DRAFT TERMS OF REFERENCE FOR THE INDEPENDENT EVALUATION OF THE ILO’S DECENT WORK COUNTRY PROGRAMME STRATEGIES AND ACTIONS IN THE MEKONG SUB REGION

DRAFT TORS FOR CONSULTATION
EVAL
Introduction

In November 2016, the ILO’s Governing Body approved EVAL’s rolling work plan for 2017 which included an independent evaluation of a cluster of ILO Decent Work Country Programmes (DWCP) supported by the Regional Office for Asia and the Pacific.

After consultation with the Regional Office it was decided that the main focus of the evaluation would be on the countries of the Thailand, Cambodia and Lao People's Democratic Republic. Vietnam will be the subject of a desk review and Myanmar, in which the ILO has only recently begun programming, will not be included in the evaluation.

The evaluation will seek to assess whether the ILO’s programmes are effectively serving as instruments to achieve the Decent Work Agenda in these countries and extract lessons that would lead to:

- improved country programme planning and implementation;
- improved organizational effectiveness;
- accountability for results;
- strengthening synergies among the ILO’s technical advice and technical cooperation activities;
- applying lessons in future programmes and projects, and
- identifying approaches to better support the achievement of the areas of critical importance identified as priority by the national tripartite constituents of these countries.

Background and Context

Asia and the Pacific, which accounts for 60 per cent of the global labour force, has made remarkable economic progress over the last decade and its dynamism has sustained growth in the global economy, including during the years of economic crisis. Over the past decade, the region has achieved significant increases in average wages and incomes. The number of extreme poor has dropped rapidly, from 21 per cent of total employment in 2006 to 10 per cent in 2015.

In the developing countries of Asia and the Pacific, workers are moving from agriculture into higher-value manufacturing and services, and many more are engaged in wage employment than in the past. Trade has also played a key role in the region’s growth, with Asia now accounting for over a third of global trade and often referred to as the “world’s factory”. There has also been progress in social protection, with greater public investment and wider coverage.

Asia and the Pacific is becoming more integrated as a region as well as with the global economy. Intraregional trade accounts for over half of total trade. At the end of 2015, the ten member States of the Association of South-East Asian Nations (ASEAN) formed an economic community that accounted for more than 600 million people and a regional economy of $2.4 trillion.

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1 Building an inclusive future with decent work: Towards sustainable development in Asia and the Pacific
2 Idem.
Economic growth has led to a large amount of labour migration—much of it irregular. The current situation is that most intra-ASEAN migrants are unskilled workers (more than 87% are low-skilled) and irregular migration is a serious problem. Most of the irregular migration is concentrated in just a few corridors. Among the top corridors are Lao PDR and Cambodia to Thailand.

The ILO has implemented a number of interventions, such as the GMS TRIANGLE project, with the goal of strengthening the formulation and implementation of recruitment and labour protection policies and practices, to ensure safe migration resulting in decent work. The project is operational in six countries: Cambodia, Lao People’s Democratic Republic, Malaysia, Myanmar, Thailand and Viet Nam.

In each country, tripartite constituents (government, workers’ and employers’ organizations) are engaged in each of the GMS TRIANGLE project objectives - strengthening policy and legislation, building capacity of stakeholders, and providing services to migrant workers, through Migrant Worker Resource Centres.

To date, the GMS TRIANGLE project has provided services to over 51,000 workers (41 per cent of whom were women), potential migrant workers and members of their families. It has also assisted in the formulation of better policies to protect migrant workers. The GMS TRIANGLE project is committed to mainstreaming gender throughout project implementation; and has been successful in achieving a good gender balance - with.

ILO Strategic Pillars

In order to deal with some of the issues described above, the ILO has implemented a Decent Work Agenda in the sub region. The Agenda covers the four strategic pillars of the ILO which are discussed below. It is, in part, ILO’s work in these strategic areas that would be explored in the evaluation.

Employment

Full and productive employment and decent work for all, especially for young people, is an important goal of the ILO’s work. By 2030, the region’s labour force is projected to be 2.2 billion. In order to accommodate this growth, the region will need to create 249 million additional jobs during the next 15 years. Based on present trends, such a high level of job creation appears to be unlikely.

Over the past 15 years, overall employment growth was 1.0 per cent per year. Over the next 15 years it is projected to slow to 0.8 per cent per year. As a result, baseline projections suggest that, between 2015 and 2030, there may be a rise in the absolute numbers of unemployed from 90 million to 94 million, although the unemployment rate is likely to remain stable at 4.2 per cent.

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4 Building an inclusive future with decent work: Towards sustainable development in Asia and the Pacific REPORT OF THE DIRECTOR-GENERAL • 16th Asia and the Pacific Regional Meeting • Bali, Indonesia-December 2016.
**Rights at work**

Across the region there are widespread and systemic restrictions on the exercise of fundamental rights at work, both in law and in practice. Child labour and forced labour are still strong concerns. Approximately 10 per cent of children in Asia are labourers, and of this group over half are trapped in the worst forms of child labour, often hazardous work.

The Asia Pacific region also accounts for 56 per cent of global forced labour. In some countries, Cambodia for example, labour legislation imposes considerable constraints on the rights of workers to organize, bargain collectively or strike. Finally, certain categories of workers (defined by gender, caste, ethnicity and disability, for instance) continue to face systemic discrimination in obtaining, retaining or simply benefiting from educational and employment opportunities.

**Social protection**

Social protection expenditure in the Asia Pacific region is still below the global average, resulting in low levels of coverage and benefits. Given the high growth rates observed in East Asia, South-East Asia and South Asia, there is scope for improving social protection expenditure.

Financing of social protection through a combination of taxation and expanded social insurance will be a priority for governments. Several contingencies are often still an employer liability and consequently do not offer adequate protection. Countries in the Asia Pacific region need to increase expenditure on social protection.

**Social dialogue**

The information coming out of the sub region on Social Dialogue appears to be mixed. In 2014, ILO supported Social Dialogue among the tripartite constituents in Lao PDR that enhanced the quality of their respective inputs into revisions that brought the labour law in-line with international labour standards and ratified conventions.

In Cambodia, the eventual success of minimum wage negotiations for 2016 indicated an increased use of an evidence-based negotiation. However, the passage of the Trade Union Law, despite the objections raised by workers organizations was clearly seen as a setback to social dialogue. The significant projected changes in the economy as a result of the ASEAN Economic Community are expected to require higher levels of social dialogue.

**Current Status of DWCPs in the Sub-Region**

Most of the work described above is organized by Decent Work Country Programmes. As can be seen below, the DWCP in Cambodia came to an end in 2015. A new Cambodia DWCP 2016-18 was designed during the first quarter of 2016, formally endorsed in May 2016 and launched during the second half of 2016. Cambodia is the only country that we conducted CPRs during every cycle of DWCPs. It was done in 2007, 2011 and 2015.

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5 Idem
6 Building an inclusive future with decent work: Towards sustainable development in Asia and the Pacific

REPORT OF THE DIRECTOR-GENERAL • 16th Asia and the Pacific Regional Meeting • Bali, Indonesia-December 2016.
The 2011-15 Lao PDR DWCP was extended until the end of 2016 by a decision taken by tripartite constituents as reflected in the minutes of the most recent DWCP annual review. The design of the new DWCP is presently ongoing and the first draft will be presented to constituents in February 2017. Two CPRs of the Lao PRD DWCP. One in 2011 and another one in 2016.

In Vietnam, the DWCP period, which started in 2012, came to an end in 2016 and a CPR of the Vietnam DWCP was conducted.

Due to the prevailing political situation, Thailand does not have a formally adopted country strategy. A draft DWCP was prepared during the period 2013-14, however constituents decided not to proceed further with a formal endorsement of the country programme because of the unstable political environment. A draft DWCP was discussed with and formally submitted to constituents. At present, there are a number of active TC projects, mainly focussing on unacceptable forms of work in hazardous sectors and on labour migration.

Table 1. DWCP periods

<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>Cambodia</td>
<td>1</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Lao PDR</td>
<td>1</td>
<td></td>
<td></td>
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<tr>
<td>Thailand</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vietnam</td>
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<td>1</td>
</tr>
</tbody>
</table>

Each DWCP is organised around a limited number of country programme priorities and outcomes. These priorities and outcomes reflect the strategic results framework of the ILO, adapted to national situations and priorities. Table 2 gives an over-view of the Outcomes contained in the DWCP documents of the sub region that were developed. With no DWCP, Thailand does not have similar Outcomes. However, it does have (IRIS) Country Programme Outcomes and these will be analysed during the course of the evaluation.
Table 2. DWCP Outcomes x Country

<table>
<thead>
<tr>
<th>DWCP Outcomes</th>
<th>Cambodia</th>
<th>Lao PDR</th>
<th>Thailand</th>
<th>Vietnam</th>
<th>Total</th>
</tr>
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<tr>
<td>Business Development</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Child Labour</td>
<td></td>
<td></td>
<td>1</td>
<td>2</td>
<td></td>
</tr>
<tr>
<td>Dispute Resolution</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Employment</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Entrepreneurship</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>HIV/AIDS</td>
<td></td>
<td></td>
<td></td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Informal Economy</td>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Int'l Labour Standards</td>
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<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Labour Law Reform</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>2</td>
<td></td>
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<tr>
<td>Migration</td>
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<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>National Employment Service</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-discrimination</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>OSH</td>
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<td>1</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Skills Development</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td>2</td>
</tr>
<tr>
<td>Social Dialogue</td>
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<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Social Protection</td>
<td>1</td>
<td>1</td>
<td>1</td>
<td>3</td>
<td></td>
</tr>
<tr>
<td>Sustainable Enterprises</td>
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<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Wage Policy</td>
<td>1</td>
<td>1</td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Workers’ &amp; Employers’ Orgs</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Grand Total</td>
<td>14</td>
<td>15</td>
<td>7</td>
<td>35</td>
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</table>
Purpose, Scope and Clients

The present evaluation has a dual-purpose: achievement of programme outcomes and organizational learning. The evaluation will seek to determine how well the sub region achieved its planned outcomes. The evaluation will also attempt to contribute to organizational learning by identifying lessons that have been learned and emerging good practices. This information can inform future ILO strategies and the design of new DWCPs.

The evaluation will undertake a comprehensive review of the ILO’s programme of support to Thailand, Cambodia and Lao People's Democratic Republic. A desk review of Vietnam will be conducted. This will involve reviews of technical cooperation project evaluations, existing DWCPs or, in the case of Thailand, country strategies. The timeframe proposed for study is 2012-13, 2014-15 and part of the 2016-17 biennia.

The principal client for the evaluation is the Governing Body, which is responsible for governance-level decisions on the findings and recommendations of the evaluation. Other key stakeholders include the Director-General and members of his Senior Management Team, the Evaluation Advisory Committee, the Regional Office for Asia and the Pacific and the DWT/CO-Bangkok. And tripartite constituents in the target countries.

Criteria and Questions

ILO DWCP evaluations usually focus on the OECD DAC criteria including the relevance of the programme to beneficiary needs, the coherence of the programme design, the programme’s efficiency and effectiveness, the impact of the results and the potential for sustainability. For each criterion, two or three specific evaluation questions are suggested. The questions seek to address priority issues and concerns for the national constituents and other stakeholders.
Table 3. Evaluation Criteria and Questions

<table>
<thead>
<tr>
<th>Assessment Criteria</th>
<th>Questions to be addressed</th>
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</table>
| Relevance                            | • Was the ILO’s work relevant to the needs expressed by the tripartite constituents?  
• Was the ILO’s work relevant to the various national and international development frameworks (e.g. UNDAFs)?  
• Was the ILO’s work relevant to the ILO’s Strategic Policy Framework and Programme & Budget? |
| Coherence & Validity of Design       | • How well did the national projects support their respective DWCPs?  
• Was the ILO’s work in the countries of the sub region logical and evaluable?  
• Did the ILO’s work in the countries of the sub region apply principles of Results-Based Management? |
| Effectiveness                        | • How well did the results achieved at the national level support their respective country DWCPs?  
• How well did the sub region’s results promote the ILO’s Strategic Policy Framework?  
• How well did the results contribute to the ILO’s cross-cutting themes of gender and non-discrimination?  
• Were there any unexpected results?  
• What were the key factors of success?  
• What were the main internal and external constraints/challenges to attain the expected results? |
| Efficiency                           | • How much time, effort, and financial resources are needed to develop and implement projects that contribute to DWCP outcomes?  
• To what extent were the constituents’ involved in DWCP governance? How has the CO involved them?  
• How the balance between DWCP substance and funding? What strategy does the CO use to get funding for DWCP?  
• What are the synergies among the countries of the sub region and among strategic partners? |
| Likelihood of Impact                 | • How did the ILO’s work in the sub region build the capacity of tripartite constituents to deliver on DWCP outcomes?  
• How did the ILO’s work in the sub region influence coordination among the ILO and its strategic partners?  
• What are the aggregated results within each strategic outcome and CPO by country?  
• How was the knowledge generated from the DWCPs shared? |
| Sustainability                       | • What positive and negative recommendations and lessons could be offered to improve the sustainability of the ILO’s work in the region?  
• How can the findings of the evaluation inform the sub region’s strategic direction?  
• What recommendations can be offered on the way forward? |
Evaluation Approach

The evaluation will use mix of evaluation approaches. It will, in part, use a goal-based approach to examine the Country Programme Outcome achievement. It will, in part, use a case study approach to examine each of the countries in the sub region. It will, in part, use a mixed methods approach (e.g. document analysis, interviews, direct observation and surveys) to ensure the validity and reliability of the findings. Lastly, it will, in part, use a participatory approach in that, to the extent possible, the evaluation will involve ILO key stakeholders such as beneficiaries, ILO Tripartite Constituents, ILO staff and strategic partners.

Evaluation Methodology

One of the first tasks of the evaluation consultant will be to conduct a desk review of appropriate material, including strategic regional documents, programme and project documents, progress reports, previous evaluation reports and relevant material from secondary sources. This includes baselines and any government documents. Information from the desk review, together with that gathered from the scoping mission to the Country Office in Bangkok, will be used to write the inception report.

Upon approval of the inception report, the evaluation consultant will conduct field missions to each of the selected countries in the Mekong sub region (except Vietnam). During the field missions, the consultant will prepare a series of three country/thematic case studies. Annex 1 contains information to guide the preparation of the case studies. The desk review and the case studies will provide the information needed to answer the evaluation questions in the final report.

The evaluation will be based upon the ILO’s evaluation policy guidelines which adhere to international standards and best practices, articulated in the OECD/DAC Principles and the Norms and Standards for Evaluation in the United Nations System approved by the United Nations Evaluation Group (UNEG). More specifically the evaluation will be conducted in accordance with EVAL Protocol No 2: High-level Evaluation Protocol for DWCP Evaluation

Gender

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

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7 It should be noted that a number of TC projects, particularly in Cambodia, are centralized or managed directly by the Regional Office for Asia and the Pacific. This distinctive accountability framework will be taken into account. The desk review of this work should be conducted with a direct interface with the relevant reporting lines, i.e. HQ, ROAP, CO, etc.
Expected Outputs

The evaluation consultant will consolidate information from the desk review and country case studies into draft report that will answer the questions set out in the previous section. The length of the report will not exceed 80 pages (excluding annexes). It is suggested to structure the report as follows:

- Executive Summary with key findings, conclusions and recommendations
- Purpose, scope, clients and methodology
- Description of the ILO’s work in the Mekong sub region
- Description of major findings that emerged from data analysis by criterion
- Good principles and effective models of intervention (if applicable).
- Clearly identified conclusions and recommendations
- Lessons for organizational learning, good practices and good principles
- Appropriate annexes including country case studies

The report should include specific and detailed recommendations solidly based on the evaluator’s analysis and, if appropriate, addressed specifically to the organization/institution responsible for implementing it. The report should also include a specific section on lessons learned that could be replicated or should be avoided in the future.

The report should clearly reflect the differences and similarities between countries when making general assessments, conclusions, and recommendations to avoid factual inaccuracy in details related to a specific country.

Ownership of data from the evaluation rests exclusively with the ILO. The copyright of the evaluation report will rest exclusively with the ILO. Use of the data for publication and other presentations can only be made with the written agreement of the ILO.

Resources and Management

A Senior Evaluation Officer (SEO) from ILO HQ will manage and participate in the evaluation process. The SEO’s responsibilities include managing the contract, consulting on methodological issues and facilitating access to primary and secondary data. Secondary data would include CPO data, project evaluation data, etc.

In the region, logistics support will be provided by the Regional Programming Services Team and by the Regional Evaluation Officer. The ILO Director of Evaluation will provide oversight and guidance and input from other EVAL team members may be sought throughout the evaluation process.

The evaluation will be conducted with the support of an individual consultant, a team or a company with extensive experience in the evaluation of development or social interventions, preferably including practical experience in assessing comprehensive policy/program frameworks or national plans.

The capacity of the individual, team or company to mobilize required expertise and support to undertake the evaluation will be an important consideration in the selection process. The responsibilities and profile of the “evaluation consultant” can be found in Table 4. Stakeholders will be consulted on the consultant selection.
Table 4. Responsibilities and Profile of evaluation consultant.

<table>
<thead>
<tr>
<th>Evaluation Consultants</th>
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</thead>
<tbody>
<tr>
<td><strong>Responsibility</strong></td>
</tr>
<tr>
<td>Drafting the inception report, producing the draft reports and drafting and presenting a final report;</td>
</tr>
<tr>
<td>Providing any technical and methodological advice necessary for this evaluation;</td>
</tr>
<tr>
<td>Ensuring the quality of data (validity, reliability, consistency and accuracy) throughout the analytical and reporting phases.</td>
</tr>
<tr>
<td>Ensuring the evaluation is conducted as per TORs, including following ILO EVAL guidelines, methodology and formatting requirements.</td>
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</table>

It is estimated that the scope of effort required by the evaluation will be approximately 60-70 days. The evaluation consultant will be remunerated at a negotiated rate that is reasonable and customary. Travel and DSA will be provided in a lump-sum and the consultant(s) will be required to make his or her (their) own travel arrangements for the field missions.

The ILO Code of Conduct for independent evaluators applies to all evaluation consultants. The principles behind the Code of Conduct are fully consistent with the Standards of Conduct for the International Civil Service to which all UN staff is bound. UN staff is also subject to any UNEG member specific staff rules and procedures for the procurement of services. The selected consultant shall sign and return a copy of the code of conduct with their contract.

Interested parties are request to submit an Expression of Interest (EoI) including: a cover letter explaining what kind of expertise would be mobilized to undertake the evaluation, how the candidate(s) meet(s) the desired profile, CV(s), fee structure and availability. EoIs should be sent to the ILO Evaluation Office (eval@ilo.org) with copy to Craig Russon (russon@ilo.org).
<table>
<thead>
<tr>
<th>Phases</th>
<th>Tasks</th>
<th>Responsible</th>
<th>Dates</th>
<th>Outputs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase One: Preparatory</td>
<td>ToRs drafted and circulated to stakeholders</td>
<td>ILO Senior Evaluation Officer</td>
<td>December</td>
<td>ToRs</td>
</tr>
<tr>
<td></td>
<td>Evaluation consultant hired</td>
<td></td>
<td>January</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Desk review and scoping mission</td>
<td></td>
<td>February/March</td>
<td>Inception report</td>
</tr>
<tr>
<td>Phase Two: Data collection</td>
<td>Data collection and analysis for country/thematic case studies</td>
<td>Evaluation consultant with support from EVAL</td>
<td>March/April</td>
<td>Data</td>
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<tr>
<td>Phase Three: Report writing</td>
<td>Write country case studies</td>
<td>Evaluation consultant</td>
<td>April</td>
<td>Country case studies</td>
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<tr>
<td></td>
<td>Desk review and case studies consolidated into draft report</td>
<td>Evaluation consultant</td>
<td>May</td>
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<td>Zero draft circulated among ROE stakeholders</td>
<td>EVAL</td>
<td>May/June</td>
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<tr>
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<td>EVAL</td>
<td>June</td>
<td>Final version evaluation report</td>
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<tr>
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<td>Final report</td>
<td>Evaluation consultant and EVAL</td>
<td>1st week of July</td>
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</table>
Annex 1

**Country/Thematic Case studies**

The purpose of case studies is to conduct in-depth analysis of the issues or themes relevant to each of the countries in the Mekong sub region. The case studies seek to determine what happened as a result of ILO’s interventions, and determine if these interventions had any observable immediate impacts, and to the extent possible determine the links between the observed impacts and the ILO interventions.

Possible themes of the case studies could be focused on the ILOs four strategic pillars, the ASEAN Economic Community (AEC), etc. (to be further developed with evaluation team and key stakeholders).

The case studies will consist of a combination of methods:

- Interviews, field studies and participant focus groups,
- Desk reviews to synthesize and aggregate information such as past evaluations, technical studies, and DWCP reviews from the selected countries and programmes at different times. This will allow greater triangulation while minimizing cost and time being expended on new, possibly repetitive studies.

A completed case study report will have detailed descriptions of what happened and the context in which it occurred. The report will feature a factual recounting as well as an analysis of events. Examples of past case studies can be provided by EVAL.