



# ILO EVALUATION

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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 Unit.**



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# 1. Executive Summary

Labour migration is an established and growing structural feature of the economies in the Greater Mekong Subregion (GMS) and neighbouring Malaysia. For over two decades, migrant workers have made a significant contribution to growth in countries of origin and destination. However, inadequate protection policies and practices have had a limiting effect on the positive impact of labour migration and increased the vulnerability of migrants to exploitation and abuse.

For many women and men migrants, the obstacles to migrating through legal channels continue to outweigh the potential benefits. Information is not easily accessible, the procedures are lengthy and complicated and the costs involved force many migrants into debt. As a result, the majority of workers within the GMS continue to migrate irregularly, denying them access to many legal protections and support services. Due to ineffective enforcement of labour laws for migrant workers, even migrating legally often provides little guarantee against rights violations.

From 2010-2015, the ILO has been implementing the Tripartite Action to Protect Migrants Workers from Labour Exploitation (the GMS TRIANGLE) project, funded by the Australian Department of Foreign Affairs and Trade (DFAT) aid programme with a budget of USD \$9.4 million. The project has been implemented in Cambodia, Lao PDR, Malaysia, Thailand and Viet Nam, with activities in Myanmar also initiated in 2013. The project aimed to strengthen the formulation and implementation of recruitment and labour protection policies and practices in the GMS to ensure safer migration that results in decent work. The project had three immediate objectives:

1. Migrant recruitment and labour protection policies strengthened, reflecting the interests of tripartite constituents and gender-specific concerns.☐
2. Capacity of tripartite constituents enhanced to close the gap between intention and implementation of national policy, bilateral agreements and regional commitments related to the recruitment and protection of women and men migrant workers.☐
3. The rights of women and men migrants and potential migrants are protected through increased access to support services.

This is an independent final evaluation of the project. The primary clients of the evaluation are the management team of the GMS TRIANGLE project, the ILO technical unit (MIGRANT), the administrative unit (ILO ROAP) and the donor DFAT. Secondary parties making use of the results will include tripartite constituents and civil society organizations who have partnered with the project, as well as other agencies working on labour migration and human trafficking at national and regional levels. Its purpose is to document key achievements, challenges, lessons learned and good practices for future programmes and projects. This evaluation was carried out over 56 working days from early April to end July 2015. It looked at project activities implemented from June 2010 to June 2015. The geographical scope covered six project countries – Cambodia, Lao PDR, Malaysia, Myanmar, Thailand, and Viet Nam – both capitals and provinces where project activities have been carried out in each country.

The evaluation methodology involved a desk review of project documents and reports, as well as in depth interviews and focus group discussions with a range of stakeholders at regional and headquarters level, and in the six project countries. Primary and secondary data were analysed and compiled into a draft report into which various stakeholders provided input.

The evaluation found that the project was **relevant** because it responded to prevalent forms of exploitation, including withholding of wages/passports, accident compensation, and trafficking. Importantly, it recognized that exploitation of migrants must be addressed more broadly than just

trafficking. The project also addressed the major causes of vulnerability, such as irregular migration, inadequate awareness of the risks involved in migration, and a limited understanding among migrants of their rights at work and how to protect those rights. The project was evidence based, taking into account the results of baseline studies, research studies and the mid-term evaluation. Project activities aligned with and influenced government policies and planning on labour migration in all project countries, assisted with the drafting of six trade union action plans, and influenced employer organisation/industry association priorities in Malaysia, Thailand and Viet Nam. The project was consistent with ILO national strategic priorities as expressed in Decent Work Country Programmes, and with ILO regional and global strategic priorities and programming on labour migration as contained in the ILO Global Programme and Budget and the Multi Lateral Framework for Labour Migration. Moreover, it made effective use of ILO's comparative advantages, including its normative framework and technical expertise to promote rights at work, its unique mandate in addressing labour migration, and its promotion of social dialogue and tripartism. The project design was appropriate for achieving its intended development impact, viz. the reduction of exploitation of labour migrants in GMS and Malaysia.

Furthermore, the project was **effective** in many ways, with clear and realistic objectives that were mutually reinforcing due to their interdependent nature and connectivity. The project largely achieved all activities under the three immediate objectives, except for some discrete activities such as the recruitment agency association Code of Conduct in Cambodia and Lao PDR - due to the capacity and priorities of the national partners.<sup>1</sup> Internal management was initially hindered by insufficient staffing, but these were addressed, particularly following the mid-term evaluation. The project was successful in obtaining the support and cooperation of governments and social partners at national levels and regional levels, through the Project Advisory Committees, and the Sub-Regional Advisory Committee. It was extremely effective in collaboration and coordination with other projects working on labour migration issues in the region, especially its sister project ASEAN TRIANGLE. It cooperated with at least four other ILO projects on labour migration and forced labour, and with other significant actors in the sector, such as AAPTIP, IOM, IOM-X, UN Women, World Vision, UN-ACT and Winrock International, enabling multiplication of impact of related programmes. The capacities of implementing partners varied from partner to partner, and were different within and across countries, with some having the necessary skills to manage project activities, and others not, which accordingly affected their ability to carry out project activities. The project invested significant time and resources training implementing partners where required, but this was affected by staff turnover and efforts to manage knowledge acquired in training workshops to offset this had limited effect in some instances.

Regarding **efficiency**, the project's use of financial resources was generally very efficient and strategic, allocating appropriate amounts to the various countries and objectives depending upon the scale of activities undertaken. Project staff worked hard to offset the budget reduction in 2014, and throughout sought to coordinate activities with other ILO and external projects, including by delivering better value for money by increasing the funds available to carry out project activities. Contributions from tripartite constituents, CSO partners and MRCs consisted of facilities, staff time and office space in all project countries. A highlight was the strategic partnership with ATP in overlapping areas such as the pre-departure training materials. Financial contributions were received from partners including World Vision, IOM and UNACT. The project activities representing the greatest value for money in terms of protecting migrant workers were the MRCs,

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<sup>1</sup> Other examples include simplification of emigration procedures in Laos, beyond the manual and training; Lao Women's Union outreach; and employers' cooperation in Thailand (beyond fishing sector).

policy work and quantitative large-scale research papers.<sup>2</sup> Activities and outputs were generally delivered on time and according to work plan, and the project team was responsive and reacted to mitigate and offset any adverse effects of delays or other implementation difficulties.

With respect to **impact**, ILO technical comments on draft labour migration legislation and policy have been generally well received and a good proportion of these reflected in final legislative and policy instruments, according to interviews. Capacity building trainings at central and local levels were affected by staff turnover and knowledge management mitigation strategies had limited impact in some instances. There is some evidence of implementation mechanisms for new laws, but challenges remain, especially in areas where responsible implementation would require challenging well connected vested interests at different levels. However, the project made considerable impact in designing and instituting the notion of tripartite consultation in labour migration policy, particularly in Cambodia and Vietnam. The amount of compensation negotiated for migrant workers with grievances (US\$1.2 million to January 2015) demonstrates the significant impact of increased access to justice through MRC provision of legal assistance. The project also demonstrated noteworthy impact on labour inspection in the fishing sector in Thailand, and the training delivered and guidelines developed have been used in inspections carried out (since August 2014) on 713 vessels, finding 101 labour violations, including child labour, notable since previous inspections had rarely identified any violations. The impact of self-regulation initiatives was especially successful in Viet Nam, with the monitoring mechanism for implementation of the Code of Conduct of recruitment agencies and the ranking system motivating agencies into greater compliance. Stakeholders in Cambodia and Viet Nam reported that pre departure curricula have been solidly institutionalised – due to extensive efforts to ensure ownership, buy-in and sustainability - and are being used on an ongoing basis. The capacity of MRCs to deliver support services to migrant workers varied across the six countries, and the gender breakdown of support services shows that across the six project countries an average of 41% females and 59% males were reached. Preliminary results of endline studies in Cambodia and Viet Nam show that the project contributed to improvements in safe migration awareness and knowledge among women and men potential migrants, especially by increasing availability of information on migrating for work, awareness of the legal requirements, knowledge of sources for assistance and capacity building of authorities.

As for **sustainability**, the sustainability plan was not successfully implemented due to lack of time, particularly the financial viability for MRCs. Extended periods of consultation and adaptation helped to ensure that project tools were institutionalised, localised and live on beyond the life of the project. Several in-depth research reports were developed and broadly disseminated in Thailand, Malaysia and Myanmar, filling a knowledge gap in the evidence base and providing advocacy tools. Most project documents are available on the ILO website, demonstrating strong knowledge sharing. MRCs that are able to mainstream their migration services into existing service provision at government job centres, trade unions or CSOs tend to have better opportunities for sustainability. It has been good project strategy to invest in M&E skills for MRCs so they can better report on progress and challenges (both within and beyond GMS TRIANGLE activities), and demonstrate their capacity and achievements to potential donors. The private sector has been engaged through private sector lawyers in receiving countries, and through private recruitment agencies and their associations in sending countries, and industry associations and employers' organizations. The project has successfully supported the development of an enabling policy and institutional environment in labour migration and sought to use local systems

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<sup>2</sup> The MRC Operations Manual also represented good value for money.

and processes to strengthen the capacity of local institutions. However, the project could have improved upon building the capacity of local social partners with respect to technical comments on draft legislation in a more systematic manner.<sup>3</sup>

Regarding **monitoring and evaluation**, the project hired an M&E specialist who developed a rigorous and results-oriented M&E system, which was successful in achieving a more data driven approach that monitored the outcomes and impact of activities throughout the project cycle. The project successfully created practical tools and provided tailored training for MRC service providers to enable them to meet M&E expectations of the project and comply with a methodology that allows for impact evaluation and comparison of the project across the intervention sites. These focused capacity building efforts paid substantial dividends, with implementing partners managing MRCs better able to present a vibrant and precise picture of how project activities have protected migrant workers, as well as nurturing their ability to apply a more evidence- and results-based approach to their work, using for example beneficiary tracing. Moreover, the project established a prototype management information system that can be used to analyse this data and incorporate it into decision-making. Data was appropriately disaggregated and standardized client and complaint forms for MRCs in the six countries facilitated this.

Concerning **gender equality**, risks to gender equality were not initially identified and appropriately managed in a systematic manner. However, from 2013 to 2015 the project strategy placed more emphasis on clearer articulations of gender concerns among staff and implementing partners, especially governments and MRCs, leading to adjustment of approaches where inequitable results were found. The project reached a gender balance of 41% women and 59% men beneficiaries, and conducted targeted outreach with women's organisations and MRC implementing partners where women were disproportionately represented. Targeted efforts also enabled improved gender balance among government officials trained at national and local levels. It would have been good to train partners and allocate specific gender expertise and budget to systematically achieve positive gender equality outputs and outcomes from project inception. However, throughout, the project mainstreamed gender equality concerns into all ILO technical comments on legislation and policy, and supported the Royal Government of Cambodia to adopt a gender sensitive labour migration policy reflecting the rights based approach to labour migration advocated in the ILO Multilateral Framework and the provisions of relevant international labour standards relating to gender equality. A dual focus on the domestic work and fishing sectors in destination countries offered an opportunity to address the vulnerabilities of migrants in highly gendered sectors of work.

A number of good practices emerged from the project. These cannot be listed here in full due to space constraints, but they include: (1) a **gender sensitive, sectoral approach** to addressing labour migration, (2) supporting **in-depth research reports** to fill a knowledge gap, use for advocacy and generate media attention, and (3) engagement with the **private sector** on international migration through self-regulation tools by industry associations and recruitment agency associations.

Several lessons may be learned from the project. The following four were identified in the interviews in the different countries. First, to ensure systematic achievement of positive **gender equality** outputs and outcomes in the project from its inception, it would have been good to have (i) a specific gender equality strategy, (ii) targeted gender equality training for implementing

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<sup>3</sup> The project could have done more work with CSOs to identify the gaps in relation to international standards, so that they could also support the advocacy effort, including after the end of the project.

partners; (iii) allocation of specific expertise (e.g. local gender consultants who speak local languages and have good awareness of cultural issues); and (v) a budget dedicated to gender training for partners and gender-specific activities. Second, a simple and robust **M&E framework** should have been defined at the start of the project, rather than at the midway point. Once a dedicated M&E staff was on board, each MRC was provided with coaching according to their knowledge gaps and the services provided. Although time consuming and more costly, it reaped benefits in the provision of more quality reporting and a shift from focusing on activities to focusing on impact. Third, the project invested significant time and resources training implementing partners where required. However, **capacity building** was affected by frequent staff turnover within tripartite and CSO partners and efforts to manage knowledge acquired in training workshops to offset this had limited effect in many instances. Fourth, it is important to adequately **staff** an international labour migration project with a regional management unit and six country components, including 23 MRC locations.

The following recommendations have been made to various ILO stakeholders, the tripartite constituents and donor.

1. **Expand the gender sensitive, sectoral approach to addressing labour migration to other sectors**, which are particularly vulnerable for women and men migrant workers, including construction, seafood processing, agriculture and manufacturing.
2. **Support in-depth research reports to fill a knowledge gap, use for advocacy and generate media attention.** Explore areas that stakeholders determine as ripe for policy and legislative change to increase influence and uptake of reform.
3. **Engage more with the private sector on international labour migration.** Explore possibilities to leverage funding from private sector or guide corporate social responsibility funds or programs. Continue to advocate for self-regulation tools with industry associations and recruitment agency associations. Other areas of private sector engagement could include providing a platform to consider supply chain concerns; engaging the private sector in the development of innovative protection mechanisms and interaction through the fostering of small enterprises among returned migrants. The complementary role of self-regulation and legislation could be explored, as well as the added benefit that engagement and collaboration with the private sector has on the delivery of results. Continue to engage the private sector as an advocate for policy change, including through highlighting the business case for change.
4. It is important to **adequately staff** an international labour migration project with a regional management unit and six country components, including 23 MRC locations that require support. This includes National Project Coordinators and administrative support in each project country at a minimum, M&E expertise, gender expertise, and ideally additional international project support in each country (e.g. technical officers, JPOs, UNV, AVID, NZ volunteers)☐
5. To ensure the sustainability of the interventions related to **capacity building**, consider:
  - Systems to better communicate ILO technical comments on labour migration law ☐and policy to social partners and CSOs, thereby empowering national level partners ☐to continue rights based advocacy in the long term.
  - Developing strategies to better measure long-term institutional changes in a more objective manner.
  - Increasing instances of ‘on the job’ coaching to influence working styles and ☐problem solving initiative by implementing partners.☐
6. Explore options for **sustainable MRC models**. This could include government funding of

- CSO or trade union run MRCs, in addition to mainstreaming migrant worker services into existing job centres or NGO services.☒
7. Define a simple and robust **M&E and Results Assessment Framework** at the start of the project to ensure continuation of the results measurement system. Provide each MRC with individualised coaching according to their knowledge gaps and the services provided, e.g. on M&E concepts, data collection, assessing impact, analysis and reporting, and participatory monitoring. Fund a dedicated M&E/Research staff member.☒
  8. To ensure systematic achievement of positive **gender equality** outputs and outcomes in the project from its inception, the project would have benefited from:
    - a specific gender equality strategy
    - more targeted gender equality training for implementing partners
    - systematic collection of sex disaggregated data
    - allocation of specific expertise (e.g. local gender consultants who speak local ☒languages and have good awareness of cultural issues); and,
    - a budget dedicated to realizing gender outcomes.

## 2. Project Background

Labour migration is an established and growing structural feature of the economies in the Greater Mekong Subregion (GMS) and neighbouring Malaysia. For over two decades, migrant workers have made a significant contribution to growth in countries of origin and destination. However, inadequate protection policies and practices have had a limiting effect on the positive impact of labour migration and increased the vulnerability of migrants to exploitation and abuse.

For many women and men migrants, the obstacles to migrating through legal channels continue to outweigh the potential benefits. Information is not easily accessible, the procedures are lengthy and complicated and the costs involved force many migrants into debt. As a result, the majority of workers within the GMS continue to migrate irregularly, denying them access to many legal protections and support services. Due to ineffective enforcement of labour laws for migrant workers, even migrating legally often provides little guarantee against rights violations.

From 2010-2015, the ILO has been implementing the Tripartite Action to Protect Migrants Workers from Labour Exploitation (the GMS TRIANGLE) project, funded by the Australian Aid Programme with a budget of USD \$9.4 million. The project has been implemented in Cambodia, Lao PDR, Malaysia, Thailand and Viet Nam, with activities in Myanmar also initiated in 2013.

The project aimed to strengthen the formulation and implementation of recruitment and labour protection policies and practices in the GMS to ensure safer migration that results in decent work. The project had three immediate objectives:

1. Migrant recruitment and labour protection policies strengthened, reflecting the interests of tripartite constituents and gender-specific concerns.☒
2. Capacity of tripartite constituents enhanced to close the gap between intention and implementation of national policy, bilateral agreements and regional commitments related to the recruitment and protection of women and men migrant workers.☒
3. The rights of women and men migrants and potential migrants are protected through increased access to support services.

ILO's partners in this collaboration were labour ministries, workers' and employers' organisations,

recruitment agency associations, and civil society organizations in the six countries. The project team provided technical assistance and monitored the implementation of sub-contracted activities to ensure they were carried out as planned in TORs and contributed to achieving the results outlined in the project's logical framework. Annual work plans were developed in consultation with tripartite constituents and implementing partners through the Project Advisory Committees (PACs) in each project country. These were guided by the objectives outlined in the project design document, with the PACs prioritising the needs in their country context. Project activities were then either directly carried out by the ILO or implemented in partnership with government agencies responsible for migration management and protection of migrant workers, as well as with trade unions, employer associations, non-government organizations, research institutions, and other service providers.

### 3. Evaluation Background

This report is the independent final evaluation of the GMS TRIANGLE project. Its purpose is to document key achievements, challenges, lessons learned and good practices for future applicable programmes and projects. It aims to:

- Assess the achievement of the project against the approved logframe and workplan
- Identify gaps, limitations and/or challenges
- Identify good practices and lessons learned
- Assess the long-term impact of the project. ☐

This evaluation is carried out over 56 working days from early April to end July 2015. The evaluation will look at all project activities implemented from June 2010 to June 2015. It covers six project countries – Cambodia, Lao PDR, Malaysia, Myanmar, Thailand, and Viet Nam - the capitals in five countries plus a selection of provinces where project activities have been carried out in each country.

The primary end users of the evaluation's findings will be the management team of the GMS TRIANGLE project, the ILO technical unit (MIGRANT), the administrative unit (ILO ROAP) and the donor (DFAT). Secondary parties making use of the results will include tripartite constituents and civil society organizations who have partnered with the project, as well as other agencies working on labour migration and human trafficking at national and regional levels. Actors from other regions working on these issues may also take an interest in the evaluation's assessment.

The evaluation has three phases – (1) desk reviews and preparation of inception report; (2) interviews with ILO constituents, donor, and key project partners; and (3) report drafting and finalization.

### 4. Methodology

#### a) Evaluation criteria

The evaluation addresses OECD/DAC evaluation criteria, including:

- **Development Effectiveness:** The extent to which the project's objectives and ☐intended results were achieved
- **Resource Efficiency:** The extent with which resources were economically converted ☐into results, including mention of alternative more cost-effective strategies when ☐applicable

- **Impact:** Positive and negative, intended and unintended long-term effects
- **Relevance:** The extent to which project interventions met beneficiary requirements, country needs, global priorities and partners' and donors' policies
- **Sustainability:** The immediate benefits and probability of continued long-term benefits after the project has ended.

In addition, the evaluation assesses gender equality, and monitoring and evaluation as key DFAT criteria for evaluation.

#### b) Evaluation methods and data collection instruments

To strengthen the credibility and usefulness of evaluation results, the evaluation has used a mix of data sources collected through multiple methods. This included **primary data** which has been collected directly from stakeholders about their first-hand experience with the intervention. This data was collected through interviews, focus group discussions, and some observation. It also included **secondary data** consisting of documentary evidence that has direct relevance for the evaluation, such as nationally and internationally published reports, project documents, monitoring reports, previous reviews, country strategic plans, and research reports. This data was collected through a desk review of project documents and other relevant materials. The massive scale of the desk review is notable, and included in excess of 220 documents. The desk review was included in the inception report and was used to verify qualitative data gathered directly from stakeholders.

The evaluation methodology includes multiple methods with analysis of both quantitative and qualitative data, where possible. It includes but is not restricted to the following:

- **Review of key project documents** (including the project design document, mid-term evaluation report, annual progress reports, quarterly briefing notes and biannual updates, features, reports from the Subregional Advisory Committee meetings and national Project Advisory Committee meetings, regional communications plan, sustainability plan, results assessment framework, management information system, M&E guide, publications, the MRC Operations Manual and Predeparture Training Curricula, etc.)
- **Review of relevant ILO and DFAT documents** (such as Decent Work Country Programmes, ILO regional migration strategy, Conclusions from the Tripartite Technical Meeting on Labour Migration, ILO Director-General's Fair Migration Agenda, DFAT Aid Programme Priority Areas, etc.)
- **Site visits, key informant interviews and focus group discussions** with stakeholders and beneficiaries in Cambodia, Lao PDR, Malaysia, Myanmar, Thailand and Viet Nam. Field visits to the central and provincial levels were organized to coincide with scheduled activities where possible. Over 200 interviews with near gender balance (112 males and 104 females) demonstrates the comprehensiveness of the qualitative data collection exercise and shows how broad participation has been in the project.

Evaluation interviews	Government	Employer	Worker	Plus	Migrant workers
Female	15	3	10	57	19
Male	40	9	14	39	10

Data collection during the evaluation obtained the perspective of both women and men

beneficiaries and stakeholders, as well as of marginalized groups such as irregular migrants and ethnic or religious minorities. All data has been disaggregated to allow for a thorough gender analysis of the evaluation's findings. Gender equality has been identified by the ILO as a cross-cutting issue of the strategic objectives of its global agenda of Decent Work. To the extent possible, data collection and analysis has been disaggregated by sex as described in the ILO Evaluation Policy Guidelines and relevant Guidance Notes. ☒

The evaluation process has been highly participatory. The ILO, tripartite constituents and other parties involved in the execution of the project have had the opportunity to be consulted, provide inputs, as appropriate. Stakeholder participation has been ensured through the following:

- Formal consultations at the outset of the evaluation
- Their review of the draft report
- Consultations include all tripartite representatives, as well as plus representatives
- Consultations with women and men stakeholders
- Interviews with direct recipients of project services, including the Ministries of Labour, and social partners
- Interviews with key project staff and backstopping staff at country and regional levels. ☒

The evaluation was limited by the short time available for conducting field interviews. This has meant that the evaluator was unable to visit all project sites, which are widespread in six countries of South East Asia. Therefore, the project coordinators selected a sample of project sites for the evaluator to visit based on the amount of activity that has been carried on at each site, accessibility of travel within the time period available for the field mission, and to coincide with scheduled project activities. ☒

The evaluation was carried out in line with the norms, standards and ethical safeguards as elaborated upon in the document "Standards for Evaluation in the UN System", United Nations Evaluation Group, 2005.

### **c) Key evaluation questions**

The key evaluation questions, as drawn from the Terms of Reference, are contained in an Annex. They also form sub-headings for the following evaluation findings.

## **5. Findings**

The project has been assessed for its relevance, effectiveness, efficiency, impact and sustainability, in addition to the key evaluation questions indicated above.

### **A. Relevance**

*The extent to which project interventions met beneficiary requirements, country needs, global priorities and partners' and donors' policies.<sup>4</sup>*

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<sup>4</sup> Terms of reference.

(i) Did the project address the major causes of vulnerability and respond to prevalent forms of exploitation among migrant workers in the GMS?

The project was relevant because it helped to identify the **prevalent forms of exploitation** among migrant workers in the GMS and respond to them, including under- or non-payment of wages, withholding of passports or identity documents, excessive recruitment fees, worker death or accident compensation, and trafficking cases. Moreover, the project addressed **major causes of vulnerability** among migrant workers in the subregion in certain target provinces, such as irregular migration, inadequate awareness of the risks involved in unsafe migration, and a limited understanding among migrants of their rights at work and how to protect those rights.<sup>5</sup> This vulnerability tends to be compounded by limited access to reliable information and support services, since migrants do not know where to get help, are reluctant to approach authorities for assistance, and as a result tend to rely on unscrupulous and opportunistic brokers. Barriers in destination countries include language, fear of employer retaliation and discrimination from authorities. The project also addressed sectors - such as fishing and domestic work - that are particularly vulnerable to labour exploitation because of the relative isolation of the workplaces, and lack of legal protection for workers.

(ii) Was the project evidence based in its approach? In particular, were the results of baseline studies, mid-term evaluation and research studies taken into account in formulating and implementing the activities?

The project was evidence-based in its approach. For instance, the results of the **baseline studies** were taken into account in formulating and implementing the activities. The baseline studies informed the communication plans for raising awareness and influencing attitudes about labour migration and migrant workers, the content for counselling and key messages for migrant workers, and the advocacy strategies to influence governments and social partners about safe migration. Also useful in guiding the interventions was the information generated by the implementing partners after running the MRCs for an initial period.

In addition, significant efforts were made to respond to the recommendations of the **mid-term evaluation** during the second half of the project. This included the development of a Sustainability Plan; a Results Assessment Framework; M&E guidelines and training for MRC staff; and a reinvigorated focus on communications and visibility efforts, through quarterly stakeholder newsletters distributed to approximately 700 people and renewed attention to the *Saphan Siang* and 'Migration Works' campaigns and media engagement.

Moreover, the results of **research studies** were taken into account. For example, the project published several pieces of research, including *Regulating Recruitment: An Assessment of Complaint Mechanisms to Address Grievances during the Recruitment of Inbound and Outbound Migrant Workers* and *Employment Practices and Working Conditions in Thailand's Fishing Sector*. Both of these studies were based on significant empirical research and the findings have guided project interventions in fishing and improving access to complaints mechanisms. In addition, the project published a public attitudes study – *Public Attitudes to Migrant Workers* – which guided the Migration Works and Saphan Siang campaigns in Malaysia and Thailand respectively.

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<sup>5</sup> See discussion of endline surveys and findings under "Impact".

(iii) Did the project results align with or influence government policy and planning, as well as social partner programming and priorities, on labour migration?

Project activities aligned with and influenced **government policies and planning** on labour migration in all countries. In **Cambodia**, the project supported the government to formulate a rights based, gender sensitive labour migration policy reflecting international standards. In **Myanmar**, the project has provided inputs relating to international labour standards for several MOUs and the Law Relating to Overseas Employment, although these are all still in draft stage. In **Thailand**, the project influenced the Ministerial Regulations on the Protection of Fishers and on Domestic Work to provide better rights for migrants working in the fishing and domestic work sectors. In **Viet Nam**, the project assisted the government in preparing several “circulars” and “decisions” that operate as legislative instruments under the labour migration framework, and carried out a review of the Law on Sending Vietnamese Workers Abroad, which will be revised in the coming years. The project also conducted an assessment of the MOUs between Thailand and neighbouring countries, and provided comments to the governments on the draft MOUs. The project has also supported consultations on the operation of Decree 119 on complaints mechanisms available to migrant workers.

Regarding **social partner programming and priorities** on labour migration, the project assisted with the drafting and implementation of six trade union action plans, thereby raising the prominence of the issue among the unions. The project influenced employer organisation and recruitment agency association priorities through its work with the Malaysian Employers’ Federation, the National Fisheries Association of Thailand, and the Viet Nam Association of Manpower Supply on the respective Guidelines for the Recruitment, Employment and Repatriation of Foreign Workers and Codes of Conduct.

(iv) Was the project consistent with or influential to ILO national, regional and global strategic priorities and programming on labour migration and make effective use of its comparative advantages?

The project was consistent with **ILO national strategic priorities and programming on labour migration**. The project’s objectives tied in closely with those under the Decent Work Country Programmes (DWCPs) in Cambodia, Lao PDR, Thailand and Viet Nam, the ILO Programme Framework for Decent Work in Myanmar (in the absence of a DWCP in Myanmar), as well as the country-based UN Development Assistance Framework (UNDAF). The project contributed to the following Decent Work Country Programme Outcomes: Cambodia (KHM 129), Lao PDR (LAO 179), Malaysia (MYS 827), Thailand (THA 176), Viet Nam (VNM 105): *Government and social partners develop and implement policies to manage migration, protect migrant workers and combat human trafficking in line with ILO principles.*

Moreover, the project was consistent with **ILO regional and global strategic priorities and programming on labour migration**. As stated in the Mid-Term Evaluation, the project was designed to link to the following ILO Global Programme and Budget 2010-2011 Outcomes: primarily Outcome 7 on Labour Migration (“*better protection and better access to productive employment and decent work*”), but also to Outcome 1 on Employment Promotion (“*access to productive employment, decent work and income opportunities*”); Outcome 5 on working conditions (“*better and more equitable working conditions*”); Outcome 10 on Workers’ organizations (“*strong, independent and representative organizations*”); Outcome 11 on Labour Administration and Labour Law (“*up-to-date labour legislation and provision of effective services*”); Outcome 12 on Social Dialogue and Industrial Relations (“*tripartism and strengthened labour market governance contributing to effective social dialogue and sound industrial*”).

*relations*"); Outcome 13 on Decent Work in Economic Sectors ("*sector-specific approach to decent work*"); Outcome 14 on Freedom of Association and Right to collective bargaining. The project also was designed to contribute to Outcome 15 on the elimination of forced labour, by implementing specific policies, programmes or actions leading to improved applications of Conventions, principles and rights on the elimination of forced labour and to Outcome 16 on Child Labour. ILO's Regional Outcome on migration based on the Multilateral Framework for Labour Migration "*improved capacities of governments and social partners to manage labour migration*" was also considered in the project design, in particular in suggesting increased tripartite engagement, fair and ethical recruitment policies and practices as well as advocacy for better social protection. During implementation, the project consistently promoted the following two major principles of the Multilateral Framework: "*Governments and social partners should consult with civil society and migrant associations on labour migration policy*"; and "*Governments, in consultation with employers' and workers' organizations, should engage in international cooperation to promote managed migration for employment purposes ... and work with the ILO to promote coherence of labour migration policies at the international and regional levels*".

Furthermore, the project made effective use of **ILO's comparative advantages**, namely its unique mandate and expertise in addressing international labour migration; its promotion of social dialogue and tripartism; its recognition as an international body with both the normative framework and technical expertise to promote rights at work (working with a wide range of ILO specialists and units); its ability to develop and coordinate a regional approach in working both in sending and receiving countries; and its position at the forefront of the discourse and approaches to labour migration governance in ASEAN. The project also shared GMS experiences at the global ILO level, through the MIGRANT good practice database, the Global Forum on Migration and Development, and influenced the discourse on Unacceptable Forms of Work.

#### (v) Was the project design appropriate for achieving its intended development impact?

The project design was appropriate for achieving its **intended development impact**: to reduce the exploitation of labour migrants in the GMS and Malaysia. As stated in the Mid-Term Evaluation, the value of the **regional approach** was apparent in the cross-country case referral and in the provision of end-to-end support; the sharing of information on the situation in the country of destination (in terms of laws, challenges, support services available, etc.); in the development of similar materials in countries of origin (e.g. pre-departure training materials) and destination (e.g. training for labour inspectors); the sharing of approaches and experiences with constituents across countries; being a reliable dialogue partner with regional and sub-regional bodies and on GMS and ASEAN issues, given the knowledge of the situation within six countries.<sup>6</sup>

The **partners and beneficiaries** involved were appropriate. Partners in the six countries included Ministries of Labour, trade unions, employers' organisations, recruitment agency associations, civil society organisations including national and international NGOs, women's groups, UN agencies, and research institutes. There were challenges working in Malaysia and Thailand, due to the role of government departments other than the labour ministries, in setting migration-related policies. Beneficiaries included potential and current women and men migrant workers from and within the Greater Mekong Sub-region and Malaysia, in countries of origin and destination; tripartite constituents; recruitment agencies; civil society organisations; and other

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<sup>6</sup> Mid term evaluation (2013).

key stakeholders.

The three project **objectives** aptly sought to address different yet interlinking aspects of the development problem: (1) law and policy frameworks; (2) capacity building of tripartite constituents; and (3) increasing migrants' access to support services. The **outputs** were relevant for the achievement of the respective objectives, e.g. labour migration law and policy frameworks were strengthened through three outputs: (1) advocacy campaigns; (2) recruitment policies and practices; and (3) labour protection policies and practices.

## B. Effectiveness

*The extent to which the project's objectives and intended results were achieved.*<sup>7</sup>

### (i) Were the three immediate objectives clear and realistic?

The three immediate objectives were **clear and realistic**: strengthened laws and policies, increased capacity of tripartite constituents to implement and influence these, and access to support services for migrant workers. Moreover, the **interdependent nature and connectivity of the immediate objectives made them mutually reinforcing**. For example, the revision of Thailand's Ministerial Regulation on Sea Fisheries Work drew inputs from international standards and good practices, as well as primary research on conditions in the sector, the support services provided to fishers by an NGO partner, and the multiple consultations with the industry association, government departments and CSOs to develop tools and processes for protecting migrant workers. This **deeper sectoral understanding** allowed for concrete and accurate guidance to be provided on a range of interventions. The information collected from the project's support services fed into the development of policy, legislation and capacity building tools.

### (ii) To what extent did the project achieve the three immediate objectives?

The project has **largely achieved the three immediate objectives**. Noting that the project closes at the end of August 2015 and this draft of the final evaluation is submitted at the beginning of July 2015, the project is on track to achieve all objectives. A summary of the project's key achievements under each objective follows.

**Objective 1:** Improved migrant recruitment and labour protection policies to protect the rights of migrant workers through:

- (a) Provision of technical inputs into policy and legislation in all six countries:
  - I. Support to Cambodia in the development of eight ministerial orders (prakas) to supplement Sub-Decree 190 on sending workers abroad; and the development of the second national policy on labour migration 2015-2018;
  - II. Support to Thailand in the passage of the Ministerial Regulation on Domestic Work and a revised Ministerial Regulation on Sea Fisheries Work;
  - III. Support to Viet Nam in the passing of two circulars— one setting a ceiling for deposits from migrant workers, the other establishing criteria for standard contracts;
  - IV. Technical comments were submitted to the government and social partners on the draft Private Employment Agencies Bill and the draft Regulation for Domestic Workers (Malaysia)
  - V. In Myanmar MOLES invited ILO, IOM and MOEAF to provide comments on the MOU with Thailand, recruitment fees and the standard employment contract at a consultation and in written form;
  - VI. The GMS TRIANGLE team contributed to comments, which were submitted to the

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<sup>7</sup> Terms of reference.

Ministry of Labour and Social Welfare on the draft Labour Law developed in part to reframe labour migration management, among other aims (Lao PDR).

(b) Advocacy campaigns conducted among policy makers and the public to influence improved recruitment and labour protection policies and practices;

I. Research studies – one on regulating recruitment of migrant workers in Malaysia; another on Thailand’s fishing sector, which received extensive media attention and has been an important factor in increasing attention on the need to improve working conditions and reduce trafficking and forced labour in the sector; a public attitudes study – *Public Attitudes to Migrant Workers*; and studies on complaints mechanisms in Thailand and Viet Nam.

II. Public awareness campaigns in receiving countries –

- The *Saphan Siang* campaign conducted numerous activities, most notably launching the *Saphan Siang* Youth Ambassadors program, which placed a total of 32 Thai university students in professional volunteer positions with organisations working to assist migrant workers. The *Saphan Siang* campaign and the Youth Ambassadors project continues to be supported by the ILO, IOM, UNESCAP, MTV EXIT and World Vision International (WVI), with other partnerships being explored.
- The campaign, ‘Migration Works,’ launched a Public Service Announcement (PSA) with the support of the UN Resident Coordinator and Human Rights Commission (SUHAKAM) in Kuala Lumpur. The PSA was developed through a consultative process with tripartite constituents. Events with universities and schools and a travelling art exhibition are designed to raise awareness on migrant worker issues are run by the campaign (Malaysia).
- Both campaigns maintain active presence on social media with over 7000 ‘likes’ on the *Saphan Siang* Facebook page and over 3000 for Migration Works.

(c) Strengthening the role of tripartite constituents and NGOs through promotion of tripartite consultations and platforms

I. Tripartite consultation processes took place for all laws, policies and tools developed with project support, fostering the development of a culture of tripartism in all countries.

II. Tripartite plus consultation processes took place in many instances, involving civil society, academia, etc.

Please note the impact of objective one is considered under sections D(i)(a) and (b).

**Objective 2:** Enhanced capacity of tripartite constituents to implement national policies, bilateral agreements and regional commitments through:

(a) Tools to improve regulation, transparency and accountability in the recruitment process

I. Standard pre departure training curricula finalised in all countries of origin for popular migration corridors, highlighting rights-based messages and risks encountered by men and women migrant workers. Training of trainers for delivery of content of pre departure training curricula in all countries of origin.

II. A mechanism for monitoring the Viet Nam Association of Manpower Supply (VAMAS) Code of Conduct has been institutionalised, providing ratings for 50 recruitment agencies. Collectively these agencies are responsible for approximately half of all Vietnamese migrant workers sent abroad.

III. The project has supported the Government of Thailand and industry to develop a number of tools and processes to improve the protection of workers in the fishing sector, including training materials on occupational safety and health, a Code of Conduct for the

National Fisheries Association of Thailand (NFAT), and guidelines and training for labour inspection in the fishing sector.

- IV. MEF Guidelines
- V. Complaints mechanism in Cambodia
- (b) Training of government officials, and social partners, to better implement policy and legislation
  - I. Provision of training on the implementation of labour migration policy and legislation provided to **2,259 public officials**<sup>8</sup> (41% women,<sup>9</sup> low figure attributed to low numbers of women in government ministries<sup>10</sup>) from central and provincial levels. Through concerted efforts to increase the involvement of women receiving capacity building training, the gender balance has improved among public officials trained by 5% at national level and 3% at the local level.<sup>11</sup>
  - II. At district, commune and village levels, **9,020 local leaders and volunteers** (32% women<sup>12</sup>) received training.
  - III. Implementation of **trade union action plans** in the five original project countries to promote their role in the protection of migrant workers; development of a national plan in Myanmar with labour organisations; a study tour for trade union officials from the Cambodian Trade Union Committee on Migration (CTUC-M) to Thailand that resulted in the signing of a Memorandum of Understanding between Thai Trade Unions and the CTUC-M, the first bilateral agreement of its kind within the GMS, and since replicated by the Vietnamese and Malaysian trade unions.

Please note the impact of objective two is considered under section D(i)(c).

**Objective 3:** Increased access to support services for migrant workers and potential migrant workers through 26 implementing partners/Migrant Worker Resource Centres (MRCs):

- a) Provision of support services:
  - I. As of **January 2015, a total of 51,734** women and men have received counselling, information, legal assistance, training on safe migration or joined associations or unions. **41% are women and 60% are men.**
  - II. Migrant Resource Centre Operations Manual finalized in sending countries and training conducted on implementation, through which replication of this approach by other UN and non-UN agencies was made possible.
  - III. Capacity building on M&E at MRCs to improve reporting and the tracing of recipients of safe migration counselling, as well as other impact indicators.
  - IV. Over **50,000** information, education and communication materials have been distributed, including the *Safe Migration Tips* and *Travel Smart, Work Smart*

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<sup>8</sup> Including social partners the figures are 4,404 at central level and 10,601 at local level.

<sup>9</sup> 41% of government officials were women at central level trainings.

<sup>10</sup> The proportion of women in the civil service increased from 32 percent in 2007 to 37 percent in 2013. Of 27 ministries, 20 reported an increase in the percentage of female personnel, with increases in female representation ranging from 0.27 percent (2008) to 7.9 percent (2013). Women's enrolment in the Royal School of Administration (RSA) is increasing, particularly in pre-service training. Kingdom of Cambodia, Ministry of Women's Affairs (2014), *Five Year Strategic Plan for Gender Equality and Women's Empowerment 2014-2018*, p 11-12.

<sup>11</sup> Between 2013 and 2014.

<sup>12</sup> The proportion of women councillors in capital and provincial councils increased from 10 percent in 2009 to 13.23 percent in 2014. In district and khan councils, female seats have increased from 12.68 percent in 2009 to 13.85 percent in 2014. The percentage of female commune councillors increased from 15.10 percent in 2007 to 17.78 percent in 2012. Kingdom of Cambodia, Ministry of Women's Affairs (2014), *Five Year Strategic Plan for Gender Equality and Women's Empowerment 2014-2018*, p 11-12.

☒booklets for all project countries.☒

- (b) Legal assistance to migrants working in or withdrawn from exploitative conditions.
- I. **Over US\$1.2 million in financial compensation** has been ordered for complainants, though it is much harder to track how much of this compensation has been received by complainants. One of the key challenges in compensation is that there are few legal mechanisms to compel payment to complainants, and the power dynamic between migrant workers and employer/recruitment agencies can actively work against payment. The total compensation was also largely made up of monies ordered in Thailand, which has one of the most mature legal system of the project countries.

Please note the impact of objective three is considered under section D(i)(e).

(iii) **How effective was the internal management of the project?**

Overall, the internal management of the project was effective.

At the outset, the project was managed by a Chief Technical Advisor (CTA) in Bangkok, and National Project Coordinators at country level. **Staffing arrangements** were initially inadequate, with a CTA, a Technical Officer, four National Project Coordinators (NPCs) (Cambodia, Lao PDR, Thailand and Viet Nam), and administrative staff – part-time in a number of countries. However, to redress this situation (a high demand for assistance and over-burdened staff) and in response to the findings of the Mid-Term Evaluation, **NPCs were recruited for Malaysia and eventually Myanmar when that component began, an M&E Consultant was recruited** (though also carried out research tasks), **an additional Technical Officer was placed in Myanmar. Administrative staff were added at the regional level and in Malaysia, and others were increased to full time.** The project was also **supplemented with five volunteers from the Australian Youth Ambassadors for Development (AYAD) and Australian Volunteers for International Development (AVID) programmes**, one-year assignments funded through DFAT but outside the project budget.

Moreover, there was **technical backstopping** by the Decent Work Technical Team for Southeast Asia and the Pacific in the ILO's Regional Office for Asia and the Pacific (ROAP) in Bangkok, in particular the Senior Regional Labour Migration Specialist (and former CTA), and by the International Labour Migration Branch (MIGRANT) in Geneva. These positions are funded by the regular budget of the ILO. In addition, consultants and institutions were contracted to provide specific expertise and contribute to key outputs. There was a **high level of ability in the staff** – both national and international, at a technical level and also in good relationship building with partners. This was reflected in the high technical standard of the project outputs, and the excellent quality of the staff has been a major factor in the commendable levels of success attained in the GMS TRIANGLE project.

(iv) **Was the project successful in obtaining the support and cooperation of government and social partners at national and regional levels?**

The project was successful in obtaining the support and cooperation of governments and social partners at national levels and regional levels, due to alignment with their priorities, good communication between the constituents and the NPCs, and work plans and strategies adopted at the Project Advisory Committees, and the Sub-Regional Advisory Committee. The project was unable to engage the employers' organisations in countries of origin because of the nature of the project. Instead, the project engaged associations of recruitment agencies.

At the **national level, governance** was assured through tripartite Project Advisory Committees (PAC) in four project countries, convened annually to provide guidance on the implementation of

the project, and to endorse the proposed annual work plans. Country work plans were drafted by the project staff in consultation with tripartite constituents and implementing partners, before approval at PAC meetings. The PAC was chaired by a senior official of the labour ministry, and constituted by a multidisciplinary grouping of ILO constituents and key implementing partners, including recruitment agency associations and civil society. In Cambodia, Lao PDR and Viet Nam, the PACs also benefited from the participation of provincial labour officers, who could talk about the reality on the ground. However, an employers' representative at the Thai PAC noted that, from their perspective, more NGO participants at the PAC can dilute the perspective of the employers' organization, an ILO constituent, and more participants can make it unwieldy and difficult to convene. In Malaysia and Myanmar, there was some reluctance to establish a separate PAC, but the project was able to form a tripartite consultation committee that considered project activities and work plans, fulfilling many of the roles of the PAC in other project countries, but without official endorsement. This was a good stop-gap measure but stakeholders thought it would be better to have a formal structure with official sign off on work plans, and more regular check-ins to guide the project.

**Governance at the regional level** was through the Sub-Regional Advisory Committee (SURAC), a platform for tripartite constituents to share information, experiences and provide guidance on migration governance. SURAC meetings were held every 18 months, and were used to reflect on the project and to strengthen bilateral, multilateral and regional cooperation. The last two SURAC meetings were coordinated with the ASEAN TRIANGLE project, which was useful for collaboration and synergies with the sister project.

(v) [How effective was the collaboration and coordination with other projects working on labour migration issues in the region?](#)

GMS TRIANGLE was extremely effective in collaboration and coordination with other projects working on labour migration issues in the region. First and foremost was its cooperation with its sister project, **ASEAN TRIANGLE**. Both TRIANGLE projects share similar objectives, with GMS TRIANGLE focusing on national level interventions in six countries, and ASEAN TRIANGLE on the regional approach covering ten countries (though project funding is limited to seven countries, excluding Brunei Darussalam, Malaysia and Singapore). The two projects adopted an inter-connected strategy that linked priorities, approaches and key activities at national and regional levels. The GMS TRIANGLE project's understanding of the national context, relationships with constituents, and presence on the ground in six of the ten ASEAN countries facilitated the advancement of a number of the key activities of the ASEAN TRIANGLE project. At the same time, the regional and multilateral tools and platforms developed by the ASEAN TRIANGLE project helped to advance the objectives of the GMS TRIANGLE project. Moreover, following the reduction in the GMS TRIANGLE budget, the ASEAN TRIANGLE project was able to support certain activities that were also in line with their objectives. Some of the main collaborative activities included preparatory meetings and implementing recommendations of the ASEAN Forum on Migrant Labour; consultations with labour attachés and consular officials in Malaysia; the MRC study tour; supporting publication of some key project tools (MRC Operations Manual, Pre Departure Training Curricula, Travel Smart-Work Smart); assessment of the effectiveness of MOUs between Thailand and neighbouring countries; regional meetings and trainings. Effective cooperation between the two projects was maintained through the sharing of work plans and regular communication on activities and approaches at the regional level.

GMS TRIANGLE also cooperated with other ILO projects including the IPEC **Project to Combat Child Labour in Thailand Shrimp and Seafood Processing Sector**; the **Global Action Programme**

on **Migrant Domestic Workers** (GAP-MDW); the **Decent Work Across Borders** (DWAB) project, the **Forced Labour Action in the Asian Region Project** (FLARE) (training recruitment agencies in Viet Nam, support on the research into fishing and collaborating on media training); the **Special Action Programme to Combat Forced Labour** (SAP-FL) (joint training sessions in Viet Nam and Malaysia); **Promoting Decent Work through Improved Migration Policy and its Application in Bangladesh** (sharing information for policy and legislation components); and the **Promoting the Effective Governance of Labour Migration from South Asia through Actions on Labour Market Information, Protection during Recruitment and Employment, Skills, and Development Impact Project** (South Asia Labour Migration Governance Project) (sharing project tools for replication in South Asia).

In addition, GMS TRIANGLE collaborated with other significant actors in the sector, including **Australia-Asia Programme to Combat Trafficking in Persons** (AAPTIP) (joint activities linking labour migration governance with criminal justice responses to human trafficking at regional and national levels in Malaysia, Thailand, Viet Nam and Myanmar); the **International Organisation on Migration** (IOM) (assessment of MOU processes for Thailand and neighbouring countries, Myanmar Pre-Departure Training Curriculum, Cambodia consultations re law, policy and tools, Bali process meetings, Saphan Siang campaign in Thailand); **IOM-X** – the IOM’s innovative campaign to encourage safe migration and public action to stop human trafficking and exploitation, which leverages the power of media and technology to inspire young people and their communities to act against human trafficking; **United Nations Action for Cooperation against Trafficking in Persons** (UN-ACT) (increased participation of labour ministries in the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT), Saphan Siang campaign in Thailand); **UN Women** (joint UN Women/ILO project on “Preventing the Exploitation of Women Migrant Workers in ASEAN” – increasing policy and decision maker access to gender sensitive evidence and knowledge, capacity building of recruitment agencies and government regulatory bodies, social mobilization to improve public awareness and actions against abuse and exploitation, Saphan Siang campaign in Thailand); **World Vision** (financial support for certain activities in Thailand and Viet Nam, Saphan Siang campaign in Thailand).

Collaboration with other projects enabled the **multiplication of impact** of related programmes by ensuring that they complemented and supported each other. It also allowed for a **broader range of perspectives** on labour migration, forced labour, trafficking, and gender aspects. Moreover, following the reduction in **budget** to GMS TRIANGLE, support from other projects, particularly ASEAN TRIANGLE, was instrumental in the project completing certain activities thereby contributing to the achievement of the stated project objectives.

(vi) **Were implementing partners effective in carrying out the project activities?**

The capacities of implementing partners **varied from partner to partner**, and were so different within and across countries, with some having the necessary skills to manage project activities, and others requiring more training and coaching from the project, which accordingly affected their ability to carry out project activities. Under objective 3 for example, the Viet Nam government-run MRCs benefited from more staff, equipment and capacity than those in Lao PDR, reflecting the different priorities and investments of those governments. There was very limited funding of the government-run MRCs in Lao PDR because implementing partners did not have the human resources or capacity to implement the project activities, and it was not a priority in the same way as in other countries. Within Myanmar, the NGO running the MRC in Shan State had excellent skills to manage project activities, whereas none of the Labour Exchange Office-run MRCs had yet built up the adequate capacity, and had relatively short implementation time for

building capacity where needed. Some established NGOs in Thailand were already providing assistance to migrant workers, where as some partners (particularly trade unions) did not have prior experience in exactly the same field, for example in health services but not labour. Under objectives 1 and 2, there was also a range of abilities. For instance, the ministries of labour in Cambodia and Viet Nam had a good understanding of the issues and relatively little staff turnover, which meant they were more effective partners with the capacity to implement activities according to given timetables. In Thailand, staff turnover affected continuity, and in Lao PDR, Malaysia and Myanmar other commitments, capacity and time frames impacted on the effectiveness of partners.

The **effectiveness of MRCs run by government versus non-government organisations** must be noted. While the **sustainability options for MRCs incorporated into existing government structures** are plentiful and this arrangement underscores the state responsibility for protecting the rights of migrant workers, governments are still facing capacity barriers with respect to experience providing services to migrants and many **migrants remain reluctant to access services through government offices, especially where women face institutional discrimination**. Lao Government MRCs are affected by gaps in the administrative and financial performance and structures encouraging government staff to perform MRC roles are undermined by the lack of incentives and existence of a results-based approach. Lao PDR and Viet Nam government-run MRCs seem not to be able or willing to handle complaints or encourage people to come to them to lodge complaints, potentially because the complaints framework and practicable action possible to be taken by MRC staff is not clear, but also as they do not see the MRC role as highlighting problems that undermine the appropriateness and functioning of government policies.<sup>13</sup>

The project invested significant time and resources training implementing partners where required. As discussed further below under “impact”, **capacity building was affected by frequent staff turnover** and efforts to manage knowledge acquired in training workshops to offset this had limited effect in many instances, due to knowledge management challenges within partner organisations. Others however paid off, for instance in Malaysia the investment in more staffing and capacity building at the union run MRCs was effective regarding the standard and timeliness of their work and reporting. Other barriers included language in receiving countries, with the NGO run MRC in Malaysia for example having difficulty communicating in all the relevant languages of its clients. On the other hand, in Thailand some MRCs had Khmer and Myanmar-speaking resource persons available to mitigate this difficulty, and increase trust amongst migrant communities.

## C. Efficiency

*Resource Efficiency: To what extent were resources economically converted into results?<sup>14</sup>*

### (i) Was the project’s use of resources optimal for achieving its intended results?

The project’s use of **financial resources** was generally very efficient and strategic. The budgets show that 38% of the overall budgets went to **staff costs**. This is an appropriate level of budget expenditure for a technical assistance heavy project, as staff contributed technical expertise to most activities. The evaluator has been provided with budgets (though not comprehensive budget breakdowns) for the Cambodia, Lao PDR, Thailand and Viet Nam components, broken down by project objective, for 2013 and 2014.

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<sup>13</sup> ILO (2014), *Annual Report: GMS TRIANGLE Project*.

<sup>14</sup> Terms of reference.

Country	Strengthening policy and legislation	Capacity building of stakeholders	MRC services
<b>Cambodia</b>	17%	11%	72%
<b>Lao PDR</b>	34%	38%	28%
<b>Thailand</b>	20%	26%	54%
<b>Viet Nam</b>	14%	66%	20%

This shows an average of 21% was spent on **strengthening policy** and legislation, 35% on **capacity building**, and 44% on **MRC services**, showing that financial resources were appropriately divided between project objectives as required at country level. This reflects the in-kind contributions – made by Vietnam in the MRCs, for example, and the fact that MRCs are more expensive in Thailand and Malaysia. The budgets also show that there was an **appropriate allocation of funds to the various countries depending upon the scale of activities undertaken**. In general, budgets and financial reports were well scrutinised at the national and regional level for every activity (within the project and also by the ILO office’s finance unit), following standard ILO procedures, and **budgeted resources have been correctly managed according to ILO procedures**. However, in 2014 overall cuts in the Australian Government’s aid budget meant that the **project budget was cut** by \$1 million. The ramifications of this are discussed in more detail below.

The efficiency and effectiveness of the project’s use of **human resources** has been discussed above.

Regarding **technical and institutional resources**, as noted in the Mid-Term Evaluation, support from ROAP, DWT and MIGRANT and other units in Geneva has been provided, particularly on issues related to the provision of technical comments on draft legislation in Thailand, Viet Nam and Cambodia (Geneva technical units and DIALOGUE) and ROAP/DWT specialists), technical advice and subsequent support on work in fishing (Geneva – Maritime Specialist and SAP-FL), work with the trade unions (DWT), technical inputs to draft legislation and support in capacity building efforts in Malaysia and in ASEAN level activities (ROAP/DWT), work on gender and domestic worker issues (DWT), etc. The Senior Regional Migration Specialist provided technical and strategic support to the project. ROAP’s Regional Partnerships Unit and the Communications Unit has assisted in promoting the visibility of the project, in filming feature stories, reviewing press releases, and organizing discussions and interviews. All of these resources have been funded from outside the project budget. Overall, the project has been well managed and adequate support provided by ILO staff and contracted experts.

(ii) **Were activities and outputs delivered on time and according to work plan?**

Generally, activities and outputs were delivered on time and according to work plan. This was notwithstanding various challenges in many project countries, which sometimes delayed or otherwise created implementation difficulties. For instance, the election in **Cambodia** in 2013 and resulting protest actions disrupted project implementation by reducing availability of Government and trade union partners. In **Lao PDR** capacity and commitment of implementing partners were challenging for timely and quality implementation of project activities, for example the draft Labour Law underwent review for over three years, with the ILO providing comments on several occasions.<sup>15</sup> In **Malaysia** there was some disinclination from the Government to engage the ILO on some structural impediments to the effective management of migration due to the

<sup>15</sup> The Lao PDR component received more support from the regional office after the Mid Term Evaluation.

sensitivity of the issue, and disruption in MRC operations due to changing staffing arrangements at the Malaysian Trade Union Congress and Tenaganita.<sup>16</sup> In **Myanmar**, the commencement of project activities in Myanmar was affected by the lengthy selection processes and obtaining visa for international staff. The creation of the budget for Myanmar was also delayed by the project's budget reduction and technical issues in the financial system.<sup>17</sup> In **Thailand** the project was affected by anti-Government protests and the coup in terms of Government partners' ability to make policy decisions,<sup>18</sup> and the regular turnover of senior officials within the labour ministry. In **Viet Nam** the revisions to the overall law on sending workers abroad was postponed a year, reflecting the difficulty of accurately predicting timetables for development of legislation.

Nevertheless, overall the **project team was responsive and reacted to mitigate** and offset adverse effects of the delays and other implementation difficulties, resulting in most activities and outputs being delivered on time and according to work plan.<sup>19</sup>

Moreover, the project was **able to carry out some activities over and above those envisaged in the work plan**. For example, in April 2015 in Viet Nam, following a request from the Legal Department of the Ministry for Labour, Invalids and Social Affairs (MOLISA), the project facilitated a tripartite consultation workshop on the review of Decree 95, which concerns penalties for administrative violations in the field of labour, social security, and overseas manpower supply, to consider penalties applying to migrant workers who abscond abroad. MOLISA indicated that the most significant outcome from the workshop was what further work might need to be undertaken on addressing the root causes of workers absconding, as identified during the workshop.<sup>20</sup>

### (iii) Was the project's planned funding and timeframe sufficient to achieve the intended outcomes?

The sufficiency of the project's planned timeframe has been discussed above.

Regarding sufficiency of the project's planned funding, in 2014 overall cuts in the Australian Government's aid budget meant that the **project budget was cut** by AU\$1 million.<sup>21</sup> This restricted the ability of the project to deliver on all of the intended key activities, and led to some shifts in strategy. The project responded by concentrating on core deliverables and dropping certain activities that had promise, such as the rollout of a Migrant Women's Empowerment Program and financial literacy training. Delays were encountered as staff time was dedicated to sourcing of additional funds and negotiating new partnerships and co-funding within the ILO and with external partners.

In response, the project sought to coordinate activities with other ILO and external projects, thereby increasing the funds available to the project to carry out its activities. ASEAN TRIANGLE project began to co-fund a significant portion of activities to ensure their completion. Coordinated work with the International Programme on the Elimination of Child Labour (IPEC), the Global Action Programme on Migrant Domestic Workers (GAP-MDW) and the Special Action Project on

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<sup>16</sup> Other factors included the election in Malaysia, and the insufficient administrative support for the NPC.

<sup>17</sup> However, it is important to make due recognition of the efforts in Myanmar. The NPC, Technical Officer based there and a ILO office with close links with the Government and CSOs already established under the forced labour / trafficking programme allowed for many activities to take off within a short period of time. Although the MRCs have had a shorter implementation period, a lot was done within 2 years – despite the aforementioned challenges.

<sup>18</sup> And the closure of the UN office on several occasions.

<sup>19</sup> Moreover there were delays in developing certain tools, for reasons raised elsewhere.

<sup>20</sup> Other examples include the domestic worker work on My Fair Home and campaigning (beyond dissemination of the law), and the campaign work in sending countries.

<sup>21</sup> Various reasons were offered by stakeholders for the budget cut, including the change of government in Australia; a new aid policy framework in Australia; possible underspending at the time; and lower than expected delivery rate.

Forced Labour (SAP-FL) also enabled completion of several activities. With external partners, (the then) MTV EXIT contributed financially to the conclusion of the PSA, and the project coordinated research with UN-ACT. World Vision International was a major contributor to the Saphan Siang campaign. Moreover, UN Women contributed to Saphan Siang and some online materials regarding domestic workers.

(iv) Which project activities represented the greatest value for money in terms of protecting migrant workers?

The **MRCs** represented excellent value for money in terms of protecting migrant workers, especially in terms of the levels of compensation received for complainants, and with respect to the numbers of potential migrants reached and the impact of safe migration messages. **Policy work** did not represent such a large proportion of the budget, since it was mostly staff time and consultations, and paid dividends in developing a better normative framework and rights based, gender sensitive legislation in all countries. The **quantitative large -scale research papers** cost approximately USD \$50,000 each yet shaped a lot of interventions, their findings were spoken about in multiple national and regional meetings, and continue to get media coverage. They have been used as advocacy tools, primarily in Cambodia, Malaysia, Myanmar and Thailand. The MRC Operations Manual also represented good value for money.

(v) Were cost sharing arrangements or in-kind contributions sought from partners to complement the project's resources? Which were the most effective for leveraging project resources?

Cost sharing arrangements and in-kind contributions from **other ILO projects and inter-agency initiatives** complemented the project's resources, the details of which have been discussed above in several sections.

Contributions from **tripartite constituents, CSO partners and MRCs** consisted of facilities, staff time and office space in all project countries. The provincial labour departments in Vietnam contributed staff, provided space for the MRCs and replicated training that was initially funded by the project. Several unions also contributed funds for some activities, for example the union in Prey Veng, Cambodia self-funded for several months, and the union in Viet Nam covered part of the costs when officers from the Malaysian trade union officers' visited ahead of signing the MOU. VAMAS, the recruitment agency association in Viet Nam, took the Code of Conduct for recruitment agencies to another level, self-funded, and went on to assist individual recruitment agencies to develop their own individualised codes of conduct based on this model, increasing ownership and buy-in from the private sector. The Government of Malaysia contributed almost all of the costs for the training of labour inspectors, in 2012, 2013 and 2015. Most of the campaign work in Thailand has been co-funded by non-ILO projects, e.g. Saphan Siang and contributions were also received by the Migration Works campaign in Malaysia.

The **most effective for leveraging project resources** were the Australian Volunteers for International Development (AVID) and ASEAN TRIANGLE. As previously mentioned, when the project budget was cut by USD\$1 million in 2014, the ASEAN TRIANGLE project began to co-fund a significant portion of activities to ensure their completion. The AVID programme contributed five volunteer project staff on one year assignments throughout the project lifetime. The quality of these professionals was so good that two went on to become international consultants to the project, and one became ILO staff. As discussed elsewhere, their technical skills, ability to draft and edit documents, and relationship building skills added much value to the quality of the outputs at country level.

## D. Impact

*What are the positive and negative, intended and unintended long-term effects of the project?*

(i) What impact did the project activities contribute to vs. its baseline desk reviews of policy and practice? What additional impacts do stakeholders foresee emerging after its completion?

(a) Legislation and policies

In all six countries, the ILO has provided **technical comments** on draft policy documents and legislation. **Rights-based comments**, shaped by international standards and good practices, form the basis of ILO comments on legislation and policy. This included **mainstreaming gender equality** concerns within all technical comments, and the ILO's Gender, Equality and Diversity Unit was consulted in the review of draft legislation.

Qualitative data shows stakeholders concurred that **ILO technical comments** on draft legislation and policy in labour migration have been generally well received and a good proportion of these **reflected in final legislative and policy instruments**, although the project was unable to offer exact percentages (a Policy Analysis Report is being finalized). In **Cambodia** for example, the legislative and policy differences constitute a complete reframing of labour migration protections to a rights based framework including gender sensitive protections. In **Thailand** in late 2014, the Ministry of Labour adopted a Regulation on the Protection of Fishers that includes additional protection, with some articles drawn directly from ILO Convention 188 on Work in Fishing. Ministerial Regulation No. 14 on workplace rights for domestic workers was introduced in 2012 which drew from ILO Convention 189 on Decent Work for Domestic Workers. In **Viet Nam**, two circulars setting a ceiling for deposits from migrant workers and establishing standard contracts were passed in October 2013. The ILO provided technical comments and supported a tripartite consultation process in this case, but for other legislative instruments, the project was not aware during draft stages and unable to offer timely support to tripartite consultation and a comments process. This has been noted by constituents in Viet Nam as a missed opportunity.

A series of comments were provided on a draft Labour Law in **Lao PDR**, but these did not make their way into the Law, with plans in the pipeline to develop regulations on regulating recruitment practices. Comments were submitted on the draft Regulation on Domestic Workers and the draft Private Employment Agencies Bill in **Malaysia**, both of which were posted on the Ministry of Human Resources website for public comment. However, civil society stakeholders did not think that the draft Domestic Workers Regulation reflected ILO technical comments and noted that there was no consultation with domestic workers or organisations working for and on behalf of domestic workers. Comments have been provided on MOUs involving migration to Thailand and Malaysia from various countries of origin.

### **Prospective impact – implementation mechanisms**

The prospective impact of strengthening labour migration legislation and policy is potentially extensive, though clearly dependent on effective and transparent implementation of the improved legislative and policy framework, something that has proven to be challenging within the region, especially in areas where considerable financial gain is negated or reduced by effective implementation and enforcement.

In **Cambodia**, stakeholders emphasised evidence of implementation mechanisms for prakas developed with the support of the project including: the establishment of a tripartite Sub Committee on Labour Migration which will review progress and identify priorities annually, the

development of checklists for recruitment agency inspections and an enforcement mechanism which suspends the agency's license, the Ministry of Labour's training of trainers for pre-departure training (prakas No 249), and the fact that MRCs are receiving complaints from migrant workers pursuant to the mechanism in prakas No. 249 (previously NGOs and others did not even know where to file complaints). Unions and government run MRCs did not think that there was good compliance of new prakas by recruitment agencies. In **Lao PDR**, the Ministry of Labour and Social Welfare (MOLSW), in collaboration with the Ministry of Foreign Affairs (MOFA) and the Ministry of Public Security (MOPS), developed an overview of policies with support from the GMS TRIANGLE project. The *Operations Manual on the Protection and Management of Migrant Workers for Three Ministries of Lao PDR*, which emerged from the collaboration between MOLSW, MOFA, MOPS and GMS TRIANGLE and was published in 2013. The Manual is currently in use as a guideline for staff of the three ministries to ensure consistency in the implementation of activities to boost the regularization of labour migration and protect migrant workers from labour exploitation and human trafficking. In **Thailand**, the Department of Labour Protection and Welfare pointed to implementation mechanisms for the fishing sector regulation, which has only been in force since December 2014, namely training, distribution of information materials, and inspections (plus project supported inspection training) and enforcement regarding violations. Other stakeholders highlighted the inadequacy of the database for monitoring the sector. Generally, constituents thought it was too early to tell the impact of regulations since they were recently passed. In **Viet Nam**, stakeholders reported that for the last year or so the standard contract has generally been applied by recruitment agencies. Trainings were conducted around this issue so there is a high level of awareness regarding compliance, inspection and fines for non-compliance. Regarding the deposit ceiling, the costs associated with migration to Taiwan (China) – one of the top destinations for Vietnamese migrants - are now available on the Department of Labour's website, creating more transparency.

#### **Capacity building and information dissemination – law and policy**

The project invested significant time and resources training tripartite implementing partners through capacity building training workshops on the legal and policy framework at central and local levels. In addition, this was reinforced through dissemination of information to the affected parties and monitoring of practical gaps in delivery.

However, capacity building was affected by frequent staff turnover and efforts to manage knowledge acquired in training workshops to offset this had limited effect in many instances. Most constituents did not have systems for knowledge management, so the project mitigated the knowledge management risk through the institutionalization of manuals, guidelines and legislative tools.<sup>22</sup> This was most successful with the development of the pre-departure training materials in Viet Nam and Cambodia, the MRC Operations Manual in Vietnam (in Cambodia and Myanmar the institutionalization of this manual is taking place outside of ministerial efforts) the labour inspection training materials in Thailand, the MEF Guidelines on the Recruitment and Employment of Foreign Workers in Malaysia, and the tools for rating recruitment agencies in Viet Nam.

Moreover, national and regional staff remained key in initiating new project partners to the goals and interventions of the project. Many implementing partners required more backstopping and capacity building to increase sustainability. Regular coaching from NPCs was essential to ensuring

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<sup>22</sup> Legislative instruments, the complaints mechanisms and *prakas* in Cambodia, and the domestic workers and fishers regulations in Thailand.

that they were able to provide quality support services and meet reporting requirements. Depending on the priorities at any given point during the project, NPCs were not always available for the longer-term coaching needs.

In hindsight, some stakeholders thought that workshops were not necessarily the most immediately impactful way of providing capacity building sustainably. However, on the job training requires more significant resource investment, can only reach a small number of people, and information on laws and policies needs to be spread among a large number of government and non government officials. Notwithstanding, workshops were a good way to get stakeholders in all countries speaking more lucidly regarding labour migration, including its links with forced labour, child labour, and trafficking. The impact in increased knowledge of stakeholders could be seen in the later years of the project, with the level of conversations in consultations having significantly improved.

Another challenge was that the project did not have a systematic means to measure whether capacity was enhanced, which is essential to demonstrating to project partners the value of continuing the training programmes or tools beyond the life of the project. On occasion, the project carried out pre- and post-training tests to gauge the effect of the training. However, the results were not always rigorously analyzed and reflected on, and there were questions over the extent to which such tests can determine the impact of training in any case.

The impact of capacity building activities is discussed in more detail under “Lessons Learned”.(b) Institutionalisation of tripartite consultation in developing protection policies and practices for migrant workers

GMS TRIANGLE has consistently advocated for tripartite consultation and involvement in legislative and policy drafting, an ILO mainstay that has shaped successful policy outcomes over the life of the project. As governments become more accustomed to the diversity of views heard in drafting stages, labour migration governance systems are increasingly being influenced by rights based principles.<sup>23</sup>

### **Realised and prospective impact – broad based inclusive dialogue**

The project has made a considerable impact in designing and instituting the notion of tripartite consultation regarding draft legislation and policies around labour migration. In **Cambodia**, tripartite constituents and other stakeholders reported that there has been excellent institutionalisation of tripartite consultation regarding all labour migration laws, policies and tools since project inception. The tripartite technical working group for drafting labour migration regulations and policies has been institutionalised through the process of drafting eight *prakas* and the Labour Migration Policy. Other evidence includes the process of drafting the Ministerial Orders, developing the pre- departure training curriculum, and all major migration-related events hosted by the MOLVT. The Lao Women’s Union in **Lao PDR** thought that a majority of their suggestions for improvements on women migrants’ labour rights have now been incorporated into the draft Labour Law. The Lao Federation of Trade Unions appreciated the tripartite consultation that took place for the Labour Law, noting that the unions were able to persuade the government to increase protections for migrant workers in several articles of the law, even if it was not to an ideal level. In **Thailand**, the project facilitated provincial and central level tripartite dialogues on migrants’ access to complaints mechanisms. Stakeholders report that knowledge was increased on the challenges faced by migrant workers in accessing complaint mechanisms

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<sup>23</sup> *Ibid.*

and claiming social security and workers' compensation benefits; good practices in providing equality of treatment for migrant workers in Thailand were documented and shared; and recommendations to further strengthen complaint mechanisms and access to social security and workers' compensation benefits were developed through social dialogue. The project also facilitated dialogues for the work on the ministerial regulations on fishers and domestic workers. On the proposed revision of the MOUs, IOM and ILO jointly organized a series of consultations, first with employers, second with trade unions and CSOs, and thirdly with government. They subsequently arranged bi-national meetings of tripartite constituents and CSOs from Thailand and Cambodia. In **Viet Nam**, unions reported that they have a member that sits on the drafting committee for any labour related laws, that MOLISA always sends a first draft to VGCL for written consultation, and the National Assembly always checks that unions have been consulted before passing a law.

Less encouragingly, in **Malaysia** civil society stakeholders noted that there was no consultation with domestic workers or organisations working for and on behalf of domestic workers in relation to the draft Domestic Workers Regulation. In **Myanmar**, tripartite consultation is at a very nascent stage.

(c) Complaint mechanisms, labour inspection, self regulation initiatives, pre-departure orientation, and other institutional tools developed or strengthened for protection of migrant workers

(1) Complaint mechanisms

In both sending and receiving countries, MRCs receive complaints and deliver legal assistance services to migrants to allow them greater access to justice and social protection benefits. **Legal assistance made up an average of 18% of beneficiary support services in the six countries.**<sup>24</sup> The latest disaggregated data available (31 May 2014) shows that there was **significant variation across the six countries**, with Lao PDR at 0%, Viet Nam at 1%, Malaysia 13%, Cambodia 18%, Thailand 46%, and Myanmar significantly higher at 87%. MRCs in Myanmar had not yet submitted their reports, so this reflects cases handled directly by ILO staff. In Lao PDR and Vietnam, the proportion of beneficiaries lodging complaints is low due to reasons outlined below. Up to 31 May 2014, **305 cases involving 2,826 complainants (48% men and 52% women)** were documented as closed through MRC legal assistance in Cambodia, Malaysia, Myanmar, Thailand and Viet Nam.

The latest data on complaints received for **recruitment related abuses**<sup>25</sup> shows that an average of 45% of complaints across five countries were received for recruitment related abuses. Correspondingly, 55% of complaints were about **labour rights abuses and benefit claims** across the five countries.

Country	Recruitment related abuses	Labour rights abuses
Cambodia	63%	37%
Malaysia	29%	71%
Myanmar	100%	0%
Thailand	24%	76%
Viet Nam	9%	91%

The amount of compensation negotiated for migrant workers with grievances demonstrates the

<sup>24</sup> Latest data available from January 2015.

<sup>25</sup> Latest data available from 31 May 2014.

**significant impact of increased access to justice through MRC provision of legal assistance.** As of January 2015, **US\$1.2 million** had been ordered as **compensation** for underpayment or accidents suffered in the workplace for migrant worker complaints.<sup>26</sup> Although complainants in countries of origin are more likely to obtain non-financial remedies for their grievances such as deployment to destination or provision of travel documents, US\$61,562 has been ordered in Cambodia and US\$47,473 in Viet Nam through assistance provided by labour authorities. In receiving countries, \$127,163 was ordered in Malaysia, and \$959,799 in Thailand. These **results are especially significant because the baseline was zero in several countries. It is clear that MRC services have had a substantial impact on assisting migrants to successfully navigate legal systems.** However, it should be noted that compensation ordered does not necessarily equate to compensation received, and the project needs to work with governments and other partners to ensure that migrants receive the money in a more timely manner.

In **Cambodia**, after four years of operating MRCs and eighteen months of Prakas No. 249 being operational, the complaints process is demonstrating improved access to justice for migrant workers. As a result of Prakas No. 249, the requirements surrounding recruitment agency practice have become clearer and more enforceable and the consultative nature of its development means that the capacity of government agencies and service providers has been built alongside the creation of these tools. These complaints enable the MOLVT to take action against recruitment agencies that violate Sub-Decree 190, Prakas No. 249, and criminal laws. There were 419 standalone cases closed up to April 2015 for 662 complainants, of which 46% were women. Most of the cases were about delay in deployment or retention of passports and took around 1- 3 months to resolve through either administrative process or informal mediation. The most popular type of remedy obtained was financial compensation (US\$86,723 received up to April 2015, as opposed to US\$104,607 sought), or the passport was returned.<sup>27</sup>

MRC, trade union, CSO partners and other stakeholders in Cambodia emphasised that migrant workers did not even know where to submit complaints before the project, and stated that a positive impact has been the establishment (pursuant to one of the *prakas*) of a complaints system involving the Ministry of Labour, provincial departments and MRCs. End-line survey results of potential migrants also confirm increased awareness of who to go to for assistance with recruitment-related complaints in Cambodia. **Now migrants know where to file complaints**, and it takes around 1-2 months for a consensus-based administrative decision, which typically orders return of recruitment agency deposits, passports or salary payments. They stated that enforcement was the key impediment, that the suspension of recruitment agency licenses has not yet been utilised. There is another *prakas* currently under development that would allow for deduction of compensation from the recruitment agencies' US\$100,000 deposit. Stakeholders indicated that there have been **many more complaints filed compared to the baseline (zero)**, and that migrants have been very happy to get reimbursements. Stakeholders also underscored the usefulness of **collaboration with other actors in Cambodia,**<sup>28</sup> **who increased the impact of awareness raising and understanding about complaint mechanisms through their networks.**

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<sup>26</sup> • There is a disparity between the amount of compensation awarded and the amount of compensation received but the exact amount is unknown. This reflects the problem of broader enforcement of civil remedies, which is not isolated to labour migration. It highlights fact that there are no enforcement mechanisms for civil remedies. Hopefully, getting this level of complaints in a less formal justice system (negotiated system) will help to provoke a reaction from governments and judiciaries. It would be useful to explore in phase two how the project could work with governments and other partners to ensure that migrants actually receive the money they are awarded.

<sup>27</sup> ILO (2015), *Cambodian Migrant Workers Complaints Mechanism: Evaluation and Recommendations*, draft.

<sup>28</sup> Such as UNACT, IOM, Winrock, Asia Foundation, Care, Migrasafe, Legal Support for Children and Women, NGOs at provincial level (CWPD, Khmer Youth Association, Banteysrey, Ad Hoc, Liquido).

Another indicator of positive impact of the project is that IOM is currently setting up another MRC on the Thai-Cambodia border using the project's MRC Operations Manual and **following the project's complaints model**. At least one of the trade unions will continue to receive and file complaints using its own budget after project completion, in addition to the job centres run by the National Employment Agency.

The main challenges in lodging and resolving complaints included lack of sanctions at PDOLVT and MOLVT levels, difficulties for women lodging complaints, accessibility and lack of knowledge re complaints process, peer experiences, and migrant worker fear of repercussion of private recruitment agencies. The long duration of the MOU process has created obstacles to legal labour migration – reflected by the **high number of complaints against recruitment agencies for delays in deployment and not providing passports**. The majority of these grievances are **resolved through an order by labour authorities to deliver the paid-for travel documents, and in some cases, deployment to destination countries. Sanction of the offending agencies varies considerably by province, with administrative penalties and fines frequently being applied by the PDOLVT in Kampong Cham** – a notable improvement in reducing impunity for recruitment-related abuses.<sup>29</sup>

Evaluation interviews in **Malaysia** showed that MRC staff present the options to the complainants or victims, but they tend to want to settle cases out of court to avoid lengthy delays in litigation. Women in the shelter said they would rather collect unpaid wages, identify documents and be repatriated as soon as possible rather than deal with the criminal justice system in cases of TIP. It would be good to consider a different strategy to motivate women to address trafficking. Good practice included an NGO/Bar Council scheme whereby lawyers would come to assist *pro bono* with representation in cases. The project was successful in responding to cases of workers' compensation and contract substitution. Difficulties included lack of identification of trafficking cases by the authorities, which are prolific in domestic work, challenges in the recovery of unpaid wages, difficulties for migrant women to access legal assistance, the long duration required for resolving grievances through court and administrative hearings, and the dearth of sanctions applied to offenders. Financial compensation has been substantial notwithstanding, with US\$127,163 awarded to complainants.

The findings of a project survey of over 400 migrants carried out in four provinces in **Thailand** found that the **vast majority of respondents (89%) had never filed a complaint for a rights violation and that only one third would consider contacting authorities if their wages were withheld. Those that do seek assistance tend to make use of the services of civil society organisations rather than official complaint mechanisms**, with any settlements reached often limited in legal enforceability and no sanctions applied as a deterrent against future violations.<sup>30</sup> Key constraints to access include a lack of awareness among workers about the process to make a claim, language barriers and apprehensions about using government services.

Considering the low baseline, it is significant that Thailand **MRCs (MAP, HRDF, and TTUC) have provided legal assistance to resolve the grievances of 2,303 migrants, the majority of whom were women**. The cases have been closed through a variety of adjudication and negotiation processes, a corollary being the wide range in duration required to reach resolutions – from a few days to several years. A number of **large settlements have been reached, particularly for those cases involving non-payment or under-payment of wages and compensation for fatalities**,

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<sup>29</sup> ILO (2014), *Annual Report: GMS TRIANGLE Project*.

<sup>30</sup> ILO (2014), *Policy Brief: Equality of Treatment for Migrant Worker Complaints and Benefit Claims in Thailand*.

**resulting in over US\$945,000 ordered to migrant complainants.** One particularly notable case, negotiated by MAP, made up over half of this total compensation.<sup>31</sup>

**Evaluation interviews** emphasised the MOU between Thai and Cambodian trade unions which provides for an **inter-union migrant complaint referral system**, and an MOU between the trade unions in Malaysia and Vietnam. However, beyond demonstrating their joint commitment to the protection of migrants, the MOUs have not yet led to any concrete activities, as they are largely dependent on the project staff and financial support for bilateral cooperation. **(tripartite engagement, work with social partners? Policy section)** MRCs spoke of receiving and filing complaints for recruitment related abuses as well as labour rights abuses, including non-payment of wages, working hours and holidays, occupational safety and health. One NGO said that **around 60% of their clients were males filing complaints, compared with 40% women.** Another NGO spoke of the DLPW's provincial office in Rayong hosting its Khmer speaking programme officer to provide greater access to complaints for Cambodian migrant workers. Another NGO talked of the **key success of being awarded around US\$330,000 in compensation** in one case [although the amount has not yet been received by the workers]. Another spoke of accessing workmen's compensation for workplace accidents.

**Evaluation interviews** with returned migrant workers in **Viet Nam** revealed that there have been **some successes in receiving compensation** for returnees from the Middle East and North Africa. Others spoke of a case in Malaysia of compensation for death at the workplace in which the family of the migrant received US\$1,500 in compensation. One migrant worker spoke of his success in getting his deposit returned from a recruitment agency with the assistance of DOLISA, but expressed frustration that to do so he had to travel 130 km from his home around five times. However, **given that the baseline was zero, these successes are significant.** Other migrants spoke of their friends who experienced difficulties in Malaysia with negative health tests leading to workers returning to return home. Migrants from ethnic minority groups spoke of **difficulties getting deposits returned from recruitment agencies.** Trade unions emphasised that **rurally based, ethnic minorities had difficulties accessing MRCs,** and that this impeded their access to complaint mechanisms.

Preliminary results from a policy paper on complaints mechanisms in **Viet Nam** show that overall, the **number of complaints recorded by the DOLAB Inspectorate is very small (approximately 0.3 per cent)** in comparison to the number of workers moving abroad each year.<sup>32</sup> This illustrates the difficult environment in which migration takes place, and the fact that more needs to be done to address the structural challenges to migrants' access to complaints mechanisms.

Field research conducted for the policy paper found that **workers experience significant challenges and barriers when attempting to lodge a complaint.** From interviews conducted with 44 migrant workers who experienced difficulties during the migration process, almost one in three decided not make a complaint as they did not know where, or how, to lodge it or believed they would not be supported.<sup>33</sup> As key contact points for aggrieved migrant workers, the experience of local authorities in facilitating the resolution of complaints was also an important element of the field research. **Officials interviewed observed that there was ineffective coordination across government agencies in dealing with complaints and there was no clear guidance on how to manage complaints. They also spoke of the lack of cooperation from recruitment agencies in**

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<sup>31</sup> ILO (2014), *Annual Report: GMS TRIANGLE Project*.

<sup>32</sup> ILO (2015), *Complaint Mechanisms for Vietnamese Migrant Workers: An Overview of Law and Practice*, draft.

<sup>33</sup> *Ibid.*

**assisting to resolve the complaints of workers.**<sup>34</sup>

Notwithstanding, a substantial breakthrough for the project in providing legal assistance to migrants in sending countries was documented by the **40 cases resolved by provincial labour authorities in the five target provinces of Viet Nam**, representing progress in achieving increased access to justice. The majority of the cases related to various recruitment-related transgressions, with financial compensation (over US\$12,000) and eligibility for deployment the most common remedies provided.<sup>35</sup>

## (2) Labour inspection

**Until recently, the Thai labour authorities were not carrying out inspections of fishing vessels**, with the work being delegated to the Navy and Marine Police. The project worked together with the DLPW and other key partners on developing specific tools for conducting inspection of fishing vessels, and for inspectors to identify forced labour and child labour. A 5-day course was delivered to all 112 labour inspectors in the 22 coastal provinces in 2014.

The impact of this training is being monitored in 2015 through data collection on the number of inspections and the number of orders made to address labour rights violations, and remove children or those working in forced labour. The project is now working with the DLPW to apply a results-based approach to labour inspection of fishing vessels. Indicators have been accepted by DLWP and targets are being set based on prior results, and will be monitored to identify selected provinces where inspections are functioning well, and where they are not – which will lead to further coaching. The data thus far shows that, since October 2014, the **DLPW has put emphasis on labour inspection in the fishing sector, and since August 2014 has inspected 713 vessels with 9,338 workers. 101 cases were found with different types of labour violations, including the use of child labour.**

However, concerns remain regarding the positive impact of these tools and trainings without structural changes to the labour inspection system. Stakeholders spoke of the **lack of specialization and multiple responsibilities of labour officers** (officers often perform multiple roles including labour inspection, mediation, employment promotion, and attendance at labour courts), limits in mandates and powers, **lack of use of data** to improve targeting, poor M&E systems (e.g. no register of fishing vessels), **inadequate cooperation with other government departments**, and allocation of constrained resources.

## (3) Self-regulation initiatives

The project has advocated for industry self-regulation as part of healthy businesses and corporate social responsibility through support to industry associations, developing **Codes of Conduct** and **monitoring subsequent implementation.**

In **Malaysia**, the Malaysian Employers' Federation conducted research and developed Guidelines for the Recruitment, Employment and Repatriation of Foreign Workers, launched in December 2014. Training has been conducted based on the Guidelines for around 250 employers nationwide. Stakeholders thought it was too early to tell the impact of these activities, although there is no monitoring mechanism for implementation.

In **Myanmar**, there is a Code of Conduct for Overseas Employment Agencies that has been approved by the Myanmar Overseas Employment Agencies Federation and endorsed by the

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<sup>34</sup> *Ibid.*

<sup>35</sup> ILO (2014), *Annual Report: GMS TRIANGLE Project.*

Ministry of Labour, Employment and Social Security in September 2014. However, stakeholders spoke of subsequent hostility to including a monitoring mechanism to the Code.

In **Thailand**, the project worked with key industry partner, the National Fisheries Association of Thailand (NFAT), to develop a Code of Conduct (COC) for its members. **NFAT has been delivering training on the COC since late 2014.** The rate of compliance is difficult to assess at this early stage, as there is no system to monitor compliance. There has been a change in the law, and subsequent attention on addressing illegal, unregulated and unreported (IUU) fishing, which has occupied the industry association in recent months.

In **Viet Nam**, the project partnered with the Viet Nam Association of Manpower Supply (VAMAS) to develop a mechanism for monitoring the implementation of the Code of Conduct, providing ratings for recruitment agencies. Recruitment agencies are monitored jointly by VAMAS and VGCL, which involves interviewing pre departure and returned migrant workers, visits to recruitment agencies and observation of pre departure training delivery, and receiving complaints and reports from multiple partners. A number of the agencies have had their rating fall because of over-charging on fees.

This activity has had a good impact thus far, with **provincial and commune level officials reporting they were recommending that potential migrants use recruitment agencies with high rankings for compliance with VAMAS' Code of Conduct.** The **positive impact is also demonstrated by its successful pilot among 20 recruitment agencies and subsequent extension to cover 50 recruitment agencies.** Collectively these agencies are responsible for approximately half of all Vietnamese migrant workers sent abroad. Another positive indicator of success is the invitation by Bangladesh, Cambodia, India, Lao PDR, Myanmar, the Philippines, Sri Lanka, and Thailand to share Viet Nam's experience in developing the monitoring mechanism. Although the mechanism is relatively new, the **potential impact of this activity is likely to be lasting, since most migrant workers from Viet Nam go through regular channels, and there is a high level of buy-in from the industry association and government.** The **impact on Vietnamese recruitment agencies** has also been encouraging. Stakeholders reported that recruitment agencies have established a steering committee within each agency to plan the implementation of the COC within their organisation. In many, this has led to the establishment of their own COC in line with the VAMAS COC, as well as improved orientation training for migrant workers based on the COC. The agencies appear to be motivated to comply with the COC because of the ranking system and the commercial advantages that offers. More can be done to raise awareness of the ranking system with potential migrant workers and employment service centres, as well as employers in destination countries.

#### (4) Pre-departure orientation

Pre-departure training curricula were developed in collaboration with governments, recruitment agencies, international organisations and NGOs in Cambodia, Lao PDR, Myanmar and Viet Nam. The project expended substantial time, effort and resources in the tripartite consultations, drafting, training and testing of these curricula **to ensure sustainability, ownership and buy-in.** Moreover, embassy and government officials from Malaysia, Thailand and Taiwan (China) attended various consultations in Cambodia and Viet Nam on pre-departure training curricula drafting to provide information and verify the content of the materials. Thereafter, training of trainer workshops were held in sending countries on the pre departure training materials for recruitment agencies and governments.

Stakeholders in Cambodia and Viet Nam reported that the **pre departure tools have been solidly institutionalised, and are being used on an ongoing basis.** International consultations held for

the pre departure training curricula verification helped to ensure a quality end product. Other positive impacts include the fact that the **pre-departure training curricula were designed to specifically address the needs of men and women migrant workers, including addressing sexual health, domestic worker and gender specific risks and vulnerabilities**. This was in response to identification of gaps in service delivery at MRCs and in capacity building. The potential impact of this in Viet Nam is likely to be good, since the vast majority of migrant workers use regular channels and pre-departure training is well-defined in legislation. However, in Cambodia and Lao most migrants tend to choose the irregular route for migration. Stakeholders in Lao PDR and Myanmar thought it was too early to tell the impact of the pre- departure training curricula, with Myanmar only launching in May 2015.

(d) **Tripartite participation in formulation and implementation of recommendations at the ASEAN Forum on Migrant Labour, the Subregional Advisory Committee, and other bilateral and regional dialogues on labour migration**

The **ASEAN Forum on Migrant Labour (AFML)** is an open platform for the review, discussion and exchange of the best practices and ideas between governments, workers' and employers' organizations, and civil society stakeholders on key issues facing migrant workers in ASEAN. It is the only official ASEAN event where participation of tripartite constituents and civil society is institutionalized. It gathers annually to discuss, share experiences, build consensus on the protection of migrant workers issues committed under the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers (Cebu Declaration, 2007), and results in the adoption of Recommendations that bring life to the provisions of the Cebu Declaration.

Together with ASEAN TRIANGLE, the project provided inputs to the AFML (to showcase outputs of the GMS TRIANGLE project that could be replicated elsewhere) and supported **tripartite participation in the formulation and implementation of recommendations at AFML**. For example GMS TRIANGLE project supported the implementation of the 6<sup>th</sup> AFML recommendations by strengthening complaints mechanisms in Cambodia. CSOs helped to shape recommendations by convincing governments to take rights based or migrant centered approaches.<sup>36</sup> Other positive impacts included trade unions challenging governments on issues and doing so in a more informed basis, and the fact that trade unions and CSOs have learned from governments and recruitment agencies the constraints that they face, thereby contributing to a better understanding amongst tripartite plus stakeholders in the ASEAN region.

Another regional dialogue, the **Sub Regional Advisory Committee (SURAC)**, has served as an ILO platform for tripartite constituents to share information, experiences and provide guidance on migration management and anti-trafficking since 2001. SURAC provided opportunities every 18 months to strengthen in-country, bilateral and regional cooperation between tripartite constituents and project partners (NGOs, research institutions and other stakeholders), and identify shared priorities. For instance, in 2013 a total of 58 representatives from governments, employers' and workers' organizations, civil society organizations and research institutions participated in the meeting, including, for the first time, representatives from Myanmar. In 2015, SURAC participants considered the priorities for the proposed second phase of GMS TRIANGLE. SURAC attendees had the opportunity to feed into the on-going relationship between GMS TRIANGLE country constituents and the broader ASEAN TRIANGLE mandate.

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<sup>36</sup> It should be noted however that recommendations are not only shaped by CSOs. They are drafted by key stakeholders: government, trade union, employers, CSOs, ASEC, ILO, UN Women and IOM, and then amended and negotiated in an open plenary session. The reference to CSOs here highlights how the project increased their confidence to counter government opinion.

#### (e) Capacity of MRCs to deliver support services to women and men migrant workers and conduct M&E

As of January 2015, the project had **provided services to more than 51,734 migrants, potential migrants and family members, which is greater than double the target of 25,000 beneficiaries.** Support services provided by MRCs included counselling (61%), legal assistance (18%), information, education, or training (12%), networking (5%), and organising/trade unions (4%).<sup>37</sup> In addition to those counted as beneficiaries, more individuals have been reached through outreach, communication, mass media, consultations, and workshops (as distinct from capacity building or individual counselling).<sup>38</sup>

The **capacity of MRCs to deliver support services to migrant workers** varied across the six countries. For instance, the Thailand MRCs performed well in terms of amount of compensation received (nearly \$1 million of the total \$1.2 million in compensation ordered to date in six countries), and reaching about as many women as men migrants. In Viet Nam, MRCs performed well in terms of numbers of people who visited, although they performed poorly in terms of reaching women migrants (discussed further below). In Cambodia, qualitative data showed that MRCs performed well in terms of provision of quality services. However, in Lao PDR the MRCs have yielded far fewer results than those in other countries. For instance, the MOLSW-run MRCs at government Job Centres struggled with delivery of migrant-specific services, although it is worth noting that the investment in these MRCs was extremely minimal, as the MOLSW donated space and staff time. In future, the MRCs run by the MOLSW should be funded at the province-level to increase accountability and avoid double-handling of funds. The LFTU MRC was marginally more successful in reaching migrants. There are no complaints procedures that would allow Lao migrant workers to lodge complaints at the MRCs, a move that increased accountability and utility of the MRCs in Viet Nam and Cambodia.

#### Capacity of MRCs to conduct M&E

In response to the Mid Term Evaluation, the project developed the “Monitoring and Evaluation Guide for Migrant Worker Resource Centres” in 2014. It was produced in response to the recognized need to strengthen the monitoring of activities and shift from measurement of outputs to assessing impact. In addition, **over 20 tailored workshops** were held with individual MRCs in all project countries to provide them with direct individualized coaching by an M&E specialist and ILO national staff members. This allowed participants to receive relevant support in addressing their knowledge gaps and facilitated a higher level of engagement with the subject and the training material. It also provided the opportunity for open discussion of questions and concerns and the completion of practical exercises using each implementing partners’ own data.

The project has **successfully created practical tools** for MRC service providers to enable them to meet M&E expectations of the project and comply with a **methodology that allows for evaluation and comparison of the project across the intervention sites.** For example, client cards, capacity building records, beneficiary tracing questionnaires, legal assistance outcome records, technical progress report templates, and monitoring visit report templates. This has allowed for the assessment of the impact of safe migration counselling through **beneficiary tracing**, of **legal assistance** through standardised outcomes, of networking/trade union membership through case studies, and of capacity building through a mixed methodology approach.

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<sup>37</sup> January 2015 – latest figures.

<sup>38</sup> Ibid.

MRC staff have been **empowered to collect data disaggregated by sex and other categories**, such as for **legal assistance outcomes** (cases closed, number of complainants, subject of complaints, compensation requested, compensation received, duration, mechanism for resolution, remedy obtained, and type of sanction applied), and for **participation** (capacity building participation at central and local levels, and participation of tripartite constituents).

The **focused capacity building efforts have paid substantial dividends**, with implementing partners managing MRCs better able to present a vibrant and precise picture of how project activities have protected migrant workers, as well as nurturing their ability to apply a more results-based approach to their work. Efforts made to ensure higher quality reporting at the MRCs and better tracking of impact of services have provided disaggregated data for honing service delivery and obtaining a clearer picture of migration issues. Moreover, this ability to demonstrate the comparative advantage of GMS TRIANGLE implementing partners in providing this service should increase the likelihood of additional funding to these experienced partners.

(ii) **What changes did the project contribute to for women and men potential migrants vs its baseline surveys?**

The most widely provided support service for potential migrant workers in the project's sending countries was individualized and responsive safe migration counselling. A central objective of the counselling was to present the realities of working abroad and increase knowledge about the procedures for migrating legally. During the first 4.5 years of the project, 32,547 women and men potential migrants in Cambodia, Lao PDR, Myanmar and Viet Nam received counselling, information, education or training on safe migration and rights at work.<sup>39</sup>

In all project countries, mixed methodology baseline studies were carried out in 2011 (2014 in Myanmar) to measure safe migration knowledge, attitudes and practices at MRC target sites. After three years of operation, **endline studies** to assess the impact of the activities were conducted in Cambodia and Viet Nam – intervention countries where the most significant and measurable changes have occurred. Preliminary results show that the project contributed to the following improvements for women and men potential migrants:

- Overall safety of migration due to more available information and easier access to legal assistance
- Receipt of safe migration messages
- Knowledge and willingness to access assistance at origin and at destination
- Awareness of how to choose a recruiter
- Awareness of cost of migration
- Awareness of and satisfaction with MRC services
- Capacity building of authorities and community leaders.<sup>40</sup>

For instance, the endline survey in Cambodia (n=400) shows that **knowledge of the legal requirements to migrate increased** by 22% (to 28%) in the portion of potential migrant workers who were fully aware of the legal requirements to migrate for work (increase for women=15.1%/men=27.8%), an essential part of the information provided to migrants during safe migration counselling. However, focus groups revealed that many migrants still believe that entering Thailand with a passport and visa exemption and then registering later with an employer

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<sup>39</sup> GMS Triangle Project Update: January 2015 – latest figures available.

<sup>40</sup> Endline survey, Cambodia, June 2015, first draft. Endline survey, Viet Nam, June 2015, first draft.

is “legal migration,” but this is still a positive change from clandestine border crossings.<sup>41</sup> The endline survey in Viet Nam (n=450) shows that **awareness of the benefits of legal migration has also increased**. Over 75% of potential migrants now plan to obtain legal documents before migrating. This major improvement suggests that MRC messages on the benefits of legal migration have been received. The top four reasons stated for obtaining documents were: Higher wages (52.7%), better working conditions (45.7%), greater freedom of movement (25.3%) and less risk of extortion or arrest (25.3%). During focus groups, potential migrants stated that, “now we realize that without these papers, there are many risks involved,” and “If you migrate illegally, then you have no rights. It is very risky and dangerous.”<sup>42</sup>

Another method used to assess the impact of MRC services on women and men potential migrants was to train MRCs on **tracing their counselling beneficiaries** through follow-up phone calls. The tracing not only documented migration practices among beneficiaries but also sought to determine the extent to which the services provided contributed to those behaviours – rather than other external factors.

The most recent beneficiary tracing data available dates from 2014.<sup>43</sup> Results in Cambodia (n=300) show that roughly **two-thirds of beneficiaries decided to migrate for work after receiving counselling**. For those beneficiaries who decided against pursuing work abroad, the largest group stated that counselling had made them reconsider the undertaking (46 per cent). Of those who chose to migrate, **two-thirds migrated regularly through a licensed recruitment agency**, with the remainder using a broker or going independently. For the regular migrants, **88 per cent stated that counselling was the source of information for their decision to go through the legal channels**, with two-thirds clarifying that information about the benefits of regular migration was what convinced them most. Equally encouraging, **79 per cent of migrants stated that they had chosen their recruitment agency based upon their licensure and reputation**; compared with only 4 per cent who chose the cheapest/quickest option.<sup>44</sup>

Results in Viet Nam (n=400) show that **72 per cent of beneficiaries decided to migrate for work after receiving counselling**. For those beneficiaries who decided not to go abroad for work, about one-quarter stated that counselling had made them reconsider, while the remainder cited other factors such as the long duration and expense involved. Of those who chose to migrate, **nearly all decided to do so regularly through a licensed recruitment agency (98 per cent)**, with the rest using a broker or going independently. For the regular migrants, **87 per cent stated that counselling was the source of information for their decision to go through legal channels**, with 44 per cent clarifying that it was information about the benefits of regular migration that convinced them most. **78 per cent of migrants stated that they had chosen their recruitment agency based upon their licensure and reputation**; while just 13 per cent chose the cheapest/quickest option.

## E. Sustainability

*To what extent are the benefits of the project likely to continue after the project ends? What are the major factors that have influenced or will influence the sustainability of the project?*

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<sup>41</sup> Endline survey, Cambodia, June 2015, first draft.

<sup>42</sup> Endline survey, Viet Nam, June 2015, first draft.

<sup>43</sup> To measure impact, another round of beneficiary tracing is being carried out (800 beneficiary surveys completed so far), including analysis of cumulative legal assistance outcomes, and compensation ordered.

<sup>44</sup> Annual Report, 2014.

(i) Were strategic plans developed and implemented to ensure the sustainability of the project's results?

In response to the Mid-Term Evaluation, the project developed a **Sustainability Plan** in March 2014. The Sustainability Plan reviewed the main approaches adopted to ensure sustainability; identified the key challenges and strategies for addressing those; and outlined clear and explicit action points for achieving sustainability. The Sustainability Plan centred around seven factors: (1) Government policies; (2) Ownership and participation; (3) Capacity building of partners; (4) Fostering cooperation and social dialogue; (5) Institutionalising tools and approaches; (6) Financial viability; and (7) Alignment with ILO principles and priorities.

The project has made significant efforts to implement as much of the Sustainability Plan as possible in the final year and a half of the project lifetime, especially given much attention has been paid to the design of the project going forward, rather than in implementing an existing strategy. Stakeholders at the peer review of the design document for Phase II of the project thought the sustainability plan was not successfully implemented due to lack of time, particularly the financial viability for ongoing activities, such as MRCs. As discussed elsewhere, MRCs that form part of already established government job centres have largely been financially viable and will continue beyond the life of the project; some trade union run MRCs have the potential to continue using membership dues (although not enough migrants are members as yet); and some NGO run MRCs will continue limited service provision by mainstreaming migration services into their core service provision. However, other MRCs will discontinue because of unavailability of funds. Therefore, it would be good to **explore sustainable MRC models in various countries** to address this. For instance, the Government of Malaysia is currently exploring funding for CSO provision of services, such as shelter services for trafficking victims. MRC services could be pitched as trafficking prevention services.

(ii) Which project-supported tools have been solidly institutionalized by partners? Have any been replicated or adapted by external organisations?

The project developed a basic strategy for institutionalizing tools and training materials to ensure that they are used beyond the life of the project.

- The tool was developed with **expert support**, reflecting international best practice, research findings and/or identified gaps
- The tool was **localized** through a national consultant/ discussed in tripartite consultations (where appropriate)
- The tool was **pilot tested** with implementing partners and refined over a pilot period
- The tool was **finalized and rolled out for use with support from government or other implementing partners**.

The participatory **consultative process** of developing these materials meant that **capacity was built** alongside the creation of these country-specific tools during extended periods of consultation and adaptation. There has not been sufficient time for monitoring the use of the tools and whether or not they have been institutionalized, as so much time was spent in development.

Tripartite constituents emphasised the following project supported tools as having been **solidly institutionalised by partners**: Travel Smart, Work Smart; Safe Migration Tips; Financial Education, the MRC Operations Manual; the Monitoring and Evaluation Guide for MRCs; the Pre-Departure

Training Curricula in the four sending countries;<sup>45</sup> the Code of Conduct for Recruitment Agencies in Viet Nam; the Code of Conduct for the Fishing Sector in Thailand; and the Labour Inspection Curriculum and Guidelines for the Fishing Sector in Thailand.

The project supported tools that have been **replicated or adapted by external organisations** and other ILO projects include: The MRC Operations Manual, Travel Smart, Work Smart, and the Code of Conduct for Recruitment Agencies in Viet Nam. For example, the International Organisation for Migration in Cambodia is using the MRC Operations Manual to establish a new MRC on the Thai border at Poipet and many aspects of this manual are reflecting in IOM's "Running an Effective Migrant Resource Centre: A Handbook for Practitioners". The ILO project "Promoting Effective Governance of Labour Migration from South Asia" is currently adapting the MRC Operations Manual for national use with Nepal's Ministry of Labour. This project has also developed eight versions of Travel Smart, Work Smart for the project's sending countries, India, Nepal and Pakistan for various destination countries in the Gulf Cooperation Countries. Travel Smart, Work Smart has also been replicated by ILO projects in the Pacific. As previously mentioned, recruitment agencies in Viet Nam are developing their individual Codes of Conduct based upon the model code developed by VAMAS, and the COC and the monitoring mechanism was considered (but not fully adopted) in many countries.

(iii) **Were tools, research, outcome documents and other knowledge products developed and broadly disseminated under the project?**

The tools that were developed and broadly disseminated by the project were discussed above. The project also supported several influential **in-depth research reports** that were broadly disseminated. The project commissioned the Asian Research Centre For Migration, Institute of Asian Studies at Chulalongkorn University in Thailand to produce "*Regulating recruitment of migrant workers: an assessment of complaint mechanisms in Thailand*" (2013), a review of the data on migrant workers' complaints outcomes in Thailand, which brings together interview research and legal analysis on access to justice; and "*Employment practices and working conditions in Thailand's fishing sector*" (2013), a large-scale survey of employment practices and working conditions within the commercial fishing sector in four major port areas of Thailand. Moreover, the project commissioned the Myanmar Development Resource Institution's Centre for Economic and Social Development to produce "*Safe Migration Knowledge, Attitudes and Practices in Myanmar*" (2015), an assessment of safe migration knowledge, attitudes and practices. Other research included the "*Four-Country Study on Public Attitudes to Migrant Workers*" (2010) and the Malaysian Employers Federation "*Practical Guidelines for Employers on the Recruitment, Placement, Employment and Repatriation of Foreign Workers in Malaysia*" (2014).

All of these **research reports assisted with filling a knowledge gap**. In **Myanmar**, consultations held with the Government and social partners identified labour migration as one of five priority areas requiring preparatory research and policy development, as opportunities for research and dialogue to formulate comprehensive protection policies had been very limited until the recent reforms began. The survey of safe migration knowledge, attitudes and practices among potential migrant workers is a pioneering study which will be used to shape the design and evaluate the

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<sup>45</sup> However, we can distinguish between the level of institutionalization in Vietnam and possibly Cambodia, compared to Lao PDR, where it is far less frequently used due in no small part to the limited number of migrants using legal channels. In most countries, it may be too early to say.

impact of policy measures, capacity building trainings and support services to protect the rights of migrant workers throughout the migration process. Launched just a few months ago with healthy media interest, **regional ministers are already using this publication to advocate for more decentralisation in migration management**. Moreover, the report will be included in a body of research on migration from Myanmar that IOM is currently compiling, as most of the existing information is from receiving countries.

In **Thailand**, both studies were based on significant empirical research and the **findings have guided project interventions in fishing and improving access to complaints mechanisms**. In fishing for example, the project went on to support the Government and industry to develop a number of tools and processes to improve the protection of workers in the fishing sector, including a *“Safety and health training manual for the commercial fishing industry in Thailand”*, a *“Code of Conduct to promote Good Employment Practices and Labour Protection for Fishers”* for the members of the National Fisheries Association of Thailand, and *“Guidelines on Labour Inspection in the Fishing Sector”*. A number of these initiatives were included in the Government’s Action Plan to Combat Trafficking and were cited in the US Department of State’s Trafficking in Persons Report for Thailand. The research report was authoritative as the largest ever quantitative study in the sector, and was **significant in building impetus for momentum around improving conditions in the fishing sector**. The complaint mechanism study was **influential in stimulating a broader discussion on migrant workers’ access to complaint mechanisms**, and resulted in more pressure from a number of stakeholders calling for tighter regulation of recruitment practices.

(iv) Which project activities and partners at national and local levels are likely to continue after external funding is discontinued?

**MRCs run by government partners tend to have better opportunities for sustainability**, because they are likely to be attached to already established government job centres that have an ongoing source of funding and merely extend their services to include migrants rather than having to establish a new institution. In addition, some CSOs and unions are seeking to integrate MRC services into their own service provision. **The data also shows that union and CSO run MRCs are often keen to continue providing MRC services but are constrained by lack of funds. Many are in the process of seeking funds, and it has been good project strategy to invest in their M&E skills so that they can better demonstrate their capacity and achievements.** It would be good to explore models of sustainable funding for non government-run MRCs in future.

Other project activities which are likely to continue beyond the project lifetime include:

- Tripartite consultation on draft laws, policies and tools
- Closer engagement between government and CSOs, and trade unions and CSOs
- Trade union attention to migrant worker concerns
- Pre-departure training in certain countries
- Guidelines for inspecting fishing vessels
- Network of domestic workers in Thailand
- Implementation of Code of Conduct for recruitment agencies in Viet Nam
- Labour Forum in Cambodia.

(v) Has the private sector been used to support the project?

Employers’ organizations are ILO constituents, and are actively engaged in the project, including through the PAC and SURAC meetings. The project is assisted in this engagement by the ILO’s Specialist on Employers’ Activities, based in the Decent Work Technical Team in Bangkok.

In receiving countries, **private sector lawyers** have been engaged to assist with filing complaints on behalf of migrant workers. For instance, in Malaysia one of the key implementing partners, women's NGO Tenaganita, worked in partnership with the Malaysian Bar Council's Legal Aid Centres to provide legal assistance to female migrant workers rescued from abusive employment conditions, particularly in domestic work. This expanded the amount of cases the MRC was able to support (over 600 cases). The NGO's seven legal officers were assisted in 14- week rotations by groups of 15-20 young lawyers who would act *pro bono*, assisting with case documentation, and appearances in immigration court. In return, young lawyers receive invaluable practice experience in rights based legal practice. This is a **sustainable initiative** because members of the Malaysian Bar fund the 13 Legal Aid Centres with a mandatory annual contribution providing funding of \$1.6 million per year. Moreover, all members of the Bar are required to take on *pro bono* cases through the Centres. CSOs running MRCs in Thailand also engaged private sector lawyers to provide legal assistance to migrant workers. Private sector lawyers have also provided advice and presented with the HomeNet and Domestic Workers Network in Thailand.

The pressure to improve recruitment and employment conditions in certain sectors, such as the Thai seafood sector, largely comes from higher up the global supply chain, as **buyers** are motivated by consumer demands for ethically sourced products and corporate social responsibility. Recognising this, the project partnered with the **National Fisheries Association of Thailand** to develop the Code of Conduct to Promote Good Employment Practices and Labour Protection for Fishers. The **Malaysian Employers' Federation** conducted research among employers to explore the challenges they face in recruiting and employing migrant workers. This research was used to inform the "Guidelines for the Recruitment, Employment and Repatriation of Foreign Workers", which aims to increase compliance with relevant labour laws.

In sending countries, **private recruitment agencies** were involved in pre departure orientation training, and recruitment agency organisations such as ACRA in Cambodia carried out pre departure orientation training of trainers for its constituents. Moreover, **private recruitment agency associations** were engaged in the development and monitoring of self-regulation initiatives, such as industry Codes of Conduct in Viet Nam (VAMAS). As described above, the project's strategy for institutionalising tools - including extensive participatory consultation, localisation, and pilot testing - helped to ensure the Codes of Conduct were institutionalised and contributed to sustainability beyond the life of the project. The VAMAS Code of Conduct has already shown its impact and sustainability, by the use and ongoing refinement related to its ranking system, the monitoring of the implementation of the Code, and the fact that individual recruitment agencies are developing their own Codes of Conduct based upon the model code.

(vi) Has the project been successful in supporting the development of an enabling policy and institutional environment for sustainable changes in labour migration management to take place? Did the project work through local systems and processes to strengthen the capacity of local institutions?

The project has been **successful in supporting the development of an enabling policy and institutional environment** for sustainable changes in labour migration management to take place. It has contributed to the development of labour migration laws and policies in the six project countries through the provision of rights based, gender sensitive **technical comments**. Furthermore, the project has consistently advocated for and facilitated **tripartite consultation** and involvement in legislative and policy drafting. As stakeholders have become more accustomed to the diversity of views heard in drafting stages, labour migration governance systems are increasingly being driven by rights based principles. As impact analysis above has

illustrated, where project supported laws are in force, there is some evidence of – albeit nascent – **implementation arrangements to give effect to these laws**, boding well for their sustainability. Moreover, the project supported extensive **capacity building** for tripartite constituents regarding new laws and policies, and sought to ensure the sustainability of these efforts through provision of knowledge management tools to offset the frequent staff turnover in ministries. It also provided training for MRCs to increase **access to complaints mechanisms** for migrants. As discussed elsewhere, many of the MRC activities will be sustainable, especially those that form part of existing government job centres. **Extensive consultation** with governments and social partners at all stages for technical comments on draft policy and legislation, capacity building tools and research studies has resulted in a level of ownership, participation and accountability to the outputs that will increase their sustainability. Moreover, the project sought to **reflect and influence national and regional priorities**, thereby increasing accountability and ownership from governments at the highest levels in several project countries.

In many areas, the **project sought to use local systems and processes** to strengthen the capacity of local institutions. For instance, in Cambodia the project used existing networks between the Provincial Committees on Counter-Trafficking, local police, commune, district and village level stakeholders in resolving complaints. This has been so successful that the IOM is replicating this model at its recently established MRC in Poipet on the Thai-Cambodia border. In Viet Nam, MRCs engaged collaborators at community level to coordinate work in specific villages. In Myanmar, women leaders from villages were engaged to expand outreach activities to potential women migrant workers in rural areas. Local lawyers were engaged for complaints work at MRCs in receiving countries. Where possible, the project sought to build upon already existing local systems and processes, such as the labour inspection tools in Thailand, which built upon that already developed by the Ministry of Labour.

However, the project **could have improved upon building the capacity of local social partners with respect to technical comments on draft legislation in a more systematic manner**. There were instances where ILO technical inputs were shared informally, or during drafting stages, with social partners, and this helped greatly with sensitisation to the relevant issues. However, it would be helpful with regard to sustainability to empower social partners to continue this discourse with government partners beyond the life of the project, given that not all suggestions get incorporated into legislation immediately.<sup>46</sup>

## F. Monitoring and evaluation

(i) Has the project developed methods for monitoring the outcomes of activities in addition to the tangible outputs produced?

In response to the Mid-Term Evaluation in 2013, the project's monitoring and evaluation (M&E) system received extensive attention and investment during the final two years of implementation. An **M&E specialist** was recruited to conduct a needs assessment at regional and country level that led to the **establishment of a more rigorous and results-oriented M&E system**. The revised approach was based upon leveraging capacity development and practical, expedient M&E tools to assess the project's contribution to change.

Some of the methods include an **results assessment framework**, which provides methods for measuring outcomes under the three project objectives; the **policy analysis report; endline surveys** for comparison with baseline surveys; **beneficiary tracing; legal assistance outcomes;**

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<sup>46</sup> Perhaps technical comments could be drafted in a more inclusive manner.

and **qualitative data** from endline surveys and final evaluation. Many qualitative case studies of legal assistance and organizing have also been produced.

These efforts have been successful in shifting the project M&E strategy away from predominantly narrative analysis of progress combined with measurement of outputs produced, **towards a more data-driven approach that monitors the outcomes and impact of activities throughout the project cycle**. Enabled by greater commitment and understanding of M&E, the project's reporting has been able to present a clearer picture of not just what is being done but the results achieved in protection of migrant workers.

(ii) Have the capacities of partner organisations been nurtured and supported on collection and analysis of M&E data?

This was answered in section D(i)(e) above.

(iii) Has a management information system been established to ensure that data is regularly analysed and incorporated in management decision making?

In line with the goal of increasing the project's evidence base since the Mid-Term Evaluation, a **management information system was established to ensure that data was regularly analysed**. This database was regularly updated every six months. National-level data updates were reported in quarterly briefing notes, while the project updated data every six months in periodic project updates and annual reports. Project data was presented at PAC, SURAC and other meetings to facilitate dialogue with stakeholders.

**Some of the data was** regularly analysed and **incorporated into decision-making**. For instance, project partners made substantial progress in collecting **sex disaggregated data on support services**. For example, **beneficiary tracing** was carried out annually for the final two years of the project, which sought to measure the impact of safe migration counselling by documenting migration practices among beneficiaries and determining the extent to which the counselling contributed to those behaviours. Analysis of this data was used to **tailor responses to target women in MRC locations where they were not being adequately reached**. Sex disaggregated **participation data for national and local level training of government officials** revealed inequalities, so concerted efforts were made to increase the involvement of women receiving capacity building training. This resulted in an improved gender balance among government officials trained by five per cent at national level and three per cent at the local level between the third year and fourth year. Also, MRC partners were trained in the **CLIENT classification of beneficiary support services** (counselling, legal assistance, information, education or training, networking, trade unions), and this data was presented by region and country. Analysis of this data was used to **promote diversification of services in several countries**.

However, in other areas data was getting into the discussion, but **not necessarily being used to make decisions at ILO and partner level**. For example, data was collected on complaints and legal assistance outcomes, with extensive disaggregation. It is **not clear to what extent this data will be incorporated into management decision making, as the analysis is ongoing**. However, it has certainly been useful in determining the extent of the impact of provision of legal assistance to migrant workers.

Also, there did not appear to be an effective **system of holding partners accountable for meeting**

**targets.**<sup>47</sup> When partners are not held accountable for meeting targets, they are unlikely to make adjustments to do so. It would have been good have greater accountability for results, including through strengthening terms of reference by including some sort of enforcement mechanism.<sup>48</sup> A regularly updated management information system could be used to assess the results of the intervention strategies in consultation with tripartite constituents at PAC and SURAC meetings, allowing for evidence-based management decisions and greater accountability to stakeholders. The SURAC meeting could be strengthened by more critical representation at this meeting and a broader range of participants, to drive the project direction with the appropriate evidence base and increase accountability. Regional UN agencies and organisations that also work on labour migration should also be considered for inclusion.

(iv) Has M&E data been disaggregated to show the project results by gender, country, stakeholder group and other criteria?

The M&E data was disaggregated to show project results by the following categories:

- Sex
- Country
- Training at central and local levels
- Stakeholder groups for capacity building activities (government, employer, worker, CSOs, tripartite plus participation)
- Type of MRC service provided
- Subject of complaints
- Compensation requested/received
- Duration of cases
- Mechanism for resolution of cases
- Type of remedy obtained
- Type of sanction applied
- Ethnic minorities (Myanmar, Viet Nam)<sup>49</sup>
- Destination.

The M&E Consultant designed client and complaint forms for MRCs so that the same data was collected in the six project countries. This good practice allowed for analysis in a number of areas and went a long way to measuring the impact of project activities in service delivery to migrant workers.

### 3. Gender Issues Assessment

The 1999 ILO Policy on Gender Equality and Mainstreaming states that ILO should take a leading role in international efforts to promote and realise gender equality. This means that all technical

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<sup>47</sup> However, the M&E Guide did introduce the notion that partners must at least provide justification for why they failed to achieve objectives or indicator targets.

<sup>48</sup> In most cases, the reasons why they did not reach specific targets was because of a lack of human resources and capacity. This was addressed with greater investment in staffing for implementing partners – which was successful in some cases (particularly the Thai and Malaysian trade unions), but not always. Some of the NGOs carried out excellent work, but were not very organized and submitted poor reports. There was also turnover among certain CSOs.

<sup>49</sup> Sex disaggregated data on ethnic minorities in Myanmar and Viet Nam were collected but not necessarily reported. In those countries the project targeted source communities that included ethnic minorities, and translated relevant materials into ethnic minority languages. However, this did not happen in other countries with ethnic minority groups, such as Thailand, which could be improved upon.

cooperation projects must aim to systematically and formally address the specific and often different concerns of both women and men, including women's practical and strategic gender needs.

(i) **Did the project activities benefit women and men equally?**

The **project attempted to address broader gender inequalities for all project beneficiaries**, including women and men migrant workers, government officials at central and local levels, and social partner representatives.

The project sought to ensure that the project activities **benefitted women and men migrant workers equally**. Based on latest figures available (January 2015), the project reached a total of 41% women and 59% men beneficiaries. In Cambodia, Malaysia and Thailand the project reached 44%, 41% and 54% women respectively, which is encouraging. The lower figures in Lao PDR (24%), Myanmar (28%) and Viet Nam (30%) signalled to project staff that a change in approach was needed, in particular at the level of the MRCs (though the gender skew towards more male migrants moving abroad from Viet Nam is contextually relevant). For example, in several of the outreach activities held by the MRCs, a disproportionate number of men were being reached. The project sought to address this by reconsidering the approach, timing or design of the outreach activities, or by supplementing with additional outreach that was able to reach more women, including through collaboration with partners such as the Lao Women's Union, and the Cambodian Women for Peace and Development.

The project also sought to ensure that the project activities **benefitted women and men government and social partners equally**. Gender balance was encouraged in all capacity development activities (workshops, seminars) with a special focus on activities at **provincial or local level**, where men represented the majority of participants. The **lower proportion of women participating in capacity development activities at the local levels** reflected the dominant position of men in village/commune management authorities. In order to address this, the project promoted the involvement of women organizations (unions and/or NGOs) in the activities e.g. in Cambodia, the project has developed different activities with the NGO Legal Services for Women and Children (LSCW). Through concerted efforts to increase the involvement of women at these events, the **gender balance improved between the third and fourth year among government officials trained by 5% at national level and 3% at local level**. The project also stressed at PAC meetings the need to address gender imbalance amongst beneficiaries and participants in training. In work with **trade union partners**, trade unions were urged to consider gender issues when developing action plans to support migrant workers, and the **project specifically sought to work with the women's union in Lao PDR**. In supporting efforts to improve health and safety and working with **employers' organisations** in Thailand, the project team and the Employers' Confederation of Thailand (ECOT) insisted on a gender balance on the committee designing interventions and advocacy strategies. The project also considered ways to ensure equal participation in monitoring and evaluation systems designed to assess compliance with the Code of Conduct.

(ii) **Has the project supported governments to adopt gender sensitive labour migration policies?**

The project supported the Government of **Cambodia** to adopt a gender sensitive labour migration policy reflecting the rights based approach to labour migration advocated in the ILO Multilateral Framework and the provisions of relevant international labour standards relating to gender equality. Guideline 4.5 of the Multilateral Framework calls for labour migration policies that are

gender-sensitive and address the problems and particular abuses faced by women in the migration process. The Policy on Labour Migration for Cambodia (December 2014) is based on the gendered dimensions of labour migration, acknowledges the nexus between labour migration and trafficking in Cambodia, and seeks to ensure the protection and empowerment of women and men migrant workers. Its policy goals include the implementation of international labour standards in a gender sensitive manner, the establishment of gender sensitive, sector specific minimum standards for MOUs with destination countries, and to facilitate access to justice in a gender sensitive manner. The *prakas* that were developed with project support were developed in a gender sensitive manner through reviews of draft legislation by ILO, UN Women and the Ministry of Women's Affairs.

**Lao PDR, Malaysia, Myanmar, Thailand and Viet Nam** are yet to formulate coherent long-term gender sensitive policies on labour migration, although some of these countries are becoming more conscious of gender issues and are considering or have already adopted separate MOUs for domestic workers, demonstrating gender sensitivity.

(iii) **Has the project been effective at addressing the vulnerabilities of migrants in highly gendered sectors of work?**

The project was **effective at addressing the vulnerabilities of migrants in highly gendered sectors of work**. A dual focus on the domestic work and fishing sectors in destination countries offered an opportunity to reach migrant workers of both sexes. For instance, in the Asia-Pacific region the number of domestic workers increased from approximately 33.2 million to 52.6 million between 1995 and 2010.<sup>50</sup> Almost all domestic workers in Malaysia and Singapore and a majority in Thailand, are migrant women. In Thailand's fishing industry, men migrants with irregular status make up the vast majority of workers on board fishing vessels.<sup>51</sup> These sectors are widely recognised as highly vulnerable, given the isolation of the workplaces and the lack of legal protection for workers.

**Domestic work** was addressed in particular in the receiving countries. In **Thailand**, the project helped to develop the Ministerial Regulation on Domestic Work (adopted in November 2012), which provides better working conditions and protection to domestic workers including a weekly rest day, sick leave and paid holidays. The project advocated for the use of the standards in ILO C189 on Domestic Work to guide changes in law and practice. The project also supported the creation of the first National Domestic Workers' Association. In **Malaysia**, the project provided inputs on the draft Domestic Workers Regulation and worked closely with Tenaganita, a women's NGO, to develop and promote a campaign on decent work for domestic workers.

Tenaganita also provided direct support on rescue operations and legal support to domestic workers from Cambodia, Myanmar, and Viet Nam. Some governments in **countries of origin** have restricted the recruitment of domestic workers through legal channels, with the notable exception of **Viet Nam** that is more actively encouraging the migration of domestic workers. Myanmar has expressly suspended this movement, the legality of this movement is unclear in Lao PDR, and age restrictions exist in Cambodia within the draft MOU with Malaysia (not yet signed). In October 2011, the Cambodian Government prohibited the deployment of additional domestic workers to Malaysia because of recurring problems prior to departure and in Malaysia. In **Cambodia**, the project supported the preparation of a road map for ratification of ILO C189 on

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<sup>50</sup> ILO, *Domestic Workers Across the World: Global and Regional Statistics and the Extent of Legal Protection* (2013), available at [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_173363.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_173363.pdf)

<sup>51</sup> Food and Agriculture Organization (FAO) *National fishery sector overview: Thailand* (2009).

Domestic Work, and this Convention has provided an impetus to strengthen national legislation on domestic work in **Viet Nam**.

In **Thailand**, male migrant workers benefitted from project interventions in the **fishing sector**. Overall it is estimated that the fisheries sector generates employment for more than 2 million workers in fishing, processing, and related economic sectors, including large numbers of migrant workers from neighbouring countries especially from Myanmar, Lao PDR, and Cambodia. The vast majority of migrant workers in the fishing sector are irregular migrants, although specific efforts to regularize their status are gradually taking hold. The project promoted (1) legislation in line with the ILO Convention 188 on Work in Fishing (Ministerial Regulation 10 on work in fishing was passed and includes a minimum age of 18 years and requires regular rest hours and written contracts for all fishers)<sup>52</sup>, (2) the development of guidelines for labour inspectors and other regulatory bodies and the delivery of training to all labour inspectors in coastal provinces, as well as (3) training on occupational safety and health to directly benefit captains and crew. It also produced research on the *Employment Practices and Working Conditions in Thailand's Fishing Sector* that found 17% of fishers worked in conditions of forced labour.<sup>53</sup>

(iv) **Were risks to gender equality identified and appropriately managed?**

**Risks to gender equality were not initially identified and appropriately managed in a systematic manner.** However, **from 2013 to 2015 the project strategy placed more emphasis on clearer articulations of gender concerns** among staff and implementing partners, especially governments and MRCs.

Notwithstanding, the project managed to identify and appropriate manage risks to gender equality in Output 1 throughout the project life time. **Gender equality concerns were mainstreamed into all ILO technical comments on legislation and policy, drawing on international gender equality standards** articulated in instruments such as the ILO Equal remuneration Convention (C100), and the Discrimination in Employment and Occupation Convention (C111), the Convention on the Elimination of Discrimination Against Women (CEDAW) and the Committee's General Recommendation 26 specifically addressing women migrant workers. **Wherever possible, partners from women's organisations and UN Women were invited to attend consultations on draft MOUs, legislation and policy**, to further ensure gender sensitivity within legislative and policy instruments.

Stakeholders largely concurred that risks to gender equality in Outputs 2 and 3 were identified and appropriately managed from 2014. **Following DFAT's QAI Report for 2013**, the project began to place more emphasis on clearer articulations of gender issues among staff and implementing partners, especially governments. The project **revised the M&E framework to further strengthen the gender sensitive indicators and outcomes**. Disaggregated reporting has **led to the adjustment of approaches where inequitable results were found**. For output 2, through concerted efforts to increase the involvement of women receiving **capacity building training**, the gender balance improved among government officials trained by five per cent at national level and three per cent at the local level. For output 3, this included **MRC monitoring of services through the collection and reporting of sex disaggregated data on beneficiaries and capacity building participants**. There was also progress on gender analysis of data. Gaps were addressed

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<sup>52</sup> Available at

[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=53170&p\\_country=THA&p\\_count=441&p\\_classification=19&p\\_classcount=4](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=53170&p_country=THA&p_count=441&p_classification=19&p_classcount=4)

<sup>53</sup> ILO, *Employment and Working Conditions in Thailand's Fishing Sector* (2013), available at [http://www.ilo.org/asia/whatwedo/publications/WCMS\\_220596/lang--en/index.htm](http://www.ilo.org/asia/whatwedo/publications/WCMS_220596/lang--en/index.htm)

through **tailoring key tools**: the MRC Operations Manual and Pre-Departure Training Curricula specifically address the needs of men and women migrant workers, including addressing sexual health, domestic worker and gender specific risks and vulnerabilities. **More targeted outreach for women was carried out by MRCs in sending countries to improve the gender balance**, including through collaboration with gender specialised partners such as the Lao Women’s Union, and the Cambodian Women for Peace and Development, and through development of appropriate IEC materials. The **remedial action was good practice, but it would have been good to see this level of risk identification and response throughout the project lifetime**.

Regarding challenges in ensuring that women were adequately represented, especially at local government level and within trade union capacity building efforts, the project requested guidance as to the priorities of DFAT on targeting gender equality versus government official training; inconsistent goals that cannot simultaneously be met; and especially the viability of additional training for female ‘change-agents’ in communities considering the financial constraints faced by the project in the final stage of implementation. As the DFAT indicator tracks government officials trained, this was where project efforts were placed. While the project aimed broadly to effect institutional change with respect to gender through mainstreaming gender sensitive approaches and requiring gender balances in activities attendance, sometimes the project was able to only identify gaps through data collection, monitoring and analysis; voice these concerns with the partners; and then design interventions to address any imbalance.

<b>DFAT Gender Score Card<sup>54</sup></b>	Yes	No
Promoting gender equality was a significant objective of the investment	X	
Analysis of gender equality gaps and opportunities substantially informed the investment	X	
Risks to gender equality were identified and appropriately managed		X
The investment effectively implemented strategies to promote gender equality and women’s empowerment	X	
The M&E system collected sex-disaggregated data and included indicators to measure gender equality outcomes	X	
There was sufficient expertise and budget allocation to achieve positive gender equality outputs and outcomes		X
As a result of the investment, partners increasingly treat gender equality as a priority through their own policies and processes	X	

Challenges which affected gender aspects of the project included: insufficient availability of gender expertise to assist the project; inadequate capacity of implementing partners; systematic availability of sex-disaggregated statistics of participation in project activities; inadequate systematic gender analysis throughout the project; absence of an explicit strategy to mainstream gender in activities; insufficient monitoring strategy to institutionalise gender mainstreaming from project inception.

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<sup>54</sup> Final Aid Quality Check – DFAT template.

## 6. Conclusions

Based on the evaluation findings the following conclusions may be drawn.

The project was **relevant** because it responded to prevalent forms of exploitation - including withholding of wages/passports, accident compensation, and trafficking – and addressed the major causes of vulnerability, such as irregular migration, inadequate awareness of the risks involved in unsafe migration, and a limited understanding among migrants of their rights at work and how to protect those rights. The project was evidence based, taking into account the results of baseline studies, research studies and the mid-term evaluation. Project activities aligned with and influenced government policies and planning on labour migration in all project countries, assisted with the drafting of six trade union action plans, and influenced employer organisation and industry association priorities in Malaysia, Thailand and Viet Nam. The project was consistent with ILO national strategic priorities as expressed in Decent Work Country Programmes, and with ILO regional and global strategic priorities and programming on labour migration as contained in the ILO Global Programme and Budget and the Multi Lateral Framework for Labour Migration. Moreover, it made effective use of ILO's comparative advantages, including its normative framework and technical expertise to promote rights at work, its unique mandate in addressing labour migration, and its promotion of social dialogue and tripartism. The project design was appropriate for achieving its intended development impact, viz. the reduction of exploitation of labour migrants in GMS and Malaysia.

Furthermore, the project was **effective** in many ways, with clear and realistic objectives that were mutually reinforcing due to their interdependent nature and connectivity. The project largely achieved all activities under the three immediate objectives, except for some discrete activities such as the recruitment agency association Code of Conduct in Cambodia - due to the changing capacity and commitment levels of the national partner.<sup>55</sup> Internal management was initially hindered by inadequate staffing arrangements, but these were addressed following the mid-term evaluation. The project was successful in obtaining the support and cooperation of governments and social partners at national levels and regional levels, through the Project Advisory Committees, and the Sub-Regional Advisory Committee. It was extremely effective in collaboration and coordination with other project working on labour migration issues in the region, especially its sister project ASEAN TRIANGLE. It cooperated with at least four other ILO projects, thereby engaging a wide range of ILO specialists and their experience to benefit the project, and with other significant actors in the sector, such as AAPTIP, IOM, IOM-X, UN Women and World Vision, enabling multiplication of impact of related programmes. The capacities of implementing partners varied from partner to partner, and were different within and across countries, with some having the necessary skills to manage project activities, and others not, which accordingly affected their ability to carry out project activities. The project invested significant time and resources training implementing partners where required, but this was affected by frequent staff turnover and efforts to manage knowledge acquired in training workshops to offset this had limited effect in some instances.

Regarding **efficiency**, the project's use of financial resources was generally very efficient and strategic, allocating appropriate amounts to the various countries and objectives depending upon the scale of activities undertaken. Project staff worked hard to offset the budget reduction in 2014,

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<sup>55</sup> Other examples include OSH in fishing manual (Thailand); recruitment agencies work in Lao; drafting on sublaws in Lao, given the timeline of the Labour Law being so extended; complaints training in Cambodia - switched into an assessment of the operation of the mechanism instead, given the need for the latter.

and throughout sought to coordinate activities with other ILO and external projects, delivering better value for money by increasing the funds available to carry out project activities. Contributions from tripartite constituents, CSO partners and MRCs consisted of facilities, staff time, workshop costs and office space in all project countries. The project activities representing the greatest value for money in terms of protecting migrant workers were the MRCs, policy work and quantitative large-scale research papers. Activities and outputs were generally delivered on time and according to work plan,<sup>56</sup> and the project team was responsive and reacted to mitigate and offset any adverse effects of delays or other implementation difficulties.

With respect to **impact**, ILO technical comments on draft labour migration legislation and policy have been generally well received and a good proportion of these reflected in final legislative and policy instruments. Capacity building trainings at central and local levels were affected by staff turnover and knowledge management mitigation strategies had limited impact in some instances. There is some evidence of implementation mechanisms for new laws, but challenges remain, especially in areas where considerable financial gain is negated or reduced by responsible implementation. However, the project made considerable impact in designing and instituting the notion of tripartite consultation in labour migration, particularly in Cambodia. The amount of compensation negotiated for migrant workers with grievances (US\$1.2 million to January 2015) demonstrates the significant impact of increased access to justice through MRC provision of legal assistance. The project also demonstrated noteworthy impact on labour inspection in the fishing sector in Thailand, with inspections being carried out using the training and guidelines developed, and labour violations, including child labour, being identified and reported. The impact of self-regulation initiatives was especially successful in Viet Nam, with the monitoring mechanism for implementation of the Code of Conduct of members of the Vietnamese Association of Manpower Supply and the ranking system motivating agencies into greater compliance. Stakeholders in Cambodia and Viet Nam reported that pre departure curricula have been solidly institutionalised – due to extensive efforts to ensure ownership, buy-in and sustainability - and are being used on an ongoing basis. The capacity of MRCs to deliver support services to migrant workers varied across the six countries, and the gender breakdown of support services shows that across the six project countries a total of 41% females and 59% males were reached. Preliminary results of endline studies in Cambodia and Viet Nam show that the project contributed to improvements in safe migration awareness and knowledge among women and men potential migrants.

As for **sustainability**, stakeholders concurred that the sustainability plan has been successfully<sup>57</sup> implemented with the exception of financial viability for MRCs. Extended periods of consultation and adaptation helped to ensure that project tools were institutionalised, localised and live on beyond the life of the project. Several in-depth research reports were developed and broadly disseminated in Thailand, Malaysia and Myanmar, filling a knowledge gap in the evidence base and providing advocacy tools. MRCs that are able to mainstream their migration services into existing service provision at government job centres, trade unions or CSOs tend to have better opportunities for sustainability. It has been good project strategy to invest in M&E skills for MRCs so they can better demonstrate their capacity and achievements to potential donors. The private sector has been engaged through private sector funding for private sector lawyers in receiving countries, and through private recruitment agencies and their associations in sending countries.

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<sup>56</sup> With some exceptions, primarily the tools that required rounds of consultation, translation and piloting. But also the process of commenting on draft laws, the timing of which is difficult to predict.

<sup>57</sup> One stakeholder thought the project could have had a clearer exit strategy that would ensure the support needed to help certain tools and processes become sustainable. E.g. hand over to other ILO project or country offices or specialists; or to other non-ILO projects, e.g. AAPTIP or WorldVision.

The project has successfully supported the development of an enabling policy and institutional environment in labour migration and sought to use local systems and processes to strengthen the capacity of local institutions. However, the project could have improved its systems to better communicate ILO technical comments on labour migration law and policy to social partners and CSOs, thereby empowering national level partners to continue rights based advocacy in the long term.

Regarding **monitoring and evaluation**, the project hired an M&E specialist who developed a rigorous and results-oriented M&E system, which was successful in achieving a more data driven approach that monitored the outcomes and impact of activities throughout the project cycle. The project successfully created practical tools and provided tailored training for MRC service providers to enable them to meet M&E expectations of the project and comply with a methodology that allows for impact evaluation and comparison of the project across the intervention sites. These focused capacity building efforts paid substantial dividends, with implementing partners managing MRCs better able to present a vibrant and precise picture of how project activities have protected migrant workers, as well as nurturing their ability to apply a more evidence- and results-based approach to their work. Moreover, the project established a management information system to analyse this data and incorporate it into decision-making. Data was appropriately disaggregated and standardized client and complaint forms for MRCs in the six countries facilitated this.

Concerning **gender equality**, risks to gender equality were not initially identified and appropriately managed in a systematic manner. However, from 2013-2015 the project strategy placed more emphasis on clearer articulations of gender concerns among staff and implementing partners, especially governments and MRCs, leading to adjustment of approaches where inequitable results were found. The project reached a total of 41% women and 59% men beneficiaries, and conducted targeted outreach with women's organisations and MRC implementing partners where women were disproportionately represented. Targeted efforts also sought to improve gender balance among government officials trained at national and local levels. It would have been good to train partners and allocate specific gender expertise and budget to systematically achieve positive gender equality outputs and outcomes from project inception. However, throughout, the project mainstreamed gender equality concerns into all ILO technical comments on legislation and policy, and supported the Government of Cambodia to adopt a gender sensitive labour migration policy reflecting the rights based approach to labour migration advocated in the ILO Multilateral Framework and the provisions of relevant international labour standards relating to gender equality. A dual focus on the domestic work and fishing sectors in destination countries offered an opportunity to address the vulnerabilities of migrants in highly gendered sectors of work.

## 7. Emerging good practices and lessons learned

### (a) Emerging good practices

A number of good practices emerged from the project: (1) a **gender sensitive, sectoral approach** to addressing labour migration, (2) supporting **in-depth research reports** to fill a knowledge gap, use for advocacy and generate media attention, and (3) engagement with the **private sector** on international migration through self-regulation tools by industry associations and recruitment agency associations. A full write up of these good practices is contained in an Annex.

## (b) Lessons learned

Several lessons may be learned from the project. First, to ensure systematic achievement of positive **gender equality** outputs and outcomes in the project from its inception, it would have been good to have (i) a specific gender equality strategy, (ii) targeted gender equality training for implementing partners; (iii) systematic collection of sex disaggregated data; (iv) allocation of specific expertise (e.g. local gender consultants who speak local languages and have good awareness of cultural issues); and (v) a gender budget.<sup>58</sup> Second, a more robust **M&E framework** should have been defined at the start of the project, rather than at the midway point. Once a dedicated M&E staff was on board, each MRC was provided with coaching according to their knowledge gaps and the services provided. Although time consuming and more costly, it reaped benefits in the provision of more quality reporting and a shift from focusing on activities to focusing on impact. Third, the project invested significant time and resources training implementing partners where required. However, **capacity building** was affected by frequent staff turnover and efforts to manage knowledge acquired in training workshops to offset this had limited effect in many instances (Please see lesson learned 3 in the annex for a more detailed explanation). Fourth, it is important to adequately **staff** an international labour migration project with a regional management unit and six country components, including 23 MRC locations. A full write up of these lessons is contained in an Annex.

## 8. Recommendations

Based upon the conclusions, good practices and lessons learned, the following recommendations are made to various ILO stakeholders, namely the ILO Offices and presences in the six project countries, the ILO Regional Office Bangkok, the Decent Work Team in Bangkok, and ILO's MIGRANT Department in Geneva. Where the tripartite constituents and donor are implicated this is noted. Following each recommendation is the priority, recommended time frame for follow up, and any resource implications. Most recommendations would be ripe for implementation in the inception phase of a potential phase two of the project.

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<sup>58</sup> Although there is a good practice and a lesson learned relating to gender, this is not inconsistent since achieving results in one area of gender equality does not necessarily mean there is no room for improvement in another area.

Recommendation	Responsibility	Priority	Time frame	Resource implications
<b>INTERNATIONAL LABOUR MIGRATION</b>				
<b>1. Expand the gender sensitive and sectoral approach to addressing labour migration to other sectors</b> , which are particularly vulnerable for women and men migrant workers. <sup>59</sup>	Project designers, project staff	High	Short term	Yes
<b>2. Support in-depth research reports to fill a knowledge gap,<sup>60</sup> use for advocacy and generate media attention.</b> Explore areas that ILO determines as ripe for policy and legislative change to increase influence and uptake of reform. <sup>61</sup>	Project designers, project staff, tripartite constituents	High	Short term	Yes
<b>3. Engage more with the private sector on international migration.</b> Explore possibilities to leverage funding from private sector while maintaining the ILO rigorous standards for private sector partners. Continue to advocate for self-regulation tools with industry associations and recruitment agency associations. Other areas of private sector engagement could include providing a platform to consider supply chain pressures; engaging the private sector in the development of innovative protection mechanisms and interaction through the fostering of small enterprises among returned migrants. The complementary role of self-	Project designers, project staff, private sector, tripartite constituents	High	Short term	Yes

<sup>59</sup> Please see good practice 1 in the annex. Consider expanding to other sectors so not just focused on most informal or most exploitative sectors, in order to (a) look at development impacts that are within the formal economy, (b) look at regular movement and skills framework.

<sup>60</sup> E.g. in areas where there is insufficient data to inform evidence based policy making.

<sup>61</sup> This aims to provide data where it is needed, in order to advocate and to leverage media attention for policy change. An example might include construction research, since there is a dearth of data on construction. The sector is characterized by a lack of unions, sub contracting, and a lack of protections for migrant workers.

<p>regulation and legislation could be explored, as well as the added benefit that engagement and collaboration with the private sector has on the delivery of results. These approaches should be considered and developed into a clear private sector strategy.</p>				
<b>STAFFING</b>				
<p>4. It is important to <b>adequately staff</b> an international labour migration project with a regional management unit and six country components. This includes National Project Coordinators in each project country, M&amp;E expertise, gender expertise,<sup>62</sup> and ideally additional international project support in each country (e.g. technical officers, JPOs, UNV, AVID, NZ volunteers). Appropriate levels of administrative support also needs to be considered.</p>	<p>Project designers, Senior Project Coordinator, donors</p>	<p>High</p>	<p>Short term</p>	<p>Yes</p>
<b>SUSTAINABILITY</b>				
<p>5. To ensure the sustainability of the interventions related to <b>capacity building</b>, consider:</p> <ul style="list-style-type: none"> <li>• Systems to increase timely rights-based and tripartite input into legislation and policy, especially in Thailand, Malaysia, Viet Nam and Lao PDR</li> <li>• Communicate ILO technical comments on labour migration law and policy to social partners and CSOs, through co-drafting workshops (triggered on request of the social partners) or workshops on the contents of technical comments. This approach is designed to</li> </ul>	<p>Project staff, tripartite constituents</p>	<p>High</p>	<p>Short term</p>	<p>Yes</p>

<sup>62</sup> • Recommendation 4 notes the importance of adequate staff, including M&E and gender expertise. The evaluation highlights under efficiency that 38% of the overall budget went to staff costs and that this was an appropriate level of budget expenditure for a technical assistance heavy project, as staff contributed technical expertise to most activities. Notwithstanding, if both M&E and gender expertise were added, the project would still be considered efficient up to around 50% of the overall budget.

<p>further empower national level partners to continue rights based advocacy in the long term.</p> <ul style="list-style-type: none"> <li>• Developing tools to measure the impact of capacity building activities, beyond pre- and post-testing. The results emerging from the use of these tools should be shared with the project partners to demonstrate the value of the training.</li> <li>• Increasing instances of ‘on the job’ coaching to influence working styles and problem solving initiative by implementing partners.</li> <li>• Linking knowledge management efforts to government and implementing partner key performance indicators, especially in Malaysia, Thailand and Viet Nam where ministries are known to have key performance goals.</li> </ul>				
<p>6. Explore options for <b>sustainable MRC models</b>. This could include government funding of CSO or trade union run MRCs, in addition to mainstreaming migrant worker services into existing job centres or NGO services.<sup>63</sup></p>	<p>Project staff, tripartite constituents</p>	<p>Medium</p>	<p>Medium Term</p>	<p>Yes</p>
<p><b>MONITORING ARRANGEMENTS</b></p>				
<p>7. <b>Monitoring:</b> Define a more robust <b>M&amp;E framework</b> at the start of phase two of the project. Provide each MRC with individualised coaching according to their knowledge gaps and the services provided, e.g. on M&amp;E concepts, data collection, assessing impact, analysis and reporting, and participatory monitoring. Fund a dedicated M&amp;E staff member for the entire phase 2.</p>	<p>Project staff, M&amp;E staff</p>	<p>High</p>	<p>Short term</p>	<p>Yes</p>

<sup>63</sup> Other ideas include longer term encouragement of alternative funding sources; gradual handover to government; user pays for union run MRCs; consider where to link with private sector or philanthropy.

8. Design a <b>Results Assessment Framework</b> from the project's inception of any phase two to ensure continuation of results measurement system.	M&E staff	High	Short term	Yes
<b>GENDER EQUALITY</b>				
<p>9. <b>Gender:</b> To ensure systematic achievement of positive gender equality outputs and outcomes in the project from its inception, it would be good to have:</p> <ul style="list-style-type: none"> <li>- A specific gender equality strategy</li> <li>- Systematic collection of sex disaggregated data</li> <li>- Allocation of specific expertise (e.g. local gender consultants who speak local languages and have good awareness of cultural issues); and</li> <li>- a gender budget with a dual focus on: <ul style="list-style-type: none"> <li>o the establishment, implementation, monitoring and evaluation of the gender strategy</li> <li>o Initial and remedial training on gender for all project implementation partners, the latter focussing on addressing inequitable results emanating from regular M&amp;E analysis.</li> </ul> </li> </ul> <p>To source <b>gender expertise</b> to complement that provided by the staff of the project and ILO, consider using networks of women's organisations and unions to identify local gender consultants who speak local languages and have good awareness of cultural issues. Other ideas include low cost or non-project budget options such as ILO Junior Professional Officers (funded by national governments), UN</p>	Project staff, local and international gender experts, women's organisations, implementing partners	High	Short term	Yes

<p>Volunteers (lower cost professionals), Australian or New Zealand Volunteers or similar (like UN Volunteers but funded by national governments). Many of these professionals have several years of work experience, or may be retirees, and may be a good source of gender expertise. In the absence of specific gender expertise, include implementation of the gender strategy as a key function of a project technical officer.</p> <p>For gender equality <b>training of implementing partners</b>, consider developing a gender equality training manual (like the project developed for MRC M&amp;E), and conducting targeted training based on this manual with key implementing partners in the inception phase. Consider engaging local gender experts and local women's organisations and unions to facilitate this. All Terms of Reference for implementing partners should include a section of gender outcomes expected during delivery of the agreement.</p>				
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## Annex 1: List of Interviewees

**Total interviewed: 216 people (112 Males, 104 Females)**

### **Cambodia (37 Males; 18 Females)**

#### **ILO Joint Projects Office in Cambodia 2 M; 1 F**

- National Project Coordinator, GMS TRIANGLE Project
- Labour Migration Consultant, GMS TRIANGLE Project
- National Coordinator, ILO Cambodia

#### **Ministry of Labour and Vocational Training in Phnom Penh, Cambodia – 3 M**

Under Secretary of State, Department of Employment and Manpower, MOLVT  
Deputy Director General, General Department of Directorate of Labour, MOLVT  
Chief of Office, Department of Employment and Manpower, MOLVT

#### **Meeting with partner Legal Support for Children and Women (LSCW) – 1 M**

Program Manager LSCW

#### **Kampong Cham Migrant Worker Resource Centre (MRC) and Phnom Srey Organization for Development (PSOD-NGO partner) staff – 1 M; 1 F**

Project Coordinator, MRC from PSOD  
Director, PSOD

#### **Meeting with staff from the Kampong Cham Provincial Department of Labour and Vocational Training (PDOLVT-KC) – 1 M; 1 F**

Director, Provincial Department of Labour Kampong Cham  
Officer, Provincial Department Labour

#### **Meeting with commune and village leaders organized PSOD/MRC - 9 M, 4 F**

Commune and villages leaders

#### **Meeting with returned migrant workers, migrant workers and families of migrant workers organized by PSOD/MRC – people who have utilized MRC services – counselling, complaints support, financial information - 5 M, 5 F**

Migrant workers and their families

#### **Meet with Kampong Cham CSO's - CWPDP, organized by PSOD - 4 F**

CSOs

#### **Visit and meet with MRC Battambang and MRC Prey Veng staff, 2 M**

- Director, MRC Battambang/National Employment Agency (NEA)
- Project Officer, MRC Prey Veng/CLC

#### **Prey Veng Provincial Governor, 3M**

- Provincial Governor Prey Veng  
Deputy Director, PDOLVT Battambang
- Director PDOLVT Prey Veng

#### **Meeting with labour migration stakeholders in Cambodia; UNACT, UN Women, IOM, Winrock, The Asia Foundation, 2M; 1F**

Program Coordinator, UNACT  
Women's Economic Empowerment Consultant, UN Women  
Project Officer, IOM

#### **Meeting with staff from trade union partners; Cambodian Labour Confederation (CLC), Cambodian Confederation of Trade Unions (CCTU), National Union Alliance Chamber of Cambodia (NACC), 3M**

Official, CLC

Official, NACC

General Secretary, CCTU

**Meeting with the Association of Cambodian Recruitment Agencies (ACRA) 5 M, 1F**

Director, ACRA

Assistant, ACRA

3 Officials, ACRA

**Lao PDR (12 Males; 7 Females)**

**ILO in Lao PDR – 1 M, 1 F**

GMS TRIANGLE National Project Coordinator

- ILO National Coordinator for Lao PDR

**Meeting with MRC staff from Savannakhet and Champassak, 3 M, 1F**

2 Officials, MRC Savannakhet

2 Officials, MRC Champassak

**Meeting with UNACT, 1 M, 1 F**

**Meeting with IOM 2 M**

**Meeting with Lao Federation of Trade Union, 3 M**

DG of Labour Protection Dept.

Head of labour Protection Unit

Deputy-Head of labour Protection Unit

**Meeting with the Lao Women Union (LWU), 2 F**

Deputy Director General, Department of Women Development

Assistant

**Meeting with partner Ministry of Labour and Social Welfare (MOLSW), 1 M; 2F**

DG of the Skills development and Employment

DDG of the Skills Development and Employment

Head of Skills Development Division, SDED

**UN Women, 1 M**

**Malaysia (12 Male; 18 Female)**

**Meeting with Tenaganita, 4 F**

- Director
- Trafficking Program Officer
- Program Officer
- Program Officer

**Meeting with Tenaganita MRC Beneficiaries – 10 F**

**Meeting with Ministry of Human Resources (MOHR), 3 M, 1F**

Undersecretary, International Division

Policy Division

Enforcement Department

Labour Department

**Meeting with Bar Council, 1M**

Chairman, Malaysian Bar Council Sub-committee on Migrants and Refugees

**Meeting with labour attaches and embassy officials from the embassies of Myanmar, Thailand,**

**Viet Nam – 4 M**

Consular Officer, Myanmar

2 Consular Officers, Thailand

Consular Officer, Viet Nam

**Meeting with Public Media, Migration Works Consultant, 2M**

Director

Programme Officer

**Meeting with Malaysian Employer Federation (MEF), 1M, 1F**

Director

Assistant

**Meeting with MTUC, 1M; 1F**

- Secretary General

- MRC Coordinator

**Meeting with National Project Coordinator, 1 F**

**Myanmar (10 Male; 24 Female)**

**Meeting with project team and translator, 3 F**

- National Project Coordinator

Technical Officer

Project Consultant

**Meeting with Trade Unions and CSOs – 6 M, 6 F**

Myanmar Maritime Trade Union Federation

Women's Galaxy

Brilliant Future Myanmar

Migrant Worker Rights Network

Agriculture and Farmers Federation of Myanmar

Confederation of Trade Unions Myanmar

CTUM

88 Generation Ps and Open Society

**ILO Liaison Office – 1M, 2F**

Deputy Liaison Officer and Program Manager ILO Yangon

- ILO Liaison Officer

**Meeting with IOM – 1M**

Chief of Mission

**Meeting with MOLES, Migration Division, Nay Pyi Dtaw – 1 M, 5 F**

Director General

3 Vice Director Generals

2 Officers

**Visit Mawk Kon Migrant Resource Centre, 5 F**

Director

4 Officers

**Meeting with Labour Exchange Officer, Keng Tung 1 M**

**Meeting with beneficiaries - 3 F**

**Thailand (9 Male, 10 Female)**

**Meeting with GMS TRIANGLE team 2F**

GMS TRIANGLE National Project Coordinator Consultant

**Meeting with Department of Labour Protection and Welfare 1 M, 1 F**

Deputy Director General, Department of Labour Protection and Welfare  
Senior Expert

**Meeting with TACDB, 2 M**

Programme director  
Official

**Meeting with trade unions (TTCU and LCT), 1M, 2F**

Chairman of TTUC  
Programme Coordinators

**Meeting with Foundation for Aids Rights, 2M**

Project Coordinator  
Migrant volunteer

**Meeting with National Fisheries Association of Thailand, 2 M, 1 F**

General Secretary  
2 Officers

**Meeting with MAP, 1 M, 1 F**

Programme Manager  
Project Coordinator

**Meeting with Human Rights and Development Fund, 2 F**

Programme Manager  
Assistant to General Secretary

**Meeting with HomeNET, 1F**

**Viet Nam (18 Male, 10 Female)**

**ILO Country Office, 3 F**

National Project Coordinator  
National Project Assistant

- AVID Legal Officer

**Quang Ngai DOLISA, ESC leader and counsellors, Meeting Son Ha Labour District Unit and commune leader, Social Policy official and heads of villages - 9 M**

**Quang Ngai MRC, prospective migrant workers 4 M, 1 F**

**Thanh Hoa MRC, prospective migrant workers 1 M**

**Ministry of Labour, Invalids and Social Affairs, Viet Nam 1 M, 1 F**

Deputy Director General, Department of Work Safety  
Lawyer

**Meeting with VGCL, 1 M**

Head of Policy and Legal Department

**Meeting with VAMAS, 1 M**

Director

**Meeting with World Vision, AAPTIP, UN Women and IOM – 4 F**

**Meeting with IOM Hanoi – 1 M, 1 F**

**Regional (14 Male, 17 Female)**

**Project Team, 2 M, 2 F**

Senior Project Coordinator  
Technical Officer  
M&E Consultant

- Public attitudes consultant

**ILO Deputy Regional Director, 1 F**

**DFAT, 4 F**

First Secretary Development Cooperation  
 Senior Programme Officer  
 2 Gender Specialists

**Country Office for Thailand, Cambodia and Lao PDR - 1 F**

- Senior Programme Assistant

**ILO Decent Work Team in Bangkok – 4 M, 1 F**

Evaluation Manager, ILO Decent Work Team for East and South-East Asia and the Pacific  
 Specialist on International Labour Standards  
 Workers' Specialist  
 Migration Specialist  
 Labour Inspection Specialist

**ILO Regional Office in Bangkok – 1 M, 1 F**

Evaluation Officer  
 Head of Regional Partnerships, Resource Mobilisation and UN Reform Unit

**ILO ASEAN Project, 1 M, 1 F**

Chief Technical Advisor  
 Technical Officer

**ILO Forced Labour Project, 1 F**

- Chief Technical Advisor

**ILO SAP Forced Labour Project, 1 M**

- Chief Technical Advisor

**UN Women, Bangkok 1M, 1F**

Women's Economic Empowerment Officer  
 Migration Officer

**UNACT, 1M**

**AAPTIP, 1 M**

**IOM, 1 M**

Project Consultant

**IOM X 1 M, 2 F**

Programme Leader  
 Digital Outreach/Engagement Manager  
 Public Sector Officer

**ILO migration project, Bangladesh, 1 F**

Chief Technical Officer

**ILO migration project, South Asia, 1 F**

Chief Technical Officer

## Annex 2: Good practices

### **ILO Emerging Good Practice 1**

**Project Title: GMS TRIANGLE**

**Project TC/SYMBOL:**

**Name of Evaluator: Chantelle McCabe**

**Date: July 2015**

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

**GP Element**

**Text**

<p><b>Brief summary of the good practice</b></p>	<p><b>Gender sensitive, sectoral approach to addressing labour migration:</b></p> <p>Sectoral approaches and working with industry-specific actors to strengthen legislative gaps, tools and services were pursued in fishing and domestic work. These interventions were guided by the respective international labour standards as well as tools and good practices from around the region. The project used (1) national labour migration laws and policies; (2) capacity building of tripartite constituents and women and men migrants; and (3) provision of support services through Migrant Worker Resource Centres.</p> <p>For example, project inputs to the revision of the Ministerial Regulation on the Protection of Fishers in Thailand drew from ILO Convention 188 on Work in Fishing, primary research on working conditions in the sector, examples of model fishers agreements from around the world, the experiences of a civil society organisation providing support services to Cambodian migrant fishers, and consultations with industry associations and different government departments. Tools were then developed and delivered to partners to improve compliance, labour inspection and occupational safety and health in the fishing sector.</p> <p>In <b>Thailand</b>, male migrant workers benefitted from project interventions in the <b>fishing sector</b>. The project promoted (1) legislation in line with the ILO Convention 188 on Work in Fishing (Ministerial Regulation 10 on work in fishing was passed and includes a minimum age of 18 years and requires regular rest hours and written contracts for all fishers<sup>64</sup>), (2) the development of guidelines for labour inspectors and other regulatory bodies and the delivery of training to all labour inspectors in coastal provinces, as well as (3) training on occupational safety and health to directly benefit male migrant workers. It also produced research on the <i>Employment Practices and Working Conditions in Thailand's Fishing Sector</i> that found 17% of fishers worked in conditions analogous to forced labour.<sup>65</sup></p> <p>In domestic work, the project provided inputs to the revision of domestic worker regulations in several project countries (Cambodia, Malaysia, Myanmar, Thailand) and draft bilateral MOUs, which were guided by ILO Convention 189 on Domestic Work; supported a roadmap for ratification of ILO C189 in Cambodia; established Domestic Worker Networks in Cambodia and Thailand; supported MRCs in receiving and resolving complaints of domestic workers, and in the rescue and repatriation of domestic workers in situations of abuse or trafficking in destination countries; carried out domestic worker campaigns in Malaysia and Thailand, and distributed domestic work postcards with key information on safe migration to beneficiaries.</p>
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<sup>64</sup> Available at

[http://www.ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=53170&p\\_country=THA&p\\_count=441&p\\_classification=19&p\\_clas\\_scount=4](http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=53170&p_country=THA&p_count=441&p_classification=19&p_clas_scount=4)

<sup>65</sup> ILO, *Employment and Working Conditions in Thailand's Fishing Sector* (2013), available at [http://www.ilo.org/asia/whatwedo/publications/WCMS\\_220596/lang--en/index.htm](http://www.ilo.org/asia/whatwedo/publications/WCMS_220596/lang--en/index.htm)

<p><b>Relevant conditions and Context</b></p>	<p>According to the most recent global and regional estimates produced by the ILO, at least 53 million women and men above the age of 15 were domestic workers in their main job. This figure represents some 3.6 per cent of global wage employment. Women comprise the overwhelming majority of domestic workers, 43.6 million or some 83 per cent of the total. Domestic work is an important source of wage employment for women, accounting for 7.5 % of women employees worldwide.<sup>66</sup> In the Asia-Pacific region the number of domestic workers increased from approximately 33.2 million to 52.6 million between 1995 and 2010.<sup>67</sup> Almost all domestic workers in Malaysia and Singapore and a majority in Thailand, are migrant women.</p> <p>ILO Convention 189 on Domestic Work lays down basic principles and measures regarding the promotion of decent work for domestic workers, and underlines that existing international labour standards also apply to domestic workers.</p> <p>Fishing and seafood processing is a US\$7 billion industry in Thailand. Overall it is estimated that the fisheries sector generates employment for more than 2 million workers in fishing, processing, and related economic sectors, including large numbers of migrant workers from neighbouring countries especially from Myanmar, and Cambodia. The vast majority of migrant workers in the sector are irregular migrants, although specific efforts to regularize their status have been gradually taking hold. Regulating the employment of these migrants has proven complex for authorities, due to the nature of fishing work and in some cases the clandestine means used to exploit fishers. Commercial fishing is hazardous work characterized by long working hours and strenuous physical activity.</p> <p>ILO Convention No. 188 on Work in Fishing provides a global labour standard that is relevant to all fishers. It contains provisions designed to ensure that workers in the fishing sector have improved occupational safety and health and medical care at sea, and that sick or injured fishers receive care ashore; receive sufficient rest for their health and safety; the protection of a work agreement; and the same social security protection as other workers.</p> <p>Domestic workers and fishers are often excluded from the scope of national labour laws and protections that apply to other workers, and are particularly vulnerable to exploitation due to the isolated nature of their workplaces.</p>
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<sup>66</sup> Decent Work for Domestic Workers: Convention 189 and Recommendation 201 at a glance, ILO 2011.

<sup>67</sup> ILO, *Domestic Workers Across the World: Global and Regional Statistics and the Extent of Legal Protection* (2013), available at [http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms\\_173363.pdf](http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/---publ/documents/publication/wcms_173363.pdf)

<p><b>Establish a clear cause-effect relationship</b></p>	<p>The sectoral approach applied to the project’s activities ensured the relevance of specific guidance for workers in different sectors and also enabled an easier involvement of the sectoral social partners and CSOs, e.g. the National Fisheries Association of Thailand – an employers’ organisation, HomeNet – a domestic workers’ NGO in Thailand, and Tenaganita – a women’s NGO in Malaysia that promotes the rights of domestic workers.</p> <p>Also, the project was effective at addressing the vulnerabilities of migrants in highly gendered sectors of work: domestic work and fishing sectors. These sectors are widely recognised as highly vulnerable, given the isolation of the workplaces and the lack of legal protection for workers.</p> <p>It was good practice to address the fact that men and boys, as well as women and girls, have specific vulnerabilities to forced labour and trafficking. Men in the fishing sector, for example, are extremely hard to reach and often in dire need of assistance. However, because of the stigma of being labelled a ‘failure’ or a ‘victim’, men are often reluctant to acknowledge that they have been exploited or trafficked, and therefore may not be inclined to seek out or accept support services. Moreover, in several countries, the anti-trafficking legislation does not cover adult men as potential victims.</p>
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<p><b>Indicate measurable impact and targeted beneficiaries</b></p>	<p>The project made a significant impact in the fishing sector in highlighting the risks for forced labour and trafficking, and provided the impetus for labour inspection on fishing boats in Thailand. Moreover, the project conducted a large-scale survey of employment practices and working conditions in four major port areas of Thailand. The survey was conducted among a stratified sample of almost 600 fishers employed on Thai fishing boats in national and international waters. The results were supplemented and triangulated with qualitative and quantitative data collected from interviews with key informants, focus group discussions, and secondary sources. Carried out in close consultation with the Ministry of Labour, the Department of Fisheries, the National Fisheries Association of Thailand, the Thailand Overseas Fishing Association, and other relevant government and civil society stakeholders, the study benefited greatly from the strong support of ILO's tripartite constituents. The results of the study, which was published in 2013, provide important indications regarding recruitment methods in the fishing sector, fishers' conditions of work, and patterns of exploitation and abuse. Drawing on the study's findings, the project called for improved wage protection, written contracts, OSH protection and other measures during the consultations to revise the Ministerial Regulation on the Protection of Fishers, adopted in December 2014.</p> <p>The project also facilitated the rescues and repatriation of numerous women from forced labour and situations of trafficking in domestic work. For example, in Malaysia a women's NGO, Tenaganita, ran an MRC that handled over 600 legal assistance cases - in conjunction with the Malaysian Bar Council - for women migrant workers, the majority of whom were domestic workers. In Thailand, 56% of complainants were women. In these two countries, the project assisted in the receipt of over US\$1 million in compensation.</p>
<p><b>Potential for replication and by whom</b></p>	<p>This good practice has the potential to be replicated in a potential phase 2 of the project and to be expanded into other sectors, which are particularly vulnerable for women and men migrant workers.</p> <p>It could also be replicated in other ASEAN states and in other countries that have large fishing and domestic work sectors populated by migrant workers.</p>
<p><b>Upward links to higher ILO Goals</b></p>	<p>This linked to ILO's Strategic Policy Framework objective to promote and realize standards and fundamental principles and rights at work.</p>

<p><b>Other documents or relevant comments</b></p>	<p>Over the past 15 years or so, the ILO has promoted decent work by increasingly addressing social and labour issues in specific economic sectors at international and national levels:</p> <p>“Industries and services have their own specific sets of issues, just as individuals have when tackling occupational challenges. Recognizing this principle, the ILO pursues a sectoral approach that translates high-level policy advice into practice where impact is needed: the workplace. Sectoral work will focus on reinforcing the integration of economic, social and environmental dimensions. Central to this strategy will be the involvement of constituents.”</p> <p>ILO: Strategic Policy Framework 2010–15, Governing Body, 304th Session, Geneva, Mar. 2009, GB.304/PFA/2(Rev.), p. 19.</p>
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<p><b>ILO Emerging Good Practice 2</b>  <b>Project Title: GMS TRIANGLE</b>  <b>Project TC/SYMBOL:</b>  <b>Name of Evaluator: Chantelle McCabe</b> <span style="float: right;"><b>Date: July 2015</b></span>  <b>The following emerging good practice has been identified during the course of the evaluation. Further text explaining the practice may be included in the full evaluation report.</b></p>	
<p><b>GP Element</b></p>	<p><b>Text</b></p>
<p><b>Brief summary of the good practice</b></p>	<p><b>Support in-depth research reports to fill a knowledge gap, use for advocacy and generate media attention</b></p> <p>Studies that fill a knowledge gap and utilize the comparative advantage of ILO have potential to feed into the development of interventions in particular sectors (e.g. fishing in Thailand), as well as generate media attention and action by other key actors.</p>
<p><b>Relevant conditions and Context</b></p>	<p>The project supported several influential in-depth research reports that were broadly disseminated.</p> <p>The project commissioned the Asian Research Centre For Migration, Institute of Asian Studies at Chulalongkorn University in Thailand to produce:</p> <ul style="list-style-type: none"> <li>• <i>“Regulating recruitment of migrant workers: an assessment of complaint mechanisms in Thailand”</i> (2013), a review of the data on migrant workers’ complaints outcomes in Thailand, which brings together interview research and legal analysis on access to justice; and</li> <li>• <i>“Employment practices and working conditions in Thailand’s fishing sector”</i> (2013), a large-scale survey of employment practices and working conditions within the commercial fishing sector in four major port areas of Thailand.</li> </ul> <p>Moreover, the project commissioned the Myanmar Development Resource Institution’s Centre for Economic and Social Development to produce <i>“Safe Migration Knowledge, Attitudes and Practices in Myanmar”</i> (2015), an assessment of safe migration knowledge, attitudes and practices.</p>

<b>Establish a clear cause-effect relationship</b>	Research studies fill a knowledge gap and can be used as advocacy tools for policy and legislative reform.
<b>Indicate measurable impact and targeted beneficiaries</b>	<p>All of these research reports assisted with filling a knowledge gap.</p> <p>For instance in <b>Myanmar</b>, consultations held with the Government and social partners identified labour migration as one of five priority areas requiring preparatory research and policy development, as opportunities for research and dialogue to formulate comprehensive protection policies had been very limited until the recent reforms began. The survey of safe migration knowledge, attitudes and practices among potential migrant workers is a pioneering study which will be used to shape the design and evaluate the impact of policy measures, capacity building trainings and support services to protect the rights of migrant workers throughout the migration process. Launched just a few months ago with healthy media interest, <b>regional ministers are already using this publication to advocate for more decentralisation in migration management.</b> Moreover, the report will be included in a body of research on migration from Myanmar that IOM is currently compiling, as most of the existing information is from receiving countries.</p> <p>In <b>Thailand</b>, both studies were based on significant empirical research and the <b>findings have guided project interventions in fishing and improving access to complaints mechanisms.</b> In fishing for example, the project went on to support the Government and industry to develop a number of tools and processes to improve the protection of workers in the fishing sector, including a <i>“Safety and health training manual for the commercial fishing industry in Thailand”</i>, a <i>“Code of Conduct to promote Good Employment Practices and Labour Protection for Fishers”</i> for the members of the National Fisheries Association of Thailand, and <i>“Guidelines on Labour Inspection in the Fishing Sector”</i>. A number of these initiatives were included in the Government’s Action Plan to Combat Trafficking and were cited in the US Department of State’s Trafficking in Persons Report for Thailand. The research report was authoritative and hard to dismiss, and was the <b>impetus for lots of momentum around improving conditions in the fishing sector.</b> The complaint mechanism study was <b>influential in stimulating a broader discussion on migrant workers’ access to complaint mechanisms</b>, and resulted in more systematic registration and licensing of in-bound recruitment agencies.</p>
<b>Potential for replication and by whom</b>	The success of this approach should be replicated in any second phase of the project, focusing on areas which ILO determines as ripe for policy and legislative change to increase influence and uptake of reform.
<b>Upward links to higher ILO Goals</b>	This links to ILO’s Strategic Policy Framework pillar of strengthening technical capacities through strengthening the knowledge base, including through evidence based research.

Other documents or relevant comments	<p><i>“Regulating recruitment of migrant workers: an assessment of complaint mechanisms in Thailand”</i> (2013)</p> <p><a href="http://www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/documents/publication/wcms_226498.pdf">http://www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/documents/publication/wcms_226498.pdf</a></p> <p><i>“Employment practices and working conditions in Thailand’s fishing sector”</i> (2013)</p> <p><a href="http://www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/documents/publication/wcms_220596.pdf">http://www.ilo.org/wcmsp5/groups/public/@asia/@ro-bangkok/documents/publication/wcms_220596.pdf</a></p> <p><i>“Safe Migration Knowledge, Attitudes and Practices in Myanmar”</i> (2015)</p> <p><a href="http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_340260.pdf">http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/documents/publication/wcms_340260.pdf</a></p>
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### ILO Emerging Good Practice 3

Project Title: GMS TRIANGLE

Project TC/SYMBOL:

Name of Evaluator: Chantelle McCabe

Date: July 2015

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

GP Element	Text
Brief summary of the good practice	<p><b>Engagement with the private sector on international migration</b> – Self-regulation tools have allowed industry associations and recruitment agency associations to raise the bar – particularly in the absence of tight legislation or monitoring – and have demonstrated the commitment of good actors within these industries.</p>

<p><b>Relevant conditions and Context</b></p>	<p>With the ever-increasing globalisation of human resources, work and services and its impact on national development goals, the private sector is a necessary negotiating partner within the areas of migration and development. In 2011, there were some 140,000 private recruitment agencies, 61 per cent of which in Asia and the Pacific, though not all of them were involved in cross-border activities. There is substantial evidence of widespread abuse connected with the operation of these agencies. These range from excessive and sometimes extortionate fees, to deliberate misinformation and deception concerning the nature and pay and conditions of the work that is on offer. Migrants will often have little or no means of redress in the face of unscrupulous intermediaries once they get to their destinations and problems become apparent. This type of situation can give rise to extremes of exploitation, as in cases where workers acquire very high levels of debt to pay recruitment fees.<sup>68</sup></p> <p>The project has advocated for industry self regulation as part of healthy businesses and corporate social responsibility through supporting recruitment agencies in forming associations, developing Codes of Conduct and monitoring subsequent implementation. Recruitment agencies that abide by the industry Code of Conduct have been rewarded with special treatment or increasing market share.</p> <p>The project combined public and private approaches to achieve project outcomes. The project helped to develop a monitoring system and ranking system based on the Code of Conduct for Viet Nameese recruitment agencies with the recruitment agency association, Viet Nam Association of Manpower Supply (VAMAS); engaged with the National Fisheries Association of Thailand in the development of a Code of Conduct, OSH training, and to seek input into ministerial regulations; and worked with the Malaysian Employers' Federation on the development of Guidelines on Recruitment, Employment and Repatriation of Migrant Workers.</p> <p>These activities demonstrate potential areas of common ground for public-private cooperation in the realm of migration and development, while simultaneously building trust and fostering greater engagement with participating industries.</p>
<p><b>Establish a clear cause-effect relationship</b></p>	<p>These self-regulation tools have allowed industry associations and recruitment agency associations to raise the bar – particularly in the absence of tight legislation or monitoring – and have demonstrated the commitment of good actors within these industries.</p>

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<sup>68</sup> ILO (2014), *Fair Migration: Setting an ILO Agenda*, Report of the Director General, International Labour Conference, 103<sup>rd</sup> Session, 2014.

<p><b>Indicate measurable impact and targeted beneficiaries</b></p>	<p>In <b>Viet Nam</b>, the project partnered with the Vietnamese Association of Manpower Supply (VAMAS) to develop a mechanism for monitoring the implementation of the Code of Conduct, providing ratings for recruitment agencies. Recruitment agencies are monitored jointly by VAMAS and VGCL, which involves interviewing pre departure and returned migrant workers, visits to recruitment agencies and observation of pre departure training delivery. A number of the agencies have had their rating fall because of over-charging on fees. This activity has had a good impact thus far, with <b>provincial and commune level officials reporting they were recommending that potential migrants use recruitment agencies with high rankings for compliance with VAMAS' Code of Conduct</b>. The <b>positive impact is also demonstrated by its successful pilot among 20 recruitment agencies and its subsequent extension to cover 50 recruitment agencies</b>. Collectively these agencies are responsible for approximately half of all Vietnamese migrant workers sent abroad. Another positive indicator of success is the invitation by Bangladesh, Cambodia, India, Lao PDR, Myanmar, the Philippines, Sri Lanka, and Thailand to share Viet Nam's experience in developing the monitoring mechanism. Although the mechanism is relatively new, the <b>potential impact of this activity is likely to be lasting, since most migrant workers from Viet Nam go through regular channels</b>. The <b>impact on Vietnamese recruitment agencies</b> has also been encouraging. Stakeholders reported that recruitment agencies have established a steering committee within each agency to plan the implementation of the COC within their organisation. In many, this has led to the establishment of their own COC in line with the VAMAS COC, as well as improved orientation training for migrant workers based on the COC. The agencies appear to be motivated to comply with the COC because of the ranking system.</p> <p>In <b>Thailand</b>, the project worked with key industry partner, the National Fisheries Association of Thailand (NFAT), to develop a Code of Conduct for its members. <b>NFAT delivered training on the COC and developed a mechanism to monitor compliance with the COC in late 2014</b>. Qualitative data from Thailand showed that <b>buyers such as Walmart like to buy from those who implement the COC</b> and treat their workers appropriately. The rate of compliance is difficult to assess at this early stage because the CCCIF/port in port out framework which uses the COC standards has only been in effect since May 2015.</p> <p>In <b>Malaysia</b>, the Malaysian Employers' Federation conducted research and developed Guidelines for the Recruitment, Employment and Repatriation of Foreign Workers, which launched in December 2014. Training has been conducted based on the Guidelines for around 250 employers nationwide. Stakeholders thought it was too early to tell the impact of these activities, and there is no monitoring mechanism for implementation.</p> <p>In <b>Myanmar</b>, there is a Code of Conduct for Overseas Employment Agencies, which was approved by the Myanmar Overseas Employment Agencies Federation and endorsed by the Ministry of Labour, Employment and Social Security in September 2014. However, stakeholders spoke of subsequent</p>
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	hostility to the Code and its monitoring.
<b>Potential for replication and by whom</b>	<p>The success of this approach could be replicated in any second phase of the project.</p> <p>Private sector engagement could be a cross cutting issue in recognition of its role in all stages of the migration cycle. Areas of private sector engagement could include providing a platform to consider supply chain pressures; engaging the private sector in the development of innovative protection mechanisms and interaction through the fostering of small enterprises among returned migrants. The complementary role of self-regulation and legislation could be explored, as well as the added benefit that engagement and collaboration with the private sector has on the delivery of results.</p>
<b>Upward links to higher ILO Goals</b>	<p>This links to ILO's Strategic Policy Framework pillar of partnerships and communication.</p> <p>Developing new partnerships with non-state entities and economic actors at the sectoral, national and global levels, including multinational enterprises, is prioritised in addition to those with governments, and organizations of workers and employers. Public-private partnerships, South-South cooperation, partnerships with regional structures and national expertise and networks, all pursued in collaboration with constituents, can further enable constituents to obtain greater access to important decision-making circles.</p>

## Annex 3: Lessons Learned

### ILO Lesson Learned 1

Project Title: GMS TRIANGLE

Project TC/SYMBOL:

Name of Evaluator: Chantelle McCabe

Date: July 2015

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**

<p><b>Brief description of lesson learned (link to specific action or task)</b></p>	<p>To ensure systematic achievement of positive <b>gender equality</b> outputs and outcomes in the project from its inception, it would have been good to have:</p> <ul style="list-style-type: none"> <li>• a specific gender equality strategy</li> <li>• targeted gender equality training for implementing partners</li> <li>• systematic collection of sex disaggregated data</li> <li>• allocation of specific expertise (e.g. local gender consultants who speak local languages and have good awareness of cultural issues); and</li> <li>• a gender budget.</li> </ul>
<p><b>Context and any related preconditions</b></p>	<p>Challenges which affected gender aspects of the project included: absence of an explicit strategy to mainstream gender in activities; insufficient monitoring strategy to institutionalise gender mainstreaming from project inception; inadequate capacity of implementing partners; lack of systematic availability of sex-disaggregated statistics of participation in and benefit from project activities; availability of gender expertise to assist the project; inadequate systematic gender analysis throughout the project; absence of a gender budget.</p>
<p><b>Targeted users / Beneficiaries</b></p>	<p>Chief Technical Advisors, International Project Coordinators, Technical Officers, National Project Coordinators, Gender Specialists</p>

<p><b>Challenges /negative lessons</b> - Causal factors</p>	<p>Risks to gender equality were not initially identified and appropriately managed in a systematic manner. However, in 2014 and 2015 the project strategy placed more emphasis on clearer articulations of gender concerns among staff and implementing partners, especially governments and MRCs. The project revised the M&amp;E framework to include gender sensitive indicators and outcomes. Disaggregated reporting led to the adjustment of approaches where inequitable results were found.</p> <p>For output 2, through concerted efforts to increase the involvement of women receiving capacity building training, the gender balance improved among government officials trained by five per cent at national level and three per cent at the local level. The lower proportion of women participating in capacity development activities at the local levels reflected the dominant position of men in village/commune management authorities. In order to address this, the project promoted the involvement of women organizations (unions and/or NGOs) in the activities e.g. in Cambodia, the project has developed different activities with the NGO Legal Services for Women and Children (LSCW).</p> <p>For output 3, this included MRC monitoring of services through the collection and reporting of sex disaggregated data on beneficiaries and capacity building participants. Gaps were addressed through tailoring key tools: the MRC Operations Manual and Pre-Departure Training Curricula specifically address the needs of men and women migrant workers, including addressing sexual health, domestic worker and gender specific risks and vulnerabilities. More targeted outreach for women was carried out by MRCs in sending countries to improve the gender balance, including through collaboration with gender specialised partners such as the Lao Women’s Union, and the Cambodian Women for Peace and Development, and through development of appropriate IEC materials.</p> <p>The remedial action was good practice, but it would have been good to see this level of risk identification and response throughout the project lifetime.</p>
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<p><b>Success / Positive Issues - Causal factors</b></p>	<p>The project attempted to address broader gender inequalities for all project beneficiaries, including women and men migrant workers, government officials at central and local levels, and social partner representatives. For instance, gender equality concerns were mainstreamed into all ILO technical comments on legislation and policy, drawing on international gender equality standards articulated in ILO and other UN instruments. Where possible, partners from women’s organisations and UN Women were invited to attend consultations on draft legislation and policy, to further ensure gender sensitivity within legislative and policy instruments.</p> <p>In work with trade union partners, trade unions were urged to consider gender issues when developing action plans to support migrant workers, using a sector-based approach, and the project specifically sought to work with women’s unions, e.g. in Lao PDR and Viet Nam.</p> <p>In supporting efforts to improve health and safety and working with employers’ organisations in Thailand, the project team and the Employers’ Confederation of Thailand (ECOT) insisted on a gender balance on the committee designing interventions and advocacy strategies. The project also considered ways to ensure equal participation in monitoring and evaluation systems designed to assess compliance with the Code of Conduct.</p> <p>Also, the project was effective at addressing the vulnerabilities of migrants in highly gendered sectors of work: domestic work and fishing sectors, recognized as vulnerable given the isolation of the workplaces and lack of legal protection for workers.</p> <p>Domestic workers were given particular attention in destination countries, in Malaysia (direct support by women’s NGO Tenaganita on rescue operations and legal support to Cambodia, Vietnamese and Burmese domestic workers) and in Thailand (through HomeNet, a domestic workers NGO, created the first National Domestic Workers Association, and organized workshops to prepare technical comments on the Ministerial Regulation on Domestic Work).</p> <p>It was good practice to address the fact that men and boys, as well as women and girls, have specific vulnerabilities to forced labour and trafficking. Men in the fishing sector, for example, are extremely hard to reach and often in dire need of assistance. However, because of the stigma of being labelled a ‘failure’ or a ‘victim’, men are often reluctant to acknowledge that they have been exploited or trafficked, and therefore may not be inclined to seek out or accept support services. Moreover, in several countries, the anti-trafficking legislation does not cover adult men as potential victims.</p>
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<p><b>ILO Administrative Issues (staff, resources, design, implementation)</b></p>	<p>To source less expensive gender expertise, consider using networks of women’s organisations and unions to identify local gender consultants who speak local languages and have good awareness of cultural issues. Other ideas include low cost or non-project budget options such as ILO Junior Professional Officers (funded by national governments), UN Volunteers (lower cost professionals), Australian or New Zealand Volunteers or similar (like UN Volunteers but funded by national governments). Many of these professionals have several years of work experience, or may be retirees, and may be a good source of gender expertise.</p> <p>In the absence of specific gender expertise, include implementation of the gender strategy as a key function of a project technical officer.</p> <p>For gender equality training of implementing partners, consider developing a gender equality training manual (like the project developed for MRC M&amp;E), and conducting targeted training based on this manual with key implementing partners in the inception phase. Consider engaging local gender experts and local women’s organisations and unions to facilitate this.</p>
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## ILO Lesson Learned 2

Project Title: GMS TRIANGLE

Project TC/SYMBOL:

Name of Evaluator: Chantelle McCabe

Date: July 2015

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
<b>Brief description of lesson learned (link to specific action or task)</b>	A more robust <b>M&amp;E framework</b> should have been defined at the start of the project, rather than at the midway point. Once a dedicated M&E staff was on board, each MRC was provided with coaching according to their knowledge gaps and the services provided. Although time consuming and more costly, it reaped benefits in the provision of more quality reporting and a shift from focusing on activities to focusing on impact.
<b>Context and any related preconditions</b>	Following the Mid-Term Evaluation recommendation to strengthen the monitoring of project activities and to shift from measurement of outputs to assessing impact, an M&E consultant was hired who developed a Results Assessment Framework and new M&E Guidelines and tools for MRCs.
<b>Targeted users / Beneficiaries</b>	Migration project staff, M&E staff, MRCs

<p><b>Challenges /negative lessons</b> - Causal factors</p>	<p><b>A simple and robust M&amp;E framework</b></p> <p>Whilst efforts have been made to institutionalize relevant M&amp;E tools and build the capacity of implementing partners on M&amp;E, a simple and robust M&amp;E framework should have been defined at project inception, rather than being addressed reactively after gaps emerge. There should have been more adequate resources allocated for M&amp;E in the project budget. This could have allowed for the hiring of a dedicated M&amp;E staff member from the get-go (see below for low cost options), and training service providers from project inception.</p> <p><b>Coaching and building core competencies on M&amp;E and gender</b></p> <p>The project identified the priority need of developing a clear understanding of the capacities of partner organizations managing MRCs, and in many cases, to go back to basics in providing training to build core competencies. Regular coaching from project staff and consultants was essential to ensure MRC staff and implementing partners can provide quality support services and submit progress reports in-line with project requirements. This experience enabled the project to identify gaps in the provision of adequate MRC services for female potential migrant workers.</p> <p><b>Systematic use of M&amp;E data for management decision-making</b></p> <p>Analysis and interpretation of the data could have been more systematically used for management decision-making, learning and accountability purposes.</p> <p><b>Approaches to M&amp;E in the thematic area were often focused primarily on measuring outputs rather than assessing outcomes and impact.</b> Moving beyond counting of activity participants to determine the project's contribution to change is essential to challenging assumptions and establishing an evidence-based project strategy.</p> <p><b>M&amp;E systems are frequently highly centralized among regional staff and do not make effective use of the capabilities of national officers and implementing partners.</b> To provide for sustainable improvements in results-based management (a particularly prominent gap for government agencies), working through rather than in parallel to local systems is essential. Building partner capacities on M&amp;E should be mainstreamed into the data collection, analysis and reporting processes. Avoiding dependence upon project staff and external consultants to provide second or third hand accounts of the activity results, government and social partners should be primarily responsible for documenting the outputs and outcomes they have produced, thereby enhancing the validity of the data and the sustainability of the approaches. Tailored coaching could be delivered to partners at the initiation of service contracts and as a part of regular reporting processes to provide on-going technical support, responding to their specific capacities and needs. To ensure quality and consistency, monitoring data should be reviewed and verified by ILO staff before inclusion within project results, including through on-site monitoring visits.</p>
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<p><b>Success / Positive Issues - Causal factors</b></p>	<p>Once a dedicated M&amp;E staff was on board, each MRC was provided with coaching according to their knowledge gaps and the services provided. Although time consuming and more costly, it has reaped benefits in the provision of more quality reporting and a shift from focusing on activities to focusing on impact.</p> <p>This allowed for a more decentralized M&amp;E system to provide regular and accessible analysis of monitoring data, and practical instruments for service providers to meet M&amp;E expectations of the project and comply with a methodology that allows for evaluation and comparison across the intervention sites.</p> <p>Analysis and interpretation of the data was of good quality in the Annual Report 2014, and a similar level of quality is expected for the Annual Report 2015 (forthcoming). Analysis and interpretation of the data was also provided in project updates and quarterly country briefing notes that provided information for the donor to monitor project progress. The Annual Report provided useful information and analysis on challenges faced and lessons learned which were then used to inform and adjust project interventions. Progress was tracked against a baseline, including in the area of knowledge and awareness on safe migration, working conditions, public attitudes to migrants, and on policy and practice. The project set clear indicators, including gender specific indicators, targets and reporting requirements that were agreed upon with partners.</p>
<p><b>ILO Administrative Issues (staff, resources, design, implementation)</b></p>	<p>Individualized coaching was provided for all partners managing MRCs on M&amp;E concepts, data collection, assessing impact, analysis and reporting, and participatory monitoring.</p> <p>To source less expensive M&amp;E expertise, consider low cost or non-project budget options such as ILO Junior Professional Officers (funded by national governments), UN Volunteers (lower cost professionals), Australian or New Zealand Volunteers or similar (like UN Volunteers but funded by national governments). Many of these professionals have several years of work experience, or may be retirees, and may be a good source of M&amp;E expertise.</p>

**ILO Lesson Learned 3**

Project Title: GMS TRIANGLE

Project TC/SYMBOL:

Name of Evaluator: Chantelle McCabe

Date: July 2015

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
<b>Brief description of lesson learned</b>	The project invested significant time and resources training implementing partners where required. However, <b>capacity building</b> was affected by frequent staff turnover and efforts to manage knowledge acquired in training workshops to offset this had limited effect in many instances.
<b>Context and any related preconditions</b>	<p>Through enhancing the capacity of tripartite constituents within project countries, the project worked to narrow the gaps between policy enacted and practical implementation for national policy frameworks, bilateral agreements and regional commitments related to the recruitment and protection of women and men migrant workers.</p> <p>For example, following the adoption or revision of policies and legislation, the project provided extensive support to the responsible authorities through capacity building training workshops at central and local levels.</p>
<b>Targeted users / Beneficiaries</b>	Migration project staff, Chief Technical Advisors, International Project Coordinators, Technical Officers, National Project Coordinators

**Challenges /negative lessons  
- Causal factors**

The project invested significant time and resources training implementing partners where required. However, capacity building was affected by frequent staff turnover and efforts to manage knowledge acquired in training workshops to offset this had limited effect in many instances. Most constituents did not have systems for knowledge management, so the project tried to mitigate the knowledge management risk through the institutionalization of manuals, guidelines and legislative tools.

However, national and regional staff remained key in initiating new project partners to the goals and interventions of the project. Many implementing partners required more backstopping and capacity building to increase sustainability. Regular coaching from National Project Coordinators (NPCs) was essential to ensuring that they were able to provide quality support services and meet reporting requirements. Depending on the priorities at any given point during the project, NPCs were not always available for the longer-term coaching needs.

In hindsight, workshops were not necessarily the most effective way to provide capacity building in a sustainable manner. However, on the job training requires more significant resource investment. Notwithstanding, workshops were a good way to get stakeholders in all countries speaking more lucidly regarding labour migration, including its links with forced labour, child labour, and trafficking. The impact in increased knowledge of stakeholders could be seen in the later years of the project, with the level of conversations in consultations having significantly improved.

Another challenge was that the project did not have a systematic means to measure whether capacity was enhanced, which is essential to demonstrating to project partners the value of continuing the training programmes or tools beyond the life of the project. On occasion, the project carried out pre- and post-training tests to gauge the effect of the training. However, the results were not always rigorously analyzed and reflected on, and there were questions over the extent to which such tests can determine the impact of training in any case.

<p><b>Success / Positive Issues - Causal factors</b></p>	<p>In Cambodia, Lao PDR and Viet Nam, an assessment was carried out on the capacity of the institutions responsible for overseeing the deployment and protection of workers. The assessment supported the identification of gaps in terms of the policy, organizational structure, coordination mechanisms and human resources of these institutions, and led to the development of a <b>Training Needs Plan</b>, which prioritized the delivery of training to a variety of stakeholders. Though never formally endorsed by project partners, the Training Needs Plan has <b>guided the formulation of annual work plans</b>.</p> <p>Following the adoption or revision of policies and legislation, the project provided extensive support to the responsible authorities through capacity building trainings at <b>central and local levels</b>. In addition, promulgation was reinforced through dissemination of information to the affected parties and monitoring of practical gaps in delivery.</p> <p>The project encouraged <b>trade unions</b> to play a bigger role in the protection of migrant workers through the development and implementation of action plans, with the goal of permanently broadening the focus of trade unions to include migrant workers. This was carried out in each country in close cooperation with the ILO Specialist on Workers' Activities, and drawing from the ILO ACTRAV Manual, <i>In Search of Decent Work: A Manual for Trade Unionists</i>. In certain countries, this led to increased comprehension of the issues and visibility, and gave trade unions more voice in advocating for changes in migration policy.</p> <p>The project also supported <b>civil society organizations</b> in tracking the provision of services to migrants and potential migrants. Over 18 trade unions, employer organizations and non-government organizations received guidance and sometimes regular coaching to improve the quality of reporting. Better reporting – on impact rather than activities, for example – should assist these organizations to apply for alternative funding at the conclusion of the GMS TRIANGLE project</p> <p>Other initiatives included consultations in Malaysia for <b>labour attachés and consular officials</b>, fostering sending country cooperative efforts and uniting workers' representatives in destination countries. Study tours exposed the realities facing migrant workers to government and trade union officials, often for the first time, building compassion around actual realities facing migrant workers. The MRC study tour to Cambodia highlighted good practices and provided opportunity to share practical experiences of running MRCs.</p>
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<b>ILO Administrative Issues (staff, resources, design, implementation)</b>	<p>To ensure the sustainability of the interventions related to capacity building, consider:</p> <ol style="list-style-type: none"> <li>1. Systems to better communicate ILO technical comments on labour migration law and policy to social partners and CSOs, thereby empowering national level partners to continue rights based advocacy in the long term.</li> <li>2. Developing tools to measure the impact of capacity building activities, beyond pre- and post-testing. The results emerging from the use of these tools should be shared with the project partners to demonstrate the value of the training.</li> <li>3. Increasing instances of ‘on the job’ coaching to influence working styles and problem solving initiative by implementing partners.</li> </ol>
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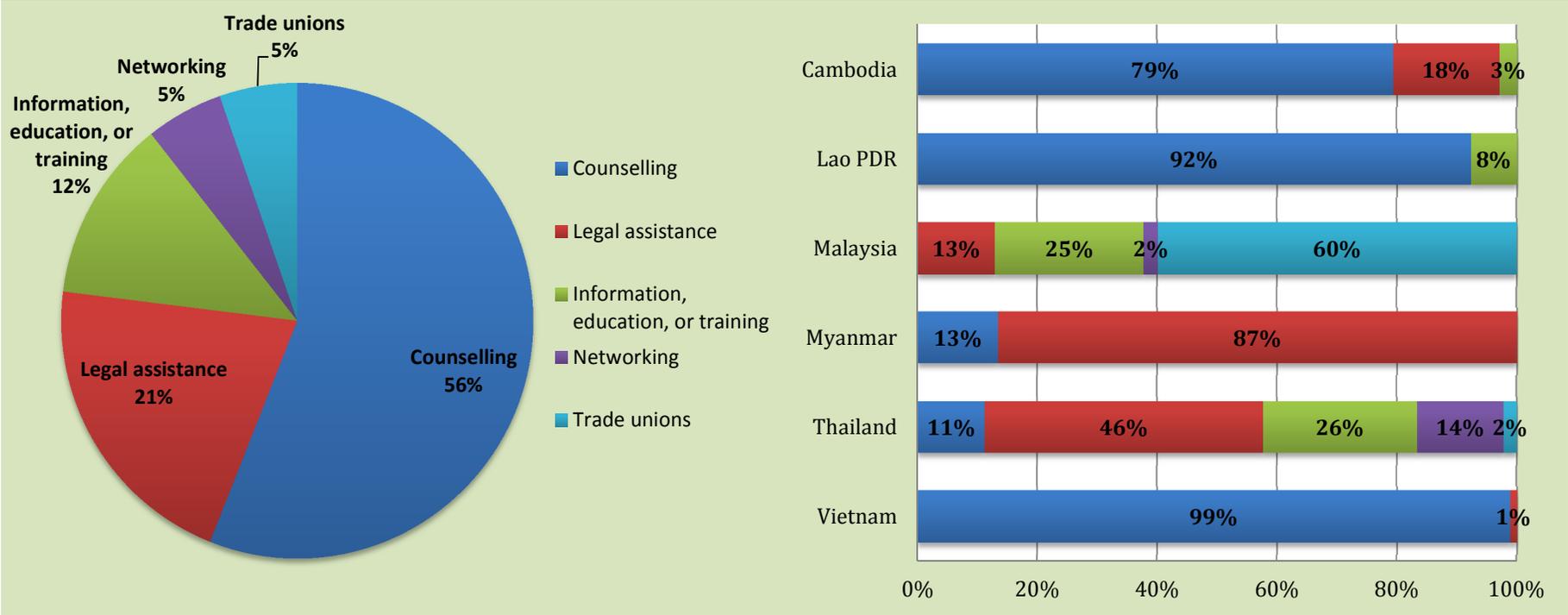
<b>ILO Lesson Learned 4</b> <b>Project Title: GMS TRIANGLE</b> <b>Project TC/SYMBOL:</b> <b>Name of Evaluator: Chantelle McCabe</b> <span style="float: right;"><b>Date: July 2015</b></span> The following lesson learned has been identified during the course of the evaluation. Further text explaining the lesson may be included in the full evaluation report.	
<b>LL Element</b>	<b>Text</b>
<b>Brief description of lesson learned (link to specific action or task)</b>	It is important to adequately staff an international labour migration project with a regional management unit and six country components, including 23 MRC locations.
<b>Context and any related preconditions</b>	The project was initially staffed by a Senior Project Coordinator and a Technical Officer in Bangkok, four National Project Coordinators at country level, and some part time support staff. The project initially had five country components in Cambodia, Lao PDR, Malaysia, Thailand and Viet Nam. In the fourth year of implementation, the project added a sixth country component in Myanmar.
<b>Targeted users / Beneficiaries</b>	ILO multi-country international labour migration projects

<p><b>Challenges /negative lessons</b> - Causal factors</p>	<p>Staffing arrangements were initially inadequate, with a Senior Programme Officer/Project Coordinator, a Technical Officer, four National Project Coordinators (NPCs) (Cambodia, Lao PDR, Thailand and Viet Nam), and some part time support staff.</p> <p>Eventually, it was recognized that an NPC was also required in Malaysia, but she only had administrative support in the final year of implementation, which impacted on the time available for the NPC to attend to her own responsibilities.</p> <p>Overall, administration support was underestimated; initially the project only had two administrative staff in Bangkok and 50% administrative staff at country level. This was inadequate for managing the administrative demands of the project, especially concerning the significant amount of work involved in administering 23 MRC partners in the region, including contracts, legal aid services, consultancies, and so on. This resulted in staff turnover and implementation delays. For instance, in April 2013 the ILO Regional Office changed its financial operating system, which led to serious delays in administrative procedures. The regional administrative team had to be trained and become accustomed with the new system, and even then encountered a number of glitches that further delayed the processing of contracts and payments. It also became apparent that the Finance Assistant and the Administrative Assistant were over-burdened, serving the regional team, the Thailand project activities, and backstopping other countries. As such, a new Administrative Assistant was recruited in October 2013. However, she resigned after three months, and a replacement came on board in April 2014.</p>
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<p><b>Success / Positive Issues - Causal factors</b></p>	<p>To redress this situation and in response to the Mid-Term Evaluation, - as mentioned - the NPC was added for Malaysia and eventually Myanmar when that component began, an M&amp;E Consultant was recruited, an additional Technical Officer was placed in Myanmar, some administrative staff were added, and others were increased to full time. The project was also supplemented with five volunteers from the Australian Volunteers for International Development (AVID) programme, which were funded through DFAT but outside the project budget. Moreover, there was technical backstopping by the Decent Work Technical Team for Southeast Asia and the Pacific in the ILO's Regional Office for Asia and the Pacific (ROAP) in Bangkok, in particular the Senior Regional Labour Migration Specialist, and by the International Labour Migration Branch (MIGRANT) in Geneva. These positions are funded by the regular budget of the ILO. In addition, consultants and institutions were contracted to provide specific expertise and contribute to key outputs.</p> <p>There was a high level of ability in the staff – both national and international, at a technical level and also in good relationship building with partners. This was reflected in the high technical standard of the project outputs, and the excellent quality of the NPCs and international technical staff has been a major factor in the commendable levels of success attained in the GMS TRIANGLE project. The quality of the reports from country level has been positively impacted by the additional support provided by the AVID volunteers with mother tongue English and the time and ability to coach national partners.</p>
<p><b>ILO Administrative Issues (staff, resources, design, implementation)</b></p>	<p>It is important not to underestimate the time required of project staff to properly coordinate and implement project activities. This is especially so in countries where the national implementing partners have low capacity.</p> <p>It is imperative to appreciate that underfunding project staff will ultimately affect the quality of project delivery. As mentioned elsewhere, the gender equality aspects of the project would have been greatly improved by the funding of a gender specialist from project inception. Whilst UN agencies tend to take a mainstreaming approach to gender equality with the responsibility for gender falling to all staff, in this case there was just too much work even for the two technical officers and this impacted on the quality of the gender aspects of the project. Also, as shown once the M&amp;E consultant came on board, the quality of M&amp;E and demonstrating impact of the project improved considerably. It would have been ideal to have this level of support from project inception. Also, a proper level of administrative support would have enabled professional staff to fully attend to their own job duties.</p> <p>Other tools that may assist with better use of staff time include project management software, and better coding of contracts to identify where investments are being made (e.g. according to objective).</p>

# Annex 4: CLIENT classification of beneficiary support services by region and country

(Cumulative as 31 May 2014)



## Annex 5. Tripartite Issues Assessment

An important part of the project has been building the capacity of tripartite constituents in social dialogue. This has been carried out through the establishment of tripartite Project Advisory Committees in four countries, to guide project interventions and approve annual work plans. Moreover, with respect to development of labour migration laws and policies, the project has encouraged the formation of tripartite consultative bodies to encourage participation of a range of ministries, social partners, and CSOs in evidence based policymaking and development of legal standards at national levels. Participants at project capacity building events, government officials have constituted the majority of participants (52%), but a diverse group of participants have consistently been engaged (employers, including recruitment agencies 18%; workers 18%; and plus – CSOs, UN, academia, etc. 12%).<sup>69</sup>

Stakeholder participation in the evaluation has been ensured through various ways. The evaluator has consulted with tripartite plus stakeholders through in-depth interviews and focus group discussions with representatives of government, workers, employers and CSOs in order to gather necessary data. Moreover, focus group discussions were conducted with migrant workers in Cambodia, Malaysia and Viet Nam. The draft evaluation report will be shared with the tripartite constituents. Tripartite stakeholders will be involved in follow up to the evaluation recommendations, in so far as specific recommendations relate to them.

## Annex 6. International Labour Standards Assessment

International labour standards have been central to the project. Fundamental rights, as embodied in the ILO Core Conventions, have guided project interventions – especially policy and legal interventions, as applying to all workers without exception, including migrant workers. Moreover, conventions especially relevant for labour migration and sectors of focus have been used as advocacy tools, such as ILO C97 on Migration for Employment, ILO C143 on Migrant Workers, ILO C181 on Private Employment Agencies, ILO C188 on Work in Fishing, and ILO C189 on Domestic Work, the latter the subject of a roadmap to ratification in Cambodia – as has the Multilateral Framework on Labour Migration. ILO C100 on Equal Remuneration and ILO C111 on Discrimination in Employment have also guided project interventions. Moreover, the project has contributed to the Decent Work Country Programme outcomes for Cambodia, Lao PDR, Thailand and Viet Nam, which include the promotion and application of international labour standards.

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<sup>69</sup> Annual Report, 2014.

## Annex 7: Acronyms

AAPTIP	Australia – Asia Program to Combat Trafficking in Persons
ACMW	ASEAN Committee on the Implementation of the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers
ACRA	Association of Cambodian Recruitment Agencies
ADB/ADBI	Asian Development Bank/Asian Development Bank Institute
AEC	ASEAN Economic Community
AFML	ASEAN Forum on Migrant Labour
AMS	ASEAN Member States
ASEAN	Association of South East Asian Nations
A\$	Australian Dollar
CBED	Community-Based Enterprise Development
COMMIT	Coordinated Ministerial Mekong Initiative against Human Trafficking
CSO	Civil Society Organization
CTUM	Confederation of Trade Unions in Myanmar
EPS	Employment Permit System (Republic of Korea)
G-to-G	government-to-government
GDP	Gross Domestic Product
GMS	Greater Mekong Sub-region
ILC	(ILO) International Labour Conference
ILO	International Labour Organization
IOM	International Organization for Migration
IPEC	(ILO) International Programme on the Elimination of Child Labour
KNOMAD	Global Knowledge Partnership on Migration and Development
LFTU	Lao Federation of Trade Unions
LNCCI	Lao National Chamber of Commerce and Industry
MAPO	Inter-Ministerial Committee on Human Trafficking (Malaysia)
MIGRANT	(ILO) Labour Migration Branch
MOEAF	Myanmar Overseas Employment Agencies Federation
MOHR	Ministry of Human Resources (Malaysia)
MOL	Ministry of Labour (Thailand)
MOLES	Ministry of Labour, Employment and Social Security (Myanmar)
MOLISA	Ministry of Labour, Invalids and Social Affairs (Viet Nam)
MOLSW	Ministry of Labour and Social Welfare (Lao PDR)
MOLVT	Ministry of Labour and Vocational Training (Cambodia)
MOU	Memorandum of Understanding
MPS	Ministry of Public Security (China, Viet Nam, Lao PDR)
MRC	Migrant Worker Resource Centre
MTUC	Malaysian Trade Union Congress
MTUF	Myanmar Trade Union Federation
NAFTA	North American Free Trade Agreement
NGO	Non-Governmental Organization
NPA	National Plan of Action
PAC	Project Advisory Committee
PEWMWA	Preventing the Exploitation of Women Migrant Workers in ASEAN

ROAP	(ILO) Regional Office for Asia and the Pacific
SAP-FL	(ILO) Special Action Programme to Combat Forced Labour
SDGs	Sustainable Development Goals
SHIFT	Shaping Inclusive Financial Transformations Program
SLOM	Senior Labour Officials Meeting
SPA	Sub-regional Plan of Action
SOM	Senior Officials Meeting
SURAC	(ILO) Sub-regional Advisory Committee on Migration and Anti-Trafficking
TF-AMW	Task Force on ASEAN Migrant Workers
TIP	Trafficking in Persons
TRIANGLE	(ILO) Tripartite Action to Protect Migrant Workers within and from the Greater Mekong Sub-region from Labour Exploitation
UN	United Nations
UN-ACT	United Nations Action for Cooperation Against Trafficking in Persons
UNCT	UN Country Team
UNESCAP	United Nations Economic and Social Commission for Asia and the Pacific
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
US\$	United States Dollar
VAMAS	Viet Nam Association of Manpower Supply
VCCI	Viet Nam Chamber of Commerce and Industry

## Annex 8: Terms of reference for the evaluation

## Annex 9: Inception report