



ILO EVALUATION

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- ILO TC/SYMBOL: **MMR/13/12/EEC**
- Type of Evaluation : **Final, independent, project evaluation**
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- Evaluation Manager: **Alexa Hough**
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This evaluation has been conducted according to ILO's evaluation policies and procedures. It has not been professionally edited, but has undergone quality control by the ILO Evaluation Office



International
Labour
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Geneva

DRAFT FINAL REPORT

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| ILO Project Code: | MMR/13/12/EEC |
| ILO Project Title: | Promoting Fundamental Principles and Rights at Work as Tools for Peace in Myanmar |
| ILO Administrative Unit: | ILO Liaison Office in Myanmar |
| Project Duration: | 24 months |
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| Evaluation Manager: | Alexa Hough |
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1 ACKNOWLEDGEMENTS

The evaluators would like to thank the involved ILO officials and the stakeholders who kindly agreed to be interviewed and with whom discussions were held during the evaluation process.

Special acknowledge to the ILO force labour team in Yangon and to all the personnel who supported the field mission in Mawlamyine for their outstanding cooperation.

Our appreciation to the different stakeholders from the ILO and the donor, the European Union, who participated in the debriefing session at Myanmar ILO Office. Their feed back and contributions were crucial to fine-tune the conclusions and recommendations of the report. Special recognition should go to the evaluation manager, Alexa Hough for her support during the evaluation process and her valuable inputs and feedback on the report.

With the holding of elections in 2010 and the transition of the country towards a more open environment, the ILO and the Government of Myanmar agreed to a structured plan of action to implement a comprehensive joint strategy with the objective of achieving the elimination of all forms of forced labour by 2015 signed as an MOU in 2012. Building on the engagement in Myanmar over the past decade and taking into account the most recent developments in the country, the ILO focused on the promotion of full respect for and application of Fundamental Principles and Rights at Work in Myanmar as a means to ensure practices of forced labour no longer continue.

This rights-based foundation is the basis for addressing the developments made in the national peace process, as well as economic reforms introduced by the government in line with the priorities laid out in the Action Plan. By addressing fundamental rights, it was envisaged that the country's reconciliation and development would be more in line with a fundamental respect of rights, and thus more inclusive of the needs of all the country's constituents.

The Project aims to support the consolidation of the peace process through a holistic approach which seeks to address past, and prevent future, human rights abuses through the operation and extension of the Forced Labour Complaints Mechanism, the enhanced respect for International Labour Standards and national law and the promotion of the application of national and ILS in the SEZ's. The action intends to work with stakeholders in the peace process to build the foundation to a more cohesive society where human rights are better respected and vulnerable communities are offered economic development opportunities and can benefit from the opening of the Myanmar economy. The main purpose of this evaluation is to assess the relevance, performance, delivery and outcomes undertaken by the project against its intended goals. It also examines achievements, good practices and lessons learnt from the project in order for the ILO and the relevant technical Ministries, and social partners to identify key areas which may be replicable and areas where further support and attention may be required. The evaluation findings and recommendations should be used as basis for better design and management for results of future ILO activities in Myanmar. The evaluation also supports public accountability of the Government of Myanmar, ILO and the donor, the European Union.

The clients and users of the evaluation are the ILO Liaison Office for Myanmar, Regional office and HQ; the Government of Myanmar, and social partners as well as the Delegation of the European Union to Myanmar. The scope of the evaluation has been all activities implemented by the project during the current project period (August 2014 to June 2016). The evaluation has covered project sites in Mawlamyine (Mon State), and Thilawa (SEZs).

The principles and approach adopted for the evaluation have been in line with established guidelines set forth in the ILO Guidelines for Results-Based Evaluations. ILO adheres to the United Nations Evaluation Group (UNEG) norms and standards on evaluation as well as to the OECD/DAC evaluation quality standards.

A master list of key evaluation questions contained within the terms of reference has been included in the Evaluation Matrix, designed as the centre piece of the evaluation methodology, and serving as the basis for developing the data collection tools. The evaluation Matrix reflects in detail the approach for data collection and how the evaluation questions have been answered. The evaluation has integrated gender equality as a cross-cutting concern throughout its methodology and all deliverables. Therefore, specific questions on gender have been included in the evaluation matrix for each evaluation criterion and for relevant indicators, following ILO evaluation guidelines.

The project shows a high degree of relevance insofar as it advances the ILO's agenda on forced labour in Myanmar. It has contributed to the operations of the Forced Labour Complaints Mechanism and to the objectives laid out in the *Strategic Action Plan on Forced Labour*, signed by the government in 2012. The fact that forced labour was perpetuated in the country for decades has much farther-reaching consequences, as forced labour now makes up part of the country's cultural context. Forced labour therefore remains a top-priority item for ILO assistance in Myanmar.

The project design sought to address the various interests set forth by the donor and the ILO for itself. In the end, the design proved to be overambitious, characterised by a theory of change that may have been very clear to those responsible for the initial design but has not proven sufficiently solid to ensure its understanding by all the stakeholders. This means, first of all, that stakeholders will interpret the project in their own way, placing emphasis on one or another of the specific objectives according to their own interests, rather than taking a more global approach. It has also led to management and leadership challenges.

The three SOs show an unequal degree of effectiveness. SO1 and SO3 demonstrate a limited degree of effectiveness. The fragility of the peace process had a noticeable effect on SO1. As regards the SEZs, it seems to be too early to work on CSR issues. Moreover, the office has not adopted a clear and effective strategy to find the appropriate counterparts there. Of the three objectives, SO2 – linked to the ILO's long-standing work – shows the greatest effectiveness as progress has been achieved in enhancing respect for ILS and national laws, including gender dimensions thereof.

It was particularly difficult for the project to combine two targets that, despite sharing some elements, varied enough to have necessitated different project-management strategies: conflict areas (addressed in specific objective 1) and SEZs (addressed in specific objective 3). In the case of SO1, this was owed, among other things, to the fragility of the peace process. In the case of the SEZs, the project proved to be too early. The office will need a stronger structure in relation to FPRW to address CSR in the SEZs, since it will have to deal with employers and workers (eventually unions) there.

The project has been very effective in raising awareness on forced labour issues through the dissemination of various materials in the languages of ethnic groups. The language used in the material is a very simple and effective way to transmit the message they want to convey. Particularly effective is the partnership established by the project with two CSOs in the Mon State: the Mon Education Department and the Mon Women Organisation. In the case of the Mon Education Department, trainers' participation in project activities has a multiplier effect that benefits the Department's students, as school teachers are able to share information with students and parents that prevents forced labour in future generations. The partnership with Mon Women Organisation helped to address gender equality.

There were major deficiencies in project efficiency, due primarily to a lack of suitable human resources. Project staff was already committed to other functions before the project was incorporated into the office's operations, which resulted in understaffing. Project staff's total dependence on the everyday operation of the office, and their lack of autonomy with respect to the management of the same, prevented the project from being carried out properly and consequently limited its effectiveness. The benefits that the project provides in terms of awareness raising and training with respect to the FL and FPRW concepts may be sustainable, given that they have fostered changes in the mindsets of participants by building stakeholders' capacity to respect rights. However, institutional frameworks have not been ensured that help enhance the sustainability of the project's actions.

The ILO Office in Myanmar should continue to lend its support to the fight against forced labour. The fact that forced labour was perpetuated in the country for decades has much farther-reaching consequences, as forced labour now makes up part of the country's cultural context. Forced labour therefore remains a top-priority item for ILO assistance in Myanmar.

An overall assessment of the new role that shall correspond to the country's ILO Office in light of the new political context is advisable. Its participation in the peace process, to be agreed with the government, must be clarified in particular. In any event, the preparation of the office's transition to a regular ILO Office, in which the various aspects of a tripartite mandate are taken into account, seems advisable.

A project of these characteristics, with involvement in the peace process and the SEZs, should be less ambitious in its design and limit its expectations to the ILO's areas of control to ensure the project effectiveness is not affected. The overall design of the project should also be improved. This modesty in the initial approach must therefore be reflected in a Logframe that is more tailored to the feasible expectations. There is also room for improvement as regards planning and communication both within the ILO Office and in its relations with other stakeholders and the donor. Improving monitoring and reporting mechanisms both internally in the ILO and externally for the donor is particularly advisable.

In order to further the fostering of Fundamental Principles and Rights at Work, the office must strengthen its structure. In particular, it must incorporate support activities for both employer and employee organizations, making the most of the country's recent democratic openness and the legalization of unions. This is also recommended if working with the SEZs in the future is intended.

It is advisable to continue the work undertaken as regards training and raising awareness on forced labour issues – regardless of the ups and downs of the peace process – with both the groups currently in power (government, village administrators, employers, etc.) and with future generations. In this regard, exploring channels for working alongside the country's educational institutions is recommended with a view to introducing training and components related to International Labour Standards in the various curricula. This would prove conducive to the sustainability and impact of the ILO Office in Myanmar both with regard to the fight against forced labour and the promotion of FPRW. It is also advised that alternative tools for raising awareness be explored, using audiovisual media in particular and in conjunction with the media.

The project should ensure that it has a suitable M&E system in place. A project with these characteristics and this sort of funding must have an M&E officer from its outset, both for project monitoring and to gather information that can be used for accountability and learning purposes.

Given the difficulties that the project experienced in terms of efficiency, it is advisable that donors to future projects of this sort consider the possibility of placing a Chief Technical Advisor at the helm of the project. This figure could be directly accountable to the donor, and would be responsible for suitable communication with the donor through reporting and follow-through.

3 LIST OF ACRONYMS

| | |
|-------|--|
| C | Convention |
| CBO | Community Based Organizations |
| CM | Complaints Mechanism |
| CPO | Country Programme Outcome |
| CSO | Civil Society Organisation |
| CSR | Corporate Social Responsibility |
| CTA | Chief Technical Adviser |
| DWC | Decent Work Country |
| DWCP | Decent Work Country Programme |
| EQ | Evaluative Question |
| EU | European Union |
| EVAL | ILO Evaluation Office |
| FPRW | Fundamental Principles and Rights at Work |
| HQ | Headquarters |
| ILO | International Labour Organization |
| ILS | International Labour Standards |
| JICA | Japan International Cooperation Agency |
| LF | Logical Framework |
| M&E | Monitoring and Evaluation |
| MOLIP | Ministry of Labour, Immigration and Population |
| MOU | Memorandum of Understanding |
| MTR | Mid-Term Review |
| NCA | Nation Ceasefire Agreement |
| NLD | National League for Democracy |
| NPC | National Project Coordinator |
| NPT | Naypyitaw |
| NSAG | Non State Armed Groups |
| SEZ | Special Economic Zone |
| SMART | Specific Measurable Achievable Realistic and Timebound |
| SO | Specific Objective |
| SU | Supplementary Understanding |
| TBC | To Be Confirmed |
| ToR | Terms of Reference |

4 PROJECT BACKGROUND AND DESCRIPTION

1. The ILO undertook a Commission of Enquiry over the systematic use of forced labour by the Myanmar Government in 1998, leading to the imposition of Economic Sanctions under Clause 3 of the ILO. In 2002, an Understanding was agreed between the Government of Myanmar and the ILO that permitted the appointment of an ILO Liaison Officer in Myanmar who was tasked with supporting the Government in the elimination of forced labour, and monitoring forced labour policy and practice within Myanmar. This was extended in 2007 by way of a Supplementary Understanding which put in place a complaints mechanism. The SU was extended for the fifth time on 23 January 2012 for a further 12-month period from 26 February 2012 until 25 February 2013. Since then, and in order to ensure the legal framework for the ILO's renewed cooperation in Myanmar, the SU has been extended on an annual basis.
2. Under this mechanism, residents of Myanmar can complain to the ILO if their rights in respect of forced labour are abused. The operation of the complaints mechanism and its efficiency enabled the ILO to build both a working relationship with the Government and a very close relationship with the Myanmar citizens who have grown to trust this mechanism which has enabled them to seek redress and/or remedies in full confidence that no retaliatory action be taken against them.
3. With the holding of elections in 2010 and the transition of the country towards a more open environment, the ILO and the Government of Myanmar agreed to a structured plan of action to implement a comprehensive joint strategy with the objective of achieving the elimination of all forms of forced labour by 2015 signed as an MOU in 2012. Building on the engagement in Myanmar over the past decade and taking into account the most recent developments in the country, the ILO focused on the promotion of full respect for and application of Fundamental Principles and Rights at Work in Myanmar as a means to ensure practices of forced labour no longer continue.
4. This rights-based foundation is the basis for addressing the developments made in the national peace process, as well as economic reforms introduced by the government in line with the priorities laid out in the Action Plan. By addressing fundamental rights, it was envisaged that the country's reconciliation and development would be more in line with a fundamental respect of rights, and thus more inclusive of the needs of all the country's constituents.

5. The Project aims to support the consolidation of the peace process through a holistic approach which seeks to address past, and prevent future, human rights abuses through the operation and extension of the Forced Labour Complaints Mechanism, the enhanced respect for International Labour Standards and national law and the promotion of the application of national and ILS in the SEZ's. The action intends to work with stakeholders in the peace process to build the foundation to a more cohesive society where human rights are better respected and vulnerable communities are offered economic development opportunities and can benefit from the opening of the Myanmar economy.

Project objectives:

The Overall project objective is: To support the Myanmar peace process by addressing root causes of armed conflict and by creating capacity of stakeholders to respect rights.

6. The three project specific objectives are the following:



Peace process consolidated by employing mechanisms to address and prevent human rights abuses, in particular related to forced labour, in the ethnic conflict areas through the application of the principles of restorative justice.



Enhanced respect for International Labour Standards and national laws, including the gender dimensions thereof



Promotion of corporate social responsibility on the part of national and foreign direct investors, in particular with regard to labour standards, and their application in SEZ's and other commercial developments in or in close proximity to conflict affected areas

7. According to the Terms of Reference, the key stakeholders and partners are the following: Myanmar Military at the level of senior commanders. Particular emphasis on local regiment commanders, Officers and NCOs and their understanding of responsibilities and required professional practice in line with Myanmar law and international standards; Ministry of Defence (Secretary 2 of Forced Labour Working Group); Ministry of Labour, Employment and Social Security (MoLES) ; (Secretary 1 of Forced Labour Working Group); Labour Inspectorate, MoLES's appointed focal point personnel in SEZs; Local Government administrators, Police and Border

Police; Attorney General's Office; Judicial institutions: - NSAGs and their respective Ethnic Nationality Organizations ; - Public works department, private contractors, workers and organizations of workers and employers in SEZs.

8. The ultimate beneficiaries are the following: - Victims of forced labour in communities affected by armed conflict: vulnerable men, women, children, disabled and the elderly.; The populations, women and men, employed in or residing in proximity to SEZs and other major projects; - Government Officials including those of lower rank (who are subjected to the higher level commands to exact forced labour); - Law enforcement officials (civil and military); Social partners; and Ethnic Nationality Organizations.
9. This project began on 1 August 2014 and will officially end on 31 July 2016. The final evaluation aims to assess the continued relevance of the intervention and the progress made towards achieving its planned objectives. The evaluation is foreseen to ensure accountability and the appropriate use of funding provided by the donor, as well as for organisational learning purposes.

5 PURPOSE OF THE EVALUTION AND SCOPE OF THE ASSIGNMENT

10. The main purpose of this evaluation is to assess the relevance, performance, delivery and outcomes undertaken by the project against its intended goals. It also examines achievements, good practices and lessons learnt from the project in order for the ILO and the relevant technical Ministries, and social partners to identify key areas which may be replicable and areas where further support and attention may be required.
11. The evaluation findings and recommendations should be used as basis for better design and management for results of future ILO activities in Myanmar. The evaluation also supports public accountability of the Government of Myanmar, ILO and the donor, the European Union.
12. In particular, and in line with the ToR, the evaluation focuses on the following:
 - ✓ Evaluation of the outcomes of the project and assessment of the extent to which the project has achieved its desired objectives.
 - ✓ Assessment of the progress of the project against output and outcome targets.
 - ✓ Assessment of the extent to which the management system was appropriate for the achievement of the desired results and outcomes within a timely, effective and efficient manner.
 - ✓ Assessment of the appropriateness of the results framework, its indicators, targets and the overall M&E practices.
 - ✓ Assessment of the extent to which the project has engaged with the tripartite constituents, direct beneficiaries and the donor.
 - ✓ Assessment of the quality of operational work planning, budgeting and risk management, including value for money.

Clients and users of the evaluation:

- ILO Liaison Office for Myanmar, Regional office and HQ.

- Government of Myanmar, and social partners.
 - Delegation of the European Union to Myanmar.
13. The scope of the evaluation has been all activities implemented by the project during the current project period (August 2014 to June 2016). The evaluation has covered project sites in Mawlamyine (Mon State), and Thilawa (SEZs). In the case of Thilawa interviews took place at the ILO office due to the difficulties faced to organize the visit to Thilawa (according to the information provided by the project staff). Those sites responded to the ToR requirements. The field missions have provided the opportunity to assess different aspects of the work carried out by local partners who collaborated with the ILO in its activities.

6 EVALUATION METHODOLOGY USED AND LIMITATIONS

Evaluation Team

14. An ILO evaluation manager has coordinated the evaluation. The evaluation manager has also acted as a liaison between the evaluation team, the project team, and other stakeholders. The independent evaluation team is made up of a national consultant, who was present at the field mission, and an international evaluation consultant with ten years' experience evaluating technical cooperation projects funded by the European Commission, the ILO and other international donors.

Approach

15. The principles and approach adopted for the evaluation have been in line with established guidelines set forth in the ILO Guidelines for Results-Based Evaluations.¹ ILO adheres to the United Nations Evaluation Group (UNEG) norms and standards on evaluation as well as to the OECD/DAC evaluation quality standards.
16. In line with Guidance Note No. 4 on Integrating Gender Equality in Monitoring and Evaluation Projects, the evaluation have taken the following factors into account: (i) the involvement of both men and women in constituents'/beneficiaries' consultations and analysis; (ii) the inclusion of data disaggregated by sex and gender analysis in the background and justification sections of project documents; (iii) the formulation of gender-sensitive strategies and objectives and gender-specific indicators; and (iv) outputs and activities consistent therewith.

¹ ILO Policy Guidelines for Results-Based Evaluation: Principles, Rationale, Planning and Managing for Evaluations/International Labour Office, Evaluation Unit (EVAL) – Second edition – Geneva: ILO, 2013.

17. A master list of key evaluation questions contained within the terms of reference has been included in the Evaluation Matrix², designed as the centre piece of the evaluation methodology, and serving as the basis for developing the data collection tools. The evaluation Matrix reflects in detail the approach for data collection and how the evaluation questions have been answered. The evaluation has integrated gender equality as a cross-cutting concern throughout its methodology and all deliverables. Therefore, specific questions on gender have been included in the evaluation matrix for each evaluation criterion and for relevant indicators, following ILO evaluation guidelines.

■

Box. 1 List of Evaluation Questions

EQ 1. RELEVANCE

- 1.1. To what extent the project continued its relevance and responsiveness to address issues faced by the constituents in Myanmar? in particular, How the project has contributed to the operations of the Forced Labour complaints mechanism as well as to the objectives of the Strategic Action Plan on Forced Labour, signed by the Government in 2012?
- 1.2. To what extent the project has addressed the needs of the project beneficiaries? Has the gender approach been taken in consideration in the project?
- 1.3. How has the project been responding to the changing situation of the country and/or of the constituents and partners' priorities?

EQ 2. VALIDITY OF DESIGN

- 2.1. Were the design and the logframe valid?
- 2.2. Given the change of the context since the project was designed, Does the design of the project (and the revised design) still address the stakeholders' needs that were identified?
- 2.3. Did the design identify risks and key assumptions? Did the project has a mitigation strategy taking into account the situation in Myanmar?
- 2.4. Did the project design adequately consider the gender dimension of the planned interventions? EQ 3.

EFFECTIVENESS

- 3.1. To what extent has the project attained its objectives?
- 3.2. To what extent the project has faced challenges, constraints and problems in achieving the results, in particular in relation to extending the project activities to ethnic areas?
- 3.3. What has been the attainment of milestones to date against the results framework and monitoring plan?
- 3.4. To what extent the project has managed the practice of knowledge management and lessons dissemination and visibility effort on project branding?
- 3.5. To what extent was the project successful in addressing gender equality?

EQ 4. EFFICIENCY OF RESOURCE USE

² See Evaluation Matrix in Annex 6.

- 4.1. Have resources (funds, human resources, time, expertise etc.) been allocated and delivered strategically to achieve the project objectives?
- 4.2. To what extent the project has leveraged resources/collaborated with other projects? How economically have the various inputs been converted into outputs and results?
- 4.3 Given the size of the project, its complexity and challenges, were the existing management structure and technical capacity sufficient and adequate?
- 4.4. How well did the project manage finances (including work and financial planning, budget forecasts, spending and reporting)?
- EQ5. SUSTAINABILITY
- 5.1. How effectively has the project built national ownership?
- 5.2. What project results (i.e. outcomes) appear likely to be sustained after the project and how? Are results anchored in national institutions and can the partners maintain them financially at the end of the project?
- 5.3. Has the project successfully built or strengthened an enabling environment (laws, policies and people's attitude) towards sustainable results?
- 5.4. What long-term changes can be identified as a result of the project implementation?
- EQ6. IMPACT
- 6.1. To what extent has the project contributed to the overall work of the ILO Office in Yangon in regard to Forced Labour?
- 6.2. How did the project's work influence coordination among the ILO and its strategic partners?

18. The proposed evaluation questions reflected in the Terms of Reference have been included in the **Matrix** that contains the Judgement Criteria, Evaluative Indicators and Sources of Information.

19. The Judgement Criteria cover six key evaluation criteria

- ✓ Relevance
- ✓ Validity of Design
- ✓ Effectiveness
- ✓ Efficiency
- ✓ Sustainability ✓ Impact

20. Evaluative Indicators lay the basis for the approach adopted by the evaluation team to respond to the evaluation questions. The Evaluative Indicators have been drafted by the evaluators using Project's

Log Frame indicators when available. The structure of the evaluation report also follows the evaluation matrix. The matrix includes sources of information, mainly a desk review, and semi-structured interviews with stakeholders in the field or through Skype. The evaluation matrix mainstreams gender throughout the evaluation questions, with its corresponding indicators, resulting in a higher quality of gender analysis.

Data Collection Methods and Analysis

21. The evaluation has comprised the following Data Collection Methods:

1. *Desk review of relevant documents* related to the performance and progress of the project, including the initial project document, progress reports, in-built project knowledge, etc. ³

2. *Semi-structured interviews*:

The evaluation team has conducted semi-structured, face-to-face (or, when necessary, Skype) interviews with constituents and ILO officials at the Yangon Office. Particular attention has been paid to ILO staff from other projects that addressed the issue of forced labour in Myanmar. A total of 36 people (18 women and 18 men) contributed by providing information during the evaluation process.⁴

Type of interviews: The evaluation team structured its interviews according to an interview template. Although some questions were highly detailed, the semi-structured nature of the interviews allowed them to adapt and add questions as appropriate.

Triangulation: Data collection methods have been triangulated. Considering the diverse views and interests of the evaluation's stakeholders, clients and users, the stakeholders' perspectives have been triangulated for many of the evaluation questions in order to bolster the credibility and validity of the results.

3. *Field mission*:

The field mission took place in Myanmar (mainly Yangon) from 18 to 25 July. During the evaluation week, one mission to Mawlamyine in the Mon State was conducted from Tuesday, 19 July to Thursday, 21 July⁵.

Upon completion of the field mission on Monday, 25 July, the evaluation team presented its preliminary findings at a stakeholder workshop held by the ILO in Yangon. The draft evaluation report has been shared with relevant stakeholders for their comments and input.

Constraints and Limitations

³ See list of documents in Annex 4.

⁴ See list of stakeholders interviewed in Annex 5. ⁵ See final agenda in Annex 7.

22. The evaluation mission faced several limitations when carrying out its task, the greatest of which was its inability to meet with any representative of the government of Myanmar. The drafted agenda included meetings with the Ministry of Labour, Immigration and Population (MOLIP) and the Tatmadaw and anti-trafficking police. However, the same day meetings were scheduled with the government—Friday 22nd August—the ILO Office informed the evaluation team (apparently just after receiving notification from the government itself) that neither department would be able to attend the meetings envisioned in the framework of this evaluation, on the grounds that there is currently no formal institutional relationship between the government of Myanmar and the ILO. The formal frameworks that govern such relationships, the MoU and the SU, have not been in force since March of 2016, pending revision by both parties.

23. The evaluation was also limited by the fact that the final progress report is not yet available. The last report prepared by the project staff was the interim report, which was submitted to the donor in October of 2015. The project's lack of an internal monitoring system has also made conducting the evaluation more difficult.

7 FINDINGS

7.1 EQ 1. Relevance

24. The country's current political situation and the mission's own limitations—it was unable to meet with any government representative—make it difficult to issue a categorical statement regarding the project's continued relevance and its ability to address issues faced by constituents in Myanmar.
25. The project's overarching goal, to support the Myanmar peace process by addressing root causes of armed conflict and by creating capacity of stakeholders to respect rights, was in response to a specific situation from the project's design phase in 2013. That situation has changed in the three years since the project was implemented. The arrival of a new government in April 2016 following the elections of November 2015, in which the National League for Democracy won a majority, entailed a substantive change in the situation, which involved all stakeholders. Therefore, it would first and foremost be prudent to establish whether the ILO's role in the country has changed in the past few years (and particularly since 2007), especially as an institution that contributes to the peace process, and, if so, in what way and under what modalities.
26. It is important to add, as the evaluation team addresses later in EQ2, on validity of design, that the project was launched under an office director who entered retirement approximately halfway through the project's implementation period. This person had a long and notable career at the helm of the ILO. His personal profile was well known within the country, making him well suited for involvement in the peace process, a fact that contributed to the project's relevance at the outset and demonstrated the donor's sound reasoning in approving the project. However, for reasons relating to both the change in Myanmar's political situation and the change in the ILO office, the mission was unable to evaluate the extent to which this project remains relevant in relation to its overarching goal.
27. Nevertheless, the evaluation team will analyse other aspects of the project's relevance, specifically as they relate to each of its specific objectives. The project shows a high degree of relevance insofar as it advances the ILO's agenda on forced labour in Myanmar. It has contributed to the operations of the Forced Labour Complaints Mechanism and to the objectives laid out in the *Strategic Action Plan on Forced Labour*, signed by the government in 2012. Specifically, the project has worked towards the following objectives from the *Strategic Action Plan*:
- **ACTION PLAN 1: AWARENESS RAISING**
 - **ACTION PLAN 3: UNDERTAKE INVESTIGATION AND TAKE NECESSARY REMEDIAL ACTION IN RESPECT OF UNANSWERED ALLEGATIONS AS DOCUMENTED IN THE COMMENTS OF ILO SUPERVISORY BODIES**
 - **ACTION PLAN 4 A: FORCED LABOUR DIRECTLY OR INDIRECTLY ASSOCIATED WITH PUBLIC WORKS AND MAJOR CONSTRUCTION PROJECTS INCLUDING SEZ's**

- **ACTION PLAN 7: PROVIDING ASSISTANCE IN POVERTY REDUCTION AND EMPLOYMENT CREATION IN THE BORDER AREAS WHERE PEACE AGREEMENTS HAVE BEEN ACHIEVED THROUGH GOOD EMPLOYMENT PRACTICE MODELLING.**
28. Addressing forced labour is the core mandate of ILO Liaison Office in Myanmar. Forced labour in Myanmar is still notable. The fact that forced labour was perpetuated in the country for decades has much farther-reaching consequences, as forced labour now makes up part of the country's cultural context. It is part of citizens' lives, and the associated behaviours and violations have become an element of the country's culture that extends to many non-labour relationship areas in both public and private spheres. Forced labour therefore remains a top-priority item for ILO assistance in Myanmar.
 29. The project has contributed to the operation of the Forced Labour Complaints Mechanism (CM). It has funded staff for the Forced Labour Team, which has been working with the CM for several years. This ensured the survival of the CM, which lost funding from the ILO's regular budget and may otherwise have eventually been unable to continue operations. According to information analysed by the Committee of Experts, ethnic groups are particularly vulnerable to being placed into forced labour, making Project SO 1 particularly relevant. The specific role that the government of Myanmar and the Ministry of Labour hope that the CM will play is currently unclear. In the opinion of the project staff, project Output 1.1., the "establishment of a data base of unanswered complaints out of the reports of the ILO Committee of Experts and the Government of Myanmar/ILO Forced Labour Complaints Mechanism" is not currently a high priority for the government due to the recent shifts in the political situation and the fact that more urgent issues need to be addressed.
 30. The project has addressed the needs of its beneficiaries, as forced labour is extraordinarily extensive throughout the country and beneficiaries need support in order to combat it. Given that the project's final beneficiaries are the citizens of Myanmar, the project has met their needs by way of combating FL. According to the beneficiaries participating in the project's different activities who were interviewed during field visits, satisfaction levels have gone up in all actions associated with forced labour. Nevertheless, the project has faced many challenges in addressing some of the different target groups: "the populations, women and men, employed in or residing in proximity to SEZ's and other major projects", "social partners", and "Ethnic Nationality organizations" among others. The second specific objective, "enhanced respect for ILS and national laws, including the gender dimensions thereof" sufficiently meets beneficiaries' needs, as interviewees in Mons State confirmed. It is particularly noteworthy that the project has taken the gender approach into consideration, as it will be seen later in EQ3, on effectiveness.
 31. The third specific objective, concerning the "promotion of corporate social responsibility on the part of national and foreign direct investors, in particular with regard to labour standards, and their application in SEZs and other commercial developments in or in close proximity to conflict affected areas", reveals that the needs of the stakeholders interviewed was met to a lesser degree.

Brief Description of the Special Economic Zones in Myanmar⁵

Myanmar has seen rapid economic growth following its recent democratic and economic reforms, which included the repealing of Myanmar's export taxes, decreasing import taxes and providing greater access for foreign direct investment. FDI into Myanmar increased from US\$300 million in 2009-10 to US\$20 billion in 2010-11, with its GDP rising from a rate of 5 percent in 2009 to over 6 percent in 2012.

Following these reforms, Myanmar soon began to further facilitate the establishment of special economic zones (SEZs). In 2011, Myanmar established the Central Body for the Myanmar Special Economic Zone, a regulatory body responsible for overseeing foreign investment in the country. The Myanmar SEZ Law and the Dawei SEZ Law were also passed in 2011, which established several SEZs throughout Myanmar to encourage economic growth and foreign investment.

A primary draw of the SEZ laws includes several incentives, such as:

- A five year tax holiday;
- 50 percent income tax relief on items exported overseas for five years;
- 50 percent income tax relief on reinvested profits from overseas exports for five years; A five year exemption on custom duties on approved products; and The granting of 30 year land leases.

There are currently three SEZs under development in Myanmar: Dawei SEZ, Thilawa SEZ and Kyuakpyu SEZ.

32. Though the mission was unable to visit any of Myanmar's SEZs, stakeholders interviewed agreed nonetheless that these zones had seen little development. Thilawa SEZ, the SEZ outside Yangon that has received Japanese investment, is partially open. It is the most developed of the three SEZs, as those located in Dawei (which has received Thai investment) and in Kyuakpyu (which has received Chinese investment and is located in the Rakhine region) show more delayed development. There is still no institutional framework in place, and the ILO has had difficulty establishing contacts with relevant stakeholders and counterparts to deal with CSR.
33. As it will be addressed later on, the project was unable to establish relationships with suitable parties and was forced to seek synergies with community organisations that did not necessarily have any ties in the labour sphere, which is the ILO's natural area of work. The people represented by the organisations contacted by the ILO for this project have been struggling to make a living, as they lost their land with the development of the SEZ. The communities with which the ILO has established relations in the zone have different priorities and, consequently, the project has been unable to carry out the work envisioned in its design.

7.2 EQ 2. Validity of Design

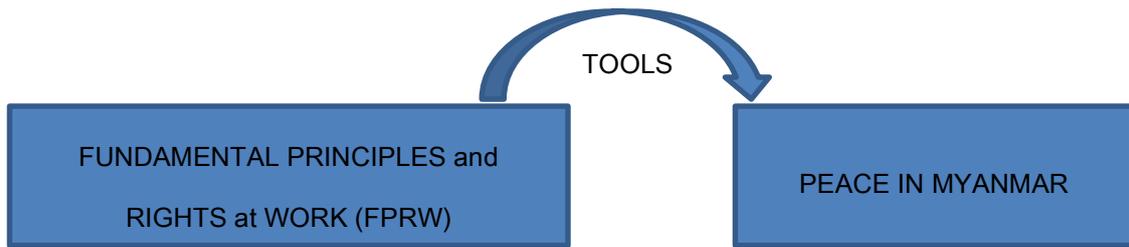
⁵ <http://www.aseanbriefing.com/news/2013/06/28/special-economic-zones-in-myanmar.html>

34. The project design was negotiated between the ILO and the EU for nearly a year. Its design encompasses a range of interests and emphases relating to different fields of activity and results that both the donor and the implementing partner expected to achieve with the project. “I think it was a combination of the EU and the ILO having some common objectives, but maybe with slightly different priorities”, said one interviewee.
35. It appears, however, that no negotiations or consultations with other stakeholders were held. Consequently, the project design and revised design were not sufficiently sensitive to the needs, capacity and commitment of other stakeholders. Some of the organisations interviewed mentioned that they were, in due course, convened so that they could be briefed by the project, but there was no continuity of process or communication. For instance, CHRO (the Chin Human Rights Organisation) confirmed that they were called upon only on two occasions to sit on the Steering Committee. According to what other stakeholders (included the donor) mentioned, the steering committee only met twice. In this regard, the stakeholders suggested the need for improved coordination and planning with the ILO.
36. As already discussed, the project’s three specific objectives respond to four component of the Strategic Action Plan to combat forced labour in the country. The project’s objectives are:

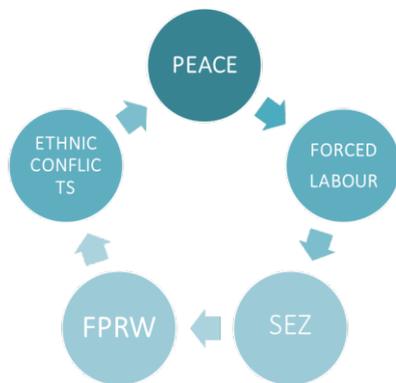


37. Given the project’s short duration (18 months, later extended to 24 at no additional cost), each of the three specific objectives is quite ambitious. The three objectives do not appear to be sufficiently interrelated, and there is no clear indication of which is the project’s theory of

change. Considering the project's title, it would seem that the theory of change would be as follows:



38. However, the LF's specific objectives and the various outputs are not interrelated or coherent enough to flesh out such a theory of change. This means, first of all, that stakeholders will interpret the project in their own way, placing emphasis on one or another of the specific objectives according to their own interests, rather than taking a more global approach. It has also led to management and leadership challenges, as it will be seen later on. It was particularly difficult for the project to combine two targets that, though they shared some elements, were different enough to have necessitated different project-management strategies: conflict areas (addressed in specific objective 1) and SEZs (addressed in specific objective 3). As a matter of fact, both specific objectives had to be revised halfway through the project, which necessitated corresponding changes in the LF, the description of action and the budget. In the case of SO1, this was owed, among other things, to the fragility of the peace process.



39. Under SO2, the project's logical framework looks weak, as there is no clear or logical link between inputs, activities and outputs, as the link between inputs, activities and outputs is not clear or logical. The outputs are too long and integrate activities. Time frames for planned objectives and outputs proved to be unrealistic. The activities envisioned are excessive and their corresponding wording is, at times, rather too long, which muddies the clarity of the project's actions. Some explanation for this might be found in the fact that this project involves political content focused more on processes than on results, which are not so easily reflected in an LF. However, with a handful of exceptions (especially in the revised LF, in which some unclear indicators were introduced), indicators were fairly SMART.

40. Concerning the change in context since the project's design phase, the following is worth mentioning: In October 2015, the Government and eight Ethnic Armed Groups signed a National Ceasefire Agreement after years of negotiations. While only partial, it marked a significant step towards eventual

peace and political dialogue to determine the future makeup and governance structure of the country. It marked the culmination of efforts made under the quasi-civilian government elected after the military stepped back from total control of government and the first stage of the transition towards democracy.

41. With general elections shortly after -November 2015- delivering a victory for the NLD, there was significant will to capitalise on the chance to build on this process, but uncertainty on how this could be achieved with all stakeholders remaining committed to its realisation. The ILO Office then attempted to redesign the project, and SO1 in particular, to deal with such new circumstances—a challenge in and of itself. The new design was unable to improve the project’s effectiveness, largely because the SO’s design included several elements outside the scope of project control and outside of the ILO, as it had a close link to the development of the country’s peace process.
42. With the exception of the above statement, it is worth noting that within the framework of SO3, once the challenges of working in the SEZ was confirmed, the project wisely chose to initiate collaboration with the ILO employer-strengthening project in the Chamber of Commerce (UMFCCI).
43. The project design identified risks and key assumption in the log frame, but did it did not have a mitigation strategy that accounted for the situation in Myanmar.

7.3 EQ 3. Project Effectiveness

44. As mentioned in the section on the evaluation’s limitations, global data on the project is not available, as the Final Report has not been completed. However, the evaluation team has developed the following table containing a summary of the achievement of outputs. . Effectiveness analysis must be carried out for each of the project’s three specific objectives.

| SPECIFIC OBJECTIVES | OUTPUTS | STATUS | COMMENTS |
|---|---|------------------------|--|
| 1. Peace project consolidated by employing mechanisms to address and prevent human rights abuses, in particular related to forced labour, in the ethnic conflict areas through | Output 1.1: Establishment of a data base of unanswered complaints out of the reports of the ILO Committee of Experts and the Government of Myanmar/ILO forced labour complaints mechanisms | Partially Completed | The anticipated independent assessment on the complaints identified was not produced |
| | Output 1.2: Developing and facilitating a strategy for stakeholder collaboration and elimination of forced labour | Partially Completed | The Declaration foreseen in the LF was not signed; however, advancements were made on strategy |
| | Output 1.3: Working with the high-level government working group and MPC and at local levels on reviewing affected community outcomes with an expectation that it facilitates access to the locations with a view to promoting | No evidence of outputs | Activities took place without clear results |
| | | | |

| | | | |
|--|---|------------------|--|
| 3. Promotion of corporate social responsibility on the part of national and foreign direct investors, in particular with regard to labour standards, and their application in SEZ's and other commercial developments in or in close proximity to conflict affected areas | Output 3.1: Training workshops to support the Government of Myanmar, the Myanmar Chamber of Commerce and Industry , foreign investors, workers and their representatives towards the practical application of national and international standards particularly but not limited to SEZ's | Barely completed | Only in a small part of Thilawa SEZ, where certain workshops could be organised. The bulk of the activities that correspond to this output never came to be. |
| | Output 3.2: Facilitating the establishment of on-site tripartite consultation committees | Barely completed | Few activities took place in collaboration with the project to develop employers' organisation capacity in Myanmar |

45. Of the three SOs, SO1 and SO3 demonstrate a limited degree of effectiveness. Along with the difficulties posed by design and those that will be examined in EQ4, on efficiency, it is important to look at the specific challenges faced by the project itself. The fragility of the peace process had a noticeable effect on SO1. Particularly, Output 1.1, which aimed for *the establishment of a data base of unanswered complaints out of the reports of the ILO Committee of Experts and the Government of Myanmar* was unable to proceed due to some *changes in the government's priorities as the political situation shifted*, to such an extent that the project had to commit itself to continuing the task on CM already under way in the Office. So, if we accept the SO1 indicator, that the *number of human right abuse complaints reported to the ILO has increased in the project period*, throughout the project a total of 1,075 cases were received, 721 of which involved forced labour and 88 of which came from ethnic areas. All of these figures seem to have gone down from previous years. The LF's provision to "undertake an independent analysis/assessment on the complaints identified" could not be carried out. Still, the government could be supported in reporting on the process and outcomes to the ILO Committee of Experts.

46. Output 1.2, "Developing and facilitating a strategy for stakeholder collaboration on the elimination of forced labour" has carried out a series of activities that cannot report tangible results, as the declaration that the LF lays out as a results indicator, "Public Declaration on forced labour by government and ethnic armed groups/ethnic organisations achieved" is not available. The various visits made by project and Office personnel to different areas have been confirmed as a process indicator. The same assessment can be made for Output 1.3: "Working with the high-level government working group and

MPC and at local levels on reviewing affected community outcomes with an expectation that it facilitates access to the locations with a view to promoting the application of resulting recommendations for remedial action”, in which there is proof that certain activities were carried out, though there is no evidence of the results laid out in the LF.

47. Of the three objectives, SO2 shows the greatest effectiveness, especially as concerns Outputs 2.2., “Undertaking awareness-raising activities with Non State actors [...] and ethnic communities, local Government personnel, the Tadmada and NSAG’s, etc.” And 2.3, “Supporting ethnic communities in, or in close proximity to conflicted affected areas to take advantage of employment/local economic development opportunities resulting from both the peace process and the opening of the economy and in conformity with international labour standards including through the provision of technical advisory services”.
48. The project has been very effective in raising awareness on forced labour issues in the Chin, Shan, Karen and Mawlamyine States through dissemination of various materials in the languages of ethnic groups. According to beneficiaries interviewed, the language utilised in the material is a very simple and effective way to transmit the message they want to convey. In Mon State (the state visited by the evaluation team), the project also organised awareness-raising activities on hygiene and safety at work.
49. The training and awareness-raising activities received a very positive evaluation from those interviewed, even in those cases where they were carried out with actors from whom the project expected more ambitious results in this SO (within the framework of the ceasefire agreements). Thus, for example, representatives from the New Mons State Party expressed that while they understood that some of the activities outlined in the project were slowed by the fact that the declarations had not been signed, they believed that the training and awareness-raising activities ought to continue. The trainings covered the following content:
- ✓ ILO background history
 - ✓ Training objectives
 - ✓ Characteristics of FL
 - ✓ History of the ILO and government of Myanmar collaboration
 - ✓ Explanation of ILO forced labour booklet
 - ✓ The Complaints Mechanism
 - ✓ Labour law and labour rights
 - ✓ Role play about FL and group activities
50. Thus, along with themes relating to the FL’s combat, the trainings already included several issues relating to the Fundamental Principles and Rights at Work.
51. The Training of Trainer (TOT) activities proved very effective, given that the materials were of a high quality, adapted for the context and easy to replicate. According to interviewees –trainers that took part in the activities, from the Mon Women’s organization and the Mon National Education Department-,

they are helping to change people's minds. They were previously successfully tested with a trainer group. The improvements suggested by several TOT participants interviewed included making the videos used during the training sessions available after sessions were complete.

52. A very effective partnership was established by the project with two CSOs in the Mon State: the Mon Education Department and the Mon Women Organisation. In the case of the Mon Education Department, trainers' participation in project activities has a multiplier effect that benefits the Department's students, as school teachers are able to share information that prevents forced labour in future generations with students and parents.
53. The majority of the participants in the project's activities have been female. Nearly 70% of training and awareness-raising-activity attendees were women. One of the project's three specific objectives is aimed at meeting women's needs. For that reason, it has collaborated with women's organisations, such as the Mons State Women Organisation. The project has worked with this organisation on gender equality and women's empowerment, and regular meetings with the ILO took place for this purpose. The ILO consulted the Mons State Women Organisation on how best to introduce the trainings on gender inclusion processes. Women needed to participate in the decision-making process, and it was decided that two of community committees' five members should be women.
54. Women interviewed believed that the ILO's collaboration was essential for making the right to equal pay known throughout their communities, given that, in this context, the belief that "*women are less capable*" must still be repudiated. The training activities helped the trainers to empower women. The ILO and the Mons State Women Organisation developed the content of their trainings collaboratively, confirming that it was feasible and could be applied to the community, thereby increasing the effectiveness of the training activities.
55. SO3 demonstrates tenuous effectiveness. Output 3.1., "*Training workshops to support the Government of Myanmar, the Myanmar Chamber of Commerce and Industry, foreign investors, workers and their representatives towards the practical application of national and international standards particularly but not limited to SEZs*" was achieved only in a small part of Thilawa SEZ, where certain workshops could be organised. The bulk of the activities that correspond to this output never came to be. One of the key reasons for this, as cited by the ILO project staff, is that the government is still not prepared to develop the SEZs and cannot build the relationships with parties that will work in them. In Kyauk Phyu, for example, the ILO was still unable to see SEZ committee members. When the field assistant for Thilawa joined the project, the ILO still had no contact to start work in the SEZ.
56. Due to this lack of clear counterparts, the ILO has sought to build alternative relationships, and it is worth making a note of two civil society organisations working in Thilawa SEZ with which such relationships were formed: the Thilawa Social Development Group and the Shwe Maw Wun Social Development Group. When the ILO started the project, the Shwe Maw Wun Development Group was dealing mostly with the relocation of households that had lost their land and been displaced by the SEZ

project. Displaced households face many issues, such as a lack of water, sanitation and electricity. Eighty-one such households had been relocated. The people in that area have been struggling to make a living following their displacement. The Wun organisation’s role in the project has been to connect the ILO with the community and relocate displaced people. Its chief task is working for community development. For its part, the Thilawa Social Development Organisation has been helping displaced people who lost their land.

57. All of this makes it understandable that these collectives were initially unable to pay much attention to the ILO’s proposals on raising awareness of labour standards. CSOs are unable to intervene on labour issues. In any case, two awareness training sessions that covered forced labour and labour standards were held in Thilawa SEZ (corresponding to Activity 3.2.1 on the LF). According to project staff, the project ended just as people were becoming interested in ILO training. The ILO target was to set up a tripartite meeting (with the community, employer and SEZ management committee), but this target was not met. A meeting between the ILO, employers and the SEZ management committee is expected to take place in the near future.

58. The third SO’s second output was modified when the project was revised. Despite the modification in the LF, this revision could not take place as planned. At that point, project management correctly decided to carry out some of the actions laid out for that output: “*Facilitating the establishment of the compulsory workplace coordination body between workers and employers*”, in collaboration with the project to develop employers’ organisation capacity in Myanmar. This project, funded by the ILO’s regular budget, is anchored in the UMFCCI. This union of chambers of commerce is not very active on labour issues, and the main goal of the project is precisely to help employers take an active role on labour and employment issues. The tangible outcome is service provision. Both projects have collaborated to lead training sessions on forced labour. In its support of the UMFCCI, the ILO project does not deal with SEZs, but instead with industrial zones.

59. The following chart reveals the relationship of activities carried out by the project, disaggregated by gender:

| Workshops | Total workshops | Total participants | Female | Male |
|---|------------------------|---------------------------|---------------|-------------|
| No. of workshops and trainings conducted | 249 | 22705 | 16133 | 6572 |
| Number of workshop for community | 29 | 1018 | 408 | 610 |
| Number of workshop for government | 19 | 14914 | 12126 | 2788 |
| Number of TOT for CSOs | 14 | 286 | 157 | 129 |

| | | | | |
|---|-----|------|------|------|
| Number of TOT for Military and Firbrigade | 2 | 53 | | 53 |
| Number of workshop with employer/business | 13 | 521 | 156 | 365 |
| Number of TOT for Business | 2 | 52 | 32 | 20 |
| Workshop roll out by ILO trainers | 165 | 5740 | 3195 | 2545 |
| Number of workshop through Media | 5 | 121 | 59 | 62 |

60. For reasons relating to the project staff, as we will see in EQ 4, the project has not practised a visibility effort on project branding. In fact, the project was not well known as such, as most stakeholders knew it as “the Forced Labour Team”. The dispersion elements discussed in the project design section, in hand with the lack of clarity and coherence among the various elements of the project, were not ideal for facilitating the visibility of the same.

7.4 EQ 4. Efficiency

61. The project began work with a six-month delay in the delivery of funds from the donor, which in turn delayed the adoption of certain measures concerning the hiring of personnel. The project was provided with a team that already worked at the ILO within the complaints mechanism framework. This team is known to the ILO and to stakeholders as the Forced Labour Team, as it has spent a great deal of time addressing issues related to forced labour. The team was in charge not only of a part of CM management (as laid out in SO1 of the project), but also global CM management, which was already within its purview. In turn, the CM has grown in the past two years as a consequence of the increase in CMpromoted awareness-raising and training activities.

62. The project staff’s workload has therefore been considerably increased, as the staff has had to handle activities for this and other projects. The project’s personnel profile is sufficient to respond to SO2, but fell short with respect to SO1, concerning the peace process, and SO3, concerning SEZs. The project hired one person as a focal point for Thilawa SEZ, though only after the project had been under way for a year. It was decided that no one should be taken on as a focal point in the other two SEZs where the project had planned to work, but in which building suitable institutional relationships proved challenging.

63. Several activities outlined in the LF had to be cancelled or postponed, especially in SO1 and SO3, and the change made halfway through the project does not appear to have yielded any substantive improvements, with the exception of the successful collaboration established with the “Developing the

Capacity of Employer's Organisations in Myanmar" project. The delayed execution of activities culminated in a delivery rate of approximately 85%.

64. As mentioned in EQ1, the project took place while the ILO Office was undergoing a transition following the November 2015 retirement of its director, who had led negotiations with the donor and spearheaded project design. Within the EU, too, the officials in charge of the project changed, which in some respects led to a lack of leadership after the project's initial months.
65. Within the ILO Office, no strengthening of the project's management structure took place to offset the effects of these changes. The different nature of the three SOs meant that each would have necessitated specialised personnel. For example, one specialist would have been required for the peace/conflict focus, and another for CSR. No such specialists were hired, and their responsibilities were largely shouldered by the Forced Labour Team, which specialised in Forced Labour and the Complaints Mechanism. Consequently, neither the management structure nor the technical capacity was sufficient or suitable for facing such a complex and challenging project.
66. The project did succeed in establishing relevant synergies with several of the projects that make up the ILO Liaison Office in Myanmar, including
 - ✓ The Peace and Development project;
 - ✓ The Reconciliation and Development Programme;
 - ✓ The Myanmar Programme on the Elimination of Child Labour (MY-PEC);
 - ✓ Developing the Capacity of Employer's Organisations in Myanmar;
67. In general, the collaboration consisted of joint invitations to various projects' seminars and the Forced Labour Team providing legal and technical assessment of the forced labour-related issues that other projects were facing. The project also collaborated on preparing several trainings; other projects' CTAs praised the support they received from the project. All projects benefited from the contacts and networks made throughout the country.
68. Several of the stakeholders interviewed stressed that communications procedures with the ILO should be improved, especially where activity-planning is concerned. They expressed that they are sometimes asked to hold events with too much urgency and that, in these cases, they are unable to commit as much time and dedication as they would like. For example, in Chin State, several of those interviewed stated that although they were forced to halt several of their activities due to the floods of 2015, it would have been possible for the ILO to take measures to mitigate complications and to improve their actions' efficiency and effectiveness.
69. A satisfactory degree of efficiency was observed in the organisation of awareness-raising and training activities, and this efficiency was widely recognised by the beneficiaries. Project management received

support from the relevant ILO departments (the Programme Officer) to manage finances (including work and financial planning, budget forecasts, spending and reporting).

70. Finally, it is worth noting that, when selecting participants for different activities, the project aimed to strike a balance between women and men by reflecting the composition of the workforce and the constituency of the sector. The data indicates female participation far exceeding 50% in several of the activities planned by the project.

7.5 EQ 5. Sustainability

71. The evaluation mission found no evidence of the existence of a mechanism for following up on project implementation on a national level. Apparently, some decisions regarding the project were shared with other stakeholders in the framework of the so-called Strategic Working Group on Forced Labour. At the project's outset, there were two meetings with a range of stakeholders and the donor, who together came to be called the Steering Committee, though this follow-up mechanism was impermanent. There was some degree of confusion at both meetings, and the constituents were given no explanation on the roles of the project's various aspects.
72. The fact that the parties with whom the project built relationships do not include all ILO's natural actors (unions, employers and government) makes the action that much more difficult to sustain, since there is a greater risk of volatility among actors who have been involved in the project (NGOs, CSOs and CBOs from around the country).
73. The aspect of the project that is most likely to be sustainable is the CM, in that all indicators seem to suggest that it will enjoy the continued support of the ILO itself. Due to the situation of FL in the country, there is obviously a need for continuity, both in the operation of the Forced Labour Complaints Mechanism as contained in the Supplementary Understanding of 26 February 2007 and in its institutional support structure. Joint work should be done towards the eventual assimilation of the CM into the Incoming Governments Justice System reform considerations. There is currently a need to advance negotiations with the government on the role the ILO will play in the same.
74. Some aspects of the project present a greater degree of sustainability by dint of being linked to actors and institutions that are, in turn, linked to the ILO. This is the case, for example, of the training and awareness-raising actions carried out in coordination with the project *Developing the Capacity of Employer's Organisations in Myanmar*, which is anchored to the Chambers of Commerce. Some of the interesting training initiatives promoted in conflict zones may be more dubious where sustainability is concerned, given that they are dependent upon the existence and availability of funds. This is the case, for example, with the Mon State Department of Education. Though the project has been very effective in spreading anti-FL and pro-FPRW messages in the field of education, the fact that this has

occurred sporadically, rather than under an institutional framework, jeopardises the action's sustainability (and, consequently, its benefits).

75. Only those actions carried out in the field of SO2 in relation to the provision of expert technical advice to the government ensures sustainability, as this will fall back upon the staff of the ILO Office itself.
76. The benefits that the project provides in terms of awareness raising and training with respect to FL and FPRW concepts may be sustainable, given that they have fostered changes in the mentalities of participants. Some of those interviewed, however, indicated that recurring training actions may be necessary to make the results more sustainable.

7.6 EQ 6. Impact

77. Strictly speaking, this project's impact should be evaluated based on its contribution to the achievement of its overarching objective: *To support the Myanmar peace process by addressing root causes of armed conflict and by creating capacity of stakeholders to respect rights*. The evaluation matrix enumerated several indicators for evaluating the project's impact. Limitations on the project's effectiveness, the constraints faced by the evaluation mission on the field, and the fact that no contact with government representatives could be established made it difficult to evaluate the project's impact with precision. Nevertheless, the evaluation team has attempted to anticipate potential elements of impact among the project's components.
78. The first part of the statement of the overarching objective is more difficult to evaluate, given that its theory of change was not clear to all stakeholders involved. The second part of the statement, on the other hand, reveals a significant degree of impact: "To support the Myanmar peace process (...) **by creating capacity of stakeholders to respect rights**".
79. All of the project's strategy, in terms of training and awareness-raising actions, has doubtless made an impact on the target population. The trainings change the mentality of participants. All of the individuals who have taken part in the trainings come to know their rights and, therefore, are in a better position to demand that they be honoured. This is eye-opening in a country that has been subjected to high rates of forced labour.

80. The project has lent continuity to the overall work on forced labour carried out by the ILO Office in Yangon, as it has enabled maintenance of the Complaints Mechanism and financing of the Forced Labour team, which has in turn lent support to other projects that tackle related issues within the category of FL. Therefore, project activities and achievements contribute to ILO support labour reform legislation and end the practice of forced labour in Myanmar.
81. For the stakeholders with whom the project has collaborated, the impact is quite relevant in the cases in which the stakeholder has worked with the Departments of Educations, as is the case in Mons State. The multiplier effect of the project's actions is increased through the use of training itineraries that reach children. There is no doubt that this is one way to ensure that people know their rights from an early age.
82. According to some ILO officials, from the viewpoint of global ILO action in Myanmar, in relation to both the project's impact and its sustainability, one of the most important factors is the continual advance of efforts to tackle the topic and to combat forced labour in the declarations negotiated between the government and the relevant ethnic armed groups. Collectively, this has all helped strengthen collective action as a complementary means of achieving greater results in the fight against forced labour.

8 CONCLUSIONS

1. The project shows a high degree of relevance insofar as it advances the ILO's agenda on forced labour in Myanmar. It has contributed to the operations of the Forced Labour Complaints Mechanism and to the objectives laid out in the *Strategic Action Plan on Forced Labour*, signed by the government in 2012. The fact that forced labour was perpetuated in the country for decades has much farther-reaching consequences, as forced labour now makes up part of the country's cultural context. Forced labour therefore remains a top-priority item for ILO assistance in Myanmar.
2. The project design sought to address the various interests set forth by the donor and the ILO for itself. In the end, the design proved to be overambitious, characterised by a theory of change that may have been very clear to those responsible for the initial design but has not proven sufficiently solid to ensure its understanding by all the stakeholders. This means, first of all, that stakeholders will interpret the project in their own way, placing emphasis on one or another of the specific objectives according to their own interests, rather than taking a more global approach. It has also led to management and leadership challenges.
3. The three SOs show an unequal degree of effectiveness. SO1 and SO3 demonstrate a limited degree of effectiveness. The fragility of the peace process had a noticeable effect on SO1. As regards the SEZs, it seems to be too early to work on CSR issues. Moreover, the office has not adopted a clear

and effective strategy to find the appropriate counterparts there. Of the three objectives, SO2 – linked to the ILO’s long-standing work – shows the greatest effectiveness as progress has been achieved in enhancing respect for ILS and national laws, including gender dimensions thereof.

4. It was particularly difficult for the project to combine two targets that, despite sharing some elements, varied enough to have necessitated different project-management strategies: conflict areas (addressed in specific objective 1) and SEZs (addressed in specific objective 3). In the case of SO1, this was owed, among other things, to the fragility of the peace process. In the case of the SEZs, the project proved to be too early. The office will need a stronger structure in relation to FPRW to address CSR in the SEZs, since it will have to deal with employers and workers (eventually unions) there.
5. The project has been very effective in raising awareness on forced labour issues through the dissemination of various materials in the languages of ethnic groups. The language used in the material is a very simple and effective way to transmit the message they want to convey. Particularly effective is the partnership established by the project with two CSOs in the Mon State: the Mon Education Department and the Mon Women Organisation. In the case of the Mon Education Department, trainers’ participation in project activities has a multiplier effect that benefits the Department’s students, as school teachers are able to share information with students and parents that prevents forced labour in future generations. The partnership with Mon Women Organisation helped to address gender equality.
▪
6. There were major deficiencies in project efficiency, due primarily to a lack of suitable human resources. Project staff was already committed to other functions before the project was incorporated into the office’s operations, which resulted in understaffing. Project staff’s total dependence on the everyday operation of the office, and their lack of autonomy with respect to the management of the same, prevented the project from being carried out properly and consequently limited its effectiveness.
7. The benefits that the project provides in terms of awareness raising and training with respect to the FL and FPRW concepts may be sustainable, given that they have fostered changes in the mindsets of participants by building stakeholders’ capacity to respect rights. However, institutional frameworks have not been ensured that help enhance the sustainability of the project’s actions.

1. The ILO Office in Myanmar should continue to lend its support to the fight against forced labour. The fact that forced labour was perpetuated in the country for decades has much farther-reaching

consequences, as forced labour now makes up part of the country's cultural context. Forced labour therefore remains a top-priority item for ILO assistance in Myanmar.

| Responsible Units | Priority | Time Implication | Resource Implication |
|-----------------------|----------|------------------|----------------------|
| ILO Office in Myanmar | High | Long-Term | High |

2. [redacted] all correspond to the count [redacted] participation in the peace process [redacted] government, must be clarified in particular. In any ev [redacted] on of the office's transition to [redacted] to [redacted] aspects of a tripartite manda [redacted] seems advisable.

| Responsible Units | Priority | Time Implication | Resource Implication |
|-----------------------|----------|------------------|----------------------|
| ILO Office in Myanmar | High | Short-Term | Low |

3. A project of these characteristics, with involvement in the peace process and the SEZs, should be less ambitious in its design and limit its expectations to the ILO's areas of control to ensure the project effectiveness is not affected. The overall design of the project should also be improved. This modesty in the initial approach must therefore be reflected in a Logframe that is more tailored to the feasible expectations. There is also room for improvement as regards planning and communication both within the ILO Office and in its relations with other stakeholders and the donor. Improving monitoring and reporting mechanisms both internally in the ILO and externally for the donor is particularly advisable.

| Responsible Units | Priority | Time Implication | Resource Implication |
|----------------------------------|----------|------------------|----------------------|
| ILO Office in Myanmar and the EU | High | Short-Term | Low |

4. In order to further the fostering of Fundamental Principles and Rights at Work, the office must strengthen its structure. In particular, it must incorporate support activities for both employer and employee organisations, making the most of the country's recent democratic openness and the legalisation of unions. This is also recommended if working with the SEZs in the future is intended.

| Responsible Units | Priority | Time Implication | Resource Implication |
|-------------------|----------|------------------|----------------------|
|-------------------|----------|------------------|----------------------|

| | | | |
|--|------|------------|------|
| ILO Office in Myanmar Bangkok Regional Office and HQ | High | Short-Term | High |
|--|------|------------|------|

5. It is advisable to continue the work undertaken as regards training and raising awareness on forced labour issues – regardless of the ups and downs of the peace process – with both the groups currently in power (government, village administrators, employers, etc.) and with future generations. In this regard, exploring channels for working alongside the country’s educational institutions is recommended with a view to introducing training and components related to International Labour Standards in the various curricula. This would prove conducive to the sustainability and impact of the ILO Office in Myanmar both with regard to the fight against forced labour and the promotion of FPRW. It is also advised that alternative tools for raising awareness be explored, using audiovisual media in particular and in conjunction with the media.

| Responsible Units | Priority | Time Implication | Resource Implication |
|--|----------|------------------|----------------------|
| Project staff and ILO Office in Myanmar | Medium | Long-Term | Medium |

6. The project should ensure that it has a suitable M&E system in place. A project with these characteristics and this sort of funding must have an M&E officer from its outset, both for project monitoring and to gather information that can be used for accountability and learning purposes.

| Responsible Units | Priority | Time Implication | Resource Implication |
|---|----------|------------------|----------------------|
| Project staff, ILO Office in Myanmar & the donor | High | Long-Term | Medium |

7. Given the difficulties that the project experienced in terms of efficiency, it is advisable that donors to future projects of this sort consider the possibility of placing a Chief Technical Advisor at the helm of the project. This figure could be directly accountable to the donor, and would be responsible for suitable communication with the donor through reporting and follow-through.

| Responsible Units | Priority | Time Implication | Resource Implication |
|-------------------------------|----------|------------------|----------------------|
| The European Union (donor) | High | Long-Term | Low |

One of the lessons learned over the course of the evaluation is that, as an ILO Office, the Myanmar office needs to establish relationships with their natural counterparts. The absence of such relationships, or at least their absence insofar as this project is concerned, resulted in serious effectiveness and efficiency deficits. Especially in the section on SEZs, this lack of relationships forced the project to work with stakeholders who do not fall within the natural scope of the ILO. The most significant outcome of this situation is that the project ultimately carried out activities and developed outputs that did not correspond to the organisation's core mandate. This reality—the inability for the ILO to conduct satisfactory work due to a lack of freedoms under a dictatorial regime—was commonplace in a different chapter of the country's history, but in the new democratic context, the ILO should start to adapt to the current reality.

In Mon State, the project has provided adequate Training for Trainers material for teachers of the Mon Department of Education and women members of the Mon Women's Organization. The material has been produced in an easy-to-understand format for beneficiaries. The training components were very positively assessed by the trainers interviewed during the field visit. The ultimate beneficiaries of the trainings will be children in Mon Department of State schools. Eventually the ILO Office in Myanmar could consider the possibility of cooperating with the Ministry of Education in view to establish a sort of cooperation to teach labor rights at schools. The government of Myanmar recently reached an agreement with UNICEF to introduce an academic curriculum on human-rights training. A similar agreement with the ILO may prove effective for teaching the fundamental concepts of labour rights.

Attached is a reference to the above cooperation on the media:



11 ANNEX 1: LESSONS LEARNED AND EMERGING GOOD PRACTICES
TEMPLATE

ILO Lesson Learned Template

Project Title: Promoting Fundamental Principles and Rights at Work as Tools for Peace in Myanmar

Project TC/SYMBOL: MMR/13/12/EEC

Name of Evaluator: Ana María García Femenía

Date: 12th August 2016

The following lesson learned has been identified during the course of the evaluation. Further text explaining the lesson may be included in the full evaluation report.

| LL Element | Text |
|--|---|
| Brief description of lesson learned (link to specific action or task) | <p>Lesson learned 1: on the need to develop relationships with the natural stakeholders for the ILO: government, unions and employers.</p> <p>The need to build on relations with natural counterparts to the ILO mandate was very clear in the project. Unfortunately, many anticipated outputs could not be developed due to the lack of appropriate relations. Therefore, it is advisable that the Office in Myanmar explore ways of strengthening relationships with employers and union organizations in the country, now that freedom of association seems to have been established as a right within the country.</p> |
| Context and any related preconditions | <p>The Office in Myanmar is willing to move towards becoming a more standardised office. Support from both HQ and the regional office in Bangkok has been put in place.</p> |
| Targeted users / Beneficiaries | <p>Constituents in Myanmar.</p> |
| Challenges /negative lessons - Causal factors | <p>It can be challenging for the ILO Office in Myanmar to accept becoming a <i>normal</i> office with a Decent Work Country Programme.</p> |
| Success / Positive Issues - Causal factors | |
| ILO Administrative Issues (staff, resources, design, implementation) | <p>HQ, regional ILO office in Bangkok. ACTRAV and ACTEMP</p> |

ILO Emerging Good Practice Template

Project Title: **Promoting Fundamental Principles and Rights at Work as Tools for Peace in Myanmar**

Project TC/SYMBOL: **MMR/13/12/EEC**

Name of Evaluator: Ana María García Femenía

Date: 12th August 2016

The following emerging good practice has been identified during the course of the evaluation. Further text can be found in the full evaluation report.

| GP Element | Text |
|--|--|
| Brief summary of the good practice (link to project goal or specific deliverable, background, purpose, etc.) | In Mon State, the project has provided adequate Training for Trainers material for teachers of the Mon Department of Education and women members of the Mon Women’s Organization. The material has been produced in an easy-to-understand format for beneficiaries. The training components were very positively assessed by the trainers interviewed during the field visit. The ultimate beneficiaries of the trainings will be children in Mon Department of State schools. |
| Relevant conditions and Context: limitations or advice in terms of applicability and replicability | Suitable planning and coordination should be conducted between the ILO Office and the corresponding departments of education with which this relationship will eventually be established. |
| Establish a clear causeeffect relationship | What is most notable in terms of cause-effect relationships is the fact that the training given to teachers from the Department of Education will be replicated for those teachers’ students in their own schools. Women, too, will be able to repeat the content in the context of their own families. |
| Indicate measurable impact and targeted beneficiaries | The impact may be measured in terms of knowledge of labour rights at an early age, within the context of students’ education. The beneficiaries are teachers and, more so, students, through the education they receive. |
| Potential for replication and by whom | This aspect of the program could be replicated in every state of the country, and certainly on a national level as well. |

| | |
|---|--|
| Upward links to higher ILO Goals (DWCPs, Country Programme Outcomes or ILO's Strategic Programme Framework) | |
| Other documents or relevant comments | The government of Myanmar recently reached an agreement with UNICEF to introduce an academic curriculum on human-rights training. A similar agreement with the ILO may prove effective for teaching the fundamental concepts of labour rights. |

12 ANNEX 2. EVALUATION TERMS OF REFERENCE

June 2016

TERMS OF REFERENCE

June 2016

| | |
|---|--|
| Project Title | Promotion of Fundamental Principles and Rights at Work as Tools for Peace in Myanmar |
| TC project code | MMR/13/12/EEC |
| Donors | European Union |
| Total approved budget | Euro 1,200,000 |
| ILO Administrative unit | ILO Liaison office in Myanmar |
| ILO Technical Units | FUNDAMENTALS |
| Evaluation date and field work dates | August 2014 – July 2016 |
| Evaluation Manager | Alexa Hough |
| TOR preparation date | June 2016 |

Introduction and Rationale for the Final evaluation

This terms of reference (TORs) covers the final evaluation of **Promotion of Fundamental Principles and Rights at Work as Tools for Peace in Myanmar**. The project is implemented by ILO, and funded by the European Union.

The project start date is on 1 August 2014 and the end date is 31 July 2016. In accordance with ILO policy governing technical cooperation projects, an independent final evaluation is required for projects of such budget size and duration. The final evaluation will apply the key criteria of relevance, validity of design, effectiveness, efficiency, sustainability and impact.

The final evaluation aims to assess the continued relevance of an intervention and the progress made towards achieving its planned objectives. The independent final evaluation will be conducted by an independent evaluator and will be managed by an Evaluation Manager from ILO Headquarters in Geneva and guided by a member of the ILO Headquarters Evaluation Unit.

The evaluation manager will prepare a Terms of Reference and will subsequently finalize it in a consultative process involving key stakeholders of the programme including the donors. The evaluation will comply with UNEG Norms and Standards and the ethical safeguards will be followed.

Background of the Project

The ILO undertook a Commission of Enquiry over the systematic use of forced labour by the Myanmar Government in 1998, leading to the imposition of Economic Sanctions under Clause 3 of the ILO. In 2002, a formal Understanding was negotiated which permitted the opening of a liaison office in-country, tasked with working for the elimination of the use of forced labour. This was extended in 2007 by way of a Supplementary Understanding which put in place a complaints mechanism. Under this mechanism, residents of Myanmar can complain to the ILO if their rights in respect of forced labour are abused. The operation of the complaints mechanism and its efficiency enabled the ILO to build both a working relationship with the Government and a very close relationship with the Myanmar citizens who have grown to trust this mechanism which has enabled them to seek redress and/or remedies in full confidence that no retaliatory action be taken against them.

With the holding of elections in 2010 and the transition of the country towards a more open environment, the ILO and the Government of Myanmar agreed to a time-bound action plan on the elimination of forced labour by the end of 2015, signed as an MOU in 2012. Building on the engagement in Myanmar over the past decade and taking into account the most recent developments in the country, the ILO focused on the promotion of full respect for and application of Fundamental Principles and Rights at Work in Myanmar as a means to ensure practices of forced labour no longer continue. This rights-based foundation is the basis for addressing the developments made in the national peace process, as well as economic reforms introduced by the government in line with the priorities laid out in the Action Plan. By addressing fundamental rights, it was envisaged that the country's reconciliation and development would be more in line with a fundamental respect of rights, and thus more inclusive of the needs of all the country's constituents.

Project objectives:

Overall objective: To support the Myanmar peace process by addressing root causes of armed conflict and by creating capacity of stakeholders to respect rights.

Specific objective 1: Peace process consolidated by employing mechanisms to address and prevent human rights abuses, in particular related to forced labour, in the ethnic conflict areas through the application of the principles of restorative justice.

Specific Objective 2: Enhanced respect for International Labour Standards and national laws, including the gender dimensions thereof

Specific Objective 3: Promotion of corporate social responsibility on the part of national and foreign direct investors, in particular with regard to labour standards, and their application in SEZ's and other commercial developments in or in close proximity to conflict affected areas

Target group and partners:

Key stakeholders:

- Myanmar Military at the level of senior commanders. Particular emphasis on local regiment commanders,

- Officers and NCO's and their understanding of responsibilities and required professional practice in line with Myanmar law and international standards
- Ministry of Defence (Secretary 2 of Forced Labour Working Group),
 - Ministry of Labour, Employment and Social Security (MoLES) (Secretary 1 of Forced Labour Working Group), Labour Inspectorate, MoLES's appointed focal point personnel in SEZs .
 - Local Government administrators, Police and Border Police, - Attorney General's Office - Judicial institutions:
 - NSAGs and their respective Ethnic Nationality Organisations
 - Public works department, private contractors, workers and organisations of workers and employers in SEZs

Ultimate beneficiaries:

- Victims of forced labour in communities affected by armed conflict: vulnerable men, women, children, disabled and the elderly
- The populations, women and men, employed in or residing in proximity to SEZ's and other major projects.
- Government Officials including those of lower rank (who are subjected to the higher level commands to exact forced labour)
- Law enforcement officials (civil and military)
- Social partners
- Ethnic Nationality Organizations

Management structure:

Overall project responsibility rests with the former ILO Liaison Officer a.i. based in Yangon and the new ILO Liaison Officer who has recently been appointed.

A Project Coordinator based in Yangon reports to the ILO Liaison Officer. The coordinator carries overall project management responsibility and oversees timely implementation and effective coordination of all activities.

The Project Coordinator will be supported in the Yangon Office by a National Project Coordinator (NPC) whose responsibilities include: (a) monitoring progress of the project activities in each location of the actions (b) establishing and maintaining close links with key stakeholders and initiating project activities under the supervision of the Project Coordinator (c) supporting programme design, monitoring, evaluation and reporting with partners or consultants, (d) report preparation.

A social/economic infrastructure expert is responsible for the oversight of, and the provision of specialist technical advice on, the community led local economic development components. They are supported by two national field assistants who oversee local level activities and provide on the job technical vocational and entrepreneurial training and support the establishment of the community governance, employment and the local economic development elements.

Under the 3rd component, the coordinator is assisted by two Field Assistants focused on the country's main SEZs (Yangon, Dawei and Sittwe).

Five (5) case workers are based in field locations identified as hot-spot areas of forced labour to liaise with the ILO's facilitator network, and provide local support case management, awareness raising, and local mitigation of forced labour issues where appropriate.

A training coordinator organizes the various training activities and will support the development of community liaison/governance committees.

A national administrative and finance assistant ensures proper financial and administrative management of the project under the guidance of the finance and administration offices in ILO/Yangon and ILO HQ in Geneva.

An interpreter/translator provides interpretation/translation services for the project.

A driver facilitates transportation of project staff in Yangon as well as to or from the project or training locations.

Purposes and Objectives of the evaluation:

The main purpose of this evaluation is to assess the relevance, performance, delivery and outcomes undertaken by the project against its intended goals. It also shall examine achievements, good practices and lessons learned from the project in order for the ILO and the relevant technical Ministries, and social partners to identify key areas which may be replicable and areas where further support and attention may be required.

The evaluation findings and recommendations should be used as basis for better design and management for results of future ILO activities in Myanmar. The evaluation also supports public accountability of the Government of Myanmar, ILO and the donor, the European Union.

In particular, the evaluation should focus on the following:

- Evaluation of the outcomes of the project and assessment of the extent to which the project has achieved its desired objectives Assessment of the progress of the project against output and outcome targets
- Assessment of the extent to which the management system was appropriate for the achievement of the desired results and outcomes within a timely, effective and efficient manner.
- Assessment of the appropriateness of the results framework, its indicators, targets and the overall M&E practices Assessment of the extent to which the project has engaged with the tripartite constituents, direct beneficiaries and the donor
- Assessment of the quality of operational work planning, budgeting and risk management, including value for money
- Identification of lessons learnt and good practices Clients and users of the evaluation:
- ILO Liaison Office for Myanmar, Regional office and HQ.
- Government of Myanmar, and social partners
- Delegation of the European Union to Myanmar

Scope of the assessment:

The scope of the evaluation will be all activities implemented by the project during the current project period (August 2014 to June 2016). The evaluation will cover project sites in Mawlamyine, Mon State, Shan State (RCSS), and Dawei or Sittwe or Thilawa (SEZs), NPT (MOLIP). One mission to Mawlamyine in Mon State will be required in addition to a short day mission to Thilawa SEZ, which is located in Yangon. Such field missions would provide the opportunity to assess different aspects of the work carried out by local partners who collaborated with the ILO in its activities. The evaluation will integrate gender equality as a cross-cutting concern throughout its methodology and all deliverables, including the final report.

Evaluation Criteria and Questions

| Criteria | Questions |
|----------------------|---|
| - Relevance | <ul style="list-style-type: none"> - The extent to which the project continued its relevance and responsiveness to address issues faced by the constituents in Myanmar, in particular how the project has contributed to the operations of the Forced Labour complaints mechanism as well as to the objectives of the Strategic Action Plan on Forced Labour, signed by the Government in 2012. - To what extent the project has addressed the needs of the project beneficiaries? |
| | <ul style="list-style-type: none"> - How has the project been responding to the changing situation of the country and/or of the constituents and partners' priorities? |
| - Validity of design | <ul style="list-style-type: none"> - Given the change of the context since the project was designed, whether the design of the project (and the revised design) still address the stakeholders' needs that were identified? - Were the design and the logframe valid? - Did the design identify risks and key assumption and whether the project has a mitigation strategy taking into account the situation of Myanmar? |
| - Effectiveness | <ul style="list-style-type: none"> - Did the project attain its objectives? What were the main challenges, constraints and problems in achieving the results, in particular in relation to extending the project activities to ethnic areas? - Assess the attainment of milestones to date against the results framework and monitoring plan - To what extent the project has managed the practice of knowledge management and lessons dissemination and visibility effort on project branding |
| Efficiency | <ul style="list-style-type: none"> - Have resources (funds, human resources, time, expertise etc.) been allocated and delivered strategically to achieve the project objectives? - How economically have the various inputs been converted into outputs and results? The extent to which the project has leveraged resources/collaborated with other projects? - Given the size of the project, its complexity and challenges, were the existing management structure and technical capacity sufficient and adequate? - How well did the project manage finances? This should include work and financial planning, budget forecasts, spending and reporting |
| Impact | <ul style="list-style-type: none"> • How did the ILO's work in the country build the capacity of tripartite constituents to deliver on DWCP outcomes? • How did the ILO's work in the country influence coordination among the ILO and its strategic partners? • What are the aggregated results within each strategic outcome and CPO? |
| Sustainability | <ul style="list-style-type: none"> • What positive and negative recommendations and lessons could be offered to improve the sustainability of the ILO's work in the region? • How can the findings of the evaluation inform the Country's strategic direction? • What recommendations can be offered on the way forward? |

ILO's policy guidelines for results-based evaluation (2nd edition) 2012 provides the basic framework for project evaluation. Additionally, the evaluation will be carried out according to ILO standard policies and procedures. ILO adheres to the United Nations Evaluation Group (UNEG) norms and standards on evaluation as well as to the OECD/DAC evaluation quality standards.

The evaluation will use a combination of methods and the final methodology will be determined by the Evaluation Team in consultation with the Evaluation Manager. The detailed methodology will be elaborated by the Evaluation Team on the basis of this Terms of Reference and documented in the Inception Report, which is subject to approval by the Evaluation Manager.

It is expected that the evaluation will apply mixed methods that draw on both quantitative and qualitative evidence and involve multiple means of analysis. These include but are not limited to:

- Desk review of relevant documents related to the performance and progress of the project, including the initial project document, progress reports, the evaluability assessment report, the revised results framework, the monitoring and evaluation plan, in-built project knowledge etc.
- Individual interviews with ILO Liaison Office management, the CTA and other project staff, other ILO staff as appropriate and relevant technical specialists at ILO Headquarters and ILO Regional Office, Bangkok (Decent Work Team)
- Individual interviews with other key project stakeholders e.g. tripartite constituents, donor, implementing partners, direct recipients (staff of relevant government departments), direct beneficiaries.
- One mission to Mawlamyine in Mon State will be required in addition to a short day mission to Thilawa SEZ, which is located in Yangon.

Stakeholders' validation workshop –where the preliminary findings are presented to key stakeholders. Documentation in relation to the preliminary finding can be sent to those stakeholders outside of Yangon who are unable to attend the validation workshop.

At the completion of the field mission, a stakeholder workshop will be organized by the ILO in Yangon for the evaluation team to present the preliminary findings and proposed recommendations. Draft evaluation ToRs and the draft report will be shared with relevant stakeholders for their comments and inputs.

All data should be sex-disaggregated to the extent possible and different needs of women and men and those marginalized groups should be considered throughout the evaluation process.

The gender dimension should be considered as a cross-cutting concern throughout the methodology, deliverables and final report of the evaluation. In terms of this evaluation, this implies involving both men and women in the consultation, evaluation analysis, and evaluation team. Moreover the evaluators should review data and information that is disaggregated by sex and gender and assess the relevance and effectiveness of gender-related strategies and outcomes to improve lives of women and men. All this information should be accurately included in the inception report and final evaluation report.

Main deliverables

- **An inception report by 8th July 2016** – upon the review of available documents and an initial discussion with the ILO Liaison Office in Myanmar. The inception report should set out any changes proposed to the methodology or any other issues of importance in the further conduct of the evaluation. The inception report will:
 - o describe the conceptual framework that will be used to undertake the evaluation;
 - o set out in detail the approach for data collection, the evaluation methodology, i.e. how evaluation questions will be answered by way of data collection methods, data sources, sampling and selection criteria, and indicators
 - o set out the detailed work plan for the evaluation, which indicates the phases in the evaluation, their key deliverables and milestones; o set out a plan for data collection, interviews or discussions o set out the list of key stakeholders to be interviewed

- **Field mission (Yangon and Mawlamyine) starting on Monday 11th July and culminating in a stakeholder forum on Monday 18th July** comprising a Power Point presentation of preliminary findings and proposed recommendations at the stakeholders workshop at the completion of the field mission

- **Draft evaluation report by 22nd July**, later transformed into a **final report** when comments of ILO and other key stakeholders have been received and incorporated. The report should total about 30-35 pages excluding annexes with an Executive Summary (as per the ILO standard format for an Evaluation Summary). The quality of the report will be assessed against the EVAL checklist 5, 6 and 7 (see annexes). Any identified lessons learnt and good practices will also need to have standard annex templates (1 lessons learnt per page to be annexed in the report) as per EVAL guidelines. The report should also include a section on output and outcome level results against milestone targets to date.

The report and all other outputs of the evaluation must be produced in English. All draft and final report including other supporting documents, analytical reports and raw data should be provided in electronic version compatible with WORD for Windows. Ownership of the data from the evaluation rests jointly between ILO and ILO consultant. The copy rights of the evaluation report rests exclusively with the ILO. Key stakeholders can make appropriate use of the evaluation report in line with the original purpose and with appropriate acknowledgement.

- **Evaluation summary** – according to ILO standard format – will also be drafted by the evaluation team leader after the evaluation report is finalized. The evaluation manager will assess it against EVAL checklist 8.

Management Arrangement:

Evaluation team

Team leader

The final evaluation will be led by an international evaluator who will be responsible to deliver the above deliverables. He/she will be supported by a national consultant. He/she will be required to ensure the quality of data (validity, reliability, consistency, and accuracy) throughout the analytical and reporting phases. It is expected that the report will be written in an evidence-based manner.

Qualification of the team leader:

- o Have at least 8 years of experience in evaluation and in evaluating a complex development projects
 - o Technical knowledge on fundamental principles and rights at work and social dialogue
 - o Knowledge of ILO's roles and mandate, its tripartite structure will be an advantage

- Demonstrate experience, especially within the UN system, in M&E and results-based management
- Ability to write concisely in English
- No relevant bias related to ILO, or conflict of interest that would interfere with the independent of the evaluation

Evaluation team member (Myanmar National)

The team member will provide support to the team leader during the whole process of the evaluation. Evaluation team member reports to the evaluation team leader. Specifically, the national consultant will be responsible for the following tasks:

- Conduct a desk review of relevant documents
- Pro-actively provide relevant local knowledge and insights to the team leader
- Be available and present during the evaluation mission
- Take part in the interviews with ILO constituents and key stakeholders, and to make notes during interviews, and to write brief reports on main observations and conclusions
- Contribute to the main report to be written by the team leader (international consultant) - the national consultant may be asked to contribute to certain sections in the draft and final report as requested by the Team Leader (International Consultant).
- Participate and jointly facilitate the stakeholders' workshop.
- Provide interpretation, where needed.

Evaluation manager

Better Work Global Finance Manager, (Ms Alexa Hough, hough@ilo.org)

– will take the responsibility for developing a TOR in consultation with all concerned parties and will manage the whole evaluation process. The Evaluation Team leader reports to the Evaluation Manager.

Quality assurance

Quality control throughout the evaluation process will be provided by ILO's Evaluation Department at their Headquarters in Geneva.

Administrative and logistic support

The ILO Liaison Office for Myanmar, “Promotion of Fundamental Principles and Rights at Work as Tools for Peace in Myanmar” project will provide relevant documentation and administrative and logistic support to the evaluation. The project team will also assist in organizing a detailed evaluation mission agenda. The project must, therefore, ensure that all relevant documentation is up to date and easily accessible by the Evaluation Team.

Roles of other key stakeholders

All stakeholders particularly those relevant ILO staff, the donors, tripartite constituents, relevant government agencies, NGOs and other key partners – will be consulted throughout the process and will be engaged at different stages during the process. They will have the opportunities to provide inputs to the TOR and to the draft final evaluation report.

| | | |
|---|--|--|
| Preparation of the TOR –draft | By Friday, 10 June 2016 | Evaluation manager (with inputs from ILO Yangon, project team and other stakeholders) |
| Sharing the TOR with all concerned for comments/inputs | Friday, 10 June 2016 | Evaluation manager |
| Finalization of the TOR | Monday, 13 June 2016 | Evaluation manager |
| Approval of the TOR | Friday, 17 June 2016 | EVAL |
| Selection of consultant and finalisation | Monday, 27 June 2016 | Evaluation manager/ Regional M&E officer |
| Contract preparation | Friday, 1 July 2016 | Project |
| Contract start date | Monday, 4 July 2016 | |
| Submission of Inception Report by Evaluator | Friday, 8 July 2016 | |
| Evaluation Mission | Commencing Monday, 11 July 2016 | Logistic support and arrangement provided by the project |
| Evaluation debriefing for all stakeholder | End of the evaluation mission – provisionally Monday, 18 July 2016 | Evaluator (with support from project to organize a stakeholders meeting at the end of the mission) |
| Draft report | Friday, 22 July 2016 | Evaluator |
| Sharing the draft to all concerned | Friday, 22 July 2016 | Evaluation Manager |
| Deadline for feedback on the draft report | Tuesday, 26 July 2016 | |
| Consolidation of comments on the draft report and send to Evaluator | Wednesday, 27 July 2016 | Evaluation Manager |
| Finalization of the report | Friday, 29 July 2016 | Evaluator |

| | | |
|-----------------------------|------------------------|--------------------|
| Review of report | Friday, 12 August 2016 | Evaluation Manager |
| Approval of report | Friday, 19 August 2016 | EVAL (Geneva) |
| Follow up on recommendation | August/September 2016 | Myanmar Office |

Resources

Funding will come from the Promotion of Fundamental Principles and Rights at Work as Tools for Peace in Myanmar project:

- 1) the consultant's fee and the Daily Subsistence Allowance (UN rate) and international travel as per ILO rules and regulations
 - 2) stakeholders workshop(s)
 - 3) transportation during the on-site visit(s)
 - 4) interpretation (if needed) [Annexes](#)
-

Annex1: Document to be reviewed: -

- 1.) Agreement signed between ILO and the European Union for the funding of the project;
- 2.) PRODOC;
- 3.) TCPR dated November 2015, covering the period 1 August 2014 to 31 October 2015;
- 4.) MoU and Joint Action Plan
- 5.) Draft Public Declarations
- 6.) GB Reports
- 7.) Training Curriculum and Presentations

Annex 2: All relevant ILO evaluation guidelines and standard templates

Code of conduct form (To be signed by the evaluators)

http://www.ilo.org/eval/Evaluationguidance/WCMS_206205/lang--en/index.htm

Checklist No. 3 Writing the inception report

http://www.ilo.org/eval/Evaluationguidance/WCMS_165972/lang--en/index.htm

Checklist 5 Preparing the evaluation report

http://www.ilo.org/eval/Evaluationguidance/WCMS_165967/lang--en/index.htm

Checklist 6 Rating the quality of evaluation report

http://www.ilo.org/eval/Evaluationguidance/WCMS_165968/lang--en/index.htm

Template for lessons learnt and Emerging Good Practices

http://www.ilo.org/eval/Evaluationguidance/WCMS_206158/lang--en/index.htm

http://www.ilo.org/eval/Evaluationguidance/WCMS_206159/lang--en/index.htm

Guidance note 7 Stakeholders participation in the ILO evaluation

http://www.ilo.org/eval/Evaluationguidance/WCMS_165986/lang--en/index.htm

Guidance note 4 Integrating gender equality in M&E of projects

http://www.ilo.org/eval/Evaluationguidance/WCMS_165986/lang--en/index.htm

Template for evaluation title page

http://www.ilo.org/eval/Evaluationguidance/WCMS_166357/lang--en/index.htm

Template for evaluation summary:

<http://www.ilo.org/legacy/english/edmas/eval/template-summary-en.doc>

13 ANNEX 3. EVALUATION INCEPTION REPORT (WITHOUT ANNEXES)



International
Labour
Office
Geneva

INCEPTION REPORT

| | |
|---------------------------------|---|
| ILO Project Code: | MMR/13/12/EEC |
| ILO Project Title: | Promoting Fundamental Principles and Rights at Work as Tools for Peace in Myanmar |
| ILO Administrative Unit: | ILO Liaison Office in Myanmar |
| Project Duration: | 24 months |
| Start Date: | 1 August 2014 |
| End Date: | 31 July 2016 |

Donor Contribution: 1,200.000 USD (European Union)

Evaluation Manager: Alexa Hough

Evaluation Team: Ana María García Femenía

Date: 15 July 2016

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| 11 | ANNEX IV: INITIAL LIST OF STAKEHOLDERS | ¡Error! Marcador no definido. |

LIST OF ACRONYMS

| | |
|-----|---------------------------|
| C | Convention |
| CPO | Country Programme Outcome |
| CTA | Chief Technical Adviser |
| DWC | Decent Work Country |

| | |
|--------|--|
| DWCP | Decent Work Country Programme |
| DWT | Decent Work Team |
| EQ | Evaluative Question |
| EVAL | ILO Evaluation Office |
| FPRW | Fundamental Principles and Rights at Work |
| GENDER | Gender Bureau |
| HQ | Headquarters |
| ILO | International Labour Organization |
| LEP | Labor and Employment Plan |
| LF | Logical Framework |
| M&E | Monitoring and Evaluation |
| MOLES | Ministry of Labour, Employment and Social Security |
| MOLIP | |
| MOU | Memorandum of Understanding |
| MTR | Mid-Term Review |
| NCO | |
| NPC | National Project Coordinator |
| NPT | |
| NSAG | Non State Armed Groups |
| RBM | Results-Based Management |
| RCSS | |
| SEZ | Special Economic Zone |
| SU | Supplementary Understanding |
| TBC | To be confirmed |
| USD | United States Dollars |

Project Background

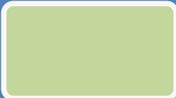
The ILO undertook a Commission of Enquiry over the systematic use of forced labour by the Myanmar Government in 1998, leading to the imposition of Economic Sanctions under Clause 3 of the ILO. In 2002, an Understanding was agreed between the Government of Myanmar and the ILO that permitted the appointment of an ILO Liaison Officer in Myanmar who was tasked with supporting the Government in the elimination of forced labour, and monitoring forced labour policy and practice within Myanmar. This was extended in 2007 by way of a Supplementary Understanding which put in place a complaints mechanism. The SU was extended for the fifth time on 23 January 2012 for a further 12-month period from 26 February 2012 until 25 February 2013. Since then, and in order to ensure the legal framework for the ILO's renewed cooperation in Myanmar, the SU has been extended on an annual basis. Under this mechanism, residents of Myanmar can complain to the ILO if their rights in respect of forced labour are abused. The operation of the complaints mechanism and its efficiency enabled the ILO to build both a working

relationship with the Government and a very close relationship with the Myanmar citizens who have grown to trust this mechanism which has enabled them to seek redress and/or remedies in full confidence that no retaliatory action be taken against them.

With the holding of elections in 2010 and the transition of the country towards a more open environment, the ILO and the Government of Myanmar agreed to a structured plan of action to implement a comprehensive joint strategy with the objective of achieving the elimination of all forms of forced labour by 2015 signed as an MOU in 2012. Building on the engagement in Myanmar over the past decade and taking into account the most recent developments in the country, the ILO focused on the promotion of full respect for and application of Fundamental Principles and Rights at Work in Myanmar as a means to ensure practices of forced labour no longer continue. This rights-based foundation is the basis for addressing the developments made in the national peace process, as well as economic reforms introduced by the government in line with the priorities laid out in the Action Plan. By addressing fundamental rights, it was envisaged that the country's reconciliation and development would be more in line with a fundamental respect of rights, and thus more inclusive of the needs of all the country's constituents.

Project objectives:

The Overall project objective is: To support the Myanmar peace process by addressing root causes of armed conflict and by creating capacity of stakeholders to respect rights. The three project specific objectives are the following:

-  Peace process consolidated by employing mechanisms to address and prevent human rights abuses, in particular related to forced labour, in the ethnic conflict areas through the application of the principles of restorative justice.
-  Enhanced respect for International Labour Standards and national laws, including the gender dimensions thereof
-  Promotion of corporate social responsibility on the part of national and foreign direct investors, in particular with regard to labour standards, and their application in SEZ's and other commercial developments in or in close proximity to conflict affected areas

According to the Terms of Reference, the key stakeholders and partners are the following:

Key stakeholders:

- Myanmar Military at the level of senior commanders. Particular emphasis on local regiment commanders, Officers and NCO's and their understanding of responsibilities and required professional practice in line with Myanmar law and international standards.
- Ministry of Defence (Secretary 2 of Forced Labour Working Group).
- Ministry of Labour, Employment and Social Security (MoLES) (Secretary 1 of Forced Labour Working Group), Labour Inspectorate, MoLES's appointed focal point personnel in SEZs . - Local Government administrators, Police and Border Police.
- Attorney General's Office.

Judicial institutions:

- NSAGs and their respective Ethnic Nationality Organizations
- Public works department, private contractors, workers and organizations of workers and employers in SEZs.

Ultimate beneficiaries:

- Victims of forced labour in communities affected by armed conflict: vulnerable men, women, children, disabled and the elderly.
- The populations, women and men, employed in or residing in proximity to SEZ's and other major projects.
- Government Officials including those of lower rank (who are subjected to the higher level commands to exact forced labour)
- Law enforcement officials (civil and military)
- Social partners
- Ethnic Nationality Organizations

This project began on 1 August 2014 and will officially end on 31 July 2016.

According to ILO requirements, an independent evaluation will be carried out. The final evaluation aims to assess the continued relevance of the intervention and the progress made towards achieving its planned objectives. The evaluation is foreseen to ensure accountability and the appropriate use of funding provided by the donor, as well as for organizational learning purposes.

Purpose of the Evaluation and Scope of the Assignment

The main purpose of this evaluation is to assess the relevance, performance, delivery and outcomes undertaken by the project against its intended goals. It also shall examine achievements, good practices and lessons learned from the project in order for the ILO and the relevant technical Ministries, and social partners to identify key areas which may be replicable and areas where further support and attention may be required.

The evaluation findings and recommendations should be used as basis for better design and management for results of future ILO activities in Myanmar. The evaluation also supports public accountability of the Government of Myanmar, ILO and the donor, the European Union.

In particular, the evaluation should focus on the following:

- A. Evaluation of the outcomes of the project and assessment of the extent to which the project has achieved its desired objectives.
- B. Assessment of the progress of the project against output and outcome targets.
- C. Assessment of the extent to which the management system was appropriate for the achievement of the desired results and outcomes within a timely, effective and efficient manner.
- D. Assessment of the appropriateness of the results framework, its indicators, targets and the overall M&E practices.
- E. Assessment of the extent to which the project has engaged with the tripartite constituents, direct beneficiaries and the donor.
- F. Assessment of the quality of operational work planning, budgeting and risk management, including value for money.
- G. Identification of lessons learnt and good practices. Clients and users of the evaluation:
 - ILO Liaison Office for Myanmar, Regional office and HQ.
 - Government of Myanmar, and social partners.
 - Delegation of the European Union to Myanmar.

The scope of the evaluation will be all activities implemented by the project during the current project period (August 2014 to June 2016). The evaluation will cover project sites in Mawlamyine, Mon State, Shan State (RCSS), and Dawei or Sittwe or Thilawa (SEZs), NPT (MOLIP). One mission to Mawlamyine in Mon State will be required in addition to a short day mission to Thilawa SEZ, which is located in Yangon. Such field missions would provide the opportunity to assess different aspects of the work carried out by local partners who collaborated with the ILO in its activities.

Evaluative Questions and Information Needs

The ToR includes a whole list of questions to be addressed in the evaluation, corresponding to six evaluation criteria:

| Criteria | Questions |
|----------------------|---|
| - Relevance | <ul style="list-style-type: none"> - The extent to which the project continued its relevance and responsiveness to address issues faced by the constituents in Myanmar, in particular how the project has contributed to the operations of the Forced Labour complaints mechanism as well as to the objectives of the Strategic Action Plan on Forced Labour, signed by the Government in 2012. - To what extent the project has addressed the needs of the project beneficiaries? - How has the project been responding to the changing situation of the country and/or of the constituents and partners' priorities? |
| - Validity of design | <ul style="list-style-type: none"> - Given the change of the context since the project was designed, whether the design of the project (and the revised design) still address the stakeholders' needs that were identified? - Were the design and the logframe valid? - Did the design identify risks and key assumption and whether the project has a mitigation strategy taking into account the situation of Myanmar? |
| - Effectiveness | <ul style="list-style-type: none"> - Did the project attain its objectives? What were the main challenges, constraints and problems in achieving the results, in particular in relation to extending the project activities to ethnic areas? - Assess the attainment of milestones to date against the results framework and monitoring plan - To what extent the project has managed the practice of knowledge management and lessons dissemination and visibility effort on project branding |
| Efficiency | <ul style="list-style-type: none"> - Have resources (funds, human resources, time, expertise etc.) been allocated and delivered strategically to achieve the project objectives? - How economically have the various inputs been converted into outputs and results? The extent to which the project has leveraged resources/collaborated with other projects? - Given the size of the project, its complexity and challenges, were the existing management structure and technical capacity sufficient and adequate? - How well did the project manage finances? This should include work and financial planning, budget forecasts, spending and reporting |
| Sustainability | <ul style="list-style-type: none"> • What positive and negative recommendations and lessons could be offered to improve the sustainability of the ILO's work in the region? • How can the findings of the evaluation inform the Country's strategic direction? • What recommendations can be offered on the way forward? |
| Impact | <ul style="list-style-type: none"> • How did the ILO's work in the country build the capacity of tripartite constituents to deliver on DWCP outcomes? • How did the ILO's work in the country influence coordination among the ILO and its strategic partners? • What are the aggregated results within each strategic outcome and CPO? |

■

After the desk review the evaluators would like to propose alternative questions under the two last criteria: Sustainability and Impact. The proposed questions are included in the Draft Evaluation Matrix (see Annex 1).

The evaluation will integrate gender equality as a cross-cutting concern throughout its methodology and all deliverables. Therefore, specific questions on gender have been included in the draft evaluation matrix for each evaluation criterion and for relevant indicators, following ILO evaluation guidelines.

In line with Guidance Note No. 4 on Integrating Gender Equality in Monitoring and Evaluation Projects, the evaluation will take the following factors into account: (i) the involvement of both men and women in constituents'/beneficiaries' consultations and analysis; (ii) the inclusion of data disaggregated by sex and gender analysis in the background and justification sections of project documents; (iii) the formulation of gender-sensitive strategies and objectives and gender-specific indicators; and (iv) outputs and activities consistent therewith.

Evaluation Methodology

Evaluation Team

An ILO evaluation manager, will coordinate the evaluation. The evaluation manager will also act as a liaison between the evaluation team and the project team, as well as other stakeholders. The independent evaluation team is composed by a national consultant and an international evaluation consultant with ten years' previous experience in evaluating technical cooperation projects funded by the European Commission, the ILO and other international donors.

Approach

The principles and approach adopted for the evaluation will be in line with established guidelines set forth in the ILO Guidelines for Results-Based Evaluations⁶. Additionally, the evaluation will be carried out according to ILO standard policies and procedures. ILO adheres to the United Nations Evaluation

⁶ ILO Policy Guidelines for Results-Based Evaluation: Principles, Rationale, Planning and Managing for Evaluations/International Labour Office, Evaluation Unit (EVAL) – Second edition – Geneva: ILO, 2013.

Group (UNEG) norms and standards on evaluation as well as to the OECD/DAC evaluation quality standards.

A master list of key evaluation questions contained within the terms of reference has been included in the Draft Evaluation Matrix, designed as the centre piece **of the evaluation methodology**, and serving as the basis for developing the data collection tools. The evaluation Matrix reflects in detail the approach for data collection and how the evaluation questions will be answered. The proposed evaluation questions reflected in the Terms of Reference have been included in the **Matrix** that contains the Judgement Criteria, Evaluative Indicators and Sources of Information.

The Judgement Criteria cover six key evaluation criteria

1. Relevance
2. Validity of Design
3. Effectiveness
4. Efficiency
5. Sustainability
6. Impact

Draft Evaluative Indicators lay the basis for the initial approach to be adopted by the evaluation team to respond to the evaluation questions. The Evaluative Indicators have been drafted by the evaluators using Project's Log Frame indicators when available. Responses to the evaluative questions will be based both on evaluative indicators from the Evaluation matrix. The structure of the evaluation report will also follow the evaluation matrix. The matrix includes provisional sources of information, mainly a desk review, and semistructured interviews with stakeholders in the field or through skype. The proposed evaluation matrix mainstreams gender throughout the evaluation questions, with its corresponding indicators, resulting in a higher quality of gender analysis.

Data Collection Methods and Analysis

The evaluation will comprise the following Data Collection Methods:

1. Desk review of relevant documents related to the performance and progress of the project, including the initial project document, progress reports, the evaluability assessment report, the revised results framework, the monitoring and evaluation plan, in-built project knowledge, etc

⁷.

2. *Semi-structured interviews:*

The evaluation team will conduct face-to-face semi-structured interviews (or via Skype when necessary) with ILO officials at Yangon Office and constituents. Particular attention will be addressed to ILO staff from other projects tackling Forced Labour issue in the Myanmar.

⁷ See List of documents available in Annex II.

The evaluation team will conduct face-to-face semi-structured interviews with key project stakeholders: tripartite constituents, the delegation of the European Union (donor), implementing partners, direct recipients, participants and beneficiaries from project activities both in Yangon and Mawlamyine, etc. The initial list of stakeholders to interview can be seen in Annex 4.

Type of interviews: The evaluation team will structure the interviews according to an Interview Template. Although questions may be highly detailed, the evaluation consultants will adapt them and add additional questions as appropriate, consistent with the semi-structured nature of the interviews. Emphasis may vary and weight will be placed on questions in order to optimise the use of time.

Triangulation: Data collection methods will be triangulated. Considering the variety of views and interests of stakeholders and clients and users of the evaluation, the stakeholders’ perspectives will be triangulated for many of the evaluation questions in order to bolster the credibility and validity of the results.

3. Field missions:

The field mission will be conducted by the evaluation team in Myanmar (mainly Yangon) from 18th July till 25th July. One mission to Mawlamyine in Mon State will be conducted from Tuesday to Thursday during the evaluation week. In addition to a short day mission to Thilawa SEZ, which is located in Yangon.

At the completion of the field mission, on Monday 25th July, a stakeholder workshop will be organized by the ILO in Yangon for the evaluation team to present the preliminary findings. Draft evaluation report will be shared with relevant stakeholders for their comments and inputs.

Evaluation Working Plan

| | Indicative Schedule of Activities | 11-15th July | 18-19th July | 19-21st July | 22-th July | Weekend | 25 th July | 25-29th July | TBC |
|-------------------------------------|---|--------------|--------------|--------------|------------|---------|-----------------------|--------------|-----|
| FINAL INDEPENDENT EVALUATION | | | | | | | | | |
| | Activity | | | | | | | | |
| 1. | Desk review, Skypes with ILO Office in Yangon and preparation of Inception Report: First Deliverable | | | | | | | | |
| 2. | Evaluation team field visit in Yangon | | | | | | | | |

| | | | | | | | | | |
|-----|--|--|--|--|--|--|--|--|--|
| 3. | Evaluation team field visit in Mawlamyine | | | | | | | | |
| 4. | Evaluation team field visit in Yangon | | | | | | | | |
| 6. | First Analysis by the evaluation team and preparation of findings | | | | | | | | |
| 7. | Stakeholders Workshop at Yangon ILO Office to present and discuss the evaluation findings Second Deliverable | | | | | | | | |
| 8. | Evaluators work to prepare Draft Report Third Deliverable | | | | | | | | |
| 9. | ILO comments Draft Report | | | | | | | | |
| 10. | Final Report Fourth Deliverable | | | | | | | | |

RISK OF THE EVALUATION AND MITIGATION MEASURES

| Risk | Repercussion | | Danger | Mitigation Measures |
|--|--|--------------------------|--------|--|
| Unbalanced representation of constituents/ participants | Bias in the evidence gathered, impact on the validity of the interpretation of findings. | <input type="checkbox"/> | Medium | <input type="checkbox"/> Yangon ILO field office is further involved in ensuring a balanced participation of the tripartite social partners in the meetings. |
| Inability to visit the sites where projects have had relevant interventions | Incomplete data gathering activity. | <input type="checkbox"/> | Medium | <input type="checkbox"/> Further involvement of the field office in the implementation of the requested agenda for the evaluation. |
| Lack of capacity of constituents to accommodate the evaluation needs in their own agendas | Incomplete data gathering activity. | <input type="checkbox"/> | High | <input type="checkbox"/> The evaluation team might need to directly assess constituents' support and involvement in the project. |

| Project Documents | |
|--------------------------|---|
| | Project Document PROMOTION OF FUNDAMENTAL PRINCIPLES AND RIGHTS AT WORK AS TOOLS FOR PEACE IN MYANMAR, Annex 1 Description of the action. |
| | Initial Project Logframe (2013) |
| | Project Logframe revised (2015) |
| | "IFS-2014-344191 "Promotion of Fundamental Principles and Rights at Work as Tools for Peace in Myanmar" Annex 3. Budget for the Action and Log Frame |
| | "IFS-2014-344191 "Promotion of Fundamental Principles and Rights at Work as Tools for Peace in Myanmar" Annex 3. Budget for the Action and Log Frame. Addendum No cost extension. |
| | "IFS-2014-344191 "Promotion of Fundamental Principles and Rights at Work as Tools for Peace in Myanmar" Annex 3. Budget for the Action. Addendum No cost extension. |
| | INTERIM NARRATIVE REPORT, 1 August 2014-31 October 2015 |
| | "IFS-2014-344191 "Promotion of Fundamental Principles and Rights at Work as Tools for Peace in Myanmar" Contribution Agreement Budget |
| ILO Documents | |
| | C029 - Forced Labour Convention, 1930 (No. 29) |
| | ILO, Update on the operation of the complaints mechanism in Myanmar, Governing Body, GB 322/INS/INF2 |
| | ILO, Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013) Review of the situation in Myanmar on issues relating to ILO activities, including forced labour, freedom of association, and the impact of foreign investment on decent working condition, GB 323/INS/4 |
| | ILO, Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013), GB 325/INS/7 |
| | ILO, Follow-up to the resolution concerning remaining measures on the subject of Myanmar adopted by the Conference at its 102nd Session (2013), GB326/INS/10 |

| | |
|--|---|
| | STATEMENT OF INTENT made by: The National League for Democracy (NLD) hereinafter referred to as the 'Incoming Government' and The International Labour Organization (Hereinafter referred to as 'the ILO') |
| | Final Narrative Report from the project: Eradication of all forms of forced labour in Myanmar: Strengthening and extending the ILO Forced labour complaints mechanism including specific actions required to sustain discharge of underage recruits, including those designated as deserters |
| | Final Evaluation Report of the ILO Project "Eradication of Forced Labour in Myanmar: Strengthening and extending the ILO forced labour complaints mechanism including specific action required to sustain discharge of underage recruits, including those designated as deserters" (MMR/12/03/EEC) Responses to evaluation recommendations. |
| | Notes / observations on the report of the Government of Myanmar to the GB by Piyamal , 3 November 2015 |
| | ILO Peace Brief for UN Website 2016 May |
| | Note on ILO Peace related activities – Background |
| MYANMAR / ILO DOCUMENTS –CONTEXTUAL DOCUMENTS | |
| | JOINT GOVERNMENT OF THE REPUBLIC OF UNION OF MYANMAR/INTERNATIONAL LABOUR ORGANIZATION STRATEGY FOR THE ELIMINATION OF FORCED LABOUR. Action Plans |
| | http://www.aseanbriefing.com/news/2013/06/28/special-economic-zones-inmyanmar.html |

15 ANNEX 5: LIST OF PEOPLE INTERVIEWED

| | NAME | Position/Office | Email address | DATE OF INTERVIEW |
|----|--------------------------------------|---|--|-------------------|
| 1 | Mr. Benjamin White | Project Coordinator, Forced Labour Project | whiteb@ilo.org | 18th July |
| 2 | Mr. Selim Benaissa | Chief Technical Advisor, Child Labour Project | benaissa@ilo.org | 18th July |
| 3 | Ms. Piyamal Pichaiwongse | Liaison Officer a.i, ILO | piyamal@ilo.org | 18th July |
| 4 | Ms. Aung Su Yi | National Project Coordinator, Forced Labour Project | yi@ilo.org | 18th July |
| 5 | Mr. Moe Kyaw | Field Assistant, Forced Labour Project | kyawm@ilo.org | 18th July |
| 6 | Mrs. Ni Heli Cuai | Interpreter/Translator, Forced Labour Project | cuai@ilo.org | 18th July |
| 7 | Mrs. Soe Soe Hla | Case Worker, Forced Labour Project | hla@ilo.org | 18th July |
| 8 | Mr. Zaw Htay | Case Worker, Forced Labour Project | htay@ilo.org | 18th July |
| 9 | Mrs. Lourdes Kathleen Santos Macasil | Program Officer, ILO | santos@ilo.org | 18th July |
| 10 | Mr. Jared Nathan Bissinger | Project Coordinator, Developing the Capacity of Employer's Organizations in Myanmar | bissinger@ilo.org | 18th July |
| 11 | Mrs. Saw Hnin Swe | Research Manager, UMFCFI | sawhninswe@gmail.com | 18th July |

| | | | | |
|----|-----------------------------|---|--|-----------|
| 12 | Mrs. Laura Payne | Representative, UNHCR | Paynel@nhcr.org | 18th July |
| 13 | Mr. Sonish Vaidya | Infrastructure specialist, Peace and Development Project | vaidya@ilo.org | 19th July |
| 14 | Mr. Min Soe Naing | Beneficiary, Forced Labour project | | 20th July |
| 15 | Mr. Naing Chan Htaw | Beneficiary, Forced Labour project | | 20th July |
| 16 | Mr. Kyaw Khaing Win | Case Worker, ILO | win@ilo.org | 20th July |
| 17 | Mrs. Seik Nyan | Training Coordinator, ILO | ion@ilo.org | 20th July |
| 18 | Mr. Nai Hong Sa Boung Khine | In charge, New Mon State Party | hboungkhine@gmail.com | 20th July |
| 19 | Mr. Nai Chan Jit | New Mon State Party | soe.oo.min@gmail.com | 20th July |
| 20 | Mrs. Mi Kun Chan Non | Director, Mon Women's Organization | jomper.mwdwg@gmail.com | 20th July |
| 21 | Ms. Mi Lyah Klondi Chan | Trainer, Mon Women's organization | wondichan@gmail.com | 20th July |
| 22 | Ms. Mi Aie Non | Trainer, Mon National Education Department | miaienonnon@gmail.com | 20th July |
| 23 | Ms. Mi Kon Janar | Trainer, Mon National Education Department | konjanar@gmail.com | 20th July |
| 24 | Ms. Mi Eim Chan Non | Trainer, Mon Women's organization | mieimchannon@gmail.com | 20th July |
| 25 | Mr. Sandrawara | Representative, Shwe Hmaw Wun Kyauk Tan Local Development Organization, Thilawa SEZ | wara.sandar@gmail.com | 21st July |
| 26 | Mrs. San Shar Tin | Representative, Thilawa Social Development Organization | | 21st July |

| | | | | |
|----|-------------------------------|--|--|-----------|
| 27 | Mrs. Khin Cho Latt | Representative, Shwe Hmaw Wun Kyauk Tan Local Development Organization | | 21st July |
| 28 | Mr. Mya Hlaing | Representative, Thilawa Social Development Organisation | | 21st July |
| 29 | Mr. Salai Za Uk Ling | Program Director, Chin Human Rights Organisation | zauk@chro.ca | 22nd July |
| 30 | Ms. Mai Thin Yu Mon | Program officer, Chin Human Rights Organisation | maithinyumon@chro.ca | 22nd July |
| 31 | Mr. Maung Htun | Kyaukpyu Farmers Union | | 22nd July |
| 32 | Mr. Tin Htun | Aung Thukha Social Organisation | | 22nd July |
| 33 | Mrs. Nang Voe Phat | Program Director, Mawk Kon Local Development Organisation | mawkkon16@gmail.com programdirector@mawkkon.org | 22nd July |
| 34 | Mr. Steve Marshall | Former Liaison Officer, ILO | Steve.marshall@mtaf.govt.nz | 22nd July |
| 35 | Mr. Jordi Carrasco-Munoz | Representative, EU Delegation | Jordi.CARRASCO-MUNOZ@eeas.europa.eu | 22nd July |
| 36 | Mr. Maguire Matthew Soudan | Chief Technical Adviser, ILO (Peace and Development project) | maguirem@ilo.org | 25th July |

| Evaluative Questions and Criteria | Evaluative Indicators |
|--|---|
| EQ 1. RELEVANCE OF THE PROJECT | |
| <p>1.1. To what extent the project continued its relevance and responsiveness to address issues faced by the constituents in Myanmar? in particular, How the project has contributed to the operations of the Forced Labour complaints mechanism as well as to the objectives of the Strategic Action Plan on Forced Labour, signed by the Government in 2012?</p> | <p>1.1.1. The project furthered the ILO agenda in relation to the fight against Forced Labour in Myanmar. 1.1.2. Forced Labour has been identified as a priority for the project's assistance in Myanmar. 1.1.3. The project contributes to the operations of the Forced Labour complaints mechanism. 1.1.4. The project contributes to the objectives of the Strategic Action Plan on Forced Labour, signed by the Government in 2012</p> |
| <p>1.2. To what extent the project has addressed the needs of the project beneficiaries? Has the gender approach been taken in consideration in the project?</p> | <p>1.2.1. The project contributes to a better understanding of the Forced Labour phenomenon in the country. 1.2.2. The project is aligned with the ILO strategy to promote law compliance with C29. 1.2.3. The project includes a gender approach</p> |
| <p>1.3. How has the project been responding to the changing situation of the country and/or of the constituents and partners' priorities?</p> | <p>1.3.1. The project has adapted its strategy to continue its relevance and responsiveness to constituents in Myanmar. 1.3.2. A sufficient degree of flexibility has been applied in project management during its life period.</p> |
| EQ 2. VALIDITY OF DESIGN | |

| | |
|--|---|
| <p>2.1. Were the design and the logframe valid?</p> <p>2.2. Given the change of the context since the project was designed, Does the design of the project (and the revised design) still address the stakeholders' needs that were identified?</p> <p>2.3. Did the design identify risks and key assumptions? Did the project has a mitigation strategy taking into account the situation in Myanmar?</p> | <p>2.1.1. Time frames regarding planned objectives and outputs realistic.</p> <p>2.1.2. The projects' logical frameworks are solid: chain from activities and outputs are clear and logical.</p> <p>2.2.1. The project design was flexible enough to be able to a changes in context.</p> <p>2.2.2. The project design and the revised design is sensitive needs, capacity and commitment of stakeholders.</p> <p>2.3.1 The problems and needs were adequately analysed.</p> <p>2.3.2. The needs, constraints, resources and access to p services of the different beneficiaries were clearly identified taking gender issues into account.</p> <p>2.3.3. The underlying assumptions on which the project ha based proved to be true.</p> <p>2.3.4. Risk factors identified in the project design phase have addressed during the project implementation.</p> |
| <p>2.4. Did the project design adequately consider the gender dimension of the planned interventions?</p> | <p>2.4.1. The project objectives and outcomes adequately i gender concerns.</p> <p>2.4.2. The output and outcome project indicators are gendersensitive.</p> |
| <p>EQ 3. EFFECTIVENESS</p> | |
| <p>3.1. To what extent has the project attained its objectives?</p> | <p>3.1.1. Number of Human right abuses complaints reported ILO.</p> |

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| <p>3.2. To what extent the project has faced challenges, constraints and problems in achieving the results, in particular in relation to extending the project activities to ethnic areas?</p> <p>3.3. What has been the attainment of milestones to date against the results framework and monitoring plan?</p> <p>3.4. To what extent the project has managed the practice of knowledge management and lessons dissemination and visibility effort on project branding?</p> <p>3.5. To what extent was the project successful in addressing gender equality?</p> | <p>3.1.2. Government departments, enterprises and workforce are better acquainted with International Labour Standards and national law.</p> <p>3.1.3. National and foreign investors are better acquainted with CSR principles</p> <p>3.2.1 Project effectiveness has been affected by certain challenges, constraints and problems in achieving specific results, in particular in relation to extending the project activities to ethnic areas.</p> <p>3.3.1. The project presents a results framework and a monitoring plan.</p> <p>3.4.1. The project has successfully managed the practice of knowledge management.</p> <p>3.4.1. The project has successfully managed the practice of lessons dissemination and visibility effort on project branding.</p> <p>3.5.1. The project has appraised the differences in the project benefits for men and women.</p> <p>3.5.2. The project outputs and outcomes contribute to gender equality.</p> |
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| | <p>3.5.3. The projects' political and implementing partners (including constituents and others) are aware of the projects' gender-related objectives and have been trained or sensitised on gender issues.</p> <p>3.5.4. The project management has sufficient expertise in gender/the project received technical backstopping from gender specialists/made use of external gender expertise when needed.</p> |
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EQ 4. EFFICIENCY OF RESOURCE USE

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| <p>4.1. Have resources (funds, human resources, time, expertise etc.) been allocated and delivered strategically to achieve the project objectives?</p> <p>4.2. To what extent the project has leveraged resources/collaborated with other projects? How economically have the various inputs been converted into outputs and results?</p> | <p>4.1.1 Resources (funds, human, time and expertise) have been strategically allocated to achieve outcomes.</p> <p>4.1.2. Resources have been used efficiently.</p> <p>4.1.3. Activities and funds have been delivered in a timely manner.</p> <p>4.1.4. The selection of participants in the different project activities has sought to strike a balance between women and men by reflecting the composition of the workforce and the constituency of the sector.</p> <p>4.2.1. The project has taken products, evaluations and lessons learnt from previous projects and ILO initiatives in this field and forced labour into account.</p> <p>4.2.2. Synergies have been created with existing ILO projects on forced labour in Yangong office.</p> <p>4.2.3. Cross-sectoral collaboration with other ILO units/centres has contributed to achieving project results.</p> |
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| <p>4.3 Given the size of the project, its complexity and challenges, were the existing management structure and technical capacity sufficient and adequate?</p> <p>4.4. How well did the project manage finances (including work and financial planning, budget forecasts, spending and reporting)?</p> | <p>4.3.1. The project management structure was (or was not) sufficient and adequate to face the complexity and challenges of the project.</p> <p>4.3.1. The project technical capacity was (or was not) sufficient and adequate to face the complexity and challenges of the project.</p> <p>4.4.1. The project had human resources to manage finances (including work and financial planning, budget forecasts, spending and reporting).</p> <p>4.4.2. The project management had knowledge and experience to manage finances (including work and financial planning, budget forecasts, spending and reporting).</p> <p>4.4.3. The project management had the support from the relevant ILO departments to manage finances (including work and financial planning, budget forecasts, spending and reporting).</p> |
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EQ5. SUSTAINABILITY

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| <p>5.1. How effectively has the project built national ownership?</p> <p>5.2. What project results (i.e. outcomes) appear likely to be sustained after the project and how? Are results anchored in national institutions and can the</p> | <p>5.1.1. A mechanism to follow up on the project implementation has been established at the national level with the full involvement of national constituents.</p> <p>5.2.1. National constituents have been involved in the design of the project stages (design, implementation, etc.).</p> |
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| <p>partners maintain them financially at the end of the project?</p> <p>5.3. Has the project successfully built or strengthened an enabling environment (laws, policies and people’s attitude) towards sustainable results?</p> <p>5.4. What long-term changes can be identified as a result of the project implementation?</p> | <p>5.2.2. National institutions will be able to ensure sustainability, technically and financially</p> <p>5.3.1. Changes introduced in law, policy or practice ensure the sustainability of the projects’ achievements.</p> <p>5.4.1. Specific achievements can be reported at the outcome level that is sustainable due to the commitment of the national constituents.</p> |
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EQ6. IMPACT

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| <p>6.1. To what extent has the project contributed to the overall work of the ILO Office in Yangon in regard to Forced Labour?</p> <p>6.2. How did the project’s work influence coordination among the ILO and its strategic partners?</p> | <p>6.1.1. Project activities and achievements contribute to support to labour legislation reform to end the practice of forced labour in Myanmar.</p> <p>6.1.2. Global and national capacities of relevant stakeholders, workers and employers organizations as well as government departments and labour inspection is developed to improve individual knowledge and skills required to fight against forced labour.</p> <p>6.2.1. National cooperation between the various actors in the fight of forced labour in Myanmar is improved to strengthen collaboration as a complementary means to achieve greater results in the fight against forced labour.</p> |
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| MONDAY July 18 Yangon | TUESDAY July 19 Yangon- Mawlamyine National Holiday in Myanmar | WEDNESDAY July 20 Mawlamyine | THURSDAY July 21 Mawlamyine- Yangon | FRIDAY July 22 Yangon | WI |
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| <p>8:30 – 10:00 (ILO Office) Briefing with the Project coordinator, Benjamin White</p> <p>10:00 – 10:30 (ILO Office) Internal meeting between the two evaluation team consultants.</p> <p>10:45-11:00 (ILO office) Interview with Mr. Selim Benaissa, Chief Technical Advisor, Child Labour Project</p> <p>11:00 – 12:45 Interview with the ILO Deputy Liaison Officer, Piyamal Pichaiwongse</p> <p>12:45 – 13:45 Interview with project staff (National Project Officer, Aung Yi; SEZ liaison, Moe Kyaw; Case Workers, Zaw Htay, Soe Soe Hla, Ni Hlei Cuai</p> | <p>9:00 –10:00(ILO office) Interview with Infrastructure expert, Mr. Sonish Vaidya</p> <p>10:00-18:00 Travel to Mawlamyine</p> | <p>8:00- 9:00 (Attran Hotel) Meeting with 2 beneficiaries from Peace and Development project</p> <p>9:30- (Attran Hotel) Interview with project trainer and Mon Case Worker, Seik Nyan & Kyaw Khine Win</p> <p>Time (Attran Hotel) Meeting with Project coordinator from Peace and Development project (TBC)</p> | <p>9:00 – 12:00 Travel to Yangon</p> | <p>8:30 – 9:00 travel to CHRO office</p> <p>9:00 – 10:00 (CHRO office) Meeting with Chin Human Rights Organisation, Zauk Ling & Mai Thin Yu Mon</p> <p>10:00 – 10:30 travel to ILO office</p> <p>10:30 – 11:30 Meeting with CBO partners:</p> <ul style="list-style-type: none"> <input type="checkbox"/>Pyaug Matt Thu (Kyaukpyu farmers union), U Maung Htun; <input type="checkbox"/>Aung Thukha social organisation; <input type="checkbox"/>Mawk Kon Local Development Organisation, Nang Voe Phat |
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| <p>13:45 – 14:00 (ILO Office) Interview with CTAs of complementary projects:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Programming, Ma. Lourdes Kathleen Macasil Santos <p>14:00 – 14:30 travel to UMFCCI</p> <p>14:30 – 15:30 (UMFCCI office) Meeting with UMFCCI representative, Mrs. Saw Hnin Swe, and ILO Employers Project CTA, Jared Bissinger</p> <p>15:30 – 16:00 travel to UNHCR office</p> <p>16:00 (UNHCR office) Meeting with UNHCR Representative, Laura Payne</p> | | <p>13:00-14:00 (New Mon State Party Office) Interview with New Mon State Party representative, Nai Win Hla</p> <p>16:00 – 17:00 (Office) Interview with Mon Women’s Organisation representative, Mi Kun Chan Non</p> <p>17:00:18:30(Strand Hotel) Interview with four trainers Trained by Forced Labour project</p> | <p>12:30 – 15:00 Continue travel</p> <p>16:00 – 17:00 (ILO office) Meeting with Thilawa Groups</p> | <p>13:30 – 13:30 (EU office) Meeting with Representative from the EU Delegation, Jordi Carrasco-Munoz</p> <p>16:30 – 17:00 (ILO Office) Revisit key members of ILO team for final clarifications</p> |
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