

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



(Java, Indonesia. By Shutterstock)

## Final Report

November 2020



## Foreword

The Strategic Partnership (SP) is an innovative and ambitious endeavour where Fair Wear, a multi-stakeholder structure with progressive brands, joins hands with the two trade unions Mondiaal FNV and CNV Internationaal to transform the garment supply chain, with focus on improved labour conditions, in seven countries. This End Term Evaluation was carried out in the middle of the Covid-19 pandemic. At times it has been heart-breaking to hear about factory lockdowns, how workers have been treated, and how brands have struggled to make ends meet. Covid-19 has given us all given a warning about the fragility of long-term processes we engage in. Beyond doubt, the pandemic threatens the sustainability of much of the hard, valuable work done by the SP partners and their dedicated partner organisations. On the bright side, the pandemic has shown the resilience within the strategic partnership. There are encouraging stories where SP partner organisations have managed to mobilise to prevent mass dismissal or increase lock-down compensation to workers through social dialogue.

Being under evaluation is a time consuming task, and the evaluation team would like to extend sincere thanks to all staff members of the SP partners and partner organisations for all the facilitation done for this End Term Evaluation to become reality, despite the external hurdles.

The evaluation team is impressed by the ambitions, the solid work and the encouraging outcomes achieved under SP I, and wish you all the very best with the SP II.

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## Abbreviations

ACT	Action, Collaboration, Transformation (agreement between brands and unions on living wage)
AGOA	African Growth and Opportunity Act
AGT	Dutch Agreement on Garment & Textile (also Textile Agreement or Covenant)
AHC	Anti-Harassment Committee
ALR	Action Labour Right
Apheda	The global justice organisation of the Australian union movement
API	The Indonesian Textile Association
APINDO	The Indonesian Employers' Association
ASK	Association for Stimulating Know-how
BAWF	Bangladesh Apparels Workers Federation
BDT	Bangladeshi Taka
BGMEA	Bangladesh Garment Manufacturers and Exporters Association
BIGUF	Bangladesh Independent Garment Workers Union Federation
BILS	Bangladesh Institute of Labour Studies
BKMEA	Bangladesh Knitwear Manufacturers and Exporters Association
BLF	Bangladesh Labour Foundation
BLO	Basic Labour Organisation, organised by trade unions in member factories, recognized by the government as required by the Labour Organisation Law
BNWLA	Bangladesh National Women Lawyers' Association
BPC	Brand Performance Check (SP tool)
BSCI	Business Social Compliance Initiative
BW	Better Work
C.CAWDU	Coalition of Cambodian Apparel Workers' Democratic Union
CAP	Corrective Action Plan (after audit in factories)
CBA	Collective Bargaining Agreement
CCHR	Cambodian Center for Human Rights
CDI	Centre for Development and Integration (Vietnam)
CESD	Centre for Economic and Social Development
CETU	Confederation of Ethiopian Trade Unions
CLC	Cambodian Labour Confederation
CNV-I	Christelijk Nationaal Vakverbond - Internationaal (Aid organisation of Dutch Labour Union CNV)
COMESA	Common Market of Eastern and Southern Africa
CSO	Civil Society Organisation
CSR	Corporate Social Responsibility
CTUM	Confederation of Trade Unions Myanmar
DECP	Dutch Employers' Cooperation Programme
DIFE	Department of Inspections for Factories and establishment (Bangladesh)
DoLISA	Department of Labour, Invalids and Social Affairs
DWWG	Decent Work Working Group EU European Union
EBA	Everything But Arms (EU preferential trade agreement)
EIC	Ethiopia Investment Commission
ERC	Vietnam Research Centre for Employment Relations
ETI	Ethical Trading Initiative
ETIDI	Ethiopian Textile Industry Development Institute
EVFTA	EU-Vietnam Free Trade Agreement
Fair Wear	Fair Wear Foundation
FBLP	Federasi Buruh Lintas Pabrik (Cross-Factory Labour Forum)
FES	Friedrich Ebert Stiftung

FLA	Fair Labour Association
FoA	Freedom of Association
FoAP	Freedom of Association Protocol
FWF	Fair Wear Foundation
Garteks	Federasi Serikat Buruh Garmen, Tekstil, Kerajinan, Kulit dan Sentra Industri, Garment, Textile, Handicraft, Leather and Industrial Center Trade Union Federation, member of KSBSI
GBV	Gender-Based Violence
GDP	Gross Domestic Product
GEN	Gender Equality Network, national and international inter-agency network
GLWC	Global Living Wage Coalition
GMAC	Garment Manufacturing Association in Cambodia
GNP	Gender Network Platform
GoB	Government of Bangladesh
GoC	Government of Cambodia
Gol	Government of Indonesia
GoM	Government of Myanmar
GP	Gender Platform
GSP	General System of Preferences (duty-free treatment of goods)
GTP II	Growth and Transformation Plan no. two
HR	Human Rights
IBC	IndustriAll Bangladesh Council
ICC	Internal Complaints Committee
ICD	International Cooperation Department
IDH	Initiatief Duurzame Handel (Sustainable Trade Initiative)
IFTLGWTU	Industrial Federation of Textile, Leather and Garment Workers' Trade Unions
ILO	United Nations' International Labour Organization
INFID	International NGO Forum on Indonesian Development
IPDC	Industrial Park Development Corporation
IRBC	International Responsible Business Conduct
ITCILO	International Training Centre of the ILO
ITUC	International Trade Union Confederation
IWFM	Industrial Workers' Federation of Myanmar
IWTU	Institute of Workers and Trade Unions
KBN	Public administrator of Cakung industrial zone
KN	Karmojibi Nari
KPI	Key performance indicator
KSBSI	Konfederasi Serikat Buruh Seluruh Indonesia (Trade Union Confederation)
L&A	Lobby and Advocacy
LCF	Labour Consultative Forum
LCP	Labour Court Proceeding
LEFASO	Vietnam Leather Footwear Association
LIPS	Sedane Labour Resource Centre
LRDP	Labour Rights Defenders and Promoters
LW	Living Wage
LWI	Living Wage Incubator (SP activity / pilot)
M-FNV	Mondiaal - Federatie Nederlandse Vakverenigingen (Aid organisation of Dutch labour union FNV)
MCCBA	Multi-company Collective Bargaining agreement
MFA	Ministry of Foreign Affairs
MGMA	Myanmar Garment Manufacturers Association
MIC	Myanmar Investment Commission

MICS	Myanmar Industries Craft and Services Unions Federation
MODINT	Dutch textile branch organisation
MoLE	Bangladesh Ministry of Labour and Employment
MoLIP	Myanmar Ministry of Labour, Immigration and Population
MoLISA	Vietnamese Ministry of Labour, Invalids and Social Affairs
MoLSA	Ethiopian Ministry of Labour and Social Affairs
MoLVT	Cambodian Ministry of Labour and Vocational Training
MoU	Memorandum of Understanding
MoWE	Indonesian Ministry of Women Empowerment and Child Protection
MP	Member of Parliament
MRS	Most Representative Status (refers to unions in factories)
MSI	Multi-stakeholder initiative
MTR	Mid-term Review
MWFM	Mining Workers' Federation of Myanmar
NA	National Assembly
NCAW	National Commission on Violence Against Women
NCR	National Capital Region
NECC	National Export Co-ordination Commission
NGO	Non-Governmental Organisation
NGWF	National Garments Workers Federation
NHRC	National Human Rights Commission
NLD	National League for Democracy
NOCS	National Occupational Competency Standards
NSSA	National Skill Standards Authority
NTD	National Tripartite Dialogue
OECD	Organisation for Economic Cooperation and Development
OHS	Occupational Health and Safety
OSMA	Open End Spinning Mills Association
PACs	Project Advisory Committees
PIL	Public Interest Litigation
PM	Perempuan Mahardika (Indonesian Women NGO)
PMEL	Planning, Monitoring, Evaluation and Learning
PST	German Partnership for Sustainable Textiles
RFW	Results Framework
RMG	Ready-made garment
SAI	Social Accountability International
SAVE	Social Awareness and Voluntary Education
SD	Social Dialogue
SGSF	Sommilito Garments Sromik Federation (a Bangladeshi union federation)
SH	Sexual Harassment
SKOP	Sramik Karmachari Oikya Parishad – trade union centre
SP	Strategic Partnership for garment Supply Chain Transformation
TASMA	Tamil Nadu Spinning Mills Association
TCC	Tripartite Consultative Council
TEA	Tirupur Exporter's Association
TEAMA	Tirupur Export and Manufacturers Association
ToA	Theory of Action
ToC	Theory of Change
ToT	Training of Trainers
TPP	Trans Pacific Partnership
TU	Trade Union
TURC	Trade Union Research Center
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)
VNO-NCW	Dutch employer organisation
WCC	Worker Coordination Committee, composed of equal numbers of worker and management representatives
WEP	Workplace Education Programme
WEPC	Workplace education programme on Communication
WEP-VHP	WEP Violence and Harassment Prevention programme
WJSDF	West Java Social Dialogue Forum
WPC	Workplace Participatory Committee
WUN	Woman Union Network

## TERMS USED IN THE REPORT

<b>SP</b>	Strategic Partnership - the programme under evaluation
<b>SP partners</b>	The three owners of the Strategic partnership (SP) Fair Wear Foundation (Fair Wear), Mondiaal FNV (M-FNV), CNV Internationaal (CNV-I)
<b>SP partner organisations</b>	The national partners of the SP partners
<b>SP stakeholders</b>	Actors with interest in SP, i.e. partners of the SP partner organisations; and all actors that the SP targets with their lobby and advocacy engagement

## Executive summary

Despite several decades with focus on labour conditions in the garment industry, the industry is still driven by low wages as its comparative advantage, and buyers continue to source where production costs are lowest. Irresponsible purchasing practices are among the root causes for poor social performance in factories.

Fair Wear, CNV Internationaal (CNV-I) and Mondiaal FNV (M-FNV), together with the Dutch Ministry of Foreign Affairs entered in 2016 into a 'Strategic Partnership' (SP) for Garment Supply Chain Transformation. SP aims to improve corporate and government policies on human rights compliance in garment supply chains in seven garment exporting countries, with a focus on three thematic areas, namely 'social dialogue' (SD), 'living wages' (LW) and 'gender-based violence' (GBV). SP's high-level goal is *'Improved labour conditions in the seven countries in South and Southeast Asian and East African readymade garment supply chains while ensuring a healthy and viable readymade garment industry'*.

The End Term Evaluation has been tasked to answer to what extent SP's investments have resulted in changes in influencing capacities of the partner organisations of the SP, to what extent their influencing engagement has changed, as well as changes in policies and practices of governments, factories and brands in favour of human rights in the garment industry. The task was accompanied by 19 programmatic evaluation questions organised under the five evaluation criteria Accountability, Effectiveness, Learning, Relevance, Sustainability.

The evaluation team developed an analytical framework for the End Term Evaluation based on three different approaches: *'Outcome Harvesting'*, *'Contribution Analysis'* and *'Case Studies'*. Data has been gathered from 270 documents shared by SP. Another key source of information is the interviews with around 40 staff members from the three SP partners and 100 external informants, including several staff members from the SP partner organisations. Most of the interviews have been held with stakeholders in the pre-selected field countries Vietnam, Myanmar and Bangladesh. The Covid-19 pandemic put a halt to the planned fieldwork that was changed into a series of online interviews. Lastly, data was gathered through an online survey for Fair Wear member brands. The survey was made known by Fair Wear to its member brands through a newsletter and received 22 responses of which 16 were complete.

### Has SP achieved what it set out to do?

Although the garment sector is far from being transformed, the evaluation finds that SP has come a long way in establishing some of the building blocks needed to achieve what it has set out to do. SP has gathered workers, unions, factory management and brands in a partnership to gradually transform the garment supply chain, taking the three thematic areas of social dialogue, living wage and gender-based violence as entry points in the seven producer countries. SP has obtained important outcomes in terms of strengthened lobby and advocacy capacities of their partner organisations, increased engagement of their partner organisations in influencing activities, and encouraging and promising changes in laws, policies and practices.

The largest bulk of capacity building with partner organisations has been with trade unions. Workers have been reached through union representatives and Fair Wear's 'Workplace Education Programme' (WEP), which has a focus on improving relations between factory workers and management. Brands are an important target group for capacity building, and Fair Wear has worked with a series of innovative tools, instruments, research and processes to make it easier for brands to establish responsible purchasing practices. This evaluation has also identified some efforts in capacity-building of public administration (Vietnam, Myanmar), and the multi-stakeholder exchange trips to different SP countries have had important capacity building

elements (so far mainly focusing on gender-based violence). SP trade union partners' long-term relationships and standing within the labour movement are important factors that enable successful capacity building of trade unions. Fair Wear has shown outstanding abilities to convene decision-makers, employers or factory owners, largely due to their relationships with progressive brands, but also due to their ability to identify and seize opportunities as they arise.

Trade union partner organisations in all the seven countries have engaged in evidence-based influencing activities. Capacity-building activities have opened up for the partner organisations to engage with different platforms where unions and labour NGOs coordinate and prepare for national tripartite dialogue and bargaining, lobbying and advocacy processes.

One fifth of the responding Fair Wear member brands to the survey stated that they to a large extent had been influenced by the SP in their approach to living wages, one third told the same regarding social dialogue, and half the respondents said the same about gender-based violence. The majority of brands found the Fair Wear complaints mechanism to be a highly useful tool to increase their awareness of all the three thematic areas.

According to the SP IATI data per third quarter 2019, at least 142 new collective bargaining agreements and three<sup>1</sup> multi-company collective bargaining agreements have seen the light under the auspices of the SP (and a fourth has been renewed). The End Term Evaluation has calculated the value of eight benefits on top of the minimum wage in the pilot multi-company collective bargaining agreement in Vietnam to around 650,000 USD per year for the 1,450 workers covered. In several countries, the 'Workplace Education Programme' has empowered workers to use complaints mechanisms, and thereby contributed to improved labour conditions. In Indonesia, an industrial zone was declared a gender-based violence free zone, a pilot that is sought to be replicated elsewhere. In factories in Bangladesh, India and Cambodia, workplace committees have been set up to improve worker–management relations and address issues within mental well-being and gender-based violence.

SP has contributed to changes in policies and laws in all the seven production countries, hereunder engaged in minimum wage processes in Bangladesh, Myanmar, Vietnam and Cambodia. SP has contributed to the amendment of labour laws in Vietnam and Ethiopia. In Indonesia, a partner organisation lobbied for the government to fund more labour inspectors in one area and was heard. In Myanmar, gender-based violence was included in the new OHS law, and in Bangladesh the SP initiated Gender Platform drafted an anti-sexual harassment law that is being assessed by the national human rights commission. Also, in Bangladesh, SP contributed to the change in the Trade Union Law, bringing the membership threshold for workers to form a union in a factory down from 30 to 20 per cent. In India, evidence-based advocacy led to policy changes to protect Tamil Nadu garment women workers' safety and security. Many of these outcomes were achieved via multi-faceted lobby strategies where SP partners themselves, their labour NGO and trade union partner organisations influenced employers, MPs, governments, media and others.

One significant process was SP's contribution to the adoption of the ILO Convention 190 *'Eliminating violence and harassment in the world of work'*. SP partners engaged their networks in the Netherlands, the EU, the ILO, as well as in production countries, and worked systematically to gather evidence in producing countries to share with unions, employers and governments. Evidence from factory level informed the more institutional processes close the ILO negotiations, and at the same time SP ensured that updated information from the discussions in Europe were shared with their partners in producing countries. The successful process bears promise that

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<sup>1</sup> After the IATI data covering activities until third quarter of 2019 were shared with the End Term Evaluation, two more multi-company bargaining agreements have been signed in Vietnam.

significant changes can be achieved when the SP partners join forces and strategically engage all their national and international networks for a common cause.

In all seven countries the SP has shown ability to adapt to changing circumstances or when new insight has been gained. One important finding in the mid-term review was that the three SP partners acted too much on their own, after which the SP has worked hard to identify common activities, coordinate and plan together both in producer countries and in the Netherlands. In spite of clear improvements, there are still many activities carried out by a single SP partner with a potential for closer collaboration and increased synergies with the other partners.

### Are the results likely to last?

The evaluation has identified two overarching elements that guide sustainability: that activities are designed as processes, and that there is local ownership to these processes. For capacity building to result in learning and new ways of thinking and acting, a systematic follow up with the participants of the capacity building and training activities is needed. This appears to be fairly well in place with regard to most training programmes. However, capacity building activities targeting non-partner organisations such as employers' associations have tended to be one-off ad-hoc events rather than learning processes. The End Term Evaluation has identified several sustainability approaches that are built into the SP:

- ☞ Basing lobbying on evidence.
- ☞ Ensuring local ownership to the processes through establishing well-functioning platforms and forums that can continue the lobby-processes and follow up on the results they will bring.
- ☞ Co-optation (in a positive sense) of different stakeholders to a common cause through multi-stakeholder structures.
- ☞ Strategic collaboration with lobby targets, i.e. employers' associations.
- ☞ Choosing well-positioned partner organisations.
- ☞ Embedding outcomes locally.
- ☞ Embedding outcomes in law.
- ☞ Scaling up achieved results to become the 'new normal'.

To avoid dependency, SP should make sure not to coordinate or facilitate processes longer than necessary, but leave the leadership of the platforms and forums to national bodies as soon as it can be done in a responsible manner.

### The niche and added value of SP

SP aims at being present along the whole ready-made garment value chain. It is the combination of activities, actors, and approaches that compose the wealth of SP. The following list portrays SP investments identified by internal and external SP stakeholders as having yielded positive results:

- ☞ Joint lobbying on legal changes, including ILO C190
- ☞ Social dialogue stimulation activities: CBA and MCCBA-processes and functioning tripartite mechanisms
- ☞ Learning visits
- ☞ Intensified support and guidance to brands
- ☞ Holding the Gender Forum and establishing gender platforms
- ☞ Establishing consultative platforms
- ☞ Capacity strengthening of partner organisations on evidence-based lobby
- ☞ Building strong long-term relationships with local partner organisations

Today, the bulk of SP lobbying for legal changes is concerned with passing new laws. To complement this, there appears to be a need for lobbying and advocacy to pressure governments to enforce existing laws

The three SP partners have shared that it is the differences between them that make the partnership strong. Being together enables synergies in the form of a much larger outreach to a bigger public and a larger target audience due to their diverse networks and has allowed them to put the issue of supply chain responsibility clearer on the agenda. In some countries there is a partnership with the embassy on the ground, in others not. The MFA maintains an open-door policy for concerns and complaints for the SP partners and their partner organisations. Embassies can play an important role as door opener and convener and may also disseminate messages to other EU-members. In some countries, closer bonds with the Embassy represent an opportunity to explore further.

SP's value added for the three SP partners and the country programmes have largely increased since the mid-term review. Common activities such as the lobby weeks have been important for cross-partner and cross-country learning. Besides coordinated planning, these meetings are used to exchange lessons learnt from pilot projects, and link partners from different countries together, thereby inspiring to and enabling exchange visits. SP partners operating alone in Ethiopia and Cambodia confirm that there is added value for the country programmes to be part of the SP, as this provides a platform for learning from other SP countries, activities, pilots, and partner organisations. Cultural changes take time, however, and there is still potential for enhanced synergy, larger value added and more linkages to be created.

### Does the SP transformation model and Theory of Change hold?

The SP is constructed as a partnership between independent organisations with a potential for fuelling transformation as unions and companies at several levels of the value chain are pushing in the same direction. The biggest impact (at factory level) would be expected where union-led *and* Fair Wear-led interventions were done in the same companies. By nature, brands' choice of sourcing factories and the presence of SP related unions at factory level are independent decisions, making overlaps rather coincidental. So far, there has been little coordination of activities where brands and unions are targeting the same factories, but in the longer run there is a case for the SP partners to work pro-actively, through mapping and strategic planning, for increasing the chances of such overlaps. Thus, although there are promising examples of increased collaboration between the SP partners and their local partner organisations at country level, this part of the SP transformation model remains to be fully tested out.

Based on outcomes harvested by this End Term Evaluation, the following identified success factors are found to be in line with the thinking behind the SP Transformation model underpinning the SP Theory of Change:

- ☞ **Capacity building works.** Target-tailored training and innovative training methodology enhance results. Joint capacity building between trade unions and management lays fruitful ground for future negotiations. This is found to be vital in all three thematic areas.
- ☞ **Evidence-based lobbying has been fruitful** in all countries, mostly within 'living wages' and 'gender-based violence'. The evidence is found to be most effective when it is presented in a credible, non-confrontational and timely manner (Although, in some instances, space for dialogue can only be created in the aftermath of a confrontation, as has been the case in Bangladesh.)
- ☞ **Platforms for building trust and joining forces have proved to be powerful** in influencing governments both formally and informally. The gender platforms in Bangladesh and Indonesia are bound to one thematic area, whilst other platforms, such as the Labour Consultative Forum in Myanmar is there for trade unions and labour organisations to discuss any labour matter they want.

- ☞ **Having the same thematic areas across countries has generated important cross-country learning** opportunities, in particular on GBV, where the SP has managed to focus on the entire value chain, from the worker's daily situation in the factory, to factory management, unions and employers' associations, civil society, national public administration and law-makers, and the ILO global tripartite system.
- ☞ **The messenger matters.** Workers listen to unions. Managers might be hostile but do talk with brands. Being part of the "*Fair Wear-programme*" adds credibility to SP partners and partner organisations also in countries with no Fair Wear presence.
- ☞ **Synergy is worth seeking.** Simultaneously pursuing the same goal with different networks and at different decision-making levels has increased the likelihood of success in facing the multi-dimensional challenges in all the three prioritised thematic areas. Sustained transformation requires changes at all levels, being it global frameworks, national legislation, business' attitude, competence and practice, union policy, understanding and skills as well as workers' understanding of how to fight for their rights.
- ☞ **Complaints mechanisms** at factory level make both brands and factory management aware of bad practices and enable a systematic approach to solve them.
- ☞ Development and piloting of **innovative tools**, related particularly to living wages, have shown that change is possible without destroying the financial survival of brands or factories.
- ☞ **Coordination of activities**, sharing of findings, linking partner organisations, and joint communication are other success factors. This seems to be most visible within GBV, illustrated through multi-stakeholder visits from one SP country to another, and the statements conveyed during the directors' joint visits. Not mentioning the successful lobby contribution by the entire SP towards the ILO C190.

In addition, success factors that are less pronounced in the SP Transformation model are identified:

- ☞ **Joint multi-stakeholder exchange trips abroad build relations and open doors** for new ways of collaborating, in particular within gender-based violence. These trips would probably not have been carried without joint thematic across countries.
- ☞ **Solid long-term partnerships with well positioned partner organisations.**
- ☞ Ability to **make clever use of existing mechanisms** such as laws, court orders, labour inspectorates, and court systems.
- ☞ **Convening power** of the SP partners themselves and/or their partner organisations and their **ability and willingness to enter new strategic alliances.**

While there appears to be high consistency between what has been achieved and the initial country-wise 'Theories of Action' (ToA), there is little reference to the ToAs as such in SP's documentation. While the ToAs are not used directly as management tools in all countries, the evaluation has found that SP priorities, choice of partners and actions are in general consistent with the plans laid out in the ToAs. Thus, one can conclude that the ToAs have been guiding the implementation of the SP. The ToAs have not been reported on. Instead quantitative indicators for the IATI reporting<sup>2</sup> have been used. There is no direct links between the IATI-reporting and

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<sup>2</sup> International Aid Transparency Initiative: <https://iatistandard.org/en/>

the intermediate outcomes stated in the ToAs, nor is it straightforward to compare – or add – the different IATI-figures to coincide with the ToA setup. This End Term Evaluation has found that there is room for improving the consistency in the registration of IATI data across activities and countries.

## Recommendations

The following recommendations are put forward to the new phase of the strategic partnership, 'STITCH', to consolidate and further enhance the outcomes achieved.

### 1. Broaden the scope of lobbying and strategic alliances

The ready-made garment industry remains a sector where low wages is an important comparative advantage. This points to the need for legal regulations also at the purchasing end. 'STITCH' is recommended to broaden the scope of lobbying and strategic alliances to include enforcement of existing laws in production countries, develop proposals on how support to living wages can be framed in importing countries, develop business cases and work with more brands on purchasing practices, collaborate strategically with employers' associations, provide advice to labour ministries and directorates where possible, and make further use of the Dutch embassies' 'open-door policy'.

### 2. Strengthen the strategic partnership and enhance synergies

SP has put down immense efforts into increasing collaboration between the three SP partners and their partner organisations, in the Netherlands as well as in the production countries. Functioning good practices should be carried forward. In addition, this End Term Evaluation believes the time has come for 'STITCH' to take the next step by putting their partnership up front and avoid including activities into the SP where there are no synergies, connections, exchanges, common activities or other SP value added. Develop indicators to measure SP collaboration and synergies.

### 3. Carry forward effective investments and programme approach

SP has achieved important outcomes that ought to be carried forward into 'STITCH'. Continue with evidence-based research and increase research on the business benefits of pilots. Continue with common thematic areas to create synergies across activities and countries. Continue to engage in minimum wage processes until minimum wages become living wages. Continue joint evidence-based lobbying for conducive laws and regulations. Continue to support joint platforms and multi-stakeholder cross-country exchange visits. Combine best practices from union and Fair Wear's WEP capacity building when engaging in projects on factory level. Continue with social dialogue stimulation activities for all three social partners. Maintain existing and invest in new strong long-term relationships with local partner organisations.

### 4. Ensure sustainability

'STITCH' should maintain focus on sustainability. Ensure sustainability of training and capacity building by organising it as on-going processes with follow-up activities and monitoring of change. Share 'good practice' among stakeholders. Make phase-out plans by setting benchmark sustainability criteria for each activity. Ensure responsible phase-over of facilitation and coordination of platforms from SP partners to local actors.

### 5. Look into ways of reducing the total burden on factories of social audits

Research shows that the accumulated number of social audits have become a burden on ready-made garment factories. 'STITCH' is recommended to use its leverage as a transformer of the value chain to work towards a more constructive approach for the private social audit regime by engaging in dialogue with multi-stakeholder structures, brands, trade unions, and labour inspectorates, and identify ways to share data and methodologies to reduce the total number of social audits in each factory.

## **6. Monitoring and documentation**

While SP's documentation of activities carried out is rich and comprehensive, there exist some gaps in the documentation of the effects of the same activities. The evaluation has uncovered some differences in the way the different country programmes record IATI indicators. Also, the fieldwork uncovered some SP activities where the results were not known to SP staff or partner organisations. 'STITCH' is recommended to plan how expected activities lead to desired change and set up monitoring systems to capture the changes, agree on how to use the different IATI indicators so that figures can be added and compared, and expand the use of the Stories of Change reporting template to enhance cross-activity and cross-country learning.

## **7. Pilots and promising activities should be scaled up**

The ultimate goal of an achieved outcome is that it becomes the 'new normal'. SP has proven to be a courageous, forward leaning and innovative programme, but impact is still small compared to the enormity of transforming the entire supply chain. Dissemination of evidence and scaling up of outcomes and promising activities and pilots are needed. Continue and enhance efforts to reach out to other multi-stakeholder structures, business associations, institutions and programmes, in consumer as well as production countries, to share best practices, research evidence, and pilot experiences. Continue to convene well-positioned decision-makers to learn about research and evidence, best practices, and pilots and their business case. Follow-up and turn into process whenever possible. Identify business cases to enable larger sell-in to factories and explore ways to include brands, also beyond members of 'STITCH' partners, into MCCBAs.

# 1. Introduction and background

Fair Wear Foundation (Fair Wear), the Dutch trade unions' organisations of international assistance CNV Internationaal (CNV-I) and Mondiaal FNV M-FNV), and the Dutch Ministry of Foreign Affairs 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 (MFA). The three partners, without the MFA, will hereafter be referred to as the 'SP partners'. The partnership aims to improve corporate and government policies on human rights compliance in garment supply chains in seven countries. The SP focuses mainly on the supply chain between buyer companies in Europe and the tier 1 production of garments. The partners in the SP work with partner organisations in Bangladesh, Cambodia, Ethiopia, India, Indonesia, Myanmar and Vietnam, hereafter referred to as 'SP partner organisations'. The SP's high-level goal is "Improved labour conditions in the seven countries in South and Southeast Asian and East African readymade garment supply chains while ensuring a healthy and viable readymade garment industry".

## 1.2 The Strategic Partnership Transformation Model

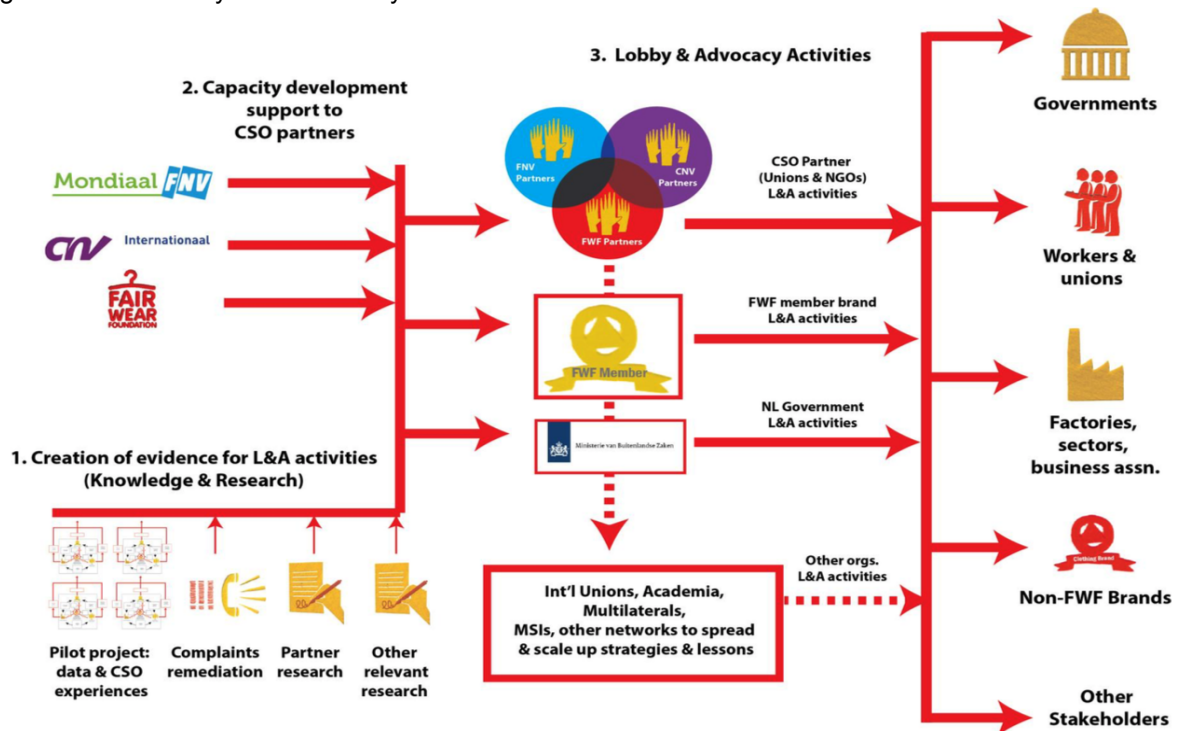
### 1.2.1 The SP thematic areas

The SP focuses on three interrelated themes

- i) Payment of **living wages (LW)**;
- ii) **Social dialogue (SD)** as standard industry behaviour in general, with a special emphasis on Collective Bargaining Agreements and Freedom of Association;
- iii) Elimination of **gender-based violence (GBV)** and discrimination at work.

In the SP programme document from 2015, their lobbying and advocacy strategy (p. 37) is presented graphically as represented in Figure 1.1.

Figure 1.1: SP Lobby and Advocacy Transformation Model



### 1.2.2 The SP model

**First**, the SP set out to develop pilot projects testing out ways to change business processes and/or the relationship between factory management, workers, and their (potential) representatives. In some scenarios, the government (e.g. labour inspectorates) could also be involved in pilots. Preventive measures as well as systems that provided workers with access to remedy could both be addressed in pilot projects. The partners expected all pilots to fulfil one or both of the following purposes:

- i) Provide empirical evidence on a poorly-understood aspect of garment, supply chains and human rights compliance;
- ii) Demonstrate a strategy or methodology for improving human rights compliance that can be replicated, thus providing a concrete advocacy target.

The SP's access to the readymade garment industry's key stakeholder groups provided opportunities to bring brands, factories, unions, NGOs and governments together to test out new ideas and models of managing supply chains. Pilot projects could take a number of different forms, but would generally involve testing new ways of managing factories. They could involve changes to employee training, human resource systems, social dialogue structures, costing systems, customer (e.g. brand) relationships, and any number of other factory operations that had an effect on wage levels, social dialogue or gender-based violence.

The Terms of Reference (ToR) outline four different interventions for evidence creation and pilot projects:

- Knowledge creation and sharing of issues and solutions in living wages, gender-based violence and social dialogue
- Exploratory research
- Proof of concept, to see if an intervention works
- Scaling and replicability assessment to understand how to scale up an existing intervention

**Second**, the SP aimed to build lobby and advocacy capacity of trade unions and (labour) NGOs who were active in the garment industry, and build capacity of clothing brands, with a particular focus on Fair Wear member brands. Research and pilot projects executed within the framework of the partnership would provide input for evidence-based lobby and advocacy efforts towards governments and the private sector. Capacity-development strategies would be implemented to help participating trade unions, NGOs and clothing brands to make the best use of evidence they accessed through the pilot projects and research. They would be supported in deploying this evidence through lobby and advocacy activities, with a focus on developing innovative and replicable lobby advocacy strategies that could be replicated elsewhere. The capacity development approach included steps to help participants become more effective advocates towards both government and business stakeholders, as well as towards workers themselves, in particular existing and potential (local) trade union representatives.

The ToR explains that there are two different interventions for capacity strengthening

- Capacity strengthening through lobby & advocacy training of partners (unions and labour rights NGOs)
- Capacity strengthening through skill-building training on living wages, gender-based violence, and social dialogue (unions, labour rights NGO's and at factory level)

**Third**, SP partners and their partner organisations used the lessons learned from the pilots, combined with other available research for lobby and advocacy activities aimed at governments and business.

The SP partners aligned with other actors, particularly multi-stakeholder structures, for lobby and

advocacy efforts. Through Fair Wear and progressive members brands, the international union networks of CNV-I and M-FNV, and the networks of the Dutch Ministry of Foreign Affairs could reach partners in production countries that they were normally unable to interact with on their own. This access would facilitate the development of new and innovative strategies to help trade unions in production countries become more effective at leveraging change across the entire supply chain.

Sustainable improvements in human rights compliance will require changes from a broad range of stakeholders, with different frames of reference, priorities and viewpoints. The SP was designed to bring together different stakeholders from the trade union, NGO, government and business worlds to develop multi-stakeholder strategies for lobby and advocacy, such as joint actions by a coalition of trade unions and NGOs, or new levels of integration between international campaigns and local actions. It was also envisioned that progressive brands could play a role in effective lobby and advocacy, for example in supporting freedom of association at their suppliers' factories, and through this, supporting trade unions in their efforts of organising workers in (these) factories.

## 1.2 Purpose of the End Term Evaluation

This End Term Evaluation has a dual purpose of *accountability* and *learning*.

**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 the seven countries and the global level. It should also demonstrate how the lobby and advocacy capacities of the partner organisations were enhanced as a result of the SP partners' interventions. The terms of reference refer to both *planned* as well as *unintended* results.

**Learning:** The End Term Evaluation should *offer insight into how change has come about 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 this came about, as well as how the Theory of Change of the SP can be updated to better reflect the actual change mechanisms and dynamics.

### Three overarching evaluation questions

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 SP partner organisations;
  - b) the engagement of the SP partner organisations 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 be learned from efforts that yielded few or insufficient results?

These questions were further operationalized by 19 programmatic evaluation questions sorted under five evaluation criteria: Accountability, Effectiveness, Learning, Relevance, Sustainability.

The evaluation questions are presented in the Evaluation Matrix in Annex D.

## 2. Methodology

Given the nature and characteristics of the SP, an analytical framework for the End Term Evaluation was developed, based on three different approaches: **Outcome Harvesting**, **Contribution Analysis** and **Case Studies**.

### 2.1 Analytical evaluation framework

#### 2.1.1 Outcome Harvesting

Outcome Harvesting is an approach that is useful when assessing the contributions of change agents seeking changes in behaviours, relationships, actions, activities, policies, or practices of social actors. Outcome Harvesting provides insight into how change agents influence outcomes and the means they use to inspire, support, facilitate, persuade or pressure change. The approach is useful in complex programming contexts where relations of cause and effect are challenging to grasp, where results cannot always be predicted, and where there are many actors and factors affecting the outcomes. It is also useful when the aim is to understand the process of change and how each outcome contributes to this change. In complex environments, objectives and the paths to achieve them are largely unpredictable and predefined objectives and theories of change must be modified over time to respond to changes in the context.

Outcome Harvesting is also useful when the aim is to understand how individual outcomes contribute to broader system-wide changes. Advocacy, campaigning, and policy work are thus ideal candidates for this approach. Outcome Harvesting focuses on all results, whether good or bad, planned or unplanned. As such, Outcome Harvesting can capture aspects of a process of change that are beyond the control of the individual or organisation that served as a *change agent*. The process draws on the knowledge of key informants who understand the change that has taken place and what may have contributed to that change.

An Outcome Harvest starts by identifying outcomes and then works backwards to find plausible causal connections with the activities undertaken in the intervention under evaluation by discovering who changed what, when and where it was changed, and how.

#### 2.1.2 Contribution Analysis

Given the many programmatic evaluation questions centred around the possible links between outcomes achieved and the SP programme interventions as well as the validity of the theory of change, the team chose to undertake a Contribution Analysis. Contribution Analysis is an approach for assessing causal questions and inferring causality in real-life programme evaluations. Contribution Analysis offers an approach designed to reduce uncertainty about an intervention's contribution to the observed outcomes through an increased understanding of why the observed outcomes have occurred or not, as well as the roles played by the intervention and other internal and external factors. Contribution Analysis is useful where the programme has been founded on the basis of a theory of change. Contribution Analysis helps to confirm or revise a theory of change. The report from a Contribution Analysis provides evidence and a line of reasoning from which one can draw a plausible conclusion about whether the programme has made a contribution to the documented results.

#### 2.1.3 Case studies

Case Study is an approach where some activities are selected, based on certain criteria to ensure that the samples are either representative so that findings might be generalised, or activities are isolated in order for findings to tell something specific about a certain type of activity.

Due to limited available time with stakeholders during interviews, some activities were selected for in-depth study during fieldwork, see Annex G for selected cases. The logic behind case studies is to enable the evaluation team to inquire into the connections between the activity and the outcome by arranging for interviews with relevant respondents among the selected activities' lobby and advocacy targets and other stakeholders.

The selection of cases was done with the SP partners' M&E and country staff during the inception face based on the matrix 'Actors universe'.

#### Criteria for the selecting of case studies

One absolute criterion was:

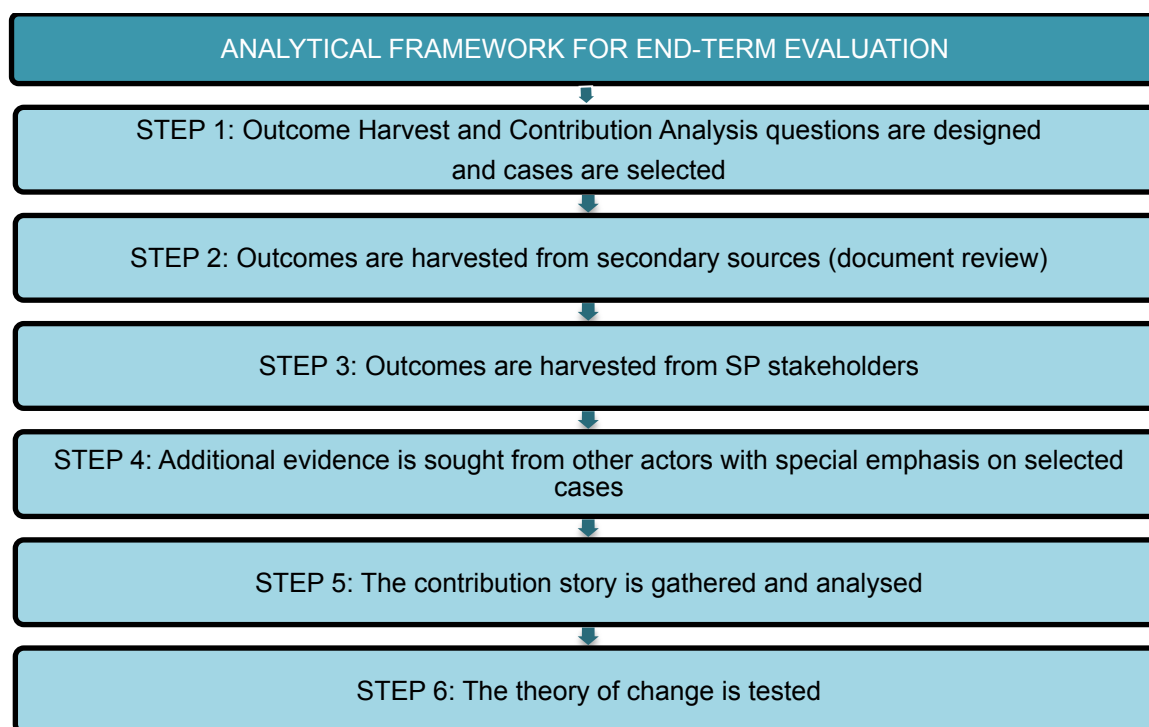
- Access to relevant stakeholders during fieldwork, i.e. for each case taken into consideration, the evaluation team should be given access to the owners of the activity (SP partner/s and partner organisations) *and* stakeholders that can verify the outcomes<sup>3</sup>

In addition, the cases should be open for one or several of the below:

- Possibility to compare across countries
- Possibility to measure linkages and synergies between actors within activities
- Possibility to measure linkages and synergies across activities

Based on all the above, an analytical evaluation framework with six steps was designed, see Figure 2.1 below.

Figure 2.1: Analytical Framework for the End Term Evaluation



<sup>3</sup> For outcomes related to "increased influencing capacity of partner organisations," the relevant SP partner was asked to verify the outcome.

## 2.2 Data collection methods

The data collection has followed the logic of the analytical framework presented in Figure 2.1. In parallel with harvesting outcomes, focus has also been on collecting data to answer the evaluation questions related to the other accountability and effectiveness questions as well sustainability, relevance and learning. The team has employed three main data collection methods: **Document Review**, **Survey**, and different types of **Interviews**. To ensure learning, participatory and self-reflecting methods have been used. This has been particularly emphasised with SP partners, partner organisations and their partner organisations. To ensure that answers be reliable and valid, the team has used **different interview techniques**.

The team speaks local languages for the three fieldwork countries Bangladesh, Vietnam and Myanmar, and all interviews have been conducted in languages familiar to the respondents. In addition, the nature of language used has been adjusted to the different stakeholder groups, so that questions are clear and intuitive.

### 2.2.1 Document Review

A document review based on documents provided by the SP partners was made at the outset of the evaluation. A document package was prepared for each country evaluation team together with a guide on where in the documents they could find descriptions of the different activities and answers to the evaluation questions for the given countries. Similarly, document guides were made for the four desk study countries.

### 2.2.2 Country Reports

Individual Country Reports for each of the seven SP countries have been made, with outcome stories, learning from activities that have not yielded desired results, reflections on sustainability, relevance, value added and learning. The four country reports on the desk study countries Cambodia, Ethiopia, India and Indonesia, are based on a document review with some additional data collected from Skype conversations with SP staff. The three fieldwork countries, Bangladesh, Myanmar and Vietnam, are to a large extent based on data collected during interviews.

### 2.2.3 Survey

An anonymous web-based quest-back survey was used to collect information from brands in Europe. The survey targeted Fair Wear member brands, and was made known through a Newsletter and on the Fear Wear website.

### 2.2.4 Interviews

Primary data was collected in the three fieldwork countries Vietnam, Bangladesh and Myanmar from SP partners, partner organisations, factory management and workers, government representatives, brand representatives, employers' associations, Dutch Embassy and other stakeholders. Due to the Covid-19 pandemic most interviews were virtual.

Figure 2.2: Generic fieldwork design

Stakeholders	Interview form				
	Day 1	Day 2	Day 3	Day 4	Day 5
SP partners	Group (1)				
Partner organisations Partner organisations' partners	Group (1-2)				
Partner organisations Partner organisations' partners		Group (1-2)			
Other programme participants		Group/ Key person (1-2)			
Workers			Group/ key person (2-3)		
Factory management			Group/ key person (2-3)		
Government, ILO, UN				Key person (2-4)	
Dutch Embassy				Key person (1)	
Other stakeholders					Key person (Bellwether) (2-4)
SP partners					Presentation of findings and early conclusions

Interview guides were tailored for each stakeholder group, see Annex E. The three thematic areas are differently emphasised in the three fieldwork countries. Some stakeholders were relevant for data-collection for all the three thematic areas, whilst others for one or two. The semi-structured interview guides were adapted accordingly to the context of each interviewee and interview. The intention of the interviews was to harvest outcomes from specific activities. This allowed for comparisons across interviewees and countries, whilst at the same time leaving it open enough to incorporate additional questions on relevant topics that arose during the interviews.

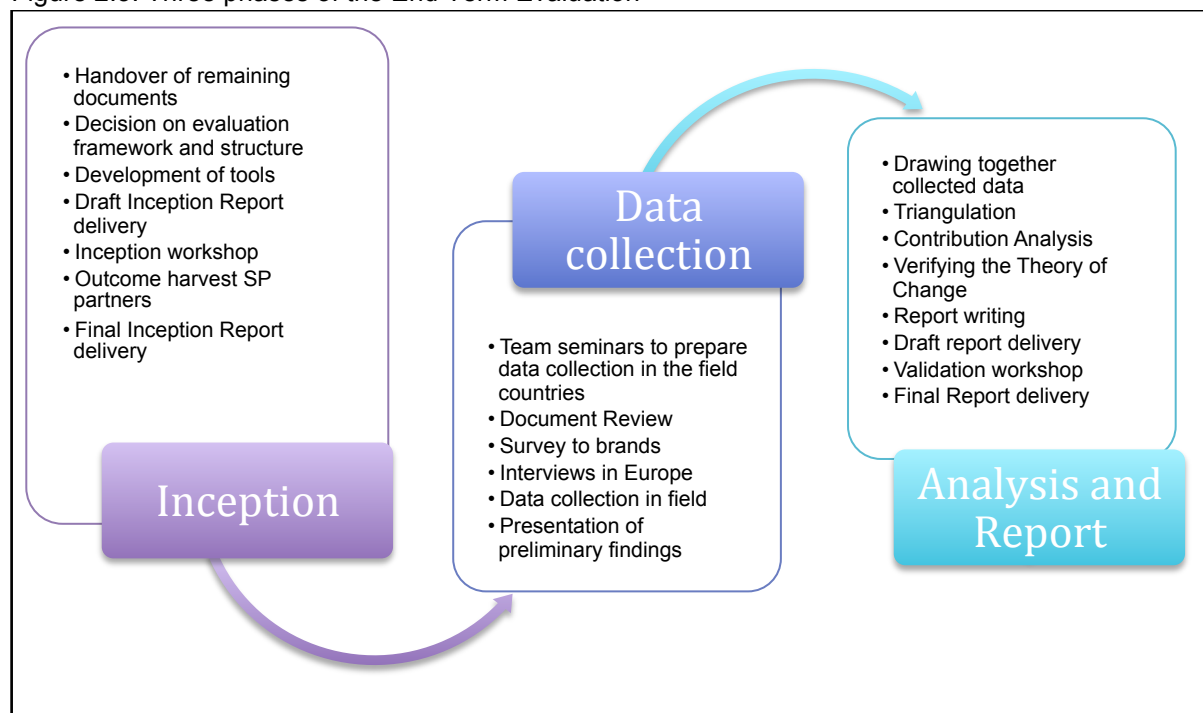
For a major part of the interviews, **Appreciative Inquiry** was used as a foundational interview technique. When using this technique, the interviewer focuses on the positive aspects of a process to collect positive lessons learned. The technique aims at bringing the interviewee in a positive frame of mind that makes it possible to unravel links between what has been done and what has changed. The technique also makes it easier for the interviewee to reflect on less successful activities and suggest changes to the programme for the future.

**Storytelling** is a powerful tool to get qualitative insights into the social change that takes place through interventions. The team facilitated storytelling to collect evidence on how the programme activities have influenced social change through narrative causal statements collected directly from the interviewees. The team harvested outcome stories from the SP partners and their partner organisations and thereafter sought verification of the outcome stories from the other stakeholder groups in the three countries Vietnam, Myanmar and Bangladesh.

To guide the Storytelling, the evaluation team used the **Most Significant Change** technique, to make the respondents focus their stories on the most important changes that have occurred in terms of enhanced capacity, enhanced advocacy, changes with regards to living wages, social dialogue, gender-based violence or other socio-economic or institutional change. As such, the harvested stories reflect the changes considered significant by the informants. Some correspond with expected results outlined in the SP Theory of Change and Results Framework, while other do not.

The work has been carried out in three phases as illustrated in Figure 2.3.

Figure 2.3: Three phases of the End Term Evaluation



## 2.3 Methodological challenges

### 2.3.1 Changes due to the Covid-19 pandemic

#### Inception workshop

The Covid-19 pandemic prohibited most of the physical meetings to take place, and most of the planned meetings were turned into videoconferences. The Inception workshop and following outcome harvest planned to take place in Amsterdam on March 16th was converted into a video-meeting. The level of interaction was not the same online as it could have been in a physical workshop, but the participants nevertheless engaged through the chat channel and interacted directly during group interviews. The planned working groups did not work satisfactorily online, given both human and technical reasons. To mend the situation, some of the meetings were rescheduled with separate video links and more time later the same week.

#### Evaluation team preparations

The evaluation team had planned to meet in an internal seminar for all evaluators to internalise the evaluation methods and the interview guides. The seminar was converted into two virtual two-day seminars, one between Oslo and Vietnam, and a second between Oslo and Myanmar and Bangladesh.

### **Fieldwork in Vietnam**

At the time of the fieldwork in Vietnam, April 20<sup>th</sup>-24<sup>th</sup> 2020, there was strong government advice against travelling and holding physical meetings. The fieldwork was therefore converted into videointerviews. The situation was not perfect given unstable quality of the Internet. Some of the interviews were finalised using e-mail. Two of the informants did not wish to be interviewed online, hence interviews were postponed and carried out as physical meetings in mid-June in Hanoi.

### **Fieldwork in Myanmar**

The fieldwork in Myanmar was postponed from the last week of April until the first week of June due to Corona lockdown. Still, although society gradually opened up at the time of the fieldwork, most of the interviews were carried out using a videoconference tool.

### **Fieldwork in Bangladesh**

Given the unclear situation caused by the pandemic, the fieldwork initially scheduled for April 18<sup>th</sup> to 23<sup>rd</sup> 2020 was postponed to the last week of June. The government did not appear to be in control of the pandemic, and an atmosphere of better avoiding physical meetings ruled. In dialogue with SP, the entire fieldwork was converted into virtual meetings.

#### **2.3.2 Mapping activities through 'Actors universe'**

The terms of reference state that *"This evaluation needs to cover programme activities from 2016 to mid-2020"*. Getting an overview of these activities did not turn out to be easy. The SP coordination provided a list of the main SP activities. To obtain necessary information about the SP portfolio, the evaluation team turned the activity list into a matrix, asking the SP partners to complete it with names of the responsible SP partner, thematic area, partner organisations, other stakeholders receiving support, stakeholders targeted for policy influencing and type of intervention. Not all the activities were found to fit into this format and not all the SP partner staff had the opportunity to prioritize filling in the matrix. Even though not complete, the "Actors universe"-matrix was the closest the evaluation team came to getting an overview of the subject under evaluation: "the activities" of the Strategic Partnership. The 'Actors Universe' is displayed in Annex F.

#### **2.3.3 Outcome harvest**

Some informants found it difficult to reflect on the link between changes being brought and activities that had been carried out, as they were more drawn towards talking about the activities as such. This is a feature that is quite often seen in evaluations, as people in general appear to be conscious about what they do, but not used to reflecting over the impact of these activities. Some stakeholders also found it challenging to recognise the lowest outcome level *'Changes in the influencing capacities of the partner organisations of the SP'*. Recognition of changed capacities in oneself or in one's organisation requires close knowledge of the level of capacity that was there before compared to what is there now. Not everyone has this knowledge or the ability to reflect at this level.

The set-up of interviews was changed by the SP prior to the Covid-19 due to politically sensitive issues, different partners of the programme being at different levels in the processes and/or not being on speaking terms. The initially planned larger workshops were rescheduled to interviews with small, uniform groups, and eventually, due to Covid-19, turned into virtual meetings. Many of SP's issues are sensitive with the consequence that the End Term Evaluation could not undertake the originally planned verification exercises using the 'Bellwether interview technique' where lobby targets are asked open questions about influencers. Due to the sensitivity of the SP programme and the fear that the End Term Evaluation exercise could jeopardise carefully built, fragile relations, the SP partners themselves decided to control which informants the evaluation

team could meet with and what the evaluation team had access to talk about. This is likely to have limited the ability of the evaluation team to uncover unplanned for and undocumented positive or negative changes.

#### **2.3.4 Survey**

A survey was designed to collect data from the brands. The survey was announced via newsletters to Fair Wear's 130 member brands, but it was not sent out to them directly due to Fair Wear's member engagement policy. The survey received 22 respondents. With a 95 per cent confidence level, the margin of error is 19 per cent, which means that there is a 95 per cent likelihood that the statistical answers provided by the respondents is representative of plus/minus 19 percentage points of the answers. I.e. if 50 per cent of the 22 respondents chose one answer, the answer by the entire population (all member brands) would be likely to be between 31 per cent and 69 per cent, which again means that the answers from the survey should be regarded as indicative trends rather than solid statistical evidence.

However, only 16 respondents *completed* the survey, which makes the responses to the last questions of the survey less significant than described above.

The fact that readers of the Fair Wear News Letter could click a survey link to answer the survey made it possible (although not likely) for one brand to respond several times. The lack of unique links affirms the point that the responses from the survey should be used with caution. The qualitative survey responses are valuable complementary information.

#### **2.3.5 SP partner support**

Being under evaluation is time consuming and requires availing relevant information to the evaluation team in time, responding to queries, coordinating and arranging for fieldwork, interviews and surveys, in addition to being interviewed. At times it seemed that not all SP partner staff had realised how much work it requires to facilitate an evaluation. The three coordinators that Fair Wear made available for the evaluation team did a fantastic job in their efforts to get everyone on board.

#### **2.3.6 Scope of the evaluation**

The scope of the End Term Evaluation was "everything" the SP had done since its departure. With such a huge and diverse programme and detailed evaluation questions, combined with the limitations inflicted by Covid-19, stakeholder availability and more, it must be clear that even though this End term Evaluation report is comprehensive, it is not exhaustive. There will be important successes and failures as well as causal explanations that have either not been identified or been prioritised by this End Term Evaluation. Identified outcomes and experiences mentioned in the report should therefore be regarded as illustrative examples rather than an exhaustive inventory list.

### 3. Description of the SP

The terms of reference state that

*“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.”*

The evaluation team finds this to be an accurate description of the SP.

#### 3.1 The SP actors

There are four formal SP partners: **Fair Wear Foundation** (Fair Wear), **Mondiaal FNV** (M-FNV), **CNV Internationaal** (CNV-I) and the **Dutch Ministry of Foreign Affairs** (MFA). The role of the latter has been to provide access, foster dialogue, engage with governments and international organisations. Since the role of the MFA has been less “hands on” than that of the other three, this report refers to the three first, Fair Wear, M-FNV and CNV-I, when using the term “SP partners”.

Fair Wear has been the coordinator of the entire endeavour and has played an important role in creating and documenting evidence for use in lobby and advocacy activities. In the role as SP partner, Fair Wear has engaged in capacity building of their member and non-member brands as well as the development of practical tools for brands and their suppliers to strengthen responsible supply chain management. M-FNV and CNV-I have focused on developing the capacity of local trade unions and labour NGOs in the use of evidence-based lobby and advocacy strategies. Fair Wear, M-FNV and CNV-I have also engaged directly in political and corporate policy influencing in Europe and in the production countries.

The SP is a large endeavour with an **initial five-year budget of 32 million Euro**<sup>4</sup>. The expenditures are divided into four clusters i) Administration and PME, ii) Lobby & advocacy, iii) Capacity development, and iv) Knowledge and research. This is again divided in eight geographic areas Bangladesh, Cambodia, India, Indonesia, Myanmar, Vietnam, Ethiopia, and the Netherlands/Europe/international level.

The abovementioned “Actors universe” (see Annex F) is the closest the evaluation team is to having an overview of the SP at a glance. It features a **total of 164 activities across the eight geographic areas**, and **more than 60 local partner organisations** engaged in capacity building and lobbying and advocacy about improvement within the **three thematic fields social dialogue, living wage and gender-based violence**.

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<sup>4</sup> SP Proposal to the MFA FWF\_FNV\_CNV Programme Document 12 August 2015

### 3.2 The mid-term review

A mid-term review (MTR) was conducted in 2018. It concluded that at the time of the review, collective lobby and advocacy was still at start-up level, and that collective results as a partnership had been relatively modest. The MTR reflected that the strategies of engagement and for up-scaling of evidence created through pilots and the proactive linking and engaging 'policy champions' would require more attention. Furthermore, the MTR concluded that the link between local, national, and international lobby and advocacy and the use of evidence were not always clear. The SP was found to influence the behaviour of brands, even if there was no measurement to show whether this also led to improvements for workers. Furthermore, the MTR found that the scope of the activities in reality was broader than what was set by the programme, and the SP partners were recommended to look into the connections between the SP activities and the approach of the SP, i.e. for the role and position of factory audits and brand performance checks (BPCs) and the extent to which these instruments could be included in the intervention logic of the SP.

The MTR found that the SP had managed to put gender-based violence on the agenda, despite it being a very sensitive area, and pointed to a number of successful interventions resulting in tangible change, such as the Anti Sexual Harassment Committees, an effective mechanism for reducing sexual harassment, and the Gender Platform in Bangladesh, the latter had among other efforts developed a draft law and convinced a government representative to attend the Gender Forum in Vietnam in 2017. Furthermore, the Gender Forum in Vietnam, a direct inspiration to Indonesian delegation in forming the Gender Network Platform in Indonesia, the collaboration with the ILO, and the changed position of the Dutch government regarding the ILO convention on violence and harassment in the world of work are other important dimensions of SP's achievements within GBV. Most wage-related processes at national level were found to be around the setting or increasing of minimum wages, and the concept of 'living wage' created some confusion, although it had gained momentum with brands.

The MTR concluded that the internal logic of the Theory of Change (ToC) appeared relevant, but the pathways needed to be revisited. The MTR found that the strategy was insufficiently target-oriented and that the intermediate steps formulated in the results framework, as actions generating the desired change, needed to be given attention. Whilst the MTR underlined that the individual strategic partnership partners had reached valuable achievements, there was room for improvement when it came to establishing strategic and operational in-country partnerships between the SP partners. The MTR pointed out that the country studies, the Theory of Action (ToA), and the baselines that were developed for the programme had not provided the necessary 'umbrella' for in-country strategies toward the required change. It was thus concluded that there was room for improvement in the adaptation of the SP to local context, local challenges and opportunities, the level of local ownership of the programme and the institutional changes it aspired. The MTR found that the three Dutch SP partners had become more strategic and result-oriented at the international level, and that more added value of the partnership was to be expected if, or when, the partnership facilitates more dialogue between brands, factories and labour unions. As such, the MTR found that the key of the partnership, the bridge between brands and factories on the one side and social dialogue between employers and workers on the other, had not yet been tested to its fullest due to low degree of actual common action.

The SP partners have informed the End Term Evaluation team that they took the MTR very seriously and have been working hard to meet the recommendations. Upon the request from the evaluation team, they made a matrix of how they have followed up of the MTR. The matrix can be seen in Annex H.

The MTR recommended the SP to develop pilots whereby brands and unions cooperate jointly. The SP has pointed to the Wages on the Move in Bangladesh and Myanmar and the multi-company CBA project in Vietnam as examples of this. However, this End Term Evaluation has found it complicated to establish direct links between brands, factories and workers as Fair Wear member brands most often source from different factories than the ones where the local union partner organisations of M-FNV and CNV-I are active.

To the recommendation to make the brand performance checks and factory audits relevant for the SP, Fair Wear has informed that they have developed the brand guidance on gender-based violence and Freedom of Association. Furthermore, Fair Wear is planning to include indicators on these themes in the brand performance check update from 2021, in line with the regular three-year revision cycle of this process. Brands will be informed of the additions in 2021, as well as taught how to implement actions to be compliant. They have to implement in 2022, and will be marked in 2023 for 2022. In the meantime, new language on gender-based violence and social dialogue was included in the current brand performance check guide to begin the process of instructing the brands on the upcoming changes and to guide them on possible actions that they could take. Fair Wear has also informed that updating audit questions is not possible in a short-term because of the scope of the exercise (number of auditors, factories, brands affected that should be trained); it requires a longer term planning, and may become a next step after the changes in the brand performance check have been made.

The MTR recommended that the SP assess to what degree there was brand commitment beyond pilot projects; this could be done by linking brand performance checks to working conditions in factories. Responding to this, Fair Wear has developed a monitoring system where they monitor progress for all brands and factories by looking at the results from audits and brand performance checks. Making direct links between the performance of a brand and the performance in a factory is however not possible. Audits take place once every three years, and not all factories where a brand sources are audited (by Fair Wear) in the same year. To alleviate this methodological gap, Fair Wear is planning to work on outcome harvesting and case studies from 2020 onwards to create evidence for the brands' influence on working conditions.

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

To bring the three SP partners closer together on national level, they held monitoring workshops in all seven SP countries and found that their Theory of Change was valid. In these workshops, they focused on gaining a mutual understanding of the change logic of the ToC, and agreed on the following sequence of events: **'Increased capacity'** leads to **'Increased engagement'** leads to **'Increased respect for and promotion of inclusive labour rights policies and practices'**. This sequence is also reflected in the country-specific Theories of Action, describing the delivery channels and methods of the programmes.

The above-mentioned process resulted in the SP starting to plan and document their work in 'work-streams' (combinations of activities that cluster work throughout a sequence). These work-streams, linked to the ToC, were used for the Annual Reports 2018 and 2019, and for the Annual Plan for 2020. In 2018, the SP and its local partners reviewed the country-based Theories of Actions in the four countries that were not covered by the MTR. For these countries, the SP

developed 'Stories of Change' that highlight the complexity of creating change in the garment industry. The described changes are compatible with the ToAs. After the MTR, the SP has worked systematically to organise joint in-country planning sessions with the SP partners and the partner organisations to develop the Annual Plans of 2019 and 2020. The SP opted not to follow the recommendation to appoint SP coordinators at national level, but instead institutionalised monthly check-in moments to plan and monitor SP work.

## 4. Human Rights in the ready-made garment sector

The focus on human and labour rights in global garment supply chains has undoubtedly gained incremental attention over the past 2-3 decades. Today, most brands have established a code of conduct<sup>5</sup> outlining expectations and requirements on human and labour rights in their supply chain.

Since March 2020, one cannot talk about the human rights situation without considering the tremendous negative impacts that **Covid-19 and the resulting lockdowns** have had on factories, workers and hence communities. Although several brands have made efforts to establish emergency funds, it is highly unlikely that these funds will be sufficient to cover for lost jobs and unemployment compensation. In addition to factory workers in the formal economy, there are large groups of informal garment workers across the globe who lack all kinds of social security. General for all sectors, UN warns that Covid-19 could reverse the decline in cases of child labour registered since 2000.<sup>6</sup>

With the nearly impossible mission to isolate Covid-19 impacts on the garment industry from other factors, this End Term Evaluation will outline some sector characteristics, root-causes to poor human rights standards and preconditions and success factors for strengthened human rights standards. Being a highly globalized and labour-intensive sector, root-causes to poor human rights standards and sector characteristics in the global garment sector go hand-in-hand.

**Human and labour standards fluctuate.** For example, Turkey has been regarded to have comparatively good standards. Yet, as a result of the war in Syria, Syrian refugees have been found working under exploitative conditions in Turkish garment factories.

A common feature is that most new workers are young, often female, in their teens or twenties, with low education and little awareness of their legal rights. Working in a garment factory is poorly paid, with long hours, uncomfortable tedious work that can often be dangerous. These workers leave as soon as a better opportunity comes up, or the young women leave when they get married. From a social performance perspective, the consequence is a constant flow of new workers with low awareness of their rights. From a business perspective, the consequence is high turnover, low productivity, and hence lower margins. Although there is evidence of positive correlation between decent work and business key performance indicators (KPIs) in industrialized countries and other sectors, and despite the fact that the garment sector is one of the sectors with most and longest focus on human and labour rights, it has seemed hard to identify business cases related to decent work in the present low-price driven garment sector, the **business case for decent work and social dialogue is thus in its very beginning** in the 'human rights in global garment sector' discourse.

**Purchasing practices** as one root cause to factories' poor social performance has gained increased attention during the past 5-8 years<sup>7</sup>. However, apart from some scattered good practices, a great majority of international buyers still uses margins between FOB<sup>8</sup> and sales

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<sup>5</sup> "Code of Conduct" is another equivalent and frequently used term. The most common clauses relate to ILO core conventions (forced labour, child labour, discrimination, the right to organise and bargain collectively): wages (most often minimum wages); working hours and health and safety. Some also include clauses on disciplinary practices (harsh and inhuman treatment).

<sup>6</sup> <https://news.un.org/en/story/2020/06/1066172>

<sup>7</sup> Some hands-on resources and efforts to change buyers' purchasing practices are: "Suppliers Speak Up" (IEH, Sustainable Trade, 2014 – referred to as good practice in the OECD due diligence guidance for garment and footwear sectors (2017)); Better Buying and Fair Wear Foundation.

<sup>8</sup> FOB: "Free On Board", is a term in international commercial law specifying at what point respective obligations, costs, and risk involved in the delivery of goods shift from the seller to the buyer.

price as a main purchasing criteria. “**Fast fashion**”, i.e. the very short time from when a trend is launched on the fashion catwalks until it is found copied in mass retail, is another of the garment sectors’ characteristics. There also remains a gap between **consumers’ sustainability demands** in surveys and their actual buying actions. Many and cheap clothes are still a desire, not only among Western consumers, but also among the rapidly growing middle class in emerging economies. Shifting trends and a hunt for low prices result in brands’ constantly and rapidly changing suppliers. The global garment supply chain is also characterized by large intermediary actors (agents, distributors, and wholesalers),<sup>9</sup> some of whom have more financial muscles than brands. Similar to brands, intermediaries do not own the factories they source from, and lead in executing the shift to cheaper production locations. However, they appear to go under the radar of human rights campaigners.

**Labour inspectorates** are often under-resourced and/or corrupt and thus not trusted by brands. This has resulted in a **fast-growing private inspection regime**, however, without the consistency needed for real progress to take place. Each brand, or joint social auditing platform assesses suppliers’ social performance using their own criteria and methodology. The lack of coordination and co-operation among brands has resulted in the phenomena coined as “**audit fatigue**”, where the same supplier is assessed multiple times on different criteria by different clients during a year. This does not per se mean that audit protocols, nor the application of these, are not meaningful tools, but refers to the accumulated number of (social) audits that a single factory is subject to during a period, audits that cover the same or similar, dimensions. Thus, it is a call for increased coordination and sharing of findings among brands as well as multi-stakeholder structures.

Findings in the Cornell University’s ‘*New Conversations Project*’ confirm this:<sup>10</sup>

- ☞ An average of 24 to 32 audits /year in factories recognized as high standard suppliers.
- ☞ As many as 4 audits in one month, with no correlation of findings.
- ☞ Audits ranged from 1-person day to 9-person days without standard methodologies.
- ☞ Audits done 2 days apart were found to have different ratings.
- ☞ Audits by the same auditing firm within days had significantly different findings.
- ☞ The sharing of findings is dysfunctional: 91% audit results were shared, 80% ratings shared, only 57% the rationale for the rating was shared. This does not provide support for the supplier to improve.

The ‘*New Conversations Project*’ research, looking at the industry in general, demonstrates the problems with a **fractured approach to solving a system-wide problem**, as seen at the factory level. A general, intrinsic shortcoming in the social audit methodology is the approach of **gap-analyses**, not taking the **root-causes** sufficiently into account. Take buyers’ purchasing practices as one example: a factory can score poorly on wages, social benefits and overtime payment, without considering if the price their clients pay for the product is sufficient to cover the costs. Working hours can get a poor score, without assessing to what extent clients’ short lead times and last-minute changes contribute to overtime work, and most likely increase the number of accidents.

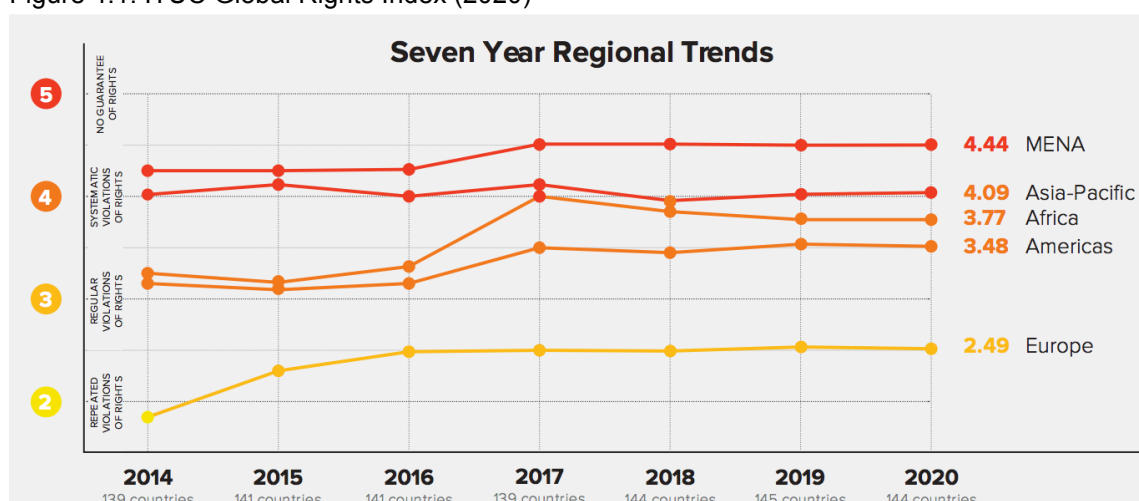
Most seriously, nearly all the main garment-producing countries are characterized by a **high degree of violations of trade union rights**. According to the ITUC Global Rights Index this picture remains stable over time (see Figure 4.1 below).

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<sup>9</sup> The Bermuda-incorporated, Hong-Kong based Li & Fung is one example.

<sup>10</sup> <https://www.ilr.cornell.edu/new-conversations-project-sustainable-labor-practices-global-supply-chains/news/oecd-conference-anna-burger-talk>

Figure 4.1: ITUC Global Rights Index (2020)



The development since 2016 in the seven SP countries is shown in Table 4.1.

Table 4.1: Development in labour rights in SP countries between 2016 and 2020 (ITUC rating)

	Bangladesh	Cambodia	Ethiopia	India	Indonesia	Myanmar	Vietnam
<b>2016</b>	5	5	3	5	5	3	5
<b>2020</b>	5	5	4	5	5	4	4

5 = “No guarantee of rights”; 4 = “systematic violation of rights”; 3 = “Regular violation of rights”.

The situation has improved in Vietnam and worsened in Ethiopia and Myanmar. The situation in the other SP countries remains the same, in the worst category with “No guarantee of rights”. In 2020, Bangladesh and India were both listed by ITUC in the group of the ‘Ten worst countries in the world for working people’. Table 4.1 covers all sectors, and the positive, negative, or no development cannot be linked to the SP efforts to improve one sector. However, the table presents an idea of the magnitude of challenges the SP has been up against.

More details on the Human Rights situation in the garment industry for each of the seven SP countries are found in the country reports in the Annexes I to O.

One European-based informant to the End Term Evaluation had seen the trend that the price competition becomes tighter and it seems more difficult to get consumers to pay for sustainability. Greenwashing by brands that initiate tiny sustainability projects in order to come across as responsible is not uncommon, while the rest of their enterprise is business as usual. Brands set up high demands and expectations to the producer without paying the price, expecting producers to carry the full burden of sustainability. There is a governance gap in most production countries between the current legislation and the enforcement of the same. This governance gap, combined with the asymmetric power relations in global trade, is the main reason for initiatives such as Fair Wear, AGT and others being active in production countries. At the same time there is shrinking space for civil society in many of the same countries, making lobbying and awareness-raising very difficult.

Another informant stated that: *“The whole business model is based on cheap labour. We, the improvement agents, make the industry look good to some extent, thereby helping the folks that create the problems. Sustained change requires changes in purchasing practices and strengthened national institutions”.*

A third informant claimed that to change the ready-made garment sector, the way the industry operates needs to be changed. Now, brands compete for consumers and factories compete for brands and there is an over-supply of both brands and factories in the market. Anti-collaboration rules are sometimes used as an argument hindering, or at least complicating, collaboration between competitors on topics like living wages. There is a need to analyse the implications of current legislation on the possibilities for market competitors to collaborate on issues like live wages and decent working conditions. There should be laws that prohibited buyers from having full control over dictating prices, that is below a “decent work production cost”. Today, a buyer can set a maximum price that is too low for the manufacturer to cover their costs. For real change to happen, regulation at European level is needed to prohibit the setting of such low prices.

Yet another informant added that while there is more and more talk about ethical codes of conduct, there is a trend that brands move out of China and into cheaper countries like Cambodia and Myanmar. Hence, there are no fundamental changes to the ready-made garment industry. Producing countries are rewarded for low taxes, not for decent wages or fair working conditions. The primary conversation is still about compliance. Existing multi-stakeholder structures are not big enough and there is no agreement between them to drive real change. There is no place where the industry can get together globally and agree on change. Covid-19 has exemplified this and shown how fragile the system is: workers risk to be left without work. The informant concluded: *“We have to change the game. 15 years ago we thought: If brands behave better, workers will benefit. The analysis was flawed: we won’t fix it on a brand-by-brand basis. We must attack the entire industry. And we also need to engage the political level.”*

Balancing the above quite pessimistic picture, it should be noted that the registration of trade unions has increased globally. Although a positive sign at the general level, one should also keep in mind that an overcrowding of the number of unions might be a result of unions being used as vehicles for political or personal influence rather than fighting for workers’ rights. There are contexts where so-called ‘yellow unions’ facilitated by management are negatively affecting the formation and functioning of genuine unions. On the other hand, the existence of more than one option for a worker that wants to unionise is positive, and when unions manage to coordinate their efforts around the core labour rights topics, influence is greater.

Several member-based stakeholder platforms, among them Fair Wear, experience that there is a correlation between how long a brand has engaged in human rights in their supply chain, and the improvements they achieve. Trust, between brands, suppliers and workers/unions is a key enabling factor for effectively addressing the root causes to poor working conditions in that it lays the ground for constructive social dialogue and negotiations. And building trust takes time. It also requires time to develop a joint understanding of the roles and responsibilities of unions and management (and brands), and apply lessons learnt from trainings and experience in practical measures. Health and safety are commonly reported as the area with most improvements, and brands do complement social auditing with training for internal staff, factory management and workers (training per se is not however an assurance of quality and relevance).

The 2017-launched ‘OECD Due Diligence Guidance for Garment and Footwear Sector’ along with the annual OECD sector wise Forums for responsible business conduct<sup>11</sup>, has helped to increase awareness and understanding of the challenges and opportunities the sectors are facing among larger companies as well as key stakeholder organisations from the employers’ as well as the workers’ side, in addition to MSIs, NGOs and at the political level.. Among suppliers, and as a response to the above-mentioned un-coordinated social auditing, there has been a rapid increase in the number of ‘compliance managers’ being employed in factories to administrate all the

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<sup>11</sup> <http://www.oecd.org/industry/inv/mne/responsible-supply-chains-textile-garment-sector.htm>

audits. The positive in this is that the mid-management group is becoming more globally oriented, with a better understanding of brands' compliance requirements. Although they do not have decision-making power, their influencing power towards factory owners and top managers in driving management change from within should not be neglected.

Box 4.1: Quotes from European based informants regarding positive developments

- ☞ *Stronger pressure from civil society and consumers for sustainability*
- ☞ *The fact that ACT is there is positive*
- ☞ *Initiatives like Fair Wear and Dutch AGT carefully try to find common ground with ACT*
- ☞ *There has been some more emphasis on purchasing practices lately*
- ☞ *“Better Buying Initiative”, a rating platform for buyers’ purchasing practices, is a positive development*
- ☞ *“Social Labour Convergence Programme (SLCP)”: an effort to align the audits making into one audit protocol, involving hundreds of brands and can eventually be used to find reliable data on labour conditions around the world*
- ☞ *Consumers are pressing for common label for sustainability*
- ☞ *Serious support from investors, banks and funds to take sustainability seriously – there is a group on living wage in the textile investment sector*
- ☞ *Convergence around implementing the OECD guidelines in the textile sector.*
- ☞ *Competition among brands also work when it comes to sustainability: After the Netherlands came out on top in OECD’s assessment of implementation of the textile guidelines, the German initiative immediately started to implement in line with the Dutch initiative*
- ☞ *Fair Wear is talking about making a “Brand Performance Check” that can become a model for the EU when HRDD becomes mandatory in order for brands to report on their compliance and initiatives, and for EU to assess and grade their actions*
- ☞ *The opening of an open apparel registry worldwide where production factory names can be traced back to brands*

In the End Term Evaluation survey to Fair Wear member brands, the brands were asked to assess whether the human rights compliance in global garment supply chains has improved or worsened over the last five years. One respondent thought it had improved significantly, 13 believed it had improved to some extent, and two felt it remained the same. The brands' representatives provided the following comments:

- ☞ *It has become a push-and-pull, and human rights compliance has become more important to buyers. You can see that at the factories in our production countries. There is a new "normal".*
- ☞ *Take Rana Plaza as example; after that disaster finally brands and retailers took the compliance seriously.*
- ☞ *Most improvements have been on health and safety but the most fundamental human rights have not changed that much: they are really difficult to change in only an economic relationship, legislation is needed to push companies to take on the Human Rights violations.*
- ☞ *Obvious human rights violations in the supply chain have been improved, but there are still some violations that are less seen, migrant workers situation in Europe for example.*
- ☞ *Overall conditions have improved because of the regulation of some of the security conditions. The wages also have been improved (in Bangladesh or Myanmar for example). Unemployment rates have more or less stabilized.*
- ☞ *Garment manufacturers see more and more of their own benefits in treating their workers well. It is not only good to have loyal employees, but they start to realise that truly sustainable production is appreciated by the customers.*

Highlighting the **SPs thematic areas**, it is noted that **social dialogue** is a term more actors in the sector refer to now than five years ago. Well-known multinational brands have integrated social

dialogue into their strategy. Interpreting this from an optimistic point of view, the term social dialogue appears to contribute to a “renaissance” of the ILO core conventions Right to organise (ILO C87) and the Right to bargain collectively (ILO C98). Obviously, there is always a risk of this being more of a window dressing exercise, calming the critics by using the right language. Even if that were the case, it would provide an entry point for discussing with brands what they are doing to promote social dialogue. However, there is good reason to believe that the use of the term social dialogue reflects a growing acknowledgment of the essential role of the right to organise and collective bargaining in ensuring decent working conditions.

There are also positive developments on the legislative side, but the enforcement and adherence still lag far behind.

**Gender-based violence** has been put much more distinctly on the agenda, including among the more progressive tripartite and multi-stakeholder platforms. Adopted in 2019, the ILO *Violence and Harassment Convention* (ILO C190)<sup>12</sup> is the most prominent progress from the past five years. Gender-based violence is still regarded as taboo in many countries, and attitudes such as “*only rape is gender-based violence*”<sup>13</sup> still prevail; therefore, the convention’s specific recognition of the right of everyone to a world of work free from violence and harassment, including gender-based violence and harassment is very progressive. Ratification of the Convention is the next important step. Sharing information on and supporting ITUC’s “RatifyC190- campaign, carried out on close cooperation with the global union federations, is one way of promoting ratification at the political level<sup>14</sup>. At the micro level (companies and or industry), both the Convention and the accompanying Recommendation 206 can be the basis for including clauses on harassment and violence on collective bargaining agreements and workplace policies as well as lobbying for supportive statements and commitments by national industry bodies and trade unions. Bearing in mind the cultural barriers, ratification will therefore not be a simple process or a foregone conclusion, but will require dedicated and strategic lobby and advocacy.

**Wages** is maybe the thematic area with the most split picture. Although wages have been raised in many countries, the increase has been nominal, and the real wage, reflecting workers’ actual purchasing power, has not necessarily increased. Vietnam is among the countries with the most substantial wage increase while Ethiopia has by far the lowest wage rate among typical garment producing and exporting countries. Governments are responsible for setting minimum wage levels that take into account “...*the needs of workers and their families*”, while at the balancing this with the desire of high employment levels<sup>15</sup>. Furthermore, one would expect, or wish for, governments to ensure that there are structures in place for regular updates of minimum wages, with proper participation from the social partners in the tripartite dialogue. When it comes to brands, key dimensions of their role is to ensure, being it through assessments, capacity building of suppliers in costing or in other ways, that prices offered are consistent with decent wage levels and working conditions. Unions’ main role resides in the tripartite dialogue and (bipartite) collective negotiations, they can also play constructive roles through using, or even conducting, wage surveys as input to wage discussions at different levels.

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<sup>12</sup> The Convention defines for the first time what is violence and harassment, recognises the right of everyone to a world of work free from violence and harassment, and places special emphasis on addressing gender-based violence and harassment. It recognises that dealing with discrimination and promoting equality, health and safety are integral to addressing violence and harassment. It urges governments to address the unequal power relations that often lie at the root of gender-based violence and harassment. The Convention expands the concept of the world of work beyond the immediate physical workplace, covering situations linked to or arising out of work, such as work-related trips, and commuting to/from work.

<sup>13</sup> Finding in the SP mid-term review

<sup>14</sup> <https://www.ituc-csi.org/GBV>

<sup>15</sup> ILO Convention 131, Minimum Wage Fixing Convention (1970)

**Living wage** is still far from becoming an endorsed concept by all key stakeholders. Most governments, business associations and companies at both ends of garment value chains relate to legal minimum wages when such exists. When raising the topic of “living wage” among stakeholders more open to the concept, questions like “*what forms a living wage?*” quickly comes up. With no internationally agreed methodology on how to calculate a living wage, such questions are expected. There are several initiatives aiming at establishing reasonable methods for calculating living wages, across countries and/or sectors, Fair Wear are using several of these. Some of the main one are the Anker methodology<sup>16</sup>, launched in 2017, the WageIndicator<sup>17</sup>, work as well as the ILO pilot project on methodologies for wage setting<sup>18</sup>. Although none of the methods are claiming to be perfect, they have gained widespread acceptance, and been instrumental in the establishment of the concept across sectors and countries. Fair Wear Foundation, the Global Living Wage Coalition, and the Living Income Community of Practice<sup>19</sup> are among the users of the Anker methodology. Another interesting feature which supports an increased acknowledgement of living wage is that the business-oriented web site **TradingEconomics.com** – with 646 million page views from more than 200 countries<sup>20</sup> – refers to country-specific living wage data from the **WageIndicator**.<sup>21</sup>

**To conclude**, it is next to impossible to draw an overall picture on the development of human rights in global garment supply chains. With some exceptions and drawbacks,<sup>22</sup> legislation caters for **protection of human rights** on paper, but **law enforcement is weak** and **respect for human rights** varies from company to company.

The list of **preconditions** and success-factors that need to be in place in order for the human rights situation in the sector to become improved is long. Some core elements are:

- ☞ National labour legislation is strong and enforced
- ☞ Suppliers have a long-term trade relationship with a core group of clients, enabling decent work investments
- ☞ Brands adapt their own purchasing practices that enable decent work investments
- ☞ Workers are aware of their legal rights and are empowered to exercise and claim their rights in a constructive manner, with a unified voice.
- ☞ Supplier management acknowledges regular social dialogue with democratically elected worker representatives
- ☞ Supporting structures, like complaints mechanisms and legal aid, are in place and available

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<sup>16</sup> <https://www.living-income.com/measurement-living-income>

<sup>17</sup> <https://wageindicator.org/>

<sup>18</sup> [https://www.ilo.org/travail/areasofwork/wages-and-income/WCMS\\_736786/lang--en/index.htm](https://www.ilo.org/travail/areasofwork/wages-and-income/WCMS_736786/lang--en/index.htm)

<sup>19</sup> The Living Income Community of Practice is supported by the German Federal Ministry of Economic Cooperation and Development, GIZ (German Development Agency), ISEAL Alliance (an umbrella organisation for fair trade and ethical label- and certification schemes, ensuring accountability in their standards), and Sustainable Food Lab

<sup>20</sup> According to information on TradingEconomics.com.

<sup>21</sup> WageIndicator is among SP’s collaborators. See <https://wageindicator.org>.

<sup>22</sup> For example, the ITUC reported weakened trade union legislation in India.

## 5. What SP has achieved

During the Evaluation Inception workshop, SP staff was asked to share their view on the overall question "Has the SP achieved what it set out to do?". Most staff felt that the SP is a long-term process that they have invested a lot in to get on the right track, but where the end result of transforming the industry has yet to come, see Box 5.1.

Box 5.1: Has the SP achieved what it set out to do?

SP partner staff who participated in the Inception workshop answered:

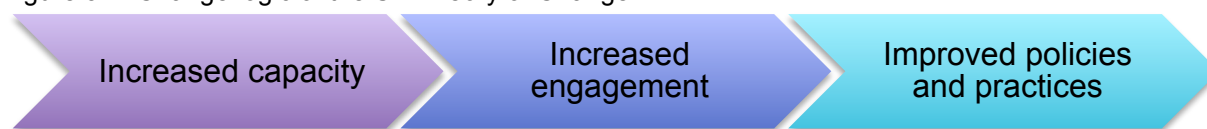
- ✓ *Yes! In Indonesia the MCCBA has been instrumental for factories in getting more and better orders*
- ✓ *Mostly; Communication between SP partners have been good (coordination on lobby messages, timing etc)*
- ✓ *Not everything what we wished for. We did not realize how much time and efforts it took to start and build the partnership. Thus, I really, really hope that we'll continue, "we're just getting the steam in our face". 5 years is not long*
- ✓ *We are at the moment now when we are achieving results*
- ✓ *We have built a good basis for achieving results ahead*
- ✓ *Pleased with what we have achieved so far!*
- ✓ *Initial goals were too ambitious*
- ✓ *"Is the glass half full or half empty"? It is half full! It took some time to understand and work out how to work effectively together and get into a position for effective lobbying*
- ✓ *Ad scalability so far, we have been able to reach a certain position providing the basis for us being more effective ahead. We still have not changed the whole industry!*
- ✓ *When it comes pilots have we managed to develop some pilots, but due to the complexity of the industry it is important to stress the importance of collaboration (competitors, actors from other sectors speaking other "languages"), that it's about (much) more than pilots*
- ✓ *We have built momentum – now it is time to start flying together*

The End Term Evaluation has been looking for outcomes along three different levels

- partner organisations with increased influencing capacity
- partner organisations with increased engagement in influencing efforts
- policies and practices of governments and brands in favour of improved labour conditions in the garment industry

The assumption of the SP<sup>23</sup> is that there is an inner logic of causal relationship between the three levels as illustrated in Figure 5.1.

Figure 5.1: Change logic of the SP Theory of Change



Section 5.1 below provides an overview of outcomes as reported to the International Aid Transparency Initiative - IATI.

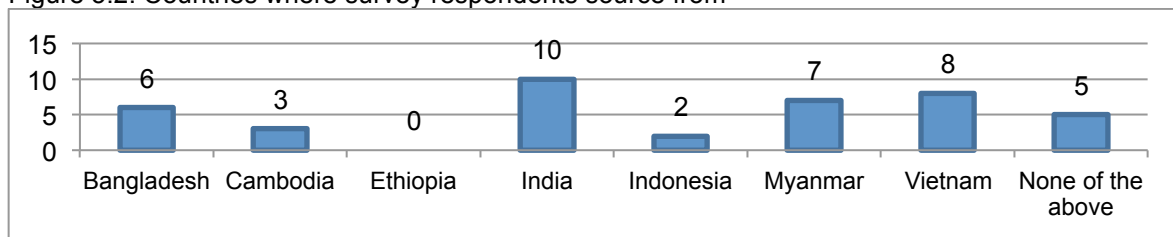
Sections 5.2 - 5.4 present identified outcome stories along the three outcome levels. The outcome stories from Vietnam, Myanmar and Bangladesh are told and verified by a variety of stakeholders during interviews in April, May and June 2020, while the stories from Indonesia,

<sup>23</sup> As explained by the SP in the Follow-up matrix of the Mid-Term Review, Annex H

India, Cambodia and Ethiopia are mostly based on written material provided by the SP coordination, complemented with information from interviews with some SP country coordinators.

Included in the thematic sections 5.2 – 5.4 are also responses derived from the survey that the End Term Evaluation sent to Fair Wear brands (see section 2.3.5). 22 members responded and 16 completed. The majority, 10 out of 16, of the responding brands has Europe as its main market, while about one sell in both Europe and North-America, and five sell at the global market. Five of the respondents did not source from any of the SP countries, while 11 responding brands sourced from all SP countries with the exception of Ethiopia<sup>24</sup>, see Figure 5.2. The secretariats for AGT and PST also answered the questions in the survey via e-mail on behalf of their members.

Figure 5.2: Countries where survey respondents source from



In addition to the Fair Wear member brands' responses, the brand sections also include input from European stakeholders which they provided through in-depth interviews.

## 5.1 Outcomes according to IATI reporting

Starting in 2017, the SP partners have been collecting data based on the International Aid Transparency Initiative,<sup>25</sup> focusing on indicators relevant for each of the three outcome levels. Table 5.1 below gives a brief explanation of the eight main indicators SP have defined within the IATI system and how these relate to the three outcome levels.

Table 5.1: IATI indicators used by SP<sup>26</sup>

<b>Results indicators</b>
<b>Influenced policy &amp; laws</b>
<b>Indicator 1 (DD1)</b> The number of new/updated/ improved labour policies and laws on SP issues are adequately implemented. Being it at the international or national level, by companies or other non-governmental actors.
<b>Indicator 2 (DD2)</b> The number of policies and laws that have been adopted, blocked, maintained or introduced on SP issues and/or claims policies and laws on SP issues. Examples of intermediate results are new policy guidelines or proposals, new living wage agreements and new CBA adopted
<b>Increased engagement</b>

<sup>24</sup> No sourcing from Ethiopia is consistent with findings in the FNV-commissioned Somo report (outside the SP): "Quick scan of the linkages between the Ethiopian garment-and leather industry and the Dutch-market" (Oct 2019), which found no direct import of garments from Ethiopia to Netherlands.

<sup>25</sup> <https://iatistandard.org/en/>

<sup>26</sup> Adapted from «IATI 2019, Q1-Q3», SP documents

**Indicator 3 (DD3)**

The number and content of relevant (re)presentations the organisation had in policy dialogue on SP issues, claims or policy goals, involving advocacy targets.

Examples of intermediate results are the number of meeting points with decision-makers and to what extent partner organisations lobby statements and proposals are referred to and/or reflected by decision makers' statements or policies

**Evidence created & capacity strengthened****Indicator 4 (DD4)**

The number of advocacy initiatives carried out by partners and key stakeholders for, by or with their membership/constituency.

Examples of intermediate results are the formation/merging of new coalitions/ networks/ platforms and joint statements on issues / collaborative advocacy efforts by partners and key stakeholders

**Indicator 5 (DD5)**

The number of partners (Trade Unions - CSO's) with increased Policy Influencing, Lobby & Advocacy activity and capacity

**Indicator 6 (DD6)**

The number and type of partnering stakeholders covered by the strategic partnership which are collaborating with or delivering services in support of the strategic partners, indicating the SP's capacity to unify forces.

Examples of intermediate results are the number of partnering stakeholders / organisations / platforms delivering services or capacitating with SP to promote or strengthen evidence-base, issues, claims or policy goals and the number of partnering stakeholders / organisations signing on as collaborators on advocacy efforts

**Indicator 7**

The number and type of Advocacy & Policy Champions promoting evidence base and influencing targeted policy and decision-makers. Champions are high-profile or influential individuals who adopt an issue and publicly advocate for it.

Examples of intermediate results are the number of advocates participating in capacity building, promoting and influencing public awareness and political will and promoting SP issues and evidence-base.

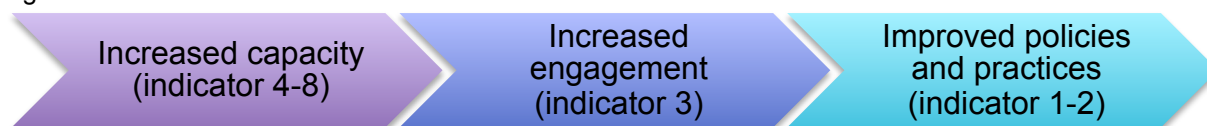
**Indicator 8**

Number of evidences produced by alliance partners in support of lobby and advocacy on SP issues, claims and policy goals

Examples of intermediate results are the number of audits, Workplace Education Programs, best practices descriptions, complaints handled or remediated, reports, publications, guidelines, videos, books or academic papers, or pilot projects

These indicators reflect the SP's Theory of Change from capacity building of partners leading to partners' increased engagement with decision makers and ultimately resulting in changes in policies and practices by public and private actors.

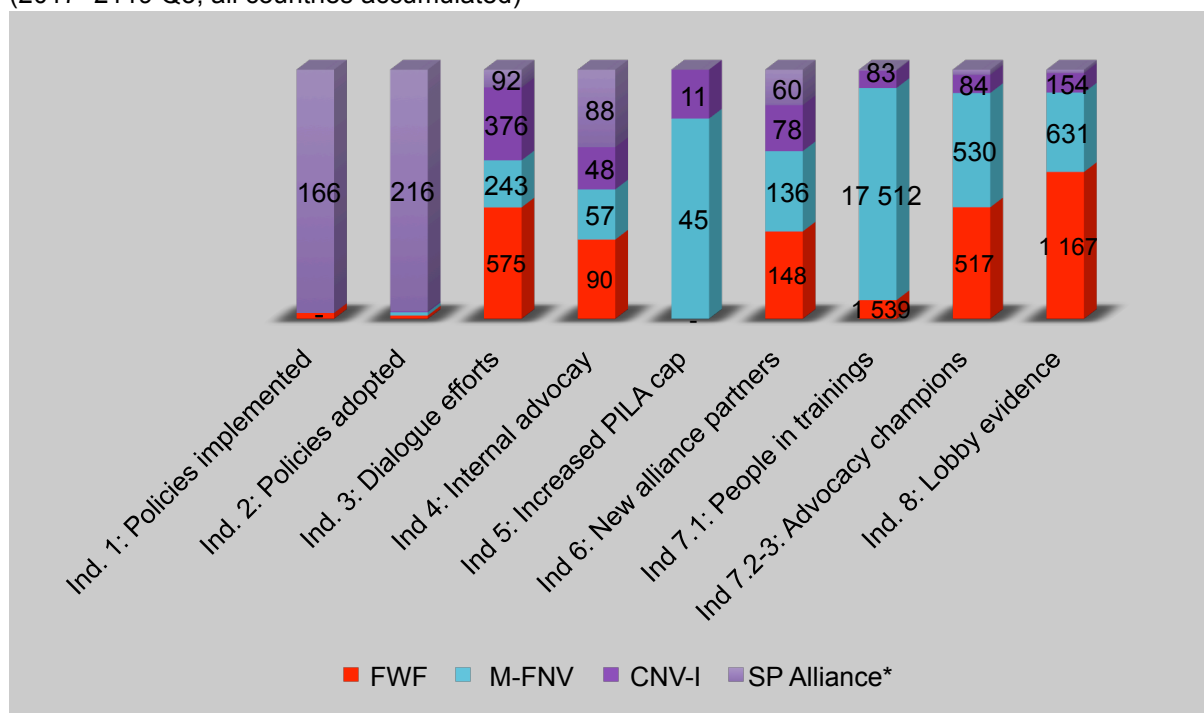
Figure 5.3 SP's IATI outcome indicators



The SP has registered data for each SP partner, including the SP alliance as one entity, and for each country. It is important to underline that the figures included in this report are based on the numeric reporting found in the IATA data, with items of sometimes very different nature. It includes issues like Fair Wear audits, lobby meetings, signing of new CBAs, adaptation of new legislation, publication of surveys and trainings, to mention a few. Thus, the interpreting indicator values and the differences among countries and SP partners must be done with prudence. Still, the figures might shed some light on the development of the SP.<sup>27</sup> The IATI figures analysed cover the period from 2017 and up to Q3 2019.

Figure 5.4 below shows that almost all changes at policy and practice levels are attributed to the SP alliance as a whole, reflected in the first two indicators. To what extent that is a precise reflection of reality is questionable, given Cambodia, where CNV-I is the only SP partner on the ground, accounts for almost 90 per cent of the total number of implemented changes on policies or laws<sup>28</sup>. CNV-I partner organisation C-CAWDU has been working with a group of 58 companies resulting in improvements of several company practices on payment of wages and recognition of the role of the shop steward.

Figure 5.4 Number of instances registered under some key IATI SP indicators per SP partner (2017- 2119 Q3, all countries accumulated)



\* In the IATI reporting, SP Alliance is included as a separate actor, at country and international level.

<sup>27</sup> It has not been within the scope of the evaluation to assess the validity of the IATI data, nor a potential impact of possible differences in the SP partners and their partner organisations' modality of registering data over time, between countries or between partners. Based on a scrutiny of selected figures, the following modifications have been made to the IATI data received

<sup>28</sup> Although CNV-I is the only SP partner on the ground in Cambodia, this is registered under the SP Alliance in the IATI report.

As for the second indicator, the number of progressive policies being adopted, the signing of 105 CBAs in Myanmar during 2017 and 2018 account for almost 50 per cent of the reported incidents. For the other two outcomes – increased engagement and increased capacity, the SP as an arena for joint effort plays a minimal role, with the exception of initiatives for influencing partners organisations’ own membership and constituencies (indicator 4). Here, the SP Alliance has played a significant role, see table 5.2 below.

As mentioned above, it is not straightforward to compare figures between a wide variety of activities, in nature, outcome or participants. It might be meaningful to specify sub-indicator 7.1, reflecting the number of participants in trainings and awareness raising events, keeping it separate from other efforts by and with local advocates.<sup>29</sup> On the training side, the largest number reached is through M-FNV’s activities in Bangladesh, accounting for more than 60 per cent of the totals.

When it comes to what is labelled “Advocacy champions” in figure 5.4, the two sub-indicators aim at reflecting the number of academics, brands, suppliers etc. actively promoting SP’s priority issues. It is not always easy to identify the line between ‘*participation in capacity building*’ (7.1) and ‘*participation in trainings*’ (7.3), but the latter is more focused on workshops linked to pilots and generation of new evidence. The numbers include individuals and institutions having participated in events hosted under the SP umbrella, with the intended results that participants become, or strengthen their role as, advocacy champions. M-FNV’s work in Myanmar in 2018 and Fair Wear’s initiatives in Bangladesh, India and Myanmar represent more than half of the total number reported.

Table 5.2: IATI Indicator 4: number of advocacy initiatives carried out by SP partners and partner organisations for, by or with their membership/constituency

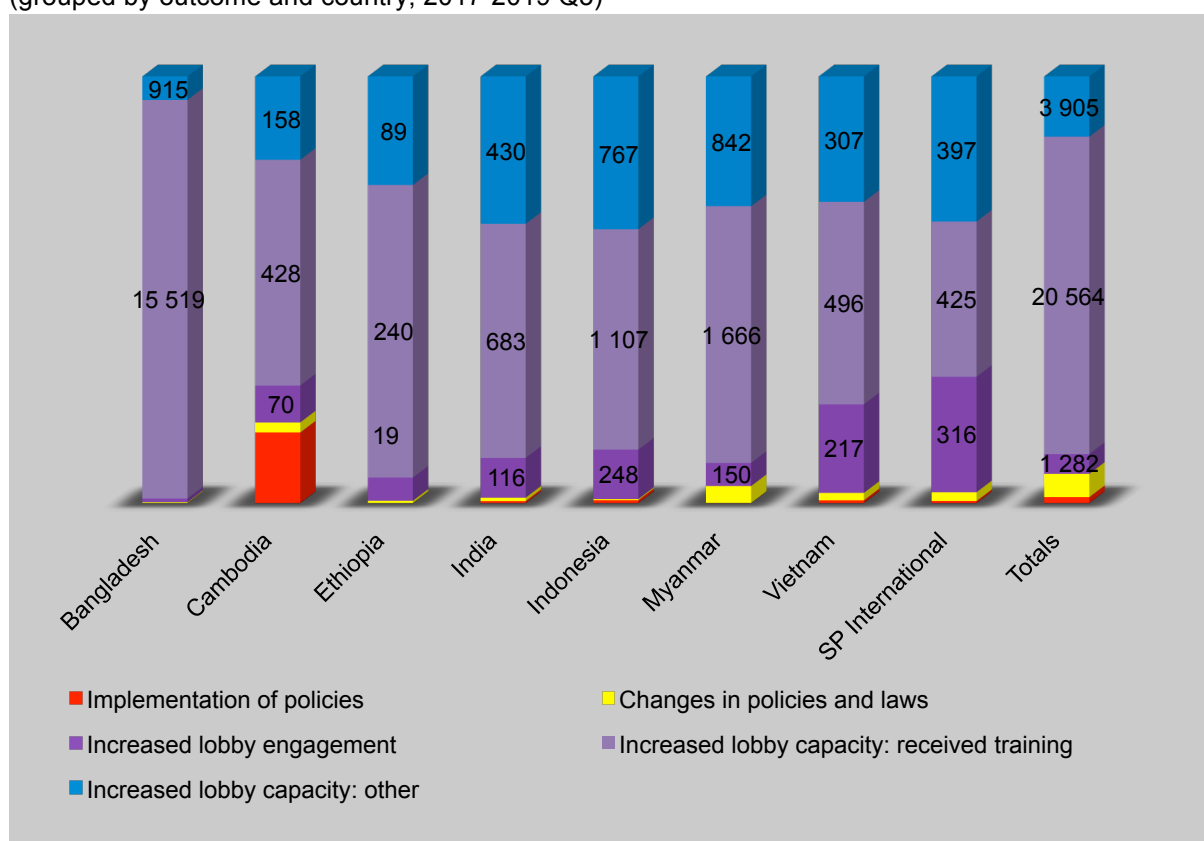
Year	FWF	M-FNV	CNV-I	SP Alliance	Totals SP
2017	27	9	15	63	114
2018	31	16	15	7	69
2019 Q3	32	32	18	18	100

Table 5.2 above reflects two changes from 2017 to 2019: that the number of lobby and advocacy initiatives carried out by M-FNV or its partner organisations have more than tripled, and that the role of the SP Alliance as an actor seems to have diminished, at least if basing the analysis on the number of advocacy initiatives registered. Although numbers do not lie, they do not always tell the whole story. In interpreting table 5.2, the reader should keep (at least) two things in mind; that the actual figures represent a variety of advocacy efforts directed at different lobby targets, and that there might not always be a clear cut line between initiatives registered under the SP Alliance and the individual SP member, in particular relevant for processes where all three are engaging with their constituencies, like for instance in the lobby efforts related to ILO C190.

Figure 5.5 below represents a numeric count of instances registered for each country and each (sub)indicator as registered in the SP IATI report. The most interesting message conveyed by the figure is the differences between countries in the relative weight of the outcome areas. Working with the IATI data also reveals some weaknesses and challenges in applying this reporting framework.

<sup>29</sup> Done for 2018 and 2019. 2017 does not have separate sub-indicators.

Figure 5.5 Number of instances registered under key IATI SP indicators (grouped by outcome and country, 2017-2019 Q3)



Another example of the challenges to extract precise data is found in the IATI-registration of activities related to the Anti-Harassment Committees (AHC) in Bangladesh. 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. However, it is not clear to what extent the same factories are listed from one quarter to another or if new factories are included. Thus, in order to make the IATI data even more useful as a source of information and a monitoring tool, some efforts should be made to ensure precise and consistent registration over time and between countries.

Keeping the number of participants in training events aside, Figure 5.5 shows that the number of instances related to increasing the lobby and advocacy capacity of the partner organisations<sup>30</sup> is by far the highest regardless across all countries. Lobby engagement is stronger at SP alliance level in Vietnam, Indonesia and India. Cambodia, followed by Myanmar, has the highest relative prevalence of policy changes. The somewhat surprising differences in the number of implementation and changes in policy might be a sign of different practices by the different country teams and perhaps also SP partners, reflecting differences in the SP country programmes. As mentioned, in Cambodia, the high number of changes in practice registered refers to the partner organisation C.CAWDU's work with a group of companies implementing specific government regulations.

<sup>30</sup> Labelled "Increased lobby capacity: other"

## 5.2 Outcome stories about social dialogue

SP considers social dialogue (SD) to be the most effective, efficient and sustainable instrument to improve both the socio-economic conditions of workers and productivity. The Terms of Reference state: “SD 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.”

### Box 5.2: The Cornell study - identifying barriers to social dialogue

Cornell University’s (CU) School of Industrial and Labour Relations as part of the university’s New Conversation Project (NCP) has conducted a study on social dialogue in collaboration with the SP labelled “*Social Dialogue in the 21st Century in Global Garment Industry*”. The study seeks to develop a strategic action plan for effective social dialogue in global garment supply chains by conducting a root cause analysis of barriers to social dialogue and developing recommendations for overcoming those barriers.

Findings so far were presented at the OECD Garment and Footwear Forum in February 2020, generating interest and discussions among industry stakeholders present at the workshop. The main finding is that there is a **clear and measurable increase in compliance with codes in factories where there are unions and that there is a strong and positive association between FoA/CBA and all other labour standards**. A preliminary impact of the study is that it has helped SP partners in better understanding the barriers to effective social dialogue in general as well as in the ten countries covered in the study; the seven SP countries joined by Bulgaria, Honduras and Mexico. The trainings took place in May 2020 where over 150 brands participated and IndustriALL and others joined the panels. Besides the choice of countries, there is no systematic overlap between companies that are part of the study and those linked to SP activities (Fair Wear brands and their suppliers, or factories where M-FNV or CNV-I partner trade unions are active).

Being informed by independent research reduces the risk of tensions and misconceptions. If SP had conducted the research itself, the findings could easily have been perceived as biased. To get valid results accepted by all stakeholder groups, independent research was key. Furthermore, as pointed out by the SP partners, it was important to get a clear synopsis on what is happening in the countries SP works. The plan is to use the findings in in-country discussions to identify ways to overcome the barriers to social dialogue. The collaboration with CU has supported and enhanced Fair Wear’s work on social dialogue. FoA is one core and widely accepted standard, but figuring out how brands can best support FoA at their suppliers is challenging. The study has given valuable insight into brands’ issues and perspectives and enhanced Fair Wear’s knowledge. The study has furthermore inspired the new publication “*Understanding Fair Wear’s approach to Social Dialogue*<sup>31</sup>”, last updated in April 2020, outlining seven steps for brands willing to engage in this work. The plan is to follow up with brand guidance and an update of the Brand Performance Index inspired by the CU- study. Although too early to tell, there are good hopes that the findings of the study will turn out useful in informing and guiding SP’s further work on understanding the barriers to social dialogue and identifying the mechanisms to overcome them.

### 5.2.1 Support to trade unions and the establishment of common arenas

To achieve the first outcome level ‘*partner organisations with increased influencing capacity*’, SP has organised processes of providing support to and training and capacity building of trade unions. As pointed out in the IATI figures in section 5.1, M-FNV and CNV-I have provided training

<sup>31</sup> [https://api.fairwear.org/wp-content/uploads/2020/04/FWFs-Approach-to-Social-Dialogue\\_FINAL\\_130420.pdf](https://api.fairwear.org/wp-content/uploads/2020/04/FWFs-Approach-to-Social-Dialogue_FINAL_130420.pdf)

to approximately 19,000 participants.<sup>32</sup> These trainings have been the basis for a number of important change processes in all the seven countries, as it often results in *'partner organisations with increased engagement in influencing efforts'*, and, as will be seen, in a number of cases it also leads to new or changed *'policies and practices of brands and governments in favour of improved labour conditions'*.

In **Vietnam** all trade unions in Vietnam are organised within the same confederation VGCL, that is part of the ruling Communist party and hence the state structure. In establishing a partnership with VGCL, CNV-I has been given access to important actors for its work. Under the SP, trade union members, employers and labour authorities at local and national levels have been trained in social dialogue and collective bargaining, which among other things has resulted in the establishment of a pilot MCCBA (see Box 5.5 under section 5.2.2 below).

In **Bangladesh**, a high number of trade unions have been trained. In Bangladesh, the labour movement has historically been extremely fragmented with large political divides between different factions. An important outcome of IndustriALL's 'Bangladesh organising project', supported by SP, has been that common training of different IndustriALL-affiliated trade unions have resulted in improved coordination, see Box 5.3. Trade unions and federations working in the same industry have come together to discuss organising strategies and coordination to avoid competing for the same factory. The coordination space proved to be particularly important in the preparations for the minimum wage negotiations in 2018 (see section 5.3.1). The IndustriALL Bangladesh Council (IBC) has gained the position as the legitimate representative of the trade unions within the RMG sector. One of their key priorities has been to lower the threshold for registration of trade unions in factories (see section 5.2.3). The obtained lower threshold has enabled increased organising; during the SP period, **73 new trade unions submitted their application to be registered** and the membership numbers of already-registered trade unions have increased. After the Covid-19 outbreak, IBC entered into social dialogue with the government and the employers associations, and managed to bring the **compensation for workers during factory lock down** from 50 per cent of current salary, as was the governments' position, up to 65 per cent.

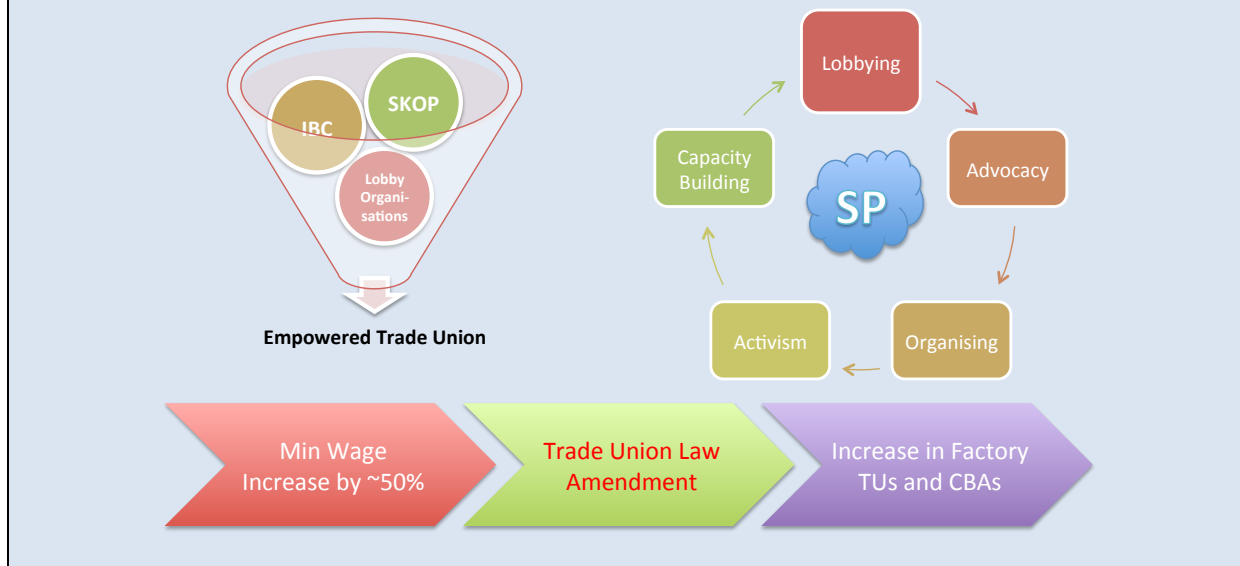
SP has managed to put an important stamp on the labour movement in the RMG sector in Bangladesh. According to the partner organisations, they engage with around 80 per cent of the factory-based trade unions in the RMG sector in training and capacity building where emphasis is put on how to form a union, understanding existing labour laws, dispute mechanisms, and factory union leadership. Interventions have also taken place at community level to create a strong workers – trade union relationship, and developing new union leadership, **grooming women as leaders**.

Box 5.3: A common trade union space in Bangladesh has reduced intra-union conflict

Bringing IndustriALL-affiliated trade unions together in a common space has lowered the historical conflict between the trade unions. Together, they agreed on a target wage ahead of minimum wage negotiations in 2018, which made trade unions become recognised as legitimate stakeholders by the other social partners. Gradually, trust has been built and common activities have been defined. They agreed to strengthen their movement in the industrial clusters, the geographical areas where the RMG sector is situated. This enabled the trade unions to win acceptance from local administration and police that earlier had prevented trade unions from carrying out activities in the industrial areas. The common space had helped the IndustriALL Bangladesh Council (IBC) to represent the garment workers in the National Tripartite

<sup>32</sup> The figure is adding trainings done by M-FNV and CNV-I. It is assumed that most people trained belong to trade unions. It is likely that several individuals have followed two or more training sessions, bringing the number of individuals who have received training somewhat down.

Consultative Council (TCC), and they have gained respect and acknowledgement in recent years. One sign of this is that the Prime Minister Office made contact with IBC to understand the post-Covid-19 crisis in the sector. The trade unions also collaborate with SP partner labour organisations that work for better labour conditions in factories and improved laws and policies. A useful ally has been the national trade union centre coordinating body, SKOP, that has collaborated with IBC and the trade unions in the garment industry to promote cross-sector unity among workers in Bangladesh. One success has been the amendment of the labour law, where the minimum required percentage of workers in a factory to form a union was reduced from 30 to 20. (See Annex J for the Bangladesh country report.)



Likewise, in **Myanmar**, training has been a central part of SP's efforts. One outcome of social dialogue training of trade unions,<sup>33</sup> showing partner organisations with increased influencing capacity, is that **trade union federation IWFM<sup>34</sup> developed their own training curriculum and organised Training of Trainers on social dialogue**, resulting in 20 new volunteer trainers. After receiving the training, the union leaders had to organise new members at factory level to practice what they had learnt. They facilitate weekly meetings between township leaders and basic labour organisation leaders to be updated about the factories. In that way, the trained basic labour organisation unions are able to apply social dialogue mechanisms at the factory level effectively.

With the support of M-FNV's core partner organisation in Myanmar, Apheda<sup>35</sup>, union partner organisation MICS<sup>36</sup> has become able to handle issues in a more technical and systematic manner. They used to *"be carried away by their own emotions"* and had a rather undisciplined approach, but after the training they have learnt to take time to reflect, process information, analyse the situation and define a strategy to solve problems that arise. Their leadership skills have improved, and they are now able to **constructively fill their representative role at the tripartite meetings**. MICS has also 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. They use cases and information drawn from their internal reporting systems when engaging in dialogues on changes in law and policies. The same union also conducts social dialogue training at the factory level. Consequently, conflicts between workers and employers have significantly receded. At federation level, IWFM has **strengthened factory level**

<sup>33</sup> Provided by the SP partner organisation IndustriALL

<sup>34</sup> Industrial Workers' Federation of Myanmar (IWFM)

<sup>35</sup> Apheda

<sup>36</sup> Myanmar Industries Craft and Services (MICS)

**trade unions to reach solutions through negotiations instead of turning to strikes.** They use challenges presented by the basic labour organisations at factory level to discuss solutions with the local unions to improve their negotiation skills. IWFM puts pressure on the government to enforce the rule of law with regard to dispute settlements, and they organise campaigns when they perceive the verdicts to be unfair.

To reduce competition between the unions, Apheda and trade unions started a factory mapping and agreed that new recruitment efforts should take place where no other union existed. Where overlap exists, the union leaders now discuss and agree.

The successful **gathering of unions in the common Labour Consultative Forum (LCF)** has been the basis for several promising processes in Myanmar (see Box 5.4). The forum has made it possible for the union movement to speak with one voice in tripartite processes, making it significantly easier for the government to take workers' opinions and demands into consideration when laws and policies are being carved out in a country where social dialogue is a fairly new concept. In addition to giving unions a voice, the LCF also includes labour right NGOs that for the first time have been accepted and listened to by relevant authorities. 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 National Tripartite Dialogue (NTD) and the wider labour movement. With this, the **tripartite relationships have improved.** Apheda's capacity building of 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.

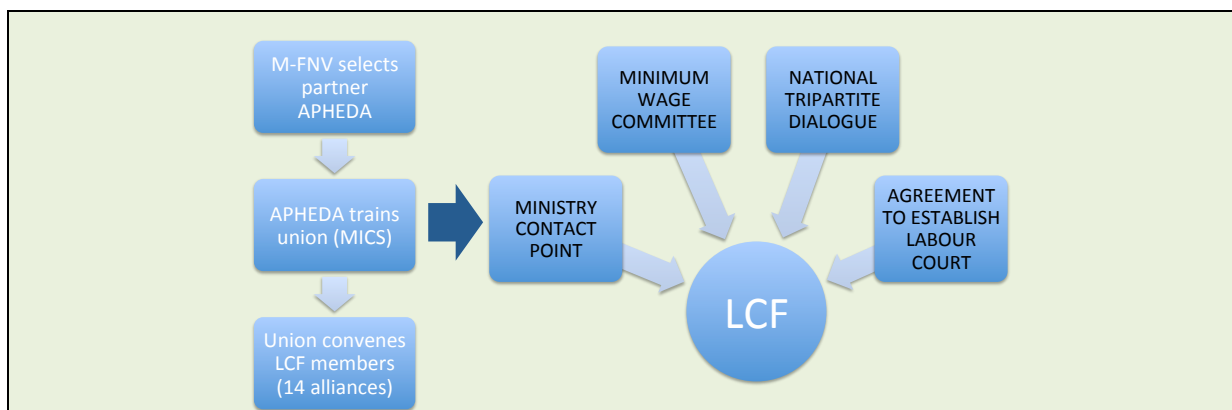
Apheda has been working closely with MICS, giving technical and financial support and has over time, through meetings and exchange of information, gained the trust not only from MoLIP but also from trade unions, CSOs and NGOs. Training and bringing unions together in the LCF have brought promising impacts as the **social partners have reached agreement on the establishment of a new labour court proceeding.** The work for the new proceeding was initiated by Apheda with the support of M-FNV through the Labour Consultative Forum where they pointed out the many weaknesses of Myanmar's labour dispute settlement mechanism. Apheda has worked effectively to influence the labour ministry and all parties are working towards the establishment of a new Labour Court proceeding at the soonest, where Apheda's continued contribution to mentor the process is considered crucial. (Read more in Annex K.)

Box 5.4: Labour Consultative Forum in Myanmar enables unions to speak with one voice

The Labour Consultative forum (LCF), founded in March 2019, rapidly became an important arena – and actor – for improvement of workers' rights. LCF was organised by M-FNV and partner organisations and consists of 14 trade unions and labour right NGOs. To begin with, the biggest challenge was to unite the trade unions and the labour right organisations, and create an atmosphere characterized by trust, equal treatment and mutual respect. Three committees are formed around Minimum Wage, Labour Law Reforms, and Labour Court Proceeding. One union<sup>37</sup> part of the LCF is the trade union representative in the National Tripartite Dialogue (NTD), and has become the communication channel between the LCF and the NTD. Lately, the alliance has become the point of communication for the government for any labour related issues to be raised at national level.

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<sup>37</sup> MICS



The main purpose of setting up the LCF was to establish a neutral platform for relevant stakeholders, such as labour right NGOs not being part of the NTD, to share experiences and discuss solutions to labour rights issues. Through the LCF, stakeholders have the opportunity to raise issues and provide input to the participation in the NTD. MICS is tasked to report back to the LCF 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. When it comes to minimum wages, engagement with proper research, forums and discussions among LCF members have translated into input for the NTD deliberations, and thereby influencing government decisions on minimum wages. When it comes to the Labour Court Proceedings, the forum that was organised concluded that a reform of the labour court for dispute settlement is urgently needed.

The LCF has been successful in gaining trust from the government and the labour ministry. The LCF was instrumental in restarting the tripartite dialogue after it broke down early 2019, when trade unions walked out from the tripartite meeting after not being able reach agreement on the Labour Organisation Law. Through informal side talks between the parties, the dialogue was kept open, and shortly after the first meeting in the LCF, the national tripartite dialogue was reopened.

A more indirect, but still important, positive result of LCF is that the NGOs are gaining workers' trust through the collaboration in the LCF. It appears that government has even started to talk with labour NGOs on how to tackle the consequences of the Covid-19. (See Annex K for supplementary information.)

In **Cambodia**, the only SP partner present in the country, CNV-I, has trained unions to increase their lobby and advocacy engagement. As in Bangladesh, the environment for trade unions is harsh. Being granted the '*most representative status*' is a prerequisite for engaging in negotiations at company level and in a context of union busting and competition with government and employer installed unions, a successful registration of an independent union 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 '*most representative status*' certificates were awarded to local unions and recognized by the ministry.

Over time, the trade unions in Cambodia have established a good working relationship with the employers' association. The trade unions and the employers agreed to establish a **common structure to solve controversies** through dialogue and consultations. The structure has been used to agree on the most representative status in four factories, and they have conducted joint trainings on successful bipartite cooperation.

**Indonesia** is the only country where all the three SP partners are present. Through trainings and awareness raising initiatives leading up to the signing of CBAs (see Box 5.7), 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<sup>38</sup> have demonstrated **increased influencing capacity** through improved understanding of, and skills in, social dialogue.

In **India 22,947 workers were organised as a result of revitalized organising efforts**. 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, while under the SP programme, a structure has been developed with young union leaders<sup>39</sup> who reach out directly to workers through meeting them in the communities where they live, and through mobile applications. Applying different strategies, including building a database platform for trade unions and workers, the trade unions' reason for existence - to serve their worker members and engage with workers directly about their working conditions on a day-to-day basis - has been revitalised, as opposed to a tendency of only working politically.

In **Ethiopia**, the ILO, in partnership with its tripartite Ethiopian partners, organised a tripartite round table in February 2020 to discuss issues of social dialogue, freedom of association and collective bargaining, living wage and gender. Prior to the roundtable, M-FNV met with its trade unions partners helping them to prepare for the meeting by using facts and figures from previous research under the SP programme on living wages and CBAs. The research and the meeting were part of a project of WageIndicator, which was supported by M-FNV. 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 proved to be effective: when speaking in the roundtable meeting, the two trade unions specifically referred to the research. According to M-FNV, other participants had also quoted from the research, illustrating the effect of producing and conveying new information. Some of the key findings in the research were included in the roundtable summary. The story confirms the capacity of the two SP partner organisations to **engage in evidence-based lobbying at national tripartite level**. (Read more in Annex O).

### 5.2.2 Changed practices at factory level

One aim of the support to trade unions is to strengthen their bargaining skills in order to have more and better collective bargaining agreements (CBA) in the factories. A higher goal might be to reach sector-agreements, which so far do not exist in the seven SP production countries. Another model SP has worked on is establishing multi-company collective bargaining agreements (MCCBA). At the time of the End Term Evaluation, there were three MCCBAs in Indonesia and one in Vietnam (see Box 5.5 and 5.7 below). As mentioned in section 5.1 above, the IATI data might not be filled in similarly in the seven countries. What can be found on CBAs is that between 2017 and 2019, there were new 142 CBAs: 15 in Bangladesh, 1 in Cambodia, and 126 in Myanmar.

In **Vietnam**, trade union members, employers and labour authorities at local and national levels agreed to establish a pilot MCCBA (see Box 5.5).

Box 5.5: Pilot MCCBA in Vietnam on its way to become scaled up

An MoU was signed in July 2018 between CNV-I and the social partners the Confederation of Labour and the Chambers of Commerce and Industry and the Ministry of Labour Invalids and Social Affairs (MOLISA) for promoting effective social dialogue and collective bargaining in the Vietnamese garment sector. 76 representatives participated in the signing ceremony with high-ranking personnel from the signatories as well as the labour ministry. The pilot MCCBA project has aimed at enabling tripartite stakeholders, especially at provincial and factory level unions, to

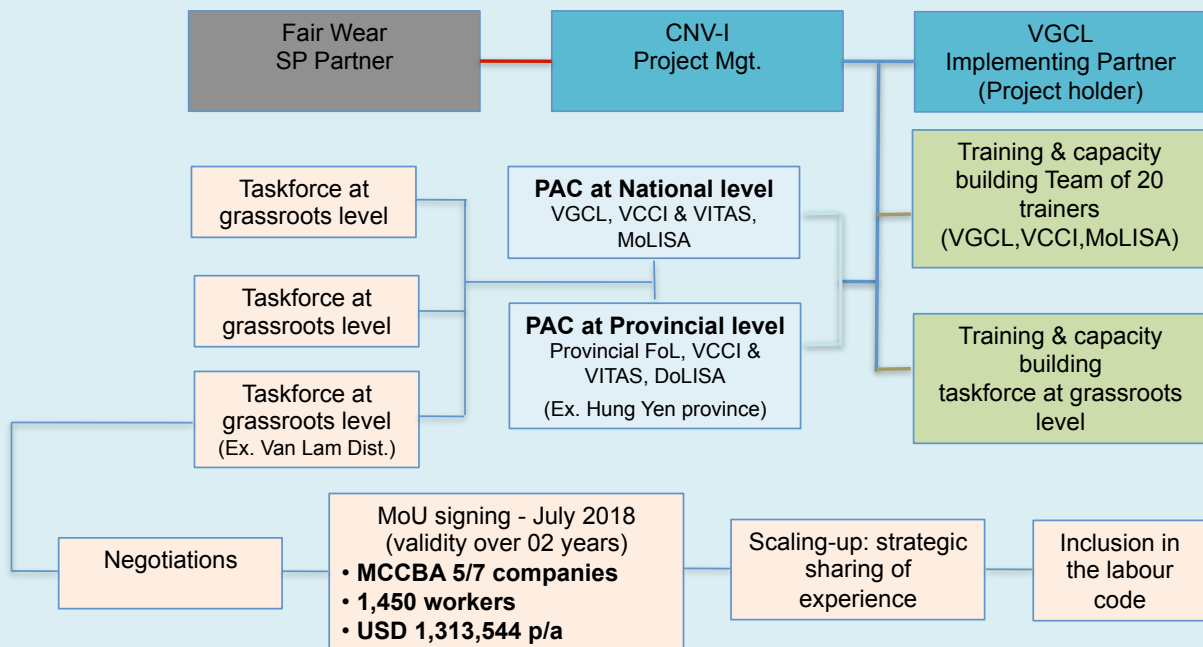
<sup>38</sup> In this case in particular the trade unions Garteks and KSBSI

<sup>39</sup> In Tirupur

experience real social dialogue and multi-employer collective bargaining. The project initiated effective cooperation between social partners and strengthened the social dialogue capacity of the trade unions, employers' associations and the labour authorities, at the national and regional levels. A pool of 20 local trainers from the three social partners was trained. Several training workshops on social dialogue were held in two different districts for trade union representatives at different levels, employers' associations and authorities. In 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. They especially found the Dutch 'polder model' and the effective social dialogue in the Netherlands relevant. Upon the completion of the study visit, the trade union at national level and district level strongly supported the idea of involving the factory level union as much as possible.

A representative from a 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 the labour ministry 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"*.

A key element of the project strategy is the use of pilot initiatives through a bottom-up approach where most of the project interventions take place at the enterprise level. Changes in practice at factory level through pilot work are perceived to have an important demonstration effect and to provide a key source of results-based learning for the stakeholders. The project activities were designed with separate activities for each implementing partner, complemented by joint activities for all. Stakeholders are part of a tripartite *Project Advisory Committee* at national, provincial and district level.



By mid-2019, five of the seven participating companies had signed the MCCBA that includes eight new benefits for the workers. Taking as point of departure the legal minimum wage in the pilot district, the value of the MCCBA for the 1,450 workers working in the five companies is around USD 650,000 per year, calculated as the estimated value of the eight benefits that come in addition to the minimum wage.

None of the factories involved supply to Fair Wear members. Both the trade union federation and the employers' association would like the process to be expanded, as they find that the pilot MCCBA is more efficient in terms of time spent on bargaining than the current industry CBA model in Vietnam, and yet guarantees the quality of the bargaining agreement.

After signing the pilot MCCBA, the SP partners have moved into scaling up their experience in order to reach more factories' and eventually more workers. They have presented the experience to a number of relevant actors and 31 other garment factories have agreed to participate in similar MCCBA processes. It is assumed that more than 30,000 employees can benefit from the new MCCBAs. (Read more in Annex I.)

A training process undertaken by Fair Wear is the '*Workplace Education Programme*' (WEP). This is a training package providing short, targeted onsite training for management, supervisors and workers.

In **Vietnam**, 75 factories with a total of 10,235 participants have participated in the WEP Basic training between 2014 and 2019, of which about four in five are workers, reaching an average of 12 per cent of the total workforce and 50-60 per cent of managers at the participating factories. In Vietnam, a specialised training Workplace Education Programme Communication Module (WEPC), was also designed to assist factory managers and workers to engage in a safe and constructive dialogue leading to improved production processes and working conditions. WEPC is an intensive training for management, supervisors and selected workers. The general manager, the HR manager and other managers that communicate with workers on a day-to-day basis need to be present in the training. Participating in the training helps workers and management to develop skills and tools to assess workers' opinions, concerns and grievances. Workers learn to raise issues, analyse them and present their findings in a systematic way and openly discuss solutions with management, thereby contributing to increased understanding for management decisions. The program supports the factory to build up an effective system for communication and dispute handling, especially enabling a constructive dialogue environment. In Vietnam, this training was piloted in June 2019, and was offered free of charge to six selected factories supplying Fair Wear member brands. According to Fair Wear, several joint solutions have been implemented, such as increased quality of meals and other benefits for the workers.

As has been mentioned, a high number of CBAs have been registered in **Myanmar**. Also, Fair Wear has implemented its WEP Communications project there, that was been found to lead to **reduced turnover, lower absence of workers and decreased production costs** in one of the factories visited by the En Term Evaluation. Some workers who participated in the training shared that their ability to negotiate and bargain had improved through the WEPC training. With improved negotiation skills, workers have achieved better transportation facilities, improved policies on leave and more fans at the workplace. Management reported that the relationship among middle management had improved as they had become more aware of how to use personal attributes like respect, listening skills, emotional control and communication skills.

In **Indonesia**, two pilot MCCBAs are signed, see Box 5.6.

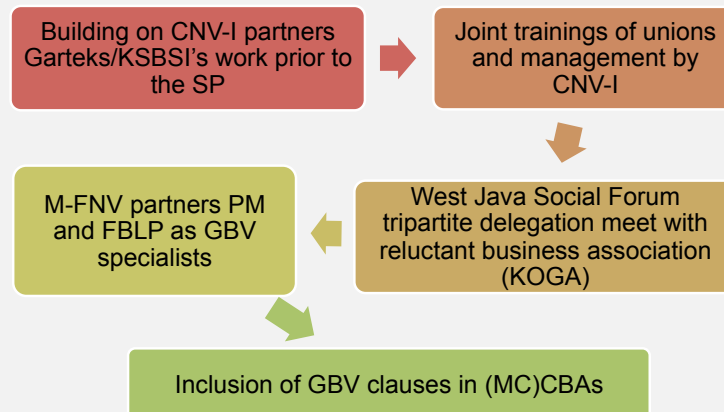
Box 5.6: MCCBA improves working conditions in Indonesia

Two CNV-I partner organisations<sup>40</sup> have been key actors with regard to Multi Company Collective Bargaining Agreements (MCCBAs), with a tripartite dialogue forum<sup>41</sup> coordinated by one of the partner organisations as an important arena for dialogue, outreach and training. The *Subang*

<sup>40</sup> Garteks and KSBSI

<sup>41</sup> West Java Social Dialogue Forum

MCCBA involves 10<sup>42</sup> Korean owned factories and six unions, covering 17,000 garment workers. None of the factories involved supplied Fair Wear members at the moment of signing the MCCBA. More recently, other Korean factories have seen the business benefits and expressed their interests in exploring the possibilities of entering similar agreements. Prior to signing the first agreement, CNV-I senior staff trained both unions and management in negotiations skills, and the two union partner organisations followed up with trainings and awareness raising events targeting the companies, hereunder union members, workers and management. The training and information sharing activities included top managers, relevant governmental bodies and industry associations.



Monitoring of the implementation of the MCCBAs is crucial for verifying to what extent they have real impact. Led by the tripartite dialogue forum, trade unions have demonstrated high influencing engagement in the way the MCCBAs has been followed-up, interviewing worker representatives and documenting real changes on the factory floor. Another example of increased engagement is when the tripartite dialogue forum carried out an outreach assessment in four other provinces with the purpose of replicating the MCCBA. So far, this has resulted in one new MCCBA covering five garment companies and one union in Cianjur.

The tripartite nature of the West Java Social Dialogue Forum has proven instrumental in overcoming challenges in the MCCBA processes. At a critical point in the negotiations of the Subang MCCBA, the companies involved withdrew from talks due to a previous bad experience of negotiating with one of the unions on minimum wage issues. To get the process back on track, a high level tripartite delegation met with one of the chairmen representing the group of companies who requested the complete draft MCCBA to be translated to Korean, in order for it to be shared with the Korean top managers and owners. Subsequently, the companies agreed to sign the agreement. It is likely that the tripartite nature of the delegation, showing that the MCCBA was backed by both the government and the business association, contributed to the successful signing of the Subang agreement. Similarly, before the signing of the Cianjur MCCBA, the coordinator of the tripartite dialogue forum accompanied by two company representatives successfully met with the District Head of Manpower Officer to counter the rumours that the forum and the MCCBA was a profit seeking initiative. Following this meeting, the process came back on track and was implemented shortly after.

The signing of the MCCBAs is 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 resolution. From a situation characterized by demonstrations, union busting and unions with a confrontational approach, the MCCBAs are reported to have led to more harmonious worker relations, better wages, lower turnover, fewer

<sup>42</sup> Initially 9 companies signed the MCCBA, one company joined later

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. There are also signs that after signing the collective agreement with workers, performance has increased giving better results for the factory<sup>43</sup>. (For more information, see Annex L.)

Fair Wear arranged a supplier seminar in Indonesia where both management and unions at factories supplying Fair Wear brands participated. The seminar contributed to increased mutual respect and understanding, leading to a more constructive dialogue at the workplace. SP's report from the Indonesia Mission includes the following statement from a supplier to a Fair Wear member brand: *"The introduction of social dialogue is by far the biggest change, and it is here to stay. That has resulted in big changes at our factory. It used to be difficult for us to communicate with the workers. Training activities by Fair Wear have provided us with tools to get in touch with the workers' sentiments. For example, we do surveys among our workers to see how they feel about certain things. That allows us to modify our policies."*

The power of Fair Wear's complaints mechanism is clearly illustrated in a case of union busting in Indonesia. In 2016, after having formed a new local union, 13 unionists were fired from the factory they worked at in West Java. Through the 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, and the two MSIs initiated a meeting including also their two member brands and factory management. This resulted in the successful reinstatement of all the fired unionists. 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 of union busting. According to an SP 'Story of Change', the leader of the new factory level Garteks union two years later 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"*<sup>44</sup>.

Fair Wear's publicly available database of resolved complaints at the websites is a good example of sharing lessons learnt broadly, giving others the opportunity to learn as well as to reach out and engage with brands, or Fair Wear itself, on specific topics or where there is overlap in the supply chains.

In **India**, Fair Wear organised a supplier seminar on social dialogue in Delhi in 2019 with 30 participants from local trade unions, business organisations, brands and factory management. A 'good practice case'<sup>45</sup> outlined a supplier engaging with a union after claims of violence and harassment and work disruptions. Following a period of meetings, an MoU was signed outlining the two parties' commitment to keep the social dialogue open. An important outcome, besides reportedly better treatment of workers, was showing that social dialogue can also have benefits for management and suppliers. This worked as a myth-cracker for participating factory management who expressed that they had learned that unions not only demand higher wages.

The increased organising in India has reinforced workers' strength to exercise their legal rights. Based on training received by M-FNV, a union partner organisation coordinated capacity building to enhance social standards in 200 spinning and weaving companies. A project report claims that

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<sup>43</sup> SP Indonesia mission report

<sup>44</sup> Indonesia - Yumanna – 2019, Story of Change, Internal SP document

<sup>45</sup> <https://www.fairwear.org/stories/fair-wear-brings-unions-and-suppliers-together-in-north-india>

this led to **significant improvements of working conditions, especially for women and girls.**<sup>46</sup>

In **Bangladesh**, informants told that **CBA**s had become an emerging alternative tool for **dispute resolution**. SP partner organisations have worked at factory level with trust building, imparting confidence in workers, relationship improvement and ultimately change in the factory environment. Collective bargaining has become an effective tool for obtaining workers' rights. There are approximately<sup>47</sup> 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. Increased dialogue between workers and management has also led to on-site improvements such as separate toilets for men and women.

In **Cambodia**, CNV-I engaged with several Dutch member brands of the Dutch Agreement on Garments and Textile (AGT) where CNV-I are also a member. Based on an analysis made by one of the Cambodian SP partner organisations<sup>48</sup>, the parties identified 18 unionised AGT suppliers and **shared information with the brands on cases of serious labour rights violations** in 9 production locations. This led to engagement with several brands around the specific cases. In some cases, brands interfered, and the issues were solved, while in others, the engagement is on-going, with the potential of becoming test case(s) for the AGT's grievance mechanism. See Annex M for supplementary information.

### 5.2.3 Changed laws and policies

2019 was a remarkable year for **Vietnam**, with an extensive revision of its labour law, the ratification of ILO Convention 98 (the right to organise and bargain collectively), and a push for approval of the free trade agreement with the EU. Fair Wear and CNV-I engaged in different, complementary and simultaneous lobby efforts on multiple levels in the process of the **labour code revision**, hereunder consultations and collaboration with civil society at large, workshops with the Labour ministry, and roundtable with labour NGOs, the national union confederation and the National Wage Council. They sent official letters with recommendations to the drafting team. These efforts coincided with the joint SP Directors' visit to Vietnam as well as the Dutch Prime Minister' meetings with the Vietnamese President putting pressure on Vietnam to promote decent work and responsible business conduct ahead of the signing of the Free Trade Agreement with EU. The SP and the Dutch Embassy arranged a host of visible, successful events, such as a fashion show, a seminar for National Assembly members and an International conference on current wages and solutions toward living wages in Vietnam garment industry. These and other joint efforts with other organisations contributed to the revision of the Labour Code 2019, hereunder a new definition of wages and two new articles on minimum wages and one on overtime work. The new labour code will come into effect on 1 January 2021. Although many factors and actors influenced the final changes, it is likely that SP's interventions have contributed to the debate around the amendments in the labour code, together with external pressure from the EU, the USA and the ILO for the Vietnamese Government to update its labour code in line with international conventions and commitments in the Free Trade Agreement between the EU and Vietnam.

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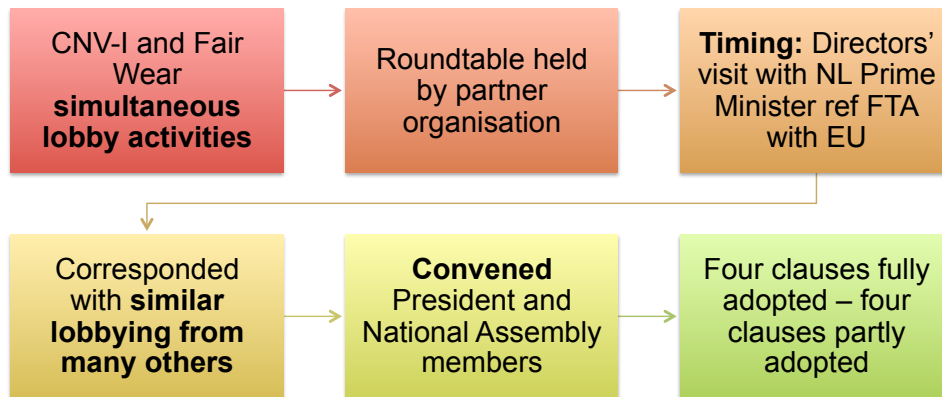
<sup>46</sup> Annexes to SP annual report 2018. The report does not specify which working conditions and how the improvements were tracked

<sup>47</sup> This figure was given to the End Term Evaluation during interviews; however, in the IATI database there are 15 CBAs registered for Bangladesh.

<sup>48</sup> C.CAWDU

The pilot MCCBA, representing a different model that has been found more efficient than the existing Industrial MCCBA in Vietnam, will be presented as an optional model in the revised labour law.

Figure 5.6: SP lobby and advocacy process for amendment of labour law in Vietnam

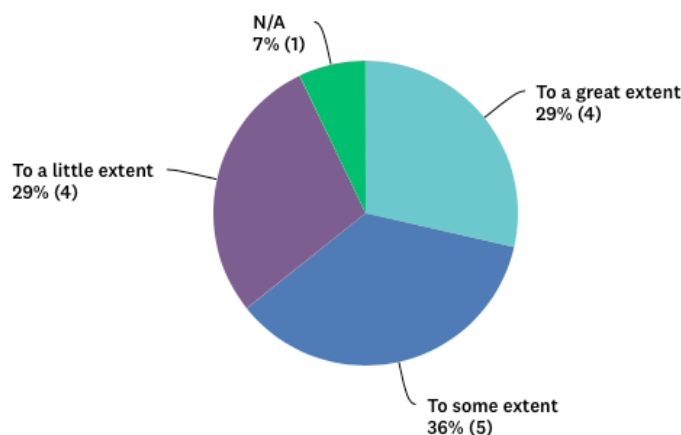


In **Bangladesh**, lowering the threshold for the number of workers organised before one can apply for a new trade union registration has been a key lobby target for SP partner organisation IBC who put this forward in 2017. Roundtable consultations were held with stakeholders at field level and federation and industry levels to change the labour law. SP staff also engaged directly in lobbying the federal government. The '*Bangladesh Labour Amendment Act, 2018*' was approved by Parliament in November 2018 and reduced the threshold to establish a factory union from 30 to 20 per cent of the workforce. Although an important and encouraging improvement, the new Bangladesh requirements are still strict compared to the ILO recommendation of five per cent.

#### 5.2.4 New policies and practices of brands within social dialogue

14 brands responded to the question: "To what extent has the Strategic Partners Fair Wear, CNV-I and M-FNV influenced your brand or your suppliers to participate in activities related to Social Dialogue?". Four brands answered that this had happened to a great extent and five brands said it had happened to some extent, see Figure 5.7 below.

Figure 5.7: Brands' responses to what extent SP has influenced them or their suppliers to participate in activities related to Social Dialogue



All 14 responding brands stated that they tracked whether social dialogue mechanisms and collective bargaining agreements are in place in the factories they source from. Below are some selected qualitative responses on how the brands execute the tracking:

☞ *Dialogue with workers representatives*

- ☞ *Worker representation*
- ☞ *Check attendance list and meeting minutes, track how often meetings are held and investigate on variations*
- ☞ *Through audit reports and discussions with the supplier*
- ☞ *Whenever we believe that no real social dialogue takes place, we encourage and support if needed with individual solutions like trainings, in person guidance, etc. dependent on the specific needs of the factory*
- ☞ *By physical visits to the factories*
- ☞ *Audits, follow up, training (WEP)*
- ☞ *Factories share information. But for a few factories in China it is less transparent. We have for example training programs done by a third party, to make factory management more aware of the social dialogue.*

Answering on behalf of their members, the AGT secretariat reports that **AGT signatory companies have become more aware of social dialogue through activities of the SP** or its members. It is referred to a CNV-I-produced video<sup>49</sup> about how improved social dialogue in a Cambodian garment factory contributes to better working conditions. The video was shown on the AGT member day. Consequently, **12 AGT brands indicated that they wanted to engage more to improve Freedom of Association in their supply chain.**

Commenting on the usefulness of SP's tools and activities, the German Partnership for Sustainable Textiles (PST) **expressed that they found training of factory unions and MCCBAs to be the most relevant for promoting social dialogue.**

Figure 5.8: Survey respondents on social dialogue activities

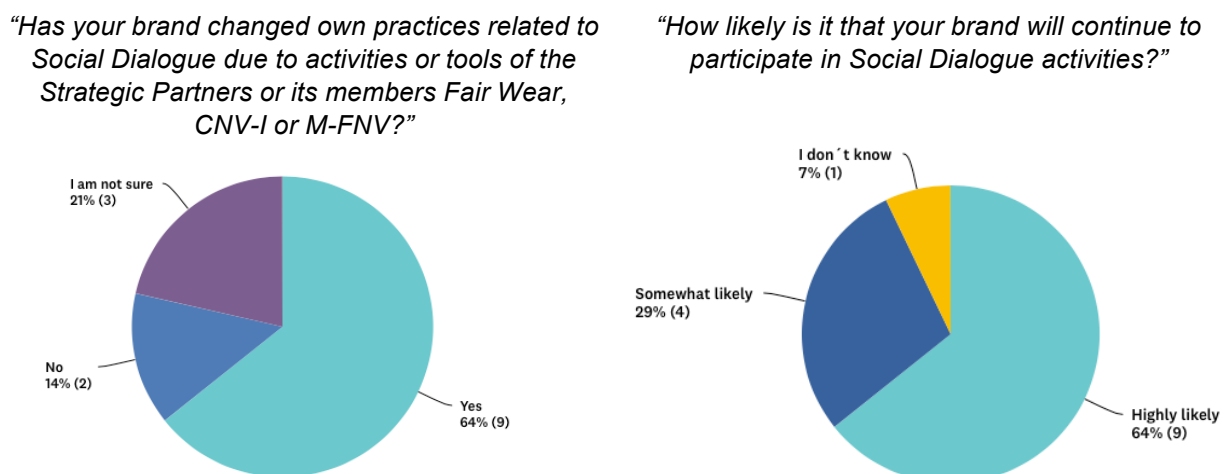


Figure 5.8 shows that **nine of the 14 responding brands stated that they had changed their own practices related to social dialogue due to activities or tools from SP**, and nine also believed it was highly likely that their brand would continue to participate in social dialogue activities. Brands' comments included:

- ☞ *Been more active in discussion with suppliers regarding social dialogue*
- ☞ *During each visit, worker representatives are being met, CAP is discussed, WEP reports are discussed, meeting protocols are looked at, etc.*
- ☞ *We pushed to establish workers representatives*
- ☞ *Provide more training*

<sup>49</sup> <https://www.youtube.com/watch?reload=9&v=jzgDfYb6yro>

☞ *More questions asked to suppliers and more "investigation" on the related topics*

Based on the survey responses, it appears that **SP's activities have inspired member brands to increase their attention of the importance of social dialogue in the factories**. More than half of the respondents stated that they had changed practices due to SP activities or tools. Unfortunately, the low number of respondents does not allow conclusions to be drawn on Fair Wear member brands in general. However, the responses received show that some brands are comparatively advanced in their focus on and approach to social dialogue.

#### **5.2.4 Possible success factors driving the social dialogue outcomes**

Table 5.3 lists some of the identified outcomes from the seven production countries within social dialogue, suggesting different success factors. Neither the lists of outcomes nor internal success factors are exhaustive, but rather an attempt to synthesize possible triggers or success factors for each outcome. The table takes as its point of departure the SP 'change logic' that is presented in Figure 5.1, where the first three columns represent the three SP outcome levels increased capacity of partner organisations, increased engagement from partner organisations, and changed policies or practices.

As already discussed in relation to the SP IATI data in section 5.1, one should be prudent in comparing the different outcomes, as the scopes and scales vary quite a lot. Some outcomes might have implications for thousands or even millions of workers, while other outcomes impact only a small group. Some outcomes feature sustainable long-term changes, while others describe on-going processes that, hopefully, will bring about sustainable changes later on. Thus, each outcome should be studied independently.

SP operates along two avenues to install social dialogue: directly at factory and at national levels (the latter should eventually impact factories' operations). Although differently organised in all seven SP countries, a common characteristic is the wide divide between management and factory workers, and for many, the participation in SP's activities appears to be a first experience with a social dialogue exercise. Social dialogue deals with structural perceptions of the other, it is about social and economic hierarchies, and it is about culture and tradition. It is about differences of interests and an effort to overcome and change these in order to reach a negotiated settlement. Thus, what SP has started must be regarded as a long-term process. Taking this into account, it is impressive to see how much SP has achieved in such complex environments in a relatively short time.

While success-factors will vary from case to case and are sometimes incidental and sometimes due to factors external to the SP partners and their partner organisations, some elements stand out. **Tailored capacity building**, including a smart mix of separate and joint events between workers, unions and management, is an important driver for positive change when it comes to social dialogue, being it in negotiation skills, organising capacity or in drafting legal proposals, enabling a more constructive dialogue with higher likelihood of a positive result at factory and national levels. It is worthwhile mentioning the inclusion of the gender dimension in a number of initiatives. It is a central part of the WEP programmes, having a separate gender module, and is in different ways frequently integrated in the work on social dialogue, for example when issues of sexual harassment are dealt with through union work.

It appears evident that the **project design, its execution, and use of evidence-based research** have been success factors in several identified outcomes. In Myanmar, teaching workers about labour laws so they could point out gaps to employers was found important. In Bangladesh, making employees understand the challenges of the factories helped to create a sense of partnership and enabled an improved social dialogue at the workplace. From Indonesia,

we have included one (of many) illustrative example of how the Fair Wear **complaints mechanism** led to brands' awareness of union busting, and managed to stop the practice.

It is beyond doubt that the different **common platforms**, such as the Labour Consultative Forum in Myanmar, the common trade union space under the IBC in Bangladesh, and the tripartite social forum in West Java in Indonesia, play decisive roles in achieving outcomes at policy level. For such platforms to work, members must be willing and able to listen to one another and understand each other's perspectives. The platforms have been instrumental in building trust and increased mutual understanding between participants, enabling common stands and a more unified voice. Some underlying factors enabling the success of the common platforms are: the **convening power of the initiators**; the strength, **network and position of the participants**; and their **willingness to collaborate**.

Common platforms among unions might not be as important in Vietnam and, until recently, Ethiopia where unions belong to the same national confederation. Thus, in Vietnam and Ethiopia, the success factor appears to lie in establishing a **solid partnership** with the politically well-positioned trade union confederation that can conduct training and capacity building processes, and open doors into political decision-makers for initiatives they find potentially beneficial and that may be suitable to the system, such as the pilot MCCBA model in Vietnam.

Looking at the different identified outcomes within social dialogue, it seems that most of these have been reached in processes involving only one SP partner, with the exception of the newly started dissemination of experience to scale up the Vietnam and Indonesian MCCBAs, and the change in the trade union law in Bangladesh and Vietnam.

Being a partnership between trade unions and an organisation with brands as members opens a potential avenue for unions to engage with employers. The pilot MCCBA in Vietnam did not include brands as was originally planned. This was partly due to the practical issue where VGCL has a strong district trade union in the MCCBA pilot area Van Lam district, while the Fair Wear members source from other areas. In Indonesia, the pilot MCCBA was a continuation of CNV-I's on-going efforts focusing on producers rather than brands. The role of the brand is predominantly played in the way they engage with producers. Brands give impulses and space to factories to engage with workers, while unions are capacitated to engage with factories on behalf of workers. The idea behind the SP transformation model is that the result of these two movements should encourage and give strength to the social dialogue between workers and employers., This End Term Evaluation did not find any examples of these two movements crossing paths at factory level. That does not mean, however, that such synergy does not exist.

Thus, assuming that the SP transformation model includes simultaneous work with unions in factories and brands sourcing from the same factories, this part of the transformation model cannot be said to have been fully tested in the two MCCBA pilot cases.

In Cambodia, although there are clear signs of value added from being part of the SP, there is so far an untapped potential of entering strategic alliances, publicly or more discreetly with buying brands within the area of social dialogue.

Some of the outcomes in the Table 5.3 below do not strictly follow the SP 'change logic':

- In Vietnam, Fair Wear appeared to have carried out a substantial amount of lobby and advocacy themselves for the successful changes in the labour code, hence the outcome depended less on the strengthening of the partner organisations for their part, while the CNV-I mostly lobbied through their partner VGCL.
- In Bangladesh, the success behind the SP contribution to the change of the labour law appears to be the lobby power of IBC itself, rather than new capacities installed through

training.

- In **Cambodia**, the programme differs from the other countries in that it finances legal aid to threatened trade union activists.

Table 5.3: Identified Outcomes within social dialogue\*

Lobby capacity	Lobby engagement	Policies / practices	Possible success factors	SP	Case	Country
			Strong partner organisations. Exchange NL	CNV-I (FWF)	MCCBA	VN
			Lobby coincided with international pressure. Directors' visit Joint statement with other NGOs	FWF CNV-I	Labour code revision	VN
			Training of management and workers' representatives together	FWF	WEP/WEPC	VN
			IBC convening power	M-FNV	IBC hosting trade union space	BD
			Training	M-FNV	New CBAs	BD
			Common trade union space	M-FNV	Trade unions gain local acceptance in RMG clusters	BD
			IBC convening power	FWF M-FNV	Labour law; lower threshold for forming trade unions	BD
			New law, training	M-FNV	Formation of new trade unions	BD
			Apheda convening power	M-FNV	LCF established	MM
			Training	M-FNV	IWFM training, campaigning	MM
			LCF existence	M-FNV	Tripartite dialogue	MM
			LCF existence	M-FNV	Agreement on establishing labour court	MM
			Fair Wear recruiting skills	FWF	WEP	MM
			Choice of union partners	CNV-I	SD union-employer structure	CM
			AGT memberships	CNV-I	Union (C.CAWDU) engaging brands (AGT)	CM
			Making use of existing court system	CNV-I	Legal aid – release of union leader	CM
			Synergies with GBV	CNV-I	MCCBA	ID
			Complaints mechanism	FWF	End of union busting	ID
			Use of existing mechanism	CNV-I	Union (Garteks) lobbies for increased labour inspectorate	ID
			Convening power	FWF	Suppliers with increased understanding of SD	IN
			PST Partnership	M-FNV	SD training to German PST companies (SAVE)	IN

			Use of evidence	M-FNV	Trade unions use evidence in tripartite meeting	ET
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\*) Colour codes:

Clear outcome	Possible outcome	Clear synergy	Some synergy
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### 5.3 Outcome stories about living wage

The Terms of Reference state that: *“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...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...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.”*

#### 5.3.1 Minimum wage processes at national level

In **Myanmar**, the trade unions used evidence-based lobby for increased minimum wages at the Labour Consultative Forum (LCF) before taking it into the national tripartite minimum wage dialogue. Before LCF was founded, the house of parliament submitted a draft minimum wage law reform to the parliament without prior communication with trade unions. Through the **LCF, the trade unions successfully influenced the house of parliament to stop the unilaterally written draft minimum wage law**. In order to prepare for an informed discussion of minimum wages within the LCF and subsequently in the National Tripartite Dialogue (NTD), SP partner organisations<sup>50</sup>, local trade unions and labour right NGOs gathered information on actual wages, applying systematic survey techniques. The findings were presented in the LCF prior to being discussed in the NTD. The trade union representative in the tripartite dialogue, MICS, considers their influencing capacity to have increased notably due to SP’s interventions, one example being that they are now able to produce draft policies when preparing for tripartite meetings. MICS’ increased competence and better preparations prior to meetings have made them more confident in the dialogue. The new minimum wage is expected to be set in November 2020.<sup>51</sup>

In **Bangladesh**, informants stated that wages are kept at a very low in order for the country to maintain its role as a large global garment exporter. It has been a key SP priority to build an understanding and acceptance that the current minimum wage is not at a living wage level. SP partner organisation BILS carried out a research to establish the cost of living of workers in the garment sector. 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. In parallel, trade unions and labour NGOs worked with awareness-raising and campaigning at local level, making factory managers understand that the workers’ demands for increased wages was reasonable. IBC rejected the unilaterally announced new minimum wage value in 2018, and demanded that the workers’ voice be heard. Negotiations ended with the **minimum wage level increasing with**

<sup>50</sup> MICS with the support of Apheda, collaborating with Centre for Economic and Social Development (CESD), a national independent and non-political think tank and with technical support and guidance from the Dutch specialist organisation Wage Indicator.

<sup>51</sup> <https://www.mmtimes.com/news/new-myanmar-daily-minimum-wage-likely-november.html>

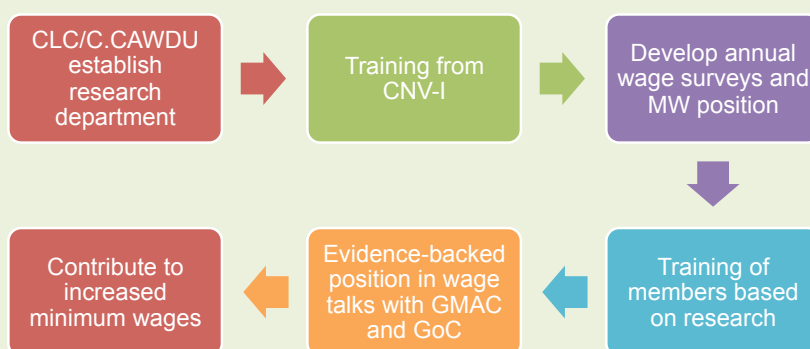
**53 per cent** (from 2013 to 2018). Although the new minimum wage was only half of what the unions demanded, the collective approach to the negotiation added weight to the union side. Using evidence of workers' living costs made both authorities and employers to understand the prevailing minimum wages 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. (See Annex J for more information.)

In **Cambodia**, union partner organisations contributed to higher minimum wages through evidence-based lobbying (see Box 5.7).

Box 5.7: Unions engaged in minimum wage negotiations using new evidence

CNV-I's Cambodian partners<sup>52</sup> have considerably strengthened their influencing capacity over the last years; one important factor is the establishment of a research department for evidence-based lobby. The research department produced wage surveys, built a coalition with other unions and NGOs to negotiate together on a minimum wage, and through continued discussions with the employers' association, they achieved a common understanding of the concept of a living wage within the industry. A concrete result is the annual wage surveys that have been carried out since 2017<sup>53</sup> by the unions and among their members, providing key inputs to the trade unions' position papers on minimum wage in the footwear and textile sector.<sup>54</sup>

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. The union C.CAWDU worked with 58 garment and footwear factories to ensure that the new minimum wage for 2019 was actually being paid from January onwards and that the factories changed from bi-monthly to monthly payments in line with the regulations. In 2020, the minimum wage was raised, although not to the level demanded by unions. The raise was nevertheless regarded as a partial victory.



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<sup>52</sup> CLC and C.CAWDU

<sup>53</sup> With technical support from the Better Factories Cambodia programme, a joint effort between ILO and the World Bank's International Finance Corporation

<sup>54</sup> Co-funded by CNV's Trade Union Co-financing Programme

To add more weight in the future, the unions have reached out to the ACT initiative,<sup>55</sup> IndustriALL, and global brands and retailers to address living wages in the garment and textile sector, using Cambodia as a pilot country. The production of the report, as well as basing the lobby efforts on the findings in the report, show the union's increased lobby capacity and influencing effort. Furthermore, it is worth noting that trade unions themselves attribute the change in policy, in this case the final setting of the minimum wage, partially to the production and sharing of the report. (For more, see Annex N.)

### 5.3.2 New wage practices in factories

In **Bangladesh**, Fair Wear has introduced the innovative tools 'Labour Minute Costing Tool' and 'Product Costing Tool'.<sup>56</sup> Following the launch of Fair Wear and M-FNV's joint 'Wages on the Move' pilot project in Bangladesh in 2018, brands, suppliers and unions have taken part in trainings on the tool. In 2019, a seminar for members of two employers' associations, BGMEA and BKMEA, was organised by Fair Wear, reaching a number of producers beyond the supply chains of Fair Wear members. Furthermore, with the purpose of making the increase in product price required to cover for the increased minimum wage and living wage transparent, Fair Wear and BKMEA agreed to use the tool for analysing the cost breakdown of different products. The brands were present at the suppliers' meetings and some brands stated their commitment to work jointly with the factories. However, the tools have not yet gained the necessary acceptance by brands and employers. The tools have also been introduced in Vietnam, India, Indonesia and Myanmar where suppliers have received training. In **Vietnam** Fair Wear shared their approach to living wage with the factories and relevant stakeholders via supplier seminars and a conference on "Current wage and the solution toward living wage in garment industry". The costing tool was shared with the employers' association VCCI and the technical wage research department of the union. The collaboration for testing the tool at suppliers in the network of the employers' association started in the last year of SP in 2020. A supplier seminar was organised by Fair Wear for brands adhering to AGT and PST (see under 5.3.4).

In **India**, **trade unions made evidence-backed demands** ahead of negotiations. Every four years, trade unions and exporters in the Tirupur garment and textile industry enter a new wage agreement. In preparation of the forthcoming 2020 negotiations, Fair Wear made a compilation of wage studies and figures for the region. The report was used as input to the trade unions' strategy development prior to the 2020 negotiations. Trade unions have enhanced their negotiation skills and the union and community leaders held several workshops leading to a common understanding on the input needed for the CBA negotiation phase.

Spurred by a living wage study by a local NGO in 2015, a Fair Wear brand and their Tirupur-based supplier agreed on a daily living wage premium pay to workers on top of the minimum wage. The agreement covered 310 workers. In 2019, Fair Wear interviewed factory management and workers and found the following results:

- ☞ Workers wage have increased through receiving a daily living wage bonus.
- ☞ Workers are able to send their children to better schools or pursue higher education. Their children can take the school bus instead of walking. Workers can afford to buy more and healthier food and have some amount of money to spare during festivals.
- ☞ Factory management experiences 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.

<sup>55</sup> Action, Collaboration, and Transformation, a coalition of major global garment brands and global unions, with the promotion of living wages as a key priority.

<sup>56</sup> <https://www.fairwear.org/resources-and-tools/labour-minute-costing-calculators>

The brand is part of the 'Fair Wear Living Wage Incubator' and has shared their experiences with other brands on many occasions. According to Fair Wear,<sup>57</sup> 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% of the necessary wage increase. The local SP team can see changes in the way business associations talk about living wage, an issue they did not even want to discuss before.

In **Indonesia**, trade union Garteks' focus at company level has been to lobby management to ensure good wage structures and scales, to make sure there is payment of the legal minimum wages. Garteks has intervened on living wages through advocating local governments to revoke regulations to determine special wages in the intensified labour sector (including garment) below minimum wages. In March 2019, Garteks, together with other federations, **won a case in the Supreme Court stating that it is illegal for companies to pay below minimum wages.**

Garteks and other trade unions have been introduced with labour minutes costing by FWF.

The minimum wage is lower in Central Java than it is in West Java. This has created a wave of factories moving from Jakarta and West Java to Central Java, that again has led to many workers fearing they would lose their jobs. Therefore, unions have become more concerned with job security than living wages. In this context, lobby efforts, towards both government and producing companies, have primarily focused 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 at the national arena.

### 5.3.3 Lobby for law amendment

In **Vietnam**, the SP lobby and advocacy activities have been directed towards the wording of "Living Needs" being used in the amendment of the labour law, and ensuring that minimum wage and living wage calculations are similar in to what was discussed at the National Wage Council in 2020. The Vietnamese 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 per cent of the minimum living needs level. The Vietnamese Government, in its 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 the discussions.

In its written submission about the revision of the labour code in Vietnam, the SP provided recommendations on articles related to wages and working hours. For each article a suggested recommendation was provided with a rationale containing evidence from the SP work, such as pilots, wage analysis data, audits, trainings and complaints. The SP advocated for a definition on wages based on living needs of workers, which was adopted in the labour code (see 5.2.3).

In **Ethiopia**, the SP partner organisation, CETU, started a lobby process to amend the labour law in 2017. The following year, CETU, supported by M-FNV through their project with IndustriALL, organised a workshop on living wage with trade union leaders, employers, and representatives of the labour ministry. The workshop made the trade unions aware of their opportunities to advocate for a fair wage, and also showed them the need for increased knowledge and capacity for advocating more effectively. With support from M-FNV, IndustriALL organised an exchange visit for CETU to South Africa. This inspired CETU to partner with the Dutch Wage Indicator Foundation on the collection of data on CBAs, the cost of living and decent work in textile factories. The open tripartite dialogue during the workshop was an essential first step towards meaningful dialogue on minimum wage setting in Ethiopia. A first **legal framework** for the

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<sup>57</sup> Annual report 2018. SP

Ethiopian Minimum Wages Board was passed in 2019. The Board will be tasked with setting a base wage across sectors, based on, among other elements, the cost of living.

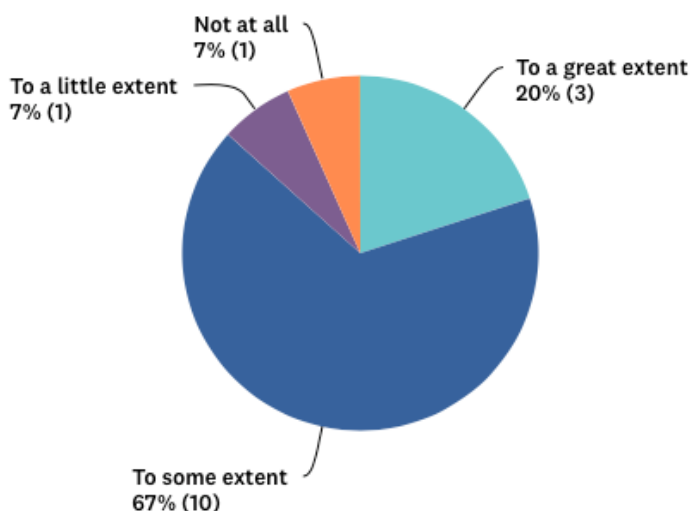
Figure 5.9: Legal path towards minimum wages in Ethiopia



### 5.3.4 New policies and practices of brands within living wages

15 brands responded to the question: *To what extent has the Strategic Partners influenced your brand or your suppliers to participate in activities related to Living Wage?* Three brands said this had happened to a great extent while 10 said it had happened to some extent, see Figure 5.10.

Figure 5.10: The extent to which SP has influenced brands or suppliers to participate in living wage activities



Of the brands that confirmed that they have worked with living wage activities, just below half the group maintained that they track wage levels in all the factories they source from, while just above half said they do so in some of the factories. One brand stated that all their suppliers pay living wages to all their workers. Some brands stated how they follow up on living wages, see below:

- ☞ *We collaborate with factories with the calculation, surveys to set a benchmark. We add an extra cost to some of our product as a step towards living wages. Fair Wear verifies that the amount is reaching the workers.*
- ☞ *Check current wage levels and compare them with various benchmarks of different wage levels from poverty line, industry average and living wage estimates.*
- ☞ *Compare living wage benchmark with results from audits.*

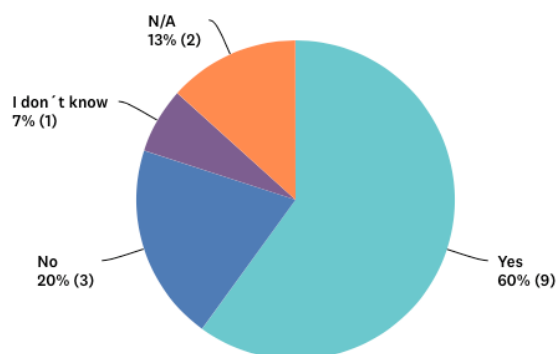
- ☞ We follow up CAP<sup>58</sup>, support and ask questions to factory management. In 2019 we had 7 factories where we supported living wage projects.
- ☞ We check the books and compare with own findings.
- ☞ We receive monthly wage tables from our main supplier.
- ☞ By audit, wage ladder tool and regular reporting from factories.
- ☞ We send out salary surveys.
- ☞ Look at attendance and wage lists, work with Fair Wear Tools (costing sheets), get verification by Fair Wear.
- ☞ It depends on the quality of the audits we have. We ask the suppliers to give updated info.
- ☞ We ask to see the payment record. New suppliers sign our Quality Manual.

AGT reported that some of the factories their member brands source from pay living wages to all their workers. AGT found the 2019 Living Wage training provided by Fair Wear to AGT members to be “highly useful”: *“They (Fair Wear) help us, our members and their suppliers to deepen the practical and conceptual understanding and implementation of living wage.”*

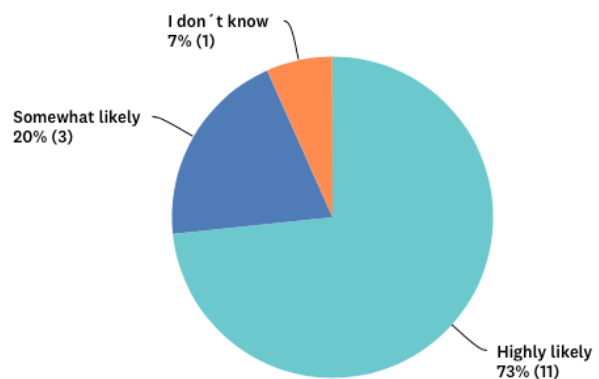
**Nine out of 15 respondents said that they had changed their own practices related to living wage due to activities or tools of the SP**, see Figure 5.11 below. 11 out of 15 stated that they found it highly likely that they would continue to participate in living wage activities.

Figure 5.11: Survey respondents on living wage activities

*Have you changed your own practices related to Living Wage due to activities or tools of the Strategic Partners?*



*How likely is it that your brand will continue to participate in Living Wage activities?*



Some of the brands with changed practices on living wage due to SP activities or tools, gave the following specifications:

- ☞ We started with open costing as a door opener - trust and transparency implied - and used the living wage tools to develop a roadmap on how to proceed towards living wage.
- ☞ We started the discussions to raise the awareness for paying the Living wages.
- ☞ We work with open cost calculation and request every year the approval docs about the wages.
- ☞ Using the costing tools and getting input from the experts in the living wage incubator.

One Fair Wear brand commented: *“Who is getting the money? You need to check that living wage goes to the workers.”*

<sup>58</sup> Corrective Action Plan

### Findings related to adapting purchasing practices

Purchasing practices entail, among other things, brands' approach to prices paid to suppliers, which is strongly linked to enabling payments of living wages. 13 of 19 responding brands said they had changed their purchasing practices during the last five years to improve labour conditions at their suppliers<sup>59</sup>. Some examples follow below:

- ☞ *Transparency and Costing policy to achieve insight at product costing to calculate labour cost and pay for it.*
- ☞ *We changed our lead times, capacity planning, added the production location in our order system, reason for delays.*
- ☞ *We make an annual plan for both the order placement and delivery so that the supplier can have a security feeling. We don't settle the delivery times, it is settled by the suppliers in order to make sure workers don't need to work extra hours.*
- ☞ *We have concentrated our sourcing with the aim of being more in control.*
- ☞ *We shifted more towards the companies with good labour conditions.*

The survey responses indicate that slightly more attention is given to living wage than to social dialogue. Working on living wage is technically demanding for both brands and factories. It nevertheless appears that the SP has succeeded in inspiring at least some of the Fair Wear member brands to undertake such endeavours. More than half of the responding brands had changed their practices due to SP activities or tools. Given the complexity of living wages, which not only includes the definition of living wage level(s) and getting suppliers' buy-in, but also demands brands to adapt their purchasing practices, the survey responses reveal that Fair Wear brands are relatively advanced compared to the sector at large with regard to living wage. Key interview informants also confirmed that Fair Wear is among the leading platforms when it comes to working on living wage.

#### 5.3.5 Possible success factors driving the living wage outcomes

Table 5.4 shows some identified outcomes on living wage in the seven countries. As with Table 5.3 for social dialogue (see section 5.2.4), the list is not exhaustive. Wages in the garment sector are exploitative, yet low labour costs have been, and still are, a key competitive advantage for (poor) countries depending on the garment industry for export income. Compared with the other two thematic areas, SD and GBV, the work on living wages and purchasing practices also has to confront macroeconomic realities on top of the other challenges.

Social dialogue is an important arena for parties to gain an understanding of the business case for raising wage to living wage levels. The **joint union forums** described under social dialogue above have been a useful arena for unions to prepare their messages ahead of tripartite dialogue and lobbying. **Evidence based research** and the **ability to present demands** in a way that engages the different social partners are important success factors. Also, being a technically complex issue as well as a complicated political matter, a success factor seems to be the ability to **identify, convene and collaborate with strategic alliances and partners**. Fair Wear used its convening power in training the employers' association in Vietnam on the labour minute costing tool. In Ethiopia, SP partner organisations collaborated with Wage Indicator Foundation, an expert organisation in conducting a wage mapping that became an important input to the discussions leading up to the first legal framework towards a national minimum wage legislation.

Fair Wear has **developed tools** for calculations of both costing and pricing. Some training has been given, but tangible results remain to be seen. One exception is a pilot project in India where brands were given training to implement living wages with their suppliers.

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<sup>59</sup> This information is merely descriptive, the survey did not ask the respondents to inform what motivated the changes in the purchasing practices.

When we look at the different identified outcomes in Table 5.4, there seems to have been **relatively little collaboration between the three SP partners on living wage activities** (re. the column labelled “SP” in Table 5.4 below). There are two examples of collaboration that have been identified, one in Vietnam and one in Indonesia. In Vietnam, CNV-I’s partnership with the national trade union confederation and thus, indirectly, close connection with the labour ministry opened the door for SP to convene a roundtable with the National Wage Council where Fair Wear presented its costing methodology. In Indonesia, the SP partners convened their different partner organisations to participate in the same training.

There is one identified outcome that does not appear to follow the SP ‘change logic’ within living wages:

- In Indonesia, the trade union partner organisation Garteks used the legal court system to obtain an order that minimum wages are legally binding for factories. The success factors here were to use existing systems, rather than prior training.

Table 5.4: Identified outcomes within living wage\*

Lobby capacity	Lobby engagement	Policies / practices	Possible success factors	SP	Case	Country
			Convening power Use of tool	CNV-I FWF	Roundtable with National Wage Council members	VN
			Convening power Use of tool	FWF	Organised suppliers’ seminar on living wage and costing tool	VN
			Convening power Use of tool	FWF	Introducing costing tools to factories and brands	BD
			Use of evidence Joint TU space (consolidated demand)	M-FNV	Minimum Wage	BD
			Existence of LCF	M-FNV	Tripartite Minimum wage committee	MM
			Strong partner organisations Use of evidence	M-FNV	Minimum wage law passed	ET
			Use of evidence	M-FNV	Use WageIndicator to establish CAP	ET
			Use of evidence	CNV-I	Minimum wage process	CM
			Convening useful strategic partners	CNV-I	Union convening actors for living wage	CM
			SP partner organisations together	FWF CNV-I M-FNV	Labour costing tool training to unions	ID
			Use of evidence	CNV-I	Minimum wage increase 2017/2018 (Garteks)	ID
			Use of existing mechanism	CNV-I	Union wins court case against illegal low wages (Garteks)	ID
			Use of evidence	M-FNV	Living wage and GBV positions into CBA negotiations (SAVE)	IN
			Use of evidence	FWF	Living wage pilots	IN
			Convening power Use of tool	FWF	Business association changed perception on	IN

					LW	
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\*) Colour codes: Clear outcome Possible outcome Clear synergy Some synergy

## 5.4 Outcome stories about gender-based violence

According to the Terms of Reference, “*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.*”

### 5.4.1 Bringing change in the perception of gender-based violence

In 2017, participants from six garment-producing countries; Bangladesh, Cambodia, India, Indonesia, Myanmar and Vietnam gathered in Vietnam to address gender-based violence in the garment industry. They represented non-governmental organisations, trade unions, private sector companies and government. Organised by Fair Wear, in collaboration with the International Training Centre of the International Labour Organization (ITC-ILO) the event was the first of its kind in Asia. For three days, nearly 100 participants exchanged ideas and worked to develop concrete plans to combat sexual harassment and violence in garment factories and generally foster a decent work environment in the industry.

At the end of the Gender Forum, delegates from the six participating countries teamed up to prepare country-specific action plans, pledging to undertake specific actions to tackle gender discrimination and abuse in their respective garment industries.

The Gender Forum contributed to raising awareness of GBV in the workplace at a time when the ILO was working on the new international convention, C190, to address violence and harassment against women and men workers. It allowed participants to forge new partnerships with other stakeholders, both within their countries and across borders, exchange best practices and develop creative solutions to combat GBV in the garment sector.

In **Bangladesh**, it is challenging to change the prevalent understanding and perception of gender-based violence. After the Gender Forum in Vietnam, Fair Wear and M-FNV initiated the establishment of a collaborative body with their partner organisations named the **Gender Platform**<sup>60</sup>. 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. The Gender Platform has engaged in drafting a new anti-sexual harassment law (see Box 5.9), and lobbying for the ratification of the ILO C190 (see Box 5.12).

<sup>60</sup> Awaj, BILS, KN, BNWLA, IBC, BLF

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.

SP IATI data<sup>61</sup> shows that around 15 new AHCs have been formed in Bangladesh, and more than 40 factory trainings and follow-up meetings have been carried out, mainly by Fair Wear. All in all, the awareness-raising and establishment of the AHCs have led to:

- women feeling more comfortable to discuss their different problems,
- an increasing number of women starting to come forward for discussing their problem,
- the committees becoming crucial in providing support to different stress related problems present in the extremely labour-intensive work of garment factories.

It is worth noticing that one of Fair Wear's member brands introduced the AHC formation as an integrated part of the WEP to factory management in nine factories in 2018, resulting in AHCs being formed in four new factories. Furthermore, in 2019 Fair Wear worked with M-FNV in supporting the establishment of AHCs in four factories where M-FNV was actively involved. (Read more in Annex J.)

In **Myanmar**, the SP organised an **exchange trip to India with representatives of the social partners**<sup>62</sup> that opened doors to train unions and employers on GBV. During the trip, trust was built between the participants, thereby making it possible for Fair Wear to engage with trade unions, employers and government officials on the sensitive issue of GBV at the workplace. Following the trip, Fair Wear<sup>63</sup> was requested to organise GBV awareness trainings to factories run by the employers' association part of the India delegation, and training of trainers to trade unions.

In **Vietnam**, **GBV research uncovered evidence of high levels of violence and harassment in Vietnamese garment factories**. There is limited research and official statistics on GBV in the sector and this lack of data was mirrored in audit data and inspection remediation reports carried out by Fair Wear. The study was conducted in three Vietnamese provinces by interviewers trained in research skills as well as understanding of GBV and gender equality issues. Through a participatory method, Fair Wear empowered garment workers to become part of the research design process. The research questions, preliminary results as well as end conclusions and recommendations were shared in stakeholder workshops with union representatives, labour NGOs, and employers' association. The objective of the research was to create evidence to be used in lobbying decision-makers to include a definition of sexual harassment in the revision of the Labour Code in 2019. Late 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** for more than 60 participants representing the employers, employees and brands. After the seminar, some suppliers have shared that they have undertaken prompt actions by reviewing the system and implemented changes to prevent and address violence and harassment more effectively.

During the directors' visit to Vietnam (see 5.2.3), the topic of violence and harassment was raised. This was the most sensitive debate on the labour code revision. The events surrounding the directors' visits made this topic high on the agenda even though it was very controversial.

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<sup>61</sup> Data covering 2018 and 2019 (Q3). See chapter 5.1 for more on SP's IATI data registration.

<sup>62</sup> ILO, MPs, MoLIP, MGMA, MICS, CTUM, LDRP, gender experts from Care and GEN.

<sup>63</sup> The training was run by Care and GEN

In **Cambodia**, increasing the number of women representatives in higher positions has been important for the SP. Although women make up 90 per cent of the workforce in the garment industry, they have been poorly represented in leadership positions, including in the trade union movement. Women in leadership roles is the first step for dealing with gender inequality and GBV. Through trainings and awareness raising within its own ranks, two of the five top leaders in CNV-I partner CLC are now women, spurring interest from other federations for increasing their own women leadership. CLC's Gender Committee has successfully set up **Women's Committees in forty garment factories**. Through trainings and meetings hosted by the Gender Committee, members of these local committees have increased their knowledge and capacity on how to identify and deal with incidents of GBV and sexual harassment. Through CLC's hotline, 44 cases of GBV were reported in 2018 and 2019, of which around 20 cases were remediated by the Gender Committee in collaboration with CLC's legal team.

In both **Bangladesh** and **India**, Fair Wear has carried out WEP the WEP violence and harassment prevention.

In **India**, Fair Wear has carried out a Workplace Education Violence and Harassment Prevention programme (WEPVH). Close to all, 37 of the 38 factories that participated, had **established Internal Committees (IC)**<sup>64</sup> by the end of 2018. The WEP in India has violence and harassment as a central part. The WEPVH trainings support factories in establishing ICs and train the committee members. In 2019, SAVE<sup>65</sup> constituted and trained ICs, and provided information on sexual harassment and how to assess the complaints mechanism to around 2,500 factory workers. Between 2018 and June 2020, the ICs have solved 239 problems (while 103 complaints were handled). Although the existence of an IC is no guarantee of improvements in the situation for (women) workers, the committees have the potential to lead to improved factory practices. 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.

In **Indonesia**, SP has been very engaged in GBV activities. Following the Gender Forum in Vietnam 2017 that brought the tripartite participants together, unions, government bodies and business responded positively to Fair Wear's invitation to **establish the Gender Network Platform** (see Box 5.8).

#### Box 5.8: The Gender Network Platform in Indonesia

By sharing surveys and research on the prevalence on GBV in the workplace,<sup>66</sup> being part of the Gender Network Platform (GNP) has increased the unions' influencing capacity through providing a more direct link to key government bodies<sup>67</sup> and business associations. **Gender-based violence in the Indonesian garment industry is increasingly getting more attention due to efforts of the GNP**. The GNP has directly influenced the work of the National Commission on Violence Against Women (NCVAW), by putting GBV in the workplace on the Commission's agenda, resulting in that **GBV at work is granted a separate section for the first time in the Commission's annual report covering 2019**. Strengthening the network through learning and exchange is a key focus for the SP. The 2020 exchange to India was done by a mixed delegation of 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

<sup>64</sup> Upto 2019, the committees were called Internal Complaints Committees (ICC). The committees changed their name in 2019 to Internal Committees (IC) and their mandate was expanded

<sup>65</sup> CIVIDEP, READ and MARG do also provide similar trainings, these figures refer specifically to SAVE's work in 2019.

<sup>66</sup> Carried out by PM and FBLP

<sup>67</sup> National Commission on Violence Against Women (NCVAW) and the Ministry of Women Empowerment (MoWE)

measures and by showing what businesses can do to protect their workers from GBV. That GNP is able to organise a delegation with such a broad participation demonstrates its solid **convening power in bringing all 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, explores a possible future collaboration with the employers' association APINDO. One illustration of GNP's increased status 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. Another of the central SP partner organisations, Garteks, has become more and more active in the Gender Network Platform, as evidenced by their annual plans. (Read more in Annex L.)

An important outcome of the SP programme in Indonesia is that **evidence-based research has led to increased awareness on GBV in the workplace and the inclusion of GBV in CBAs and MCCBAs in Indonesia**, through collaboration between different SP partner organisations belonging to the gender Network Platform (for background on the MCCBA in Indonesia, see Box 5.6). Research<sup>68</sup> on GBV created many opportunities to discuss GBV in government forums, trainings organised by trade unions and NGOs. The research helped gaining the attention from unions and managers and is a good example of evidence-based lobbying, using one of the union's community radio and website as a channel for mass dissemination of the findings. Findings from the GBV research provided the ground for GBV to be included in the renewal of the CBAs as well as MCCBAs. As of early 2020, following lobby efforts of trade union Garteks, a total of eight factories had added GBV clauses to their CBAs, referencing the ILO C190, and 10 factories signatories to the Subang MCCBA and 6 unions have agreed to include GBV when renewing the MCCBA in 2020.

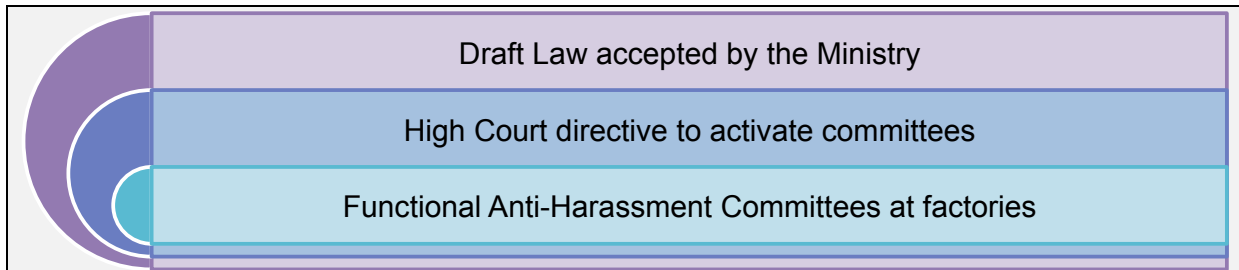
#### 5.4.2 Lobby for gender-based violence to be acknowledged in legal frameworks

In **Bangladesh**, one of Fair Wear and the Gender Platform's key achievements is **preparing a draft anti-sexual harassment law** and follow it through with proper lobbying and advocacy strategy that resulted in the acceptance of the draft by the GoB, see Box 5.9.

Box 5.9: The Gender Platform in Bangladesh lobbies towards an anti-sexual harassment law

The Bangladesh High Court issued in 2009 a High Court Directive which defined sexual harassment and determined a set of guidelines for addressing sexual harassment against women and girls in workplaces, educational institutions and other public places. The High Court intended that the government make a law on the basis of the guidelines, and furthermore, ruled that the guidelines will be treated as a law until the law is made. However, the guidelines were not binding and were therefore not enforceable, and the government had yet to make a law. The absence of a law has paved the path for many GBV incidents going unnoticed and unaddressed. From the initial days of their work, the Gender Platform started to push different lobbying and advocacy avenues for the speedy enactment of the anti-sexual harassment law, without which no concrete measures can be taken in legal terms. In 2017, the Gender Platform started to prepare a draft law that was presented to the labour ministry and the Law Commission in September 2018, who advised the national Human Rights Commission to take the draft for further work. The gender Platform has a seat in the committee that is finalising the law.

<sup>68</sup> By the labour NGO PM



In 2019, the High Court issued an order obliging all public and private institutions to submit the status of their Anti-sexual Harassment Committee (AHC). The Gender Platform has used this order actively to influence factories to establish AHC, or revive them if they were inactive. The platform has met with the attorney general and filed a writ petition, and the court issued a notice to the institutions for reporting back their status of applying the guidelines. Many organisations changed their policy, including the high court itself that formed an AHC, which was not there before. Fair Wear spoke directly with the leadership of the two main garment business associations<sup>69</sup> and inspired them to follow up with their members. The two have issued letters to their affiliated factories, asking them to follow up on the High Court order. (For more information, see Annex J).

In **Vietnam**, the planned release workshop for the GBV research was cancelled due to a leakage of the draft research report to the UK based newspaper “The Guardian”. The public coverage of the report findings damaged the relationship between the SP and the labour ministry whose representative gave an interview to a newspaper rejecting the information. This did not hinder Vietnamese media to pickup the Guardian article and give it large national outreach that contributed to significant pressure on the government. This happened at the time when Vietnam was dealing with several public reports of sexual harassment and was facing international pressure related to the forthcoming the signing of the Free Trade Agreement with the EU. Indirectly, the research contributed to changes of the wording in the new labour code in Vietnam<sup>70</sup>. In a joint effort with of a number of CSOs and NGOs, the SP lobby efforts have contributed to the revision of the Labour Code 2019 where the meaning of sexual harassment has been made clearer<sup>71</sup>. This is good news not only for the 3 million women workers in the garment and textile industry, but for all working women in Vietnam.

In **Myanmar**, the **SP contributed to the inclusion of gender-based violence in the OHS law**, see Box 5.10.

Box 5.10: The SP contribution to include a clause on gender-based violence in the Myanmar OHS law

A group of SP actors<sup>72</sup> combined their expertise, and used their relations built with members of parliament (MPs), key NGO- and CSO leaders and the employers through the India exposure visit in September 2018 in their lobby efforts. In the preparatory phase, the actors had to reach a common ground and agree on their priorities. Through internal workshops and discussions, the group concluded to put forward 10 articles, including one on GBV, to be presented to the parliament. With the exposure from India, the two specialist organisations, Care and GEN, were

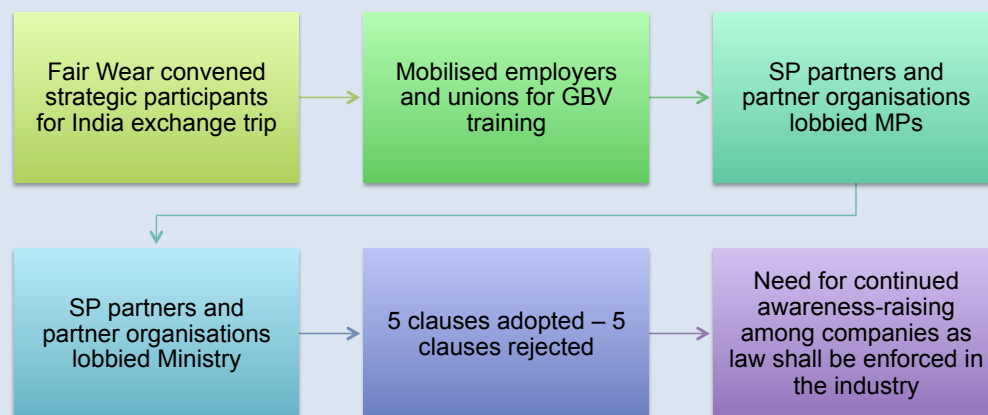
<sup>69</sup> BGMEA and BKMEA

<sup>70</sup> Sexual harassment as mentioned in the Labour Code 2012 had no clear definition of what it means.

<sup>71</sup> In the Labour Code 2019, clause 9 of article 3, it's 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).

<sup>72</sup> Fair Wear, Care, Gender Equality Network (GEN) and Apheda.

able to build alliances with the employers, labour ministry, MPs and unions. Seen as independent third-party organisations by unions and employers, they were invited to provide GBV awareness trainings to their members. The awareness building resulted in both a broadened understanding of GBV with union members and employers and also served as effective advocacy means to get GBV acknowledged as important in national level discussions. The group made efforts to put GBV on the agenda in the tripartite talks but this was rejected by the labour ministry, and it turned out that the representative from the ministry who had joined the delegation to India could not influence the representative in the tripartite meetings. Thus, the strategy changed to direct the lobby efforts towards MPs and the parliament.



The two MPs who joined the India trip, played a conducive role to convince the parliament's OHS law committee in the process. The law was signed by the president in March 2019 after the MPs had discussed the bill and its compatibility with Myanmar culture and understanding while being in line with international standards. The enactment was proposed by the Myanmar Investment Commission after pressure from international investors. While the ILO had a very crucial role in driving the process, the involvement of SP partners, INGOs, NGOs, CSOs, employers and employees is considered equally important. Care and GEN had largely done the awareness buildings and provided technical support to interested MPs' lobbying efforts.

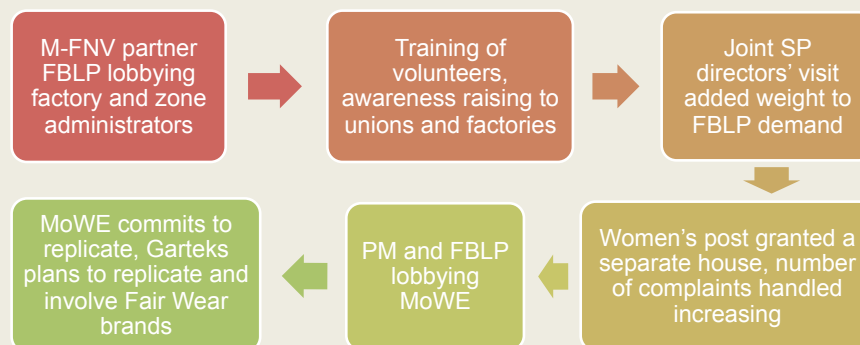
The SP succeeded in getting their 10 articles discussed and evaluated in the Upper and Lower House Bill Committees in the parliament meeting, and five of their articles were included in the OHS law. The other five articles were rejected on grounds of being irrelevant to Myanmar culture and lack of supporting cases. The influencing and capacity building efforts with trade unions and management have resulted in the inclusion of GBV issues in some employment contracts<sup>73</sup>. Now, when the implementation of the OHS law is being discussed, the involvements of the SP actors will still be needed for broader public education and awareness building. Here, a barrier is the lack of skills and human resources from the Ministry of labour to enforce the law. (See Annex K for more information.)

In **Indonesia**, SP partners contributed to the establishment of a pilot **GBV free zone** in an industrial park (see Box 5.11). Based on experiences from the pilot GBV free zone, SP partner organisations successfully lobbied the **Ministry of Women Empowerment to agreed to replicate the pilot in four government-owned industrial areas**. SP partner organisations continue to lobby for GBV free zones in other parts of the country.

<sup>73</sup> MICS achieved GBV clauses in 12 factories, Care and GEN, as a result of the training, succeeded in getting regulations on sexual harassment into the employment contracts in three factories.

Box 5.11: Establishment of the pilot GBV free zone in KBN Cakung industrial park Indonesia

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 the 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 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 the SP partner organisations FBLP and PM, but progress was slow. During the joint SP directors' visit to the area in November 2018, the directors raised the question directly with the industrial park management. Early 2019, the management made a decision to provide a separate and safe house for the Women's Post.



An MoU on the Women's Post<sup>74</sup> between the Ministry of Women Empowerment (MoWE) and KBN Cakung was drawn, pointing towards a formal framework for the post and sustainability of the efforts. The post, receiving 3-4 complaints daily in 2019, has become a space for women to seek redress 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.

Building on the pilot experience from KBN Cakung, PM and FBLP **successfully lobbied MoWE, who decided to replicate the GBV free zone pilot in four government-owned industrial areas**. Furthermore, CNV-I partner organisation Garteks, supported by M-FNV's partner organisation PM, are promoting GBV free zones in industrial areas in Banten and explore possibilities of coordinating also with Fair Wear member brand. The role of Fair Wear brands will be to encourage and convince their suppliers of the business benefits of establishing GBV free zones. (See Annex L for further information.)

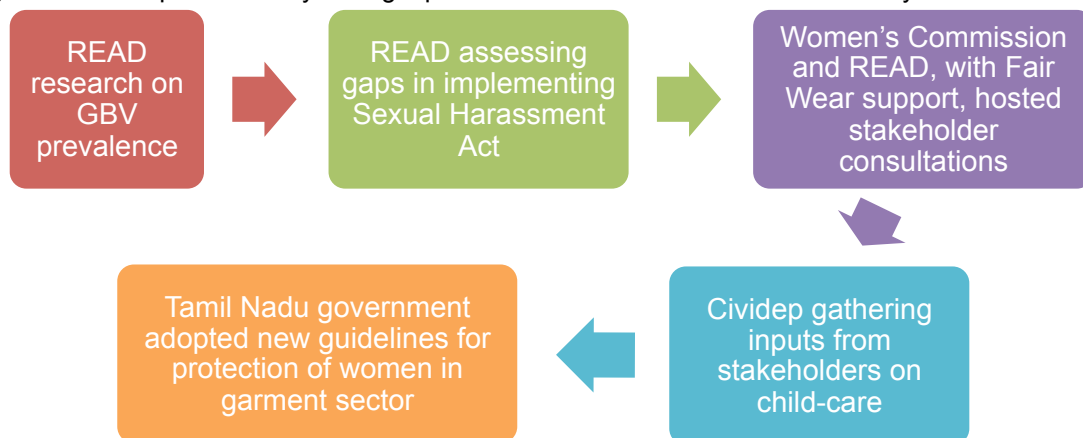
**In India, evidence-based advocacy has led to policy changes to protect Tamil Nadu garment women workers' safety and security.** Women in the garment and spinning mills have continued to face harassment, despite existing protection laws<sup>75</sup>. Based on research from Fair Wear partner READ showing gaps in implementation of the Sexual Harassment Act, 2013, READ continued to advocate with the Tamil Nadu Women's Commission based on READ's research on prevalence of GBV in textile factories and spinning mills. The lobby engagement resulted in the Tamil Nadu State Women's Committee organising a public hearing in October 2018 where it was

<sup>74</sup> Renamed to RP3 station

<sup>75</sup> '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'.

agreed to organise a consultation to kick-start the drafting of the policy guidelines for textile workers protection. With support from Fair Wear, the Women’s Commission and READ held a series of stakeholder consultations gathering inputs on the draft guidelines from government representatives, women workers, brands and suppliers from spinning mills and garment factories. A new policy guideline for *Protection of Women in Spinning Mills and Textile Industries in Tamil Nadu* was finalised in March 2020 and foreseen approved towards the end of 2020. The application of the guidelines is expected to positively impact the working life of 600,000 women textile and spinning workers.

Figure 5.12: SP partner lobby for legal protection of women in the textile industry



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. The story tells that evidence-based advocacy is key to bring change. Existing mechanisms like “Public Interest Litigation” (PIL) and “Right to Information” (RTI)<sup>76</sup> to hold the government accountable also proved useful. Other keys to change were to engage constructively with the government using a non-threatening language.

Another SP partner organisation in India, **SAVE, demonstrated convening power on addressing the lack of implementation of the Sexual Harassment Act.** During the last half of 2019, SAVE hosted stakeholder meetings with district and state level government authorities, the employers’ federations, trade unions and NGOs to dialogue on an effective implementation of the Sexual Harassment Act. A total of 510 representatives were consulted, of which a little under half were women, hereunder representatives from spinning and garment companies. Towards the end of 2019, the authorities promised to support factories in registering hostels and establishing Internal Committees.

**In Ethiopia, a new legal framework that includes maternity leave was passed in 2019.** Late 2017, M-FNV’s partner organisation, CETU, initiated a lobby process. They aimed to amend the labour law on several issues., covering, in total, nineteen different articles (see Figure 5.9). One key achievement for trade union lobbying was the increased maternity leave from 90 to 120 days, one-month pre-natal leave and 3 months post-natal (after birth).

On June 10<sup>th</sup> 2019, the 108<sup>th</sup> **ILO conference approved the new convention, 190, on elimination of violence and harassment in the world of work.** This was a major achievement for the SP, together with many other trade unions and other actors composing the melting pot of

<sup>76</sup> 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.

delegations participating in the ILO deliberations, having worked towards this goal at the international as well as the national levels for several years (see Box 5.12).

Box 5.12: SP's contribution towards the ILO convention 190

In 2017, during the Fair Wear Gender Forum, the participants were taught about the ILO's forthcoming convention on violence and harassment at the workplace. They discussed the language to be incorporated in the treaty, and devised action plans that included lobby and advocacy activities to ensure that their respective countries would come out in support of a strong convention. All SP partners, M-FNV, CNV-I and Fair Wear, used their leverage as part of wider networks to influence the position of the Dutch government. What is unique is that the SP were able to simultaneously influence all three stakeholder groups in the tripartite system, including brands that Fair Wear inspired to voice their support. The combinations of the three organisations' own networks turned out to be an important asset. Some activities were carried out through each SP partner's individual networks, some were done between the two trade unions together while some were done with all three organisations, adding weight to the message.

The lobby process linked the national and the international arenas, in a bi-directional way: New evidence and case stories gathered from the SP countries illustrated real cases of GBV on the ground and helped move the tripartite partners in Geneva. On the other hand, sharing the progress towards the ILO C190 at the international arena with national governments, trade unions and business actors in SP countries was powerful in getting their support for the approval of the convention in the first place, followed by lobbying for its ratification and implementation at country level.

In **Vietnam**, Fair Wear conducted research on the prevalence and root causes of violence and harassment against women in garment factories. Due to the political context, and the untimely publication of a newspaper article, this research has not been published, and therefore, this research was not used directly in the lobby campaign. Nevertheless, in October 2019, key findings of the research were presented in a supplier seminar, co-hosted by the Vietnam Chamber of Commerce and Industry (VCCI) and factory management, who were urged to take action, have begun to implement changes to address sexual harassment in their workplaces. Through the SP, suppliers were also encouraged to implement ILO C190; the next step is to advocate for Vietnam to ratify it.

In **Bangladesh**, SP, mainly through the Gender Platform, has continued to put pressure on the government to ratify ILO C190, going hand in hand with the lobbying for the enactment of the draft law against sexual harassment. The Gender Platform actively lobbied the government to support the ILO Convention, i.e. through a 2018 workshop on the ILO standard setting procedure hosted by M-FNV partner BILS. This contributed to Bangladesh sending a large delegation to the 2018 ILO conference. Although ratification of ILO C190 has still not been discussed in the parliament, the government has verbally assured its support to ratifying the convention.

To get the ILO C190 on the agenda in **Myanmar**, Fair Wear integrated a narrative on C190 in all GBV activities with stakeholders throughout 2018 and 2019. The prevalence of GBV and the need for the new ILO convention to be supported, ratified and implemented was conveyed to trade unions, employers' associations, members of parliament, Ministry representatives, INGOs and local NGOs as well as work committee members from the ruling party. This was a coordinated approach by Apheda, Care Myanmar, Fair Wear and the Gender Equality Network.

There is a direct link between C190 and SP's work on GBV in **Indonesia**; eight factories, which incorporated GBV clauses in their CBAs made explicit reference to the convention. The Indonesian government, after an initial reluctance, voted in favour of the convention at the 2019 ILO conference. According to the SP coordinators, the main reason for the shift in their position

can be attributed to a change in the formulations of the convention, negotiated between the parties in Geneva and, to a lesser extent, a result of lobby efforts in Indonesia.

In **Cambodia** 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. The ratification and implementation of the convention remains a key lobby target for SP in Cambodia.

### 5.4.3 New policies and practices on gender-based violence by brands

Five of the nine survey respondents involved in activities to enhance awareness of, and reduce, gender-based violence over the last five years stated that they or their suppliers had been influenced to a great extent by the SP.

Six respondents stated that they track whether GBV or harassment occurs in all the factories they source from, while three explained that they do the same with some of their suppliers using the following instruments:

- ☞ *Country-based focus on the topic, set up of preventive trainings in country where GBV is a dominant factor/risk*
- ☞ *Complaint mechanisms*
- ☞ *Audits, WEP's, complaints mechanism*
- ☞ *Training and FWF complaints mechanism*
- ☞ *It will be discussed at the Fair Wear-team meetings in our factory*
- ☞ *Through the complaints mechanism, audit reports, (worker's interviews), country/region reports*
- ☞ *It is tracked during audits; in WEP trainings in some countries this topic is particularly included*

Four respondents said they have changed their own practices on GBV due to activities or tools of the SP, while five said they had not. One respondent wrote: *"We have been able to get a much deeper understanding of the connective relation between GBV and all other factors that lead to violation of labour rights. With that knowledge, our ideas to mitigate and remediate have reached a whole other level."*

Five respondents stated that it was highly likely that they would continue to participate in GBV reducing activities, while three said this was somewhat likely, and one said it was not likely.

Based on the responses to the survey, it appears that of the relatively few responding brands that have participated in gender awareness activities, a higher share has been influenced to a great extent by the SP to participate in such activities than seemed to be the case for the social dialogue and the living wage activities, although less than half had changed their own practices as a result of SP activities or tools.

### 5.4.4 Identified success factors driving the gender-based violence outcomes

Table 5.5 below should be understood the same way as the Tables 5.3 and 5.4, see section 5.2.4. Gender-based violence is a culturally sensitive thematic issue in countries with strong patriarchal systems where even the word 'gender' tends to provoke. The journey SP has started is therefore bound to be long-term. It is encouraging to see that so much **awareness-raising** has taken place, and that this has happened within **the entire tripartite system**, and not "only" with women workers. Furthermore, it is very promising to see the considerable advances in integrating GBV into legal frameworks.

The tripartite gender **platforms** in Bangladesh and Indonesia have been vital in bringing the work forward in those countries. The Gender Forum in Vietnam in 2017 was instrumental in the establishment of the Gender Platform Network in Indonesia, as the social partners got to know each other during the joint visit to the Vietnam forum. Likewise, the **exchange visit** of the

tripartite group from Myanmar to India created relations that were later used to convene employers and unions for awareness-raising on GBV, as well as lobby the participating MPs for integrating GBV into the new OHS law. In Cambodia, the CLC gender committee visited Indonesia in October 2019 to explore the possibility of replicating the Indonesian pilot gender free zone. Likewise, a delegation of Ethiopian trade union leaders gained new knowledge on lobby strategies in fighting GBV through the GBV free zone pilot and the inclusion of GBV in CBAs, during their visit to Indonesia. These cross-country visits illustrate the benefits of focussing on the **same thematic areas across countries** for increased outcome.

In Bangladesh, M-FNV worked to establish 'mental well-being committees' in factories, as a less intimidating, and **pedagogically smart**, way to start the sensitive dialogue around GBV in the workplace.

In India, changes made to the new policy guideline for *Protection of Women in Spinning Mills and Textile Industries in Tamil Nadu* were achieved due to **the use of evidence**. Other success factors are the **use of existing mechanisms** like litigation procedures and citizens' right to information. Engaging constructively with the authorities and using non-threatening and non-provocative language was found to be another key strategy.

**Awareness raising and capacity building** at factory and union level have been important in changing the understanding of what constitutes GBV in the workplace as well as the prevalence of it. The use of new evidence produced by SP partners and partner organisations have been important factors in changing mind sets and gathering support for changes at company and political levels.

Within GBV, there appears to have been significantly **more synergy** between the SP partners and their partner organisations than for 'social dialogue' and 'living wage'. Especially in Indonesia and Bangladesh, with active joint gender platforms, the partner organisations of the different SP partners collaborate with one another in almost all the identified outcome stories. There has been close collaboration on GBV also in Vietnam and Myanmar.

**Coordination** of activities and communication should also be mentioned as a success factor. The three **directors' joint visit** to Vietnam and Indonesia not only sent a general message of partnership between brands and unions to all stakeholders, it also helped in advancing on-going processes, like the granting of a separate house for the Women's Post at the GBV free zone. Gender-based violence is also the thematic area that has generated most cross-country visits. It started with the successful Gender Forum in Vietnam in 2017, out of which the national gender platforms were originated. The exchange visit from Myanmar to India has borne many fruits and it is expected that the exchange visit from Cambodia to Indonesia and from Indonesia to India will do the same.

There is one identified outcome within GBV that does not strictly follow the SP 'change logic':

- In Myanmar, it was convening power and ability to use one's network and acquaintances rather than training that was the success factor behind the GBV clauses being accepted into the OHS law.

Table 5.5: Identified outcomes within gender-based violence\*

Lobby capacity	Lobby engagement	Policies / practices	Possible success factors	SP	Case	Country
			Coordination Convening power	FWF CNV-I	Gender Forum	VN
			Timing with EUFTA	FWF CNV-I	GBV into labour code	VN
			Convening power Use of evidence	FWF	GBV participatory research with local partners and seminar with employers (VCCI)	VN
			India trip Convening power	FWF M-FNV	Training unions/employers	MM
			India trip Specialist partner organisations Lobby strategy	FWF M-FNV	OHS law (GBV)	MM
			Coordination Convening power	FWF M-FNV	Establishment of Gender Platform	BD
			Gender platform Use of evidence	FWF M-FNV	Anti-sexual harassment law	BD
			Gender Platform Court order Smart pedagogics	FWF M-FNV	AHCs	BD
			SP Indonesia	M-FNV	Exchange trip to Indonesia	ET
			Use of evidence	M-FNV	Publish report on GBV	ET
			Use of evidence	M-FNV	Establishment of factory GBV action plans	ET
			Training	CNV-I	Gender committees in factories	CM
			Gender network Cross partner collaboration Use of evidence	M-FNV CNV-I	GBV into MCCBA	ID
			Vietnam Forum, India trip	FWF (CNV-I M-FNV)	Gender network	ID
			Gender network Cross partner collaboration Use of evidence Directors' visit	M-FNV CNV-I	GBV-free zone	ID
			Good training material	FWF	Internal complaints committees	IN
			Convening power	M-FNV	Consultations on lack of implementation of SHA	IN
			Use of evidence Use of existing legal instruments	FWF	Govt regulation for GBV protection	IN

\*) Colour codes: Clear outcome Possible outcome Clear synergy Some synergy

## 6. Lessons learnt from efforts that did not yield results

In a large and innovative multi-partner and multi-country programme like the SP, some efforts are bound to not yield the expected results. SP is an ambitious endeavour. Sometimes one can learn something from failed efforts, other times the incidents may be too case-specific to draw any lessons worth remembering. This evaluation has come across a few lessons that might be worth taking notice of.

### **Things take time**

When being asked the question about efforts that had not yielded results, several interviewees gave examples of efforts that had not yet yielded results. Ambition is an important driving force to SP. Transformation of social systems, traditional hierarchies, and global financial systems is nevertheless time-demanding, and impatience can easily turn into frustration. In Cambodia, there was frustration about the hostile environment for trade unions. The requirements for becoming the 'only union' allowed to engage in negotiations are strict, and modification of this is a natural lobby target for the SP. In spite of pressure from EU, global multi stakeholder initiatives representing key buying brands, ILO and global unions, regulations and government policy are still putting severe limitations to the work of the trade unions. Through a process with a global union and the national partner unions there have been several discussions on minimum wages. So far, SP partner organisations have not yet succeeded in increasing minimum wages to a living wage level.

In Indonesia, SP and their partner organisations have been pushing for the Sexual violence elimination bill to be tabled before parliament. One partner organisation conducted research on equal pay and discrimination of women workers and hosted training and socialisation sessions in order to promote gender equality and gain support for the Gender Equality Act. A broad alliance of civic actors has continuously pushed for the bill to be approved, but there is tough political resistance. 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. While waiting for the Sexual violence elimination bill to pass through parliament, SP partners and their local organisations are focusing on implementing the core elements from ILO C190 at company level.

In Bangladesh, the process of creating meaningful social dialogue and trade union formation, although it has accelerated, is yet to acquire its full motion. Misconceptions regarding trade unions, political pressure, corruption etc. are considerable hurdles. A similar scenario can be seen in the general understanding of what GBV is.

The most important lesson learnt from the stories above seems to be that changing social perceptions and customary practice is time consuming. Rome was simply not built in a day.

### **Avoid one-off training without follow-up processes**

In Ethiopia, a training of nine factory trade unions had led to development of GBV action plans for all factories but was only executed by two. There are two lessons learnt from this:

- ☞ Factory trade unions lack time and resources to prioritise work on issues on top of their daily duties,
- ☞ There was a lack of responsibility on behalf of the union to follow up the factories. As M-FNV has reflected themselves in one of their reports: *“For enhanced in-factory execution of GBV action plans, someone has to be responsible for follow-up on implementation.”*

Likewise, in Myanmar, Fair Wear showed solid ability to convene when hosting a product costing tool training. However, there has been no follow-up, nor any monitoring after the training; hence it

is unknown to what extent the training had any effect. The same goes for the social dialogue training for suppliers in India.

### ***Make sure the right people come for training***

In Myanmar, Fair Wear organised a training session in the product costing tool with employers. During the training Fair Wear learnt that most participants had no professional relation nor competence on product costing. Consequently, the training was not as successful as expected. In order not to waste time and resources, SP partners and their partner organisations must clearly communicate the requirements of the *participants profile* in invitations to training sessions.

Also, in Myanmar, only a few workers made it to the end of the WEPC programme, due to limited time, availability, workload, and peer pressure. It is important that the employers fully understand the implications of participating in the programme and create necessary space for the full participation of workers' representatives in the programme.

### ***For social dialogue to function, all social partners must be prepared***

In Myanmar, social dialogue is a very recent concept. Due to SP interventions, unions have become well prepared, but when employers are not as prepared, the likelihood of effective solutions are reduced. The lesson learnt is that for social dialogue to function effectively, all social partners must be prepared.

### ***Stay loyal to your partners***

In Vietnam, Fair Wear initiated a pioneering GBV research carried out by one international organisation and one local partner organisation. The ministry of labour was an important strategic partner in the process. The results from the research were to be published in a large seminar co-arranged by the partners. However, this was cancelled at the last minute because some findings from the draft report had been published, and somewhat mis-represented in the Guardian, without the knowledge of the other partners. This happened when the Vietnamese government was under the process of signing the Trade agreement with the EU, and the article in the Guardian created a negative image of Vietnam. The ministry of labour reacted rather strongly and rejected the findings. One of the local SP partner organisations felt compelled to withdraw from the process in order to avoid repercussions to its existing work portfolio in Vietnam. Possible lessons learnt from this unfortunate incident are:

- ☞ Media coverage in countries outside of Western Europe does not always have the push effect one is counting on. (On one hand, the fact that some Vietnamese papers republished information from the Guardian gave immediate attention to the issue and might have pushed the political process in the right direction. On the other hand, the long-term effect might be that the local partners have lost some of their confidence in the SP partners, which may or may not cause repercussions to future collaboration.)
- ☞ Media coverage abroad can have an (unplanned) effect in other countries
- ☞ One-party system governments are used to control the media and do not like media to be used as a lobby mechanism
- ☞ There is a need to comprehensively assess the risk for political impact at the time of launching or publish reports.
- ☞ If one has entered a partnership with someone, one should avoid releasing news about the cooperation or otherwise carry out acts with repercussions to the common projects without the prior consent from the partner. This latter lesson appears to be valid as much in one-party states as in multi-party states.

### ***Macroeconomic concerns override human rights***

There is a stated fear in many low-cost countries that buyers will turn to other markets if prices increase. There is substantial evidence that this is indeed the case in the garment industry. This fear becomes evident during minimum wage negotiations. The SP has done a tremendous effort

to put the workers' need on the agenda, and both employers and authorities have admitted that the prevailing wages are too low to live on. Still, with rapid price hikes, factory owners and governments fear that brands will turn to cheaper production locations. A lesson learnt seems to be that time is an important ingredient. Workers in all countries should *gradually* increase their salaries and at the same time strengthen quality and productivity, so that in time, the competition between factories and between producing countries may shift from low wages to quality and other deliverables. Campaigns in consumer markets, among brands and consumers alike, seem necessary, possibly along with legal regulations prohibiting purchases to happen without ensuring proper workers' remuneration. (The structural presence of wages below living wages is an example of a long-existing market-failure, which was one of the reasons why tripartite ILO was established back in 1919. More multilateralism seems to be necessary, i.e. starting on behalf of high-income purchasing countries.)

## 7. Do the achievements last?

### 7.1 Sustainability approaches built into the SP

#### 7.1.1 Training and education as processes

The old Chinese proverb about giving a fish to someone to eat for a day or teach someone how to fish so she can have food for the rest of her life is about sustainability. Often, in a development debate, one can argue that training and education will be sustainable, as the learning stays with the person forever. However, training rarely results in learning unless new thoughts become internalised and there are supporting systems for converting new knowledge and thoughts into action. Thus, in order to be effective, training must be part of a larger process.

In the SP, we see that a lot of training is indeed part of processes. The litmus test is where the simplified SP transformation model holds water, and training has led to increased advocacy engagement (see tables 5.3, 5.4 and 5.5).

In Vietnam, the main partner in the MCCBA process, the national union federation VGCL shared that based on the results from among other CNV-I's trainings, VGCL will develop and prepare a long-term training plan to train social dialogue experts around the whole country. In this way, when the MCCBA-thinking expands in the country, there will be a team of professional experts specialized in dialogue and negotiation ready throughout the whole Vietnamese Trade Union system.

In Myanmar, Apheda and M-FNV have worked with the capacity building of the trade union federation MICS that in turn has strengthened local structures without depending on Apheda or M-FNV.

In Ethiopia, the two union partners<sup>77</sup> have increased their capacity to engage with key decision-makers through trainings, collaboration with competence-based organisation like the WageIndicator Foundation, and exchange visits within and outside the portfolio of SP countries. Also, joint trainings and workshops with trade unions and company representatives appear to be important inputs to create a lasting environment of constructive social dialogue at the workplace.

#### 7.1.2 Evidence based research

Investment in experience-based research can come to the benefit of the sector in the long run, also despite Covid-19, provided it is thoroughly documented and disseminated among actors who feel ownership to the results. There are many promising examples of this. When reliable evidence is produced and presented in an understandable way, employers and authorities gain a deeper understanding for the workers' claims and thereby increasing the likelihood of lasting results.

For instance, Indonesian factory owners have declared that after signing collective agreements with workers, factory performance has increased giving better results for the factory. This bodes well for the sustainability of the CBAs in question. In Ethiopia, the evidence-based research, together with the training programmes that have been designed and executed, acts as sustainability bricks for future work. The two union partner organisations seem to gradually embrace the concept of evidence-based advocacy and have made these become part of national tripartite discussions and negotiations. In Myanmar, employers used to reject any discussion about gender-based violence, as this was merely understood as rape. After Care and GEN have brought evidence from the garment sector, some employers' have allowed GBV training in their

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<sup>77</sup> CETU and ITFLGW TU

factories. In Vietnam, evidence from audit wage ladders steered the debate around the living needs standard in Vietnam.

### **7.1.3 Ownership through common arenas**

Ownership is key for sustainability. One way of ensuring ownership is to invite different actors to be part of and invest in alliances, platforms, forums, coalitions and arenas. SP partners' staff pointed to the Gender Platform in Bangladesh as one good example during the inception workshop in March 2020. In Indonesia, the collaboration between the SP partner organisations has become much closer over time, 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.

### **7.1.4 Co-optation through multi-stakeholder arrangements**

When different stakeholder groups join forces for a common cause, a special dynamic of "co-optation" can be established where the first group that opts out risks to lose face, thus they stay loyal to the process.

Bipartite collective bargaining is one good example of this. The SP is full of well-functioning bipartite, tripartite and multi-partner dialogue processes, which results have a high chance of becoming sustainable.

In Cambodia, employers and unions have solved some difficult issues through their common platform. In Vietnam, a multi-stakeholder advisory committee has been established on national and regional levels for the MCCBA-project. This can sustain the regular interactions of all the decisive and key stakeholders who can contribute to the process of advocacy and lobbying after witnessing the evidence on the ground. Such multi-stakeholder arrangements bind the participants to the process and enhance local ownership, which again increases the chances for a continued process and lasting results.

In Myanmar, the relatively new national tripartite dialogue has already led to important outcomes. There was a concern by some that the tripartite social dialogue programme focussed too much on providing bargaining power to unions who ended up making demands that would not be sustainable in the long run given the socio-economic reality in the sector and in the country. Also, there was a concern that the "western" methods and models did not always fit, thus it could not be expected that what was taught by the SP would be directly replicated. This shows that for a multi-stakeholder process to be solid enough to last and produce sustainable results, the different parties ought to feel that they participate on equal terms without being pressured into the process.

### **7.1.5 Strategic partnership with lobby targets**

Another way of creating ownership, and thereby to ensure sustainability, is to enter into strategic partnerships with the lobby and advocacy targets. In Myanmar, the labour ministry MOLIP considers Apheda and M-FNV to be technical partners to reform minimum wage law, and the ministry requested Apheda and M-FNV to conduct a national cost-of-living survey as input for amending minimum wage policy.

Another example is the Vietnamese employers' association VCCI that was invited by Fair Wear to co-host a GBV supplier seminar. In order for VCCI to take the necessary action in supporting employers in capacity building and developing policy to prevent and address the GBV, they must own the subject. As a result of the seminar, VCCI said they planned to organise several GBV trainings and workshops in 2020.

### **7.1.6 Well-positioned partner organisations**

The choice of strong, independent, well-positioned partner organisations can also bode for sustainability. In Vietnam, if one wants to work with trade unions, the state party trade union confederation VGCL is the only option. However, the CNV-I chose to make them the project holder for the MCCBA process, which has turned out to open new doors. VGCL has potential influencing power and convincing them that the Dutch MCCBA-model was more efficient and effective than the Vietnamese Industrial CBA motivated them to advocate for this model to become included into the revised labour code.

Another example of a wise choice of partner in Vietnam appears to be the Centre for Development and Integration (CDI), an active Vietnamese NGO working on labour issues. They were engaged by SP to host a roundtable on living wages with key contributions from the VGCL and members of the National Wage Council. CDI was also engaged with the revision of the labour code and support the Violence and Harassment research through their community-based networks. While SP plays a convening role that provides inputs for joint recommendations, CDI is better positioned to lobby broadly on the topic.

In Indonesia, as in all countries, all core local partners 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, which bodes well for sustainability.

In Cambodia, the two key partner organisations are well-known unions, on the national as well as on the international arena. They are engaged in discussions at national levels, in bargaining at union levels and in solving individual cases. Investing in capacity building in these partner organisations might very well lead to future sustainable outcomes.

### **7.1.7 Locally embedded outcomes**

To become sustainable, outcomes must be embedded in agreements between local actors whose existence and actions are independent from the presence of the SP. One very good example is the MoU on GBV free zones signed between trade unions and the Ministry of Women Empowerment in Indonesia.

### **7.1.8 Outcomes embedded in laws**

Embedding of the desired results in a law is often considered to be the ultimate proof of sustainability. However, for countries with weak institutions and low degree of law implementation, new laws might not lead to the intended changes that were hoped.

Assessing the sustainability of lobby processes can be hard. Lobbying done one year might not bring any tangible achievements during the reporting period, but may be picked up and acted on later or by different actors, making the eventual breakthrough hard to document and attribute to the lobbying that once took place. There can never be a guarantee that lobby achievements are sustainable. A major breakthrough in new legislation and policies might be reversed later on by a new government, or influenced by economic fluctuations. The Covid-19 is an example that makes gained rights and won battles become reversed. Lobbying for a new law to be passed is just a beginning. For laws to result in real changes for people on the factory floor, there must be lobbying and social mobilisation for the laws to be properly implemented, enforced and maintained.

### **7.1.9 Scaling up to "a new normal"**

To really reach full sustainability, the positive experiences and outcomes reached so far must be scaled up and turned into "the new normal". In Vietnam, the SP partners and the partner

organisations are working hard and systemic to spread the news about the pilot MCCBA, and there are positive signs that such MCCBAs can become anchored in the new labour law. In Indonesia, 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.

That SP tools such as the Fair Wear local complaints mechanisms might be shared with non-Fair Wear members is something that is appreciated by other multi-stakeholder structures. Here, SP has already started by strategically collaborating with other multi-stakeholder bodies such as the Dutch AGT, the German PST, and the British ETI that will become a new partner.

SP was one of the first multi-stakeholder structures to reach out to the Dutch AGT when it was established and asked *"how can we work together?"*. The AGT is now planning a concrete wage project in Tamil Nadu in India where the experience with several SP tools, among them the labour minute costing tool, will be used.

## 7.2 Approaches with less focus on sustainability

If we understand sustainability as the probability of a result remaining in a country after the SP no longer exists and the SP partners have left the country, there are two programmatic approaches that merit attention.

### 7.2.1 Follow-up on training activities

As also seen in Chapter 6, training cannot be one-off-sessions. Learning has to do with internalising new information to enable new ways of thinking and acting. One stand-alone seminar or course seldom leads to that. A one-off course of seminar can be the first little seed that is planted, but it needs watering and fertilising to become a plant. In order not to waste resources, all training and awareness-raising activities should be followed up in various ways until the new idea has become internalised and the trained persons are motivated to, able to and have enough support to carry the new idea forward on her own. As such, follow-up should be embedded in all SP training activities and integrated into change processes. As far as possible, one-off events should be avoided.

Some examples of trainings done within SP that appear not to be sustainable are already mentioned, such as the training of employers on product costing tool in Myanmar, and the GBV factory action plans in Ethiopia.

The gender network in both Myanmar and Bangladesh felt that given the sensitivity of gender-based violence, along with constant changes of employees, **awareness-raising alone is not enough** to make the results last at the workplace. Trade unions need to be regularly updated, and factories practices regularly checked on. An effective law that prevents and protects the employees from abusive behaviour would of course also help.

In Vietnam, the pilot MCCBA process was successful in arriving at both a MCCBA that gave valuable improvements to the workers and also showed an efficient model to be replicated elsewhere. However, the model that was set up is hierarchical in that it is not only embedded at national level, but national level is also involved. This requires close communication between all levels, from national, to district, to factory level and back. The model requires bargaining capacity from all social partners at all levels, and presuming it is not there already, possible replication will require substantial capacity-building, not the least at factory level.

### 7.2.2 Facilitation of common platforms

Under section 7.1.6 above the point is made that for a result to last, it must be **embedded in local structures**. Therefore, this End Term Evaluation is concerned about SP partners themselves filling the roles as facilitators or coordinators of some of the core platforms, like the Gender Network and the Freedom of Association Protocol in Indonesia. It is the firm belief of the End Term Evaluation team that structures that depend on foreign actors become vulnerable the when the foreign actor no longer finds finance or leaves the country. It is therefore strongly advised that the facilitation role is phased over as soon as possible in a responsible way to local partners in due time before the SP partners one day leave the country.

## 8. Is SP focusing on the right issues?

### 8.1 Relevance of thematic areas

Asked about the choice of the three thematic areas, most informants to this End Term Evaluation have been very positive and **confirmed the relevance of the choice of social dialogue, wages and gender-based violence/harassment.**

Social dialogue can be said to be the basis for the entire programme. It is highly important in itself, and the success of the two other thematic areas largely depends on a functional social dialogue process being in place.

On the choice of “narrowing” the wage theme to ‘living wage’, reactions are mixed, as ‘living wage’ is not yet a meaningful concept for all stakeholders in all places. One informant felt that *“living wage is a boutique topic”*, while for the mainstream, he argued, the focus still seems to be on compliance towards minimum wages. Another informant had quite the opposite view, claiming firmly that the most important investment of the SP is their living wage investment and the development of the labour minute costing methodology and the training for brands and suppliers that balance power between brands and producers. The informant felt that this could not have been developed to the present scale without the partnership. The informant insisted that SP maintains focus on living wage also in the future: *“Fair pricing is key to enable a better schedule of labour. Prices must go up. Slave labour working times must end. So far the attention has been on the production side. One has to start working responsibly on the purchasing side of the supply chain. The focus on living wage is important to achieve that.”*

### 8.2 Most important investments

At the inception workshop for the End term Evaluation in March 2020, participants were asked what they perceived to be the SP niche. The different answers are shown in Box 8.1.

Box 8.1: SP niche according to SP staff

- ☞ *Sourcing dialogue is connected to social dialogue (and vice versa)*
- ☞ *Bringing brands, factories, governments and workers and their representatives around the table*
- ☞ *Moving from compliance-based resolution in the industry to Social Dialogue based protection and remediation.*
- ☞ *Connecting the international to the local and vice versa*
- ☞ *A consortium with the legitimacy to be the creator of a tipping point in the garment industry, towards a situation where workers' rights are always respected*
- ☞ *Driving force of innovation in the garment sector*
- ☞ *From expertise and well documented work, influence others, especially regarding Freedom of Association and empowerment of women workers*
- ☞ *Combination of supply chain approach and L&A capacity building of CSOs towards shared aims*
- ☞ *Gets a coalition of the willing amongst brands, factories, trade unions and other civil society actors to move jointly*

One collaborating multi-stakeholder structure representative told the End Term Evaluation that: *“SP is a niche with high added value! The combined networks of trade unions and Fair Wear brands backed by government and give access to stakeholders in many areas that are not automatically open to outsiders. Those entry points provide an opportunity to solutions. SP has*

*an expert niche and SP expertise is very helpful. Over the years they have developed deep insight into social dialogue, living wage and gender-based violence. In some areas, like for instance living wage, they are the best in class!”.*

One Embassy representative told that other large-scale garment sector projects focus more on compliance or training in factories, while the SP talks more about influencing brands and their sourcing practices. The representative pointed to the good ambitions in the holistic approach of SP, although he felt that SP had somewhat overinvested in trying to do everything at the same time.

SP partners' staff, directors, partner organisations and some other informants were asked about what they perceive to be the most important investments of the SP. Below is a presentation of these.

✚ **Joint lobbying on law changes** came up as something many valued. Here, the labour law revision in Vietnam, lobbying for legislation for the prevention of sexual harassment at the workplace in Bangladesh, integrating GBV in the OHS law in Myanmar, and the large scale awareness raising in many countries combined with multi-angled lobbying made SP an important contributor to the adaptation of the ILO Convention 190. SP partners find that joining forces with a variety of in-country partners have proven to be very effective.

✚ **Social dialogue stimulation activities, MCCBA-processes and functioning tripartite mechanisms** to improve labour standards and labour conditions were mentioned as very valuable investments. These processes and platforms create mutual trust that is needed for implementation and enforcement of the agreed solutions. The permanence of the processes and platforms can enable horizontal and vertical linkages between present actors as well as synergies for future work processes. Functioning social dialogue platforms can enable constructive dialogue on a variety of issues, including wage levels and gender-related issues.

In Indonesia, the SP initially played a limited role with regard to the establishment of MCCBA. However, this changed over time as partner organisations of CNV-I gradually started to collaborate with M-FNV and Fair Wear and their partner organisations, especially on how to integrate GBV into the MCCBA.

In Vietnam, the stakeholders to the MCCBA felt the MCCBA was qualitatively different from other MCCBAs in the country, as it had a unique initial selection process and the bottom-up approach. Brand involvement ought to have been there too, but this has not yet been achieved. In addition, the MCCBA offers an easier signing model where only the factory unions and the factory owners need to sign, instead of the labour federation and employers' association.

✚ **Learning visits** (e.g. Indonesia to India, Ethiopia to Indonesia, Myanmar to India) where partners, partner organisations, strategic allies and lobby targets travel together for mutual learning have been found to be very valuable investments. These exchange visits have provided eye-opening and learning, have provided different stakeholders access to one another and been "forced" to understand the perspectives of others. Used wisely, this access to stakeholders and their networks can provide a valuable asset. One good example is Myanmar, where SP partners and partner organisations have used the access to fellow travel companions to India to undertake different lobby and advocacy activities such as awareness raising seminars and courses, meetings, opening into Labour Ministry, Parliament and more.

✚ **An intensified support and guidance** to brands has also been raised as important investments. The SP partners have joined forces to channel evidence and methodologies

on social dialogue, living wage and gender developed by the SP to members of AGT, PST and the global Action Collaboration Transformation (ACT) coalition for living wage, as well as to the Fair Wear members. This guidance includes training on living wage and costing, roundtable discussion of freedom of association, practical resource kit to brands developed by M-FNV and their strategic partner Shift. CNV-I made a video for brands from workers in Cambodia. Fair Wear<sup>78</sup> gave a series of brand awareness training sessions to brands and European stakeholders on how to address gender-based violence in the workplace. The training, titled '*Gender in the garment supply chain*', included a half day training Belgium, Germany, the Netherlands, Sweden and Switzerland followed by a full-day workshop in The Hague.

- ✚ **Hosting the Gender Forum (Vietnam) and establishing gender platforms** in which different stakeholders are joining to work together is found to be worthy investments. This is the case for Indonesia where organisations join forces to lobby and advocate, learn from each other and cooperate. The Gender Platform in Bangladesh is a locally owned collective effort by SP partners. The Platform has a clear vision, there are shared responsibilities and the participants make use of each other's knowledge and network. Also, in Cambodia, the partner organisation CLC's Gender Committee has strengthened its 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.
- ✚ **Establishing consultative platforms.** In Myanmar, where there are many unions, but a weak culture for coordination, the Labour Consultative Forum has become a vital platform for different unions and labour NGOs to discuss a variety of issues and come up with joint proposals and recommendations for the union representative to bring into the national tripartite dialogue.
- ✚ **Capacity strengthening of partner organisations on evidence-based lobby.** SP partners see that their partner organisations are listened to and taken into account when they present proposals based on evidence. In Cambodia, training local partner organisations in negotiation skills and communication, evidence-based research and advocacy, equipping the labour movement with tools and knowledge, all adds weight to their demands. Also, in Ethiopia, evidence-based research and practices, such as a survey on living wages, collection of existing CBAs and research on gender-based violence, have been documented to be effective when used in lobbying.
- ✚ Investing in **building strong long-term relationships with local partner organisations** has also proven to be fruitful. Strong relationships show their soundness when there are disagreements and challenging environments. In Cambodia, CNV-I's two core partner organisations 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. In Ethiopia, the SP through M-FNV has stood the test, despite a highly challenging environment.

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<sup>78</sup> Together with Plan International, the AGT and the International Training Centre of ILO (ITC-ILO)

### 8.3 SP's ability to adapt to changes and new insights

Most of the recommendations provided in the 2018 mid-term Review were taken very seriously and followed up systematically. The largest change this has brought to the programme is the emphasis on coordination and collaboration between the three SP partners and their partner organisations in production countries. Annual plans are now made together on country level, and annual meeting points for all SP staff have been established, the so-called 'lobby-week'. Gradually, SP staff and their partner organisations are getting used to cross collaboration between workers, employers and brands.

Covid-19 has taken a hard toll on the textile and garment industry. According to VGCL, around 20 per cent of Vietnamese textile enterprises were affected in April 2020. A joint statement on a cooperation initiative to address Covid-19 impacts on workers and businesses in the textile-garment and leather-footwear-handbag industries in Vietnam was signed in Hanoi on June 22<sup>nd</sup>, 2020. The dialogue process was supported by the CNV-I. The signatories consist of VGCL, VCCI, the Vietnam Textile and Apparel Association and the Vietnam Leather, Footwear and Handbag Association. Via this document, they call for the building of an agenda and a roadmap, which involve social partners wishing to join hands to overcome crises and develop sustainable and prosperous industries. Particularly, they recommend investing in strategic partnerships and promoting social dialogue that suits the context in Vietnam while being consistent with international labour standards.<sup>79</sup> According to CNV-I, the ILO Vietnam Country Director has stated that the joint statement has set a solid ground for continuing collaboration among social partners at the time of the Covid-19 crisis.

Also, in Vietnam, the labour code 2012 was revised in 2019 with major changes to the chapter of representative organisations of employees, when it accepts the establishment of employee organisations other than the trade unions in Vietnam's trade union system. Furthermore, the Trade union law is under process of revision, and ILO Convention No. 98 on the right to organise and bargain collectively, was ratified in July 2020. These changes require SP to adapt its strategies and activities. The labour ministry's department for legal affairs and Fair Wear have explored opportunities for collaboration on important tasks coming up, such as 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 the revised labour code from 2019.

A third example from Vietnam is that retired people recruited from the employers' association were trained for the MCCBA process at first. Because they were retired, they could not be employed by the project, and listening to the arguments from the project holder VGCL, CNV-I later reviewed the criteria for selecting personnel to be trained as core trainers.

In Myanmar, after the India trip, Fair Wear saw the opportunity to approach MPs and MOLIP directly to advocate for Gender Base Violence issues to be included in OHS law after learning that the tripartite mechanism could not be expected to take on the issue. Fair Wear, Care and GEN worked together to make effective use of their respective networks.

In Indonesia, 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. Partner organisations reported that the focus on GBV and living wages changed to prioritising fighting for

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<sup>79</sup> <https://en.qdnd.vn/economy/news/cooperation-statement-inked-to-support-garment-footwear-workers-companies-517847>

their jobs. In parallel, unions increased their presence and efforts in organising workers in Central Java, as this was becoming the new national hub for the garment industry.

In Cambodia, the situation for unions is increasingly more difficult, and trade unions allocate a notable portion of time and resources to court cases protecting criminalised unionists and dismissed workers. It has made it more important for trade unions to apply a more cooperatively oriented lobby and advocacy approach with the labour ministry and the employers' association. Furthermore, the labour law severely limits the growth of trade unions through stringent requirements on registration and how to acquire the 'most representative status' (MRS), a precondition for a union to engage in negotiations with the employer. This has prompted the CNV-I and their trade union partners to adjust their focus from registration of new CBAs to strengthening the existing local unions through trainings on MRS processing, lobbying for Freedom of Association and bargaining on non-wage issues of productivity improvements and working conditions. As in other countries, the 'living wage' thematic area in Cambodia is largely to ensure compliance with minimum wages.

In 2019 in Tamil Nadu in India, the garment industry was reclassified to hosiery, which has a forty per cent lower minimum wage. The SP has adapted their 2020 plans to this change by preparing a wage document translated into Tamil, bringing together all studies on wages from Tirupur along with the minimum wage stipulated by the Government of Tamil Nadu. The partner organisations will use this documentation when lobbying for increased wage levels in the area.

Sixteen respondents to the survey to Fair Wear member brands assessed the SP partners' ability to adapt to changing circumstances. Five respondents perceived that the SP had a great ability to adapt to new laws and regulations in garment producing countries, to new insights about labour conditions in garment production countries as well as changes in labour conditions. Seven respondents considered that SP has an ability to some extent to adapt to changed or new laws and regulations in the Netherlands and in Europe, and to changed or new international conventions and agreements. None of the respondent in the brands survey believed that the SP had significantly influenced their brand to change their actions or practices due to changed laws or policies or other circumstances, but some thought this could have happened to a lesser extent

## 9. Value added of the Strategic Partnership

### 9.1 Synergies created as a result of the partnership

Starting from a situation where the three organisations operated rather individually, it is clear that acting together, sharing information and knowledge with and between each of the SP partners' local 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 gender platforms in Indonesia and Bangladesh, having gained a place as a space for discussing and lobbying on gender issues across sectors. The joint Directors' participation on different arenas and activities the recent years not only adds weight to the on-going transformation processes, but also act as a testimony of closer collaboration.

During the inception workshop in March 2020, the SP partners' staff members emphasised how the strategic partnership **provides access to different parts of the value chain**. The SP ambition, bringing trade unions, brands, employers, civil society and governments together, could open opportunities for the garment industry to become sustainable and responsible. This would entail bringing in different expertise, perspectives and stakeholders for a common cause, creating a common understanding and language on key labour aspects in the garment industry. The creation of synergy effects was underlined, with having complimentary partners, approaches, outreach and networks. Together, the SP partners engage with the entire supply chain, and through this learn to understand the interconnected causes and effects of each part of the chain, whilst individually each partner can only target some of the chain. The cross-learning and importance of coordination to avoid "reinventing the wheel" were also pointed out. Several participants focused on the synergies related to international lobby, and how the partnership had taught the organisations to collaborate and put competition behind. That unions learn to understand the perspectives of the brands and vice versa was reiterated as an important value added of the partnership that enabled learning for all. The three SP partners have complementary roles that give all more leverage as this enables the different partners' messages to reach actors and places they would otherwise not be well positioned to. Several mentioned that the partnership enabled improved work on social dialogue. Some argued that working together increased the opportunity to scale up good ideas, and others focused on an improved sustainability as the partners may take over work from one another.

The three organisations have learnt that the more complex the issue, the better the result becomes if they solve it together. The directors of the three SP partners felt that the strength of the partnership lies in the three organisations being so different. This makes the partnership complex, but also complimentary. This is what they learn from. Thus, being together enables that unions and brands can stand behind the same and reach politicians or managers that care more about money than people. Being together enables synergies in form of a much larger outreach to a bigger public and a larger target audience because of their diverse networks. The fact that they operate together in a partnership has allowed them to put the issue of supply chain responsibility on the map. Together they have been involved with the Dutch agreements "International Responsible Business Conduct" (IRBC) and have achieved making clear that supply chain responsibility is the issue of many actors - trade unions, civil society, brands, producers and governments. The strength of the SP lies in the ability to link all these stakeholders. The three directors agree that none of them would have been able to carry out this work on their own, as they would then have only represented one party and only one part of the supply chain. A joint letter to the Cambodian government from brands, civil society, and unions is a good example of how different stakeholders can collaborate for a sustainable garment sector. The three directors feel that the SP has enlarged their outreach and allowed them to bring together the whole supply chain.

## 9.2. Value added of the partnership on the three SP partners

The three organisations perceive that they have strengthened each other significantly. All three have taken on and understood the three thematic areas in new ways after the partnership. M-FNV and CNV-I inform that due to the SP, they have started to work more on lobbying, campaigning and approaching other stakeholders.

Fair Wear has learnt a lot about social dialogue and trade unions from being part of the partnership, and the trade unions have learnt how brands think and how a multi-stakeholder structure works. For Fair Wear it is virtually impossible to have access to trade unions in many countries. They meet, but only on a superficial level, as Fair Wear in general will be perceived to be on the side of the brands or the employers.

Although “value added” is often analysed as everything that comes out of a relationship beyond finance, it must be said that for Fair Wear, access to external finance in itself has allowed Fair Wear to play a different role and engage differently in the SP than it would otherwise have been able to. Fair Wear is financed by its members, and it has had a focus on changing its members, one brand at the time, as one cannot expect members to want to use funds to change their competitors. Therefore, to engage with the entire industry, Fair Wear needs subsidies that disconnect them from their paying members. The funds from MFA have allowed Fair Wear to look at the entire industry, develop pilots, create knowledge and gain new expertise and networks that they could not have done without external funding. Fair Wear has invested in several new tools and processes as a result of being part of the strategic partnership.

- ☞ A new “approach”-document outlining how it works with member brands, on promoting social dialogue. A working group of experts from Fair Wear’s Committee of Experts was established to further explore this topic in order to finalise and publish a policy and guidance for brands. The guidance was largely developed in 2019 but will undergo further consultations with stakeholders before launching in 2020.
- ☞ In 2019, Fair Wear started its learning network on living wages. The rationale behind this network is to create internal and external advocates of Fair Wear’s living wage work in order to increase its overall impact.
- ☞ During the inception phase of the Brand Awareness Training on gender-based violence, many Fair Wear brands requested specific tools in order to assist them in gender-mapping their supply chain, identifying gender-related risks, entering into dialogue with their colleagues and their suppliers about gender and implementing gender-specific programmes. In response, Fair Wear created the gender toolkit, which is available on the Fair Wear member hub.

Another value added for Fair Wear is the access they get to the global unions through their partnership with CNV-I and M-FNV. CNV-I and M-FNV emphasised the important and non-replaceable role of themselves as trade unions with regard to required formalized agreements when working with local trade unions.

## 9.3 Value added of partnership on country programmes

SP partners staff expressed that despite that national country representatives of the three SP partners have been encouraged to collaborate, this does not happen to the expected level in all countries. Beyond personal differences, there are layers of cultural, traditional and ideological

differences between workers and employers that in some countries prevent the partnership from being as effective as hoped from Amsterdam. That being said, there have been important leaps made in the collaboration and coordination between the partners in the production countries since the Mid-Term Review in 2018.

In Cambodia and in Ethiopia there is only one SP partner present, and this End Term Evaluation wanted to know how there could be added value of the partnership in these countries. CNV-I explained that early on they made a decision to be complimentary to M-FNV by working in other countries. Not having direct links with Fair Wear brands in **Cambodia** has made it difficult for CNV-I to lean on and make use of the leverage of the brands. However, several Fair Wear member brands source from Cambodia, and a suppliers' seminar is planned for 2020, providing an opportunity for engaging with brands and producing companies. Still, the country programme has clearly gained from being part of the SP. CNV-I and their partner organisations experience that being part of the SP have added credibility to their initiatives and increased their convening power. By including the name of Fair Wear internationally, 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, as exemplified by the Gender Committee of one partner organisation<sup>80</sup> going to Indonesia in October 2019 to learn more about the GBV free zones with the perspective of possibly replicating that in Cambodia. 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 unions partners' struggle. Finally, the SP helps to strengthen regional exchanges and actions, e.g. CNV-I partners have recently been inspired in their efforts to ensure dialogue between unions, brands and employer organisations during the Covid-19 crisis.

As for **Ethiopia**, being a fairly new RMG export country, the only SP partner present, M-FNV, has found it hard to make use of the leverage of brands. M-FNV specifically claimed the added value of learning experience from other SP countries to avoid "reinventing the wheel". The partner organisations in Ethiopia have been given the opportunity to learn from partner organisations in other countries, and the M-FNV experiences from SP in other countries also flow to Ethiopia. The study visit from Ethiopia to Indonesia, which built the Ethiopian trade unions' knowledge and capacities on gender-based violence, is held up as an example of an important value added. The exchange study took place thanks to the SP programme. M-FNV's experience with the other partner countries has also helped them to identify what is worth doing or not. The Lobby Week had indirect effects as the M-FNV consultant participated and organised lobby and advocacy trainings in Ethiopia. Evidenced by the practical research, capacity building and lobby and advocacy, the capacity of M-FNV and their local partner organisations appear to have matured throughout the years. M-FNV confirms that building partnerships took longer time than expected when starting the programme given the political realities and other external factors.

**Vietnam** was a new country for CNV-I. The first year of the SP was therefore focusing on implementing programme structure in a new country. CNV-I could build on the existing network of Fair Wear who had been present with strong stakeholder relationships for six years at the start of SP. Without the SP, CNV-I would not have been able to build a programme in Vietnam that quickly. The SP partners organised several joint activities including the Lobby Week which objective was to strengthen staff's capacity on how to plan, organise and implement lobby and advocacy, and to align efforts at the national and the international level. The SP and local partners have undertaken more joint lobby and advocacy efforts during the recent years, which

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<sup>80</sup> CLC

country managers indicate can be attributed to an increased level of trust among the SP partners and their partner organisations. In parallel, the SP partners have increasingly worked with other organisations and actors helping the SP to become more visible in Vietnam. The activities listed in Box 9.1 have strengthened Fair Wear and CNV-I and their partnership, and the partnership of CNV-I and Fair Wear have strengthened their local partners, opened up new doors, and started new alliances for joint lobby and advocacy efforts.

Box 9.1: SP activities in Vietnam with significant value added

The Directors' visit in 2019 resulted in successful showcasing of the importance of improving conditions in the garment industry as it coincided with the Dutch Trade Mission headed by the Prime Minister to pressure Vietnam to improve labour conditions ahead of signing the EU trade agreement. A fashion show was co-organised by the SP on a public square in Hanoi where clothes of Fair Wear brands were shown in the presence of both the Dutch and Vietnamese prime ministers. During the show, the Dutch Prime Minister underlined the importance of making sure that all women and men producing clothes have a safe workplace and get wages that cover the actual cost of living. Also, an event was hosted where the trade union confederation and main employers' association shared their experiences with social dialogue, another event on living wage co-hosted by a partner NGO and an event on 'sustainable garments and textile industry' co-hosted by a strategic alliance. Many stakeholders attended these events.

SP partners showed high convening ability when hosting a seminar for members of the National Assembly in 2019, presenting the Dutch social dialogue model, the MCCBA concept and Fair Wear's 'living wage' approach with the attention from the media. Participants provided positive feedback about the seminar, saying the MCCBA project appeared to be useful and practical. This seminar might have contributed to the participating members of the National Assembly to later voting in favour of the revision of the labour code.

Fair Wear and CNV-I have joined a multi-stakeholder working group on ILO fundamental conventions hosted by the labour ministry and supported by ILO. The members of this group include government agencies, unions, researchers and NGOs. The objectives are information exchange, consultation and exploring the support for the Government.

SP has had a number of meetings with national and international NGOs and institutions regarding the update of the Labour Code and preparing for the establishment of a 'Domestic Advisory Group' to continue lobby and advocacy activities when the 'decrees and guidelines' are being developed and a New Trade Union Law is drafted which is expected to be approved in 2020. Also, Fair Wear and CNV-I have been members of the 'Vietnam Public-Private Partnership' (PPP)<sup>81</sup>, a platform where the SP partners can showcase their pilots and outcomes, and lobby relevant participants. The increasing network and visibility make the programme and the SP partners stronger.

In **Indonesia** there is little evidence of coordinated efforts between the three SP partners at company level, while the coordination and collaboration at the national level have grown stronger over the years. None of the Fair Wear member brands sourced from companies with active members of Garteks. At the end of 2019, Garteks became active in one of the large companies where Fair Wear members sourced. Garteks collaborated with Fair Wear to handle a FoA case where the establishment of a Garteks union faced challenges from the factory management and Garteks filed a complaint with assistance from a Fair Wear member brand. That CNV-I and M-

<sup>81</sup> The Vietnam Public Private Partnership shall create a sustainable apparel and footwear sector in Vietnam, and participants are identified multi-stakeholder change agents, including Vietnamese Government.

FNV had already established work and relations gave Fair Wear a kick-start when establishing its presence in Indonesia when it concerns networks, credibility and legitimacy. Through trainings, delegation visits, and dialogue with their national counterparts, SP partners have equipped, supported and pushed for the re-establishment of the 'Freedom of Association Protocol' as a collaborative arena for unions, factories and brands. Also, they have 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. The inclusion of GBV in the MCCBAs is a good example of the potential of the three SP partners and their local partners working together. It combines the longstanding work of CNV-I and their union partners on CBAs, M-FNV and the 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.

In **India**, the two SP partners M-FNV and Fair Wear do not appear to work much together. M-FNV only works in Tirupur District in Tamil Nadu, while Fair Wear operates in the national capital region and Bangalore. There is not much explicit added value from of the two SP partners being in the same country found in the documents shared with the End Term Evaluation. The SP has a clear potential for more added value in India, among other things in involving brands to engage with the business community, in particular the business associations. With several local partner organisations working on the same subjects, and even one common local partner<sup>82</sup>, there appears to be a potential for more added value in this co-operation.

In **Myanmar**, at least one key partner organisation<sup>83</sup> has experienced significant organisational strengthening as a direct consequence of being a partner organisation to the SP.

In **Bangladesh**, the Strategic Partnership has played a significant role to unite the scattered and competing unions into a common space. This has enabled the IBC<sup>84</sup> to play a constructive role representing workers in tripartite dialogue. SP has supported an evidence-based dialogue between civil society, government and business giving more weight to the issues under discussion such as living wages, gender equality, and healthy labour relations.

#### 9.4 Value added for the SP of the Ministry of Foreign Affairs

The Ministry of Foreign Affairs' partnership in the SP enhances the chances to create impact. The MFA framework 'Dialogue and Dissent' that funds the strategic partnership was set up during the previous Dutch government, and spurred ample debate in the Netherlands on how to combine agreement and disagreement, or how to combine subsidies and implementation, in one and the same partnership. The SP partners inform that in reality, representatives of the MFA tend to act like donors, as they do not appear to engage in joint strategizing with the other SP partners. When SP, and the overarching Dialogue and Dissent framework was launched, the Embassies seemed overwhelmed by the number of "partnerships" they all of the sudden were supposed to be part of. Still, SP has benefitted from support, discussions and advise from a highly competent and engaged contact person in the Hague<sup>85</sup> providing useful and relevant advise and linking the SP to relevant networks and actors. Once, MFA in The Hague and SP

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<sup>82</sup> SAVE

<sup>83</sup> MICS

<sup>84</sup> IndustriALL Bangladesh Council

<sup>85</sup> The Dutch MFA

organised a video-link discussion with all embassies in textile production countries where they discussed sector relevant issues and exchanged experiences across embassies.

At country level, embassies have an open-door policy for Dutch organisations and their partners. The open-door policy provides a real opportunity for the SP partners to convey their concerns to a given Embassy that may raise the issue with the government or attempt to reach out to employers. The Dutch embassies shall react to complaints put forward by the strategic partnerships funded by the MFA. The SP partners can also ask an embassy to participate in, or convene, meetings and events. Informants representing the MFA have confirmed that the SP partners have made use of this open-door opportunity. While this policy is also valid for all the SP partner organisations, they have not used this opportunity to the same level. The door-opening function of the embassies is found to be very useful. Invitations coming from an embassy add a weight of importance to any event and put pressure on business and decision-makers to attend. As such, even though perhaps not a “real” partner, the role of the MFA has to a large extent increased the mobilisation ability of the SP at country level.

The level of contact and interaction between the Embassy and the SP partners in the production countries varies very much from country to country. In Bangladesh, the Embassy has played 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. In Indonesia, the Dutch embassy introduced Fair Wear to the employers’ organisations. Other than that, the role of the Dutch ministry is not apparent from the document review. In Vietnam, during the entire period of the SP, Fair Wear and CNV-I have shared information and coordinated its activities with the Dutch Embassy in hosting a series of activities (for example the fashion show during the PM’s visit), seeking support to promote social dialogue in Vietnam and among Dutch / EU companies sourcing from Vietnam, promoting the Dutch ‘polder model’. The Vietnam Embassy played a crucial diplomatic role and greatly supported Fair Wear in savouring the relationship with the Ministry of Labour in the complex issues leading towards the planned launch of the Violence and Harassment research report. In Ethiopia, there was more cooperation in the early years of the programme period. In the later years, M-FNV perceives that the textile sector might no longer be among the priorities of the Embassy. In Myanmar there is mutual exchange of information between the SP partners and the Embassy, but there does not appear to be much cooperation.

The embassies can also play a very important role in scaling up or giving weight to an SP initiative, as responsible business conduct is a priority to the EU. Thus, an issue that is raised with a Dutch Embassy will often be passed on to the EU. This becomes especially true when the same messages and signals come from different actors and through different channels. MFA considers that effective lobbying is when each actor uses its leverage through its own system and its place in the system. If the SP has an issue they want to be lifted up to the national and international policy level, they will do wise in encouraging their different collaboration partners, strategic alliances and partner organisations to raise the same issue. Attribution of such lobbying might sometimes be difficult to trace, but representatives from the MFA confirmed that quite often the pathway is comparable to the one illustrated in in Figure 9.1 below.

Figure 9.1 Potential pathway of open-door-policy of Dutch Embassies to the SP



## 9.5 Value added for brands

In addition to some interviews arranged with different European stakeholders, the End Term Evaluation made an online survey to Fair Wear member brands. Unfortunately, the survey received too few responses in order to make solid statistics.

In the survey, Fair Wear member brands were asked to rate their own attention to different risks and considerations in the garment factories they sourced from. As Figure 9.2 below shows, the payment of minimum wages is a priority concern for all but one of the 22 respondents. It is noticeable, although not surprising, that the share of brands with high attention to a topic decreases gradually when approaching the complex issues of social dialogue and CBA, in which brands do not have a formal role to play. .

Figure 9.2. Brands' attention to issues in production factories (Numbers of brands responding=22)



The German multi-stakeholder initiative Partnership for Sustainable Textiles (PST) explained that labour conditions in general and minimum wages were given high attention by its members, while the other issues were given some attention.

### Box 9.2: Fair Wear instruments

- **Factory audits:** In each SP country where Fair Wear brands source from, Fair Wear has a team of local social auditors to conduct in-factory audits. Fair Wear factory audits substitutes or complements social audits that brands themselves execute and/or commission other 3<sup>rd</sup> parties to execute.
- **Complaints mechanisms:** A grievance channel for workers. The Fair Wear complaints mechanism is set up in all the SP countries and handled by local partners.
- **Brand Performance Check (BPC):** Fair Wear assesses their members on a pre-defined set of themes/indicators, such as Purchasing Practices. Each checkpoint has a scoring scale, which enables quantification and tracking progress over time.

Brands responding to the survey for this End Term Evaluation were asked to rate the usefulness to their brand and their suppliers of the three Fair Wear instruments listed in Box 9.2 above, when it comes to strengthen awareness and performance in the three thematic areas social dialogue, living wages and gender-based violence, see Table 9.1.

Table 9.1: Usefulness of Fair Wear tools according to brands responding to survey

	Highly useful	Some-what useful	Not so useful	Not at all useful
Factory audits for social dialogue	7	6	1	
Factory audits for living wage	9	6		
Factory audits for gender-based violence	3	4	1	1
Fair Wear Complaints Mechanisms for social dialogue	11	3		
Fair Wear Complaints Mechanisms for living wage	7	6	1	1
Fair Wear Complaints Mechanisms for gender-based violence	5	3	1	
Brand Performance Check for social dialogue	3	9	1	1
Brand Performance Check for living wage	5	10		
Brand Performance Check for gender-based violence		3	4	2

When asked about the usefulness of the different Fair Wear instruments for strengthening **social dialogue** in production countries, most responding brands found Fair Wear's Complaints Mechanisms to be highly useful. One respondent claimed that the three instruments mutually enforce each other, as well as other thematic areas: *"If audits and complaint mechanism are permanent at the production facilities, and BPC encourages and reminds members as a tool, then each time at an audit, or when the brand visits, this leads to social dialogue and improvement. If this is repeated year by year, then after many years there have been a fair amount of social dialogue and improvements, it becomes "normal" for the factory (considering everything else stays the same; e.g. workforce and management)."*

Another respondent had a different view on each instrument:

*"BPC - not useful because it is not affecting production facility but only the brands efforts. Complaints mechanism - if something is not going well, we get first-hand information and we can act with the mandate not only of the brand but also of the workers of this particular company. Factory audits - are "just" checking the actual situation. If it has become clear in the audit that there is no social dialogue, we can encourage the factory to facilitate more dialogue and make them understand that it is also positive for them but purely an audit doesn't change a thing".*

Asked about the usefulness of factory audits, complaints mechanisms and brand performance checks for increasing awareness on **living wage**, brands found factory audits to be the most useful instrument.

One respondent wrote: *"Factory audits are the best way to ensure that the wages paid are fair. By analysing the complaints, the factories which are not respecting the standard for wages are to be put under watch. And the brand performance check is good to know if members are taking action to respect the living conditions of workers."*

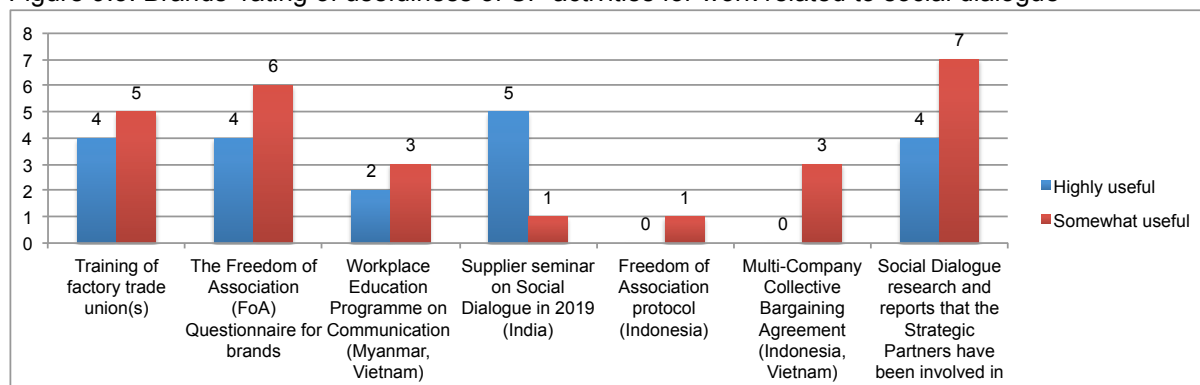
When it comes to efforts to increase awareness of and/ or reduce the prevalence of **gender-based violence**, the Fair Wear complaints mechanism was found to be highly useful by more brands than the factory audit, while no-one thought brand performance check was highly useful for this purpose.

Summing up the above, it appears from the survey that the Fair Wear complaints mechanism is perceived to be highly useful for social dialogue, and somewhat less, but still high, for gender-based violence and living wages. Factory audits are perceived by above half the respondents to be highly useful for living wages. It is worth noticing that only a minority of the respondents found the Brand Performance Check highly useful for social dialogue and living wage, and none of the respondents believed it was highly useful for work related to gender-based violence.

Brands were also asked to rate the usefulness of other SP tools and instruments for the three thematic areas. The following seven activities and tools for social dialogue were rated:

1. Training of factory trade union(s)
2. The Freedom of Association (FoA) Questionnaire for brands
3. Workplace Education Program (WEP) on Communication (Myanmar, Vietnam)
4. Supplier Seminar on Social Dialogue in 2019 (India)
5. Freedom of Association Protocol (Indonesia)
6. Multi-Company Collective Bargaining Agreement (Indonesia and Vietnam)
7. Social Dialogue research and reports that the Strategic Partners have been involved in

Figure 9.3: Brands' rating of usefulness of SP activities for work related to social dialogue



All the seven SP activities were rated as either 'highly useful' or 'somewhat useful' by all brands, see Figure 9.3. Five out of six felt that a supplier seminar on social dialogue in India in 2019 had been 'highly useful'.

One brand informant told that they had actively used the **WEP Communication module**, which is a training programme for factory management and workers to improve bipartite dialogue at the factory level. The brand informed that the WEP Communication helped in the transition from audits to capacity building. In one example from Myanmar, the baseline audit of one preferred factory had 55 findings. The high number of findings was interpreted in part to be due to the factory being comfortable with the auditing team and thus sharing more openly the actual situation. The brand decided to engage in an improvement process with the supplier and introduced the WEP programme. To complement the WEP Communication training, the brand conducted a worker well-being survey.

AGT highlighted the usefulness of M-FNV and CNV-I's support and training on Freedom of Association (FoA). Facilitated by the M-FNV and CNV-I Dutch headquarters, their Asian partner organisations came to the Netherlands to provide training to the AGT brand members. During this training, SP's trade union partners gave brands FoA cards with questions to ask their suppliers regarding freedom of association, as a means for brands to engage in constructive sourcing dialogue with suppliers. The FoA cards were practical for brands and important to have, as many brands felt insecure on how to deal with the fundamental labour standards.

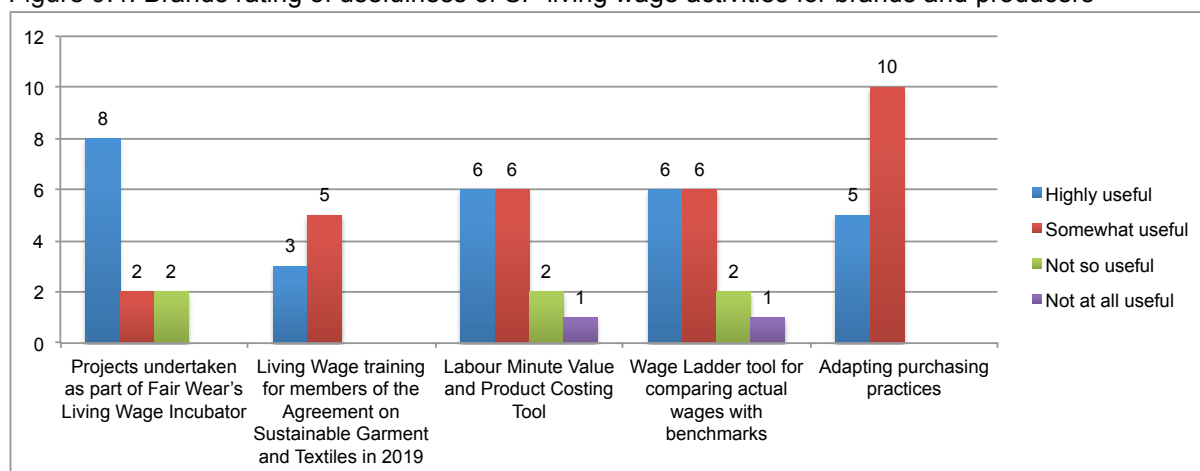
Brands were also asked to rate the usefulness of five living wage activities and tools under the SP programme:

1. Projects undertaken as part of Fair Wear's Living Wage Incubator
2. Living Wage training for AGT members in 2019
3. Labour Minute Value and Product Costing Tool
4. Wage Ladder Tool for comparing actual wages with wage benchmarks
5. Adapting purchasing practices.

15 brands responded. The large majority of brands who participated in Fair Wear’s ‘**Living Wage Incubator**’ rated this as highly useful, while two felt this had not been so useful, see Box 9.3 for more information on the ‘Living Wage Incubator’. The majority of the participants in the AGT living wage training (2019) and adapting purchasing practices considered this as ‘somewhat useful’. The labour minute and product costing tool and the wage ladder tool were both rated highly or somewhat useful by the same number of respondents, while in both cases, a minority felt these tools were ‘not useful’, see Figure 9.4.

AGT expressed that they have been happy to present SP training to their signatories. The concept of living wage gained broadened outreach through AGT mandatory training and Fair Wear expertise. At the beginning of training, common counterarguments to the living wage concept were “*If we pay more it is not ending in the workers pocket*” or “*Our competitors do not work with living wage, so it will not help*”. AGT reports that the participants left the training with a better understanding of the living wage issue and a clearer picture on steps they could take themselves. Especially the practical cases provided by companies that had already implemented living wage were found to be very useful. AGT further reported that **the training made the brands become more aware, and have started to map wage gaps, to educate buyers (on costing) and to implement living wage.**

Figure 9.4: Brands rating of usefulness of SP living wage activities for brands and producers



### Box 9.3: Living Wage Incubator

The ‘Living Wage Incubator’ is a **safe space** for brands, allowing participants to **form their own approach**, and encourages brands to learn from one another. One brand representative stated that ‘Living Wage Incubator’-participation had shaped the brand’s approach and their **holistic road-map to living wage**, and contributed to **knowledge expansion**. By participating in the ‘Living Wage Incubator’, one brand stated they not only gained in-depth insight into the different which living wage benchmarks and which one to use, but it also enabled **constructive living wage dialogue with suppliers** who asked for benchmark data calculations.

Overall, Fair Wear member brands participating in the ‘Living Wage Incubator’ appear to be content with support from the organisation. They consider the incubator a useful platform to exchange information and find Fair Wear’s training sessions on labour costing and tools developed useful. In 2017-2018, thirteen brands were actively participating in the ‘Living Wage Incubator’, affecting at least 10,000<sup>86</sup> workers working for seventeen suppliers. In 2018, the participating brands reported that eleven out of the seventeen of their suppliers had increased

<sup>86</sup> Not all cases have information on number of workers, and not all cases have resulted in increased payment (as of July 2018).

wages linked to the work on promoting living wages, while six had not and the last case was unclear. In six of the eleven cases where wages increased, brands were bearing the costs alone. Some brands, in particular in cases where they accounted for a small part of the supplier's total volume, felt that sharing a living wage bonus among all workers a few times a year became more a philanthropic gesture than really addressing the structural dimensions of unfair wages.

There seems to be an understanding among participating brands that living wage efforts, not neglecting the importance of concrete results achieved, until now have had the nature of individual projects and that one is still far from achieving the game-changer impact in the sector. CSR or sustainability departments that are often in charge of promoting living wages, also have to deal with internal lobbying to get sufficient support. Scaling this up or making it the new normal might not be just around the corner. One informant to the End Term Evaluation felt that even though SP is very forward leaning with regard to the concept of living wage, it would have difficulties to leverage their work on living wage outside the sphere of Fair Wear and its member brands.

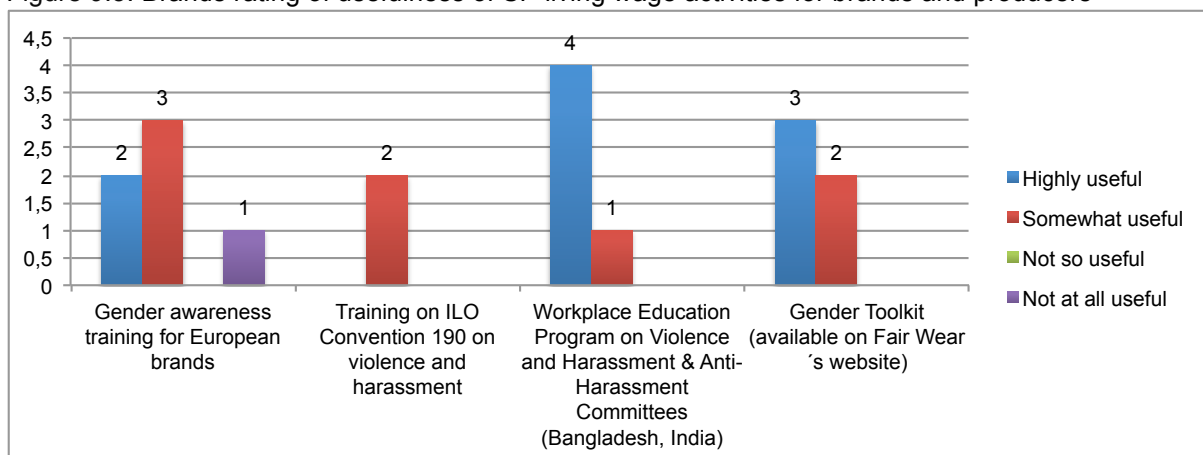
Action Collaboration Transformation (ACT) is a European multi-stakeholder coalition for living wage founded by IndustriALL. ACT comprises of 21 multinational brands like H&M, Primark, C&A and Tchibo. In September 2019, **ACT adopted a due diligence framework which includes the Labour Minute Costing Tool**, developed within the SP programme. ACT brands' implementation of the due diligence framework has not been mapped in this evaluation. However, being endorsed by the ACT governing bodies makes it likely that the implementation of the due diligence framework will be mandatory and/or a clear priority for ACT members.

In the survey, brands were also asked to rate the usefulness of four gender-based violence activities and tools under the SP programme:

1. Gender awareness training for European brands
2. Training on ILO Convention 190 on violence and harassment
3. Workplace Education Programme on Violence and Harassment & Anti-Harassment Committees (Bangladesh, India)
4. Gender Toolkit (available on Fair Wear's website)

Nine brands responded. Four out of five participant felt the Workplace Education Programme on Violence and Harassment & Anti-harassment Committees (India and Bangladesh) had been highly useful. Three out of five felt the Gender Toolkit had been highly useful. The gender awareness training received mixed responses and the ILO C190 training was regarded as somewhat useful by the two participants who responded, see Figure 9.5.

Figure 9.5: Brands rating of usefulness of SP living wage activities for brands and producers



The AGT stated that one AGT brand signatory making use of the WEP training Violence and Harassment in India had found it highly useful, since there was no way they could have set up something similar that could come close to it. AGT believes other AGT-committed brands also have engaged in Fair Wear trainings in producing countries, but their feedback has not been traced.

The 'Living Wage Incubator' stands out as an activity that has been rated as 'Highly useful' by most. It is worth mentioning that there is often a positive bias in surveys, which means that people who are already positively inclined to the object of the survey will be more likely to actually respond to the survey. It is therefore worth noticing the relatively high number of activities that have received a higher score on 'Somewhat useful' than 'Highly useful'. Given that these innovations are costly and time-consuming efforts, it might be worthwhile investigating further why participating brands are not more satisfied by these tools and activities than appears to be the case in survey.

## 10. Learning

### 10.1 The SP transformation model compared to others

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 wage, social dialogue, and gender-based violence.

The SP transformation model is ambitious as it sets out to transform the entire ready-made garment value chain. The model seems to disregard that the SP partners have a relatively tiny direct influence on the value chain. In the inception workshop in March 2020, SP partner staff members emphasised that to ensure impact on a larger scale, it will be necessary to influence other, more influential actors to replicate positive experiences made by the SP. One identified way of doing this was to increase the efforts on establishing strategic alliances and formal collaboration with other platforms and arenas, both nationally and internationally.

The SP staff appeared to be in agreement that there was a need to work more closely with brands. Some wanted to put more efforts into targeting employers in production countries, and felt that the approach to business associations should be converted from lobby targets to lobby partners in pushing for better legislation as well as influencing brands for price adjustments. It was emphasized that there is a need to show that unions are not a threat, and there ought to be focus on strengthening worker-led dialogues. There was a suggestion to tap into the potential of in-country lobby capacity such as embassies and international in-country actors that promote a similar agenda. The staff agreed that the SP transformation model has not been entirely tested out, and that there is still a potential for increased exchange of experiences between both SP partners and partner organisations, inside and across countries.

Many actors work to improve working conditions in global garment supply chains. Overall, social audits and assessments are still widely used instruments among brands, and occupational health and safety is a major focus area for improvement efforts. Among actors and programmes with overlapping thematic focus and/or countries with the SP, the following are worth mentioning:

i) The ILO programme **Better Work** operates in five of the same countries as the SP programme: Bangladesh, Cambodia, Ethiopia, Indonesia and Vietnam. Better Work has developed their programme on a fairly similar approach as the SP: evidence-based research is central to inform the design of programme interventions which include a factory Service Package<sup>87</sup> and policy advocacy with national and global stakeholders.<sup>88</sup> Seeking to avoid duplication and complement each other's work, SP and Better Work have cooperated since 2018. This has shown to be administratively time-demanding, and has created less results than expected, but still, the two acknowledges their complementing roles and will continue the cooperation.

ii) The **Dutch Agreement on Sustainable Garments and Textile** (AGT) is an agreement where sector associations, individual brands, unions, NGOs and the Dutch government commit to fight discrimination, child labour and forced labour, undertake to support a living wage, health and safety standards for workers, and the right of independent trade unions to negotiate. Animal

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<sup>87</sup> <https://betterwork.org/our-work/factory-services/>

<sup>88</sup> <https://betterwork.org/portfolio/impact-assessment/>

welfare, reduced use of water and chemicals are other focus areas. AGT co-operates specifically with SP on living wages, where Fair Wear delivers training on the topic. M-FNV and CNV-I has also trained AGT members on social dialogue, freedom of association and collective bargaining.

iii) **ACT**<sup>89</sup> (Action Collaboration Transformation) is initiated by IndustriALL. ACT works in three of the SP's focus countries, namely Cambodia, Bangladesh and Myanmar. ACT's working model is that, through a membership-based agreement, global brands, retailers and unions aim to achieve living wages in the garment and textile industry through industry level collective bargaining and improved purchasing practices.

iv) The JETI stands for **Joint ETIs** and is a collaborative initiative between the Ethical Trade Initiatives in UK, Denmark and Norway. In total, twelve of their combined members have committed to a social dialogue programme in Bangladesh that, among other things, also pays attention to gender and diversity. The programme is run in 34 Bangladeshi factories, reaching 54,000 workers.<sup>90</sup>

There are a number of other (multi-stakeholder) structures promoting decent work in global supply chains, like the Fair Labour Association, Business Social Compliance Initiative and Workers Rights Consortium, to mention some of the main ones. There are clear thematic and country overlaps between the above programmes and that of SP. Collaboration is sought when possible. Perhaps SP has most similarities with Better Work, which uses evidence-based research. Better Work finds the Fair Wear complaints mechanism valuable.

While the above-mentioned programmes intervene in factories where their committed brands are clients, the SP does not have such as a precondition for factory interventions. The SP can work in factories supplying Fair Wear brands, and also provide capacity building to factory trade unions independently of the link to Fair Wear brands, but rather depending on trade union presence. Table 10.1 shows possible pros and cons between the different approaches.

Table 10.1: Pros and cons of interventions through or without brands

	<b>Interventions through brands</b>	<b>Interventions without brands</b>
<b>Pros</b>	<ul style="list-style-type: none"> <li>☞ Client expectations is a strong buy-in argument to get factories' commitment</li> <li>☞ Direct link to factory management</li> <li>☞ Enables linking purchasing practices with living wages</li> </ul>	<ul style="list-style-type: none"> <li>☞ Possible to intervene in factories not producing for Western brands, which is important in countries with large domestic markets and/or clients from other countries</li> <li>☞ Stronger focus on capacity building of trade unions which often is the weaker part relative to factory management</li> </ul>
<b>Cons</b>	<ul style="list-style-type: none"> <li>☞ Time-consuming to get brands' commitment</li> <li>☞ More vulnerable to brands' change of sourcing locations</li> </ul>	<ul style="list-style-type: none"> <li>☞ No pressure from client/direct business case</li> <li>☞ No direct link to factory management</li> </ul>

Other programmes focussing on social dialogue tend to highlight the business benefits. The prevailing SP Theory of Change lacks this dimension. SP does however have a stronger focus on institutional capacity building of trade unions and CSOs as vital change agents. Apart from ACT, the other programmes appear to lack this dimension.

<sup>89</sup> <https://actonlivingwages.com/>

<sup>90</sup> <https://www.ethicaltrade.org/programmes/garments-bangladesh>

The main difference between the SP and other known supply chain approaches is that SP is a partnership between independent organisations. There are a number of other initiatives that to some degree work within the SP thematic areas. It would be fair to say that Fair Wear has been an innovative multi-stakeholder structure in developing concrete tools like the labour minute costing tools, the complaints hotlines and the brand performance index. Still, the particularity, or uniqueness if that is the case, is not found in the three chosen thematic areas, nor the implementation strategies of evidence-based lobbying, networking, or the use of verification inspections / audits or capacity building. Other likeminded organisations and initiatives, with or without unions in their governance structures, are in various ways guided by comparable codes and approaches and engaged in similar activities. The closer ones being other multi-stakeholder structures working mainly with brands as their entry point for pursuing sustainable supply chains.<sup>91</sup>

The alternative leading approach is that of the certification schemes, where the main tool is a chain of custody approach to the product, based on an initial verification of the production conditions. The three schemes for the textile sector part of the Iseal Alliance<sup>92</sup> are all owners of one or several standards, offering their licensees to use their labels in the companies' marketing. Their ways of working include membership commitments, trainings, verifications by third-party bodies, benchmarking, research, and advocacy.

In a recent analysis of the deliveries of 40 multi-stakeholder structures<sup>93</sup>. Fair Wear is described as the initiative with the greatest transparency on brand behaviour. It was found distinct in that it was formed with support and continued engagement from labour unions. The same report finds that *"Some MSIs place more burdens on Global South actors than Global North which undermines their ability to address the underlying pressures or root causes of human rights abuse"*.

This poses important questions to SP's transformation model and the ToC. Are private regulations, like the base codes of Fair Wear and its likes, a sleeping pillow for brands undermining legal changes? Or are they a step in the right direction? At least, it appears that SP is responding to the critique quoted above in that it targets changes in government policies and aims at strengthening (local) trade unions in their negotiations. In addition, the SP sets out to increasing the knowledge of governments, business, unions and NGOs on what, how and why improvements in social dialogue, wage levels and reducing gender-based violence is necessary.

Unlike other known initiatives, where unions, business and civil society organisations form new organisations with cross sectorial governance bodies, the SP is constructed as a partnership between independent organisations, each with separate constituencies, strategies and goals. This increases the likelihood that actions are rooted in existing structures and needs, and that each SP partner's legitimacy and credibility towards its (core) constituency be maintained. Being framed within a common set of intended results and implementation strategies holds a promising potential for fuelling transformation in that unions and companies at several levels of the value chain are pushing in the same direction. The biggest impact (at factory level) would be expected where union-led *and* Fair Wear-led interventions are taking place in the same companies. However, it might be unlikely that there is a strong 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. By nature, brands' choice of sourcing factories and the presence of unions at

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<sup>91</sup> Like for instance the Ethical Trading Initiatives, the Fair Labor Association, or BSCI, the last two without union representation

<sup>92</sup> GoodWeave, Better Cotton Initiative and Textile Exchange. ISEAL is the global membership association for credible sustainability standards, see also [www.isealliance.org](http://www.isealliance.org)

<sup>93</sup> Not Fit-For-Purpose, The Grand Experiment of Multi-Stakeholder Initiatives in Corporate Accountability, Human Rights and Global Governance, MSI Integrity, July 2020

factory level are independent decisions, making overlaps rather coincidental. In the longer run, there is a case for the SP partners to work pro-actively for increasing the chances of such overlaps. This can be done by sharing information between brands on current suppliers and the presence of unions in a given country or area. From Fair Wear and the brands' side, identifying joint suppliers among the SP partners and other like-minded multi-stakeholder structures and developing joint messages to suppliers on the benefits of social dialogue, would be a step forward. Unions on their side, could reach out to workers and/or existing unions offering support in strengthening their capacity and competency to fill their role in the social dialogue. At another level, reaching out to business associations at provincial and/or national levels can increase the understanding of the potential benefits of social dialogue and thus contribute to improvements also beyond SP's direct outreach. Obviously, any collective agreement must be owned and signed by local unions and companies. Brands and multi-stakeholder structures can contribute to the process by facilitating learnings and clearly conveying their positive support to improved social dialogue.

Until now there has been little overlap in activities targeting the same factories or decision-makers within SP, illustrating an intrinsic risk in the design of the SP, namely that it might end up being more of a funding channel for each of the SP partners' on-going activities. This seems to have been the case in the first years of the SP, with some additional impact of the partnership at international level. However, after the mid-term review, the SP has worked hard to increase collaboration in the Netherlands as well as in the production countries. There are promising examples of increased collaboration between the SP partners and their local partner organisations at country level, especially within gender-based violence, in countries such as Indonesia and Bangladesh.

## 10.2 Working with Theories of Action

Based on the overarching Theory of Change (ToC) guiding the SP, a Theory of Action (ToA) was developed for each of the seven programme countries. A ToA is a delivery model, or an intervention strategy for the ToC, describing what actions need be taken and what actors are delivering the different activities expected to yield the results defined in the ToC and the corresponding results framework.

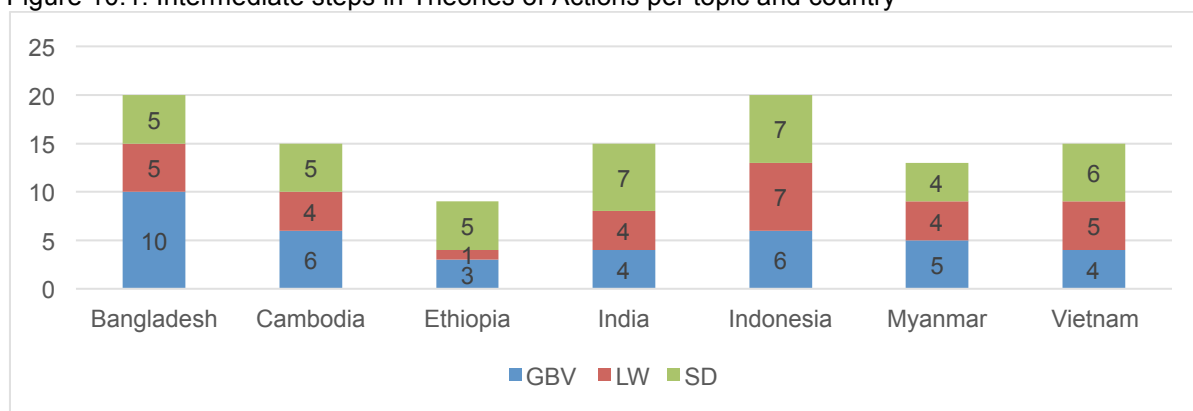
The country specific ToAs in the SP are defining intermediate steps, with their corresponding activities, organised for each of the three overarching ToC outcomes; Human Rights are being enforced, CSOs have strengthened their role and companies support and implement human rights.

The intermediate steps, being the bridge between output and outcome levels in the ToC, represent the goals defined per country, and comparing the steps across the seven countries we see some variation, reflecting both contextual factors as well as differences in the SP partners' level of engagement with local organisations and suppliers, as well as the capacity of the local partner organisations.

An example of this is found in the ToC outcome 3 'company actions', where Ethiopia, a fairly new SP country in particular when it comes to brand involvement, has only two defined intermediate steps, while on average among all countries, six intermediate steps are formulated targeting company actions to promote human rights. One should be prudent while comparing numbers based on qualitative data like the formulation of intermediate steps. Thus, Figure 10.1 below reflecting the country-wise number of intermediate steps formulated under each of SP's three thematic areas, should be interpreted with care. The intermediate steps are drawn from a set of goals pre-defined by the SP, and a higher number reflects a broader scope in the SP programme

within a country and topic. An example of this is the work on living wages in Ethiopia compared to that of for instance Bangladesh, with the latter having a significantly wider, or deeper, scope, consistent with the country report findings.

Figure 10.1: Intermediate steps in Theories of Actions per topic and country



The ToAs have proven to be relevant in some places, but not everywhere. In the eyes of several SP partner staff members, the ToAs were too theoretical and not as practical as needed. SP partners underlined the challenge it had been to achieve a common understanding of each other's roles and limitations in a multi-stakeholder programme. The SP was said to need a common framework and a common understanding of how the counterparts/partners operate, identifying common agendas, and spaces for joint activities. Staff members feared that a common framework risked being too top-down, too conceptual and not flexible and practical enough, and thereby not helping the SP partners to allocate time and resources in the most efficient way. It was deemed important that in-country teams should be given much influence, and that a common conceptual tool had to be flexible enough to adapt to changing contexts. There appeared to be agreement that the present ToAs were too stringent; *"The tool should serve the work, and not the other way around"*. SP partner staff members at the inception workshop in March 2020 appeared to be in agreement that the ToAs had not fully become the operational tool they had hoped for.

The mid-term review (MTR) in 2018 found the SP's ToC to still be valid but recommended that the ToAs be revisited and adapted. The MTR commented that although individual SP partners and partner organisations had created evidence and leverage at country level, strengthened strategic reflection and more in-country cooperation held a potential to be further explored. In order to unmask the links between achieved results and the ToA, the MTR team was tasked to develop outcome stories, "Stories of Change", from the four countries not covered in the review. The ten stories illustrate some of the complexity of creating change in the garment industry, reflected in considerable differences in nature and scope between the stories: one story speaks about negotiations leading to a 33 per cent wage increase, others tell about reinstatement of terminated workers, women having gained confidence and agency, and factory owners realising the importance of social dialogue<sup>94</sup>. The ten stories all fit within the framework of the ToC, with almost all cases reflecting capacity building, but only one telling the story of lobby engagement and policy change. The MTR team that compiled the ten Stories of Change found that the stories fit well within the context and key actions of the ToA, contributing to the identified intermediate steps and thereby to the intended outcomes in the ToC<sup>95</sup>.

<sup>94</sup> Annual report 2018, SP.

<sup>95</sup> *"Maybe stories are just data with a soul"*, Stories of Change report, SP.

One should be careful in comparing findings from the outcome harvest exercise in this End Term Evaluation with the ten stories of change produced following the midterm review. Neither of the processes cover the totality of SP's work, and there are methodological differences; one is telling the stories from a small selected number of cases, while the End Term Evaluation is focusing at a more overarching level, still attempting not to repeat the stories that have already been told. It seems evident that while 8 of 10 cases presented in the previous Stories of Change are cases mainly of capacity building, several of these have later developed into lobby engagement and even legal changes, moving forward in the 'chain of change' (see Figure 5.1). One such example is the work on living wages in Ethiopia, starting with the living wage workshop described in the 2018 annual report and leading to an approved legal pathway towards the first sector wide minimum wage in the country. Another case is found in India, where SP partner organisations, supported by Fair Wear, used a wage mapping study as a key input when developing their negotiation positions in the wage agreement, happening every four year in the Tirupur garment and textile sector. In both cases, local SP partner organisations in the forefront backed by SP partners and other resource organisations.

In general, it can be said that although not all ToAs are in active use, the actions of the SP partners and their partner organisations do in general fit rather well with the ToAs.

**Bangladesh:** SP interventions in Bangladesh are by and large consistent with the ToA. One important example is efforts and results when it comes to *“create an enabling environment for unionisation...”*, as it is formulated in the ToA. The lowering of the regulatory threshold to form a trade union is an obvious part of this, equally important is the significant improvement in the way unions work together, in particular linked to the IBC. Here, trade unions have engaged in evidence-based discussions in formulating joint demands to the government, an approach that is fully compatible with the ToA.

SP's efforts to fight GBV in Bangladesh are clearly reflecting the approach of the ToA. It covers the range from training of workers, unions and management, often linked to setting up AHCs at factory level, working with brands and up to developing a concrete proposal for a new anti-sexual harassment law. The intermediate steps in the ToA are formulated in a way that make it somewhat challenging to measure achievements,<sup>96</sup> nevertheless it is clear that the actions taken, the actors involved and the main characteristics of the processes fit within the ToA.

**Myanmar:** The government, through the labour ministry, 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 M-FNV partner organisation Apheda invited expertise from Indonesia and the Netherlands, giving the ministry the opportunity to reflect on and understand the shortcomings of the current dispute settlement mechanism. This case is an illustration of a direct link between SP's work and the initial ToA for Myanmar. Another case linking directly to the ToA is Fair Wear's training in product costing tools of factory management. The inclusion of GBV in the revised OHS law is a major achievement, with the delegation visit to India as a key enabling factor. In and around the Labour Consultative Forum one finds clear results on trade unions with increased understanding of and ability to take part in bi- and tripartite negotiations as well as the use of evidence to prepare lobby positions. As for many of the countries, the outcomes mentioned in this report fit within the ToA, but some of the intermediate steps formulated in the ToA are harder to identify. These are often linked to brands' involvement and changes in purchasing practices, such as: *“Factory managers understand in what ways global supply chain structures can help and/or hinder the implementation of living wages – and know in what ways they can expect their customers to contribute to negotiated wage*

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<sup>96</sup> For example: *“Governments understand the benefits to economies and industries of reducing gender-based violence and discrimination”*

*improvements.*” This is obviously linked to trainings in product and labour minute costing, as well as price negotiations. Although some trainings took place in Myanmar, it is not straightforward to measure to what extent this has led to the fulfilment of the intermediate step. In spite of the ToA not being actively referred to, the actual strategies in Myanmar appear to fit within the ToA.

**Vietnam:** SP partners conveyed that the involvement of brands was expected to be an important element in the design of the pilot MCCBA, but this did not materialise. One of the ambitions formulated in the ToA is that brands should be playing a protagonist role in promoting social dialogue. In this particular area the ToA has not (yet) been implemented. However, the signing of the pilot MCCBA is clearly answering on other intermediate steps from the ToA, like the goal of increased ability of trade unions to identify specific organising opportunities, in this case even leading to improved regulations directly inspired by the SP approach to the pilot MCCBA. Furthermore, a study on the prevalence and nature of GBV was carried out by the SP, and although not officially launched, the findings have played an important role in SP’s successful lobbying for updating the language on sexual harassment in the 2019 Labour Code. The synergy of the partners by taking advantage of each other’s strengths has not yet been achieved to its full. There also seems to be an untapped potential in the partnership between unions and brands.

**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 the different issues and outcome levels. 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 Indonesian ToA.

Within the thematic area of GBV, we see unions with increased capacity and influencing efforts, leading to the inclusion of GBV at work in the annual report of the National Commission on Violence Against Women as well as Ministry of Women Empowerment’s commitment to replicate the pilot GBV free zones. Social dialogue is a basis for working on GBV and living wages. Trainings and capacity building of unions, suppliers and brands, as well as evidence-based advocacy are key strategies for SP’s work in Indonesia. One outcome clearly coherent with the ToA is the inclusion of GBV clauses in several CBAs and a MCCBA. For this to happen, both managers and workers have been lobbied and trained, increasing their understanding that GBV is bad for both people and profit. From Figure 10.1 above we see that the three thematic areas have a similar number of intermediate steps in the ToA. So far, the work on living wages is less developed than the other two thematic areas of SP’s activities in Indonesia (see Annex L). One explanation to this is that when Fair Wear, the SP partner with the strongest focus in living wages, established its presence in Indonesia in 2016, both M-FNV and CNV-I had already been working there for a number of years. The two trade unions were engaged in on-going programmes with a strong focus on social dialogue and GBV. Fair Wear’s entry added significant value to the promotion of social dialogue and the fight against GBV. When it comes to living wages, progress has been slow, although some initial talks and meetings have taken place more recently to promote the benefits of paying a living wage. It will not be possible to reach living wages in Indonesia by factories and worker representatives alone, it will require changes in other parts of the supply chain.

**Cambodia:** In the field of living wage, it is evident that the research on minimum wages has added important weight and credibility to the unions’ voice in the minimum wage discussions with the employers’ association as well 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, judging by the documents shared with this End Term Evaluation, the use of evidence-based lobbying seems to be less prominent. Learning from the Indonesian case,

gathering and disseminating information on women’s situation, ranging from cases of GBV to representation in leadership positions, could turn out to be useful.

**Ethiopia:** M-FNV states that the Ethiopian ToA has been used as a results management system in actual co-operation with local partners, and that learning from working with ToA will be transferred to future programme period(s). The Ethiopian ToA has served its purposes: the ‘who’, ‘why’ and ‘how’ appear to be consistent from start to end of the program.

**India:** The Fair Wear country manager finds the ToA to be useful in helping to steer which activities to engage in, i.e. as a results management system. M-FNV initiated its SP activities in June 2018 and did not take part in the development of the initial ToA. Nevertheless, they find it important to have country specific ToAs to 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 the programme. An M-FNV staff sums up the learning of the current SP programme in this way: *“I think what we have realised under this current SP is that a lot more can be done in India with regard to transforming the garment supply chains”*.

**Reporting and documentation:** When it comes to reporting and monitoring, it is somewhat challenging to link the IATI indicators to the ToA frameworks. The intermediate steps in the ToAs are formulated in a way that, with some exceptions, does not make it straightforward to measure achievements through counting, and hence are not directly compatible with the quantitative indicators in the IATI reports. At individual activity level, storytelling, as done in the 2018 report, brings the activities closer to the ToA format.

It is fair to describe the documentation produced within SP’s reporting system as extensive. The plans and reports vary quite a lot in format, content and frequency, reflecting the different purposes and recipients in each case. Table 10.2 presents a brief description of key documents that contain evidence on what has been achieved.

Table 10.2: SP documentation

Name	Content	Audience	Frequency
SP Annual reports, with country annexes	SP progress	Donor	Annual
Fair Wear annual reports	Fair Wear activities/results in general, including SP related issues	Stakeholders in general	Annual
IATI – International Aid Transparency Initiative	Indicators on actions taken/results achieved	SP coordination SP partners Stakeholders	Quarterly
Reports from partner organisations of CNV-I and M-FNV	Meeting minutes, activity reports, partly also outside SP	The respective SP partner	Quarterly (most often)
Lobby books	Overview of lobby activities, within and outside SP	SP partner	Continuously
Case studies / Stories of change / Pilot communication	Individual stories of change	Donors, SP partners, Stakeholders	Not regular
Thematic reports (i.e.: ‘ <i>Breaking the Silence</i> ’)	New findings and advocacy arguments on specific topics	Stakeholders	Not regular
Newsletters	Partly linked to specific events like ‘Directors’ visit’ etc.	Stakeholders	2-4 per year

Accumulated, the documentation contains information at a number of levels, from who has been representing a given union in a specific meeting with a government representative and the number of lobby efforts in a given country on a given issue, to stories of changed lives and changes in national legislation following SP interventions. While there is a lot of consistency between what has been achieved and the initial ToA-framework, there is little reference to the ToAs as such in the SP documentation.

One methodological challenge is to extract conclusions at an aggregate level when the nature and volume of information vary between the countries, and it is furthermore likely that the interpretation of what to count might not be fully consistent across countries and actors. There are examples of the latter in the IATI data reviewed, see also chapter 5.1 above.

## 11. Conclusions

### 11.1 Has the SP achieved what it set out to do?

(Accountability and effectiveness)

#### State of the garment supply industry

The focus on human and labour rights in global supply chains have undoubtedly gained incremental attention over the past 2-3 decades, and many positive initiatives have taken place. In spite of this, nearly all the main garment-producing countries are characterized by a high degree of violations of labour, including trade union, rights. The industry is still driven by low wages as its comparative advantage. Many valuable structures, institutions and programmes focus on improving the standards, while purchasers continue the search for the lowest price. Irresponsible purchasing practices are some of the root causes for poor social performance in factories. This speaks for a necessity to shift the volunteer track with a hard law track when it comes to purchasing practices. The business case for decent work and social dialogue is only in its very beginning in the 'human rights in global garment sector' discourse. Even though labour laws protecting workers from abuse exist in most countries, compliance is low and labour inspectorates are under-resourced. To compensate for the latter, private inspections have grown fast. Apart from serious questions about its usefulness in terms of improvement, the social audit-regime makes factories spend inordinate amounts of time managing different, uncoordinated audits from potential and existing buyers.

Since the beginning of the 1990s, multi-stakeholder structures, like Fair Wear, have grown in number, scope and outreach, attempting to close governance gaps caused by the absence of effective public regulations in countries producing for the global garment market. A 2020 study<sup>97</sup> from *MSI Integrity* concludes that while multi-stakeholder structures can achieve positive outcomes when there is genuine commitment from their members, these structures are rarely able to protect human rights. For that, public regulation is necessary and rights holders must be included as key actors.

This End Term Evaluation identified the below preconditions (see Chapter 4) that ought to be in place for the industry to effectively respect the human rights of its workers:.

- ☞ National labour legislation should be strong and enforced.
- ☞ Suppliers should have a long-term trade relationship with a core group of clients, enabling decent work investments.
- ☞ Brands should adapt their own purchasing practices that enable decent work investments
- ☞ Workers should be aware of their legal rights, be empowered to exercise and claim their rights in a constructive manner, with a union voice.
- ☞ Supplier management should ensure that regular social dialogue with worker representatives democratically elected by and from the workforce is taking place.
- ☞ Supporting structures, like complaints mechanisms and legal aid for workers, should be in place and available.

This End Term Evaluation finds that the SP is striving for all of the above to become achieved, i.e. these preconditions have been, directly or indirectly, integral to the SP objectives. Hence, the End Term Evaluation concludes that the multi-faceted approach and structure of the strategic partnership is found to be highly relevant.

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<sup>97</sup> MSI Integrity, Not Fit-for-Purpose: The Grand Experiment of Multi-Stakeholder Initiatives in Corporate Accountability, Human Rights and Global Governance, July 2020.

### Has SP achieved what it set out to do?

SP has gathered workers, unions, factory management and brands in a partnership to gradually transform the garment supply chain, taking the three thematic areas of social dialogue, living wage and gender-based violence as entry points. Cultural hurdles and conflicts of interests are being subdued as previous antagonists identify common causes and collaborate in different ways. SP has obtained important outcomes in terms of strengthening capacities of their partner organisations, increasing their partner organisations' engagement in influencing activities, and encouraging and promising changes in laws, policies and practices through strategic and systematic influencing activities. Where SP appears to have come a long way, is to unite unions, and in some countries also labour rights organisations, in functional platforms to strengthen the workers' voice in bipartite and tripartite dialogue for improvements of factory practices and laws and regulations. Where the SP appears to have done less of what it foresaw at the beginning is in the inclusion of brands in the processes taking place in the production countries.

For social dialogue to function, all stakeholder groups should be prepared. Historically, workers are the weakest part of the chain, and the SP has worked systematically to prepare their union partner organisations to take constructive part in social dialogue processes in all the seven production countries. However, these are countries where social dialogue is a relatively new concept. In order for the dialogue to be constructive, employers and governments also need to understand the rules of the game. The SP partner Apheda in Myanmar has given valuable advice to the labour ministry in Myanmar. This is a good model. There seems to be a potential to also lift other governments' dialogue competence as well as the employers' dialogue competence in order for social dialogue processes to become even more effective. Although the garment sector is far from being transformed, it can be concluded that SP has come a long way in establishing some of the building blocks that are needed to achieve what it has set out to do.

### Has the SP adapted to new circumstances or new insights?

In all countries, the SP partners and the partner organisations have had to alter their plans to a smaller or larger degree due to changed circumstances, or after experiencing that original strategies did not deliver the expected results. New insight was brought to the SP by the mid-term review. One important finding was that the three SP partners acted too much on their own, and there were too few signs of a real partnership. After the mid-term review the SP has worked hard to change, identifying common activities, coordinating and planning together both in producer countries as well as on the Dutch and European level. In spite of clear improvements, there are still many activities that are carried out by a single SP partner with a potential for closer collaboration and increased synergies with the other partner.

### Increased capacity of partner organisations

The largest bulk of capacity building with partner organisations has been with **trade unions**. The capacity building has covered topics like recruitment of new members, management of trade unions, intra-union dialogue, bipartite dialogue, tripartite and multi-partner dialogue, gathering evidence, evidence-based collective bargaining skills and influence capacity, laws and regulations, minimum wage processes, gender-based violence and more. The SP partners M-FNV and CNV-I have delivered some of the capacity building themselves, whilst a large portion has been delegated to other partner organisations, such as labour NGOs or other specialists organisations within labour conditions, labour relations, lobby and advocacy, living wages or gender-based violence. **Workers** have also been reached through union representatives that have been trained by SP. Many trade unions practice different forms of multiplication through training of trainers or cascade methodologies to reach shop stewards and workers' representatives.

Other capacity building activities have been with **workers and management in factories**. Fair Wear's 'Workplace Education Programme' (WEP), where focus has been on improved dialogue

and bilateral relations at the workplace, has to a large extent been carried out by Fair Wear' own consultants. Beyond WEP, factory management and employers have been reached to a lesser extent than workers, although employers to a certain extent have been reached through seminars or meetings held by employers' associations.

**Brands** make up an important target group for capacity building. Fair Wear has worked with a series of innovative tools, instruments, research and processes to make it easier for brands to purchase in a responsible way, and intense capacity building has taken place in the Netherlands and elsewhere in Europe. Furthermore, to a smaller extent, brands have been reached in production countries with direct training in i.e. product costing tools.

Limited efforts in capacity-building of **public administration** has also taken place. In Vietnam, the labour ministry at national and district level was integral in the whole multi-company collective bargaining agreement (MCCBA) process and included in preparatory training sessions. In Myanmar, SP partner organisation Apheda played an important role in mentoring the labour ministry with regard to carrying out national social dialogue processes.

The **multi-stakeholder exchange trips abroad** have had important capacity building elements, mostly focusing on gender-based violence. An important side effect has been that these trips have provided on-site practice in multi-stakeholder dialogue as well as establishing and building new relations between the social partners.

### Factors enabling or hampering the strengthening of capacities

Enabling factors for successful capacity building of trade unions have been M-FNV and CNV-I's **long-term relationships** and **standing within the labour movement** making it possible to access the trade unions and invite them in as partner organisations to SP. Fair Wear has shown outstanding **abilities to convene** decision-makers, employers or factory owners, largely due to their relationships with progressive brands, but also their ability to identify and seize opportunities as they arise. This has resulted in valuable opportunities for ad hoc presentations of tools and methods, but beyond WEP not been developed into systematic capacity building processes.

### Increased engagement of partner organisations, brands and factories

A significant outcome of the capacity-building has been that trade union partner organisations in all the seven countries have engaged in **evidence-based influencing** activities. Another important characteristic of the SP is that capacity-building activities have opened up for the partner organisations to commit to participating in **platforms, forums or networks**. In Bangladesh, historically adverse trade unions have met through training and been able to identify common activities, strategies and demands prior to tripartite negotiations. In Myanmar, trade unions and labour NGOs have formed the Labour Consultative Forum (LCF) that enables them to come to joint positions ahead of tripartite negotiations. In a very short time the LCF has shown its value in being vital in minimum wage processes, and initiating the establishment of a labour court. Unfortunately, the LCF and its access to the national tripartite dialogue was not used in the lobby process to enter clauses on gender-based violence into the new OHS law (see under 'changes in policies and laws' below). In Bangladesh and Indonesia, SP partners and partner organisations have established gender platforms that are the basis for awareness raising and political influence processes. Working together 'co-opts' (in a positive sense) the parties to the process, and has shown to be an efficient tool to both prepare for and present influencing messages.

Approximately half of the responding **Fair Wear member brands** to the survey sent by the End Term Evaluation said that they had changed practices within one or several of the three thematic SP areas. Between one fifth (living wages), one third (social dialogue) and half the respondents

(gender-based violence) had to a large extent been influenced by the SP. Three quarters of the responding brands had changed their purchasing practices over the last five years. Many brands found the **Fair Wear complaints mechanism** to be a highly useful tool to increase awareness of all the three thematic areas.

The Fair Wear WEP has engaged management and workers to jointly solve problems. The focus on social dialogue has engaged trade unions and workers in factories to enter into dialogue, negotiations and bargaining.

### Changes in practices at factory level

According to the SP IATI data, at least 142 new **collective bargaining agreements** (CBA) and three MCCBAs have seen the light under the auspices of the SP (and one has been renewed). Estimating the value of the eight benefits that comes on top of the minimum wages, the End Term Evaluation has calculated that the value of the pilot MCCBA in Vietnam is worth 650,000 USD per year for the 1,450 workers covered. In India the WEP-training enabled brands to follow-up with practical GBV-work and their supplying factories to comply with legal requirements.

In several countries, WEP and other initiatives have empowered workers to **use complaints mechanisms** and thereby contributed to improve labour conditions.

In Indonesia, an industrial zone was declared a **gender-based violence free zone**, a pilot that is sought to be replicated elsewhere. In factories in Bangladesh, India and Cambodia, **workplace committees** have been set up to improve worker–management relations and address issues within mental well-being and gender-based violence.

As for interventions on brand and supplier level, there have been important changes made in developing new ways of calculating product costs and labour minutes, and as mentioned, positive changes have taken place in the worker–management relations.

### Changes in policies or laws

SP has, in various degrees, contributed to changes in policies and laws in all the seven production countries. SP has engaged in **minimum wage processes** and, in for instance Bangladesh, Myanmar, Vietnam and Cambodia, gathered evidence demonstrating the gap between prevailing minimum wages and living wages. Even though minimum wages have increased in several countries, such as the 50 per cent increase from 2013 to 2018 in Bangladesh, they are still far below living wage level. The evidence has made governments and employers admit that the wages in the garment sector are too low to provide for basic necessities. What seems to be holding them back is a general fear that sourcing companies, i.e. brands, will move to cheaper countries if prices go up, as low labour costs is considered a key comparative advantage in the international garment industry.

**Labour laws have been amended** with important contributions towards improved labour conditions from the SP in Vietnam and Ethiopia. In Indonesia, a partner organisation lobbied for the government to fund more labour inspectors in one area and was heard. In Myanmar, five clauses on gender-based violence were adopted in the new OHS law, and in Bangladesh the SP initiated Gender Platform has drafted an anti-sexual harassment law that is being assessed by the national human rights commission. Also, in Bangladesh, SP contributed to the change in the Trade Union Law, bringing the membership threshold for workers to form a union in a factory down from 30 to 20 per cent. This is still high, compared to the five per cent recommended by ILO, but the amendment is nevertheless a victory and a promise that change is possible. In Indonesia, the Ministry of Women Empowerment has committed to replicate the pilot 'gender-based violence free zone' in four government-owned industrial areas. In India, evidence-based advocacy led to policy changes to protect Tamil Nadu garment women workers' safety and

security. Many of these outcomes were achieved via multi-faceted lobby strategies where SP partners themselves, their labour NGO partner organisations, and trade union partner organisations influenced employers, MPs, governments, media and others.

One significant process has been the entire SP engaging in the adoption of the **ILO Convention 190: 'Eliminating violence and harassment in the world of work'**. SP partners engaged all their networks in the Netherlands, the EU, the ILO, and in the production countries, and worked systematically to gather evidence to share with unions, employers and governments. The hard work was crowned with the adoption of the new convention in June 2019. The challenge now is to lobby each country to ratify the convention and continue the even larger task of making sure that workplaces comply. This process bears promise that significant changes can be achieved when the three SP partners join forces and strategically engage all their national and international networks for a common cause.

### SP influence on lobby targets

Mobilisation, collaboration and coordination are core elements of lobbying. **Successful lobbying happens in networks and alliances** and in parallel with as many different actors as possible. Thus, to mathematically calculate the influence made by SP related to influence by everybody else is a next to impossible task. One good example is the revised labour code in Vietnam, where four of the clauses proposed by SP were fully adopted and four were partially adopted. The SP lobby process was carefully laid out to correspond in time and type with other important lobby actors such as the ILO, EU, the US and a multitude of international and national NGOs. It is when the pressure feels massive that changes happen. The fact that many other actors played a role does not belittle SP's influence. The SP had managed to get both the national trade union confederation and an important part of the labour ministry on board as partner organisations. The evidence gathered from the pilot MCCBA where trade unions, employers and the labour ministry collaborated, brought the labour ministry to believe that the model inspired from the Netherlands was more efficient than the prevailing industry CBA in Vietnam, and this Dutch model is mentioned as alternative approach to the existing industrial CBA in the revised labour code. This confirms that the SP influence was significant, but without the parallel massive pressure from so many others, the SP actions might not have had the same effects.

A similar story can be told for Myanmar, where there were strong, influencing stakeholders pressuring the parliament to adopt an OHS law, and the SP, their partner organisations and strategic alliances managed to lobby for GBV clauses to be included in the on-going process.

The SP has not only lobbied governments, but also other multi-stakeholder structures such as the British ETI, the German PST, the Dutch AGT and the IndustriALL ACT. Many brands partnered up in SP's work to have the ILO C190 passed. Some of these structures have been especially impressed by SP's progressive focus on living wages.

### Lessons learnt from less successful interventions

In such a large, varied, and partly innovative programme, it is inevitable that some initiatives will not yield the expected results. SP has wanted to learn from these. This End Term Evaluation has gathered some stories of less successful initiatives and derived the following lessons learnt from these:

- ☞ Things take time
- ☞ Avoid ad hoc training without follow-up processes
- ☞ Make sure the right people come for training
- ☞ For social dialogue to function, all three social partners must be prepared
- ☞ Analyse "what's in it" for your selected lobby-target to undertake changes
- ☞ The success of the labour minute costing tool depends on the buy-in from brands
- ☞ Put the partnership up front and avoid activities without synergies

- ☞ Stay loyal to your partners

## 11.2 Are the results likely to last?

(Sustainability)

### Sustainability built into capacity building

For capacity building to result in learning and new ways of thinking and acting, a systematic follow up with the participants of the capacity building and training activities is needed. This appears to be fairly well in place when it comes to capacity building activities with union partner organisations. Also, union partner organisations have ways of training trainers and other cascade and multiplication models that ensure the dissemination of the gained capacity.

The Workplace Education Programme that Fair Wear runs in Myanmar and Vietnam (worker-management dialogue module), India and Bangladesh (Violence and Harassment Prevention module) seems to have a potential for strengthening its longer-term follow-up and monitoring system. This finding corresponds with the 2018 Fair Wear report “Breaking the Silence”<sup>98</sup> that reviewed experiences with the anti-harassment committees (India, Bangladesh) since the inception of the WEP in 2012, that also found that long-term support is needed for real changes to occur and be sustained.

Capacity building activities targeting non-partner organisations, such as employers’ associations and others, seem to be results of opportunities that arise, hence follow-up becomes difficult to plan. Nevertheless, follow-up should be built into the programmatic thinking of the SP, as one-off introductions alone rarely result in the desired changes.

### Sustainability built into other programme activities

This evaluation has identified two overarching elements that guide sustainability: that activities are designed as processes, and that there is local ownership to these processes. Within this, the evaluation has found a multitude of functional sustainability approaches built into the programme. Beyond the capacity-building processes described above, the following has been identified:

- ☞ Basing lobbying on evidence increases the chances of achieving lasting results.
- ☞ Ensuring ownership to the processes enhance the sustainability of any activity. The SP is full of well-functioning, constructive platforms and forums that bode well for the continuation of the lobby-processes and the results they will bring.
- ☞ When platforms and forums are multi-stakeholder structures, the different stakeholders are “co-opted” – in a positive sense – to the common cause, and the continuation of the process becomes highly likely.
- ☞ Another efficient strategy is to enter collaboration or strategic partnerships with lobby targets. Fair Wear is doing this in a number of countries with employers’ associations. M-FNV’s partner organisation Apheda is providing advice to the labour ministry in Myanmar. These are examples of relationships that increase the likelihood of sustainable results.
- ☞ The impact of the choice of partner organisations cannot be underestimated. Choosing well-positioned partner organisations increases the chances that results will be both achieved and last. The trade union confederation and labour ministry in Vietnam are examples of able, willing and well-positioned partner organisations.
- ☞ Outcomes that are locally embedded have a chance to last. An example of this is the MoU on GBV free zones signed between trade unions and the Ministry of Women Empowerment in Indonesia.

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<sup>98</sup> «Breaking the Silence», Fair Wear, 2018, page 37

- ☞ When outcomes are embedded in law, there are good chances that they will last, even though there is no guarantee that they will be enforced. In Cambodia, in particular in 2019, we find that SP's efforts have been successfully directed towards implementing existing regulations related to wages<sup>99</sup>
- ☞ The best sustainability approach is to scale up achieved results until it becomes the 'new normal'.

### Are results likely to last?

SP has set in motion important and promising processes of new awareness, and change processes have started. Gender-based violence, a culturally difficult and sensitive thematic area, has been widely discussed and even included in laws. A technically difficult and economically threatening thematic area as living wages has been discussed with employers and governments, and important concessions have been made through increased minimum wages. CBAs and MCCBAs as instruments to improve workers labour conditions are established. Evidence has been found in factories where productivity increases in parallel with improved social dialogue. Trade unions have united in common platforms, reduced intra-union-conflicts and learnt to speak with one, common voice, which has made them more recognised. National tripartite processes have become more constructive and functional. These are promising processes that appear likely to continue.

But... governments can change, brands can stop sourcing, pandemics can occur... Nothing is written in stone. New awareness must be acted upon, established committees must function, passed laws be implemented and enforced. Thus, the job is far from done.

To avoid dependency, SP should make sure not to coordinate or facilitate processes longer than necessary, but leave the leadership of the platforms and forums to national bodies, and instead take up a role as mentor, advisor or companion, (in addition to their role of lobbying brands, governments, EU etc.) SP should follow up processes until they become fully locally owned and driven, and then phase out in a responsible way. Phasing out should be done according to an activity-based analysis (as opposed to a country-based analysis).

## 11.3 The niche and added value of SP

(Relevance and internal learning)

### The niche of SP

SP aims at being present along the entire value chain, from workers, trade unions, factory management, brands, and governments. Stakeholders in Bangladesh said the SP niche was about bringing the perspectives of all these actors together for everyone to understand each other.

### Most important investments

It is the combination of activities, actors, and approaches that compose the wealth of SP, thus choosing one investment over another might not be a fruitful exercise. Listening to internal and external stakeholders, people who have worked or been related to the SP over many years, the evaluation has ended up with the following non-prioritised list of investments that have yielded expected and unexpected positive results:

- ☞ Joint lobbying on legal changes, including ILO C190
- ☞ Social dialogue stimulation activities: CBA and MCCBA-processes and functioning tripartite mechanisms

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<sup>99</sup> IATI-data, Q1-Q3 2019, SP internal document

- ☞ Learning visits
- ☞ An intensified support and guidance to brands
- ☞ Holding the Gender Forum and establishing gender platforms
- ☞ Establishing consultative platforms
- ☞ Capacity strengthening of partner organisations on evidence-based lobby
- ☞ Building strong long-term relationships with local partner organisations

For the garment industry to transform, one might say that there are six types of actors who need to be on-board:

1. Governments in production countries: to make protective labour laws and enforce these
2. Trade unions and workers councils: to support workers to make use of their rights and help raise the voice
3. Employers: to engage in social dialogue with their workers
4. Government in consumer countries: to hold companies accountable for Responsible Business Conduct
5. Brands: to pay fair price and act responsibly in purchasing practices
6. Consumers/end-clients: must be willing to pay a higher price for sustainability

Of these, SP engages with governments in production countries to make protective labour laws, trade unions and brands, and to a lesser degree with employers. With some exceptions (like the lobbying in Indonesia for improved labour inspectorate, court case against illegal low wages in Indonesia, and lobby to enforce the 2013 Act in India regarding sexual harassment) SP does not engage in lobbying for law enforcement. SP engages with producers through social dialogue and pilots together with brands. To some extent, it engages with government in consumer countries, but to a smaller extent with consumers. This is not to say that SP ought to engage with all actors that matter, but it might be sensible to identify missing links and fill the gaps by for instance linking closer up with other initiatives in order to ensure that the full chain of actors and decision-makers is reached.

When working with employers' associations and companies, there seems to a potential to focus on the business case for improved labour rights, i.e. how improved labour conditions may improve productivity and how improved productivity may make improved labour conditions to last. Also, there is a need to maintain the focus on brands' own purchasing practices as much as demanding compliance from factories.

Today, the bulk of SP lobbying for legal changes is concerned with passing new laws. In addition to this, there is a huge **need for lobbying and advocacy to pressure governments to enforce existing laws**. Looking into law and policy enforcement, lobbying national budget discussions, following labour inspection functioning and so forth, are areas where increased engagement is needed.

### How the capacity of SP partners has changed

CNV-I and M-FNV have shared that they largely changed their approach from being partner-oriented development partners to *also* becoming lobby and advocacy and campaigning organisations. Fair Wear conveyed that due to the SP they have learnt to understand the importance of social dialogue. Also, access to external funding has allowed Fair Wear to look beyond its individual member organisations and at the entire industry.

In the Netherlands there is less polarisation between employers and workers compared to the situation in production countries. As with the SP partners themselves, also the partner organisations need to overcome cultural, traditional and ideological hurdles to be able to collaborate effectively. Beyond doubt, the SP partners and their partner organisations have come a long way in a very short time. Perhaps Indonesia is the best example, where all the three SP

partners are present and the programme is developing towards a real strategic partnership, at least within the work to fight gender-based violence. The increased collaboration between the local partner organisations provides a good potential for more mutual strategic planning, involving partners of all the three SP partners in joint actions.

There is still a way to go before a full partnership is achieved between the three partners and their partner organisations in all the countries. This will not come automatically but needs to be actively and constantly managed by the SP partners.

### The value added of SP

The differences between the three SP partners make the partnership strong. Being together enables synergies in the form of a much larger outreach to a bigger public and a larger target audience because of their diverse networks. The fact that they operate together in a partnership has allowed them to put the issue of supply chain responsibility on the agenda, and made clear that the issue belongs to trade unions, civil society, brands, factories, as well as governments. The strength of the SP lies in the ability to link all these stakeholders.

This evaluation has identified the following synergies deriving from the SP:

- ☞ Access for all actors to the entire value chain
- ☞ Access to each others' partners and networks
- ☞ Access to each others' understanding and perspectives
- ☞ Common problem solving
- ☞ Increased outreach, mobilisation ability and convening power
- ☞ Strengthened lobbying

In theory, the SP includes the MFA. In some countries there is a partnership with the embassy on the ground, in others not. The MFA maintains an open-door policy for concerns and complaints for the SP partners and their partner organisations. There might be some untapped potential for SP here. Embassies can play an important role as door opener and convener, an opportunity used with very good results in Vietnam, that might be replicated elsewhere. Last, but not least, the embassies and the MFA may disseminate messages so that the entire EU becomes aware of a complaint, a process or an issue at stake. This represents an opportunity for the SP to explore further.

SP's value added for the three SP partners and the country programmes have largely increased since the mid-term review. Common activities such as the lobby weeks have been important for cross-partner and cross-country learning. Besides coordinated planning, these meetings are used to exchange lessons learnt from pilot projects, and link partners from different countries together, thereby inspiring to and enabling exchange visits. SP partners operating alone in Ethiopia and Cambodia confirm that there is added value for the country programmes to be part of the SP. Even though Fair Wear member brands are not present, belonging to the SP provides legitimacy in front of governments and employers that the CNV-I and M-FNV would otherwise not have had. Being part of SP also provides a platform for learning from other SP countries, activities, pilots, and partner organisations.

But, cultural changes take time, and there is still potential for enhanced synergy, larger value added and more linkages to be created. There is room for more and closer collaboration. One obvious area is opening up for common projects in factories.

## 11.4 Does the SP transformation model and Theory of Change hold?

(Learning)

### SP transformation model compared to other models

Many other initiatives only intervene in factories where their committed brands are clients, while the SP can work in factories supplying to Fair Wear members brands, as well as provide capacity building to factory trade unions independently of the link to Fair Wear brands. There are pros and cons with both approaches. While other programmes focusing on social dialogue highlight the business benefits, the SP has so far not put much emphasis on that. SP does however have a stronger focus on institutional capacity building of trade unions and CSOs as vital change agents, a focus many other initiatives do not have. Still, the SP is not unique in its choice of thematic areas, nor its implementation strategies of evidence-based lobbying, networking, or the use of verification inspections / audits or capacity building in factories. Other likeminded organisations and initiatives, with or without unions in their governance structures, are in various ways guided by comparable codes and approaches and engaged in similar activities.

The SP is constructed as a partnership between independent organisations with a potential for fuelling transformation as unions and companies at several levels of the value chain are pushing in the same direction. The biggest impact (at factory level) would be expected where union-led *and* Fair Wear-led interventions were done in the same companies. However, there has been little coordination of activities targeting the same factories. Although there are promising examples of increased collaboration between the SP partners and their local partner organisations at country level, an untapped potential remains to test out the SP transformation model in full.

### What can be learnt from the transformation model

Based on outcomes harvested by this End Term Evaluation, the following identified success factors are found to be in line with the thinking behind the SP Transformation model that underpins the SP Theory of Change:

- ☞ **Capacity building works.** Target-tailored training and innovative training methodology enhance results. Joint capacity building between trade unions and management lays fruitful ground for future negotiations. This is found to be vital in all three thematic areas.
- ☞ **Evidence-based lobbying has been fruitful** in all countries, mostly within the thematic areas of 'living wages' and 'gender-based violence'. The evidence is found to be most effective when it is presented in a credible, non-confrontational and timely manner (Although, in some instances, space for dialogue can only be created in the aftermath of a confrontation, as has been the case in Bangladesh.)
- ☞ **Platforms for building trust and joining forces have been powerful** in influencing governments both formally and informally. The gender platforms in Bangladesh and Indonesia are bound to one thematic area, whilst other platforms, such as the Labour Consultative Forum in Myanmar is there for trade unions and labour organisations to discuss any labour matter they want.
- ☞ **Having the same thematic areas across countries has generated important cross-country learning** opportunities, in particular on GBV, where the SP has managed to focus on the entire value chain, from the worker's daily situation in the factory, to factory management, unions and employers' associations, civil society, national public administration and law-makers, and the ILO global tripartite system.
- ☞ **The messenger matters;** workers listen to unions. Managers might be hostile but do talk with brands. Being part of the "*Fair Wear-programme*" adds credibility to SP partners and partner organisations also in countries with no Fair Wear presence.
- ☞ **Synergy is worth seeking.** Simultaneously pursuing the same goal with different networks and at different decision-making levels has increased the likelihood of success in facing the multi-dimensional challenges in all the three prioritised thematic areas. Sustained transformation requires changes at all levels, being it global frameworks, national legislation, business' attitude, competence and practice, union policy, understanding and skills as well as workers' understanding of how to fight for their rights.

- ☞ **Complaints mechanisms** at factory level make both brands and factory management aware of bad practices and enable a systematic approach to solve them.
- ☞ Development and piloting of **innovative tools**, related particularly to living wages, have shown that change is possible without destroying the financial survival of brands or factories.
- ☞ **Coordination of activities**, sharing of findings, linking partner organisations, and joint communication should also be mentioned as success factors. This seems to be most visible within the GBV thematic area, illustrated through multi-stakeholder visits from one SP country to another, and the statements conveyed during the directors' joint visits. Not mentioning the successful lobby contribution by the entire SP towards the ILO C190.

In addition some success factors have been identified that appear to be less pronounced in the SP Transformation model:

- ☞ **Joint multi-stakeholder exchange trips abroad build relations and open doors** for new ways of collaborating. This has been especially pronounced within the thematic area of gender-based violence. These trips would probably not have been carried out if the SP thematic areas had varied between countries.
- ☞ **Solid long-term partnerships with well positioned partner organisations.**
- ☞ Ability to **make clever use of existing mechanisms** such as laws, court orders, labour inspectorates, and court systems.
- ☞ **Convening power** of the SP partners themselves and/or their partner organisations and their **ability and willingness to enter new strategic alliances.**

There is considerable overlap between the above success factors leading to outcomes that have been identified by the End Term Evaluation, and the most important SP investments as identified by SP partners' staff and partner organisations listed under 11.3 above.

### Working with theories of action (ToA)

While there appears to be high consistency between what has been achieved and the initial ToA-framework, there is little reference to the ToAs as such in SP's documentation. The ToAs have not been reported on as such. Instead, quantitative indicators were made that are thoroughly registered and reported on to the IATI<sup>100</sup>. It is not always straightforward to link the reporting that is done through the IATI framework with the intermediate outcomes as defined in the ToAs. Nor is it straightforward to compare – or add – the different IATI-figures within the same indicator. This End Term Evaluation has found that there is room for improving the consistency in the registration of IATI data across activities and countries.

While the ToAs are not used directly as management tools in all countries, this evaluation has found that SP priorities, choice of partners and actions are in general consistent with the plans laid out in the ToAs. From that perspective one can conclude that the ToAs have been guiding the implementation of the SP.

In the update of the ToAs, the process might be equally important as the content of the update. An update of the ToAs should ensure:

- ☞ a participatory process
- ☞ contextualisation
- ☞ that goals (intermediate goals/outcomes) are set and formulated in a way that can be (easily) measured, preferably within the IATI-system if feasible

### How can the Theory of Change (ToC) be updated?

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<sup>100</sup> International Aid Transparency Initiative: <https://iatistandard.org/en/>

The mid-term review concluded that the ToC was still valid. This End Term Evaluation shares that conclusion in the sense that the identified barriers to a supply chain transformation, the planned interventions and expected outcomes will, provided that assumptions are met, contribute to improved conditions for workers in global RMG supply chains. Having said that, some areas of the Theory of Change deserve a closer look.

There is an intrinsic assumption in the ToC that the impact will be higher when the same topics are addressed from both ends of the supply chain: Fair Wear member brands with improved practices that will influence factory management and worker representatives to engage in social dialogue. Simultaneously, unions with increased capacity in evidence-based negotiation and lobbying will have a better chance of succeeding when meeting managers already involved in Fair Wear trainings and with clients (Fair Wear member brands) that have improved their purchasing practices. However, this End Term Evaluation has not seen any evidence of overlap between factories supplying Fair Wear brands and those working with SP trade union partner organisations. This should not come as a surprise, since decisions on where to buy and where to organise are made by different, unrelated actors. By reaching out to networks like AGT and PST, the SP has taken positive steps to broaden its outreach to different brands and has received positive feedback from these networks on the usefulness of tools and approaches. The ToC could benefit from including this dimension explicitly, also by focusing on in-country buyers' networks<sup>101</sup> as a potential key arena.

One of the key findings in this End Term Evaluation is the power of collaborative platforms. These platforms could be given a more pronounced role in an updated ToC.

The explicit focus on prioritised thematic areas such as gender-based violence has been a strong contributing factor in facilitated the establishment of the above-mentioned platforms. Having identified specific thematic areas helps in clarifying a common cause, identifying actors and lobby targets, and building relation. Having predefined common thematic areas is a dimension worth including in an updated ToC.

Another area that has been identified as a success factor for outcomes are the joint multi-stakeholder exchange visits abroad. These have been found to result in capacity building, relation building, and door openers for new ways of collaborating. This has been especially pronounced within the thematic area of gender-based violence. These trips would probably not have been carried out if the SP thematic areas had varied between countries (see above). All kinds of experience exchanges, including multi-stakeholder exchange, should be given attention in an updated theory of change.

Further, solid long-term partnerships with well positioned partner organisations lies implicit in the programmatic design but should also be pronounced as an important factor to achieve change.

Also, convening power of SP partners and their partner organisations, as well as their ability and willingness to enter new strategic alliances are factors that are touched upon, but could be given more weight in an updated TOC.

Last, but not least, clever use of existing mechanisms such as laws, court orders, labour inspectorates, and court systems have been the success factors behind some identified outcomes. This dimension should be given more weight both in the theory of change as well as in the programmatic thinking.

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<sup>101</sup> E.g. «Buyer Forum» exists in several of the SP countries.

## 12. Recommendations

The SP has come a long way in putting needed building blocks in place for an enhanced effort to transform the ready-made garment sector. Building on the successes, lessons and impacts from SP, phase two of the partnership, called 'STITCH' is recommended to make the following considerations:

### 1. Broaden the scope of lobbying and strategic alliances

Low wages and poor labour standards appear to be structurally integral to the garment industry in many countries. Building on important successes, where SP, among other things, contributed to new and amended labour laws and the new ILO convention 190, it is recommended that 'STITCH' broadens its scope along the following dimensions:

- 1a) Extend lobby efforts to strengthen the implementation and enforcement of existing laws and policies in production countries. I.e. through lobbying for budgets to and functioning of national labour institutions and labour inspectorates, improved complaints mechanisms and legal aid, and enforcement of factory compliance of labour laws.
- 1b) Extend lobby efforts in consumer markets, targeting policy makers and possibly consumers as well, to mobilise for prohibition against importing goods manufactured by workers earning less than a living wage (i.e. by reviving ILO C131 Minimum Wage fixing convention article 3a).
- 1c) Develop proposals for how living wage (ref ILO C131, 3a) and purchase practices can be framed into the new EU obligation to carry out Human Rights Due Diligence and lobby for this to be integrated in EU policy and practice, i.e. look at ways to build upon ITUC's living wage campaign<sup>102</sup>.
- 1d) Broaden the scope of collaboration partners to include employers' associations. Assist employers to take constructive part in bipartite and tripartite dialogue where needed. Also, strengthen factories' abilities to negotiate with brands and include business KPIs in baseline assessment(s) and activity execution.
- 1e) Invest in identifying key success factors and barriers for brands and companies to adopt their peers' and competitors' good practice(s).
- 1f) Include, and engage more with, brands. Brands must be made aware of and understand the difficulties faced by factories and the situation of the industry in the different countries. Continue the focus on decent prices and purchasing practices.
- 1g) Where possible, enter collaboration, strategic alliances or offer advise to assist governments to implement laws and policies and play a constructive role in national tripartite dialogue. A model example could be M-FNV's partner organisation Apheda's advisory role in strengthening the capacities of the labour ministry in Myanmar.
- 1h) Make the most out of the Dutch embassy open-door policy in all the producing countries where there is an embassy, and use their convening power, their door-opener facility and complaints opportunity more strategically in all countries. Encourage partner

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<sup>102</sup> <https://www.ituc-csi.org/social-protection-and-living-wage-two-pillars-of-decent-work>;  
<https://www.ituc-csi.org/wages>

organisations to do the same. Reach out to UK embassies through ETI's participation in 'STITCH'.

## **2. Strengthen the strategic partnership and enhance synergies**

SP has put down immense efforts into increasing collaboration between the three SP partners and their partner organisations, in the Netherlands as well as in the production countries. Functioning common annual planning sessions have become institutionalised in the production countries, and an annual 'lobby week' is taking place with all SP staff and partner organisations for common learning, experience exchange, and generation of ideas for new shared activities. These good practices should be carried forward. In addition, this End Term Evaluation believes the time has come for 'STITCH' to take the next step into strengthening their partnership.

- 2a) Continue the good practice to inspire partner organisations to overcome cultural, ideological and practical distance between them by further institutionalising common platforms where the different partners are allowed to exchange their perspectives of common issues.
- 2b) Put the partnership up front when accepting new activities to be included into 'STITCH'. Move partnership dialogue from information exchange to development of common activities. Avoid including activities into 'STITCH' where there are no synergies, connections, exchanges, common activities or other value added.
- 2c) Further develop indicators to measure 'STITCH' collaboration and synergies, i.e. number of initiatives where two or more partners collaborate, number of initiatives where partners' partner organisations collaborate, number of replications of initiatives in other countries, number of initiatives where evidence is used by other partners or partner organisations, etc.

## **3. Carry forward effective investments and programme approach**

SP has achieved impressive outcomes internationally and in the seven production countries. Union representatives and workers have been trained to present evidence-based lobby messages in a way that make the bipartite and tripartite social partners listen. A high number of new and renewed CBAs have improved the lives of thousands of workers. Promising pilot MCCBAs are established. Functional platforms, forums and networks are established for members to work for a common cause. It is important that the most effective investments from SP are carried forward into 'STITCH'.

- 3a) Continue with evidence-based research. Increase research on business benefits of pilots carried out, decent work, social dialogue, increased wages and anti-harassment.
- 3b) Continue with common thematic areas to create synergies across activities and countries.
- 3c) Continue to engage in minimum wage processes until minimum wages reach living wages.
- 3d) Continue joint evidence-based lobbying for new laws and regulations where needed.
- 3e) Continue to support joint platforms and multi-stakeholder cross-country exchange visits.
- 3f) Exchange best practices, strategies and tools from union capacity building and Fair Wear WEP capacity building, engage in common projects on factory level with management, unions and elected workers' representatives, and where possible, brands. When joint

action at factory level is not realistic, share good practices and tools with business associations, union federations and other arenas at industry level.

3g) Continue with social dialogue stimulation activities. Ensure preparedness of all participating social partners. Promote workers' understanding of factories' challenges to enhance worker-management partnership.

3h) Maintain existing and invest in new strong long-term relationships with local partner organisations.

#### **4. Ensure sustainability**

This End Term Evaluation has found a variety of ways where sustainability has been built into the activities. SP is encouraged to maintain its focus on sustainability as it enters into SP II. Some improvements are recommended.

4a) *All* training and capacity building should be organised as on-going *processes* with follow-up activities and monitoring of change. Make sure participants to training have relevant profiles. When capacity building finds place as an event (for government representatives, MPs, employers or others), attempt to follow up, offer continued guidance, send reminders, and measure effect over time.

4b) 'Good practice' should be shared across factories, partner organisations, strategic alliances and SP activities whenever relevant and wherever possible.

4c) Look into possibilities to do more digital training, i.e. to factories, to enhance outreach.

4d) Discontinue practice where one of the SP partners coordinates or facilitates local platforms. Phase over lead responsibilities to local actors and change into role as mentor, advisor or companion.

4e) Sustainability should be built into each activity from the start. Make phase-out plans by setting benchmark sustainability criteria for each activity, answering the question: What should be in place for an activity to be phased over to local actors or to be phased out?

4f) Continue the focus on identifying unifying language and carving out messages that can be recognised, tolerated and accepted by different parties. Accept that sensitive, culturally entrenched and economically complex issues are changed one step at the time.

#### **5. Look into ways of reducing the total burden on factories of social audits**

Research shows that the many social audits have become a burden on garment factories. Private audits, representing the commercial power and public labour inspections, from the legal side, are both control systems factories need to relate to. At present, these two systems exist in parallel, without any linkages, with the risk of private audit regime functions undermining the functioning of the public inspectorates 'STITCH' is recommended to use its experience, position and leverage as a transformer of the value chain to explore ways of reducing this burden by enhancing collaboration among social audit actors.

5a) Explore ways to engage in dialogue with multi-stakeholder structures, brands, trade unions *and* labour inspectorates to identify ways to coordinate and/or share methodologies and data with a goal to reduce the total number of social audits in each factory.

## **6. Monitoring and documentation**

While SP's documentation of activities carried out is rich and comprehensive, there exist some gaps in the documentation of the effects of the same activities. The evaluation has uncovered some differences in the way the different country programmes record IATI indicators. Also, the fieldwork uncovered some SP activities where the results were not known to SP staff or partner organisations.

- 6a) Establish monitoring systems to capture how activities lead to desired change, i.e. how new insight is used by training participants, lobby targets, and more.
- 6b) SP staff across SP partners and countries should agree on how to use the different IATI indicators so that figures can be more easily added and compared.
- 6c) Expand the use of the Stories of Change reporting template to enhance cross-activity and cross-country learning.

## **7. Pilots and promising activities should be scaled up**

The ultimate goal of an achieved outcome is that it becomes the new normal. So far, SP has contributed to amend laws, establish CBAs and pilot MCCBAs, engaged brands, engaged in minimum wage processes, and more. SP has proven to be a courageous, forward leaning and innovative programme, but impact is still small compared to the enormity of transforming the entire supply chain. Dissemination of evidence and scaling up of outcomes and promising activities are needed.

- 7a) Continue to reach out to, and where relevant collaborate with, other multi-stakeholder structures, business associations, institutions and programmes, in purchasing as well as production countries, to share best practices, research evidence, and pilot experiences.
- 7b) Continue to convene well-positioned decision-makers to learn about research and evidence, best practices, and pilots and their business case. Follow-up and turn into process whenever possible.
- 7c) Identify and document the positive impact on business KPIs of pilot interventions such as MCCBAs, WEP and GBV-free zones to develop and formulate business case(s) that can enable larger sell-in to factories.
- 7d) Explore ways to include brands into MCCBAs, i.e. brands who have established Global Framework Agreements.