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International  
Labour  
Organization

**INDEPENDENT CLUSTER EVALUATION**

**OF**

**TWO ILO PROJECTS ON LABOUR MIGRATION**

- 1. ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration (RAS/05/M02/EEC)**
- 2. ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia (RAS/05/M14/JPN)**

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Independent consultant

**Final report**

**30 January 2009**

## Project Summary Information

### **3. ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration (RAS/05/M02/EEC)**

**Donor:** European Commission (EU)

**Budget:** Euro 2,447,840 (20% ILO Counterpart funding and USD 192,600 allocated to UNIFEM)

**Project duration:** 36 months (Jan 2006 – Dec 2008; the project has been extended for 3 months until Mar 2009 with no extra cost)

**Implementing Agency:** International Labour Organization (ILO)

**Geographical coverage:** 16 countries in Asia namely (i) China, Republic of Korea and Japan; (ii) Indonesia, the Philippines and Malaysia; (iii) countries of the Mekong Region, namely Thailand, Lao PDR and Cambodia; (iv) and South Asian countries namely Bangladesh, India, Nepal and Sri Lanka. Also, collaborate with regional bodies in Asia like ASEAN, SAARC and GCC, as well as in the other regions.

### **4. ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia (RAS/05/M14/JPN)**

**Donor:** Ministry of Health, Labour and Welfare, Government of Japan

**Budget:** US\$ 2,900,000 for 5 years – funding to be approved yearly<sup>1</sup>

**Project duration:** 60 months (Jan 2005- Jan 2009 but has been extended to Dec. 2010)

**Implementing Agency:** International Labour Organization (ILO)

**Geographical coverage:** Thailand, Lao PDR, Cambodia and Indonesia (East Java)

## Evaluation Information

**Evaluation Manager:** Ms. Pamornrat Pringsulaka (Evaluation Officer, ILO-ROAP)

**Evaluation Mission Dates:** 29 September 2008 – 21 October 2008

**Independent Evaluation Report prepared by:** Niall O’Higgins, Consultant

**Evaluation report finalised:** 30 January 2009

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<sup>1</sup> The donor has committed to the yearly funding but not necessarily to the total anticipated budget of USD 2.9 million. The amount of annual contribution could therefore be less than USD 580,000 a year. (US\$535,042 was the first year contribution)

## List of Acronyms

<b>ACTRAV</b>	International Labour Office, Bureau for Workers' Activities
<b>APINDO</b>	Employers' Association of Indonesia
<b>APRO</b>	Asia and Pacific Regional Outcomes
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>ASEM</b>	Asia-Europe Meeting
<b>BP2TKI</b>	Indonesian Migrant Worker Placement Agency
<b>BSR</b>	Business for Social Responsibility
<b>CAMFEBA</b>	Cambodian Association of Employers
<b>CTA</b>	Chief Technical Adviser
<b>CUF</b>	Cambodian Union Federation
<b>DAC</b>	Development Assistance Committee
<b>DEPNAKERTRANS</b>	Ministry of Manpower and Transmigration, Indonesia
<b>DISNAKERTRANS</b>	Provincial Manpower Offices, Surabaya & Malang, Indonesia
<b>DRS</b>	Draft Regional Strategy for Office's Work on Labour Migration in Asia Pacific
<b>DWCP</b>	Decent Work Country Programme
<b>EPS</b>	Employment Permit System (operating in Korea since 2003)
<b>FTUB</b>	Federation of Trade Unions of Burma
<b>HRDF</b>	Human Rights Development Foundation
<b>HRD Korea</b>	Human Resources Development Service of Korea
<b>ILC</b>	International Labour Conference
<b>ILO</b>	International Labour Office/Organisation (according to context)
<b>ILO-ROAP</b>	International Labour Office, Regional Office for Asia and the Pacific
<b>IOM</b>	International Organisation of Migration
<b>ITUC-AP</b>	International Trade Union Confederation-Asia Pacific
<b>JACBA</b>	Joint Action Committee for Burmese Affairs
<b>KSBSI</b>	Confederation of Prosperous Indonesian Labour Unions
<b>KSPI</b>	Confederation of Indonesian Trade Unions
<b>KSPSI</b>	Confederation of the All-Indonesian Workers Unions
<b>LOA</b>	Letter of Agreement
<b>LPC</b>	Local Project Coordinator
<b>MFLM</b>	Multilateral Framework on Labour Migration
<b>MIGRANT</b>	International Labour Office, International Migration Programme, Geneva
<b>MISA</b>	Migration Information System in Asia
<b>MOL</b>	Ministry of Labour (various countries)
<b>MOLSW</b>	Ministry of Labour and Social Welfare, Lao PDR
<b>MOLVT</b>	Ministry of Labour and Vocational Training, Cambodia
<b>MOU</b>	Memorandum/a of Understanding
<b>MTUC</b>	Malaysian Confederation of Trade Unions
<b>NGO</b>	Non-Governmental Organisation
<b>OECD</b>	Organization for Economic Co-operation and Development
<b>PALMAP</b>	ILO Plan of Action on Labour Migration in Asia Pacific
<b>PRODOC</b>	Project Document
<b>RMCS</b>	Regional Model Competency Standards
<b>SAARC</b>	South Asian Association for Regional Cooperation
<b>SBMI</b>	Union of Indonesian Migrant Workers
<b>SEAFST</b>	South East Asian Food Agriculture Science and Technology
<b>SKILLS-AP</b>	Skills and Employability Programme for Asia and the Pacific

<b>SLOM</b>	Senior Labour Officials Meeting
<b>SRO-Bangkok</b>	International Labour Office, Sub-Regional office for East Asia
<b>SYB</b>	Start Your Own Business
<b>TBA</b>	Thai Bankers Association
<b>TDRI</b>	Thai Development Research Institute
<b>TICW</b>	ILO/UK/Japan Sub-Regional Project to Combat Trafficking in Children and Women
<b>TOT</b>	Training of Trainers
<b>UN</b>	United Nations
<b>UNESCAP</b>	United Nations Economic and Social Commission for Asia and the Pacific
<b>UNIFEM</b>	United Nations Development Fund for Women
<b>WEP</b>	Workers Education Project

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# Abstract

## Background & Context

### Summary of the project purpose, logic and structure

Labour migration is now a major global issue. It is estimated that there are around 90 million migrant workers globally, and in Asia the number of migrant workers is estimated at around 25 million with around 3 million more Asian workers leaving their home countries to work abroad every year.

The two projects are concerned with contributing to the promotion of rights and gender-based governance of labour migration and the protection of Asian migrant workers from exploitative and abusive treatment.

### The immediate objectives of the two projects are as follows:

#### *i) RAS/05/M02/EEC*

1. **Knowledge Base:** At the end of the project, the information and knowledge-base on labour migration in Asia will have been improved, and awareness and understanding among key stakeholders of the need for a more organized, and mutually beneficial labour migration regime will have been increased.
2. **Policy:** At the end of the project, countries in Asia will have taken steps to follow the principles and guidelines for a regional framework on rights-based labour migration management, developed through multilateral dialogue, for governance of labour migration.
3. **Capacity Building:** At the end of the project, the capacity of labour administrators, social partners, other duty bearers, and civil society, including migrant women groups, will have been strengthened for broad-based dialogue and cooperation and effective participation in management of labour migration based on ILO principles and good practices.

#### *ii) RAS/05/M14/JPN*

1. **Knowledge Base:** Countries will have improved information and knowledge critical to formulation, implementation and evaluation of national migration policies and practices.
2. **Policy:** Governments will have formulated and implemented coherent labour migration policies and programmes, which respect the fundamental rights of migrant workers and beneficial to employment, economic growth and development in both origin and destination countries.
3. **Capacity Building:** Capacity of the governments, social partners and other specific target groups for good governance of migration processes will have been strengthened.
4. **Remittances:** Countries will have established efficient, safe and low cost remittance system and new initiatives for supporting services on micro-enterprise development in migrant workers' communities.

### Purpose, scope and objectives of the evaluation

The purpose of the evaluation is to consider the strategic contribution of the two projects to the overall regional and country strategies and priorities to address labour migration issues.

The evaluation takes into account all interventions, geographical coverage, and the whole period of the two projects from the start up to the time of the evaluation. The scope of the evaluation also takes into consideration the scope of the following frameworks:

- Asian Regional strategies on labour migration
- Asian Regional Plan of Action

- The ILO Multilateral Framework on labour migration
- ILO relevant DWCP priorities at regional and country level
- Relevant country priorities and strategies to address migration

The principal clients for this evaluation are the project management, SRO-Bangkok, ILO-ROAP, Donors and the ILO HQ technical unit.

### **Methodology of evaluation**

The evaluation presented here is based on:

- A desk review of documentation relevant to the two projects. This included the original project documents and the relevant progress reports, the relevant strategic documents produced by the ILO and other national and regional agencies. It also included a review of other relevant documentation on labour migration in Asia
- Direct interviews with project stakeholders in Cambodia, Indonesia, South Korea and Thailand. These included:
  - internal ILO staff - project staff, ILO-ROAP and SRO Bangkok management, other relevant staff and specialists of ILO-ROAP and SRO Bangkok, staff and Directors of the ILO in Cambodia, Indonesia and Thailand
  - ILO constituents and other partners including UN agencies such as UNIFEM, ESCAP and IOM.
  - direct recipients and beneficiaries of the projects at the country level
  - Telephone interviews and/or e-mail questionnaires with internal ILO staff - including the ILO HQ Unit MIGRANT - and national constituents in countries not visited during the evaluation mission.

## **Main Findings & Conclusions**

- The overall evaluation of the work of the two projects is very positive. They are both playing a very useful role in supporting the process of developing a rights and gender based approach to labour migration governance in countries in the region. The feedback from national and regional stakeholders is positive and there is evidence of the impact of the projects on the approach to labour migration governance in participating countries. Both projects have made a significant contribution to the ILO-ROAP's Regional Outcomes, as well as to the implementation of the PALMAP and the MFLM.
- Some issues have arisen regarding the uncertainty, and above-all, the progressive reduction of *RAS/05/M14/JPN* project's funding. These have thus far been partially mitigated by the ability of the *RAS/05/M02/EEC* project to co-finance activities. Since the latter project is now nearing conclusion issues to do with financial support for activities under the ILO/Japan project are likely to become more acute.
- There are some issues with the design of the *RAS/05/M14/JPN* project. In practical terms these are relatively minor, but it is felt that a review and possibly an appropriate revision of the PRODOC may help in clarifying the outputs and goals to be achieved by the project particularly as regards Immediate Objective 2.
- The relationship between the projects has been managed effectively and the projects have proved to be useful complements to each other as well as being well-integrated with other ILO initiatives related to migrant workers and labour migration governance.
- Although both projects have made useful contributions thus far, it is clear that much work remains to be done. For example, as noted above, there is still a tendency amongst, in particular, receiving countries to see the problem of undocumented and/or irregular migration as one of 'better' security and policing rather than one which can be much

improved through sensible labour migration governance measures inter alia by making legal migration cheaper and simpler.

- In working with the Social Partners, a far greater emphasis has thus far been placed on support and capacity building for workers organisations in comparison with employers' organisations. This is particularly true of the *RAS/05/M02/EEC* project and this is largely the consequence of a well motivated strategic choice made by the project. However, it may be advisable in future to make efforts to tackle the problem also from this angle. The *RAS/05/M14/JPN* project has had notable success in promoting the establishment of a recruitment agency association in Cambodia. Such initiatives may be worth pursuing also in other countries.
- Overall, the objective importance of issues concerned with labour migration is growing and will undoubtedly continue to do so in the foreseeable future. Political recognition of this fact is also growing – in part as a result also of ILO activities in the area. Thus, for example, in October 2008, the 2<sup>nd</sup> ASEM Labour and Employment Ministers meeting held in Bali adopted the 'Bali declaration' on "More and Better Jobs – Strategic Cooperation and Partnership to promote decent work and global labour markets to our mutual benefit," within which the Ministers resolved to "promote decent work for all by... [*inter alia*]... protecting and promoting the rights of migrant workers taking into account relevant guidance..."<sup>2</sup>. The ILO needs to take advantage of this window of opportunity and build upon the work thus far carried out in Asia and ensure that it play a determining role in the evolution of labour migration management policies in the region in future.

## Recommendations & Lessons Learned

### Main recommendations

- 1) Labour migration in Asia is a phenomenon which is growing in importance as is the political recognition of the need for adequate governance systems to allow the benefits of labour migration to be felt by all. The development of such management arrangements for the appropriate governance of labour migration is a long process. In this context, it is highly desirable that given its Mission, its competencies and its previous experience in the field that the ILO continues to play a leading role in helping countries move towards rights and gender based labour migration governance. Thus, **it is recommended that the work thus far undertaken by the two projects evaluated in this report – as well as other ongoing ILO work on labour migration in Asia – be built upon and extended.**
  - a. In this regard the establishment of a new position of migration specialist in the ILO-ROAP is to be welcomed.
  - b. As the *RAS/05/M02/EEC* project is coming to an end whilst there remains much work to be done by the ILO at the regional and sub-regional levels, it is important that the ILO-ROAP finds ways to build on what has already been achieved. Specifically, one priority for the new migration specialist should be finding donors to continue the type of work which has been thus far been undertaken by the *RAS/05/M02/EEC* project.
- 2) The ASEAN Declaration and more particularly the follow-up activities to the declaration represent a window of opportunity for the ILO to increase its influence and promote rights based labour migration management in line with the PALMAP and the MFLM. Specifically, the ASEAN Committee on the follow-up to the Declaration has established a working group

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<sup>2</sup> ASEM Bali Declaration para. 7. The declaration makes many references to the ILO and its work and indeed is framed in terms of ILO terminology – 'Decent Work', 'more and better jobs' and so on.

comprising representatives of two sending (Indonesia and the Philippines) and two receiving countries (Thailand and Malaysia) with the brief of developing an instrument for the practical implementation of the Declaration. **The ILO should seek to engage one or other of the sending countries involved in the working group** (more probably the Philippines with their greater experience and capacity in managing sending labour abroad) **in order to seek to influence the development of the instrument so as to ensure that its principles take into account the MFLM.**

3) Given that the *RAS/05/M02/EEC* project is now coming to an end and the level of resources currently available to the ILO/Japan project for the funding of project activities is extremely limited, **the *RAS/05/M14/JPN* project possibly in collaboration with the ILO-ROAP should urgently seek additional financial resources to fund future project activities.**

4) Some issues were identified with the project design of *RAS/05/M14/JPN* particularly as regards Immediate Objective 2 and its associated outputs. At this mid-term point in the project implementation, it suggested that **the PRODOC should be reviewed and possibly modified, above-all, in order to clarify the specific outputs to be produced under Immediate Objective 2 and specific meaning to be attached to this Immediate Objective itself.**

5) Broadly speaking, both projects' activities have mainly been focussed at the governmental level with a significant amount of support also being devoted to capacity building and networking amongst workers' organisations. Thus far, **relatively** little attention has been paid to employers' organisations. In particular, both registered and unregistered recruitment agencies play a *de facto* central role in the labour migration process. It may well be desirable that in the longer run, governmental agencies largely take over this role, as is the case in Korea, however, in the shorter term this is unlikely to occur. Consequently, **it is desirable that in the immediate future, the *RAS/05/M14/JPN* project continues and extends its engagement of employers' organisations in general and recruitment agencies' associations in particular.** In this regard, it is worth noting that the ILO-ROAP has been engaging with the organisation Business for Social Responsibility (BSR) which counts amongst its members the largest global corporations. This complementary avenue might be explored by ILO-ROAP, and in particular, by its new migration specialist, to investigate whether this or similar organisations concerned with socially responsible business practices may play a useful role in improving business practices amongst recruitment agencies.

6) As noted in the text, a significant proportion of labour migration from Asia concerns the Gulf States and there are numerous concerns expressed by Asian sending countries concerning the (lack of) application of basic protections for migrant workers. The *RAS/05/M02/EEC* project has made several attempts to engage with countries in that sub-region with limited success. Given the importance of the Gulf States as receiving countries and the concerns expressed, **future ILO initiatives should make renewed efforts to engage with Gulf States in order to improve governance of labour migration and promote the application of ILO principles on the protection of migrant worker rights in the area.**

7) As the *RAS/05/M02/EEC* project nears termination, it is important that useful project initiatives - undertaken either as specific steps towards Immediate Objectives, such as the creation of the MISA data base, or as more general support activities, such as the

establishment of the project website - which will require ongoing support, do not disappear once the project itself comes to an end. **It is desirable that, before the project is concluded, commitments are sought a) from national and/or (sub-)regional counterparts to take responsibility for the maintenance and updating of the MISA database once it is up and running; and, b) from the ILO-ROAP to incorporate and maintain the project website which might reasonably become the website labour migration activities under the auspices of the new Migration Specialist.**

## **Follow-up**

i) **Engaging Employers organisations** – as suggested above, ILO activities in on labour migration should further engage employers' organisations. In Cambodia, the association of recruitment agencies was established as a direct result of the *RAS/05/M14/JPN* project and the project is providing technical assistance on the development of a code of conduct. Both the ILO's MFLM and the PALMAP make explicit mention of the establishment of recruitment agency codes of conduct as a useful intermediate steps towards better labour migration governance. Once established in Cambodia, the project might seek to also adapt the code of conduct for application by other countries covered by the project and, in the longer run, on a wider scale. In Indonesia, the project might also consider, in the first instance seeking to promote contacts between APINDO (the Employers' Association of Indonesia) and recruitment agencies in the country.

ii) **Standard employment contracts** - another area which it might be worth looking at, either for action by the ILO/Japan project, or possibly by the new Migration Specialist at ILO-ROAP, concerns the development of standard employment contracts – or more realistically, standard clauses in employment contracts – for migrant workers. Again this is an area where the ILO has a specific comparative advantage as well as being requested by constituents.

iii) **Pre-departure training** – another area where there are requests for support from constituents regards pre-departure training for prospective migrant workers. More generally, there are various areas of training and/or information provision for prospective migrant workers which might be developed more in future work. In general, in discussing issues with constituents, there was a generalised concern both by returning migrants but also from governments and recruiting agencies that prospective migrants would benefit from more training and or information before departure. The *RAS/05/M14/JPN* project, in particular, has made a contribution towards establishing and/or improving pre-departure training and information provision, however, this line of work might be explored further.

iv) **Cross border communication and co-operation** – the general area of cross country dialogue strongly emphasised in the *RAS/05/M02/EEC* project has been very useful in helping countries learn from the experiences as well as facilitating direct dialogue on substantive issues between sending and receiving countries. The *RAS/05/M14/JPN* project has also facilitated dialogue in particular between Thailand, Cambodia and Lao PDR. This area of work should be continued.

v) **Specific groups of migrant workers** – another way of building on the work already carried out would be to focus on specific groups of migrant workers (e.g. women, or young people) looking at their specific needs in the migration process and so to tailor the intervention of governments and the social partners to better meet those needs.

vi) **Pensions and social security** – An important area which might receive greater attention in the future concerns the pension and social security rights of migrant workers in receiving countries and the possibilities of establishing agreements for the transference across countries of such rights and

accumulated benefits. This is naturally contingent on the prior establishment of cross-country MOUs or other forms of basic agreement between countries on migrant workers, and as such has not figured prominently in the work of the two projects thus far. As noted above, the *RAS/05/M02/EEC* project contains a component on social security, but this area is a fairly natural next step to develop future work on cross-country agreements and as the period of time which migrant workers spend in the host country tends to increase – as it no doubt will – will tend to take on an ever increasing importance.

# 1. Project Background

## 1.1 Major issues underlying labour migration

Labour migration is a major global issue. It is estimated that there are around 90 million migrant workers globally<sup>3</sup>, and in Asia the number of migrant workers is estimated at around 25 million with around 3 million more Asian workers leaving their home countries to work abroad every year.

Labour migration fulfils a need in both sending and receiving countries. Typically, workers from relatively low income low productivity countries with few employment opportunities move to relatively high wage high productivity countries which are experiencing labour shortages. In a competitive environment, the net overall benefits are bound to exceed the costs, however, this is not necessarily the case of individual countries or workers. In general, receiving countries benefit from a better allocation of resources with overall increased productivity and output, whilst some of these benefits are typically redistributed to sending countries through remittances and, at least potentially, through the greater skills levels, and therefore productivity of migrants once they return to their home countries.

## 1.2 Strategic framework

### 1.2.1 ILO

The principal ILO instruments relevant to migrant workers are ILO Conventions No. 97 on Migration for Employment (1949) and No. 143 on Migrant Workers (1975) along with their accompanying Recommendations (No.s 86 and 151). In practice, countries in the region have not ratified these Conventions<sup>4</sup>, however, under the 1998 ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up, all ILO member States have the obligation to respect, promote and realise four core principles: freedom of association; the effective abolition of child labour; the elimination of all forms of forced and compulsory labour; and, the elimination of discrimination in employment. These fundamental principles are universal and apply to all people in all States and thus are applicable also to migrant workers irrespective of status (temporary or permanent, documented or undocumented).

In 2004, the ILC passed a Resolution on “A Fair Deal for Migrant Workers,” (ILC, 92<sup>nd</sup> session) and in 2005 a non-binding Multilateral Framework on Labour Migration (MFLM) was adopted by a Tripartite Meeting of Experts. The MFLM consists of a set of principles and guidelines for the establishment of more effective labour migration policies. It arose as a direct result of the ILC 2004 Resolution and contains chapters dealing with the various aspects of labour migration. The ILO’s 2006/7 Programme and Budget includes explicit mention of the Tripartite Action on Labour Migration as Outcome 3b.2 and in the 2008/9 Programme and Budget, Intermediate Outcome 3c.1 is, “Increase member State capacity to develop policies or programmes focused on the protection of migrant workers”. In the latter case, both indicators and target performance are also specified allowing more direct verification of the progress achieved during the biennium.

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<sup>3</sup> United Nations Department of Economic and Social Welfare, Population Division, *Trends in Total Migrant Stock: The 2005 revision*, 2006.

<sup>4</sup> The Philippines ratified Convention 143 in 2006. Thus far, it is the only country covered by either of the projects to have ratified either of the migrant worker Conventions.

At the regional level, the ILO-ROAP produced an ILO Plan of Action on Labour Migration in 2006. At the 14<sup>th</sup> Asian regional meeting in Busan, Korea (29<sup>th</sup> August – 1<sup>st</sup> September, 2006) the report of the ILO's Director-General Juan Somavia identified labour migration as one of four key areas for Decent Work in Asia and called for a rights based regional migration framework and the ILO's 2008/9 Programme & Budget identifies "Improved management of labour migration" as one of five Regional Priorities. In January 2008, a Draft Regional Strategy for the Office's work on Labour Migration in Asia Pacific was prepared and from November 1, 2008, a new Regular Budget position of Migrant Worker Specialist became effective in the ILO-ROAP. Moreover, since a substantial proportion of migration for work concerns (female) domestic workers, the forthcoming discussion of an ILO Convention on Domestic Work during the 2010 session of the ILC is also of relevance here.

Labour migration is also identified in most of the Decent Work Country Programmes (DWCPs) covered by the projects, above-all in sending countries. Issues related to labour migration are explicitly mentioned in the current DWCPs for Bangladesh, Cambodia (draft), China, Indonesia, Lao (without document), Malaysia (without document), Mongolia, Nepal, Philippines (without document), Thailand (without document) and Viet Nam (without document)<sup>5</sup>. Moreover, The ILO/Japan programme of bilateral co-operation and the ILO/Korea partnership programme both include labour migration as central work areas.

### **1.2.2 Other Relevant International Instruments and Actors**

The other key international instrument is the 1990 International Convention on the Protection of Migrant Workers and Their Families.

Several International agencies are active in the field of labour migration at different levels. In the region, relevant work is being undertaken by, in particular, IOM, UNIFEM, UNESCAP and the World Bank.

### **1.2.3 National & Regional counterparts**

The main source countries for migrant workers are to be found in South and South East Asia. On 13<sup>th</sup> January 2007, ASEAN adopted a Declaration on the protection and promotion of the Rights of migrant workers. In follow-up to this, ASEAN have recently instituted a working group to produce proposals for the implementation of the ASEAN Declaration. Moreover, the explicit inclusion of labour migration issues is becoming more common in National Development Strategies, particularly those of sending countries. The importance of the implications of labour migration is also clearly felt by the Social Partners. For example, on August 30, 2005, Thai workers organisations adopted the Phuket Declaration on Labour Migration.

## **1.3 Objectives and general structure of the projects**

The two projects are essentially concerned with contributing to the promotion of rights and gender-based governance of labour migration and the protection of Asian migrant workers from exploitative and abusive treatment.

Although the broad issues dealt with by both projects, as well as their Immediate Objectives,

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<sup>5</sup> Where countries are specified 'without document' this is because the DWCP for the country is framed in terms of ILO support for the implementation of national employment policies and/or national development plans.

are quite similar, there is a clear difference in emphasis with the ILO/EU/UNIFEM project being mainly concerned with regional and sub-regional issues, whilst the ILO/Japan project is involved mainly with National and sub-national issues.

### 1.3.1 Immediate Objectives

#### 1) *ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration*

This project has three Immediate Objectives:

**1. Knowledge Base:** At the end of the project, the information and knowledge-base on labour migration in Asia will have been improved, and awareness and understanding among key stakeholders of the need for a more organized, and mutually beneficial labour migration regime will have been increased.

**2. Policy:** At the end of the project, countries in Asia will have taken steps to follow the principles and guidelines for a regional framework on rights-based labour migration management, developed through multilateral dialogue, for governance of labour migration.

**3. Capacity Building:** At the end of the project, the capacity of labour administrators, social partners, other duty bearers, and civil society, including migrant women groups, will have been strengthened for broad-based dialogue and cooperation and effective participation in management of labour migration based on ILO principles and good practices.

#### 2) *ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia*

The project's Immediate Objectives are as follows:

**1. Knowledge Base:** Countries will have improved information and knowledge critical to formulation, implementation and evaluation of national migration policies and practices.

**2. Policy:** Governments will have formulated and implemented coherent labour migration policies and programmes, which respect the fundamental rights of migrant workers and beneficial to employment, economic growth and development in both origin and destination countries.

**3. Capacity Building:** Capacity of the governments, social partners and other specific target groups for good governance of migration processes will have been strengthened.

**4. Remittances:** Countries will have established efficient, safe and low cost remittance system and new initiatives for supporting services on micro-enterprise development in migrant workers' communities.

The immediate objectives of both projects require activities at different levels. Activities were to be undertaken at the policy/governmental level as well as involving specific agencies – in particular, workers' organisations and NGOs – working directly with migrant workers. The ILO/Japan project also had activities providing some support directly to returning migrant workers co-operatives in East Java (Indonesia).

Given the relative lack of funds for operational activities (discussed further below), the ILO/Japan project has largely, although not exclusively, concentrated on Immediate Objective 3

concerning capacity building and, particularly in Indonesia, Immediate Objective 4 with activities providing support for returning migrants regarding the investment of ‘remittances’.

### **1.3.2 Organisational arrangements for project implementation**

#### *1) ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration*

The project is located at the ILO ROAP and has been implemented under the overall guidance of the Regional Director. The core project team comprises:

- a full-time Chief Technical Advisor (CTA);
- a technical officer (cost-shared by the ILO for the first 12 work-months);
- a programme officer;
- a secretary.

National and international consultants have been recruited for specific activities, particularly for policy studies, compilation and evaluation of good practices in migration management, production of training manuals of specific modules for sending and receiving countries concerning good practices in migration management. The ILO’s International Migration Programme (MIGRANT) has provided essential technical support, particularly through its network of migration institutions and experts in the EU countries for knowledge sharing and dialogues. The project team has drawn upon technical expertise available in various related areas in ILO-ROAP.

In implementing activities at country and sub-regional levels, the project was to draw upon expertise of the ILO specialists in various disciplines based in the three sub-regional offices in Bangkok, New Delhi and Manila. The designated official of each SRO had the role of supporting the coordination of technical support in his/her team, to ensure linkages with on-going work, and to oversee smooth operation of programme activities in the sub-region.

At the start of the project, the CTA and the project’s implementation team were to meet with the project’s key stakeholders and identified implementing agencies to orient project goals and objectives, and agree on the project’s monitoring plan. The ILO was to submit regular progress reports to the EC. These reports would specify any problems encountered and propose corrective action, if needed. An independent evaluation was to be carried out and the EC is to receive a copy of the evaluation report.

#### *2) ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia*

The project was to be managed by a small Project Staff based in Bangkok and comprising of a Chief Technical Adviser (CTA), a Research Analyst cum Programme Officer, and a Secretary. In Laos and Indonesia, a National Project Coordinator and a Secretary were to be appointed to manage the execution of activities at national level. Activities in Thailand would be directly managed by the Project Staff in Bangkok. He was to report to the ILO Regional Director for Asia and the Pacific.

The project was to be overseen by a Project Advisory Committee. Members of the Advisory Committee would include relevant ILO specialists/experts, representatives of national authorities dealing with labour migration and representatives of the social partners from the countries covered under the project, and other regional/sub-regional partner organizations. The project’s programme of activities would be presented to the Project Advisory Committee for discussion.

In Indonesia and Laos, a national steering committee was also to be established. The national steering committee would discuss the implementation plan for the country activities. Members of the national steering committee was to include ILO Directors from offices covering Indonesia and Laos, the CTA, other ILO specialists/experts, representatives of national and/or local authorities dealing with labour migration, representatives of the social partners and other national and/or local partner organizations.

The CTA would be responsible for overall management of the project. He was to undertake all functions necessary to ensure the project achieves its stated objectives. He was to provide technical expertise on all aspects of labour migration policy and administration, draw up the terms of reference for research studies and meetings/symposia, undertake advisory missions, and be responsible for the quality of the project's technical reports.

Relevant technical specialists in sub-regional offices Bangkok and Manila were to provide technical back-stopping to the project. ILO Jakarta was to provide administrative support to the Indonesian component of the project. The ILO-ROAP in Bangkok was to provide overall administrative support for the implementation of the project.

At the start of the project, the Chief Technical Adviser (CTA) and the project's implementation team were to meet with the project's key stakeholders and identified implementing agencies to orient project goals and objectives, and agree on the project's monitoring plan. A detailed workplan was to be prepared every year based on consultations with the stakeholders, which will be submitted to the donor as the basis for disbursement of the fund. The ILO was to submit regular *progress reports* to the donor. These reports were to specify any problems encountered and propose corrective action, if needed.

### **1.3.3 Contributions and role of project partners and stakeholders**

#### *1) ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration*

The project was designed in close collaboration with UNIFEM. Technical experts from UNIFEM East and Southeast Asia Regional Office were also to be involved in the formulation of project implementation action plan. They were also to undertake specific components of the project, particularly on capacity building of duty bearers, advocates and intermediaries in enhancing services and information for migrant workers.

The ILO and UNIFEM would involve other international organizations, such as UNESCAP, ADB, IOM and the ASEAN secretariat, not only by inviting them to the various regional and sub-regional dialogues but also by linking with or building on their relevant activities in the region.

Migration research centres were to be invited to cooperate in policy-oriented research. For example, the Asian Research Centre for Migration, Chulalongkorn University (Thailand) was to be invited to help identify politically acceptable options for a long-term labour migration policy in Thailand.

The project was intended to address a fundamental weakness in migration management practices in the region – the lack of formal structures for tripartite consultations on migration issues and of efficient and effective co-ordination of stakeholder activities at both national and regional levels. The project aimed to strengthen capacities of workers' and employers' organizations to participate effectively in the planning and implementation of migration policy and to promote the

establishment of formal structures for regular consultations. The project was to facilitate the interaction of government and civil society organisations, through the national and regional networks of NGOs and through alliance building with employers' and workers' organisations.

The project aimed to build and increase the commitment of all stakeholders to the objectives of the project. It was to do so by creating a sense of ownership of and responsibility for the project among those involved, (that is the implementing agency, the target groups, the intermediate partners, collaborating institutions, policy makers, community leaders). For this purpose, the following approaches were incorporated in its design:

- *The use of participatory approaches* in all stages of the project management cycle from planning to monitoring and evaluation;
- *The holding of regular planning and review meetings* for the implementing and collaborating agencies, and intermediate partner groups; and
- *Stimulating decision-making processes* and the self-organization of the target groups and intermediate partner groups, for instance by facilitating networking at the local levels.

In order to ensure that the objectives of the various migration management activities implemented under this project were understood and accepted, not only by governmental authorities, social partners or NGO advocates, but also by citizens of participating countries, awareness-raising activities were envisioned in the project that aimed at informing public and popular views on the dynamics of migration, the risks involved, and the common search for solutions.

## 2) ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia

The main project partners were to be: *Thailand* - the Ministry of Labour; *Lao PDR* – Ministry of Labour and Social Welfare, Ministry of Foreign Affairs and the Department of Immigration of the Ministry of Security, Provincial Governments, Mass organisations, such as the Lao Women's Union, the Lao Youth Union, and the Lao Federation of Trade Unions, NGOs active in micro-finance and micro-insurance; *Cambodia* - Ministry of Labour and Vocational Training; and, *Indonesia* - Ministry of Manpower and Transmigration (DEPNAKERTRANS), Provincial Manpower Office (DISNAKERTRANS); employers and private recruitment agencies involved in the recruitment and placement of Indonesian workers overseas; and, local government agencies and community organizations that are stakeholders on the issue of migration.

Key project activities were to be undertaken in partnership with the responsible national authorities, the Asian Development Bank, the ASEAN Secretariat, ITUC-AP, and various national NGOs.

By supporting the work of national authorities responsible for migration administration with technical studies, information, statistics and advice, it was expected that the project would become "mainstreamed" into the work of the partner institutions. The project document suggests that the project will contribute "good practices" that could guide national authorities in drafting legislative proposals.

The project aims to promote improvements in policy by encouraging consultations at all levels, in particular among governments, workers' and employers' organizations. It envisages the establishment of tripartite advisory or consultative bodies which could bring the respective concerns and interests of major stake-holders more formally and more effectively in the policy-making processes.

## **1.4 Review of implementation**

Both projects started late with the two CTAs both being hired around mid-year 2006. In the case of the ILO/EU/UNIFEM project this led the project management to ask for (and obtain) a no-cost extension to April 2009.

The UNIFEM component of the ILO/EU/UNIFEM project was delayed due to late signing of the LOA. This has now been resolved and the modified workplan of UNIFEM activities agreed. Some activities included in the PRODOC were not undertaken to avoid duplication of the activities with other projects.

The ILO/Japan project modified its implementing arrangements to some extent due to the difference between the funding level envisaged in the PRODOC and the actual disbursement agreed by the donor. These took into account the specific needs and capacities of the countries concerned. The small project team in Lao PDR envisioned in the PRODOC was not formed, national project advisory committees were replaced by regular missions and stakeholder consultations and in Indonesia, given the existing ILO Jakarta activities in the area of labour migration and the needs of constituents, the projects activities took place at the sub-national level in East Java.

A list of major activities and outputs of the two projects and (separately) a list of papers and reports of the two projects are given in an appendix to this report. Specific activities and outputs are discussed in the assessment of project progress and efficiency below.

## **2. Purpose, scope, methodology and clients of evaluation**

### **2.1 Purpose & Scope of the evaluation**

The purpose of the evaluation is to consider the strategic contribution of the two projects to the overall regional and country strategies and priorities to address labour migration issues. It includes consideration of whether the means have contributed towards achieving the broader goals of ILO programming initiatives, the Asia regional migration strategies, the ILO's Plan of Action for Asia and the Pacific and the ILO's MFLM, country strategies, longer-term capacity building, partnership and complementarity with other initiatives. The evaluation attempts to provide insight on the progress and achievements of the projects' immediate objectives. The evaluation also attempts to identify common threads and themes in order to provide feedback on commonalities in the design of the means of action, as well as innovative approaches, good practices and lessons learnt.

The evaluation takes into account all interventions, geographical coverage, and the whole period of the two projects from the start up to the time of the evaluation. The scope of the evaluation also takes into consideration the scope of the following frameworks:

- Draft Regional Strategy for Office's Work on Labour Migration in Asia Pacific (DRS)
- ILO Plan of Action on Labour Migration in Asia Pacific (PALMAP)
- ILO Multilateral Framework on Labour Migration (MFLM)
- Relevant DWCP priorities at the country level
- Relevant country priorities and strategies to address migration

UN Evaluation Norms, Standards and ethical safeguards and OECD/DAC quality standards have

been adhered to in undertaking the evaluation.

## **2.2 Clients of the Evaluation**

The principal clients for this evaluation are the project management, SRO-Bangkok, ILO-ROAP, Donors and the ILO HQ technical unit.

## **2.3 Methodology and information sources**

The Evaluation manager is Ms. Pamornrat Pringsulaka (ILO-ROAP). The independent evaluator is Niall O'Higgins.

The evaluation presented here is based on:

- A desk review of documentation relevant to the two projects. This included the original project documents and the relevant progress reports, the relevant strategic documents produced by the ILO and other national and regional agencies. It also included a review of other relevant documentation on labour migration in Asia.
- An Evaluation mission undertaken over the period 29 September - 21 October, 2008 by the evaluator. Direct interviews with project stakeholders in Cambodia, Indonesia, South Korea and Thailand. These included:
  - internal ILO staff - project staff, ILO-ROAP and SRO Bangkok management, other relevant staff and specialists of ILO-ROAP and SRO in Bangkok, staff and Directors of the ILO in Cambodia, Indonesia and Thailand
  - ILO constituents, and other partners including UN agencies such as UNIFEM, UNESCAP and IOM.
  - direct recipients and beneficiaries of the projects at the country level
- Telephone interviews and/or e-mail questionnaires<sup>6</sup> with internal ILO staff - including the ILO HQ Unit MIGRANT - and national constituents in countries not visited during the evaluation mission. Questionnaires were sent out to ILO offices, tripartite constituents and other relevant stakeholders in India, Lao PDR, Malaysia and Nepal. Appendix 7 provides example of simple questionnaires sent to different constituents and ILO staff in countries where the evaluator did not visit.

The four countries<sup>7</sup> chosen for visit during the evaluation mission were selected because:

- Thailand is a location of the both project offices and of ILO Regional Office. Both projects have activities on the ground there and Thailand is also a recipient country of migrant workers particularly from Myanmar.
- Korea is an important recipient country and the government of Korea gives high priority to labour migration management issue.
- Cambodia and Indonesia are both source countries and ILO has activities on the ground particularly in Indonesia.

The Preliminary findings of the evaluation were presented at a debriefing to ILO management in Bangkok at the end of the evaluation mission.

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<sup>6</sup> The e-mail questionnaire was tailored to specific respondents. It covered: a) whether labour migration was a priority for the country/organization (and whether this was reflected in official documents, DWCP, national development plans/strategies); b) the involvement of the ministry/organisation in specific activities of the project(s); c) the outcome of these activities; d) direct and indirect impact on migrant workers of the activities; e) comments on the activities; and f) suggestions for future ILO work in the area.

<sup>7</sup> Originally, the list included also Nepal. Time and resource constraints did not allow this visit to take place.

A first draft was submitted in November 2008 and the final draft, following the receipt of consolidated comments from the ILO, was submitted in January 2009.

As with previous evaluations, the response to the e-mail questionnaires was relatively sparse with only 7 responses (including one telephone interview) being received from the 24 questionnaires sent out. One may suppose that those that did reply did so because they had something to say and indeed, the responses which were received tended to provide useful further information on the project implementation and suggestions for further ILO work.

## **2.4 Evaluation criteria, issues and limitations**

The evaluation assesses the projects according to: their relevance and strategic fit; the validity of their design; their progress and effectiveness; the efficiency of resource use; the effectiveness of management arrangement; as well as, their impact and sustainability. Above-all, the evaluation seeks to draw casual links between: project activities and outputs; outputs and outcomes (leading to the attainment of the projects' immediate objectives); and between outcomes and the longer term development objectives of the two projects.

Several issues and imitations of the evaluation should be mentioned:

- The limited time and resources available for the evaluation mission mean that only four countries were visited. The experience of these countries is inevitably given greater weight in the reported results and discussion;
- Both projects are still operative which means that this evaluation exercise should strictly speaking be considered an interim evaluation of both projects;
- A major issue arises with evaluation of projects such as these – and in particular the ILO/EU/UNIFEM project - where the outcomes and above-all impacts of the project are not readily identifiable. The main purpose of both projects is to support countries in moving towards more effective and efficient management of labour migration so as to maximise the benefits from migration to sending and receiving countries for all its participants. This is a long process and indeed is above-all a process. For example, can one attribute changes in legislation which have occurred and which are occurring in many of the countries involved to the specific activities of one or other (or both) of the projects? The problem is a general one with evaluations of this kind and cannot easily be resolved with better statistics or indicators - in contrast to say evaluations of employment generation projects or programmes<sup>8</sup>. In attempting to appropriately assess the outcomes and longer term impacts of the two projects, this report makes an effort also to take into account the more nebulous nature of the outcomes of the project in supporting countries in moving towards an effective rights based approach to the governance of labour migration.
- Given the overlapping nature of the two projects' activities, and their various collaborative activities:
  - the effects of the projects are to some extent complementary to each other; and

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<sup>8</sup> This issue is dealt with in more detail – but at an accessible level – in, *inter alia* O'Higgins, N. *Youth Unemployment and Employment Policy: A Global Perspective*, ILO, Geneva, 2001, Chapter 5. Essentially, the problem is one of comparing what happened with what would have happened in the absence of the project or programme. This is unobservable. In some instances – for example in the case of employment promotion programmes - it is reasonably straightforward to adopt statistical methodologies to deal with this. In the current context, the nature of the change and the constantly changing environment means that this is not feasible. One must therefore make an informed, but necessarily approximate and subjective, assessment.

- it is not always possible to separately identify the impacts of the two projects.

### **3. Findings**

#### **3.1 Relevance & strategic fit**

Review of the implementation of the activities of both projects makes clear that they are both making a significant contribution to the implementation of the ILO's Multilateral Framework on Labour Migration (MFLM) as well as to the more specific ILO Plan of Action for Asia and the Pacific (PALMAP) and the Office's Regional Strategy on Labour Migration (DRS). They also make a contribution to the broader regional priorities as established in the ILO's Programme & Budget and their associated regional outcomes.

It is evident that at the end of 2005/beginning of 2006, when the projects were formally initiated, there was a clear need to start seriously addressing issues concerned with the governance of labour migration to ensure that both the benefits accruing were fairly distributed between receiving and sending countries, as the importance of labour migration – both in terms of the numbers of migrants and the financial resources involved - was, and is, continuing to grow. The rapid growth of migration from and within Asia raises a series of issues concerning Decent Work and which both projects were designed to address. These issues concern both documented and undocumented migrant workers, and, although first and foremost concerned with the governance of labour migration, the two projects, to a greater or lesser extent, address a number of broader issues concerned with Decent Work.

In general terms, the needs to be addressed by the ILO/EU/UNIFEM project are specified in the project document. These are: (1) exclusion of many migrant workers from protection because of their irregular status; (2) inadequacies in law, policies, and practice in relation to ILO and other international standards; (3) weak capacity of some national authorities to manage migration, including lack of effective supervision and regulation of recruitment agencies; (4) vulnerability of potential migrant workers and their families to fraudulent practices in recruitment due to lack of information; (5) lack of voice of migrant workers, including returnee migrant workers; and (6) lack of support for income-generating and employment opportunities for returnee migrant workers and their families. Once the project started, the CTA proceeded to hold consultations with the ILO sub-regional offices in the region (Bangkok, Delhi and Manila) and with government officials, workers' and employers' organizations and other key players in the area of labour migration in Thailand, India, and the Philippines. Based on the findings from the consultations, he and his team programmed the Project activities and started the implementation.

The ILO/Japan project document contains an overview of the problems facing the countries included in the project. On taking up his position, the ILO/Japan project CTA followed a similar approach to the ILO/EU/UNIFEM through direct consultation with the relevant actors as well as through a stakeholder consultative workshop in East Java (Indonesia) where local stakeholders and government officials identified key areas for the project's support.

Both projects have demonstrated success in encouraging stakeholders to take ownership of the projects' concepts and approaches. Thus, for example, the incorporation in the ILO/EU/UNIFEM project of a component under the ILO/Korea Partnership Programme provides such an example with activities being directly agreed between the project and the Korean government. In October 2008, the Thai Ministry of Labour (MOL) organized its own seminar with technical inputs from the ILO on approaches to undocumented labour migration, based around the

presentation of Joachim Arroyo on EU approaches to the issue. The seminar involved members of the various ministries and agencies involved in ‘managing’ labour migration. The presentation and subsequent discussions revolved around the competing ‘management’ versus ‘control’ approaches to undocumented labour migration and illustrated the willingness of the Thai MOL to move towards a rights based management approach promoted by the project.

As regards the ILO/Japan project, as a consequence of project activities, the Cambodian Union Federation (CUF) has implemented its own training programme for raising awareness on the protection of migrant workers from Cambodia. Similarly, in Lao PDR, the Ministry of Labour and Social Welfare (MOLSW) initiated its own national workshop to discuss measures to streamline recruitment systems for Lao workers travelling to Thailand. In Indonesia, local partners SBMI and the SEAFASST centre have undertaken direct training of potential (pre-departure training) and returning (production training) migrant workers. Many such examples may also be considered as outcomes of the project and are considered further below.

Both projects in their generalities and their specifics support the implementation of the ILO Plan of Action on Labour Migration in Asia Pacific (PALMAP). At the general level, they both address the basic challenge identified by the PALMAP of “how to ensure that it [*Labour Migration*] is managed properly – meaning that on the whole it provides net benefits for all.”<sup>9</sup> They also contain elements directly aimed at specific elements of the PALMAP. Thus, “The ILO should be more actively engaged in promoting **bilateral agreements**...[*which*] could take the form of **memoranda of understanding** between counterpart agencies...”<sup>10</sup>. In particular, through the collaboration with the ILO/Korea partnership programme, the ILO/EU/UNIFEM project has actively supported the process of the development of Memoranda of Understanding between Korea and countries sending workers under the EPS<sup>11</sup> and, has been actively engaged in improving the operation of the system through promoting dialogue within and between some of the countries involved in the system. Moreover, several of the activities under both projects are aimed at improving the quality and quantity of migrant worker representation.

Work of both projects has also concerned the issue of undocumented or irregular migrant workers. This is a sensitive issue, and, as noted in the PALMAP, countries tend to view the issue of irregular migration as one of security and policing. Both projects have activities aimed at promoting the view that the solution to the ‘problem’ lies in facilitating access to legal channels for migration rather than through (the impossible task of significantly) improving the technical control of borders

Both projects are well aligned with the office’s DRS and in particular, the first three ‘specific actions’ identified in the strategy: Policy advocacy; Developing partnership with regional institutions; and, capacity building. They are also both aimed at contributing to the more general regional priorities. Clearly the projects are concerned principally with Regional Priority 5: *Improved Capacities for Dialogue and Management of Labour Migration* and its associated Regional Outcome: *Improved Capacities of Governments and Social Partners to Manage Labour Migration*. However, the projects are also linked to other areas of ILO work also aimed at making a contribution to:

Regional Outcome 1: *Increased Member States’ capacity to promote coherent policies on sustainable productivity growth, employment and competitiveness*; - in particular, the ILO/EU/UNIFEM project linked to The SKILLS-AP in Bangkok who are involved in the adaptation of a Regional Model for Competency Standards, based on the Korean skills

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<sup>9</sup> ILO (2006) draft *Plan of Action on Labour Migration in Asia Pacific*, p. 7.

<sup>10</sup> Op Cit., p. 9.

<sup>11</sup> As of writing, there are now 15 such MoUs.

standards to be applied to 7 countries: Thailand, Cambodia, Viet Nam, Indonesia, Philippines, Sri Lanka and Mongolia. The main purpose of the development of the RMCS is to facilitate the appropriate matching of migrant workers to jobs in Korea, but the standards could be further developed to support the validation of training of migrant workers on return to their home country.

Regional Outcome 2: *Increased capacity of the constituents to effectively apply social dialogue mechanisms for improving labour market governance;*

Regional Outcome 7: *Increased capacities of employers' and workers' organizations to participate effectively in the development of social and labour policy.* Both projects have collaborated with ACTRAV in the organisation of several initiatives involving workers' organisations including the drafting of a Trade Union Manual on migrant workers rights.

The projects build on previous work in the area of labour migration undertaken by the ILO in the region. In particular they are related to the ILO/UK/Japan Sub-Regional Project to Combat Trafficking in Children and Women (TICW) active since 2000, as well as linking to other work being undertaken by ILO in the region. In this regard, there is a direct connection between work of the ILO/Japan project in East Java and the ILO Jakarta project on Combating Forced Labour and Trafficking of Indonesian Migrant Workers. Moreover, the project has also benefited from the existing structures and work being undertaken in various fields by the ILO Jakarta Office.

As noted above, labour migration is explicitly included in the DWCP of above-all sending countries. This too is reflected in the National Development Plans. At the sub-regional level ASEAN has issued a declaration on the promotion of on the issue.

In terms of interagency collaboration, this will be dealt with in more detail below, but at the level of strategic fit, the ILO/EU/UNIFEM explicitly includes collaboration with UNIFEM. The CTA of the ILO/EU/UNIFEM has also been actively involved in the Thematic Working Group on Migration including Trafficking involving 16 agencies including the ILO and the World Bank and which is chaired by IOM and UNESCAP.

### **3.2 Validity of Design**

In terms of the existing situation and knowledge at the beginning of the projects, both projects meet a clear need. Labour migration is not well managed in many countries and there are serious work deficits as a result. In general terms, baseline conditions were established in the two projects PRODOCs. These were supplemented by the consultations undertaken in the early stages of the projects.

The nature of the projects' immediate objectives means that they were either framed in terms of improving non-quantitative targets (e.g. improved knowledge and information) for which both baseline and post-intervention situations require subjective judgement rather than quantitative indicators and/or were framed in terms of the achievement of a specific situation (e.g. ILO/Japan immediate objective 4 – countries will have established an efficient safe and low cost remittance systems etc.,) which pre-supposes the non-existence of the situation prior to the project start. Given this, the general nature of the statement of baseline conditions is both understandable and satisfactory. A key element of both projects was the improvement of the knowledge base underlying the formulation of labour migration policy. The purpose of this element was *inter alia* to provide further information on the baseline situation in specific countries consequently inform and refine activities envisaged under the projects' other Immediate Objectives. As noted above, both projects commissioned studies looking at various aspects of labour migration and the existing policy

responses.

The Immediate Objectives of the *ILO/EU/UNIFEM* project are both relevant and realistic. Specifically:

*On relevance –*

- At the start of the project there was limited knowledge concerning various aspects of labour migration – on the overall (past and likely future) trends in labour migration and the factors that drive them; on the costs and benefits of migration to sending and receiving countries; and, on the approaches of different governments to various aspects of labour migration management and the consequences of these different approaches. Moreover, there was no comparable database of migratory movements. Actions by the project under *Immediate Objective 1* on the knowledge base were designed to address specific knowledge deficits above-all through policy studies and the establishment of the MISA database on migratory movements.
- At the start of the project, many countries in the region were clearly not adopting a rights-based approach to labour migration management. Above-all, the dominant approach was one concerned with (rather unsuccessfully) controlling irregular migration rather than a rights based management approach. Actions by the project under *Immediate Objective 2* on policy and in particular, sub-regional dialogue and advisory services were aimed at addressing this issue.
- At the start of the project, there was a clear lack of capacity at both governmental levels and amongst the social partners in dealing with issues related to labour migration and in formulating policy responses. Moreover lack of knowledge, capacity and representation also limited the ability of migrant workers themselves to exercise their rights under the law. Actions under *Immediate Objective 3* on capacity building were aimed at improving the abilities of stakeholders to participate effectively in the management of labour migration.

The Immediate Objectives are realistic - the project's planned activities and outputs once realised would plausibly lead to an improvements as envisaged by the project's three Immediate Objectives, and, the achievement of these Immediate Objectives would undoubtedly contribute to the Overall (or Development) Objective of the project – the promotion of rights and gender based governance of labour migration along the lines envisaged by the MFLM. The Immediate Objectives are framed in rather vague terms with reference to improvement rather than the achievement of a specific post-project situation. The imprecise specification of the Immediate Objectives is, however, appropriate. The adoption of rights based labour migration governance systems is a complex and multifaceted process requiring action on many complementary fronts. The specification of quantitative targets at the level of the Immediate Objectives would not necessarily contribute to this long-term goal. Moreover, the adoption of a fully rights based governance systems could not be realistically achieved in the relatively short three-year project lifetime.

A number of issues need to be raised regarding the design of the *ILO/Japan* project.

- *Immediate Objective 1* (on improving the knowledge base) is both relevant and realistic for similar reasons to those outlined for the *ILO/EU/UNIFEM* project although the specified indicator(s) – the availability of *adequate* statistics and knowledge bases might better have been framed in terms of 'improvement' – it is not clear what 'adequate' means in this context.
- *Immediate Objective 2* on policy is relevant, however, framed as it is in terms of the

implementation of ‘coherent labour migration policies’ the objective requires a subjective judgement of what constitute ‘coherent’ policies. Moreover, the related indicators – ‘Active proposals for...changes in policy’ and ‘improved content of bilateral agreements’ do not necessarily imply the adoption of ‘**coherent** policies’ but rather the **improvement** in labour migration policy. Under this objective, the outputs also require mention. Outputs 2.3, 2.4, 2.5 and 2.6 make reference to ‘bilateral agreements’. There is some ambiguity to this term<sup>12</sup>. In the current context it is not clear whether it refers to bilateral memoranda of understanding or whether it implies more formal binding agreements. If the former, then these already existed between Thailand and both Lao PDR and Cambodia at the projects inception. Moreover, ‘outputs’ 2.3 (the establishment of bilateral committees) and 2.6 (the establishment of bilateral agreements) might more properly be thought of as project outcomes rather than project outputs, since they are not under the direct control of the project itself.

- *Immediate Objective 3* on capacity building amongst stakeholders is both relevant and realistic and the associated indicators are appropriate albeit somewhat restricted in scope.
- *Immediate Objective 4* contains two conceptually and practically separable objectives: a) the establishment of efficient, safe and low-cost remittance systems; and, b) the establishment of new initiatives for supporting services on micro-enterprise development in migrant workers’ communities. The indicators associated with this objective reflect this. Both ‘sub’-objectives are relevant and are concerned with ensuring that sending countries also benefit from migration for employment. Migrant workers, both regular and irregular, often face serious practical obstacles in sending home remittances through formal channels (e.g. due to obstacles for foreigners in opening bank accounts) and often have recourse to informal channels which are both risky and costly. Once they return to their home countries, they are often faced with the same difficulty in finding productive employment which led them to migrate in the first place. As to their realism, the adoption of low cost remittance systems is ambitious and requires a degree of commitment on the part of stakeholders who are not directly involved in project implementation - specifically national financial authorities. This necessary condition is, however, explicitly specified under ‘assumptions and risks’ in the project document. The related output 4.2, specifying as an output the establishment of low cost remittance schemes is essentially the same as the first part of the Immediate objective and is, as with outputs 2.3 and 2.6 considered above, more properly considered an outcome not an output.

In terms of the project’s logic, activities to be undertaken under *Immediate Objective 1* would naturally lead to the production of the specified outputs and the consequent achievement of the objective. With regard to *Immediate Objective 2*, on the one hand the activities envisioned would not necessarily lead to the production of, in particular, outputs 2.3 and 2.6 but would certainly contribute to the improvement of the situation vis-à-vis the immediate objective. Thus, outputs 2.3 and 2.6 are not well formulated in that: a) they are more properly to be considered as project outcomes; and, b) they are ambiguous since it is not clear exactly what is meant by ‘bilateral agreement’ – if memoranda of understanding then these already exist although as the report on their

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<sup>12</sup> The term ‘bilateral agreement’ is used differently in different documentation. The draft PALMAP referred to above in note 7 makes reference to “bilateral agreements...which can take the form of memoranda of understanding..” However, in other official documents, for example, the report to the 2004 ILC on which discussion and consequent resolution was based (ILO, *Towards a Fair Deal for Migrant Workers*, Report VI, ILC 92<sup>nd</sup> session, 2004) makes a distinction between (binding) bilateral agreements and (non-binding) memoranda of understanding (ILO, op. cit., p. 84).

operation prepared by the project makes clear<sup>13</sup> they do not operate very effectively; if binding bilateral agreement, then these are not necessary conditions for the attainment of Immediate Objective 2. On *Immediate Objective 3*, the logic is again more straightforward, the activities lead naturally to the outputs and these in turn would lead to the attainment of the immediate objective. Similarly, with the caveat noted above on the commitment from financial institutions regarding remittances (and the comment on output 4.2), activities envisioned under *Immediate Objective 4* would lead logically to the production of the specified outputs and thus to the attainment of the immediate objective. The implications of these findings is developed below, however, it is clear that it may be advisable to review and possibly revise in particular Immediate Objective 2 and modify some of its associated outputs to take on board these considerations.

On the more general issue of the choice of the four countries involved in the ILO/Japan project, three of these are clearly linked – Lao PDR and Cambodia both send migrant workers to Thailand. Indonesia is not obviously or directly linked to any of these with most of its migrant workers going to Malaysia and the Gulf States. Although there is not an obvious link between Indonesia and the other countries involved in the project, this does not necessarily imply that one or other of the countries should be excluded. Specifically, Indonesia is more advanced in terms of length of experience as a labour sending country and with more developed institutional structures related to the sending of migrant workers abroad the country is a sensible starting point for the development of activities under Immediate Objective 4 which might then be extended to the other countries involved in the project. Moreover, Indonesia provides a number of both positive and negative examples of ways of dealing with specific labour migration governance issues which provide useful lessons, particularly for the other two labour sending countries. Again this will be returned to below in the conclusions.

The commitment of the donor to a five year programme is listed amongst the risks, hypotheses and assumptions associated with the immediate objectives in the ILO/Japan project document. Project finance has been an issue for the project. In terms of design, the large number of activities envisaged by the project was already ambitious given the projected financial allocation. The progressive downward revision of the donor's annual commitment – as compared to the PRODOC - has further affected project implementation. This is discussed further below under project progress and effectiveness.

Overall the design of the ILO/EU/UNIFEM project is very sound, the only consideration being that the immediate objectives are expressed in rather vague terms which itself may be justified in terms of the complex and multifaceted nature of the issues being addressed by the project. There are some issues regarding the logical framework of the ILO/Japan project which it is suggested may require review and minor modification.

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<sup>13</sup> Pracha Vasuprasat, "Inter-state Cooperation on Labour Migration: Lessons learned from MOUs between Thailand and neighbouring countries", ILO Asian Regional Programme on Governance of Labour Migration, Working Paper No.16, 2008.

**Table 1: ILO/UNIFEM/EC projected and completed output summary**

<b>Expected Output/activity (PRODOC)</b>	<b>Status/Activities</b>	<b>Comment</b>
<b>Immediate Objective 1</b>		
1.1.1 Policy Studies on Management of migration	17 studies completed	More than fulfilled the PRODOC commitment. Some studies completed as part of the ILO/Japan project
1.1.2 Survey-based Study on Social Security Coverage for Migrant Workers (ASEAN)	Study completed - two further studies also undertaken	More than fulfilled the prodoc commitment
1.1.3 Study on Combating Trafficking – an evaluation study of law and practices in Asia	Cancelled	TICW project already commissioned a similar study
1.1.4 Study on Impact of Trade and Migration		UNIFEM
1.1.5 Comparative studies on Migration Infrastructure	3 studies undertaken	Includes a paper summarising the results of bilateral consultations on the experience of Korea in implementing its EPS system
1.2.1 Study on the Gendered Impact of Trade Agreement on Migration		UNIFEM
1.3.1 Case studies of best practices in migration management	3 Case studies completed	
<b>Immediate Objective 2</b>		
2.1.1 Develop principles and guidelines on a regional framework for Managing Labour Migration	Review of laws ongoing	
2.2.1 Sub-regional Migration Dialogues	Symposia held in Singapore and Dhaka One planned in Qatar	
2.3.1 Advisory services to support national migration policy development	Advisory missions undertaken as envisaged & national workshops held	
<b>Immediate Objective 3</b>		
3.1 Capacity Building of labour administrators, other duty bearers, constituents and “rights claimers” on good practices in managing labour migration	- Development and finalisation of Trade Union manual on migrant workers’ rights - Asian Trade Union Training on Migrant worker rights and promotion of Social protection, Jakarta - KCTU International Conference on Migrant Workers Rights (August, 2007) - 2 Training workshops in Thailand on the promotion of rights amongst of Migrant workers	- Undertaken in collaboration with TICW, ILO/Japan and SRO Bangkok  - in collaboration with the ILO/Japan project
3.2 Pilot initiative – Partnership for capacity building of workers and employers organizations on migration policy development	- ILO-NTUC Sub-regional workshop for the protection of migrant Workers through Networking Trade Unions (September, 2007)	
3.3 Pilot Initiative for awareness raising on the impact of the new trade regime and required action to deal with gender impact		UNIFEM component
3.4 Pilot initiative to enhance capacity of migrant workers, especially women, and advocacy groups on migrant workers rights and entitlements		UNIFEM component
3.5 Bilateral/multilateral cooperation on Social Security for Migrant workers	- Findings of report on social security for ASEAN migrant workers presented at the 20 <sup>th</sup> ASSA board meeting - Dialogue on the feasibility of social security for migrant workers initiated in Thailand	

**Note:** a more detailed list of activities and outputs is provide in an appendix to this report. Numbering of outputs/activities is according to the ILO/EU/UNIFEM PRODOC (also attached as an appendix to this report). The PRODOC itself does not refer to outputs, but rather activities leading to specific objectives (as noted above this is interpreted as Immediate Objectives using UN/ILO terminology).

### 3.3 Project progress & effectiveness

Both projects started late, but once started have been making good progress. The progress and effectiveness of each project is considered here separately:

#### *1) ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration*

*Overview:*

Table 1 summarises progress of the project towards completion of the outputs/activities envisaged in the project document<sup>14</sup>. During project implementation, a number of changes and additions were made. In particular, the main envisaged contribution of UNIFEM to the project has not yet been realised. This is largely to do with the issues concerning the LOA between UNIFEM and ILO which was only signed in mid 2008. Notwithstanding this late start, and given the no cost extension of the project to April 2009, it is reasonable to expect that the revised envisaged activities including the UNIFEM component will be achieved. In anticipation of the signing of the LOA activities with UNIFEM were initiated on an activity basis. The main item under this heading was an ABAC poll on the public attitudes towards foreign workers in Thailand.

The political situation in some countries has affected implementation. The military coup in Thailand and subsequent political uncertainty is one example. Above-all political developments, elections in various countries in South Asia, the state of emergency in Bangladesh in 2007 and so on have above-all delayed the implementation of activities in that sub-region.

In Qatar, the project has had difficulty in reaching agreement with the national authorities for the planned sub-regional symposium. It appears that this depends in part on the lack of commitment observable in the Gulf states in general towards engaging in dialogue with ILO or sending countries on labour migration issues.

Additional activities not envisaged by the PRODOC were undertaken on the basis of the needs and opportunities identified in consultations with stakeholders in different countries. In particular, the Korean government requested support in improving the administration of its Employment Permit System (EPS) through the ILO/Korea partnership programme on labour migration. The Korean government allocated additional funds (US\$60,000 in 2007/8) for these activities with the support from the staff of the ILO/EU/UNIFEM Project.

It emerged early on in the project implementation that existing statistical information sources were not adequate for policy-making purposes. As a consequence the project introduced the MISA (Migration Information System in Asia) component. This is concerned with establishing a system for the collection, reporting and sharing of international migration data.

*Progress towards the Immediate Objectives:*

The project has made substantial progress towards the attainment of *Immediate Objective 1* on strengthening the knowledge base. A variety of reports have been produced (see appendix) and these have served as inputs also to the regional and sub-regional dialogues and networking undertaken under *Immediate Objective 2* on the development of labour migration management.

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<sup>14</sup> A more detailed list of activities is included in an appendix. The PRODOC itself does not talk in terms of outputs but rather activities. For the most part, activities once completed constitute, in standard UN/ILO usage outputs.

Discussions with stakeholders during the evaluation mission where reference was made to issues raised by specific papers and the conclusions of regional and sub-regional dialogues (see below) provide evidence that the papers prepared are considered useful and are being used as a basis for discussions on policy reform.

The MISA database has been established with the participation of 13 countries, although it is not yet fully operational. In this regard, the issue does arise as to who will fund the moderate expenses required for its operation once the ILO/EU/UNIFEM project is completed.

With the assistance of ILO/EU/UNIFEM project and technical support from the ILO Bureau of Statistics and the ILO ROAP Labour Market Specialist, in 2006 the Thai National Statistics Office incorporated a module on migration issues to the Thai Labour Force survey.

The sub-regional and regional dialogues undertaken under *Immediate Objective 2* are clearly playing a useful role in promoting rights based labour migration management. For example, the conclusions of the Singapore Sub-Regional Symposium emphasised: a) the mutually beneficial potential of well-managed labour migration; b) the complexity and multidimensionality of the issue of labour migration management; c) the need for further policy related research on migration; d) the importance of governance capacity; e) that the costs of poor governance are substantial and are passed on to migrant workers; and, f) the need to promote the application of the ILO's MFLM.

The Dhaka Regional Symposium on the "Deployment of Workers Overseas: A Shared Responsibility," attended by tripartite delegations from 9 countries (Bangladesh, India, Nepal, Pakistan, Sri Lanka, Indonesia, Philippines, Malaysia, and Korea) identified a series of directions for action including: the development labour migration policies taking into account the ILO's MFLM; the development of a code of conduct for recruitment agencies in SAARC countries; the development of gender sensitive policies and ensuring labour migration in the region is harmonised and disaggregated by gender; the negotiation of bilateral and multilateral agreements; and, the establishment of a regional platform for regular dialogue on issues and problems in labour migration.

Under the project's auspices, the ILO proposed to the ASEAN the holding of a regular regional forum on migration as a platform for dialogue about shared concerns at technical levels. The idea was accepted by the ASEAN Senior Labour Officials Meeting (SLOM) at its May 2007 session. The first meeting of the Forum was held in Manila on 24-25 April, 2008. The forum is a follow-up activity to the ASEAN Declaration on the Protection and promotion of the Rights of Migrant Workers adopted during the 12<sup>th</sup> ASEAN Summit in Cebu, Philippines on 13 January 2007. In a parallel development, the ASEAN Committee on the Implementation of the ASEAN Declaration has developed a workplan aimed at giving substance to the declaration and promoting a rights based approach to labour migration management. In particular, a working group has been established with representatives from 2 sending (Indonesia and Philippines) and 2 receiving countries (Thailand and Malaysia) charged with developing the principles for a (binding) Instrument on the Protection and Promotion of Migrant Workers Rights. Clearly the Declaration and the subsequent follow-up actions of the Committee are not outcomes directly attributable to the project. However, the dialogues undertaken by the project, as well as activities undertaken by the ILO more generally, are plausibly having an effect on such policy developments at the sub-regional level.

Positive outcomes promoting the attainment of *Immediate Objective 2* are also observable at the national level. For example, in 2007, the CTA provided advisory support to the Vietnamese Bureau for Administration for Overseas Affairs in building its programme for protecting the rights of migrant workers under a new law (which came into effect in July 2007) on the preparation of Vietnamese migrant workers going abroad for employment.

As regards *Immediate Objective 3*, notwithstanding the issues concerned with items to be undertaken by UNIFEM, good progress has been made here too. A national Trade Union workshop (with the participation also of labour attachés from sending countries' embassies - specifically Nepal, Bangladesh, the Philippines and Viet Nam) reviewed the current situation of Migrant workers in Malaysia. The project also organised two training workshops (November 2006 and March 2007) for Thai Trade Union leaders which lead to the setting up a Committee to co-ordinate activities on migrant workers and to draft a training guide for trade union members on the rights of migrant workers (which is currently being published). At the sub-regional and regional levels, the project supported the Asian Trade Union Training on Migrant Workers rights held in Jakarta (August 2007) and the KCTU International Conference on Migrant Workers' rights in Seoul (August 2007). These initiatives have had visible effects on the capacity of trade unions in the region to understand and better represent migrant workers rights. As regards the regional and sub-regional initiatives, Workers representatives contacted directly or by e-mail greatly appreciated the project's support in this area noting above all the benefits of networking and information exchange which has allowed trade union confederations from different countries to forge links and exchange experience on approaches to the protection of migrant workers.

Under the project's collaboration with the ILO/Korea Partnership programme, the project also organised four national workshops (Philippines, Thailand, Indonesia and Viet Nam) on improving the Recruitment and Preparation of Migrant Workers for Korea workshops in order to discuss with their Korean counterparts ways in which the system of recruitment and selection of workers could be made more efficient, fair and transparent. In collaboration with HRD Korea, the ILO also co-organized a training programme on labour migration management held on 28 April-2 May 2008 in Incheon, Korea. The training was attended by 18 representatives from 9 countries (Cambodia, Indonesia, Mongolia, Pakistan, the Philippines, Sri Lanka, Thailand, Uzbekistan, and Viet Nam) which send workers to Korea through the Employment Permit System. In general, these activities are supporting the development and reform of the EPS system (i.e. supportive of Immediate Objective 2). For example, the Korean Ministry of Labour is considering extending the period of stay allowable under the EPS system (currently 3 years with the possibility of an extension for a further 3 years). Moreover, HRD Korea was very appreciative of the workshops organised by the project in helping to resolve a series of misunderstandings amongst sending countries concerning the operation of the system and more generally considered them very helpful in supporting the development of the EPS.

#### *Contribution to the ILO's strategic goals:*

In general, in all its elements, the project is making a clear contribution to the regional outcome 5: improved capacities of Governments and Social Partners to Manage Labour Migration and its associated biennial milestones 1<sup>15</sup> and 2<sup>16</sup> and has essentially fulfilled biennial milestone 3<sup>17</sup>. In a general sense the project is also supportive of Regional Outcome 1 and in particular, through the collaboration with SKILLS-AP on the development of a RMCS for application to Korea and its associated sending countries, has also contributed to Regional Outcome 1 (and specifically biennial

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<sup>15</sup> "Constituents in at least 3 countries adopt measures and policies that take into account the impact and consequences of labour migration and provide for the protection of migrant workers in line with principles and best practices set out in the ILO's Multilateral Framework on Labour Migration and other relevant ILO and UN Conventions", (APRO)

<sup>16</sup> "Governments, employers and workers' organizations in at least 3 ASEAN member countries take steps towards the implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers with ILO support", (APRO).

<sup>17</sup> "Constituents in at least 3 countries participating in sub-regional and regional meetings/fora/dialogues on labour migration management issues facilitated by the ILO implement follow up actions", (APRO).

milestone 3<sup>18</sup>) and, in collaboration with ACTRAV, the capacity building initiatives for Trade Unions have been instrumental in improving workers organisations (under Regional Outcome 7). The project has also contributed in a general sense to Regional Outcomes 2 (on labour market governance) and 3 (on extending social protection). The project has also supported the implementation of the ILO's MFLM as summarised in Box 1 below.

### *Strengths & Weaknesses*

The major areas where the project has been successful are:

- extension of the information basis for policy making;
- promotion of inter-country dialogue both between governments and between workers' organisations;
- collaboration with the Korean government through collaboration with the ILO/Korea partnership programme – this is in part because this is fertile territory for ILO intervention in that both sending countries and the receiver identify their joint interest in entering into dialogue and perceive the benefits of ILO support
- in general the project has been extremely successful in mobilising the support from stakeholders in furthering the aims of the project and consequently the strategic goals of the ILO.

The project was less successful in:

- *Engaging employers' organisations.* As is evident from the discussion of project activities and outputs, the major emphasis has been on work with governments and workers organisations. This was the result of a strategic choice of the CTA who sustains (with reason) that the major priority should be the promotion of government-to-government based labour migration systems. Such systems – such as that operating in Korea - can avoid many of the abuses of approaches relying on private recruiting agencies. The fact remains, however, that many labour migration management systems are based around private recruitment agencies. Indeed, discussions with the CTA suggest that the engagement of employers' organisations would be a natural next step in future initiatives building on the experiences of this project.
- *Engaging the Gulf States.* A significant proportion of labour migration from Asia concerns the Gulf States. At present, around 9 million migrant workers are employed there of which roughly 70% come from Asia. There are numerous concerns expressed by Asian sending countries concerning the (lack of) application of basic protections for migrant workers. The proposed Sub-Regional meeting in Qatar has not (yet) materialised and more generally it has proved difficult to engage countries in this region. It appears that the Gulf States do not perceive an interest in entering into dialogue with sending countries supported by the ILO. It is not clear what steps may be suggested in this case.

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<sup>18</sup> “At least 2 sending countries and 1 receiving country tested and used the ILO developed Regional Model Competency Standard for mutual recognition of migrant workers' skills”, (APRO).

## 2) ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia

### Overview

Table 3 below summarises the project's progress towards completion of the various outputs envisaged in the PRODOC. The key issue for project implementation was project finance. In particular, the project had serious difficulties in coming to terms with a progressive reduction in budget. The initial budget (notional) allocation specified in the PRODOC was \$2,900,000<sup>19</sup> – or an average of \$580,000 per year. Table 2 summarises the situation in practice:

**Table 2: ILO/Japan Donor budget allocation**

Year	Budget allocation (USD)
2005	535,042
2006	521,000
2007	498,224
2008	389,305
2009	To be confirmed

Taking into consideration the fixed costs supported by the project – 2 staff in Bangkok and 1 in East Java – very few funds have been available for activities. Specifically, in 2008 only \$80,000 was available for activities and this will be further curtailed – given the present budget allocation - to around \$30,000 in 2009.

The project has come to terms with the financial shortfall by:

- reducing the projected project staff – as noted above, the PRODOC envisaged financing 3 project staff (CTA, programme officer/analyst and Secretary) and 2 each in Lao PDR and Indonesia. This was modified to 2 staff in Bangkok and 1 in Indonesia
- restricting the activities undertaken by the project – with regard to the knowledge base, this was compensated to some extent by activities undertaken by the ILO/EU/UNIFEM project
- benefiting from the co-financing of operations with other projects. For example, the project benefited from the time of the ILO/EU/UNIFEM programme officer - ILO/Japan CTA estimates this at 30% of her time - and from (mainly) in-kind support from the ILO Jakarta Office – which the ILO/Japan CTA estimates at 20% of the time of ILO Jakarta an administrative officer and a programme officer. Co-financing was also used for specific activities.

As a result of savings thus achieved on previous annual contributions, the ILO/Japan CTA will be able to add another \$110,000 to project activities in 2009.

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<sup>19</sup> On this issue and that of the relation between project activities and specific activities envisaged in the PRODOC, the understanding of the ILO/Japan CTA is that the PRODOC is unsigned and serves as a reference for the implementation of project activities and outputs. Hence there is no overall commitment from the donor on the overall budget. The second implication of unsigned PRODOC concerns the project's activities. The CTA reflects the whole set of tasks envisaged by the PRODOC (with budgeting estimates) in his annual workplan which is submitted to the donor for the approval of necessary funding. When, as has happened each year, the approved budget is significantly less than the required budget for the workplan, the activities are curtailed by the CTA without however requiring a revision of the PRODOC itself.

**Table 3: ILO/Japan projected and completed output summary**

Expected Output (PRODOC)	Related project activities
<b>Immediate Objective 1 – Knowledge base</b>	
<b>Output 1.1</b> Policy Research findings based on a comprehensive assessment of successes/failures of existing labour migration policies, programmes, administrative structures and procedures including areas for improvements (Cambodia, Indonesia, Laos and Thailand)	<p><b>Thailand</b></p> <ul style="list-style-type: none"> <li>- Review of labour Migration Policies in Thailand (ILO/Japan report/publication no. 3)</li> <li>- Synthesis report on Labour Migration policies in Thailand (ILO/Japan report/publication no. 10)</li> </ul> <p><b>Cambodia</b></p> <ul style="list-style-type: none"> <li>- report on Labour migration Management &amp; Policies in Cambodia (ILO/Japan report/publication no. 7)</li> </ul>
<b>Output 1.2</b> Reports of country reviews on the current states of the existing systems of data and information on migrant workers and management requirements including suggestions for improvement	Replaced by Advisory missions and largely covered by ILO/EU/UNIFEM project, Immediate Objective 1
<b>Output 1.3</b> A report on the impact of labour migration on the economies of regions of employment and of origin	<p><b>Thailand</b></p> <ul style="list-style-type: none"> <li>- Report on Economic Impact of Migration to Thailand (ILO/Japan report/publication no. 6)</li> </ul>
<b>Output 1.4</b> Operation of information exchange and networking among national authorities in origin and destination countries	<ul style="list-style-type: none"> <li>- supported the participation of delegates at specific meetings including the tripartite delegates at Singapore symposium (ILO/EU/UNIFEM project)</li> </ul>
<b>Output 1.5</b> Awareness raising campaign on the migration process, employment opportunities at home and abroad, the gain and pain of migration, dangers and risks, and rights and obligations of migrant workers have been launched for informed decision on cross boarder movement targeting at migrant sending communities in East Java, Indonesia and in Laos	<p><b>Indonesia</b></p> <ul style="list-style-type: none"> <li>- a series of pre-departure training courses (for trainers and migrant workers) given - <i>details in text</i></li> <li>- support to SBMI in extending its operations</li> </ul>
<b>Immediate Objective 2 – Policy</b>	
<b>Output 2.1</b> National and local decision makers sensitised on the need to protect migrant workers and to strengthen migration management	<p><b>Thailand</b></p> <ul style="list-style-type: none"> <li>- seminar on ILO's MFLM (February 2007)</li> <li>- seminar on ASEAN declaration</li> <li>- booklet on ILO conventions on migration prepared in Thai language</li> <li>- sub-regional tripartite consultative meeting on the Economic contribution of Migrant workers in Thailand (May 2007)</li> </ul>
<b>Output 2.2</b> Recommendations for changes in laws and administrative decrees for better management of labour migration	<p><b>Lao PDR</b></p> <ul style="list-style-type: none"> <li>- Report on improving labour migration through strengthening Employment Services in Lao PDR (ILO/Japan report/publication no. 8)</li> </ul> <p><b>Cambodia</b></p> <ul style="list-style-type: none"> <li>- consultative meeting on review of labour migration policies (February 2008)</li> </ul>
<b>Output 2.3</b> Bilateral committees established at the technical levels to oversee and monitor the effective implementation of bilateral agreements and to recommend improvements	
<b>Output 2.4</b> An expert report on how bilateral agreements on recruitment, placement and combating of trafficking are working as a background paper for bilateral meetings	<ul style="list-style-type: none"> <li>- Report on Interstate co-operation on Labour Migration: Lessons learned from MOUS between Thailand and neighbouring countries (ILO/Japan report/publication no. 12)</li> </ul>
<b>Output 2.5</b> Reports on conclusions of bilateral meetings identifying strengths and weaknesses of existing bilateral agreements and recommending improvements	
<b>Output 2.6</b> Bilateral agreements between governments in origin and destination countries for the effective supervision of the recruitment, placement and employment of migrant workers, and elimination of smuggling and trafficking of workers have been introduced.	
<b>Immediate Objective 3 – capacity building</b>	
<b>Output 3.1</b> A number of senior government officials with responsibilities on labour migration at national and local levels, and social partners have been equipped with knowledge of best practices in migration management	<ul style="list-style-type: none"> <li>- Supported the participation of tripartite delegates at Singapore symposium</li> </ul> <p><b>Thailand</b></p> <ul style="list-style-type: none"> <li>Training manual for paralegals prepared in Thai and Burmese languages ILO/Japan report/publication no. 1)</li> <li>- ILO/HRDF Training of Trainers Workshop for Paralegals on Promoting Migrant Workers' Rights and Access to Legal Justice (May 2008)</li> </ul>

	<ul style="list-style-type: none"> <li>- 2 Trade Union training of trainers workshops – the first financed by ILO/Japan (November 2006) the second by ILO/EU/UNIFEM (March 2007) with ILO/Japan supporting participants from Lao PDR &amp; Cambodia supported by project (November 2006)</li> </ul> <p><b>Lao PDR</b></p> <ul style="list-style-type: none"> <li>- 3 national seminars on role of recruitment agencies, foreign employment administration and on ILO MFLM (May 2007)</li> <li>- workshop for Trade Unions on protection of MW rights (July 2007)</li> <li>- National Training Workshop on Domestic and Foreign Employment Services (February 2008)</li> </ul> <p><b>Cambodia</b></p> <ul style="list-style-type: none"> <li>- seminar on recruitment agencies, foreign employment administration (July 2007)</li> <li>- Training workshop for TU leaders (May 2007)</li> <li>- Training Workshop on Labour Migrant workers on Policy and Management in Cambodia (May 2008)</li> </ul> <p><b>Indonesia (East Java)</b></p> <ul style="list-style-type: none"> <li>- Workshop on Current Recruitment Practices and Roles Public and Private Employment Services in Labour Migration Process (November 2008)</li> <li>- Training Workshop on Protection of Migrant Workers in Migration Process: Gaps, Best Practices and Challenges (November 2008)</li> <li>- A series of Human rights and Paralegal training courses undertaken (for trainers and migrant workers) – <i>details in text.</i></li> </ul>
<b>Output 3.2</b> A guide/manual for management and administration of foreign workers or foreign employment programmes at national and local levels.	<p><b>Thailand</b></p> <ul style="list-style-type: none"> <li>- ILO guide for Policy makers on ILS and migrant workers rights translated into Thai &amp; validation workshop for the guide (June 2007)</li> </ul> <p><b>Cambodia</b></p> <ul style="list-style-type: none"> <li>- ILO guide for Policy makers on ILS and migrant workers rights translated into Thai &amp; validation workshop (February 2008)</li> </ul>
<b>Output 3.3</b> Systems and procedures established for improving the administration of migration management processes.	<p><b>Thailand</b></p> <ul style="list-style-type: none"> <li>- ILO/MOL National Policy Seminar on Foreign Workers Employment Act (2008) and its Implications toward Labour Migration Management in Thailand</li> </ul> <p><b>Lao PDR</b></p> <ul style="list-style-type: none"> <li>- advisory services</li> <li>- Seminar on Situations and Management of Labour Migration in Champasack Province: Way Forward (February 2008)</li> </ul>
<b>Output 3.4</b> A Platform for Tripartite Dialogue on Migration has been set up at national levels to give voices to workers’ and employers’ organizations on migration policy questions and issues	<ul style="list-style-type: none"> <li>- advocacy work</li> </ul>
<b>Immediate Objective 4</b>	
<b>Output 4.1</b> Study reports on migrant workers remittances in Cambodia, Indonesia, Laos and Thailand including policy advice for alternative low costs channels	<ul style="list-style-type: none"> <li>- Report on Cambodian workers’ remittances (ILO/Japan report/publication no. 2)</li> <li>- Report on Lao workers’ remittances (ILO/Japan report/publication no. 4)</li> <li>- Report on Migrant Workers remittances: Lao PDR, Cambodia and Myanmar (ILO/Japan report/publication no. 9)</li> </ul>
<b>Output 4.2</b> Low-costs Remittance schemes with formal financial institutions and local communities have been introduced	<p><b>Thailand</b></p> <ul style="list-style-type: none"> <li>- sub-regional tripartite consultative meeting on the Economic contribution of Migrant workers in Thailand (May 2007)</li> <li>- Consultative Meeting on Migrant Workers’ Remittances Channels (October 2008)</li> </ul> <p><b>Indonesia</b></p> <ul style="list-style-type: none"> <li>- Workshop on Remittance Services, Use of Remittances, and Micro-credit Programmes for Migrant Workers (November 2008)</li> </ul>
<b>Output 4.3</b> A campaign package has been developed for promoting savings and productive investment in remittance receiving communities	Ongoing
<b>Output 4.4</b> Technical assistance for local economic development and reintegration of return migration through targeted skills development and micro-financing for livelihood income generating programmes have been launched	<p><b>Indonesia</b></p> <ul style="list-style-type: none"> <li>- various training courses given on SYB (TOT for trainers and step-down for returning migrant workers) – <i>details in text</i></li> <li>- Training workshop on cooperative formation and management for migrant workers (December 2008)</li> </ul>

**Note:** the table reports project activities. Follow-up and related activities undertaken by Stakeholders reported in text (as well as details on the training courses in East Java).

At the start of the project, following consultations with the ILO and stakeholders in Indonesia, on the basis of stakeholders needs and to avoid duplication with the existing ILO Jakarta project on Combating Forced Labour and Trafficking of Indonesian Migrant Workers, it was decided to concentrate ILO/Japan activities in Indonesia at the sub-national level. Specifically activities were concentrated in the East Java region which is main area of origin of Indonesian migrant workers.

### *Progress towards the immediate objectives*

Taking into account the shortfall in funding (as compared to the PRODOC) – as well as the issues raised on project design above - the project has made good progress towards its immediate objectives. Under *Immediate Objective 1* on the knowledge base and awareness raising, the project has undertaken a series of studies albeit fewer than those envisaged in the PRODOC<sup>20</sup>. Amongst the useful outcomes linked to this work, In Cambodia, the Prime Minister has instituted a discussion on the cost of, and delays in the issuing of passports – one of the key issues raised by the ILO/Japan paper no. 7 and at the workshop on Foreign Employment Administration in Cambodia organized by the project in collaboration with the MOLVT on Cambodia. The cost of passports in Cambodia has subsequently been reduced. Efforts in this direction are part of more general thrust of both projects in attempting to persuade governments to adopt an incentive based management approach to regularising migrant workers rather than the punitive control approach<sup>21</sup>.

In Thailand, the government has commissioned its own studies looking at the demand for foreign workers and measures to regulate it and the CTA of the project was invited to provide technical inputs to consultative meetings organised by the Thai Development Research Institute (TRDI – the organisation charged with undertaking the studies) and the MOL on the studies.

Also of note here is the important work undertaken in Indonesia, where project support has allowed the SBMI (the Union of Indonesian Migrant Workers) and its partner NGOs to extend operations from 7 to 11 districts. SBMI and partner organisations have also increased their representation at sub-district level from 19 to 30 branches during the project. The SBMI promote and protect the interests of migrant workers in general and thus the extension of their operations is also relevant to the projects other immediate objectives. As regards Immediate Objective 1, however, an important aspect of SBMI's role concerns the provision of pre-departure information and training which they see as an entry point for organizing migrant workers. Also under this objective the project has instituted a series of pre-departure training programmes in East Java. Specifically, one pre-departure TOT and five subsequent pre-departure training courses for migrant workers were supported by the project in October and November 2007. Significantly, these were

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<sup>20</sup> As noted above, To some extent the shortfall here has been compensated by the extensive work on the knowledge base undertaken by the ILO/EU/UNIFEM project.

<sup>21</sup> Specifically, in line with the PALMAP as well as with several of the research reports produced by the ILO/EU/UNIFEM project, both projects have pushed the notion that as more fruitful strategy towards resolving or improving the situation vis-à-vis irregular migrant workers is through facilitating legal channels rather than through vainly attempting to clamp down on such migration through policing measures.

followed in March and April 2008 by four further pre-departure training courses organized by SBMI<sup>22</sup>.

Under *Immediate Objective 2*, the strategy of the project has been to support the general development of rights based labour migration management policies in three countries (Cambodia, Lao PDR and Thailand), including improving the operation of the existing Memoranda of Understanding. Notable here amongst the positive outcomes are:

- As a result of project activities, in January 2007, the Cambodian Ministry of Labour and Vocational training (MOLVT) established a Labour Migration Taskforce to be responsible for co-ordinating the implementation of activities related to labour migration;
- The Cambodian MOLVT has also informally sought technical support from the project in drafting new legislation on the management of labour migration;
- As a result of the seminars and workshops organized by the project, in July 2007 the Lao Department of Employment Promotion and Skill Development (part of the Lao MOLSW) funded its own national workshop on Unemployment in Laos and Migration of Labour Abroad. The workshop outlined strategies for the management of labour migration
- In 2008, a new law was introduced in Thailand establishing basic rights for Migrant Workers. Clearly the law was not a direct consequence of the project activities, however, it is not unreasonable to believe that it was influenced by it (as well as by the activities of the ILO/EU/UNIFEM project). Similarly, the Labour Migration Management Committee in 2007 proposed for the first time to extend the registration of work permits for regular migrant workers from one to two years implying a move towards recognizing the longer term nature of labour migration. The fact that issues such as this are on the agenda is at least in part plausibly due to advocacy efforts by the ILO/Japan (and ILO/EU/UNIFEM) projects.

Bearing in mind the above discussion of project design and in particular the discussion of immediate objective 2 and its associated outputs, it is unlikely that the project countries will have formulated – indeed, it is not clear what would be meant by – “**coherent** labour migration policies and programmes...”, by the end of the project. However, the project is clearly having an influence on the “development of active proposals and programmes for changes in policy” as specified by the relevant indicator and it is not unreasonable to suppose that, during its lifetime, the project will have an effect in terms of influencing the “improved content of bilateral agreements” (understood as MOUs) – the second indicator specified under this immediate objective. The project has prepared a report (ILO/Japan report no. 12) on the issue and, along with the activities undertaken by the ILO/EU/UNIFEM, may well lead to improved content of the MOUs. Consequently, it is reasonable to expect that the project will positive changes as measured by the indicators attached to Immediate Objective 2, which will in turn lead to an **improvement** in labour migration policies.

Under *Immediate Objective 3* on capacity building, various activities have been undertaken at different levels as indicated in table 3. In terms of positive outcomes, a direct result of project

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<sup>22</sup> Greater detail on all the training courses in Indonesia undertaken under or as a result of the project are given in the impact matrix which is attached as an appendix to this report.

activities, was the establishment of an Association of Recruitment Agencies in Cambodia under the aegis of CAMFEBA (the Cambodian Association of Employers). In follow-up activities, the project is providing technical assistance in the drafting of a code of conduct. Activities aimed at building the capacity of NGOs involved in protecting the rights and promoting access to legal recourse – such as the Human Development Rights Foundation (HRDF) and the Federation of Trade Unions of Burma (FTUB) in Thailand and the SBMI in Indonesia have been able to increase the quality and the quantity of their efforts. For example, the project developed a training guide for paralegals on promoting migrant workers rights in Thai language (ILO/Japan report/publication no. 1) and the project supported a TOT workshop for paralegals on promoting migrant worker rights organized together with the HRDF in Mae Sot (North West Thailand) in May 2008. Subsequently, in September 2008, the HRDF organized its own paralegal TOT on the basis of the guide. The SBMI (and other partner NGOs) organised one paralegal TOT and 5 step down training courses supported by the project in East Java. Discussions with representatives of these three organizations (FTUB, HRDF and SBMI) during the evaluation mission made it clear that the project was having a significant positive effect on the ability of these organisations to represent and promote the rights of migrant workers in Thailand and Indonesia respectively. During a stakeholder meeting held in Mae Sot during the evaluation mission, members of the Joint Action Committee for Burmese Affairs (JACBA) representing Burmese migrant workers in Thailand reported that whereas disputes with employers were previously conducted and ‘resolved’ through violent means, greater understanding of rights as well as the facilitation of access to legal advice supported by the project has meant that much greater recourse is had to legal channels for conflict resolution<sup>23</sup>. In Lao PDR, the Government has begun to involve Trade Unions in consultations on issues related to labour migration, a small but significant step towards the establishment of a tripartite platform on labour migration (output 3.4) – at least in part as a consequence of the project’s capacity building efforts for workers organisations in that country.

In Cambodia, the Cambodian Union Federation (CUF) has organised from its own resources five training courses for its members as a direct result of the Training Workshop held in Phnom Penh in May 2007. Thus, the project has demonstrated clear success in increasing the capacity of, in particular, workers organisations and other NGOs representing the interests of migrant workers and thus made a direct contribution to the activation of ‘migration cells’ of workers organisations – (part of) the specific indicator attached to *Immediate Objective 3*. Similarly the formation of the Association of Recruitment Agencies in Cambodia – in other words, the activation of a ‘migration cell’ in an employers’ organisation - as a direct result of the project’s activities is a contribution to the other part of this specific indicator<sup>24</sup>. Thus, here too significant progress has already been made in producing the outputs envisaged in the PRODOC and has produced a number of visible positive outcomes contributing to the attainment of *Immediate Objective 3*. The ‘production’ of output 3.4 is a little more problematic (the creation tripartite commissions on labour migration). As with outputs 2.3-2.6, it is outside the direct control of the project, however, progress is being made in this direction (as indicated above) and it is not unreasonable to suppose that here too, the project will have success, assuming that adequate support to the project is forthcoming.

As to the two parts of *Immediate Objective 4* – the establishment of low cost remittance systems **and** the establishment of support services for micro-enterprise development – the project has had notable success in the latter and is making progress in the former. The development of micro-enterprise initiatives has been concentrated in East Java. In August 2007 a SYB TOT course

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<sup>23</sup> It might also be observed that the greater organisation of Burmese migrant workers in Thailand has also lead to the greater fragmentation of production units making to more difficult to physically organise such workers.

<sup>24</sup> It may be observed that two indicators are attached to Immediate Objective 3 in the PRODOC. Presumably, the second of these, “establishment of bilateral commissions on migration” is placed here in error and should have been attached to Immediate Objective 2.

was held in Surabaya (East Java) followed by a refresher course in November 2007. In September 2007, 5 SYB courses were held for prospective entrepreneurs and this was complemented in April, May and June 2008 by 16 production skills training courses organised by SBMI and the SEAFast centre<sup>25</sup>. The project – through its LPC – has facilitated the development of cooperatives, most of whose members participated on the SYB courses. One co-operative has been formally registered and 5 further ‘pre-cooperatives’<sup>26</sup> have improved their services and increased their membership. Members of the cooperatives are also involved in providing information services to potential migrant workers noted above under *Immediate Objective 1*. It should be noted that the project benefited from the collaboration with the ILO Jakarta project on Combating Forced Labour and Trafficking of Indonesian Migrant Workers. Specifically, with regard to the training programmes undertaken under this immediate objective (as well as those undertaken under *Immediate Objectives 1 and 3*) ILO Jakarta project provided: all technical inputs in terms of the content of training; the funding for international master trainers; the training manual; and, the equipment used in training. They also selected the SYB expert for monitoring activity and selected participants and prospective trainers from the TOT courses<sup>27</sup>.

On the development of low-cost remittance systems, work is ongoing and progress has been made particularly in Thailand and Indonesia. In Thailand, a consultative meeting involving representatives of private and public banks discussed the findings of the project’s report on migrant remittances from Thailand (ILO/Japan report no. 9) which *inter alia* identified the problems of migrant workers in accessing formal financial services in Thailand – specifically these are linked to difficulties regarding identification documents and a lack of awareness of migrant workers of the financial services available to them. In follow-up to the meeting, the Thai Bankers Association (TBA) will discuss ways in which the access of registered migrant workers to financial services can be facilitated. In Indonesia, the Workshop on Remittance Services, Use of Remittances, and Micro-credit Programmes for Migrant Workers held in Surabaya (East Java) in November 2008 identified the lack of awareness amongst migrant workers on personal financial management and the use of financial services as a key issue. The meeting also identified weaknesses in the existing micro-credit institution in Surabaya. As a follow-up to the meeting the project intends to develop a booklet on financial literacy and family budgeting for migrant workers.

Overall, good progress has been made under *Immediate Objective 4*. Thus far major progress has been made in terms of small business development in East Java, mainly operating in the form of cooperatives. New schemes for training and productive employment have been established in migrant sending communities - albeit on a relatively small scale - as envisaged by the relevant indicator for Immediate Objective 4. The initiatives undertaken in Indonesia have the potential of being transferred to other locations although it is clear that the project has greatly benefited from the collaboration and support from the existing ILO Jakarta structures and experience. Progress on low cost remittances is less far advanced, however, this work is ongoing and is likely to contribute – given adequate funding – to lowering the costs, and increasing the volume, of remittances specifically in Thailand and Indonesia – as envisaged by the relevant indicators, thereby facilitating access to low(er) cost remittance channels for migrant workers from all four countries covered by the project.

#### *Contribution to the ILO’s strategic goals:*

As illustrated in the discussion above, the ILO/Japan project has made and is making a significant contribution to Regional Outcome 5 (on labour migration governance), with specific

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<sup>25</sup> Again, details of the number of participants and so on are provided in the impact matrix in the appendix.

<sup>26</sup> That is, unregistered (informal) cooperatives.

<sup>27</sup> This is in addition to the administrative and programming support referred to above.

reference to biennial milestone 1, as well as to the related ILO Strategic Framework Indicators 021125.10<sup>28</sup> and 330125.10<sup>29</sup>. It has also contributed to regional Outcome 7 through its support for capacity building amongst workers' and, to some extent, employers' organizations. Again, in a general sense it is also making a contribution towards Regional Outcomes 1 and 2. The project has also supported the implementation of the ILO's MFLM as summarised in Box 1 below.

**Box 1: Summary of the contributions of the ILO/EU/UNIFEM and ILO/Japan projects to the ILO's Multilateral Framework on Labour Migration (MFLM)**

**ILO/EU/UNIFEM:**

- activities under **Immediate Objective 1** have contributed towards implementation of the MFLM Guidelines 3.1, 3.2, 3.3, & 15.2.
- activities under **Immediate Objective 2** have made contributions towards the implementation of the MFLM Guidelines 2.1, 2.2, 2.3, 4.1, 4.3, 4.4, 5.2, 6.2, 6.4, 7.1, 7.2, 8.1, 8.4.1, 8.4.2, 8.4.4, 9.4, 9.7, 9.12, 9.13, 10.5, 12.6, 12.8, 14.1 & 14.3.
- activities under **Immediate Objective 3** have made contributions towards the implementation of the MFLM Guidelines 7.2, 8.2, 9.14, 12.3, 12.4 & 12.5.

**ILO/Japan:**

- under **Immediate Objective 1** - MFLM Guideline 3.3.
- under **Immediate Objective 2** - MFLM Guidelines 2.1, 4.1, 4.4, 4.7, 5.4 & 9.13
- under **Immediate Objective 3** - MFLM Guidelines 6.2, 8.2, 9.14, 10.8, 10.11, 12.3 & 12.4
- under **Immediate Objective 4** - MFLM Guidelines 12.1, 12.2, 15.4, 15.5 & 15.6.

*Strengths and weaknesses*

One major strength of the project has been in mobilising support for the initiatives in sending countries amongst workers' (in all four countries) and to employers' organisations (in Cambodia) for the initiatives undertaken by the project. The major weakness of the project is concerned with the uncertainty and de facto shortfall in available financial resources (compared to the PRODOC). The former complicates programming and latter impedes the undertaking of project activities. In as far as is possible, the CTA has taken action to come to terms with this, however, a satisfactory resolution would depend on either a larger financial commitment from the donor (in line with the original PRODOC), or finding other sources - either from the ILO's regular budget or through collaboration with other projects. This is returned to below.

*Other issues regarding both projects*

Both projects have incorporated gender considerations in an adequate manner. For example, they have both conformed to ILO standard procedures in terms of the request for gender balance in meeting invitations. The late inclusion of UNIFEM in the ILO/EU/UNIFEM has thus far meant

<sup>28</sup> "Number of cases in which constituents participate in developing or applying microfinance policies, social funds, or credit schemes that benefit the working poor or other vulnerable groups" (APRO).

<sup>29</sup> "Number of member States that apply ILO technical assistance to develop labour migration policies that reflect the principles, guidelines or best practices of the Multilateral Framework" (APRO).

that the explicit study on the gender impact of trade has not yet been forthcoming, however, given the no-cost extension of the project there is no reason to suppose that it will not be completed. In general, the majority of migrant workers from the countries included in both projects are women. This of itself has led to a satisfactory gender balance in the accrual of benefits to the ultimate beneficiaries – the migrant workers themselves.

### **Summary of progress and effectiveness for both projects**

Both projects have made very good progress towards achieving their immediate objectives – bearing in mind the caveats outlined above on the ILO/Japan PRODOC as well as the financial issues raised. The ILO/EU/UNIFEM project has gone well beyond the activities indicated in the PRODOC adding additional items at the request of stakeholders and/or in response to their needs. In part this was facilitated by the capacity of the project to mobilise additional resources from outside sources. The ILO/Japan project is making progress despite the financial difficulties encountered. They have both made and/or are making a significant contribution to the ILO-ROAP's regional outcomes as well as to the implementation of the ILO's MFLM.

#### **3.4 Efficiency of resource use**

There are no major issues here. The ILO/EU/UNIFEM project has used the resources available efficiently and, indeed has been able to appropriately add resources – both through developing links with other ILO work areas and projects, but most notably through the addition of funding from the ILO/Korea partnership programme which has also significantly enhanced the project's impact in the region. The strategic decision to concentrate on the promotion of government-to-government based labour migration management systems is clearly based on a subjective judgement on priorities. It is, however, well justified by country experiences in the field of labour migration, and in particular, on the abuses which have arisen through the unregulated operations of recruitment agencies. It also reflects the priorities of many partner governments – Korea being the outstanding but by no means the only example. The late delivery of the UNIFEM component is largely due to difficulties in agreeing the financial allocations resulting from differences in the financial procedures of the ILO and UNIFEM, however, this now appears to be resolved satisfactorily and also this component of the project seems likely to be completed on time.

As regards the ILO/Japan project, the major problem as identified above is not with the strategic allocation, but with the overall funding of the project.

Overall, as far as one can judge given the rather limited resources available for this evaluation procedure, both projects have allocated resources strategically, efficiently and in a timely manner in order to achieve the projects' immediate and development objectives

#### **3.5 Effectiveness of management arrangements**

Overall, both projects have collaborated effectively and management arrangements appear to be sound. They have held regular meetings in order to ensure the avoidance of overlap and both projects have provided technical inputs to each other, whilst, when required, the ILO/EU/UNIFEM project has also co-financed some activities undertaken under the ILO/Japan project.

Communication between the ILO/EU/UNIFEM project and other technical units in Bangkok as well as with MIGRANT in ILO-Geneva is good and collaboration and/or joint activities, where

relevant, have been developed. For example, MIGRANT was involved through the implementation of the ILO module on labour migration in the Thai labour force survey and MIGRANT contributed to the preparations for the Dhaka meeting. Its chief also participated in this and other meetings organised by the project. As noted above, the project has also linked to SKILLS-AP in Bangkok who are involved in the adaptation of a Regional Model Competency Standards (RMCS) to Korea and 7 of its associated sending countries.

The CTA of the project has as been actively involved in the Interagency Thematic Working Group on Migration including Trafficking chaired by IOM and ESCAP, as well as being responsible for drafting the chapter on labour migration in the *Labour and Social Trends in ASEAN 2008* produced by the ILO-ROAP.

The ILO/Japan project, being smaller in scope and annual budget has developed fewer links with internal and external partners. Its main internal partners, apart from the ILO-ROAP, being the ILO/EU/UNIFEM project and, in Indonesia, the ILO Jakarta project on Combating Forced Labour and Trafficking of Indonesian Migrant Workers. The different emphases in different countries of the project depend on country's needs but also on the existing capacity set-up. In particular, the choice of East Java as the placement for the initiatives on pre-departure training and enterprise development was clearly a sensible strategic choice based on the strong existing capacity on both migrant workers and enterprise development already existing in the ILO country office in Jakarta. Where relevant the project has adapted and translated ILO training materials for use in its various training workshops. Communication with MIGRANT in ILO HQ is a little weak. In the conclusions some suggestions are offered on how links both within the ILO and with the national counterparts might usefully be developed further.

As noted above, both projects have collaborated with ACTRAV in the organisation of several initiatives involving workers' organisations

Internal monitoring of the ILO/EU/UNIFEM project was carried out by the CTA and the programme officer of the project. For the most part, the nature of the activities undertaken under the project – studies, database development, national, sub-regional and regional meetings and advisory services - made monitoring relatively straightforward. Regular meetings were held with other ILO partners and above-all the ILO/Japan project to ensure the avoidance of duplication of activities as well as to discuss joint activities. Annual progress reports were provided to the Donor.

Monitoring of the ILO/Japan project was carried out by the CTA (for Cambodia, Laos PDR and Thailand) through monitoring missions and through regular reports on project progress provided by the LPC in East Java for the Indonesian activities (with periodic visits by the project's CTA). In particular, the reports provided by the LPC in East Java are both very informative and comprehensive<sup>30</sup>. Relative performance indicators are compiled and, in preparation for this evaluation report, the LPC in East Java prepared an impact matrix which is included in an appendix. On the basis of this and his own monitoring activities, the CTA prepares regular monitoring reports for the donor as well as an annual progress report. All the monitoring reports contain data disaggregated by gender.

Overall the management arrangements of both projects are satisfactory.

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<sup>30</sup> Indeed the LPC in Indonesia was responsible of the impact matrix included in the appendix.

### 3.6 Impact and Sustainability

As noted above, given the overlapping nature of the two projects' activities, and their various collaborative activities:

- 1) the effects of the projects are to some extent complementary to each other; and
- 2) it is not always possible to separately identify the impacts of the two projects.

Consequently, this section is unified with regard to the two projects.

#### 3.6.1 Improved Labour Migration management

At the national level changes in legislation have either been undertaken or are being planned in many countries in the region. Thus, in 2008, for example, Thailand introduced new legislation establishing specific rights for migrant workers. It would be unreasonable to attribute such changes exclusively to the projects' activities, however, it would appear from the interviews conducted with stakeholders in different countries during the evaluation mission that both projects are influencing developments in this area. In particular, it is very evident that the projects are having impacts both at the national level and that the ILO/EU/UNIFEM project is also having a significant impact at the regional level in terms of changes in attitudes, structures, capacities and procedures. Several such examples were identified above, it is worth reiterating a few of these here:

- **ASEAN Labour Migration Forum** - Under the *ILO/EU/UNIFEM* project's auspices the ILO proposed to the ASEAN the holding of a regular regional forum on migration as a platform for dialogue about shared concerns at technical levels. The idea was accepted by the ASEAN Senior Labour Officials Meeting (SLOM) at its May 2007 session. The first meeting of the Forum was held in Manila on 24-25 April, 2008. Although the establishment of the Forum was at the direct suggestion of the ILO/EU/UNIFEM project thus may be thought of as a direct causal impact, it is clear that the previous ASEAN Declaration on the protection of migrant workers implied that the ASEAN countries were relatively open to such a suggestion<sup>31</sup>.
- **Korean EPS system** – The activities of the *ILO/EU/UNIFEM* project have had a discernable effect on the smooth operation of the system, as noted above, and activities undertaken in collaboration with the ILO/Korea partnership programme are also influencing attitudes to the system in Korea and towards possible reforms – for example, of the duration of the work permit which currently stands at three years. Activities of the project have also facilitated sending countries' abilities to participate in and, to some extent, influence the system.
- **Cambodia** - As a direct result of the *ILO/Japan* project's activities, in January 2007, the Cambodian Ministry of Labour and Vocational Training (MOLVT) established a Labour Migration Taskforce to be responsible for coordinating the implementation of activities related to labour migration. Moreover, Cambodian officials informally asked the project to provide technical assistance in drafting new legislation on the management of labour migration which suggests a positive shift in attitudes.
- **Association of Recruitment Agencies** - In Cambodia, an Association of Recruitment

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<sup>31</sup> This is impact evaluation 'problem' identified above in the discussion of methodology.

Agencies was organised under the auspices of CAMFEBA (the Cambodian Employers' Association) at the direct suggestion and with the support of the ILO/Japan project. In follow-up, the ILO/Japan project is providing technical assistance in the drafting of a code of conduct for recruitment agencies in the country

- **Attitudes:** As a consequence of the various regional and sub-regional dialogues instituted by the ILO/EU/UNIFEM project, there have been some discernable changes in attitudes in approaches to labour migration governance and related issues. This appears to be having an impact also in terms of legislative change in the countries covered by the project, although the full effects of such changes in attitude are likely to be felt more in the longer run.

### 3.6.2 Improved protection of migrant workers

The improvement observable in structures, attitudes and institutions identified above is also likely in the long run to bear fruit in terms of the improved protection of migrant workers. In the more immediate term, however, other effects of the two projects, and in particular, capacity building amongst workers organisations and NGO's involved in the promotion and protection of migrant workers rights is having a more immediate discernable positive impact. Worth mentioning here are:

- **Quality and Quantity of Representation:** As noted above, as a result of the project, there has been a discernable improvement of workers' organisations abilities to protect the interests of migrant workers in the region. For example:
  - Both projects but in particular the *ILO/EU/UNIFEM* project has facilitated dialogue amongst workers' organisations from different countries involved with migrant workers' issues and has been instrumental in the forging of links between specific national Trade Union confederations within the region.
  - The improved capacity of HRDF, FTUB and other NGOs working to promote and protect the rights of mainly Burmese migrant workers in Thailand arising principally from the activities of the *ILO/Japan project* (but with the collaboration of the *ILO/EU/UNIFEM* project) has had a discernable effect on the ability of these organisations to fulfil their role effectively. One possibly unintended but positive consequence of this more effective representation has been that where conflicts between employers and Burmese migrant workers were generally resolved through violent means in the past, more effective organisation and representation and greater understanding of rights and the facilitation of access to legal advice supported by the project, has meant that much greater recourse is had to legal channels for conflict resolution.
  - In Indonesia, the SBMI and other organisations working to promote and protect the interests of migrant workers from that country have been able to expand and improve their operations as a result of the support of the ILO/Japan project. The SBMI (the Union of Indonesian Migrant Workers) and its partner NGOs to extend operations from 7 to 11 districts. SBMI and partner organisations have also increased their representation at sub-district level from 19 to 30 branches during the project.
- **Trade Union Manual on Migrant Workers Rights** – In collaboration with ACTRAV and the *ILO/EU/UNIFEM* project, the *ILO/Japan* project has established a drafting committee of Trade Union representatives to produce a Trade Union Training Manual on

Labour Law issues related to migration. This has had a discernable capacity building effect amongst workers' representatives dealing with migrant worker issues and more generally is supporting the strengthening of workers' organisations in Thailand where, as in much of the region, such organisations are rather weak.

### 3.6.3 Decent Work for migrant workers

Here both shorter term effects are discernable, and longer term effects are plausibly likely to arise, as a consequence of the projects.

- **Employment generation amongst returning migrant workers** – In the shorter term, the various training being undertaken in East Java are having a discernable effect on the ability of returning migrant workers to generate income. As a result of the *ILO/Japan* project, as noted above, one co-operative has been formally registered and 5 further 'pre-cooperatives' have improved their services and increased their membership. Members of the cooperatives are also involved in providing information services to potential migrant workers. Moreover, as a whole the training has directly benefited 1161 participants – 484 men and 677 women. It is estimated that this will have, in the longer term, a positive impact on income generation for 5805 families in the area; a small but discernable impact.
  - Also, in terms of the (much) longer term impact of the project, it is worth noting that, in discussions with members of the cooperatives – all of whom viewed the interventions very positively - some members mentioned the fact that their new found abilities to generate income at home would allow their children to remain longer in the education system and, therefore – they hope – would be able to avoid to have to travel abroad in order to generate sufficient income for their families.
- **General longer term effects** – overall, it is plausible that both projects will have positive long term effects on decent work amongst migrant workers. The work, in particular, of the *ILO/EU/UNIFEM* is specifically aimed at this goal. It is of course too early to judge these effects but they can plausibly be estimated as being substantial. Changes such as the greater dialogue both between countries and between workers' organisations engendered by, in particular, the *ILO/EU/UNIFEM* project are by their nature semi-permanent in nature. Once established they can be developed over time, with plausibly beneficial consequences in the long term for the conditions of work of migrant workers.

### 3.6.4 Sustainability

Many of the activities of both projects are aimed at improving knowledge concerning, and the understanding of, issues related to labour migration governance and thus are supporting the process of moving towards rights-based labour governance systems. In this regard the issue of sustainability becomes one of national and regional stakeholders taking on board concepts and notions arising from project activities and incorporating them their into activities. On the whole, as discussed above, the projects seem to have been successful in this regard. The general impression gained from interviews with external stakeholders is that the ILO activities in this area are extremely useful and, at least as far as labour administrators and Social Partners are concerned, the importance and relevance of ILO concerns with the protection of migrant workers and the equitable distribution of the benefits of migration have been to a greater or lesser extent taken on board.

An important initiative in which the *ILO/EU/UNIFEM* project has played a part thus far is the ASEAN Forum on labour migration and more generally the follow-up to the ASEAN declaration. The establishment of the Forum is an important step in the right direction; however, declarations, dialogue and discussion amongst governments do not **necessarily** translate into concrete actions. Discussions with a representative of ASEAN during the evaluation mission to Indonesia make clear that one of the key next steps<sup>32</sup> in the follow-up activities to the ASEAN Declaration – the adoption of a binding instrument - is likely to be a long and difficult task. As noted above, a working group has been established with the task of establishing the *principles* of such an instrument. The ASEAN representative suggested that the ILO could usefully provide assistance by working with one of countries involved in the preparation of the instrument, and, in particular suggested the Philippines as a possible ILO partner. In any event, it is evident that the work thus far undertaken at the regional level needs to be built upon in order that the effects of, in particular, the ILO/EU/UNIFEM project are maximised.

In a few areas there are question-marks concerning sustainability. The MISA database for example, will require a moderate amount of funding for maintenance. At this stage it is not yet clear whether this will be forthcoming.

Several of the initiatives undertaken through both projects have the potential to be ‘scaled-up’ in the sense of having the potential to be replicated across countries. This is true of the experience with the development of micro-businesses and co-operatives in Indonesia as it is with, for example, the translation of training and information materials. As regards the former, the small scale enterprise development initiatives in East Java appear to be operating sustainably – that is, in particular, the cooperative enterprises created and/or developed as a result of the ILO/Japan project appear to be operating at a profit and indeed show the potential for expansion. It should be observed however, that the conditions pertaining in Indonesia, are not immediately replicable in other countries. In Indonesia, there is a well established ILO office with competencies and projects of direct relevance – in working with migrant workers and in developing entrepreneurship. This is not the case in the other countries covered by the ILO/Japan project which implies that extending this type of initiative will be more complicated and expensive.

## 4 Conclusions & Recommendations

### 4.1 Main Conclusions

- The overall evaluation of the work of the two projects is very positive. They are both playing a very useful role in supporting the process of developing a rights and gender based approach to labour migration governance in countries in the region. The feedback from national and regional stakeholders is positive and there is evidence of the impact of the projects on the approach to labour migration governance in participating countries. Both projects have made a significant contribution to the ILO-ROAP’s Regional Outcomes, as well as to the implementation of the PALMAP and the MFLM.
- Some issues have arisen regarding the uncertainty, and above-all, the progressive reduction

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<sup>32</sup> The ASEAN Committee on the implementation of the declaration actually specifies four thrusts or areas of work concerned with: a) strengthening the knowledge base for policy and the awareness of rights amongst migrant workers; b) improving labour migration governance in ASEAN countries; c) regional cooperation; and, d) development of an instrument.

of ILO/Japan project's funding. These have thus far been partially mitigated by the ability of the ILO/EU/UNIFEM project to co-finance activities. Since the latter project is now nearing conclusion issues to do with financial support for activities under the ILO/Japan project are likely to become more acute.

- There are some issues with the design of the ILO/Japan project. In practical terms these are relatively minor, but it is felt that a review and possibly an appropriate revision of the PRODOC may help in clarifying the outputs and goals to be achieved by the project particularly as regards Immediate Objective 2.
- The relationship between the projects has been managed effectively and the projects have proved to be useful complements to each other as well as being well-integrated with other ILO initiatives related to migrant workers and labour migration governance.
- Although both projects have made useful contributions thus far, it is clear that much work remains to be done. For example, as noted above, there is still a tendency amongst, in particular, receiving countries to see the problem of undocumented and/or irregular migration as one of 'better' security and policing rather than one which can be much improved through sensible labour migration governance measures inter alia by making legal migration cheaper and simpler.
- In working with the Social Partners, a far greater emphasis has thus far been placed on support and capacity building for workers organisations in comparison with employers' organisations. This is particularly true of the ILO/EU/UNIFEM project and this is largely the consequence of a well motivated strategic choice made by the project. However, it may be advisable in future to make efforts to tackle the problem also from this angle. The ILO/Japan project has had notable success in promoting the establishment of the establishment of a recruitment Agency association in Cambodia. Such initiatives may be worth pursuing also in other countries.
- Overall, the objective importance of issues concerned with labour migration is growing and will undoubtedly continue to do so in the foreseeable future. Political recognition of this fact is also growing – in part as a result also of ILO activities in the area. Thus, for example, in October 2008, the 2<sup>nd</sup> ASEM Labour and Employment Ministers meeting held in Bali adopted the 'Bali declaration' on "More and Better Jobs – Strategic Cooperation and Partnership to promote decent work and global labour markets to our mutual benefit," within which the Ministers resolved to "promote decent work for all by... [*inter alia*]... protecting and promoting the rights of migrant workers taking into account relevant guidance..."<sup>33</sup>. The ILO needs to take advantage of this window of opportunity and build upon the work thus far carried out in Asia and ensure that it play a determining role in the evolution of labour migration management policies in the region in future.

## 4.2 Recommendations

Given the considerations outlined in the body of this report and the summary conclusions outlined immediately above, the following general recommendations are made:

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<sup>33</sup> ASEM Bali Declaration para. 7. The declaration makes many references to the ILO and its work and indeed is framed in terms of ILO terminology – 'Decent Work', 'more and better jobs' and so on.

1) Labour migration in Asia is a phenomenon which is growing in importance as is the political recognition of the need for adequate governance systems to allow the benefits of labour migration to be felt by all. The development of such management arrangements for the appropriate governance of labour migration is a long process. In this context, it is highly desirable that given its Mission, its competencies and its previous experience in the field that the ILO continues to play a leading role in helping countries move towards rights and gender based labour migration governance. Thus, **it is recommended that the work thus far undertaken by the two projects evaluated in this report – as well as other ongoing ILO work on labour migration in Asia – be built upon and extended.**

a. In this regard the establishment of a new position of migration specialist in the ILO-RO is to be welcomed.

b. As the ILO/EU/UNIFEM project is coming to an end whilst there remains much work to be done by the ILO at the regional and sub-regional levels, it is important that the ILO-ROAP finds ways to build on what has already been achieved. Specifically, one priority for the new migration specialist should be finding donors to continue the type of work which has been thus far been undertaken by the ILO/EU/UNIFEM project.

2) The ASEAN Declaration and more particularly the follow-up activities to the declaration represent a window of opportunity for the ILO to increase its influence and promote rights based labour migration management in line with the PALMAP and the MFLM. Specifically, the ASEAN Committee on the follow-up to the Declaration has established a working group comprising representatives of two sending (Indonesia and the Philippines) and two receiving countries (Thailand and Malaysia) with the brief of developing an instrument for the practical implementation of the Declaration. **The ILO should seek to engage one or other of the sending countries involved in the working group (more probably the Philippines with their greater experience and capacity in managing sending labour abroad) in order to seek to influence the development of the instrument so as to ensure that its principles take into account the MFLM.**

3) Given that the ILO/EU/UNIFEM project is now coming to an end and the level of resources currently available to the ILO/Japan project for the funding of project activities is limited, **the ILO/Japan project possibly in collaboration with the ILO-ROAP should urgently seek additional financial resources to fund future project activities.**

4) Some issues were identified with the project design particularly as regards Immediate Objective 2 and its associated outputs. At this mid-term point in the project implementation, it suggested that **the PRODOC should be reviewed and possibly modified, above-all, in order to clarify the specific outputs to be produced under Immediate Objective 2 and specific meaning to be attached to this Immediate Objective itself.**

5) Broadly speaking, both projects' activities have mainly been focussed at the governmental level with a significant amount of support also being devoted to capacity building and networking amongst workers' organisations. Thus far, **relatively** little attention has been paid to employers' organisations. In particular, both registered and unregistered recruitment agencies play a *de facto* central role in the labour migration process. It may well be desirable that in the longer run, governmental agencies largely take over this role, as is the case in Korea, however, in the shorter term this is unlikely to occur. Consequently, **it is desirable that in the immediate future, the ILO/Japan project continues and extends its engagement of employers' organisations in general and recruitment agencies'**

**associations in particular.** In this regard, it is worth noting that the ILO-ROAP has been engaging with the organisation Business for Social Responsibility (BSR) which counts amongst its members the largest global corporations. This complementary avenue might be explored by ILO-ROAP, and in particular, by its new migration specialist, to investigate whether this or similar organisations concerned with socially responsible business practices may play a useful role in improving business practices amongst recruitment agencies.

6) As noted in the text, a significant proportion of labour migration from Asia concerns the Gulf States and there are numerous concerns expressed by Asian sending countries concerning the (lack of) application of basic protections for migrant workers. The ILO/EU/UNIFEM project has made several attempts to engage with countries in that sub-region with limited success. Given the importance of the Gulf States as receiving countries and the concerns expressed, **future ILO initiatives should make renewed efforts to engage with Gulf States in order to improve governance of labour migration and promote the application of ILO principles on the protection of migrant worker rights in the area.**

7) As the ILO/EU/UNIFEM project nears termination, it is important that useful project initiatives - undertaken either as specific steps towards Immediate Objectives, such as the creation of the MISA data base, or as more general support activities, such as the establishment of the project website - which will require ongoing support, do not disappear once the project itself comes to an end. **It is desirable that, before the project is concluded, commitments are sought a) from national and/or (sub-)regional counterparts to take responsibility for the maintenance and updating of the MISA database once it is up and running<sup>34</sup>; and, b) from the ILO-RO to incorporate and maintain the project website which might reasonably become the website labour migration activities under the auspices of the new Migration Specialist.**

#### **4.3 Specific Suggestions for Future Work**

In order to give more substance to the general conclusions and recommendations offered above, this concluding section offers more specific suggestions are directions for future work:

##### **1) Resolution of the funding issue – seeking additional resources for ILO/Japan project activities:**

i. in the immediate short-term, investigate the possibility of obtaining some support for specific activities from the ILO/EU/UNIFEM project.

ii. seek to exploit opportunities for collaboration and partnership with specific agencies and individuals operating in the field. The case of Indonesia provides an example of the successful application of this approach and the local project coordinator has been able to successfully harness in-kind support from different actors and agencies operating in related fields. Two specific examples where collaboration might be developed observed during the evaluation mission were: a) in Tak in North West Thailand, there is an extremely motivated and apparently competent government official, Metta Jirasaengmuangma, a Technical officer in the Labour Welfare Office who is attempting – with, it appears, some success – to

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<sup>34</sup> An alternative would be for the ILO-RO and/or MIGRANT in ILO HQ to take on this responsibility.

undertake outreach work with Migrant workers concerning their labour rights, particularly in the Mae Sot area; and, b) in Cambodia, the IOM is very active in dealing with local labour migration issues and has, inter alia, begun work on a (documented) migrant worker database. In both cases it may be worthwhile investigating possibilities for collaboration/joint activities with the ILO/Japan project. In practice, there would likely be many other such possibilities if they were sought.

iii. Similarly, in Cambodia, there are ILO representatives working on various different projects, but, as in Lao PDR, no ILO/Japan project personnel. It may be worthwhile investigating the possibility of exploiting the existence of such people for activities. For example, in the country there is an ILO Workers Education Project with a local project coordinator. It may be relatively easy to organise specific training activities with and through this representative (and the physical structures available to the WEP).

## **2) Possible Future Areas/Directions of Work**

i) **Engaging Employers organisations** – as suggested above, ILO activities in on labour migration should pay more attention to employers' organisations. In Cambodia, the association of recruitment agencies was established as a direct result of the ILO/Japan project and the project is providing technical assistance on the development of a code of conduct. Both the ILO's MFLM and the PALMAP make explicit mention of the establishment of recruitment agency codes of conduct as a useful intermediate steps towards better labour migration governance. Once established in Cambodia, the project might seek to also adapt the code of conduct for application by other countries covered by the project and, in the longer run, on a wider scale. In Indonesia, the project might also consider, in the first instance seeking to promote contacts between APINDO (the Employers' Association of Indonesia) and recruitment agencies in the country.

ii) **Standard employment contracts** - another area which it might be worth looking at, either for action by the ILO/Japan project, or possibly by the new Migration Specialist at ILO-ROAP, concerns the development of standard employment contracts – or more realistically standard clauses in employment contracts – for migrant workers. Again this is an area where the ILO has a specific comparative advantage as well as being requested by constituents.

iii) **Pre-departure training** – another area where there are requests for support from constituents regards pre-departure training for prospective migrant workers. More generally, there are various areas of training and/or information provision for prospective migrant workers which might be developed more in future work. In general, in discussing issues with constituents, there was a generalised concern both by returning migrants but also from governments and recruiting agencies that prospective migrants would benefit from more training and or information before departure. The ILO/Japan project, in particular, has made a contribution towards establishing and/or improving pre-departure training and information provision, however, this line of work might be explored further.

iv) **Cross border communication and co-operation** – the general area of cross country dialogue strongly emphasised in the ILO/EU/UNIFEM project has been very useful in helping countries learn from the experiences as well as facilitating direct dialogue on substantive issues between sending and receiving countries. The ILO/Japan project has also facilitated dialogue in particular between Thailand, Cambodia and Lao PDR. This area of work should be continued.

v) **Specific groups of migrant workers** – another way of building on the work already carried out would be to focus on specific groups of migrant workers (e.g. women, or young people) looking at

their specific needs in the migration process and so to tailor the intervention of governments and the social partners to better meet those needs.

vi) **Greater visibility of the ILO amongst migrant workers** – several interviewees expressed the view that, although governments and the Social Partners were now fairly familiar with the ILO's role and work in promoting the rights of migrant workers, the ILO lacked visibility amongst the migrant workers themselves. In future more attention might be placed on this aspect.

vii) **Pensions and social security** – An important area which might receive greater attention in the future concerns the pension and social security rights of migrant workers in receiving countries and the possibilities of establishing agreements for the transference across countries of such rights and accumulated benefits. This is naturally contingent on the prior establishment of cross-country MoUs or other form of basic agreement between countries on migrant workers, and as such has not figured prominently in the work of the two projects thus far. As noted above, the ILO/EU/UNIFEM project contains a component on social security, but this area is a fairly natural next step to develop future work on cross-country agreements and as the period of time which migrant workers spend in the host country tends to increase – as it no doubt will – will tend to take on an ever increasing importance.

# Appendices

## Appendix 1: Terms of reference of the Evaluation

### Terms of Reference for a Cluster Independent Evaluation

#### Projects:

1. ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration (RAS/05/M02/EEC)
- 3) ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia (RAS/05/M14/JPN)

#### Donors:

- a. European Commission (EU)
- b. Ministry of Health, Labour and Welfare; Government of Japan

#### Projects' budget:

1. Euro 2,447,840 ( 20% ILO Counterpart funding and USD 192,600 allocated to UNIFEM)
2. US\$ 2,900,000 for 5 years – funding to be approved yearly

#### Project duration:

1. 36 months (Dec 2005 – Dec 2008)
2. 60 months (Jan 2006 -Dec. 2010)

**Implementing Agency:** International Labour Organization (ILO)

#### Geographical coverage:

**1. EU funded project:** It covers 16 countries in Asia namely (i) China, Republic of Korea and Japan; (ii) Indonesia, the Philippines and Malaysia; (iii) countries of the Mekong Region, namely Thailand, Lao PDR and Cambodia; (iv) and South Asian countries namely Bangladesh, India, Nepal and Sri Lanka. Also, collaborate with regional bodies in Asia like ASEAN, SAARC and GCC, as well as in the other regions.

**2. Japan funded project:** Thailand, Lao PDR, Cambodia and Indonesia (East Java)

#### Evaluation date & duration:

October – November 2008

#### TORs Preparation date

May 2008

## **1. Introduction and Rational for Evaluation**

Over the past 3 years the ILO has taken a number of initiatives to further deepen its technical cooperation activities in the field of labour migration in Asia. Following earlier projects to assist member states in the region to combat trafficking in women and children, and to empower women migrants to better protect their rights, the ILO has obtained donor support for new projects designed to assist member states more effectively manage labour migration, and promote cooperation between origin and destination states with the active participation of the social partners. At the regional level, the ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration (RAS/05/M02/EEC), here after 'EU funded project' and the ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia (RAS/05/M14/JPN) here after "Japan funded project" are the two major initiatives of the ILO in Asia and the Pacific region.

The EU-funded migration project covers sending and receiving countries of migrant labour in Asia and was launched in 2005 with support from the European Commission. It has a particular emphasis on governance issues raised by the sub-regional groupings of ASEAN+3 (ASEAN members plus China, Korea and Japan), the trio of Indonesia, Malaysia and the Philippines, the Mekong countries – namely, Thailand, Cambodia, Lao PDR, and the South Asian countries: Bangladesh, India, Nepal, Sri Lanka and Pakistan. In receiving countries, the project aims to promote knowledge sharing about managing labour shortages, promote and share best practices for decent work and equal treatment among migrant workers, encourage social dialogue on migration/integration issues, and promote greater coverage of migrant workers under labour laws and social security systems. In countries of origin, the project focuses on promoting sustainable policies and programs on foreign employment, documenting and exchanging information on effective policy tools and strategies for protecting migrant workers and maximizing gains from migration, and strengthening capacities of social partners for dialogue on migration issues.

The Japan-funded migration project aims to promote decent employment opportunities at home and abroad through effective labour migration management. Launched in 2005, the project's objectives include: ensuring that countries have improved information and knowledge critical to formulation, implementation and evaluation of national migration policies; governments formulate and implement coherent labour migration programs with respect to migrant workers and economic development; strengthen the capacity of governments, social partners and other specific target groups; and establish efficient, safe and low cost remittance systems and new initiatives for supporting services on micro-enterprise development in migrant workers' communities.

Both projects have budget over USD 500,000 and the project duration of more than 30 months, following the ILO policy on project evaluations, both projects are subject to have interim evaluation and at least one independent evaluation during the projects' life. The EU migration project will end in December 2008 and has not had any independent evaluation while the Japan migration project is subject to have an interim evaluation. After the initial consultation with the project managers, it is proposed that the evaluations of the two projects are combined due to its complementary nature of the work. The independent cluster evaluation is therefore proposed.

The primary purpose for grouping similar projects together in 'clusters' is to bring about more policy or systematic change that would not be possible in a single project or in a series of unrelated project. Cluster evaluation is a means of determining how well the collection of projects fulfills the objectives of systematic change. Project managers of both EU-funded and Japan funded projects know prior to the start of the projects that they have to work together to promote the ILO Asian Regional Strategy on Labour Migration and to contribute to a broader framework of the ILO which is the ILO Multi-lateral framework on labour migration.

The evaluation will examine project development and outcomes related to the project stakeholders of the two projects. In addition, it will also focus on the progress made toward achieving the broad goals of the ILO programming initiative, the Asia regional migration strategies and the ILO Multilateral Framework on Labour Migration. In other words, the evaluation will focus not only on each project progress in achieving its immediate objectives but also identifying common threads and themes that, having cross-confirmation, take on greater significance. It will also provide feedback on commonalities in programme design, as well as innovative approach, good practices and methodologies used by the two projects. The evaluation will comply with the UN Evaluation Norms and Standards and OECD/DAC Evaluation Quality Standard.

## **2. Background on projects and context**

The two projects have implemented its strategies and related interventions under four interrelated

frameworks i.e. the project framework, the regional plan of actions for labour migration, ILO multi-lateral framework on labour migration, and the decent work country programmes.

**The EU funded project** has a total budget of approximately € 2.5 million (with EC contribution € 1,955,335) and a project duration of 36 months (Dec 2005 to Dec 2008). It however took some time to finalize the administrative procedures to establish a channel for fund transfer for the project, and the first installment of EC contribution of €1,955,335 became available in May 2006. Subsequently, the Chief Technical Advisor was recruited and has only on board since August 2006.

The overall objective of the EU funded project is to contribute to the promotion of rights and gender-based governance of labour migration and the protection of Asian migrant workers from exploitative and abusive treatment. It has three specific objectives: -

- At the end of the project, the information and knowledge-base on labour migration in Asia will have been improved, and awareness and understanding among key stakeholders of the need for a more organized, and mutually beneficial labour migration regime will have been increased.
- At the end of the project, countries in Asia will have taken steps to follow the principles and guidelines for a regional framework on rights-based labour migration management, developed through multilateral dialogue, for governance of labour migration.
- At the end of the project, the capacity of labour administrators, social partners, other duty bearers, and civil society, including migrant women groups, will have been strengthened for broad-based dialogue and cooperation and effective participation in management of labour migration based on ILO principles and good practices.

The project office is located at the ILO Regional Office for Asia and the Pacific in Bangkok ((RO-Bangkok) and is implemented under the overall guidance of the Regional Director. A project team is led by a Chief Technical Advisor (CTA) with a technical officer, a programme officer, and a secretary who have been recruited for daily operation and overall management of project activities. The CTA reports to the Regional Director. The ILO's International Migration Programme (MIGRANT) provides essential technical support, particularly through its network of migration institutions and experts in the EU countries for knowledge sharing and dialogues. The project team draws upon technical expertise of the ILO Economic and Social Analysis Unit of Regional Office -Bangkok (senior development economist, macroeconomist, labour market information and decent work indicators specialist, poverty analyst, child labour and education specialist, and senior vocational training specialist) on policy research and knowledge and information sharing. The project also works closely with the expert teams of the ILO's International Programme on the Elimination of Child Labour (IPEC) and the ILO's Special Action Programme on Forced Labour (SAP-FL) who work on women and child trafficking and forced labour issues in the region to add value to on-going initiatives and to utilise their networks, and to draw on good practices and lessons learned in migration management. The EU funded project is planned to be executed by the ILO in collaboration with the United Nations Development Fund for Women (UNIFEM).

In implementing activities at country and sub-regional levels, the project draws upon expertise of the ILO specialists in various disciplines (international labour standards, labour law, social dialogue, social security and social protection, employment and labour market policies, local development strategies, child labour, HIV/AIDS, basic education and skills development, migration, trafficking and employers' and workers' specialists) based in the three sub-regional offices in Bangkok, New Delhi and Manila. The designated official of each SRO will help coordinate technical support in his/her team, ensure linkages with on-going work, and oversee smooth operation of programme activities in the sub-region.

Direct Recipients of the EU funded project are the Government officials including Ministries of Labour, Migration, Foreign Affairs, Internal Affairs, Empowerment of Women (est. 200 officials); labour administrators (est. 100 officials); law enforcement officials including the police, immigration officers and labour inspectors (est. 100 officials); employers' and workers' organisations (est.200 officials); private recruitment agencies (est.100 officials); and concerned civil society organisations (est. 200 officials). At least 30% of the beneficiaries would be women.

Indirect beneficiaries through various awareness-raising campaigns and sensitization activities under the pilot demonstration projects are at least 10, 000 vulnerable individuals (men, women and children). They will benefit from access to information on safe migration channels and the risks attached to irregular migration including trafficking.

**The Japan funded migration project** has the total budget of US\$ 2.9 million with 5 year time frame from 2005-2010(?). The project's immediate objectives are as follows: -

- 5 Countries will have improved information and knowledge critical to formulation, implementation and evaluation of national migration policies and practices;
- 6 Governments will have formulated and implemented coherent labour migration policies and programmes, which respect the fundamental rights of migrant workers and beneficial to employment, economic growth and development in both origin and destination countries
- 7 Capacity of the governments, social partners and other specific target groups for good governance of migration processes will have been strengthened; and
- 8 Countries will have established efficient, safe and low cost remittance system and new initiatives for supporting services on micro-enterprise development in migrant workers' communities.

The Japan-funded project is managed by a small team based in Bangkok and comprising of a Chief Technical Adviser (CTA) and a secretary. In Laos and Indonesia, a National Project Coordinator is appointed to manage the execution of activities at national level. Activities in Thailand are directly managed by the Project Staff in Bangkok. The CTA reports to the ILO Regional Director for Asia and the Pacific. Due to uncertain funding of the annual contribution from the donor, the Project Advisory Committee was not established as originally planned in the PRODOC, the project adopts instead a regular consultation with stakeholders and other ILO project partners on activities to be implemented. At the national level, in Indonesia and Laos, a national steering committee has not been established either. The project however organizes a wide stakeholders consultation to seek their views on areas to be focused by the project. Relevant technical specialists in sub-regional offices Bangkok provide technical back-stopping to the project. ILO Jakarta provides administrative support to the Indonesian component of the project. Regional Office desk Bangkok provides overall administrative support for the implementation of the project.

The direct recipient of the project is the manpower of the labour ministries in target countries of the Mekong region namely, Laos, Cambodia, and Thailand, and in Indonesia. The main and ultimate beneficiaries are the migrant workers coming from, or are employed in these countries. The main partner in Thailand is the Ministry of Labour. The main partners in Lao PDR are Ministry of Labour and Social Welfare, the Ministry of Foreign Affairs and the Department of Immigration of the Ministry of Security, Provincial Governments, Mass organisations, such as the Lao Women's Union, the Lao Youth Union, and the Lao Federation of Trade Unions and NGOs active in micro-finance and micro-insurance. The main partners in Cambodia is The Ministry of Labour and Vocational Training. For Indonesia the main partners are the Ministry of Manpower and Transmigration (DEPNAKERTRANS), Provincial Manpower Office (DISNAKERTRANS), Employers and private recruitment agencies involved in the recruitment and placement of Indonesian workers overseas, local government agencies and community organizations that are stakeholders on the issue of migration.

**Brief account of major progress**

*EU funded project*

<p>SO1: Strengthening knowledge-base on labour migration and building partnerships with research institutions</p>	<p>A series of policy studies on management of labour migration was conducted to improve an understanding of labour migration and its management. The following Background Papers were produced for the Symposium on "Managing Labour Migration in East Asia: Policies and Outcomes" in May 2007 in Singapore. The Symposium was held in partnership between the project and the Singapore Management University (SMU).</p> <ul style="list-style-type: none"> <li>• Labour shortage and policy response in Japan</li> <li>• Admission of foreign labour and impact on labour market in Taiwan, China</li> <li>• Labour shortage responses in Japan, Republic of Korea, Hong Kong, Singapore and Malaysia</li> <li>• Regulating abuses in recruitment for overseas employment in Indonesia</li> <li>• Managing the organization of overseas employment in the Philippines</li> <li>• Managing change in the organization of labour migration from Vietnam</li> <li>• Use of fiscal measures to regulate the employment of foreign workers in</li> </ul>
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	<p>Singapore</p> <ul style="list-style-type: none"> <li>• Admission of foreign workers as trainees in Republic of Korea</li> <li>• Inter-state Cooperation on Labour Migration: Lesson learned from MOUs between Thailand and neighbouring countries</li> <li>• Controlling borders and regularizing the undocumented foreign workers in Malaysia</li> <li>• Regularization of undocumented foreign workers in Thailand</li> </ul> <p>Some other relevant studies produced are</p> <ul style="list-style-type: none"> <li>• Study on the Economic Contribution of Migrant Workers to Thailand: Towards Policy Development</li> <li>• Managing International Labour Migration and Remittances: The Indian Perspective</li> <li>• Philippines: Overseas Filipino Workers and their impact on Household Poverty</li> <li>• Philippines: Overseas Filipino Workers and their impact on Household Employment Decisions</li> <li>• Studies on Migrant Labour Recruitment in Asia</li> </ul> <p>Studies on social security coverage of migrant workers</p> <ul style="list-style-type: none"> <li>• Social Security Agreements in ASEAN Member Countries ~ a feasibility study</li> <li>• Feasibility Study on Electronic Money Remittance to Extend Social Security and National Health Insurance Coverage for Migrant Workers – the Philippines</li> <li>• Review of social security coverage of migrant workers in Thailand</li> </ul> <p>The Project also contributed to systematize collection of data related to migration through introducing a special module into Thai labour force survey, and establishing Migration Information System in Asia (MISA) in collaboration with the Scalabrini Migration Center (SMC), Philippines.</p>
<p>SO 2: countries in Asia will have taken steps to follow the principles and guidelines for a regional framework on rights-based labour migration management, developed through multilateral dialogue, for governance of labour migration</p>	<p>Three Asian Sub-Regional Tripartite Dialogues on Labour Migration organized (?). One symposium for South East and East Asia was held, through which the importance and the necessity of rights-based labour migration management was discussed and supported. The symposium was concluded with recognition of the importance of 3 Cs: Coherent policy on labour migration, Capacity building and Cooperation among labour sending and receiving countries.</p> <p>Apart from the sub-regional dialogues, the CTA of the Project and his team provided technical assistance to the emerging issues on labour migration in several countries such as Indonesia, Viet Nam, Malaysia, China, Korea and Japan.</p>
<p>SO1: the capacity of labour administrators, social partners, other duty bearers, and civil society, including migrant women groups, will have been strengthened</p>	<p>The Project has been intensively engaged with trade unions in the region in promoting the rights of migrant workers. The latter often need some technical assistance in order to pursue initiatives and follow through on their commitments. Under the project's auspices technical inputs have been provided to facilitate exchange of information and experiences among trade unions in different countries and strategic connections between trade unions of labour sending countries and receiving countries. The Project has likewise been exploring possibilities to work with employers' organizations for pilot projects to protect rights of migrant workers. However, they have not been materialized as of now.</p>

It should be noted that the partnership between the project and UNIFEM which was articulated in the Project Document has suffered from the pending Letter of Agreement (LOA). Despite this, some joint activities were jointly carried out between ILO and UNIFEM e.g. ABAC poll in 2006 to assess the attitude of Thai public towards the migrant workers. The LOA was negotiated between the UNIFEM and the ILO for several months and it has unfortunately not been finalized up to May 2008.

Japan funded project

Thailand	<ul style="list-style-type: none"> <li>• Knowledge and consciousness gained on international guidelines and principles on effective management of labour migration among government officials, social partners and civil society. This has led the Ministry of Labour, Thailand to establish a Task Force on Migration and Trafficking Cooperation, and to the forming of the Migrant Working Group among civil society and a Trade Union network with partners unions in labour sending countries established</li> </ul>
Lao PDR	<ul style="list-style-type: none"> <li>• The signing of MoU between the project and the MOLSW and several seminars and workshops were organized to provide knowledge on labour migration issues and to raise the awareness and capacity of the officials concerned. This led to the MOLSW using its own resource to conduct a national workshop to discuss measures to streamline recruitment system and to protect the Lao workers deployed to Thailand. The workshop also outlined MOLSW strategy on labour migration management for 2008.</li> </ul>
Cambodia	<ul style="list-style-type: none"> <li>• The Ministry of Labour and Vocational Training issued a notification on the creation of a Labour Migration Task Force.</li> <li>• An Association of Recruitment Agencies has been approved by Ministry of Labour and Vocational Training. The Association will establish the code of conduct for recruitment agencies.</li> <li>• Trade Union has established a network with federations of trade unions in Thailand and Malaysia to address abuses and delay paying of wages to the Cambodian migrant workers.</li> <li>• Cambodia Union Federation (CUF) organized with its own resources 5 training sessions for its 276 members on awareness and protection of the migrant workers after its representatives participating in a workshop organized by the project</li> </ul>
Indonesia	<ul style="list-style-type: none"> <li>• A number (?) of ex-migrant workers are able to run retail cooperative in their community as well as micro-credit scheme among members of former migrants thanks to the project's support. However the cooperative has yet to be registered and the scope of the micro-credit programme is still rather limited.</li> </ul>
<p>Research/ studies</p> <ul style="list-style-type: none"> <li>• Numbers of research and publications has been produced and/or commissioned or in the process of being completed. They are used as tools to raise awareness of national stakeholders on the rights of the migrant workers e.g. the production and dissemination of the English version of the International Labour Standards on Migrant Workers' Rights: Guide for Policy makers and Practitioners in Asia and the Pacific (Thai, Laos and Khmer versions are also being produced) ; studies of migrant remittances and of review on migration policies and institution; a paralegal training guide on promoting migrant workers' rights. Translation of ILO Multilateral Framework on labour migration into Thai, Laos, and Khmer languages.</li> </ul>	

### 3. Purpose, Scope and Clients of the evaluation

**Purposes:** The evaluation is to consider the strategic contribution of the two projects to the overall regional and country priorities/ strategies to address migration. It will include consideration of whether the means of action have made contributions toward achieving the broader goals of the ILO programming initiatives, the Asia regional migration strategies, Plan of Action and the ILO Multilateral Framework on Labour Migration, country strategies, longer term capacity building, partnership and complementarity with other initiatives. The evaluation should also provide insight on the progress and achievements of the projects' immediate objectives. The evaluation will also identifying common threads and themes that, having cross-confirmation, take on greater significance and will provide feedback on commonalities in the design of the means of action, as well as innovative approach, good practices and lessons learnt.

**Scope:** The evaluation takes into account all interventions, geographical coverage, and the whole period of the two projects from the start up to the time of the evaluation. The scope of the evaluation will also take into consideration the scope of the following frameworks: -

- o Asian Regional strategies on labour migration
- o Asian Regional Plan of Action
- o The ILO Multilateral Framework on labour migration
- o ILO relevant DWCP priorities at regional and country level
- o Relevant country priorities and strategies to address migration

**Clients:** The principal clients for this evaluation are the project management, SRO-Bangkok, RO-Bangkok, Donors and ILO HQ technical unit.

#### **4. Key Evaluation Questions/Analytical Framework**

The evaluation should address the overall ILO evaluation criteria such as **relevance and strategic fit of the project, validity of project design, project progress** and **effectiveness, efficiency** of resource use, effectiveness of management arrangement and **impact orientation** and **sustainability** as defined in the *ILO Guidelines for Planning and Managing Project Evaluations 2006*.

Key evaluation questions should take into consideration the following aspects:

- Promoting of the ILO multi-lateral framework on labour migration
- Strengthening Capacity of the tripartite partners
- Promoting of dialogues and collaboration among countries
- Inter-agency relation (particularly with UNIFEM) and collaboration, problems and lessons learnt
- Complementarities with other initiatives

The evaluation shall adhere to the UN Evaluation Norms and Standards and OECD/DAC quality standards.

The list of suggested questions below indicates that they should be taken into consideration when developing the evaluation methodology to ensure all seven areas are adequately covered in the evaluation report. The evaluator should make conclusions, recommendations, and identify lessons learnt and good practices based on the below specific questions. Any other information and questions that the evaluator may wish to address may be included as the evaluator see fit. Suggested specific questions to be addressed include: -

##### **A. Relevance and Strategic fit**

- How have these means of action contributed/ or had any added value to the larger initiatives?
- Do these means of action address a relevant need and decent work deficit of the countries? Was a need analysis carried out at the beginning of the projects reflecting the various needs of different countries and stakeholders? Are these needs still relevant? Have new, more relevant needs emerged that the projects should address?
- Have the stakeholders taken ownership of the concept and approach since the design phase?
- How do the means of action align with and support relevant national development plans and national plan of action on decent work (NPADW), national action plan on relevant issues e.g. on migration, anti-trafficking etc. as well as programmes and priorities of the social partners?
- How do the means of action align with and promote the ILO's Asian Regional Strategy on Labour Migration, Asian Regional Plan of Action, and the ILO Multilateral Framework on labour migration?
- How do the means of action support the DWCP of the target countries and complement and fit with other ILO projects and programmes in the countries of interventions and in the region?
- How well do the means of action complement and link to activities of other UN agencies (particularly UNIFEM) and other donors at local and regional level? (at the local level -making reference to UNDAF and donor consultative groups where applicable; at the regional level – making reference to relevant regional UN working groups).

##### **B. Validity of design**

- What was the baseline condition at the beginning of the means of action? How was it established? Was a gender analysis carried out?

- Are the planned immediate objectives relevant and realistic to the situation on the ground? Do they need to be adapted to specific conditions? Or have they been adapted to respond to the changing situations, if any?
- To what extent the design of the means of action is sound in addressing the ILO and country's needs?
- Is the intervention logic of the means of action coherent and realistic?
  - Do outputs causally link to the intended outcomes (immediate objectives) that link to broader impact (development objective)? How plausible are the underlying causal hypotheses?
  - What are the main strategic components of the means of action? How do they contribute and logically link to the planned objectives? How well do they link to each other?
  - Who are the partners of the means of action? How strategic are partners ("change agents") in terms of mandate, influence, capacities and commitment?
  - What are the core elements of the main means of action? Are they appropriate and effective to achieve the planned objectives?
  - On which risks and assumptions were those means of action built upon? How crucial are they for the success of the interventions? How realistic is it that they do or do not take place?
- How appropriate and useful are the indicators described in the project documents in assessing the progress of relevant means of action? Are the targeted indicator values realistic and can they be tracked? If necessary, how should they be modified to be more useful? Are indicators gender-sensitive? Are the means of verification for the indicators appropriate?

### **C. Project progress and effectiveness**

- Is sufficient progress towards the planned objectives being made? Will the planned objectives likely to achieve upon completion?
- Have the quantity and quality of the outputs produced so far been satisfactory? Do the benefits accrue equally to men and women?
- Are the partners using the outputs produced? Have the outputs been transformed by the partners into the expected outcome (immediate objectives)?
- How do the outputs and outcomes contribute to the ILO Asian Regional strategy on labour migration and the ILO multilateral framework on labour migration?
- How have stakeholders been involved in the implementation? How effective has been in term of establishing national ownership? Is the management and implementation participatory and is the participation contributing towards achievement of the objectives?
- Have the means of action been appropriately responsive to the needs of the national constituents and changing partners' priorities?
- Have the means of action been appropriately responsive to political, legal, economic and institutional etc. changes in the project environment?
- Has the approach produced demonstrated successes?
- In which areas (geographical, sectoral, issue) do the interventions have the greatest achievements? Why is this? and what have been the supporting factors? How can ILO build on or expand these achievements?
- In which areas seem to have the least achievements? What have been the constraining factors and why? How can they be overcome?
- What, if any, alternative strategies would have been more effective in achieving the planned objectives?

### **D. Efficiency of resource use**

- Have resources (funds, human resources, time, expertise etc.) been allocated strategically to achieve outcomes?
- Have resources been used efficiently? Have activities supporting the strategy been cost-effective? In general, do the results achieved justify the costs? Could the same results be attained with fewer resources?
- Have the funds and activities been delivered in a timely manner?

### **E. Effectiveness of management arrangement**

- Are management capacities adequate? To what extent it is linked to DWCP capacity set up, is there coherence, integration of migration cross other initiatives?
- Does the governance structure facilitate good results and efficient delivery? Is there a clear understanding of roles and responsibility by all parties involved particularly key stakeholders (e.g. UNIFEM, Ministry of Labour and social partners) and the internal ILO stakeholders (MIGRANT at ILO HQ, Regional Office -Bangkok (ROAP), relevant SROs, relevant COs, and the project managements)?

- Do the overall interventions receive adequate political, technical and administrative support from its national partners?
- If there is a national project steering or advisory committee, do the members have a good grasp of the strategy? How do they contribute to the success of the interventions?
- How effective is communication between project team, the Country Offices, the Regional Office, SROs, MIGRANT at ILO HQ as responsible technical department, CODEV and the donor? How effective is communication between the project team and the national implementing partners?
- Do the projects receive adequate administrative and political support from the RO, SRO, ILO Country Offices, field specialists and MIGRANT at HQ?
- How effectively do the management of the two projects monitor project performance and results?
  - Is a monitoring system in place and how effective is it?
  - Have appropriate means of verification for tracking progress, performance and achievement of indicator values been defined?
  - Is relevant information and data systematically being collected and collated? Is data disaggregated by sex (and by other relevant characteristics if relevant)?
  - Is information being regularly analysed to feed into management decisions?
- Has cooperation between the two projects and other relevant projects been efficient?
- Has relevant gender expertise been sought? Have available gender mainstreaming tools been adapted and utilized?
- Has the projects made strategic use of coordination and collaboration with other ILO projects and with other donors in the countries/ region to increase its effectiveness and impact?

#### **F. Impact and Sustainability**

- Can observed changes towards improved labour migration management (in attitudes, capacities, institutions, laws, policies, procedures etc.) be causally linked to the project's interventions?
- In how far are these means of action on migration making a significant contribution to broader and longer-term development impact (protection for migrant workers?). Or how likely is it that it will eventually make one? Is the intervention's strategy and project management steering towards impact?
- What are the realistic long-term effects of the means of action on the decent work condition of the people?
- Can the means of action be scaled up and if so, to what extent the planned objectives and strategies have to be adjusted?
- How effective and realistic is the existing strategy? Are the means of actions gradually being handed over to the national partners? Once the external funding ends will national institutions and implementing partners be likely to continue the relevant means of action or carry forwards its results?
- Are national partners willing and committed to continue with the certain means of action? How effectively have those interventions build national ownership?
- How effectively has the ILO interventions built the necessary capacity of people and institutions (of national partners and implementing partners)?
- Are the results, achievements and benefits likely to be durable? Are results anchored in national institutions and can the partners maintain them financially at end of project?
- Can the approach or results be replicated or scaled up by national partners or other actors? Is this likely to happen? What would support their replication and scaling up?
- Can any unintended or unexpected positive or negative effects be observed as a consequence of the interventions? If so, how has the strategy been adjusted? Have positive effects been integrated into the strategy? Has the strategy been adjusted to minimize negative effects?
- Should there be some sort of a continued means of action on migration to consolidate achievements?
- How will ILO field specialists and other ILO initiatives continue to support the work and the ILO partners to ensure sustainability,
- What handover opportunities can be found, possibly being picked up by other project or ILO staff?.

<b>5. Main Outputs of the Evaluation</b>
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The main outputs of the evaluation are: -

- Evaluation instrument (a note) as well as any other questions to be addressed through follow-up individual interviews and consultations.
- Facilitation of the stakeholder evaluation workshop
- First Draft of evaluation report
- Second and final draft of evaluation report based on stakeholders inputs
- Evaluation summary (according to ILO template)

Evaluation report should contain the following contents: -

- Cover page with key project data (project title, project number, donor, project start and completion dates, budget, technical area, managing ILO unit, geographical coverage); and evaluation data (type of evaluation, managing ILO unit, start and completion dates of the evaluation mission, name(s) of evaluator(s), date of submission of evaluation report).
- Abstract
- Brief background on the project and its logic
- Purpose, scope and clients of evaluation
- Methodology
- Review of implementation
- Presentation of findings
- Conclusions
- Recommendations (including to whom they are addressed)
- Lessons Learnt
- Possible future directions
- Annexes

Lessons learnt across both projects should focus and encompass the follow areas: -

- The contributions to the DWCP
- Effectiveness of management arrangement
- National ownership and capacity building for national partners
- Promoting of dialogues and collaboration among countries
- Inter-agency relation (particularly with UNIFEM) and collaboration

<b>7. Methodology</b>
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The following is the suggested methodology. The methodology can be adjusted by the evaluator if considered necessary for the review/evaluation process and in accordance with the scope and purpose of the evaluation. This should be done in consultation with the evaluation manager.

- Review of documentations;
- Series of interview with stakeholders
  - internal ILO staff e.g. project staff, RO Bangkok management, ILO -Japan Multi-bi programme CTA, and other relevant staff and specialists of SROs, staff and Directors of ILO in selected country visited, ILO MIGRANT,
  - ILO constituents, and other partners including UN agencies e.g. UNIFEM both at regional and national level
  - direct recipients and beneficiaries of the projects at the country level;

Suggested key stakeholders

	Government	Workers	Employers	ILO staff	Other UNs, WB, ASEAN	Beneficiaries	NGOs	Methods
Thailand	X	X	X	X	X	X	X	Visit and meet
Indonesia	X	X	X	X	X	X	X	Visit and meet
Cambodia	X	X	X	X	X			Visit and meet
Nepal	X	X	X		X		X	Visit and meet
Korea	X	X	X					Visit and meet
Lao PDR	X	X	X					Email

								questionnaires
Vietnam	X	X	X	X				Email questionnaires / phone interview
Malaysia	X	X	X					Email questionnaires / phone interview
Philippines	X	X	X	X				Email questionnaires / interview
India	X	X	X	X				Email questionnaires / interview
Bangladesh	X	X	X	X				Email questionnaires / phone interview
Geneva (MIGRANT)				X				Phone interview

- Email questionnaires to key stakeholders in target countries where it is not possible to visit due to time and budget constraints
- Filed visits to selected countries to Thailand, Indonesia, Korea, Cambodia, Nepal to meet and interview with key stakeholders. Since it is not possible to visit all countries due to time and budget constraints, certain criteria is used to select the countries to be visited by the evaluator.
  - Thailand is selected because it is a location of the both project offices and of ILO Regional Office. Both projects have it activities on the ground and Thailand is also a recipient country of migrant workers particularly from Myanmar.
  - Korea is selected representing a recipient country and government of Korea gives high priority to labour migration management issue.
  - Cambodia and Indonesia are both source countries and ILO has activities on the ground particularly in Indonesia.
  - Nepal is selected as it represented a country in South Asia sub-region that is covered under the EU migration project. Migration issue is also important for Nepal as remittances from migrant workers are substantive to Nepal's economy.
- Preliminary findings workshop/ debriefing to ILO management

**Source of Information:** Sources of information and documentation that can be identified at this point:

- Project documents
- All progress reports
- ILO multilateral framework
- ILO Asian Regional Migration Framework
- ILO Asian Regional Plan of Action
- All other key relevant publications and research

The evaluator will have access to all relevant materials. To the extent possible, key documentations will be sent to the evaluator in advance.

## 8. Management Arrangements, Work Plan and Time Frame

**Management arrangements:** Evaluation Manager is responsible for the overall coordination, management and ensure follow up of this evaluation. The manager of this evaluation is Ms. Pamornrat Pringsulaka, Evaluation Officer of ROAP whom the evaluator reports to. EVAL will provides support to the evaluation process and does quality control of the process and of the report.

**Evaluator's tasks:** The evaluation will be conducted by an external independent evaluator responsible for

conducting a participatory and inclusive evaluation process. The external evaluator will deliver the above evaluation outputs using a combination of methods mentioned above.

**Stakeholders' role:** All stakeholders particularly the project teams, SRO Bangkok, RO Bangkok, ILO country offices and ILO HQ will be consulted and will have opportunities to provide inputs to the TOR.

**The tasks of the Projects:** The project managements provide 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 to be interviewed including ILO SRO-Bangkok and RO management and backstopping officers, and ILO HQ, a list of key stakeholders to be interviewed in selected countries including the donor,
- 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;

**A work plan and timeframe:**

Task	Responsible person	Time frame
Getting initial inputs from all key stakeholders for Inputs to the TOR preparation	Evaluation Manager	March/April 2008
Preparation of the TOR	Evaluation Manager	May 2008
Sharing the TOR with all concerned for comments/inputs	Evaluation Manager	June 2008
Finalization of the TOR	Evaluation Manager	June 2008
Approval of the TOR	EVAL at ILO HQ	July 2008
Selection of consultant and finalisation	Evaluation Manager/ EVAL	July 2008
Draft mission itinerary of the evaluator and the list of key stakeholders to be interviewed and list of participants for the stakeholders workshop (if any)	Projects	By Aug 2008
Ex-col contract based on the TOR prepared/signed	Projects	Sep 2008
Arrange local transportation and stakeholders workshop venue	Projects	Sep 2008
Brief evaluators on ILO evaluation policy	Evaluation Manager	Oct 2008
Desk review of document by the evaluator	Evaluator	4 days (working days)
Field visits (5 countries) Thailand, Korea, Cambodia, Indonesia, Nepal	Evaluator	17 days (working days) – during the period of Oct 6-28.
Drafting of evaluation report and submitting it to the EM	Evaluator	6 days (working days) Submission of the first draft by 14 Nov 2008
Sharing the draft report to all concerned for comments	Evaluation Manager	2 weeks
Consolidated comments on the draft report, send to the evaluator	Evaluation Manager	1 week
Finalisation of the report	Evaluator	3 days (working days) Submission of the second draft by

Task	Responsible person	Time frame
		Dec. 19
Review of the final report	EVAL	1 week
Submission of the final report to EVAL	Evaluation Manager	

**Resources Required:** The following resources are required from the projects.

- Cost of hiring external evaluator
  - Fee for approx. 30 days of work
  - Travelling cost and DSA
- Cost of local transportation (to be arranged by the project)
- Cost of interpreter –as appropriate
- Cost of workshop as appropriate

Travel schedules, means of transport and communication subject to prior arrangement with ILO

## **Appendix 2: List of People contacted during the Evaluation Mission**

### **Direct Interviews**

#### **Cambodia**

##### **ILO**

##### **Sophorn Torn**

ILO National Coordinator for Cambodia

##### **Nuon Veasna**

National Project Coordinator

Workers Education Project

##### **John Rochotte**

CTA

Labour Dispute Resolution Project

#### **Government**

##### **Seng Sakda**

Director-General

Department of Labour

Ministry of Labour and Vocational Training

##### **Hou Vudthy**

Deputy Director-General

Department of Labour

Ministry of Labour and Vocational Training

#### **Workers' Organisations**

##### **Van Thol**

President

Cambodian Construction Workers Federation

##### **Vorn Pao**

President

Independent Federation of Informal Economy Associations

##### **Nai Vannak**

President

Cambodian Federation of Independent Trade Unions

#### **Employers' Organisations**

##### **Teh Sing**

Vice President

Cambodian Federation of Employers and Business Associations (CAMFEBA)

##### **An Bunhak**

President

Cambodian Association of Recruitment Agencies

#### **Others**

##### **Bruno Maltoni**

Project Coordinator

IOM

##### **Chan Sophal**

Senior Research Manager

Economy, Trade and Regional Cooperation Unit

CDRI

**Indonesia**

**ILO**

**A.Y. Bonasahat**

National Project Coordinator

Combating Forced Labour and Trafficking of Indonesian Migrant Workers

ILO Jakarta

**Janti Gunawan**

Local programme Coordinator

Job Opportunities for Youth (JOY)

Surabaya

**Lotte Kejser**

Chief Technical Advisor

Combating Forced Labour and Trafficking of Indonesian Migrant Workers

ILO Jakarta

**Kee Beom Kim**

Economist

ILO Jakarta

**Noor Muhamed**

Local project Coordinator (LPC)

ILO/Japan project

Surbaya

**Peter van Rooij**

Deputy Director

ILO Jakarta

**Government**

**Djaka Ritamtama**

Head

Provincial Ministry of Labour

Malang

**H. Setiadjit**

Vice Director

Provincial Ministry of Labour

Surabaya

**Bambay Sugeny**

Placement head

Provincial Ministry of Labour

Malang

**Rusdi Sutrisno**

Head of Placement

BP2TKI

East Java

**Teddy Waluyo**

Placement Officer

Provincial Ministry of Labour

Malang

**Widodo**

Protection Section Head

BP2TKI

**Workers' Organisations****M. Cholily**

Head  
SBMI  
Malang

**Bambang Sujono**

KSPI  
Jakarta

**M. Irfan**

KSBSI  
Jakarta

**Mohammad Satya**

KSPSI  
Jakarta

**Drs. Sjukur Sarto**

KSPSI  
Jakarta

**Sofyan**

KSPI  
Jakarta

**Bambang Sujono**

KSPI  
Jakarta

**Yatini Sulistyawan**

KSBSI  
Jakarta

**Employers' Organisations****Dijmanto**

Deputy Chairman  
APINDO

**Maxixe Mantofa**

Prima Duta Sejati Employment Co.  
Pasuruan Jawa Timur

**Parlindungan Purba**

APINDO  
Jakarta

**Nina Tursinah**

APINDO  
Jakarta

**Ida Widayani**

Head of Organization, Regional Empowerment and International relations  
APINDO  
Jakarta

**Others****Anik**

Cooperative member

Ngantang (Malang)

**Fifi A. Arif**

ASEAN Secretariat  
Jakarta

**Syaekani**

SYB Trainer

**Waniti**

Cooperative member  
Kasembon

**South Korea**

**ILO**

**Government**

**An, Kyung-duk**

Director  
Foreign Workforce Division  
Ministry of Labour

**Choi, Jai Myoung**

Director-General  
International Cooperation Bureau  
Human Resources Development Service of Korea (HRD)

**Na, Yeong-Don**

Director  
Social Enterprise Division  
Ministry of Labour  
(previously ILO-Korea partnership programme representative in ILO-RO, Bangkok)

**Park, Byeong Gi**

Deputy Director  
Foreign Workforce Division  
Ministry of Labour

**Workers' Organisations**

**Joung, Kyoung-Eun**

International Director  
Korean Confederation of Trade Unions (KCTU)

**Kim, Tae-Hyun**

Executive Director  
Policy Department  
KCTU

**Others**

**Delmer R. Cruz**

Labour Attaché  
Embassy of the Philippines

**Kilsang Yoo**

Korea University of Technology and Education  
& President  
Korea International Migration Association

**Park, Young-Bum**

Department of Economics

Hansung University

**Thailand**

**ILO**

**Manolo Abella**

CTA

ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration

ILO-RO for Asia and the Pacific

Bangkok

**Suradee Bhadrasiri**

Senior Programme Assistant

ILO-SRO for East Asia

Bangkok

**Rajkawin Leechanavanichpan**

Programme Officer

ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration

ILO-RO for Asia and the Pacific

Bangkok

**Thetis Mangahas**

CTA

Human Trafficking Project

ILO-RO for Asia and the Pacific

Bangkok

**Tim De Meyer**

Specialist on International Labour Standards and Labour Law

ILO-SRO for East Asia

Bangkok

**Wipusara Rugworakijkul**

Programme Officer

Regional Skills and Employability Programme for Asia and the Pacific (SKILLS-AP)

ILO-RO for Asia and the Pacific

Bangkok

**Bill Salter**

Director

ILO-SRO for East Asia

Bangkok

**Guy Thijs**

Deputy Director

ILO-RO for Asia and the Pacific

Bangkok

**Pracha Vasuprasat**

CTA

ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia

ILO-RO for Asia and the Pacific

Bangkok

**Government**

**Supat Gukun**

Director

Bureau of International Coordination

Ministry of Labour

Bangkok

**Metta Jirasaengmuangma**

Technical officer  
Labour Welfare Office  
Department of Employment  
Ministry of Labour  
Tak

**Nara Rattanakul**

Director  
Irregular Migrant Workers Division  
Office of Foreign Workers Administration  
Department of Employment  
Ministry of Labour  
Bangkok

**Pisom Suvanvanich**

Chief  
Labour Welfare Office  
Department of Employment  
Ministry of Labour  
Tak

**Workers' Organisations**

Tin Tun Aung  
Federation of Trade Unions of Burma (FTUB)  
Bangkok

**Pichit Prapanya**

National Congress of Thai Labour  
Bangkok

**Wasana Ratananun**

Thai Trade Union Congress  
Bangkok

**Ploenpit Srisiri**

State Enterprises Worker's Relations Confederation  
Bangkok

**Sema Suebtrakul**

Eastern Seaboard Trade Union  
Bangkok

**Ronnie M Than Lwin**

Administrative Executive  
Federation of Trade Unions of Burma (FTUB)  
Bangkok

**Various members** (who wish to remain anonymous)  
Joint Action Committee for Burmese Affairs (JACBA)  
Korin Youth Federation  
BLC  
Mae Sot

**Employers' Organisations**

**Chaoyuth Seneetantikul**

Chairman  
Tak Chapter  
Federation of Thai Industries (FTI)  
Tak

**Chaiwat Vithithamawong**

Secretary General  
Tak Chapter  
Federation of Thai Industries (FTI)  
Tak

**Others****Supang Chantavanich**

Director  
Asian Research Centre for Migration  
Institute of Asian Studies  
Chulalongkom University  
Bangkok

**Keiko Osaki**

Chief  
Population and Social Integration Section  
Social Development Division  
ESCAP  
Bangkok

**Masud H. Siddique**

Regional Programme Manager  
Regional Programme on Empowering Women Migrant Workers in Asia  
UNIFEM Asia-Pacific & Arab States  
Bangkok

**Saranuch Soithong**

Co-ordinator  
Labor Law Clinic  
HRDF  
Mae Sot

**Contacted by Telephone and/or e-mail questionnaire****Bangladesh****ILO****Ms. Panudda Boonpala**

Director  
ILO Dhaka Office

**Government****Mr. Md. Mansur Reza Choudhury**

Joint Secretary  
Ministry of Expatriates' Welfare & Overseas Employment

**Workers' Organisations****Mr. Roy Ramesh Chandra**

General secretary  
Jatiya Shramik League (JSL)

**Employers' Organisations****Mr. C.K. Hyder**

Secretary General  
Bangladesh Employers' Federation (BEF)

**India****ILO****Ms. Leyla Tegmo-Reddy**

Director , ILO Delhi , India

**Government**

**Ms. Sudha Pillai**

Secretary

Ministry of Labour and Employment Government of India

**Workers' Organisations**

**Mr. U. Purohit**

General Secretary

Hind Mazdoor Sabha (HMS)

**Employers' Organisations**

**Mr. B.P. Pant**

Secretary ( Coordination)

Council of Indian of Employers (CIE)

**Malaysia**

**Government**

Datin Junaidah Bt Kamaruddin

Secretary International Division

Ministry of Human Resources Malaysia

International Division

**Workers' Organisations**

G. Rajasekaran,

Secretary General,

Malaysian Trades Union Congress Wisma (MTUC)

**Employers' Organisations**

**Mr. Shamsuddin Barden**

Executive Director

Malaysian Employers' Federation (MEF)

**Nepal**

**ILO**

**Mr. Shengi Li**

Director

ILO Nepal

**Government**

**Mr. Shyam P. Mainali**

Secretary,

Ministry of Labour and Transport Management

**Workers' Organisations**

**Mr. Samar Thapa**

Member,

Migrant Desk GEFONT,

General Federation of Nepalese Trade Unions

**Employers' Organisations**

**Mr. Pradeep Jung Pandey**

Vice President and Chairman

Employers' Council Federation of Nepalese Chamber of Commerce and Industries (FNCCI)

**Others**

Mr. Ganesh Gurung

Sociologist

Nepal Institute of Development Studies (NIDS)

## **Philippines**

### **ILO**

**Ms. Linda Wirth**

Director

ILO Manila

### **Government**

**Ms Viveca C. Catalig**

Deputy Administrator

Philippine Overseas Employment Administration

### **Workers' Organisations**

**Mr. Alex Aguilla**

TUCP

### **Employers' Organisations**

**Mr. Rene Cristobal**

Vice President and Chairman of Corporate Social Responsibility

Employers Confederation of the Philippines (ECOP)

## **Switzerland**

### **ILO**

**Ibrahim Awad**

Director

International Migration Programme (MIGRANT)

ILO Geneva

## **Viet Nam**

### **ILO**

**Mr. Nguyen Hong Ha**

Program Officer

ILO Hanoi

### **Government**

**Mr. Dao Quang Vinh**

Deputy Director

International Cooperation Department

MOLISA

**Mr. Dao Cong Hai**

Deputy Director General

Department of Overseas Labour (DOLAB)

MOLISA

### **Workers' Organisations**

**Mr. Pham Thi Thanh Hong**

International Department

Vietnam General Confederation of Labour (VGCL)

### **Others**

**Dr. Dang Anh Phat**

Institute of Sociology

## Appendix 3: Major Activities and outputs of the two projects

### 1) ILO/UNIFEM/EC Asian Programme on the Governance of Labour Migration

#### *Immediate Objective 1<sup>35</sup>: Improving the Knowledge-Base*

**i) Policy Studies.** The project produced a series of **policy studies** on the various aspects of labour migration and its management published in both hard copy and pdf available from the project's website (<http://www.lobkk-migration.org>). Additional Background Papers were also produced for the Symposium on "Managing Labour Migration in East Asia: Policies and Outcomes" in May 2007 in Singapore and the project also commissioned 6 official background papers for the Global Forum on Migration and Development, October 2008.

**ii) Migration Statistics and Data Collection.** The Project contributed to systematize the collection of data related to migration through:

a. the introduction of a special module on labour migration (on the basis of the standard module prepared by MIGRANT) into Thai labour force survey, 2007; and,  
b. the establishment the Migration Information System in Asia (MISA) in collaboration with the Scalabrini Migration Center (SMC), Philippines. Thus far Scalabrini has collected statistical information and reports from 10 countries although the information is not yet publicly available. A technical workshop discussing the collected database is planned for November 2008 in Bangkok.

**iii) Website.** The project has established a website (<http://www.lobkk-migration.org>) with information on the project itself as well as giving access to a variety of resources on labour migration issues including the main ILO publications on labour migration

**iv) Survey of attitudes.** In 2006, in collaboration with UNIFEM, the project commissioned a survey of attitudes to migrant workers.

**v) Synthesis of Migration Laws and Practices in ASEAN countries.** The collection of labour migration laws in the ASEAN countries commenced in 2007 with the collaboration of Prof. Montalbhorn of Chulalongkorn University, also Vice –Chair of the Human Rights Centre of Ateneo de Manila University. The Centre, which has a related project to document migration laws in ASEAN, has agreed to coordinate with the ILO on areas where complementation of resources would generate greater understanding of how laws are effectively used to defend migrants' rights as may be found in examples of experience with jurisprudence.

#### *Immediate Objective 2: Policy*

##### **i) Sub-regional dialogues on managing labour migration**

A series of sub-regional dialogues have either been organised by the project or have been undertaken in collaboration with project staff, including:

- **ILO/SMU Symposium on Managing Labour Migration in East Asia, Singapore Management University, May 16-18, 2007.** The symposium brought together tripartite constituents from 11 countries in South East and East Asia to exchange information on recent migration policies and their outcomes and to discuss ways of better managing labour migration. The conclusions of the conference emphasised: a) the mutually beneficial potential of well-managed labour migration; b) the complexity and multidimensionality of the issue of labour migration management; c) the need for further policy related research on migration; d) the importance of

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<sup>35</sup> In the project document, the Immediate Objectives are defined as 'Specific Objectives' in line with the policies of the donor. Similarly, the project's Development Objective is referred to as the 'Overall Objective'.

governance capacity; e) that the costs of poor governance are substantial and are passed on to migrant workers; and, f) the need to promote the application of the ILO's MFLM.

#### **- Asian Regional Working Group on International Migration including Trafficking**

- **ASEAN Forum on Migrant Labour.** Under the project's auspices the ILO proposed to ASEAN the holding of a regular regional forum on migration as a platform for dialogue about shared concerns at technical levels. The idea was accepted by the ASEAN Senior Labour Officials Meeting (SLOM) at its May 2007 session. The Philippines subsequently offered to host the first forum, the ASEAN Forum on Migrant Labour, which was later held in Manila on 24-25 April 2008. It was attended by 25 high-level officials from the ten ASEAN countries, as well as representatives from the ILO, ASEAN, the IOM, Scalabrini Migration Center, and Migrant Forum Asia.

#### **- Asean Sub-regional Tripartite Dialogues on Labour Migration**

- **Regional Symposium on the Deployment of Workers Overseas: A Shared Responsibility, Dhaka, 15-16 July, 2008.** The Symposium was attended by more than 28 tripartite participants from 9 countries, as well as more than 40 others that included resource persons, observers, and ILO representatives. The nine countries that participated are Bangladesh, India, Nepal, Pakistan, Sri Lanka, Indonesia, Philippines, Malaysia, and Korea. The Symposium had five main themes: the ILO's MFLM and Contemporary Challenges in the Protection of Migrant Workers; Promoting Fair Recruitment Practices for Safe and Regular Migration; Promoting Safe Migration for Women; Migration Infrastructures and Effective Services to Migrant Workers; and Emerging Demand for Labour and Skills Training.

#### **ii) Support to National Migration Policy Development**

The CTA of the Project and his team have provided technical assistance on emerging issues on labour migration in several countries such as Indonesia, Viet Nam, Malaysia, China, Korea and Japan.

#### ***Immediate Objective 3: Capacity Building***

##### **i) Capacity Building of Trade Unions**

Activities under this heading include:

- **MTUC/ILO Follow-up Workshop on Migrant workers in Malaysia, 4-6 December 2007, Selangor, Malaysia.**
- **Training of Trainers Workshop for Thai Trade Union leaders on Protection and Promotion of the Rights of Migrant Workers, Maesod, Thailand, 20-23 Nov 2006 & Chonburi, Thailand, 24-26 March 2007**

##### **ii) Support to the Korean government**

In collaboration with the ILO/Korea partnership programme which also co-financed activities under this heading, the project has been involved in a series of activities aimed at improving the functioning of the Employment Permit System (EPS) for incoming migrant workers in operation in Korea since 2003. Activities under this heading have included:

- 1) a survey on migrant workers in Korea;
- 2) four national workshops on improvement of pre-departure training; and,
- 3) a fellowship program for the government officials of labour sending countries to Korea.

The Project is supporting the implementation of EPS and is helping the Korean government to establish a “model” system where the labour migration is organized by government to government with the rights of workers being fully protected.

**iii) Enhancing tripartism in migration policy (In collaboration with TICW, ILO/Japan project and ILO-SRO Bangkok)**

Activities under this heading include:

- a) Development and Finalization of the TU manual with the ILO Workers Specialist of the Sub-regional Office for East Asia (Bangkok).
- b) Asian Trade Union Training on Migration Workers Rights and Promotion of Social Protection , 20-24 August ,2007, Jakarta, Indonesia.
- c) KCTU International Conference on Migrants’ Rights 20-21 August, 2007 in Seoul
- d) ILO-NTUC Sub-regional Workshop for the Protection of Migrant Workers through Networking Trade Unions, 26-28 September, 2007, Kathmandu, Nepal.

*2) ILO/Japan Project on Managing Cross-border Movement of Labour in Southeast Asia*

The principle activities undertaken under this project are as follows:

**Cambodia**

**IO1: Knowledge base**

- Two studies, one on review of labour migration policies and regulatory framework, and the other on migrant workers’ remittances.

**IO2: Policy**

- Consultative Meeting on Review of Labour Migration Policies, Strategies, Management Institutions and Emigration Pressure in Cambodia

**IO3: Capacity building**

- Seminar on Organizing Recruitment Agencies, and Formulating Code of Practices;
- Workshop on Foreign Employment Administration in Cambodia;
- Training Workshop for Trade Union Leaders in Cambodia on Migrant Workers;
- Validation Workshop for Publication of International Labour Standards on Migrant Workers: Guide for Policy Makers and Practitioners
- Training Workshop on Labour Migration Policy and Management in Cambodia

**Indonesia**

**IO3: Capacity building**

- Training of trainers on pre-departure training for migrant workers;
- Training of trainers on paralegal assistance to protect the rights of migrant workers;
- Training of Trainers on Start Your Business for Migrant Workers;
- Training on Entrepreneurship for Migrant Workers;
- Training on the Rights of Migrant Workers;
- Refresher Training of Trainers on Start Your Business.

## **IO4: Remittances**

- pre-departure training for potential migrant workers
- Production skills training for returning migrants
- Start your Own Business training for returning migrants

## **Lao PDR**

### **IO1: Knowledge base**

- Study of migrant workers' remittances.

### **IO2: Policy**

- Seminar on Foreign Employment Administration for Lao Migrant Workers;
- Seminar on Situations and Management of Labour Migration in Champasack Province: the Way Forward

### **IO3: Capacity building**

- Seminar on Roles and Cooperation of Recruitment Agencies for Foreign Employment;
- Seminar on ILO Multilateral Framework on Labour Migration;
- Workshop for Trade Union Leaders on Protection of the Rights of Migrant Workers;
- Advisory services to strengthen domestic and foreign employment services
- National Training Workshop on Domestic and Foreign Employment Services

## **Thailand**

### **IO1: Knowledge base**

- Two studies, one on review of labour migration policy, institutions and immigration pressures, and the other on migrant remittances.

### **IO2: Policy**

- Consultative Meeting on Economic Contribution of Migrant Workers in Thailand;
- ILO/MOL National Policy Seminar on Foreign Workers Employment Act (2008) and its Implications toward Labour Migration Management in Thailand

### **IO3: Capacity building**

- Seminar on ILO's Multilateral Framework on Labour Migration;
- Seminar on ASEAN Declaration on Protection and Promotion of the Rights of Migrant Workers;
- Trade Union Training of Trainers Workshop;
- A Validation Workshop to review the guide developed for policy makers and practitioners on International Labour Standards on Migrant Workers' Rights;
- Paralegal training manual on promoting migrant workers' rights to equality before the law and access to justice.
- ILO/HRDF Training of Trainers Workshop for Paralegals on Promoting Migrant Workers' Rights and Access to Legal Justice

- Briefing on Migration Issues to Four Delegates from Lao Federation of Trade Unions (LFTU) on their study tour to Thailand on 29 May - 4 June 2008

**IO4: Remittances**

- Consultative Meeting on Migrant Workers' Remittances Channels

#### **Appendix 4: Policy Working Papers published by the ILO/EU/UNIFEM project**

1. *Underlying Factors in International Labour Migration in Asia: Population, Employment and Productivity Trends* – Gavin W. Jones, 2008
2. *Labour Shortage Responses in Japan, Korea, Singapore, Hong Kong, and Malaysia: A Review and Evaluation* – Geoffrey Ducanes and Manolo Abella, 2008
3. *Recent Labour Immigration Policies in the Oil-Rich Gulf: How Effective are They Likely to Be?* – Nasra M Shah, 2008
4. *Labour Migration from Viet Nam: Issues of Policy and Practice* – Dang Nguyen Anh, 2008.
5. *Overseas Filipino Workers and their Impact on Household Poverty* – Geoffrey Ducanes and Manolo Abella, 2008.
6. *The Admission of Foreign Labour and its Impact on the Labour Market in Taiwan, Province of China* – Joseph S. Lee, 2008.
7. *The Migration of Health Professionals* – Lawrence B. Dacuycuy, 2008.
8. *Overseas Filipino Workers and their Impact on Household Employment Decisions* – Geoffrey Ducanes and Manolo Abella, 2008.
9. *Admission of Foreign Workers as Trainees in Korea* – Young-bum Park, 2008.
10. *Strengthening Social Protection for ASEAN Migrant Workers through Social Security Agreements* – Edward Tamagno, 2008
11. *Feasibility Study of the Electronic Money Remittance to Extend Social Security Coverage for Migrant Workers: The Case of the Philippines* – Barbara Jo Domingo, 2008.
12. *Best Practices in Social Insurance for Migrant Workers: The Case of Sri Lanka* – Teresita del Rosario, 2008.
13. *Do International Migration Policies in Thailand Achieve their Objectives?* – Jerrold W. Huguet, 2008.
14. *Controlling irregular migration: the Malaysian experience* – Vijayakumari Kanapathy 2008.
15. *Rural-urban migration and policy responses in China: challenges and options* – Dewen Wang 2008.
16. *Inter-state cooperation on labour migration: lessons learned from MOUs between Thailand and neighbouring countries* – Pracha Vasuprasat.

## **Appendix 5: Reports & Publications produced by the ILO/Japan project**

1. *Promoting Migrant Workers Right to equality before the Law and Access to justice: Manual for Training of Paralegals*, by the Human Rights Development Foundation (in Thai & Burmese languages)
2. *Report on the Impact of Remittances of Cambodian Migrant Workers in Thailand on their Families in Cambodia*, by the Centre for Advanced Studies
3. *Review of Labour Migration Policies, Regulatory Framework, Management Institutions and Immigration Pressure in Thailand* by the Thailand Research Development Institute (in Thai language)
4. *Survey Report on Migrant Workers Remittances and their Impact on Local Economic Development* by the Microfinance Centre
5. *International Labour Standards on Migrant Workers' Rights: Guide for Policymakers and Practitioners in Asia and the Pacific*, by SRO Bangkok (in English and Thai languages)
6. *The Economic Contribution of Migrant Workers to Thailand: Towards Policy Development*, by Philip Martin (in English and Thai languages)
7. *Report on Labour Migration Management Institutions: Policies and Legal Framework in Cambodia*, by Cambodia Development Resource Institute
8. *To Where the Grass is Greener? A Report on Promoting Orderly Labour Migration from Laos to Thailand through the strengthening of Employment Services*, by D. J. Fraser.
9. *Migrant Workers' Remittances: Lao PDR, Cambodia and Myanmar*, by the Institute for Population and Social Research.
10. *A Synthesis report on Labour Migration policies, Management and Immigration Pressures*, by P. Rukumnuayit (in English and Thai languages).
11. *Booklet of ILO Conventions 97 and 143*, by ILO/Japan (in Thai language).
12. *Interstate Co-operation on Labour Migration: Lessons Learned from MOUs between Thailand and Neighbouring Countries*, by Pracha Vasuprasat.

## Appendix 6: Impact approximation matrix - no. of families benefiting from the ILO/Japan training activities and follow-up in East Java

Prepared by Noor Muhamed, LPC, ILO/Japan project, Surabaya

Activities & Output 2007-2008	Date	No. of Participants	Male	Female	# of estimated families impacted from trainees/participants	# of estimated trainers who extent the works/value added
<b>Activities and Output 2007</b>						
<b>1. Workshops 2007</b>						
Stakeholder Planning Workshop on Labour Migration at Hotel Hyatt Surabaya	12-Apr-07	30	17	13	150	
<b>2. SYB Entrepreneurship training 2007</b>		124	43	81	620	<ul style="list-style-type: none"> <li>- 10 pre-cooperatives established with average 30 members approximately 300 MW communities involved</li> <li>- 10 SYB trainers has used the SYB materials for the pre-cooperatives and utilized the module with government training and other social partners</li> <li>- Approximately 60 participants of step down SYB have established and improved the business</li> <li>- 10 SYB trainers and MW pre-cooperatives have also pioneered to address the issues of the productive use remittances to cover approximately 300 MW communities in grassroots level</li> <li>- The productive use of remittances already been a focus for economic empowerment of MW communities. By the intervention of project, approximately 1000 persons have benefited the productive use of remittances.</li> </ul>
<b>3. Training (Human Rights/ Migration management, Para-Legal, Pre-Departure) 2007</b>		487	189	298	2150	<ul style="list-style-type: none"> <li>- 10 newly established help desk after paralegal step down training</li> <li>- The SBMI representatives in district level has greatly acknowledged by local authorities, approximately 1000 persons have accessed the assistance of paralegal trainer including their</li> </ul>

						<ul style="list-style-type: none"> <li>migrant families</li> <li>- Approximately 1000 prospective MW and their families have better understanding on safe migration through pre-departure training</li> <li>- The recognition of international law and national/local law on protection of right of MW has been extensively acknowledged by government. Approximately 2000 persons has been touched with protection dimension of right of MW comprising MW activist, parliamentary persons, university students, lecturers, etc.</li> </ul>
<b>4. SEAFast CENTER Trainings and Activities 2008</b>		<b>246</b>	<b>47</b>	<b>166</b>	<b>1230</b>	<ul style="list-style-type: none"> <li>- Approximately 250 direct beneficiaries have improved their production skill and 1250 family members benefit the nutritious food and approximately 100 participants established tiny food business and automatically 100 persons create informal job</li> <li>- 250 beneficiaries benefited from local harvest with highly hygiene processing and contributed to green job initiatives</li> </ul>
<b>5. Condido Agro Malang</b>						-
Fertilizer Making Malang 1 location	29-Apr-08	15	6	9	75	<ul style="list-style-type: none"> <li>- 15 participants able to produce friendly environmental fertilizer</li> <li>- Approximately 200 persons benefited from the training to produce local fertilizers for local farmers</li> </ul>
<b>6. SBMI Contribution</b>						<ul style="list-style-type: none"> <li>- 500 communities and their families benefited from the training and has better understanding on safe migration channel</li> </ul>
Step down Pre-departure	8 - 9 March 2008	26	12	14	130	<ul style="list-style-type: none"> <li>- 500 communities and their families benefited from the training and has better understanding on safe migration channel</li> </ul>
Step down Pre-departure	29 - 30 March 2008	27	5	22	135	<ul style="list-style-type: none"> <li>- 500 communities and their families benefited from the training and has better understanding on safe migration channel</li> </ul>
Step down Pre-departure	14-15 April 2008	41	17	24	205	
<b>7. ILO Japan Project 2008</b>						
Workshop on Remittances Services and Micro Credit/Surabaya	18 Nov 2008	48	28	20	240	
Workshop Recruitment Practices	20 Nov 2008	99	89	10	495	

and Employment Service/Surabaya						
Workshop Training Protection, gaps, and challenges MW/Surabaya	24 – 26 Nov 2008	24	18	6	120	
Training Cooperative formation and management for MW/Surabaya	22 – 23 Dec 2008	27	13	14	135	
Total Con Agro, SBMI, ILO Japan		<b>307</b>	<b>188</b>	<b>119</b>	<b>1535</b>	
		<b>Participants/trainees/trainers</b>	<b>Male</b>	<b>Female</b>	<b># estimated families impacted from the project</b>	
Workshop 2007		<b>30</b>	<b>17</b>	<b>13</b>	<b>150</b>	
SYB/LED component		<b>124</b>	<b>43</b>	<b>81</b>	<b>620</b>	
Total Paralegal-Predeparture 2007		<b>487</b>	<b>189</b>	<b>298</b>	<b>2150</b>	
Total Seafast Center 2008		<b>213</b>	<b>47</b>	<b>166</b>	<b>1230</b>	
Total Con Agro, SBMI, ILO Japan Project 2008		<b>307</b>	<b>188</b>	<b>119</b>	<b>1535</b>	
		<b>1161</b>	<b>484</b>	<b>677</b>	<b>5805</b>	

## **Appendix 7: Simple E-mail Questionnaires sent to stakeholders in countries where the evaluator did not visit**

### **ILO**

- 1) Are issues related to migrant workers included in the DWCP for the country?
- 2) What involvement has the national office had in the ILO/EU project on Governance of Labour Migration?
- 3) Which activities have been undertaken in the country related to the project?
- 4) What have been the outcomes of the activities?
- 5) Have there been any measurable impacts of the project activities on the situation of migrant workers (either directly or indirectly)?
- 6) Do you have any comments on the activities undertaken by the project?
- 7) Do you have any suggestions for future ILO work in this field?

### **Nat. govt.s**

- 1) Are issues related to migrant workers amongst the national priorities for your country? Are they included in any national development plans and/or strategies?
- 2) What involvements have you or your Ministry had in activities organized by the ILO/EU project on the Governance of Labour Migration?
- 3) What have been the outcomes of these activities?
- 4) Have there been any measurable impacts of the project activities on the situation of migrant workers (either directly or indirectly)?
- 5) Do you have any comments on the activities undertaken by the project?
- 6) Do you have any suggestions for future ILO support in the field of migrant workers?

### **Nat. employers**

- 1) Are issues related to migrant workers amongst the priorities for your organisation? (*If yes, please elaborate on which aspects or issues are important*)
- 2) What involvements have you or your organisation had in activities organized by the ILO/EU project on the Governance of Labour Migration?
- 3) What have been the outcomes of these activities?
- 4) Have there been any measurable impacts of the project activities your members?
- 5) Do you have any comments on the activities undertaken by the project?
- 6) Do you have any suggestions for future ILO support in the field of migrant workers?

### **Nat TUs**

- 1) Are issues related to migrant workers amongst the priorities for your organisation? (*If yes, please elaborate on which aspects or issues are important*)
- 2) What involvements have you or your organisation had in activities organized by the ILO/EU project on the Governance of Labour Migration?
- 3) What have been the outcomes of these activities?
- 4) Have there been any measurable impacts of the project activities on the situation of migrant workers (either directly or indirectly)?
- 5) Do you have any comments on the activities undertaken by the project?
- 6) Do you have any suggestions for future ILO support in the field of migrant workers?