of a phase-out strategy for the project been clearly articulated and progress made toward this goal? What steps have been taken to ensure project sustainability?
- What is the level of long-term commitment and the technical and financial capacity of local/national institutions (including governments) and the target groups to continue?
- Examine whether social-cultural and gender aspects endanger the sustainability of the project and assess whether action has been taken to sensitize local institutions and target groups on this issue.

- Assess the project's success in leveraging resources from various stakeholders and partners to prevent and eliminate bonded labor. What process is being undertaken by the project to identify and cooperate with other initiatives and organizations? Analyze the level of private sector/employers' organization's support to the project, paying specific attention to how these groups participate in the project activities.

Special Concerns

- Examine the extent and nature to which the project has provided key technical and facilitation support to the further development, enhancement and implementation of the National Policy and Plan of Action on Bonded Labour.
- Examine how the project has interacted and possibly influenced national level policies, debates, and institutions working on bonded labor.
- Assess to what extent the planning monitoring and evaluation tools have been promoted by the project for use at the level of National Policy and Plan of Action to Combat Bonded Labor and by other partners.
- Assess the influence of the project on national data collection and poverty monitoring or similar process.
- Have gender concerns been adequately addressed in delivering the project interventions?
- Has the delivery been consistent with project work plans?

VI. Expected Outputs of the Evaluation

- 2) Draft evaluation report including stakeholders' views/comments findings from field visits and all the annexes. The quality of the report will be determined by conformance with the ILO quality checklist for evaluation report.
- 3) Final Report including:
 - Cover Page including the proper project title and the project number
 - Table of Contents
 - Acronyms (All acronyms used for the first time in the report must be spelled out.)
 - Project status (in terms of activities conducted and outputs achieved)
 - Executive Summary including recommendations
 - Clearly identified findings
 - Clearly identified conclusions and recommendations
 - Lessons learned

- Potential good practices and effective models of intervention.
- Appropriate Annexes including the present TORs
- Standard evaluation instrument matrix
- List of places visited, people consulted, those who participated in meetings/consultations etc.

4) Evaluation summary in ILO standard template

The total length of the report **should be a maximum of 30 pages for the main report, excluding annexes; additional annexes can provide background and details on specific components of the project evaluated.** The report should be sent as one complete document and the file size should not exceed 3 megabytes. Photos, if appropriate to be included, should be inserted using lower resolution to keep overall file size low.

All drafts and final outputs, including supporting documents, analytical reports and raw data should be provided both in paper copy and in electronic version compatible for Microsoft WORD for Windows. Ownership of the data from the evaluation rests with ILO. Use of the data for publication and other presentation can only be made with the agreement of ILO. Stakeholders can make appropriate use of the evaluation report in line with the original purpose and with appropriate acknowledgement.

The final report will be circulated to key stakeholders (those participants present at the stakeholder evaluation workshop will be considered key stakeholders) for their review. Comments from stakeholders will be consolidated by the Evaluation Manager and submitted to the Consultant. In preparing the final report the evaluator should consider these comments, incorporate as appropriate in the report and provide a brief note explaining why any comments might not have been incorporated.

VII. Evaluation Methodology

The following is the proposed evaluation methodology. While the evaluation consultant can propose changes in the methodology, any such changes should be discussed with and approved by the Evaluation Manager provided that the research and analysis suggests changes and provided that the indicated range of questions is addressed, the purpose maintained and the expected outputs produced at the required quality.

The evaluation will be carried out using the following main methodological elements

- A desk review to establish the specific evaluation instrument
- Field visits to project sites for consultations with project partners, direct and indirect beneficiaries and other key stakeholders. Selection of sites will be made considering stakeholders and direct beneficiaries presence and where project activities have been conducted

- Discussions with key stakeholders and other informants.
-

Key stakeholders will be involved in the implementation of the evaluation as described above. The stakeholders will provide inputs to the evaluator(s) during the field visits and stakeholders workshop. They will also have an opportunity to provide feedback and comments on the draft evaluation report.

VIII. Management arrangements, work plan and time frame

The evaluation manager of this midterm independent evaluation is Mr. Wael Issa, of DECLARATION at HQ whom the evaluator reports to.

The evaluator will be responsible for undertaking a desk review of the project files and documents and undertake field visits to the project locations. **She/He** will be responsible for drafting the evaluation report with inputs from all the stakeholders. Upon feedback from stakeholders to the draft report, the evaluator will further be responsible for finalizing the report and incorporating any comments deemed appropriate.

Qualifications and Responsibilities of the Evaluation Consultant

- Experience in evaluation of development projects, in particular with local development projects;
- Relevant background in social and/or economic development;
- Experience in the area of labour issues, particularly bonded labour and rights-based approaches in a normative framework are highly appreciated.
- Experience working in Pakistan;
- Fluency in speaking and writing in English and local languages (is desirable);

1. It is expected that the evaluator will work to the highest evaluation standards and codes of conduct and follow the **ILO evaluation standards and norms**.

Project management provides logistic and administrative support to the evaluation throughout the process.

- Preparation for the in-country mission and work of the evaluator in cooperation with the evaluation manager, including detailed schedule, lists of people and key stakeholders to be interviewed including ILO officials in Pakistan and backstopping officers at ILO HQ and relevant SRO
- Ensuring project documentations are up to date and easily accessible;
- Provide support to the evaluator during the in-country work including arranging of transportation locally. A detailed itinerary will be provided to the evaluator prior to embarking on interviews;

Timetable / schedule:

The total duration of the evaluation process including submission of the final report

should be within one and a half month from the end of the field mission.

The evaluator will be engaged for 20 days of which 8 days will be for in-country field visits.

Detailed Schedule and Duration

Evaluation will be undertaken in March/April 2009. A detailed schedule is available in Annex 1.

Desk Review Materials and Other Sources of Information

To be Supplied by PEBLIP	<ul style="list-style-type: none">• Project document• ILO guidelines
Available in project office and to be supplied by project management	<ul style="list-style-type: none">• Progress reports/Status reports• Good practices and Lessons learnt report• Other studies and research undertaken• Service agreements with partners• Mini-programme documents• Project files• National workshop proceedings or summaries• National Plan of Action documents

Consultations with:

- Project management and staff
- Partner agencies
- The donor (NICP)
- Relevant Social Partners, Employers' and Workers' Groups
- Community Members
- Academicians, media personnel, religious scholars, government representatives, legal authorities etc. as identified by the evaluation consultant
- National Steering Committee
- Possible others to be identified

Final Report Submission Procedure

For an independent evaluation, the following procedure is used:

- The evaluator will submit a draft report **directly to the Evaluation Manager in Geneva who will** forward a copy of the draft report to key stakeholders for comments on factual issues and for clarifications
- Evaluation manager will consolidate feedback and inputs from all stakeholders on

- the draft report to be sent to the Evaluator
- The final report is submitted by the evaluator to the Evaluation manger

VI. Resources and Management

Resources:

The resources required for this evaluation are:

For the consultant:

- Fees for a national consultant for 20 work days
- Fees for local DSA as per ILO Rules and defined rates

For the evaluation exercise as a whole:

- Fees for local travel in-country
- Stakeholder consultations
- Any other miscellaneous costs

A separate budget is available.

Annex 1: Evaluation Schedule

Phase	Responsible Person	Tasks	Dates
I	National Consultant	<ul style="list-style-type: none"> ▪ Desk Review of project related documents ▪ Providing inputs for Evaluation instrument based on desk review 	March prior to field visit (3 days)
II	The Evaluator with logistical support by the Project Management	<ul style="list-style-type: none"> ▪ In-country briefing with ILO Pakistan ▪ Consultations with Project Management 	(1 day)
		<ul style="list-style-type: none"> ▪ Field visits to project locations ▪ Consultations with project partners 	(8 days)
		<ul style="list-style-type: none"> ▪ Draft report writing based on consultations from desk review, field visits, and the consultations. 	(3 days)
		<ul style="list-style-type: none"> ▪ Circulation of the draft report to key stakeholders ▪ Consolidate comments of key stakeholders and discuss with PEBLIP Project 	(3 days)
		<ul style="list-style-type: none"> ▪ Circulation of the draft report to key stakeholders ▪ Consolidate comments of key stakeholders and discuss with PEBLIP Project 	(3 days)
IV	National Consultant	<ul style="list-style-type: none"> ▪ Finalize the report including explanations on comments received 	(2 days)

ANNEX 2: Project Outcomes

Component 1	
Outcomes	Outputs
Reduced incidence of bonded labour: through development of knowledge base and awareness on aspects of bonded labour	Knowledge generated and disseminated on different aspects and manifestations of bonded labour. The role of different institutions, legal framework and gender dimension of BL will also be reviewed.
	Partners and stakeholders sensitised (particularly parliamentarians, religious groups, civil society coalition and media)
	The weaknesses in legal framework identified and discussed in NC. Alternate proposals for law reform proposed

Institutional capacity of government (at all levels federal to local); judiciary; police; district vigilance committees; labour inspectorates; employers; workers; parliamentarians; media; religious leaders and civil society enhanced	Targeted state functionaries, workers and employers organisations, CSOs, religious leaders, trained and ILO training module mainstreamed into regular training courses;
	New rehabilitation and assistance initiatives under the BL Fund in place based on ILO research;
	Social dialogue mechanisms in place in targeted sectors
	BL issue mainstreamed under the Global Compact initiative;

Improved conditions of labour, particularly for women in targeted sectors through improved contractual arrangements and the introduction of a regulatory framework and increased social/economic development services for families in targeted areas	Model contractual arrangements will have been tested in the brick kiln sector and one more sector and independent monitoring and complaints system in place;
	Social sector development schemes/programmes extended to targeted sector families
	Appropriate financial services extended to targeted sectors, particularly women, and special products developed to assist in income generation and risk management
	Social dialogue mechanisms in place in targeted sectors.