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This evaluation has been conducted according to ILO's evaluation policies and procedures. It has been quality controlled by the ILO Evaluation Unit

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LIST OF ABBREVIATIONS & ACRONYMS

ACRA	Association of Cambodian Recruitment Agencies
ASEAN	Association of South East Asian Nations
CCTU	Cambodia Confederation of Trade Unions
CLC	Cambodian Labour Confederation
CLMV	Cambodia, Laos, Myanmar, Vietnam
COC	Code of Conduct
COMMIT	Coordinated Mekong Ministerial Initiative against Trafficking
CPO	Country Programme Outcome
CTA	Chief Technical Advisor
DLPW	Department of Labour Protection and Welfare (Thailand)
DOE	Department of Employment (Ministry of Labour - Thailand)
DOLAB	Department of Overseas Labour (Vietnam)
DOLISA	Departments of Labour, Invalids and Social Affairs (Vietnam)
DWCP	Decent Work Country Programme
DWT	Decent Work Technical Support Team
ECOT	Employers' Confederation of Thailand
ESC	Employment Service Centre
EU	European Union
FAR	Foundation for AIDS Rights
GMS	Greater Mekong Sub-region
HRDF	Human Rights and Development Foundation
ILO	International Labour Organisation
IOM	International Organization for Migration
IRC	International Rescue Committee
LCT	Labour Congress of Thailand
LFM	Logical Framework Matrix
LFTU	Lao Federation of Trade Unions
LPN	Labour Rights Promotion Network
LSCW	Legal Support for Children and Women
MOHR	Ministry of Human Resources (Malaysia)
MBC	Malaysian Bar Council
MEF	Malaysian Employers Federation

LIST OF ABBREVIATIONS & ACRONYMS

MOLISA	Ministry of Labour, Invalids and Social Affairs (Vietnam)
MOLSW	Ministry of Labour and Social Welfare (Lao PDR)
MOLVT	Ministry of Labour and Vocational Training (Cambodia)
MoU	Memorandum of Understanding
MRC	Migrant Worker Resource Centre
MTE	Mid-Term Evaluation
MTUC	Malaysian Trades Union Congress
NACC	National Union Alliance Chamber of Cambodia
NCPE	National Congress of Private Industrial Employees
NEA	National Employment Agency (Cambodia)
NFAT	National Fisheries Association of Thailand
NPC	National Project Coordinator
OVI	Objectively Verifiable Indicator
PAC	Project Advisory Committee
PSOD	Phnom Srey Organization for Development
ROAP	ILO Regional Office for Asia and Pacific
SERC	State Enterprises Workers' Relations Confederation
SURAC	Sub-Regional Advisory Committee
TACDB	Thai Action Committee for Democracy in Burma
TO	Technical Officer
TTUC	Thai Trade Union Congress
TWG	Technical Working Group
UNDAF	United Nations Development Assistance Framework
UNIAP	United Nations Inter Agency Project on Human Trafficking
VAMAS	Vietnam Association of Manpower Supply
VGCL	Vietnam General Confederation of Labour

1 Executive Summary

Background & Context

Summary of project purpose, logic and structure

With the overall objective to increase labour rights protection and decent work opportunities for women and men migrant workers in the GMS countries and Malaysia, TRIANGLE was designed with three major objectives:

1. To strengthen migrant recruitment and labour protection policies and practices, reflecting the interests of tripartite constituents and gender-specific concerns.
2. To enhance the capacity of tripartite constituents to close the gap between intention and implementation of national policy, bilateral agreements & regional commitments related to the recruitment and protection of women and men migrant workers.
3. To protect the rights of women and men migrants and potential migrants through increased access to support services.

The project budget is AUD\$ 10 million entirely provided by the Australian Government Aid Programme (AusAID).

The TRIANGLE project was planned to work with the following partners:

- Government officials from the labour and social welfare ministries, from law enforcement and other bodies responsible for migration management and anti-trafficking in persons;
- Employers' organizations and employers, particularly in risk sectors;
- Recruitment agencies and their associations, in sending and receiving countries;
- Workers' organizations in sending and receiving countries, including trade unions and migrant associations;
- Civil society organizations in sending and receiving countries, including national and international NGOs, mass organizations, women's groups, the media, etc.

Present situation of the project

The TRIANGLE project was formally launched in June 2010 and is now 2½ years in operation in Cambodia, Lao PDR, Malaysia, Thailand and Vietnam. China was originally part of the countries targeted by the project, but activities were delayed and eventually priority was given to extending activities to Myanmar, where activities will start in 2013.

In all countries, the project is cooperating with the respective governments and social partners on legislative issues, providing capacity development support at national, regional and local levels to authorities, trade unions, employers' organizations and others, reaching out to potential migrant workers to better prepare them for migration and raise their awareness on their rights and protection means, and develops mechanisms to provide legal support to migrant workers in situations of labour exploitation, or support to those at risk of rights abuses.

As of December 2012, 13,044 direct beneficiaries have received assistance through the project. Of the beneficiaries for which sex-disaggregated data was collected, 46 % were women.

Purpose, scope and clients of the evaluation

The scope of the mid-term evaluation is from the project start until the time of this MTE, and it covers the five countries in which the project is implementing activities.

The MTE examines whether the project is on track to deliver expected outcomes with respect to time and budget; it aims to assess the efficacy, sustainability, relevance, impact and effectiveness of the project, and to inform approaches or strategy shifts for the second half of the planned implementation period and to inform related interventions, e.g. the CIDA-funded ASEAN TRIANGLE project.

Methodology of the evaluation

The evaluation has been conducted from December 2012 to February 2013 and comprised field visits to Cambodia, Lao PDR, Malaysia, Thailand and Vietnam as well as inputs from the consultant's base to undertake desk research and prepare the Final report. The Evaluation was managed by Mr. Richard Howard, Senior Specialist on HIV/AIDs – based at ILO Decent Work Support Team in Bangkok – in cooperation with Mrs. Pamornrat Pringsulaka, Regional Evaluation Officer. The work plan for the evaluation comprised:

- Review of relevant documentation
- Interviews with ILO programme management, coordinators and technical experts
- Interviews with the tripartite constituents, implementing partners, individual project beneficiaries (migrants), and other key informants
- Preparation of the draft report
- De-briefing with project team, ILO and donor; and circulation to project partners for comment
- Finalization of report

The tools employed were documentary analysis, identification of relevant evaluation questions and sub-questions, semi-structured interviews to elicit the facts relevant to the evaluation questions and synthesis of findings, conclusions and recommendations. Further details of the methodology are presented in the main text.

Main Findings & Conclusions

Relevance

TRIANGLE was designed to link to a number of outcomes of the ILO Global Programme and Budget 2010-2011, to tie in closely with national development priorities and with the Decent Work Country Programmes, and is in line with a number of partnership commitments outlined in the Partnership Agreement between the Australian Government and the ILO (2010-2015), in particular the encouragement of tripartite constituents to be equal participants in labour, employment and social *protection dialogue, as well as the promotion of gender focussed* activities.

The overall strategy of the project is based on supporting the development of legal, safe and orderly recruitment channels and improved labour protection mechanisms. The project is coherent with national policies and development plans and has developed a rational approach in line with the respective plans in each country where migration was specifically referred to.

The objectives of TRIANGLE, determined after a comprehensive problem and country situation analysis are consistent with the overall objective to increase labour rights protection and

promote decent work opportunities while addressing priorities and concerns of migrants as well as the need of partners to improve the situation of migrants.

Objectives 1 and 2 of TRIANGLE and the proposed strategy suggesting the promotion of social dialogue and tripartism to improve working conditions of migrant workers are very relevant.

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" has also been 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.

Effectiveness

Overall, good progress has been made by the project. At the institutional level, TRIANGLE has adapted activities to prevailing circumstances and requirements in a resourceful way, taking into account the priorities given by governments and providing support to policy adjustments and policy formulation within the developments taking place in each country. Major achievements relate to the drafting of legislative tools to strengthen the regulation of recruitment practices in Cambodia and Vietnam, the input on the Employment Decree in Lao PDR and on the Ministerial Regulation on Domestic Work in Thailand in line with elements of ILO Convention 189, as well as on the preparation of the Draft Ministerial Regulation on Fishing in line with elements of ILO Convention 188. At the highest level of ministries where the project has provided support on legislative issues, the expertise of ILO has been well received and is considered to be very useful; the project's advocacy efforts are leading to real improvements of legal frameworks. Benefits have also been taken on board by implementing partners through exposure to new tools and approaches of dealing with migration and protection issues.

TRIANGLE provided capacity development support where it was needed, both at central and provincial levels to authorities and to trade unions. It has provided an efficient platform to involve all tripartite constituents and other stakeholders. Due to its regional approach, it also allowed the sharing of information on the situation in the countries of destination and the countries of origin, and the sharing of practices and tools between countries.

With regard to direct support services, Migrant Worker Resource Centres (MRCs) set up under different management arrangements have made good progress in most of the 19 locations (all MRCs in Cambodia, Thailand and Vietnam, Penang in Malaysia). Most of the MRCs started within the past year and the coming months will allow improving the delivery of support services and the outreach to the migrant workers community.

The support provided through the project on legal cases has been well received, both in sending and receiving countries. Information provided to potential migrants in sending countries is found to be useful and provides the workers planning to work abroad with more confidence. In receiving countries the migrant workers similarly acknowledge the value of information provided to them, but face difficulties to make best use of it in dealing with their problems. The value of regional approach in the cross-country case referrals and in the provision of end-to-end support is apparent and has proven to have even greater potential.

Efficiency

The operational planning of the project is made by means of successive annual work plans in which activities are agreed between all stakeholders and corresponding budgets defined.

Budgeted resources have been correctly managed according to ILO procedures; corrective actions have been taken when required.

In order to implement the TRIANGLE project, the team worked with and through 21 key implementing partners to provide services to (potential) migrant workers and their families.

While the project works with the different partners individually, the project has been able to develop some cooperation between all stakeholders involved in each country in order to mainstream efforts to achieve better results.

Impact and sustainability

At the policy/legislative level, the project is providing support to governments in revising existing labour laws and regulations or in helping to define new ones in line with national policies and priorities. This is expected to provide a significant contribution to the positive long-term effects of better policies. The TRIANGLE project and ILO's involvement with governments and tripartite constituents beyond the project itself secures a better alignment of national policies with international conventions.

The practical tools developed by the project (e.g. Codes of Conduct, Good Labour Practice Guidelines, Training modules on OSH) are likely to produce a direct impact if their use is extensively promoted, or even better enforced.

The legal training provided in all countries aims at a better implementation of laws and regulations, which will lead to better outcomes for migrant workers.

Capacity development activities (training, workshops) implemented by the project are essential but face a lack of knowledge management in benefiting organizations. The project could promote basic knowledge management tools and techniques, like e.g. setting up IT or non-IT based libraries, suggesting the formal nomination of a “knowledge manager” in receiving organizations who could develop learning reviews or IT-based Knowledge Bases, blogs or search tools offering access to all staff to resources acquired from capacity development activities.

Direct support to migrant workers facing difficult situations in receiving countries and to potential migrants and their family members in countries of origin provides a direct short-term impact for the beneficiaries and a potential longer-term impact through the reporting mechanisms feeding into advocacy campaigns, media coverage and policy dialogue. Improvements in policy and policy implementation have been observed when the project has been able to reference individual cases and trends observed within the target sites. The project provides a good platform to develop the necessary linkages.

Lessons Learned & Recommendations

The main global **lessons learned** from the project are the following:

1. Involving implementing partners at the project design stage leads to realistic approaches and ownership of a project. Government buy-in is particularly important.
2. Direct support services (e.g. supporting legal cases) are useful and provide an immediate direct impact on the beneficiaries and have the potential to influence policy discussions leading to a more favorable environment for migrant workers.
3. ILO's support is vital for promoting the tripartite approach and the involvement of trade unions and civil society in migration related issues, in particular in policy discussions.

4. The regional approach of TRIANGLE has shown its value in the sharing of approaches and experiences with constituents across countries and in being a reliable dialogue partner with regional and sub-regional bodies and on GMS and ASEAN issues, given the knowledge of the situation within five countries.
5. More investment is required in building the capacity of partners at local levels.
6. Implementing partners require more backstopping and capacity building than expected. Regular coaching from National Project Coordinators is essential to ensuring that they are able to provide quality support services and meet reporting requirements.
7. The services provided through the MRCs in the job centres in all three sending countries are potentially sustainable and scalable.
8. Self-regulation tools allow industry associations to raise the bar – particularly in the absence of tight legislation or monitoring – and demonstrate the commitment of good actors within these industries.
9. Migrants and potential migrants are sometimes unwilling to visit the MRCs run by government partners.
10. Simply delivering practical messages on knowledge of safe migration and rights at work is insufficient. Knowledge needs to be taught with communication skills.
11. Even after receiving counseling at the MRCs, some migrants will still use irregular channels to migrate because of the complexity and delays in processing documents and the costs of the legal channel.
12. In sending and receiving countries, migrant workers are often reluctant to participate in a lengthy, drawn out trial because of the complexity of the procedures and prefer to get compensation in an out of court settlement.
13. Irregular migrants need to be systematically supported to enable them to file grievances, access compensation or bring criminal charges in the host countries.
14. In most cases, beneficiaries are primarily reached through outreach to communities. MRC staff are building relationships with local authorities, community leaders, civil society actors, etc. to promote the MRC and its services.
15. In addition to targeting the general public, there is a need for campaigns on promoting a positive image of migrants to also influence government, employer and union partners.

The project has generated several **good practices** of which the most noteworthy are the following:

1. The interlinking nature of the three project objectives.
2. The formalisation of cooperation agreements.
3. The involvement of labour ministries and social partners in the process of designing and reviewing research.
4. The cooperation with NGOs in undertaking baseline surveys.
5. The approach of bringing together constituents on commonly agreed issues.
6. The support given to trade unions to develop and implement focused actions plans.
7. The outreach to large numbers of migrant workers through campaigns and networks.
8. The process of developing tools and resources that fit with local needs and circumstances through extensive consultation with partners at central and local levels.
9. The provision of quality advisory support of a broad range of ILO specialists and staff.
10. The cooperation with partners with a shared interest.

Detailed explanations and examples of lessons learned and good practices are provided in sections 4.2 and 4.3.

Recommendations:

For GMS TRIANGLE

1) Consolidate results & define priorities (*for ILO and constituents to address*).

In order to maximize the impact and sustainability of activities undertaken and/or initiated by the project, priorities need to be defined to concentrate staff time and resources in a limited number of areas where significant results are likely to be achieved, particularly in:

- Focus on areas in which ILO see as ripe for policy and legislative change
- Training of local level authorities, while ensuring the sustainability of training materials and tools (knowledge management)
- Cross-border cooperation between trade unions
- Involvement of trade unions in policy issues and legislative development
- Monitoring, coaching and providing support to the MRCs

2) Address management weaknesses (*For ILO to address*):

- Reinforce the Lao PDR project office by means of a temporary re-assignment of the Technical Officer to Vientiane.
- Strengthen the overall follow-up of activities (monitoring) in all countries and develop a methodology aiming at results measurement of activities.

3). Adapt Migrant Workers Resource Centre (MRC) set-up where problems are observed (*For ILO to address with implementing partners*)

Several MRCs need particular attention in order to improve the outreach activities and delivery of services.

- MRC Savannakhet: develop outreach activities beyond the 5 districts.
- MRC Penang: review contractual arrangements and improve reporting.
- MRC Kuala Lumpur/Selangor: request the designation of a new Coordinator, develop a focused action plan and foster better commitment with MTUC.
- MRC Johor: request stricter and more accurate reporting as well as the appointment of a new coordinator.
- MRCs Champasak and Xaiyaboury: request a full report of activities and provide intensive coaching.

4) Improve Reporting (and monitoring) (*For ILO to address*)

As a result of a better follow-up of activities and the introduction of a results measurement system, the project should be able to report more specifically about the potential and/or expected direct and indirect impact of activities, with a more precise indication of the project outreach in relation to the three main objectives. Evaluating impact, not outputs, could include measuring the potential impact of e.g. a ministerial regulation, a communications campaign or the training of peer leaders.

5) Communication & networking (*For ILO to address*)

Internal communication between implementing partners should be given a higher degree of attention in order to reinforce linkages between implementing partners of the project who

have expressed their interest for more networking initiatives; e.g. sharing of resources and approaches in dealing with similar problems.

6) Prepare a comprehensive Sustainability Plan (*For ILO to address with the constituents*)

It is important for the project to define a comprehensive sustainability *plan* clearly pointing out what needs to be done, where, when and by whom in the months to come in order to maintain the benefits of all interventions, further advance the impact of all activities undertaken and suggest options for longer-term sustainability.

7) For the Myanmar extension (*for ILO to address*)- Based on the difficulties faced by the GMS project, **the definition of priorities for Myanmar should take into consideration the political, economic and social developments of the country. The project should restrain the ambition at institutional level** considering the fact that the government of Myanmar has to deal with many other challenges and priorities, even though labour migration is considered as a major priority. This includes limiting the number of MRCs to one or two and ensuring of the results monitoring.

For ASEAN TRIANGLE

The main areas in which the project can sustain the results of the GMS project are in:

- exposing implementing partners of the GMS project to the “Filipino model” as already planned by the project under the specific programmes for the CLMV countries
- networking trade unions in sending and receiving countries
- further supporting the participation of tripartite constituents in international forums in the framework of ASEAN integration.

Lessons learned from the GMS project and recommendations in particular related to the definition of priorities, monitoring of activities, results measurement and reporting should also be taken on board.

2 Evaluation Background and Methodology

The independent mid-term evaluation is carried out in accordance with ILO policy governing technical cooperation project management.

No prior independent evaluation has been undertaken of the TRIANGLE project, though detailed Annual Reports have been submitted to the donor. The mid-term evaluation examines whether the project is on track to deliver expected outcomes with respect to time and budget; it aims to assess the efficacy, sustainability, relevance, impact and effectiveness of the project, and to inform approaches or strategy shifts for the second half of the planned implementation period and to inform related interventions, e.g. the CIDA-funded ASEAN TRIANGLE project.

The scope of the mid-term evaluation is from the project start until the time of this MTE, and it covers the five countries in which the project is implementing activities.

The full Terms of Reference of the Mid-Term Evaluation are set out in Appendix 1.

The Evaluation was managed by Mr. Richard Howard, Senior Specialist on HIV/AIDs – based at ILO Decent Work Support Team in Bangkok – in cooperation with Mrs. Pamornrat Pringsulaka, Regional Evaluation Officer.

The evaluation has been conducted by Mr. Pierre Mahy, External Evaluator, from December 2012 to February 2013.

The work of the Final Evaluation took place over three phases, in accordance with the terms of reference:

<u>Phase</u>	<u>Planned Result</u>	<u>Planned Schedule</u>
1. Inception phase	Initial information gathered on the project – desk review of documents completed, TRIANGLE Team met and Inception Report prepared.	7-10 December 2012
2. Field Phase in Cambodia, Lao PDR, Malaysia, Thailand and Vietnam	Discussions with country project teams, beneficiaries and key stakeholders completed; Preliminary assessment completed.	11 December 2012 – 31 January 2013
3. Reporting phase	Preparation of the draft final report completed and draft report submitted. Incorporating the comments of stakeholders into the final report. Final report and Evaluation Summary submitted.	8 February 2013 1-7 March 2013 7 March

The work plan for the evaluation comprised:

- Review of relevant documentation
- Interviews with ILO programme management, coordinators and technical experts
- Interviews with the project partners, beneficiary organizations, individual project beneficiaries (migrants), relevant authorities and other key informants. Most consultations took place in the form of physical meetings; where this was not

feasible, telephone and e-mail communication was used. In order to call attention to the independence of this evaluation, the evaluator conducted all meetings without the presence of project staff, except for meetings with other UN agencies.

- Preparation of the draft final report
- Debriefing meeting with ILO and donors (AusAID and CIDA) to present the findings of the evaluation and solicit feedback, additional information and clarifications
- Responding to the comments of stakeholders on the draft report.

The evaluation tools employed were documentary analysis, identification of relevant evaluation questions and sub-questions, semi-structured interviews to elicit the facts relevant to the evaluation questions and synthesis of findings, conclusions and recommendations in this report.

The ILO evaluation norms, standards and ethics have been followed throughout implementation of the assignment.

Field visits to meet with project beneficiaries and partners were prepared and prioritized on basis of findings made during the desk phase with the aim to verify the degree of implementation of a number of activities and to assess the interest and benefits of activities of the different stakeholders and beneficiaries of the project. This has allowed statements made in the project reports to be largely verified by the evaluator during field visits and interviews.

Cambodia was visited from December 10 to 13, 2012. Considering the achievements reported by the project at policy level, the evaluator in priority met with the Ministry of Labour and Vocational Training and with the Technical Working Group at the Provincial Department of Labour and Vocational Training in Kampong Cham, where training was provided by the project to local authorities. Further meetings were organized with the Trade Unions (Cambodian Labour Confederation, the National Union Alliance Chamber of Cambodia and the Cambodia Confederation of Trade Union), as well as with the Association of Cambodian Recruitment Agencies, the Migration Resource Center in Prey Veng and different civil society organizations and UN agencies. The evaluator also attended a training workshop on MRC Operational Manual in Kampong Cham. The two other MRCs could not be visited due to the limited time allocation and reported weaknesses are only based on project reports.

Lao PDR was visited from 7 to 11 January with a particular emphasis on the MRC in Savannakhet where a lack of performance had already been identified by the project team. The visit allowed assessing the degree of underperformance. The Trade Union managing the MRC (Lao Federation of Trade Unions) as well as the Ministry of Labour and Social Welfare were also identified as key informants for the evaluation.

The visit to **Malaysia** was undertaken from 19 to 23 January and focused on the MRCs in which several weaknesses had been identified during the desk phase. The meetings with the NGO Tenaganita and the Trade Union (Malaysian Trade Union Congress) managing the MRCs therefore were a priority for the evaluation. Considering the sensitivity of the issues related to foreign workers, the evaluator also met with the Ministry of Human Resources to assess the perception of ILO's work at policy level, as well as with the Employers' Organization (Malaysian Employers Federation) and the Bar Council Malaysia. During his stay in Malaysia, the evaluator had the opportunity to meet several groups of migrant workers active in the construction industry as well as rescued female domestic migrant workers.

Particular attention was given to the fishing sector in **Thailand**, which has been given special attention by the project. During his visit from 28 January to 1 February, the evaluator met with

the Department of Fisheries, the National Fisheries Association of Thailand and attended a workshop on OSH with key stakeholders of the fishing sector. Meetings with the two departments of the Ministry of Labour (Department of Labour Protection and Welfare and Department of Employment) were held to measure progress made at policy level and assess the level of cooperation with the project. The evaluator also visited the MRC is Samuth Prakhon, the local authorities in Chiang Mai where the project is developing activities in the agricultural sector and met with several civil society organizations active in the protection of migrant workers, among which those focussing on women's protection (Homenet, MAP Foundation).

Vietnam was visited from 13 to 16 January during which the evaluator was able to attend a Project Advisory Committee at which all key stakeholders participated. Separate interviews were held with the Ministry and a visit to Yen Phu Commune was organized to meet with the local Commune Committee for Labour Export. Migrant workers returned from Malaysia were also visited by the evaluator as part of the assessment of project activities implemented in this province. The Vietnam Association of Manpower Supply was also given particular attention due to its leading role in developing a Code of Conduct for recruiting agencies and for having shared the experience with other countries.

The full list of meetings / consultations held by the Evaluator is set out in Appendix 3.

The evaluation report provides answers to the questions suggested in the Evaluation Terms of Reference, which the consultant slightly edited/amended in the Inception Report accepted by the Evaluation Manager on 17 December 2012.

This final version of the report has taken into consideration comments provided by different stakeholders. The evaluators' response to AusAID's comments is presented in Appendix 9.

The Evaluator received good cooperation and assistance during the entire assignment and expresses his thanks to all who contributed to its findings.

3 Main Findings

3.1 Activities implemented

The project reports present activities implemented in relation to each of the project indicators; while this presentation provides a good synopsis, the evaluator thinks it is relevant to highlight the main completed and/or on-going activities for each objective on a country basis, notwithstanding the fact that the project has a high value in its regional approach.

Appendix 6 provides a selection of **important achievements** in relation to the three main objectives of the project on a country basis. The key activities verified by the evaluator during interviews and field visits are summarized below.

3.1.1 Activities implemented in relation to Objective 1

To strengthen migrant recruitment and labour protection policies and practices, reflecting the interests of tripartite constituents and gender-specific concerns

Cambodia

- The support provided by the project in organizing a Technical Working Group and broader consultations with tripartite constituents to identify priority areas, define an implementation strategy and develop six “*Prakas*” (ministerial orders) aimed at facilitating the implementation of the law adopted by the government; the support provided to three trade union federations to jointly develop a policy and action plan to enhance their role in the protection of migrant workers.
- The production of the advocacy film on safe migration (“My name is Saray”) and the development of a communication plan on safe migration.

Lao PDR

- The support provided to draft the migration-related articles of the “Employment Decree” intended to serve as a legal framework for domestic and international employment and the support to Lao Federation of Trade Unions to develop its action plan.
- A Job Fair in Champasak province and the development of the Communication Plan for Safe and Legal Migration.

Malaysia

- The establishment of platforms to foster the relationship between the government, social partners and civil society, (e.g. in involving the Bar Council in activities related to protection issues) working on migration-related issues.
- The campaign promoting positive attitudes towards migrant workers “Working Together, Walking Together: Migration Works for Us All”.

Thailand

- The promotion of tripartite consultations for the preparation of the Draft Ministerial Regulation concerning Work in the Fishing sector (in line with ILO Convention 188) and Domestic Workers through different working groups and network meetings.
- The “Saphan Siang” campaign promoting a positive image of migrants and the advocacy campaigns on regulations on domestic workers and work in fishing to be in line with the relevant ILO standards.

Vietnam

- The promotion of the tripartism approach in an environment in which the role of the government has always been predominant in fostering a closer cooperation between the government, VAMAS and VGCL; as well as the support to MoLISA to conduct reviews and assessments during the drafting of the Circular on Standard Labour Supply Contracts and Standard Guest Worker Contracts and the Circular on the Ceiling of the Deposit Fund for Recruitment Agencies and Migrant Workers.
- Various workshops and training courses attended by media (newspapers and television).

3.1.2 Activities implemented in relation to Objective 2

To enhance the capacity of tripartite constituents to close the gap between intention and implementation of national policy, bilateral agreements & regional commitments related to the recruitment and protection of women and men migrant workers.

Cambodia

- The development of monitoring tools of the ACRA Code of Conduct which eventually will lead to a rating system of recruitment agencies; the promotion of MRCs and unions as primary channels to report and resolve complaints; the development of a standardized pre-departure training materials as well as a manual on emigration procedures with the General Department of Labour.

Lao PDR

- The initiation of a process paving the way to form a Recruitment Agency Association; the drafting of an Operational Manual on Emigration Procedures to build capacity of central and local officials of the MOLSW, the Ministry of Interior and the Ministry of Foreign Affairs) and the organization of workshops on Migration Protection aiming at improving knowledge of provincial staff on roles and responsibilities of LFTU and other concerned local government officers.

Malaysia

- The development of a collaborative relationship with the government while at the same time being attentive to specific needs expressed by the Ministry; the provision of technical comments on a draft MOU between Bangladesh and Malaysia based on a Government to Government approach; the training of labour officers from around Malaysia on the labour dimensions of trafficking, in response to the change in the Anti Trafficking in Persons Act; and the organization of consultations with Labour Attaches of the embassies' of sending countries with the support of the Bar Council.

Thailand

- The support provided to the National Fisheries Association of Thailand (NFAT) for the development of a Code of Conduct for employers in the fishing sector, of Operational Guidelines on Recruitment, Employment and Working Conditions as well as of Good Labour Practice Guidelines; the support given to trade union initiatives to develop a closer cooperation with trade unions in sending countries; and the organization of Technical Working Groups on Recruitment/admission of migration workers and Labour protection with the Department of Employment and the Department of Labour Protection and Welfare.

Vietnam

- The assistance provided to VAMAS in developing the monitoring mechanisms and tools of the Code of Conduct, in organizing the pilot testing phase and in training provincial officers of 14 DOLISAs on issues related to international conventions and Vietnamese regulations, code of conduct and its evaluation mechanism and the role of provincial officers in monitoring recruiting agencies. The project also trained DOLAB officials at national and regional level on international and regional legal documents on labour migration and provided officials with better knowledge on labour safe migration.

At Regional level:

- The project supported the ASEAN Forum on Migrant Labour in 2010, 2011 and 2012 – alongside the host governments, the ASEAN secretariat, the Task Force on ASEAN Migrant Workers (regional coalition of CSOs), IOM and UN Women; the project also supported labour officers and youth to participate in the COMMIT process, facilitated the sharing of experience of VAMAS in establishing the association and developing the Code of Conduct with recruitment agencies in Thailand, Cambodia and Lao PDR and organized a mission for VGCL and VAMAS to Malaysia in order to meet with the Malaysian Trades Union Congress (MTUC), the Ministry of Labour, church groups, Malaysian Employer Federation (MEF), employers, Vietnamese Embassy and Vietnamese migrant workers.

3.1.3 Activities implemented in relation to Objective 3

To protect the rights of women and men migrants and potential migrants through increased access to support services.

Cambodia

- Three Migrant Worker Resource Centres (MRCs) have been established under the umbrella and management of three different partners; a training curriculum on Pre-Departure Orientation in Khmer language has been prepared; the provision of legal assistance has been organized in contracting the NGO LSCW, in supporting the National Union Alliance Chamber of Cambodia to facilitate access to justice and/or resolve disputes and the Provincial Departments of Labour and Vocational Training in Kampong Cham, Prey Veng and Battambang provinces to assist in handling migration-related complaints.

Lao PDR

- Three MRCs have been established under the umbrella and management of two different partners; the preparation of a pre-departure orientation manual has been initiated and a lawyer has been contracted to deal with potential cases of exploitation or abuse, though no cases involving migrant workers have been brought to his attention.

Malaysia

- Three MRCs have been established under the umbrella and management of MTUC and Tenaganita; “Peer leaders” have been trained; legal assistance has been provided by MRCs, by MTUC’s legal department, by Tenaganita or with the support of the Malaysian Bar Council. Malaysian MRCs handled direct referral cases from Vietnam and Cambodia related to labour disputes involving unlawful deduction and underpayment of wages.

Thailand

- Support services are provided through formal MRC type structures operating under different names (MRC, Labour Law Clinic, Drop in Centres, etc.) and other more ad hoc activities; outreach to migrant workers has been enhanced in cooperating with a Migrant

Workers' Radio in Chiang Mai and Mae Sot as well as with MTV Exit. Legal assistance has been provided through all channels and Thai authorities have been lobbied in cooperation with IOM, IRC and MAP to improve efforts to streamline access to justice for migrants.

Vietnam

- MRCS have been established in five provinces under the umbrella of the local Employment Service Centres (ESCs); pre-departure training is being promoted in the framework of the VAMAS Code of Conduct; the National Bar Association of Vietnam is being supported in developing new mechanisms to provide legal assistance.
- The promotion of safe and legal migration and of counselling services of ESCs and DOLAB

All activities implemented are appropriate to achieve the planned results and were planned by the project team.

3.1.4 Operational issues

Human Resources

The Chief Technical Advisor (CTA), the Technical Officer (TO) and the support staff were all on board in October 2010.

In October 2011, the CTA was selected as the ILO Senior Regional Migration Specialist for the Asia-Pacific region, but continued to manage the project until a new Project Coordinator was selected.

The National Project Coordinators (NPCs) for Cambodia, Lao PDR, Thailand and Vietnam were recruited at the end of 2010 and further support staff in the different countries joined the project on a part-time or full-time basis in 2011. The NPC for Malaysia was recruited in February 2012. The NPC for Lao PDR left the project to pursue studies abroad and was replaced in July 2012, leaving the project with a five months vacancy.

The project's TO was selected to become the TRIANGLE Senior Programme Officer / Project Coordinator in February 2012 and a new TO was formally recruited in June 2012, after an initial assignment under a five-months short-term contract.

Changes in management did not result in any major disruption of activities, though a number of activities were left pending in Lao PDR during the time when the NPC position was vacant.

A total of 202 International consultant man-days have been contracted until December 2012 (for a total budget of 103,450 AUS\$) of which:

- 10 days to provide technical comments on the draft Sub-Decree 190 (Cambodia)
- 23 days to provide detailed comments on the revised Employment Act in Lao PDR and chair the meeting of the Forum on Labour Trafficking alongside the TRIANGLE NPC in Cambodia
- 5 days to moderate an online discussion on AP MAGNET on public attitudes to migrant workers
- 26 days to conduct an assessment and put forward recommendations to enhance the capacity of the labour migration institutions in Cambodia, Lao PDR and Viet Nam
- 10 days to carry out a literature review of the materials available online on the situation of women and men from the GMS region going to work in China

- 8 days to provide a summary of the emigration procedures in the Philippines and to provide guidance to Cambodia and Lao PDR on simplification, in order to facilitate more legal migration
- 20 days to develop a draft set of OSH training materials for the Thai fishing sector based on international experience
- 75 days to develop a model pre-departure orientation curriculum for Cambodia, Lao PDR and Viet Nam
- 3 days to edit the video feature stories of TRIANGLE activities
- 19 days to edit the Thailand Migration Report 2011
- 3 days to provide inputs to a draft concept note on the extension of the TRIANGLE project to Myanmar
- A USD 4,000 contribution was also made to the consultancy costs of the evaluator of the UNIAP evaluation in 2012, an activity that was cost-shared by several agencies.

Headquarters support (ROAP/DWT and MIGRANT Geneva) has been provided particularly on issues related to the provision of technical comments on draft legislation in Thailand and Cambodia (Geneva (technical units and DIALOGUE) and ROAP/DWT specialists), technical advice and subsequent support on work in fishing (Geneva – Maritime Specialist), work with the trade unions (DWT), technical inputs to draft legislation and support in capacity building efforts in Malaysia and in ASEAN level activities (DWT), work on gender and domestic worker issues (DWT), etc.

The Senior Regional Migration Specialist continues to provide 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, organizing discussions and interviews, etc.

Overall, the project has been well managed and adequate support provided by ILO staff and contracted experts.

Premises

The main project office was established as planned in the ILO Regional Office for Asia and Pacific in June 2010. Country offices were established in the respective ILO and/or UN country offices and/or within governmental premises (e.g. in Lao PDR where the government provides office space as a contribution to the project).

3.1.5 Reporting during implementation

At the time of the present evaluation, the following reports have been produced by the project:

- Annual Report June 2010 – May 2011
- Project Update (December 2011)
- Quarterly briefing notes (per country)
- Report of the 7th SURAC meeting (December 2011)
- Annual Report June 2011 – May 2012
- Project Update (June 2012)
- Project Update (December 2012)

3.1.6 Follow-up and monitoring during implementation

Progress in implementation is monitored by the National Project Coordinators and the core team staff against the defined annual work plans and reported in the above mentioned reports, project updates and briefing notes. Overall, project implementation is on track and in-line with annual work plans agreed by all stakeholders.

The project produces a sex-disaggregated “Summary of Beneficiaries” showing the numbers of male and female beneficiaries broken down by type of intervention for each country. A table presenting the beneficiaries reached by each of the project partners is also available (selected details are provided in section 3.4).

Case studies documenting project interventions are attached to annual reports.

There is no methodical results measurement system in place and direct impact is not systematically monitored. The same comment applies for the wider impact of the project. The project however carried out baseline surveys (a quantitative study on knowledge and awareness on safe migration, on working conditions, etc.; on public attitudes to migrant workers; and a baseline desk review on policy and practice). This will enable the project team to measure progress at the end of the project.

During the MTE, the project developed a project performance plan which has been reviewed and commented by the evaluator (details are provided in section 3.4 under the heading “project monitoring plan”).

3.2 Programme design – relevance and strategic fit

The presentation of the following sections 3.2 – 3.8 is based on the evaluation questions provided in the Terms of Reference of the MTE (slightly edited in the Inception Report).

Consistency of the strategic approach of project with the ILO comparative advantages

The overall strategy of the project is based on supporting the development of legal, safe and orderly recruitment channels and improved labour protection mechanisms in order to “reduce the exploitation of labour migrants in the Greater Mekong Sub-region and Malaysia”. Governments, workers’ and employers’ organizations all have an essential role to play in the development of legal and safe recruitment channels and the improvement of labour protection mechanisms.

The ILO is the only tripartite organization of the UN and promotes “social dialogue and tripartism” as the appropriate methods for adapting the implementation of strategic objectives to the needs and circumstances of each country. Objectives 1 and 2 of TRIANGLE and the proposed strategy suggest the promotion of social dialogue and tripartism to make real changes.

The ILO also is a normative organization which can provide the assurance to governments that changes in national laws, rules and/or regulations are in line with international standards recognized by international conventions. Compared to NGOs or other possible policy advising organizations, the ILO has the capacity to provide policy advice and support to revision of laws in a completely impartial way; this is certainly known by most governments, but has not been highlighted in the project design. The different ministries interviewed during field visits have

confirmed this advantage and acknowledged ILO as a suitable partner to provide impartial and unbiased advice.

Additionally, ILO has the ability to develop and coordinate a regional approach in working both in sending and receiving countries, which offers the advantage to promote an efficient exchange of information as well as the cooperation between tripartite constituents on both sides.

Coherence of the project interventions with relevant national development plans (including Decent Work Country Programs) and national policies and action plans on relevant issues

TRIANGLE was designed to tie in with national development priorities and with the Decent Work Country Programmes. References to the Country Programme Outcomes (CPOs) were defined in the project design document: Malaysia CPO 827, Cambodia CPO 159, Thailand CPO 176, Lao PDR CPO 154 and Vietnam CPO 105 tying into Global Outcome 7 on Labour Migration, which is the primary Global Outcome to which the TRIANGLE project relates¹.

Annex H of the project design document provides an overview of migration issues and of the legal framework (labour laws and ratified international agreements) in the countries covered by the project and defines priorities identified by key stakeholders in each country. The baseline desk reviews also indicate how policies and practices in each of the countries measure against the principles and guidelines in the ILO Multilateral Framework on Labour Migration.

Country-specific policy recommendations were also provided in the same Annex H².

Recommendations have been largely followed in designing the project and/or adapted to new circumstances (e.g. in Cambodia, recommendations focussed on further developing Sub-Decree 57, which has been “replaced” by Sub-Decree 190 adopted by the government after project inception; the project therefore aimed at supporting the implementation of this new Sub-Decree 190. In Vietnam a new Labour Code has been adopted in 2012, a new Employment Law is under preparation and the Law on sending Vietnamese workers abroad is currently being revised. In Thailand the project has responded to the Ministry’s priorities to deal with critical issues in the fishing sector). These are developments which TRIANGLE has taken into consideration in providing support on legal issues and policies.

With regard to national development plans, the project has developed a coherent approach with the respective plans in each country where migration was specifically referred to, e.g.

- In Thailand the National Economic and Social Development Plan (2012-2016) drafted in 2011 refers to the “creation of regional economic partnership on human capital development, **labour migration** and support provision for Thai labour in foreign countries and promotes the accelerated cooperation on international labour standards, which the project is supporting. The development plan also mentions the prevention of illegal migration through closer cooperation with neighbouring countries.
- In Malaysia, the 10th Malaysia Plan (2011-2015) refers to a “closer coordination of government agencies to deal with immigration matters” which the project supported in promoting inter-agency dialogue.
- Lao PDR’s Socio-Economic Development Plan (2011-2015) does not refer to labour migration; Cambodia’s National Strategic Development Plan (2009-2013) only mentions

¹ All other references to CPOs are provided on page 40 of the project design document

² Analysis of National Legal and Policy Framework

labour migration as being a challenge; and Vietnam's Socio-Economic Development Plan (2006-2010) only suggests the development of an appropriate migration policy without further details.

Coherence of project objectives with partner government policies, programmes and priorities of workers' and employers' organisations and of civil society organisations.

Authorities met by the evaluator in all five countries have confirmed that the project is coherent with national policies and development plans, as well as with partner government policies and programmes, though with different sensitivities:

In **Cambodia**, the "Policy on Labour Migration" (June 2010) highlights the key issues and policy challenges the country has to deal with regarding cross-border movements of its workers. The project objectives are coherent with the objectives of the policy to ensure governance of labour migration as well as protection and empowerment of migrant workers. Furthermore, the DWCP provides the basis for the ILO's contribution to the Government's Rectangular Strategy for Growth, Employment, Equity and Efficiency and the National Strategic Development Framework.

In **Lao PDR** the Labour Law (amended in 2006) does not refer to migration and a real migration policy did not exist when TRIANGLE was launched. Migration was only referred to in an older Decree of the Prime Minister dating back to 2002. ILO assisted the government to draft the new "Employment Decree" in which migration is covered in a more comprehensive way. TRIANGLE continues to support the adoption of the new decree which would strengthen the legal framework on migration.

In **Vietnam** the main legal framework on migration is provided by the "Law on Sending Contract-Based Vietnamese Workers Abroad" adopted by the National Assembly in 2007 and due for revision in 2015. The objectives of TRIANGLE are coherent with this framework and the project has assisted the government in preparing several "circulars" and "decisions" falling under the framework. Prior to the revision of the law, the government intends to undertake a comprehensive evaluation of the law in order to define the scope of the revision; TRIANGLE support will be requested by MOLISA.

In **Malaysia**, the legal framework formally protects the regular migrant workers and TRIANGLE's objectives support the enforcement of the laws through the training of labour officers and services offered by the MRCs. The project has identified a number of policy advocacy priorities that would lead to greater protection in practice.

In **Thailand**, the focus has been placed on the fishing sector and on domestic work. TRIANGLE has provided an important input in supporting the preparation of the Ministerial Regulation on Work in Fishing and of a Code of Conduct which aims at strengthening the application of the law and policies in the fishing sector, as well as several other activities in this sector. The focus on the fishing sector resulted from increased international pressure, including the need for Thailand to respond to the United States' Trafficking in Persons (TIP) report rating Thailand on the Tier 2 Watch List and avoid further downgrading to Tier 3. The fishing sector was also the focus of an observation on Convention 29 on Forced Labour by the ILO Committee of Experts on the Application of Conventions and Recommendations. Support has also been provided for the preparation of the Ministerial Regulation on Domestic Work.

At the regional level, TRIANGLE was designed to further support the participation of labour ministries in the COMMIT process through which governments strengthen their cooperation in the Greater Mekong Sub-region, and to support the efforts of the ASEAN Committee on the

Implementation of the Declaration on the Protection and Promotion of the Rights of Migrant Workers signed in 2007.

Consistency of the project with ILO's Regional and Global Outcomes on Labour Migration and with the ILO Multilateral Framework on labour migration

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"* has also been 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 has 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"*
- *"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"*

Support and added value of the project to other relevant ILO projects and programmes in the region

TRIANGLE was designed with the intention to support other ILO projects and programmes in the region; considering its design and main objectives this mainly relates to:

- The Decent Work Country Programmes which provide the basis for ILO's contribution to governments national policies and programmes in which labour migration is usually covered, though with different priorities,
- The ILO-IPEC project which focuses on the elimination of child labour in the seafood processing sector, as well as
- The UN Inter-Agency Project (UNIAP) against Human Trafficking of which ILO is a member of the management board.

The project was furthermore designed to build on experiences and know-how gathered in previous projects, e.g. the EU funded "Going back-Moving on" project (Thailand/Philippines), and the project to Combat Trafficking in Children and Women (TICW) in GMS countries.

Support and contribution of the project to AusAID's strategic areas, priorities and Partnership with the ILO

AusAID does not have a strategy on labour migration as such; the strategy document "An effective Aid Program for Australia, Making a real difference – Delivering real results" updated in June 2012 does not have any specific reference to labour migration and/or labour exploitation.

Among the main goals and development objectives of Australia's Aid Programme, promoting opportunities for all, effective governance (for which enhancing justice and human rights for poor people is a main strategic goal) and empowering women to participate in the economy however are the key features to which the TRIANGLE project mostly relates.

The Partnership Agreement between the Australian Government and the ILO (2010-2015) implies that assistance provided by the Australian Government under the Agreement will support activities directed at promoting sustainable employment and decent work in the Asia-Pacific region and explicitly mentions Labour Migration Governance as one of the thematic areas to be included with the following wording: "*Under the Partnership Agreement, funding and technical assistance will be provided for programs to address the legal frameworks and enforcement mechanisms relating to labour migration and the promotion of viable alternatives and the labour market impact issues associated with labour migration in the Asia-Pacific region*".

The TRIANGLE project delivers on a number of partnership commitments outlined in the agreement, in particular the encouragement of tripartite constituents to be equal participants in labour, employment and social protection dialogue (shared objective 1 of the agreement), as well as the promotion of gender focussed activities.

The project design document clearly stipulates that TRIANGLE will cooperate with the national and local authorities, with the national networks of trade unions and NGOs working to protect the rights of migrant workers.

Activities and outcomes proposed are in line with the declared intention and contribute to AusAID's priorities and strategic areas.

3.3 Validity of design (logic and coherence)

Stakeholder participation in design

In order to prepare the TRIANGLE project, AusAID provided the ILO Sub-regional Office for East Asia with funds for a four month preparatory and design phase³. Consultations were held in each of the six countries (Cambodia, China, Lao PDR, Malaysia, Thailand and Vietnam) and included meetings with a broad range of stakeholders from government, civil society and international organizations. The objective of these meetings was to update the situation analysis, identify national priorities and needs, re-establish links with the major players, and build project ownership from the start. At the regional level, the Sixth Session of the Sub-regional Advisory Committee (SURAC) meeting was organized with tripartite constituents and other key stakeholders from the six countries to provide feedback on the project design and further develop the sectoral and regional strategies.

Consultations were also held with all of the major international organizations and projects working on regional migration and trafficking programmes and projects, including IOM, UNIFEM, UNODC, SEARCH, UNIAP, ARTIP, TF-AMW, World Vision, SCUK, etc.,

ILO programme officers, chief technical advisors and specialists – with expertise on migration, gender, international labour standards, workers’ and employers’ activities – provided inputs on regional and country-specific strategies, and sought to make links to their ongoing and future activities under the Decent Work Country Programmes and regional objectives.

All stakeholders having been involved since the design phase, it could be assumed that the project is widely supported by all parties in its current design⁴.

Intervention logic and consistency of objectives

In its design, the intervention logic tends to focus on:

- a tripartism approach which indeed aims at bringing together governments, workers’ and employers’ organizations to address the challenges in labour migration, and
- a rights-based approach based on international labour conventions and other agreements ratified by the different governments.

The three objectives of TRIANGLE are consistent with the overall objective to increase labour rights protection and promote decent work opportunities, the related outcomes for each objective similarly appear to be consistent, with however one weak point in the scope of activities proposed in relation to policy/advocacy. While the outcome is well defined (“*Advocacy campaigns among policy makers and public to influence improved recruitment and labour protection policies and practices*”), the limitation of activities to research, development of sex- and age-disaggregated data on migration trends for use in policy formulation, awareness campaigns and building relationships with media fall short of a more proactive engagement of the project towards the adoption of more adequate laws or regulations on labour migration. This is being addressed in the different country programmes, but at project level, a more targeted “policy/advocacy” plan setting milestones would have been an added value to the design.

Notwithstanding the above, the activities designed to achieve the objectives are largely consistent and adequate.

Clarity and logic of the objectives, adequacy with clearly identified needs.

³ TRIANGLE Design document (2009)

⁴ With the exception of China, where project implementation was delayed and eventually was not pursued due to the prioritization of activities and staff time in Myanmar.

The three objectives of TRIANGLE have been clearly stated and defined after a comprehensive problem analysis⁵ and country situation analysis⁶ made during the design phase.

The needs in each country have been clearly identified and mainly relate to i) the implementation and/or enforcement of policies and regulations, and ii) the lack of knowledge on migration issues in sending countries. The objectives are coherent with the needs and priorities identified.

Assumptions and risks

The risk matrix of TRIANGLE presented in Annex C of the project design document is adequate and presented with a realistic view. The analysis of assumptions and risks stands up to now, two years into implementation.

The development risk “governments not willing to allocate sufficient resources to protect migrant workers” is somewhat ambiguous; the willingness often exists, but the capacity to allocate financial resources (in particular in sending countries) can sometimes be a constraint due to multiple priorities. The lack of capacity and financial means of local government structures to sustain efforts and implement required actions has not been mentioned.

Lessons learnt during the design phase of the project

Lessons learned during the design phase are documented in Annex K of the project design document and mainly relate to previous experiences in ILO projects (e.g. the TICW project, the CP-TING project), best practices on migration issues in other countries (e.g. in the Philippines), stakeholders consultations on decent work, and more references to projects, events, documents and others which could be useful for the project and for labour migration in general.

From the perspective of this Mid-Term Evaluation, the main lesson learnt from the design phase is that a thorough project preparation, as has been the case for TRIANGLE, leads to a quality project description, with clear and realistic objectives and outcomes leading to a smooth and effective implementation of activities, which in turn should allow the expected results to be achieved.

3.4 Project progress and effectiveness

General overview of project progress

Since inception of the project, a large number of activities have been implemented in relation to all three main objectives. Work plans defined in each country have largely been respected and efforts to compensate for delays incurred in the early stages of implementation have been made. Field visits made by the evaluator (the full list of persons met is provided in Appendix 3) confirm the implementation of activities reported by the project, as well as a positive perception of their benefits, mainly at the institutional level.

Overall, the project is on track to achieve objectives 1 and 2:

- research work and surveys have provided adequate baseline data to develop informed strategies and allow impact measurement to be made,

⁵ See pages 8-14 of the project design document

⁶ See Annex H of the project design document

- advocacy campaigns have been launched, with the International Migrants Day in December 2012 being a major highlight which allowed to raise awareness on migration issues in all countries,
- support on legislation in the framework of tripartite approaches, which are not always easy to implement, has been provided and initiated interesting developments,
- trade unions have been stimulated to seek a higher degree of involvement in policy issues and in the protection of migrant workers,
- cooperation between trade unions in sending and receiving countries has been initiated,
- the framework under which recruiting agencies in sending countries operate is in process of being improved,
- training materials have been developed and training at various levels in all target groups has been provided.

With regard to objective 3, MRCs have been set up in all five countries under different management arrangements, but with the same objectives to reach out to migrant and potential migrant workers. Good progress has been made in certain locations (all MRCs in Cambodia, Thailand and Vietnam, Penang in Malaysia), but in the other locations the results are still weak. The evaluator acknowledges the fact that MRCs started from scratch and sometimes operate in sensitive environments, but action will need to be taken to improve the delivery of support services and the outreach to the migrant workers community in order to achieve a better impact. The project team is aware of the difficulties and corrective actions are already being considered.

Quantifying beneficiaries

The project keeps track of beneficiaries assisted on regular basis and presents the data by means of various tables in the annual reports.

The latest annual report presents the situation at the end of May 2012 and an update was made by the project in December 2012 (the numbers have to be considered in the light of the initial target of 20,000 beneficiaries suggested in the project design document):

Table 1: Summary of Beneficiaries Reached in Each Country (as of December 2012)

	Total beneficiaries	Male	Male %	Female	Female %	N/A
Cambodia	1,853	986	53%	867	47%	-
Lao PDR	245	206	84%	39	16%	-
Malaysia	1,927	-	-	50	-	1,877
Thailand	6,300	2,862	46%	3,329	54%	109
Vietnam	2,719	1,512	76%	473	24%	734
TOTAL	13,044	5,566	54%	4,758	46%	2,720

Note: Percentages reflect the gender breakdown for the beneficiaries for whom gender was recorded.

With 13,044 beneficiaries already “assisted” until December 2012, the target of 20,000 beneficiaries will most likely be exceeded as more interventions will take place during the

second half of the project, once all current and (possible) new MRCs will be in full operation and report data⁷.

The nature of assistance provided covers a wide range of interventions consisting of information and advisory services, counselling services (in person and/or by phone), training, legal assistance and exchange meetings (the complete breakdown is provided in Appendix 5). The provision of legal assistance, counselling services, information, etc. appears to be logical, but the fact that a migrant worker has joined a trade union (1,700 in Malaysia) is considered as having received assistance remains debatable. As defined in the project design document, joining a trade union is one of the criterion of a beneficiary, but this does not automatically imply that the workers joining trade unions are indeed better protected. Furthermore, adding up beneficiaries having received different kinds of services which all have a different potential impact does not sufficiently capture the impact of the project.

The following table reflects the capacity building activities up to December 2012:

Table 2: Summary of Public Officials Trained (as of December 2012)

	Male	Female	n/a	Total
Central and provincial level government officers trained in national-level workshops	219 58%	161 42%		380
District, commune and village-level leaders (and volunteers) trained in local-level workshops	1,705 74%	596 48%	127	2,428
TOTAL	1,924 72%	757 28%	127	2,808

Note: Percentages reflect the gender breakdown for the beneficiaries for whom gender was recorded.

Different methods in different countries

At the institutional level, the project has adapted activities to prevailing circumstances and requirements in a resourceful way, taking into account the priorities given by governments to the migration process. TRIANGLE has worked within the legal developments taking place in each country and provided capacity development support where it was needed, both at central and provincial levels, as shown in Table 2.

The approach to promote access to support services (Objective 3) has taken different routes: MRCs intended to be the main vehicle for the provision of support services have been set up under management of different structures (government, trade unions and civil society in Cambodia, government and trade unions in Lao PDR, government structures only in Vietnam,

⁷ In Lao PDR, the two MRCs under government management have not reported any data at the time of the evaluation. Updated data was also missing from Malaysia (MTUC and Tenaganita) as well as MAP in Thailand and Phu Tho DOLISA in Vietnam.

trade unions and civil society in Malaysia, trade unions and civil society in Thailand); different channels in providing legal assistance have also been selected and/or suggested.

Different conditions and environments indeed lead to different implementation mechanisms. While remaining consistent, the project has made best use of the existing environment and structures identified during the preparation phase expected to provide the most suitable set-up in each country. MRCs only having really been operational for a short period at the time of this evaluation, it would be premature to draw conclusions on what works best.

Cambodia offers an interesting mix of possible configurations with the three main options (government, trade union, NGO) being used. Initial developments tend to show that the NGO based MRC, due to the obvious commitment of the NGOs' management and staff is likely to come out as more adequate in terms of outreach in providing services to potential migrants. Migration abroad is not aggressively promoted by the Cambodian government, though it is a component of the National Employment policy. The National Employment Agency will need to respond to migration issues, but the focus will remain on domestic employment. It can therefore be expected that potential migrants, who also show reluctance to deal with official authorities, will be more receptive to NGO outreach activities. The CLC (trade union) MRC is mainly generating interest of unemployed workers looking at outbound migration after having lost their job. Migration is not formally part of CLC's statutes, considers the MRC as a temporary structure without long-term strategy, mainly due to the lack of funds to ensure its existence after the project funding has ended.

Outreach to the (potential) migrants is a key concern to maximize the dissemination of information. In this respect the choice made by the project in setting up the MRCS has not always been optimal. This in particular refers to the MRC in Savannakhet, **Lao PDR** which has had an insignificant number of visitors (32) and very few phone consultations (200+) months after it was set up. The location of the MRC in a non-pedestrian place is considered to be the reason for the lack of visitors and an alternative location (more expensive) has been proposed by the MRC management. Potential migrants mainly originate from remote country areas and it is unlikely that they will come to the city to visit the MRC, even in a better location; an alternative way to reach out in the communities needs to be considered.

In **Vietnam**, hosting the MRCs in the ESCs indeed appeared as the most adequate option providing outreach to a large number of potential migrants (ESCs estimate that 20% of job seekers are interested in working outside of Vietnam) and in line with the government policy to actively promote migration abroad. The MRCs established in the job centres are potentially sustainable and scalable, depending on the migration flows within the localities in which they operate.

Malaysia's set up through MTUC (trade union) and the NGO Tenaganita offers, like for Cambodia, an interesting testing ground to find out which channel works best. Both structures face the same difficulty of having to operate under cover in order to avoid endangering the migrant workers contractually not allowed to engage in any form of association. MTUC uses the channel of small NGOs and churches to reach out to the migrant workers community and Tenaganita states cooperating with MTUC in this challenging and sensitive environment. Both MTUC and Tenaganita declare being able to reach out to the migrant workers community in large numbers, but documented reporting is missing at the time of the evaluation, making it difficult to assess the actual performance (see section on performance control under 4.7).

In **Thailand** migrant workers have the right to join trade unions, but not to form any union-type association among themselves. The choice to work with the trade unions in setting up an MRC in Samuth Prakarn (a highly industrialised area) appears very rational. The project has furthermore supported existing structures already reaching out to migrant workers (e.g.

HRDF's Labour Law Clinic in Mae Sot, FAR's Drop In Centre in Rayong) while in parallel providing ad hoc support to other civil society organizations, of which there are many active in dealing with migrants in Thailand.

Value of the regional approach

The value of the regional approach is 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; to be a reliable dialogue partner with regional and sub-regional bodies and on GMS and ASEAN issues, given the knowledge of the situation within five countries; etc.

Participation of beneficiaries in the interventions

At the "Institutional" level, the project has provided a platform to involve all tripartite constituents and other stakeholders through various training activities, workshops and meetings. Project interventions are in line with other ILO initiatives on legislative issues and governments have generally been receptive to TRIANGLE.

Stakeholders have been active and taken up the challenge of developing work plans (e.g. the trade unions in the five countries) and implementing activities developed with the project. The implementing partners and the project management team have actively contributed in leading and organizing all the studies, workshops, seminars and others throughout the project.

Authorities at national and local levels, as well as other stakeholders have actively participated in capacity development activities.

In the field of "Direct Support" to migrant and potential migrant workers, beneficiaries have responded to all activities proposed by the project, but **the outreach remains in some cases weak** (e.g. as already mentioned, the outreach of the MRC in Savannakhet is extremely low and the same applies for Kuala Lumpur/Selangor in Malaysia) **and unclear** (no reported or unclear data in some locations), despite ambitious targets. In certain provinces (e.g. Rayong and Prey Veng), the project has supported an aligned and coordinated effort among local authorities, trade unions and NGOs to provide support services to migrants and potential migrants.

The unclear outreach applies to all MRCs for which reports and/or justifications are missing, in particular for **Malaysia**:

- The NGO Tenaganita contracted to operate the MRC in Johor has not been able to produce a detailed report until the week preceding the evaluation visit. The report indicates that 61 migrant workers have received direct assistance (defined as "cases" taken up by the NGO) and that 229 migrant workers have been reached directly and/or indirectly; no evidence is provided to justify the number of 229. These numbers relate to targets of 8.050 direct beneficiaries and 30.000 indirect beneficiaries (defined in the contract) Tenaganita intended to reach through 100 peer leaders. The exact number of peer leaders trained is not clearly stated in the report and from discussions with the NGO team, it appears that the training of peer leaders only focused on Nepalese migrants. The evaluator was able to meet five of them. Considering the recent resignation of the MRC coordinator, unless a replacement is recruited soon, further challenges are likely to be encountered.

- The lack of reporting also applies for the 2 MRCs operated by the trade union MTUC. In the case of Penang, evidence has been provided to the evaluator that planned activities are taking place, but precise numbers on the outreach to migrant workers were not provided. Migrant workers have started joining trade unions as a result of MRC awareness raising activities. As for Kuala Lumpur/Selangor, only legal cases supported by the MRC are documented. This activity seems to be the primary interest of the MRC Coordinator and outreach activities are not carried out.

Information on activities of any nature is also missing from the 2 MRCs in Champasak and Xaiyaboury (operated by government “Job centres”) in **Lao PDR**.

Have planned benefits been perceived to have been received by stakeholders?

Pre- and post-training tests have been conducted in some countries to gauge changes in understanding and evaluation forms for participants in activities have been collected, but assessing the perception of benefits received by stakeholders is a complex task for capacity building activities like training courses, workshops, providing tools and guidelines, etc.

TRIANGLE provided capacity building support at central and provincial levels to a large number of partners (the list is provided in Annex 8).

Overall, the evaluator’s visits to national and local authorities and interviews with several participants in the various seminars, workshops and study tours organized by the project allowed to perceive a real interest in the project and its activities.

Capacity building at the local level remains insufficient and the need for further support has been expressed on multiple occasions during the evaluation visits. This has been raised particularly in sending countries where the exact nature of further support however is not defined by the potential recipients. The TRIANGLE team is expected to come up with suggestions on further training that needs to be provided and has developed a plan which identifies training needs at all levels, following an assessment of institutional capacity in the 3 countries of origin. The plan however has not been submitted to the constituents for formal endorsement, but it does influence the workplans, which are endorsed by the PAC.

At the highest level of ministries where the project has provided support on legislative issues, the expertise of ILO has been well received and is considered to be very useful.

Benefits have also been taken on board by implementing partners through exposure to new tools and approaches of dealing with migration issues (e.g. sharing the Vietnamese experience of the approach leading to a code of conduct for recruiting agencies with other countries has brought a new impulse to the promotion of self-regulation in sending countries).

As far as final beneficiaries are concerned, the support provided through the project on legal cases has been well received, both in sending and receiving countries. Information provided to potential migrants in sending countries is said to be useful and provides the workers planning to work abroad with a more confident feeling⁸.

In receiving countries the migrant workers similarly acknowledge the value of information provided to them, but face difficulties to make best use of it in dealing with their problems (e.g. in Malaysia, MTUC suggests that the unions can provide support to defend the migrant workers’ rights, but work permits explicitly forbid the workers to join trade unions and/or any other type of association).

⁸ The evaluator did not meet potential migrants but this was mentioned by a Commune Committee visited in Vietnam, as well as by the trade unions in the three sending countries.

Project monitoring plan

The proposed monitoring arrangement was based on the M&E Framework (Annex A of the project design document) specifying “*who* will measure *what* and *when*” in tracking project performance and identifying constraints encountered during implementation.

The monitoring of activities and of project related developments is done differently from one country to another, though the reporting done to the main project office in Bangkok uses a standard format. The number of monitoring visits to MRCs is different from one NPC to another.

The regular monitoring of project activities is rather weak in Lao PDR where the local project office does not seem to have detailed information on what is happening in certain project locations (e.g. limited information on the achievements of the MRCs in Champasak and Xaiyaboury, inaccurate information on the outreach of the MRC in Savannakhet, imprecise knowledge of the developments related to the employment decree, etc.).

M&E is an important aspect of the project which needs to be reinforced in involving all project partners in monitoring activities and hence, taking ownership of achievements. The constant involvement of the NPCs in promoting M&E and showing presence in the field is of major importance.

In absence of an adequate performance monitoring plan in place, the project team has developed the performance matrix during the MTE which the evaluator has been able to largely verify during his field visits. Planned milestones for 2013 and 2014 have also been included in the matrix.

The performance matrix is presented hereafter.

GMS TRIANGLE Performance Plan

	Indicators	Baseline (2010)	End Target (2015)	Status (Actual Milestones)		Planned Milestones	
				Period 1 (2011)	Period 2 (2012)	Period 3 (2013)	Period 4 (2014)
Immediate Objective 1:							
	Extent to which national migration and labour laws and policies are coherent, gender-sensitive, and reflect the interests of the tripartite constituents	Review of the recruitment and labour protection laws, and migration policies (baseline desk review)	ILO inputs reflected in revisions to principal legislation and supporting regulations in Cambodia, Lao PDR and Vietnam; and improved regulations and policy measures to protect migrants in Thailand and Malaysia	Initiation work completed: Consultations held to provide multi-stakeholder input to ministerial regulations in Cambodia and Thailand (authorities confirm quality of ILO support)	Achieved: Training sessions delivered on international standards in five countries; Technical comments on draft ministerial regulations submitted in Cambodia and Thailand, ahead of adoption and acknowledged by authorities	Consultations and technical comments on draft regulations submitted in Lao PDR and Vietnam	Consultations and technical comments on draft revision to key legislation in Vietnam
Output 1.1:							
	Research and analysis supported by the project is quoted by the Government and tripartite constituents in policy formulation and evaluation exercises.	N/A	Project receives and responds to requests from the Government to provide inputs on relevant laws and policy documents	Completed: Policy advocacy priorities are identified and research and analysis is conducted		Policy advocacy priorities are revisited and research and analysis is conducted	

<p>Change in public opinion relating to the status of women and men migrant workers, and their right to fair treatment.</p>	<p>Findings of public attitudes research conducted in December 2010</p>	<p>Campaigns to promote positive image of migrants in line with their contribution are supported by government and social partners</p>	<p>Campaign launched in Thailand</p>	<p>Campaign in Thailand on-going</p>	<p>Campaign launched in Malaysia</p>	
<p>Output 1.2:</p>						
<p>Quality of roles assigned in national action plans for tripartite constituents and civil society, including women's groups.</p>	<p>Only Cambodia has an action plan on migration, and labour ministries have a limited role in anti-trafficking plans</p>	<p>Tripartite constituents and CSOs have a prominent and specific role in national action plans on migration management and anti-trafficking</p>		<p>On track: Project initiatives reflected in migration management and anti-trafficking action plans in 2 countries</p>	<p>Project activities reflected in migration management and anti-trafficking action plans in 3 countries</p>	<p>Project activities reflected in migration management and anti-trafficking action plans in 4 countries</p>
<p>Quality of engagement of tripartite constituents and migrants in interdisciplinary working groups on migration management and anti-trafficking at all levels.</p>	<p>Few spaces for social partners and CSOs to participate in working groups</p>	<p>Social partners are regular participants in policy dialogue; labour ministries play more active role in anti-trafficking working groups</p>	<p>Initiation work completed: Identification and/or establishment of working groups in which social partners should play a more active role</p>	<p>On track: Trade unions are empowered to play a more active role in migration working groups; initial consultations of trade unions and civil society have taken place in 3 countries</p>	<p>Labour ministries are empowered to play a more active role in anti-trafficking working groups</p>	<p>Working group chairpersons invite tripartite constituents to play more of a role</p>
<p>Immediate Objective 2:</p>						

	Quality of recruitment and labour protection services available are consistent with the standards set out in policy.	Significant gap between theory and practice	Demonstrated increase in the number of migrants that turn to government support services; and in the number of agencies and employers sanctioned	Training needs identified	On track: Training delivered to local authorities on relevant laws related to recruitment	Training delivered to labour officers in Thailand and Malaysia on the laws and application; Operational guidelines on emigration developed in Cambodia and Lao PDR	
Output 2.1:							
	Usage of complaints channels, and follow-up action taken against recruitment agencies.	Complaints mechanisms exist in theory, but too rarely used in practice; little transparency in the complaints data and sanctions issued	Variety of systems piloted to more effectively receive, record and respond to complaints		On track: Based on feedback from MRCs, improved understanding of the gaps in terms of access to effective complaints mechanisms and follow up	Plans to enhance complaints mechanisms endorsed by government and CSOs/TUs in three countries	Complaints mechanisms piloted in three countries
	The number of women and men that migrate through legal channels.	Baseline data on intended migration channels among potential migrants in target sites in Cambodia, Lao PDR and Vietnam	Endline survey shows increased proportion of potential migrants in target sites intending to use legal channels		Limited progress: legal channels get higher interest from potential migrants, but other constraints beyond project's	Assessment of project strategies to influence decision making (awareness raising and support	Replication of good practices in awareness raising and support services

					intervention scope still limit the options	services)	
Output 2.2:							
	Number of labour monitoring and inspection activities carried out in risk sectors by trained officials and partners, and the resulting number of women, men and children that are withdrawn or negotiate improved conditions.	Statistics not available. Significant gaps in the capacity of labour inspectors to carry out this role	Labour inspectors training modules and tools (e.g. operating guidelines) endorsed by Government in Thailand and Malaysia		Good progress: Labour inspectors trained in Malaysia and Thailand. Quality of training confirmed by beneficiaries; gaps in labour inspection systems identified and understood; additional training needs identified	Labour inspectors trained in Malaysia and Thailand, and strategy for enhancing their role proposed	
	Change in employers' application of relevant labour laws, as a result of training, information campaigns and social dialogue.	Varies: difficult to draw conclusions from across countries, sectors and/or size of enterprise	ECOT, MEF and NFAT endorse training materials on the law and good practice in the application of relevant laws, and examples of changes in practices documented		Good progress: Consultations on employer needs in Thailand (agriculture and fishing), and Malaysia (general)	Training materials developed and training delivered to employers in Thailand and Malaysia	

Output 2.3:							
	Number of joint activities carried out among constituent groups in different countries.	Some government cooperation, but limited cooperation between social partners	3 MOUs signed between trade unions in the region, and positively evaluated by both parties; and recruitment agency associations adopt good practices from each other		Good progress: Trade Union Action Plans developed in 5 countries; information shared among recruitment agencies in 3 countries	3 MOUs drafted between trade unions	3 trade union MOUs signed, and activities monitored; Recruitment agency Codes of Conduct assessed
	Extent to which ASEAN and COMMIT SPA reports make reference to the project activities in contributing to regional objectives on recruitment and labour protection of migrants.	N/A	ASEAN SLOM minutes and COMMIT SPA reports refer to TRIANGLE activities	COMMIT reports appropriately reflect the project's contribution	Good progress: COMMIT reports appropriately reflect the project's contribution	SLOM minutes and COMMIT reports appropriately reflect the project's contribution	SLOM minutes appropriately reflect the project's contribution
Immediate Objective 3:							

	<p>Numbers of migrant women and men seeking and receiving advice and support through government and NGOs</p>	<p>Baseline survey in destination: Proportion of respondents that did not complain because (a) they did not know where to complain (19% in Malaysia; 11% in Thailand); (b) they did not want to cause trouble (24% in Malaysia, 23% in Thailand); and (c) they did not believe complaining would change anything (12% in Malaysia) Baseline survey in origin: Proportion of respondents that were not aware of any support services: 59% in Cambodia,...</p>	<p>Endline survey shows increased knowledge of the support services available (including the MRC), and willingness of migrants to use support services (including the MRC), with figures disaggregated by sex</p>		<p>Good progress with mixed results: MRCs running in five countries, with limited outreach in several locations</p>	<p>Assessment of MRC role in provision of support services, documentation of good practices and adaptation of strategy where necessary</p>	<p>Replication of good practices in the delivery of support services</p>
<p>Output 3.1:</p>							

	<p>Women and men's safe migration and rights awareness levels.</p>	<p>Baseline survey findings on knowledge and awareness (multiple questions)</p>	<p>Endline survey shows increased knowledge and awareness in sending areas; 10,000 beneficiaries have received counselling on safe migration and rights at work, with figures disaggregated by sex</p>		<p>On track: Awareness raising materials developed and disseminated</p>	<p>Assessment of awareness raising materials, documentation of good practices and adaptation of strategy where necessary; 5,000 beneficiaries have received counselling</p>	<p>Replication of good practices in awareness raising</p>
	<p>Proportion of migrants in selected risk sectors or high-risk geographical areas that consider themselves members of a migrant association or trade union</p>	<p>Baseline surveys showed that 10% of respondents in Thailand had joined a trade union or migrant association; and 10% in Malaysia participated in trade union activities, and 11% in migrant association activities</p>	<p>Endline survey shows increased proportion of migrants members of unions or associations, and more refer to unions as a source of information on labour rights; 5,000 migrants will have joined trade unions or migrant associations, with figures disaggregated by sex</p>		<p>On track: Development of strategies for organizing and forming migrant associations / labour exchanges</p>	<p>Assessment of organizing strategy documentation of good practices and adaptation / conduct training where necessary; 2,500 beneficiaries have joined trade unions or associations</p>	<p>Replication of good practices in organizing</p>
<p>Output 3.2:</p>							

	Number of women and men migrants that are withdrawn from exploitative conditions, or are in the process of exiting exploitation, as a result of project-related legal assistance.	N/A	10,000 beneficiaries have received legal assistance in countries of origin and destination, with figures disaggregated by sex		<i>On track:</i> 3,000 beneficiaries have received good quality legal assistance; <i>quality of services provided confirmed by migrant workers</i>	Assessment of the provision of legal assistance, documentation of good practices and adaptation of strategy where necessary; 5,000 beneficiaries have received legal assistance	Replication of good practices in the provision of legal assistance; 7,500 beneficiaries have received legal assistance
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3.5 Gender equality and promotion

General comment

The project was designed with a gender sensitive approach distinctively described in the project design document (Chapter 3, pages 20-21). Gender was mainstreamed within the overall objectives and outputs; for example, the project objective on strengthening the policy and legislative framework specifically mentions the need to reflect gender-specific concerns; and outputs highlight the need to respond to specific concerns of both male and female migrant workers.

Activities have been implemented in accordance with this approach, e.g. in analysing policies with specific gender issues in mind, in focussing on sectors in which women (e.g. domestic workers) or men (e.g. fishermen, construction workers) are the most vulnerable.

Domestic workers have been given particular attention in Malaysia (direct support provided by Tenaganita on rescue operations and legal support to Cambodian domestic workers) and Thailand (the project supported the creation of the first National Domestic Workers Association and organized workshops to prepare technical comments during the process of preparing the Ministerial Regulation on Domestic Work, adopted in November 2012).

In Thailand, male migrant workers predominantly benefit from project interventions in the fishing industry.

During capacity development activities, equal participation of men and women has been actively encouraged by the project, and communicated to implementing partners.

Effectiveness of the project in mainstreaming gender and in responding to gender-specific aspects of migration management and the protection of migrant workers

The project has been able to tailor responses, reporting and monitoring to substantiate the commitment to a gender-sensitive approach. Importantly, TRIANGLE has highlighted the importance of sex-disaggregated statistics within baseline research and implementing partner reporting, to ensure that the impact of the project on male and female migrant workers will be quantifiable at all stages of the project.

The project has ensured that the benefits of the project equally reach out to male and female migrant workers. This has allowed making adjustments to project activities when inequitable results were identified, in particular at the level of the MRCs. For example, in several of the outreach activities held by the MRCs, a disproportionate number of men were being reached, meaning that the approach, timing or design of the outreach activities needed to be reconsidered, or supplemented by additional outreach that was able to reach more women.

The “reality” of the migration population however has not always made it possible to reach an equal balance. This is for example the case in Vietnam where the migrant population consists of 80% men and 20% women; MRCs have provided services to 77% men and 23% women which reflects roughly the actual configuration of migrants.

Contribution of gender-specific aspects of the project to outcomes for male and female migrant workers

TRIANGLE’s approach to gender issues recognises the different workplaces that are dominated by men and by women. Gender-specific needs are being addressed in different ways, e.g. in the training materials on pre-departure, particular attention is paid to addressing the different needs of male and female migrant workers. Discussions of risk awareness and dangers that can

befall migrant workers is tailored to the typical experiences of women and men. Where baseline studies have shown differing levels of understanding on contracts and how to seek assistance, for example, gender-specific lessons are included to address these differences.

Domestic work has been a main focus of the project in addressing needs of female migrant workers. In Thailand, the recently adopted Ministerial Regulation on Domestic Work, which the project has supported, provides better working conditions and protection to domestic workers in entitling them to a weekly rest day, sick leave and paid holidays. The project has also supported the creation of a Domestic Workers' Network.

In the fishing sector the promotion of legislation in line with ILO Convention 188 on Work in Fishing, the development of guidelines for labour inspectors and other regulatory bodies, as well as training on occupational safety and health directly benefits male migrant workers.

Attempts of the project address broader gender inequalities.

The project has promoted equal gender balances in working groups and/or committees designing interventions and policies with the aim to prevent potential gender inequalities. Gender balances have also been encouraged in all capacity development activities (workshops, seminars) with a special focus on activities at provincial or local level, where men represent the majority of participants. In order to address this, the project promotes 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).

The proportion of men and women participating in capacity development activities at the local levels reflects the dominant position of men in village/commune management authorities; further campaigning of the project for a more intensive participation of women and exploring ways to make women more participatory in workshops will contribute to a better involvement of women in policy discussions.

In work with trade union partners, trade unions are urged to consider gender issues when developing action plans to support migrant workers, using a sector-based approach. In supporting efforts to improve health and safety and working with employers' organisations in Thailand, TRIANGLE and the Employers' Confederation of Thailand (ECOT) insisted on a gender balance on the committee designing interventions and advocacy strategies. The TRIANGLE project is also considering ways to ensure equal participation in monitoring and evaluation systems designed to assess compliance with the Code of Conduct.

In Cambodia, working cooperatively with partners that are advocating for ratification of Convention 189 and providing gender-sensitive input into legislative and bilateral agreements are key TRIANGLE activities.

Collection and use of sex-disaggregated data in the project & monitoring the gender aspect of the project

Baseline research and data collection has been made on sex-disaggregated basis and reported as such, in pointing out gender related vulnerabilities already identified from previous projects.

The project however is dependent on data reported by the implementing partners who have not always provided the information in the requested format.

As can be seen from the overview of beneficiaries assisted until December 2012 (see Table 1, section 4.4), about 20% of beneficiaries remain "unspecified". The project team continuously encourages partners to disaggregate data and implementing partners who have not done so yet at the time of the evaluation, declared their intention and willingness to do so in the future.

Contribution of the project to the broader gender equality strategies and priorities of the ILO and of AusAID

AusAID's gender equality and women's empowerment strategy is based on four pillars and a number of strategic goals to which the project provides a valuable contribution, e.g. in promoting the participation of women in policy formulation and decision-making processes (government officials have been taught to improve their knowledge on specific gender related issues), in promoting safety and security issues (OSH training workshops addressing specific concerns of female workers), in working with civil society organizations focussing on the protection of women's rights (e.g. HomeNet in Thailand, Tenaganita in Malaysia).

The TRIANGLE project also contributes to ILO's Gender Equality Action Plan 2010-15, in systematically analysing the specific needs of both women and men and targeting interventions to enable women and men to participate and benefit equally from development efforts, which are the two pillars of ILO's approach of gender mainstreaming. Evidence shows that development outcomes are greater when women are given educational and employment opportunities and this trend likely extends to the opportunities offered to women through migrant work. Various sources see gender also having an impact on remittances – women tend to send larger proportions of their incomes, more regularly, but women migrant workers are very vulnerable. Migrant work is one of the greatest factors currently empowering women to participate in the economy and changing traditional gender roles. TRIANGLE has identified domestic work as a priority area, as migrant women in this sector are particularly vulnerable to abuse.

3.6 Efficiency of resource use

Operational work planning and management of the budget

A detailed analysis of expenditures versus budget has not been undertaken during this mid-term evaluation. The project team has provided the evaluator with the budget situation on 18 December 2012, from which it appears that a shift in project personnel costs has taken place from 2010/2011 to 2012, mainly as a result from changes in the core team and the late recruitment of a NPC in Malaysia.

Expenditures on the budget lines "Sub-contracts" and "training" have been shifted accordingly due to a later opening of MRCs than originally foreseen in the budget. Rather than relating this to delays, the original budget may have been somewhat wrongly designed in splitting expenditures equally over the years.

The operational planning of the project is made by means of successive annual work plans in which activities are agreed between all stakeholders and corresponding budgets defined.

Budgeted resources have been correctly managed according to ILO procedures; corrective actions have been taken when required (e.g. the inappropriate use of funds to deal with legal cases not related to migration issues in the MRC Savannakhet in Lao PDR has been stopped).

Cooperation and/or coordination with other ILO projects, inter-agency initiatives, with tripartite constituents and NGO partners at national, provincial, district, and community level, etc. to leverage resources

In order to capitalize on resources, a project should always have the ultimate objective of being a catalyst in bringing about change in the environment in which it is being implemented. Close co-ordination on the ground therefore is the most efficient way of ensuring consistency, coherence and complementarities between interventions, resources and results.

In order to implement the TRIANGLE project, the team worked with and through the following 21 key implementing partners⁹ to provide services to (potential) migrant workers and their families (the list is provided in Appendix 8)

While working with the different partners individually, the project has been able to develop cooperation between all stakeholders involved in each country in order to mainstream efforts to achieve better results. Implementing partners in Thailand however expressed the need for more networking initiatives by the project in addition to the regular SURAC meetings and the TRIANGLE Network meeting of October 2012.

On regional basis, trade unions have shared experiences during trade union workshops organized by the project and agreed to strengthen their relationship and cooperation leading to a possible cooperation in the framework of bilateral MoUs (e.g. LFTU in Lao PDR with the trade unions (LCT, NCPE and TTUC) in Thailand, VGCL in Vietnam with MTUC in Malaysia). A VGCL delegation made a study visit to Malaysia with the financial support of the project and under the technical assistance of the Workers' Specialist and discussed with MTUC about the MOU. After the study visit, the VGCL leaders have committed to have a MOU signed with MTUC. To improve the bilateral cooperation, VGCL had invited a representative of MTUC to its workshops held in Hanoi and Thang Hoa, respectively.

The excellent level of cooperation between stakeholders has not only been possible thanks to the established relationship of ILO with state authorities and other stakeholders, but also thanks to the commitment of all parties to achieve meaningful results through the project. This has been (and still is) of particular importance and value in the receiving countries Thailand and Malaysia where the protection of migrant workers remains a sensitive matter linked to security issues.

The project team has also established links with other projects supporting the above organisations in order to coordinate efforts and leverage resources (e.g.: in Vietnam IOM, UN Women and TRIANGLE all work with DOLAB as the main partner; IOM's MRC set up in the premises of DOLAB has been defined as a possible resource centre for ILO's MRCs; the TRIANGLE project suggested a closer cooperation with UN Women on the development of the pre-departure curricula - in Lao PDR World Vision is being invited to support dissemination activities at the grassroots level). Similarly, TRIANGLE's delivery of support services through the MRCs has raised the interest of similar initiatives (e.g. in Cambodia, Winrock is considering taking over the MRC model and using the project's MRC Operations Manual to develop their "information kiosks").

Flexibility of the project and adaptation to changing needs

As already stated in section 3.2 the project has adapted the activities proposed to support legal reforms to the on-going process of reform in each country. The needs have not really changed since the project was designed despite the fact that in some countries governments already have taken initiatives to improve the legal framework of migration.

Capacity development needs at all levels have remained unchanged and the initial plans of TRIANGLE did not require any adaptation. The need to reach out to more potential migrants similarly remains unchanged, but due to the partly ineffective operation of some of the established MRCs, adjustments to the outreach activities will have to be made (this will be further elaborated in the recommendations).

⁹ This does not include the three PDOLVTs in Cambodia which had a smaller set of activities compared to other partners.

Lessons learnt and/or possible good practices related to efficiency noteworthy of documentation for knowledge sharing purposes.

The positive lessons learnt undoubtedly relate to the preparation and design of the project, to the involvement and commitment of all partners, as well as to the flexibility of the project to adapt to changing needs as stated above (lessons learnt and good practices are further elaborated in sections 4.2 and 4.3).

Weaknesses remain in outreach at the grassroots level in certain places, in the monitoring of activities with a view to report on results/achievements and develop a higher degree of ownership among authorities and partners.

The need for additional capacity building and study tours has often been suggested by government officials at national, regional and local levels; the exact nature of the deficient capacity however remains undefined and projects/donors are expected to come up with ideas/proposals. This is typical in countries like Cambodia, Lao PDR and to a lesser extent Vietnam, where capacity development has been provided by multiple donors/projects for many years without substantial impact; reasons are often to be found in the turnover of government employees, but also in the lack of ownership of training initiatives from the beneficiaries' side, despite the fact that training activities are approved through the PAC work plans process.

The same comments largely apply to study tours, but in the particular case of labour migration, a better exposure to the migration policies and structures in the Philippines would be very beneficial to all stakeholders involved in migration issues. The planned study visit for CLMV countries to the Philippines under the ASEAN-TRIANGLE project will therefore be of great interest.

3.7 Effectiveness of management arrangements

General comment

The human resource set up of the project is adequate, but implies an important work load for all team members to cover all activities and deal with all duties deriving from their respective responsibilities.

A number of positive factors have contributed to the successful delivery of activities, in particular the commitment of the project team and of most project partners, the recognition of ILO's backing, as well as the close cooperation between authorities (national, provincial, local), trade unions, industry actors and NGOs in all countries.

The project management team deserves a special mention in respect of the quality of their input as well as for the time they have allocated to cover all their duties. Some additional efforts are needed in Lao PDR to better monitor project activities and performance of implementing partners.

The inputs provided by ILO technical experts of the Decent Work Team, by the Senior Regional Migration Specialist and by headquarters in Geneva have been efficient and well received by all parties involved. Government authorities in all countries value the professional and impartial support provided by ILO.

Implementing partners have generally been efficient, though weaknesses of different nature will need to be addressed, in particular in Malaysia and Lao PDR.

Performance control

The five project offices as well as the projects' head office in Bangkok track implementation by means of a regular follow-up of activities implemented by partners and/or consultants recruited to undertake specific assignments; ILO's monitoring framework for results requiring projects to monitor performance against indicators related to objectives could have resulted in a better measurement of results.

Reporting is activity based and does not present a comprehensive analysis of the direct and indirect impact of outcomes and results.

Service contracts have generally been adequately managed and the outputs produced by these contracts match expectations and planned outputs indicated in the Terms of Reference. The following contracts nevertheless are seen to be problematic:

- MRC Johor (Tenaganita): deficient reporting on the outreach to migrant workers – focus on Nepalese workers instead of GMS workers - resignation of MRC coordinator in December 2012 and slow process in filling vacancy
- MRC Kuala Lumpur/Selangor (MTUC): lack of activity and ineffective performance of MRC coordinator to conduct outreach and report on activities – limited commitment of MTUC to support the MRC
- MRC Penang (MTUC) : deficient reporting on the outreach to migrant workers
- MRC Savannakhet (LFTU): poor outreach to potential migrants
- MRCs Champansak and Xaiyaboury (MOLSW): no information available.

The financial management and follow-up of projects has been adequately dealt with, both in terms of procedures as well as in terms of day-to-day control. Delays in transferring funds to several partners at the end of 2012 have been brought to the attention of the evaluator by several implementing partners; the reasons for these delays have not been further investigated and most likely relate to the late or inadequate submission of financial reports by implementing partners. The project needs to help implementing partners improve their capacity to submit financial reports in line with ILO requirements in order to avoid delays in payments to sometimes financially weak partners often quickly facing cash-flow difficulties.

Reported data is collected at regular intervals and updated for the production of quarterly briefing notes and annual reports. Data is mostly disaggregated by sex and verified by the project team on basis of evidence provided by implementing partners (e.g. attendance records at workshops, files of legal cases, beneficiary cards and/or lists, etc.).

Management of personnel

The project faced several changes in personnel both in the core team as in the field offices.

The transition from the initial CTA to the current project coordinator and subsequent changes in the Technical Officer position have been well managed and did not create any disruption in implementation.

At the field level, the National Project Coordinators (NPCs) play an important role in making sure that all activities are being implemented and their presence on the ground is of prime importance. Vacancies created by the departure and/or temporary absence (maternity leave) of NPCs have been adequately managed and alternative arrangements have been made in seeking the most suitable arrangements.

All members of the project team have acquired the necessary background to perform their duties; several NPCs had prior experience with ILO and/or background in migration issues and therefore were able to take up their responsibilities in a speedy way.

The gender balance in the team is well respected.

Strategic use of coordination and collaboration with other ILO projects and with other donor's projects in project countries

The team of the TRIANGLE project has taken the necessary steps to cooperate with other ILO and other donors' projects/initiatives in all countries. Regular exchanges of information take place both on bilateral basis as well as in the framework of more formal coordination meetings between agencies.

A few examples illustrating cooperation on specific activities and/or events are:

- In Vietnam, the project and IOM jointly organized a workshop on International Migrants Day to promote safe labour migration and introduce services available to migrant workers;
- In Vietnam, ILO, IOM and UN Women all work with the same government partner (DOLAB) and therefore regularly exchange information on progress;
- In Cambodia, a National Parliamentary Workshop on Promotion and Protection the Rights of Migrant Workers was organized jointly with UN Women, UNIAP, IOM and UNODC to bring together all relevant stakeholders to discuss progress and challenges in the promotion and protection of migrant workers' rights;
- In Thailand, the project has coordinated activities in the Fishing sector with IPEC project, whereby TRIANGLE deals with the "sea" related issues and IPEC with the "land" related issues;
- The project is cooperating with IOM and IRC to promote access to justice for migrant workers among Thai authorities.

Risk Management

As already mentioned the risk matrix of TRIANGLE presented in Annex C of the project design document was very adequate and presented with a realistic view. The analysis of assumptions and risks stands up to now.

Risks identified at the project outset have not affected project implementation until now but remain pertinent. One anticipated management risk ("*changes of stakeholder representatives*") is likely to affect the project in Malaysia with the forthcoming changes in personnel in the international relations department of the Ministry of Human Resources, which might slow down the collaboration developed until now. Special attention will need to be given by the project team to ensure continuity in demonstrating the benefits of the activities to the newcomers.

Quality of information management and reporting

The communication and information approach of the project has been adequately developed since the inception of the programme.

Major milestones and project outputs have been reported and disseminated on ILO's website. Media coverage is reported in the annual progress reports (Annex F. Visibility Report in last edition). In addition, press releases and a Facebook page inform larger audiences about developments in the project. The support of MTV Exit offers the potential to reach out to migrant workers as well as to larger audiences.

Stakeholders are regularly informed by means of the reports listed in section 3.1.5 as well as on the occasion of meetings of the PAC and Sub-Regional Advisory Committee (SURAC).

3.8 Impact orientation and sustainability

Impact measurement

There is no measurement mechanism in place which could deliver key information on impact during implementation. Baseline surveys have been prepared but how they will be used to measure impact remains to be defined.

This applies both to the project in terms of overall impact, as to the individual activities carried out by the implementing partners who typically do not have an impact measurement routine as part of their operations; this particularly applies to NGOs.

This, in combination with the fact that many activities have not yet had time to generate the expected outputs (e.g. MRCs are not fully operational in all locations and training has not been delivered to all of them, capacity building activities are still ongoing, etc.) makes it difficult to assess what the ultimate impact of the project will be.

Likely impacts of the project

At the policy/legislative level, the project is providing support to governments in revising existing labour laws and regulations or in defining new ones aiming at improving the legal framework in line with national policies and priorities. The reinforcement of tripartite cooperation and advocacy efforts of the project are likely to reduce labour exploitation. In how far the project will be able to make a significant contribution to long-term effects of better policies however is unrealistic to measure. The TRIANGLE project and ILO's involvement with governments and tripartite constituents beyond the project secures a better alignment of national policies with international conventions, but the implementation of laws and regulations remains outside the project's direct responsibility. ILO's DWCPs will remain and can influence further developments. Also, when countries have ratified conventions, the ILO supervisory mechanism (CEACR) seeks to promote compliance. Complaints mechanisms put in place are also expected to contribute to a better implementation of laws and regulations.

The **practical tools** developed by the project (e.g. Code of Conducts, Good Labour Practice Guidelines, Training modules on OSH, pre-departure training materials) are likely to produce a direct impact if their use is extensively promoted, or even better enforced. It would however be unrealistic to overestimate the impact at short notice (e.g. the promotion of OSH in the Thai fishing industry is not an easy approach and faces a rather strong degree of resistance; once approved by the fishing sector through its federation (NFAT), implementation will largely depend i) on incentives for employers if implementation is on voluntary basis or ii) on inspection possibilities if implementation becomes mandatory).

Capacity development activities (training, workshops) implemented by the project are necessary to facilitate understanding of laws, regulations and practices, and hence promote implementation, but face a lack of knowledge management in benefiting organizations. This is not unique to the TRIANGLE project and has been a concern of most development and cooperation projects around the world. Basic knowledge management tools and techniques which the project could promote include setting up IT or non-IT based libraries, suggesting the formal nomination of a staff member in receiving organizations to be the "knowledge manager", who could develop learning reviews or IT based Knowledge Bases, blogs or search tools offering access to all staff to resources provided through capacity development activities.

Direct support to migrant workers facing difficult situations in receiving countries is where short-term impact can be clearly identified (e.g. provision of legal support to protect migrant workers' rights). Longer-term impact will result from the provision of pre-departure information to potential migrant workers (pre-departure training, safety information, emergency contacts, networks, promotion of legal migration channels) and the promotion of joined initiatives among already established migrant workers in receiving countries

(association building, union memberships). In this respect the MRCs established by the project have an important role to play.

Sustainability Plan

The project has two and half more years to go, and the important question of “what is an effective and realistic sustainability plan for the project?” should already be raised now.

At **Institutional level**, the project has produced tools and delivered outputs, such as increased capabilities of national/local authorities. Research work undertaken has brought new ideas for policy considerations and also enhanced the attention and priority given to migration. The project furthermore initiated and encouraged new approaches in having Letters and/or Memoranda of Understanding/Agreement signed, Multi Stakeholders Groups set up, Technical Working Groups established, Action Plans developed and joint initiatives undertaken in bringing together tripartite constituents, and civil society. This has already allowed demonstrating new mechanisms which are likely to inspire officials and civil society to closely cooperate in the future and further develop tripartite consultative models.

What the project needs to consider is whether there is a plan in place for national, regional and local government as well as other implementing partners to carry forward its results. Are all constituents able, willing and committed to continue with the process initiated by the project? How effectively has the project built national ownership and capacity? Has the project successfully built or strengthened an enabling environment (laws, policies, technical capacities, people’s attitudes, etc.). Answers to these questions should help the project team to define priorities for the remaining implementation time and prepare an adequate sustainability plan.

In the field of **Direct Support**, legal support, counselling services and training have directly provided benefits to the 13,044 recipients reported by the project. This number indeed looks promising in comparison with the target of 20,000 beneficiaries, but remains small in relation to the (unknown) number of exploited and/or abused potential and established migrant workers. Direct support however is an essential tool to influence policies and the development of regulations in parallel with other mechanisms aiming at influencing policy improvements.

It has already been mentioned that the approach needs to be adjusted in some locations to increase the outreach to the migrant population; this should consider targeting a much wider audience during and after closure of the project. This will imply a well-prepared hand-over and sustainability plan to be defined including, among others, more creative linkages and solutions for sustainability looking beyond traditional partnerships (e.g. NGOs with trade unions as already existing in Malaysia and Cambodia) or more NGO and trade union joint involvement in policy developments.

4 Conclusions

4.1 Conclusions

Overall, the project is on track in implementing planned activities, in facilitating a tripartite approach in reviewing policies and legislation, in developing tools and providing training for the different target groups, in reaching out to potential migrants and migrants to whom information, counselling services and legal support are provided.

National, regional and local authorities, trade unions and employer's organizations, as well as civil society organizations are intensively being mobilized to contribute to the project objectives and improve the status of migrant workers.

The overview of key achievements in all countries (section 3.1) confirms that important results have been achieved in all areas, but that there is **room for improvement** as can be deduced from the effectiveness assessment (section 3.4) and comments on impact orientation and sustainability (section 3.8).

Resources are being used in an efficient way (section 3.6), gender issues are correctly being addressed (section 3.5) and management arrangements (section 3.7) need some temporary remedial action to counterbalance local management weaknesses.

The evaluation has allowed identifying where improvements can be made, but also areas providing the basis for lessons learned and good practices.

4.2 Lessons Learned

The main global lessons learned from project implementation identified by the evaluator and confirmed during the various meetings and field visits are the following:

1. Involving implementing partners at the project design stage leads to realistic approaches and ownership of a project. Government buy-in is particularly important to achieve impact and ensure longer-term sustainability. Without commitment of the government (at all levels) the civil society and/or trade unions can only provide marginal support.
2. Direct support services (e.g. supporting legal cases) are useful and provide an immediate direct impact on the beneficiaries; while at the same time providing experience and evidence to influence policy discussions and capacity building tools, potentially leading to a more favorable environment for migrant workers.
3. ILO's support is vital for promoting the tripartite approach and the involvement of trade unions and civil society in migration related issues, in particular in policy discussions.
4. More investment is required in building the capacity of partners at local levels – in terms of the tailoring the course content, following up on the use of the training, and conducting refresher training.
5. Many of the implementing partners require more backstopping and capacity building than expected. Regular coaching from National Project Coordinators, repeat training and material development is essential to ensuring that they are able to provide quality support services and submit reports in line with project requirements. Even some of the partners that are providing good support services struggle to document their efforts in a detailed and timely manner. In some cases, training on preparing financial reports is required for the staff of implementing partners.

6. The services provided through the MRCs in the job centres (in all three sending countries) are potentially sustainable and scalable. There is evidence from Cambodia and Vietnam that a significant number of job-seekers visiting the job centres are interested in cross-border labour migration.
7. Self-regulation tools allow industry associations (e.g. the National Fisheries Association of Thailand, as well as the recruitment agency associations in Vietnam and Cambodia) to raise the bar – particularly in the absence of tight legislation or monitoring – and demonstrate the commitment of good actors within these industries.
8. Migrants and potential migrants are sometimes unwilling to visit the MRCs run by government partners – especially if they are considering irregular migration or migrated through irregular channels. The concept of service provision is unfamiliar in many cases – from both the perspective of the migrant and the service provider. Peer-to-peer learning is most effective means of reaching potential migrants and migrant workers. However, peer leaders need support to ensure quality and accuracy of messages; and the reach of this strategy should be monitored.
9. Simply delivering practical messages on knowledge of safe migration and rights at work is insufficient. In order for a worker to use this knowledge, they need to understand the broader concepts of “rights”, “solidarity”, “service provision”, etc. In addition, knowledge needs to be taught with communication skills, as a knowledgeable worker is often a less attractive prospect for an employer, and raising issues with the employer can make them more vulnerable. The literacy level of migrants and potential migrants is also a major concern in the development of information and pre-departure training materials.
10. Even after receiving counseling at the MRCs, some migrants will still use irregular channels to migrate because of the complexity and delays in processing documents, and the costs. (e.g. the MRC in Battambang followed up with 125 beneficiaries: 30 decided to migrate to Thailand (18 legally; 12 illegally); 45 no longer want to migrate because of risk; and 50 could not be contacted. Assistance at MRCs needs to be practical and demonstrate results to potential migrant workers.
11. In sending and receiving countries, migrant workers are often reluctant to participate in a lengthy, drawn out trial – and prefer to get compensation in an out of court settlement. However, this does not serve as a sufficient deterrent to employers who are violating labour rights – and the abuse continues against a new group of migrants.
12. Irregular migrants need to be systematically supported to enable them to file grievances, access compensation or bring criminal charges in the host countries. In Thailand, irregular migrants are covered under the Labour Protection Act, though in Malaysia they are not guaranteed any rights.
13. In most cases, beneficiaries are primarily reached through outreach to communities. More intensive efforts are required to publicise the drop-in services at the MRCs. MRC staff are building relationships with local authorities, community leaders, civil society actors, etc. to promote the MRC and its services. For example, in Cambodia, the project is extending its influence in the three target provinces through closer engagement with provincial level authorities and coordination with other actors (e.g. WorldVision, MTV EXIT roadshows, and university volunteers).
14. In addition to targeting the general public, there is a need for the campaigns on promoting a positive image of migrants to also influence government, employer and trade union partners. It is clear that some government officers, trade union officers and employers in Thailand and Malaysia view their country as a ‘reluctant migrant-receiving country’, and do not recognize the positive contribution that migrants make.

4.3 Good Practices

Several good practices are likely to emerge from the project, but the time elapsed until this MTE is too short to factually endorse their full added value. Predictable good practices relate to:

1. **The interlinking nature of the three project objectives**, whereby direct support services achieve an immediate direct impact, but more importantly provide reference cases possibly feeding into policy discussions and leading to an improvement of the working conditions of migrant workers. The information collected from the project's support services feeds into the development of policy, legislation and capacity building tools. Trade unions in particular have also been able to develop their understanding and first-hand experience on issues related to the protection of migrant workers and engage in informed dialogue with government and employers on policy issues.
2. **The formalisation of cooperation agreements** through the creation of Technical Working Groups, the signing of MoUs, the endorsement of Actions Plans, etc. which confirm the commitment of parties involved to engage in a number of activities in order to jointly work on combating illegal recruitment practices and protecting migrant workers. Technical working groups that include tripartite constituents and civil society organizations allow for differing perspectives to be heard, and reflect the reality faced by migrants. The project has developed efforts to obtain buy-in from the governments on all project initiatives, to multiply the reach and impact.
3. **The involvement of labour ministries and social partners in the process of designing and reviewing research** (as it was done for the baseline survey in Lao PDR and Viet Nam where the Ministries provided comments on the questionnaire, met with the data collection team, and accompanied the research team to the provinces; and also on the research into conditions in the Thai fishing sector). Their participation led to the increased likelihood of more stakeholders accepting the findings and discussing the policy recommendations that emerged from the research.
4. **The cooperation between research institutions and NGOs to undertake baseline surveys** (as it was done in Malaysia and Thailand). The involvement of the research institution ensured the quality of the research protocols, and the involvement of NGOs with links to the migrant worker community ensured that the respondents sample met the requirements of the project.
5. **The approach of bringing together constituents on commonly agreed issues** in situations where tripartism is not simple or guaranteed (e.g. in Malaysia, government, trade unions and employers all agree that outsourcing agencies should be more regulated and/or banned).
6. **The support given to trade unions to develop focused actions plans** in sending and receiving countries and to guide the unions in the implementation of these plans while providing the necessary resources and guidance.
7. **The outreach to large numbers of migrant workers** both in sending and receiving countries by means of intensive communication, outreach and awareness campaigns in order to disseminate information and bring together migrant workers (e.g. MAP Radio, MTV Exit events of which the impact is analyzed by Rapid Asia¹⁰); and in networks with a broad range of NGOs and local authorities, particularly in Cambodia and Thailand.

¹⁰ Description of this process is available on www.rapid-asia.com

8. **The process of developing tools and resources through extensive consultation with partners at central and local levels** and technical input of qualified consultants (e.g. pre-departure training materials, MRC Operations Manual, Code of Conduct monitoring tools, Emigration Procedures Manual) which the respective users are interested and keen to use.
9. **The provision of quality advisory support of a broad range of ILO specialists and staff** from the ROAP, the DWT and the country offices to ensure high quality support to governments' initiatives and close alignment with DWCPs (e.g. in Malaysia, the government highly praises the support provided by the Senior Specialist in International Labour Standards & Labour Law). The ILO specialists will continue to maintain the relationships after the TRIANGLE project which will sustain the benefits of the project.
10. **The cooperation with partners with a shared interest** (e.g. the project is collaborating and has collaborated with SCUK and WorldVision on the Mekong Youth Forum; with NGOs in Cambodia on a referral booklet; with IOM and UNESCAP on a social awareness campaign in Thailand; etc.)

4.4 Recommendations

Based on the above analysis and conclusions, the evaluator would like to present recommendations related a) to the project in its current form (5 countries), b) to the Myanmar extension and c) to ASEAN TRIANGLE.

A - GMS TRIANGLE ongoing

A.1 Consolidate results & define priorities (for ILO to address in consultation with the constituents).

In order to maximize the impact and sustainability of activities undertaken and/or initiated by the project, **priorities need to be defined** to concentrate staff time and resources in a limited number of areas where significant results are likely to be achieved; particular attention should be given to:

- Cross-border cooperation between trade unions: unions in sending and receiving countries are eager to develop and formalize closer cooperation in signing MoUs. Ideas ranging from basic protection of migrant workers up to Union to Union (U2U) arrangements are being suggested. Discussions on U2U MoUs already have substantially progressed, especially bilateral cooperation between MTUC and VGCL and between Cambodia trade unions and Thai trade unions, but trade unions clearly express their need for support from ILO.
- Involvement of trade unions in policy issues and legislative development: even where trade unions are officially consulted by authorities on policy issues, their participation sometimes remains limited and/or superficial. The project has allowed enhancing their profile in working closer with governments, and further progress can be made with the patronage of ILO.
- Focus on areas in which ILO see as ripe for policy and legislative change: for example in Malaysia where more advocacy efforts with the Government are planned for the second half of the project.
- Labour laws in Malaysia and Thailand do not allow migrant workers either to form their own unions or to be elected as a union executive. Contracts often specify that foreign workers are not permitted to join a trade union or participate in any political activities in relation to trade unions in Malaysia. The project could bring up these

issues in a social dialogue forum discussing possible amendments or new developments of migration policies and legislations.

- Monitoring, coaching and providing support to the MRCs, in particular where weaknesses have been observed.
- Strengthen outreach activities to organize workers to protect their rights and promote a decent work goal for them.
- Training of local level authorities: capacity-building is a hard and intensive undertaking, and key institutions should be prioritised; at the same time dissemination and knowledge management should be developed in order to avoid benefits of training to vanish over time. Ownership and continuation of training activities must be boosted.

Activities like further expanding the number of MRCs could be given less attention in order to maximize the input of available resources on the priority areas during the second part of the project. MRCs established by the project should be seen as pilot initiatives to be further developed by authorities, trade unions and/or civil society. The success of a limited number of MRCs therefore is more important than the actual number of MRCs established by the project.

A.2 Address management weaknesses (for the ILO to address)

- Reinforce the Lao PDR project office: considering the limitations observed in the Lao project office, the temporary transfer of the Technical Officer for a period of 3 months should be considered. This would allow enhancing the supervision and technical support to ongoing and future activities, while at the same time facilitate the implementation of necessary changes at the level of MRCs (see A.3).
- Reinforce the Malaysia project office in appointing a part- or full-time administrative & financial assistant; this will allow the National Project Coordinator to allocate more time in working with the Ministry (where changes in personnel are forthcoming) and MRC operators which require a stricter follow-up (see A.3).
- Strengthen the overall follow-up of activities (**monitoring**) in all countries and develop a methodology aiming at **results measurement** of activities.

A.3 Adapt MRC set-up where problems are observed.

Several MRCs need particular attention in the coming months, in order to improve the outreach activities and delivery of services. In order to remedy the weaknesses presented in section 3.7 under “Performance Control”, the evaluator suggests the following:

- MRC Savannakhet: develop outreach activities around the entire province; rather than moving to a new location, a “mobile MRC” travelling around the province would provide a much better outreach, but might not fit in the project budget. Alternative options, like e.g. “road shows” or “outreach campaigns” to the communities could be organized at reasonable cost.
- MRC Penang: consider to not include Penang in the next contract with MTUC Head Office and make separate arrangements directly with Penang branch office to overcome financial difficulties faced by the MRC Coordinator; should this not prove to be possible, an alternative option could be to devise a strategy to strengthen the coordination mechanism between MTUC, its branch office, MRC and the project.
- MRC Kuala Lumpur/Selangor: request MTUC to designate a new Coordinator as a prerequisite to the renewal of the contract for KL/Selangor, develop a focused action plan for the coming year and foster better commitment of MTUC to sustain the activities during and beyond the project’s lifetime.
- MRC Johor: the vacant position of MRC Coordinator needs to be filled prior to renewal of the contract. Stricter and more accurate reporting should also be requested from

Tenaganita, as well as a greater focus on migrant workers originating from GMS countries.

- MRCs Champasak and Xaiyaboury: request a full report of activities and provide intensive coaching from the NPC in working with the MRC team for one week/month in each of the two locations over the next 3 months.

As previously mentioned, the operational lifetime of MRCs is too short to allow conclusions to be drawn and recommendations made on the most appropriate model. While the most “natural” set up would be to have trade unions operate MRCs despite different political views in certain countries (e.g. in Vietnam), the added value of the civil society cannot be ignored and close cooperation between trade unions and NGOs will be a key to the effectiveness of direct support service provision and achieve a high level of impact. This however will imply suitable solutions to be found to ensure the financial sustainability of the centres, as trade unions often lack financial resources, especially in sending countries.

A.4 Improve Reporting (and monitoring)

As a result of a better follow-up of activities and the introduction of a results measurement system (see A.2), the project should be able to report more specifically about the **potential and/or expected direct and indirect impact of activities**, with a more precise indication of the **project outreach** in relation to the three main objectives. Measuring impact of policy/legislative change and of information campaigns would be of major interest. This is about evaluating impact, not outputs and implies more than just calculating numbers reached.

Instead of adding up the numbers of beneficiaries irrespectively of the nature of “assistance” received as it has been done until now, reporting should present data as follows:

- Exact number of beneficiaries having received direct support (covering legal support to bring cases to court, counselling services, rescue, shelter, etc.)
- Exact number of beneficiaries having received formal training (attendance at workshops, training courses, seminars, etc.)
- Exact number of migrants and potential migrants having been given verbal information during face to face meetings and/or in group sessions
- Estimated number of migrant workers reached by peer leaders trained by MRCs and by civil society cooperating with MRCs
- Estimated number of migrant workers reached through campaigns, media and other communication means; *advice should be sought from MTV Exit and how this can be done.*
- Estimated number of migrant workers benefiting from policy changes and/or better implementation of rules & regulations.

All data should be sex-disaggregated and presented on a country basis; such a breakdown would provide a better illustration of the project and demonstrate that the benefits go beyond the random number of 20,000 referred to in the design document.

Additionally, for each of the above categories, a short analysis should be made of the direct and indirect impact achieved by providing support and/or reaching out to these beneficiaries.

A.5 Communication & networking

The following suggestion relates more to internal communication, rather than external communication which has been well covered by far-reaching media coverage.

Internal communication between implementing partners should be given a higher degree of attention in order to inform all partners about what the others are doing. The Project Advisory Committees only provide an intermittent update on partners’ activities in each country and

could be held at more frequent intervals. Internal dialogue by facilitating exchange between the key stakeholders should be reinforced, particularly in Thailand.

A monthly internal newsletter circulated in all countries would also reinforce linkages between implementing partners of the project who have clearly expressed their interest for more networking initiatives to be developed by the project.

A. 6 Prepare a comprehensive Sustainability Plan

As already stated in section 3.8, it is important for the project to define a comprehensive strategy clearly pointing out what needs to be done, where, when and by whom in the months to come in order to maintain the benefits of all interventions, further advance the impact of all activities undertaken and suggest options for longer-term sustainability. In order to direct strategic options to be considered by all partners, the project will need to prepare the “after-TRIANGLE” time in:

- maintaining focus at government levels on enforcement of policies and rules, while at the same time suggesting budgetary resources to be made available for a reinforcement of inspection capacities and tools
- focussing capacity building activities on “train-the-trainers” in the priority target groups in order to ensure dissemination of knowledge after project closure
- developing stronger linkages between trade unions and civil society
- supporting NGOs to find new and alternative sources of funding on a long-term continuation of service delivery to migrant workers

No particular recommendation is made with regard to gender equality and promotion, which the evaluator considers to be correctly addressed by the project.

All above recommendations can only result in substantial improvements if taken on board without any delay. The evaluator therefore also suggests considering all recommendations when preparing the work plans 2013 for each country.

B - GMS TRIANGLE Myanmar extension

The concept note prepared for Myanmar is based on the same approach as for the initial GMS TRIANGLE design document and covers the same objectives. It also suggests similar activities to be implemented in relation to the three objectives, without however clearly defined priorities.

The evaluator is not familiar with the country and therefore cannot comment on the political context which may directly affect the project.

Considering the difficulties faced by the project in the current five countries of implementation, the evaluator would nevertheless like to make the following recommendations:

- Rather than going through the list of all activities in sequential order, define priorities taking into consideration the political, economic and social developments of the country.
- Restrain the ambition of the project at institutional level considering the fact that the government of Myanmar has to deal with many other challenges and priorities, even though labour migration is considered as a major priority.
- Limit the number of MRCs to one or two (instead of four). Experience shows that setting up an MRC takes a lot of time and efforts to become operational and the time left until project closure is too short to expect reasonable progress to be made in four locations.

- Ensure close monitoring and results measurement of all activities in line with recommendations made above.
- Report results and beneficiaries in line with activities implemented instead of adding up the numbers to reach the arbitrary target of 5,000 beneficiaries.

C - ASEAN TRIANGLE

Having basically the same objectives as the GMS TRIANGLE project, the ASEAN TRIANGLE project designed to focus on multi-country work provides the opportunity to engage in larger networking initiatives which could benefit the countries involved in the GMS project.

The main areas in which the project can support and sustain the results of the GMS project are in:

- exposing implementing partners of the GMS project to the “Filipino model” of migration, as already planned by the project under the specific programmes for the CLMV countries; this has been clearly suggested by trade unions (eager to know how unions deal with outbound migration in the Philippines and how they develop cooperation with unions in receiving countries) and by NGOs (interested to learn how civil society provides support to migrant workers in the Philippines, both in “preparing” them for the migration process as well as in assisting them to reintegrate the society after an unsuccessful migration)
- networking trade unions in sending countries to develop joint initiatives with unions in receiving countries
- further supporting the participation of tripartite constituents in international forums in the framework of ASEAN integration and assist governments in coordinating (and bringing into line) their databases on migration.

Lessons learned from the GMS project and recommendations in particular related to the definition of priorities, monitoring of activities, results measurement and reporting, as well as capacity building, should also be taken on board.

Appendices

Appendix 1: Terms of Reference for the Evaluation

Independent Mid-Term Evaluation

RAS/10/01/AUS

Tripartite Action to Protect Migrants within and from the GMS from Labour Exploitation (TRIANGLE) project	
Project Budget	\$AUD 10 million
Project Donor	AusAID
Project Duration	June 2010 – June 2015
Project Locations	Cambodia, Lao PDR, Malaysia, Thailand, Vietnam, China
Mid-Term Evaluation scheduled for November 2012 – February 2013	

Introduction and Rationale

As per ILO policy governing technical cooperation project management, an independent mid-term evaluation is a mandatory exercise for projects of a certain size. The evaluation will be managed by the ILO, but the scope and modalities of the evaluation as presented in these Terms of reference have been defined in consultation with country project governments and the donor (AusAID). The findings of the evaluation will be discussed in conjunction with various stakeholders in dedicated feedback and debrief sessions with project staff and the donor, national Project Advisory Committee (PAC) meetings, relevant bilateral or regional meetings, etc.

No prior independent evaluations have been undertaken of the TRIANGLE project, though detailed Annual Reports have been submitted to the donor. The mid-term evaluation aims to assess the efficacy, sustainability, relevance, impact and effectiveness of the TRIANGLE project, and to inform approaches or strategy shifts for the second half of the project. It will examine whether the project is on track to deliver expected outcomes with respect to time and budget. It is expected that this evaluation will provide useful recommendations and lessons learned to take forward for the remaining activities and to inform related interventions, e.g. the CIDA-funded ASEAN TRIANGLE project.

The evaluation will be carried out between November 2012 and January 2013, with a final report available in February. The evaluation will comply with evaluation norms and standards and follow ethical safeguards, all as specified in ILO's evaluation procedures. It will be managed by an Evaluation Manager who is an ILO official with no prior involvement in the project and overseen by the regional Evaluation Officer. The project will bear the cost of the evaluation, including the cost of the Evaluation Consultant, travel, meetings, translation of documents, etc.

The evaluation report will be in English and a maximum of 50 pages (excluding any annexes). Within this report, a 4-page Executive Summary is required and will become a public document. This Summary will include an overall assessment of the project performance, summarised from the full report, main recommendations (numbered and concisely phrased) and follow up actions, lessons learned and good practices. The Scoring Matrix (as further outlined in annex 3 to this Terms of Reference) will be an additional deliverable. Further structural aspects of the evaluation report will be negotiated with the Evaluation Manager.

Background of the TRIANGLE project

The Greater Mekong Sub-region (GMS) and neighbouring countries comprise one of the world's most dynamic migration hubs. The structure of the economies and demographic changes are driving the need for low-skilled workers in labour-intensive jobs, and established chain migration links and a growing number of recruitment agencies match this demand with a steady supply of migrants attracted by wage differentials.

As the number of female and male migrants within and from the GMS grows, so do the opportunities for unscrupulous job brokers and employers to take advantage of them. Studies into the living and working conditions of low skilled migrants in the region reveal indicators of abuse commonly associated with labour exploitation are widespread. These indicators include high recruitment costs, deception about wages, type of work and legal status, withheld wages, retained passports or identity documents, physical confinement, substandard working conditions and threats of denunciation to the authorities.

The TRIANGLE project aims to significantly reduce the exploitation of labour migrants through increased legal and safe migration and improved labour protection. The project works to strengthen migrant recruitment and labour protection policies and practices that reflect the interests of tripartite constituents and gender-specific concerns. To ensure that the authorities and social partners can fulfil their roles and responsibilities under the

law, support is provided to the development of tools, the delivery of training and more effective coordination of the various stakeholders – at national and regional levels. The below three objective comprise the major project components.

Objective 1 is ‘migrant recruitment and labour protection policies and practices are strengthened, reflecting the interests of tripartite constituents and gender-specific concerns.’

Objective 2 is ‘capacity of tripartite constituents enhances to improve implementation of national policy, bilateral agreements and regional commitments related to the recruitment and protection of female and male migrant workers.’

Objective 3 is ‘the rights of female and male migrants and potential migrants are protected through increased access to support services.’

The work of the TRIANGLE project shares complementary goals with numerous UN agencies and the work of other donor programs.

It is expected that the specific objectives of the project and the linkages and synergies with other national and regional efforts will contribute to increased protection for migrant workers, respect for their rights, reduced irregular migration, improved labour protection frameworks and cooperative efforts across sending and receiving countries and more positive migration outcomes for all sides.

Management Arrangements

The overall management and implementation of the project is the responsibility of the Senior Program Officer/Project Coordinator (SPO /PC) based in the ILO Regional Office for Asia and the Pacific. The SPO /PC works under the technical and strategic guidance from the ILO Regional Migration Specialist. A Technical Officer provides technical backstopping in project implementation, monitoring and evaluation to project staff and project partners, with a specific focus on policy and legislative development. National project coordinators in Cambodia, Lao PDR, Malaysia, Thailand and Vietnam oversee implementation at the national level, in close cooperation with the tripartite constituents and other partners.

ILO specialists from ROAP and the Decent Work Team for South East Asia and the Pacific provide additional technical support on workers’ and employers’ activities, gender, skills and employability, child labour, communication. The TRIANGLE project is backstopped by the ILO International Migration Programme (MIGRANT) in Geneva.

Implementation Arrangements

Project national work plans are developed in consultation with national partners and tripartite constituents through Project Advisory Committees in each project country. These are developed in line with the objectives as outlined in the project documents, with the Committees prioritising the needs for their country context. Project activities are then either directly carried out by 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 organisations, research institutions, and other service providers.

The project team provides technical assistance in, and monitors, the implementation of sub-contracted activities to make sure they are implemented based of a terms of reference and remain within the overall project context.

Progress to date

Major milestones and achievements during the first half of the project include:

- Support to the drafting of legislation on sending workers abroad in Cambodia, Vietnam, Lao PDR;
- Support to the drafting of legislation to better protect workers in fishing and domestic work in Thailand;
- Two-year action plans drafted by trade unions in five countries to promote their role in the protection of migrant workers;
- Recruitment agencies in four countries supported in forming associations, developing Codes of Conduct or monitoring the implementation of the Codes of Conduct;
- Training delivered for labour inspectors in Malaysia and Thailand;
- Training of 261 central and provincial government officers in national level workshops in five countries;
- Training of 1,204 district, commune and village-level leaders and volunteers in local-level workshops in Cambodia, Lao PDR and Vietnam;
- Establishment of 19 Migrant Worker Resource Centres (MRCs) in five countries providing support for migrant workers, potential migrant workers and their family members;
- Provision of counselling or training on safe migration and rights at work to 2,025 potential migrants in Lao PDR, Cambodia and Vietnam
- Provision of counselling or training on rights at work to
- 1,788 migrants in Thailand and Malaysia
- Provision of legal assistance to 3,216 migrants in Malaysia and Thailand
- A demonstrated clear and functioning commitment to gender equality with 48% of the beneficiaries of both the support services and training and capacity building activities being women;
- Baseline surveys in target areas in five countries to increase the knowledge base, to inform future interventions and to provide a gauge for future evaluations.
- Research conducted on public attitudes to migrant workers in Thailand and Malaysia, and used in the formulation of a campaign to promote a positive image of migrant workers; and,
- Research on employment and working conditions in Thailand's fishing sector, covering the largest sample for such a study, and with the active engagement of government and industry partners.

Purpose, Scope and Clients of the Evaluation

Purpose

The mid-term evaluation is aimed to highlight the project's strengths, areas for improvement and recommendations for sustainability. It also aims to identify lessons learnt and good practices for knowledge sharing purposes and taking these lessons forward for the remainder of the project.

This evaluation will therefore seek to assess the progress made towards the project outcomes, the extent to which the project partners and beneficiaries have benefited, and will continue to benefit from the project's strategy and implementation arrangements specifically in terms of:

- relevance
- effectiveness
- efficiency
- sustainability
- gender equality
- monitoring and evaluation
- knowledge sharing and learning environment

To achieve the abovementioned objectives this independent mid-term evaluation will assess the following:

- to what extent the project has consistently implemented activities according to the project framework and internal logic

- the achievements made in relation to the planned results and the immediate objectives, including any intended/unintended impact of the project thus far
- the project management, coordination mechanisms among various stakeholders and tripartite constituents, at the provincial level and at the national level, as well as among ILO relevant projects, and the effectiveness and efficiency of project implementation in general
- institutional arrangements with the partners, the role of tripartite constituents, especially government agencies and bodies involved with the key work of the project during and beyond the timeframe of the project
- project experiences that can be learned with regard to promoting gender equality
- any external factors that may require the risks and assumptions in the log frame to be altered

Scope

The scope of the evaluation is from the project start until the time of the mid-term evaluation, and it covers the five countries in which the project is implementing activities, with a particular focus on intensive activities undertaken in Cambodia, Lao PDR and Vietnam.

Clients

Key users and targets for this evaluation are the management team of the TRIANGLE project, at the regional and country level, the technical unit (MIGRANT), the administrative unit (ROAP), and the donor (AusAID). Secondary users of the evaluation will include tripartite constituents and other project partners, as well as agencies working on related areas at the national and regional level. Further audiences will be found in other regions facing similar issues relating to labour migration.

Suggested Methodology and Framework

ILO's Evaluation Guidelines provide the basic framework; the evaluation will be carried out in accordance with ILO standard policies and procedures. The ILO adheres to the United Nations system's evaluation norms and standards as well as to the OECD/DAC Evaluation Quality Standards.

The evaluation is an independent evaluation and the final methodology and evaluation questions will be determined by the Evaluator in consultation with the Evaluation Manager. Several methods will be used to collect information including:

- Review of documents related to the project, including the initial project document, progress reports, minutes from sub-regional advisory committee and national Project Advisory Committee meetings, agreements with project implementing partners and their progress reports; etc.
- Review of other relevant documents such as the Decent Work Country Programmes, ILO regional migration strategy, etc.
- Field visits, interviews and group discussions with key stakeholders and beneficiaries in Cambodia, Lao PDR, Malaysia, Thailand and Vietnam.
 - Field visits to the central and provincial levels will be organized to coincide with a scheduled activity, rather than organizing a separate stakeholder workshop;
 - AusAID and CIDA may wish to attend these visits and every effort will be made by the Evaluator and project to accommodate this request.

At the completion of the field missions and information gathering, stakeholder workshops will be organized to present the preliminary findings and proposed recommendations at the national level, wherever possible combining this activity with planned meetings. A draft evaluation report will be shared with relevant stakeholders for their comments and inputs.

All data should be sex-disaggregated and different needs of women and men and those marginalized groups should be considered through-out the evaluation process. The suggested analytical framework for the final evaluation is set out below:

Relevance and strategic fit

- The extent to which the project approach is strategic and it is based on the ILO comparative advantages
- Do (and how do) the project interventions align with and support relevant national development plans (including Decent Work Country Programs) and, national policies and action plans on relevant issues e.g. on labour migration, anti-trafficking etc. as well as programmes and priorities of the workers' and employers' organisations) and civil society organisations?
- Does (and how does) the project align with and promote the ILO's Regional and Global Outcomes on Labour Migration and the ILO Multilateral Framework on labour migration
- Does the project support and to what extent does it contribute to and complement with relevant ILO projects and programmes in the region?
- To what extent does the project support and contribute to AusAID strategic areas, priorities and Partnership with the ILO?

Validity of design (to what extent the design is logical and coherent)

- To what extent have issues related to the design (defining the project's focus and target group) been taken into consideration by the project?
- What have been the lessons learnt in the design of the project?

Project progress and effectiveness

- To what extent is the project on track to achieve outcomes *vis-a-vis* the project logical framework?
- Has the project's monitoring plan ensured that the project has been on track with regard to the expected results? To what extent?
- To what extent have beneficiaries benefited from the project?
- What are the lessons learnt and good practices?

Gender equality and promotion

- Has there been any effort to mainstream gender throughout the project? To what extent has gender being mainstreamed? How effective has this effort been?
- How effective has the project been in responding to gender-specific aspects of migration management, and the protection of migrant workers?
- To what extent have gender-specific aspects of the project improved outcomes for male and female migrant workers?
- How has the project attempted to address broader gender inequalities? Have these attempts been effective?
- How has the monitoring and evaluation of the project considered gender?
- To what extent is sex-disaggregated data collected and used in the project?
- To what extent does the project contribute to the broader gender equality strategies and priorities of the ILO and of AusAID?

Efficiency of resource use

- How economical has the project been in terms of funds, staff, expertise, time, etc., in relation to results?
- Have there been any arrangements in the implementation of the project at various levels (other ILO projects, inter-agency initiatives, cooperation with tripartite constituents and NGO partners at national, provincial, district, and community level) to leverage resources?
- What are the lessons learnt and/or possible good practices noteworthy of documentation for knowledge sharing purposes? How can these lessons going to be utilised in the ASEAN TRIANGLE (CIDA-funded) project?

Effectiveness of management arrangements (including risk management and monitoring and evaluation)

- Are management capacities and arrangements adequate and do they facilitate good results and efficient delivery? Is there a clear understanding of the roles and responsibilities by all parties involved?
- Does the project receive adequate political, technical and administrative support from its national partners, especially local governments? Do implementing partners provide for effective project implementation?
- Has cooperation with project partners been efficient?
- How effective has internal management, including strategic and annual planning, staff arrangements, governance and oversight of the project been?
- How effectively did the project management and ILO monitor project performance and results?
- Is a monitoring and evaluation system in place and how effective is it?
- How appropriate are the means of verification for tracking progress, performance and achievement of indicator values been defined?
- How useful is the baseline data for tracking effective change?
- Is relevant information and data systematically being collected and collated? Is reporting satisfactory? Is data disaggregated by sex (and by other relevant characteristics, if relevant)?
- Is information being regularly analysed to feed into management decisions?
- Has relevant gender expertise been sought? Have available gender mainstreaming tools been adapted and utilized?
- How effective has the strategic use of coordination and collaboration with other ILO projects and with other donor's projects in project countries been?
- Has there been any change to the risks identified at the project outset (Risk Matrix), what have been the adverse impacts faced, and has the risk mitigation strategy been adequate?

Impact orientation, and sustainability of the intervention

- What are the impacts of the project?
- What are the emerging impacts of the project and the changes that can be causally linked to the project's interventions?
- What are the arrangements to measure the project's impact during and at the end of the project? Are these arrangements adequate and will they deliver reliable findings?
- Thus far, has the project made a significant contribution to broader, longer-term development impact?
- What are realistic long-term effects of the project on better migration management, reduction of labour exploitation among migrants, and the improvement of working conditions?
- What is an effective and realistic exit strategy for the project? Is a plan in place for the project gradually being handed over to the provincial/local government partners? Once external funding ends will local government and other implementing partners be likely to continue the project or carry forward its results?
- Are local governments and implementing partners able, willing and committed to continue with the project? How effectively has the project built national ownership and capacity?
- Has the project successfully built or strengthened an enabling environment (laws, policies, technical capacities, people's attitudes, etc.)?

Main Deliverables

The Evaluator will draft a short inception report upon the review of the available documents and an initial discussion with the project management. This inception report should set out the clear evaluation instrument (which includes the key questions and data gathering tools and analysis methods; the choice of site visits based on discussion with project management) and any changes proposed to the methodology or any other issues of importance in the further conduct of the evaluation. The inception report will be approved by the Evaluation Manager.

At the end of the evaluation mission, the Evaluator will present the preliminary findings at various stakeholders' workshops at both national and regional levels. The presentation should highlight the strengths, areas for improvement and recommendations for sustainability. The results of the evaluation and in particular recommendations will also be tabled for discussion at the Sub-Regional Advisory Committee (SURAC) meeting, scheduled for mid-2013.

The Evaluator will attend meetings and workshops that are scheduled as part of the national work plans, and at which participants will include government representatives and constituent partners, project staff and relevant ILO officials, other partners, etc. Side meetings can be held on these occasions for the Evaluator to present preliminary findings for verification purposes and project's stakeholders will have a chance to jointly assess the adequacy of the findings and emerging recommendations as well as recommend areas for further considerations by the Evaluator for the preparation of the Evaluation Report.

The main output of the mid-term evaluation will be a final report, the first draft of which has been commented on by the ILO and other stakeholders. The report should not be longer than 30 pages, excluding annexes. It will contain an executive summary (of no more than 4 pages and appropriate for publication on the ILO website, including prioritised recommendations with timeline suggestions, and a summary of lessons learned and good practices)¹¹, a section with project achievements to date, findings and recommendations for short- and medium-term action. The report should follow the 'Quality Checklist for Evaluation Reports in the ILO' which will be provided to the Evaluator. The final report is subject to final approval by the ILO Evaluation Unit.

ILO management will prepare a management response to the evaluation recommendations and actions responding to the recommendations will be undertaken and reported to the ILO Evaluation Unit.

Management Arrangements and Time Frame

Role of Evaluation Manager

The Evaluation Manager is Richard Howard, Senior Specialist on HIV/AIDs –based at ILO Decent Work Support Team-Bangkok. He will be responsible for finalizing the Terms of Reference and the selection of the Evaluator in consultation with the Regional Evaluation Officer. Final approval of the TOR and the Evaluator are with ILO evaluation Unit in Geneva. The project office in Bangkok will handle all contractual arrangements with the Evaluator and translators, and provide any logistical and other assistance as may be required.

Role of Evaluator

The Evaluator will undertake the evaluation and will be responsible for delivering the above evaluation outputs using a combination of methods mentioned above. Translators will be recruited in the project countries to provide support to the Evaluator during the evaluation mission.

Selection/Qualifications of Evaluator

The Evaluator will be an independent international evaluation specialist with a proven track record in the evaluation of similar complex projects, and experience in the field of labour migration and gender evaluation.

¹¹ The evaluation summary will be based on an ILO template and will be drafted by the Evaluator after the evaluation report has been finalised. The Evaluation Manager will finalise the evaluation summary.

Experience in the GMS Sub-region will be an advantage. The international evaluation specialist will be assisted by translators in field visit countries. The Evaluator will have had no prior involvement in the project.

Role of Stakeholders

All stakeholders will be involved in the project evaluation, through discussions with the Evaluator and in the provision of inputs to the evaluation Terms of Reference and draft evaluation report. This includes the project teams, ILO regional and country office staff, ILO technical unit at HQ, AusAID, tripartite constituents and project partners, etc.

AusAID and CIDA have been provided with an opportunity to comment on the Terms of Reference before it was finalised by the Evaluation Manager. The resume of the Evaluator will also be shared with AusAID and CIDA. Representatives of AusAID and CIDA will be invited to participate in field visits along with the Evaluation mission.

The Role of the Project

The TRIANGLE project team will provide logistical support to the Evaluator and through the evaluation, and will prepare a more detailed evaluation mission agenda. The project team also needs to ensure that all relevant documentation is up to date and easily accessible by the Evaluator.

MTE: Work Plan and Time Frame

Task	Responsible person	Time frame
Preparation of the first draft of the TOR	Evaluation Manager/ Project Coordinator	July 2012
Sharing the TOR with all concerned for comments/inputs	Evaluation Manager / Project Coordinator	August 2011
Finalization of the TOR	Evaluation Manager	September 2012
Approval of the TOR	EVAL	September 2012
Selection of consultant (Evaluator)	Evaluation Manager	Oct/Nov 2012
Discuss proposed evaluation timetable and mission itinerary, list of key stakeholders with the Evaluator	Project Coordinator	Nov 26
Contracting of Evaluator	Evaluation Manager / Project Admin Assistant	Week of Nov 26-30
Brief Evaluator on ILO evaluation policy	Evaluation Manager	Week of Nov 26-30
Review of key documents, develop the final methodology and evaluation questions	Evaluator	Dec 3-7
Inception report submitted to Evaluation Manager	Evaluator	Dec 7
Meeting with TRIANGLE team in ROAP	Evaluator / Project Coordinator	Dec 10
Mission to Cambodia (Stakeholder meetings in Phnom Penh; training on MRC Operations Manual and	Evaluator / NPC Cambodia	Dec 11-13

Task	Responsible person	Time frame
site visit in Kampong Cham)		
Participation in consultation with project partners on fishing survey	Evaluator / Ruttiya	Dec 14
Meetings with AusAID, regional partners, and ILO specialists/staff	Evaluator / Project Coordinator	Dec 14-21
Mission to Lao PDR (meetings in Vientiane, and site visit to LFTU activity in Savannakhet)	Evaluator / NPC Lao PDR	Jan 8-10 (TBC)
Mission to Vietnam (Participation in PAC meeting, and site visit to MRC)	Evaluator / NPC Vietnam	Jan 15-17 (TBC)
Mission to Malaysia (Stakeholder meetings and attend training for migrant workers in KL)	Evaluator / NPC Malaysia	Jan 22-24 (TBC)
Mission to Thailand (TBC)	Evaluator / Ruttiya	Jan 29-31 (TBC)
Meeting with TRIANGLE project team in ROAP	Evaluator / Project Coordinator	Feb 1
Draft report submitted to the Evaluation Manager	Evaluator	Feb 8
Sharing the draft report to all concerned for comments	Evaluation Manager	Feb 10
Consolidated comments on the draft report sent to the evaluator	Evaluation Manager	Feb 28
Finalisation of the report and submission to Evaluation Manager	Evaluator	Mar 7
Review of the final report	Evaluation Manager/ROAP	Mar 7-9
Submission of the final report to EVAL	Evaluation Manager/ROAP	Mar 12
Approval of the final evaluation report	EVAL	Mar 19
Follow up on recommendations	EVAL ILO Director/ ILO Country Directors	April 2013 onwards
SURAC Meeting, at which evaluation findings and recommendations will be discussed	Project Coordinator	June/July 2013

4.4.1 Workdays for the evaluation:

Is it estimated that the Evaluator will be recruited for a total of thirty-six (36) workdays as indicated below:

Desk review and preparation (5 work days)	
Nov 2012	Desk review of documents. Preparation time off-site, project will provide extensive

	background materials. Development of the final methodology and evaluation questions
Meetings at the regional level (3 work days)	
Nov 2012	Discussion with project team at ILO Regional Office for Asia and the Pacific including interview relevant ILO Specialists,
Nov 2012	Meetings with donor and regional partners
Meetings and site visits in Cambodia, Lao PDR, Malaysia, Thailand and Vietnam (18 work days)	
Dec 2012 - Jan 2013	Discussion with NPCs and ILO country office staff
Dec 2012 - Jan 2013	Meetings with stakeholders, observation of project activities and field visits (various TBC)
Post-mission activities (Report preparation and submission) (10 work days)	
Feb 2013	Produce a draft report for submission to the Evaluation Manager who will disseminate it to relevant partners for comments.
Feb 2013	Draft report is shared with key stakeholders and constituents for comments.
Mar 2013	Finalize the draft report in light of the comments received and prepare the Evaluation Summaries for submission to the Evaluation Manager.
Mar 2013	Final report sent to EVAL for final approval.
Mar 2013	Management response to the recommendations prepared.

Resources Required

The following resources are required from the project.

- Cost of External International Evaluator (Fee+ travelling expenses)
- Cost of local translators
- Cost of local transportation in the field
- Cost of various stakeholders workshops (or sessions at existing planned stakeholder meetings)

Appendix 2: Project background

The following sections will briefly summarize the project by providing an outline of the environment in which the project has been initiated, its objectives, an overview of the management and implementation structure and a succinct description of activities per area of intervention as defined in the project design document and the Logical Framework Matrix.

These sections are therefore presented as a short *reminder of the main features* of the Project.

Project environment

The Greater Mekong Sub-region (GMS) and neighbouring countries comprise one of the world's most dynamic migration hubs. The structure of the economies and demographic changes are driving the need for low-skilled workers in labour-intensive jobs, and established chain migration links and a growing number of recruitment agencies match this demand with a steady supply of migrants attracted by wage differentials.

Migrant workers make an enormous development contribution to the region's economies in the form of skills, labour power, services and competitiveness in countries of destination; and return of financial flows, skills and knowledge to countries of origin. Migrants fill a niche in labour markets of destination countries by doing jobs that nationals do not want or cannot fill.

Yet many migrant workers in the region are subject to labour exploitation and abuse. Irregular migration is widespread. Studies into the recruitment process and working conditions of low-skilled migrants consistently reveal indicators of abuse commonly associated with labour exploitation. These include high recruitment costs; deception about wages, type of work and legal status; withheld wages, retained passports or identity documents, physical confinement, substandard working conditions, and threats of denunciation to the authorities.

The conditions endured by many migrants in the region constitute a serious violation of human and labour rights. In addition, the inequities, inefficiencies and excessive rent-seeking dilute the potential development gains of labour migration for countries of origin and destination.

The TRIANGLE project was designed to significantly reduce the exploitation of labour migrants through increased legal and safe migration and improved labour protection in the region.

Two earlier projects implemented by ILO provide a major reference basis for the TRIANGLE project: the project to Combat Trafficking in Children and Women (TICW) implemented from 2000 to 2008 which played a leading role in the effort against trafficking and labour exploitation in the GMS and the project to Prevent Trafficking in Girls and Young Women for Labour Exploitation implemented from 2005 to 2008 within China which built on lessons learned from the TICW project.

Objectives and scope of the project

With the overall objective to increase labour rights protection and decent work opportunities for women and men migrant workers in the GMS and Malaysia, the design specified three major objectives:

1. To strengthen migrant recruitment and labour protection policies and practices, reflecting the interests of tripartite constituents and gender-specific concerns.
2. To enhance the capacity of tripartite constituents 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. To protect the rights of women and men migrants and potential migrants through increased access to support services.

Planned outputs and activities

The results outputs and activities were set out in the Logical Framework Matrix as being:

1. Objective 1

Output 1.1: Advocacy campaigns among policy makers and public to influence improved recruitment and labour protection policies and practices have been conducted.

- Carry out research and develop sex- and age-disaggregated data on migration trends and working conditions in risk sectors for use in formulating policy and developing direct assistance interventions, and to compare across countries over time.
- Conduct an awareness campaign and build relationships with media to influence public perception on the right of women and men migrant workers to fair treatment and the value they add to the economy.

Output 1.2: Tripartite constituents take on prominent roles in strengthening recruitment and labour protection policies and practices.

- Promote the engagement of tripartite constituents and NGOs, including women's groups, in policy dialogue by highlighting the value of responding to these different interests and the resulting increased chance of successful implementation.
- Conduct a tripartite review of recruitment and labour protection policies and practices, and put forward recommendation to policy decision makers on better protecting the rights of women and men migrant workers in risk sectors.

2. Objective 2

Output 2.1: Mechanisms to improve regulation, transparency and accountability in the recruitment process for women and men migrants have been developed and promoted.

- Develop, promote and monitor a Code of Conduct for recruitment agencies.
- Develop, promote and monitor channels for handling and following up on complaints against licensed and illegal brokers and recruitment agencies.

Output 2.2: Mechanisms have been developed and training delivered to improve the labour protection of women, men and children migrants.

- Develop and deliver training to labour authorities on sector specific labour inspection guidelines and practices for investigating conditions in risk sectors.
- Develop and deliver training to tripartite constituents on procedures for negotiating for improved working conditions or for early termination of contract.
- Deliver training to employers on laws and regulations for recruiting and employing women and men migrants, and how they can affect change in the sector.

Output 2.3: Regional tripartite cooperation and influence to support implementation of bilateral and multilateral commitments have been increased.

- Design and deliver regional level training and promote experience sharing within and among tripartite constituent partners to develop responses to common challenges in migration management and protection.
- Share information and establish regular communication to ensure that the TRIANGLE project contributes to the COMMIT process and the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers.

3. Objective 3

Output 3.1: Women and men migrants and potential migrants are empowered through improved safe migration and rights awareness, and increased representation and social inclusion.

- Deliver thorough and sustainable pre-departure training for women and men migrant workers through recruitment agencies and other institutions.
- Carry out campaigns to provide information to women and men migrants and would-be migrants on the challenges and risks involved in the migration process.

- Support trade unions and migrant associations to empower women and men migrant workers through collective bargaining agreements, migrant forums, service provision, etc.

Output 3.2: Legal assistance has been made available to migrant women, men and children working in or withdrawn from exploitative conditions.

- Provide legal assistance and age- and gender- specific support to migrant workers through government and non-government run drop-in centres.
- Develop radio shows and hotlines to provide legal information and referrals to women and men migrant workers who cannot easily access other forms of support.
- Pursue, document and publicize model cases to demonstrate the accessible remedies for women and men migrants whose rights have been violated, the exploitative abuses they endure, and the penalties employers can face for such practices.

Broad indicators were identified for all outputs but not quantified. The narrative section of the project document refers to 20,000 final beneficiaries.

Planned organisational arrangements for implementation

Management and Implementation Team

The proposed (and budgeted) set-up for implementation was:

- A Chief Technical Advisor responsible for the overall management and implementation of the project based in the Regional Office for Asia and Pacific (ROAP);
- A Technical Officer to provide technical backstopping in the design, monitoring and evaluation, and reporting of project initiatives (based in ROAP);
- Two assistants to provide administrative and financial support (based in ROAP);
- National Project Coordinators (NPCs) and Administrative Assistants (full- or part- time) based respectively in the countries where the project is implemented;
- Technical support and backstopping provided by the ROAP (Migration Specialist, Labour Standards Specialist, Skills and Employability Specialist, Gender Specialist, Workers Specialist, and Employers Specialist) and by International and Local consultants.

Project funding arrangements

The project budget is AUD\$ 10 million entirely provided by the Australian Government Aid Programme (AusAID). In-kind contributions from national counterparts include the project office space in the MOLSW in Lao PDR as well the coverage of certain costs in capacity building activities in different countries and the provision of certain MRC staff.

Project partners

In order to formulate and implement policies and practices, the TRIANGLE project was designed to work with the following partners:

- Government officials from the labour and social welfare ministries, from law enforcement and other bodies responsible for migration management and anti-trafficking in persons;
- Employers' organizations and employers, particularly in risk sectors;
- Recruitment agencies and their associations, in sending and receiving countries;
- Workers' organizations in sending and receiving countries, including trade unions and migrant associations;
- Civil society organizations in sending and receiving countries, including national and international NGOs, mass organizations, women's groups, the media, etc.

The incentive and interest of the different partners as well as their possible role in supporting the project were defined in the “Stakeholder Incentive Table” (Annex L of the project design document)

Monitoring system

Annex A of the project design document provides the M&E Framework which includes a list of potential risks that may affect the implementation of the project.

Objectively Verifiable Indicators (OVIs) are listed in the LFM, but not quantified. The only quantitative indicator mentioned in the project design document is the expected number of ultimate beneficiaries (20,000) who would benefit from project interventions.

Appendix 3: List of persons and organisations interviewed

Name	Position/Organisation
<u>ILO & Project Team</u>	
Mr. Richard Howard	Evaluation Manager
Ms. Pamornrat Pringsulaka	Monitoring & Evaluation Officer
	ILO ROAP
Ms. Thetis Mangahas	Deputy Regional Director ROAP
Mr. Jiyuan Wang	Director ILO Country Office for Thailand, Cambodia & Lao PDR
Mr. Gyorgy Sziraczki	Director ILO Country Office for Vietnam
Mr. Nilim Baruah	Senior Regional Migration Specialist
Mr. Tun Sophorn	ILO National Coordinator for Cambodia
Ms. Kemphone Phaokhamkeo	ILO National Coordinator for LAO PDR
Mr. Max Tunon	Senior Programme Officer / Project Coordinator
Ms. Anna Olsen	Technical Officer
Ms. Danapakorn Mirahong	Administrative & Finance Assistant
Mr. Rim Khleang	National Project Coordinator Cambodia
Mr. Kolakot Venevankham	National Project Coordinator Lao PDR
Ms. Nguyen Thi May Thuy	National Project Coordinator Vietnam
Ms. Anni Santhiago	National Project Coordinator Malaysia
Ms. Kuanruthai Siripatihanakosol	National Project Coordinator Thailand
Ms. Ruttiya Bhula-or	Consultant (interim for NPC Thailand)
Mr. Maurizio Bussi	Director Decent Work Technical Team
Mr. Pong Sul Ahn	Specialist on Workers' Activities
Mr. Tim de Meyer	Senior Specialist in International Labour Standards & Labour Law
Ms. Nelien Haspels	Senior Specialist on Gender and Women Workers Issues
Ms. Carmela Torres	Senior Specialist on Skills and Employability
Mr. Gary Rynhart	Senior Specialist on Employers' Activities
Mr. Wolfgang Schiefer	Regional Unit for Partnerships
Mr. Manuel Imson	Project Coordinator ASEAN TRIANGLE
Mr. Tuomo Poutiainen	CTA ILO-IPEC
<u>OTHERS</u>	
Ms. Lisa Rende Taylor	UNIAP
Mr. Paul Buckley	
Ms. Bronwyn Wex	Embassy of Australia / AusAID
Mr. Royce Escolar	
Ms. Pitchanuch Supavanich	
Ms. Amber Parkes	

CAMBODIA

Mr. Chuop Narath

Ministry of Labour and Vocational Training (MOLVT)

Mr. Ouk Ravuth

Mr. Ho I Meng

Technical Working Group at Provincial Department of Labour and Vocational Training (Kampong Cham)

Ms. Lim Hun

Ms. Pheng Khun Hear

Mr. San Lab Huy

Ms. Ty Sohmalay

Ms. Son Chumnahn

Ms. Deb Soneng

Mrs. Hany Fiya

Phnom Srey Organization for Development (PSOD)
LSCW

Mr. Mom Sokchar

Mr. Vuthy Horng

Cambodian Labour Confederation (CLC)

Mr. Sopheap Teph

Migration Resource Center (MRC) Prey Veng

Mr. Aun Som

National Union Alliance Chamber of Cambodia (NACC)

Mr. Sovann Vong

Cambodia Confederation of Trade Union (CCTU)

Ms. Seangrithy Ung (+ Team)

Association of Cambodian Recruitment Agencies (ACRA)

Ms. Pisethdanyta Sen

ACRA

Mr. Ros Va

UN Women's Office

Mr. Bruno Maltoni

IOM

Ms. Sara Piazzano

Winrock

Mr. Phally Chum

Winrock

Mr. Tith Lim

UNIAP Cambodia

Observation of training workshop on MRC Operational Manual in Kampong Cham

LAO PDR

Ms. Keo Chanthavixay

Ministry of Labour and Social Welfare (MOLSW)

Ms. Vanny

Mr. Sourisak

Mr. Smanxay Khanthanouxay

Lao Federation of Trade Unions

Mr. Thongleam Silimonghoun

Mr. Vilay Vongkhaseum

Mr. Khamchan Sivanthong

Mr. Thanday Chansomphon

Labour Social Welfare Department Savannakhet

Manager of Job Center

Job Center Savannakhet

Manager, Deputy Mgr. & Staff

MRC Savannakhet

Mr. Boudny

Lao State Employment Enterprise (LSEE)

Mr. Thingthong

UN Women

Ms. Xoukiet Panyanouvong

UNIAP Lao PDR

Mr. John W Yoon

World Vision

MALAYSIA

Ms. Fadzillah Mohd Saaid + staff

MOHR, International Department

Mr. Razak + staff

MOHR, Labour Department

Ms. Farah

MOHR, Policy Department

Ms. Noor Arzala bt. Ariffin

MOHR, Research & Planning Department

Mr. K. Somasundram

MTUC

Mr. Moses Singam

MTUC/MRC Coordinator

Mr. Vijay Veeriah

MTUC/MRC Penang Coordinator

Mr. Mohamad Fauzi Ibrahim

Malaysian Trade Union Congress – Penang Division

Dato’M Ramachelvam

Bar Council Malaysia

Ms. Sumitha Shaanthinni Kishna

Mr. HJ. Shamsuddin Bardan

Malaysian Employers Federation (MEF)

Ms. Irene Fernandez

Tenaganita

Ms. Glorine Amala

Ms. Florida

Ms. Nicha

Mr. Alan Vernon

UNHCR

Observation of training course for migrant workers on
 Migrants Rights (Penang)

Meeting with migrant workers from Nepal, Vietnam and
 Cambodia (Penang & Kuala Lumpur)

THAILAND

Ms. Wilaiwan Koykaewpring + staff

Department of Labour Protection and Welfare (MOL)

Ms. Piengpaph Withyachumnamkut + staff

Department of Employment (MOL)

Ms. Waraporn Prompoj

Department of Fisheries (DOF)

Mr. Anan Bovornnavarak

Chiang Mai Labour Protection and Welfare Office

Mr. Phubase Janthanimi

National Fisheries Association of Thailand (NFAT)

Mr. Wiriya Sirichai-Ekawatt + staff

Ms. Siriwan Romchatthong

Employers’ Confederation of Thailand (ECOT)

Mr. Thawatchai Pholcharoen

National Congress Private Industrial of Employment

Ms. Sujitra Thiensathaporn

MRC Samut Prakan

Ms. Poonsap Suanmuang Tulaphan

Foundation for Labour and Employment Promotion
 (Homenet)

Ms. Lawan Sarovat + staff

Foundation for AIDS Rights (FAR)

Mr. Somchai Homlaor

Human Rights and Development Foundation

Ms. Pairat Junthong

Ms. Preeda Tongchumnum	
Mr. Myint Wai	TACDB
Ms. Jackie Pollock	MAP Foundation
Ms. Rosai Wongsuban Mr. Adisorn Kerdmongkol	International Rescue Committee
Ms. Tara Dermott	MTV Exit
Ms. Claudia Natali Ms. Yuko Hamada	IOM (Thailand) IOM (Regional)
	Observation of OSH Manual Discussions at ILO Observation of workers meeting with MAP Foundation (Chiang Mai)
<u>VIETNAM</u>	
Ms. Hoang Kim Ngoc Ms. Ta Thi Thanh Thuy	MOLISA/DOLAB
Mr. Le Quang Tich Mr. Le Quang Tung	DOLISA Thanh Hoa
Mr. Le Dang Thanh + staff	Employment Service Centre Thanh Hoa
Mr. Vo Van Nhat Ms. Dinh Thi Thu Ha Mr. Vu Hong Quang Mr. Tran Van Tu	Vietnam General Confederation of Labour (VGCL)
Mr. Nguyen Luong Trao Mr. Nguyen Xuan An	Vietnam Association of Manpower Supply (VAMAS)
Ms. Doan Thuy Dung Mr. Nguyen Hai Dat Mr. Nguyen Ngoc Anh	IOM UN Women UNIAP Vietnam
	Visit to Yen Phu Commune – Meeting with Commune Committee for Labour Export and with Migrants returned from Malaysia Attendance to Project Advisory Committee (PAC) in Hanoi

Appendix 4: List of documents and publications consulted

- Terms of Reference for the Independent Mid-Term Evaluation

1. Key Project Documents

- Project Design Document & Budgets
- List of Stakeholders
- Annual Reports (June 2011 / June 2012)
- Includes country work plans; progress against indicators; annexes on capacity building, visibility and beneficiaries, etc.
- Project Updates (December 2011 / June 2012 / December 2012)
- Highlights of project progress, for public distribution
- Quarterly Briefing Notes (April to June 2012 / July to September 2012 / October to December 2012)
- Summary of activities in each country, for AusAID posts and internal monitoring
- Report of the 7th SURAC Meeting
- Summary of Proceedings and Conclusions of the Project's Sub-Regional Advisory Committee (SURAC) meeting, held in December 2011
- Concept Note for TRIANGLE Myanmar
- Strategy and outline of the project's expansion of activities to Myanmar in 2013
- GMS TRIANGLE Project Brief
- ASEAN TRIANGLE Project Brief
- Policy Advocacy Plan
- Review of policies and practices within the project scope, based on a review of the Baseline Desk Reviews (draft)
- Table of project implementing partners (support services) and reporting dates
- Working papers and manuals/reports produced by the project

2. AusAID Policy and Strategy Documents

- Australia's comprehensive Aid Policy Framework to 2015-16
- An effective Aid Programme for AusAID
- Effective Governance Strategy
- Gender Thematic Strategy
- Australia Multilateral Assessment (March 2012)

3. Research / Papers

- Baseline Survey on Safe and Legal Labour Migration (Cambodia, Lao PDR, Vietnam)
- Baseline Survey on Employment and Working Conditions of Migrant Workers (Thailand, Malaysia)
- Baseline Desk Reviews on Policy and Practice (five countries)
- Four-Country Survey on Public Attitudes towards Migrant Workers (presentation summarizing the key findings)
- Article on public attitudes to migrant workers in Asia
- Discussion paper on recruitment practices (based on first AP-MAGNET online discussion)
- Study on complaints mechanisms for grievances faced in recruitment (Thailand) (consultation draft)

- Background Paper to the 5th ASEAN Forum on Migrant Labour (draft discussed at Forum)
- Progress on the Implementation of the Recommendations adopted at the 3rd and 4th ASEAN Forum on Migrant Labour
- Background paper to National Employment Policy discussions on Labour Migration (Cambodia)
- BSR Report on monitoring codes of conduct
- Assessment of institutional capacity (Cambodia, Lao PDR, Vietnam) (unpublished)
- Literature Review on Labour Migration from GMS countries to China (unpublished)
- Migrants' Rights and Natural Disasters: Drawing Lessons from the 2011 Floods in Thailand (English - draft)

4. Legislative Analysis/Technical Comments:

- Technical Comments on draft Ministerial Regulation on Domestic Work (Thailand)
- Technical Comments on draft Ministerial Regulation on Work in Fishing (Thailand)
- Technical Comments on the draft Prakas (Cambodia)
- Recommendations for a Book of Rules on the Sub-Decree on the Management of Sending Khmer Workers Abroad
- Recommendations for Strengthening the Labour Migration Policy of the Royal Government of Cambodia
- Technical comments on gaps in legislation and the draft Sub-Decree on the Management of Sending Khmer Workers Abroad
- Analysis of draft Employment Decree (since revised) (Lao PDR)
- Summary of Emigration Procedures in the Philippines (draft)
- Summary of Emigration Procedures in Vietnam (draft)

5. Technical Notes

- Note on Resources and Reference Materials on Standard Employment Contracts for Migrant Workers (unpublished)
- Note on Migrant Workers and Pregnancy (unpublished)
- Note on Labour Exploitation (draft)

6. 'Features of TRIANGLE' – Two-page briefs on TRIANGLE's work on:

- Improving conditions in the fishing sector
- Promoting protection for migrant domestic workers
- Role of trade unions in the protection of migrant workers
- Monitoring recruitment agency associations' codes of conduct
- Gender and migration
- Promoting a positive image of migrant workers
- Migrant Worker Resource Centres (MRCs)
- Tripartism and the protection of migrant workers
- Alleviating poverty through protecting migrant workers

7. Capacity Building Tools / Training:

- Trade Union Action Plan on the Protection of the Rights of Migrant Workers (Cambodia, Lao PDR, Malaysia, Thailand, Vietnam)
- VAMAS Code of Conduct Monitoring Plan (Vietnam)
- ACRA Code of Conduct Monitoring Plan (Cambodia)

- Pre-departure training materials (Cambodia) (draft)
- MRC Operations Manual drafts (Lao PDR and Cambodia) (drafts for pilot testing)
- Operations Manual on Emigration Procedures (Lao PDR) (draft)
- OSH in Fishing Training Manual - Main (Thailand) (draft)
- OSH in Fishing Training Manual - Modules (Thailand) (draft)
- Code of Conduct for the National Fisheries Association of Thailand (draft)

8. Project guidelines:

- Template for service contracts (support services)
- Template for reporting (support services)
- Terms of Reference for PAC meeting
- MRC Guidance Note
- Regional Communications Plan, including guidelines on use of AusAID logo

9. Awareness Raising Tools / Advocacy and Reference Materials

- Safe Migration Tips (flyer/poster) (Cambodia, Lao PDR, Vietnam)
- Referral booklet for returned migrants (Cambodia)
- Travel Smart, Work Smart (draft for consultation)
- My Name is Saray (film on safe migration, used in community-based training) (Cambodia)
- Tenaganita flyers (Malaysia)
- MTUC passport in Vietnamese, Burmese and Khmer (Malaysia)
- Recommendations from 3rd ASEAN Forum on Migrant Labour, 2010
- Summary Record from 3rd ASEAN Forum on Migrant Labour, 2010
- Recommendations from 4th ASEAN Forum on Migrant Labour, 2011
- Recommendations from Mekong Youth Forum 2010
- Youth Statement at IMM/SOM3 in 2012
- Fact sheet on Ministerial Regulation on Domestic Workers (Thailand)
- Saphan Siang webpage
- Feature story on MAP Radio
- Feature story on Job Fair
- Slideshow of Photos from Saphan Siang Exhibition
- Case studies
- AP-Magnet: Asia Pacific Migration Network (online discussion board and resource hub)

10. Mission Reports

- Mission Reports from Nilim Baruah, Max Tunon and Anna Olsen (regional project management), as well as Khleang Rim, Kolakot Venevankham, Nguyen Thi Mai Thuy, Anni Santhiago and Kuanruthai Siripattanakosol (National Project Coordinators).

11. Specific Country working documents

- Terms of Reference
- Service contracts
- Reports and Manuals

12. Others

- Thailand Anti-Human Trafficking Plan 2012-2013
- Action Plan and Implementation by the Dpt. Of Fisheries in Addressing Labour Issues and Promoting Better Working Conditions in Thai Fisheries Industry (January 2012)

Appendix 5: Beneficiaries reached by Implementing Partners (up to December 2012)

Based on reports submitted by December 2012, the project has reached 13,044 beneficiaries in five countries. Of the 10,324 beneficiaries for whom data on gender was collected, 54% are men and 46% are women. This update does not include the figures from the final reports of the MTUC and Tenaganita in Malaysia (expected in January and February 2013), the mid-term report from MAP in Thailand (expected in April 2013) or the mid-term report from Phu Tho (expected in January 2013). Delays in Lao PDR have meant that progress reports have not yet been submitted from the MRCs in Champasack and Xaiyaboury.

Country	Partner	Project duration	Type of assistance	Beneficiaries (by sex)				Comments
				M	F	N/A	Total	
Cambodia	Cambodian Labour Confederation (CLC): Prey Veng	17 Aug 2011 - 16 Aug 2012	Counselling services to potential and returned migrants and their family members at the MRC and during outreach activities	436	383	-	819	<ul style="list-style-type: none"> 1,667 people (1,028 women) in migrant sending communities received education on safe migration, 300 of whom indicated they were potential migrants 146 of these beneficiaries are family members of migrant workers, 65 family members received counselling at the MRC office, 81 received counselling during outreach 237 beneficiaries received counselling over the phone from MRC staff Cases involving 69 individuals were referred to LSCW; 15 cases have been resolved through LSCW intervention The number of MRC enquiries received each day doubled after advertising the services through schools, radio and other channels MRC staff followed up with 76 of 396 of the potential migrant workers, and they have all migrated to Thailand through legal channels
Cambodia	Battambang Job Centre, National Employment Agency: Battambang	17 Aug 2011-16 Aug 2012	Counselling services to potential migrants from MRC staff	218	302	-	520	<ul style="list-style-type: none"> Detailed information is available on education levels, intended destination and work sectors for 480 of the beneficiaries 3,176 visited the Job Centre that houses the

								<p>MRC and 676 (385 women) registered as job seekers</p> <ul style="list-style-type: none"> • 2,093 people received information about safe migration and MRC services through the Polytechnic Institute and village and commune level meetings • 6 cases involving 20 individuals (8 women) were reported to the MRC • MRC staff followed up with 125 clients: 30 were planning to work in Thailand, 6 planning to migrate legally and 24 irregularly; 45 chose not to work in Thailand due to the risks involved. 50 clients were unable to be contacted. • In the second reporting period, 119 (97 women, 22 men) clients were counselled within the MRC. 361 (185 women) were counselled during outreach activities.
Cambodia	Phnom Srey Organization for Development (PSOD): Kampong Cham	17 Aug 2011-16 Aug 2012	Counselling services to potential and returned migrants and their family members at the MRC and during outreach activities	332	182	-	514	<ul style="list-style-type: none"> • 79 visited the MRC (24 women, 55 men) • 29 potential migrant workers or families of potential migrant workers have received over phone counselling from MRC staff • 585 participated in safe migration information activities over the last 6 months, including through cooperation with MTV Exit outreach activities • 300 people received MRC leaflets during Khmer New Year • Migrants and family members filed 10 cases (involving 6 women and 27 men). 3 cases were resolved by the CLC so far.
Lao PDR	Lao Federation of Trade Union	17 Aug 2011 - 16 Aug 2012	Provided counselling services to migrants and members of their families at the MRC office	21	4	-	25	<ul style="list-style-type: none"> • 5 clients (2 women) sought assistance regarding wage payment for their family members, 2 requested assistance with repatriation, 5 clients (1 woman) were seeking

								<ul style="list-style-type: none"> work permits for Thailand 359 workers and students have received information about the MRC services 3 companies were also assisted during the project implementation by placing job advertisements at the MRC office
			Provided telephone counselling services to migrants and members of their families	185	35	-	220	<ul style="list-style-type: none"> Main area of inquiry was regarding jobs in Thailand Radio advertisements publicizing the MRC were aired 1,440 times in 6 districts of Savannakhet
Malaysia	Tenaganita: KL and Selangor, Johor	18 July 2011 – 30 June 2012	Various (rescue, shelter, counselling, legal assistance, repatriation)	-	50	-	50	<ul style="list-style-type: none"> Beneficiary data reported in May 2012 Centre in Johor opened in April Agreement was extended to February 2013
Malaysia	Malaysian Trades Union Congress (MTUC): Kuala Lumpur, Selangor, Penang	July 2011 - Sept 2012	Legal assistance	-	-	92	92	<ul style="list-style-type: none"> Beneficiary data reported in May 2012 Agreement was extended to February 2013
			Training on rights of migrant workers	-	-	85	85	
			Joined trade unions (1,200 in Jabil Circuits Sdn Bhd and 500 in Elna Sonic Sdn Bhd – this will be disaggregated by sex)			1,700	1,700	
Thailand	Homenet	1 May 2011 – 31 March 2012	Training of migrant domestic worker leaders	1	5	-	6	<ul style="list-style-type: none"> 13 female migrant domestic workers were trained to become migrant leaders through monthly domestic worker exchange meetings with MAP Established the National Domestic Workers Association Conducted campaign activities, e.g. May Day rally, with approximately 100 domestic workers

								<ul style="list-style-type: none"> • Newsletter “Voices of Domestic Workers distributed to members (500 copies in Shan and Burmese languages)
Thailand	Homenet	13 July 2012 – 12 July 2013	Training of migrant domestic worker leaders	-	7	-	7	<ul style="list-style-type: none"> • Training of the migrant domestic workers was provided together with 28 female Thai domestic workers. • 90 Female Thai domestic workers participated in the seminar on C189 • 17 female Thais were trained to become migrant leaders through monthly domestic worker • Become a member to the International Domestic Workers’ Network (IDWN) • Newsletter “Voice of Domestic Workers” distributed to members (T=500 copies in Shan and Burmese languages)
Thailand	MAP Foundation: Chiang Mai and Mae Sot	5 May 2011 – 4 April 2012	Information and counselling through calls to MAP Radio program	301	250	-	551	<ul style="list-style-type: none"> • MAP have overseen a total of 36 cases – 13 cases have been resolved and 18 are ongoing. • Beneficiaries in Chiang Mai and Mae Sot have received a total of THB 1,066,922 (USD 37,000) in compensation. • Booklets provided to migrant workers (5,000 copies), and DVD on “Organising for Justice” disseminated (2,000 copies)
Legal assistance provided by trained para-legal advocates			458	313	-	771		
Provision of legal counselling in cases of exploitation - from MAP lawyer, staff and para-legal advocates through phone counselling and walk-in counselling			409	388	-	797		
Legal assistance to migrants pursuing legal labour cases in Chiang Mai and Mae Sot			601	1,364	-	1,965		
Monthly Labour			162	113	-	275		

			Exchange meetings					
			Monthly Domestic Worker Exchange meetings	37	147	-	184	
Thailand	Trade Union Partnership (LCT / TTUC / NCPE): Samut Prakarn	14 Oct 2011 – 13 Oct 2012	Information and training delivered on labour issues	106	27	58	191	<ul style="list-style-type: none"> • A trade union affiliated with the LCT has established a sub-committee made up of 18 migrant workers • A migrant worker association has been formed within Thai Agro Food Plc. • The trade unions have established relations with government and non-government partners in the province and neighbouring provinces.
			Legal assistance	30	24	0	54	<ul style="list-style-type: none"> • Legal assistance includes 1 case resolved through dispute settlement
Thailand	Thai Allied Committee with Desegregated Burma Foundation (TACDB): Bangkok	28 Oct 2011 -27 Oct 2012	Information and skills training	62	80	-	142	
			Counselling over the phone	8	8	-	16	
			Networking forum + labour exchange meetings + DW meetings	69	46	-	115	
Thailand	Human Rights and Development Foundation (HRDF): Mae Sot	15 Feb 2012 – 14 Feb 2013	Training on labour rights	52	76	-	128	<ul style="list-style-type: none"> • 500 copies of labour rights handbook on association in Karen language were distributed to migrants in communities during outreach in the field surrounding Mae Sot. • 200 copies of handbook on paralegal training in Burmese language were distributed to CBOs in Mae Sot and nearby
			Paralegal training	23	5	-	28	
			Training for trainer	15	6	-	21	
			Legal counselling	111	176	-	287	
Thailand	Foundation for AIDS Rights (FAR): Rayong	6 Feb 2012 – 5 Feb 2013	Information and advisory services provided	320	250	-	570	<ul style="list-style-type: none"> • 3 drop-in centres are run by FAR in Rayong
			Information/ Training delivered on groups formation, negotiation and leadership skills and labour rights by trade unionists	28	16	-	44	
			Provision of legal	12	3	-	15	

			counselling					
Thailand	Labour Rights Promotion Network Foundation (LPN): Western Bangkok and Samut Sakhon	15 Dec – 15 June 2012	Legal assistance during the flood and early recovery phase for migrant workers and their children	34	17	36	87	<ul style="list-style-type: none"> Relief supplies and information services provided during the flood (M=797, F=704, T=1501)
Thailand	State Enterprises Workers' Relations Confederation (SERC): Ayudthaya, Patum Tani, Nakhon Patom	1 Dec 2011 - 31 May 2012	Legal assistance during the flood and early recovery phase for migrant workers	23	8	15	46	<ul style="list-style-type: none"> Relief supplies and information services provided during the flood and early recovery phase (M=265, F=180, N/A=1,550, T=1,995)
Vietnam	Quang Ngai Provincial Department of Labour, Invalids and Social Affairs	7 Nov 2011 – 7 Nov 2012	Counselling services	323	88	-	411	<ul style="list-style-type: none"> 6000 leaflets and 112 posters printed (1000 leaflets and 12 posters funded by local budget) 4 broadcasts on local radio and television (1 roundtable discussion and 3 question and answer programmes) 4 talks at vocational training schools Investigated 137 cases of return before end of contract
			Website counselling (submitted questions and received answers online)	-	-	241	241	
			Telephone counselling	-	-	181	181	
			Counselling at job fair events	-	-	312	312	
Vietnam	Thanh Hoa Provincial Department of Labour, Invalids and Social Affairs	7 Nov 2011 – 7 Nov 2012	Counselling services to potential migrant workers at the MRC	607	297	-	904	<ul style="list-style-type: none"> Of beneficiaries, 254 (195 men, 59 women) have migrated for work. 128 of this 254 went to Malaysia Majority of clients were between 18-29 years old (78.2%), with around half intending to go to Malaysia for manufacturing jobs Seminars on safe migration reached nearly 2,000 students
			Counselling services to potential migrant workers provided through outreach activities	-	-	-	-	
Vietnam	Bac Ninh Provincial Department of Labour, Invalids and Social Affairs	1 Nov 2012 – 1 Nov 2013		124	46	-	170	

Vietnam	Ha Tinh Provincial Department of Labour, Invalids and Social Affairs	1 June 2012 – 1 June 2013	Counselling services to potential and returned migrants and their family members at the MRC and during outreach activities	458	42	-	500	<ul style="list-style-type: none"> • Held talks in cooperation with Youth Union for 350 people (M=198; F=152) • Held talks at 3 technical and vocational colleges • 6 broadcasts on Ha Tinh radio and television • 7,500 leaflets and 20 posters printed
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In addition to the delivery of support services, many of the project partners are supporting the development of local authorities, trade unions, industry actors, etc.

Appendix 6: Overview of main activities implemented

The following sections are not meant to be a complete overview of all outputs but only present a selection of **important achievements** in relation to the three main objectives of the project. All activities implemented by the project have been described and documented in the various reports produced by TRIANGLE (the list of reports is provided in section 4.1.5) and partially verified by the evaluator during the different field visits and meetings in the five participating countries.

In the project annual reports, the presentation of activities and achievements is made in relation to each of the project indicators; this presentation provides a good synopsis but not really a clear overview of what has been achieved by individual country.

The following sections highlights completed and/or on-going activities for each objective which are seen by the evaluator as most relevant on a country basis.

Activities implemented in relation to Objective 1

O.1.1: Advocacy campaigns among policy makers and public to influence improved recruitment and labour protection policies and practices have been conducted

Cambodia

- An advocacy film on safe migration (“My name is Saray”) has been produced for media dissemination and training. DVDs have been distributed to MRCs, commune councils and other stakeholders.
- A communication plan on safe migration for delivery through MRCs and other dissemination points is being developed in order to deliver the right key messages to migrants and to the wider audience of authorities and the general public.

Lao PDR

- A Job Fair was organized in Champasak province in June 2012 during which “Raising awareness of labour migration” was defined as one of the four key objectives. A video movie “Making Labour Migration Safer for Laotian Workers” was also produced and can be found on Youtube.
- International Migrants Day (18 December 2012) was used to broadcast a roundtable discussion between the Deputy Director General of the Department of Skills Development (MOLSW), the DG of the Department of Labour Protection (LFTU), the Lao Federation of Trade Union and the TRIANGLE NPC on Lao national television. This was followed by a press release in the Lao Labour Weekly newspaper. This was part of the Communication Plan for Safe and Legal Migration targeting villages with a high number of potential migrant workers which had earlier been prepared.

Malaysia

- A campaign promoting positive attitudes towards migrant workers was launched on the World Migrant Day (18 December 2012) under the name “Working Together, Walking Together: Migration Works for Us All”. A video launching the campaign was aired on Star TV (on-line television) and a Facebook page refers to the campaign (<http://www.facebook.com/MigrationWorks>). This campaign has been shaped in part by research that the project commissioned in four countries (Malaysia, Singapore, South Korea and Thailand) on public attitudes to migrant workers.

Thailand

- The “Saphan Siang” campaign promoting a positive image of migrants as well as understanding between Thais and migrants was launched in 2011, initially targeting youth and the general public and subsequently adapted to reach out to government and trade union partners (see www.facebook.com/saphansiang). The campaign is based on activities and regularly organizes events, e.g. a visual arts event on the International Migrants Day in December 2012, an earlier photo exhibition, video testimonials and more.

- The project has also been active in advocating for regulations on domestic workers and work in fishing to be in line with the relevant ILO standards; and in calling for tighter regulation of brokers and sub-contracting agents placing foreign workers in Thailand, through research, consultations and a series of technical working group discussions.

Vietnam

- Various workshops and training courses attended by media (newspapers and television) have been used to campaign for safe migration targeting recruitment enterprises, trade unions and government officials; television broadcasting has been used on local channels for round-table discussions involving DOLISA, recruitment agencies, district authorities and families of migrant workers and reporting on risks faced by irregular migrant workers.
- Posters and leaflets of high quality promoting safe and legal migration as well as counselling services of ESCs and DOLAB intended for different target groups have been disseminated. VGCL launched a website page on overseas employment on International Migrants Day 2012.

O.1.2: Tripartite constituents take on prominent roles in strengthening recruitment and labour protection policies and practices

Cambodia

- The major advance in the Cambodian legal framework to protect migrant workers relates to Sub-Decree 190 on sending Khmer workers abroad through private recruitment agencies; the Sub-Decree was adopted by the Cambodian government in August 2011. The project has supported the government in organizing a Technical Working Group and broader consultations with tripartite constituents (ministries, trade unions, association of recruitment agencies, social partners, industry actors and civil society organizations) to identify priority areas, define an implementation strategy and develop six “*Prakas*” (ministerial orders). These “*Prakas*” are intended to provide the basis for a possible implementation of the new Sub-Decree. The project also coordinated the provision of detailed technical inputs from a range of specialists in ILO Bangkok and Geneva. At the time of the present MTE, the first three *Prakas* are expected to be signed by the Minister of Labour and Vocational Training in early 2013, and hence come into force; the three others are being developed through the same process including TWG meetings and broader consultations with tripartite constituents.
- The project has supported three trade union federations to jointly develop a policy and action plan to enhance their role in the protection of migrant workers. The “Trade Union Action Plan on the Protection of the Rights of Migrant Workers” (2012-2013) aims at i) promoting a rights-based migration policy, ii) networking within the country and abroad (primarily Thailand and Malaysia), iii) educating and informing trade unions and members, and iv) training and advocacy¹².

Lao PDR

- Support has been provided to draft the migration-related articles of the “Employment Decree” intended to serve as a legal framework for domestic and international employment. Comments on the draft decree have been provided by ILO in January 2012; no significant development has taken place since then other than the draft being sent back and forth on technical issues between the MOLSW, the other ministries involved with migration issues (Foreign Affairs, Public Security) and the Prime Minister’s Office.
- The Lao Federation of Trade Unions (LFTU) has adopted an action plan (2011-2013) on protecting migrant workers in accordance with their mandate to protect Lao workers within and outside the country; the action plan covers the registration of migrant workers, the establishment of MRCs, collaboration with trade unions in destination countries, the promotion of tripartite dialogue on labour migration at national and sub-national levels and raising awareness on labour migration issues.

¹² Similar Action Plans for Trade Unions have been prepared in all five countries to provide support to migrants and would be migrants, and highlight to the governments the added value of having trade unions participate in policy discussions.

Malaysia

- Tripartism has officially been a regular process in Malaysia for many years and the consultation of the MTUC and the MEF by the government on policy issues is further supported by the project. The involvement of civil society has however been restricted by the government (e.g. a memorandum submitted by Tenaganita and the Bar Council in 2008 on a comprehensive policy on recruitment, placement and employment, including the development of a model contract for migrant workers remained unanswered); TRIANGLE has been able to improve the relationship of the government with civil society, e.g. in involving the Bar Council in activities related to protection issues.

Thailand

- The project has promoted tripartite consultations for the preparation of the Draft Ministerial Regulation concerning Work in the Fishing sector and Domestic Workers (Government agencies, social partners, NGOs, academics) through different working groups and network meetings; and formally submitted technical comments from ILO specialists in the region and in Geneva. The project aims at aligning the Draft Ministerial Regulation concerning Work in the Fishing sector with ILO Convention 188 on Work in Fishing.
- A Technical Working Group set up with the Department of Employment and the ILO during a previous EU funded project implemented by ILO has been continued and also replicated with the Department of Labour Protection and Welfare in order to coordinate and plan activities under a more regular framework of DLPW-ILO cooperation.

Vietnam

- TRIANGLE has implemented several activities aiming at promoting the tripartism approach in an environment in which the role of the government has always been predominant. TRIANGLE has provided an essential platform to foster closer ties between all parties involved in the migration process in promoting a closer cooperation between the government, VAMAS and VGCL.
- TRIANGLE provided support to MoLISA to conduct reviews and assessments during the drafting of the Circular on Standard Labour Supply Contracts and Standard Guest Worker Contracts and the Circular on the Ceiling of the Deposit Fund for Recruitment Agencies and Migrant Workers. The first drafts of the two circulars are in consultation with relevant stakeholders. The Draft Prime Ministerial Decision on Overseas Employment Fund has been revised after considering and incorporating opinions from local authorities, recruitment agencies, migrant workers and experts.

Main Activities implemented in relation to Objective 2

O.2.1: Mechanisms to improve regulation, transparency and accountability in the recruitment process for women and men migrants have been developed and promoted

Cambodia

- Monitoring tools of the ACRA Code of Conduct (COC) governing the business behaviour of member recruitment agencies (existing since 2010) are being developed and pilot-tested with the support of TRIANGLE in eight agencies prior to roll-out to all agencies. A rating system is expected to result from the monitoring mechanism, which will enable migrants as well as employers in destination countries to choose reliable recruitment agencies; and MRCs and other support services to make more informed referrals. ACRA's pilot monitoring and scoring of eight agencies is expected to be finalized by March 2013; ACRA is then expected to make modifications required in order to enable a complete roll out of the monitoring in 2013.
- The MRCs and the trade unions have been promoted as primary channels to report and resolve complaints.

Lao PDR

- A workshop has been organized in March 2012 aiming at paving the way to form a Recruitment Agency Association, deliver training on ILO Convention 181, and share good practices from around the region; this has however not resulted in any concrete results at the time of the present evaluation.

Malaysia

- Malaysia's laws, in particular the Employment Act of 1955 does not differentiate between local and migrant workers although certain provisions of the Act do exclude domestic workers. A further disparity is in terms of insurance claims where local workers are covered under the Social Security Act 1969 and migrant workers are covered under the Foreign Workers Compensation Act 1952. The laws however contain many gaps related to implementation which the TRIANGLE project aims to address. Considering the context, the choice has been made to give priority to building up a collaborative relationship with the government in this sensitive field of work (e.g. in organizing capacity development activities for government officials on issues of primary interest to their work duties) while at the same time being attentive to specific needs expressed by the Ministry.
- The project provided technical comments on a draft MOU between Bangladesh and Malaysia based on a Government to Government approach that would reduce the role of recruitment and outsourcing agencies in both countries.

Thailand

- The project has supported the National Fisheries Association of Thailand (NFAT) for the development of a Code of Conduct for employers in the fishing sector, aiming at protecting all workers, including migrant workers. Operational Guidelines on Recruitment, Employment and Working Conditions as well as Good Labour Practice Guidelines are being developed with NFAT and a larger working group involving authorities, employers and civil society; a model for "Labour Recruitment Placement and Employment on Fishing Vessels Services Centre Agencies" has been prepared with input of the project.
- The project is supporting trade union initiatives to develop a closer cooperation with trade unions in sending countries as well as in the provision of services to migrants through the MRC in Samuth Prakan.

Vietnam

- TRIANGLE has assisted VAMAS to develop the monitoring mechanisms and tools of the Code of Conduct, which is now being followed by the vast majority of recruitment agencies (110 out of the 126 member agencies, according to VAMAS). The COC developed with the support of ILO prior to the launch of TRIANGLE covers the full range of issues related to migration, including protection of migrant workers and dispute settlements. The COC is well received by the government (MOLISA/DOLISA) and will eventually become compulsory for all agencies. The pilot phase of the monitoring supported by ILO involves 20 agencies and is expected to be rolled out to 50 agencies in 2013.

O.2.2: Mechanisms have been developed and training delivered to improve the labour protection of women, men and children migrants.

Cambodia

- A Manual on emigration procedures is being developed by the General Department of Labour with the support of the project and training will be provided to labour authorities and relevant agencies.
- Training on the role of trade unions on the protection of migrant workers has been provided on basis of the "ACTRAV Trade Union Manual: In Search of Decent Work – Migrant Workers' Rights".

Lao PDR

- An Operational Manual on Emigration Procedures to build capacity of central and local officials involved in migration issues (MOLSW, Ministry of Interior and Ministry of Foreign Affairs) has been drafted and is

currently being finalized. A validation workshop was organized with officers at all levels dealing with inbound and outbound migrant issues.

- Two workshops on Migration Protection aiming at improving knowledge of provincial staff on roles and responsibilities of LFTU and other concerned local government officers have been organized.

Malaysia

- TRIANGLE has focused on raising awareness of migrant workers on their rights and provided support to enforce the law through the MRCs.
- Training has been delivered to labour officers from around Malaysia on the labour dimensions of trafficking, in response to the change in the Anti Trafficking in Persons Act, which gave them enforcement powers.
- Consultations with Labour Attaches of the embassies' of sending countries have been organized with the support of the Bar Council Malaysia with the aim to improve knowledge of Malaysia's laws and procedures and strengthen communicative relationships between the embassies, authorities, social partners and CSOs which is expected to increase efficiency and more positive outcomes for migrant workers.

Thailand

- Capacity building activities have been organized for labour authorities and labour inspectors of the Department of Labour Protection and Welfare.
- Two Technical Working Groups on Recruitment/admission of migration workers and Labour protection have been set up with the Department of Employment and the Department of Labour Protection and Welfare, respectively. The project is working on the development of a Complaint Mechanism for inbound migrant workers facing abuses in recruitment and in the workplace, which already exists for outbound Thai migrant workers.

Vietnam

- Training has been provided by VAMAS for provincial officers of 14 DOLISAs with high volumes of migrants on issues related to international conventions and Vietnamese regulations, code of conduct and its evaluation mechanism and the role of provincial officers in monitoring recruiting agencies, hence improving labour protection; in parallel VGCL provided training to trade union staff at district and commune levels to cooperate with provincial officers in monitoring recruitment agencies.
- DOLAB officials at national and regional level have also been trained by the TRIANGLE project on international and regional legal documents on labour migration; TRIANGLE has also provided officials with better knowledge on labour safe migration and promoted the development of mechanisms for labour protection of migrants.

As a general comment it has to be mentioned that "Mechanisms" include the development of manuals and reference materials; linking of CSOs and governments; and MRC complaints processes. MRCs also keep copies of individuals' migration documents to better enable investigation/complaints. Databases of beneficiaries at MRCs can also be considered a mechanism for protection.

O.2.3: Regional tripartite cooperation and influence to support implementation of bilateral and multilateral commitments have been increased.

While activities were more of a regional nature, the following specific in-country activities have been implemented:

Cambodia

- In the framework of the ASEAN Declaration, the project supported the MOLVT to prepare their "wish list" (in consultation with trade unions and civil society partners) for the Agreement intended to facilitate the application of obligations under the Declaration.

Vietnam

- The experience of VAMAS in establishing the association and developing the Code of Conduct was shared with recruitment agencies in other countries (Thailand, Cambodia and Lao PDR).
- A four day mission to meet with the Malaysian Trades Union Congress (MTUC), the Ministry of Labour, church groups, Malaysian Employer Federation (MEF), employers, Vietnamese Embassy and Vietnamese migrant workers was conducted by four officials from VGCL, VAMAS's president and ILO TRIANGLE project staff in October 2012.

On Regional basis:

- The project supported the ASEAN Forum on Migrant Labour in 2010, 2011 and 2012 – alongside the host governments, the ASEAN secretariat, the Task Force on ASEAN Migrant Workers (regional coalition of CSOs), IOM and UN Women.
- TRIANGLE also supported labour officers and youth to participate in the COMMIT process.

Main Activities implemented in relation to Objective 3

O.3.1: Women and men migrants and potential migrants are empowered through improved safe migration and rights awareness, and increased representation and social inclusion.

Cambodia

- Three Migrant Worker Resource Centres (MRCs) have been established under the umbrella and management of three different partners: in Prey Veng (run by trade union CLC), in Battambang (run by government NEA) and in Kampong Cham (run by NGO PSOD). MRCs disseminate information on safe and legal migration, provide counselling support services, coordinate with relevant stakeholders and strengthen the knowledge base. Financial support is partially provided by the project. Training of staff has been provided. MRCs will operate on basis of the MRC Operations Manual (available in Draft version since November 2012) which the MOLVT has been invited to endorse. A further MRC to be established in Phnom Penh within the Ministry of Labour and Vocational Training is being considered.
- The training curriculum on Pre-Departure Orientation due to become compulsory for all recruitment agencies once the *Prakas* come into force, has been prepared and is available in Khmer language. Endorsement by the MOLVT and ACRA will be sought and training of trainers workshops will be organized.

Lao PDR

- Three MRCs have been established under the umbrella and management of two different partners: in Savannakhet (run by trade union LFTU), in Champasak and Xaiyaboury (run by government "Job centres"). Formal training is yet to be delivered by ILO (planned for February).
- The preparation of a pre-departure orientation manual has been initiated for which the existing UNIFEM manual developed in 2009 will be used for reference.

Malaysia

- Three MRCs have been established under the umbrella and management of MTUC (Kuala Lumpur/Selangor and Penang) and Tenaganita (Johor).
- MTUC and Tenaganita have organized workshops/meetings to raise awareness of migrant workers on their rights and promoting workers to organize themselves and/or to join trade unions. Selected "Peer leaders" among the migrant workers have been trained and are expected to reach out to their co-workers.

Thailand

- The provision of support services is organized through different channels, i.e. through formal MRC type structures operating under different names (MRC, Labour Law Clinic, Drop in Centres, etc.) and other

more project (ad hoc) based activities. With the exception of one MRC operated by TTUC (Trade Union), all services are provided by NGOs which already were working with migrant workers.

- Outreach to migrant workers being a key issue, it is worth highlighting the MAP Foundation activity (Migrant Workers' Radio) in Chiang Mai and Mae Sot as well as the cooperation with MTV Exit which both allow a high number of migrant workers to be reached by educational and awareness raising messages.

Vietnam

- MRCS have been established in five provinces under the umbrella of the local Employment Service Centres (ESCs) and training provided to the staff on legal issues, policies and counselling services; ESCs have a rather large outreach (e.g. 40,000 visitors per year in Thanh Hoa, according to ESC management, of which 20% of job seekers are interested in working abroad.
- Pre-departure training is being promoted in the framework of the VAMAS Code of Conduct, but the curricula still needs to be developed. The COC stipulates that *“the enterprise organizes pre-departure trainings and orientations for workers under the core framework of State management agency; and provide them with practical information on contracts and market where the workers go to work”*.

O.3.2: Legal assistance has been made available to migrant women, men and children working in or withdrawn from exploitative conditions.

Cambodia

- The NGO LSCW has been contracted by the project to provide legal support to migrant workers in cases of exploitation or abuse, referred to LSCW by the MRCs. LSCW previously delivered paralegal training to MRC staff on migrant worker rights, contract of employment, case management and roles and responsibilities of private recruitment agencies in protecting the rights of migrant workers.
- The National Union Alliance Chamber of Cambodia is supported by the project to facilitate access to justice and/or resolve disputes for women and men migrants who have been abused or exploited in the migration process or in destination countries. The Provincial Departments of Labour and Vocational Training in Kampong Cham, Prey Veng and Battambang provinces are supported by the project to assist in handling migration-related complaints in these provinces.

Lao PDR

- A lawyer based in Savannakhet has been contracted to deal with potential cases of exploitation or abuse reported to the MRC. To date, no cases of abuse by recruitment agencies have been brought to the attention of the lawyer.

Malaysia

- Legal assistance has been provided through different channels in several cases of labour exploitation, with the support of MRCs, of MTUC's legal department, of the NGO Tenaganita and/or with the support of the Malaysian Bar Council.
- Malaysian MRCs handled direct referral cases from Vietnam and Cambodia related to labour disputes involving unlawful deduction and underpayment of wages.

Thailand

- Legal assistance to migrant workers is provided by the Trade Union run MRC and several NGOs working with the project (the breakdown of legal cases supported provided in the beneficiary table – Appendix D – shows that MAP Foundation in Chiang Mai has been particularly active in this respect). Thai authorities have been lobbied by the project in cooperation with IOM, IRC and MAP to improve efforts to streamline access to justice for migrant workers.

Vietnam

- TRIANGLE has suggested the involvement of the National Bar Association of Vietnam in developing new mechanisms to provide legal assistance; this has not yet resulted in major developments.

Appendix 7: Partners provided with capacity building activities

Cambodia

1. Ministry of Labour and Vocational Training (MOLVT)
2. Provincial Department of Labour and Vocational Training (x3)
3. Association of Cambodian Recruitment Agencies (ACRA)
4. Legal Support for Children and Women (LSCW)
5. Trade Union federations (CLC, NACC and CCTU) and trade unions in Siem Reap, Battambang and Banteay Meanchey

Lao PDR

6. Department of Employment and Skills Development, Ministry of Labour and Social Welfare (MOLSW)
7. Lao Federation of Trade Unions (LFTU)

Malaysia

8. Ministry of Human Resources (MOHR) (training for labour officers)
9. Malaysian Trades Union Congress (MTUC)

Thailand

10. Department of Labour Protection and Welfare (DLPW) and Department of Employment (DOE), Ministry of Labour
11. National Fisheries Association of Thailand (NFAT)
12. Trade Unions (TTUC, NCPE, LCT)

Vietnam

13. Ministry of Labour, Invalids and Social Affairs (MOLISA)
14. Vietnam General Confederation of Labour (VGCL)
15. Vietnam Association of Manpower Supply (VAMAS)
16. Departments of Labour, Invalids and Social Affairs (DOLISA) (x 5)

Appendix 8: List of implementing partners

Cambodia

1. Cambodian Labour Confederation (CLC)
2. Phnom Srey Organization for Development (PSOD)
3. National Employment Agency, Battambang (NEA)
4. Legal Support for Children and Women (LSCW)

Lao PDR

5. Department of Employment and Skills Development, Ministry of Labour and Social Welfare (MOLSW)
6. Lao Federation of Trade Unions (LFTU)

Malaysia

7. Malaysian Trades Union Congress (MTUC)
8. Tenaganita

Thailand

9. Labour Congress of Thailand (LCT)
10. Thai Trade Union Congress (TTUC)
11. National Congress Private Industrial of Employee (NCPE)
12. MAP Foundation (MAP)
13. Foundation for AIDS Rights (FAR)
14. Human Rights and Development Foundation (HRDF)
15. Thai Allied Committee with Desegregated Burma foundation (TACDB)
16. Home Net Thailand
 - Additionally SERC/TSLC and LPN provided assistance to migrant workers during the floods in Thailand.

Vietnam

17. Bac Ninh Department of Labour, Invalids and Social Affairs
18. Ha Tinh Department of Labour, Invalids and Social Affairs
19. Phu Tho Department of Labour, Invalids and Social Affairs
20. Thanh Hoa Department of Labour, Invalids and Social Affairs
21. Quang Ngai Department of Labour, Invalids and Social Affairs

