

ANNEXES



END TERM EVALUATION OF STRATEGIC PARTNERSHIP (SP) FOR GARMENT SUPPLY CHAIN TRANSFORMATION (2016-2020)

October 2020

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A. TERMS OF REFERENCE

Terms of Reference for the End Term Evaluation

Strategic Partnership for Garment Supply Chain Transformation November 2019

1. Introduction

In 2016, the five-year 'Strategic Partnership' (SP) for Garment Supply Chain Transformation started. It is a partnership between Dutch trade unions CNV Internationaal and Mondiaal FNV, the Dutch Ministry of Foreign Affairs and Fair Wear Foundation, with the latter as the lead partner. The partnership is part of the 'Dialogue and Dissent' 2016-2020 framework of the Ministry and aims to improve corporate and government policies regarding human rights compliance in apparel supply chains in seven countries: Bangladesh, Cambodia, Ethiopia, India, Indonesia, Myanmar and Vietnam. The part of the supply chain that the SP focuses on is from the buyer companies in Europe up to the tier 1 production of garments in the seven countries mentioned. The four partners in the SP work with partner organisations in each of the garment production countries. In the remainder of this document, 'partners' will refer to the four entities that make up the partnership (CNV Internationaal, Mondiaal FNV, the Dutch Ministry of Foreign Affairs, and Fair Wear Foundation), whereas 'partner organisations' refers to the civil society organisations in the garment production countries with whom the partners collaborate (trade unions and labour rights NGOs).

The SP will reach the end of the programme period in 2020. The SP requires an end-term evaluation that assesses the results and that shares learnings for future programmes. For this purpose, the SP is looking for a consultancy team to implement the evaluation as per the following Terms of Reference.

2. Programme background

Combining the expertise of trade unions, NGOs, and progressive brands and factories, the SP aims to demonstrate how movement towards living wages, gender equality, and healthy labour relations and social dialogue in the apparel supply chain is possible. With a focus on practical innovations in real supply chains, the SP provides models to brands, factories, governments and the labour movement of how a more equitable apparel industry could work and could benefit all parties. With the aim to improve policy and practice in the garment supply chain, the SP adopts an evidence-based approach for influencing decision-makers around the world and builds the capacity of local partner organisations, particularly on lobby and advocacy.

Goal and themes The SP's high-level goal is: Improved labour conditions in South and Southeast Asian and East African ready-made garment (RMG) supply chains while ensuring a healthy and viable RMG industry. A precondition for this goal that the SP works towards is that brands and partner organisations can operate in an enabling environment (which means that social dialogue, freedom of association, the right to collective bargaining, labour inspection, and grievance mechanisms are in place), so that these actors can cooperate, learn and improve. Currently this precondition is seldom met in RMG production countries.

The SP focuses on three interrelated themes which are important in the apparel industry:

I. Payment of living wages (LW)

Salaries in garment-producing factories are normally too low for people to sustain themselves. Garment workers worldwide should be able to negotiate their wages regularly, and workers and trade unions must have the capacity to make use of the thinking and discussion about a living wage. For brands and factories to commit to a living wage, they need insight into cost implications and into ways for raising workers' wages.

In most garment production countries wages are negotiated and set according to a minimum standard. Sometimes, this is a national benchmark for all formal sectors, while other countries

have sector-specific benchmarks. According to the ILO, wages and benefits paid for a standard working week shall meet at least legal or industry minimum standards and always be sufficient to meet basic needs of workers and their families and to provide some discretionary income (ILO Conventions 26 and 131). The SP upholds the ILO view on living wage, and also stresses the importance of negotiations between workers, their employers and others (through social dialogue) for setting the wage levels. The SP views living wage as a negotiated wage that generates enough income for a reasonable standard of living for workers and their families, in line with the national context. The SP helps build local partners' and stakeholders' capacity to engage in policy influencing, both directly and indirectly. Examples of SP activities include: supporting national and local trade unions' lobbying efforts on minimum wages, providing examples of how social dialogue is the best route towards raising wages, and developing evidence on the cost of living wages (How much more will a garment cost if workers receive a living wage?) and of practical steps that brands, factories and workers can take to increase wages in garment factories.

II. Social Dialogue (SD) as standard industry behaviour

According to the SP, social dialogue is the most effective, efficient and sustainable instrument to improve both the socio-economic conditions of workers and productivity. Yet it can only achieve sustainable results when a level playing field exists for all players to defend their interests through fair negotiation. Strengthening dialogue between management and workers' representatives in garment factories and throughout the supply chain is essential. The ILO considers SD to cover all types of negotiation, consultation and exchange of information between or among representatives of governments, employers and workers. Presently there is hardly any level playing field for labour negotiations in the textile sector. The percentage of workers organised in trade unions is very low, while few factories are covered by a collective bargaining agreement (CBA), and existing worker-management dialogue/worker committees at the factory level are often dysfunctional or not democratically elected. In some countries, there is very little freedom of association (FoA); trade unions are not able to organise effectively and defend the interest of their members. Brands are not always aware of the poor working conditions in their suppliers' factories and/or do not have the knowledge to effectively support SD. The SP is well positioned to address the different obstacles for effective SD. By taking a lobby and advocacy approach, the partners can activate their extensive network and influence the international debate on social dialogue in global supply chains, which highlights the importance of FoA. SP activities by the SP partners and the partner organisations in the realm of social dialogue include: dealing with violations related to FoA in the supply chain of Fair Wear members through Fair Wear's complaints mechanism, implementing the Freedom of Association Protocol (Indonesia), implementing multi-company CBAs in Indonesia and Vietnam, and organising 'think tank' meetings with relevant experts to examine the obstacles and new methods of SD.

III. Elimination of gender-based violence (GBV) and discrimination at work

Gender-based violence at the workplace continues to be one of the most harrowing forms of human rights abuse. The majority of garment workers are women, who constitute a highly vulnerable group. They are often young, poor, unskilled, single, and sometimes illiterate, and based in societies with high gender inequality. Most women work in the production line, and upward mobility is low. Men are disproportionately represented in management and supervisory positions. Fearing retribution, girls and women who face (sexual) harassment and gender-based violence are often reluctant to report incidents to the authorities. Many countries have adopted laws against this specific form of violence, but in practice these are often insufficient. At the international level and within the Netherlands, CNV Internationaal and Mondiaal FNV together contributed to the adoption of a new ILO standard on ending and preventing violence in the workplace in 2019. The SP works on increasing awareness and commitment amongst unions, brands, factories, governments and NGOs on minimising gender-based violence and sexual harassment at work. The SP's work addressing gender-based violence and discrimination at work

includes: the establishment of an international gender-based violence expert group, supporting campaigns by partner organisations at national level in producing countries with data and research information, and organising a gender-based violence platform for Bangladesh.

Outcome areas and main interventions

The SP formulated ultimate outcomes in line with thinking on the UN Guiding principles on business and Human rights, where governments protect, and the business sector respects human rights. Since governments, businesses and civil society all have key roles to play in making improvements in the three thematic areas, the SP formulated three outcome areas related to these stakeholders. All themes are addressed under each of the three outcome areas, which are:

Area 1: Human rights are effectively enforced and aligned with international norms by governments, ILO and UN;

Area 2: Civil Society Organizations (trade unions and NGOs) have become more effective actors and have strengthened their role in Human Rights Protection and Remedy actions in the RMG sector;

Area 3: Actions of companies (brands and factories) in the RMG sector actively and effectively support and implement Human Rights at the company level.

To achieve results in these outcome areas the SP focuses on the main interventions:

i. Capacity strengthening

-Capacity strengthening through lobby & advocacy training for partners (unions and labour rights NGOs)

-Capacity strengthening through skill-building training on LW, GBV, SD (unions, labour rights NGO's and suppliers)

ii. Evidence creation & Pilots

-Knowledge creation and sharing of issues and solutions in LW, GBV, SD

-Exploratory research

-Proof of concept, to see if an intervention works

-Scaling and replicability assessment: a test of how to start scaling up an existing intervention

iii. Lobby & Advocacy

-L&A activities on national (Dutch) level

-L&A activities in production country level

-L&A activities on brand level

3. Purpose of the evaluation

This end-term evaluation is a requirement within the Dialogue & Dissent funding framework of the Dutch Ministry of Foreign Affairs. The dual purpose of the end-term evaluation is accountability and learning. In terms of accountability, the end-term evaluation should indicate to what extent the SP achieved what it set out to do. It should determine what the direct outcomes (and possibly impact) of the SP have been on the targeted stakeholders for policy influencing in the readymade garment industry in South and South East Asia, and Ethiopia. It should also demonstrate how the lobby and advocacy capacities of the partner organisations were enhanced as a result of the SP.

For learning purposes, the end-term evaluation should offer insight into how change has happened in the garment supply chain and which factors, actors or circumstances contributed to these results. Relatedly, based on the actual change processes that took place around the SP's interventions, the end-term evaluation should provide insights as to how the Theory of Change of the SP can be updated. The insights gained from the end-term evaluation on what changed and how change happened will be used for future programming by the SP partners and the partner organisations.

1. Scope of the evaluation

The programme roughly mirrors the structure of the supply chain: activities take place at a European or international level (reflecting the location of global garment brands) and in garment-producing countries (where factories are located). Along the supply chain, the programme covers the three thematic levels described above (living wages, social dialogue, and gender-based violence), involving three stakeholder levels: governments, civil society organisations (trade unions and labour rights NGOs), and companies (brands and factories). Below is an overview of the scope of the evaluation.

Timeframe: This evaluation needs to cover programme activities from 2016 to mid- 2020

Geographical coverage: Seven programme countries (Bangladesh, Cambodia, Ethiopia, India, Indonesia, Myanmar and Vietnam) and Europe (where the headquarters of the garment brands are)

Thematic areas: Living wage (LW); Gender Based Violence (GBV); Social Dialogue (SD)

Stakeholders: Governments; CSOs (trade unions and NGOs); Companies (brands and factories)

4. Evaluation questions

The overarching evaluation questions are:

1. What are the results of the SP programme? To what extent has the SP resulted in changes in:
 - a. the influencing capacities of the partner organisations of the SP;
 - b. the engagement of the partner organisations of the SP in influencing efforts;
 - c. the policies and practices of brands and governments in favour of human rights in the garment industry?
2. How, when and where did these changes take place and who were the actors driving the changes?
3. What can we learn from efforts that yielded few or insufficient results?

These questions will have to be specified for all three thematic areas (Living Wage, Gender Based Violence, Social Dialogue) during the inception phase. The questions can be operationalised with the help of the questions below.

Programmatic evaluation questions

Accountability

1. Have we achieved what we set out to do?
2. How have we adapted to (political or other contextual) circumstances and new insights in the course of the SP programme and to which (unexpected) outcomes has this flexibility led?

Effectiveness

1. To what extent have the interventions of the SP led to an increased capacity of partner organisations? And what type of capacity changes can be seen (increased alliance building, reaching out to key policy makers)?
2. What factors enabled or hampered the strengthening of capacities of partner organizations and why? Did the partnership collaboration play a role in this and how?
3. To what extent have the interventions of the SP led to an increased engagement of partner organisations, brands and factories?
4. How have partner organisations seen results from their advocacy efforts?
5. To what extent have policies and/or laws changed due to the interventions of the SP and SP partner organisations? Who was responsible for these changes? To what extent have interventions on brand and supplier level led to these changes in policies and practices?
6. To what extent have stakeholders who were the target of lobby activities (such as other multi-stakeholder initiatives or governments) been influenced by the SP activities?

Learning

1. How, where, with whom and why have the interventions of the SP contributed to improved labour

conditions in the RMG industry in South and South-East Asia and Ethiopia the areas of:

a. Living Wage,

b. Gender Based Violence,

c. Social Dialogue,

d. Any other socio-economic or institutional change (e.g. gender, transparency, human rights, CSR procedures, political agenda)?

2. What can be learned about the transformation model (the applied scaling model) that underpinned the SP's Theory of Change? Where, when, why and with which stakeholders did it work, did it not work, or did it work differently? How does the model compare to other models on transformation in supply chains? How can the Theory of Change be updated?

3. What can be learned from working with the Theories of Action in each of the countries included in the SP programme? How could this learning be used for future programmes and for updating the Theory of Change?

4. As a more general reflection, what is the state of the garment supply chain today regarding human rights compliance, based on the information gathered for this SP evaluation? Which investments seem to have had the biggest effect, which investments should be continued, and which investments are still missing? What would be the best way forward for making further improvements?

Relevance

1. What is the niche or the added value of the SP in the field of transforming the garment supply chain

according to the SP partners, including the Ministry of Foreign Affairs, targeted stakeholders, and other relevant actors?

Sustainability

1. What has been done to build sustainability into the programme?

2. How have the partners, and the partner organisations, increased the sustainability of capacity strengthening initiatives and results and where is there room for improvement?

3. Where, and with which stakeholders are the positive effects of the interventions sustainable and likely to continue the coming years (indicate in changed culture, procedures, institutional performance, capacities, etc.) and where not?

4. How likely is it (and why) that the policy change or changed behaviour of influential actors achieved during the SP programme has resulted in stronger enabling environments for Trade Unions, and/or better working and labour conditions for workers in Ready-Made Garment factories?

Internal learning evaluation questions

1. In what ways has the capacity of SP partners changed?

2. What has been the added value of the three individual organisations and the Dutch Ministry of Foreign Affairs working together as partners, and what are the recommendations for further improvement?

5. Approach on evaluation methodology

Evaluation methodology and design will be developed by the evaluators in close collaboration with the SP Coordinators and PMEL staff of the three partners Fair Wear Foundation, CNV Internationaal, Mondiaal FNV during the inception phase of the evaluation. Given the nature of the SP programme, the end-term evaluation will have a focus on qualitative assessment and learning, so we expect the evaluators to adopt tools that are relevant in this field, as well as tailor-

made tools that elements of the SP programme may require. Appropriate methods could be for instance outcome harvesting and appreciative inquiry.

The evaluators are requested to formulate a brief overview of the proposed methodology based on the evaluation questions and purpose of the evaluation, and some available documentation. On the basis of all available documentation, the selected evaluation team is then requested to further elaborate on methodology, tools and timeline in an inception report.

Relevant information to set up the evaluation methodology

- Use of available data and reports.

The following data will be shared with the evaluators who are invited to make an overview of the proposed methodology (see the annexes to this Terms of Reference document):

- Theory of Change of the partnership
- Theories of Action
- Annual plans and reports of the partnership since 2018
- Stories of Change
- Baseline report
- Mid-term evaluation

The following data will be shared in addition to the team of evaluators that will be invited to conduct the end-term evaluation

- IATI data
- Lobby logbooks
- Partner organisations' reporting
- Annual plans and reports of the partnership for the full duration
- Data of brands performance checks
- Pilot documentation

- Intended and unintended results

Concerning the assessment of performance of lobby and advocacy activities, the SP is not only interested in the achievement of intended but also in capturing possible unintended (positive or negative) effects of the programme, an approach especially relevant when reflecting on Lobby & Advocacy approaches.

- Field work

The evaluators are expected to conduct field work in Bangladesh, Myanmar, and Vietnam, to be extended with desk studies for the remaining four countries: Ethiopia, Indonesia, Cambodia and India.

- Stakeholders

The evaluators will have to involve various stakeholders in the end-term evaluation: brands (based in Europe), factories in production countries, workers (through unions and labour rights NGOs), staff of the SP partners, the Dutch Ministry of Foreign Affairs, and potentially embassies of the Netherlands in the producing countries. These are the key actors that had an interest in the SP programme. In each country case, other actors might be added, such as representatives from media, think-thanks, human rights NGOs, gender networks, and other (competing) Multi-Stakeholder Initiatives, that can be resource persons for the evaluation team. These will be selected, if appropriate, with the country representatives.

6. Guiding principles and values

The following principles will guide the evaluation: transparency, partnership, openness, cost-effectiveness, gender awareness and sensitivity around culture, minorities, race and class. The evaluators are expected to follow appropriate research ethics and procedures. It is imperative for the evaluators to:

- Guarantee the safety of respondents and the research team.
- Apply protocols to ensure anonymity and confidentiality of respondents.
- Ensure confidentiality of data collected of partners and stakeholders.
- Ensure compliance with legal codes governing areas such as provisions to collect and report data.

7. Expected deliverables

All deliverables should be presented in English. The final report must comply with the quality standards for external evaluations set out in the IOB guidelines (see Annex 3).

1 End-term evaluation draft inception report: 29 february 2020

Draft report that lays out the methodology of the end-term evaluation and the design (table of contents) of the final report.

It is based on available documentation and on conversations with SP coordinator and PMEL staff of the three SP partners (Fair Wear Foundation, CNV Internationaal, Mondiaal FNV).

Inception workshop with M&E staff, program co-ordinators and (a representative of) the Steering Committee

2 End-term evaluation inception report: 31 March 2020

Report that lays out the methodology of the end-term evaluation and the design (table of contents) of the final report

It incorporates a response to the feedback received on the draft inception report by the three SP partners (Fair Wear Foundation, CNV Internationaal, Mondiaal FNV) and the external reference group.

2 End-term evaluation draft report: 15 June 2020

Draft report that presents the answers to the evaluation questions in the form agreed upon in the inception phase.

3 Oral presentation of findings: 30 June 2020

A presentation in the form of a validation workshop to a group of production country level stakeholders, SP partners, and potentially members of the external reference group.

The results of the end-term evaluation are presented, and feedback from the audience is sought to validate these

4 Final end-term evaluation report: 31 August 2020

Report that presents the answers to the evaluation questions in the form agreed upon in the inception phase.

It incorporates a response to the feedback received of the draft report by country level stakeholders, the three SP partners (Fair Wear Foundation, CNV Internationaal, Mondiaal FNV), and the external reference group.

8. Evaluation team: qualifications and skills needed

The SP is looking for an evaluation team which is (co-)headed by or includes in significant roles consultants from South or South-East Asia. The evaluation team is expected to bring in the following expertise, track record, background and competencies:

- Expertise on the labour rights situation in Bangladesh, Myanmar and/or Vietnam
- Preferably (oral) skills in the local languages of Bangladesh, Myanmar and/or Vietnam

- Proven track record of undertaking multi-stakeholder evaluations with private sector actors and trade unions
- Proven track record of undertaking multi-country program evaluations
- Expertise and understanding of the work of unions, federations and the international trade union movement
- Expertise and understanding of working with Ready Made Garment brands and their supply chains
- Native-level fluency in English (written and spoken)
- Strong experience in qualitative data analyses is required, experience in quantitative data analysis is preferred especially as part of a mixed method evaluation experience

9. Timeline, budget, logistics and deliverables

Tentative Timeline

17 November 2019: Deadline for the Expression of Interest (EoI)

29 November 2019: Invitation to 3 (teams of) evaluators for a full proposal based on the ToR

12 December 2019: Deadline for receiving full proposals

16 and 19 December 2019: Interviews with the three (teams of) evaluators

17 January 2020: Decision on which evaluation to select

31 January 2020: Contract signed with evaluation team

29 February 2020: First draft of inception report

31 March 2020: Deadline for final inception report & Share back with coordinators and M&E evaluations

1 April – 31 May 2020: Field work & data collection

15 June 2020: Deadline for draft evaluation report

Around 30 June 2020: Presentation of findings (validation workshop)

31 August 2020: Deadline for final evaluation report

Budget

The total costs for this end-term evaluation will not exceed EUR 100,000 ex VAT. This amount includes fees for the full team, including taxes and including administrative costs, travel and accommodation during travelling as part of three country cases, communication costs and social funds. The fees are calculated for the entire assignment, including planning, preparation, data collection, travel, interviews, report writing, report revision, editing and finalization of the assignment. Any required unplanned additional costs in the framework of this assignment are subject to prior approval in writing from the SP.

Evaluation responsibilities and management arrangements

The evaluation will be conducted by an external evaluation team. Their contact person is the Strategic Partnership Coordinator – who works with the PMEL working group of the SP. The Steering Committee of the SP is involved in all stages of the end-term evaluation and will have the responsibility of approving all deliverables.

An independent external reference group will be set up. The reference group advises on the Terms of Reference, the inception phase and the reports delivered. The external reference group is not part of the selection of the evaluation team.

10. Request for proposals & selection procedure

Content of proposal

The first phase consisted of an Expression of Interest (EoI). Three applicants are invited to develop a full proposal.

The full proposal should include:

- a) Outline of the suggested approach and methodology

- b) Detailed work plan
- b) Consultant team CVs with expertise and qualifications in the required areas (max. 3 pages per CV)
- c) Budget indication
- d) Track record

Please submit your proposal **by December 12th 2019 (23:59 CET)** to Arja Schreij – Strategic Partnership Coordinator at schreij@fairwear.org

B. List of documents reviewed

Guiding documents

FWF_FNV_CNV Programme Document 12 August 2015
Results framework
IOB quality guideline

Theory of Change

Original Theory of Change
ToA Vietnam
Theory of Action Ethiopia Final
Theory of Action Indonesia
Theory of Action Myanmar
Theory of Action India
Theory of Action Bangladesh
Theory of Action Cambodia

Evaluation reports

Mid-term review
Baseline report

Stories of change

2018

Stories of change Ethiopia
Stories of change India - exchange
Stories of change Myanmar
Stories of change India

2019

Myanmar - Sexual Harassment Advocacy - 2019
India - Rules of Engagement sheet - 2019
India - Supervisory programme sheet - 2019
Bangladesh - AHC2 - 2019
Bangladesh - AHC3 - 2019
India - Contented workers story - 2019
India - Rules of Engagement story - 2019
Bangladesh - AHC1- 2019
India - Contented workers sheet - 2019
Indonesia - Jaba Garmino (INTERNAL USE ONLY) - 2019
Vietnam - Violence and harassment - 2019
India - Supervisory programme story - 2019
Indonesia - Yumanna - 2019
Vietnam - Labour Code - 2019
Indonesia - Gender Platform Network - 2019

Annual Plans

2017

Annual plan 2017 FWF-FNV-CNV 1 Nov 2016 Final
Annual plan 2017 Pakistan 1 Nov 2016 Final
Annual plan 2017 Myanmar 1 Nov 2016 Final
Annual plan 2017 Indonesia 1 Nov 2016 Final
Annual plan 2017 India 1 Nov 2016 Final
Annual plan 2017 Ethiopia 1 Nov 2016 Final
Annual plan 2017 Cambodia 1 Nov 2016 Final

Annual plan 2017 Bangladesh 1 Nov 2016 Final
Annual plan 2017 Vietnam 1 Nov 2016 Final

2018

Annual Plan 2018 SP for Garment SC Transformation
Annex i. Country Context Analyses
Annex ii. Per Country Activity Plan 2018 International
Annex ii. Per Country Activity Plan 2018 Bangladesh
Annex ii. Per Country Activity Plan 2018 Vietnam
Annex ii. Per Country Activity Plan 2018 Indonesia
Annex ii. Per Country Activity Plan 2018 Cambodia
Annex ii. Per Country Activity Plan 2018 Pakistan
Annex ii. Per Country Activity Plan 2018 Myanmar
Annex ii. Per Country Activity Plan 2018 India
Annex iii. SP Budget 2018
Annex ii. Per Country Activity Plan 2018 Ethiopia

2019

Letter on Annual Plan 2019
Annex i. Country context and planned results
Annual Plan 2019 Strategic Partnership for Garment Supply Chain Transformation

2020

Annual plan 2020

Annual Reports

2016

Annex Country study 2016 Pakistan FINAL
Annual report 2016 Bangladesh FINAL
Annual Report 2016 general part
Annual report 2016 Cambodia FINAL
Annual report 2016 Myanmar FINAL
Annual report 2016 Turkey FINAL
Annual report 2016 Vietnam FINAL
Annual report 2016 Indonesia FINAL
Annual report 2016 India FINAL
Annual report 2016 Ethiopia FINAL

2017

Annual Report 2017 SP for Garment Supply Chain Transformation
Annex i. Ethiopia_AR17
Annex i. India_AR17
Annex i. Cambodia_AR17
Annex i. Bangladesh_AR17
Annex i. Vietnam_AR17
Annex i. Myanmar_AR17
Annex ii. Turkey_AR17_1%fund
Annex i. Indonesia_AR17

2018

Annual report 2018
Annexes with annual report 2018

Fair Wear Foundation - Annual Reports

FWF-AR 2018
FWF-AR 2017
FWF-AR 2016

Brands

GE BAT proposal 190122
Brand Awareness Training Feedback 20190401
Evaluation Results Public_Stockholm_A4512384
Evaluation Results Public_Seon_A4512381
Evaluation Results Public -Cologne_ A4512383
Evaluation Results Public_Brussels_A4512385
BAT overview for SER - Copy
Evaluation Results Public_Amsterda_A4512382
Cologne_Participants-list_as at 25_02_19
Living Wage Incubator - Overview brand progress
2018 edition FWF Brand Performance Check guide
Brand Performance Checks
Living Wage Incubator - M&E report
Analysis Brand Performance Checks - 2018

IATI data

190227-IATI data 2018-analyses, All Countries
190227-IATI data 2018-analyses-All Indicators
IATI 2019, up until Q3
FWF international L&A lobby logbook 2019
IATI data 2018
IATI data 2017

CNV-I partner organisations' reports

Lobby logbook_SP FWF_CLC_Cam_Q4 2017
Lobby logbook SP FWF_CLC_Cam_Q4 2018
Lobby Logbook_SP FWF_CLC_Cam_Q4 2019
Lobby logbook_SP FWF_DWWG_Indo_Q4 2017
Lobby logbook_SP FWF_Garteks_Indo_Q4 2017
Lobby logbook_SP FWF_Garteks_Indo_Q4 2018
Lobby Logbook_SP FWF_Garteks_Indo_Q4 2019
Lobby logbook_sp fwf_Infid_iNDO_Q4 2018

Cambodia

2017 Q4 FWF CLC narrative report
2019 Q1_Narrative Report_SP FWF_CLC_3004019
2019 Q2_Narrative Report_SP FWF_CLC_23072019
2019 Q3_Narrative Report_SP FWF_CLC_12102019
2019 Q4_Narrative Report_SP FWF_CLC_23012020
Cambodia report cambodia July 2016
SocialDialogue_Paper_GBV_22aug_2018
SocialDialogue_Paper_LivingWage_22aug_2018
SocialDialogue_Paper_SocialDialogue_22aug_2018

Indonesia

2016 Template Annual report Indonesia FWF_CNV
2017 Annual report Nehem 000817 & 000643
2017 Q1 + Q2 Narrative report Garteks
2017 Q1 narrative report Nehem
2017 Q2 narrative report Nehem
2017 Q3 narrative report Nehem_second version
2017 Q3+ Q4 Narrative report Garteks

2018 Q1 Progress report SP FWF Majalengka
2018 Q1 Progress report SP FWF Subang
2018 Q3 Progress report WJSDF MC CBA
2018 Q4 Progress report WJSDF_KSBSI
20180313 Narrative report Ema Liliefna_KSBSI
2019 Q1 Progress report Q1 MC CBA_KSBSI_WJSDF
20180410 Summary research minimum wage
2019 Q1 Progress report SP FWF Garteks
2019 Q2 Progress report SP FWF Garteks
2019 Q2 Progress report SP FWF MC CBA KSBSI WJSDF2
2019 Q4_Narrative Report_SP FWF_Garteks_09012020
2019 Q4_Narrative Report_SP FWF_MCCBA_KSBSI-WJSDF_09012020

Vietnam

1st Quarter 2018 report
20160919 VIETNAM SP landenrapp final external ENG
2nd Quarter 2018 report
3rd & 4th Quarter 2018 report_final
4th Quarter 2018 report_Final
Q1 2019_Narrative Report
Q3 2019 Narrative Report_SP FWF_MCCBA-VGCL_09102019
Q4 2019_Narrative Report_SP FWF_MCCBA-VGCL_09012020
Viet Nam narrative report 2017_Final

M-FNV partner organisations' reports

Myanmar

CH0110302_approvedbudget_001
NL0810121_WageIndicator_ANR_Myanmar-Phase1_20191231-final -report
NL0810121_approvbudget_001.pdf NL0810121_WageIndicator_proposal_Myanmar-Decent-Wage-2019-phase1_final
NL0810121_WageIndicator_proposal_Myanmar-Decent-Wage-2019-phase1_final
CH0110301_ANR_19-07-09
CH0110301_approvbudget_003
CH0110301_IndustriALL_proposal18-06-18 UB Myanmar Project - 2018-2021
AU0010021 ANR_y1_18-19 Annual Report
au0010021_approvbudget_001
AU0010021_Proposal
CH0110212=CH0110211extended 18-08-27 - Mid-2018 Report - IndustriALL UB Myanmar project - FNV CH0110212
CH0110211_MM_IndustriALL_ANR2-2017 Report - IndustriALL UB Myanmar project
CH0110211_IndustriALL_MM_ANR1_2016 Report - IndustriALL Myanmar UB Project 2016
CH0110211_MM_IndustriALL_MNR2_2017
ch0110211_appr_budget_003_revised2017
CH0110211_MM_IndustriALL_proposal_Myanmar Union Building Project 2016-2019
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India

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C. List of people consulted

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Pyi Soe Min, Operator, Famoso Co., Ltd.
Nwet Nwet Win, Operator, Famoso Co., Ltd.
Thuzar Htay, Operator, Famoso Co., Ltd
Win Thandar Kyaw, Operator, Famoso Co., Ltd.
Sandar Win, Operator, Famoso Co., Ltd.
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H.E. Moe Aung, Permanent Secretary Ministry of Labour, Immigration and Population, MOLIP
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Saw Tin Win, Member of Labour and Farmers' Affairs Committee, Lower House.
Thet Hnin Aung, Secretary General, MICS
Nay Lin Aung, Assistant General Secretary, MICS

U Htay, Labour Right Lawyer, LCF
Thet Thet Aung, Director, Future Light Center , LCF
Mar Mar Oo, Director, Association for Labour and Development, LCF
Ma Kha Kha, Founder, Let's Help Each Other, LCF
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Tun Tun, Executive Committee Member, MGMA

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China Rahman, IBC (IndustriALL organising project Gender Platform)
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Babul Akter, BIGUF (IndustriALL organising project)
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Fariba, BILS
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Nafiz, BNMLA (Gender Platform)
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Imran, Awaj Foundation
Nayan, Awaj Foundation
Jerin, Awaj Foundation
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Halima, Union member, Hoplun
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Shapla Begum, AHC member, Torque Fashion
Johurul Islam, AHC member, Torque Fashion
Khorsed Alam, AHC member, Torque Fashion
Hossain Ali,, AHC member, Torque Fashion
Kulsum, AHC member, Torque Fashion
Asima Baral, AHC member, Torque Fashion
Tasmina Akter, AHC member, Torque Fashion
Nazma, AHC member, Torque Fashion
Rakibul Hassan, AHC member, Torque Fashion
Rohima, GB Garments
Runa, MM Knitware
Sharif Nehal, Sustainability officer, Stanley & Stella
Mr. Ragul, Local brand representative, Takko
Mahfuzzur Bhuiya, Secretary, DIFE, MOLE
Fazle Shamim Ehsan, Director, Bangladesh Knitwear Manufactures and Exporters Association
Farhtheeba Rahat Khan, Team Leader, RMG Inclusive Business Programs, SNV
Jamal Uddin, Inclusive Business Advisor, SNV
Bas Blaauw, First Secretary, Dutch Embassy to Bangladesh
Mahjabeen Quader, Senior Advisor Economic Affairs, Dutch Embassy to Bangladesh

D. Evaluation Matrix

	Outcome harvesting				Contribution analysis
	Document review	Survey	Interviews	Case-studies	
Accountability					
Has SP achieved what it set out to do?	V	Brands	Partners Partner orgs Factory reps Governments Other SP participants Other key informants		
How has the SP adapted to (political or other contextual) circumstances and new insights in the course of the SP programme and to which (unexpected) outcomes has this flexibility led?	V	Brands	Partners Partner orgs Factory reps Governments Other SP participants Other key informants	V	

	Outcome harvesting				Contribution analysis
	Document review	Survey	Interviews	Case-studies	
Internal learning evaluation questions					
In what ways has the capacity of SP partners changed?	V		Partners Partner orgs MFA		
What has been the added value of the three individual organisations and the Dutch Ministry of Foreign Affairs working together as partners, and what are the recommendations for further improvement?	V		Partners Partner orgs MFA		V

	Outcome harvesting			Case-studies	Contribution analysis
	Document review	Survey	Interviews		
Effectiveness					
To what extent have the interventions of the SP led to an increased capacity of partner organisations? And what type of capacity changes can be seen (increased alliance building, reaching out to key policy makers)?	V		Partners Partner orgs		
What factors enabled or hampered the strengthening of capacities of partner organisations and why? Did the partnership collaboration play a role in this and how?			Partners Partner orgs		
To what extent have the interventions of the SP led to an increased engagement of partner organisations, brands and factories?	V	Brands	Partners Partner orgs Factory Reps		
How have partner organisations seen results from their advocacy efforts?	V		Partner orgs		
To what extent have policies and/or laws changed due to the interventions of the SP and SP partner organisations? Who was responsible for these changes? To what extent have interventions on brand and supplier level led to these changes in policies and practices?	V		Partners Partner orgs Other SP participants Factory reps Government Other key informants (Bellwether)	V	
To what extent have stakeholders who were the target of lobby activities (such as other multi-stakeholder initiatives or governments) been influenced by the SP activities?	V		Partners Partner orgs Other SP participants Government Other key informants (Bellwether)	V	

	Outcome harvesting			Case-studies	Contribution analysis
	Document review	Survey	Workshops Interviews		
Learning					
How, where, with whom and why have the interventions of the SP contributed to improved labour conditions in the readymade garment industry in the seven countries in the areas of: <ul style="list-style-type: none"> o Living Wage, o Gender Based Violence, o Social Dialogue, o Any other socio-economic or institutional change (e.g. gender, transparency, human rights, CSR procedures, political agenda)? 	V	Brands	Partners Partner orgs Other SP participants Factory reps Government Other key informants (Bellwether)	V	V
What can be learned about the transformation model (the applied scaling model) that underpinned the SP's Theory of Change? Where, when, why and with which stakeholders did it work, did it not work, or did it work differently? How does the model compare to other models on transformation in supply chains? How can the Theory of Change be updated?	V		Partners Partner orgs Factory reps	V	V
What can be learned from working with the Theories of Action in each of the countries included in the SP programme? How could this learning be used for future programmes and for updating the Theory of Change?			Partners Partner orgs		V
As a more general reflection, what is the state of the garment supply chain today regarding human rights compliance, based on the information gathered for this SP evaluation? Which investments seem to have had the biggest effect, which investments should be continued, and which investments are still missing? What would be the best way forward for making further improvements?	V	Brands	Partners Partner orgs Other SP participants Factory reps Government Other key informants		V

	Outcome harvesting				Contribution analysis
	Document review	Surveys	Interviews	Case-studies	
Relevance					
What is the niche or the added value of the SP in the field of transforming the garment supply chain according to the SP partners, including the Ministry of Foreign Affairs, targeted stakeholders, and other relevant actors?		Brands	Partners Partner orgs Other SP participants MFA Factory reps Government Other key informants		

	Outcome harvesting				Contribution analysis
	Document review	Survey	Interviews	Case-studies	
Sustainability					
What has been done to build sustainability into the programme?	V	Brands	Partners Partner orgs MFA		
How have the partners, and the partner organisations, increased the sustainability of capacity strengthening initiatives and results and where is there room for improvement?	V		Partners Partner orgs		
Where, and with which stakeholders are the positive effects of the interventions sustainable and likely to continue the coming years (indicate in changed culture, procedures, institutional performance, capacities, etc.) and where not?	V	Brands	Partners Partner orgs Other SP participants MFA Factory reps Government Other key informants	V	
How likely is it (and why) that the policy change or changed behaviour of influential actors achieved during the SP programme has resulted in stronger enabling environments for Trade Unions, and/or better working and labour conditions for workers in Ready-Made Garment factories?	V	Brands	Partners Partner orgs Other SP participants MFA Factory reps Government Other key informants	V	

E. Interview guides

Interview guide SP partners in Amsterdam

Estimated time: Approximately 3 hours;

Two sessions:

1) Outcome harvest in two groups with different cases (approximately 1 hour);

i) Europe, ii) Non-fieldwork-countries

2) Group-interview with general questions (approximately 2 hours)

Cases Europe

SD: New Conversations Research (Cornell University)

LW: Living wage incubator

GBV: Brand awareness training

ILO C190 Lobby

Cases Non-fieldwork-countries

Cases will depend on the responsibility areas of the present participants.

Outcome stories from activities that can be compared across countries will be prioritized.

Group work Session 1: Outcome stories

Outcome stories – one story per case – rotate around the table for 45 minutes

1a. Tell us how your organisation has been part of lobbying and advocating for a change in law or policies of governments or practices of brands in favour of improved labour conditions in the garment industry.

- What has changed?
- How is the change related to your organisation's lobby and advocacy activity?
- How is this change related to improvement of labour conditions in the ready-made garment industry?
- How, when, and where did the changes take place?
- Who were the actors driving the change?
- How did your organisation influence or collaborate with other actors to drive the change?
- How important would you say the SP activity and your own effort was in driving the change compared to the work of other actors?
- Is it likely that the change will last, and why, or why not?

1b. Tell us how your partner organisations (or members) have been involved in lobby and advocacy that have resulted in changed laws or policies by governments or practices of brands in favour of improved labour conditions in the garment industry.

- What has changed?
- How is the change related to the partner organisation's lobby and advocacy activity?
- How is this change related to improvement of labour conditions in the ready-made garment industry?
- How, when, and where did the changes take place?
- Who were the actors driving the change?
- How did the partner organisation influence or collaborate with other actors to drive the change?
- What are the links between the SP activities and your own efforts and the change?
- How important would you say the SP activity and your own efforts was in driving the change compared to the work of other actors?
- Is it likely that the change will last, and why, or why not?

1c. Tell us how the partner organisations (or members) have used their new lobby capacity and increased their engagement in influencing efforts.

- What has changed?
- How, when, and where did the changes take place?
- Who were the actors and what were the factors driving the change?
- What is the link between the change and the SP activity/your own efforts?
- How is this change linked to improved labour conditions in the garment sector?
- How can this change result in stronger enabling environments for Trade Unions?
- What is the likelihood that the change will last and why, or why not?

1d. Tell us how the partner organisations (or members) have increased their influencing capacity.

- What has changed (increased alliance building, reaching out to key policy makers, internal culture, procedures etc)
- How, when, and where did the changes take place?
- What were the factors that enabled the strengthening of capacities of partner organizations and why?
- How can the increased influencing capacity be linked to an SP activity/your own efforts?
- How has the partner organisation increased the sustainability of capacity strengthening initiatives?
- What is the likelihood that the change will last (changed culture, procedures, institutional performance, capacities etc), and why, or why not?

(10 minutes)

2. Which activities has your organisation or the partner organisations (or members) worked with that so far have not yielded the expected results (*increased influencing capacity, increased engagement in influencing efforts, changes laws, policies and practices in favour of human rights in the garment industry*)?

- Why do you think the effort/s did not yield results?
- Were there any specific factors that hampered the reaching of expected results?
- Did the (SP partners/activities) play any role in hampering the result in any way?
- What did you learn from this/these activities?
- How should the activity be changed in order to yield the expected result?

(5 minutes)

3. Which political or contextual changes have happened since the programme was planned in 2015, and how did SP adapt to these changes??

- Where have SP gained new insight since 2015 and how has this changed the programme?
- What have been the effects of the adaptations made by the SP?

Session 2: Group interview with general questions

Sustainability

1. How do you work to make training and capacity strengthening activities sustainable?

- How has this made it more possible that the capacities will last?
- What else could be done to make the effects of capacity strengthening last?

2. How does your organisation work in order for other results to last?

- What else could be done to make effect of lobby and advocacy to last?

Relevance and Value added

3. Which SP activities do you think have had the most important effect, and why?

4. After five years' experience and insight, how would you modify the SP transformation model to yield even more results?

5. What do you believe is the niche of the Strategic Partnership?

6. Which activities seem to have had the smallest effect?

-Is there any activity you believe the SP should do that it has not done so far?

7. In what ways has the capacity of SP partners changed from being part of the Strategic Partnership programme?

- What does your organisation do now due to the SP that it did not do before?
- Has being part of SP opened up for new alliances or networks for your organisation? Which effects has being part of SP had on your own organisation?
- Which effects has it had on the other SP partners?

8. What is the value added of the three organisations and the Dutch Ministry of Foreign Affairs working together as partners?

9. In what ways do you think that there is a further potential for common collaboration between the SP partners and between the partner organisations?

Learning

10. What is your experience with using the Theory of Change?

-What would you change if you were to make it today?

11. What is your experience with having Theories of Action?

-How would you design a new results management system today?

Summing up

12. How does the SP transformation model compare to other models on transformation in supply chains that you know about?

13. What have been the positive and negative changes in the garment supply chain during the last 3-5 years regarding improved labour conditions?

- What are the reasons for these changes?

14. How can the negative changes be mitigated?

15. What will it take for the positive changes to become real improvement of labour conditions in the ready-made garment sector?

16. Has the SP achieved what is set out to do?

Interview Guide for SP partners in field-countries

Estimated time: Approximately 3 hours.

In case of time shortage, priority will be made on harvesting outcome from cases where the SP partners have lobbied directly

Each interview will be adapted to the selected cases (activities) in each country.

Outcome stories

1a. Tell us how your organisation has been part of lobbying and advocating for a change in law or policies of governments or practices of brands in favour improved labour conditions in the garment industry.

(Collect one story at the time)

- What has changed?
- How is the change related to your organisation's lobby and advocacy activity?
- How is this change related to improvement of labour conditions in the ready-made garment industry?
- How, when, and where did the changes take place?
- Who were the actors driving the change?
- How did your organisation influence or collaborate with other actors to drive the change?
- How important would you say the (SP activity/SP partner) was in driving the change compared to the work of other actors?
- Did you come across any barriers when working for change, and what did you do to overcome them?
- Is it likely that the change will last? Why, or why not?

Verification of Outcome stories

1b. Tell us how your partner organisations have been involved in lobby and advocacy that have resulted in changed laws or policies by governments or practices of brands in favour of improved labour conditions in the garment industry. (Verify one story at the time)

- What has changed?
- How is the change related to the partner organisation's lobby and advocacy activity?
- How is this change related to improvement of labour conditions in the ready-made garment industry?
- How, when, and where did the changes take place?
- Who were the actors driving the change?
- How did the partner organisation influence or collaborate with other actors to drive the change?
- What are the links between the (SP activity/SP partner) and the change?
- How important would you say the (SP activity/SP partner) was in driving the change compared to the work of other actors?
- Did your partner organisation come across any barriers when working for change, and what did they do to overcome them?
- Is it likely that the change will last? Why, or why not?

1c. Tell us how your partner organisations have used their new lobby capacity to increase their engagement in influencing efforts.

(Verify one story at the time)

- Did they use their new capacity for lobbying alone or in collaboration with others?
- What has changed?
- How, when, and where did the changes take place?
- Who were the actors and what were the factors driving the change?

- What is the link between the change and the (SP activity/SP partner)?
- How is this change linked to improved labour conditions in the garment sector?
- How can this change result in stronger enabling environments for Trade Unions?
- Did your partner organisation come across any barriers when working for change, and what did they do to overcome them?
- What is the likelihood that the change will last and why, or why not?

1d. Tell us how your partner organisations have increased their influencing capacity/ability to lobby.

(Verify one story at the time)

- What has changed (increased alliance building, reaching out to key policy makers, internal culture, procedures etc)
- How, when, and where did the changes take place?
- What were the factors that enabled the strengthening of capacities of partner organizations and why?
- How can the increased influencing capacity be linked to an (SP activity/SP partner)?
- How has the partner organisation increased the sustainability of capacity strengthening initiatives?
- Did your partner organisation come across any barriers when working for change, and what did they do to overcome them?
- What is the likelihood that the change will last (changed culture, procedures, institutional performance, capacities etc), and why, or why not?

2. Which activities has your organisation or the partner organisations worked with that so far have not yielded the expected results (*increased influencing capacity, increased engagement in influencing efforts, changes laws, policies and practices in favour of improved labour conditions in the garment industry*)?

- Why do you think the effort/s did not yield results?
- Were there any specific factors that hampered the reaching of expected results?
- Did the (SP partners/activities) play any role in hampering the result in any way?
- What did you learn from this/these activities?
- How should the activity be changed in order to yield the expected result?

3. Which positive and negative changes have there been in the sector or in the political context in general the last 3-5 years?

- How has this made SP change their activities or approach?
- Where have SP gained new insight since 2015 and how has this changed the programme?
- What have been the effects of the adaptations made by the SP?

Sustainability

4. How do you work to make training and capacity strengthening activities sustainable? (That the capacity will last and be developed within the institution)

- How has this made it more possible that the capacities will last?
- What else could be done to make the effects of capacity strengthening last?

5. How does your organisation work in order for other results to last?

- What else could be done to make effect of lobby and advocacy to last?

Relevance and Value added

6. What is the state of the garment supply chain in your country today regarding improved labour conditions?

7. What are the most important obstacles impeding labour conditions to improve in the ready-made garment sector?

8. Which SP activities do you think have had the most important effect, and why?
9. What do you believe is the niche of the Strategic Partnership?
10. Which SP activities do you think has had the smallest effect?
11. Is there any activity you believe the SP should do that it has not done so far?
12. In what ways has the capacity of SP partners changed from being part of the Strategic Partnership programme?
 - What does your organisation do now due to the SP that it did not do before?
 - Is there anything that you organisation has stopped doing?
 - Has being part of SP opened up for new alliances or networks for your organisation? If yes, please describe. Which effects has being part of SP had on your own organisation?
 - Which effects has it had on the other SP partners?
13. What is the value added of the three organisations and the Dutch Ministry of Foreign Affairs working together as partners?
 - Did you participate in the gender Forum in Vietnam, and if yes, what did you learn from here and which changes did it lead to?
 - Did you participate in the Lobby week, and if yes, what did you learn here?
 - For Myanmar: Have you heard about the learning visit to India? If yes, what do you think came out of this activity?
14. In what ways do you think that there is a further potential for common collaboration between the SP partners and between the partner organisations?

Learning

15. We would like to hear how you experience that “change” occurs in this country:

Vietnam

- To what extent has the GoV changed policy and rhetoric on social dialogue following SP activities? How is this measured?
- How has the GoV changed its way of interacting with NGOs and trade unions when it comes to promoting living wages? How is this linked to SP activities?
- In which way have NGOs and trade unions been able to better understand and convey the industry benefits of social dialogue, gender equality and better wages? In what way is this attributable to SP activities?
- To what extent have trade unions increased the inclusion of women workers in organising and negotiations following SP activities?
- Has supply chain social dialogue mechanisms been piloted as part of the SP activities? Please explain.
- In which way have factories gained an understanding of the business benefits of closing the gender gap when it comes to pay, promotion and working conditions? How is this linked to SP activities?
- Have participating brands changed their purchasing practices following SP activities?

Bangladesh:

- To what extent has the GoB modified laws and/or changed its rhetoric on GBV and gender equality following SP activities?
- How has the GoB changed its way of interacting with trade unions and NGOs when addressing GBV, Living wages and Social Dialogue? To what extent are these changes attributable to SP activities?

- What changes have you noticed in the way trade unions and NGO address gender equality (ie equal pay, women in leadership) and fighting GBV? How is this linked to SP activities?
- Have participating brands changed their purchasing practices following SP activities?
- Have brands changed the way they engage with suppliers on social dialogue? How – and how does this relate to the SP activities?

Myanmar:

- Has the GoM changed its view of the benefits of social dialogue following SP activities? How is this measured?
- How has the GoM changed its rhetoric on GBV and how is this linked to SP activities?
- How has NGOs and trade unions changed its way of discussing and working with wage increases? In what way is this attributable to SP activities?
- To what extent have trade unions integrated the gender perspective when recruiting members and promoting women leadership following SP activities?
- Have participating brands changed their purchasing practices following SP activities?
- To what extent has the MGMA organised sector-level initiatives aiming at understanding and meetings international clients CSR demands? How is this linked to SP- activities?

16. What would be the best system for the SP to have as a results management tool?

- What kind of system do you use for your results management, planning and documentation of results?
- What would be the best system for the SP to have as a results management tool?
- What is your experience with working with the Theory of Action?

Interview guide for partner organisations in field-countries

1. What is your engagement with (SP partner)?

Outcome stories

2a. Tell us how your organisation has been part of lobbying and advocating for a change in law or policies of governments or practices of brands in favour of improved labour conditions in the garment industry!

(Collect one story at the time)

- What has changed?
- How is the change related to your organisation's lobby and advocacy activity?
- How is this change related to improvement of labour conditions in the ready-made garment industry?
- How, when, and where did the changes take place?
- Who were the actors driving the change?
- What was the role of the leadership of your organisation in the advocacy?
- Were any women represented in the advocacy team?
- Did the advocacy team include younger members or staff?
- How did your organisation influence or collaborate with other actors to drive the change?
- How important would you say the (SP activity) was in driving the change compared to the work of other actors?
- Did you come across any barriers when working for change, and what did you do to overcome them?"
- Is it likely that the change will last, and why, or why not?

2b. Tell us if your organisation has used its new lobby capacity to increased its engagement in influencing efforts.

(Collect one story at the time)

- Did you use your new capacity for lobbying alone or in collaboration with others?
- What has changed?
- How, when, and where did the changes take place?
- Who were the actors and what were the factors driving the change?
- How is this change related to (SP activity)?
- How is this change related to improved labour conditions in the garment sector?
- How can this change result in stronger enabling environments for Trade Unions?
- Did you come across any barriers when working for change, and what did you do to overcome them?
- What is the likelihood that the change will last and why, or why not?

2c. Tell us how your organisation has increased its ability to lobby and capacity to influence?

(Collect one story at the time).

- What has changed (increased alliance building, reaching out to key policy makers, internal culture, procedures, better knowledge of the sector and/or lobbying strategies etc)
- How, when, and where did the changes take place?
- Which factors enabled the strengthened influencing capacities?
- How can the increased influencing capacity be linked to (SP activity)?
- Has your organisation received support to strengthen the influencing capacity by other actors than (SP partner)?
- How has your organisation increased the sustainability of capacity strengthening initiatives?
- Did you come across any barriers when working for change, and what did you do to overcome them?"
- What is the likelihood that the change will last (changed culture, procedures, institutional performance, capacities etc), and why, or why not?

3. Which activities has your organisation worked with that so far have not yielded the expected results (*increased influencing capacity, increased engagement in influencing efforts, changes laws, policies and practices in favour of improved labour conditions in the garment industry*)?

- Why do you think the effort/s did not yield results?
- Were there any specific factors that hampered the reaching of expected results?
- Did the (activity/SP partner) play any role in hampering the result in any way?
- What did you learn from this/these activities that did not yield expected results?
- How should the activity be changed in order to yield the expected result?

4. Which positive and negative changes have there been in the sector or in the national context in general the last 3-5 years?

- How has (SP partner/s) adapted its activities or approach to these changes?
- What were the effects of the adaptations?

5. What is your organisation's strategy to make training and capacity strengthening activities sustainable? (That the capacity will last and be developed within the institution)

- How has this made it more possible that the capacities will last?
- What else could be done to make the effects of capacity strengthening last?

6. How does your organisation work in order for other results to last?

- What else could be done to make effect of lobby and advocacy to last?

7. What is the state of the garment supply chain in your country today regarding improved labour conditions?

8. What must happen for labour conditions to improve in the ready-made garment sector?

9. What do you believe is the niche of the Strategic Partnership where two Dutch unions and the Fair Wear Foundation work together?

- What do you think is the value added of this partnership between brands and unions?

10. In what ways do you think there is a potential for further collaboration between the different stakeholders working for improved labour conditions?

11. We would like to hear how you experience that "change" occurs in this country:

Vietnam

- To what extent has the GoV changed policy and rhetoric on social dialogue following SP activities? How is this measured?
- How has the GoV changed its way of interacting with NGOs and trade unions when it comes to promoting living wages? How is this linked to SP activities?
- In which way have NGOs and trade unions been able to better understand and convey the industry benefits of social dialogue, gender equality and better wages? In what way is this attributable to SP activities?
- To what extent have trade unions increased the inclusion of women workers in organising and negotiations following SP activities?
- Has supply chain social dialogue mechanisms been piloted as part of the SP activities? Please explain.
- In which way have factories gained an understanding of the business benefits of closing the gender gap when it comes to pay, promotion and working conditions? How is this linked to SP activities?
- Have participating brands changed their purchasing practices following SP activities?

Bangladesh:

- To what extent has the GoB modified laws and/or changed its rhetoric on GBV and gender equality following SP activities?

- How has the GoB changed its way of interacting with trade unions and NGOs when addressing GBV, Living wages and Social Dialogue? To what extent are these changes attributable to SP activities?
- What changes have you noticed in the way trade unions and NGO address gender equality (ie equal pay, women in leadership) and fighting GBV? How is this linked to SP activities?
- Have participating brands changed their purchasing practices following SP activities?
- Have brands changed the way they engage with suppliers on social dialogue? How – and how does this relate to the SP activities?

Myanmar:

- Has the GoM changed its view of the benefits of social dialogue following SP activities? How is this measured?
- How has the GoM changed its rhetoric on GBV and how is this linked to SP activities?
- How has NGOs and trade unions changed its way of discussing and working with wage increases? In what way is this attributable to SP activities?
- To what extent have trade unions integrated the gender perspective when recruiting members and promoting women leadership following SP activities?
- Have participating brands changed their purchasing practices following SP activities?
- To what extent has the MGMA organised sector-level initiatives aiming at understanding and meetings international clients CSR demands? How is this linked to SP- activities?

12. In what ways has your organisation changed from working with (SP partner/activity)?

- What does your organisation do now that it did not do before the collaboration with (SP partner/activity)?
- Has the collaboration with (SP partner/activity) opened up for new alliances or networks for your organisation?
- Is your organisation likely to continue the same way if the collaboration with (SP partner/activity) ends?
- Did you participate in the gender Forum in Vietnam, and if yes, what did you learn from here and which changes did it lead to?
- Did you participate in the Lobby week, and if yes, what did you learn here?
- For Myanmar: Have you heard about the learning visit to India? If yes, what do you think came out of this activity?"

Interview guide for factory management

1. What is your engagement with the (activity)?
2. What has changed in the factory since you became part of the (activity)?
(Social dialogue, organisation, communication, mutual respect, salaries, awareness on violence and harassment...)
 - What made these changes to happen?
 - Who were the major drivers of the change?
 - How do these changes impact the management?
 - How do these changes impact the workers?
 - Are the changes likely to last, and who, or why not?
 - To what extent were these changes related to (activity/SP partner/partner organisation)?
 - How likely is the change to have happened without the (activity)?
 - What would it take for other factories to also implement such changes?
 - In general, what do you think would be the best way to share good practices between factories? (Seminars? Thematic good practice hubs? Written implementation guidelines? Compliance Mentoring services? Other?)
3. What would you say is the state of the garment supply chain in your country today regarding labour conditions?
4. For management: How many clients do you serve?
 - From which continents does your international clients come and what is the approx. percentage per region: Europe; North-America; Latin-America; Asia; Domestic
5. For management: How large percentage of your client portfolio has presented a Code of Labour Practice to you?
 - Of these: approx. which is the highest percentage of your production capacity? The lowest?
6. For management: How do these clients follow up?
 - o Social audits
 - o how many times have you been audited the past 12 months?
 - o Do you find audits effective?
 - o Training, capacity building and good practice guidance to management
 - o Approx. how many (or percentage) of your clients provide such support?
 - o Training and capacity building of workers
 - o Approx. how many (or percentage) of your clients provide such support?
7. Which changes have there been in the sector the last 3-5 years related to labour conditions?
 - What effects have these changes had on this factory and the workers working here?
 - How will the new ILO Convention 190 on violence and harassment change the situation for workers in this factory?
 - How does a new labour law (if relevant) change the labour conditions in this factory?
 - How does increased legal minimum salary influence the labour conditions in this factory?
8. Which actors and factors influence labour conditions in the factory?
 - Which changes can unions drive?
 - Are changes that are influenced by unions likely to last?
 - Which changes can brands drive?
 - Are changes that are influenced by brands likely to last?
 - What is most powerful influence between brands or unions?
 - What is the most powerful influence between government, brands, unions, media or others?

9. Are there any plans of changing labour conditions for the workers in this factory in the nearest future?

- What is needed in order for changes to happen?

10. What do you think is the strength of Dutch unions and Dutch brands and their membership platforms working together?

11. How can labour conditions further improve in the ready-made garment sector?

12. What do you suggest that (SP partner/partner organisation) can do in order for labour conditions to improve further?

Interview guide for Workers/Workers' Representatives

1. How long have you been working in the factory, and what is your work task/station?
2. What is your engagement with the (SP activity/SP partner/partner organisation)?
3. Have you received training related to [SP activity]?
 - What did you learn from the training that you find useful?
(e.g. know more about labour law, our rights, gained confidence in speaking to Mng and raising issues with them, increased negotiation techniques/power)
 - Have you been able to use what you learned? If yes, did anything change in the factory after that? If no, do you know why not?
 - Any discrimination on selection of trainees (participants)?
 - Have you or other people in the factory/union/committee received training by others than the (SP partner/partner organization)?
 - Is there anything you would want more training on?
4. What has changed in the factory since you became part of the (SP activity)?
(Social dialogue, trade union, CBA, wages, awareness on violence and harassment...)
 - What made these changes to happen?
 - Who were the major drivers of the change?
 - How do these changes impact the management?
 - How do these changes impact the union?
 - How do these changes impact workers?
 - Are the changes likely to last, and why, or why not?
 - To what extent were these changes related to (activity/SP partner/partner organisation)?
 - How likely is the change to have happened without the (activity)?
 - Any possible retribution from management for being proactive?
4. What is your opinion on the state of (applicable activity theme) in garment factories in [country/city]?
5. What would you say is the state of (applicable activity theme) in your factory compared to average conditions in other garment factories in [country/city]?
6. Which actors and factors influence labour conditions in the factory?
 - Which changes can unions drive?
 - What would it take to make changes to last?
 - Any experience from past or in this factory where change was possible only because of union?
 - (If applicable) what changes can committees with workers and management drive?
 - What would it take to make changes to last?
 - Any experience from past or in this factory where change was possible only because of committee?
 - Which changes can management drive? What would it take to make changes to last?
 - Which changes do you think that brands can drive? (e.g. more predictable orders / longer lead times – related to unpredictable and excessive overtime)
 - Do you think changes that are influenced by brands are likely to last?
 - Which changes do you think the government can drive?
 - (if applicable) which changes in laws do you know about that have helped improved working conditions? Specify (e.g. increased legal minimum wage, (if relevant) new labour law).
 - How can labour laws and regulations be enforced?

Interview guide for lobby & advocacy targets in field-countries

1. What is your relationship with the (SP partner/partner organisation)?
2. How would you describe the labour conditions in the ready-made garment industry in your country today?
3. Which positive and negative changes have there been in the sector the last 3-5 years?
4. Can you describe how (the outcome of activity) can contribute to improve labour conditions for workers in the ready-made garment industry?
 - What made the change to happen?
 - What was the role of your organisation/institution in driving this change?
 - Who were the active drivers or influencers behind this change?
 - Which role do you think (SP organisation/partner organisation) played for the change to occur?
 - How important do you estimate this influence of (SP organisation/partner organisation) to have been for the change to occur?
 - What is the relationship between your organisation/institution and the (SP organisation/partner organisation)?
 - How likely is it that the change will last, and why or why not?
5. What must happen for labour conditions to improve in the ready-made garment sector?
6. Which role do you believe unions can play in improving the labour conditions in the ready-made garment sector?
7. Which role do you believe brands (importers) can play in improving the labour conditions in the ready-made garment sector?
8. What do you believe is the niche of a Strategic Partnership where unions and brands work together?
 - What do you think is the value added of such a partnership?
9. What do you recommend that (SP partner/partner organisation) can do to further contribute to improvements of labour conditions in the ready-made garment sector?

Interview guide for Ministry of Foreign Affairs - Embassies

1. What would you say is the effect of the (SP activity/ies)?
2. What has been achieved due to the collaboration with your office and (SP partners)?
3. Field-countries: What is the state of the garment supply chain in this country today regarding improved labour conditions compliance?
4. Which positive and negative changes have there been in the garment sector in this country during the last 3-5 years?
5. Which actors and factors do you think are the most important to improve labour conditions in the readymade garment sector?
6. What do you think has been the role of the SP in these changes?
-How important is SP in driving these changes compared to other actors?
7. What do you think is the main value added of the partnership between CNV, FNV, FWF and the MFA?
8. What do you think has been the most important investment of the SP?
9. What do you believe is the niche of the SP?
10. What are your suggestions for SP for the future?

Stakeholders in Europe

1. What is your relationship with the (SP partner/partner organisation)?
 - Has this relationship resulted in any changes (practices, cultures, awareness, policies) in your organisation/brand?
 - How would you say this change is related to improved labour conditions for workers in the ready-made garment industry?
 - What made the change to happen?
 - What was the role of your organisation/institution in driving this change?
 - Who were the other drivers or influencers behind this change?
 - Which role do you think (SP partner/activity) played for the change to occur?
 - How important do you estimate this influence of (SP partner/activity) to have been for the change to occur?
 - How likely is it that the change will last, and why or why not?
2. How would you describe the labour conditions in the ready-made garment chain?
3. Which positive and negative changes have there been in the sector the last 3-5 years?
4. What must happen for labour conditions in general to improve in the ready-made garment sector?
 - Which role do you believe brands can play in improving the labour conditions in the ready-made garment sector?
 - Which role do you believe unions can play in improving the labour conditions in the ready-made garment sector?
5. What are the plans of your organisation/brand/institution to contribute to improved labour conditions in the global garment sector in the nearest future?
6. What do you believe is the niche of a Strategic Partnership where FNV, CNV and FWF work together?
 - What do you think is the value added of such a partnership?
7. What do you recommend that this partnership can do to further contribute to improvements of labour conditions in the ready-made garment sector?

F. 'Actors Universe' - Overview of Strategic Partnership activities

Country	Name of activity	SP Partner	Name of Partner organizations	Theme	Name of Other stakeholders receiving support
Bangladesh	Support to local trade unions/capacity building of partners; (CH0110201; 2016&2017)(CH0110271)	M-FNV	IndustriALL	Social Dialogue	IndustriALL Affiliates NGWF; BGTLWF; BIGUF; UFGW; BJSKP; BTGWL; FGW, GTWL; SBGSKF; BGIWF; BFWS; BRGWF; SGSF;BPSSF;BILS
Bangladesh	Support to local trade unions/capacity building of partners (BD0050191) + 1	M-FNV	OSHE		Committees of Home Based Workers
Bangladesh	Support to local trade unions	M-FNV	BILS		
Bangladesh	Formed an Alliance called Gender Platform and working towards enacting law on prevention of sexual harassment at workplace, submitted to Law, Justice & Parliamentary Affairs and Labor & Employment Ministry for enacting.	M-FNV, FWF	Awaj Foundation, Karmajibi Nari, BNWLA, BILS, OSHE, BLF, IBC	Gender based violence	
Bangladesh	Exchange visit to India	M-FNV, FWF	Awaj Foundation, Karmajibi Nari, BNWLA, BILS, OSHE, BLF, IBC	Gender based violence	
Bangladesh	National Roundtable	FWF		Social Dialogue, Living Wage, GBV	
Bangladesh	Participate in Gender Forum in Vietnam	M-FNV, FWF	Awaj Foundation, Karmajibi Nari, BNWLA, BILS, OSHE, BLF, IBC	Gender based violence	
Bangladesh	Supporting local partner (send representative to gender academy-Turin Italy)	FWF	BNWLA	Gender based violence	
Bangladesh	Sharing meeting with IBC	FWF	IndustriALL Bangladesh Council	Social Dialouge	

Bangladesh	Anti Harassment Committee (AHC) and Violence Prevention Capacity Building in the factory	FWF	Awaj Foundation, Karmajibi Nari	Gender based violence	
Bangladesh	Experience and lessons learned from FWF on gender based violence and establishing AHC in factories disseminated.	FWF		Gender based violence	
Bangladesh	Provided technical support for replicating AHC program	FWF	Awaj Foundation, Karmajibi Nari	Gender based violence	
Bangladesh	Research on safety perception of male and female garment workers.	FWF		Gender based violence	
Bangladesh	Factory visits by safety experts and organize Workshops	FWF		Gender based violence	
Bangladesh	Wages on the Move - Supplier Seminars on Labour Minute Costing and Price Negotiation with Buyers	FWF		Living Wage	
Bangladesh	Analyze FWF Audit reports (verification, monitoring, follow up) of three years to see the status of maternity benefits, situation of WPC, freedom of association and other labor issues	FWF		GBV, Social Dialogue	
Bangladesh	Cornell Study	FWF		Social Dialogue	
Bangladesh	Supporting CBA processes	M-FNV	IndustriALL	Social Dialogue	
Bangladesh	Supporting brands on Social Dialogue	FWF		Social Dialogue	
Bangladesh	Wages on the Move - Labour minute costing tool	FWF		Living Wage	
Bangladesh	Wages on the Move - Product costing tool	FWF		Living Wage	
Bangladesh	Living Wage Incubator	FWF		Living Wage	
Bangladesh	Wages on the Move - Minimum	M-FNV	IndustriALL	Living Wage	

	wage processes on national level				
Bangladesh	ILOC190 Lobby	M-FNV, FWF	Awaj Foundation	Gender based violence	
Bangladesh	Research	M-FNV, FWF	Researcher UU	Social Dialogue	BILS
Bangladesh	Awareness raising on GBV and organising workers, safety issues, labour law	M-FNV	Awaj Foundation	Gender based violence	Anti Harrassment committees
Bangladesh	Awareness raising on GBV and organising workers, safety issues, labour law	M-FNV	Awaj Foundation	Gender based violence	
Bangladesh	Awareness raising on GBV and organising workers, safety issues, labour law	M-FNV	Awaj Foundation	Gender based violence	
Bangladesh	Workplace Education Programme on Gender Based Violence (WEP-GBV)	FWF		Gender based violence	
Bangladesh	Work with the Dutch Embassy: Social Dialogue	FWF		Social Dialogue	
Bangladesh	Draft law - Amendment of labor law (enacted 14 November 2018)	M-FNV, FWF	IndustriALL	Social dialogue	
Bangladesh	Lobby week 2017	M-FNV, FWF			
Bangladesh	Lobby week 2018	M-FNV, FWF			
Bangladesh	Lobby week 2019	M-FNV, FWF			
Vietnam	Support to local trade unions/capacity building of partners	FWF, CNV-I	Vietnam General Confederation of Labour (VGCL)	Social Dialogue	District and provincial level trade unionist
Vietnam	MC-CBA project	CNV-I	VGCL	Social Dialogue	District and provincial level trade unionist
Vietnam	Supporting CBA processes	CNV-I	VGCL	Social Dialogue	
Vietnam	Supporting brands on Social Dialogue	FWF	VGCL	Social Dialogue	Institute of Worker and Trade Union
Vietnam	Labour minute costing tool	FWF	Vietnam Chamber of Commerce and Industry (VCCI)	Living Wage	Vietnam Association of Textile and Garment

					(VITAS)
Vietnam	Product costing tool	FWF		Living Wage	FWF audit team
Vietnam	Living Wage Incubator	FWF	engage brand: Shoeffel??	living Wage	FWF audit team
Vietnam	Minimum wage processes on national level	CNV-I, FWF	CDI (+ 1 meeting with ILLSA, but no official cooperation)	Living Wage	
Vietnam	ILOC190 Lobby	CNV-I, FWF	CDI	Gender based violence	
Vietnam	Research	CNV-I, FWF	CARE Vietnam and CDI	Gender based violence	
Vietnam	Workplace Education Programme Communication (WEP-Comms) Module	FWF		Social Dialogue	
Vietnam	Labour Code Revision	CNV-I, FWF	Ministry of Labour, Invalids and Social Affairs (MoLISA)	GBV, LW, SD	different departments with the Ministry, and CDI
Vietnam	Directors' visit (Steering Committee of the SP visited)	FWF, CNV-I	CDI, molisa, VGCL, VCCI		
Vietnam	Gender Forum	CNV, FWF	GBVnet, VCCI	Gender based violence	FES, CARE, VITAS
Vietnam	Work with Dutch Embassy: Vietnam Fashion Show, Social Dialogue, Labour Code revision	CNV.I, FWF	NL Embassy in Hanoi	GBV, Social Dialogue	
Vietnam	Supplier seminars: 2018 LW; 2019 GBV	FWF	In 2018: FWF; in 2019: VCCI	LW, GBV	Vietnam Association of Textile and Garment (VITAS); VGCL, NGO
Vietnam	Lobby week 2017	CNV-I, FWF			
Vietnam	Lobby week 2018	CNV-I, FWF	VCCI attended international stakeholder meeting in Amsterdam		
Vietnam	Lobby week 2019	CNV-I, FWF	Care Vietnam	GBV, LW, SD	
Myanmar	Support to local trade unions/capacity building of partners (CH0110211); 2016-2017)	M-FNV	IndustriALL	Social Dialogue	Industrial Workers' Federation of Myanmar (IWF) and Mining Workers' Federation of Myanmar

					(MWFM)
Myanmar	Union Building project CH0110301; 2018-2020)	M-FNV	IndustriALL	Social Dialogue	Industrial Workers' Federation of Myanmar (IWFM) and Mining Workers' Federation of Myanmar (MWFM)
Myanmar	Support to unions; lobby for Protection and Prevention of Violence Against Women Bill.	M-FNV	APHEDA	Gender based violence	
Myanmar	Supporting CBA processes	Mondial FNV		Social Dialogue	
Myanmar	Supporting brands on Social Dialogue	FWF		Social Dialogue	
Myanmar	Wages on the Move - Labour minute costing tool	FWF		Living Wage	MGMA members, FWF brands' members
Myanmar	Product costing tool	FWF		Living Wage	
Myanmar	Living Wage Incubator	FWF	Brands	Living Wage	
Myanmar	Wages on the move - Minimum wage processes on national level	M-FNV	IWFM, MWFM	Living Wage	
Myanmar	ILOC190 Lobby	FNV, FWF	CARE	Gender based violence	
Myanmar	Lobby for integrating sexual harassment in OHS law	FWF, M-FNV	CARE, GEN, APHEDA	Gender based violence	
Myanmar	Workplace Education Programme Communication (WEP-Comms) Module	FWF		Social Dialogue	
Myanmar	Work with the Dutch Embassy: Social Dialogue	FWF, M-FNV			
Myanmar	Learning visit to India	M-FNV, FWF		Gender based violence	CARE, ILO, GEN, LRDP, NLD, MGMA, MOLIP, MICS, CTUM
Myanmar	Safe and Equal Workshop	FWF	ITC-ILO, CARE, GEN	Gender based violence	MGMA, MICS, CTUM, FLC, LRDP, STUM, LHEO, LPG, WE Generation, ALR

Myanmar	Supplier seminars	FWF		Social Dialogue	
Myanmar	Lobby week 2017	M-FNV, FWF			
Myanmar	Lobby week 2018	M-FNV, FWF			
Myanmar	Lobby week 2019	M-FNV, FWF			
Indonesia	Support to local trade unions/capacity building of partners	CNV-I, FNV	Garteks, FBLP	GBV	Perempuan Mahardika
Indonesia	MCCBA project	CNV-I	Garteks	SD	Social Dialogue West Java, Apindo West Java
Indonesia	Cornell Study	CNV-I, M-FNV, FWF		SD	Akatiga
Indonesia	Supporting CBA processes	CNV-I	Garteks	SD	Factory management
Indonesia	Supporting brands on Social Dialogue	FWF	Suitsupply, Haglofs, Kjus	SD	
Indonesia	Labour minute costing tool	FWF		LW	Trade unions Garteks, SPN, SPSI, FBLP, Sarbumusi. NGO TURC
Indonesia	Product costing tool	FWF		LW	PT Nikomas, PT Yongjin, Puma, S Oliver, Asmara, AGT factories
Indonesia	Living Wage Incubator	FWF		LW	Jack Wolfskin
Indonesia	Minimum wage processes on national level	CNV-I, FNV	Garteks	LW	Garteks
Indonesia	ILOC190 Lobby	CNV-I, M-FNV, FWF		GBV	Gender Network Platform
Indonesia	WEP Communication Module	FWF		SD	
Indonesia	MC-CBA - Pilot	CNV-I	Garteks	SD	Social Dialogue West Java, Apindo West Java
Indonesia	Freedom of Association protocol - Pilot	CNV-I, M-FNV, FWF	Decent Work Working Group and shoes brands	SD	
Indonesia	Sexual harassment Free Zones - Pilot	M-FNV	FBLP, Perempuan Mahardika	GBV	
Indonesia	Homeworkers remediation Bali - Pilot	FWF	TURC, MAMPU project, Yasanti, Bitra	LW	

Indonesia	Letters to Embassy on SD			SD	
Indonesia	Learning visit to India	CNV-I, M-FNV, FWF	FBLP, Perempuan Mahardika, Garteks	GBV	National Commission on Violence against Women, Ministry of Manpower, Apindo Central Java
Indonesia	Director's visit	CNV-I, M-FNV, FWF		GBV	
Indonesia	Learning visit from Ethiopia	M-FNV	FBLP, Perempuan Mahardika	GBV	
Indonesia	Supplier seminars	FWF		SD	Suppliers
Indonesia	Against Gender Based Violence (GBV) at the Workplace ID0180011	M-FNV	Perempuan Mahardhika (PM)	GBV	
Indonesia	Empowering Women Workers against GBV at workplace (ID0180021)	M-FNV	PM	GBV	
Indonesia	Support to local trade unions/capacity building of partners	M-FNV	PM	GBV	
Indonesia	Organized female unionists are empowered to fight against violence on wage and GBV at workplace (ID0170021)+(ID0170031)	M-FNV	FBLP	GBV	
Indonesia	Empowering women unionist against wage violation and gender based violence at workplace (ID0170041)	M-FNV	FBLP	LW	
Indonesia	Support to local trade unions/capacity building of partners	M-FNV	TURC	SD	
Indonesia	MCCBA project			SD	
Indonesia	Cornell Study			SD	
Indonesia	Supporting CBA processes	M-FNV	PM	SD	
Indonesia	Sexual harassment Free Zones - Pilot	M-FNV	FBLP; PM	GBV	
Indonesia	Research on GBV at the workplace	M-FNV	PM	GBV	

	Central Java				
Indonesia	Lobby week 2017	FWF, CNV-I, M-FNV		SD	
Indonesia	Lobby week 2018	FWF, CNV-I, M-FNV		SD	
Indonesia	Lobby week 2019	FWF, CNV-I, M-FNV		SD	
India	Support to local trade unions/capacity building of partners (IN0170111)	M-FNV	SAVE	Social Dialogue	AITUC, CITU, INTUC, HMS, LPF, MLF and ATP. Four unions are in national level federation (AITUC, CITU, HMS and INTUC) and three are in state level
India	Support to local trade unions/capacity building of partners (IN0170111)	M-FNV	SAVE	Gender based violence	
India	Support to local trade unions/capacity building of partners (IN0170111)	M-FNV	SAVE	Gender based violence	
India	Cornell Study	FWF, M-FNV		Social Dialogue	
India	Supporting CBA processes	M-FNV		Social Dialogue	
India	Supporting brands on Social Dialogue	FWF		Social Dialogue	
India	Labour minute costing tool	FWF		Living Wage	Two supplier seminar on Living wage in Tamil Nadu
India	Product costing tool	FWF	FWF	Living Wage	Brands
India	Living Wage Incubator	FWF	SAVE and CIVIDEP	Living Wage	Member Suppliers of FWF
India	Minimum wage processes at the state level (Tamil Nadu)	FWF	READ and SAVE	Living Wage	Trade Unions
India	ILOC190 Lobby	M-FNV, FWF	FNV, FWF	Gender based violence	Brands
India	Letters to Embassy on SD				
India	Learning visit from Myanmar	FWF	READ, SAVE, CIVIDEP and MARG	Gender based violence	Stakeholders of FWF in Myanmar
India	Learning visit from	FWF	READ and MARG	Gender	Gender Network

	Indonesia			based violence	Platform of Indonesia
India	Supplier seminars	FWF	FWF	Social Dialogue	Member Supplier Factories of FWF
India	Lobby week 2017	FWF			
India	Lobby week 2018	FWF			
India	Lobby week 2019	FWF			
India	Supplier seminars	FWF	FWF	Living Wage	Member Supplier Factories of FWF
India	Research on Implementation of the Sexual Harassment ACT,2013	FWF	IRFT	Gender based violence	Member Supplier Factories of FWF
India	Support Tamil Nadu Women Commission and READ in development of the guideline for women safety and security in the garment sector	FWF	READ and Tamilnadu Women Commission	Gender based violence	Women Workers in Garment Factory and Mill operations in Tamil Nadu
India	Implementation of the supervisory skills programme supported by EU	FWF	CIVIDEP and SAVE	Gender based violence	Member Supplier Factories of FWF
India	Publication of Country Study	FWF	FWF	Social Dialogue	Stakeholders of FWF in India-Primarily brands and factories by receiving contextual information on the garment sector
India	5 Grievance Redressal Systems Set up	FWF	CIVIDEP and 5 local compliant handlers	Gender based violence	Member Supplier Factories of FWF
India	SUPERVISORY SKILL TRAINING PROGRAMME: FEASIBILITY STUDY	FWF	Association for Stimulating Know-how (ASK) and IMPACT Institute	Gender based violence	Member Supplier Factories of FWF
India	Training and Setting up of Internal complaints Committee in member factories (24 factories)	FWF	CiVIDEP,MARG and SAVE	Gender based violence	Member Supplier Factories of FWF
India	Supplier Seminar	FWF	FTA	Gender based violence	Member Supplier Factories of FWF and FTA
Cambodia	Support to local trade unions/capacity building of partners	CNV-I	CLC, C.CAWDU		
Cambodia	Supporting CBA	CNV-I	CLC, C.CAWDU	Social	

	processes			Dialogue	
Cambodia	Supporting brands on Social Dialogue	FWF	CNV-I, CLC, C.CAWDU	Social Dialogue	IndustriALL, 4 brands, GMAC
Cambodia	Living Wage Incubator	FWF		Living Wage	
Cambodia	Minimum wage processes on national level	CNV-I	CLC, C.CAWDU	Living Wage	GMAC ACT ILO
Cambodia	ILOC190 Lobby	CNV-I	CLC, C.CAWDU	Gender based violence	
Cambodia	Conference	CNV-I	CLC, C.CAWDU	Gender based violence	
Cambodia	Letters to Embassy on SD	CNV-I	FWF Mondiaal FNV AGT (agreement on sustainable garment & textile)	Social Dialogue	
Cambodia	Letters to government	CNV-I	FWF Mondiaal FNV AGT (agreement on sustainable garment & textile)	Social Dialogue	
Cambodia	Supplier seminars	CNVI	FWF	Social Dialogue	
Cambodia	Lobby week 2017	CNV-I			
Cambodia	Lobby week 2018	CNV-I			
Cambodia	Lobby week 2019	CNV-I			
Cambodia	Lobby on Social Dialogue & freedom of association	CNV-I	CLC, C.CAWDU these are working together with: - Other Cambodian trade unions - CSO's - ITUC - IndustriAll	Social Dialogue	
Ethiopia	Support to local trade unions/capacity building of partners	M-FNV	IFTLGWTU	Social Dialogue	
Ethiopia	Supporting CBA processes	M-FNV	IndustriALL	Social Dialogue	Industrial Federation of Textile, Leather and Garment Workers' Trade Unions - IFTLGWTU
Ethiopia	Minimum wage processes on national level			Living Wage	
Ethiopia	ILOC190 Lobby			Gender based violence	
Ethiopia	Research	M-FNV	IFTLGWTU; EARUYAN Solutions	Gender based violence	

Ethiopia	Research	Mondial FNV	WageIndicator	Living Wage	CETU, IFETLGWTU
Ethiopia	Letters to Embassy on SD				
Ethiopia	Learning visit to Indonesia	M-FNV	IFTLGWTU	Gender based violence	PM, BILS, BLF, SAVE
Europe/ International	Brand awareness training	FWF	AGT, Plan Nederland, FNV, CNV	Gender based violence	
Europe/ International	Living wage indicator	FWF		Living Wage	
Europe/ International	ILO C190 lobby	CNV-I, M-FNV, FWF	CARE	Gender based violence	
Europe/ International	Starting event in Amsterdam	CNV-I, M-FNV, FWF	CNV, FNV, FWF		
Europe/ International	Pop up store in The Hague	CNV-I, M-FNV, FWF	CNV, FNV, FWF		
Europe/ International	Lobby Dutch government	CNV-I, M-FNV, FWF	CNV, FNV, FWF		
Europe/ International	Responsible Business Conduct Platforms: work with AGT, PST, FLA, ETI	FWF	FWF		
Europe/ International	Learning final event -Amsterdam	CNV-I, M-FNV, FWF	CNV, FNV, FWF		
Europe/ International	Applied research for brand and stakeholder lobby	FWF, CNV-I, M-FNV	Cornell University's New Conversation Project	Social Dialogue	

G. Selected cases

The cases that are listed for each country below carry the names of the activities in the matrix “Actors universe” that was developed for the End Term Evaluation by the SP partners during the inception phase (see Annex F). The bullet points below each case name refer to the criteria that each case fulfils.

Vietnam:

- SD: Support to local trade unions/capacity building of partners
 - MC-CBA project
 - Workplace Education Programme Communication
 - Labour code revision
 - Directors’ visit
- LW: Labour minute costing tool/product costing tool
 - Minimum wage processed on national level
- GBV: Research
 - Supplier seminar on GBV in 2019

Bangladesh:

- SD: Support to local trade unions/capacity building (IndustriAll)
 - Amendment labour law
- LW: Wages on the move - labour minute costing and product costing tools
 - Minimum wage processes
- GBV: Gender platform and GBV law
 - Anti-harassment committee
 - ILO C190 lobby
 - Awareness-raising on GBV

Myanmar:

- SD: Support to local trade unions for capacity building
 - Workplace Education Programme – communication module
 - Labour Consultative Forum
- LW: Wages on the move – labour minute and product costing tools
 - Minimum wage processes
- GBV: Lobby for integrating sexual harassment in OHS law
 - ILO C190 Lobby

H. Strategic Partnership follow up of Midterm Review

The evaluation team asked the Strategic Partnership partners to provide an overview on how the recommendations from the Midterm Review (MTR) have been followed up:

Overall recommendations	SP Follow up
Revamp the ToC and country strategies, and encourage local ownership	
<p><i>1. Organise one or more sessions to reassess the internal logic of the ToC - based on experiences so far - and to revisit and reconfirm the mutual commitments, reformulate shared mission, vision, strategy and targets per 2020 (and beyond), roles, mutual expectations and checks and balances, and with well-defined roles, based on existing evidence and data. At some part, include MFA in order to agree on a common agenda. Integrate FWF brand instruments (e.g. BPC and audits) more into the SP strategy.</i></p>	<p>PMEL workshops were held after the MTR in all seven SP countries. The ToC was found to still be valid. These workshops were about mutual understanding of the ToC and how this plays out into working together in the partnership. In these workshops, a sequence of ‘increased capacity’ – ‘increased engagement’ – ‘respect for and promotion of inclusive labour rights, policies and practices’ was agreed upon for mutually understanding the change logic in the ToC. This resulted for example in planning and documenting work in workstreams (combinations of activities that cluster work throughout this sequence). The workstreams linked to the ToC were used for the Annual Report 2018, and for the Annual plan for 2020.</p>
<p><i>2. Based on a revamped ToC, organise in-country strategic sessions with relevant stakeholders. Revisit the country strategies and programmes and revamp the ToA, in order to ensure a conscious, participatory and targeted in-country programme for all SP-partners and their affiliates (including the embassies, where feasible).</i></p>	<p>In 2018, the SP, together with its local partners, reviewed the ToAs in the four countries that were not covered in the MTR. For the four countries, the SP developed ‘Stories of Change’ that highlight the complexity of creating change in the garment industry. The stories also illustrate the work of the SP in the context of the ToC and ToAs. The described changes fit in the ToA.</p>
<p><i>3. Monitor feedback from the country sessions and adapt the overall strategy where possible and needed to create ownership and bottom-up approach.</i></p>	<p>Within the SP, Mondiaal FNV and CNV Internationaal work with local union federations, confederations and labour NGOs and have delegated the responsibilities to their national and regional consultants. Fair Wear Foundation works with country teams and their partners. They are in the driving seats in developing the annual plans. Several in-country sessions took place to develop and finalise the Annual plans of 2019 and 2020 together with local partners.</p>
<p><i>4. The MTR focussed only on three out of seven country-programs. Before revamping the ToA for the other countries, it is advised to organise in country-assessment for the other countries, similar to the ones executed in Vietnam, Bangladesh and Indonesia.</i></p>	<p>PMEL workshops took place in India and Myanmar. In Ethiopia stories of change were collected, and the ToC was discussed. In Cambodia several PMEL workshops and discussion took place. .</p>

<p>As part of the new strategy consider the following:</p>	
<p>5. Consider to strengthen SP coordination and capacity at country level, e.g. by appointing an in-country SP-coordinator. Such a coordinator could signal, develop and initiate options to maximise added value of the partnership and to create evidence, for instance through pilot interventions.</p>	<p>An in-country SP coordinator was not appointed in any of the countries, but the three SP partners have in-country staff in Bangladesh, Myanmar, India, Vietnam and Indonesia. The coordination efforts between the in-country staff members were systematised more in the past few years, for example through monthly check-in moments to plan and monitor SP work.</p>
<p>6. Develop one or more pilots whereby brands and unions operate jointly, for instance whereby suppliers, FWF brands and union partners engage in constructive dialogue at factory level and commit themselves to a targeted step-by-step action plan towards the goals of the SP.</p>	<p>The Wages on the Move project (Bangladesh, Myanmar) and the multi-company CBA project (Vietnam) are examples of these. However, when the brands of Fair Wear source in different factories than the ones where the local union partners of Mondiaal FNV and CNV Internationaal are active, it remains complicated to establish a direct link between brands, factories and workers. In these cases, the local partner organisations may form the link.</p>
<p>7. Assess the position of interventions directed at production for the domestic market within the SP and see how these link to the export oriented market. Use the established links between the domestic and the export oriented market to involve brands or agents in ways to improve labour conditions in the downstream industry. If clear links between downstream and the global value chain cannot be established, it is recommended that interventions targeting the downstream are cut loose from the SP.</p>	<p>The domestic market is outside the scope of the SP, as reconfirmed with the Ministry of Foreign Affairs. Mondiaal FNVs work in this section of the apparel industry in Bangladesh is now funded from other sources In SP downstream is only covered if there is direct links being assessed to the export market.</p>
<p>8. Reassess the added value of BPCs and factory audits for achieving the goals of the SP, adapt where needed and integrate these instruments into the SP methodology. Consider including questions regarding GBV and SD clearly and prominently in the BPC. Think of questions in the audit format to give the auditor an insight of how GBV is managed at factory level and include careful questions in workers' interviews.</p>	<p>Brand guidance has been developed on the themes of GBV and SD. There is also a plan to include indicators on these themes in the brand performance check: this is a three-year process, given the functioning of the brand performance check. In 2019, language was developed to include in the brand performance check for brands to focus in on the themes of SD and GBV. In the brand performance checks of 2020, this language will be used. The language incentivises brand to work on the themes, but does not give them points in the performance check systems for it yet. Indicators will be developed and implemented from 2021 onwards.</p> <p>Updating audit questions is not possible on a short-term basis because of the scope that exercise (number of auditors, factories, brand affected that should be trained); it requires longer term planning. This may be a next step after the changes in the brand performance check have been included.</p>
<p>9. Assess the commitment of the FWF brands (broader than participants in pilots) and other brands to the goals of the SP, set targets and measure what progress is being made and adapt the tools</p>	<p>Fair Wear developed a new Theory of Change for the organisation (not the entire SP) in 2019. This ToC includes a PMEL framework where progress is monitored for all brands and factories within Fair</p>

<p><i>accordingly. Start linking the brand performance to the working conditions in the factories, which can create evidence. Start forming stronger alliances with branche organisations, that can reach out to a larger number of brands.</i></p>	<p>Wear's scope. Progress is monitored by looking at the results from all audits or all brand performance checks.</p> <p>On the basis of the data from the audits and the brand performance checks, the linking of the brand performance check to the working conditions in the factories directly and making claims about direct influence of brands on working conditions is still a challenge, because of how this data is structured (e.g. audits take place once every three years only and not all factories where a brand sources have an audit in one year). To alleviate this methodological gap, Fair Wear will work on outcome harvesting and case studies from 2020 onwards to create evidence for the brands' influence on working conditions.</p> <p>CNV Internationaal and Mondiaal FNV created a questionnaire for brands to use when engaging with their suppliers on the topic of Social Dialogue in 2018. This was distributed to Fair Wear and Dutch Agreement on Sustainable Garments and Textile (AGT) member brands. It stipulated how to go further in due diligence efforts for FoA. The questionnaire was shared in a session co-organised by FWF and CNV Internationaal at the FWF Member Day, where key challenges and questions were discussed. Mondiaal FNV and CNV Internationaal staff reported a lot of enthusiasm amongst brands about the FoA questionnaire, and one brand reported to have integrated it into its own policy.</p> <p>Alliances by the SP with branche organisation InRetail and employers' federation VNO-NCW have been strengthened over the past few years, for example resulting in collective lobby efforts for the adoption of ILO convention 190.</p>
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Recommendations Bangladesh	SP Follow up
<p>Working more closely together towards shared goals may result in growing trust between the local actors. Invest in dissemination of 'best practices' regarding factory dialogue involving strong unions. Brands should publicly propagate the value of a well organised/unionised work force.</p>	<p>One FWF Brand Takko Fashion actively working on replicating of WEP- Anti Harassment Committee (AHC) and Violence Prevention Capacity Building in the factory.</p> <p>Another brand Stanley & Stella committed to run the WEP AHC program in their every factory.</p> <p>More brands included their supplier factories into WEP AHC program</p>
<p>Involving unions in setting up and implementing interventions will strengthen the sustainability of interventions. One or two pilots are could be developed to demonstrate the added value of FWF/brands and unions making use of each other's strengths at factory level.</p>	<p>Wages on the Move project included several stakeholders: brands, factories, unions.</p> <p>FWF also provided technical support for replicating AHC program including rights based NGO including union BCWS</p>
<p>Options to put unions more centre stage in the programme include:</p>	
<p>o The promotion of democratic trade unions should be an important aspect of the FWF interventions. Use the presence of a FWF brand to counter anti-union sentiments within factory management;</p>	<p>FWF decided to support Awaj Foundation for organising following activities-</p> <p>Management training on Workplace Cooperation , effective communication and Gender based violence (Day long session to 180 Management).</p> <p>Dialogue on Industrial relation and workplace cooperation between Workers and Management (60 workers + 60 Management=120 participants)</p> <p>Furthermore, workers must be aware of their rights to organize and should be free to do so. This is also part of the Workplace Education training of FWF. If factory management hinders this process, FWF and FWF brands will go against it and try to ensure workers can exercise their rights freely. This could mean that factory management must be persuaded to support this. However, it remains the choice of the workers to decide whether they organize themselves or not. Brands are not in the position to push or encourage workers to unionize. In case a union already exists, we could contribute towards a more healthy and regular dialogue between union and management</p>
<p>o Educate brands (and local brand representatives!) that productive social dialogue should involve a well organised workforce (i.c. a union).</p>	<p>FWF work in Bangladesh aims to set up functional AHCs. These are active grievance channels in which workers come to together with management to resolve issues. This essentially constitutes as social dialogue.</p>
<p>o Give unions, if they are present, a role in the formation and implementation of Anti-Harassment Committees (AHCs), the hotline and the WEP;</p>	<p>Experience and lessons learned from FWF on gender based violence and establishing AHC in factories disseminated.</p> <p>Provided technical support for replicating AHC</p>

	<p>program including rights based NGO like BCWS</p> <p>Unions are not active in the vast majority of factories. AHCs are formed through through a clear procedure, which includes representation from each department, a minimum number of women, etc</p>
<p>o Use WEP to inform workers on the benefits of democratic unions;</p>	<p>WEP is used to inform workers of their rights, including on Freedom of Association.</p> <p>Its ongoing process, by establishing independent grievance handling committees in the factory's workers will empowered and aware on their rights and will learn on the benefits of democratic unions</p>
<p>o Run a pilot to transform the Workplace Participatory Committees (WPCs) into factory unions. First step: reduce management control over WPCs, and ensure real democratic elections for WPCs (as prescribed by law);</p>	<p>During audits it is sometimes noted that WPCs are not formed democratically. This will then thus be a finding that factories would need to address and brands would need to monitor. WPCs are a legal requirement for factories. Transforming WPCs into union is not feasible and potentially illegal.</p>
<p>o Initiate direct and regular contact dialogue between the (FWF) brands and the unions; o Collect 'good practices' from trade unions and organise events to promote these best practices;</p>	<p>During FWF stakeholder and supplier seminars, good practices from factories with good relations with unions were shared. FWF and Awaj will jointly organized Experience sharing Program with Stakeholders on Industrial Relation and Workplace Cooperation</p>
<p>o Initiate a lobby (together with others) towards a 5% threshold for unionisation (the ILO norm);</p>	<p>Partner organizations, as well as FNV/FWF lobbied for reduction of the threshold. Threshold was reduced from 30 to 20 percent.</p>
<p>o Work together with ILO BW and learn from their experiences.</p>	<p>Discussions ongoing with ILO BW on how can complement in each other's activities, decided to start from overlapping factories</p> <p>An MoU of GBV Platform have finalized where following organizations are part of this coalition- UN Women, UNFPA, GIZ, FWF, ILO, SNV, OXFAM, ETI, Care Bangladesh, BSR.</p> <p>The purpose of this MOU is the collaboration among the Parties with respect to work cooperatively in creating sustainable and scalable training resources on workplace harassment and violence including gender-based violence in RMG factories in Bangladesh.</p>
<p>Look actively for options and possibilities to integrate interventions into the SP, using the strengths of all partners. Find ways to fit the work in the downstream into the intervention logic of the SP. If the partnership with FWF provides no added value to the interventions in the downstream industry, it should be discussed why these interventions are part of the SP-programme.</p>	<p>The downstream industry is outside the scope of the SP, as reconfirmed with the Ministry of Foreign Affairs.</p>
<p>The Dutch embassy needs more capacity to assume an active, facilitating role in the SP. SP-members and partner-organisations should actively seek embassy involvement.</p>	<p>In 2018, the Dutch embassy arranged a reception for key industry stakeholders, including the government, the BGMEA, the Accord, and union federation leaders. The goal was to facilitate more informal dialogue with and between relevant stakeholders.</p>

	Cooperation with the Dutch embassy continues.
Appoint an independent SP-coordinator in Bangladesh, to strengthen coordination between the SP partners and to investigate ways to maximise the added value of the SP.	No SP-coordinator was appointed. Coordination happens between the FNV-consultant and the Fair Wear country representative. Also, the Gender Platform, which consists of all Fair Wear and Mondiaal FNV partners in Bangladesh, meets at least quarterly to share developments and information to identify collaborative activities.
Recommendations Indonesia	SP Follow up
SP partners in Indonesia are increasingly collaborating and sharing experiences. There is still room for more strategic target setting and collaboration.	All three SP partners are represented in Indonesia, and there is also staff working in Indonesia. The coordination of the work has been systematised a bit further after the MTR, for example through monthly coordination calls.
The Freedom of Association protocol is seen as a national success, and is a protocol for which the different SP partners have successfully lobbied. The FoA protocol still has great potential to be further promoted and implemented.	The FoA protocol is still being worked on. See pilot study FoA protocol. Based on concern, departing from a recent study, to urge the Indonesian NGOs and trade unions to refresh and revitalise their networking and relationship, some international organisations that are having commitment to support the struggle of better working condition of garment workers in Indonesia are offering a coordination meeting on social dialogue in garment sector of Indonesian workers. Prior to that coordination meeting, these international organisations are willing to listen more to the field actors on their reflection and suggestions. In doing that, some individual interviews and focus group discussions with leaders of trade unions and labour NGOs in Indonesia have been organised. The purpose of such activities is to review the process of advocating decent work through existing social dialogue mechanisms protocols to discover the challenges, obstacles and opportunities to be clearer and more measurable.
The added value of pilot projects as gathering evidence for a proof of concept and a scalability assessment is still very true in Indonesia. However, strategic partners could increase their efforts to find synergies with each other to make pilot projects stronger in concept and contents and increase the potential for scalability.	The pilot projects of the FoA protocol and the sharing of experiences on the MC CBAs and the GBV-free zones continues. There is some better coordination of efforts and a more active collaboration on these.

<p>There have been successful lobby activities in Indonesia that show potential of the program and the local partners that were selected. Lobby targets could at times be more clearly defined and more strategically chosen. There are opportunities to increase the effectiveness of lobby efforts through collaboration with or lobby at other relevant parties in Indonesia, such as the Indonesian planning agency Bappenas.</p>	<p>Director's visit was used as a lobby-event</p> <p>Monthly coordination calls help the team in better defining and strategically choose its lobby targets.</p>
<p>Lobby capacity of partner organizations in Indonesia seems to slowly improve, and partners are increasingly gathering evidence to support their lobby work. There is concern whether partner organizations will be able to withstand a changing environment such as the move of factories from northern Jakarta to central Java.</p>	<p>The capacity of partner organisations was strengthened through learning visits: in 2018 international partners from Ethiopia, Myanmar, India and Bangladesh came to Indonesia, and in early 2020 representatives of Indonesian partners visited South India. Both exchanges focused on strategies for reducing gender based violence. This capacity strengthening might not directly contribute to resilience of Indonesian partner organisations in a changing national context (as described in the recommendation of the MTR). But these learning exchanges were organised by the SP based on the explicit request of the partner organisations, who saw them as beneficial for their organisational strengthening.</p> <p>Learning visit regarding GBV and SD/MC CBA from Cambodia to Indonesia.</p>
<p>Recommendations Vietnam</p>	<p>SP Follow up</p>
<p>The partnership can benefit much more from the collaboration. Find ways to involve the other SP partners in current interventions, en develop one or two interventions that make use of the synergy of a joint approach</p>	<p>The SP partners in Vietnam, CNV Internationaal and Fair Wear, started to operate more as one project team, and they work more coherently. There are still some challenges sometimes in involving each other at the early stage of an activity. Particularly for engaging Fair Wear member brands and their suppliers, it is crucial to start communication about this very early in the process.</p>
<p>The L&A capacity will benefit from FWFs registration. A joint L&A strategy and capacity building, linked to the international level will benefit the work in Vietnam and create understanding how evidence can be used to strengthen lobby activities.</p>	<p>The lobby for the labour code revision in Vietnam in 2019 made use of evidence, and was coordinated between SP partners.</p>
<p>The country coordinators should ensure there is more ownership at the national level. FWF should move capacity from the Amsterdam head office in order to build a Vietnam FWF-team. And/or appoint a SP-coordinator in Vietnam who can alleviate the FWF country representative and the CNV-consultant. Main task of the coordinator should be to enhance the added value of the SP in Vietnam, bases on local opportunities and needs;</p>	<p>No SP coordinator has been appointed in Vietnam, but the cooperation between the CNV consultant Yen and the Fair Wear country representative Viet Anh has improved considerably. The joint SP process of the lobby for the labour code revision in Vietnam demonstrates that the SP is now better equipped to respond to local opportunities.</p>
<p>Overall recommendations</p>	<p>SP Follow up</p>

<p>Revamp the ToC and country strategies, and encourage local ownership</p>	
<p><i>1. Organise one or more sessions to reassess the internal logic of the ToC - based on experiences so far - and to revisit and reconfirm the mutual commitments, reformulate shared mission, vision, strategy and targets per 2020 (and beyond), roles, mutual expectations and checks and balances, and with well-defined roles, based on existing evidence and data. At some part, include MFA in order to agree on a common agenda. Integrate FWF brand instruments (e.g. BPC and audits) more into the SP strategy.</i></p>	<p>PMEL workshops were held after the MTR in all seven SP countries. The ToC was found to still be valid. These workshops were about mutual understanding of the ToC and how this plays out into working together in the partnership. In these workshops, a sequence of ‘increased capacity’ – ‘increased engagement’ – ‘respect for and promotion of inclusive labour rights, policies and practices’ was agreed upon for mutually understanding the change logic in the ToC. This resulted for example in planning and documenting work in workstreams (combinations of activities that cluster work throughout this sequence). The workstreams linked to the ToC were used for the Annual Report 2018, and for the Annual plan for 2020.</p>
<p><i>2. Based on a revamped ToC, organise in-country strategic sessions with relevant stakeholders. Revisit the country strategies and programmes and revamp the ToA, in order to ensure a conscious, participatory and targeted in-country programme for all SP-partners and their affiliates (including the embassies, where feasible).</i></p>	<p>In 2018, the SP, together with its local partners, reviewed the ToAs in the four countries that were not covered in the MTR. For the four countries, the SP developed ‘Stories of Change’ that highlight the complexity of creating change in the garment industry. The stories also illustrate the work of the SP in the context of the ToC and ToAs. The described changes fit in the ToA.</p>
<p><i>3. Monitor feedback from the country sessions and adapt the overall strategy where possible and needed to create ownership and bottom-up approach.</i></p>	<p>Within the SP, Mondiaal FNV and CNV Internationaal work with local union federations, confederations and labour NGOs and have delegated the responsibilities to their national and regional consultants. Fair Wear Foundation works with country teams and their partners. They are in the driving seats in developing the annual plans. Several in-country sessions took place to develop and finalise the Annual plans of 2019 and 2020 together with local partners.</p>
<p><i>4. The MTR focussed only on three out of seven country-programs. Before revamping the ToA for the other countries, it is advised to organise in country-assessment for the other countries, similar to the ones executed in Vietnam, Bangladesh and Indonesia.</i></p>	<p>PMEL workshops took place in India and Myanmar. In Ethiopia stories of change were collected, and the ToC was discussed. In Cambodia several PMEL workshops and discussion took place. .</p>
<p>As part of the new strategy consider the following:</p>	
<p><i>5. Consider to strengthen SP coordination and capacity at country level, e.g. by appointing an in-country SP-coordinator. Such a coordinator could signal, develop and initiate options to maximise added value of the partnership and to create evidence, for instance through pilot interventions.</i></p>	<p>An in-country SP coordinator was not appointed in any of the countries, but the three SP partners have in-country staff in Bangladesh, Myanmar, India, Vietnam and Indonesia. The coordination efforts between the in-country staff members were systematised more in the past few years, for example through monthly check-in moments to plan and monitor SP work.</p>

<p>6. Develop one or more pilots whereby brands and unions operate jointly, for instance whereby suppliers, FWF brands and union partners engage in constructive dialogue at factory level and commit themselves to a targeted step-by-step action plan towards the goals of the SP.</p>	<p>The Wages on the Move project (Bangladesh, Myanmar) and the multi-company CBA project (Vietnam) are examples of these. However, when the brands of Fair Wear source in different factories than the ones where the local union partners of Mondiaal FNV and CNV Internationaal are active, it remains complicated to establish a direct link between brands, factories and workers. In these cases, the local partner organisations may form the link.</p>
<p>7. Assess the position of interventions directed at production for the domestic market within the SP and see how these link to the export oriented market. Use the established links between the domestic and the export oriented market to involve brands or agents in ways to improve labour conditions in the downstream industry. If clear links between downstream and the global value chain cannot be established, it is recommended that interventions targeting the downstream are cut loose from the SP.</p>	<p>The domestic market is outside the scope of the SP, as reconfirmed with the Ministry of Foreign Affairs. Mondiaal FNVs work in this section of the apparel industry in Bangladesh is now funded from other sources In SP downstream is only covered if there is direct links being assessed to the export market.</p>
<p>8. Reassess the added value of BPCs and factory audits for achieving the goals of the SP, adapt where needed and integrate these instruments into the SP methodology. Consider including questions regarding GBV and SD clearly and prominently in the BPC. Think of questions in the audit format to give the auditor an insight of how GBV is managed at factory level and include careful questions in workers' interviews.</p>	<p>Brand guidance has been developed on the themes of GBV and SD. There is also a plan to include indicators on these themes in the brand performance check: this is a three-year process, given the functioning of the brand performance check. In 2019, language was developed to include in the brand performance check for brands to focus in on the themes of SD and GBV. In the brand performance checks of 2020, this language will be used. The language incentivises brand to work on the themes, but does not give them points in the performance check systems for it yet. Indicators will be developed and implemented from 2021 onwards.</p> <p>Updating audit questions is not possible on a short-term basis because of the scope that exercise (number of auditors, factories, brand affected that should be trained); it requires longer term planning. This may be a next step after the changes in the brand performance check have been included.</p>
<p>9. Assess the commitment of the FWF brands (broader than participants in pilots) and other brands to the goals of the SP, set targets and measure what progress is being made and adapt the tools accordingly. Start linking the brand performance to the working conditions in the factories, which can create evidence. Start forming stronger alliances with branche organisations, that can reach out to a larger number of brands.</p>	<p>Fair Wear developed a new Theory of Change for the organisation (not the entire SP) in 2019. This ToC includes a PMEL framework where progress is monitored for all brands and factories within Fair Wear's scope. Progress is monitored by looking at the results from all audits or all brand performance checks.</p> <p>On the basis of the data from the audits and the brand performance checks, the linking of the brand performance check to the working conditions in the factories directly and making claims about direct influence of brands on working conditions is still a challenge, because of how this data is structured</p>

(e.g. audits take place once every three years only and not all factories where a brand sources have an audit in one year). To alleviate this methodological gap, Fair Wear will work on outcome harvesting and case studies from 2020 onwards to create evidence for the brands' influence on working conditions.

CNV Internationaal and Mondiaal FNV created a questionnaire for brands to use when engaging with their suppliers on the topic of Social Dialogue in 2018. This was distributed to Fair Wear and Dutch Agreement on Sustainable Garments and Textile (AGT) member brands. It stipulated how to go further in due diligence efforts for FoA. The questionnaire was shared in a session co-organised by FWF and CNV Internationaal at the FWF Member Day, where key challenges and questions were discussed. Mondiaal FNV and CNV Internationaal staff reported a lot of enthusiasm amongst brands about the FoA questionnaire, and one brand reported to have integrated it into its own policy.

Alliances by the SP with branche organisation InRetail and employers' federation VNO-NCW have been strengthened over the past few years, for example resulting in collective lobby efforts for the adoption of ILO convention 190.

I. Country report Vietnam

Abbreviations

CBA	Collective Bargaining Agreement
CDI	Vietnam Centre for Development and Integration
CNV-I	National Confederation of Christian Trade Unions' organisation for international relations
DECP	Dutch Employers' Cooperation Programme
DoLISA	Department of Labour, Invalids and Social Affairs
EVFTA	EU-Vietnam Free Trade Agreement
FES	Friedrich Ebert Stiftung
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GLWC	Global Living Wage Coalition
HCMC	Ho Chi Minh City
ICD	International Cooperation Department
IDH	The sustainable trade initiative
ILO	International Labour Organisations
IWTU	Institute of Workers and Trade Unions
LEFASO	Vietnam Leather Footwear Association
MCCBA	Multi-company Collective Bargaining Agreement
MFA	Ministry of Foreign Affairs
MoLISA	Ministry of Labour, Invalids and Social Affairs
NA	National Assembly
PACs	Project Advisory Committees
TPP	Trans-Pacific Partnership
VCCI	Vietnam Chambers of Commerce and Industry
VCOSA	Vietnam Cotton and Spinning Association
VGCL	Vietnam General Confederation of Labour
VITAS	Vietnam Textile and Apparel Association
VND	Vietnamese Dong (currency)
WEP	Basic workplace education programme (Fair Wear)
WEPC	Workplace education programme on Communication (Fair Wear)

1. Ready-made garment sector context

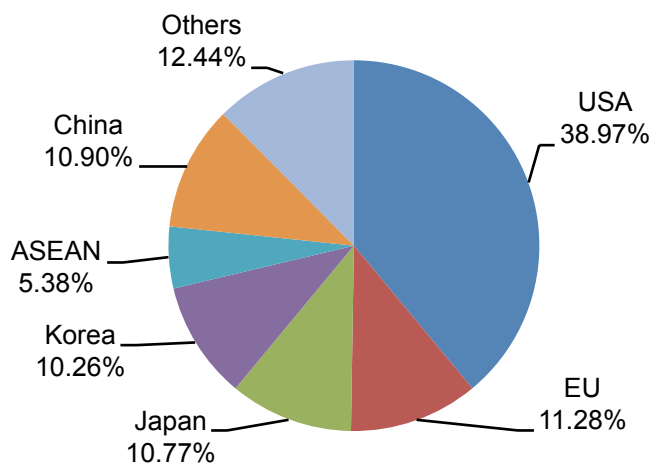
1.1 Industry Overview

In 2018, the scale of the global textile and apparel industry turnover is estimated to be about 1,438.6 million USD. The textile and apparel industry is one of the key industries in Vietnam, as it is the second largest export sector, which contributes to 10-15% of the GDP. The total number of textile and garment enterprises is approximately 7,000 with a total employment of 3 million people, representing ¼ of the country's work force. In recent years, the textile industry has continuously grown at an average rate of 17% a year. The biggest export markets for Vietnam's textile and garment industry include the United States (38,97% of total export value) and Europe (11,28%) in 2019.

In the fourth quarter of 2019, clothing production increased compared to the same period in 2018 due to increased demand from large markets like the US, Japan, and South Korea. The total export value of Vietnam's garment and textile industry by the end of 2019 was USD 39 billion a 7,55% growth from 2018.

It is predicted that Vietnam’s textile and apparel export turnover may reach tens of billions USD by 2025 thanks to a new generation of free trade agreements such as the “EU-Vietnam Free Trade Agreement” (EVFTA) that was ratified by the Vietnam National Assembly in 2020, and the “Comprehensive and Progressive Agreement for Trans-Pacific Partnership” (CP-TPP) that came into force in Vietnam on 14th Jan 2019.

Figure I.1: Vietnam’s garment export markets 2019



2019 was a remarkable year for Vietnam, with an extensive revision of its labour law, the ratification of International Labour Organisation Convention 98 (the right to organise and bargain collectively), and a push for approval of the free trade agreement with the EU. Although the progress is positive, there is also a need for more independent monitoring and effective guidance on implementing the new legislation. Moreover, the pressure on Vietnam to demonstrate political reform and sign the free trade agreement created a complex political climate for addressing sensitive topics such as a living wage. However, 2019 was also considered a particularly difficult year for Vietnam’s textile and garment industry, with many unpredictable market fluctuations which lasted longer than expected. The U.S.-China trade conflict caused the total textile demand of 2019 to increase by only 3.3%, less than half compared to the previous year. Among the 5 largest textile and apparel exporting countries in the world, China, and Pakistan both experienced decreased exports, while Bangladesh, India and Vietnam managed to end up slightly on the positive side.

In addition to declining aggregate demand, the bigger difficulty is the short-term business trend, defending against unpredictable policies, international trade, short-term orders, difficulties in optimizing plans and costs that have led to a decline in efficiency despite revenue growth.¹ At the same time, Vietnam also faces the challenges of complying with the increasing focus on rules of origin, labour standards, labour pressure and wages, strict requirements of social responsibility, eco-labels, environmental protection and much more.

1.2 Social dialogue and collective bargaining agreement

The working conditions has had many positive changes contributing to maintaining political and social stability such as the state management has gradually been strengthened, the society’s awareness of labour relations has been raised, trade unions’ activities have been innovative, dialogue activities and collective bargaining have been promoted, labour disputes and strikes in businesses have decreased, and workers’ lives have gradually improved. The Vietnamese

¹<https://vinatex.com.vn/developing-sustainable-value-chains-in-the-textile-industry/>

government has prepared for the ratification of the ILO C98 and allowing more trade unions than the state party-controlled VGCL.

- Dialogue in enterprises has been implemented. Some typical dialogue models have been established to carry out information sharing, discuss and propose advisory initiatives to enterprise management that comply with the labour law in order to ensure the rights of workers and the interests of enterprises. One such example is the model of the Advisory Board for enterprise improvement in textile enterprises participating in Better Work Vietnam Programme with the participation of representatives of both employers and the workers.
- Negotiation and signing of collective bargaining agreements (CBAs)² have increased by 5% compared to 2013, and there has also been an increase in the share of agreements being based on negotiations rather than just a blueprint of labour law regulations.³ Typical topics to be included in the negotiated CBAs are increasing wages, bonuses, mid-shift meals, allowances, allowances, working time, and rest time.
- Negotiating and signing of sector-level CBAs were also piloted;
 - Two central-level CBAs were signed, one in the textile industry with 85 participating enterprises and the other in the rubber Industry with 35 participating enterprises.
 - Two local sectoral CBAs were signed including Hanoi Textile Industry with 32 participating enterprises and Garment Industry in Binh Duong province with 13 participating enterprises.
 - Six collective CBAs were signed with several enterprise groups based on sector, geography, or ownership, covering in total 37 enterprises.

These are promising steps towards the implementation of the regulations set out in the 'Labour Code 1994' and the 'Labour Code 2012', and newly revised 'Labour Code 2019' (effective by 2021) on collective agreements at sector levels and for enterprise groups respectively.

When it comes to labour dispute and strikes in Vietnam, there has been a general decline over the last decade, with a 50% reduction of such incidents between the five-year periods 2008-2012 and 2013-2018. The same is the case also for the Textile and Garment Industry, which accounts for around 40% of the total strikes in the 2007-2018 period, which was reduced to under 30% of total strikes and labour disputes in the first half of 2019.⁴

In practice, most dialogue and CBAs have not yet followed the dialogue process, negotiation process and regulations of the law. CBAs are commonly a copy of the labour law. Upto the ratification of the ILO C98, Freedom of Association has been restricted by law, and there has only been one recognized trade union, and as such there has not been independent worker representation. The quality of the dialogue and CBAs is still limited and has not derived from the will of, nor a quality dialogue with, workers. Very few factory trade unions are able to negotiate benefits for employees on wages, bonuses, allowances, working time, rest time and salary increases. Many employers still consider CBAs only as a "claim for benefits" from workers,

² Also referred to as collective labour agreements in Vietnam

³ The Report No. 726-BC/BCSD: https://quanhelaodong.gov.vn/nhin-lai-10-nam-xay-dung-quan-he-lao-dong-tai-viet-nam/#_ftn28

⁴ Ibid.

<https://baomoi.com/cong-nhan-nganh-may-dinh-cong-chu-yeu-do-luong-co-ban-khong-du-song/c/30320261.epi>;
<http://vneconomy.vn/tren-82-vu-dinh-cong-xay-ra-tai-doanh-nghiep-fdi-20190807225557827.htm>

therefore the work of negotiating and signing of CBAs in many enterprises has yet to be properly understood and recognised.

The representatives from workers who participate in the dialogue are not elected by the workers themselves, the topics discussed are not collected, organised or synthesized and analysed before being presented in the dialogues, the majority of the matters discussed focus only on resolving benefits for workers instead of paying attention to solutions to management, improving labour productivity, or production and business efficiency for enterprises.

1.3 Living wage

Vietnam has four minimum wage regions reflecting the cost of living in each region. In addition to wages, the law allows for allowances in areas like seniority, responsibility, training, exposure to toxins and hazardous work, travel, housing, attendance, productivity bonus, periodic support, etc. Types and levels of allowances differ between companies. Workers in formal garment companies in Vietnam have their base wage specified in the labour contract, required to be at least the minimum wage with an additional 5% for hazardous working condition and 7% for trained workers. Vietnam's statutory minimum wage is far below what a person needs to cover the essentials such as food, housing, healthcare and education.⁵

As a consequence, even when one includes the wages most garment workers earn *on top* of the minimum wage they receive, they regularly fall short of what is considered a living wage (LW). The national average minimum wage in Vietnam is VND 3.34 million (based on the stipulated minimum wage of 2018), which is around 37 per cent of the Asia Floor Wage and 64 per cent of the Global Living Wage Coalition (GLWC) benchmark. 99% of the workers earn below the Asia Floor Wage, and 74 per cent earn below the GLWC benchmark. Subsequently, when considering overtime income, over 52 per cent of workers in Vietnam are earning below the GLWC benchmark and still 99 per cent compared against the Asia Floor Wage. If different additional allowances are not factored in, workers' wages from work completed during standard working hours is not enough to live at even the most basic level.⁶

1.4 Gender-based violence (gender discrimination or harassment at the workplace)

In Vietnam, about 80 per cent of the workers in garment and textiles are women. They face many issues of patriarchy, violence against women, lack of social protection, and sexual harassment in the workplace. Workers' awareness about gender-based violence (GBV) and sexual harassment remain limited and inaccurate, mostly because of ineffective mechanisms to address and prevent, therefore sexual harassment still occurs. The reaction of victims and witnesses usually tends to be to keep silent, walk away, or blame the victims instead of denouncing the perpetrators. Therefore, these cases tend to be ignored without any proper reports, and therefore also lack solutions. Many people overlook sexual harassment, yet it can damage the victim deeply, give them low self-esteem and anxiety, in addition to the negative effects it has on their work.

A baseline survey in 4 factories of Hai Phong and Ho Chi Minh in 2018⁷ confirms the high prevalence of sexual harassment, see Figure I.2 below.

⁵ "The consequences of low wages – a study on fashion suppliers in Vietnam", Institute of Workers and Trade Unions (IWTU) and Oxfam, 2019

⁶ Ibid.

⁷ Part of the "Initiative to end gender-based violence against women in Garment sector in Vietnam", 2018, funded by Global Fund for Women

Figure I.2: Prevalence of sexual harassment according to survey in four factories



Between 75 and 88 per cent of victims of sexual harassment keep silent because of feeling shame and fear of losing personal honour. Nearly one-third of respondents said the reason for the silence was because they did not believe they would be protected if they spoke up, reflecting a worrying lack of faith in the enforcement of justice in the current society.

Sexual harassment impacts women's lives and limits women's development. Victims of sexual harassment in the workplace experience negative influences: around $\frac{3}{4}$ of victims experienced fear and loss in confidence and/or felt anxiety and depression; around half of the women were de-motivated or had a breakdown in the working relationship and low productivity while one third were afraid of being dismissed.

There was no clear definition of sexual harassment in the 'labour code 2012', this only came in the 2019 revised labour code. There is a lack of protection mechanism in factories, at district and provincial level, to deal with violence and sexual harassment cases.

2. Short description of the SP partners in Vietnam and their (main) activities

Fair Wear Foundation (Fair Wear) has been active in Vietnam since 2006. In 2020, the number of Fair Wear brands present in Vietnam was 29, sourcing from 155 factories throughout the country. Most factories that Fair Wear members source from are in, or around, Hanoi and Ho Chi Minh City and produce outdoor and sports goods. Fair Wear maintains stakeholder relations and works with a local team of auditors, trainers, and complaints handler.

CNV International (CNV-I) is part of the Dutch National Confederation of Christian Trade Unions. CNV-I has worked with trade unions in developing countries since its establishment in 1967. Together with its partner organisations, CNV-I protects and promotes workers' rights by means of a consultative and coherent model, based on Christian social thought. Social dialogue (SD), trade union pluralism and workers' individual responsibility are key values. CNV-I's mission is to contribute to Decent Work in developing countries by strengthening the position of workers in the formal and informal economy. CNV-I focuses on SD, Labour Rights in Supply Chains and Youth Employability. The Dutch Trade Union CNV-I entered Vietnam at the start of the Strategic Partnership for Garment Supply Chain Transformation, an innovative programme to improve labour conditions in the garment industry.

Fair Wear, CNV-I and The Dutch Ministry of Foreign Affairs⁸ entered in 2016 into a “Strategic Partnership” (SP) for Garment Supply Chain Transformation as part of the “Dialogue and Dissent” 2016-2020 framework of the Dutch Ministry of Foreign Affairs. The partnership aims to improve corporate and government policies on human rights compliance in apparel supply chains in Vietnam by demonstrating how it is possible to move towards living wages, constructive SD and reducing GBV and developing practical solutions to key problems in garment supply chains. The SP’s high-level goal is “Improved labour conditions in Vietnam readymade garment supply chains while ensuring a healthy and viable readymade garment industry”.

Table I.1: Description of SP activities in Vietnam looked at by the End Term Evaluation

Thematic Area	Description of Each Activity	Objective of Activity	SP Partner/s	Key Partner Organisation /s	Type of Activity
SOCIAL DIALOGUE	Activity 1: Supporting local trade unions with capacity building of partners	<ul style="list-style-type: none"> Build pool of trainers on SD and MCCBA. 	CNV-I	Vietnam General Confederation of Labour (VGCL)	Funding Training Engagement Lobbying
	Activity 2: MCCBA Project and Supporting MCCBA Processes	<ul style="list-style-type: none"> Enhance SD and negotiation of MCCBA Improve labour conditions for garment workers in three pilot provinces in Vietnam Engage the participation of at least four suppliers of Fair Wear brands 	CNV-I	Vietnam General Confederation of Labour (VGCL)	Training Engagement Lobbying
	Activity 3: Basic workplace education programme (WEP)	<ul style="list-style-type: none"> Increase awareness and commitment of factory management for the benefits of SD. Get commitment from factories to improve labour standards in cooperation with Fair Wear members. 	Fair Wear	Fair Wear Member Brands and Factories	Capacity Building Raising Awareness
	Activity 4: Workplace education programme on Communication (WEPC)	<ul style="list-style-type: none"> Build communication and problem-solving skills of workers and management Stimulate a workplace environment, which supports and encourages management to engage in dialogue with worker representatives when raising and resolving issues. Increase factory management’s capacity to engage in dialogue 	Fair Wear	Fair Wear Member Brands and Factories	Capacity Building Raising Awareness

⁸ Dutch trade union Mondiaal FNV is also part of the Strategic partnership but currently not active in Vietnam.

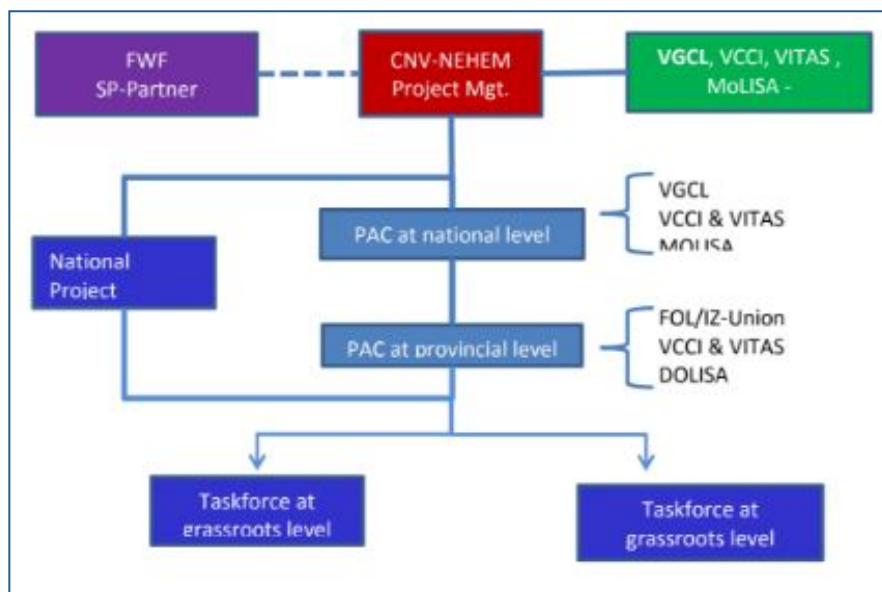
		<p>with brands about their practices which can have an impact on working conditions at the factory</p> <ul style="list-style-type: none"> • Fair Wear publishes information of programme and the brands will select and discuss with their suppliers 			
LIVING WAGE	Activity 5: Labour Code Revision	<ul style="list-style-type: none"> • Jointly provide recommendations for revisions of labour code. • Advocate SD and collective bargaining, GBV and LW 	Fair Wear / CNV-I	Fair Wear / CNV-I CDI	Policy Change Engagement
	Activity 6: Partnership Development	<ul style="list-style-type: none"> • Vietnam Fashion Show Week • Lobby Week (2017, 2018, 2019) • Present evidence • Organise events targeting Vietnamese stakeholders in order to influence the Vietnam Labour Code Revisions. 	Fair Wear / CNV-I The Dutch Ministry of Foreign Affairs	VGCL MoLISA CDI IDH	Events Organisation Engagement
GENDER-BASED VIOLENCE (GBV)	Activity 7: GBV Research	<ul style="list-style-type: none"> • To be used to lobby with the Drafting Committee towards including a definition of sexual harassment in Labour Law amendment of 2019 • Research findings to be shared with Drafting Committee and Department of Cultural and Social Issues of the National Assembly. • To increase the awareness on GBV prevalence on the factory level 	Fair Wear	International NGO	Capacity Building Engagement
	Activity 8: GBV supplier seminar	<ul style="list-style-type: none"> • Building a common understanding of GBV. • Sharing the international and domestic requirements on GBV prevention; • Review the key risks and issues in Vietnam; • Develop effective solutions to prevent and address GBV in garment and footwear industry in Vietnam 	Fair Wear	VCCI	Content & Methodology Development Workshop Facilitation

To oversee the MCCBA project, Project Advisory Committees (PACs) has been established at national and provincial level with the roles to advise and monitor the development and progress of the project. The national PAC operates as a steering committee, drafting and guarding the main guidelines and recommendations for the project provincial committee. The project committee at national level is seen as a more policy making and evaluating body. It ensures that the project receives the necessary political support at national level, in the selected provinces as well as enterprise level where the project pilot takes place. It encourages its counterparts and other relevant actors at different levels to collaborate in the implementation, monitoring and evaluation of the project activities. (See figure I.2 below for PAC structure.)

The PAC at national level has the following member composition:

- VGCL acts as chairperson of the National PAC
- Department of Industrial Relations and Wage, MoLISA acts as Vice Chairperson of National PAC
- Bureau of Employer’s Activities, VCCI acts as Vice Chairperson of National PAC
- VITAS – Member
- Department of Labour Relations, VGCL – Member
- Department of Public Relations, VGCL - Member
- Department of International Cooperation

Figure I.3: Project Advisory Committee



Depending on needs, other stakeholders will be invited to contribute to selected meetings of the PACs.

3. Outcome stories

3.1 Social dialogue

Capacity building and mobilisation of social partners to establish a Multi-Company Collective Bargaining Agreement

An MoU signing ceremony was organised in July 2018 with the aim of confirming the commitment of CNV-I, the Confederation of Labour (VGCL) and the Chambers of Commerce and Industry (VCCI) in promoting effective SD and collective bargaining in the garment sector during the

period from April 2018 to December 2020. The 76 participants of the ceremony included high ranking leaders from CNV-I, VGCL, VCCI, VITAS and The Ministry of Labour, Invalids and Social Affairs (MoLISA), in addition to representatives from the Dutch Embassy, Business Associations, trade unions, International Organisations and NGOs such as ILO, FES, Fair Wear, and media. The event obtained wide media coverage.

The overall objective of the pilot Multi-Company Collective Bargaining Agreements (MCCBA) project is to improve SD and the industrial relations environment as well as labour conditions for garment workers in three pilot provinces in Vietnam: Hung Yen, Dong, Nai and Ho Chi Minh City, in collaboration with at least four suppliers of Fair Wear brands. The project aims at enabling stakeholders especially at provincial and grassroots levels to experience real SD and multi-employer collective bargaining, which ultimately would lead to system-wide changes in law, operational policy and practice. This also directly responds to the challenge faced by Vietnam where the existing legal framework on SD and collective bargaining is not fully implemented.

The efforts were concentrated on initiating effective cooperation between social partners and strengthening the capacity of VGCL, VCCI / VITAS, Provincial Business Associations, MoLISA and the local authority in labour-related issues. CNV-I has provided technical and financial support for VGCL.

- VGCL is one of the two social partners, a vital stakeholder and consequently has a crucial role in the tripartite committees, both at national and provincial level. Its role at central level can be seen as policy maker, while at regional level there is more focus on protection of labour rights and bargaining. Moreover, VGCL is considered the main administrative partner who assists the CNV-I team with project registration, invitation of foreign consultants, etc. VGCL is the key direct implementing partner as well as the project holder.
- Employers' organisations VCCI and VITAS are the other main stakeholders. At central level, their role is policy-making and safeguarding employers' rights, while at the regional level (provincial VCCI / VITAS / Provincial Business Association) it is enterprise representation and negotiation. The employers' associations have seats in the tripartite committees. In addition, VCCI and VITAS provide assistance to the provincial implementation partners to identify pilot companies.
- MoLISA and DoLISA (at district level) are responsible for guarding the labour law and regulations within the SD. MoLISA takes seat in the project national committee and DoLISA in the project provincial committee. MoLISA and DoLISA are there to facilitate the dialogue between the social partners in the multi-employer collective bargaining process and consider recommendations developed by provincial and grassroots levels in labour law revision process.

A pool of 20 local trainers on SD and MCCBA was set up following four sessions of Training of Trainers, with 59% of the trainers coming from national and provincial federations of labour, 14% trainers from VCCI, and 14% trainers from MoLISA and DoLISA.

In 2019, several training workshop on SD were held in two different districts of the Hung Yen province for trade union representatives at different levels, employers' associations and authorities. Late November 2019, a study visit to the Netherlands took place with 15 participants from the social partners who gave positive feedback on what they gained from the visit, especially insight into the Dutch 'polder model'⁹ and effective SD in the Netherlands. Upon the completion of

⁹The polder model stands for consensus-oriented consultation between the social partners.

the study visit, VGCL at national level and district level strongly supported the idea of involving the grassroots as much as possible.

As shared by VGCL, there were 20 core trainers trained during phase one of the project. One district union representative said: *“After being trained, we became more active, more visionary, more knowledgeable and gained skills on dialogue and negotiation. The knowledge and understanding of unionists are improved and upgraded, the grassroots trade unions participating in the taskforces is also the core force for us to expand further to other groups of unions.”*

One company had received support from the Federation of Trade Unions of Van Lam District, grassroots trade union, agencies, and organisations during the process of developing the MCCBA. The company acquired methods to respond timely to issues as well as solve the matters that were raised. Basically, the company put up a platform for all employees to work proactively and positively. A representative of the factory union said: *“The MCCBA is a result and a model. However, we received more benefits from the project than just a result, such as the supports from all parties throughout the process, the taskforce was built and the taskforce members were trained by experts from CNV-I and MoLISA to enhance our professional qualifications, our ability to better connect employees and employers, and to improve or perfect our skills on dialogue and negotiation between employees and employers”.*

The direct involvement of VGCL as project holder, using the tripartite partners as local trainers and consultants in project activities for example in revising the MoU and project document text, developing training materials and mapping the garment sector in selected provinces and cities proved to be an effective practice. This increased ownership and enabled better understanding of the local partners on their project ideas, spirit, approaches and activities. As a result, they showed greater support for CNV-I’s work in Vietnam. At the same time, with the support from VGCL for project registration and involvement of tripartite partners, CNV-I has gained access to the top-level policy makers in Vietnam for engaging with actors like MoLISA and relevant NA members in lobby and advocacy work.

3.1.2 Partner organisations engaging to support the MCCBA Process

A key element of the project strategy is the use of pilot initiatives through a bottom-up approach, meaning that most of the project interventions take place at the enterprise level. The negotiation process will have participation of production workers. Changes in practice at factory level through pilot work are perceived to have an important show-case effect and provide an important source of results-based learning for stakeholders. This is particularly the case where stakeholders are implementing SD and collective bargaining at company group level. Pilot initiatives also provide a platform for further scaling up of actions where successful results emerge and ultimately in form policy change.

The project activities are designed to combine separate activities for each implementation partner with joint activities for all implementation partners. The stakeholders who receive support from SP also participate in the PAC at provincial and district level, advocate with factory management to conduct SD, participate in the negotiation process and training as well as put the newly gained knowledge into practice. At national level, members of the PAC were appointed by tripartite agencies including two officers from VGCL (one from the International Cooperation Department (ICD) and one from the Industrial Relations Department), two officers from VCCI (Bureau for Employers Activities), two officers from VITAS, and later two officers from MoLISA (Industrial Relations and Wage Bureau).

According to a district union chairperson, the grassroots trade unions have been working closely together but most of employers and/or management of enterprises operating in Van Lam District did not know of one another. However, the many meetings and bargaining activities made

employers and management of the enterprises aware of one another and so they started to cooperate. An important point is that even though none of the participating enterprises are suppliers to Fair Wear members, they became connected through the process and the pilot became a success. As shared by one factory representative: *“The MCCBA process has created a playground that connects many companies and organisations and thus created a wider culture.”*

3.1.3 A Pilot MCCBA worth more than USD 650,000 per year for 1,450 workers was signed in Van Lam, Hung Yen Province

At provincial level members of the project development committee were appointed by the social partners from the Hung Yen province. By July 2018, the project had been deployed in Van Lam District in Hung Yen Province by VGCL, and thanks to the active work and commitment of Van Lam Trade Union, the seven selected companies (four Vietnamese-owned, one Japanese-owned, two Korean-owned) agreed and committed to participate in the project¹⁰.

As a result of a series of activities with capacity building, the MCCBA of five of the seven companies participating in the project “Promoting effective social dialogue and collective bargaining in the garment industry in Vietnam” was signed on 14th July 2019, based on the participating companies’ wish-list and priorities, bringing benefits to all the parties. The MCCBA, provides approximately 1,450 employees with eight new benefits. The End Term Evaluation team estimated the value of these eight benefits to an equivalent of VND 15,302,630,768 roughly USD 656,772 per year above the national minimum wage set for Hung Yen Province. The eight new benefits are:

- 13th month wage bonus with at least 1 monthly wage for those who have been working for 12 months, and a proportionate reduction for workers having worked for less than 12 months.
- Bonus for initiatives, emulation, and productivity improvement for those employees who have initiatives, high productivity and achievements in emulation movements launched by enterprises and trade unions.
- Shifts meal allowance to employees with a value of at least VND 16,000 per person per meal (estimated for food costs only).
- Beside rest period between shifts, the employees shall be entitled to a short break of at least 10 minutes to do exercise.
- Monthly menstruation allowance for female employees with the amount from 30,000 VND to 50,000 VND per person per month.
- Every year, enterprise shall allocate at least 8 hours (during working hours and paid time off) for grassroots trade unions or upper level trade unions to organise training for employees to improve legal knowledge for employees.
- Every year, enterprises shall organise sightseeing, travel, or extracurricular activities to improve the emotional life of workers.
- Enterprises shall organise cultural activities, music events, provide monetary support or give gifts to employees on public holidays and anniversaries¹¹.

One worker in one of the signatory factories said she was excited upon the signing:¹²*“I feel very reassured and will continue to accompany the business because I and many other workers will enjoy better benefits when the MCCBA is implemented.”*

Another worker said: *“Before joining into the MCCBA, the company had applied only some clauses mentioned in the MCCBA. However, when signing the MCCBA, the company applied*

¹⁰ Presentation of TU and ILO dated 11th November 2019

¹¹ Such as Lunar New year, New Year, King Hung’s death anniversary, International Women Day – March 8, Independent Day – April 30, Labourer Day – May 1st, National Day – September 2nd, the establishment day of the company.

¹² <http://dangcongsan.vn/dua-nghi-quyet-trung-uong-6-trung-uong-7-vao-cuoc-song/tu-nghi-quyet-den-cuoc-song/thi-diem-viec-thuong-luong-ky-ket-thoa-uoc-lao-dong-tap-the-theo-nhom-nganh-530734.html>

additional clauses that benefit the workers such as short breaks during a shift, additional meal, and allowance for menstrual periods for female workers.”

One factory union representative and member of the taskforce expressed: *“After the employees informed about the company’s participation, the meaning and the results that the project brought forth, the employees have been very excited about the direct benefits entitled to them, such as more short breaks to rest and to relax, mental-care, health-care, better meal quality, encouraging allowance for creation / innovation and contribution, and extra allowances. This is one of the substantial values of the agreement, beyond the formalism, that’s a significant meaning of the project successfully achieved after nearly one year of implementation through many stages.”*

One of the five employers' representatives who directly signed the MCCBA, referring to the fact that both district trade unions part of the agreement were approved by the VGCL, pointed out that *“Implementing the MCCBA will help reduce labour disputes and strikes that are not in accordance with the law, limiting labour fluctuations, labour competition among the participating enterprises, helping businesses build its image in the eyes of workers, attract new workers, confirm its position and its brand”*¹³.

One representative of the provincial level union shared that what was agreed for the pilot MCCBA in Van Lam is the average standards among the enterprises who signed the MCCBA, meaning that signatory enterprises with conditions below average will work to level-up when joining the MCCBA. This was considered positive as it makes a good start to encourage companies to join:

- Companies without any CBA see that this something they will be able to implement;
- Companies that are below average CBA level can feel that this is a good chance to upgrade their CBA level;
- Companies that have higher average CBA level can feel that this is a good opportunity to join, share and expose and at the same time still maintain their existing internal higher-level CBA for their own workers.

The MCCBA shall be reviewed after two years, when its contents should be upgraded to higher levels. Joining the MCCBA, provides a good opportunity for participating enterprises to confirm their brand positioning, enlarge their voices, receive more support, build a better image in the eyes of the workers, and considerably reduce the number of labour disputes.

Sharing the experience for scaling up

After signing the pilot MCCBA, the SP partners have moved towards scaling up in order to reach more factories' and eventually more workers. 31 other garment factories in Hung Yen province, Dong Nai province and Ho Chi Minh City agreed to participate in similar MCCBA processes. It is expected that these new MCCBAs will provided benefits to approximately 31,190 employees from 31 garment factories. It is also assumed that if these MCCBAs included the same or similar benefits as agreed in the Van Lam’s MCCBA, the new MCCBAs would have an estimated annual value of VND 349,858,230,000 equivalent to USD 15,015,536.

The VGCL perceives the strength of the MCCBA to be that it is signed by a group of enterprises and a strong trade union, and this can encourage employees to be more efficient. The VGCL sees the need for the MCCBA process to be propagated and widely introduced to businesses, workers, and all levels of trade unions. They want the MCCBA to be expanded, supervised, and

¹³ Extracted from an article on the e-news of Communist Party Newspaper dated 05 Aug 2019:<http://dangcongsan.vn/dua-nghi-quyet-trung-uong-6-trung-uong-7-vao-cuoc-song/tu-nghi-quyet-den-cuoc-song/thi-diem-viec-thuong-luong-ky-ket-thoa-uoc-lao-dong-tap-the-theo-nhom-nganh-530734.html>

well implemented. *"It must be affirmed and proved that enterprises participating in CBAs will do better, have higher labour productivity, and income and welfare for employees will be better"*¹⁴.

VITAS also believes that this form of signing MCCBA, as the example from the pilot in Van Lam in Hung Yen Province, should be expanded. They would like it to spread to be able to have more of an impact. One factor they found to be distinctive from the Textile and Garment Industry CBA was that there must be two equivalent partners at the same levels to sign with each other.

The Federation of Trade Union of Hung Yen Province found the MCCBA to be one step ahead of existing CBA practices. The pilot MCCBA is more efficient in terms of time spent on bargaining, while still being able to guarantee the quality of the bargaining agreement. The MCCBA is also more feasible to deploy and easier to implement than the existing industry CBA. According to a representative from VGCL, the pilot MCCBA is more appropriate and suitable with the conditions of businesses in Vietnam than the existing industry CBA. Based on the results of the MCCBA pilot, a clause has been specifically added into the revised labour code 2019 which will be effective by 2021. It is no longer a pilot, it has entered the scaling up phase and mass deployment. VGCL is planning for some 32 MCCBA similar to the one done in Van Lam to be signed, an important outcome of the SP project. The Industrial Relations and Wage Bureau of MoLISA informed that by July 2019 there have been six nationwide MCCBAs, including the SP pilot MCCBA, and confirmed that the new Labour Code includes a section on MCCBA and sector CBA¹⁵.

A recent ILO study highlighted the MCCBA approach as a lesson learnt on strengthening unions' bargaining power¹⁶. CNV-I has had several meetings with ILO Hanoi to introduce the MCCBA project and explore possibilities of a partnership to introduce the MCCBA in Better Work factories. CNV-I and Fair Wear have been invited to participate in PPP¹⁷ (Public Private Partnership) meetings. Through this platform, good practices of MCCBA in the garment sector have been shared with other stakeholders and organisations. In 2020, the SP partners were invited to participate in VITAS, VCOSA and LEFASO meetings on the EU-Vietnam FTA and the application of ILO Convention 98 to share good practices of MCCBA in the garment sector with other sectors such as leather and footwear, cotton and spinning.

During the 3rd quarter of 2019, Thu Duc and Tan Binh Districts in Ho Chi Minh City (HCMC) were selected as a new pilot region for the SP. The Ho Chi Minh Project Advisory Committee was set up with two people from HCMC Federation of Labour, two from each District Federation of Labour (Tan Binh and Thu Duc), and Representatives of DoLISA, VCCI-HCM and VITAS in HCMC. Four Training of Trainers modules have been conducted and the final module was scheduled for June 2020, just prior to the group bargaining on MCCBA. A taskforce of 14 members in Thu Duc District from six companies and a taskforce with five members in Tan Binh District from three companies have been established.

3.1.4 CNV-I and partner VCGL partners show high convening ability in holding seminar with National Assembly's members

¹⁴ Extracted from an article on the e-news of Communist Party Newspaper dated 14th July 2019:<http://dangcongsan.vn/xa-hoi/gan-4000-nguoi-lao-dong-duoc-huong-loi-tu-thoa-uoc-lao-dong-tap-the-nhom-528521.html>

¹⁵ In the Labour Code 45/2019/QH14 dated 20 November 2019 to be effective by 01 January 2021, a section on MCCBA and sector CBA has been included in Art. 72, 73, 81, 84, 85.

¹⁶ https://www.ilo.org/hanoi/Whatwedo/Publications/WCMS_747753/lang--en/index.htm

¹⁷ Agreement to support sustainable development of textiles and footwear sectors by the Ministry of Industry and Trade, Ministry of Natural Resources and Environment, Ministry of Labour, Invalids and Social Affairs (MOLISA), Vietnam Textile and Apparel Association (VITAS), Vietnam Leather Footwear Association (LEFASO), Vietnam Cotton and Spinning Association (VCOSA), IDH and representatives from brands such as Marks & Spencer and GAP.

In a SD seminar with members of the National Assembly (NA) on 22nd October 2019, the MCCBA concept was presented to stakeholders and partners. The tripartite stakeholder group who participated in the study visit to the Netherlands in November 2019 shared their reflections on the SD model in the Netherlands. The experiences with the implementation of the MCCBA processes in Van Lam District in Hung Yen Province were also presented to members of the NA. Participants in the seminar included MoLISA, the National Wage Council, VGCL, suppliers, labour NGOs, and IDH, together with the media. The participants provided positive feedbacks to the seminar, mentioning that the MCCBA project is useful and practical. The seminar is likely to have contributed to the decision of participating NA members to vote for an approval of the revised Labour Code 2019.

3.1.5 Basic workplace education programme (WEP) has increased capacity for improved worker-management communication in 75 factories

The Workplace Education Programme (WEP) is an “introduction to workplace awareness and dispute handling” programme that focuses on basic topics on management-worker dialogue, which can lead to better communication and addressing grievances and concerns. Effective systems for communication and dispute handling are often associated with increased worker satisfaction levels and increased rates of worker retention. This is a first step in a process that can have important benefits for the participating factories. WEP is a training package providing short, targeted onsite training for management, supervisors, and workers with a basic introductory module of labour rights. Participants also learn about Fair Wear’s compliant mechanism. The WEP started in 2014 with the objective of raising awareness about workplace standards and effective methods for communicating about problems at the workplace, and to gain the commitment of factory management to realise the benefits of SD towards improving labour standards in cooperation with Fair Wear members. The factories pay to participate in the WEP trainings.

Fair Wear delivers training for management and workers aiming to involve at least 10-20% of the workforce, depending on the size of the factory, and involving worker representatives¹⁸ and/or factory trade unions in training and on-going rollout so that they, as worker representatives, can understand workers’ rights.

A total of 75 factories joined the WEP Basic Programme between 2014 and 2019 with 10,235 people taking part in the trainings, divided between 79% workers and 21% managers at all level. 80% of the participants were female, and 90% out of the 75 participating factories were from the garment sector, including fashion, work-wear, women wear and outdoor, while 10% were from other products such as shoes, gloves, bags and accessories. An average of 12% of the total workforce of the 75 factories and 50%-60% of managers at all levels participated in the WEP Basic Programme.

3.1.6 200 workers and 196 managers with increased capacity to communicate through Workplace education programme on communication (WEPC)

WEPC has been specifically designed to assist factory managers and workers to engage in a safe and constructive dialogue, so that the production process and working conditions improve. WEPC is an intensive training for management, supervisors, and a selection of workers. It is important that the general manager, the HR manager, and other managers that communicate with workers on a day-to-day basis are present for the training. Participating in the training helps

¹⁸ In Vietnam, the union representative can be a manager.

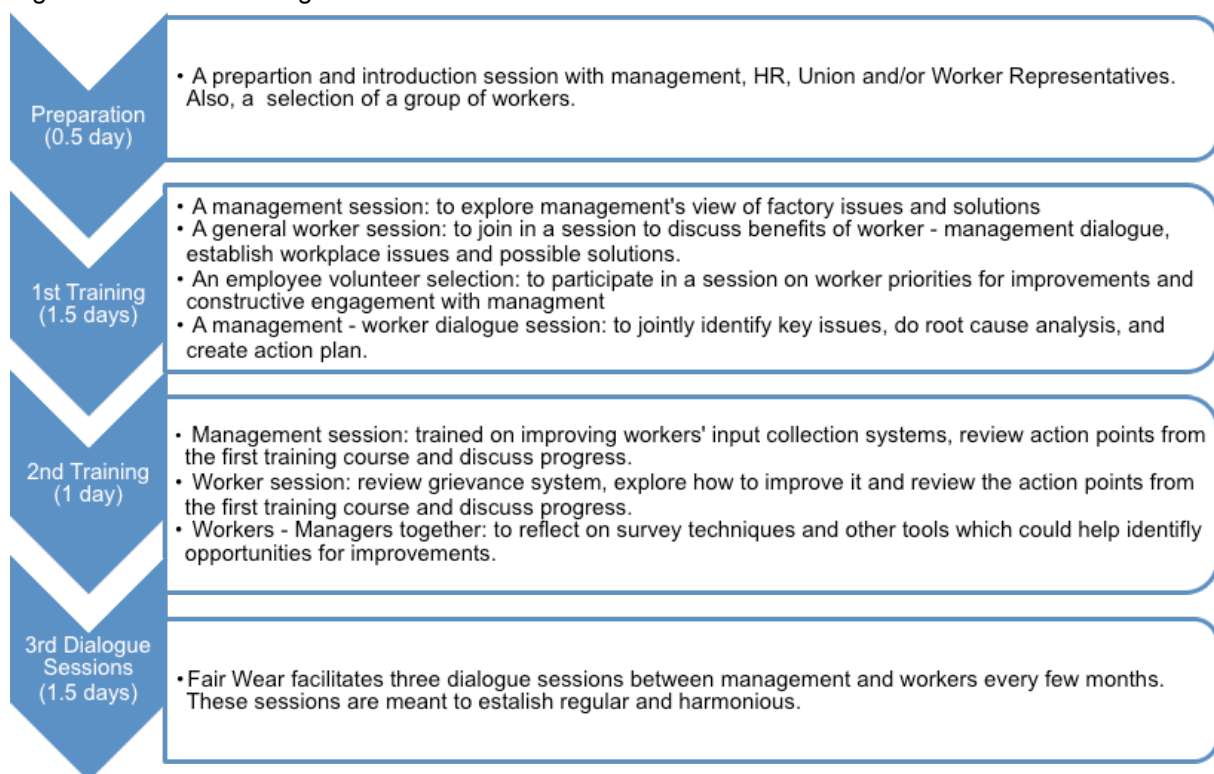
workers and management to develop skills and tools to assess workers' opinions, concerns, and grievances. Workers learn to present their findings in a systematic way and openly discuss solutions with management, and thereby widening workers' understanding for management decisions. At the end of the training, management should be able to address workers' concerns or grievances internally at an early stage. This could lead to enhanced harmony in the workplace, higher productivity, improved production processes as well as loyal and committed workers.

WEPC is a one-year programme with one introductory and five training sessions for both workers and management. The WEPC training programme rollout is presented in Figure I.2.

The pilot training started in June 2019, it was offered free of charge to selected factories producing for Fair Wear member brands. The six participating factories¹⁹, five with Korean and one with Vietnamese ownership, supply eight Fair Wear brands, some factories produce for two to three Fair Wear members.

Depending on the size of factory, between 15 and 30 workers and 12 to 20 managers at all levels from each factory attended the full programme. In total, 260 workers and 196 managers from the six participating factories completed the full one-year programme. Another four factories confirmed their participation in the full one-year WEPC programme for 2020.

Figure I.4: WEPC training



According to workers from one of the participating factories, after having attended two training sessions, they had learnt about communication, health and safety issues and understood their rights, including wages, allowances, leaves, and working conditions. Their benefits had been improved, their wages were stable, and they had less overtime. All the issues that they had raised had been solved by management. They claimed that their knowledge had improved by 30% to 40% compared to before. The workers felt more confident when presenting problems or

¹⁹ Located in Hanoi, Nam Dinh, Hai Duong, Thai Binh, Nghe An, Ho Chi Minh City, and TienGiang

other issues. The communication had become more open and enthusiastic, and there was a better understanding between the parties. The workers said the following about the WEPC:

- *“It is marvellous and suitable for workers”*
- *“It is very good because the training programme is helpful for workers and management”*
- *“It is very useful because I can learn many things and know more about the rights and benefits of workers”*
- *“It is very good after two training courses, I learnt more about dialogue between workers and managers such as who to report to when there is a production problem”*

3.2 Living wage

3.2.1 Fair Wear and CNV-I contributed to substantial improvements in the Labour Code on wages

The SP lobby and advocacy activities are directed towards making sure the wording of “Living Needs” remains in the amendment of the labour law and ensuring that the minimum wage calculations in the National Wage Council discussions in 2020 are coherent with a living wage level.

The Vietnam government adopted the proposal of the National Wage Council to increase the minimum wage levels for four regions effective from January 2019. It is estimated that this reflects approximately 75%-80% of the minimum living needs level. All garment factories that were audited by Fair Wear showed that minimum wage levels were met. Fair Wear continued to work with factories and brands on the Labour Minute Costing tool. A partnership with the Vietnam Chamber of Commerce and Industry was explored in 2019 and entered into effect in 2020.

The Vietnamese Government, in a 5-year plan, has committed to increase the minimum wage levels to a minimum living standard starting from 2020. The national debate on what is considered the minimum standard, as proposed in the National Wage Council, has provided an opportunity for the SP to use its knowledge to influence discussions on the topic.

SP engaged in different, complementary, and simultaneous lobby opportunities on multiple levels including the engagement in the process of labour code revision and advocated for changes in the articles. Evidently,

- Fair Wear participated in the consultation workshops that were organised by the MoLISA and joined the national Civil Society network meetings as well as multiple and bilateral talks with MoLISA and NA members.
- In April 2019, the SP hosted a successful roundtable on LW in collaboration with the Vietnam Centre for Development and Integration (CDI). With key contributions from the VGCL and members of the National Wage Council, Fair Wear presented its LW approach and labour costing methodology which gained wide interest from Vietnam stakeholders as well as local Vietnamese media.
- Fair Wear and CNV-I jointly submitted written recommendations to the draft labour law which included evidence from practice experience. In the written submission, the SP provided recommendations on articles related to wages and working hours, SD, collective bargaining, gender equity, and sexual harassment. For each article, a suggested change or recommendation was provided, together with a “rational description” which contained arguments and evidence from pilot experiences, wage analysis data, audits, trainings, and complaints. The written recommendations have also been used by CNV-I in their meetings with VGCL and by Fair Wear in consultation talks with members of the NA, who were eventually responsible for voting on the labour code.
- As a result of the interventions, MoLISA invited Fair Wear (on behalf of the SP) to several consultation workshops to discuss the recommendations and to elaborate on the rationale and discuss the suggested changes.

- In addition, there were collaborations with Vietnamese civil society in organising consultation workshops and advocacy workshops. Fair Wear joined in several rounds of consultation workshops among civil society organisations (CSOs) to identify the priority issues and collect inputs for further advocacy activities. This enabled the SP and its local partners to align their input and messages with civil society and strengthen the capacity for a joint lobby strategy.

The joint efforts together with other CSOs, NGOs and organisations contributed to changes included in the revision of the Labour Code 2019. Four of SP's recommendations have been fully accepted: one for definition of wages (Art.90), two on minimum wages (Art.91) and one on over-time work (Art.107). Four other recommendations have been partly accepted: bonus (Art.104), sexual harassment is a single clause of prohibited acts (Art.8), internal work regulations (Art.118); and state policies on gender equity (Art.135). Even though "violence" is not defined in line with international conventions, it is mentioned in article 67 as Issues of collective bargaining.²⁰

The new labour code issued on Nov 20th, 2019 shall come into effect by Jan 1st, 2021. Changes made were a result of several factors in a complex political climate, including SP's interventions. There was considerable external pressure from the EU, the US, and the ILO on the Vietnamese Government to revise its labour code based on international conventions and commitments in the FTA with the EU. MoLISA confirmed that Fair Wear, CDI and many other NGOs had been actively involved in lobbying towards changes in the Labour Code, however, MoLISA felt that there was not a lot of difference between the different NGOs. The revised Labour Code of 2019 is a significant improvement compared to the 2012 version, and better protection for workers will bring benefits to approximately 3 million people working in the Garment and Textile industry.

3.3 Gender-based violence

3.3.1 GBV Research uncovered evidence of high levels of violence and harassment in Vietnamese garment factories

The research and events took place amidst a global shift in attitudes regarding the acceptability of sexual harassment. The unprecedented global movement to name sexual harassment, social media campaigns such as #ngungimlang (stop silence) and #MeToo, and campaigns by International NGOs in Vietnam, have helped to give women affected by violence and harassment a voice, and have broken the silence surrounding the problem. Vietnam was dealing with several public reports of sexual harassment (not necessarily from the garment industry) and was facing international pressure at the time of the upcoming Free Trade Agreement with the EU.

The role of the SP was to provide clear evidence of the prevalence and forms of GBV in the Vietnam garment industry. There are limited research and official statistics on violence and harassment against women in Vietnam's garment sector. This lack of data is mirrored in audit data and inspection / remediation reports carried out by Fair Wear involved in auditing the working conditions in the garment sector.

The study²¹ was conducted by Fair Wear between May 2018 and June 2019 in conjunction with international and Vietnamese NGO partners. Interviewers, who connected the study team to local communities where the 763 interviews and seven focus group discussions were carried out in three Vietnamese provinces, were trained in research skills and understanding of GBV and gender equality issues, including the definitions used in the research. Participatory activities were carried out through two consultation workshops (one before the study and one at the end) with important Vietnam stakeholders to gain feedback on the methods, survey questionnaires and findings. The objective of the research was to create evidence to use for lobbying the Drafting

²⁰ Fair Wear and CNV-I's submission to revised Vietnam Labour Code for consultation by MoLISA

²¹ See also *Vietnam - Violence and harassment – 2019*, SP draft story of change

Committee, and the Department of Cultural and Social Issues of the NA to include a definition of sexual harassment in the revision of the Labour Code 2019.

The study uncovered high levels of violence and harassment. 43% of the garment workers interviewed stated that they had experienced at least one form of violence and harassment in the workplace during the previous months. This study identified twelve factors that are closely associated with violence and harassment in the garment sector and provided unprecedented insights into garment workers' experiences of violence and harassment in Vietnam. In particular, the study showed that low pay, long working hours, involuntary and excessive overtime, production pressures, and lack of policy or procedures are strongly associated with a disrespectful working environment and the occurrence of violence and harassment. The findings provided important evidence on the issues that women garment workers are facing. It pointed to areas where clothing brands and suppliers along with Vietnamese stakeholders (government, employers, trade unions, factories and NGOs) could bring positive changes in their operations. The research brought evidence to show the need for the new ILO Convention 190 on Eliminating violence and harassment in the world of work.

The planned workshop was cancelled at the last minute after some preliminary findings from the draft research report was published in an article by "The Guardian"²² without the knowledge of the SP partner organisations and the MoLISA. This coincided with a visit of the Dutch Trade Mission headed by the Dutch Prime Minister. The article in the "The Guardian" made the Vietnam look very bad in terms of sexual harassment at the workplace at a very sensitive time. A negative reaction from MoLISA to the published (and somewhat misrepresented) findings prevented the SP to officially launch the report in Vietnam. In spite of this, the SP has managed to have an impact on the public debate around violence and harassment at work. Vietnamese local media copied the findings from the research that were published in "The Guardian" and gave the findings large outreach. Indirectly, the research has contributed to changing the wording in the new labour code in Vietnam²³, as expressed by the Vietnam Ministry of Labour.

With the joint efforts together with other CSOs, NGOs and organisations, the SP has contributed to the revision of the Labour Code 2019. The meaning of sexual harassment has been made clearer in the Labour Code 2019 such as in the clause 9 of article 3, it is defined as "*any sexual acts of a person against another person in the workplace against the latter's will*"; the item of "*assurance of gender equality and actions against violence and sexual harassment in the workplace*" can be included as one of the issues for collective bargaining (clause 7, article 67) and as one of the key contents in the Internal Labour Regulations (item d, clause 2, article 118). Also, as one of the circumstances for dismissal as one of the disciplinary reasons if committed (clause 2, article 125), as one of the forbidden actions (clause 3, article 8), equality shall be ensured and implementation of prevention of sexual harassment in the workplace (clause 1, article 135), salaries fairly without discrimination against genders of employees who perform equal works (clause 3, Article 90). This is one of the good news not only for about 3 million people working in garment and textile industry, but for working women in Vietnam in general.

3.3.2 Partner engaging in influencing suppliers through convening a seminar on GBV at the workplace

In October 2019, the key findings of the research were presented in a supplier seminar, co-hosted by Fair Wear and the Vietnam Chambers of Commerce and Industry (VCCI). More than

²² <https://www.theguardian.com/global-development/2019/apr/07/violence-sexual-abuse-vietnam-garment-factory>

²³ Sexual harassment mentioned in the Labour Code 2012 had no definition of what it means. In Article 8, it was mentioned as prohibited acts; in item c clause 1 of article 37 clause 1, it was mentioned as one of the cases that employee has the right to unilaterally terminate the contract sooner; and in the clause 4 article 182, it was mentioned as the acts of sexual harassment.

60 participants representing the employers, employees, brands, garment association, Fair Wear and non-Fair Wear members and ILO Better work discussed efficient mechanisms for factory management to implement. Together with other sessions, the seminar has helped participants gain better understanding and awareness on GBV in the workplace in general, and violence and sexual harassment in particular.

The supplier seminar was an alarm for the participants, urging them to take action as soon as possible. After the seminar, some suppliers shared that they have taken prompt action by reviewing the system and implemented changes to prevent and address violence and harassment more effectively²⁴. Unfortunately, this End Term Evaluation did not have a chance to interview participants from VCCI who could confirm the impact of the seminar.

3.5 Lessons learned from efforts that have not yielded expected results

Reduced effect of capacity building due to trained trainers' retirement in MCCBA process

As shared by VGCL, there were 20 core trainers trained and capacity built during phase one of the project, however, some of them (most from the employers' association) are retired and not in-service. Retired core trainers could not be employed by the project. VGCL pointed this out to the CNV-I who later on reviewed the criteria for selecting personnel to be trained as core trainers.

Unfortunate communication of GBV Research

The SP research partner organisation, Fair Wear and MoLISA had expected to organise a sharing and counter-argument workshop on the research draft's preliminary results and the findings. As agreed, the Department of Legal Affairs from MoLISA would co-host the workshop together with the partner NGO and Fair Wear in April 2019. The contents and logistics of the workshop had been well prepared for the day. However, the workshop was cancelled last minute due to the publication of findings in "The Guardian", without the knowledge of the partner organisations. This media coverage took place right before the official sharing and counter-argument workshop, a bad timing for the Vietnamese government that was in the process of signing the EVFTA with European Governments. The unannounced media coverage was negatively received by some Governmental bodies of Vietnam, particularly MoLISA. They were working with the SP partner organisation and were in the process of advocating towards the revision of the labour code and had quite strong reactions towards the published news. The incident placed one of the SP partner organisations in an awkward position where it decided to withdraw its name completely from the research. Fortunately, the partner organisation was able to collaborate with the Department of Legal Affairs and the Department of International Cooperation from MoLISA in the development of guiding decrees and circulars for the revised Labour Code 2019. One lesson learnt from this is that unilateral use of media to create political pressure does not combine well when governmental bodies are already partners involved in the process.

4. Sustainability

To ensure sustainability of the programme, the SP has invested time and resources in strengthening the capacity of SP partner organisations and local ownership.

VGCL told the End Term Evaluation that based on the results from CNV-I's trainings and other similar trainings, they plan to develop and prepare a long-term training plan from 2020 to 2023.

²⁴"Feedback after supplier seminar"

They expect to train about 200 personnel who will undergo trainings similar to those conducted by CNV-I, aiming for 150-180 becoming SD experts throughout the country. Later, when the mass deployment of the MCCBA starts, there will be a team of professional experts specializing in dialogue and negotiations ready for the entire Vietnamese Trade Union system.

The fact that VGCL has started to systematically plan for capacity building is a sustainability gain deriving from them taking part in the SP programme and has helped VGCL to build a trained team that is currently very effective. Trade union representatives from Lam District and Hung Yen Province who were trained by the project, have gained knowledge in new and effective methodologies and contents of dialogue and negotiation, in line with the Dutch model. The newly trained trade union people see the needs for the methodologies to be replicated more broadly and request also to expand the topics. They hope that CNV-I would support the long-term training plan of VGCL.

The direct involvement of VGCL as project holder of the MCCBA pilot process, as well as in several more operational roles, proved to be an effective approach in that it ensured ownership and gave credibility to CNV-I's work at local, regional and national levels, including high level policy makers.

The establishment of national and provincial PACs is one of the good initiatives to sustain the regular interactions of all the decisive and key stakeholders. The PAC is tripartite, or multi-stakeholder, by nature, contributes to holding the parties loyal to the process and facilitates the lobby and advocacy process after witnessing the fact-finding evidences from the pilot projects.

VCCI was deeply involved in co-hosting the GBV Supplier Seminar in October 2019. Together with Fair Wear they developed the agenda, organised the seminar, invited participants, prepared logistics, prepared presentations and jointly facilitated the workshop, followed up actions after the seminar under the technical supports from Fair Wear in developing contents, methodology, and facilitation. After this, the VCCI have made plans to organise several GBV trainings and workshops in 2020. At the same time, VCCI is one of the SP's targets for policy influencing and it needs to take action in supporting employers in capacity building and developing policy to prevent and address GBV. Making a target for advocacy co-responsible for a process is an effective way of strengthening the understanding, engagement, capacity, and ownership of advocacy target organisations.

The GBV research partner organisation was engaged by Fair Wear, that directed the partner organisation in conducting and coordinating the GBV research in Vietnam during the period of 2017 to 2020 under technical support from Fair Wear experts that included:

- discussions with experts from Fair Wear to design the research, research content, research methodology, and budget;
- skill building in participatory research methodology;
- organisation of the trainings and sharing workshops;
- implementation of research in one province and
- quality control of the whole research process in Vietnam.

In parallel, the partner organisation employed the Centre for Development and Integration (CDI) as local subcontractor to support with

- conducting the pilot interviews,
- joint discussion on questionnaire development and
- conducting research in the other three provinces.

As a result, CDI has gained enough capacity to continue carrying out the work after the launching workshop was cancelled due to the sensitivities of the topic and its findings.

CDI, an active Vietnamese NGO working on labour issues, was also engaged by SP to collaborate in hosting a roundtable on LWs with key contributions from the VGCL and members of the National Wage Council. CDI has also been engaged with and has joined with other network and organisations including the SP to work on the joint review of the draft and the revision of the Labour Code. As well as organising several advocacy workshops to raise their voices on relevant issues, while the SP plays a convening role that provides inputs for the joint recommendations for new policy. The SP engagement with CDI has contributed to strengthening CDI's own advocacy agenda on labour rights and issues and enabled them to broaden their voice.

5. Relevance and Value Added

5.1 SP niche and investments

As shared by VITAS, the Textile and Garment Industry CBA covers the whole industry, but the CNV-I MCCBA pilot is considered to be unique. Its bottom-up approach and brands' involvement makes it different. However, the pilot in Van Lam District in the Hung Yen province has not yet seen any brands' involvement²⁵. The MCCBA project offers a newer approach that may not need the same level of signatories as required in the Textile and Garment Industry CBA. The signing of a CBA can be carried out under many different forms, one such format is when a member of a group of enterprises is appointed to represent the group in dialogue and negotiations with a representative from the corresponding group of unions, such as was done in Van Lam District. The district union of Van Lam represents the five factory unions of the five companies' signatories to the MCCBA, with five business owners without requiring a representative from a business association. Considering the Vietnamese setting, this is a special approach and it's the first of its kind. In Vietnam, this bottom-up MCCBA initiative is one of the SP niches that is aligned with the process of Vietnam's trade union innovation agenda and suitable for the situation at grassroots level. Traditionally, this system has been largely top-down, especially when it comes to how to channel complaints and the voices of workers. VGCL had planned to scale up the pilot initiative to the national level once the pilots are successfully completed.

As shared by the Dutch Embassy, when compared against other large scale garment sector projects which focus a lot more on compliance of the factories or training in factories, the niche for SP is influencing the brands (from EU, Dutch and automatically from consumers in these countries) and their sourcing practices. The SP implements their programme in different geographic areas and at different administrative levels and engage the entire value chain with different thematic focus areas such as GBV, SD and decent wages. The more difficult part is that SP might have been too ambitious in attempting to align with all other organisations present, such as the ILO.

5.2 Value added of Strategic Partnership

The SP partners organised several joint activities including the Lobby Week. The objectives of this activity were to strengthen staff's capacity on how to plan, organise and implement lobby and advocacy and to align efforts at national and international level. In Vietnam, the SP and partner organisations undertook more joint lobby and advocacy efforts, which country managers indicate also lead to an increased level of trust among SP partners and the partner organisations. In parallel, the SP has increasingly worked with other relevant organisations and actors that has helped SP to become more visible in Vietnam.

²⁵ Fair Wear has informed that brand involvement is a missed opportunity due to many reasons, but they have shared the MCCBA with the member brands to promote sourcing from the signatory factories.

The activities listed below have strengthened Fair Wear and CNV-I and their partnership, a part partnership that in turn have also strengthened their local partner organisations, opened up new doors, and started new alliances for joint lobby and advocacy efforts.

Dutch Embassy Partnership:

Between 2016 and 2020, Fair Wear and CNV-I have shared information and coordinated with the Dutch Embassy in Hanoi in hosting a series of activities, for example during the Dutch Prime Minister's visit. They have been seeking support to promote SD in Vietnam and among Dutch and EU companies sourcing from Vietnam. In this partnership, CNV-I and Fair Wear coordinate and co-host activities, they have joined sessions organised by the Dutch Embassy such as annual the SP meetings, the visit of Trade and Development Minister in 2018. They have also organised a visit by the Dutch Government to factories supplying Fair Wear members, and shared their work with Dutch officials when they visit Vietnam. Furthermore, CNV-I provides the Embassy with updated information about SD and collective bargaining in Vietnam. The Dutch Embassy in Hanoi assists CNV-I to promote the Dutch 'polder model' in SD.

Good timing of SP Directors' visit resulted in successful showcasing of the importance of improving conditions in the garment industry:

A highlight of 2019 was the visit of the directors of the Strategic Partnership (constituting the Steering Committee of the SP) which coincided with the Dutch Trade Mission of the Prime Minister to Vietnam in April with the aim of motivating Vietnam to improve labour conditions ahead of the EU signing the trade agreement. At a fashion show co-organised by the SP on a public square in Hanoi where clothes of Fair Wear brands were shown on the runway in the presence of both the Dutch and Vietnamese prime ministers, the Dutch prime-minister Mark Rutte said in his opening speech that *"...we need to make sure that all women and men who produce our clothes have a safe workplace and get wages that cover the actual cost of living"* and that *"...for Dutch brands that source in Vietnam there is a clear stimulus to take action. The bottom line is to be aware of what happens in the entire supply chain: from the factory in Ho Chi Minh City to the store in Amsterdam or The Hague"*. The fashion show was organised by the Dutch Embassy and Fair Wear with a series of events that included elements of the trade mission programme organised by the SP: an event on SD organised by VGCL and VCCI who shared their feedback on SD; an International conference on LW co-hosted by CDI; and event on Sustainable Garments and Textile Industry co-hosted by IDH. MoLISA representatives and the Vietnamese Prime Minister also attended the Fashion Show and several events. These events reflected the importance of responsible business as promoted by the SP and put a spotlight on the importance of SP's work on improving working conditions in the garment sector.

Country Implementing Partners:

VGCL is a key partner and project holder in the MCCBA project and has invited a number of central partners into the project, namely MoLISA, VCCI and VITAS, who have extensive experience and sound foundation in the process of developing the Textile and Garment Industry CBA. These central partners appoint their members to the PAC. A similar structure of equivalent provincial partners has been established and included in the provincial PAC. The taskforces in the pilot areas have been set up in Hung Yen, Ho Chi Minh City and Dong Nai with the participation of representatives from companies as well as potential factories. The project has been implemented at local level and the results have been discussed with the advisory committee at the central level to get direction, instructions and advice. The advisory committee has shared the experience among central partners and reported the results achieved. This has helped to build stronger horizontal and vertical relationships among the actors.

Non-Governmental Organisations and Domestic Advisory Group:

SP has participated in a number of meetings with other international NGOs and organisations such as the ILO Labour Forum, ITUC, MoLISA's meeting with other ministries and NGOs to

update changes of the Labour Code. The SP partners have also participated in several workshops in MoLISA's Domestic Advisory Group. They continue to meet here to lobby when the new Trade Union Law, expected to be approved in 2020, is drafted. Furthermore, the SP partners plan to participate and lobby MoLISA in the coming three groups of activities:

- Development of 15 implementation decrees
- Development of communication materials and organise awareness raising activities
- Review DoLISA structure and capacity building for DoLISA staff to facilitate the revised Labour Code implementation
- Representation of civil society in the Domestic Advisory Group, linked to the Free trade Agreement.

Vietnam Public-Private Partnership (PPP):

The purpose of the Vietnam PPP Agreement is to create a sustainable apparel and footwear sector in Vietnam. The Partnership is part of the IDH driven Race to the top programme, a collaborative programme being implemented under the framework of the PPP. Vietnamese public-private platforms and dialogue are to foster supportive policies and public support for sustainable business practices. The Vietnam PPP Group is responsible for the strategy and progress of taskforces focused on the Vietnamese context. It represents a microcosm of the system and consists of minimum of one representative from each key system actor and is extended in particular with Vietnamese change agents at the start of the initiative, including Vietnamese Government. CNV-I and Fair Wear have participated in regular meetings of PPP Group as well as contributed to the meetings' content and agenda. The PPP aims at looking at strategies for post-pandemic recovery for the Vietnamese textile and footwear industry, including purchasing practices. The participation in these meetings is a good opportunity for the SP partners to share its outcomes and achievements and provides good exposure for lobby and advocacy.

Potential collaboration that will enhance the value added of the SP:

- CNV-I and ITUC: ITUC is discussing with VGCL to sign a MoU to support VGCL towards FoA in 2023. Representatives from ITUC agree that Vietnam needs to provide a clear and convincing roadmap towards this goal. There are areas where CNV-I and ITUC can cooperate and support each other in this work.
- CNV-I, Fair Wear and IDH meet during PPP and could explore closer collaboration.
- Fair Wear could also explore closer collaboration with GIZ, ILO Better Work, and GBVnet.

6. Learning

6.1 Working with Theory of Action as results management system

VCCI shared that the particular feature of the pilot MCCBA in Van Lam was that the enterprises are not located in one concentrated area such as in an industrial park or processing zone, but in different areas within the same region. Therefore, rather than selecting factories in the same area, the participating enterprises were selected for belonging to the same industry and having similar business model and context. The signing of the MCCBA has brought some benefits to this group of five enterprises, such as stabilization of the workforce, production operations and better workplace relations. The VCCI and VITAS thought that the lesson learnt, and its positive results should be replicated and multiplied when the pilot is expanded to Ho Chi Minh City and Dong Nai. After having seen the effects and impacts of the project implementation in Van Lam District, the model of MCCBA has been stipulated in the amended Labour Code 2019, which shall be effective by 2021.

As shared by VCCI and Vitas, this is a new model of MCCBA and the selection of provincial and district partners who are active and dynamic to deploy are important. VCCI and Vitas would be the focal points to effectively support the project deployment. Therefore, in the initial stage when selecting the locations to implement the project, the project central steering committee and implementing partner chose Van Lam district in Hung Yen province as the first pilot location of the project because the unions in Van Lam in Hung Yen are very enthusiastic, and so was the case for the provincial political system and party committee. This provided a favourable condition to successfully implement the MCCBA. The SP shared that one of the distinctions of the MCCBA project was having brands involved. However, there have not been any brands involved in the pilot in Van Lam, and the role of Fair Wear has not been visible, mostly due to the chosen location and project deployment not matching with the Fair Wear suppliers. The synergy of the partners by taking advantage of each other's strengths has thus not yet been achieved in the MCCBA process. The current interventions make insufficient use of the combined core strengths of both partners. Despite efforts, the MCCBA developed by CNV-I lack involvement of factories where Fair Wear member brands source. Therefore, there is no experience on the potential role of brands in developing MCCBAs.

6.2 SP adaptation to political and contextual changes and effects of this

In recent years, the textile and garment industry in Vietnam has improved a lot. The textile and apparel industry is the main export-oriented industry, 80-90% of the capacity is for export, and when exporting, the suppliers are required to comply with clients' code of conduct. Additionally, they are subject to the audits and evaluations on their performance related to labour conditions, compliance to the local laws and regulations, working conditions, working environment, occupational health and safety etc. that put pressures on exporting enterprises. The manufacturing enterprises have to improve to meet the standards and requirements of clients. The more modern, civilized and clean the easier it is to meet clients' expectations. Recently, the Vietnamese garment industry has become comparable and compatible with other countries in the region. The labour productivity and skills are high. Most famous brands from the USA, EU and Japan, when ordering in Vietnam, find happy and satisfied workers, and export turnover of Vietnamese textile products increased day by day, until the Covid-19 outbreak.

Due to the Covid-19, the total textile and garment export value in the first four months of 2020 dropped significantly, according to VITAS²⁶. '*Vietnam's textile and apparel industry has never faced negative growth in both imports and exports like that*' said a representative of VITAS. The reduction reflected the industry's lack of export orders that continued in May and June, this has led to changes in the employment situation. According to VITAS, all garment manufacturing enterprises were affected by the Covid-19 pandemic. 70% of the enterprises cut their staff already in March, and VITAS estimated that many enterprises would lose their liquidity by the end of April, inventory in April and May would lose about 50% of its value, and 40-50 % of the workers would become unemployed. These are the unprecedented negative numbers that Covid-19 is causing for the textile industry²⁷.

According to VGCL, from the beginning of 2020 until April, the textile and garment industry was highly affected, up to nearly 20 per cent of textile enterprises were affected and some even closed, the rest were producing old orders. Some moved into new product-lines such as producing face-masks or equipment for public health. And, as shared by the federation of trade unions in Van Lam, one of the five enterprises who signed the MCCBA in Van Lam was negatively impacted by Covid-19 and in a difficult situation due to the lack of orders and

²⁶ <https://www.fairwear.org/covid-19-dossier/covid-19-guidance-for-production-countries/covid-19-impact-and-responses-vietnam/>

²⁷ <http://tapchitaichinh.vn/tai-chinh-kinh-doanh/doanh-nghiep-det-may-bien-nguy-thanh-co-thoi-covid19-321446.html>

challenges in shipping, and management, they had to move to another site. This affected the pilot project activities and the MCCBA that they had signed.

The Labour Code 2012 was revised in 2019 with major changes to the chapter of representative organisations of employees. It accepts the establishment of employee organisations other than the one existing trade union in Vietnam. The Trade union law is under process of revision from July 2019 and into 2020. The ILO Convention No.98 “Right to Organise and Collective Bargaining Convention, 1949 was scheduled to enter into force for Vietnam on July 5th, 2020. These changes should require SP to revise its Theory of Actions to adapt to the updated changes of the context and situations.

The SP together with SP partner organisations have taken several actions toward these contextual changes. For example:

- A joint statement on a cooperation initiative to address Covid-19 impacts on workers and businesses of the textile-garment and leather-footwear-handbag industries in Vietnam was signed in Hanoi on June 22nd, 2020. The signatories consisted of VGCL, VCCI, VITAS and LEFASO. CNV-I facilitated the social dialogue process among social partners to come to this joint statement. Via this document, they call for the building of an agenda and a roadmap that involve social partners that wish to join hands to overcome the crises and develop sustainable and prosperous industries. Particularly, they recommend investing in strategic partnerships and promoting SD that suits the context in Vietnam and international labour standards.²⁸
- In April 2019, the SP, together with CDI, hosted a successful roundtable on LW, with key contributions from VGCL and members of the National Wage Council. Fair Wear’s presentation of its LW approach and labour costing methodology gained wide interest from national stakeholders and media.
- As shared by MoLISA, Fair Wear is one of the organisations involved in many activities of the Department of Legal Affairs. The two parties have been discussing a number of possible tasks that are related to the decree detailing the law regulations, developing guidelines and formulation on female labour and promotion of gender equality in the chapter of female labourer and gender equality of revised Labour Code 2019. This collaboration was planned to start in July or August 2020.
- The PPP initiative is there to specifically address and promote strategies for post-pandemic sustainable recovery of the industry.

7. Summing up: Reflections and preliminary conclusions

One of the expected results of SP in Vietnam is building partnership and engaging Fair Wear members and suppliers in the MCCBA model. However, this objective has not yet become an important criterion when selecting project locations, there was not enough discussion for this cooperation such as defining roles and responsibilities of Fair Wear and CNV-I in each step and plans for the next steps. The list of suppliers provided by Fair Wear appeared to be out of date, and suppliers were not located in the pilot regions.

²⁸ <https://en.qdnd.vn/economy/news/cooperation-statement-inked-to-support-garment-footwear-workers-companies-517847>

There appears to be relatively little coordination and contact between the two SP partners in Vietnam, although there is significant improvement since the midterm review. The two partners coordinate and share information, and also seek common opportunities for integration and leverage of activities, but there appears to be room for closer collaboration. The two parties appear to be operating separately and each party focuses on its own agenda. For example, Fair Wear has implemented WEP and WEPC with the suppliers of Fair Wear brands. Some sections of these two modules cover management – workers dialogue, while CNV-I carries out SD and MCCBA without the presence of Fair Wear or the member brands. There seems to be an opportunity for integration and leverage of the activities at some a higher level to enhance the value added of the partnership. There is potential for improving the communication between the two SP partners, who ought to set up a routine for regular updates and discussions on how to stay connected to obtain better synergy and collaboration. Such regular communication might very well include the Dutch Embassy. Further collaboration among the SP partners seems to be a requisite to be able to use the full potential of the SP, to obtain increased synergy and enhanced efficiency in lobbying and advocacy.

Within the MCCBA process, the procedure has not yet become efficient enough to guarantee adequate freedom for factory level in conducting the pilot activities, to create consistency of activities from national to district levels, to obtain functional tripartite cooperation (provincial / district trade unions, business associations and DoLISA), and to get commitment at provincial and district levels, although it is required that each participating company in the MCCBA process sends at least one production worker and one factory trade union representative to participate in the taskforce to ensure that a real voice of workers is included in the development of the MCCBA process. Further, provincial and district trade union levels have not been provided with guidance and technical support in a timely manner from VGCL to ensure that project activities are on track and conducted in an effective way. According to the top-down regulation, VGCL is the management agency of the MCCBA project, and the project activities are mainly implemented in the region which require frequent communication from CNV-I to trade unions at all level (national, provincial and district). By improving the working procedure and consultation process, the efficiency of collaboration between the tripartite parties at national, provincial and district levels would be enhanced. This is important in order to engage factory the communication and reporting within VGCL. Where there is currently a lack of coordination and reporting between district trade unions and provincial federation of labour unions, provincial business associations and provincial labour management bodies in selecting pilot regions. Improved coordination and communication would improve the understanding of provincial stakeholders (provincial authority, business association, provincial trade union) on SD and values of the MCCBA, and thereby strengthen the process.

The concept of trade unions is very different in Vietnam than in Europe. Factory unions in Vietnam are commonly management dominated, often with the union chairman being HR/management staff that are not elected by workers. During the MCCBA pilot process, CNV-I had to address this structure to improve dialogue between workers and management. However, it was found difficult to ensure independent worker representation.

Key trainers are foreigners from CNV-I, while half of the trainings for the taskforce in Van Lam was conducted by local independent trainers including one trainer with employers' background and one trainer with Trade Union background. A social dialogue manual was developed and used for the local trainers. Before and after trainings, the local trainers and the project staff have been in regular communication to design the training agenda and measure the training effectiveness. There were 20 core trainers trained during phase one of the project, however, some of them were retired. The selection criteria for trainers have later been changed by CNV-I.

According to VITAS, in the MCCBA project, it is clearly considered that the SP partners are involved in the project. However, Fair Wear did not fully participate in the pilot in Van Lam District in Hung Yen Province. The pilot has later been expanded to Ho Chi Minh City and Dong Nai Province. Whether there are Fair Wear members present here or not, it is advised that Fair Wear should take part in the activities where possible to listen to the voices of the suppliers and be a bridge to connect existing and new buyers with those suppliers who join the MCCBA, to enhance the value added of the project.

J. Country Report Bangladesh

Abbreviations

AGT	Dutch Agreement on Sustainable Garments and Textile
AHC	Anti-Harassment Committee
BAWF	Bangladesh Apparels Workers Federation
BDT	Bangladeshi Taka
BGMEA	Bangladesh Garment Manufacturers and Exporters Association
BIGUF	Bangladesh Independent Garment Workers Union Federation
BKMEA	Bangladesh Knitwear Manufacturers and Exporters Association
BILS	Bangladesh Institute of Labour Studies
BLF	Bangladesh Labour Foundation
BNWLA	Bangladesh National Women Lawyers' Association
CBA	Collective Bargaining Agreement
CNV-I	CNV International
DIFE	Department of Inspection for Factories and Establishments, MoLE
EBA	Everything But Arms (EU preferential trade agreement)
GBV	Gender-Based Violence
GP	Gender Platform
GoB	Government of Bangladesh
IBC	IndustriALL Bangladesh Council
ILO	International Labour Organisation
KN	Karmojibi Nari
LW	Living Wage
M-FNV	Mondiaal FNV
MoLE	Ministry of Labour and Employment
MFA	Ministry of Foreign Affairs
MP	Member of Parliament
NGWF	National Garments Workers Federation
NHRC	National Human Rights Commission
PST	German Partnership for Sustainable Textiles
RMG	Ready Made Garment
SGSF	Sommilito Garments Sramik Federation
SKOP	Sramik Karmachari Oikya Parishad
SP	Strategic Partnership
TCC	Tripartite Consultative Council
TU	Trade Union

1. Ready-made garment sector context

1.1 Industry overview

In the last four decades, the Ready-Made Garment (RMG) industry in Bangladesh has experienced rapid growth. Exports of garments and textile is the principal source of foreign exchange earnings, accounting for 80-82 per cent of Bangladesh's total merchandise exports. Since 2015, Bangladesh has been the number two global producer of garments, after China. There are more than seven thousand factories in the RMG sector, serving as manufacturing hubs for different well-known brands. Currently, the RMG industry of Bangladesh provides employment to about 18 per cent of the country's labour force. The structure of gender participation in the economy saw a major shift with the raise of offer of low-skilled jobs in the RMG, where women constitute around 80 per cent of the RMG.

On the one hand this industry has provided the opportunity for a source of income to a large number of men and women. On the other hand, there are several long-lasting economic, political and socio-cultural practices that create acute challenges for people in the RMG industry. Arguably, low wages, lapses in occupational health and safety monitoring, lack of social security, gender-based violence (GBV), political interference and overall bad working conditions have, time and again, become the point of concern in this industry. The lacklustre enforcement of legal mechanisms creates hazardous working conditions and compromised workers' rights, even though Bangladesh has been a member of the International Labour Organisation (ILO) since 1972 and the ILO has been operating a Bangladeshi office since 1973. In this context, only raising questions against the prevailing situation has not been sufficient.

1.2 Social dialogue

Since 2018, the European Union has been monitoring Bangladesh's progress towards respecting freedom of association under the EBA preferential trade agreement. Bangladesh has been urged to enact and respect labour rights and where necessary adapt legislation that effectively protects workers' freedom of association²⁹.

Bangladesh has ratified 7 of the 8 fundamental ILO convention on labour rights, leaving the ratification of ILO C138 on minimum wages as an ongoing lobby target for ILO as well as other stakeholders³⁰.

The 2019 ITUC Global Rights Index places Bangladesh among the ten worst countries for workers, with violence, mass dismissals and arrests of union leaders as the main characteristics. The Index puts Bangladesh in the lowest category labelled "No guarantee of rights".³¹

In Bangladesh, 76 per cent of the MPs are said to have some kind of affiliation to the employer-side of the RMG Industry, and this tends to impact decision-making in favour of the employers. Although the three parties to the tripartite dialogue (Government, employers, employees) have an equal number of representatives, it is more common than not that the Government and employer side take a stance against the worker side.

Challenges remain before unions can be formed freely, as employers, in association with the Ministry of Labour and Employment (MoLE), local politicians and others often find different ways of making union formation and registration cumbersome. Every year, GoB's Directorate of Labour publishes a directory of garment factories with a number of workers per unit. This list is not always respected, however, when a new union applies for registration. Employers may falsely increase the total number of employees so that the number of organised workers submitted to the MoLE for forming a union fails to reach the required 20 per cent mark, or they may make changes to workers' positions so that their names on the trade union application list are disqualified. It appears that the Directorate gives preference to the list submitted by the employers than the previously published official directory.

Also, there are examples of how the legal rights intended at protecting workers are undermined. The recent trend of outsourcing jobs and hiring contractual workers without the right to join a union, has put forth serious concerns on the eligibility criterion of trade unions. Another example to bypass workers' rights is the use of forced resignation to avoid paying retrenchment benefits to laid-off workers.

Historically, Bangladesh is known for having a highly complex and fragmented trade union movement, with dozens of trade union centres and numerous industrial federations. The national

²⁹ SP Annual plan 2020, Country Annexes

³⁰ https://www.ilo.org/dyn/normlex/en/f?p=1000:11210:0::NO:11210:P11210_COUNTRY_ID:103500

³¹ <https://www.ituc-csi.org/IMG/pdf/2019-06-ituc-global-rights-index-2019-report-en-2.pdf>

centres are a long distance from the day-to-day bargaining at local level. The recent history of the labour movement in Bangladesh is marked by violence, repression, and a series of industrial disasters.³² Trade unions were depicted as militant, politically linked, or were appointed by management, so-called 'yellow unions'. Trade unions have been accused of being criminal organisations, run by outsiders that lack both real representation from workers, and concern for their cause. The tragic events of 2013 when the Rana Plaza factory collapsed killing more than 1,100 workers³³ represented a turning point. Global brands, the global unions, some foreign governments, NGOs and private regulation bodies like Fair Wear and its likeminded combined forces to look into the labour conditions in the garment industry in Bangladesh. Even though the primary focus was on health and security, other issues such as freedom of association also gained attention. Although studies have argued that there is a risk of international actors out-crowding the role of the legitimate players in the national industrial relations, including a tendency for Bangladeshi union federations to focus more on the international arena than on their members' daily struggles³⁴, there is no doubt that the Bangladeshi RMG unions are considerably better organised and equipped to negotiate and fight for improved worker conditions compared to what they were a decade ago. One illustration of this is the growth of IndustriALL Bangladesh Council (IBC) that has 16 trade union federation members that represent around 80 per cent of the trade unions present in factories.

On the bright side, the labour movement has gained an improved capacity to create a more conducive environment with greater participation of women.

Another feature of the labour rights movement in Bangladesh is the strong presence of labour rights NGOs, including some of the SP partner organisations. This is in part due to a restrictive legislation, as well as a hostile environment when it comes to forming factory level unions. A 2013 amendment of the 2006 Bangladeshi Labour Act led to a marked increase in factory-based unions, increasing from 138 in 2013 to 540 by 2017³⁵.

1.3 Living wage

There is not a national floor level minimum wages that works across industries, but different minimum wages for the different sectors. In December 2018, the new legal minimum wage in Bangladesh was set, specifying seven grade levels, the lowest grade at BDT 8,000, a 51 per cent raise compared to the previous minimum wage from 2013. The new minimum wage is around half the demand from a coordinated RMG union movement, and far below living wage (LW) benchmarks³⁶. The Wage Indicator's 2018 estimates on LW for a typical family is around 150 per cent of the minimum wage, supporting workers' complaints that the hike in living costs are making the minimum wage levels insufficient to support basic family costs³⁷.

1.4 Gender-based violence

A 2013 report to the UK department for international development finds the violence against women and girls in Bangladesh to be at a very high level, estimating that some "... 60% of ever-married women of reproductive age report lifetime physical and/or sexual violence perpetrated by their husbands."³⁸ When it comes to the workplace, in a study shortly prior to the ILO conference

³² http://www.ictur.org/Profile_Bangladesh.html

³³ http://www.ictur.org/Profile_Bangladesh.html

³⁴ <https://link.springer.com/content/pdf/10.1007/s10624-018-9539-0.pdf>

³⁵ Ibid.

³⁶ <https://cleanclothes.org/news/2020/a-year-after-crackdown-on-wage-protests-in-bangladesh-hundreds-of-workers-still-face-retaliatory-charges>

³⁷ <https://wageindicator.org/salary/living-wage/bangladesh-living-wage-series-january-2018-country-overview>

³⁸ https://assets.publishing.service.gov.uk/media/57a08a16ed915d3cfd0005a4/VAWG_Bangladesh_Final_Report.pdf

in 2019, the global justice organisation Action Aid finds that 80% of workers in Bangladesh have either experienced or witnessed harassment and sexual abuse at the workplace³⁹.

2. Short description of the SP partners in Bangladesh and their (main) activities

The Strategic Partnership (SP) programme has been led by Fair Wear, Dutch trade unions Mondiaal FNV (M-FNV) and CNV-Internationaal (CNV-I) as well as the Dutch Ministry of Foreign Affairs.

Both Fair Wear and M-FNV, the two SP partners active in Bangladesh, had been working in the country several years prior to the establishment of the SP. Both work in collaboration with a varied network of organisations in Bangladesh.

M-FNV works with local labour rights organisations and trade union federations through the national branch of IndustriALL, the IBC.

The trade unions, NGOs and CSOs working with Fair Wear and M-FNV in Bangladesh are listed in table J.1 below.

Table J1: SP partner organisations in Bangladesh

SP partner	Partner organisation	Description / Comment	ToA complementary/ added value
M-FNV	Bangladesh Institute of Labour Studies - BILS	Established in 1995 and the only labour institute in Bangladesh, currently 12 major National Trade Union Federations are associated with BILS. Major areas of interest are - Capacity building and support Trade Unions - Advocacy and lobbying - Training and education - Organising Forum and Networking - Research and Studies - Communication and Information	Builds capacities of plant level unions, supports garment federations in developing their capacities and in developing model factories.
Fair Wear	Bangladesh Garment Manufacturers and Exporters Association - BGMEA	Established in 1983, Bangladesh's largest trade association and a key stakeholder of an industry that is at the backbone of the Bangladeshi economy. ¾ of the MPs are engaged in/with the RMG industry,	Direct links to a great number of the factories. Have strong influence also at government level.
M-FNV	Bangladesh Labour Foundation - BLF	Non-government; non-profit; non-partisan organisation that aims to represent the interest of the labour resource in Bangladesh. BLF works for the welfare of workers, working people and professionals from all the genders and age groups.	Organisation of workers in domestic production garment factories, registers their unions and supports them in lobby and campaigning.
Fair Wear	Bangladesh National Women Lawyers'	Established in 1979. A lawyer's association based in Dhaka. BNWLA is as a Human Rights organisation	Support the partnership with knowledge, experience

³⁹ <https://actionaid.org/news/2019/80-garment-workers-bangladesh-have-experienced-or-witnessed-sexual-violence-and>

	Association BNWLA	- with a special focus on establishment of women and children's rights.	and with a local gender perspective. It is beneficial to have organisations which provide other resources like legal support on sexual harassment case, victim counselling, victim shelters, etc.
Fair Wear	Karmojibi Nari	Established in 1991. Women workers rights NGO. Present in almost all districts of Bangladesh in the areas of gender equality, worker's rights and economic justice. Main focus areas are: - Women rights and equality - successful in bringing formal and informal sectors workers under organisation umbrella - Advocacy and lobbying at different levels on GBV and LW	
M-FNV	IndustriALL Bangladesh Council - IBC	Bangladeshi branch of IndustriALL Global, the latter established in 2012 and representing 50 million workers in 140 countries in the mining, energy, and manufacturing sectors.	Will be involved in organising workers at plant level through its affiliates and mobilising the workers for campaign and lobby activities.
Fair Wear	Awaj Foundation	Labour NGO. Established in 2003 with the vision to raise their voices for workers' rights in the Bangladeshi RMG sector. Major areas of interest are: - Creating conducive environment to form new factory unions and committees - Capacity Building and hand-holding support for factory unions. - Providing legal understanding on industrial relationship. - Advocacy and lobbying on GBV, LW and trade union rights - Training and Education on labour laws. - Providing legal support to workers. - Working with anti-harassment committees at factory level and providing constant support - Working at many levels on equality and GBV	While union membership is low, NGOs can support unionised workers and give them information on their rights.
M-FNV	SKOP	One of the labour movement coordinating bodies affiliating 16 national trade union centres across industries. Plays the role as a national policy liaison point ⁴⁰ .	Indirect partner to the SP through collaboration with IBC

⁴⁰ http://www.ictur.org/Profile_Bangladesh.html

3. Outcome Stories

The Strategic Partnership has three main focus areas: social dialogue (SD), living wages (LW) and gender-based violence (GBV). The programme was designed to develop practical solutions to key problems in garment supply chains, and to support dialogue between civil society, government, and business. Based on cooperation and dialogue between trade unions, labour NGOs, and progressive clothing brands and factories, SP's main intention has been to enhance the dialogue, lobbying, advocacy and action on the ground on freedom of association as well as collective bargaining through SD, LW and GBV. Below follows a closer look at selected cases showing the outcomes of SP's interventions within the three thematic areas.

3.1 Social Dialogue

The ILO defines SD as all types of negotiation, consultation or simply exchange of information between, or among, representatives of governments, employers, and workers, on issues of common interest related to economic and social policy. Although the Government of Bangladesh (GoB) has ratified the three main ILO conventions on Social Dialogue: Freedom of Association and Protection as well, the practical scenario is significantly different from the expected or ideal one. During the tenure of this programme many definite steps have been taken by the SP partners and their partner organisations to bring about the desired changes in Bangladesh.

Selected SP activities:

- Support to the local trade unions/capacity strengthening of partners
- Amendment of Labour Law - Change in the threshold percentage of members to form a trade union

Major Achievements:

- Trade unions and federations were brought together through training and improved the coordination between them.
- Unifying a large percentage of unions in factories, IBC was recognised as a legitimate stakeholder on workers' rights issues.
- Labour law amendment, reducing the threshold percentage of members to form trade unions in factories from 30 to 20 per cent.
- 73 new factory level trade union applications have been submitted.
- Trade unions are gradually getting recognition and support from local public administration.
- Workers who were expelled from the factory when trying to form a local trade union, were accepted back after negotiations supported by Awaj Foundation.
- The number of trade unions and successful Collective Bargaining Agreements (CBAs) have increased.
- The Dutch Embassy raised the threshold limit issue with government top level to lower it further.
- The national coordination body of trade union centres, SKOP, and IBC joined forces to strengthen trade unions and adopted a cluster approach to enhance their activity and presence.

Enabling coordination between trade unions has reduced levels of conflict

The Bangladesh trade union landscape has historically been extremely fragmented and divided. Due to different political beliefs and affiliations, national trade unions and labour NGOs have struggled to work together. The M-FNV partner organisation IndustriALL strengthens local trade unions as a part of the SP under the 'Bangladesh organising project'. Through this project, they have established a common space for the IndustriALL affiliated garment related trade unions and labour NGOs that enables dialogue and discussions that previously did not take place to the same extent. The common space enables the different unions to share their views and find common ground and identify a joint minimum agenda. A significant effect of the unions coming together has been the respect of the important principle of non-competition.

One good example is the common position they managed to take on the target wage (see under 3.2 Living wage). The common space also includes labour NGOs such as the SP partner organisations Awaj Foundation and 'Bangladesh Institute of Labour Studies' (BILS). The space has made it possible to simultaneously apply different strategies taking advantages of the strengths of each organisation. For instance, BILS has good relationships with MPs while Awaj is strong on grassroots mobilisation. Jointly planning and coordinating towards the same lobby target has proven powerful. During the recent years, IBC has also started to collaborate with one of the national coordination bodies of trade union centres, SKOP, who represents a high number of Bangladeshi trade unions. SKOP and IBC joined forces to realise unity among Bangladeshi workers.

Under the SP umbrella, a range of activities were carried out by participants of this common space, such as:

- Workshops with workers and management.
- Training workers and managers on labour laws
- Sensitizing association
- Forming and training committees
- Discussion with political parties
- Multiple round discussions with embassies and foreign ministry
- Discussion with labour ministry
- Agitation, rally and campaigning

Gradually, trust building between different trade unions has taken place. This has reduced the conflict level that used to exist within the labour movement. Still there are more trade unions and federations that ought to be included in the common discussions. And there is still need for more coordinated work in order for trade unions to gain real recognition as legitimate stakeholders in the world of work in Bangladesh.

Trade unions gain local acceptance in RMG clusters

The dialogue between unions has led to clustering of efforts at implementation level so different unions coordinate and target collectively to avoid competition for the same factory. Historically, employers have feared that trade unions could lead to the close-down of factories. There were often rumours that trade unionists were criminals. To protect their establishment, employers would ally themselves with the local administration and local Police to fight off trade union activities, or they could even ally themselves with local 'goons' who would persecute the trade unionists who in extreme cases had to flee to save themselves from being lynched. The RMG industry is structured in geographical 'clusters'⁴¹, and in order to play a role in the areas where the factories are, during one of the discussions held in the common trade union space (see above) they identified a need to strengthen their role in these industrial cluster areas.

To make a breakthrough in the state of non-dialogue between the employers and employees, the trade unions initiated dialogue at cluster level, and gradually gained the trust of the local administration and the local police. In an attempt to create a bridge between the garment sector workers and the society as a whole at the local level, the trade unions take part in '*Samhati*' (Bengali for 'solidarity') that are local multi-stakeholder committees with elected political representatives, employers, union representatives and more. This has enhanced the level of recognition of the local administrations and gradually initiated a new understanding of labour issues in the industrial clusters.

⁴¹ Industrial Belts are divided into clusters. Dhaka, Gazipur, Narayanganj, Savar and Chittagong

One activity that helped to broker understanding between employers and employees, was a living condition survey carried out by BILS⁴². BILS collected information on the housing situation, rents of the workers by interacting with the landlords. With the survey published research by BILS, and ground level activism and lobbying carried out by Awaj, factory management were made aware of the abject conditions of workers within and outside the factory premises. This in turn helped them understand that the workers' demands for improved working conditions and wages were reasonable.

Through local interventions at grassroots level, workers became aware of the benefits of being organised in a trade union. Gaining the acceptance of local administration and local police, and having consistent activities across the geographic clusters, helped gaining access to factories. However, forming trade unions at factory level remains a challenge in Bangladesh.

Ensuring representative workers' representation in tripartite consultative council

In the last 2-3 years the IBC has gained the position as the trade union counterpart to the government and the employers' association BGMEA in the garment sector.

Through the common space described above, the trade unions are able to jointly discuss and prepare their arguments before IBC goes for deliberations with the government.

IBC is accepted as the representative in the national Tripartite Consultative Council (TCC), and has exclusive presence in the garment TCC, the latter established in 2017. The presence of IBC is important since they represent around 80% of the trade unions with presence in garment sector factories, thereby being a main channel of communication between the tripartite dialogue and the factory level unions. With IBC present in the TCC, workers' voice has become strengthened and collective bargaining power of the labour movement has increased.

Employers now recognise IBC as the workers' representative body, which is a positive step forward compared to when the employers did not know who represented the workers due to the fragmented nature of trade unions.

In 2016, during the Apparel Summit, where international buyers were present, IBC organised a counter summit worker's summit to highlight the crack down on the workers. The decision of international summit participants to join the workers' summit put important pressure on the GoB to recognise workers' concerns.

One sign of the gained recognition of the IBC is that the Prime Minister's Office made contact with IBC to gain understanding about the post-Covid-19 crisis in the sector.

Formation of new trade unions

IBC and Awaj are two key SP partner organisations that, with the support of M-FNV, engage in trade union formation and registration. An important outcome is the registration of new trade unions. During SP's intervention, 73 new local trade unions have submitted their registration requests, and of these 31 were successfully registered as per 31.12.2019. Also, membership numbers of existing trade unions have increased.

To achieve this, trade unions have been given substantive training under the auspices of the SP. This includes training in organising skills to form new unions, learning the reasons behind forming unions, what to say to workers etc. Extensive bargaining training has been provided to local union leaders, who have also learnt about existing labour laws. Further, there has been training on dispute redressal mechanisms, resolving disputes, negotiation skills, organising skills, union member education and more. Also, factory-level union leaders have received training on

⁴² BILS annual report to FNV, Mar 2018 - Feb 2019, SP document

management of administration and finance of the trade union units. An important aim of all this engagement has been ensuring greater numbers of women leadership within the trade unions at all levels.

To reach out to more participants, an increased part of the training has taken place in the form of online workshops.

Collective bargaining has brought improved working conditions

At the factory level, the SP partner organisations have worked with trust building, imparting confidence in workers, relationship improvement and change in factory environment. Interventions at the community level has also helped in creating a strong worker-trade union bonding, greater access to the community and developing second generation leadership with emphasis on grooming women as leaders.

Collective bargaining has been an effective tool for obtaining worker rights. There are approximately forty new CBAs under IBC. Capacity building of trade unions and workers has been instrumental. The CBAs include improvements in the form of timely payments, maternity benefits above legal requirements, eid bonuses, transport allowances and equipment such as umbrellas, raincoats, and sanitary napkins. In some factories, separate toilets for men and women were built, resulting in more comfortable working condition among female employees who constitute around 80 per cent of the workforce in the garment industry. One example was an arrangement for separate shoeboxes for male and female employees, providing women safety from potential sexual harassment. Another example was a factory where the management was requested to ensure the safety of women workers on their way to/from the factory. Management took this up with the local police who in turn ensured that they would provide extra patrolling during morning and evening commuting time.

Three factories where Awaj intervene agreed to a larger annual wage increment than the 5 per cent stipulated by the legal requirements. Five other factories considered doing the same, but their decision has been postponed due to the Covid-19 situation.

Although challenges remain, there are signs that the trade union movement has grown stronger. One recent example was when trade unions affiliated to IBC resisted an attempt of mass retrenchment in May 2020 during Ramadan.

Negotiations between the tripartite partners increased workers' compensations for Covid-19 lock down

There are multiple MoUs signed between IBC, the government and the employers' associations BGMEA and BKMEA to avoid lay off during pandemic. Initially, the government declared that workers should get 50% of their salaries during lockdown. IBC refused, and demanded that the workers ought to be compensated with 100% of their salaries. After multiple discussions, an MoU was eventually agreed upon that gave the workers 65 per cent of their ordinary salary during lock down.

Amendment of the Labour Law reduced the threshold for forming a trade union

The greatest success of this process is the amendment in the labour law, decreasing the percentage of workers of a factory required to form a union from 30 to 20 per cent. Although an important improvement, the Bangladesh requirements are still strict, compared to the ILO recommendation of five per cent. Nevertheless, the new legal provision must be considered as a very encouraging outcome, which will give a positive push to the initiative taken up by SP partners. SP partners, partner organisations and IBC-affiliated trade unions organised workshops, round table consultations and advocacy and lobbying at local and national level to prepare decision-makers to support a change in the labour law.

For several years, lowering the threshold for number of workers organised in order to apply for a new trade union registration has been a key lobby goal for IBC. In 2017, this was one of the key recommendations put forward by IBC in roundtable meetings with stakeholders in Dhaka and other places. This was followed up through direct lobbying with the Labour ministry by SP staff. The amended laws, named *Bangladesh Labour Amendment Act, 2018*, was approved by Parliament in November 2018

3.2 Living wage

Selected outcome cases:

- *Negotiating Minimum Wage and Concept of Target Wage*

- *Labour Minute Costing Tool*

Major Achievements:

- Built understanding and gained acceptance for the fact that the current minimum wage is not a de facto LW. Focus on working towards a “Target wage” instead of using the more contested concept of “Living wage”.
- The minimum wage increased with more than 50%.
- SP introduced the Labour Minute Costing Tool, where brands and factories gain improved understanding of costing and data analysis. The tool was introduced to the employers’ associations, the Dutch Embassy, and the Bangladesh Buying House association. PST and AGT have also been involved.
- Brand participation secured some add-on benefits in some factories.
- Three factories with a CBA agreed on annual wage increment between 7 and 10% (the legal requirement is 5%).
- The National wage board was forced to review their initial announcement of the minimum wage value that had been announced unilaterally.

Minimum wage lobbying resulted in an increase of above 50 per cent

Extensive lobbying by the SP partners and their partner organisations contributed to a 53 per cent increase in sectorial minimum wages (from BDT 5,300 to BDT 8,000 pay per month) from the 2013-level to the new level established in 2018. Although the new minimum wage was only half of what the unions demanded, the collective approach to the negotiation added weight to the union side. Using evidence of workers’ living costs made both authorities and employers to understand the prevailing minimum wages are below a level a family can live from. It is important to underline that in Bangladesh trade union repression has been a common way of dealing with workers’ demands, which makes the above described breakthrough highly significant. The process created enthusiasm, participation and a new assertive role of unionised women in demanding their rights.

The entire process was organised by IBC, using the common space for trade unions and labour NGOs under its auspices. IBC took a lead role in formulating minimum wage demands based on BILS’ abovementioned study on living costs. The two organisations, together with trade union centre SKOP, based their joint lobby and campaigning efforts on the new evidence gathered by BILS. This made the discussions on minimum wages more transparent and realistic.⁴³

BILS carried out the research among workers to document their cost of living. Awaj worked at local union and factory level. Fair Wear, introducing the labour minute costing tool (see below) helped to establish a “target wage”, a wage level that all the trade union representatives could

⁴³ <http://www.industrial-union.org/bangladeshi-unions-call-for-new-minimum-wage-to-be-doubled>

agree upon to be their common demand for a new minimum wage. The definition of “target wage” was introduced in order to bypass the discussions on which of the several LWs calculations should be used, and also because it was deemed to be a less controversial term. This exercise made the workers’ demands appear more reasonable and logical to the employers and the government.

Once the trade unions had been able to agree on a common target wage based on the living cost research, IBC organised a big press conference where they explained the basis of the research and calculations. The different trade unions and labour NGOs that are partner organisations to the SP lobbied national decision-makers and employers’ associations to gain their understanding of a need for higher wages in the RMG sector. SP had a key priority to build an understanding and acceptance amongst factory management that the minimum wage was not at a LW level.

In 1985, the minimum wage demand was BDT 1,200, but only BDT 560 was fixed by the authorities, it was again increased in 2003, 2010 and to BDT 5,300 in 2013, before the final increase to 8,000 in 2018, only half the unified demand from the unions. Prior to the negotiations in 2018, the National Wage Board had unilaterally announced a new minimum wage value. This value was outright rejected by the labour movement. They took to the street and organised a campaign that put the government under international pressure to change its decision.

The SP partner organisations played different but coordinated roles in the national minimum wage process. BILS was engaged with national lobbying and had regular consultation meetings with government bodies on labour policy issues. BILS also arranged consultation meetings with the wage board, engaging the national coordination body SKOP. Awaj and Karmajibi Nari worked on local level with awareness raising, training programmes, demonstrations, and rallies. IBC took direct part in the tripartite negotiations. The joint efforts for creating awareness, raising voices, and bringing the demands into mass media created a pressure on the government wage board.

The process created enthusiasm, participation, and a new assertive role of women in demanding rights, organising, and demonstrating for its fulfilment. Despite the challenges and resistance, there is no doubt that the overall atmosphere for trade union activities has become friendlier than it used to be in the older days. Earlier, the local administration and police would stop trade union activities to enter the industrial clusters, whereas the more collaborative behaviour of the SP partner organisations has diminished these challenges.

One of the challenges in Bangladesh is the absence of global pressure on brands to change their unethical pricing. After much effort, the minimum wage was increased with 53 per cent (from 2013 to 2018). This was the result of an intense lobbying process with government and policy makers. During the process, the GoB acknowledged that there was a significant gap between the minimum and a ‘living wage’. Possibly because factories argued that they would not be able to pass the additional product cost of a doubled minimum wage to their buyer brands, the government did not raise the wages further up to the demand of the trade unions. Thus, history repeated itself, where the government sided with the employers in the name of protecting the national business potential, despite acknowledging the poor labour conditions of the RMG workers.

A potentially transforming Product Costing Tool has been introduced to relevant actors

The ‘Labour Minute Costing Tool’ and ‘Product Costing Tool’⁴⁴, developed for each of Fair Wear’s main sourcing countries, is a model for calculating production costs based on labour costs, giving the user the possibility to analyse how different wage levels affect production costs, and compare this with order prices. The tool is conceived and introduced by Fair Wear and provides a concrete basis for mutual participation between factories and brands in understanding cost structure as

⁴⁴ <https://www.fairwear.org/resources-and-tools/labour-minute-costing-calculators>

well as fixing the price of products. The objective of the tool and challenges of the pricing mechanism were shared with factories, buying agents and brands. Following the launch of Fair Wear and FNV-I's joint 'Wages on the Move' pilot project in 2018, brands, suppliers and unions have taken part in trainings on how to use the tool. In 2019, a seminar for members of both BGMEA and BKMEA was organised by Fair Wear, reaching out to a number of producers beyond supply chains of Fair Wear members. Furthermore, when looking at the required increase of the product price to be able to cover the increased minimum wage and make LW transparent, Fair Wear and BKMEA agreed to use the tool for analysing the cost breakdown of different products. The brands were present in suppliers' meetings and some brands stated their commitment to work jointly with the factories.

Employers saw the following benefits with the tool:

- The 'product costing tool' has been developed through continuous deliberations with multiple actors, including trade unions.
- The pricing mechanism is logical.
- The model includes different 'hidden costs'.
- The price negotiation capacity of the employers vis-à-vis brands has increased.
- The tool created a space for factories to improve their (price) negotiation position with the brands, in becoming able to show how price pressure negatively impacts workers' wages and benefits and thereby allowing factories committed to move towards the "target wage" to have a clearer picture of the price implications thereof.

Employers are yet to explore the full potential of this tool. The tool has the potential to be lifted up to the employers' association level, where they can work together on framing their strategic demands to brands and other purchasers. Further consultation may bring equality and eliminate the tradition of unhealthy pricing. As a result, formulating a "decent work price" might become a reality.

CBA's are instrumental in establishing wage levels and is therefore a precondition to mutual pricing arrangements. While designing the tool, Fair Wear discussed with trade unions in order to explain the relationship between product prices and wage levels. Through this tool unions will have a clearer understanding of breakeven prices. Thus, the tool might have a potential to be used in negotiations. Deliberations have been made with buying brands to make them understand the real situation of workers and influence them to pay a fair (in other words better) price. Employees were also taken into confidence to resolve the crises emanating from delays of shipments, absence of required orders etc. This new collaborative approach in factories has created more of an atmosphere of partnership than what is usually the case.

So far in Bangladesh, the product costing tool and the labour minute costing tool are academic tools for internal study. They have not yet gained the necessary acceptance by brands. Until and unless brands accept the tools, their true potential benefits will not be realised. Until now, in most meetings on the labour minute costing tool, only brands' country representatives have been present, without participation from decision-makers.

3.3 Gender-based violence (GBV)

Selected outcome cases:

- *Gender Platform*
- *Anti-sexual harassment Law- initiating the process*
- *Setting up Anti-sexual Harassment Committees in public and private organisations*
- *Lobbying for the ratification of ILO C190*

Major Achievements:

- Fair Wear and M-FNV have formed a platform constituted of trade unions and labour NGOs that work on gender issues and GBV at the workplace. The platform has developed into an effective space.
- A draft law for anti-sexual harassment has been accepted by MoLE. The National Human Rights Commission (NHRC) has established a committee that will elaborate the draft into a law. The Gender Platform (GP) is a member of the committee.
- The employers' associations BGMEA and BKMEA have understood the gravity of the problems related to GBV, and they have issued directives to factories to support the fight against GBV.
- Following lobbying efforts from the GP, the High Court ordered that every institution needs to submit status-quo of their Anti-Harassment Committees (AHC). Committees have been formed at many factories and committees which were non-functional have become active.
- Some factories have formulated a gender policy.
- Factory level AHCs have handled many harassment cases successfully.
- Factories are not allowed to fire members of an AHC without prior discussion. Fair Wear investigates the cases of dismissal or renouncement if requested.

A Gender Platform has increased focus on GBV

In Bangladesh, there is significant resistance against changing existing gender roles. The concept of GBV is perceived to be a very sensitive issue. In late 2016 the SP partners Fair Wear and M-FNV took the initiative to gather their partner organisations Awaj, Karmojibi Nari (KN), BNWLA, BILS, BLF, and IBC in a joint body, resulting in the establishment of the Gender Platform in January 2017. There was no commonly accepted definition of GBV available to the stakeholders in the garment sector, thus a first activity for the platform was to agree on a proper definition of GBV. In addition to discussions among the members of the GP, Fair Wear also engaged brands and called some to participate in the discussions in the GP meetings.

In 2009, the Bangladeshi High Court, following a public litigation with petition filed by the Bangladesh National Women Lawyers Association (BNWLA), released a directive that defined sexual harassment and that outlined a set of guidelines to protect women and girls in their workplaces, educational institutions and other public places from sexual harassment. The High Court directive included provisions for the creation of anti-sexual harassment committees (AHC). However, although these guidelines were meant to be regarded as law until a law could be formed, they were not binding. Therefore, many workplaces did not follow the High Court directive. Through the Gender Platform, SP partner organisations have lobbied for the adoption of a dedicated legislation on the Prevention of Sexual Harassment at the Workplace, with relevant ministries and parliamentarians. The final approval and enactment of the law is expected to take place in 2020 (see outcome story below).

An unfortunate incident triggered several positive steps. In March 2019, a young student (Nusrat) was brutally sexually violated and then burnt by a Madrasa principal. The incident was extensively covered by the national media. When the family filed the case against the perpetrator huge pressure was exerted on them by the associates of the principal to withdraw the case. The GP took a significant step by submitting a written petition to the High Court. The final verdict of the case was issued on the 24th of October 2019 in favour of the victim's family.

Although the Gender Platform is not multi-stakeholder by nature, they engage with actors from other sectors. Fair Wear has taken initiatives to invite both brands and employers. The president of the employer association BGMEA visited the GP and shared with them that during a factory visit to 50 factories where representatives of BGMEA assessed the situation of AHC, they found that in many committees key positions were held by men. While discussing with the GP, the

President of BGMEA acknowledged that this was not a very desirable situation and asked for advice on how to change the scenario to increase the number of women in key positions.

In 2019, the GP organised the 16-day international signature campaign against GBV, where more than 100,000 individuals signed.

Along with the activities for pushing the law enactment process, the GP also works to create pressure on the government to ratify the ILO C190, see outcome story below.

To learn more about the fight against GBV in the workplace, the GP has planned to travel to India on an exchange trip.

Anti-sexual harassment Law - initiating the process

The GP's key achievement during this tenure has been preparing a draft anti-sexual harassment law and follow it through a proper lobbying and advocacy strategy that resulted in the acceptance of the draft by the GoB.

In Bangladesh, there is no specific anti-sexual harassment law. On May 14th, 2009, the Bangladesh High Court decided that the current sexual harassment guidelines should serve as 'law' until the real law is enacted. The absence of any well-defined law paved the path for many GBV incidents going unnoticed and unaddressed. From the initial days of their work, the GP started to push different lobbying and advocacy avenues for the speedy enactment of an anti-sexual harassment law, without which no concrete measures can be taken in legal terms. This has been a very difficult and time-consuming process that has involved many small but significant intermediary steps.

In the conference of GP in 2017, the Labour Secretary from MoLE participated, along with civil society members, stating publicly that by 2018 a new law against sexual harassment should be enacted. This commitment by a top-level Government official should be seen as an intermediary result after consistent lobbying. In 2017, the GP started to prepare a draft law based on the High Court Verdict issued in 2009. The GP consulted with UNDP and UN Women while drafting the law. On September 22nd, 2018, the draft law was presented before the MoLE and the Law Commission. MoLE and the Law Commission advised the NHRC to take up the draft for further work. The UNDP and UN Women sided with the GP to push the government to coordinate with civil society on finalising the law. NHRC established a committee to carry this work forward, where the GP was given a seat.

Setting up anti-sexual harassment committees in factories

In 2012, Fair Wear began the WEP Violence and Harassment prevention (WEPVH) programme in Bangladesh to help facilitate the creation of AHCs, a programme that continued under the SP when that was established some years later. This work has led to changed perceptions about GBV among both workers and management. The factory grievance mechanisms have increased their effectiveness as more complaints are filed.

The SP partner organisations faced challenges when they started the work of creating awareness among RGM workers about GBV. In order to overcome the well established convention of gender roles without generating too much hostility, the SP partners designed suitable negotiation techniques and training modules.

SP partner worked with awareness-raising, capacity building and setting up AHCs in factories. The work has resulted in a change in perception among workers and management. The capacity-building has empowered workers to take initiatives on their own, which constitutes a big change from before. The training and capacity building activities have facilitated a process where workers

dare to speak up. As a result, the factory grievance mechanisms have increased its effectiveness.

While the SP partner organisation Awaj has been the most active entity on the ground when it comes to providing direct hand holding support, BILS has also been active at the policy level. In 2019, BILS shared with the End Term Evaluation that they have organised 29 training camps, and sensitised 725 persons on GBV, including 56 trade union leaders who have framed gender policy in their respective organisations.⁴⁵

BILS is part of Fair Wear’s monitoring committee, regularly monitoring their brands’ suppliers, ensuring that no factory can fire any AHC member without prior discussion. Fair Wear investigates cases where AHC members resign voluntarily to verify that there is no hidden pressure behind the resignation.

One story shared with the End Term Evaluation from a female worker that had, for 10 years, to face constant verbal abuse, unwanted touches, uncalled for comments and even touches in form of undue appreciations. A common scenario of Bangladesh garment sector, women from a very young age start to work in the factories. Her tender age, lack of exposure and extreme ‘shame’ (as often felt by the abused) prevented her from saying anything to anyone. The patriarchal culture constantly taught her, like most of the women in this society, that the problem lies within her. Moreover, she had no exposure to understand that the mistreatments she was facing in forms of “appreciative touches” were a form of gender violence. She clearly did not like those and absolutely in no way invited such behaviour but felt forced to succumb into a toxic silence. Her age and social convention taught her to be ashamed and feel guilty. During the workshops and training programmes she gathered the courage to tell about these unfortunate incidents that she had silently endured alone for such a long period. Once she could come out, many others found the voice and accepted that they did not even have the knowledge to identify such behaviours as GBV.

A significant change in the perception has also been found among mid-level management. Mid-level managers reported that after the awareness training they have become able to identify the problematic habits they themselves used to exhibit. Their behavioural changes have improved their relationship with the co-workers.

IATA data indicate ⁴⁶ that some 15 AHCs have been formed, see Table J.2.

Table J.2: Number of AHCs formed under SP

	Number of factories
New AHCs formed	15
AHC trainings in new factories	6
AHC trainings in factories with AHC	11
AHC follow-up meetings	27

⁴⁵ Looking at the SP IATI data for 2018 and 2019 (up to Q3), it seems there have been a total of 13,368 participants in training sessions under M-FNV’s portfolio. Of these, 12,752 were workers and the remaining 886 were union leaders. The share of women participants was around 50 per cent. Most trainings are registered under the thematic areas of SD, but this may well include other issues such as GBV. Fair Wear has also actively provided trainings, but they have registered the number of events rather than the number of participants.

⁴⁶ The exact number of factories reached trainings and/or formation of new AHCs have taken place is not evident from the IATI-data. In the quarterly IATI-reporting format one can trace the development from initial meetings to formation of a new AHC during the year, giving a good indication of the processes involved. At the same time, it is not always clear to what extent the same factories are listed from one quarter to another or if new factories are included. Thus, the figures in Table J.2 might include double-counts.

It is worth noticing Fair Wear member brand Takko introduced the WEP and the AHC formation (as an integrated part of the WEP) to factory management in 9 factories in 2018, resulting in AHCs being formed in four new factories.

Summing up some positive results from the establishment of AHCs in the workplace:

- women felt more comfortable to discuss their problems as the platform was not about giving details of harassment they had to encounter,
- an increasing number of women have started to come forward for discussing their problem,
- the committees have become crucial in providing support to different stress related problems present in the extremely labour-intensive work of garment factories.

A Training of Trainers approach has been key to the dissemination and capacity building process. As a result there are change advocates present in all the industrial clusters who work towards changing the prevailing mentality. One result of their work is that the number of formal complaints has increased. At the same time, cases are still being handled informally and verbally. Although an easy solution in many cases, it is risky in that informal solutions fail to register the name and act of the perpetrators that thus will remain 'clean'.

Scaling up the establishment of Anti-sexual Harassment Committees

In May 2019, a High Court order to follow the 2009 verdict till the enactment of the law was done, obliging all public and private institutions to submit the status of their AHC within a short notice⁴⁷. During that process it turned out that the High Court itself did not have a functioning AHC. Following pressure from the GP, the High Court formed their own AHC committee.

To push for change, Fair Wear shared the High Court proceeding and guidelines with brands. Also, they contacted the heads of the two main RMG business associations BGMEA and BKMEA. Both organisations extended their support and reach out to their members to urge them to follow up on the High Court order and establish functional AHCs. In a meeting with the GP members, the President of BGMEA, confirmed that the letters to their members had been issued to all the factory managements, underlining the importance to submit a report on the current situation of the AHCs of their respective factories. Members of the GP follow up on the process and shared with the End Term Evaluation that several factories had received the letter. Due to the Covid-19 situation the speed of the process has slowed down.

As part of scaling up the process of making all factories and workers aware of GBV and establishing AHCs, they engaged with a coalition consisting of UN organisations and international and national NGOs, see Box J.1. The coalition perceived the GP to be an important stakeholder because of their outreach and access to RMG factories and workers.

Box J.1: MoU signed by international coalition working against gender-based violence

"The purpose of this MoU is to strengthen coordination among parties to ensure a joint and collaborative approach in preventing violence and sexual harassment in the workplace. Also, the collaboration among the Parties with respect to work cooperatively in creating sustainable and scalable training resources and communication approach on workplace harassment and violence including gender-based violence in RMG factories in Bangladesh.

In addition, the ILO and the Partners have agreed to share training and communication strategy, curriculum, and list of suppliers with one another on workplace harassment and violence including gender-based violence. The Parties have also agreed to share learnings on a regular basis on their respective garment factory/ workplace interventions, with the purpose of investigating possibilities for a

⁴⁷ <https://www.dhakatribune.com/bangladesh/court/2019/05/13/hc-issues-rule-asking-progress-of-forming-anti-sexual-harassment-bodies>

joint Training Curriculum by developing and testing to merge their respective training programme for garment factories in Bangladesh, with a wider collaboration in scope, and under a new agreement.

BSR, BRAC, CARE, ETI, FWF, GIZ, OXFAM, SNV, UNFPA and UN WOMEN”

Lobbying for the ratification of ILO C190

As part of the GP's lobby efforts to get the Bangladeshi government to support the ILO C190, BILS facilitated a workshop on the ILO standard-setting process before June 2018, which contributed to a large delegation from Bangladesh attending ILO's International Labour Conference (ILC) in 2018. After the successful outcome at the ILC, the GP has lobbied for the GoB to ratify the ILO C190 on anti-harassment in the world of work. In parallel with working on the draft law, the GP has engaged in a series of lobbying and advocacy activities to the concerned ministries, MPs, factory management and owners, media, legal departments and more. As part of the lobbying and advocacy at the topmost legislative level, with the objective of ratifying the ILO C190, MPs have been involved. There were many discussions at different levels. One MP has been actively involved with BILS. Along with a few other MPs, she has taken the responsibility to make a move in the parliament. The ILO country director has also informed the GP that they planned to sit with the involved government bodies to discuss the ILO C190. Despite the lobbying that has taken place, no concrete steps had been taken towards the ratification by the time of the End Term Evaluation. Although the issue had not been raised in the parliament, the government was well aware of the existence of the Convention, as they had been present in many seminars and discussion forums conducted by the GP and other organisations where the issue had been discussed. The GoB has verbally assured to take a positive stand in the process. Unfortunately, due to the Covid-19 the pace of the discussions reduced drastically.

3.4 Lessons learned from efforts that have not yielded expected results

The SP partners have come across experiences where their efforts have not yielded results as expected. The process of creating meaningful SD and trade union formation, although it has accelerated, is yet to acquire its full motion. Misconceptions regarding trade unions, political pressure, corruption etc. continue to be considerable hurdles. A similar scenario can be seen in the understanding of GBV. Changing social perception is a time-consuming task. The enactment of a law preventing sexual harassment and the ratification of the ILO C 190 will take more time, as will matching the minimum wage with living wage levels.

4. Sustainability

SP has started the long-term journey of raising awareness in Bangladesh about the low wages and tough labour conditions within the garment industry. Very promising outcomes have been achieved, and while the shadow of Covid-19 was hovering above everything during the time of the End Term Evaluation, under normal circumstances, what SP has achieved in Bangladesh would be considered important building blocks to continue the journey towards more decent wages and labour conditions.

The members of the GP work as volunteers and they are likely to continue to do so as their respective organisations are working on the similar areas.

Intensified, broader training in the Labour Minute Costing Tools can be an effective means to build relationships between factories and brands. This will upgrade the financial management of the factories and their bargaining abilities.

SP has initiated long-term development processes in Bangladesh, and for these to be sustainable, real local ownership must be there. It is therefore important that the common trade union space

and the GP can continue to exist without the funding or presence of the SP partners, or other international actors, but are run by Bangladeshi organisations.

To change cultural patterns, awareness-raising efforts alone are seldom enough. Thus, to really instigate lasting change, the new issues must be internalised within the trade unions, the factories, business associations, brands, government, parliament, and society at large. For changes to happen on the factory floor, there is a need for improved human resource management mechanisms that are observed by the entire industry. That SP works on changing both people's perception and the laws in parallel bode well for future sustainability.

Many of the initiatives taken during the tenure of this project could reach the pinnacle of success, and there are several that will require some more handholding so that the processes can become sustainable in the future.

The assault of the pandemic on the global economy and business has aggravated the situation. The cancellation of orders from buyers or demands for further discounts, have become frequent features, resulting in pay cuts and retrenchments. It has also been informed that reported incidents of GBV have been rise during the months of Covid-19. The pandemic has made saving jobs the main priority for the RMG industry, presenting additional challenges to the SP actors in pursuing their set goals.

5. Relevance and Value Added

5.1 SP niche and investments

M-FNV has the expertise in the area of trade union formation and collective bargaining and Fair Wear works on the garment supply chain on several continents. In Bangladesh, the scenarios for trade union formation and bargaining for minimum wage were not very bright. To bring change, a change of perception was a necessary first step. With a change in perception regarding trade unions, collective bargaining and GBV, brands, employers and unions came to understand each other's points of view better than before. In a complex system like the Bangladeshi RMG export sector and their global clients, every party has their own story to tell. In this way, one might say that SP's niche was to bring all these stories on board for the different players to understand each other.

5.2 Value added of Strategic Partnership

From the very beginning, SP has worked with the vision of bringing all stakeholders in the RMG industry in Bangladesh together. SP has pointed at the importance of equality among all the stakeholders, hereby diminishing any presupposed ideas of unequal power positions. M-FNV and Fair Wear have lent full support of their international network and required funding sources.

Responsible local SP partner organisations have provided the ground level knowledge, experience, expertise, network base and support to ensure the implementation, needed lobbying and advocacy as well as troubleshooting of whatever challenges came up along the way. The SP has set out to develop practical solutions to key problems in the garment supply chains, and supports evidence-based dialogue between civil society, government, and business.

One significant value added by SP, among many, is making unions capable of using evidence in their bargaining. One weakness that historically has plagued trade unions has been their lacking ability to prepare powerful and well-documented arguments before entering deliberations with management. SP's interventions in this regard have helped trade unions in increasing their capacity in formulating arguments backing their requests for pay raise and other labour condition improvements. Research-based findings, like the research on garment sector wages, enabled

employees to present their demands more strongly to employers during collective bargaining sessions and to the government during the minimum wage negotiations.

In Bangladesh, The Embassy has played as an important role as a liaison and has connected different organisations according to the three thematic areas. The Embassy participated in many of the stakeholder meetings and their input was found valuable for SP's strategic planning in Bangladesh. Their suggestion on joint participation has made the collaboration easier.

Trade unions and federations have come together under the SP to discuss, formulate strategies and act jointly. The dissemination of information and awareness raising to a large number of workers across the industrial clusters have strengthened the labour movement with a new generation of leaders, many of whom are women, coming up to take the struggle forward. Sensitised people are filing complaints, which earlier went unreported and ignored.

In the capacity building efforts to implement revised wages, a national SD round table consultation has been an important tool. Basing lobby demands and negotiation positions on research and new evidence is an approach that has been adopted for discussions and negotiations at national, industry and factory levels, including in CBA discussions.

Awareness raising activities in the forms of interactive communication, publications, posters, pamphlets, day observation programmes and campaigns on labour health and labour security have lent a new vision to the workers' efforts in improving their labour standards with full rights and responsibilities.

6. Learning

6.1 Working with Theory of Action

SP interventions in Bangladesh appear to have followed the SP Theory of Change(ToC) to a large extent. Historically, trade unions have not collaborated due to political differences. It was strategically important for the SP to overcome this challenge and inspire trade unions to unite forces towards a common goal. The common space where trade unions now join hands has opened new vistas for implementing mutually agreed activities. The results achieved appear to correspond with the initial SP ToC thinking. SP has enabled interactions between the national level and the international supply chain. SP has been behind new evidence created through research that has provided employers with useful insights of the real condition of the workers. The replication of activities from cluster level to local levels has established a working model where workers and managers can learn and grow together.

SP's journey has undoubtedly been an enriching one for the partner organisations. Both achievements and lack of such have been crucial to understand that change can only be sustainable if there is true ownership to the process. There is still a lack of trust and unity among trade unions due to various misconceptions. But the change in the labour law was a collective effort and it has worked as a positive example of how things can be changed through meaningful SD.

SP partner staff indicate that their main lessons are⁴⁸,

1. Improved understanding of the relationship dynamics between different unions and federations.
2. Better grip on how to take business associations into confidence and convince them to work closely with trade union federations and lobby organisations.

⁴⁸ In the IATI data shared with the End Term Evaluation, there are 15 CBAs registered in Bangladesh.

3. Enhanced skills in how to make member of parliaments aware of pivotal issues.

To create legal provisions to combat sexual violence in the workplace and beyond is still a painstaking journey. The age-old patriarchal system puts challenges before every step. In Bangladesh, since there is no specific legal provision against sexual harassment, most of the organisations and institutions were reluctant to act according to the High Court's verdict issued in 2009. The efforts made by the SP partner organisations have succeeded in at least making a crack in that dark, rigid wall. There is no doubt that it will take more time before legal provisions come into place. An important lesson from this journey is that one needs to proceed gradually, taking one step at a time. GBV and sexual harassment are extremely sensitive issues. Creating too much hostility could jeopardise the entire effort. Making the AHCs function was a solid step in the right direction. The next step should be to push these committees to act on the basis of their assigned responsibilities.

The case for increasing the minimum wage is similar. As a result of the continuous dialogue with the government bodies and assembly members, many of them have accepted that there is a dire need to bring change in this area. This "acceptance" has acted as the primary impetus based on which the SP partners started to push the issue farther.

7. Summing up: Reflections and preliminary conclusions

With a long list of challenges in the RMG industry, collective initiatives to address the issues have become crucial. The innovative programme Strategic Partnership for Supply Chain Transformation (SP) is an important initiative to improve corporate and government policies and practices regarding human rights compliance in garment supply chains. Combining the expertise of trade unions, NGOs, CSOs, progressive brands and factories, the partnership has endeavoured to demonstrate how movement towards living wages, gender equality, and healthy labour relations through SD can be translated into a reality.

SP activities have strengthened the labour movement, and wages have been revised. However, much is still left to be done in:

- making it less cumbersome for trade unions to carry out their activities
- increasing the number of youths in trade unions and their committees to enshrine the next generation leadership in the future
- establishing more unity among women organisations.

Beyond doubt, significant steps have been taken and definite goals have been reached. Bringing change into systems requires change in the cultural practices of the system itself. This is often a time demanding process. SP is playing an important role in this journey.

From the End Term Evaluation interviews, it seems that there is a need both among SP partners as well as partner organisations to be trained in monitoring and evaluation methods to better document impacts of the interventions.

K. Country Report Myanmar

Abbreviations:

ALR	Action Labour Right
Apheda	The global justice organisation of the Australian union movement
BLO	Basic Labour Organisation organized by trade unions in member factories, recognized by the government as required by the Labour Organisation Law
CBA	Collective Bargaining Agreement
CESD	Centre for Economic and Social Development
CSR	Corporate Social Responsibility
CSO	Civil Society Organisation
CTUM	Confederation of Trade Unions Myanmar
EBA	Everything But Arms
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GEN	Gender Equality Network, national and international inter-agency network
GoM	Government of Myanmar
ITUC	International Trade Union Confederation
IWFM	Industrial Workers' Federation of Myanmar
LCF	Labour Consultative Forum
LCP	Labour Court Proceeding
LRDP	Labour Rights Defenders and Promoters
MIC	Myanmar Investment Commission
MICS	Myanmar Industries Craft and Services
MoLIP	Myanmar Ministry of Labour, Immigration and Population
MGMA	Myanmar Garment Manufacturers Association
MP	Member of Parliament
MWFM	Mining Workers' Federation of Myanmar
NLD	National League for Democracy
NGO	Non-Governmental Organisation
NOCS	National Occupational Competency Standards
NSSA	National Skill Standards Authority
NTD	National Tripartite Dialogue
OHS	Occupational Health and Safety
SH	Sexual Harassment
ToT	Training of Trainers
WCC	Worker Coordination Committee, composed of equal numbers of worker and management representatives
WEP	Basic workplace education program (Fair Wear)

1. Ready-made garment sector context

1.1 Industry Overview

Myanmar is a relatively new actor in the international garment and textile industry, experiencing a solid growth in exports following the democratic and governmental reforms from 2011 and onwards. Chinese, South Korean and Japanese owners dominate the sector. The reinstatement of EU's 'Everything But Arms' (EBA) trade preferential agreement has been an important driver for the significant growth experienced by export. According to MGMA statistics, the garment industry is the most export income earning industry of the country. Currently, the sector employs some 600,000 workers and aiming to avail around one million job opportunities for grassroots

level workers. Furthermore, foreign investment is increasing with over 600 factories being operated. The apparel exports more than doubled from 2016 to 2018, with garments representing 88% of the 5,300 USD worth of exports. This makes apparel the biggest export sector, followed by the petroleum and agricultural sectors when it comes to export value⁴⁹. In 2018, Europe was by far the largest market for Myanmar footwear and apparel exports, with 57%, followed by Japan (21%), South Korea (9%) and USA (6%)⁵⁰.

According to the Dutch Embassy's perspective, there are noteworthy legal changes in GBV related legislation, like the inclusion of GBV clauses in the OHS law, and minimum wage law, being observable. On the other hand, the government still needs to work on better changes in social safety and security.

The Members of Parliament (MP) consulted by the evaluation pointed to the challenges of effectively implementing the new law reforms, such as the revised laws on OHS, Labour Dispute Settlement, Minimum Wage and Labour Organisation. These laws are supposed to be beneficial not only for the garment industry but for all sectors, but due to lack of experts to give strategic guidance on the interpretation of key concepts within the laws and their enforcement, minimum effectiveness in the implementation of the abovementioned laws is being observed.

1.2 Social dialogue

The situation for the trade union movement in Myanmar has seen dramatic changes over the last decade. As part of the democratisation process, trade unions having worked in exile for decades were admitted back in the country in 2012, and by 2015, the Confederation of Trade Unions of Myanmar (CTUM), after having run for decades as an exile group, had returned to establish itself as the country's principle trade union centre, with a reported 60,000 members⁵¹.

Still, challenges remain. The ITUC Global Rights Index for 2019 places Myanmar in the second lowest category, labelled "Systematic violations of rights". Myanmar is mentioned as one of 5 countries where strikes were "...brutally repressed and severely punished by the government" in 2019, and eight union leaders of the Confederation of Trade Unions of Myanmar (CTUM) and the Myanmar Industries Crafts and Services Trade Union Federation (MICS-TUF) were charged by the police for violating Article 20 of The Right to Peaceful Procession and Peaceful Assembly Act, which bans public processions and assemblies and incurs heavy prison sentences.⁵²

Out of ILO's eight fundamental conventions, only three⁵³ are in force as per July 2020, the minimum wage convention will enter into force in June 2021, while four remain to be ratified by the GoM.

The MPs interviewed for this report refer to the challenge of lack of a unified collective representation by workers and employers in the National Tripartite Dialogue (NTD). In the national social dialogue forums, employer associations are not able to represent the entire industry and associations like MGMA can only represent their own members.

Workers' representation is also not stable yet, with different unions representing different industries. The disunity among trade unions is observed when the different groups are fighting to get elected as a worker representative to international labour conferences. Another story observed is that when a leader from CTUM is elected as the representative at an arbitration council, almost all labour representatives at the same time become people from CTUM. This has

⁴⁹ <https://tradingeconomics.com/myanmar/exports-by-category> (visited on July 29th, 2020)

⁵⁰ <https://www.simex-mm.com/garment-industry-in-myanmar> (visited on July 29th, 2020)

⁵¹ http://www.ictur.org/Profile_Myanmar.html (visited on July 29th, 2020)

⁵² <https://survey.ituc-csi.org/?lang=en> (visited on July 29th, 2020)

⁵³ C029 Forced Labour, C087 Freedom of Association, C182 Worst Forms of Child Labour

made the MPs and MoLIP question the integrity of the representation. They would have liked to see a more united and cohesive trade union movement representing all the workers.

Hence, the tripartite representation is still at the initial stage when it comes to an effective social dialogue. To have a mature dialogue mechanism, all parties need to be better prepared and organised. The dialogue in the Tripartite has become more open but the participants are still arguing for individual interest with only short-term benefit while forgetting long term value of pursuing the country's sustainable economic development plans.

Due to the absence of effective law-making and decision-making bodies, it is found that national level tripartite meetings often fail to produce the desired outcomes. Therefore, it does not often serve as an effective means for lobbying for legal changes such as labour law and minimum wage law. The understanding of the importance of social dialogue is still very limited. As a result, factory workers turn to strikes for demanding their rights.

1.3 Living wage

In May 2018, the new minimum wage of MMK 4,800 per day came into effect, representing an increase of 33 per cent. Although the implementation showed some delay at the start, minimum wages are generally being adhered to. Still, a lot of workers complain that their cost of living has risen substantially, overtime is often cut, and workers miss out on the payment of bonuses when the production targets are set unrealistically high. At the heart of this lies that Free on Board (FOB) prices paid by the brands have not risen sufficiently, sometimes stating low efficiency as the reason for this. The tripartite bodies will agree a new minimum wage benchmark in 2020⁵⁴.

The WageIndicator estimates living wage for a typical family to be around 150 per cent of the minimum wage, supporting workers' complaints that the hike in living costs are making the minimum wage levels insufficient to support basic family costs⁵⁵.

Social Security Benefit is an untouched topic in the industry. A strong social security benefit will help not only the industry but the livelihood of the workers. During the wage issue discussion, the Social Security Board (MoLIP) started to explore the possible improvement of the social security. As an initial step, MoLIP has utilized the Emergency Fund to help business sectors affected by Covid-19.

1.4 Gender-based violence (gender discrimination or harassment at the workplace)

Although 90 per cent of workers from the garment industry are women, spaces for pregnant women and women sensitive environments are not present. This widespread negligence is still keeping women factory workers in a vulnerable position. Wage issues have taken centre stage in the discussion on labour rights in the garment industry (including the lack of a living wage, unlawful deductions, and excessive or unpaid overtime). From a gender perspective, other critical labour rights issues include discrimination in relation to pregnancy, access to toilets, unsanitary accommodation, safety issues in relation to transportation, lack of contracts, and difficulties in accessing social security benefits. With a long list of unfulfilled labour rights, coupled with nascent unionization, few functioning workplace grievance mechanisms and limited understanding of women's needs, the issue of sexual harassment has not historically received much attention.

A representative survey on female garment sector workers in Hlaing Thar Yar and Shwe Pyi Thar industrial zones found that 39 per cent of respondents had experienced verbal abuse and 5.4 per cent had experienced or knew someone who had experienced physical abuse⁵⁶. A gender-

⁵⁴ SP Annual plan 2020, country annex Myanmar

⁵⁵ <https://wageindicator.org/salary/living-wage/myanmar-living-wage-series-september-2019>

⁵⁶ C&A Foundation, 2017

specific study, covering 320 workers in 16 garment factories, commissioned by the ILO found sexual harassment in 14 out of 16 factories.⁵⁷

In the Global **Gender Gap** Index 2020, Myanmar is ranked as number 114, down from 89 in 2018⁵⁸.

There is a need for more GBV awareness raising activities and more intense lobbying and setting up strategic programme for improved influence. The employers are very resistant to change. The ILO and the government still need to prioritize the issues. The issue demands a lot of capacity building for workers to be able to stand up for their rights.

2. Short description of the SP partners in Myanmar and their (main) activities

Fair Wear Foundation, Mondiaal FNV (M-FNV), CNV Internationaal (CNV-I - currently not present in Myanmar) and The Dutch Ministry of Foreign Affairs entered in 2016 a “Strategic Partnership” (SP) for Garment Supply Chain Transformation as part of the “Dialogue and Dissent” 2016-2020 framework of the Dutch Ministry of Foreign Affairs. The partnership aims to improve corporate and government policies and practices on human rights compliance in the garment supply chains in seven countries, including Myanmar. The goal is “Improved labour conditions in Myanmar readymade garment supply chains while ensuring a healthy and viable readymade garment industry”.

Fair Wear has been active in Myanmar since 2016, with 11 factories supplying four Fair Wear members in the first year of the SP. Currently, a total of 13 Fair Wear members are sourcing from 22 factories in the country. Given the high risk of labour rights violations in Myanmar, Fair Wear is applying an “*Enhanced monitoring programme*”, with a particular focus on freedom of association and social dialogue⁵⁹. The promotion of living wages includes working with brands and factories on the labour minute costing pilot as well as setting of and compliance with legal minimum wages. When it comes to fighting GBV, the Workplace Education Programme (WEP) and the workers complaints helpline are central instruments.⁶⁰

M-FNV’s support to the trade union movement in Myanmar started more than two decades ago, when trade union and (labour) rights organisations went into exile in Thailand.⁶¹ A key dimension of M-FNV’s focus in Myanmar is institutional strengthening of its partners, being it trade unions or labour rights organisations, through building more capacity when it comes to negotiation, organisation and evidence- based lobbying.

Table K.1: SP partner organisations in Myanmar

Partner organisation	SP partner	Description / Comment	ToA complementary/added value
Myanmar Garment Manufacturers Association (MGMA)	Fair Wear		Collaboration with Fair Wear on labour standards improvement and dissemination of good practices in factories supplying Fair Wear members
IndustriALL	M-FNV	Partnered with SP on	Capacity building of IWFM

⁵⁷ ILO (2018). Weaving gender: Challenges and Opportunities for the Myanmar Garment Industry.

⁵⁸ <http://reports.weforum.org/global-gender-gap-report-2020/the-global-gender-gap-index-2020/results-and-analysis/>

⁵⁹ <https://www.fairwear.org/programmes/countries/myanmar/> (visited July 29th, 2020)

⁶⁰ Annex i. Country context and planned results 2019

⁶¹ Annex 8. Theory of Action Myanmar

		capacity building of unions in 2016 and 2017	
Confederation of Trade Unions in Myanmar (CTUM)	M-FNV	CTUM is affiliated to the International Trade Union Confederation (ITUC)	
Industrial Workers Federation of Myanmar (IWFMM)	M-FNV	Official union, affiliated to IndustriALL and part of CTUM	Advocacy and influence both government and unions at factory level.
Action Labour Right (ALR)	Fair Wear	Labour Rights NGO	Provides training of workers on labour rights, labour laws and the formation of unions. Trains factory-level unions in collective bargaining, negotiation skills, drawing up a constitution, etc. Conducts research on labour rights issues, mainly in the garment industry.
Labour Rights Defenders and Promoters (LRDP)	Fair Wear	Labour Rights NGO	Promotes leadership among workers and implementation of international standards to improve workers' living and employment conditions. Shares information about new labour laws and principles with workplace unions, and trains workers on their rights, helping them to negotiate with factory managers where needed.
CARE Myanmar	Fair Wear	International NGO, focus on GBV	Not mentioned in initial ToA
GEN – Gender Equality Network	Fair Wear	National network of over 140 national and international NGOs and technical resource persons. Promotes gender equality and women's rights through evidence-based advocacy and awareness raising. Founded in 2008.	Not mentioned in initial ToA
Apheda - Myanmar	M-FNV	Global justice organisation of the Australian union movement	Not mentioned in initial ToA
Myanmar Industries Craft and Services (MICS)	M-FNV	Trade Union	Not mentioned in initial ToA

Table K.2: Description of SP activities in Myanmar looked at by the End Term Evaluation

Thematic Area	Description of Each Activity	SP Partner/s	Key Partner Organisations	Other stakeholders receiving support	Type of Activity
SOCIAL DIALOGUE	Support to local trade unions/ capacity strengthening of partners	M-FNV	IndustriALL	IWFM (and MWFM)	Trainings, capacity building
	WEP communication module	Fair Wear			Trainings, lobby
	Labour Consultative Forum	M-FNV	Apheda	MICS	Forums, studies
LIVING WAGE	Minimum wage processes on national level	M-FNV	IWFM		Consultations, meetings
	Labour minute & Product costing tool	Fair Wear		MGMA members, Fair Wear brand members	Workshops, seminars, studies
GENDER-BASED VIOLENCE (GBV)	Lobby for integrating sexual harassment in OHS law	M-FNV Fair Wear	Apheda, Care, GEN		Consultations, meetings
	Lobby for protection and prevention of violence against women bill	M-FNV	Apheda		Consultations, meetings
	ILO C190 Lobby	M-FNV Fair Wear	Care		Consultations, meetings

3.1 Social dialogue

3.1.1 Outcome stories of partner organisations with increased influencing capacity and verification stories of these

Trade unions developing their own training curriculum and organise ToT training about social dialogue

With the support of M-FNV, the Industrial Workers' Federation of Myanmar (IWFM) members received CBA- and Union Organising Trainings from IndustriALL as part of their capacity building projects to empower members for a better understanding of social dialogue mechanisms and organising new members. An important change observed was that IWFM developed their own training curriculum and organized ToT, resulting in 20 new volunteer trainers. Subsequently the trained trainers replicated the training to the new union members. The curriculum includes Trade Union Concept, Labour Law, CBA, and Union Organising.

After receiving the training, the union leaders had to organise new members in the factory level to practice what they had learnt. IWFM organises weekly meetings between township leaders and basic labour organisation (BLO) union leaders to update them about their respective factories. In that way, the trained BLO unions are able to apply social dialogue at the factory level effectively. Through that process IWFM assesses the performance and effectiveness of the training. IWFM is giving training on every Sunday without any support from other parties.

Trade union gaining capacity to constructively take part in tripartite dialogue

With the support of Apheda, Myanmar Industries Craft and Services (MICS) experiences that they can now handle issues in a more technical and systematic manner. Before, whenever there was an issue, MICS were carried away by their own emotions and had a rather undisciplined approach. After training, they take time to reflect, process information, analyse the situation, and define a strategy under their own organisation's procedures to solve any problems arising.

Their leadership skills are also improving. With the support of Apheda, MICS has become able to better fill its representative role at the tripartite meetings. They manage to organise meetings, unite and lead other labour CSO organisations at the LCF and in other tripartite dialogues, forums and meetings.

MICS has learnt how to carry out research and use information from different sources, considering both the global and local contexts, when presenting their cases in meetings. Cases from MICS' internal reporting systems are used as inputs when engaging in dialogue on changes in law and policies. They process which cases are not fair and not properly handled by labour inspectors. The organisation's secretary presents the cases to the president of MICS to be discussed in the tripartite setting. Daily and monthly reports and discussions with Confederation of Trade Unions Myanmar (CTUM) and IWFMM help MICS to be able to have their issues raised in unity, which again makes them ready to lead the dialogue sessions.

MICS' approach to social dialogue is negotiating with genuine objectives to get a common result, therefore they prepare well ahead of the meetings. MICS feel that the employers are not well prepared for dialogue meetings. Combined with frequent changes of employer representatives and little coordination on their side it makes the dialogue weaker and reduces the likelihood of effective solutions.

Another difficulty the union faces in the tripartite meeting is the government's control over the agenda and the discussion. The government is well prepared but since the government representative in charge is from the military it gives a lot of restrictions to the meeting.

MICS argues that the tripartite dialogue representatives should be the actual decision-makers rather than subjugates, too often without sufficient knowledge of the topic discussed. This creates a lot of unnecessary delays in the decision-making. Furthermore, MICS suggests that both MoLIP and MPs should be represented in the tripartite dialogue from the public side.

The concept of social dialogue is still very new in the country. It was introduced in 2016 by Denmark Embassy and followed by ILO, and still needs a lot of improvement.

Trade unions establish dialogue to avoid unions overlapping in factories

One of the challenges Apheda observed in Myanmar was the number of international organisations working in the garment industry, often with overlapping programmes. Similarly, geographical union organising areas were overlapping as competition grew. There was confusion among workers in factories which union they belonged to. To overcome the union overlapping issues, Apheda started to support the trade unions to conduct a supply chain mapping to get a clearer picture of existing initiatives and programmes.

In this process, trade unions and labour right CSOs joined efforts and successfully lobbied MoLIP to be on board. Through this process, the commitment of stakeholders increased.

In order to avoid union overlapping, MICS would first collect factory data about whether the factory has a trade union, and under which union membership the factory belongs. The data-

collection is done by the MICS representatives in their respective industrial zones, and the data is then reported to the head office. Thereafter, MICS gives priorities to those factories where there is no union and proceeds with its recruitment processes. When the trade unions come across an overlapping factory, the leaders will discuss and define membership.

Learning from Apheda, MICS is able to conduct social dialogue training at the factory level. Consequently, conflict between the workers and employers has significantly receded. In some cases, initiating the social dialogue in forming worker coordination committees (WCC) at factories is difficult. Where WCC members are selected by the employers, MICS has to engage with employers to convince them that a restructured WCC with elected workers is necessary in order to establish genuine social dialogue.

To reduce the occurrence of strikes, MICS lays a negotiation platform for its members. First, the members are asked to negotiate at the factory. Second, when the issues are not settled, MICS sends letters to the employer and negotiates for best results. MICS focuses on organizing unions. When trainings could not be conducted due to Covid 19, they were busy distributing masks and hand sanitizers together with pamphlets that portray MICS' objectives and contacts in order to get in touch with workers in the factories.

Factory workers told the End Term Evaluation that they find training very useful, this includes negotiation training (CBA), leadership training, training on the Labour Law, and Gender-Based Violence⁶². With the help of the training, through understanding the labour law and negotiation techniques, workers gained confidence in raising their issues to their management. The training sessions were applied when solving conflicts at their workplace. When the unions are formed in the factories, workers come to feel that they are protected, and their issues are being solved.

3.1.2 Outcome stories of partner organisations with increased engagement in influencing efforts and verification stories of these:

The Labour Consultative Forum has become a key arena for trade unions and labour NGOs and the point of communication between the government and the labour movement

The Labour Consultative Forum (LCF), founded in March 2019 is one of the key achievements of the SP interventions in Myanmar, and has rapidly become an important arena for improvement of workers' rights. LCF was organised in collaboration between Apheda, MICS and M-FNV and consists of 14 trade unions and labour right CSOs. Three committees are formed around Minimum Wage, Labour Law Reforms, and Labour Court Proceeding. MICS, as the unions' representative in the National Tripartite Dialogue (NTD) has become the communication channel between the larger group of trade unions and labour rights organisations in the LCF and the NTD, where only a limited number of actors participate directly. Lately, the alliance has become the point of communication for the government for any labour related issues to be raised at national level.

Both Apheda and MICS play key roles in the LCF, MICS being part of the NTD and leading the LCF, and Apheda with technical and professional support and guidance. Both organisations highlight their role in successfully convincing unions and labour rights NGOs to join efforts and become part of the LCF and seem to have a strong ownership to the LCF as key organisers. For MICS, the most difficult challenge in the first phase was to gain trust and unite other trade unions and labour right organisations, and create an atmosphere characterized by equal treatment and mutual respect.

⁶² GAD factory worker interviews.

The main purpose of setting up the LCF was to establish a neutral platform for all relevant stakeholders, including labour rights and other NGOs not being part of the NTD, to share experiences and discuss solutions to labour rights issues. The LCF constitutes a bridge from the entire diverse group of unions, NGOs and CSOs to the tripartite meetings, in which MICS is representing the union side. Through the LCF, the other stakeholders have the opportunity to raise issues and provide inputs to MICS' participation in the NTD. Furthermore, MICS is tasked to report back on the outcomes of the tripartite meetings, as well as keep the LCF partners involved through their research and expertise from different angles to contribute in the processes.

Prior to the establishment of the LCF, CTUM was consulted and gave their support to setting up the forum. An important achievement in making the LCF an effective collaboration platform is the formation of the three joint working committees mentioned above. When it comes to minimum wages, engagement with proper research, forums and discussions among LCF members have translated into inputs to the NTD, and thereby influencing government decisions on minimum wages. When it comes to Labour Court Proceedings, Apheda organised a forum that concluded that a reform of the labour court when it comes to dispute settlement is urgently needed.

The LCF has been instrumental in establishing a closer cooperation and collaboration between trade unions and CSOs and has been successful in gaining trust from the GoM, and MoLIP in particular. The inaugural meeting in the LCF was attended by high-ranking government representatives as well as ILO, while the Indonesian SP partner organisation TURC participated as a resource organisation.

The LCF was instrumental in restarting the tripartite dialogue after it broke down early 2019. At a critical point, trade unions walked out from the tripartite meeting after not having been able to reach an agreement on the Labour Organisation Law. Through informal side talks between the parties, the dialogue was kept open. Shortly following the first meeting in the LCF, the national tripartite dialogue was reopened. M-FNV feels that the first LCF meeting was instrumental in restarting national tripartite collaboration after unions had stepped out due to a FoA-related protest in early 2019.

A more indirect, but still important, positive result of LCF is that the labour rights CSOs are gaining workers' trust through the collaboration in the LCF. MICS also observes that the government has started to talk with CSOs on how to tackle the consequences of the Covid-19.

The Dutch Embassy describes the LCF as a good initiative. It is an effective dialogue channel that has contributed to changes in policies and laws, and further to improve labour conditions. The Embassy recommends that the SP continue to support LCF's work.

A positive change observed by **MICS** is that the parliament increasingly participates in dialogues with trade union federation and confederation for law and policy reforms. MoLIP is open to communicate with the trade unions in sharing information regarding its plans and policy changes. Another positive change is gaining the unity of trade unions and labour right CSOs.

IWFM campaigning against unfair treatment while organising more disciplined strikes

IWFM makes use of the information gathered through their weekly meetings with unions on challenges faced by factory BLOs. Through consultations, IWFM leaders advise local union leaders on how to negotiate with factory management. If disputes are not solved locally, IWFM brings the case to the nearest township arbitration body, where IWFM is the union representative. In this way, IWFM monitors the effectiveness of the dispute settlement mechanism of the government by following up on its implementation. In some cases, IWFM end up filing court cases against the township arbitration council.

One of the trade union federation's strengths is putting pressure on the government to enforce the law in dispute settlement. There are factories that intentionally fire both actual and potential union members in an effort to counter organisation of workers, i.e. work against the right to freedom of association. If a dispute is not settled in favour of the employees by the arbitration body, IWFM organises a campaign against the verdict. The campaigning has two intentions: i) to inform the public of the unfairness that portrays negative image of the country to the international investors; ii) to encourage MoLIP to take actions against it. In some cases, strikes are organized to claim the workers' rights.

A prominent change observed during SP's intervention is that IWFM has learned to organise more disciplined strikes. One example of the opposite is from a Chinese-owned factory, where union members ended up destroying a factory building and properties, resulting in 25 workers facing civil lawsuits. Now local unions have learned that a strike is a last resort for solving disagreements.

Due to their constant contact with the unions, weekly trainings, and consultation support, IWFM membership is growing. Now it has over 60 unionised factories with over 8000 active members. Before Covid-19, there were more than 90 unionized factories.

As the organisation is gradually becoming well versed with CBA, IWFM can take a role of lobbying for the dispute settlement mechanism reform by providing relevant evidences and cases in the tripartite meetings.

Improved tripartite relationships, with trade unions participating more constructively in the national tripartite dialogue

LCF has played an important part in improving the tripartite relationships. Through trainings, discussions and better coordination, trade unions have increased their understanding and competences when it comes to constructive dialogue, with the LCF as the bridging channel between the NTD and the wider labour movement.

SP mainly supports the trade unions through capacity buildings, providing consultation and financial and technical supports. It plays an important role in lobbying employers and the government in preparation to the tripartite dialogue. Apheda's capacity building for trade unions has had a positive impact, making them capable of conducting surveys, gather information and analyse their findings, to inform their position and inputs to the NTD. MICS feel they have changed intellectually with the support of Apheda.

The establishment of the NTD is an important step acknowledged by the government as a helpful platform for law reform in the country. Due to conflicting interests among the parties, the involved parties don't always see the conclusions as positive. By nature, issues discussed in the tripartite meetings are very detailed and solutions are not always reached in the dialogue. However, MoLIP sees the NTD as a valuable asset for the country.

According to MoLIP, employers are still weak in presenting their arguments. In the minimum wage awareness forum organized by Apheda, with invited international expertise present, the participation from the employers' associations was minimal. This suggests that efforts should be made to increase employer associations and factories to participate.

Furthermore, MoLIP suggests that trade unions and employers should engage in a strong bipartite dialogue prior to the NTD. MoLIP feels that the Ministry is spending too much energy and time to solve unnecessary disagreements between the two other parties, issues that should have been handled at factory level ahead of tripartite meetings, leaving the role of the government to acknowledging the final agreement between workers and employers.

In times of a decision reached to strike, in MoLIP's perspective, strikes should not be led nor organized by the trade union representatives. Rather, the Ministry is of the opinion that unions should play the role as negotiator or mediator, ensuring that strikes are organized in a responsible way in such a way that it does not affect the production of the factory.⁶³

However, lately, it is observed that the current NLD government is not so interested in labour right movements and policy reforms. The government is more focussed on building good relationship with investors and the employers. Strikes are not encouraged as the election is getting near. A notable observation is that FoA is not encouraged by the GoM. Whenever there is a dispute, workers are not protected.

3.1.3 Outcome stories of policies and practices of brands and governments in favour of human rights in the garment industry and verification stories of these

Reduced worker absence, turnover and production costs following trainings through the Workplace Education Programme

“Management found that workers’ absence, turnover and production costs decreased”

According to a factory manager, Fair Wear's Workplace Education Programme (WEP), introduced to the factory by a brand client, resulted in improved factory performance, mainly through decreased turnover and worker absenteeism, and lower production costs. Through the WEP training modules, the Workers' Coordination Committee (WCC) members' ability to negotiate and bargain have improved, resulting in the factory providing better transportation facilities, improved policies on leave and better working conditions (providing more fans).

The WEP has helped the WCCs to become more effective in handling problems in their workplace by applying learnings on social dialogue. The programme mainly focusses on workplace communication and negotiations, targeting middle management managers, supervisors and worker representatives.

Management at a factory where the WEP was introduced shared with the End Term Evaluation that the relationship among middle management themselves has improved as they became more aware of how to use personal attributes like respect, listening skills, emotional control and communication skills. The Human Resource and Administration officer has improved her interviewing techniques by using the communication techniques that she learned from the WEP training.

Workers claimed to be happier at the workplace, but there was a concern that the changes would disappear when there are no more follow-up training programs.

Prior to taking the initiative to start a WEP, Fair Wear used findings from the Fair Wear factory audits on decision-making and work practices to convince factory owners that training on workplace improvement was needed. Following a discussion with management on the nature of the training programme, around 100 workers at the factory were informed and given basic information about the WEP. In the factory visited by the End Term Evaluation, Fair Wear was able to recruit 15 workers to participate voluntarily in the programme, as well as 13 management representatives. During the five events making up the programme, only five from management, two supervisors and two middle managers, participated at all the events, while 13 out of 15 workers completed the whole programme. The programme was able to help build a better relationship between the management and the workers as they learnt communication and

⁶³ This claim shows that international labour rights are still fairly new to Myanmar and basic understanding of the "rules of the game"; the rights and obligations of the three tripartite social partners, is still needed within the three camps.

negotiation techniques. The supervisors have gained trust from their subjugates and their line managers by applying the skills they learnt.

Wide knowledge gaps between the management and worker representatives was a challenge when implementing the WEP, forcing trainers to employ training techniques that could bridge the gap such as video clips and stories. Furthermore, the training helped the factory management body to learn how to trust one another and engage to resolve conflicts among themselves. Through the programme, the management body and the workers learned to solve their workplace issues resulted in win-win situations for both parties.

Though the WEP training was very useful for the trainees, the sustainability in the long run is questionable. There is no mandate for follow-up programmes and it is still very challenging for the trainees to retrain more trainees in peer-to-peer training. There is a demand for further follow-of the trainings.

The workers interviewed coincide with management and Fair Wear when it comes to the results of the WEP. They have learnt how to listen to their peers and learnt how to control their emotions in times of disagreement. The training was helpful in improving communication and negotiation skills and gave confidence in speaking to, and negotiating with, management. A main achievement from the workers' perspective is the agreement with the owner on paid leave and transportation issues. WEP is the only joint training between workers and management in the factory, providing a useful arena for building trust and mutual understanding. WEP-participants experienced criticism from their peers when some workers considered that trainees were escaping from their work by taking the advantage of the programme, and some supervisors did not encourage the training due to work pressure. Still, WEP-participants find the trainings valuable. According to the workers, the outcome of the WEP would improve if (more) supervisors are included and trained in how to best fill their role in the workplace.

Tripartite agreement on the establishment of a labour court has been reached

At a tripartite meeting in the Labour Consultative Forum, the need to improve Myanmar's labour dispute settlement mechanism was agreed by all the three parties: the government, the trade unions and the employers. The agreement shows that there is a fruitful social dialogue taking place.

The work for new Labour Court Proceeding was initiated by Apheda with the support of M-FNV through the Labour Consultative Forum. Pointing out the weaknesses of Myanmar's labour dispute settlement mechanism, it was agreed that there was a need for improved court proceedings that should be timely, low cost, involve competent official participation and produce fair outcomes.

Apheda has been working closely with MICS, giving technical and financial support and has worked effectively to influence MoLIP through meetings and exchange of information. Over time, Apheda has gained trust not only from MoLIP but also from trade unions, CSOs and NGOs. All the parties are working towards the establishment of a new Labour Court proceeding at the soonest and Apheda's continued contribution in the process is considered to still be crucial.

According to Apheda, the current dispute settlement process is inefficient. It lacks clarity at every level. The process takes time, is costly and unfair in jurisdiction and employers can easily influence the outcome. The mechanism has many steps and processes in such that the clients have to spend unnecessary time and budget. Some cases take years, and some of the issues end up being unnecessarily settled by civil court. As the mechanism is very inefficient, unions and workers often resort to strikes. When repressive actions are applied to solve the problem, it has

negative effects on the business climate in the country, constituting a business argument for better ways of settling workplace related disputes.

Through the Labour Consultative Forum, Apheda and MICS, with the collaboration of M-FNV, organized a two days national dialogue forum on Labour Court Setting Proceeding in May 2019. Following the lobbying effort of the trade unions and acknowledging the importance of an effective Labour Court, MoLIP, as well as the employers agreed to the court establishment. The forum secured commitment from Apheda and M-FNV to support the work on establishing the labour court. Consequently, the trade unions and CSOs had to work together to prepare for the Labour Court Proceeding route map, covering topics like the structure of the labour court, the qualities of the judges involved, and the participants in the proceeding.

Apheda and MICS will assess the current dispute settlement mechanism improvement. According to APHEDA's country representative, the current mechanism settled almost all the labour dispute cases last year, but whether the outcomes will translate into a fair and legal binding is not clear⁶⁴. There are examples of cases where workers are compensated but the cost of the dispute is not added or workers can be reinstated but they are paid low wages, or in some cases workers are paid only compensation but not reinstated.

3.2 Living wage

3.2 1 Outcome stories of partner organisations with increased influencing capacity and verification stories of these

Exchange trip to India opened opportunities for Fair Wear to convene and train employers' association in product costing tools

The fact that it became possible to organise training in collaboration with MGMA is to be considered a positive outcome, although the trainings as such did not yield the expected results.

Following the exchange visit to India, Fair Wear was able to coordinate with MGMA to organise training on labour minute costing tools to MGMA member factories. Previously, MGMA was very resistant to the Fair Wear programmes due to negative experiences with other international organisations but based on the relationship built with the head of MGMA during the India visit, Fair Wear and MGMA agreed to organise Labour Minutes Costing tool training for MGMA member factories. This coincided with discussions about Minimum Wage policy reform, making it timely to use the Labour Minute Costing Tool training as a way to gather more information and increase factories' knowledge on production cost structures.

An additional factor is that MGMA, when engaging in tripartite minimum wage discussions, feel that unions only raise demands without considering the business impact for the factories. Similarly, the government does not show much understanding of business' financial challenges, and the employers often feel that they are left with no choice but paying. MGMA points to the risk of having a high minimum wage, referring to low labour costs as an important driver for global competition to attract international investors and buyers. The garment industry is providing job opportunities to uneducated and unemployed people. MGMA representatives feel that graduate employees in other business industries earn less than uneducated workers in the garment industry, hence too much unrealistic pressure is put on the employers in the garment industry.

During the training Fair Wear learnt that most participants had no professional experience with or competence on product costing. Some were Human Resource and some CSR personnel. Only a few participants had previous knowledge from costing calculation. Consequently, the training was not as successful as hoped. Prior to this training, that also involved factories not supplying Fair

⁶⁴ Non- published ILO research

Wear members, Fair Wear had already hosted another session on labour minute costing with factories producing for members of Fair Wear. This second training confirmed the need to extend training beyond those supplying Fair Wear members.

3.2.2 Outcome stories of partner organisations with increased engagement in influencing efforts and verification stories of these

Trade unions use evidence-based lobby for better minimum wages first at the Labour Consultative Forum before taking it into the national tripartite minimum wage dialogue

In order to prepare for an informed discussion of minimum wages within the LCF and subsequently in the National tripartite Dialogue, MICS, with support from Apheda, set out to gather information on actual wages, applying systematic survey techniques. The survey was conducted jointly with the Centre for Economic and Social Development (CESD)⁶⁵, with technical support and guidance from the Dutch specialist organisation WageIndicator. Local trade unions and labour rights CSOs took part in the data collection. The findings were presented in the LCF and the survey outcomes were discussed in the national tripartite dialogue.

Minimum Wage is identified as a priority area within the LCF and discussions within LCF is used as a preparation for MICS into the national tripartite dialogue. MICS consider that their **influencing capacity** has increased notably through SP's efforts, illustrated by the fact that MICS is now able to produce draft policies when preparing for tripartite meetings. MICS increased its competence and improved preparations prior to meetings with MoLIP have made them more confident in the dialogue. Furthermore, the discussions and coordination within LCF have reduced unnecessary conflicts in the meetings. All in all, this has increased MICS', and thus the labour movement's, influencing capacity and engagement on minimum wages.

Before LCF was founded, the house of parliament submitted a drafted minimum wage law reform to the parliament without communicating with trade unions. Through the LCF, the trade unions successfully voiced to stop the drafted law and were able to influence the house of parliament. The proposed law by the government was not based on research findings and collective discussions that included the unions and their alliances. The unions embarked on collecting data on minimum wage and brought it to the NTD for further discussion. Setting a new minimum wage range is currently pending for discussion at the NTD.

3.2.3 Outcome stories of policies and practices of brands and governments in favour of human rights in the garment industry and verification stories of these

SP assists government in preparing for sensitive minimum wage tripartite dialogue that led to wage raise

Minimum wages is a very sensitive issue to discuss. The workers always want to get more and the employers want to pay less. To connect the two poles has been a great challenge for MoLIP. People in MoLIP find it challenging to come up with a strategy for bringing the issue into the dialogue. The issue was discussed with Apheda. MoLIP received technical support from Apheda and was able to lay a platform to communicate to the tripartite committees.

A change being observed by MoLIP is that the workers have shown some interest about the challenges of the employers concerning their factory supply chain. However, the employers have difficulties sharing data to the workers as they consider it confidential information. This becomes an impediment for MoLIP to come up with a solution for the minimum wage.

⁶⁵ A national independent and non-political think tank

With regards to minimum wage issue, Apheda has trained the trade unions so that they have become capable of conducting surveys, gathering information and analysing the findings. They have changed intellectually with the support of Apheda. However, the employers are still weak in presenting their arguments. In the minimum wage awareness forum organized by Apheda, where international expertise was invited, the participation from the employers' associations was minimal. MoLIP suggests that Apheda should enforce employer associations to participate more.

Thanks to increases in the minimum wage, the living standard of the workers is getting better. They can support their families better.

3.3 Gender based violence

3.3.1 Outcome stories of partner organisations with increased influencing capacity and verification stories of these

Exchange trip to India opened doors to train unions and employers on Gender-Based Violence

It started with Fair Wear organising the exposure trip to India, with participants from a number of stakeholders, such as ILO, MPs, MoLIP, MGMA, MICS, CTUM, LDRP and gender experts from Care and GEN. Through the trip, trust and relations were built between the key Myanmar actors in the delegation, thereby making it possible for Fair Wear to engage with trade unions, employers, as well as government officials on the sensitive issue of gender-based violence at the workplace. The India visit was important in creating better relations and thus improving collaboration between the parties.

In preparing for the trip, Fair Wear had a first discussion with Care and ILO on gender-related issues in the country. The next step was to involve government personnel, getting the acceptance from two key MPs, including the head of the Labour Issues Committee, to join the delegation prior to meeting, and later formally inviting, MoLIP. MGMA was initially hesitant to join but motivated by the fact that the India delegation included several important stakeholders, and to avoid being left behind in potentially important law-making discussion, MGMA came on board.

GBV was not high on the agenda for neither ILO, MGMA nor the trade unions. However, after the trip Fair Wear took the initiative to organise GBV awareness trainings to MGMA factories, and upon request organised ToT trainings to trade unions. In both cases with the involvement of Care and GEN. Apheda was involved in the GBV awareness programmes in Mandalay and Yangon as co-sponsor.

3.3.3 Outcome stories of policies and practices of brands and governments in favour of human rights in the garment industry and verification stories of these

SP contributed to the inclusion of five new clauses in the OHS law, of which one is related to gender-based violence.

The inclusion of the five articles in the OHS law is a prominent success of the SP partner organisations' lobbying efforts. Fair Wear, together with Care, the Gender Equality Network (GEN) and Apheda, were the main drivers behind this achievement. The group (FWF, Care and GEN) combined their expertise, and used their relations built with MPs, key CSO leaders and the MGMA through the India exposure visit in September 2018 in their lobby efforts. The two MPs who joined the India trip, played a conducive role in convince the parliament's OHS law committee in the process. The law was signed by the President on March 15th, 2019. The bill had then been under discussions in the parliament to be designed in a way that felt compatible to Myanmar while maintaining international standard of practices.

The enactment of the OHS law in Myanmar was proposed to the government by Myanmar Investment Commission (MIC), referring to pressure from international investors claiming that they could not do business in Myanmar without a proper OHS law. The MPs being interviewed by this End Term Evaluation, referred to ILO as the main organisation behind the enactment of the OHS law, nevertheless, the involvement of the SP partners, INGOs, NGOs, CSO, the employers and the employees were considered equally important. The MPs acknowledge that the involvement of the INGOs, NGOs, trade unions, and CSOs have been eminent in the process of enacting the OHS law. Care and GEN had largely done the awareness buildings and provided a lot of technical support to the MPs lobbying efforts. According to the two MPs involved, the involvement of the abovementioned organisations will still be needed as the issue needs public education and awareness building, for the implementation of the OHS law to be realised. The MPs state that it is an effective lobby strategy for the SP partner organisations to lobby the MPs directly.

The trip to India was a key strategy in the preparatory phase, exposing the participants to experience international practices as well as building trust and increasing mutual understanding among the national delegates. Fair Wear partnered with Care and GEN, who are actively running GBV related programmes, and organised GBV training for unions as well as hosted discussions about GBV issues related to the OHS law.

Representatives from Care and GEN, as well as the participating MPs, confirm that the India trip was an important initiative for effective advocacy and lobbying for the inclusion of GBV in government policy making. With the exposure in India, Care and GEN were able to build alliances with MGMA, MoLIP, MPs, CTUM, and MICS members. The growing network opened up opportunities for the two organisations to lobby for gender-based violence to be addressed in the national tripartite meetings as well as the possibility to work with, and influence both MGMA and the trade unions to putting GBV and sexual harassment on their agenda.

In the preparatory phase, one of the key challenges was to reach a common ground and priorities among Care, Fair Wear and GEN, being actors with different understandings, priorities and organisational backgrounds. Through internal workshops and discussions, the group concluded to put forward 10 articles on GBV to be presented to the parliament. The group made efforts to put GBV on the agenda in the tripartite dialogue, however, their first effort was rejected by the representative of MoLIP at the tripartite meeting who did not have much knowledge about the issue. It turned out that the NTD, influenced by the MoLIP representative, rejected the proposal. Thus, the strategy was changed to the MPs and the parliament as lobby targets.

Following meetings with individual PMs, including those who had joined the India trip, the Upper House Bill Committee, and the Lower House Bill Committee, the SP partners and their partner organisations succeeded in getting their 10 articles discussed and evaluated in the parliament meetings, and five of their articles were included in the OHS law. The other five articles were rejected on grounds of being irrelevant to Myanmar's culture and lack of supporting cases.

Care and GEN, seen as independent third-party organisations by both unions and employers' associations were invited to provide GBV awareness training to workers and employers. With the help of Fair Wear and Apheda, the two organisations ran trainings and workshops in Yangon and Mandalay attended by employee- and employer representatives as part of their lobby and advocacy activities. The awareness building efforts resulted in not only broadening the understanding of union members, employers and employees, but served as effective advocacy means to get GBV issues acknowledged in national level discussions.

The influencing and capacity building efforts with trade unions and management, have also resulted in the inclusion of GBV issues in employment contracts. MICS achieved this in 12

factories, while Care and GEN, using connections gained from GBV workshops hosted jointly with Fair Wear, succeeded in getting regulations on sexual harassment integrated in the employment contracts in three factories (two with CTUM and one with ALR).

A clear expression of the credibility gained through SP's work is the fact that the MPs involved with the OHS lobby conveyed a clear request that SP partner organisations create an information channel to keep the MPs well informed about SP lobby activities, in order to provide the MPs with updated information and arguments prior to relevant topics being presented and discussed in the parliament.

Changed understanding of the concept of sexual harassment

SP partner organisations Care and GEN point to the changes in the understanding of sexual harassment. Earlier, it was understood mainly as physical abuses mostly attributed to rape cases. Now, workplace harassment and verbal abuses are also included under sexual harassment. MGMA used to reject discussion about sexual harassment reasoning that there are no harassment cases in garment industries. Because of MGMA's rejection to engage in discussions on sexual harassment, findings in an NGO study of sexual harassment cases in the garment industry was not published. Due to SP activities, including the trip to India, discussions in the gender equality network and the process linked to the updated OHS law, this is gradually changing, illustrated by the fact that some MGMA member factories are receiving training on GBV.

GoM, MGMA and trade unions supported the ILO C190

Getting the GoM's support for the approval of the ILO convention 190 was an important part of the SP's goals on GBV, in that it provides a global normative framework and common ground for addressing GBV at the workplace, and a framework for national legislation and measures.

Leading up to its approval at the ILO global conference in June 2019, SP partners and their local partner organisations undertook several lobby initiatives towards the GoM.

On March 10th, 2019, M-FNV partner IWFM organised a ceremony attended by more than 1,000 union members, ILO and CTUM leaders, to mark the International Women Day. In addition to promoting women participation in trade unions in Myanmar and empowering women unionists in leadership roles, it voiced support for the upcoming discussions on ILO convention 190.⁶⁶

During the second quarter of 2019, Fair Wear, Care and APHEDA sent a joint statement to MoLIP requesting the GoM to support ILO C190, and the organisation did also meet with the Ministry conveying the same message. Furthermore, M-FNV issued two statements on the importance of the ILO convention against violence and harassment at the workplace as well a new national OHS law.⁶⁷

3.4 Lessons learned from efforts that have not yielded expected results

In spite of the efforts from the partners, Fair Wear, Care and GEN, to get all ten proposed articles included in the OHS law, only five were approved and another five articles were rejected. Fair Wear finds that one important lesson learnt from the process is that targeting the tripartite mechanism of ILO for law reform was not very efficient. Rather, working with targeted MPs, by building relations, knowledge and providing them with updated information, turned out to give better results in lobbying for improved laws.

⁶⁶ 0-02-18 - 2019 Report - IndustriALL UB Myanmar Project - Mondiaal FNV CH0110301 - SASK 4358 – FES, SP document

⁶⁷ IATI 2019, Q1-Q3, SP document

When it comes to living wages and the product costing tools, Fair Wear sees the need for further follow up impact assessment after the training.

Evaluators' reflections

Social dialogue

The establishment of the **Labour Consultative Forum** is a major achievement for the SP and its partners, with considerable impact along several dimensions. Through the LCF, trade unions and labour rights organisations are working constructively together to develop a joint understanding and evidence-based lobby positions on key labour rights issues, increasing their capacities and adding weight to their cause. The LCF has become the bridge between the broader labour movement and the National Tripartite Dialogue, with MICS, union representative in the NTD and leader of LCF, as the communication channel. One illustration of this is the how informal talks linked to the LCF facilitated the restart of the suspended tripartite dialogue in 2019. Furthermore, the GoM often turns to the LCF when in need for consultation on labour issues.

Living Wages

The India trip turned out to be instrumental in building trust between SP and MGMA, opening up the doors for Fair Wear to provide trainings in Labour Minute Costing in collaboration with MGMA to their member factories. On the trade union side, supported by expert organisations, they used their newly acquired skills to produce wage surveys being tabled at the Labour Consultative Forum and translated into evidence- based lobby also in the National Tripartite Dialogue.

Gender-Based Violence

Again, the relations built during the delegation visit to India turned out to be very important for the successful lobbying of including GBV-clauses in the recent OHS law in Myanmar. Key elements of the process are the inclusion of GBV resource organisations (Care and GEN, the latter also being a national collaborative network), gaining the support of trade unions and MGMA through exposure, trainings and evidence-based awareness raising and developing joint concrete proposals to the parliament via the MPs being part of the India trip.

In order to enforce the law, more collaboration among the partners and other stakeholders will be vital. Although parts of the garment industry are exposed to GBV-awareness, more outreach is needed to influence factory policies. As that the OHS law is being discussed, the involvement of GEN, Care and Fair Wear will still be needed as the law enforcement in the industry depends on public education and awareness building. Tasking the law enforcement processes only to the government will not be very effective. The government values the involvement of INGOs, NGOs, and CSOs.

4. Sustainability

Sustainability is about sustained changes. Thus, the key question is then to what extent the interventions of the SP result in new policies and practices, attitudes, increased capacities and actions, that will not be reverted if, or when, the SP partners and the funding is no longer present in the Myanmar ready-made garment industry.

The key elements contributing to sustainability in the very design of the SP program are that:

- key local partners and stakeholders (unions, factories, brands and government) exist prior to and independently of the SP
- the changes the SP are aiming at contributing to will, if successful, be embedded in laws, regulations and business practices, and thus, at least in principle, be part of ongoing processes and relations independently of SP interventions

- national actors are, at least intended to be, the key change actors, with the SP partners providing funding, trainings, competence building and facilitating networks and collaboration platforms

SP's interventions in Myanmar reflect this approach. The inclusion of the five clauses on sexual harassment in the recent OHS law is a good example of successful changes in national law and as such, a first important step towards sustainability. It is still too early to observe the actual impact of the law, and several of the organisations involved with the SP point to the need for further capacity building, awareness raising and monitoring to ensure an effective implementation of the law.

Another area with promising signs of sustainable changes is the strengthening of the trade unions, reflected in their increased capacity to produce and use new evidence in their lobby activities as well as enhanced coordination and collaboration within the labour movement when developing joint positions and proposals for the National Tripartite Dialogue. The Labour Consultative Forum is a key arena in this respect, and a question the SP needs to thoroughly assess for the next phase is how to tailor SP's interventions in order to ensure that the future functioning of the LCF does not depend on SP being present.

Key SP actors' concerns for future sustainability

To ensure sustainability of SP's interventions, Fair Wear sees a need to reach more workers with trainings on communication skills, including factories beyond those supplying Fair Wear member brands. Proper training in the Labour Minute Costing Tools can be an effective means to build relationship between the factories and the brands. This will not only upgrade the financial management capacity of the factories but also increase factories' bargaining abilities with buyers .

To strengthen the dialogue platform between unions and government, the LCF, Apheda finds the collaboration with M-FNV to be crucial, while MICS considers the continued involvement of Apheda and other international organisations as very important, a.o. in supporting MICS in its efforts to engage more with factory level unions.

According to Care Myanmar and GEN, awareness-raising efforts on GBV alone will not ensure sustainable changes due to the changing nature of the work force and the lack of follow-up activities. Trade unions need continuous updates. Factories must be consulted to implement sexual harassment policies with the support of Fair Wear. Human Resource departments must be trained to ensure good knowledge about GBV. Brands should be given a strategic role in advocating for the issue. There is a need for human resource management mechanism that is observed by the entire industry. An effective law that prevents and protects the employees from abusive behaviour is urgently needed. Furthermore, the two organisations see a need to get themselves more involved in influencing national level stakeholders using the connection gained through the partnership programme. (MoLIP, MPs, Trade Unions, MGMA). Based on the newly established alliances, the two organisations are planning to continue their collaboration within the SP partnership, with a particular focus on lobbying for protection and prevention of violence against women.

MGMA calls for better coordination and negotiations between brands and employers rather than only pressuring employers. Only looking for employers' weak points and using it in bargaining will not solve the problems in the longer run. It will only escalate the tension between the employers and the employees, which is not good for the business environment. Furthermore, MGMA feels that since Myanmar is still a developing country, the models of the developed countries are sometimes not relevant. It is important to take into consideration the current socio-economic situation of Myanmar and prioritise what is suitable to build a better business environment. Employers should not be held responsible for all the ills happening in the factories. Brands should

consider the employers as their valuable asset. Auditors should know the situation of the factories in line with the country's economic development. Imposing only the brands' measurements is not helpful to the employers

5. Relevance and Value Added

5.1 SP niche and investments

In general terms, SP's niche can be described as contribution to practical implementation of the ILO conventions and contribution to less polarisation and more constructive collaboration in the national labour rights debate. The establishment of the LCF and the organisation of the multi-stakeholder delegation visit to India, with participants across sectors, are good examples of the value added of the SP. This would most likely not been possible without the set-up of the SP, and reflects the convening power the SP partners bring in from their respective spheres of influence, namely M-FNV with their national trade union partners and Fair Wear mainly through brands and their suppliers.

A prominent value of partnership between Care Myanmar, GEN and Fair Wear is the ability to work together for a common goal regardless of different interests. The subject of GBV being advocated is very sensitive to both employers and employees. They concentrated on conveying the message that both parties would benefit from.

Workers in MICS guided factories state that because of the presence of the workers union they no longer feel oppressed or abused anymore, but rather safer and protected. Their concerns can now be raised and discussed. For example, they used to be forced to do overtime work by their supervisors, but this has now changed, and the workers can choose whether they want to work overtime or not. When they are taught about the Labour Law, they come to know their rights. Therefore, they can quote their rights in the negotiations with factory management and discuss it.

Still, workers experience that strengthening the enforcement of the law is very important. Most of the problems experienced in the factories are rights-based issues. The government is still very weak at imposing straight measurement for employers violating the law. The dispute settlement verdicts from the township arbitration bodies are still unreliable and often neglected by the employers.

In order to achieve a proper development of the Myanmar garment industry, the **Dutch embassy** underlines the need for employers, employees, government and brands to act in a responsible manner. The government needs to set frameworks for checks and balances so that stakeholders in the entire industry follow the law. The employees need to be more productive to support the long-term profitability of the factories. The brands should also be willing to pay a fair price. The employers need to install decent labour conditions in their factories.

5.2 Value added of the Strategic Partnership

The joint delegation visit to India would most likely not have been possible without the presence of the SP. The main impact of the trip is building trust and relation between the key stakeholder groups when it comes to labour rights, with implications on several arenas and processes; the inclusion of SH clauses in the OHS law as well as the opening up for trainings on labour minute costing (MGMA) and GBV (MGMA and trade unions). There is no doubt that these changes can be adhered to the SP as a partnership. **Fair Wear, Care and GEN** point to the India trip as important in exposing MoLIP and MPs to relevant experience in other countries and improve the MPs' participation in the OHS law discussions. In particular, the SP partner organisations gained the support from and involvement of female MPs in the OHS lobby process. The trade unions had their awareness upgraded, resulting in advocating for the rights of women factory workers.

From **M-FNV's** side, a clear value added is the ability to address brands' purchasing practices in the ongoing dialogue with Fair Wear. The Covid-19 crisis has accentuated the importance of paying a fair price and respecting placed orders. The SP provides an arena for addressing these issues.

Supported by Apheda, **MICS** has become structurally more organized and has improved the management of the organisation and are now able to manage the entire operations. They have grown more international networks with other organisations. With the help of Apheda, MICS participated in the 2019 ILO conference, learning more about gender-related issues in the global context and the global supply chain relevant for Myanmar industries. How labour courts are established in other countries and ideas for the labour court setting process in Myanmar are other issues that Apheda has enlightened national stakeholders about.

In **Apheda's** view, MoLIP has benefitted considerably from SP's work on social dialogue, in particular through contributions from international expertise. One example is in the Labour Court setting, where Apheda invited expertise from Indonesia and Netherland. That activity gave MoLIP the opportunity to reflect on and understand the shortcomings of the current Dispute Settlement Mechanism. MoLIP lacks both human and financial resources to improve the current dispute settlement mechanism and more collaboration with and support to MoLIP is needed.

The **Dutch Embassy** considers that Fair Wear and M-FNV have a good knowledge about the situation in Myanmar. They have grown strong networks and the SP partners know very well how to stay updated with relevant changes in the country. They are very responsible in implementing projects for the improvement of labour conditions. The Dutch Embassy is well informed about the SP partners working together with brands to improve workplace, health and safety for better working conditions, and are also well informed about the capacity building activities of SP partner organisations for trade unions and employees. The Embassy was invited to participate in some of the SP's forums and activities.

6. Learning

6.1 Working with Theory of Action as results management system

The End Term Evaluation team did not come across any specific reflections on the experience of the SP partners and their partner organisations when it comes to the application of the ToA as a management system.

6.2 SP adaptation to political and contextual changes and effects of this

Fair Wear was able to approach MPs and MoLIP directly to advocate for gender-based violence related issues to be included in OHS law after learning that the tripartite mechanism would take longer than expected to yield results. Fair Wear, Care and GEN worked together to make use of their network effectively. One of the positive changes in the garment industry observed by Fair Wear is that the negotiation skill of trade union is improving. The unions start to consider the concerns of the employers and consider strike as the last option in the negotiation process. The workers have increased their knowledge on labour rights and GBV.

7. Reflections and preliminary conclusions

In Myanmar, M-FNV and Fair Wear are the active SP partners, working with a limited number of national partner organisations. SP's ability to build relations and facilitate platforms for joint lobby efforts stand out as a key dimension of the partnership's intervention. The multi-stakeholder trip

to India and the Labour Consultative Forum have contributed significantly to several of the outcomes achieved. Relations built during the India-trip opened the doors for reaching out to unions and MGMA with trainings on GBV as well as on labour minute costing. Through the LCF, the labour movement stands with a more united voice, have improved their skills in preparing and presenting evidence-based lobby towards the National Tripartite Dialogue, and the LCF has become a key arena for the government's consultations on labour rights.

The SP, in particular through the national partner organisations, should maintain and further develop the relation with the MPs. The MPs part of the India trip requested that SP ensures to keep them well informed about SP's lobby activities and topics before there cases are presented in the parliament, making it possible for the MPs better to influence other members of Parliament. An open trust-based dialogue with law-makers is an asset for the SP as such, however, the partnership should ensure that measures are taken to keep this a national dialogue, enabling the legitimate parties in the national labour discussions to be at the forefront.

There are question marks when it comes to the sustained impact of trainings. Some weaknesses observed when it comes to the **Labour Minute Costing Tool Training** are

- a. The factories are not familiar with the tool
- b. The participant occupational backgrounds were not properly assessed before the training
- c. No follow-up program activity was mandated
- d. No budget to do the follow-up

For the next phase of the Labour Minute Costing tools training, SP should ensure that the right factory staff, with the relevant position, responsibility and necessary basic skills, are present at the training. If not, the risk is high that it will not lead to any changes in the price negotiation between suppliers and buyers. In addition to continue to using MGMA as an entry point to factories, brands should be more involved in encouraging their suppliers to join, being it brand members of Fair Wear, AGT or PST, or members of ETI in the new 'STITCH'-program. A first effort should be to map the combined portfolio of suppliers to the abovementioned brands, looking for cluster possibilities as well as overlap with trade unions related to SP partner organisations.

Equipping brands, factories and unions with the same knowledge will upgrade the understanding of cost and price mechanisms and give a better position in negotiating prices with brands.

There is a concern that the changes achieved through the **WEP** will disappear without a proper follow-up of the WEP training. The good practices of the factory still need to be assessed and Impact Assessment tools need to be developed. Only some behavioural changes shared by the trainees are observed. Though the programme appears to be good in it self, factories have to create time and space for a better learning environment and refined learning programmes adapted to different learning abilities of the workers and the management. Similarly, in order to increase the effectiveness of the GBV-trainings, more extensive programme activities and follow-ups are needed.

The **Dutch Embassy** raised the issue of parallel systems of private regulations, that is quality control agencies and brands with different compliance system, making owners of the factory confused and pressured. There should be a standardized compliance system that can be accepted by all brands. The brands need to support the social economic development of the country with their production and CSR activities. This is a challenge not only in the garment sector, but still an important issue that the SP, with direct links to both brands and trade unions, should take into consideration in the next phase. Furthermore, the Embassy encourages the SP to educate brands about the situation of the industry. Through trainings of unions, workers and factories, the SP can contribute to replacing strikes with negotiations at factory levels as a way of

dealing with conflicts, as well as support factories in increasing their negotiation power through providing tools and capacity building in price setting and negotiations.

Another key question still not resolved is to what extent it is possible for Fair Wear and M-FNV to reach out to the same factories simultaneously with trainings, awareness raising, including a focus on the brands' purchasing practises. Conceptually, this approach holds a strong potential for contributing to lasting changes in the supply chains of Fair Wear members, in that it involves the three key actors, workers, managers and buyers, building on M-FNV's direct links with its trade unions colleagues and Fair Wear brand members business relations to suppliers. So far, there is little evidence of this being done in Myanmar. On the other hand, working along these lines requires a certain level of overlap between the supply chains of Fair Wear member brands and the outreach of M-FNV's trade union partners, and there is no quick-fix to achieve that: Buyers choose suppliers independently and unions must own their process of organising workers. Still, the SP should explore strategies of better exploiting the fact that both the employee and the employer side are the protagonists of the SP.

L: Country Report Indonesia – desk study

Abbreviations and descriptions

API	The Indonesian Textile Association
APINDO	The Indonesian Employers Association
CETU	Confederation of Trade Unions
CBA	Collective Bargaining Agreement
CNV-I	CNV- Internationaal
CSO	Civil Society Organisation
FBLP	Federasi Buruh Lintas Pabrik (trade union)
FoAP	Freedom of Association Protocol
Garteks	Trade Unions, member of KSBSI
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GNP	Gender Network Platform
GOI	Government of Indonesia
INFID	International NGO Forum on Indonesian Development
LW	Living Wage
KBN	Public administrator of Cakung industrial zone
KSBSI	Konfederasi Serikat Buruh Seluruh Indonesia (Trade Union Confederation)
M-FNV	Mondiaal FNV
MCCBA	Multi Company Collective Bargaining Agreement
MOM	Ministry of Manpower
MoU	Memorandum of Understanding
MoWE	Ministry of Women Empowerment
NCAW	National Commission on Violence Against Women
PM	Perempuan Mahardhika (Labour NGO)
SD	Social Dialogue
SKOCI	SME Employer Organisation in Bandung City
ToA	Theory of Action
TURC	Trade Union Research Center
WJSDF	West Java Social Dialogue Forum

1. Ready-made garment sector context

Following the general elections in 2019, violent demonstrations in opposition to the results took place. Although calm has been restored, tensions remain between the two main political factions. This situation is influencing the labour movement. There are reports from human rights organisations of arbitrary restrictions on core human rights, such as freedom of expression, peaceful assembly and of association. Provisions in a draft revision of the criminal code violate free speech, freedom of association, and women’s rights.

According to ITUC’s Global Rights Index⁶⁸, Indonesia is among the five worst countries when it comes to the worst forms of violence against workers’ rights and trade union leaders. Indonesia has recently fallen from category 4 to 5 on the Global Rights Index, into the category “No guarantee of rights”. The number of violations of fundamental rights of workers has drastically increased and is primarily linked to the harsh crackdown on minimum wage protests.

⁶⁸ <https://survey.ituc-csi.org/?lang=en>

In 2019, the newly elected president signalled the launch of the “Omnibus Law”, introducing more labour market flexibility, and thus less protection for workers, to attract more investments. Unions, including those that have expressed support to the sitting president during campaigns, oppose the law fearing it will undermine their position at the wage negotiation table.

The garment industry in Indonesia is relatively small compared to other industries in the country, but it still makes up a significant portion of the country’s exports. According to 2018 figures, Indonesia ranks as the 7th largest exporter of clothing⁶⁹ in the world. As in many other Asian countries, women make up the majority of the workforce with an estimated 60 per cent of the Indonesian garment workers⁷⁰. The garment industry has traditionally been concentrated around West Java, Greater Jakarta and Batam⁷¹. In recent years, as some describes as a “race to the bottom”, there has been a strong relocation to the new hub Central Java, where minimum wages are up to 50 per cent lower and unionisation weaker. This relocation severely affects workers, who lose their jobs, as well as the work of the unions, losing members⁷². Although this at the same time provides new jobs and a potential for establishing new local unions in Central Java, unions seem to need some time to regain the loss in memberships. Another reported impact of the declining coverage is increased tensions among unions, where the fight for own members’ jobs and job loss compensations tend to become more important than collaboration to promote social dialogue on a wider basis.

The political situation with the divide between the two factions is also reflected in a political divide among trade unions, complicating the collaboration within the Decent Work Working Group under the Freedom of Association Protocol (FoAP)⁷³.

The **theory of change** guiding the implementation of the Strategic Partnership is based on an assumption that improved lobby and advocacy capacity of CSOs and trade unions in production countries, combined with the development of pilots for good practice projects will lead to positive changes in government policies, as well as brand and factory practices. Three specific and interrelated thematic areas are identified for improvement:

1. Living wages
2. Social dialogue
3. Gender based violence

Social dialogue and workers’ rights:

Collective Bargaining Agreements (CBA) are mainly found in large and medium enterprises producing for global brands and do to a large extent reflect conditions stated in national regulations. A significant portion of employers are reluctant to enter into collective agreements, leaving conditions to be determined by company regulations⁷⁴.

In October 2015, changes to the minimum wage fixing system were announced diminishing the participation of workers in consultations over minimum wages. Unions campaigned against these changes but were met with a brutal repression, including the arrestation of 23 workers following a peaceful mass protest. The workers were detained for 30 hours and accused of having provoked the demonstration. Shortly after the demonstrations, police raided the offices of several trade union federations and there were reports of trade unionists being harassed by the police.

⁶⁹ <https://www.statista.com/statistics/1094515/share-of-the-leading-global-textile-clothing-by-country/>

⁷⁰ <https://www.fairwear.org/programmes/countries/indonesia/>

⁷¹ <https://www.fairwear.org/programmes/countries/indonesia/>

⁷² Annual plan, Strategic Partnership for Garment Supply Chain Transformation, 2020

⁷³ Annual plan, Strategic Partnership for Garment Supply Chain Transformation, 2019

⁷⁴ Theory of Action Indonesia, Strategic Partnership

In a presentation made early 2020, Cornell institute shared some findings from the SP funded study across all countries, with the following key points from Indonesia⁷⁵:

- Union formation in Indonesia is burdensome and independence is contested. The co-existence of independent and so-called yellow unions (government/management appointed unions) in the same factories is not uncommon.
- In order to succeed in negotiations, there are multi-company bargaining agreements with provisions less favourable to workers than what is stipulated in the law.
- When it comes to arbitration and mediation, unions rarely pursue this due to a general lack of trust to such processes. Using the legal system is lengthy, expensive and complex, and court orders are often not enforced.

Living wages

- The non-payment of legal minimum wages is not uncommon, although it is hard to find reliable statistics on the matter.
- A 2015 government regulation on wage fixing⁷⁶ restricted tripartite negotiations on legal minimum wages, replacing the previous mechanism of annual tripartite negotiations of minimum wages in the wage councils with a system where provincial governors are mandated to update minimum wages annually.

Gender-based violence (GBV)

- GBV is present at multiple arenas: at the workplace, at home as well as in the community.
- As in other countries there are imbalances between male supervisors and female workers, and workplace discrimination is not uncommon. Trade unions do in general not have gender-based imbalances and harassment on the agenda, one example of discrimination is male workers are getting family bonuses while females do not, as only the male is seen as family head.

2. Short description of the SP partners in given country and their (main) activities

Both CNV-I and M-FNV had been actively working with Indonesian partners prior to the establishment of the Strategic Partnership. CNV-I had a main focus on collective bargaining agreements and M-FNV had a focus on promoting gender rights and fighting GBV. This constituted important structures the SP could build on, as is reflected in more details below.

For Fair Wear, the collaboration and support from SP partners CNV-I and M-FNV was of great help in facilitating the process of establishing a country presence in Indonesia in 2016. It gave Fair Wear a flying start by building on the SP partners contextual knowledge and networks. In 2019, a total of 12 Fair Wear members were sourcing from 30 factories in Indonesia⁷⁷.

Table L.1: SP partner organisations in Indonesia

Partner organisation	SP Partner	Description / Comment	ToA complementary/added value
KSBSI - Confederation of Indonesian Prosperous Labour Unions	CNV-I	Third largest trade union confederation in Indonesia	Not specified in ToA
Garteks	CNV-I	Textile federation affiliated to KSBSI and	Evidence based lobby and advocacy towards

⁷⁵ Presentation to the OECD, February 2020, Cornell Institute.

⁷⁶ No. 78/2015

⁷⁷ <https://www.fairwear.org/programmes/countries/indonesia/> (visited July 29th, 2020)

		IndustriALL	government, brands and factories. Training and campaigning, CBAs and GBV (2017)
Fair Wear audit and training team	Fair Wear		Not specified in ToA
FBLP- Federasi Buruh Lintas Pabrik	M-FNV	Women led trade union federation active in textile and garment industries with 90% female members and leaders.	Gender mainstreaming trainings for trade unions (2017)
Perempuan Mahardika (PM)	M-FNV	Women workers rights organisation	Identified as partner organisation after initial ToA
INFID	CNV-I	International NGO Forum on Indonesian Development	Identified as partner organisation after initial ToA
TURC - Trade Union Research Center	M-FNV		Identified as partner organisation after initial ToA

Table L.2: Stakeholders

Stakeholder	ToA complementary/added value
Freedom of Association Protocol	Promotes FoA and CBAs in factories producing for global sportswear brands. Supported by international NGOs, unions and global brands.
ILO Better Work Indonesia	Country chapter of the global ILO and IFC partnership promoting compliance with labour standards and competitiveness in the Indonesian garment industry
Government of Indonesia	The government needs to be engaged to enforce labour laws and regulation and promote social dialogue, living wages and gender equality, being inspired and informed by SP good practice pilots and lobbying.
APINDO and API – employers' associations	Identified after initial ToA

Table L-3 shows an aggregated overview over the SP activities carried out during the program period.

Table L-3: Aggregation of SP activities carried out during the period 2015-20

SP Partner/s	Name of activity	SP Partner organisation	Name of other stakeholders receiving support
CNV-I, M-FNV	Gender-based violence Support to local trade unions/capacity building of partners	Garteks, FBLP	PM
CNV-I, M-FNV, Fair Wear	Gender-based violence ILO190 Lobby		Gender Network Platform
M-FNV	Gender-based violence Sexual harassment Free Zones - Pilot	FBLP, PM	

CNV-I, M-FNV, Fair Wear	Gender-based violence Learning visit to India	FBLP, PM, Garteks	National Commission on Violence against Women, Ministry of Manpower, APINDO Central Java
M-FNV	Gender-based violence Learning visit from Ethiopia	FBLP, PM	
M-FNV	Gender-based violence Fight Gender-based violence at the workplace, empowering women workers, train unions, train and lobby companies and business associations and Ministry of Manpower	PM	
M-FNV	Gender-based violence Organised female unionists are empowered to fight against wage violations and GBV at workplace	FBLP	
M-FNV	Gender-based violence Research on GBV at the workplace Central Java	PM	
Fair Wear	Living wage Labour minute costing tool		Garteks, SPN, SPSI, FBLP, Sarbumusi. NGO TURC
Fair Wear	Living wage Product costing tool		PT Nikomas, PT Yongjin, Puma, S Oliver, Asmara, AGT factories
Fair Wear	Living wage Living Wage Incubator		Jack Wolfskin
CNV-I M-FNV	Living wage Minimum wage processes on national level	Garteks	
Fair Wear	Living wage Homeworkers remediation Bali – Pilot	TURC, MAMPU project, Yasanti, Bitra, Garteks	
M-FNV	Living wage Empowering women unionist against wage violation and gender-based violence at workplace	FBLP	
CNV-I	Social dialogue MCCBA (pilot) project	KSBSI, Garteks	WSJDF, Garment companies (16), Unions (7) and Manpower offices in Subang, Cianjur and Bandung
CNV-I, M-FNV Fair Wear	Social dialogue Cornell Study		Akatiga
CNV-I	Social dialogue Supporting CBA processes	Garteks	Factory management
Fair Wear	Social dialogue Supporting brands on Social Dialogue	FWF member brands Suitsupply, Haglofs, Kjus	

CNV-I, M-FNV Fair Wear	Social dialogue Freedom of Association protocol - Pilot	Unions' Decent Work Working Group under the Protocol and shoes brands	
Fair Wear	Social dialogue Supplier seminars		Suppliers
M-FNV	Social dialogue Support to local trade unions/capacity building of partners	TURC	
CNV-I, M-FNV Fair Wear	Social dialogue Letters to Embassy on SD		
CNV-I, M-FNV Fair Wear	All three themes Director's visit		

3. Outcome stories

3.1 Social dialogue

Background

The West Java Social Dialogue Forum (WJSDF)

The West Java Social Dialogue Forum (WJSDF) is a tripartite body coordinated by CNV-I partner KSBSI and formally founded in 2017. WJSDF provides training and awareness raising among the different stakeholders on issues like labour law, negotiation skills and communication skills, GBV and productivity. The tripartite nature of WJSDF gives weight and credibility to the process and represents a good arena for the different actors to get a better understanding of the positions and focus of their counterparts.

The multi-company collective bargaining agreements (MCCBA)

Already several years prior to the establishment of the SP, CNV-I had been working with Indonesian trade union partners Garteks and KSBSI to introduce multi-company collective bargaining agreements in several Indonesian industries. Building on this experience, the SP established the promotion of multi-company collective bargaining agreements (MCCBA) as a key target within social dialogue. The aim of the MCCBAs, targeting production sites within a defined geographical area, is to establish a levelled playing field based on the respect of core labour rights and where independent unions operate freely.

The SP partner organisations are involved in three established MCCBAs in the garment sector, namely Subang, Skoci and Cianjur⁷⁸.

A major focus of the agreement is to ensure compliance with existing Indonesian legislation on labour conditions. As in many other countries, there are considerable gaps between legal labour requirements and the reality in garment factories.

The Freedom of Association Protocol

Oxfam Australia was a key driver leading up to the signing of the sector wide Freedom of Association Protocol (FoAP) in 2011, an effort to address union busting and lack of respect for labour rights in the Indonesian sportswear sector. The aim of the FoAP was to "...bring parties in

⁷⁸ There is also a fourth one in the plantation sector, outside the scope of the SP.

*Indonesia together to improve labour conditions in the Indonesian garment sector*⁷⁹. By signing the protocol, brands and producers acknowledged the work of unions and their officers by, among other things, conceding time and space for officers to fulfil their union duties. A long-term goal from the FoAP's early days was to include clauses on women's rights into the collective bargaining agreement, a target that was achieved by the SP partners 8 years later.⁸⁰ Through the Decent Work Working Group, funded by M-FNV and CNV-I since 2017, the five Indonesian unions⁸¹ parties to the FoAP joined forces to work on two additional protocols; living wage and precarious work/job security in addition to freedom of association.

Following Oxfam's exit in 2017, the FoAP lost much of its momentum. In a context of political campaigns and challenges related to relocation of factories followed by job losses, the members of the protocol struggled to find a common way forward. Both amongst trade unions themselves as well as in the negotiations between trade unions and brands, it was hard to find a common ground. In 2019, the SP partners engaged in getting the FoAP back on track; Fair Wear, as an observer to the National Committee of the FoAP, worked on developing proposals for improved organisation and procedures, while CNV-I and M-FNV, joined by other international labour rights actors, consulted with trade unions and NGOs engaged with the garment sector to identify the way forward. The consultations revealed that the priorities of the unions had shifted towards establishing new protocols on job security and wages rather than revitalising the protocol on freedom of association⁸².

Trade unions and suppliers to Fair Wear member brands with increased understanding of constructive social dialogue

Through trainings and awareness raising initiatives leading up to the signing of the agreements, workers, managers and relevant public entities have increased their understanding of the benefits of engaging in constructive social dialogue, as well as the challenges of GBV at the workplace. SP partner organisations, in particular trade unions Garteks and KSBSI, demonstrated **increased influencing capacity** through increased understanding of, and skills in, social dialogue. In one case, management commented that the head of a local Garteks union had changed and become a calmer and more listening counterpart in the company dialogue⁸³. Although anecdotal, this change of attitude acknowledged by management, points towards an atmosphere for a more constructive dialogue between unions and management.

From another entry point, Fair Wear's supplier seminars, in which both management and unions at factories supplying Fair Wear brands participate, have contributed to increased mutual respect and understanding, leading to a more constructive dialogue at the workplace. One compliance manager stated that thanks to these seminars, his company had *"...opened up towards the unions and the workers they represent"*⁸⁴. Furthermore, he underlined that engaging in a constructive dialogue would not have been possible without a similar transition within the Indonesian union movement.

Garteks organising around 3,000 new members in Central Java, the new garment hub

Following the relocation of garment and footwear producers from West Java and Jakarta to Central Java, trade union partner Garteks initiated awareness-raising and recruitment processes in Central Java towards the end of 2019. This resulted in approximately 3,000 new members in three different areas, with the potential of establishing local company unions later. This reflects Garteks' **increased influencing engagement** and capacity to adjust to a dynamic context.

⁷⁹ Mid-term review, SP 2018

⁸⁰ <http://oxfamblogs.org/fp2p/wp-content/uploads/2014/05/PC-case-study-Indonesia-Labour-Rights-Project-May-2014.docx> (visited June 2nd, 2020)

⁸¹ Garteks, SPN, TSK, GSBI and KASBI

⁸² Draft annual report 2019, SP

⁸³ IATI 2019, up until Q3, SP

⁸⁴ SP_Indonesiamission_report

Stronger unions, improved working conditions and better factory performance through Multi-Company Collective Bargaining Agreements

CNV-I partners Garteks and KSBSI have been the key actors within the SP when it comes to the Multi-company collective bargaining agreements (MCCBAs), with the West Java Social Dialogue Forum (WJSDF) as an important arena for dialogue, outreach and training. The work on the MCCBAs, as well as the related results, reflect its multi-dimensional nature.

The **Subang MCCBA** involves 10⁸⁵ factories and six unions, covering 17,000 garment workers, none of them supplying Fair Wear members at the moment of signing. More recently, other Korean factories than the 10 (originally 9) signatories to the Subang MCCBA have expressed their interests in exploring the possibilities of entering similar agreements. Prior to signing the first agreement in Subang, West Java, August 2017, CNV-I senior staff trained both unions and management in negotiations skills. KSBSI and Garteks followed up with trainings and awareness raising events targeting the companies in the Subang agreement, including union members, workers and management. This is a clear sign of **increased influencing capacity** of local SP partner organisations. The training and information sharing activities also included top managers, as well as relevant governmental bodies and industry associations.

Monitoring of the implementation of the MCCBAs is crucial in order to know to what extent they have real impact. Led by the WJSDF, trade unions demonstrated **increased influencing engagement** in the way the impact of the MCCBAs was followed up. As part of the preparations for a WJSDF-led experience sharing workshop, held in December 2019, a group of trade union representatives within KSBSI, including CNV-I partner Garteks, organised an internal monitoring session on the Subang MCCBA, hosted by WJSDF. Worker representatives from 8 of the signatory companies to the agreement were interviewed by WJSDF's trade union members, identifying key issues for improvement. The findings were later put forward in the workshop with trade union colleagues and managers from all the MCCBAs, exchanging experiences of working with the MCCBAs and identifying areas for improvement.

The above-mentioned activities provides good examples on implementation of the SP's **theory of action**, on how training of partner organisations in gathering information and negotiation skills have translated into increased influencing engagement.

Another example of **increased engagement** is when WJSDF, building on the experiences from the Subang agreement, carried out an assessment in four other provinces in West Java with the purpose of replicating the MCCBA. The assessment identified Banten and Cianjur as the most promising areas, with interest from managers as well as trade unions in engaging in a process towards a MCCBA. In both areas, WJSDF/KSBSI held separate lobby meetings with managers and trade unions in targeted companies, in Banten also with a brand, sharing experiences from the Subang agreement. WJSDF concluded to first go forward with Cianjur, due to highest interest shown from the parties.

The **tripartite nature of WJSDF** has proven instrumental in overcoming challenges in both the Subang and the Cianjur MCCBA processes. At a critical point in the negotiations of the Subang MCCBA, the companies involved, all members of the Korean Manufacturers Group (KOGA), withdrew from talks due to a reportedly bad experience of negotiating with KSBSI on minimum wage issues. To get the process back on track, a tripartite delegation linked to WJSDF, consisting of government representatives (Manpower Office West Java Province), employers' association (APINDO West Java) and unions (KSBSI), led by the then project facilitator⁸⁶ met with one of the KOGA chairmen. KOGA requested that the complete draft MCCBA be translated to Korean and shared with top managers and owners. Following this, KOGA's reluctance to enter into an MCCBA was overcome and the agreement was signed. It is likely that the tripartite nature

⁸⁵ Initially 9 companies signed the MCCBA, one company joined later

⁸⁶ Nehem International, a Dutch based consultancy part of CNVs 2014-2016 program on MCCBA and continued within the SP until end 2017.

of the delegation, clearly stating that the MCCBA was backed also by government and the business association contributed to the successful signing of the Subang agreement.

Before the signing of the Cianjur MCCBA in 2019, the WJSDF coordinator accompanied by two company representatives successfully met with the District Head of Manpower Officer countering the rumours that WJSDF and the MCCBA was a profit seeking initiative. Following this meeting, the process came back on track and was implemented shortly after. The Cianjur agreement covers five garment companies and one union.

The signing of the MCCBAs is in itself a proof of **changed company policy** and has reportedly resulted in improved factory performance and working conditions, through closer social dialogue between unions and management and more efficient complaints resolutions. From a situation characterized by demonstrations, union busting and unions with a confrontational approach, the MCCBAs have led to more harmonious worker-management relations, better wages, lower turnover, fewer demonstrations, and workers feeling better protected. Recent research from the Cornell institute shows that the MCCBAs have had positive effects of training union leaders on collective bargaining, bringing together rival unions and creating trust between social partners. CNV-I reports that workers within the Subang MCCBA state that the agreement “...*has provided us with another way to present our demands.*” At the joint WJSDF workshop in December 2019, both unions and management agreed that thanks to the MCCBA, complaints get solved between management and workers before turning into disputes, a clear indication of improved social dialogue between the two parties.

Indonesian factory owners confirm that after signing collective agreements with workers, performances have increased giving better results for the factory⁸⁷.

Due to a complaints mechanism a factory changed its previous union busting practice after involvement from Fair Wear and member brand.

In 2016, after having formed a new local union, 13 unionists were fired from the factory they worked at in West Java. Through its complaints mechanism, Fair Wear and one of its member brands sourcing from the factory became aware of the incident. To increase leverage, Fair Wear reached out to its sister organization FLA, having one member buying a considerable share of the factory's volume. Jointly between the two MSIs and their two members, a meeting was organised with factory management, resulting in the successful reinstatement of all the fired unionists nine months after they were fired. Most likely, Fair Wear's initiative to engage in a joint effort with FLA and its member brand, sent a clear signal to the factory of the business risk related to union busting, given that the same message was conveyed jointly by clients representing an important share of the factory's sales.

Two years later, according to an SP Story of Change, the leader of the new factory level Garteks union, being one of the initially fired unionists, expressed that “...*the situation is indeed much better. The company no longer makes freedom of association a big issue and workers can freely choose to become a member of one of three unions; SPN, Garteks, or KASBI and relations with other unions are welcome*”⁸⁸.

3.2 Living Wage

Among the three focus areas of the SP – social dialogue, living wage and gender-based violence, the work on living wages is notably less developed in Indonesia than the two others when it comes to tangible outcomes. The concept of a living wage creates confusion in itself, in particular

⁸⁷ SP_Indonesiamission_report

⁸⁸ Indonesia - Yumanna – 2019, Story of Change, Internal SP document

for local actors, as there is no commonly established understanding on how it should be calculated. Payments of wages below legal minimum wages are not uncommon, and there are examples of local CBAs with wage levels accepting this. One of the main points of disagreement in the Indonesian garment industry between brands and trade unions is on how to proceed with the discussions on the (non-)payment of legal minimum wages and living wages.

On the policy side, regulation no 78/2015, replaced the previous annual tripartite negotiations of minimum wages with a government regulation where the minimum wage is calculated every five years, with an annual increase decided unilaterally by (local) governments. Indonesian unions have voiced their unhappiness with the change of procedure, which leaves no room for tripartite negotiation⁸⁹.

Minimum wages vary among regions as well as industry sectors, at least intentionally, reflecting differences in cost of living. The lower minimum in Central Java compared to West Java being a key reason for numerous garment companies relocating from West to Central Java over the last years.

The little mention of wages as a subject for trade union demands and negotiations came as a surprise to M-FNV's managing director during the joint directors' visit in 2018⁹⁰. One reason might be that the trade unions first and foremost need to prioritize that jobs are maintained. Interpreting the SP documents, it seems the SP work on living wage is still in an early phase in Indonesia.

3.2.1 Outcome stories of partner organizations with increased influencing capacity

Introduction of the labour minute costing tool (Fair Wear)

So far, it would be fair to say that the labour minute costing is in a preparatory phase in SP Indonesia. For it to become a useful tool in wage negotiations and wage settings, it is important that all parties have a common language and understanding of the tool and its implications. Thus, Fair Wear have trained unions in the Decent Work Working Group of the Freedom of Association Protocol on labour minute costing, followed by seminars for brands and suppliers, and trade unions as a first step in bridging the gap between brands, suppliers and unions. A key challenge is to find a common ground and language between trade unions, producers/suppliers and Fair Wear brands to start talking about living wages.

3.2.2 Outcome stories of partner organizations with increased engagement in influencing efforts

Companies agreed to renew the wage scale mechanism and implement sectorial wages

At company level, Garteks' focus has been to lobby company management to ensure good wage structures and scales, ensuring payment of legal minimum wages. In 2017, the trade union federation signed agreements with two factories committing to renew the wage scaling mechanisms in the collective bargaining agreement, thereby aligning them to government regulations on minimum wages.

Another lobby target for Garteks has been the introduction of sectorial wages to level the playing field, at least locally, when it comes to labour costs. Towards the end of 2019, two companies agreed to implement sectorial wages following CNV-I partner Garteks lobbying efforts.

⁸⁹ SP Midterm review, 2018

⁹⁰ Interview on the joint directors' visit to Indonesia

3.2.3 Outcome stories of policies and practices of brands and governments in favour of improved labour conditions in the garment sector

Engagement with government improving minimum wages

From 2017 to 2018, the minimum wage increased by 8.7 per cent. SP contributed to the conversations leading up to this by facilitating a meeting between Garteks, the KSBSI and the Ministry of Manpower⁹¹.

Garteks, in a broad alliance with other unions, used findings from its recent wage research as a base for lobbying the President of Indonesia to revise the minimum wage setting regulation from 2015. The President promised to look into this following the 2019 presidential elections.

Garteks won a court case making payment below minimum wage illegal.

In March 2019, Garteks with other federations won a case in the Supreme Court in stating that it is illegal for companies to pay below minimum wages. The wave of factories moving from Jakarta and West Java to Central Java creates a context where job security easily becomes more important than living wages, for workers and thus also for unions. In this context, lobby efforts, both towards government and producing companies, have primarily focussed on ensuring that legal minimum wages are actually paid. Garteks has been a lead actor in this area, conducting research, published a book, lobbying and negotiating with companies and teaming up with other unions on the national arena.

3.3 Gender based violence

'Law enforcement. We have good laws in Indonesia. But they are insufficiently enforced. We are supposed to get menstrual leave, but that is rarely awarded. The same applies to rules for maternity leave. There is verbal abuse on a daily basis, which usually happens when we do not reach production targets.'

FBLP union representative asked about the biggest challenge in securing good working conditions

3.3.1 Outcome stories of partner organizations with increased influencing capacity

Trade union Garteks with increased knowledge and focus on GBV

From 2017 and onwards, Garteks' focus and competence on GBV seems to have gradually increased. During 2017, KSBSI, in which Garteks is a member, hosted several trainings and awareness raising events targeting union leaders. Following this, Garteks included a goal of integrating GBV clauses into CBAs, first mentioned in their activity report from 2018. Garteks appeared to gradually taking a more active part in the Gender Network Platform, and increasing its collaboration with PM and FPLB, both having GBV and gender equality as a field of work. Through trainings at the West Java Social Dialogue Forum and working with PM, Garteks seems to have strengthened its influencing capacity on GBV. This was reflected in Garteks' 2019 plan that contained a first trace of fight against GBV as a separate lobby target, more specifically by working to strengthen the Gender Network Platform (see below).

⁹¹ SP Annual report 2017, Annex i. Indonesia

3.3.2 Outcome stories of partner organizations with increased engagement in influencing efforts

Establishing and strengthening the Gender Network Platform

Following the Gender Forum in Vietnam 2017, unions, government bodies and business responded positively to Fair Wear's invitation to establish the Gender Network Platform (GNP). By sharing surveys and research on the prevalence on GBV in the workplace, carried out by PM and FBLP, being part of the GNP has increased the unions' influencing capacity through providing a more direct link to key government bodies like the National Commission on Violence Against Women (NCVAW) and the Ministry of Women Empowerment (MoWE), as well as business associations.

The 2017 Gender Forum in Vietnam, hosted by Fair Wear and ILO's international training centre, gathered businesses, governments, NGOs and trade unions, sharing solutions to help put an end to gender-based violence in garment factories. The three Indonesia SP partners all participated, leading a delegation of representatives from the Indonesian Ministry of Manpower, NCAW, M-FNV partners PM and FBLP and CNV-I partner Garteks. Being together in a joint delegation brought increased understanding and trust among the participants, preparing the ground for establishing a common language and trust among the parties.

Gender-based violence in the Indonesian garment industry is increasingly getting more and more attention due to efforts of the GNP as an alliance of organisations that support each other in their fight to protect and promote women's rights. In 2019, the network was expanded with the much-needed participation of the business associations for the garment sector in Indonesia, API and APINDO. Before joining, both had been invited to join the GNP but rarely showed up unless they were invited to speak. In the case of API, the change of leadership in 2019 led to a closer relationship with the GNP.

Strengthening the network through learning and exchange is a key focus for the SP. The 2020 exchange to India was done by a mixed delegation⁹² ministry officials, business associations, NGOs and trade unions, and focused on gathering insights on how to tackle GBV in garment factories by adopting specific laws, providing effective measures and by showing what businesses can do to protect their workers from GBV. That the GNP is able to organise a delegation with such broad participation is an important outcome, demonstrating the convening power in bringing key actors together.

The India trip created closer relations and better mutual understanding among the GNP members across sectors, and Fair Wear, who is coordinating the GNP, underlines that the India trip made an important impact in improving the collaboration within the GNP. One result from the trip is that Fair Wear and APINDO are discussing a closer cooperation on how to further the fight against GBV, based on experiences from Fair Wear's programme in India.

Another illustration of the GNP's increased status as an arena for GBV issues is that the female dominated union FBLP, in its 2019-20 proposal, aims at using the GNP as an arena to "...continue our engagement on campaigning against GBV in KBN Cakung", as well as increase the collaboration with the other members of the GNP.

Evidence based research has led to increased awareness on GBV in the workplace and the inclusion of GBV in (MC)CBAs

PM's research on GBV in Greater Jakarta, followed by similar studies in West and Central Java, garment factories created many opportunities to talk about sexual harassment in the workplace in government forums, trainings organised by FBLP and other trade unions, NGOs, seminars and

⁹² Parliamentarians had planned to join but could eventually not go due to visa problems.

media. The study helped FBLP and PM's in gaining the attention from unions and managers and is a good example of evidence-based lobbying, using among other things FBLP's community radio and website as channels for mass dissemination of the findings.

In KSBSI and Garteks' efforts to include GBV in the (MC)CBAs, the findings from PM's GBV research, as well as PM's contribution as speakers and trainers, became an important part of their joint work to increase workers and managements' understanding of what GBV looks like in the workplace, and thereby providing the ground for GBV to be included in the renewal of the CBAs as well as MCCBAs.

3.3.3 Outcome stories of policies and practices of brands and governments in favour of improved labour conditions in the garment industry

Establishment of the pilot GBV free zone in KBN Cakung industrial park

The billboard declaring KBN Cakung industrial park in Jakarta a GBV free zone was put up at the park's main entrance in 2016. This was the result of M-FNV partner FBLP lobby efforts with managers of KBN (administrator of the industrial zone) and factory managers. A key element of the GBV free zone is to establish safe and accessible channels for dealing with complaints of sexual harassment and violence, a sensitive issue also in Indonesia. In 2017, the Women's post in KBN Cakung opened for receiving complaints, in a shared office with the security guards. Although a step in the right direction, sharing premises with security guards was not optimal for women wanting to report on a sensitive issue like GBV. Getting a separate building was the next lobby target for FBLP and PM, but progress was slow until the joint the directors' visit to KBN Cakung in November 2018. The directors raised this question directly with KBN management, and although it is not stated in the documents, it appears likely that the directors' explicit interest in the women's post was instrumental in KBN Cakung's decision to provide a separate and safe house for the Women's Post in early 2019.

An MoU on the Women's Post⁹³ between the MoWE and KBN Cakung has been drawn, pointing towards a formal framework for the post and sustainability of the efforts. The post, receiving three to four complaints daily in 2019, has become a space for women to seek redressal and is staffed by more than 50 volunteers.

In line with the general trend, KBN Cakung is affected by factories relocating to Central Java due to lower minimum wages. This has added a challenge in getting management – and unions – to put GBV on the agenda, since many workers and their unions have focussed more on the fight to keep their jobs and/or receiving lay-off compensations.

FBLP and PM successfully lobbied the Ministry of Women's Empowerment to replicate the GBV free zone pilot

Building on pilot experience from KBN Cakung, PM and FBLP successfully lobbied the MoWE, who decided to set up GBV free zones based on the KBN Cakung model in at least four other government-owned industrial areas.

CNV-I partner Garteks, supported by M-FNV's partner PM, are promoting GBV free zones in industrial areas in Banten and also explore possibilities of coordinating with Fair Wear member brands.

The National Commission on Violence Against Women has included violence at work as a separate topic in its annual report

The GNP has created an arena for constructive dialogue across sectors, providing unions with a more direct access to government and business associations. The GNP has directly influenced the work of the National Commission on Violence Against Women (NCVAW), by putting GBV in

⁹³ Renamed to RP3 station

the workplace on the Commission's agenda. The dialogue and meetings between unions and NCVAW in the GNP have increased the Commission's awareness and understanding of the nature and prevalence of sexual harassment in the workplace, resulting in that GBV at work is granted a separate section for the first time in the Commission's annual report covering 2019.

Inclusion of GBV clauses in (multi-company) collective bargaining agreements resulting in better working conditions for pregnant women

Some concrete improvements resulting from GBV being integrated into the Subang MCCBA are that women, accounting for 80 per cent of the staff, will get a special workstation while pregnant and receive paid maternity leave for a longer period than before.

As of early 2020, following Garteks' lobby efforts, a total of 8 factories had added GBV clauses referencing the ILO C190 to their CBAs. The gender specific clauses cover topics like maternity and menstrual leave, and sanitary conditions at work. Garteks explicitly links the success of implementing GBV clauses in the CBAs to support from CNV-I's strategic partnership with Fair Wear and M-FNV.⁹⁴ Garteks, as well as KSBSI, benefitted from lobby and advocacy training from the SP partners, both at central and district levels, PM, in collaboration with KSBSI's gender committee trained Garteks on GBV in the workplace, Garteks also learned from PM and FBLP's experience with the Cakung GBV free zone. Finally, CNV-I and Fair Wear's collaboration in the GNP as well as Garteks' interaction with KSBSI's work on ILO C190 gave important inputs as to how the contents of the ILO convention could be translated and operationalised in at factory level.

The abovementioned trainings, learnings and interactions constituted the basis when Garteks developed its strategy for implementing GBV prevention in factories through establishing a gender committee, lobbying management and building awareness of management and other trade unions before submitting GBV related articles into the CBAs.

Preparing for the renewal of the Subang MCCBA, postponed from late 2019 until 2020, KSBSI organised a training and socialisation session for members of the WJSDF on GBV, with speakers from PM and National Commission on Violence against Women (NCVAW). Following this, KSBSI and Garteks engaged in training and socialization of the parties to the agreement on GBV (and wage structure). As a result of these training and awareness raising activities, the signatories to the Subang MCCBA, 10 factories and 6 unions, agreed to include GBV when renewing the agreement in 2020.

The Government of Indonesia supported ILO convention 190

In 2019, Fair Wear hired a specialist in lobby and advocacy aiming to improve relationships between the Gender Network Platform and ministries, parliamentarians and journalists. With the support of other organisations of the GNP, SP's national trade union partners actively lobbied in Indonesia to vote in favour of the ILO convention against violence and harassment at the workplace. After initial reluctance towards the ILO C190 proposal, the Indonesian government did support its approval at the ILO conference in June 2019. According to the SP partner staff, the main reason for this was a change in formulations negotiated between the parties in Geneva and to a lesser extent a result of lobby efforts in Indonesia. Thus, the result was in line with the SP goal, although the direct impact of SP's interventions on the Gol's final position is not obvious. PM's research on different forms of violence faced by women workers, including domestic violence will be published in 2020 and serve as input for the lobbying effort towards Gol for the ratification of C190.

⁹⁴ Garteks partner report Q4, 2019 and Draft annual report 2019, SP

3.4 Other socio-economic or institutional changes

Lobbying for more labour inspectors in North Sumatra

Towards the end of 2019, Garteks' recommendation of increasing the number of labour inspectors in North Sumatra was accepted by the provincial manpower office. Garteks' main argument was that the labour inspectorate was not sufficiently staffed to ensure enforcement of labour regulations. Although a commitment is achieved, Garteks needs to follow up on the implementation.

3.5 Lessons learned from efforts that have not yielded expected results

The sexual violence elimination bill is still not approved, in spite of several years' lobby efforts.

For several years, CNV-I partner KSBSI and others have been pushing for the Sexual violence elimination bill to be tabled before parliament. KSBSI's Equality Commission conducted research on equal pay and discrimination of women workers and hosted training and socialisation sessions for its members in order to promote gender equality and gain support for the Gender Equality Act.

The Alliance to Ending Violence in the World of Work, a PM led alliance of unions and worker rights' NGOs, have continuously pushed for the bill to be approved. There is political resistance, in particular from the more right-winged Islamic parties and groups. Sexual violence, and the protection of women's rights, are sensitive issues, and it takes time to establish a common understanding/accept of the definition of sexual harassment. Following the elections in 2019, lobby efforts had to start over again with the newly elected politicians, with a particular focus on gaining support from moderate Islamic parties and groups.

While waiting for the Sexual violence elimination bill to pass through parliament, CNV-I and Garteks focussed on implementing the core elements from ILO C190 at company level.

Evaluator's reflections

Social dialogue

One clear indication of the success of the MCCBAs are statements from managers in a company being part of an MCCBA on how this has improved overall performance, in other words: it is good for business, and thus likely to be a sustainable change. Another positive sign is the interest shown from other companies to establishing similar agreements,

Although not evident from the documents reviewed, it seems rather unlikely that there will be a general overlap between Fair Wear member brands sourcing companies and production locations where the local union partners of CNV-I and/or M-FNV are present. If the opposite were the case, that is that Fair Wear brands were sourcing from factories with strong unions part of the SP, a coordinated effort of promoting CBAs and MCCBAs, at company level would have been a natural recommendation. By nature, brands' choice of sourcing factories and the presence of unions at factory level are different and independent decisions, making overlaps coincidental and not very likely given the size of the Indonesian industry. A more indirect way the SP partners can promote MCCBAs is to actively collect and convey learnings from the active MCCBAs, the business benefits as well as the improvements for workers. Reaching out to sister MSIs and their member brands, facilitating and encouraging sharing within business associations at provincial and/or national levels will contribute to an increased understanding of the potential benefits of MCCBAs as well as learnings on the process to get there. This would add to the existing initiatives of local unions and other actors already involved in taking the positive MCCBA experience to new locations. Obviously, the agreements must be owned and signed by local unions and companies, but it is likely that brands and MSIs can contribute to the process by facilitating learning and clearly expressing positive support to such initiatives.

When it comes to the long-term sustainability of the Freedom of Association Protocol, it seems evident that it so far, first through Oxfam and later with the SP partners, depends on external actors as facilitators and promoters. In the longer run, it is recommended to explore ways of increasing national ownership and thus a long-term sustainability of the Protocol as a joint arena and voice.

GBV

The two main milestones on GBV are the GBV free zone pilot in KBN Cakung and the inclusion of GBV clauses in collective bargaining agreements, being it individual or multi-company. In both cases, the partner organisations have used evidence-based training and lobbying, both with unions only, and through joint meetings between unions, companies and public entities. The SP initiated GNP has become an important arena, providing unions with direct access to government bodies, as well as an arena for discussions between the three parties.

The Ministry of Women Empowerment's commitment to replicate the GBV free zones is a strong case of sustainable impact of SP interventions.

Interaction between SP partner organisations has increased over the last years, a good example is CNV-I partner Garteks inviting M-FNV partner PM to deliver trainings on GBV to Garteks unions and members of WJSDF as well as the two organisations' joint efforts in promoting GBV free zones to new industrial areas.

4. Sustainability

Sustainability is about sustained changes. In the context of the SP in Indonesia, and presumably elsewhere, the key question is then to what extent the interventions of the SP partners and the partner organisations result in new policies and practices, attitudes and actions, that will not be reverted if, or when, the SP partners and the funding is not present.

Key elements of the SP contributing to sustainability are:

- All core SP partner organisations and stakeholders (unions, factories, brands, and government) have their legitimacy and mission independently from the SP, thus their existence does not depend on the SP.
- The changes the SP aims at contributing to are, or hopefully will be, embedded in agreements between local actors, whose existence is independent from the presence of the SP.
- The MoU on GBV free zones signed between trade unions and the Ministry of Women Empowerment is a clear sign of sustainability.
- One of the important results emerging the last years of the SP is a gradually much closer collaboration between the local partners of the SP, where unions are inviting specialist organisations to conduct training sessions, and SP partners facilitate meeting points and trainings involving brands, suppliers and unions. The increased collaboration between national organisations, in complementary efforts as well as in joint lobbying, is an important contribution to the sustainability of the programme.
- The pilot projects on GBV free zones and MCCBAs have attracted attention from both government and businesses and there is clear interest from actors outside the SP to replicate the experiences. This has the potential of being a first step towards making it an industry standard, being it locally or at the national level.
- (At least one) Indonesian factory owner(s) stated that after signing collective agreements with workers, performances have increased giving better results for the factory.

Having said that, one issue that should be thoroughly addressed in a next program phase, is how to increase the autonomy of the Gender Network Platform. Without the facilitating efforts of the SP partners so far, these arenas would be considerably less functional. A meaningful goal would be that the coordination of these arenas is responsibility handed over to able local actors.

5. Relevance and Value Added

5.1 SP niche and investments

SPs niche in the garment sector in Indonesia is stemming from the very nature of the SP, a strategic partnership between trade unions and brands. Although Fair Wear is a multi-stakeholder initiative including unions, its role in this context is primarily through having direct relations with and entry to their brand members, and thereby also the suppliers. The SP partners describe the key contribution to be the ability to leverage, and convene, across stakeholder groups, and thereby contribute to creating or strengthening arenas for constructive dialogue between the local actors in Indonesia. The establishment of the Gender Network Platform, in which the tripartite delegation visits to Vietnam and India played an important role, is a good example of a unique contribution from the SP.

5.2 Value added of Strategic Partnership

Already in the first Fair Wear audits in Bali in 2016, the precarious situation of the homeworkers was taken into account. Their remuneration was below the legal minimum wage levels making it an SP goal to improve the situation along two lines; lobby towards government and parliament for proper legal protection and, in collaboration with Fair Wear buying brands and their suppliers, create best practice pilots on remuneration of homeworkers.

Following a SP hosted round table with brands, suppliers, ministries, NGOs and trade unions, Garteks agreed with the Trade Union Rights Center to provide support to homeworkers and actively support in the lobby towards the government and parliament in the support of a law to protect homeworkers from exploitation. Fair Wear agreed with one of its members with three Bali factories on homeworkers to be part of the pilot. The pilot will identify the relation between FOB prices and piece paid homeworkers, with Fair Wear providing technical assistance and linkage to local unions like CNV-I partner Garteks.

There is a clear trend of closer interaction among the SP partners and their networks during the last years, including also in planning processes. Starting from a situation where the three organisations operated rather individually, it seems clear that acting together, sharing information and knowledge with and between each of the SP partners' Indonesian partner organisations have added important value to the SP, in particular in the later years of the programme. An example is the joint delegation participating at the Gender Forum in Vietnam in 2017 that resulted in the GNP, having gained a place as a space for discussing and lobbying on gender issues across sectors. Likewise, the joint Directors' participation on different arenas and activities not only added weight to the processes but was also a testimony of collaboration.

The work on living wages seems to be less mature compared to the results within the thematic areas of social dialogue and GBV. This might be attributed the following factors:

- CNV-I and M-FNV with partners have a longer trajectory working on social dialogue and GBV
- Living wage is a new concept, with the need to establish a common language as a starter
- The relocation of factories to Central Java, with loss of jobs as a consequence, made job security a more pressing priority for the trade unions than the work on living wages.

There is little evidence of coordinated efforts between the three SP partners at company level, while the coordination and collaboration at the national level seems strong(er). Through trainings, delegation visits and dialogue with their national counterparts, SP partners have equipped,

supported and pushed them to engage constructively in re-establishing the Freedom of Association Protocol as a collaborative arena for unions, factories and brands, as well as established the Gender Network Platform as a national multi-stakeholder forum for promoting gender justice. Joint public statements, lobby efforts and appearances send a message that collaboration is good for all parties, being it at national or local levels.

When it comes to MCCBAs, the Strategic Partnership as such initially played a rather limited role. There was limited interaction between M-FNV and its core partners PM and FBLP on one side, and the West Java Social Dialogue Forum, where CNV-I partners KSBSI and Garteks were key actors, in the first couple of years of the SP. However, this changed gradually with time. From 2018, PM delivered training on GBV to the members of WJSDF and from late 2019, Garteks specifically mentioned the plans of exploring further coordination and collaboration with M-FNV and Fair Wear partners, in particular on GBV. The inclusion of GBV in the MCCBAs is a good example of the potential residing in the three SP partners and the partner organisations working together. It combines the longstanding work of CNV-I and their union partners on CBAs, M-FNV and core partners' focus on fighting GBV, while Fair Wear's more recent entry to Indonesia added the weight of brands joining the Freedom of Association Protocol as well as companies being part of the Gender Network Platform. Thus, at its best, the partnership has proven powerful.

That CNV-I and M-FNV had already established work and relations gave Fair Wear a kick-start when establishing its presence in Indonesia, when it comes to networks, credibility and legitimacy. The Dutch embassy facilitated Fair Wear's establishment of relations with employers' organisations. Other than that, the role of the Dutch ministry is not apparent from the document review.

6. Learning

6.1 Working with Theory of Action as results management system

Social dialogue is a base also for working on GBV and living wages. Trainings and capacity building of unions, suppliers and brands and evidence-based advocacy are key strategies for SP's work in Indonesia. Basing trainings and advocacy efforts on new knowledge gathered within the SP, or drawing on experience from other actors, in trainings of partner organisations and lobby /awareness raising efforts with private and public stakeholders at different levels, is a clear approach in the Theory of Action developed for Indonesia.

Although the reference to the ToA is not very explicit in the documents reviewed, the approach as such is clearly reflected in SP's work in Indonesia, across all issues and outcome levels.

6.2 SP adaptation to political and contextual changes and effects of this

The relocation of factories to Central Java represents an important challenge to the SP partners. This is in particular valid for the unions, seeing members lose their jobs, and management with whom they have established a relation move to new locations. Partners report that it became harder to get GBV on the agenda, in particular at company level. Likewise, fearing job losses, workers and unions are less motivated to take up the living wage concept, and prioritized fighting for their jobs. At the same time, unions are gradually increasing their efforts in organising workers, and their own presence, in Central Java as it is becoming the new national hub for the garment industry.

In the Bali project, the initial idea was to establish a MCCBA covering homeworkers producing for factories supplying to FWF brand members. However, after meeting with homeworkers priorities

were changed, and a first step, currently in progress, was to carry out a study of the situation and the needs of homeworkers.

7. Reflections and preliminary conclusions

- The Indonesian SP programme is developing gradually towards a real strategic partnership between the three Dutch organisations and their partner organisations.
- The Freedom of Association Protocol and the Gender Network Platform are two key collaboration arenas that so far have been dependent of the SP partners' facilitation.
- Continued lobbying and trainings, in part based on new SP generated evidence, from (union) partner organisations yield results at company level, that at some occasions have been replicated at sector levels (MCCBAs and sectorial wage structures).
- Testimonies from participating companies in the pilots, the GBV free zones and MCCBAs, inspire others, including government bodies, to replicate the SP pilots.
- Involving both unions, companies and brands in trainings and awareness-raising on sensitive (GBV) and technical (labour minute costing) issues is an important contribution to creating a common ground for discussions, agreements and improvements.
- The increased collaboration between the SP partner organisations provides a good potential for more joint strategic planning, involving partner organisations of all the three SP partners in joint actions.
- In planning for a next period, the three SP partners and their partner organisations should make sure to build on the experiences of collaboration made so far to make it a real strategic partnership also on the ground in Indonesia.

M. Desk country report India

Abbreviations

AGT	Dutch Agreement on Garment and Textiles
ASK	Association for Stimulating Know-how
CBA	Collective Bargaining Agreement
CSO	Civil Society Organisation
CBA	Collective Bargaining Agreement
Fair Wear	Fair Wear Foundation
FoA	Freedom of Association
GBV	Gender-Based Violence
ICC	Internal Complaints Committee
ILO	United Nations' International Labour Organisation
ITUC	International Trade Union Confederation
M-FNV	Mondiaal-FNV
NCR	National Capital Region
OSMA	Open End Spinning Mills Association
PIL	Public Interest Litigation
SAVE	Social Awareness and Voluntary Education
SP	Strategic Partnership for Garment Supply Chain Transformation
TASMA	Tamil Nadu Spinning Mills Association
TEA	Tirupur Exporter's Association
TEAMA	Tirupur Export and Manufacturers Association
ToA	Theory of Action
WEP	Worker Engagement Program
WEP-VHP	WEP Violence and Harassment Prevention programme

1. Ready-made garment sector context

Background and context

The textile and garment industry plays an important role in India's economic growth, contributing 4 per cent to the country's GDP and employing about 45 million workers. India is estimated to be the second largest textile producer in 2020⁹⁵, and 2018 statistics place the country as the third largest exporter of textiles and as number five when it comes to clothing exports.⁹⁶

The sector has several main regional clusters. Each cluster is characterised by different products and different social composition of workers, reflecting different challenges. Geographically, garment production is mainly concentrated in clusters in Tamil Nadu, Delhi/National Capital Region, and Bangalore. The factories are relatively small, with middle-sized factories of approximately 300-500 workers.

Given the high level of informality in the sector, it is difficult to have an accurate number of workers and factories involved in the garment sector. In the North, the majority are male workers (60 per cent), while in the South about 80 per cent of the workers are female, with up to 90 per cent female workers in Bangalore. Tirupur, a major garment cluster in the State of Tamil Nadu in

⁹⁵ <https://www.bizvibe.com/blog/top-10-largest-textile-producing-countries/>

⁹⁶ <https://shenglufashion.com/2019/08/16/wto-reports-world-textile-and-apparel-trade-in-2018/>

the South, has about 6,000 garment factories, with recent estimates going as high as 10,000 employing around 600,000 textile and garment workers.⁹⁷

Development of human rights' situation in Indian garment sector the past five years

India is almost like a continent in itself. The human rights situation in the textile and garment sector varies from very good to very poor, with the latter relatively common. Typical poor labour standards are low wages, excessive, often unpaid overtime (often caused by high production pressure), poor health and safety, and harassment of (female) workers. The worst forms of child labour and forced labour are also found in Indian textile industry. The Indian textile and garment industry is further characterised by high levels of informal employment, resulting in a lack of proper personnel records and legally binding employment relationships. Workers are often forced to resign and re-join as a mechanism for employers to avoid paying social security and other benefits.

A general reflection on the human rights development during the past five years is split: The situation has worsened with more reported rapes and violations against women. The increased number of reported cases might however be a result of more awareness and not necessarily an increase in cases as such. One positive aspect is that one sees a trend with more workers' committees being established. However, the draft revised labour law, still to be finalized and passed, proposes limits on Freedom of Association (FoA), which is of particular concern since India has not ratified the two ILO core conventions on organisation, no. 87. on FoA and no. 98 on the right to organise and collective bargaining⁹⁸. The new labour codes⁹⁹ curb unionising and the right to strike, while expanding basic social safety net coverage, although only for formally employed workers. More than 90 per cent of India's labour force works in the informal and unorganised sector.

Social dialogue

In ITUC's annual global rights index 2020, India remains a country where workers' rights are not guaranteed. With reference to the repressive labour legislation, India got the dubious honour of joining the group of the ten worst countries for workers' rights, a group that India had not been part of since 2016. As was the case also in the 2019 index, arbitrary mass arrests of workers continue, including the arrest of thousands of workers in Tamil Nadu on October 10th 2019, protesting for their status to be regularised. The Modi government is introducing several practices for a more flexible labour market, reducing protection of workers in the informal economy and undermining the work of unions¹⁰⁰.

Similarly, a 2019 report from Civicus notes that, *"India, the world's largest democracy, has been downgraded to repressed due to the increased restriction of space for dissent during 2019 and particularly following Prime Minister Narendra Modi's re-election in May 2019"*.¹⁰¹

Living wage

Living wage as a concept is not a widely accepted term in India. India has mandated minimum wages, set at central as well as state levels, and specified for sectors, sub-sectors and nearly 2,000 different job types only for unskilled workers. In 2019, a government appointed committee of experts recommended a new national minimum wage level of INR 375/day, estimated to be

⁹⁷ Source: SAVE mid-term report Jun-Dec 2019 to M-FNV

⁹⁸ https://www.ilo.org/dyn/normlex/en/f?p=1000:11210:0::NO:11210:P11210_COUNTRY_ID:102691 (per July 2020).

⁹⁹ The labour reform initiatives, headed by the Ministry of Labour, suggest amalgamating 44 labour laws into four codes; on wages, industrial relations, social security and safety, health and working conditions.

¹⁰⁰ https://www.ituc-csi.org/IMG/pdf/ituc_globalrightsindex_2020_en.pdf

¹⁰¹ [People Power Under Attack](#)

enough to meet basic family needs. However, when the government tabled the Code of Wages Bill later in 2019, there was no specific figure mentioned as a national floor-level minimum wage. The Indian Finance Ministry's 2019 Economic survey, comparing state minimum wages with the living cost estimates, showed considerable gaps in a number of states, like Tamil Nadu, where prevailing wages exceed the living cost estimates from the Ministry of Finance¹⁰². The WageIndicator's calculations for 2019 reflect similar prevailing wages, around INR 9,700/month for unskilled workers, while the living wage estimate for a typical family is considerably higher, INR 15,500.¹⁰³ This coincides with other reports stating that the mandated minimum wage is far from a wage to live from.

In 2019, the Tamil Nadu garment industry was re-classified to hosiery, with a minimum wage 40 per cent lower than for garment factories.

Gender-based violence

Due to strong patriarchal social norms, violence and harassment against women in India is systemic. Women are discriminated against not only *"on the basis of sex, but also on grounds, such as caste, class, ability, sexual orientation, tradition and other realities"*¹⁰⁴. The caste system magnifies conditions of violence and harassment in the workplace. Women working in low-paid work predominantly come from lower castes, while management, most of whom are men, come from a higher caste. This makes it exceedingly difficult for women to confront their abusers.

The *'Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act'* (2013) has led to an improved understanding of sexual harassment and the channels for redressal. More victims felt that they could come forward, and the number of reported sexual harassment cases in the workplace rose considerably from 2014 to 2015¹⁰⁵. However, these numbers still do not capture the true extent of the phenomenon; according to a 2017 survey of over 6,000 women by the Indian Bar Association, more than 70 per cent of sexual harassment victims did not report their experiences due to fear of repercussions. Furthermore, even though the Act stipulates that there must be an internal complaints' committee (ICC) in every factory, often this is not the case. In the regions where the SP partners operate, women comprise about 85-90 per cent of the workforce in Bangalore, in Tirupur in Tamil Nadu about 60 per cent and about 40 per cent in Delhi and surrounding areas, also referred to as National Capital Region (NCR)¹⁰⁶.

2. Short description of the SP partners in given country and their (main) activities

Both Fair Wear and M-FNV had been actively working with Indian partners prior to the establishment of the Strategic Partnership. M-FNV had a main focus on strengthening trade unions and Fair Wear on gender-based violence and living wage. This constituted important partners and structures for the SP to build on, as is reflected in more details below.

Fair Wear started its work in India in 2003. Currently, 40 Fair Wear member brands, mostly in fashion and sportswear, source from more than 160 factories. Of these factories, 45 per cent is located in North India, while 55 per cent is based in South India.

¹⁰² <https://scroll.in/article/934142/in-charts-what-is-a-decent-minimum-wage-in-india-and-how-a-new-law-could-change-it>

¹⁰³ <https://wageindicator.org/salary/living-wage/india-living-wage-series-september-2019>

¹⁰⁴ Breaking the Silence, Fair Wear, 2019

¹⁰⁵ Ibid.

¹⁰⁶ Fair Wear country manager in interview June 2020.

Significant clusters for factories supplying Fair Wear members include Tamil Nadu (mainly Tirupur), accounting for 48 per cent of the factories, followed by Delhi and the National Capital Region (NCR) area with 22 per cent, Maharashtra with nine per cent, and Karnataka with six per cent.

Fair Wear India staff comprise of a country manager based in Bangalore, a complaints and audit handler based in Chennai, and a programme manager based in Delhi. Additionally, a team of 20 part-time consultants are commissioned to carry out Fair Wear trainings and audits, when requested.

M-FNV supports trade union partner organisations in the southern state Tamil Nadu, enabling them to play their part in negotiation and dialogue, and contributing to the realisation of decent work that includes employment, fundamental rights at work, social security and social dialogue. The programme is based on two thematic pillars:

- improving social dialogue at national and regional level, and
- improving working conditions in high risk value chains.

Operating in Tamil Nadu only, M-FNV is not engaged in national level activities. M-FNV engaged in the SP India programme from July 2018.

Table M.1: SP partner organisations in India

Partner organisation	SP Partner	Description / Comment	ToA complementary/ added value
Social Awareness and Voluntary Education (SAVE) * www.savengo.org	M-FNV, Fair Wear	SAVE is a holistic human rights organisation located in Tirupur, Tamil Nadu, South India. For 17 years, SAVE has defended the rights of children, women and workers through research, advocacy, education, networking, and skills and capacity building. SAVE is a partner organisation of both Fair Wear and M-FNV. For the latter, they provide support and capacity building to 8 local trade unions.	Implementation partners with long-standing experience on the ground. They help to deliver and conduct trainings, audits, complaints handling, research and pilot projects.
CIVIDEP * www.cividep.org	Fair Wear	CSO based in Bangalore. Operates Fair Wear's complaint hotline "Kannada". They study the effects of corporate activities on communities, and campaigns with other organisations and individuals for workers' rights, unionisation and corporate accountability.	

Multiple Action Research Group * (MARG) www.margfoundation.com	Fair Wear	NGO based in New Delhi, India, established in 1985. MARG provides legal advice on complaints related to sexual harassment on behalf of Fair Wear (i.e. SP). Generally, MARG works to strengthen democracy by undertaking literacy initiatives, particularly with women, industrial workers, marginalised, indigenous, and deprived communities.	
READ * http://readindia.ngo/	Fair Wear	Based in NRC (Delhi region), READ establishes Community Library and Resource Centers (READ CLRC) by partnering with rural communities across India, READ reaches out to 228 villages in 18 districts, spread across 12 states through various projects supported by Corporates and Government.	Works on similar topics as Fair Wear with whom they exchange lessons learned. Fair Wear helps building their capacity and creates evidence for their lobby and advocacy work.
Fair Wear social auditors and complaints' handlers	Fair Wear		Have long-standing experience on the ground.
FTA - Foreign Trade Association	Fair Wear	Member based initiative for improving working conditions and environmental performance in global supply chains.	Not mentioned in ToA
IRFT - International Resources for Fairer Trade	Fair Wear	Indian organisations promoting "fairness of trade".	Not mentioned in ToA
Impact Institute	Fair Wear	Dutch-based institute focussing on social impact measurement	Not mentioned in ToA
ASK - Association for Stimulating Knowhow	Fair Wear	Indian non-profit within education and livelihood promotion	Not mentioned in ToA
Tamil Nadu State Women Commission	Fair Wear	Public body for dealing cases of crime against women	Not mentioned in ToA

*) CIVIDEP, SAVE, READ and MARG implement trainings to prevent gender-based violence and set up Internal Complaint Committees.

Table M.2: Other stakeholders

Stakeholder	ToA complementary/added value
Government of India	<p>The government has a role to play to facilitate social dialogue.</p> <p>Government representatives could be more willing to support minimum wage increases and higher wages in collective bargaining negotiations if they understand that this will not harm the industry.</p> <p>Government representatives would ensure that the Act, which aims to prevent sexual harassment, is enforced.</p> <p>Roundtables would help governments recognise the capability and knowledge of local CSOs.</p>
UN Women	<p><i>Not specified in the ToA.</i></p> <p>In an interview, the Fair Wear country representative emphasised that they had co-operated many years with UN Women, where UN Women fronts lobby and advocacy, and Fair Wear provides research and background information.</p>
ILO India	<p>ILO is a tri-partite institution that works with and advises governments on a wide range of laws and conventions. SP collaborates with ILO in lobby and advocacy work in relation to relevant laws and legislation.</p>
Local embassies	<p>Local embassies can support SP's lobby and advocacy work vis-à-vis the governments.</p>
Brands and factories	<p><u>Social dialogue</u>: Factories and brands need capacity building, awareness and guidance in order to enter in constructive social dialogue. Pressure and support from brands are often crucial to prompt improvement of social dialogue and remediation of complaints.</p> <p><u>Living Wage</u>: Factories need to understand how they can improve wages with the support of their clients. Wage benchmarks are needed to inform brands how the wages at their factories are related to relevant wage benchmarks. The Wage Ladder tool challenges brands to implement purchasing practices that support payment of living wages.</p> <p><u>GBV</u>: Factory managers need guidance to understand how they can reduce gender-based violence in their factory and will have enhanced capacity to set up functioning grievance systems.</p>

Table M.3: SP activities to promote social dialogue

SP Partner/s	Activity	Partner org	Other stakeholders receiving support	Target group/s
M-FNV	Support to local trade unions/capacity building of partners	SAVE	Four unions in national level federation and three in state level	
M-FNV	Supporting CBA processes			
Fair Wear, M-FNV	Supporting brands on Social Dialogue			
Fair Wear	Supplier seminars			Member Supplier Factories of Fair Wear

Fair Wear, M-FNV	Publication of Country Study: seminar and providing tools		Stakeholders of Fair Wear in India, primarily brands and factories receiving contextual information on the garment sector	Stakeholders Working in the Indian Garment Supply Chain
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Table M.4: SP activities to promote living wage

SP Partner/s	Activity	Partner org	Other stakeholders receiving support	Target group/s
Fair Wear	Labour minute costing tool		Two supplier seminars on Living wage in Tamil Nadu	Suppliers
Fair Wear	Product costing tool		Brands	Brands, factories
Fair Wear	Living Wage Incubator		Member Suppliers of Fair Wear	Brands, factories
Fair Wear M-FNV	Minimum wage processes at the state level (Tamil Nadu)	READ and SAVE	Trade Unions	Tirupur Exporter's Association (TEA)
Fair Wear	Supplier seminars		Member Supplier Factories of Fair Wear	Member Supplier Factories of Fair Wear

Table M.5: SP activities to prevent gender-based violence

SP Partner/s	Activity	Partner org	Other stakeholders receiving support	Target group/s
M-FNV	Support to local trade unions/capacity building of partners	SAVE		Brands, 20 factories in 10 wards of Tirupur
M- FNV	Support to local trade unions/capacity building of partners	SAVE		Govt, ILO, UN
M-FNV, Fair Wear	ILOC190 Lobby			Govt, ILO, UN
Fair Wear	Learning visit from Myanmar	READ, SAVE, CIVIDEP and MARG		Govt, ILO, UN
Fair Wear	Learning visit from Gender Network Platform of Indonesia, incl. Ministry of Manpower and National Women Commission of Indonesian, Women and Child ministry in Government of India	READ and MARG		Govt, ILO, UN

Fair Wear	Research on Implementation of the Sexual Harassment ACT, 2013	IRFT		Brands, factories
Fair Wear	Support development of the guideline for women safety and security in the garment sector	READ and Tamil Nadu Women Commission		Brands, factories
Fair Wear	Supervisory Skill Training Programme Feasibility study	ASK and IMPACT Institute		Brands, factories
Fair Wear	Grievance Redressal Systems Set up	CIVIDEP and 5 local compliant handlers		Brands, factories
Fair Wear	Training and Setting up of Internal complaints Committee in member factories (24 factories)	CIVIDEP, MARG, SAVE		Brands, factories
Fair Wear	Supplier Seminar	FTA		Brands, factories

3. Outcome stories

3.1 Social dialogue

Outcome stories of partner organizations with increased engagement in influencing efforts

22,947 workers organized as a result of revitalized organising efforts

The co-operation between SAVE and the trade unions have been fruitful in terms of strengthened ability to organise workers, which have led to good results in terms of an increased number of unionised workers. The below table shows the number of recruited workers since the project started in July 2018.

Period	Total
July-Dec-2018	3,783
Jan-June-2019	3,548
July-Dec-2019	7,870
Jan-10 June-2020	7,745
Total	22,946

The increased organising has come through due to careful planning. Earlier, it was only the senior leadership in unions who would be engaged in this line of work. Under the SP programme a structure has been developed with young union leaders around Tirupur who reach out directly to workers through meeting them in the communities where they live. This constitutes a more direct approach than what was previously used.

Other essential success-factors has been to strengthen the administrative and organisational capacity of the local trade unions, equipping them with key office and communications tools like mobile phones, computers and printers. The mobile phones are used for engaging with workers,

by use of the mobile app WhatsApp, which is widely used in India. The core use of the computers has been to build and maintain an online database of union members, while the printers enable more efficient sharing of information, such as preparing for petitions within and among the trade unions.

The online database¹⁰⁷ to which each trade union has their own password has been carefully planned, dividing workers into three different categories:

1. Workers in export-oriented garment factories
2. Workers in micro, small and medium enterprise garment factories¹⁰⁸
3. Homebased garment workers

The rationale behind this division is that negotiation and collective bargaining, and occupational health and safety-issues differ among the three categories. Home-based workers are typically women doing quality control, stitching and embroidery. With this project, the unionised homeworkers have been given direct access to a complaints and grievance mechanism.

The unionising project also entailed organising workers in workers' groups. A total of 327 workers groups have been established and they meet regularly at community level or outside the factory and exchange information on different topics such as labour law, sexual harassment and living wage. To maximize learning, each group is limited to 25 members. This story reflects Save's capacity and engagement in strengthening their partner unions and thereby increasing the number of organised workers.

With this work, the trade union's reason to exist - to serve their working members and engage directly with workers about their working conditions on a day-to-day basis - has been revitalised, and comes in addition to political influence. The increased organising has reinforced workers' strength to exercise their legal rights.

Capacity building on social standards to 200 spinning and weaving factories on behalf of German Textile Partnership (PST)

As a result of FoA training for the PST secretariat and brands in Europe, arranged by M-FNV, SAVE coordinated capacity building to enhance social standards in 200 spinning and weaving companies. This shows SAVE's capacity, engagement and outreach in influencing. Project reports tell that the capacity building led to significant improvements of working conditions, especially for women and girls¹⁰⁹. The report does not however specify which working conditions and how the improvements were tracked.

Factory managers enhance their understanding of social dialogue and unions' role

In Nov 2019, Fair Wear organised its first supplier seminar on social dialogue (Delhi), with 30 participants from local trade unions, business organisations, brands and factory management. Fair Wear had identified and invited one factory manager and its trade union representative from Karnataka to jointly share their experience on successful in-factory social dialogue and encourage factories to allow workers to organize. The good practice case entailed how the trade union had used social dialogue as a platform to ensure clean drinking water for workers. According to reports, this was a myth-cracker for participating factory management who expressed that they had learned that unions not only demand higher wages.

¹⁰⁷ www.tiruppurlabour.com

¹⁰⁸ MSME factories are often sub-suppliers and/or sub-contractors to big export-oriented factories

¹⁰⁹ Annexes with annual report 2018, SP

3.2 Living wage

Outcome stories of partner organizations with increased engagement in influencing efforts

Trade unions with evidence-backed demand before negotiations in Tirupur

Supported by SAVE, their trade union partners submitted a Charter of Demand on Living Wage and GBV to the employer association for the forthcoming Tirupur Tripartite Negotiation.

Every four years, trade unions and exporters in the Tirupur garment and textile industry enter into a new wage agreement. In preparing for the forthcoming 2020 negotiations, Fair Wear made a compilation of wage studies and figures for the region. The report has been used as input for the trade unions' strategy development prior to the 2020 negotiations. Union and community leaders held several workshops to come to an agreed understanding on the input needed for the CBA negotiation phase. Due to Covid-19 the negotiation process was postponed.

This case reflects how increased capacity (new understanding of wages based on facts) adds weight to the influencing engagement efforts.

M-FNV inspired other actors to engage in relation to living wage

M-FNV is an active member also in the Dutch Agreement on Garment and Textiles (AGT). In an AGT-meeting, M-FNV brought forward their work in Tirupur, which resulted in that AGT, under their "task force living wage", carried out a stakeholder analysis on work towards living wage.

Business associations have started to talk about living wage and GBV

The local SP team can see changes in the way business associations talk about living wage, whereas they did not want to discuss this before. In addition, the discussions with factory management on the topic of GBV have deepened due to the GBV training¹¹⁰. The provided documents do not elaborate on this specific point, but it appears likely that the sharing of experience from the on-going pilots on living wages carried out by two Fair Wear brands and their suppliers have contributed positively in the sense that they, although limited in scope, show that a decent wage might be good for both workers and business, see the story below.

Outcome stories of policies and practices of governments, brands and/or factories in favour of improved labour conditions in the garment industry

Fair Wear brand member and their supplier implemented living wage with positive business benefits

In October 2019, Fair Wear gathered the following results from factory management and workers from the work on living wages which proves to benefit workers and their families as well as bringing business benefits.

- Workers' wages have increased through receiving a daily living wage bonus
- Workers are able to send their children to better schools (English medium) or pursue higher education. Their children can take the school bus instead of walking. Workers can afford to buy more and healthy food and have save some amounts to festivals.
- Factory management experience a drop in worker turnover, from 8-10 per cent per month down to 2-3 per cent, following the introduction of the living wage bonus.

The Fair Wear brand member has a long-term relationship with the supplier and sources around 50-55 per cent of its production. Two other major brands source the rest of the factory's production.

¹¹⁰ Annexes with annual report 2018, SP document

Spurred off by a living wage study by a local NGO¹¹¹ in 2015, prior to the SP, the Fair Wear brand and their Tirupur-based supplier, agreed on a daily living wage premium pay to workers to be paid in addition to minimum wage. 310 workers received this salary, and there have been talks to extend the fair share work to a new unit with 190 workers.

The brand in question and another Fair Wear brand that started a similar premium pay already in 2012 are part of the **Fair Wear Living Wage Incubator** and have shared their experiences with other brands on several occasions. To what extent the best practice sharing has had any effect in inspiring other brands to adopt similar practices is unknown. According to Fair Wear¹¹², lessons from the Living Wage Incubator highlighted the importance of involving workers in the process of wage distribution, particularly when a brand is not covering 100 per cent of the necessary wage increase.

The two above-mentioned brands conducted their own living wage surveys (or commissioned local NGOs to do so). To ensure that the brands' applied calculations were real and realistic living wages, Fair Wear did a shadow calculation based on the internationally recognised Anker living wage measuring manual. The shadow calculation found the brands' living wage calculations to be very close to the Anker measuring methodology¹¹³.

3.3 Gender based violence

Outcome stories of partner organizations with increased influencing capacity

Enhancing partner organisation's capacities through evidence-based research

SAVE conducted a study on gender discrimination and gender-based violence in 2019. The survey results were discussed with totally 130 cluster leaders of the SP programmes Tirupur-based trade union partners, to capacity build them to include clauses on living wage and GBV in the forthcoming new CBA for the Tirupur textile industry. The findings have also been actively used in lobby and advocacy towards governments (see also outcome story below).

The study found that female workers lack awareness on the topic:

- 70 per cent of the respondents reflected a high level of unawareness about gender discrimination and gender-based violence at their workplace.
- 92 per cent of the garment working units are without functional Internal Complaints Committee contributes to this lack of awareness.
- Female workers, at the same time, experience mental trauma which refrains them from reaching their optimal working points and having an engaging social life.

Learning visits from Myanmar and Indonesia has strengthened Fair Wear's relationship with Indian governments and business associations

A small, unplanned outcome that has future potential was achieved as a result of an SP exchange trip. The Myanmar learning visit to India (Sept 2018) led to strengthened relationship for Fair Wear with the India Ministry of Women and Child Development.

The strengthened relationship between government and Fair Wear fulfils the objectives formulated in the Theory of Action, namely to *“establish contacts at governmental levels to allow for open dialogue about the themes of the Strategic Partnership.”*

¹¹¹ Commissioned by the Fair Wear brand

¹¹² Annual report 2018

¹¹³ Living Wages Around the World: Manual for Measurement, Martha and Richard Anker, 2017 <https://www.globallivingwage.org/about/anker-methodology/>

The Indonesia learning visit to India (Jan 2020), entailed a successful meeting with the business association CII – Confederation of Indian Industries. Fair Wear was pleased to hear the latter's explicit expression that ethical conduct in the Indian garment industry is the way to go forward.

Outcome stories of partner organizations with increased engagement in influencing efforts

SAVE demonstrated convening power on lack of implementation of Sexual Harassment Act (see Box M.1 below)

During the last half of 2019, SAVE demonstrated its convening power by hosting stakeholder meetings with district and state level government authorities, the employer federations TEAMA, TASMA, OSMA and ITX, trade unions and NGOs to dialogue on effective implementation of the 2013 Act on Sexual harassment. A total of 510 representatives, of whom approximately 45 per cent women, participated in the 6 events, including representatives from 134 spinning and garment companies with established Internal Complaints Committees.

According to the SP, Indian stakeholders are increasingly engaged on the topic of gender, illustrated by the increased engagement with and support from policymakers and ministers¹¹⁴.

During a state-level meeting on 22nd Nov 2019, the authorities promised to support factories in registering hostels and establishing Internal Complaints Committees¹¹⁵. This statement is expected to be helpful for the factories, as will other of the specific outputs of SP's efforts in this respect. Concretely, SP's efforts have:

- constituted and strengthened 11 Internal Complaints Committee in 11 factories in 5 wards,
- developed handbooks for stakeholders and workers, both for factory level and in hostels,
- sensitised 24 human resource factory staff on the importance of Internal Complaints Committee to handle sexual harassment,
- hosted workshop on "Sexual harassment and the role of supervisors" to 228 middle managers,
- explained the definition and circumstances of sexual harassment and way of complaint for redressal to around 2,500 factory workers
- capacitated 92 elected Internal Complaint Committee members on prevention activities, prohibition strategies and redressal methodologies for harassment at the workplace.

Box M-1: Prevention, Prohibition and Redressal Act (2013)

Facts about the Prevention, Prohibition and Redressal Act (2013)

The Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act (2013) is a legislative act in India that seeks to protect women from sexual harassment at their place of work. It makes it illegal to sexually harass women in the workplace. It outlines the different forms of harassment and how to seek help in event of harassment in the workplace. The Act requires employers to provide education and training programmes and to develop policies against sexual harassment.

The Act also sets provisions for companies (with more than 10 employees) on setting up an Internal Complaints Committee (ICC). ICCs receive and address sexual harassment complaints and have power equal to that of a civil court for gathering evidence. The ICCs should consist of employees from different departments and various levels. There should also be a member from outside the factory, to maintain objectivity.

¹¹⁴ Annual report 2018, Strategic Partnership

¹¹⁵ IN0170111_SAVE Midterm report- July-Dec-2019, SP document

Outcome stories of policies and practices of governments, brands and/or factories in favour of improved labour conditions in the garment industry

Establishment of Internal Complaints Committees.

37 of the 38 factories that participated in Fair Wear's Workplace Education Programme (WEP) in India had established ICCs by the end of 2018. The programme was initiated in 2012 and was part of the portfolio that Fair Wear brought into the SP from 2016 and onwards. The WEP targets people at different levels in the companies, and some 2,400 workers and 260 supervisors/managers had been involved in the programme as per 2018¹¹⁶.

Furthermore, in 2019, SAVE constituted and trained 11 ICCs, herein included information on sexual harassment and how to assess the complaints mechanism to around 2,500 factory workers.

From 2018 till June 2020 the established Internal Complaints Committees have solved 239 problems and 103 complaints were unsolved or in the process of being solved. Trade unions, government, employers and employers' associations were involved in solving the issues that evolved around payment of wage, working hours, social security and occupation safety.

Although the existence of an ICC is not a guarantee for improvements of the situation for (women) workers, **the establishment of such committees is a clear sign of improved policies**, with a potential to be followed up by improved practices, at company level.

A 2015 survey¹¹⁷ found that one third of Indian companies had not yet established an ICC; among the companies that had, they had not trained ICC members sufficiently, if at all.

The WEP has a modular design, with violence and harassment as a central part that meets the requirements as stipulated in the Act 2013 in regard to training, in-factory policy development and the establishment of Internal Complaints Committees (ICC). The trainings support factories in establishing the ICC and train the committee members.

Fair Wear states that the continuous involvement of brands has proven to be essential to achieving success, not just with their contribution in initiating projects but also their follow-up through programmes. Other possible success-factors are that:

- ✓ brands acknowledge and adapt their purchasing practices as a means to reduce production pressure and hence the risk for GBV
- ✓ brands strengthen their general Code of Labour practices with policies on GBV
- ✓ there is a trust-based relationship between the brand and the suppliers

The latter is necessary to avoid under-reporting in fear of losing clients due to non-compliance, as many brands have a policy of terminating relationships with suppliers where violence or harassment is detected.

Evidence-based advocacy lead to policy changes to protect Tamil Nadu female garment workers' safety and security

New policy guidelines for '*Protection of Women in Spinning Mills and Textile Industries in Tamil Nadu*' were finalised in March 2020 and are foreseen to be approved by the Tamil Nadu government towards the end of 2020. The application of the guidelines is expected to positively impact the working life of 600,000 female textile and spinning workers.

¹¹⁶ *Breaking the silence*, Fair Wear, 2018

¹¹⁷ *Breaking the silence*, Fair Wear, 2018

Women in the garment and spinning mills continue to face harassment, despite the enactment of *'Tamil Nadu Hostels and Homes for Women and Children (Regulation) Act, 2014'* and the *'The Sexual Harassment of Women at Work Place (Prevention, Prohibition and Redressal) Act, 2013'*. This is but one example of the absence of operationalization of the laws, leading to a lack of real impact on the ground.

Fair Wear's partner organisation READ continued to advocate with the Tamil Nadu Women's Commission with their research on the prevalence of GBV in textile factories and spinning mills, especially in hostel/dormitory set-ups, the use of public interest litigation (PIL) filing, and statistics on gaps in the implementation of the Sexual Harassment Act, 2013. READ also filed a public interest litigation and conducted a fact-finding mission to look at the gaps in the implementation of the said Act.

The continued advocacy with the Tamil Nadu Women's Commission with facts and data resulted in the Women's Commission organising a public hearing in October 2018 on framing policy guidelines for textile workers protection, with READ and Fair Wear's participation. In the public hearing it was agreed to organise a consultation to kick-start the drafting of the policy guidelines. With support from Fair Wear, the Women's Commission and READ held a series of multi-stakeholder consultations gathering inputs on the draft guidelines from government representatives, women workers, brands, and suppliers from spinning mills and garment factories.

The policy change has overcome contextual conditions like shrinking space for civic voice and limited legal knowledge among industries and local government for proper implementation of workers grievances mechanisms. Culturally, the adaptation of the new policy has also overcome the acceptance of Patriarchal Norms as the normal.

A learning to be drawn from this story is that **evidence-based advocacy is key to bring change**. Use of existing mechanisms like PIL and RTI¹¹⁸ to hold the government accountable also proved to be useful. Other keys to change are to engage constructively with governments and build a trust-bridge with State Actors by **using a non-threatening language**.

SP invited to provide inputs on gender sensitivity in the Indian National Action Plan on the UN Guiding Principles on Business and Human Right

Upon request from the Ministry of Corporate Affairs, and in conjunction with formulation of India's National Action Plan (NAP) on the UN Guiding Principles on Business and Human Rights, UN Women and Fair Wear co-hosted two sessions on gender-sensitivity January and February 2020. Fair Wear also provided recommendations on living wage, FoA and collective bargaining.

3.5 Lessons learned from efforts that have not yielded expected results

The four-year bipartite agreement between employers' organisations and trade unions in Tirupur was supposed to be renewed in March 2020, but was postponed due to Covid-19.¹¹⁹ The negative financial impacts of Covid-19, that has stagnated much of the work in 2020, might hamper the trade unions' demands for a living wage.

Informants from the SP India programme shared that although being the activity with most impact when successful, lobby and advocacy towards governments is found to be very time-consuming.

¹¹⁸ Right to Information (RTI) is a 2005 Act of the Parliament of India, which sets out the rules and procedures regarding citizens' right to information.

¹¹⁹ The preparatory work, such as forming a Charter of Demand, capacitating trade unions on negotiation elements and making a media strategy have been done.

In the in-factory Workplace Education Programme, Fair Wear has experienced that trained workers move on to other jobs or workplaces.

4. Sustainability

The key question when it comes to sustainability is to what extent achieved, or expected, changes resulting from SP interventions will be permanent and yield the desired results also when the SP partners are no longer actively involved. Thus, changes in capacities, knowledge, attitudes, relations, ways of doing things, policies and laws that are likely to persist independent of the presence of the SP partners would be traces of sustainability.

Fair Wear's business idea is to work with, and through, business relations that exist independently of Fair Wear, and thus also the SP, to protect workers' rights. Consequently, if the SP succeeds in inspiring changes in the way of doing business towards better protection of workers, and these changes are likely to be adapted by business (buyers and or producers) without being dependent on continuous support and/or pressure from SP, the changes can be considered sustainable. The development and provision of tools and guidance documents as resources for brands, which, according to the Fair Wear country manager comprise about 40 per cent of Fair Wear's workload, are designed with this in mind, i.e. to demonstrate that better business is good business, and to equip (member)brands with the necessary tools to make better business the new normal. When it comes to living wages, there are positive cases of increased wages linked to individual brands' praise-worthy efforts in piloting living wage tools. Looking at this with sustainability lenses, the approach points in both directions. It is sustainable in the sense that the living wage top up is funded by regular business transactions and not part of a grant scheme. On the other hand, if the, in this case two, buyers choose to change suppliers or just stop paying the living wage top up, it is gone. Although these cases are good examples showing that it is possible to pay a price that enables living wage to be paid, there is still a long way to go to make it sustainable in the sense that it impacts the sector. In line with lessons drawn from the Living Wage Incubator, workers/unions need be involved, suppliers must be able to demonstrate that there is a minimum price for decent working conditions, and, if not all at least a significant part of the buyers must be willing to pay that price.

An alternative approach with hopes for sustainable impact when it comes to wages is found where the unions used new evidence to back their position in the negotiations for the renewal of the Tirupur wage agreement. Using recent facts as arguments was a new way of negotiating, and the results hold a good potential for giving the unions a stronger position.

The frequent meeting points between CSOs and trade unions also help building sustainability into the programme. With a "revitalized" working model, which involves other actors than 'only' top senior leaders in the trade unions, the frequent meeting points have increased the sustainability of capacity strengthening initiatives, and their results.

The capacity building of local partner organisations and the strong ownership they have in the design and implementation of SP programme activities show positive sustainability components.

Changes in laws and regulations are obviously strong signs of sustained changes. SP in India has also focussed on monitoring the implementation of existing laws, an area that should not be neglected. Local organisations with increased understanding of legal regulations and convening power to require the enforcement of these holds a strong potential of making sustainable changes. One good example of this is SAVE's initiative to require real enforcement of the Sexual

Harassment Act, involving business federations, public authorities as well as the internal complaints committees.

5. Relevance and Value Added

5.1 SP niche and investments

The M-FNV coordinator points out that a strategic partnership is much more than joint activities. It is also about complementing each other. One of SPs niches is that, having trade union partners on board, the SP engages in organising workers in unions and capacity building them on collective bargaining and thus being very operational on the Code of Labour Practice clauses FoA and CBA. Working with local trade unions demands formalisation of an agreement with trade unions which is a political process that can best be done bilaterally between unions, i.e. M-FNV and local trade union partner organisations. Brands are supportive to this process.

CSOs, which is another important group of partner organisations, have been stronger in the southern part of the country (Bangalore and Tirupur). The SP programme has contributed to strengthen CSOs' work in the National Capital Region, especially on GBV.

With regard to gender, the SP programme is comparatively more focused on “harsh” challenges like gender-based violence. According to the Fair Wear coordinator, other actors focus on women issues like hygiene. Living wage and social dialogue have apparently not been promoted by any other multi-stakeholder and/or brand initiatives.

The work on lobby and advocacy, if or when successful, is identified by SP staff to be the investment with the greatest impact. It is time-consuming work, and sometimes it is hard to keep the momentum when key people, especially in governments, change jobs. Since lobby and advocacy is about influencing other's decisions, one never know when starting the work whether it will be successful. Having the right person(s) and networks, also within all governmental levels down to the very district level, is key. Action-oriented studies are important because it feeds into the design of further actions.

5.2 Value added of Strategic Partnership

M-FNV came into the SP in India in 2018 and only works in the sub-state Tirupur, Tamil Nadu, while Fair Wear mainly work in the NRC and Bangalore, one cannot state an explicit SP added value at country level during this programme period. There is a clear potential for added value, in interactions between M-FNV and Fair Wear, and in engaging trade unions and brands in the same factories.

However, one concrete positive effect was noted following the exchange visit of the SP Myanmar delegation. Prior to the visit, Fair Wear did not have easy access to Indian government officials. This changed positively during and after the visit, due to including Indian government representatives in the visit program. The Strategic Partnership goals became apparent and the contact between Fair Wear and government officials in India improved notably. This increased contact led to Fair Wear being invited to provide inputs to improvements of the Sexual Harassment Act.¹²⁰

¹²⁰ Stories of change, India - exchange, SP document

6. Learning

6.1 Working with Theory of Action as results management system

The Fair Wear country manager shared with the End Term Evaluation that the ToA is useful in helping to steer which activities to engage in. M-FNV established SP activities from June 2018, and did not take part in the initial ToA design, but find it important to have country specific ToAs that reflect the reality on the ground. M-FNV used the India ToA when framing their activities in the country.

Although M-FNV has reached out to brands, they acknowledge that such outreach has an untapped potential to be systematically built into their programme.

The M-FNV coordinator sums up the learning from the current SP programme in this way: *“I think what we have realized under this current SP is that a lot more can be done in India with regard to transforming the garment supply chains.”*

6.2 SP adaptation to political and contextual changes and effects of this

In 2019, the Tamil Nadu garment industry was classified to hosiery, which has 40 per cent lower minimum wage. The SP has adapted their 2020 plans to this change by preparing a wage document translated into Tamil that brings together all studies on wages from Tirupur along with the minimum wage stipulated by the Government of Tamil Nadu. The SP local partners will use this documentation when lobbying for increased wage levels in the area. The changed 2020 plans demonstrate SP's ability to adapt to political and contextual changes. However, it is too early for the End Term Evaluation to state any effects of the change.

7. Reflections and preliminary conclusions

To transform the garment sector, all stakeholders would need to participate in the change. As of yet, the SP programme cannot claim to have transformed the sector, but they have contributed to some improvements. SP staff has observed more talk about gender issues, including in state governments and in the public media.

With 37 out of 38 factories having completed the Workplace Education Programme, the GBV training appears to have found its form and “only” requires expansion. The fact that Fair Wear was invited to co-host gender sensitivity sessions in the preparations of India's UNGP National Action Plan might show that i) gender-awareness has risen on the political agenda; and/or ii) that Fair Wear has an acknowledged “gender-voice” in the public space.

The revitalised organising of trade unions work in the south (Tirupur) that has resulted in close to 23,000 enrolled trade union members is impressive. The established online database that categorises kinds of factories and workers might become very helpful. Homeworkers are vulnerable to poor working conditions, and brands¹²¹ are often found to exclude homeworking due to resource-consuming monitoring. Inclusion of homeworkers is therefore praiseworthy. So is inclusion of micro, small and medium enterprises. Not being formal or first tier manufacturers, this factory group often goes under brands' - and campaigners and media's - radar. Thus, the database with the three categorisations opens up for gaining new insights in challenges, and how complaints are solved. Such insight provides potential to steer further actions, and disseminate good practice knowledge.

¹²¹ Brands in this context are referred to in general and are not limited to Fair Wear member brands.

The desk-study of the India SP has shown that **evidence-based research is vital in lobbying and advocacy**. This goes for all the three thematic areas.

Fair Wear's knowledge and experience on living wage is presumably among the strongest globally. The Indian pilot cases from two member brands demonstrate that practical implementation at factory level is possible. Although actual implementation must come from brands and factory managers, Fair Wear has the potential to facilitate sharing of good practices and further inspire others to replicate. It is positive that reduced staff turnover is captured in the good practice collection. **It is recommended to also integrate the *business case* in the project design.** Integrating the business case in all pilots and researches is likely to strengthen factory owners and managers' buy-in substantially.

That Fair Wear benchmark brands' own living wage surveys against the internationally acknowledged Anker methodology on living wage calculations, is a sign of good quality work.

With M-FNV entering SP India as late as mid-2018 in Tirupur only, and with Covid-19 affecting most of 2020, it is understandable that coordination and collaboration between M-FNV and Fair Wear has not materialized during this current programme period. Here is a potential that ought to be tapped during SP phase II, amongst other things with regard to common work in factories where brands related directly or indirectly to SP source from. Such experiences could provide valuable knowledge and insight from the perspective of brands, factory managers and unions that may be in lobby and advocacy towards other brands, factories and business associations.

The SP programme has produced a reporting template for "Stories of Change", which SP India has used to report three change stories. This template enables SP and its partner organisations to report on relevance of activities in a concise way.

Some recommendations to SP India for the future include:

- Align more of Fair Wear and M-FNV's work
- Increase the use of the "Stories of Change" reporting template
- Where possible, include the business case for social dialogue/living wage/GBV into the project design to enhance business buy-in
- Strategically nurture business associations as key stakeholder groups

N. Country Report Cambodia - desk-study

Abbreviations

ACT	Action, Collaboration, and Transformation (International brands group)
AGT	Dutch Agreement on Garment and Textiles
CBA	Collective Bargaining Agreement
C.CAWDU	Coalition of Cambodian Apparel Workers' Democratic Union
CCHR	Cambodian Center for Human Rights
CLC	Cambodian Labour Confederation
CNV-I	CNV-Internationaal
CSO	Civil Society Organisation
EBA	Everything But Arms
Fair Wear	Fair Wear Foundation
GoC	Government of Cambodia
GMAC	Garment Manufacturing Association in Cambodia
GBV	Gender-Based Violence
FoA	Freedom of Association
ILO	United Nations' International Labour Organisation
ITUC	International Trade Union Confederation
M-FNV	Mondiaal-FNV
MCCBA	Multi Company Collective Bargaining Agreement
MoLVT	Ministry of Labour and Vocational Training
MRS	Most Representative Status (refers to unions in factories)
SP	Strategic Partnership for Garment Supply Chain Transformation
ToA	Theory of Action
WUN	Woman Union Network

1. The ready-made garment sector context

Clothing and footwear are the largest export sectors in Cambodia, ranking as number eight on the list of clothing exporters globally¹²². It employs some 800,000 people in around 1,000 factories, where mainly rural women and girls with low education make up almost 90 per cent of the work force, while men dominate in leadership positions.

In 2016, there were approximately 100 union federations in Cambodia, of which 90 per cent claimed to have their primary activity and membership in the garment sector. In the 2016 Theory of Action document of the Strategic Partnership, this is described as an “...*institutional overcrowding of unions, and a tendency to compete with one another rather than act as a unified voice for workers' interests. The high number of unions is not necessarily an indicator of a healthy environment for freedom of association. Indeed, the high proportion of national and enterprise level unions complicates efforts to foster social dialogue*”.¹²³

The **theory of change** guiding the implementation of the Strategic Partnership is based on an assumption that improved lobby and advocacy capacity of CSOs and trade unions in production countries, combined with the development of good practice pilot projects will lead to positive changes in government policies, as well as brand and factory practices. Three specific and interrelated themes are identified as target areas for improvement:

- Living wages

¹²² <https://www.statista.com/statistics/1094515/share-of-the-leading-global-textile-clothing-by-country/>

¹²³ Theory of Action Cambodia, Strategic Partnership, 2016

- Social dialogue
- Gender based violence

Legal minimum wages in Cambodia are still below **living wage** estimates. Comparing the 2018 minimum wage of USD 170 with the Wageindicator's¹²⁴ estimates for a “*typical family of 4.7 members and 1.9 full time workers*”, shows a gap between minimum wages and living wage between USD 30 and 144. The minimum wage is very close to a de facto maximum wage in the garment and footwear industry, with only a small gap between the prevailing wage and the minimum wage. Thus, pushing for a higher minimum wage has a potentially larger impact in Cambodia than in other countries, with a larger wage spread. Other challenges related to wages is short term contracts and bi-monthly payments of salary.

The situation of Cambodian **trade unions** has become increasingly challenging since the start of the Strategic Programme in 2016, with persistent and increasing breaches of human rights. The ITUC Global Rights Index ranks Cambodia in the lowest category, labelled “*No guarantee of rights*”¹²⁵. Cambodia is among one of four countries classified by the ITUC as severe when it comes to workers access to justice, union busting is frequent, arrestation of workers and trade unionists are common, and strike actions are commonly brutally repressed and severely punished by the government.¹²⁶

Following pressure from the ILO, international trade unions ITUC and IndustriALL, as well as the threat of the EU cancelling Cambodia's preferences through the Everything but Arms (EBA) trade scheme, the Cambodian government in 2019 initiated a process to revise the Trade Union Law from 2016 that was not aligned with ILO conventions 87 and 98 on freedom of association and the right to collective bargaining. Cambodian Labour Confederation (CLC) (CNV-I partner in the Strategic Partnership) led the trade union inputs for and lobby towards this amendment, which was passed by parliament in December 2019. Although the updated law is an improvement, ITUC reports that the ten amendments to the Trade Union Law are still not compliant with the principle of freedom of association¹²⁷.

While recognising positive steps taken in the area of labour rights, the EU, accounting for 45 per cent of Cambodian exports, expressed serious concerns regarding the unresolved civil and criminal cases against trade unionists, leading to a partial withdrawal of Cambodia's preferential access to the EU market through the EBA¹²⁸ in February 2020.

A number of Government administrative orders make the registration and application processes for a union to be granted the Most Representative Status (MRS)¹²⁹ complicated, resource demanding, and lengthy. Having a MRS is a requisite for engaging in CBAs. To obtain the MRS, at least 30 per cent of the employees in one company must be members of the same union, and in the absence of an MRS, the employer has the right to organise an election to select worker representatives. Such parallel structures form a threat to genuine dialogue taking place. These so-called “yellow’ unions, unions incited by employers and authorities, are gaining ground, generating conflicts with independent unionists where the latter are more often than not being left with the blame and criminalised. Workers are scared to go on strike or become active in a union, and the ability for confederations to support and represent members of enterprise unions in disputes have been curbed, equally limiting their representative strength at national level. Thus,

¹²⁴ <https://wageindicator.org/salary/living-wage/cambodia-living-wage-series-january-2018-country-overview>

¹²⁵ <https://survey.ituc-csi.org/?lang=en>

¹²⁶ <https://www.ituc-csi.org/IMG/pdf/2019-06-ituc-global-rights-index-2019-report-en-2.pdf>

¹²⁷ <https://survey.ituc-csi.org/Cambodia.html#tabs-3>

¹²⁸ https://ec.europa.eu/commission/presscorner/detail/en/ip_20_229

¹²⁹ The conditions for exclusive bargaining rights at workplace are high (51% representation, 33% due paying membership), ToA Cambodia, 2016

unions argue that the government is conveying a wrongful picture of a peaceful and overall satisfied workforce, due to an effective legislative, judicial and violent repression of trade unions, including union busting by employers.¹³⁰ Together, the abovementioned factors constitute important barriers to social dialogue taking place at factory, sector, and national level.

In a presentation made early 2020 as part of the New Conversation Project, the **Cornell institute** shared some findings from the SP funded study across all countries, with the following key points from Cambodia¹³¹:

- Union formation is burdensome, and independence is contested. Independent unions compete with government-controlled unions for the (exclusive) right to bargain at factory level.
- Most collective bargaining Agreements do not exceed legal minimum standards agreements with provisions less favourable to workers than what is stipulated in the law.
- Regarding dispute resolution, conclusions from the Arbitration Council are widely respected but proceedings are time consuming and losing parties do not always follow non-binding awards.

In the Global **Gender Gap** Index 2020, Cambodia is ranked as number 89, up from 93 in 2018¹³². **Gender issues**, such as the rights of pregnant workers are disrespected and cases of GBV at the workplace are rampant.

2. Short description of the SP partners in Cambodia and their (main) activities

CNV-I is the only SP partner with presence in Cambodia, with the textile federation C.CAWDU, and the confederation CLC being the two partner organisations. Thus, the SP as a partnership is not very visible so far. As mentioned above, there is room for important improvements in government policy and practice in order to ensure that workers' rights are fully respected. The limited operational space for trade unions is reflected in the SP partner organisations' activities. Both CLC and C.CAWDU are well-known organisations, and part of the national tripartite dialogue. However, a landscape of numerous trade unions confederations, with real obstacles to organise and join a union, and competition at company level to obtain the Most Representative Status, creates a challenging environment for effective social dialogue.

C.CAWDU is the biggest garment trade union and both a member and founder of CLC. Although separate organisations, the two work closely together and are often perceived as one by Cambodian stakeholders. C.CAWDU has its main focus at company level while CLC engage more at the national level in lobbying with government bodies and other stakeholders.

Within **social dialogue**, priorities range from upgrading labour laws and regulations, via collective bargaining agreements, to legal fights for criminalised unionists.

Under **living wages**, focus has been on developing solid, research-based evidence backing unions' claims in the minimum wage setting negotiations, reducing the use of fixed duration contracts and introducing the concept of living wages into the minimum wage discussions.

As for **gender-based violence**, gathering support for a national action plan on GBV, including ratification of the ILO C190 convention, strengthening CLC's Gender Committee and increasing

¹³⁰ *Most Significant Changes_SP FWF_CLC_Cambodia*, internal draft CNV report, March 2020

¹³¹ Presentation to the OECD, February 2020, Cornell Institute.

¹³² <http://reports.weforum.org/global-gender-gap-report-2020/the-global-gender-gap-index-2020/results-and-analysis/>

the share of female union leadership are key areas. The CLC Gender Committee aims at contributing to reduce all forms of GBV at workplaces and it plays an important role in advocating for the creation of GBV-related laws and regulations at the national and international levels.

Table N.1: SP partner organisations in Cambodia

Partner organisation	Description / Comment	ToA complementary/added value
ILO Cambodia		Social dialogue with companies and government, ratification of ILO conventions
C.CAWDU, CLC and other garment unions	Coalition of Cambodian Apparel Workers' Democratic Union, affiliated to IndustriALL. The main garment, union, member and founder of CLC. Cambodia Labour Confederation Both are part of national tripartite dialogue	Social dialogue and women's rights. Cambodian unions are fragmented, cooperation is necessary
DECP	The Dutch Employers' programme. Initially planned to join the SP through partnering with CAMFEBA, the Cambodia Employers Association. This did not materialise since DECP stopped its collaboration with CAMFEBA.	Entry point to companies on living wages, gender aspects and education and wages

Table N.2: Other Stakeholders

Stakeholder	ToA complementary/added value
GMAC - Garment Manufacturing Association in Cambodia	Important partner for wage and GBV discussions at the national level
Regional/national government	Need government to ensure compliance with labour law National level discussions of living wage and GBV
ACT	Action, Collaboration, and Transformation - International brands group. Not mentioned in ToA
AGT – Dutch Agreement on Sustainable Garments and Textile	A five-year programme, started in 2016, to improve working conditions, prevent pollution and promote animal welfare in regions supplying textile and apparel to the Dutch

Table N.3: SP activities in Cambodia

SP Partner/s	Name of activity	SP Partner organisation	Name of other stakeholders receiving support
CNV-I	Social dialogue Lobby on Social Dialogue & freedom of association	CLC, C.CAWDU, working together with other Cambodian trade unions, CSOs, ITUC, IndustriALL	IndustriALL, 4 brands, GMAC
CNV-I	Social dialogue Supporting CBA processes	CLC, C.CAWDU	

CNV-I	Social dialogue Letters to government	Fair Wear, M-FNV AGT (agreement on sustainable garment & textile)	
CNV-I	Social dialogue Supplier seminars	Fair Wear	
Fair Wear	Living wage Living Wage Incubator		
CNV-I	Living wage Minimum wage processes on national level	CLC, C.CAWDU	GMAC ACT ILO
CNV-I	Gender-based violence ILOC190 Lobby	CLC, C.CAWDU	
CNV-I	Gender-based violence Conference	CLC, C.CAWDU	
CNV-I	General Support to local trade unions/capacity building of partners	CLC, C.CAWDU	

3. Outcome stories

3.1 Social dialogue

Outcome stories of partner organizations with increased influencing capacity

Registration of seven new unions in 2019

Being granted the Most Representative Status (MRS) is a prerequisite for engaging in negotiations at company level. In a context of union busting and competing with government and/or employer installed unions, a successful registration is an achievement in itself. Under the SP program, seven local trade unions, with a total of 128 members, were established in 2019.

During the same period, three MRS certificates were awarded to local unions and recognized by MoLVT. This is a first and necessary step towards being acknowledged as a union and thus being able to engage in negotiations.

Outcome stories of partner organizations with increased engagement in influencing efforts

Unions and employers' organisation established common structure for solving controversies

The trade unions have over time established a good working relationship with the employers' association GMAC, resulting in the two parties agreeing to establish a structure with key focal contact persons and a clear intention to solve controversies through dialogue and consultations. For instance, CLC and GMAC met to discuss MRS and CBA in four garment factories and conducted joint trainings on successful bipartite cooperation. GMAC and C.CAWDU leaders have a good relationship and discuss on how to promote industrial relationship through bipartite social dialogue CBAs.

C.CAWDU engaged with brands through the Dutch Agreement on Garments and Textile

SP partner CNV-I, also part of the Dutch Agreement on Garments and Textile (AGT), have used the multi-stakeholder platform to engage with several Dutch AGT-members sourcing in Cambodia. Based on analysis by C.CAWDU, the parties have identified unionised AGT suppliers

(18) and shared information with the brands on cases of serious labour rights violations in 9 production locations. This has led to engagement with several brands around the specific cases. In some cases, brands interfered, and the issues were solved, while in other cases, the engagement is on-going, with the potential of becoming test case(s) for the AGT's grievance mechanism. This is one route for **influencing brands policies and practice**, using the CNV-I and C.CAWDU collaboration within the SP as the basis for engaging at other arenas to improve workers' rights in the garment supply chain.

Release of trade union leaders and reinstatement of workers

CLC and C.CAWDU have provided legal support in judicial and extraordinary labour dispute resolutions in cases of different nature, from criminalised unionists to workers not being paid according to their rights. The SP is supporting these activities, although not a major priority within the Strategic Partnership. Some results of C.CAWDU's work are:

- A judicial dispute resolution in nine garment factories, where two unionists were released from the prison and 1,200 workers were reinstated in their jobs.
- A labour dispute resolution in 14 garment and footwear factories, some 660 workers were reinstated in their jobs and the employers agreed to pay a total figure of 83,377 USD for seniority indemnity. The employers also agreed to terminate contracts and paid compensations of 750,000 USD in accordance with suggestions from the workers.

Outcome stories of policies and practices of brands and governments in favour of improved labour conditions in the garment industry

Lobby letter on social dialogue to the GoC – work in progress

In 2017 as well as 2018, responding to the continued violations to workers' human rights in Cambodia, the Apparel Industry MSI Emergency Response Group¹³³, in which SP partner Fair Wear is a member, sent several letters to the Cambodian government, calling for improvements to the current laws around unionisation and grievance procedures. In this way, Fair Wear made a clear statement supporting the work of CNV-I and its national partners. The outcome of this lobby effort was not apparent at the time of the writing of this report.

3.2 Living wage

CLC/C.CAWDU contributed to higher minimum wages through basing lobby engagement on new evidence

This story contains **elements at all three outcome levels** and shows how increased capacity adds weight to enhanced influencing engagement and thereby contributing to changes in practice and policy.

Wage surveys produced by CLC/C.CAWDU's new research department have been used in trainings of own members as well as presented and discussed at stakeholder workshops aiming at building a coalition with other unions and CSOs to negotiate together on a minimum wage. In particular, through continued discussions with the employers' association GMAC based on the minimum wage position papers, CLC/C.CAWDU have achieved a common understanding with GMAC when it comes to the concept of a living wage.

CNV-I's Cambodian partner organisations have considerably strengthened their influencing capacity over the last years, one important factor is the establishment of a research department for evidence-based lobby. CNV-I has provided its legal department with training on negotiation skills and leadership.

¹³³ Fair Wear, Fair Labour Association, Amfori, Ethical Trade Initiative, American Apparel & Footwear Association and Social Accountability International

A concrete result of this is the annual wage survey carried out by CLC/C.CAWDU among members, providing key inputs to the trade unions' position papers on minimum wage in the footwear and textile sector¹³⁴. Since 2017, the SP partner organisations, with technical support from the 'Better Factories Cambodia' programme¹³⁵, have developed these surveys among members. The studies have been a key input to formulate trade union positions on minimum wages and have enabled the unions to present a specific, research-based, level for the minimum wage. In the 2019 study, a living cost element was included, adding weight to the long-standing trade union claim that the minimum wage should be a living wage.

As part of the 2020 minimum wage setting process, CLC/C.CAWDU prepared a report arguing that the minimum wage for 2020 should be set at 212.48 USD/per month for the garment, textile, and footwear sector. The negotiations in the National Committee for Minimum Wages, involving GMAC, ILO, and MoLVT as well as other confederations, landed at USD 187, and was finally raised to USD 190 by the prime minister. Although still well below the unions' demands, this was considered a partial victory, reflecting CLC/C.CAWDU's efforts at all three outcome levels.

The production of the report reflecting **increased lobby capacity**, basing the lobby efforts on the report is a good example of **influencing efforts**, and finally, trade unions attribute **the change in policy**, reflected in the final setting of the minimum wage, partially to the production and sharing of the report.

Also, CLC/C.CAWDU reached out to the ACT initiative¹³⁶ (Action, Collaboration, and Transformation), IndustriALL and global brands and retailers to address living wages in the garment and textile sector with Cambodia as a pilot country. A joint agreement will be put into action in 2020.

Outcome stories of policies and practices of brands and governments in favour of improved labour conditions in the garment industry

58 companies have improved modalities for payment of wages following C.CAWDU engagement

C.CAWDU worked successfully with 58 garment and footwear factories ensuring that the new minimum wage for 2019 was actually paid from January and onwards. The same factories changed from bi-monthly to monthly payments, in line with the regulations. Furthermore, in coordination between C.CAWDU and the factories, several government regulations on indemnity pay were implemented to the benefits of workers.

3.3 Gender based violence

Outcome stories of partner organizations with increased influencing capacity

Functional Gender Committees established at factory level, running complaints hotline.

Started in 2017, CLC's Gender Committee has successfully set up Women's Committees in around forty garment factories. Through trainings and meetings hosted by CLC's Gender Committee, members of the local committees have increased their knowledge and capacity on how to identify and deal with incidents of GBV and sexual harassment. Through the CLC's hotline system, 44 cases of GBV was reported in 2018 and 2019, of which about 20 cases were remediated by the Gender Committee in collaboration with CLC's legal team.

¹³⁴ Co-funded by CNV-I's Trade Union Co-financing Programme

¹³⁵ A joint effort between ILO and the World Bank's International Finance Corporation

¹³⁶ A coalition of major global garment brands and global unions with the promotion of living wages as a key priority.

Outcome stories of partner organizations with increased engagement in influencing efforts

Increased number of female trade unions leaders; 40 per cent of CLC leadership are women

Increasing the number of women representatives in higher positions has been important for the SP in Cambodia. Traditionally, although women make up 90 per cent of the workforce in the garment industry, they have been poorly represented in leadership positions, also in the trade union movement. Women being properly represented in leadership roles is the first and important step in preparing the ground for putting GBV and gender inequality on the agenda. Through trainings and awareness raising within its own ranks, two women were elected among the top five leaders in CLC, spurring interest from other federations for increasing women leadership.

Late 2019, CLC and C.CAWDU leaders visited 11 production locations raising awareness on the importance of having women union leaders. It resulted in CLC, C.CAWDU and union leaders agreeing to promote women, and youth, leadership, by working to eliminate barriers for women's involvement in unionism, increase peer to peer visit of women exchanging experiences and learning, and require union leaders to proactively increase the number of female workers given the opportunity to attend trainings, workshop, conference, and meetings.

Facilitating a joint statement on ratification of ILO C190

In November 2019, CLC and C.CAWDU hosted a national conference on gender-based violence, social dialogue, and social protection for union leaders, activists, and CLC partners. The conference agreed on a joint commitment and request to the GoC to ratify and implement ILO C190.

Earlier in 2019, CNV-I hosted a roundtable on GBV, with a broad participation including the Ministry of Labour and Vocational Training, brand representatives, GMAC, NGOs, and union representatives. The different stakeholders shared their different perspective on gender-based violence and gender equality, and in spite of the lack of a formal common commitment, this event was an important step in acknowledging the seriousness of GBV at the workplace and developing a common language for discussing issues of gender-based harassment.

The Gender Committee of the CLC, through being part of the National Women Network to Monitor Women Issues, reached out to alliances such as the Cambodian Centre for Human Rights and CCHR, WUN and Woman Information Centre to join forces to support women in conflict to present their complaints to the court and thereby get their justice.

Two companies gave budget and space for celebrating women's day

Following CLC trainings on GBV to activists and unions of two companies, local unions convinced management to provide place and budget for celebrating women's day, a very concrete advocacy victory.

3.4 Lessons learned from efforts that have not yielded expected results

The hostile environment for trade unions in Cambodia, together with the cost competition with other garment and footwear exporting countries, are the key challenges for improving working conditions. The requirements for becoming the only union allowed to engage in negotiations are strict, and modification of this would be a natural lobby target for the SP, including the unions. In spite of pressure from EU, global multi-stakeholders representing key buying brands, ILO and global unions, regulations and government policy continue to put severe limitations to the work of trade unions.

Through the IndustriALL-ACT process, and directly with individual brands, CLC/C.CAWDU have had several discussions on minimum wages, but so far, it is too early to conclude on the outcome of the process. Although there have been several occasions where the minimum wage research have been shared with the government, SP partner organisations have not yet been successful in changing the government's policy or practice when it comes to setting the minimum wage at a level corresponding to a living wage, thus, this is still work in progress.

In a harsh context with limited space for civil society, CNV-I's trade union partner organisations in Cambodia have nevertheless managed to achieve important results, gradually applying the SP approach of evidence-based lobby. SP in Cambodia has an interesting potential ahead, with the planned replication of the Indonesian GBV free zones pilot and Fair Wear's plan of increasing its presence in the country.

4. Sustainability

Sustainability is about sustained changes. Thus, for the SP in Cambodia, the key question is to what extent the interventions of CNV-I and its partner organisations result in new policies and practices, attitudes and actions, that will not be reverted if, or when, the SP partners and the funding are no longer present.

CNV-I's core partners, CLC and C.CAWDU are well established in the Cambodian context and are described as strong organisations with technical capacity, tools and engagements by local and international key partners.

Through the SP, CLC's Gender Committee has strengthened their role, mobilised and united women union leaders from a number of local unions and engaged more at the national level. The Gender Committee has contributed to reducing incidents of GBV at workplaces and plays a key role in advocating for the establishment of GBV-related laws and regulations at the national and international levels.

So far, the interventions of the SP are more evident on the capacity building side of the partner organisations, and to a lesser extent in providing access to global brands, potentially adding weight to union concerns. The increased competency and capacity of the partner organisations reached so far appear to be sustainable.

5. Relevance and Value Added

5.1 SP niche and investments

The SP is well placed to facilitate the linkage between CNV-I's Cambodian trade union partner organisations and global brands, and thereby creating the necessary leverage for utilising existing, and new, opportunities to improve conditions and rights of the workers. So far, this is still a potential to tap.

The work on GBV is pointed to as a main niche, accounting for around 41 per cent of the total activity budget at partner organisation level. Around 90 per cent of the Cambodian garment industry workforce are women and girls, making GBV a priority area.

An important contribution from the SP resides in its approach; evidence-based training and advocacy, equipping the labour movement with tools and knowledge adding weight to their

demands. Trainings in negotiation skills and communication is also an intrinsic part of strengthening the SP partner organisations.

5.2 Value added of Strategic Partnership

Given that CNV-I is the only SP partner active in Cambodia, the value added of the strategic partnership is less visible than in other countries. Still, there is added value worth noticing. CNV-I and its partner organisations experience that being part of the SP has added credibility to their initiatives and increased their convening power. For example, by including the name of Fair Wear foundation, they achieve a stronger and more high-profile participation from the government than before.

The network provided through the SP offers a possibility for learning and sharing of experiences across countries, exemplified by CLC Gender Committee's visit to Indonesia in October 2019 to learn more about the GBV free zones with the perspective of possibly replicating that in Cambodia.

Furthermore, although Fair Wear does not have a presence in Cambodia as such, still several of their member brands source from there. Fair Wear has plans of having a suppliers' seminar in Cambodia, providing an opportunity for engaging with brands and producing companies.

Another concrete value added of the SP was when Fair Wear and five other international multi-stakeholder initiatives, making up the MSI Emergency Response Group, decided to sign several letters that were sent to the Cambodian government with regard to the Trade Union Law, law suits against trade union leaders, etc, a welcome support to the national SP trade union partner organisations' struggle.

6. Learning

6.1 Working with Theory of Action as results management system

In the living wage field, it is evident that the research on minimum wages has added important weight and credibility to CLC/C.CAWDU's voice in the minimum wage discussions, with GMAC as with the government. Thus, the strategy of evidence-based lobbying seems to be promising, also in a union-hostile context like Cambodia.

Within the other two thematic areas, similar approaches are less evident. Learning from the Indonesian case, gathering and disseminating information on the situation for women - ranging from cases of GBV to representation in leadership positions - may turn out useful in the future.

6.2 SP adaptation to political and contextual changes and effects of this

The main change since the start of the SP programme is the increasingly difficult situation for unions. Cambodia is ranked among the worst countries for unionists, reflected in the fact that the trade union partner organisations allocate notable portions of time and resources to court cases protecting criminalised unionists and dismissed workers. This situation has made it more important for trade unions to apply a collaboratively oriented lobby and advocacy approach, in particular with actors like the Ministry of Labour and GMAC.

Increasing the number of registered CBAs is a continuous target for the SP, so also for 2019-2020, a goal that has become more challenging than anticipated due to harshening regulatory environment. The labour law amendment from late 2019 still severely limits trade unions through stringent requirements on registration and acquiring the Most Representative Status (MRS), a pre-condition for a union to engage in negotiating with the employer. Thus, CNV-I and their trade

union partner organisations have adjusted the focus from registration of new CBAs to put more efforts into strengthening the existing local unions, through trainings on non-wage-related issues such as productivity improvements, working conditions, CBA renewals and MRS processing.

CLC has both a living wage and a minimum wage strategy, trying to demand a higher wage in minimum wage mechanisms. Immediately asking for a living wage would not materialise. Thus, CLC attempts to gradually increase the minimum wage until it becomes living wage. This approach of pushing it through the minimum wage makes sense as in Cambodia there is a small gap between minimum wage and the prevailing wage commonly paid.

7. Reflections and preliminary conclusions

Since CNV-I is the only SP partner present in Cambodia, the visibility of SP as a partnership is limited. Nevertheless, it seems clear that there is value added of the partnership along several dimensions. It adds weight to events and communication when using the brand 'Fair Wear strategic partnership', in particular when the trade unions reach out to representatives from government and the private sector. The SP also provides a platform for learning from others, in the Cambodian case this has so far been primarily from other SP countries.

Social dialogue is challenging in the Cambodian context and multi-company bargaining agreements still seem distant. The SP provides a so far untapped potential of entering strategic alliances, publicly or more discretely, with buying brands, being Fair Wear member brands, brands belonging to the AGT group, linked to the IndustriALL- ACT project, the collaborating PST, or the incoming new partner ETI.

The evidence-based approach to minimum wages have yielded the partner organisations credibility and added weight to their arguments, as well as contributed to learning within the union movement.

There have been taken positive steps in the GBV work, with the first signs of increased awareness within the unions, and the ratification and implementation of ILO C190 as a clear lobby target for the emerging network on gender, gathered a.o. at CLC and C.CAWDU's conference in November 2019. Replicating the Indonesian experience with GBV free zones, the main focus of CLC Gender Committee's visit to Indonesia in October 2019 is one potential way forward, and might be a less sensitive issue to develop with management, than solving issues of union busting and likewise.

It will be interesting to see what can be achieved with increased Fair Wear presence in Cambodia. Will the trade unions have easier access and increased leverage with companies supplying Fair Wear members? And what about GMAC and other business associations? Will the trade unions benefit from Fair Wear's experience and competence in labour minute costing and be able to apply that in lobbying for living/minimum wages? Will GMAC join efforts with CLC/C.CAWDU in pushing for ratification and implementation of ILO C190? Will it open for including GBV clauses in CBAs? The potential is there, both to use Fair Wear and their brands' relations with companies to improve the collaboration with GMAC, and to focus on factories supplying to Fair Wear member brands and establish or strengthen local C.CAWDU unions there, if possible.

Fair Wear is planning a suppliers' seminar in Cambodia, a first step towards possibly increased presence. One recommendation would be to make sure to involve CNV-I and their trade unions partners in the strategic planning, using the potential the SP has for facilitating arenas for

constructive dialogue between management and workers at company and sector levels. SP partners, based on their separate “constituencies” and the evidence-based approach, have a rare (maybe not unique, but at least special) potential in creating spaces. Here, management can learn from unions on sensitive issues like GBV prevalence and ways of dealing with it. SP can convey the business case for decent working conditions to both workers and management. SP can equip companies with the necessary tools to engage in “living wage costing”-based price negotiations with brands, with social dialogue, ideally through CBAs, as the basis. There are lessons learned to be drawn from pilots in other SP countries, and also a potential, with CLC/C.CAWDU and GMAC centrally placed, to lift factory-based experiences and good practices into the national tripartite dialogue.

O. Country report Ethiopia - desk study

Abbreviations and descriptions

AGOA	African Growth and Opportunity Act
CETU	Confederation of Ethiopian Trade Unions
CBA	Collective Bargaining Agreement
COMESA	Common Market of Eastern and Southern Africa
EBA	Everything But Arms
EIC	Ethiopia Investment Commission
ETIDI	Ethiopian Textile Industry Development Institute
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GTP II	Growth and Transformation Plan no. two
OHS	Occupational Health and Safety
IPDC	Industrial Park Development Corporation
IFTLGWTU	Industrial Federation of Textile, Leather and Garment Workers' Trade Unions
LW	Living Wage
MoLSA	Ministry of Labour and Social Affairs
M-FNV	Mondiaal FNV
NECC	National Export Co-ordination Commission
SD	Social Dialogue
ToA	Theory of Action

1. Ready-made garment sector context in Ethiopia

1.1 Industry overview¹³⁷

Ethiopia's economy has primarily been based on agriculture, but starting from 2010, the government has worked to diversify the exports. The textile and garment sector was set as one strategic sector. The existing cotton industry formed one basis for the choice, as this could provide an integrated value chain from cotton to ready-made garment. The labour-intensive textile and garment industry would also provide Ethiopia with highly needed new jobs.

With substantial donor aid, among other from the World Bank, the Ethiopian government has built seven large industrial parks over a five-year period, as incentives for investors. Other incentives to attract investors include corporate tax breaks, customs duty exemptions on imported equipment, income tax exemptions for foreign workers, access to loans, and cheap rentals on land and factory buildings. The government has made substantial investments in road and railway infrastructure, and highlights low electricity costs, the availability of water and an abundant and inexpensive labour force to attract investors. During the past 15-20 years, the government also established support institutions, among them the National Export Coordination Commission (NECC), the Ethiopia Investment Commission (EIC), the Ethiopian Textile Industry Development Institute (ETIDI) and the Industrial Park Development Corporation (IPDC).

Ethiopia has access to global markets through:

- AGOA (African Growth and Opportunity Act), a preferential trade agreement between USA and 37 Sub-Saharan African countries, valid till 2025.
- COMESA (the Common Market of Eastern and Southern Africa)
- Bilateral trade agreements concluded with many Western countries, including the Netherlands, Belgium and Luxembourg.

¹³⁷ Ethiopia Theory of Action, SP annual reports 2016-19, NYU Stern Center for Business and Human rights, Somo

- EBA (“Everything but Arms”) – a programme that was set up to provide access to the EU market for Lesser Developed Beneficiary Countries, free of duty and without quota restrictions, for all export products except arms.

Employment rate and GDP share

At the start of SP, the ETIDI employment figure in the textile industry was around 61,000 people. According to the Ethiopian Growth and Transformation Plan no. two (GTP II) the aim was to increase employment in the garment sector to 750,000 by 2020.

However, neither the Ethiopian government’s growth projections nor sourcing by Western brands and retailers have been realised as expected.

Commissioned by M-FNV, the Dutch organisation Somo conducted a “quick scan” of international buyers in Ethiopia in 2019. The mapping found that direct imports of Ethiopian apparel and footwear into the Netherlands to be insignificant. That same year, Germany was the biggest supplier to the Netherlands, and it may be assumed that German exports to the Netherlands also contained Ethiopian-made garments.¹³⁸

Working conditions

According to the SP’s Theory of Action for Ethiopia, 60 per cent of Ethiopian textile workers are women, many in the 18-25 age range.

Some working condition challenges are:

- Low wages
- Low unionisation rate
- Low prevalence of collective bargaining agreements
- Lack of awareness on health and safety risks
- Female workers are treated differently because of their gender

For female workers, challenges are in particular related to:

- their reproductive role
- the risk for women workers to get to/from work on night shift
- discrimination and unfair treatment by supervisors

A 2019 research by the New York University Stern Center for Business and Human Rights¹³⁹, entry-level garment workers in Ethiopia typically receive a base salary worth \$26 a month, by far the lowest in the worldwide clothing supply chain.

Although the industry has created many jobs, especially in the five large publicly owned industrial parks, poor pay levels have contributed to high turnover rates and thereby low productivity. When recruited in their villages, recruiters exaggerate the promised salary. Faced with the reality, many workers find that they cannot live from their low wages and end their work relation and return home.

Cultural clashes between foreign middle managers and Ethiopian line workers are also common. There have also been protests related to the country’s volatile ethnic-identity politics, resulting in several shut-downs in the large industrial parks.

¹³⁸ <https://www.somo.nl/wp-content/uploads/2019/12/Mondiaal-Ethiopia-report-2019.pdf> (page 25)

¹³⁹ <https://www.business-humanrights.org/en/report-says-ethiopia-garment-factory-workers-lowest-paid-among-major-garment-producing-countries-globally>

1.2 Social dialogue

Ethiopia has ratified all the 8 fundamental ILO conventions on labour rights, the latest in 2003¹⁴⁰. The 2019 ITUC Global Rights Index places Ethiopia in the second lowest category labelled “*Systematic violations of rights*”, the same as for the previous year.¹⁴¹ The Confederation of Ethiopian Trade Unions (CETU) that covers all nine regions of the country is the largest multi-ethnic civil society organisation in the country, with about 570,000 workers organised in nine industry federations and around 1,700 trade unions¹⁴².

According to a 2018-report¹⁴³ from the Worker Rights Consortium, Ethiopian law places significant restrictions on the ability of workers to organize trade unions and undertake collective activity to improve their working conditions, including severe restrictions on the right to strike. The September 2019 revision of the Labour law did not make any significant changes to this, but allowed for the establishment of a minimum wage in the private sector, in addition to an extended right to paid maternity leave.

1.3 Living Wage

Ethiopia is unique in the sense that it is the only major garment exporting country without a statutory minimum wage. Prevailing wages in the garment sector are the lowest known in the industry, around 50 per cent of what is paid in for example Bangladesh.¹⁴⁴ Furthermore, the WageIndicator’s estimates from September 2019 indicate that prevailing wages for low-skilled workers, which make up the vast majority of the garment industry work force, is less than half of a living wage for a standard family, and thus far from sufficient to support basic family costs¹⁴⁵.

1.4 Gender-Based Violence

Violence against women and girls is a serious problem in Ethiopia, fuelled by persistent gender-biased attitudes and practices. A 2016 Health and Demographic survey conducted by the Central Statistical Agency of Ethiopia suggested that nearly a third of women aged between 15 and 49 had experienced either physical or sexual violence¹⁴⁶.

2. Short description of the SP partners in Ethiopia and their (main) activities

During the program period (2016-2020), M-FNV has been the only SP partner working in Ethiopia. M-FNV has an African Regional Officer based in the Netherlands, and a regional consultant who has assisted with in-country follow-up. From mid-2020, there is a regional consultant based in Addis Ababa. This has advantages in form of language and network, with better information about what is going on the ground.

Tables O.1 and O.2 show M-FNV’s Ethiopian partner organisations and major stakeholders. The right columns are excerpts from the Theory of Action and state the partner organisations and stakeholders’ importance in the programme and what the stakeholder group can help to achieve, i.e. complementary/added value.

¹⁴⁰ https://www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102950

¹⁴¹ <https://www.ituc-csi.org/IMG/pdf/2019-06-ituc-global-rights-index-2019-report-en-2.pdf>

¹⁴² <https://www.solidaritycenter.org/ethiopia-inclusive-labor-movement-for-democratic-change/>

¹⁴³ <https://www.willistowerswatson.com/en-CZ/Insights/2020/02/ethiopia-new-labor-code-to-attract-foreign-investment>

¹⁴⁴ https://www.workersrights.org/wp-content/uploads/2019/03/Ethiopia_isa_North_Star_FINAL.pdf

¹⁴⁵ <https://wageindicator.org/salary/living-wage/ethiopia-living-wage-series-september-2019>

¹⁴⁶ <https://www.unodc.org/easternafrika/en/addressing-violence-against-women-and-girls-in-ethiopia.html>

Table O.1: Partner organisations in SP Ethiopia

Partner organisation	Description / Comment	ToA complementary/added value
IndustriALL	Global Union bringing together 50 million workers within metal, chemical, energy, mine, textiles garment and leather from 140 countries.	Involved in building the capacity of IFTLGWTU and in engaging relevant stakeholders, such as brands, factories and the Ethiopian government.
IFTLGWTU - Industrial Federation of Textile, Leather and Garment Workers' Trade Unions	An IndustriALL affiliate, organising about 45,000 workers in Ethiopia	Enhancing the capacity of both IFTLGWTU and CETU should enable them to effectively participate in effective social dialogue at factory, sector and national level and to put pressure on factories and the government.
CETU – Confederation of Trade Unions	CETU is Ethiopia's largest multi-ethnic civil society organization, representing about 570,000 workers organized into nine affiliated industrial federations and approximately 1,700 trade unions. ¹⁴⁷	
Dutch Embassy		Supports the efforts of the partnership by providing contact with relevant stakeholders and to exchange information on relevant developments in the country.
WageIndicator Foundation	A Dutch organisation whose online database enables employers, employees and workers worldwide to share and compare information on wages, labour law and CBAs.	<i>Identified as partner organisation after initial ToA</i>
EAURYAN Solutions	EARUYAN Solutions is a social justice and impact driven feminist social enterprise, supporting organisations and individuals promote gender equality and transformative feminist leadership.	<i>Identified as partner organisation after initial ToA</i>

Table O.2: Other stakeholders

Stakeholder	ToA complementary/added value
Ethiopian government	The government needs to be engaged, to enforce labour laws and regulations and to promote social dialogue at all levels.
ETIDI – Ethiopian Textile Industry Development Institute	Provides relevant information on the textile and garment industry in Ethiopia.
International institutions and NGO's, such as ILO, FES, and Solidaridad	These organisations work on similar topics as M-FNV. It is important for SP to align the work with the efforts of these organisations to enhance impact and share learnings.

Table O.3 shows an aggregated overview over the SP activities carried out during the program period.

¹⁴⁷ <https://www.solidaritycenter.org/ethiopia-inclusive-labor-movement-for-democratic-change/>

Table O.3: Aggregated overview of SP activities, all under the responsibility of M-FNV

Activity	SP partner organisations	Other stakeholders receiving support	Targeted stakeholders
Social dialogue training, internal information management	IFTLGWTU		MoLSA, Min of Trade and Industry, EIC, ETIDI, UDI, IPDC, MW&CA
Social dialogue Supporting CBA processes	IndustriALL	IFTLGWTU	
Social dialogue Letter to embassy	IFTLGWTU		
Living wage	WageIndicator, CETU, IFTLGWTU		MoLSA
Living wage Minimum wage processes at national level			
GBV ILO C190 lobby			
GBV Research	IFTLGWTU, EAURYAN Solutions		
GBV Learning visit to Indonesia	IFTLGWTU	PM, BILS, BLF, SAVE	
In-country study on SD	Cornell		

3. Outcome stories

The outcome stories describe to what degree SP activities have led to:

- Ethiopian SP partner organisations' increased lobby and advocacy capacities
- Ethiopian SP Partner organisations' increased engagement in lobby and advocacy activities
- Changes in policies and/or practices of public and private sector actors following SP's lobby and advocacy work

The outcome stories evolve around the thematic programme areas social dialogue, living wage and gender-based violence. Some of the outcome stories have cross-thematic relevance, for example social dialogue and living wage, or social dialogue and gender-based violence. All selected cases showcase lobby and advocacy processes.

3.1 Social dialogue

3.1.2. Outcome stories of partner organizations with increased engagement in influencing efforts

Ethiopian trade union partners with evidence-based lobbying at national tripartite level

Late February 2020, the ILO, in partnership with its tripartite Ethiopian partners, organised a tripartite round table in Addis Ababa to discuss issues of social dialogue, freedom of association

and collective bargaining. Living wage and gender were also topics. SP partners CETU and IFTLGWTU both held presentations in the tripartite round table.

Prior to the roundtable, M-FNV met with its trade unions partners, and helped them to prepare for the meeting by using facts and figures from previous research under the SP programme on living wages and CBAs:

- Living wage surveys among 1,052 workers from 52 factories in Addis Ababa, Oromia and Hawassa.
- 68 CBAs collected¹⁴⁸.

M-FNV emphasised the importance of sharing concrete findings from the research at the round table, as this would add weight to the arguments. The preparation meeting turned effective: when speaking in the roundtable meeting, SP's Ethiopian trade union partner organisations specifically referred to the research. According to M-FNV affiliated consultants¹⁴⁹, other participants also directly quoted facts and figures from the research, illustrating the effect of producing and conveying new information. Furthermore, some of the key findings in the research were also included in the roundtable summary.

3.1.3 Outcome stories of policies and practices of brands and governments in favour of improved labour conditions in the garment industry

A new legal framework towards minimum wage passed in 2019

A proposal for a revised labour law was approved by the Ethiopian parliament in July 2019, providing the first legal framework for the Ethiopian Minimum Wages Board, that will be tasked with setting the a base wage across sectors, based on cost of living and others factors¹⁵⁰.

Late 2017 CETU initiated a lobby process to amend the labour law on several issues, in total 19 different articles. In May 2018, CETU, with the support of among others M-FNV¹⁵¹, organised a workshop on living wage with forty participants including several trade union leaders and executives, employers, and representatives of the Ministry of Labour and Social Affairs. According to SP documents, this workshop was the first open discussion on living wage in Ethiopia. For the trade unions, it was an eye-opener in several ways: it made them aware of their ability to advocate for a fair wage, and also showed them the need for increased knowledge and capacity for advocating more effectively. This inspired CETU, supported by M-FNV to partner with the Dutch WageIndicator Foundation on the collection of data on collective bargaining agreements (CBAs) and the cost of living and decent work in textile factories. These data are made available in both English and Amharic, for all stakeholders to be used in negotiations. The open tripartite dialogue during the workshop was an essential first step towards a meaningful dialogue on minimum wage setting in Ethiopia.

CETU engaged with factories in developing corrective action plans based on WageIndicator findings

A concrete outcome of the WageIndicator project is that CETU, based on findings in the project, engaged in social dialogue with factories to develop corrective action plans.¹⁵²

¹⁴⁸ The complete list of collected CBAs is published on <https://mywage.org/ethiopia/labour-law/collective-agreements-database>

¹⁴⁹ Interview March 2020.

¹⁵⁰ CH0110311_IndustriALL_MNR_20190830, SP document

¹⁵¹ Friedrich Ebert Stiftung, IndustriALL and the IFTLGWTU

¹⁵² This outcome was told in an interview with the M-FNV regional consultants. There is no available documentation in English.

3.2 Living wage

3.2.2. Outcome stories of partner organizations with increased capacity and engagement in influencing efforts

IFTLGWTU adopted living wage as a topic and engaged in evidence-based lobbying

In 2019, the WageIndicator Foundation together with CETU hosted a workshop with management representatives from 11 factories to present data from 2018 from 52 factories on compliance with the labour law and decent work. During the workshop, participating factory representatives committed to tackle the issues raised. During 2019, data continued to be collected and published on the WageIndicator website in English and Amharic, covering 52 factories and 13 CBAs. Follow-up visits to nine of the factories showed that there had been improvement in two of these.

At federation level, the capacity of trade unionists to negotiate wages increased through the exchange visit with South African unions, and trainings for base union leaders on living wage and negotiation for wages. The federation IFTLGWTU had been siding with government policy of low wages as a competitive advantage to attract foreign direct investment. After the exchange visit to South Africa, they opened up for the first time to include wage discussions and wage campaigns as part of their work. The federation requested IndustriALL to help with a campaign for living wage in the textile sector¹⁵³.

M-FNV and CETU cooperated with the WageIndicator Foundation to map workers' cost of living and collected wage data and collective bargaining agreements (CBAs). In their close cooperation with the WageIndicator, M-FNV provided added value through their contact with other stakeholders such as ILO and IndustriALL.

The living wage study concluded that 92.5 per cent of the workers earned less than the minimum required to make a living.

The living wage study constituted important evidence and a basis for discussion and lobbying. Through this trade unions involved in the project have been provided data on CBAs and living wage in an easily accessible form. The digitalised data also enabled CETU and IFTLGWTU to share with their members.

This story shows how increased capacity, understanding of the topic and gathering of new evidence, enabled SP partner organisations to engage in influencing efforts at a new level.

3.2.3 Outcome stories of policies and practices of brands and governments in favour of improved labour conditions in the garment industry

See 3.1.3 above for the amendments in the labour law also covering minimum wages.

3.3 Gender-based violence

One of the main focal points of the Strategic Partnership in Ethiopia is to give the role and rights of women specific attention in their projects, and to give specific trainings to empower women at union level.¹⁵⁴ Since 2017, SP has supported and financially enabled IndustriALL, in collaboration with ILO, to conduct training sessions on women's rights and women's empowerment in the garment sector in Ethiopia. The trainings targeting trade unions address topics like worker's legal rights, specific rights for women workers, and negotiation skills. These trainings aim at enabling unions to negotiate better collective bargaining agreements with factory management while taking the female workforce they represent into account.

¹⁵³ CH0110311_IndustriALL_MNR_20190830, SP document

¹⁵⁴ Mid-term review of the Strategic Partnership, June 2018

The SP mid-term review confirmed the goal to empower women through training and capacity building was achieved: *“It is without a doubt that the trainings have been successful in not only strengthening the unions themselves, but also in specifically addressing women’s rights.”* SP has continued the capacity building in 2019-20. As with living wage, generating new evidence and knowledge through research is also strategy for gender-based violence, and an important fundament for capacity building on gender issues.

3.3.1 Outcome stories of partner organizations with increased influencing capacity

Partner organisations have gained increased influencing capacity through trainings and joint learning visits

Enabled by SP, the Ethiopian trade union leadership, represented by the IFTLGWTU leaders and CETU union leaders and executives, visited Indonesia to learn from their Indonesian peers (and SP partners) from pilots like the Indonesian GBV free zone and inclusion of GBV clauses in CBAs. This learning visit appeared to have been highly successful, enabling the Ethiopian trade union leadership to gain new knowledge on strategies for combating gender-based violence, a knowledge that should be integrated into the trade union federations’ lobby plans.

Another important initiative aiming at increasing the knowledge and lobby capacity of the national trade union partners is the trainings supported by M-FNV and conducted by IndustriALL, focussing on women’s rights and empowerment in the garment sector. These training sessions were held in different garment factories across the country in collaboration with the ILO.

3.3.2. Outcome stories of partner organizations with increased engagement in influencing efforts

Gender research presented to key stakeholders

In August 2019, M-FNV and one of their partner organisations, EAURYAN Solutions, published a report on gender issues and gender-based violence in Ethiopian textile and garment factories. The study involved workers, union leaders and factory management, and the results were validated in a workshop with totally 30 representatives from key stakeholder groups, such as the Ministry of Labour, union leaders and member, factory management, and brands.

3.3.3 Outcome stories of policies and practices of brands and governments in favour of improved labour conditions in the garment industry

Nine factories developed GBV action plans, of which two were implemented.

Nine factories, having been involved in the above-mentioned research, participated in a two-day gender-planning workshop hosted by M-FNV where they jointly developed action plans for gender lobby and advocacy. This activity included developing a gender-policy and gender-based violence awareness training. Trade union federation executives and trade union leaders from the nine factories that participated in the training focussing on how to influence policy on GBV and measures to improve working conditions for women.

Participants developed factory-specific plans on issues they wanted to change in the short term, such as:

- safe transport for women on night shift
- awareness creation on sexual harassment
- OHS
- strengthening day care provision
- capacitating women workers to become leaders

Two of the factories have implemented the GBV action plans.

The research and exchange visit described under 3.3.1 helped the textile federation to see the urgency of tackling gender-based violence and to have insight into possible lobby strategies on it. As such, they were building blocks to the SP's continued gender work in Ethiopia.

Concluding remarks

The above outcome stories confirm that SP is on the right path in their design and execution of Theories of Action. The End Term Evaluation's findings are in line with findings in the mid-term review that attributed the capacity building programme efforts as an enabling factor for unions to take constructive part in tripartite dialogue. This includes successful collaboration with IndustriALL, who contributed to convince CETU to start talking about living wage.



3.5 Lessons learned from efforts that have not yielded expected results

The outcome story described under 3.3.3 above, where nine factory trade unions developed a GBV action plan, and two out of nine implemented their plans, shows that: i) factory trade unions lack ability to prioritise time for work on specific issues in addition to their daily duties; and ii) the assignment of responsibility within the SP to follow-up on the factories appeared to be unclear.

Throughout the programme period, M-FNV has also carried out meetings with influential brands present in Ethiopia. According to the M-FNV consultants, these meetings had not yielded as much results as expected. One reason for this might be that these influential brands were already engaged with their own responsibility or sustainability plans, and did not have possibilities to engage in SP's plans. A lesson learned from this could be that it is important to identify what a lobby target can get out of engaging in the desired way.

4. Sustainability

For Ethiopia specifically, the evidence-based research as well as the training programmes that have been designed and executed act as sustainability bricks for future work. CETU and IFTLGWTU seem to gradually embrace the concept of evidence-based advocacy and have included this into national tripartite discussions and negotiations. Through trainings, collaboration with competence-based organisations like the WageIndicator Foundation, and exchange visits to Indonesia and South Africa (the latter outside of the SP), CETU and IFTLGWTU have increased their capacity to engage with key decision makers. Furthermore, the joint trainings and workshops with trade unions and company representatives appear to be important inputs to create an environment of constructive social dialogue at the workplace.

The achievements in the amended Labour proclamation on maternity rights and roadmap towards minimum wage regulations are clear signs of sustainable changes.

5. Relevance and Value Added

5.1 SP niche and investments

As illustrated by the outcome stories above, investing in evidence-based research and practices that can be used in lobbying towards external stakeholders has been documented to be effective. This includes deep-dives into thematic areas that are relevant for the garment sector, like the survey on living wage, collection of existing CBAs, and research on gender-based violence. Investing in building strong relationships with local partner organisations has also shown to be fruitful. Strong relationships show their soundness not least through disagreements and challenging environments. Through M-FNV, the SP seems to have stood this test in Ethiopia.

5.2 Value added of Strategic Partnership

Since Ethiopia is a fairly new RMG export country, M-FNV specifically claimed the added value of exposing actors to learning experiences from other countries. M-FNV is the only active SP partner in Ethiopia, being part of the SP has nevertheless added value to the work. One example is the study visit from Ethiopia to Indonesia which built the Ethiopian trade unions' knowledge and capacities on gender-based violence. This exchange study took place thanks to the existence of the SP. The SP 'Lobby Week' is another example that has helped build the Ethiopian trade unions' capacities. M-FNV's experience with the other partner countries has also helped them to decide what would be good to do and not to do in Ethiopia.

Evidenced by the practical research, capacity building and lobby and advocacy, the capacity of M-FNV's partner organisations appears to have matured over the years. M-FNV shared with the End Term Evaluation that due to the political context in Ethiopia and the fact that it was a new country to M-FNV, it required more time than anticipated to build relationships and define the interventions.

As for working with the Dutch Embassy, there appears to have been more co-operation in the early years of the programme period, whilst in the later years, M-FNV perceives that the textile sector might no longer be among the Embassy's priorities.

6. Learning

6.1 Working with Theory of Action as results management system

Generally, a Theory of Action (ToA) helps to steer which partners to engage with, why and how. SP has developed country specific ToAs for each country.

M-FNV states that the Ethiopian ToA has been used as a results management system in actual co-operation with local partners, and that the learning from working with ToA will be transferred to future programme period(s). The Ethiopian ToA seems to have served its purposes: the "who", "why" and "how" appear to be consistent from the start to the end of the programme.

6.2 SP adaptation to political and contextual changes and effects of this

As lined out in the ToA and documented in the annual reports, the SP programme in Ethiopia started out in a challenging context, that sometimes hindered them to carry out the programme as planned. The winds of change that came with the new political leadership in 2018 led to more concrete activities than was the case in the earlier years.

7. Reflections and preliminary conclusions

SP Ethiopia appears to have fulfilled its goals with outcomes that are solid building blocks for future impact. Examples of this is:

- Strengthened knowledge and understanding, and partly acceptance of the terms social dialogue, living wage, and GBV.
- Partner organisations' ability to lobby and advocate has been enhanced.

The thematic areas appear to be highly relevant in Ethiopia. The SP programme has shown an ability to adapt to changing circumstances. The outcomes achieved so far appear to have become institutionalised and are likely to endure over time.

For SP to have impact on the factory floor, there ought to be interaction with factory owners and management and business associations within the three thematic areas. Such co-operation could have been strengthened if a **clearer link to the business case** for decent work and social dialogue had been established as part of the programme design. SP could establish KPIs on the business case for social dialogue, enabling the partners to collect such data. Business case KPIs could also be suitable for lobbying and advocacy towards the government.

SP partner organisations' ability to influence external stakeholders has strengthened during the programme period. The SP Theory of Change describes the need for research to allow evidence-based lobbying. The desk-based outcome stories confirm that this strategy was successful.

The SP mid-term review stated that the Theory of Action showed a clear understanding that SP achievements in Ethiopia depend on using social dialogue as a tool, and working with partners such as IndustriALL to inspire engagement of stakeholders. The End Term Evaluation would add to this that achieving results in the other two thematic areas, living wage and gender-based violence, also depends on all the different stakeholders such as governments, employers, trade unions and brands, being engaged.

Under the 2019 labour proclamation, the government has gone one step forward to establish a Wage Board comprising of representatives of government, employees and trade unions together with other stakeholders. It appears from the desk review that the combined group of stakeholders working to improve labour conditions has contributed to influence the government to listen to some of their arguments. SP has been one vital actor in this landscape. This perception is based on SP Ethiopia and its partner organisations' provision of concrete research on living wage, which may also continue to be a strong basis for future influence.

What appear to have been less effective are the separate meetings with brands present in Ethiopia that are not in any way committed to the SP programme. Any stakeholder will always prioritise follow-up of existing commitments and partners, thus the SP ought to carefully develop solid arguments for what potential new stakeholders could win from becoming engaged in SP initiatives. Based on this, it is recommended that SPs further engagement with brands in Ethiopia should be based on a stronger link to SP partners or strategic alliances.

To obtain sustainable results, it is recommended that all initiatives are designed as processes with integral monitoring and follow-up activities.

P. Survey to brands

(See separate document)