

# Independent Evaluation report: Mid term Evaluation:

## ILO Combating Forced Labour and Trafficking of Indonesian Migrant Workers (INS/06/M10/NOR)

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Donna Leigh Holden, Independent Evaluator

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**Independent Evaluation Report:  
Mid Term Evaluation:**

**ILO Combating Forced Labour and Trafficking of  
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(INS/06/M10/NOR)**

Prepared by Donna Leigh Holden – Independent Evaluator  
December 2007

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## 1. Acronyms, Abbreviations and Non-English Terms

Term	Meaning	Definition (for Non English Terms)
ACCESS	Australian Community Development and Civil Society Strengthening Scheme	
ADWA	Asian Domestic Workers Alliance	
BNP2TKI	<i>Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia</i>	The National Board of Workers' Placement and Protection Authority of the Republic of Indonesia
BNP3TKI	<i>Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia</i>	Provincial Offices of BNP2TKI
CFLTIMW	Combating Forced Labour and Trafficking of Indonesian Migrant Workers	
DCF	Decentralization Support Facility	Multidonor facility supporting Indonesian decentralisation process
<i>Deplu</i>	<i>Departemen Luar Negeri Republik Indonesia</i>	Indonesian Department of Foreign Affairs
<i>DepNakerTrans</i>	<i>Departemen Tenaga Kerja dan Transmigrasi</i>	Department of Manpower (Labour) and Transmigration
DFID	UK Department for International Development	
<i>Disnaker</i>	Provincial Head of Labour	
FDGHU	Filipino Domestic Helper General Union	
Gol	Government of Indonesia	
HORMAS	<i>Hukum Organisasi Masyarakat</i>	Law on Community Organisations (being developed in 2008)
IMWU	Indonesian Migrant Workers Union	
KDP	<i>Kecamatan</i> Development Programme	World Bank Decentralised Poverty Alleviation and local Governance Project – precursor to the emerging PNPM
<i>KopBUMI</i>	<i>Konsorsium Pembela Buruh Migran Indonesia</i>	The Consortium for the Advocacy of Indonesian Migrant Workers
<i>Komnas Perempuan</i>	<i>Komisi Nasional Anti Kekerasan Terhadap</i>	National Commission on Violence Against Women

	<i>Perempuan</i>	
ILO	International Labour Organisation	
ILO ROAP	ILO Regional Office for Asia - Pacific	
NGO	Non Government Organisation	
NOK	Norwegian Kroner	
PNPM	<i>Program Nasional Pemberdayaan Masyarakat</i>	National Program for Community Empowerment
SBMI	<i>Serikat Buruh Migran Indonesia</i>	Indonesian Migrant Workers Union
SPPQT	<i>Serikat Paguyuban Petani Qaryah Thayyibah</i>	
SYB	ILO Start Your Own Business Programme	
TKI	<i>Tenaga Kerja Indonesia</i>	Indonesian migrant worker/s
TOT	Training of Trainers	
UN	United Nations	

## **2. Executive Summary**

Indonesia is the second largest exporter of labour internationally. Labour migration represents a significant proportion of Indonesia's national income, with remittances from migrant labourers constituting in excess of USD 2.9 billion annually<sup>1</sup>. It is estimated that there are approximately 4,000,000 documented Indonesian migrant workers presently working in the Middle East and Asia including in countries such as Yemen, UAE, Kuwait, Hong Kong, Malaysia, Singapore, Brunei Darussalam and Taiwan. Further estimates of undocumented migrant workers are estimated to be 2 - 4 times higher than this<sup>2</sup>.

The existence of clandestine and poorly regulated migration agencies, coupled with a poor regulatory environment and vulnerabilities such as poverty, lack of choice and poor education have resulted in communities and individuals being unable to make informed choices regarding labour migration, nor to advocate for their own rights and protection. While the protection of migrant workers has been identified as a priority within successive national development plans of Indonesia, progress towards the protection of migrant workers has proven insufficient to protect migrant workers from exploitation and abuse both domestically and within receiving countries.

It is within this context of increased labour migrant, absence of regulatory and protection mechanisms and ongoing abuses of migrant workers, that the ILO and Government of Indonesia (GoI) began working together to improve the protection of Indonesian migrant workers. The ILO Combating Forced Labour and Trafficking of Indonesian Migrant Workers (CFLTIMW) Project 2006 - 2008, represents a key step in this partnership, and builds upon the activities and partnerships of the earlier "ILO Mobilising Actions for the Protection of Domestic Workers from Forced Labour and Trafficking" Project which was implemented from May 2004 – August 2006.

The CFLTIMW Project aims to:

"Improve protection for Indonesian migrant workers both in Indonesia and within destination countries including Malaysia, Singapore and Hong Kong, and seeks to contribute to the development of a more effective migrant workers placement system which oversees the protection of migrant workers from pre-departure, throughout placement and upon return to Indonesia."

The Project's stated aims are to:

1. Reduce migrant domestic workers' vulnerability to trafficking and forced labour practices by raising public awareness, and undertaking targeted advocacy and

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<sup>1</sup> Ministry of Manpower and Transmigration statistics quoted in Jakarta Post 26.1.2006

<sup>2</sup> ILO Project Proposal for CFLTIMW, 2005

- technical cooperation to promote policy and legislative protection measures for migrant domestic workers;
2. Provide protection, outreach, livelihoods and reintegration services to migrant domestic workers who are vulnerable to or victims of trafficking and forced labour practices;
  3. Build capacity in government officials and other key stakeholders to increase their effectiveness in combating forced labour practices and trafficking in migrant domestic workers.

These aims are achieved through a range of programme activities addressing five (5) Strategic Components as follows:

1. **Policy and Legislative Protection:** Strengthened policy and legal frameworks and practical implementation mechanisms for the protection of domestic workers against trafficking and forced labour in source and destination country, advocacy, consultations and technical assistance.
2. **Awareness Raising and Advocacy:** Increased awareness by the public, leaders, decision makers and key stakeholder representatives of domestic workers as workers with equal labour and human rights and protection needs.
3. **Outreach, Protection, Livelihood Activities and Reintegration Services:** Enhancing the quality and availability of outreach, protection, livelihood activities and reintegration services for migrant domestic workers and their families.
4. **Capacity Building of Key Stakeholders:** Strengthened capacity of key stakeholders to implement measures within their mandate area for the protection of migrant domestic workers.
5. **Research, Data Collection and Dissemination Systems:** Strengthened knowledge base and data collection and dissemination systems.

As a standard part of the ILO project cycle, an Independent Midterm Evaluation of the CFLTIMW Project was undertaken in December with the purpose of “drawing lessons learned from the implementation of the Project with a view to assess whether the Project goals and objectives are still relevant, and if so, take the findings of the evaluation into account in the development of a new proposal to the need for protection of migrant domestic workers in the project countries. A range of methodologies including a desk study, interviews with key stakeholders and field visits to programming locations were utilised to review the achievements, efficiency and effectiveness and relevance of the Project and to draw conclusions regarding progress to date and recommendations for the remainder of the project and future actions beyond the end of the project.

The following Report represents the full findings of the Midterm Evaluation and the recommendations for ongoing programming. Recommendations of the Midterm Evaluation are integrated within the text of the Report beneath their corresponding text, and a table of Recommendations and suggested timeframes and priorities is provided at Section 8 of the Report.



A number of key points in relation to the observations and outcomes of the Midterm Evaluation can be presented by way of a summary overview. These are briefly summarised in line with the main areas of consideration established by the Midterm Evaluation Terms of Reference, and which form the basis of the full report.

### **Relevance and Strategic Fit (Links to National Frameworks)**

The CFLTIMW Project fits very closely to identified global, regional and local priorities of ILO identified through a range of Conventions, policies and instruments including the ILO Convention, 1930 (29). It operates within the Indonesia Decent Work Country Programme (DWCP) 2006 – 2009, which represents the national development framework for action within the employment and labour sectors, developed through a national tripartite consultation process, and which as such reflects nationally identified priorities within Indonesia. The Project's specific contribution to the DWCP is with regard to its direct contribution to Priority A.2: Improved Labour Migration Management for Better Protection of Indonesian Migrant Workers, especially Migrant Domestic Workers.

The Midterm Evaluation confirms that the Project design and implementational priorities are strongly aligned with the current context and support required by the Government of Indonesia in relation to strengthening the regulatory environment for labour migration, as well as improving the management performance of Indonesia's national labour migration programme.

Consultations and interviews with key actors including migrant workers themselves further confirm that, outside of the policy and regulatory environment, that the Project has been responsive to locally identified needs for the piloting of initiatives for improved service provision (such as support for alternative livelihoods and improvements to pre-departure training) to migrant workers, especially those delivered by civil society agencies such as NGO's and trade unions.

By way of its focus upon domestic migrant workers, the far greatest proportion of which comprises women, the Project has an inherent focus upon gender and in particular a strong focus upon the protection of women. The report does however suggest and support current efforts of the Project team to seek to strengthen its gender orientation, with specific regard to encouraging improved gender analysis amongst partners and stakeholders and developing more qualitative indicators for measuring gender performance.

### **Achievements**

Despite early delays in Project inception and a funding shortfall, the Project has effectively delivered upon all key activities and is well progressed towards achieving its operational targets and goals.

A number of key areas of achievement have been identified throughout the evaluation and a number of these are highlighted below against the stated Project

aims<sup>3</sup>:

***Reduce migrant domestic workers' vulnerability to trafficking and forced labour practices by raising public awareness, and undertaking targeted advocacy and technical cooperation to promote policy and legislative protection measures for migrant domestic workers:***

The Project undertakes a wide range of initiatives with regard to raising local and international public awareness, targeted advocacy and technical cooperation including:

- φ support for the formation of the international networks such as Asian Domestic Workers Alliance (AWDA), which advocate human rights and labour protection of workers;
- φ technical support to the Indonesian Department of Foreign Affairs (*Deplu*) in the development and implementation of its awareness raising and capacity development programme aimed at providing *Deplu* officials with a stronger understanding of international instruments for the protection of vulnerable population groups;
- φ funding and technical support for a number regional consultations on migrant workers rights and protection;
- φ the appointment of two high profile Indonesian singers as Good-Will Ambassadors for Migrant Workers who have undertaken national and international tours, media interviews and events to promote and advocate migrant worker issues;
- φ 18 national and local talk-back radio programmes enabling public discourse on migrant workers protection in order to influence public perception, choice and practice;
- φ technical inputs to international media to encourage more open reporting and anti-bias in relation to reporting on migrant worker protection issues.
- φ undertaking a legal analysis of the compliance of the Indonesian Recruitment and Placement Service for Migrant Workers to Indonesia's human rights obligations;
- φ the provision of technical support to key Ministries and government bodies such as BNP2TKI, the Ministry of Manpower, the Ministry of Justice and Human Rights and the Coordinating Ministry of Economic Affairs, to develop and draft policy, legislative and administrative frameworks and practices consistent with Indonesia's obligations;
- φ undertaking key research activities and developing case studies and analyses to influence policy development and planning.

***Provide protection, outreach, livelihoods and reintegration services to migrant domestic workers who are vulnerable to or victims of trafficking and forced labour practices.***

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<sup>3</sup> Please note that these are provided as examples only and that more detailed lists of outputs and achievements are found within the text of the full Midterm Evaluation Report and in particular Section 6.2.

The Project has supported a broad range of initiatives aimed at establishing models for improved protection and services for Indonesian migrant worker communities as well as migrant workers and their families. These include:

- φ the delivery of a range of TOT and step-down trainings for local government service providers, unions and other civil society organisations who have a role in providing support and services to migrant workers and their families including:
  - ◆ Human Rights and Migration Management Systems
  - ◆ Pre-Departure Briefing
  - ◆ Para-Legal Training
  - ◆ Institutional Strengthening and Organising Migrant Workers Training;
- φ the training of Start Your Business (SYB) Trainers and support for the delivery of Step Down training to migrant worker communities in order to support opportunities for micro-enterprise and small business development as alternatives to migration;
- φ support for the development of Local Ordinances to provide protection for migrant workers within their local communities;
- φ support for the establishment of international migrant labour networks and coalition building.

***Build capacity in government officials and other key stakeholders to increase their effectiveness in combating forced labour practices and trafficking in migrant domestic workers.***

The Project has provided extensive technical advice and training to government officials and civil society agencies to provide more effective protection for and service delivery to Indonesian migrant workers including:

- φ training, technical and advisory support for the establishment of BNP2TKI, with a specific focus upon training in best practice of migration management, the identification and assessment of “Decent Work” opportunities for Indonesian migrant workers and training on international human rights and labour standards;
- φ the development of training modules and materials on the protection of migrant workers for Indonesian foreign civil servants. This training has now been integrated within Foreign Service Training delivered by the Department of Foreign Affairs Training Centre in Jakarta;
- φ development of training modules for Indonesian foreign civil servants outlining changes with regard to their increased responsibilities for the protection of Indonesian migrant workers abroad brought about by recent changes to national policy and delegations of authority and responsibility.

While the evaluation outlines the broad range of activities undertaken by the Project, and discusses the relevance and emerging impacts of these, the Evaluation has highlighted three key areas of in which impact is likely to be significant. These are the provision of support for policy and regulatory reform, the development of Local Ordinances, and support for the provision of alternative livelihoods activities.

Future interventions in programming need to consider the likely duration of technical support required by the Government of Indonesia not only in policy and legislative reform but also in the establishment and delivery of effective service delivery across the country. Likewise, ongoing support for improved service delivery by non-government actors will continue to be a priority. Additional emerging priorities for future programming as changes to the policy and governing frameworks are completed, including a shifting focus towards strengthening service delivery to migrant workers at the local level in line with new regulations, as well as the inclusion of recruitment agencies and local service providers within capacity building activities. Further, in doing this, the Project may also wish to consider how it may maximise its impact and extend its sphere of influence, by sharing lessons learned and to-be-learned from pilot activities and considering how these may influence the efforts of a broader range of actors working with migrant labourers.

### ***Effectiveness and Efficiency of Resource Use***

Project implementation has been efficient and effective and is supported by accountable management mechanisms, a competent team with relevant technical skills and a strong rights' orientation. Implementation has also been supported by the establishment of strong and functional relationships between the Project team and stakeholders at all levels.

Project efforts and approaches are contributing to efforts to strengthen policy and governing arrangements and have been highly responsive to needs identified by government and civil society actors alike.

Efficiency of resource use is exemplified by Project approaches which support government and non-government agencies to mobilise local resources and build internal capacities. These ensure that there is a roll on effect of the capacities developed through the Project as well as ensuring that initiatives are embedded within relevant agencies and organisations to maximise scope and effectiveness.

Approaches towards delivery are deemed by all stakeholders as being highly relevant to current needs and context. In particular, the Project's focus upon providing technical support and inputs is highly relevant and as such does not replace or replicate any substantive function of government or local service providers. Stakeholders and partners have found that technical support provided by ILO and the Project team is of a high quality and contributes significantly to the strengthening of capacities of all stakeholders for improved labour migration management as well as service delivery<sup>4</sup> to migrant workers.

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<sup>4</sup> Service delivery to migrant workers for the context of this report refer to all services provided to migrant workers by both government and non-government service providers at all stages of the migration process.

## ***Sustainability***

While progress towards the Project's objectives is well on track, the short-term nature of the Project and funding timeline is of concern, particularly in light of clearly established need and the scope and complexity of support required and some delays in establishment. The need for ongoing and sustained technical and programming support beyond the life of the current Project phase is clearly evident and continued efforts will be a key factor in determining sustainability.

Given the scope of reform required and the fact that the Project has just completed its first year of implementation, it is not possible to measure clear, sustainable impact as a direct result of implementation at this stage. The Evaluation however did identify a number of areas of emerging impact. These include technical support for changes to the national regulatory and legislative frameworks governing labour migration, support for the development of local ordinances, and improving the capacity for service providers to deliver alternative income generating activities for migrant labourer communities aimed at reducing future migration, maximising the effective use of migrant worker remittances and providing alternative livelihood opportunities for returning migrant workers.

## **Strategic Issues and Challenges**

The evaluation has not identified any special concerns in terms of design, management arrangements or quality and nature of programme implementation. Indeed, despite a number of management and contextual hurdles including:

- φ a funding shortfall of approximately USD 400,000 from the proposed budget;
- φ a relatively short programming timeframe combined within which to undertake a broad scope of activity;
- φ delays to formal Project commencement as a result of delays in finalising bilateral partnership agreements;
- φ significant changes to the governing environment including the transfer of responsibilities for the management of labour migration to the newly established National Migration Board (BNP2TKI);
- φ ongoing lack of clarity of the roles and responsibilities between the various government agencies involved in labour migration such as BNP2TKI and the Department of Manpower;

the report highlights and commends ILO and the Project team for its efforts in addressing these challenges, and ensuring that implementational progress is well in line with programme planning and expectations

## **Conclusions and Recommendations**

In summary, it is clear that the ILO Combating Forced Labour and Trafficking of Indonesian Migrant Workers Project has made a sound contribution to supporting efforts at labour migration reform currently being undertaken by the Government

of Indonesia. It has further encouraged joint planning and action between government and non-government agencies and strengthened the capacities of both to deliver more effective and protective services to Indonesian migrant workers.

While these represent a considerable contribution to the sector, the process of reform is ongoing and there is a clearly identified need for ongoing and indeed a broadened scope of support to this area into the future.

With this in mind, the Consultant has provided a series of recommendations which highlight strategic programming priorities and emerging issues for consideration within the final stages of Project Implementation and in the design of any subsequent programme. In the interests of space, these Recommendations are not provided within this Executive Summary, but can be found (with their relevant text references) within in the Table of Recommendations in Section 8 of this report. Recommendations are also provided within the relevant sections of the text of this report.

### **3. Background to the Project and its Logic**

#### **3.1. Background and Context**

Indonesia is the second largest exporter of labour internationally. Labour migration represents a significant proportion of Indonesia's national income, with remittances from migrant labourers constituting in excess of USD 2.9 billion annually<sup>5</sup>. It is estimated that there are approximately 4,000,000 documented Indonesian migrant workers presently working in the Middle East and Asia including in countries such as Yemen, UAE, Kuwait, Hong Kong, Malaysia, Singapore, Brunei Darussalam and Taiwan. Further estimates of undocumented migrant workers are estimated to be 2 - 4 times higher than this<sup>6</sup>.

The existence of clandestine and poorly regulated migration agencies, coupled with a poor regulatory environment and vulnerabilities such as poverty, lack of choice and poor education have resulted in communities and individuals being unable to make informed choices regarding labour migration, nor to advocate for their own rights and protection. Poverty motivated labour migration has broader domestic implications in terms of social welfare including breakdown in family relationships, separation of children from families and compromising access to basic services such as education and health services which in term exacerbate longer term development and poverty alleviation challenges. In primary destination countries, across Asia and the Middle East, policies and administrative arrangements generate and compound the vulnerabilities of domestic workers who continue to be vulnerable to increased trafficking, forced labour practices and other human rights abuses throughout the migration process.

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<sup>5</sup> Ministry of Manpower and Transmigration statistics quoted in Jakarta Post 26.1.2006

<sup>6</sup> ILO Project Proposal for CFLTIMW, 2005

According to the Indonesian Department of Manpower and recently established national migration agency, *Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia* (BNP2TKI - National Board of Worker's Placement and Protection Authority of the Republic of Indonesia), the Indonesian government is actively seeking to significantly increase the number of migrant workers it sends abroad in order to boost foreign exchange earnings and provide broader employment options.

While the protection of migrant workers has been identified as a priority within successive national development plans of Indonesia, progress towards the protection of migrant workers has proven insufficient to protect migrant workers from exploitation and abuse both domestically and within receiving countries.

It is within this context of increased labour migrant, absence of regulatory and protection mechanisms and ongoing abuses of migrant workers, that the ILO and Government of Indonesia (GoI) began working together to improve the protection of Indonesian migrant workers.

The CFLTIMW Project represents a key step in this partnership. Currently funded by the Government of Norway, for the period September 2006 – August 2008, the Project extends and builds upon the activities and partnerships of the earlier “ILO Mobilising Actions for the Protection of Domestic Workers from Forced Labour and Trafficking” Project which was implemented by ILO with support from the UK Department for International Development (DFID), from May 2004 – August 2006. The total value of funding allocated to the Project is approximately USD 1.4 million<sup>7</sup>.

### **3.2. Project Logic**

The CFLTIMW Project aims “to improve protection for Indonesian migrant workers both in Indonesia and within destination countries including Malaysia, Singapore and Hong Kong, and seeks to contribute to the development of a more effective migrant workers placement system which oversees the protection of migrant workers from pre-departure, throughout placement and upon return to Indonesia.”

The stated aims of the CFLTIMW Project are to:

1. Reduce migrant domestic workers' vulnerability to trafficking and forced labour practices by raising public awareness, and undertaking targeted advocacy and technical cooperation to promote policy and legislative protection measures for migrant domestic workers;
2. Provide protection, outreach, livelihoods and reintegration services to migrant domestic workers who are vulnerable to or victims of trafficking and forced labour practices;

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<sup>7</sup> NOK 8.7M

3. Build capacity in government officials and other key stakeholders to increase their effectiveness in combating forced labour practices and trafficking in migrant domestic workers.

These aims are achieved through a range of programme activities addressing five (5) Strategic Components as follows:

1. **Policy and Legislative Protection:** Strengthened policy and legal frameworks and practical implementation mechanisms for the protection of domestic workers against trafficking and forced labour in source and destination country, advocacy, consultations and technical assistance.
2. **Awareness Raising and Advocacy:** Increased awareness by the public, leaders, decision makers and key stakeholder representatives of domestic workers as workers with equal labour and human rights and protection needs.
3. **Outreach, Protection, Livelihood Activities and Reintegration Services:** Enhancing the quality and availability of outreach, protection, livelihood activities and reintegration services for migrant domestic workers and their families.
4. **Capacity Building of Key Stakeholders:** Strengthened capacity of key stakeholders to implement measures within their mandate area for the protection of migrant domestic workers.
5. **Research, Data Collection and Dissemination Systems:** Strengthened knowledge base and data collection and dissemination systems.

### 3.3. Project Relevance

The CFLTIMW Project fits very closely with the identified global, regional and local priorities of ILO identified through a range of Conventions, policies and instruments including the ILO Convention, 1930 (29). It operates within the Indonesia Decent Work Country Programme (DWCP) 2006 – 2009, a national development framework for action in the employment and labour sectors which was developed through a national tripartite consultation process, and reflects nationally identified priorities within Indonesia as articulated within key plans and policies such as the:

- φ Indonesian Midterm Development Plan 2004-2009
- φ Indonesian Poverty Reduction Strategy (PRS); and the
- φ UN Development Assistance Framework (UNDAF) for Indonesia 2006 – 2010.

The Project's specific contribution to the DWCP is with regard to its direct contribution to Priority A.2: Improved Labour Migration Management for Better Protection of Indonesian Migrant Workers, especially Migrant Domestic Workers.

The Project was designed with broad consultation with key government and civil society actors in the context of shifting government priorities and changes to the administrative and governing structures for the management of migrant workers, and seeks to support policy and legislative review as well as strengthen and



institutionalise capacities for improved migration management and service delivery to migrant labourers.

### **3.4. Administrative Arrangements**

The Project is administered through the ILO Indonesia Office in Jakarta, and is overseen by the Chief Technical Adviser (CTA), reporting to the ILO Country Director, and who manages a small team of national and international staff and Consultants.

The Project is further integrated within the regional structure of the ILO Regional Office for Asia-Pacific (ILO ROAP) and receives technical support through a number of key technical departments and Projects of ILO both within the region as well as Headquarters.

A Project Advisory Committee (PAC) has been convened and includes representatives from key government Ministries and national stakeholders who meet biannually to review Project progress, work-plans, management and administrative arrangements, discuss obstacles and constraints to delivery and identify contextual change, emerging concerns and strategic priorities. The donor, in this case the Government of Norway, also attends this meeting as an Observer, although is welcome to participate in discussions.

## **4. Purpose, Scope and Clients of Evaluation**

The midterm evaluation was undertaken in December 2007 and was based upon the priorities established within the Terms of Reference of the Mid Term Evaluation of the ILO CFLTIMW Project (ref Annex 2) as well as ILO Evaluation Guidance: Planning and Managing Project Evaluations<sup>8</sup>.

An Independent Evaluator, Ms Donna Leigh Holden, was selected by way of a recruitment process undertaken by ILO Indonesia to undertake the midterm evaluation. The evaluation process was overseen by a senior ILO Officer, Ms Parissara Liewkeat (Gai), who is non-aligned with the Project, and ILO senior managers including the Project's CTA were actively involved in briefing and debriefing activities and were provided opportunities to provide inputs and guidance and discuss emerging issues. All activities were undertaken over a five-week period from December 1<sup>st</sup> – January 10<sup>th</sup>, 2007,

The purpose of the midterm evaluation was to “draw lessons learned from the implementation of the Project with a view to assess whether the Project goals and objectives are still relevant, and if so, take the findings of the evaluation into account in the development of a new proposal to the need for protection of migrant domestic workers in the project countries.”

In doing so the evaluation aimed to:

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<sup>8</sup> ILO, April 2006

- φ review the achievements of the Project by assessing to what extent the stated objectives and major outputs have been achieved;
- φ review the extent to which the Project is on target in consolidating activities in project areas/ countries where these have been introduced;
- φ review the efficiency and effectiveness of the project implementation framework and links to national frameworks;
- φ assess if the project is likely to reach a state of maturity at the end of the current project phase so that project-initiated activities may be sustained without further external financial and technical support;
- φ review to what extent the programme is still relevant and is continuing to meet the needs of its direct target group – migrant and internal domestic workers in the project countries;
- φ draw conclusions in terms of the progress made and make recommendations for the remainder of the project and future actions beyond the end of the project.

The client of the evaluation is ILO Jakarta and the CFLTIMW. However the evaluation report has been prepared for sharing with a wide audience including the Project Advisory Group, the Government of Norway, government and non-government partners in Indonesia and the region, other ILO offices including within the region and headquarters as well as other interested parties and stakeholders. The results of the midterm evaluation will be shared by the ILO team members in stakeholder forums and workshops, in order that it may contribute to the planning of future priorities and activities.

## **5. Methodology**

The evaluation methodology was developed in line with the Midterm Evaluation Terms of Reference and was discussed and agreed with key ILO personnel at commencement of the evaluation in order to ensure that UN Evaluation Norms, Standards, and OECD/DAC Evaluation Quality Standards have been followed.

### **5.1. Key Activities**

The key activities of the midterm evaluation included:

- φ a desk study of three (3) days including review of project documentation such as proposals, work-plans progress reports, publications produced by ILO and counterparts throughout programme implementation, research reports and key GoI and ILO policy documents.
- φ a field mission of 10 days to Indonesia including:
  - φ five (5) days meetings and interviews with ILO team members, government and non-government counterparts in Jakarta and Government of Norway donor representatives;

- φ five (5) days of field visits to project locations in Central and West Java – including visitations to Project locations and interviews with government and non-government counterparts, migrant workers and community members engaged in Project supported activities;
- φ telephone interviews with Project counterparts in other parts of Indonesia;
- φ telephone interviews Project counterparts in other country locations including Hong Kong, Thailand, Singapore and Malaysia;
- φ telephone interviews with the regional donor representative based in Bangkok;
- φ presentation and discussion of Midterm Evaluation findings with senior ILO officers and programme staff in Jakarta;
- φ preparation of the draft Midterm Evaluation Report for stakeholder consultation and input;
- φ finalisation of the final Midterm Evaluation Report including the incorporation of discussions and feedback from ILO staff and counterparts;

Initial briefings were held with key ILO senior managers at the beginning of the field mission with the view to confirming expectations and priorities of the evaluation. In this case, a significant priority of ILO management is that the evaluation be able to provide external verification of implementation progress and status of working relationships, and focus upon the extent to which the Project is still relevant to the changing context, identify emerging gaps, and highlight any key areas of learning and potential impact in order to support early planning for future programming.

Interviews were, at the most part, conducted in the Counterparts location of work and undertaken in *Bahasa* Indonesia. Interviews were conducted by the Consultant and in some cases members of the Project team were also in attendance. It was determined at the outset that relationships between ILO team members and counterparts were open enough to enable Counterparts to speak openly and frankly about both strengths and weakness of the cooperation, as such it was determined that the presence of a team member throughout interviews and field visits would enable sound discussion relating to future needs and directions.

Interviews undertaken were semi-structured and sought to examine and quantify generic factors such as the:

- φ nature and extent of partnership and support provided by the Project;
- φ relevance of the activity to the counterpart and it's constituents;
- φ quality of working relationships including any challenges and obstacles posed by this partnership;
- φ extent to which Project activities have been institutionalised and identify obstacles and challenges to institutionalisation;

- φ extent to key issues such as rights and gender have been mainstreamed within activities;
- φ quality of ILO service delivery including technical support, training and research.

Interviews further enabled free-flowing discussion of the relevance and quality of Project activities, and provided opportunities for counterparts to identify and discuss:

- φ progress in the implementation of activities;
- φ key contextual issues facing migrant workers as well as policy makers and service providers in addressing these;
- φ gaps in service delivery;
- φ emerging needs for support including strategic issues and priorities for any ensuing phase of the Project;
- φ emerging impacts (both negative and positive).

Flexibility of interview format was necessary as a result of the extensive number and types of partnerships which the Project manages. This flexibility enabled focussed and in-depth qualitative discussions on the key activities undertaken by each partner.

A list of individuals and organisations interviewed throughout the midterm evaluation is provided at Annex 1.

## **5.2. Limitations of the Midterm Evaluation**

As indicated above, the key focus of the midterm evaluation has been to verify the status of Project delivery and performance over the first twelve months of implementation, confirm that the design and strategy remains consistent with current context and emerging needs, identify emerging lessons learned, and make recommendations regarding priorities for the ensuing twelve month period and for the design of any subsequent phase of the Project.

As a result of the broad geographic scope of the Project coupled with distance and timing factors, it was not possible to meet with all partners and counterparts, and field visits were limited to Jakarta, Central and West Java. While this clearly did not enable the Consultant to meet with all partners, the schedule was designed in order that visitations were made to all key stakeholder representatives within Indonesia, and that the Consultant had an opportunity to view and discuss a broadly representative range of activities within field locations. Additional telephone interviews were carried out with counterparts in other locations of Indonesia, and in many cases, counterparts were able to share cross-regional learning and knowledge.

While the programme has established partnerships, activities and objectives which support the protection of Indonesian migrant workers in a number of receiving countries including Hong Kong, Malaysia and Singapore, field visits to these

countries were not undertaken as a result of time and cost being prohibitive. Some telephone interviews were undertaken with counterparts in these countries, however the heavy field schedule meant that many of these were unable to be undertaken during the Evaluator's visit to Indonesia.

While discussions and interviews with government officials and other counterparts were contingent upon their availability at the time of the Evaluation, all meetings were undertaken. While interview times were limited to approximately 1-1½ hours, the Consultant found that government and NGO counterparts alike were well prepared and had a sound understanding upon the purpose and requirements of the evaluation and this resulted in focussed discussions.

The PAC was unable to be mobilised at the time of the evaluation, however a number of PAC members, participated in individual interviews. The results of the evaluation will be shared with PAC members and the evaluation outcomes and recommendations will be presented and discussed in the forthcoming PAC meeting.

Clearly, it is challenging to determine and quantify clear and sustainable impact of the Project after only twelve months of implementation, and especially in light of some delays to commencement of formal programming. However, the Consultant considers that the evaluation process did provide opportunities for herself, the team and Counterparts, to identify and discuss areas of most significant development and potential for sustained impact as well as priorities for further work and strengthening. It is these factors which are most highlighted within this report.

## **6. Review of Implementation**

The following section of the report provides a summary overview of the status of Project implementation to the present. This largely represents an assessment as to the extent to which Project implementation is in line with the proposed activities, work-plan and confirm consistency with Project reporting.

It is perhaps first of all important to highlight that there has been a number of key contextual changes to the operating environment subsequent to the initial design of the Project. While these have been clearly communicated by ILO within Project reports, they provide important contextual background to the status of Project implementation and as such warrant some discussion at the outset.

### **6.1. Overarching Contextual Factors**

#### ***6.1.1 Delays in Administrative Arrangements***

The Project experienced early delays in inception as a result of delays in the finalisation of cooperation arrangements between ILO and the Gol. Whereas the Project was initially anticipated to commence in September 2006, the MOU was

not formally signed until May, 2007. These delays were not specific to the Project, and have been experienced by other UN and bilateral agencies in recent months.

The delays in formal commencement of the Project did however constitute a formal set back for the Project as it prohibited the engagement of the CTA as well as the establishment of the PAC, which in turn delayed multi-stakeholder planning and strategy development at the inception phase.

It should be highlighted that despite these delays, by nature of the Project extending from the earlier DFID funded Project, ILO had previously undertaken considerable stakeholder analysis and planning leading into the design of the CFLTIMW Project, and as a result critical preparation and groundwork for full implementation could be undertaken.

ILO was also able to manage these delays and was able to identify and recruit national personnel, undertake internal planning, identify partners and provide some technical support to intending partners through its existing mission activities and initiate support for stakeholders' preparatory activities during this time. It was however unable to implement joint stakeholder and public high-profile activities until the formal signing of the MOU.

While this situation had some implications for the work-plan, the delays have not impacted upon the scope and breadth of activity undertaken by the Project and its partners with the exception of creating a subsequent period of higher than anticipated activity (programming load) upon formal inception.

The team and counterparts should be commended for their commitment to ensuring that this delay has not caused the Project timeline to deviate greatly, nor has it resulted in any reduction in the number or quality of activities undertaken.

### ***6.1.2 Changing Governance and Management Frameworks***

The Project has also been affected by a number of recent government initiatives which have effected changes to the governance context surrounding the Project.

In August 2006, the Office of the President of the Government of Indonesia undertook new policy initiatives on the placement and protection of Indonesian migrant workers through the issuing of Presidential Instruction 6/2006. This Instruction articulates a stronger sense of priority and direction on the protection of Indonesian migrant workers as a matter of national concern, however, also has created significant changes to the governing and management arrangements for migrant workers.

Presidential Regulation 81/2006 outlined the establishment of BNP2TKI, as well as associated decentralised offices (BNP3TKI). This Regulation transferred authority for the administration and management of migrant workers from the Ministry of Manpower to BNP2TKI. The Regulation however does not yet (at the time of the evaluation) clearly dictate the extent and powers of the roles and functions of these two key actors and does not provide clear guidance regarding

budgeting and funding allocation. This poses challenges to the two agencies and while progress has been made, the lack of ongoing clarity may have impact upon progress, performance and relationships. This situation in turn creates challenges to intra-governmental coordination at a critical time of policy development and when effective interagency cooperation is required for the articulation of policy directions and priorities, as well as in the establishment and monitoring of new regulations and protocols for the management of recruitment agencies, training programmes and direct service delivery to migrant workers and their families.

This situation creates significant challenges for the Project, but further underlines its direct relevance at the present time. The Project has a strong role to play in the formulation of new policies and management guidelines, establishing benchmarks for good practice (and highlighting and avoiding poor ones), and in building capacity of policy makers and services providers alike in light of current changes in the regulatory environment. Further, while the Project is impacted by changing relationships regarding intra-government coordination, and as yet unclear roles and responsibilities, and cannot take a direct role addressing these, it may also play a significant role in bringing key actors to the floor in developing common analyses and establishing a shared vision. While feedback from government agencies during the midterm evaluation indicated that the Project had indeed supported interagency consultation, it is clear that the situation is likely to continue for the foreseeable future and as such continuing attention by the Project should be made in supporting the Government of Indonesia in brokering effective relationships between agencies.

***Recommendation:*** *While unable to take a direct role in negotiating roles and responsibilities between the key national actors responsible for managing Indonesia's labour migration programme, the Project does and should continue to contribute towards open consultation between all stakeholders, which in turn will support the clarification of roles and responsibilities, and as such contribute towards the creation of an enabling environment for regulatory change.*

### **6.1.3 Funding shortfall**

The total value of funding allocated to the Project by the Norwegian Government is approximately USD 1.4 million<sup>9</sup>. This represents a funding shortfall of approximately USD 400,000 (17%) from the initial financial projections of USD 1.8 million for a two-year period.

As part of funding negotiations, it was agreed that ILO would seek to identify further avenues of funding to make up for this shortfall. In line with this agreement, ILO Indonesia has made clear attempts to raise additional funds for the Project including the submission of proposals and concept notes to EuropeAID AENEAS Funds (2006), and the UN Human Security Trust Fund (2006/07), as well as undertaking a donor mapping process to identify alternative bilateral sources of funding. Outcomes of these fund-raising attempts are still pending at time of undertaking the midterm evaluation and no additional external donor funds have as yet been raised to address the funding shortfall.

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<sup>9</sup> NOK 8.7 million

The Project has however managed to secure and leverage additional internal ILO funding to contribute to the shortfall and ensure that planned activities and commitments are achieved. For example, the Project received in-kind support totalling approximately USD 20,000, through the co-funding of Start Your Business (SYB) training for migrant workers associations and communities from the ILO Indonesia SYB entrepreneurship programme. A further contribution of USD 11,000 from ILO Jakarta was also secured through co-financing of assessment activities. Recently, the Project received a further USD 85,000, of support from ILO Indonesia, ILO ROAP and ILO Headquarters of co-financing support for Project activities in late 2007.

The funding shortfall has had an impact on team workloads which were already under pressure as a result of delays in project inception. ILO has been able to address this through engaging Indonesian and regionally based Consultants to support periods of peak programme activity.

In summary, the funding shortfall, coupled with delays in attaining final administrative approvals for the Project, caused some minor delays in the implementation of some activities in line with the initial work-plan. However these have been largely addressed at the time of the mid term evaluation, and ongoing Project planning has not been adversely affected. What is further commendable is the fact that while there are increased pressures upon the team, there has been no significant change to the volume, nature or quality of undertaken by the Project.

## **6.2. Status of Project Implementation**

Despite the delays and obstacles outlined above, the midterm evaluation identified that while there were some delays in the implementation of some activities in line with the initial workplan, these activities have now been undertaken or are well progressed and implementation is largely on track. Further, the Project has to date been able to leverage upon existing ILO resources in order to address current funding shortfalls. As at the end of Dec 2007, with 17 months (or 71%) of the 24-month Project period passed, the Project has expended 67% of the allocated Project funds, as well as all additional funding for 2007 activities, procured from sources other than the Government of Norway. As such, at this stage it does not appear that the Project anticipates any significant delays or changes to scope of implementation.

The Project has a broad scope and there is an extensive amount of activity ongoing. As a result, this report does not detail and report all activities undertaken by the Project to this point in time. The evaluation did however review the Project Log-frame, work-plan, and progress reports to September 2007 and discussed forward work-plans with the team. This has enabled the Consultant to verify that activity implementation is consistent with plans and output targets and has been accurately reported within Project Progress Reports.

A number of key highlights of programming against the strategic priorities are listed below as examples of the nature and scope of work being undertaken. A



comprehensive listing of all activities is available within Project Progress Reports which have been verified by the Midterm Evaluation.

### **6.2.1 Component 1: Policy and Legal Frameworks**

The Project is making sustained efforts focussing upon strengthening the institutional capacities of key regional, national and local actors to establish and manage mechanisms to protect Indonesian migrant workers, as well as to encourage consultation, joint analysis and planning of key stakeholders within the development of national and local policy as well as international, national and local advocacy. Key examples of these efforts include:

#### International Efforts:

- ⌘ In partnership with the National Commission on Violence Against Women (*Komnas Perempuan*) and national human rights organisations in the ASEAN region, the Project is supporting the strengthening of the knowledge and capacities of these organisations to protect the rights of migrant workers through enabling them to develop data collection and monitoring mechanisms regarding the situation of domestic migrant workers for purposes of advocacy, and informing reviews of policy, regulations, management and support mechanisms and services delivered by government and non-government agencies such as trade unions, human rights organisations and NGOs for migrant domestic workers;
- ⌘ The Project has provided technical support to the Indonesian Department of Foreign Affairs (*Deplu*) in the development and implementation of its awareness raising and capacity development programme aimed at providing *Deplu* officials with a stronger understanding of international instruments for the protection of vulnerable population groups including migrant workers and victims of trafficking;
- ⌘ Funding and technical support has been provided for a number of Regional Consultations on migrant workers rights and protection, including support for the ASEAN Working Group on Migrant Workers to organise regional and national consultations on the ASEAN Declaration (Cebu, January 2007), and a binding Instrument for the Protection of Migrant Workers as mandated by the ASEAN Vientiane Action Plan.
- ⌘ The Project has supported the formation of the Asian Domestic Workers Alliance (AWDA), a consortium of migrant and domestic workers associations, which has the goal of advocating human rights and labour protection of workers in Asia as well as to take a key role in developing the capacity of its members across the region.

Efforts such as these exemplify the efforts and approaches which the Project has made towards ensuring ongoing inter-regional Consultation and dialogue and the development of shared analyses and frameworks for action to ensure coordinated and effective action on the protection of migrant workers in line with international mandates and standards. The establishment of functional inter-regional networks maximises opportunities for the development of shared platforms and consistency

in messages and standards across the region and within key international forums such as ASEAN.

#### National Efforts:

At the national level the Project has supported government Ministries, trade unions and migrant workers associations to strengthen and improve the policy and regulatory frameworks surrounding migrant workers through:

- φ undertaking a legal analysis of the compliance of the Indonesian Recruitment and Placement Service for Migrant Workers to Indonesia's human rights obligations;
- φ the provision of technical support to key Ministries and government bodies such as BNP2TKI, the Ministry of Manpower, the Ministry of Justice and Human Rights and the Coordinating Ministry of Economic Affairs, to develop and draft policy, legislative and administrative frameworks and practices which are consistent with Indonesia's obligations.
- φ undertaking key research activities (ref Strategic Component 5) and consultations to provide case studies and analyses to influence policy development and planning.

#### Local Efforts:

Within the context of decentralisation in Indonesia, the development of local ordinances and standards of service delivery are critical to ensuring that localised efforts are undertaken to protect migrant workers throughout the recruitment process and upon their return. The Project is presenting piloting a number of activities to support local government and civil society actors to undertake consultations and draft local legislation as follows:

- φ In Central Lombok, Cirebon, East Lampung, national migrant workers trade union, *Serikat Buruh Migrant Indonesia* (SBMI) has been supported to pilot approaches towards evaluation development. A specific aspect of this pilot programme is focussed upon inter-regional learning, information sharing so as to influence best practises in developing local policy and legal frameworks;
- φ In East Java, provincial and district stakeholders have also been supported to undertake consultations, advocacy and evaluation development in a number of pilot villages, again with a strong focus on sharing of lessons learned to inform best practice.

### **6.2.2 Component 2: Advocacy and Awareness Raising**

While advocacy and awareness raising approaches are integrated within all aspects of implementation, the Project has also undertaken a broad range of activities raised at raising public-awareness of labour migration and protection in order to influence public opinion. These include:

- φ the appointment of two high profile Indonesian singers as Good-Will Ambassadors for Migrant Workers. The Good-Will Ambassadors have undertaken a range of tours, radio and television interviews and events across Indonesia in which they promote and advocate migrant worker issues;
- φ support for other media events including 18 national and local talk-back radio programmes providing information and enabling public discourse on protection and migrant workers issues with a goal of influencing public perception, choice and practice;
- φ technical inputs to international media such as *Al-Jazeera*, *The Straits Times* and *Malaysiakini* to encourage more open reporting and anti-bias in relation to reporting on migrant worker protection issues.

### **6.2.3 Component 3: Outreach, Protection, Livelihood Activities and Reintegration Services for Migrant Domestic Workers and their Families**

A key focus on the Project is to strengthen the capacity of its partners to provide effective protection services to migrant workers at all stages of the migration process. Key activities against this component include:

- φ support to key civil society organisations, unions and migrant worker associations to provide services within over 25 sending communities to improve the protection of migrant workers including paralegal counselling and pre-departure training.
- φ support for government service providers, civil society and migrant worker associations to provide micro-enterprise development training programmes such as SYB. Two SYB Training of Trainer (TOT) courses were provided training 40 trainers and a first round of Step-down training has been provided to migrant workers and their families;
- φ support for two migrant domestic workers unions, Indonesian Migrant Workers' Union (IMWU) and the Filipino Domestic Helper General Union (FDGHU), in receiving countries to provide outreach and protection services to Indonesian migrant workers. Activities have been conducted in various locations including shelters, offices and public locations so as to capture vulnerable and 'hidden' migrant domestic workers;
- φ support for community activities, outreach services and activities focussed upon raising the awareness of employers for minimum work standards in Greater Jakarta through Catholic Church structures and Parishes.

The Project approach towards improving the delivery of services to migrant workers is strongly focussed upon developing capacities and institutionalising good practice in service delivery. As a key strategy towards this and towards ensuring sustainability, the Project does not provide funding support for service delivery, but rather supports capacity development efforts and short-term pilot activities. As a result, a considerable amount of the work against this Component is interlinked with and reported against Strategic Component 4.

#### **6.2.4 Component 4: Capacity Building for Key Stakeholders**

The Project actively seeks to build the capacity of both government and civil society actors to develop and implement ongoing responses to the needs of migrant workers and their families. This includes support for poverty alleviation through the provision of livelihoods and local economic development activities, awareness raising for communities and intending migrants, and building the capacity of service providers to deliver strategic, high impact interventions such as pre-departure briefings and post return advocacy and integration activities.

The scope of activities undertaken under this Component is extensive and overlaps with some of the previous Components as a result of the Project's capacity building approach to programming. Examples of the types of capacity development activities undertaken by the project include:

- ϕ the development of training modules and materials on the protection of migrant workers for Indonesian foreign civil servants. This training has now been integrated within Foreign Service Training delivered by the Department of Foreign Affairs Training Centre in Jakarta;
- ϕ development of further training modules for Indonesian foreign civil servants based upon emerging changes with regard to their increased responsibilities for the protection of Indonesian migrant workers abroad which have been brought about by recent changes to national policy and delegations of authority and responsibility. This includes the establishment of Migrant Service Centres being established in a number of countries;
- ϕ provision of training, technical and advisory support for the establishment of BNP2TKI, with a specific focus upon training in best practice of migration management, the identification and assessment of "Decent Work" opportunities for Indonesian migrant workers and training on international human rights and labour standards;
- ϕ the delivery of a range of TOT and step-down trainings for local government service providers, unions and other civil society organisations who have a role in providing support and services to migrant workers and their families. These trainings include:
  - ◆ Human Rights and Migration Management Systems
  - ◆ Pre-Departure Briefing
  - ◆ Para-Legal Training
  - ◆ Institutional Strengthening and Organising Migrant Workers Training
  - ◆ SYB training.

#### **6.2.5 Component 5: Targeted Research, Documentation and Publications**

Over time ILO and its partners have developed a range of publications and resources documenting issues associated with labour migration. These range from research projects on emerging issues and reviews of policy and legal frameworks, through to documentation of case studies, which support analysis and provide qualitative data to inform decision making with regard to policy development and best practice service delivery. Some of the documentation produced by the Project includes:

- φ Migrant Worker's Human Rights Handbook – which provides clear and understandable information for non-legal practitioners on standards and mechanisms relevant to migrant workers rights. The Handbook is widely distributed and used by Government and civil society organisations both within Indonesia and in receiving countries.
- φ Migrant Domestic Workers' Stories – which documents a range of forms of discrimination and exploitation experienced by migrant workers based upon case studies developed by Project counterparts and which is intended as an advocacy and awareness raising tool;
- φ Legal Review of the Indonesian Recruitment and Placement System which provided key inputs into multi-stakeholder consultations undertaken in December 2007;
- φ Legal Comparative Analysis of the Placement and Protection System for Migrant Domestic Workers in Malaysia, Singapore, Hong Kong and Taiwan presently underway and to be completed in early 2008 as a key input into forthcoming regional meetings;
- φ Assessment of Employment Service Centres – providing an assessment of the operational capacities of Indonesian employment service centres with a view to determining effective mechanisms for future Project support for the provision of vocational training and employment services for migrant workers;
- φ Remittances - Micro Finance Study which provides a detailed analysis of the transfer and utilisation of remittances by migrant workers and their families in order to influence planned consultations, reviews and policy and structures for the same.

Publications produced by ILO meet strict production standards and are in good supply and well distributed amongst partners and key stakeholders.

## **7. Presentation of Findings Regarding Project Performance**

As indicated in the previous section, the Midterm Evaluation has confirmed that the Project's progress (as outlined in Project Progress Reports and summarised above) is in line with the activities presented in the project Log-frame. As a result, the following presentation of findings examines and highlights a cross section of activities undertaken by the Project, which best exemplify progress and emerging impact to date. The report further highlights areas which may require further attention to ensure the full completion of activities, and that intended outcomes and strategic opportunities are maximised.

Specifically, the midterm evaluation aimed to explore a number of key factors in relation to the Project's logic, relevance and strategic fit, effectiveness and efficiency, impact orientation and sustainability. The following section of the report outlines key issues in relation to each of these key areas of concern for ILO and its counterparts.

## 7.1. Relevance and Strategic Fit of the Project

The Project has clearly defined and direct relevance to ILO priorities globally, regionally and within the Indonesia “Decent Work Country Programme” and both draws upon and contributes to ILO technical expertise in relation to labour migration and the protection of migrant workers. Further, the Project is designed to maximise opportunities for analysis and sharing of lessons learned between partners in Indonesia, as well as within and across the region in order that they may influence changing policies and regulations relating to the protection of migrant workers at all stages of the migration process and ensure that both sending and receiving countries meet their human rights obligations.

The Project is specifically timely and relevant to the current context of Indonesia, particularly in light of an increased national focus upon labour migration and changes to the governing and administrative arrangements for migrant labourers determined by Presidential Instruction 6/2006 and Presidential Regulation 81/2006. Considerable technical support is required to support these efforts, and throughout the midterm evaluation, national government partners strongly highlighted the key technical role that the Project and ILO as a whole contributes to this process. In particular, national government counterparts highlighted the role of ILO in sharing information, assisting policy to interpret and develop policies that reflect Indonesia’s obligations as well as in revising draft policies, regulations and legislation.

It is important to recognise that changes to policy and legislation require considerable time and input and will continue beyond the scope of the current funding period. Of particular note, the Legal Section of the Ministry for Manpower, which maintains responsibility for the drafting of new legislation, has received support from the Project in drafting one article associated with Law 39/04 on Labour Migration. During interviews undertaken during the midterm evaluation, officials from this department noted the need to make changes to approximately nineteen (19) further articles of this law in the current fiscal year. This is a massive task for which they have articulated a need for technical support. While the provision of further technical support in the revisions of these articles is costly, and will require the Project to provide external technical legal advisers, it is strongly aligned with the Project’s purpose and as such represents a significant contribution and towards ensuring a strengthened regulatory environment. As such the Project should consider ways in it could support this request.

***Recommendation:*** *The Project should consider how it could support the finalisation of reviews to Law 39/04 on Labour Migration to ensure that the outcomes of current reviews of this legislation reflect international best practice and Indonesia’s obligations to migrant workers.*

The role of the Project in supporting the piloting of approaches towards the development of Local Ordinances for the protection of migrant workers is a further example of the relevance of the Project to the current context in Indonesia. Within the content of decentralisation, the role of Local Ordinance and standards for service delivery cannot be underplayed. Local Ordinances provide a framework for the responsibilities of government service providers and local organisations as

well as articulate the entitlements of migrant workers, as well as their roles in decision-making processes.

This was a key point highlighted by the midterm evaluation and one of the areas of most significant potential impact of the Project upon the lives of migrant workers and their families. This was particularly highlighted during the field visit to Cirebon in which counterparts were able to quantify cases in which returning migrant workers complaints were being managed and settled by local authorities based upon advocacy actions of local non-government organisations and in line with Local Ordinance developed. While the cases were settlement had been achieved outweighed the number of reported complaints, the finalisation of these cases indicates a considerable step forwards.

Likewise in Lombok, the Head of Labour (*Disnaker*) highlighted that the greatest impact of the Project has been:

*“the development of friendly working relationships between government and civil society organisations so that each better understands the other and can undertake their agreed roles and functions and work together to protect migrant labourers.”*

The significance of this statement in the context of Indonesia should not be underestimated. Civil society organisations have traditionally been viewed as clandestine, and working relationships between government and civil society have been largely adversarial. This context is rapidly changing however, and there is increased national recognition in the importance of the role of civil society in influencing good governance and enabling the voices of citizens into policy development processes. There is further an increasing recognition of the role of civil society actors in service delivery within communities. The formulation of national laws on civil society organisations (HORMAS) to be drafted during 2008 will further legitimise this role, and as such presents further opportunity for the Project to strengthen consultations mechanisms and civil society organisations so that migrant workers issues may be effectively represented. This point highlights the extent to which Project strategy is relevant to the current context of Indonesia.

## **7.2. Validity of Programme Design**

The Project was designed through a process of consultation with key government and civil society stakeholders in order to ensure its alignment with the changing context and identified needs and priorities of stakeholders as well as international principles and protocols. Throughout interviews during the field mission, counterparts clearly articulated the relevance of the programme to national and individual agency priorities. They were quick to point out that they saw a dual role for ILO both in terms of providing technical support for national and local policy development including review of new government initiatives, as well as supporting capacity development of key government agencies and their personnel to enable more effective service delivery in line with policy and regulatory changes.

At the national policy development level, Government agencies were very positive about the contribution that the Project and ILO itself has made to policy and legislative review and development processes currently underway. The Legal Review of the Indonesian Recruitment and Placement System for example, has been highlighted as a significant contribution to ensuring that best practice and international obligations are articulated within future guidelines.

Key government agencies at the national level such as the Department of Foreign Affairs, BNP2TKI and the Department of Manpower, identified that the Project services their identified need for capacity and human resource development, in particular with regard to building the capacity of government workers to provide more effective service delivery to migrant workers both within Indonesia and abroad.

Agencies felt that they played an active role in the identification and prioritisation of training and capacity development priorities and that as such the Project was highly responsive to existing and emerging agency needs. In particular, Government agencies specifically highlighted that the Project's approach towards institutionalising training and human resource development programmes was of considerable benefit and provided them with institutional capacity to continue to develop and strengthen the quality of in-service training of their staff ongoing. BNP2TKI for example, highlighted the importance of this capacity as it embarks on a process of establishing local offices across Indonesia and has immediate needs to recruit and train direct service providers in a range of locations. Similarly, the Department of Foreign Affairs, which has very successfully integrated modules on migration and protection developed with support from the Project into its diplomatic training programmes, felt that the training capacities developed have enabled them to more effectively prepare their staff for their increased responsibilities for the protection of Indonesian migrant workers abroad. The Department further highlighted that these activities are now well institutionalised and evidence indicates that this has improved service delivery to migrant workers in their countries of employment.

Civil society organisations and trade unions were also positive about the validity and relevance of the project activities towards their needs and in particular highlighted that these efforts had supported recognition of their valid role in advocacy and consultation on policy and regulatory reform.

One particular consideration in terms of validating the Project design is to consider its broad geographic scope coupled with a broad range and scope of activities (ranging from research, consultation and high level policy advice, to local service delivery) and limited resources. This combination of issues in a country of the size and complexity of Indonesia warrants the questions as to whether or not Project impacts can be maximised by limiting the geographic scope to a select number of areas in order to ensure more comprehensive and systematic efforts to improve the protection of migrant workers. This issue was explored in detail during the evaluation and it is agreed that the present strategy represents an effective use of resources and is likely to create longer-term impacts.



The key point of validity in this regard is how effectively the Project can mobilise limited resources in order to influence and support the GoI to address urgent national priorities for improved management and protection arrangements for Indonesian migrant workers as outlined in Presidential Instruction 6/2006 and Presidential Regulation 81/2006. In order to achieve this, the Project needs to be in a position to bring the international credibility and experience of ILO to the policy development process, as well as the experiences of migrant workers, and lessons learned from local initiatives.

The current Project design enables this to happen, through intensive support for the review and development of national policy and regulatory frameworks, coupled with the piloting of a range of mechanisms and activities which enable partners to explore a range of initiatives and approaches in order to establish the most relevant and effective strategies for effective service delivery which in turn can influence policy reform.

In order for this process to be effective it is important that the Project has in place and effectively utilises inter-agency and inter-regional mechanisms for consultation, learning and exchange in order to enable uptake and rollout of these initiatives more broadly. This further warrants a strong secondary focus upon institutional strengthening and capacity development to ensure that national agencies have enhanced capacity to be able to plan for and take a lead role in strengthening local regulation and service delivery.

One area in which planned work has been curtailed in this stage of the Project, is in regard to working with recruitment agencies. While the Project has made some progress in working with the ILO HIV/AIDs Project in including HIV awareness within pre-departure training conducted by recruitment agencies, further work in implementing reform in agency practice remains challenged as a result of vested economic interests and the potential for corruption within the recruitment process. In response to this, and the current focus of the Project on supporting current initiatives for policy and regulatory reform, has led current project activities with regard to recruitment agencies to focus upon supporting *Depnaker* and BNP2TKI on developing a more level playing field for recruitment agencies. This issue is discussed in more detail in Section 7.8 of this report.

As such, the present Project design is found to be in-line with and responsive to immediate priorities, in particular the piloting of approaches which can influence policy and regulatory reform. Further, there is need for recognition that the reform of Indonesia's migrant labour programme is a substantial task and the need for ongoing and sustained technical and programming support beyond the life of the current Project phase is clearly evident. It will however be important that any subsequent Phase of the Project, again considers where it may have strongest impact as once the national policy framework is completed, more sustained attention to strengthening service capacity and monitoring and evaluation mechanisms will be required.

**Recommendation:** *The need for ongoing and sustained technical and programming support for the reform of Indonesia's national labour migration programme and the protection of Indonesian migrant workers is clearly evident. It*

*is strongly recommended that ILO continue to seek opportunities to extend the scope and period of the Project well beyond the current Phase.*

**Recommendation:** *The design of any subsequent Phase of the Project should carefully consider how and where ILO and its partners can have strongest impact once the national policy framework is completed, particularly with regard to more sustained attention to strengthening service capacity and service delivery monitoring and evaluation mechanisms. Secondary to this, it is hoped that ILO will be more successful in encouraging any future donor partner to establish a more realistic timeframe and budget for implementation.*

### **7.3. Project Progress and Effectiveness**

Section 6 of this report has provided a summary of the Project's progress towards implementation, and the in-country mission has been able to substantiate and verify Project reports. As such, the following section of this report will focus more upon the effectiveness and quality of delivery.

ILO has established a strong team with the relevant skills and competencies to be able to establish effective partnerships with a range of stakeholders and effectively manage the Project. The rights orientation of the team is a key strength of the Project. This coupled with ILO's position as the UN technical agency on labour issues provides the Project with strong recognition and credibility, amongst government, trade unions and national associations alike, which is critical for high level advocacy and influence upon policy and legislative reform.

The quality of relationships between the Project team and counterparts were strongly evidenced throughout the in-country mission. The Consultant was able to observe team members and counterparts engage in detailed, strategic discussions regarding labour migration issues and potential programming and policy responses. Such relationships coupled with the professional integrity of the team and technical integrity of ILO underpin the Project's effectiveness and maximise its potential for success.

Despite delays in the formal establishment of the Project, which were outside of the control of ILO, the Project has been able to mobilise rapidly and ensure that progress is in line with plans and expectations. This in itself indicates the existence of effective management systems and capacity for Project implementation and these are discussed in more detail in 7.5.

Interviews of the midterm evaluation were structured so as to enable in-depth discussions with key stakeholders regarding the effectiveness of delivery approaches. In particular detailed discussions on the nature of TOT activities revealed that participants of these activities felt that trainings were of a high standard and were very relevant to field realities and capacity development needs.

Participants of training activities said that the residential nature of trainings which brought participants together from parts of Indonesia, provided good opportunities for network and coalition building, sharing of skills and experience and working

with new ideas and people. Participants of SYB TOT training for example said that the participants worked together well into the night:

*“thinking about new ideas, exchanging information and busily working together to think about commodities and business models which might assist the migrant worker communities we work with to establish new micro-enterprises.”*

Participants of SYB training felt that the international trainers were highly qualified and brought a great deal of energy and motivation to the sessions. While participants largely felt that language issues were addressed through the use of translators, they did indicate that greater efficiency gains will be made as Indonesian Master Trainers come on board enabling the full programme to be run in *Bahasa Indonesia* and hence providing more time and opportunity for participants to have direct discussions with the facilitators and also maintain contact for follow up mentoring and support.

A key indicator of the effectiveness of the project approach is the high level of acceptance and support of its attempts at institutionalising learning and capacity within its partner organisations. All partners noted that they felt that their staff had gained new skills and knowledge that they were able to transfer to the workplace and which in return enabled them to enhance the breadth, scope and quality of service delivery.

The fact that all Step-down trainings and mentoring activities had been successfully delivered indicates that capacity has been enhanced and that there are no critical obstacles preventing TOT participants in implementing follow up activities. Further, national organisations such as SBMI felt that the training of some of their national and regional staff and counterparts, created opportunities for peer mentoring and internal capacity building into the future.

Aside from receiving feedback from counterparts on their perceptions and experience of training activities and other key events and activities of the Project, the Consultant also took the opportunity to visit a training conducted by Clifford Sorita for BNP2TKI staff on “Decent Work Sensitive Promotion of Employment for Indonesian Migrant Workers,” which was being conducted at the time of the midterm evaluation. This provided an opportunity for the Consultant to witness first hand the training process. During this visit it was noted that there was good attendance and participants were actively engaged in the large and small group activities. The trainers had excellent topic knowledge and experience and were dynamic trainers who employed a range of adult learning strategies to address the varying needs and capacities of participants.

It is also pertinent to note that a key efficiency of the Project is its ability to leverage and indeed build upon other ILO programmes and activities rather than establish parallel programmes or indeed, “reinvent the wheel”. Cooperation between the Project and other ILO Projects such as SYB and the HIV/AIDs programme, have enabled labour migration and the target group of migrant labourers and their families, to be extended and mainstreamed into the overall

targeting of the ILO DWCP which in turn will result in an expansion Project scope, access and impact.

#### **7.4. Efficiency of Resource Use**

The efficient use of resources has been an issue for the Project, particularly in light of the funding shortfall of USD 400,000. While this gap in funding has not caused significant changes to programme implementation and activity, it has created some pressures within the team, in terms of availability of substantive human resources. ILO has been able to address this through the issuing of short term contracts to locally and regionally engaged Consultants to support the implementation of some programme activities including training support and coordination and management of research activities.

ILO has further been able to address this funding gap and ensure the efficient use of resources through leveraging existing ILO programme and technical resources such as the HIV/AIDs and SYB programmes which have provided co-financing for micro-enterprise training and extended their reach to include migrant workers and their families. Such initiatives represent a solid financial contribution to the direct implementation of Project activities.

The Project has established guidelines which ensure that partner agencies make contributions to the implementation of Project activities through the utilisation of local resources such as provision of training rooms, local communication costs, personnel etc. Partners confirmed during interviews that this did not create any hardship for them and they recognised it as a key aspect of the sustainability of ongoing programming. This was particularly relevant to Government agencies with whom the Project has made considerable efforts to ensure that local budgets are made available for ongoing activities.

Finally, while in the light of the budget shortfall a more significant proportion of the Project than initially intended has gone toward central and administrative costs including human resources, it must be recognised that the technical nature of the work, and the high level aims of influencing national policy and ensuring Indonesia's compliance with it's human rights obligations, justifies expenditure upon experienced and highly qualified technical staff. The benefits of these inputs, coupled with the technical integrity that partnership with ILO brings at the policy level warrants consideration in this context.

One area of consideration in terms of delivery and resource efficiency identified by the evaluation is in the overall management, monitoring and evaluation of training activities. At the present time, various team members undertake varying roles in relation to training activities, and some monitoring and evaluation of training is undertaken by external Contractors which can be costly and while enabled independent verification of the results and impacts of training, leaves responsibility for ongoing training improvement and management to the team itself. Further, while the Project has a clear approach towards training, the monitoring and evaluation of training remains focussed on short term training outcomes and there is not as yet a mechanism to measure long term impacts of training in terms of

retention of skills and knowledge, quality of ongoing training provided by Project partners and institutional efforts in strengthening internal training capacities and sustainability of training. This issue is of course a natural consequence of the short and finite timeframe of the current Project. While, the monitoring and evaluation of the long term effectiveness of training is a complex and challenging process in any development project, (especially one of a relatively short two-year duration), the stated aim of the Project in building capacity suggests that some further attention to this is warranted, particularly in the design of any subsequent Phase of the Project . In particular subsequent programming should seek to build upon existing capacity development activities and mechanisms to monitor long-term impacts of capacity building should be integrated into the design of any future programme.

**Recommendation:** *In light of the short time frame of the Project, and the long-term nature of capacity building, clear efforts will need to be made in any subsequent phase of the Project to ensure that it builds upon existing capacity building activities, and that monitoring and evaluation efforts enable effective monitoring and evaluation of the long-term impacts of these efforts.*

The Project design and monitoring and evaluation strategy could benefit from the development of a Training and Capacity Building Strategy into the future. Such a plan would articulate a strategy for training and capacity building and would also necessitate the development of a more effective qualitative monitoring and evaluation mechanism which would provide the Project with an opportunity to measure the long term impacts and sustainability of training provision and in particular its efforts at institutionalising training capacities within its partners.

In responding to these efficiency improvements to training and capacity building, the Project could consider the efficiency gains of engaging a full-time Training Adviser who would be responsible for developing a Training and Capacity Building Strategy and associated monitoring and evaluation systems, as well as oversee and indeed lead Project efforts towards ensuring the quality of both ILO delivered training as well as Step-down trainings delivered by its partners. Such an Officer would also require skills in adult education and curriculum development and could have an added responsibility of supporting partners in developing additional Modules and training resources. The addition of such a role within the team would also support the mainstreaming of key mainstreaming concerns such as gender and generic institutional capacity development needs such as proposal development, project cycle management across the training portfolio.

While the Project perceives financing as an obstacle to this initiative, the technical gains of undertaking these activities in-house need to be measured against the efficiency losses (in terms of learning, quality and team workload) of having these conducted by external agents as is the present situation.

**Recommendation:** *The Project should consider the efficiency gains of engaging a full time Training and Capacity Building Officer to oversee the development of a Training and Capacity Building Strategy which enables the Project to improve the quality of future training activities conducted by its partners as well as measure the long term impacts of training provision. While this may not be possible in the*

*current phase of the Project as a result of resourcing levels, it should be a clear consideration in the design of any subsequent Phase of the Project.*

## **7.5. Effectiveness of Management Arrangements**

The midterm evaluation explored both internal and external management arrangements through meetings and interviews with ILO administrative staff as well as in discussions and interviews with counterparts.

With the exception of delays in the inception of the programme as a result of issues addressed previously within this report, no major concerns with regard to management arrangements were identified and effective project management and financial mechanisms are in place.

The Consultant undertook a random sampling of a variety of Contracts, proposals, financial and programme reports and all were current and in order. Administrative staff are clearly versed on UN and ILO management and administrative procedures and these were being followed.

Project partners were asked about administrative arrangements and specifically about any challenges that these presented to them. While some agencies identified that prior to the development of proposals and budgets that they had no previous experience or knowledge of ILO procurement guidelines, they did not identify this as a major challenge or obstacle to delivery. Partners have stated that the Project team has been highly responsive in providing clear, understandable feedback to questions as well as practical support in meeting UN/ILO accountability requirements. ILO administrative staff confirmed that in the early stages of the Project the financing of some proposals took longer than expected as a result of limited partner capacity to develop compliant proposals. However discussions during the midterm evaluation revealed that this capacity has improved and that this is no longer an issue of concern for the team. Project administrative staff also confirmed that there have been no major issues or identified breeches of accountability requirements and that Project administration was working effectively.

Partners felt that ILO had been able to develop responsive management mechanisms, which were comparable to other donors and in some cases better. Most felt that ILO was very responsive in relation to timely transfer of funds for supported activities once Partnership Agreements were approved and finalised. A number of non-government partners identified that current ILO payment guidelines in which grant funds are provided in tranches and paid in full upon activity completion and submission of the final report presented some cash flow challenges to them. These partners claimed that they have had in some cases to borrow funds or shift priority away from their usual activities to pre-finance activities. This is a common issue faced by NGOs in receipt of grant funds and there is likely little more that can be done regarding this without compromising ILO's strict accountability mechanisms. Further, in some cases, this is also linked to the limited capacity amongst partners to undertake timely preparatory activities, which is a precondition to funding. The teams' recognition of this as a concern for

partners and their responsiveness to finalising reports, sending remittances, and providing support to partners in activity planning, addresses these issues effectively.

## **7.6. Gender**

Women, by way of their large representation within the Indonesian migrant labourer population, are key beneficiaries of the Project, Women represent 75% of documented migrant workers and 92% of these are domestic migrant workers<sup>10</sup> who are often hidden from the public spotlight and are vulnerable to various forms of abuse including rape, physical violence and trafficking in addition to unfair work practices. Furthermore, extended families and women who remain in Indonesia during a partner's period of migrancy, also experience a range of specific vulnerabilities including increased work, family and economic burden, family breakdown and compromised social protection. These factors have also been found to have a negative impact upon child protection and child development including access to education and health services as well as child labour issues<sup>11</sup>. As a result of these factors, it is appropriate that a Project addressing the protection of migrant workers should have a clear gender orientation and strategy to address the specific needs and vulnerabilities of women at all stages of the migration process, and too encourage a more effective, evidence based analysis of women's specific vulnerabilities within the policy context and at all stages of the migration process.

The gender orientation of the Project was examined throughout the midterm evaluation and it is noted that as a result of its focus on migrant workers and in particular domestic migrant workers, the Project has an inherent focus upon the protection of women which is supported by standard ILO generic guidelines and policies relating to gender participation and more specifically, the targeting of women, gender disaggregated data collection and reporting of specific gender issues. For example, all activities target 50% participation of women, partners are expected to report gender-disaggregated data, and women's participation is incorporated in field monitoring guidelines.

Many of the Project's activities have high levels of participation of women and indeed many have a focus upon service provision to women which is driven by an understanding within ILO of the complex vulnerabilities of women and the gender ratios of female to male migrant workers. Likewise many of the Project's partners are women's' organisations or civil society organisations which have a strong gender mandate. This is specifically relevant for partners in receiving countries who are actively engaged in the provision of protection services including anti-trafficking, case management and shelters for domestic migrant workers.

Throughout 2004 – 2006, the ILO Decent Work Country Programme has undertaken extensive gender training, planning and mainstreaming activities with ILO staff and counterparts including *DepNaker*, (including those now employed

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<sup>10</sup> ILO Project Proposal quoting data from Ministry of Manpower and Transmigration (2003), National Commission for Women (*Komnas Perempuan* - 2006) and the World Bank (2006).

<sup>11</sup> AusAID Assessment on Child Protection Priorities, 2005

within BPN2TKI), trade unions, NGOs and other providers. In recognition of gender mainstreaming as an ongoing challenge for its overall programme, ILO Jakarta plans to continue such activities throughout 2008, and CFLTIMW team members, partners and counterparts will be included within these activities.

While quantitative performance targets and indicators to enable data collection and reporting of gender based activity have been established within the Project design and Log Frame, the gender orientation of the Project, particularly strategies and indicators for the more qualitative aspects of gender could be strengthened within the Project design and implementation. For example, there is no clear articulation of how the Project will work towards or indeed measure the more qualitative aspects of gender within implementation, how the Project will address the differing vulnerabilities of women and men, nor of how gender will be mainstreamed throughout the Project.

Despite this lack of qualitative gender analysis or absence of a gender strategy within the Project design, there appears to be a sound understanding within the team of the need to address gender, not simply as a stand alone issue, but rather within the specific context of labour migration and in particular through the prism of the inherent vulnerabilities of the working conditions and situations of both men and women. For example, social research and documentation supported by the Project, seeks to improve understanding of the work conditions of domestic migrant workers, and through this better identify vulnerabilities and develop strategies to address these. Similarly training activities have a strong focus upon domestic migrant workers as a most vulnerable group, and research and the development and use of case studies seek to enable participants to better explore and understand these so as to contribute towards evidence based policy development.

The issue needs to be specifically highlighted with regard to the Project's objectives of supporting enabling policy and regulatory environments as well as institutional strengthening. It would be useful for the Project to articulate a more detailed strategy for gender mainstreaming, monitoring and evaluation within Project documentation and develop a strategy for strengthening the gender orientation of policy makers and government service providers in particular. This could include specific training on gender and supporting government training providers (such as the *Deplu* Training Centre and BNP2TKI) to mainstream gender within their protection and migrant worker training programmes. This would include ensuring that gender outcomes are measured in training evaluation activities including participant feedback, pre and post-tests. Further, ongoing social research activities<sup>12</sup> which seek to better explore and document some of the gender aspects and impacts of labour migration could be undertaken. These in turn could feed into improved evidence based and gender responsive policy, service delivery protocols as well as capacity building activities and ongoing

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<sup>12</sup> Examples may include (but are most certainly not limited to) impact of labour migration upon child protection; impact of labour migration upon family and societal/communal relationships and social cohesion; gender appropriate strategies for protection and protective behaviours; improved understanding of differing and common values relating to gender (or more specifically the role of women) between Indonesian migrant labourers and employers in receiving countries so as to support more effective protection strategies and messages etc.



Project development. A more clearly articulated gender strategy should also include mechanisms for **qualitative, outcome** based monitoring and evaluation of gender issues to compliment existing quantitative indicators and more clearly show gender impact. Specific attention should be paid to the inclusion of a detailed outcome-based gender strategy including qualitative impact focussed performance indicators in the planning of any future Phase of the Project.

**Recommendation:** *While in practice, the Project does seek to address gender within the larger context of the vulnerabilities associated with working conditions, and decent work opportunities for all, there remains a limited articulation of gender analyses and mainstreaming within the Project design. The large proportion of female domestic migrant workers and their complex vulnerabilities warrants more detailed attention in the articulation of gender within the Project design and strategy, as well as impact of outcomes based monitoring and evaluation mechanisms. The design of any future Project should pay further attention to articulating an outcome-based strategy towards gender mainstreaming in order to strengthen the gender orientation of activities undertaken by its partners, as well as impact of the Project.*

## **7.7. Impact Orientation and Sustainability**

The Project design is highly geared towards the institutionalisation of capacities and outcomes, as a key strategy towards sustainability. All work is undertaken within existing structures and mechanisms and there is a strong focus upon strengthening the institutional capacities of both government and non-government partners, as well as embedding activities within organisations. This includes support for the mobilisation of existing counterpart budgets and resources at the activity level and ensuring that future budgetary planning allows for the continuation of such activities.

The creation of collaborative working relationships and joint planning is a key issue for ensuring sustainability through shared analysis and articulation of impact and influencing the creation of learning, change orientated environments.

Team members have established and functional working relationships with stakeholders at all levels, which are clearly based upon mutual trust and shared values and purpose. This will ultimately enable ILO to have significant impact at the technical and influencing level, particularly in line with the urgent government priority to review and strengthen the regulatory framework for labour migration. This is exemplified by a collaborative approach which seeks to build effective working relationships and undertake joint analysis and problem solving in order to influence sustainable change in policy, practice and service delivery.

A number of activities which evidence the approach which the Project has taken towards sustainability and institutionalisation of activities and learning include its work in providing technical support for the review and drafting of national policies and frameworks protecting migrant workers. Further, TOT approaches, coupled with ongoing mentoring and joint monitoring and evaluation activities are key

strategies which aim to strengthen the capacity of partners to deliver improved services to migrant workers and their families.

A key measure of this success can be evidenced in the Project's cooperation with the Department of Foreign Affairs Training Centre with whom it has jointly developed training modules addressing migrant worker and protection issues. These modules have now been successfully integrated into the three levels of Diplomatic Training provided by the Department of Foreign Affairs Training Centre, ensuring that all Indonesian diplomatic staff receive this training as part of their pre-posting training and orientation programme. The Project has also delivered a range of TOT training with staff from other government departments, trade unions and Migrant Workers Associations on issues such as pre-departure briefing, para-legal training and human rights and migrant worker protection and is likewise supporting these organisations to integrate these into their ongoing work with good success.

Similarly, programme funding mechanisms and the solution-focused approaches towards working with partners is supporting the mobilisation of local resources as well as entrepreneurial approaches towards ongoing service delivery to migrant workers and their families by these organisations. The use of TOT approaches is a key strategy towards the sustainability and institutionalisation of new skills and knowledge, which has been adopted by the Project. One such example is, the Project's work in building capacity of partner organisations to address poverty issues and expand the choices available to migrant workers and their families. Two SYB TOT programmes have been conducted and approximately 40 staff from government and non-government organisations have been trained to deliver SYB training to their clients. Subsequent to this, an initial round of Step-down training has been undertaken (by these trainers), with some funding support being provided by the Project. The midterm evaluation was able to substantiate that all planned step-down training had been undertaken by partners and that these partners were planning to continue to provide SYB training which they perceived as highly relevant to their target groups. One example of where SYB training is to institutionalise within government programming is in Bandung where two trainers from the Department of Manpower Vocational Training Centre have undertaken TOT training and have subsequently worked with a local agency to deliver Step-down training to migrant worker communities in Indramayu. Interviews with the Training Centre Director also verified that allocation has been made within forward budget for 2008 for this training to be delivered as part of the Centre's ongoing training programme. This interview also confirmed that the nature of the training provided opportunities to mainstream small business and micro-enterprise management into other vocational training curriculum.

Aside from this transfer of training capacity and support for micro-enterprise and small business development into their usual service delivery, the SYB training process has also focussed upon working with partners to enable them to explore the potential to generate income for their ongoing programmes through the provision of the SYB training programmes on a fee for service basis for other organisations within their local areas. *Serikat Paguyuban Petani Qaryah Thayyibah* (SPPQT) in Salatiga for example, has commenced planning to integrate SYB training within their usual portfolio of programmes including within

its alternatives schools. It has further entered into discussions with PLAN International to deliver SYB training to their clients. While these discussions are progressing, SPPQT requires some further support in identifying ways in which they can overcome some of perceived obstacles in delivering this service. Such support from the Project in encouraging and enabling partners to undertake such activities would make a further contribution to the likelihood of this happen and further reinforce the Projects institutionalisation and sustainability goals.

***Recommendation:*** *In the coming months, field monitoring and partner capacity building activities should seek to support partners to continue to identify entrepreneurial models for ensuring both the ongoing delivery of training activities such as SYB, by partners themselves as well as exploring broader delivery including to external agencies in order to generate income and contribute to institutional sustainability.*

While programming practices and partnerships are clearly sustainability orientated, at the present time, these continue to be largely focussed upon current programming activities and existing partnerships associated with the direct delivery of the Project rather than more broadly across the sector. This focus is functionally driven as a direct result of resource limitations and the compromised timeframe of the Project due to late approvals. The evaluation has verified that ILO has established strong collaborative relationships for change in policy and practice of key government agencies and has strategically targeted its partnership arrangements and thus sphere of influence. The current focus upon existing partnerships is understandable and appropriate at the present juncture of programming. It has enabled the Project to have maximum influence upon counterpart activities in a short period of time through focussed technical assistance and support for pilot activities implemented by these partners. The Project also shares information regarding its activities within interagency networks.

In order to further extend its impact, some consideration will need to be made in the ensuing twelve months (pending resource availability) and more specifically within the design of any subsequent Project, to enable the Project to have further external influence upon other actors. In its simplest form, this could be done through the sharing of lessons learned, as well as the sharing of programming models with other national and international agencies and line Ministries, outside of those directly responsible for the protection of migrant workers, in order to influence the design and delivery of their own programmes and ensure that they are geared towards addressing identified priorities.

At a more complex level, current shifts within the governing arrangements for poverty alleviation and decentralisation occurring within Indonesia at the present call for an increased focus in enabling policy makers and service providers at the provincial and district levels to better understand issues of labour migration and to develop policies and service delivery models which better protect Indonesian migrant workers. The Project is well positioned to contribute to such efforts in the immediate and longer term.

***Recommendation:*** *While the current focus upon establishing a protective governing framework is appropriate at the present, attention will need to be made*

*in future Project planning and implementation to consider ways in which ILO and the Project can extend both the sphere of influence of both itself and its partners. This may include strengthening linkages and influencing programme delivery through the sharing of lessons learned and programme models, with other national and international organisations that include domestic migrant workers as a target group, as well as recruitment agencies and agencies working at provincial and local levels.*

**Recommendation:** *The Project should pay attention in the coming term, as a key activity of its final evaluation, to measuring and documenting the impact of work currently being undertaken at the district and provincial levels, with specific regard to the direct impacts and influences that local ordinance and enhanced service delivery have upon the lives of migrant workers. This in turn will inform the priority of ongoing efforts in this regard in any future Project.*

### **7.8. Special Concerns – Causality and Unanticipated Effects**

The evaluation has not identified any special concerns or negative consequences in terms of design, management arrangements or quality and nature of programme implementation. Indeed, despite a number of hurdles at inception phase such as delays in administrative approvals, shifts in counterpart arrangements and a budget shortfall, which have been discussed in detail within the previous pages, the Project team is to be commended its achievements in ensuring that activities are well on track and effectively delivered.

While there is a high degree of satisfaction with the Project from all stakeholders, an area of strategic concern identified through the evaluation and which requires attention in order to maximise the project's impact is in regard to the sustainability of SYB and alternative livelihoods trainings.

SYB training is design so as to build small business development and management training and mentoring skills amongst key service provider agencies in order that they in turn can support their clients to develop sustainable alternative income development activities. The response to SYB training has been extremely positive and partners indicate that it is highly relevant to their clients:

*“SYB is exactly what we need to assist communities to develop alternative income generation opportunities. This will help families to make better decisions regarding migration as well as to enable returned migrants and their families to utilise capital in an effective way.”<sup>13</sup>*

Partner agencies are targeting 3 key client groups for Step-down Training including intending and returning migrant workers and families of migrant workers currently abroad.

It is largely accepted that the targeting of these groups will enable intending migrant workers to have broader options than taking the course of migration, will enable a more effective utilisation of remittances by families and enable returning

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<sup>13</sup> SPPQT Field Staff (TOT Trainer), Salatiga

workers to immediately mobilise capital and effectively manage small enterprises upon their return to Indonesia.

While this is consistent with the objectives of the Project and SYB Step-down trainings have been conducted and partner organisations are delivering SYB training to their members and constituents, both partners and their clients have identified that access to capital for business start up is a major impediment. Interviews with migrant workers and their families who have attended SYB trainings strongly reinforced the fact that while the training addresses their immediate need for developing alternative sources of income, without exception, start-up financing was a key obstacle or constraint.

*“The SYB training was so relevant to me, I wish I had done the training when I returned from Korea, because at that time I have 90 million rupiah in capital. Instead I have used that money for consumption and for repairs to my house. I have no money left to start my business and need to find a way to borrow.”<sup>14</sup>*

*“I have a great business idea, everyone thinks so, but it will cost a lot to set it up, so I will go to work overseas again to earn the money to set up my business.”<sup>15</sup>*

In order to address this some partners have established relationships with local financing institutions to which they have brought into training activities to enable participants to have access to micro-credit and small loan providers. In some cases this has been successful and migrant workers have received funding for the establishment of their enterprises.

*“The Bank asked me ‘How does a farmer know how to make a Business Plan?’ They couldn’t believe it! I did a Business Plan for the first two years. They came to assess my business yesterday and they told me they will confirm the loan next week”<sup>16</sup>*

*“I hope I get the loan I applied for, I did a good Business Plan and I know I can succeed with my business. I just got married last month. If I can start my business, then I can support my family with my business instead of having to work abroad.”<sup>17</sup>*

While such efforts have been made to source financing support from existing institutions, without exception, civil society partners have claimed that they have commenced working towards establishing micro-credit programmes which will provide small loans to their members who have participated in SYB training. This is an issue which will require some attention from the Project in the short and medium terms, as such initiatives pose significant risks in the absence of solid micro-credit management skills. While it is outside of the remit of the Project to support the establishment of micro-finance mechanisms, it would not be desirable

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<sup>14</sup> Quote from returned migrant worker, Boyolali, Central Java

<sup>15</sup> Quote from Migrant Worker, Indramayu, West Java

<sup>16</sup> Quote from Farmer from migrant worker community, Indramayu, West Java

<sup>17</sup> Quote from Farmer from migrant worker community, Indramayu, West Java

that this becomes to default response for partners to address their members needs for enterprise financing and could comprise the impacts of the Project in the case that such initiatives fail or that financing arrangements do not eventuate for participants of SYB initiatives<sup>18</sup>.

The Project recognises the issues and complexities of establishing and financing alternative livelihoods and small business development, and is presently undertaking a series of activities to better understand the way in which migrant labourer remittances are utilised (by migrant labourers, their families and communities) in order to work with stakeholders to identify effective strategies which support and enable the more effective mobilisation and use of these remittances for household economic development. For example, the Project has sought to address the challenges associated with micro-credit and the financing of alternative livelihoods activities as well as the mobilisation of migrant worker remittances through a number of avenues. This includes a recently completed study on Migrant Labourer Remittances and Micro-credit (Dec. 2007) which will be used as key input for national consultations to be held in early 2008 with the view to developing joint follow-up activities throughout 2008 and beyond. Further partnerships and follow up activities with the ILO Department for Social Finance and the Indonesia-based NICP project on micro-credit, remittances and local development, are expected to further assist in developing demonstration/pilot projects involving local micro-finance providers, local government and possibly national banks. ILO Jakarta is further coordinating with the World Bank on a range of initiatives of relevance across their joint portfolios including the CFLTIMW.

***Recommendation:*** *The evaluation finds that current work on understanding the use of migrant labour remittances is highly relevant and as such practical during the current phase of the Project. It further strongly recommends that efforts to explore and develop practical and effective strategies for the mobilisation of migrant workers remittances by migrant labourers and their families both during the period of migration and upon return, should be a priority in the design of any future programming.*

***Recommendation:*** *Direct support should not be provided for the establishment of cooperatives or micro-credit programmes in the absence of clear models and management capacities. Special attention needs to be paid by the Project to support partners in mobilising financing support for small business development both as a follow on from SYB training programmes, but also for future livelihoods and income generating activities, so as to maximise their impact upon migrant worker communities.*

The Project is presently challenged in substantially progressing its efforts in working with migrant labour recruitment agencies. There is a strong recognition that recruitment agencies are key actors within the labour migration process, and

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<sup>18</sup> It should be noted that this is an issue, which is well understood, by the Project and one that it shares with the broader SYB programme and efforts are being undertaken to identify means of supporting partners to assist their members to access financing arrangements. A study on micro financing is currently underway and should provide some further directions on how the Project may address this concern.

that extensive reform of recruitment and migration management practices is urgently required. Despite this recognition, and early efforts to work with recruitment agencies, through a number of initiatives during Phase 1 of the Project, and more recently through working with the ILO HIV/AIDs Project in incorporating HIV awareness within pre-departure training programmes, this work is significantly challenged as a result of economic interests. Within this context, Project efforts are now focussing on working with Depnaker and BPN2TKI to create a “level playing field” for recruitment agencies through the improvement and enforcement of regulations for recruitment agencies, as recommended by recruitment agencies’ associations. This also includes working with key ministries on opening up access for new recruitment agencies, competency-based licensing, and empowerment of users (migrant workers and employers), by having access to independent and reliable information, and simplifying the recruitment process.

While in the context of limited resources and an urgent need to support current momentum for regulatory change, it is appropriate for the Project to focus at the present time upon legislative and governance reform, it is anticipated that into the future, support for improved practice amongst recruitment agencies will emerge as a programming priority. The design of any future Project phase should seek to develop strategies to overcome these challenges and create improvements to the recruitment process. In order to effectively do this an improved analysis of recruitment agency practice may be helpful and the Project is encouraged to consider undertaking research in this area. Such research would ideally include an analysis of the “value chain” of labour migration so as to identify key issues for reform.

**Recommendation:** *The current ‘playing field’ for migrant labour recruitment agencies is coloured by vested economic interests, and direct engagement with recruitment agencies present many challenges to the Project. It is recommended that the Project seek to undertake a more detailed analysis of recruitment agencies and the migration ‘value chain’ so as to inform future regulatory reform as well as supportive programming interventions.*

## **7.9. Emerging Areas of Qualifiable Impact**

While the Project is in essence still within its first year of implementation, it is naturally not possible to measure clear, sustainable impact as a direct result of implementation at this stage. Indeed it must be questioned as to the extent that **qualitative and sustainable** impact can be achieved within a short programming period of only two years and the scope of complexity of the work required indicate a need for sustained technical and programming support beyond the life of the current Project phase. It is however, possible at this stage to gain an understanding of the key areas where it is anticipated the Project will have impact into the future. Most of these have been discussed in detail within the main body of this report and as a result, are summarised briefly below.

### **7.9.1 Policy and Regulatory Environment**

The obvious key area of impact, consistent with the Project goal and ILO's technical capacity, is in the provision of technical support for policy development, particularly within a rapidly changing policy and governance context. Key national actors such as BNP2TKI, *Deplu* and the Ministry of Manpower, have been provided with a clear mandate by the President's Office to review the policy framework and management arrangements governing migrant workers. This is a substantial task and one which provides a strategic opportunity for ongoing ILO contribution, to ensure that international best standards of best practice are adhered to, and that the policy framework reinforces the GoI's international human rights responsibilities.

**Recommendation:** *Ongoing technical support for policy review is and should continue throughout the Project and indeed into any ensuing phase of the Project.*

### **7.9.2 Development of Local Ordinances**

As previously highlighted, Project support for Local Ordinance development is beginning to have some impact upon local service delivery and in particular the resolution of some disputes involving migrant workers in line with these Ordinances. As the policy context changes, the need for ongoing support in this area is significant and likely to be an area in which the project will be able to show direct impact upon the lives of migrant workers and their communities.

### **7.9.3 Livelihoods Support**

Another key area of emerging impact is the support which the project has provided to both civil society and government organisations in building their capacities to deliver alternative livelihoods programmes such as SYB to their constituents. The midterm evaluation field visits strongly indicated that SYB initiatives were highly relevant to community based service providers, as well as to the communities with whom they work. Migrant workers, returning migrant workers and their families felt very strongly that the provision of SYB has either provided them with potential to explore alternatives to labour migration, opportunities to mobilise and divert remittances from consumption to income generation and improved household financial planning.

## **7.10. Emerging Strategic Opportunities and Future Directions**

A number of strategic issues in relation to the future delivery of specific Project activities have been integrated within the discussion in the earlier parts of this report and have been highlighted in recommendations integrated into the text and in the concluding remarks. As a result, these are not repeated within this section of the report, which aims to highlight a number of broad strategic issues which require consideration by the Project in the design of any future Phase of the project beyond the current term.



### **7.10.1 Maximising Influence in a Changing Policy Framework**

A key strategic concern for the Project at the present time is the extent to which it can maximise synergies between the current GoI commitment to policy and regulatory review, and the goals and objectives of the current phase of the Project. The current focus of the Project upon providing support for revisions to the national regulatory framework for migrant workers is therefore highly appropriate at the present time. The midterm evaluation further identified that government counterparts were highly positive about the contributions the Project has made in this regard and indeed required further support in this regard in the immediate future.

**Recommendation:** *An ongoing focus and priority of the Project in providing technical support or policy and legislative reform is highly appropriate in the immediate period and should remain a key focus of the Project in the current phase in order to capitalise upon synergies between the governance context and the Project goals and objectives and maximise impact.*

### **7.10.2 Strengthening Localised Support for Migration Management and Service Delivery**

A further strategic issue for the Project in line with this is the need for sustained support in ensuring compliance with new policies and management arrangements for migrant workers currently being developed and which will come into force in the coming months and years. Into the future, as the national policy context is revised and complete, there will be a need for continued technical support for key Line Ministries to develop protocols and guidelines for the management of, and service delivery to, migrant workers at all stages of the migration process. This will include the establishment of monitoring and evaluation mechanisms for service delivery.

This work is particularly onerous in the context of decentralisation where the onus for service planning, budgeting and delivery rests with the Districts. Districts and provincial governments will require further institutional strengthening and support for the development of local ordinances and service standards.

The Project has made some positive early inroads into the development of Local Ordinances through support for the piloting of Local Ordinance development activities in four provinces. It is also supporting the sharing of lessons learned both within and across provinces and beyond. This is a key area of potential impact for the Project. Discussions undertaken with government and civil society organisations involved in these pilot activities, indicated that these activities had strengthened relationships between civil society and government agencies and as previously discussed has enabled the Project to evidence a number of cases where the existence of recently developed Local Ordinances had enabled the resolution of migrant worker disputes including facilitating their receipt of unpaid wages. The increasingly important role of organisations such as ILO in 'knowledge sharing and knowledge brokering' provides excellent opportunities for enabling change and improved practice. The importance of the lessons learned through

these pilot activities is significant and should be documented and made widely available in order that they influence government and civil society efforts to strengthen local regulation and service delivery within the context of changed national regulation into the future.

Further, Project efforts at institutionalising training and capacity building activities within national government agencies are highly relevant and contribute towards preparing these Ministries to be able socialise regulatory changes and to actively build the capacities of their line agencies to work these in the future. It is common in Indonesia however, for national Ministries to claim budgetary constraints in relation to the socialisation of policy reforms and in building local regulatory and service delivery capacities. As a result, the provision of support by the Project must be planned within the context and availability of government budgets and resources, in order to ensure the sustainability of activities.

It is therefore, anticipated that as the national policy context is formalised, any subsequent Phase of programming will need to extend its reach and priorities to an increased focus upon enhancing capacity development at regional and local service levels. Priority consideration should be made to determining how this may best be implemented in any future Project design.

***Recommendation:*** *As the national policy context is formalised, there will be an ongoing need for socialisation and capacity development activities and the Project will need to develop a strategy for how it can most effectively support these needs. Support is likely to include, support for local socialisation forums bringing key government and civil society actors together to plan for the rollout of changing regulations. Further, support for ongoing institutionalisation of capacity development activities is highly relevant in the content of changing policy and regulatory environments and particular attention should be paid to the development of Modules and training skills and capacities which can support Ministries in delivering capacity building activities to their regional counterparts. Ongoing support for planning will be required to ensure that Ministries consider the financial, time and resourcing costs of the socialisation of new policies and guidelines as well as developing the capacity building of their line agencies to manage these.*

The issue and challenges posed by working with recruitment agencies to improve service delivery and the protection of migrant workers has been previously discussed within this report. Despite the extensive challenges and obstacles to working with recruitment agencies, continued recognition of recruitment agencies as key actors in labour migration is essential. As such future interventions need to continue to try to find ways of enabling more responsible, accountable and protective service delivery by agents and agencies throughout the labour migration process.

### **7.10.3 Strengthening Service Delivery to Migrant Workers in Destination Countries**

A number of new government initiatives are underway to strengthen monitoring and service delivery to migrant workers in destination countries. This includes a clear role for the Department of Foreign Affairs in managing complaints and crisis situations abroad. The Project is already supporting training for *Deplu* officials prior to posting and this should make a contribution to improved service delivery. Further support for international agencies in destination countries also ensures that migrant workers have access to information about their rights and information regarding where they can get support in crisis situations. As the context changes, these agencies need to establish stronger linkages with *Deplu* and Indonesian Embassy staff and services in destination countries to advocate and support effective case management. While the Project is currently providing support for such network building, this could be strengthened in ensuing phases.

***Recommendation:*** *There is a strategic opportunity posed by Deplu initiatives for the piloting of crisis services to migrant workers in destination countries to support an increased engagement of civil society actors in destination countries to work together with Deplu in the provision of services and resolution of cases of dispute. Consideration of how the Project may best support this in the coming Phase should be made in the design of any ensuing phase of the Project.*

### **7.10.4 Extending scope of Reach and Mobilising Other Actors**

In line with above need and recommendation for supporting increased efforts in building capacities to socialise and manage migrant workers issues within a changing regulatory environment, the Project is well positioned to seek to extend its existing sphere of influence to include other international and national agencies in mainstreaming migrant workers and labour migration issues their existing programmes.

The recent establishment of PNPM as the national poverty alleviation programme in Indonesia coupled with extensive international donor support towards its rollout, presents a strategic opportunity for the Project to extend its sphere of influence and to bring migrant labour to the fore as a key poverty related issue.

The Consultant recently met with the Director of the Decentralised Support Facility (DCF), the World Bank managed multi-donor office which supports the GoI in its efforts towards decentralisation and poverty alleviation, and which previously managed the national *Kecamatan Development Programme* (KDP) which gave birth to the PNPM. When asked about national concerns and priorities for poverty alleviation, he highlighted the issue of migrant labour and in particular the need for national and interagency attention in support of efforts towards the effective mobilisation of remittances from migrant workers as a priority concern.

As the lead UN agency for labour migration, ILO is particularly positioned to take a lead in supporting increased efforts by other international actors to address this issue. Further, through its' work in piloting local initiatives toward mobilisation of

remittances and more importantly through its recent study on the use of migrant worker remittances the Project is well positioned to engage with other donor organisations and bilateral aid Projects to support broader analysis and planning on this issue and influence the development of strategies for this in the context of emerging decentralised approaches towards poverty alleviation. The Project has had some collaboration with the World Bank in undertaking the above study and short term efforts should be made to share the lessons learned from the study with other national and international agencies to support their own programming.

Naturally, while the Project is well positioned to extend its sphere of influence, resource constraints will likely be an ongoing issue. In the event of ongoing resource constraints entrepreneurial approaches to extend such influence will need to be considered. These may include the mobilisation of existing relationships or partner resources and joint action and programming among variety of agencies.

***Recommendation:*** *The Project is well positioned to mobilise lessons learned in support of increased attention towards the effective mobilisation and use of migrant worker remittances within the context of decentralisation and new national programmes and strategies for poverty alleviation. The extension of the Project's sphere of influence to include other multilateral, bilateral and national agencies as well as international and national NGOs engaged in poverty alleviation programming is a key strategic priority for the Project in the immediate to mid term which needs to be considered to maximise impact and broader development outcomes.*

## **8. Conclusions**

The Independent Midterm Evaluation of the ILO Combating Forced Labour and Trafficking of Indonesian Migrant Workers Project confirms that the Project design and implementational priorities are strongly aligned with the current context and support required by the Government of Indonesia in relation to strengthening the regulatory environment for labour migration as well as the management of its national labour migration programme. Indeed, the Project's responsiveness to ongoing contextual change is to be commended.

Despite early delays in Project inception and a funding shortfall, the Project has effectively delivered upon all key activities and is well progressed towards achieving its operational targets and goals. Relevant and accountable management mechanisms are in place and ILO has successfully recruited a competent team, with relevant technical skill and credibility and a strong rights orientation. This has been supported by strong relationships between the Project team and stakeholders at all levels as well as the development of strategic partnerships and alliances with key agencies.

Project efforts and approaches are contributing to efforts to strengthen policy and governing arrangements and have been highly responsive to needs identified by government and civil society actors alike. Technical support provided by ILO and the Project team is of a high quality and approaches towards delivery are deemed

by all stakeholders as being highly relevant to current needs and context, and contribute significantly to the strengthening of capacities of all stakeholders for improved labour migration management as well as service delivery to migrant workers.

While the Project is in essence still within its first year of implementation, it is not possible to measure clear, sustainable impact as a direct result of implementation at this stage. Indeed, whether **qualitative and sustainable** impact can be expected within a short timeframe of two years warrants overall questioning, particularly within the context of the scope and complexity of the work required. Despite this, it is however, possible at this stage to gain an understanding of the key areas where it is anticipated the Project will have impact into the future and these include, technical support for changes to the national regulatory and legislative frameworks governing labour migration, support for the development of local ordinances, and improving the capacity for service providers to deliver alternative income generating activities for migrant labourer communities.

While progress towards the Project's objectives is within anticipated timeframes and workplans, the short-term nature of the Project and funding timeline is of concern. It must be recognised that the reform of Indonesia's migrant labour programme is a substantial task and the need for ongoing and sustained technical and programming support beyond the life of the current Project phase is clearly evident.

As such future interventions need to consider the likely duration of technical support required by the Government of Indonesia not only in policy and legislative reform but also in the establishment and delivery of effective service delivery across the country. Likewise, ongoing support for improved service delivery by non-government actors will continue to be a future priority and funding mechanisms and programming interventions towards the improved protection of Indonesian domestic migrant workers will need to take these mid to long term needs into account in any future programme planning.

A number of emerging key priorities for future programming have been identified throughout the evaluation and these include a shifting focus upon strengthening service delivery to migrant workers at the local level in line with changes to the national regulatory environment, as well as the inclusion of recruitment agencies and local service providers within capacity building activities. A further strategic priority for any ensuing stage of the Project will be to consider how it may maximise its impact by sharing lessons and lessons-to-be-learned from the piloting of existing project initiatives and considering how the Project may extend its scope of influence to include a broader range of actors working with migrant labourers. Likewise, the Project, or any future Project could also actively seek to capture relevant knowledge from other sources and make these more available locally, nationally and internationally.

In summary, it is clear that the ILO Combating Forced Labour and Trafficking of Indonesian Migrant Workers Project has made a sound contribution to supporting efforts at labour migration reform currently being undertaken by the Government of Indonesia. It has further encouraged joint planning and action between

government and non-government agencies and strengthened the capacities of both to deliver more effective and protective services to Indonesian migrant workers. While these represent a considerable contribution to the sector, the process of reform is ongoing and there is a clearly identified need for ongoing and indeed a broadened scope of support to this area into the future.

## 9. Summary of Recommendations

A series of recommendations which highlight strategic programming priorities and emerging issues for consideration within the final stages of Project Implementation and in the design of any subsequent programme have been developed and have been woven within the report

The following table provides a comprehensive listing of these Recommendations and provides references to the location of relevant discussion within the text of the Final Independent Midterm Evaluation Report.

Legends are also provided to indicate the Consultants consideration regarding the timeframe in which the recommendation may be considered with Short Term (S/T) referring to the current Project phase and Long Term (L/T) referring to the design and/or implementation of any subsequent phase of the Project.

Legends are also provided to indicate the priority (low, medium, high) which the Consultant considers these recommendations should be considered, however clearly future prioritisation of these recommendations should be made by ILO in consultation with its key stakeholders, and reviewed as the context changes.

No.	Recommendation	Text Ref.	Timeframe		Priority		
			S/T	L/T	L	M	H
1.	The need for ongoing and sustained technical and programming support for the reform of Indonesia's national labour migration programme and the protection of Indonesian migrant workers is clearly evident. It is strongly recommended that ILO continue to seek opportunities to extend the scope and period of the Project well beyond the current Phase.	7.2	✓	✓			✓
2.	An ongoing focus and priority of the Project in providing technical support for policy and legislative reform is highly appropriate in the immediate period and should remain a	7.10.1	✓				✓

	key focus of the Project in the current phase in order to capitalise upon synergies between the governance context and the Project goals and objectives and maximise impact.						
3.	While unable to take a direct role in negotiating roles and responsibilities between the key national actors responsible for managing Indonesia's labour migration programme, the Project does and should continue to contribute towards open consultation between all stakeholders, which in turn will support the clarification of roles and responsibilities, and as such contribute towards the creation of an enabling environment for regulatory change.	6.1.2	✓	✓		✓	
4.	The Project should consider how it could support the finalisation of reviews to Law 39/04 on Labour Migration to ensure that the outcomes of current reviews of this legislation reflect international best practices and Indonesia's obligations to migrant workers.	7.1	✓			✓	
5.	The Project should consider the efficiency gains of engaging a full time Training and Capacity Building Officer to oversee the development of a Training and Capacity Building Strategy which enables the Project to improve the quality of future training activities conducted by its partners as well as measure the long term impacts of training provision. While this may not be possible in the current phase of the Project as a result of resourcing levels, it should be a clear consideration in the design of any subsequent Phase of the Project.	7.4	✓	✓	✓		
6.	The Project should pay attention in the coming term, as a key activity of its final evaluation, to measuring and documenting the impact of work currently being undertaken at the district and provincial	7.7	✓	✓		✓	

	levels, with specific regard to the direct impacts and influences that local ordinance and enhanced service delivery have upon the lives of migrant workers. This in turn will inform the priority of ongoing efforts in this regard in any future Project.						
7.	The evaluation finds that current work on understanding the use of migrant labour remittances is highly relevant and as such practical during the current phase of the Project. It further strongly recommends that efforts to explore and develop practical and effective strategies for the mobilisation of migrant workers remittances by migrant labourers and their families both during the period of migration and upon return, should be a priority in the design of any future programming.	7.8	✓	✓			✓
8.	Direct support should not be provided for the establishment of cooperatives or micro-credit programmes in the absence of clear models and management capacities. Special attention needs to be paid by the Project to support partners in mobilising financing support for small business development both as a follow on from SYB training programmes, but also for future livelihoods and income generating activities, so as to maximise their impact upon migrant worker communities.	7.8	✓	✓			✓
9.	The current 'playing field' for migrant labour recruitment agencies is coloured by vested economic interests, and direct engagement with recruitment agencies present many challenges to the Project. It is recommended that the Project seek to undertake a more detailed analysis of recruitment agencies and the migration 'value chain' so as to inform future regulatory reform as well as supportive programming interventions.	7.8		✓		✓	
10.	Ongoing technical support for policy review	7.9.1	✓	✓		✓	✓



	is and should continue throughout the Project and indeed into any ensuing phase of the Project.						
11.	As the national policy context is formalised, there will be an ongoing need for socialisation and capacity development activities and the Project will need to develop a strategy for how it can most effectively support these needs. Support is likely to include, support for local socialisation forums bringing key government and civil society actors together to plan for the rollout of changing regulations. Further, support for ongoing institutionalisation of capacity development activities is highly relevant in the content of changing policy and regulatory environments and particular attention should be paid to the development of Modules and training skills and capacities which can support Ministries in delivering capacity building activities to their regional counterparts. Ongoing support for planning will be required to ensure that Ministries consider the financial, time and resourcing costs of the socialisation of new policies and guidelines as well as developing the capacity building of their line agencies to manage these.	7.10.2		✓		✓	
12.	There is a strategic opportunity posed by Deplu initiatives for the piloting of crisis services to migrant workers in destination countries to support an increased engagement of civil society actors in destination countries to work together with Deplu in the provision of services and resolution of cases of dispute. Consideration of how the Project may best support this in the coming Phase should be made in the design of any ensuing phase of the Project.	7.10.3		✓	✓	✓	
13.	The Project is well positioned to mobilise lessons learned in support of increased attention towards the effective mobilisation	7.10.4	✓	✓			✓

	and use of migrant worker remittances within the context of decentralisation and new national programmes and strategies for poverty alleviation. The extension of the Project's sphere of influence to include other multilateral, bilateral and national agencies as well as international and national NGOs engaged in poverty alleviation programming is a key strategic priority for the Project in the immediate to mid term which needs to be considered to maximise impact and broader development outcomes.						
14.	The design of any subsequent Phase of the Project should carefully consider how and where ILO and its partners can have strongest impact once the national policy framework is completed, particularly with regard to more sustained attention to strengthening service capacity and service delivery monitoring and evaluation mechanisms by government regulatory agencies, government and non government service providers and other donors. Secondary to this, it is hoped that ILO will be more successful in encouraging any future donor partner to establish a more realistic timeframe and budget for implementation.	7.2		✓			✓

## 10. Annexes

### 10.1. Consultations Undertaken Throughout the Midterm Evaluation

The following individuals were consulted throughout the midterm evaluation.

Name	Organisation	Position	Activity	Date
<b>Jakarta</b>				
Ms Parissara Liewkeat (Gai)	ILO	Programme Officer – ILO Jakarta	Interview	3.12.07
Ms Lotte Kejser	ILO	Chief Technical Adviser - CFLTIMW	Briefing, Interview, Discussions, Debriefing	3 – 11.12.07
Mr. Albert Bonasahat	ILO	National Project Coordinator	Interview, Discussions	3 – 6.12.07
Ms Galuh	ILO	HIV/AIDS Project Coordinator	Interview	3.12.07
Mr. John Lindsay	ILO	Consultant	Interview	3.12.07
Mr Peter Van Rooij	ILO	Deputy Director	Briefing	3.12.07
Mr Alan Boulton	ILO	Director	Briefing, Debriefing	3.12.07 11.12.07
Mr Lasse Nyoeman	Norwegian Embassy Bangkok	Counsellor for Development	Phone Interview	3.12.07
Mr. Akhiar	Depnakertrans	Legal Bureau	Interview	4.12.07
Mr. Maruli Apul	DepNAKERTRANS – Directorate General of Domestic Placement	Director of Labour Market	Interview + Activity Planning Meeting	4.12.07
Mr. Jumhur Hidayat	BNP2TKI	Head of BNP2TKI	Interview	4.12.07
Clifford Sorita	Consultant Trainer	Trainers	Observation of Training	4.12.07
Mr. Darmansjah Djumala	Deplu Training Centre	Head of Deplu Training Center	Interview	4.12.07
Irham Ali	ILO	Programme Assistant	Interview, Field Travel and discussions	5.12.07 6-10.12.07
Mr. Teguh Wardoyo	Deplu Protection of Indonesian Citizens and	Director of the Directorate of Indonesian Citizen's and Indonesian	Interview	5.12.07

	Indonesian Entities Overseas Section	Entities Abroad DEPLU		
Mr. Dicky Komar	Deplu Human Rights Section	Staff of Deplu's Human Rights Section	Interview	5.12.07
Ms. Ratih Rianingsih	ILO	Administration / Finance Officer	Interview	5.12.07
Ms. Tati Krisnawati  Ms. Vien Suseno  Ms. Patricia Yocie	Komnas Perempuan	Ex-Commissioner - <i>Komnas Perempuan</i> 2005-2007  General Secretary - <i>Komnas Perempuan</i>  <i>Supporting Staff</i>	Interview	5.12.07
Ms Gloriani Panjaitan	ILO	Programme Officer and Backstopping Officer	Interview	6.12.07
Mr. Miftah Farid	SBMI	SBMI National Chairperson		
Mr. Felixon Silitonga	KopBUMI	Coordinator	Interview	6.12.07
Ms. Ruth Murtiasih	SPPQT	Executive Director	Interview	6.12.07
Ms. Nurul Ms. Siti F. Ms. Harsun	SPPQT	SYB Trainers	Interview Field visits	6.12.07 6-7.12.07
10 Migrant workers	SPPQT Members and SYB participants Boyolali	SPPQT Members	Field Visit and Interview x 2	
Mr. Chastra Ms. Rohenti	FWBMI Cirebon DPC SBMI Cirebon	Head of FWBMI Head of SBMI Cirebon	Interview	8.12.08
Mr. Ali Mr. Abdul	Geppekanyu Indramayu	Head of Geppekanyu/Secretary of Geppekanyu	Interview and Field Visit	8.12.08
8 migrant workers (Witri, Nunun, Titik, Ponimin, Purwandi, Pujiono,	SBMI members and SYB participants Indramayu	Community under Geppekanyu services	Field Visit and Interview	8.12.08

Molisin, Ima)				
Mr. Gafur	Bazisda Lombok Timur	Head of Bazisda & Head of Bappeda Lombok Timur	Phone Interview	9,12.07
Mr. Roma Hidayat	ADBMI	Head of ADBMI	Phone Interview	9.12.07
Mr. Achmad	Kepala Dinas KTT Lombok Timur Lombok	Head of Dinas KTT Lombok Timur	Phone Interview	9.12.07
Mr. Heriyanto Ms. Ria	BBPPK Bandung	Secretary of BBPPK Depnakertrans	Interview	9.12.07
Rolly Aruna Damayanti	ILO	National Programme Coordinator – Enterprise Development	Interview	10.12.07
Ms Mette Kottman  Mr. Aksel Tomte	Norwegian Embassy Jakarta	Counsellor  Consultant	Debriefing Meeting	10.12.07

## **10.2. Midterm Evaluation Terms of Reference**



**Terms of Reference**  
**For an Independent Mid-Term Project Evaluation**

**Project**

Combating Forced Labour and Trafficking of Indonesian Migrant Workers,  
(INS/06/M10/NOR)

**Donor**

Government of Norway

**Implementing Agency**

International Labour Organization (ILO)

**Geographical coverage**

Indonesia, Malaysia, Singapore, Hong Kong

**Date & Duration**

November-December 2007 (5 weeks, preparation, field work, report)

**TORs Preparation date**

September 2007

## 1. Background

The ILO Project *Combating Forced Labour and Trafficking of Indonesian Migrant Workers*, INS/06/M10/NOR, for Indonesia, Malaysia, Singapore, Hong Kong, with a project period of September 2006 – August 2008, is funded by the Government of Norway. The project activities are based on earlier activities and cooperation from May 2004 – August 2006, funded by DFID.

The overall objective of the project is to strengthening the protection of migrant domestic workers, whether international migrant domestic workers or internal domestic workers. The project's strategic components are the following:

- Policy and legislative protection
- Awareness-raising and advocacy
- Outreach, protection, livelihood activities and reintegration services
- Capacity-building of key stakeholders
- Research/ data collection and dissemination systems

The evaluation shall review and assess the Project's progress and achievements to date taking as a starting point the objectives and outputs in the project's guiding document by assessing the i) efficiency, ii) effectiveness, iii) relevance, iv) impact and v) sustainability of the project as these are briefly described below:

- **Efficiency** - the productivity of the Project implementation process taken as a measure of the extent to which the outputs achieved are derived from an efficient use of financial, material and human resources.
- **Effectiveness** - the extent to which the project can be said to have contributed to the development objectives and the immediate objectives and more concretely whether the stated outputs have been produced satisfactorily.
- **Impact** - positive and negative changes and effects caused by the Project at the sub-regional, national and provincial levels, i.e. the impact with social partners and various implementing partner organisations
- **Relevance** – the extent to which the objectives are in keeping with sub-regional, national and local priorities and needs, the constituents' priorities and needs and the donor's priorities for the project countries
- **Sustainability** – the extent to which adequate capacity building of social partners have taken place to ensure mechanisms are in place to sustain activities and whether the existing activities are likely to be maintained beyond project completion.

## 2. Purpose and scope of the evaluation

The purposes of the terminal evaluation are to draw lessons learned from the implementation of the project in the project countries with a view to also assess whether the project goals and objectives are still relevant, and if so, take the findings of the evaluation into account in the development of a new proposal to the need for protection of domestic workers in the project countries.

Generally, the evaluation will:

- First, review the achievements of the Project by assessing to what extent the stated objectives and major outputs have been achieved



- Second, review the extent to which the Project is on target in consolidating activities in project areas/ countries where these have been introduced
- Third, review the efficiency and effectiveness of the project implementation framework and links to national frameworks
- Fourth, assess if the project is likely to reach a state of maturity at the end of the current project phase so that project-initiated activities may be sustained without further external financial and technical support
- Fifth, review to what extent the programme is still relevant and is continuing to meet the needs of its direct target group – migrant and internal domestic workers in the project countries
- Finally, draw conclusions in terms of the progress made and make recommendations for the remainder of the project and future actions beyond the end of the project (i.e. what is the scope and potential for activities being sustained without technical assistance by the ILO, and what is the scope for another phase of the project?)

The Evaluating Mission will hold meetings with the ILO Jakarta management, their backstopping officer, project CTA and project staff. The evaluation mission will hold meetings in Jakarta with i) national government and non-government implementing partners, ii) and make field visits to action programmes in Indonesia.

A detailed draft itinerary will be developed by the Project and will be presented to the Evaluation Mission for comments and suggestions before embarking on interviews in Indonesia, as will relevant information and documents about the project.

### **3. Project assessment**

The review mission should address the progress made and the following main effect and impact concerns regarding the project: validity of design, delivery strategy, and performance including relevance, effectiveness, efficiency, sustainability, impact, causality and unanticipated effects, alternative strategies and gender concerns.

Specific questions to be addressed include:

#### **A. Validity of design**

- Are the objectives clearly stated, describing the solutions to the identified problems and needs?
- Are the indicators of achievement clearly defined, describing the changes to be brought about?
- Have the external factors affecting project implementation been identified and assumptions proven valid?
- Is the project document logical and coherent linking the inputs, activities and outputs to each immediate objective?
- Are the roles and commitments of the various partners clearly identified?
- Recommendations?

#### **B. Delivery Process**

- Has the overall execution of the project focused on the achievement of the objectives?
- Has adequate progress been made towards meeting the indicators of achievement?
- Is the delivery strategy established by the project effective?
- Have the various partners contributed to project implementation as planned?

- Have the main partners interacted and coordinated as planned?
- How do the resources invested so far relate to what has been achieved?
- To what extent has the project contributed to the ILO's mission and mandate (Global Employment Agenda, Decent Work Programme, Multi-Lateral Framework on Labour Migration, Forced Labour Agenda, and specific country objectives)?

## **C. Performance**

### **Relevance**

- Do the problems/needs that gave rise to the project still exist, have they changed or are there new needs that should be addressed?
- Was the project an appropriate response to the problems/needs that existed when it started?
- Is it still appropriate to the problems/needs?
- Have the priorities given to the basic components of the project, i.e. institutional development versus direct support, changed? If so, why?
- Are the objectives still valid or should they be reformulated?

### **Effectiveness**

- Has the project made sufficient progress in meeting its objectives?
- Has the project made sufficient progress in conducting activities and producing outputs?
- Did the target group participate in the formulation and implementation of the project?
- Have the benefits of the project accrued to the target group?

### **Efficiency**

- Do the expected project results continue to justify the costs incurred?
- Have the resources been spent as economically as possible?
- Were the actions of the various partners complementary?
- Are there more efficient ways and means of delivering more and better outputs with the available inputs?

### **Sustainability**

- What is the likelihood that the project's benefits will be sustained after the withdrawal of external support?
- Do conditions exist to ensure that the project's results will have lasting effects?

### **Impact**

- Has sufficient attention been given to document the impact of the project?
- Have data been collected by the project on the indicators of achievement? Do they provide adequate evidence regarding the effects and impact of the project? Is it necessary to collect additional data?
- Is the impact assessment(s) carried out by the project satisfactorily documenting impact at the entrepreneurial level with regards to enterprise start-up, job creation and livelihoods recovery?
- Can documented impact be attributed to the project?

### **Causality & Unanticipated effects**

- What particular factors or events have affected the project's results?
- Were these factors internal or external to the project?
- What particular factors or events have affected the project's results?
- What could be done to either enhance or mitigate them so that the project has a greater overall impact?

### **Alternative Strategies**

- Is there, or would there have been, a more effective way of addressing the problems and satisfying the needs in order to achieve the project objectives?
- Is the project strategy still valid or should it be reformulated?

### **Gender Concerns**

- Have the different needs of men and women been addressed in the delivery process?
- Have the men and women in the target group benefited equitably from the project activities?
- Have the project gender mainstreamed services, tools and products?

### **Lessons Learned**

- What are the major lessons learnt through the project implementation and what are the implications for future project design?

The evaluation team should make conclusions and recommendations based on the above specific questions and based on any other available information and questions that the evaluation may wish to address.

## **4. Composition of the evaluation mission**

The evaluation will be carried out by an independent consultant appointed by the ILO. The Evaluator will have expertise on project evaluations, development and human rights issues, preferably within the UN system and in South East Asia. The Evaluator will be expected to undertake fact-finding, analysis and report writing, and should be fluent in English and if feasible proficient in Bahasa Indonesia.

## **5. Timetable and Itinerary**

The fieldwork of the evaluation is foreseen to span over 5 weeks. The consultant will be engaged for 20 days (in the period November-December 2007) to include preparation, field visits and report writing. The project will arrange travels and cover travel costs locally. A detailed itinerary will be provided to the evaluation team prior to embarking on interviews.

## **6. Sources of information**

The evaluation team will have access to all relevant material on the Project. To the extent possible, key documentation will be sent to the team members in advance. The documentation will include the project document, work plans, progress reports and other relevant documents.

## **7. Consultations**

The project will arrange meetings with the ILO Jakarta office management and backstopping officer, project personnel, national stakeholders in Jakarta, local counterparts while on field visits, and local donor representatives. A detailed itinerary will be provided, and meetings organized by the project. A donor representative may join part of the evaluation mission.

## **8. Presentations & Final report**

The evaluation team will make a first presentation on the initial findings to the Project and the ILO Jakarta management towards the end of the mission in Indonesia. This will allow the project and the offices to discuss findings and provide additional information, if need be. Subsequently, a final report as well as a PowerPoint Presentation will be submitted.

The Final Report will follow the Evaluation Template (to be attached as annex to this TOR). The Consultant will also provide an Evaluation Summary, using ILO template, the content of which will be publicly disseminated.

## **9. Methodology for Evaluation**

### **Main tasks and Outputs**

The consultants will undertake:

- A desk review of the project documents, progress reports and outputs
- Interviews with max 20 national stakeholders in total in Indonesia, as well as telephone interviews with max. 15 project counterparts in Malaysia, Singapore and Hong Kong. All interviewees will be listed by the project.
- Visits to project sites in Indonesia and meetings with local counterparts
- Facilitate an internal ILO meeting in Jakarta
- Draft the report of the review
- Incorporate comments of the Project Advisory Committee members/ stakeholders and concerned ILO staff
- Deliver a final report with structure as indicated in ILO/EVAL's guidelines on independent evaluation.
- Annexes required for report: assignment time schedule, interview list, list of documents reviewed, list of participants in joint meetings, report from field visits

## **10. Time Schedule and Deadlines for Consultancy**

### **Working days of consultancy**

3 days Desk study

3 days field visits and local travel

6 days interviews in Indonesia, the Philippines & destination countries with stakeholders, ILO

4 days drafting of report

2 days integration of feedback from ILO and stakeholders

2 days international and local travel

20 days total work

### **Deadlines for consultancy work**

8-10 Nov. Desk study

11 Nov. travel to Indonesia

12-20 Nov. interviews in Indonesia & destination countries with stakeholders, ILO, donor, field visits and local travel in total in Indonesia

21 Nov. travel from Indonesia

22-25 Nov. drafting of report

26 Nov. Submission of report to ILO

30 Nov. reception of feed-back from ILO

1 Dec. integration of feed-back from ILO

3 Dec.. submission of revised draft report to ILO

11 Dec. reception of input from stakeholders

12 Dec. integration of input from stakeholders

14. Dec. submission of final revised report to ILO

Schedules for interviews and meetings will be arranged by the ILO in consultation with the consultant.

## **11. Budget for Consultancy**

To be paid by the ILO:

- All-inclusive honorarium for 20 working days
- DSA for travel days according to the regulations of the ILO.
- International tickets, national travel in destination countries and reasonable communication costs for the purpose of interviews and meetings related to the evaluation

Travel schedules, means of transport and communication subject to prior arrangement with ILO

100 % payment of all-inclusive honorarium upon delivery of all output to the full satisfaction of the ILO

