



# Evaluation Summary



International  
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Office

## *Independent Cluster Evaluation of the ILO's Operations to Support Decent Work in Guatemala, 2018-2019*

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

### Quick Facts

<b>Countries:</b>	<i>Guatemala</i>
<b>Evaluation date:</b>	<i>January-April 2020</i>
<b>Evaluation type and timing:</b>	<i>Independent Cluster Evaluation</i>
<b>Administrative Office:</b>	<i>DWT/CO-San Jose</i>
<b>Technical Office:</b>	<i>LABADMIN/OSH; WORKQUALITY; GED; EMPLAB; NORMES</i>
<b>Evaluation Manager:</b>	<i>Patricia Vidal and Cybele Burga</i>
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<b>Project Code:</b>	<i>GTM/18/01/USA; GTM/18/51/SWE; GTM/19/50/UNA; GTM/18/52/SWE; GTM/16/03/RBS; RLA/17/50/EUR Guatemala Component)</i>
<b>Donor(s) &amp; Budget:</b>	<i>USA, SWEDEN, European Union, United Nations, Core voluntary funds (RBSA)</i>

### Background & Context

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

During 2018-2019 biennium, the International Labour Organization (ILO) interventions were reflected in different Country Programme Outcomes (CPO). To

achieve the outcomes of these CPO, the ILO implemented various projects. The majority of these projects were expected to be completed during the first semester of 2020.

#### Purpose, scope and clients of the evaluation

The ILO's Evaluation office undertook an independent cluster evaluation of the ILO's work in Guatemala. The evaluation covers the 2018-2019 period and the first three months of 2020. The evaluation was undertaken between January and April 2020 and included a field mission to Guatemala from March 2-11. The clients for the evaluation are: the ILO constituents in Guatemala, tripartite members of the national consultative committees, and other strategic organizations; project personnel, the ILO country office, the regional office and personnel in the field and headquarters; and the donors.

#### Methodology of the evaluation

The evaluation examined the ILO intervention based on criteria established by the OECD/CAD: a) relevance, b) validity and coherence c) effectiveness d) efficiency (e) effectiveness of management and f) likelihood of impact and sustainability. At the same time, the evaluation integrates the ILO's crosscutting issues: International Labour Standards (ILS), social dialogue, gender equality, and non-discrimination. The evaluation applied a Theory of Changes (ToC) focus; employed techniques for collecting data to guarantee the validity and rigour of the findings. It employed a participative focus that involved key,

interested parties like the tripartite constituents, ILO personnel and strategic partners.

The evaluators conducted in-depth interviews with ILO functionaries, and representatives of the constituents and the United Nations (UN), academics and donors. The evaluation also carried out three group discussions, with employers' organizations, with worker organizations and one with representatives from the Ministry of Labour and Social Assistance (MINTRAB). The evaluation consulted with 59 key stakeholders selected based on the extent of their participation in the ILO interventions in the different thematic areas. The evaluation also reviewed and analysed secondary sources of information related to the design and execution of the broader ILO interventions in Guatemala.

One limitation faced by the evaluation was the lack of an explicit ToC for the ILO's comprehensive intervention in Guatemala. However, the evaluation reconstructed it at inception phase. Another limitation is that projects did not incorporate instruments to measure the increase in knowledge and improve performance, which prevents having a more objective evidence on the effectiveness and impact of interventions.

## Main findings & Conclusions

### Findings and conclusions about effectiveness and likelihood of Impact and Sustainability

The ILO has contributed to increasing the knowledge of representatives of the employers and worker organizations, and indigenous groups on the International Labour Standards ILO Conventions 87, 98 and 169; as well as the Decree 07-2017 and Occupational Safety and Health (OSH), among others. In some cases, this generated a change in performance and attitudes among some officials at MINTRAB and to an institutional strengthening of the General Labour Inspection Office (IGT) and Domestic Workers' Union (SITRADOMSA).

The ILO contributed to creating norms, policies, plans and instruments on Convention 169, inspections, employment, labour migration and child labour. The

ILO is regarded for its role in the following areas: advising; disseminating best practices; facilitating the involvement of key actors; providing training, guidebooks, manuals; organizing and participating in planning meetings; consolidating progress; preparing drafts proposals; and socializing and validating them.

With regard to the first outcome of the ToC ("Improved State Capacity to ratify and apply ILS and fulfil reporting obligations"), the increased knowledge among MINTRAB officials on their obligations to report the measures adopted to apply the ratified conventions is reflected in the ILO reports. These are being delivered on time and with adequate information. A model for identifying risk for child labour is being developed, as well as proposals for a consultation and participation mechanism of indigenous communities; the creation of a Vice Minister of Indigenous Affairs and a Directorship of Indigenous Communities; and a policy for Indigenous Communities and Interculturality.

With regard to the second outcome ("A modernized and strengthened system for labour inspection") there is greater knowledge among inspectors about the new procedures established in Decree 07-2017 and on OSH. They are more aware of their responsibility to ensure compliance with OSH obligations. The IGT has also become a stronger institution due to its improved capacity to sanction and collect fines. It has adopted measures for planning and managing the sanctioning procedures. It also has strategic plans for sectoral compliance and the standardization of technical criteria for inspection procedures and to include them in their protocol. However, there is not yet evidence that this progress is resulting in more effective inspections or improvements in the quality of the inspectors' reports.

When it comes to the third outcome ("Policies implemented to generate employment and productive development, principally for youth") implementation plans have been created for all priority areas of the National Plan for Decent Work (NPDW) 2017 – 2032. The participatory form in which this took place allowed MINTRAB officials to become more aware of the role that they can play in the promotion and generation of

employment and of the importance of cooperation among ministries for a more effective NPDW.

Regarding the fourth outcome, (“Improved capacities of the government, employers and worker organizations to protect the labour rights of domestic workers”), for the very first time, the government actively participated in awareness campaigns on the rights of domestic workers. The campaign is well regarded by the constituents, but there is not yet evidence that it has had an impact yet. Notwithstanding, SITRADOMSA has a higher profile among authorities, other organizations, and the media, and its membership has increased.

All of the proposed norms, policies, and instruments for Convention 169, inspections, employment, and child labour are pending approval in Congress or other public institutions. It is of utmost importance that this process is completed so that all efforts can result in: the effective application of Convention 169; more efficient inspections; the implementation of actions to promote decent work; strategies to prevent and eradicate child labour; and practices for the safe and fair recruiting of migrant workers. This will contribute to reducing gaps in decent work and the effective application of the fundamental principles and rights at work.

The proposals for norms, policies and plans have been created in tripartite social dialogue spaces. At the same time, the parties met periodically on the implementation of the roadmap through the National Tripartite Committee on Labour Relations and Freedom of Association (CNTRLLS). However, for these dialogue spaces to contribute to the sustainability of the outcomes of the ILO intervention, there needs to be an improvement in terms of the quantity and quality of the agreements; their connection to improving labour relations between employers and workers; the degree of compliance with the agreements; their positioning at a local regional and national level; and their financial sustainability.

Gender focus in the ILO intervention has varied from project to project. In one project, the beneficiary population was exclusively female. Another project included activities to promote women’s participation in

decision-making spaces. The vast majority of actions included training on equal conditions for work and legislation on discrimination, and women were specifically encouraged to participate in trainings. However, these have not yet generated significant results related to increased equality and non-discrimination.

With regard to employers’ organizations, the Chamber of Agriculture (CAMAGRO) has included the ILO’s general principles and guidelines for fair recruitment in its policy on human rights in the agriculture sector. It has updated its strategy for the private sector for the prevention and eradication of child labour. Meanwhile, the maquila sector has created a policy on harassment and discrimination in the workplace. These policies need to be adapted and implemented at company level and replicated in other economic sectors. This way they will be able to help reduce gaps in decent work and contribute to the effective application of the fundamental principles and rights at work.

Unions have participated actively in the development of proposals to reform the Labour Code with regard to freedom of association and to implement the roadmap. They have also participated in writing reports to address the observations to Committee of Experts on the Application of Conventions and Recommendation (CEACR) on Convention 169. They have a variety of spaces among different unions to work on migration, consultation, and employment. But this work has not yet translated into stronger institutions according to interviewed constituents.

### **Findings and conclusions about efficiency and effectiveness of the management structure**

There have been linkages between ILO projects, and between the ILO and other international cooperation agencies, but whether these linkages have always contributed to specific progress remains to be proved. Opportunities for the ILO to generate a more strategic and effective link with other institutions are the current United Nations reform process, the presence in Guatemala of different cooperation agencies working on the same issues as the ILO, and the participation of the ILO in regional or global spaces.

The coordinators of the ILO projects in Guatemala have met periodically and also with the officials of the ILO Country Office for Central America, Panama, Haiti and the Dominican Republic to share progress, challenges and lessons learned in the implementation of projects. While it is true that each project has elaborated technical progress reports and has monitoring and evaluation plans, there has not been any systematic follow-up on the ILO's comprehensive intervention in Guatemala. As a result, the ILO is missing important data to generate and systematize knowledge that could be used to inform the design of future interventions.

The constituents practically didn't participate in the design of the ILO projects but they—principally employers' organizations and the government—did have an active participation in their implementation and are satisfied with the ILO's overall work. This positive views were supplemented by the following observations: (a) the ILO is the only specialized agency on employment, Convention 169, ILS and labour migration; (b) the quality of the training ILO provides; (c) sharing experiences and good practices from other countries in the region; (d) its tripartite nature, which leads to promoting social dialogue; and (e) its strategies aim at increasing individual capacities, strengthening institutions, and/or developing policies, ratifying conventions and/or modifying regulations. conventions and modifying norms.

### Recommendations, lessons learned and good practices

#### Main recommendations and follow-up

1. Present proposals for plans, policies and norms developed during the previous biennium to the members of the new administration. Carry out political advocacy actions, with high decision-making authorities from the Ministries involved and from the Congress, aiming at achieving the approval of the proposals.
2. Adopt and implement a policy of respect for human rights in the agricultural sector and against harassment and discrimination in the workplace for the maquila sector, enterprises and replicate in other sectors.

3. Develop a comprehensive plan for the future ILO intervention in Guatemala with a ToC that makes explicit the relationship between the various projects, the indicators and instruments to measure progress in strengthening knowledge, changes in performance, and strengthening of social dialogue spaces.
4. During the intervention design stage, incorporate a policy advocacy strategy that improves the chances of approval of any plans, policies or norms developed by the intervention.
5. When defining the scope of future interventions in Guatemala, the ILO should take into account the priorities of constituents and project coordinators identified in the areas of inspection, job creation, domestic work, child labour and labour migration.
6. Starting at the design phase, incorporate a gender and a non-discrimination focus to raise awareness about the importance of unpaid domestic work and to produce a policy on domestic care work. Develop specific actions in the areas of inspections and employment.
7. Establish strategic connections with international cooperation agencies to work on issues where there is a shared interest and that make ILO interventions more effective and efficient.
8. Institutionalise within the ILO the procedures and mechanisms for systematic monitoring of the overall ILO intervention in the country to measure results and contributions to the work of the UN and to the Sustainable Development Goals (SDG).

#### Main lessons learned and good practices

##### Lessons learned

1. The following are critical factors for the effectiveness of social dialogue: (a) there is continuous political will and commitment of all parties; (b) constituents have the capacity and relevant information to discuss the issues on the agenda; (c) progress is made in establishing and fulfilling agreements and (d) whoever presides over the dialogue space exhibits efficient management both in administrative and technical terms.

2. The projects that seek to increase knowledge and improve performance of public officials and representatives of employers and worker organizations must include in their design mechanisms and instruments to measure the magnitude of the increase in knowledge and improvements in performance.
3. Projects that have among their outcomes the creation of plans, policies or norms should complement their technical strategies with strategies for advocacy so that they will be approved.

### **Good practices**

1. In GTM 1852 SWE the ILO prioritised finding a consensus among the technical teams from various sectors. It did this to generate greater institutionalization of the process of developing implementation plans for the priority actions of the NPDW. It chose to invite EUROSOCIAL and the European Union (EU) to ensure greater support from the international community, and also accompanied MINTRAB to the tripartite meetings to socialise and validate the Interinstitutional Technical Roundtable (MTI).
2. To increase knowledge among officials from government institutions, representatives of employers and worker organizations and indigenous communities, in GTM 1603 RBS the ILO held discussion sessions and seminars where it presented lessons learned and experiences from other LAC countries that had made more progress on the application of Convention 169. With project GTM 1852 SWE, the ILO took advantage of the spaces used for the development of implementation plans for the NPDW.
3. The ILO actively participate in the development of the UN Framework for Sustainable Development 2020 – 2024. It mostly carried out consultations among constituents, something novel for the process considering that during the development of prior UNDAFs only civil society was consulted. This more active participation contributed to incorporating in the framework of cooperation priority issues for the ILO and increased feeling among constituents that they were part of the UN system and not just the ILO.