

Independent evaluation of training and learning activities on the thematic area of “Promoting International Labour Standards”

## EVALUATION REPORT

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## Table of Contents

	<i>Page</i>
I. Executive Summary and Recommendations .....	1
II. Introduction: Understanding International Labour Standards .....	7
1. The historical context .....	7
2. ILS knowledge as the basis of training .....	7
3. Standards as an incremental process .....	8
4. Standards and development .....	10
5. The standards policy cycle .....	10
6. The ILO's comparative advantage .....	11
III. Evaluation Report .....	13
1. Mandate and scope .....	13
2. Methodology .....	17
3. Research implementation and constraints .....	19
4. Evaluation results of the sample of programmes .....	20
4.1 ILS programmes .....	20
4.2 ILSGEN programmes .....	30
4.3 Programmes with ILSGEN contributions .....	36
4.4 Other programmes .....	40
5. Findings, lessons learned and conclusions .....	50
5.1. Relevance and outreach of the activities .....	50
5.2. Validity of the activity design .....	50
5.3. Effectiveness .....	51
5.4. Efficiency of the use of resources .....	53
5.5. Effectiveness of management arrangements .....	53
5.6. Impact orientation .....	54
5.7. ILO senior management views .....	54
5.8. Lessons learned .....	56
5.9. Conclusions .....	58
IV. ANNEXES	
Terms of Reference	
List of persons interviewed	

## Abbreviations

ACT/EMP	Bureau for Employers' Activities (ILO) / Employers' Activities Programme (ITCILO)
ACTRAV	Bureau for Workers' Activities (ILO) / Workers' Activities Programme (ITCILO)
CAS	Conference Committee on the Application of Standards
CEACR	Committee of Experts on the Application of Conventions and Recommendations
EU	European Union
ILC	International Labour Conference
ILO	International Labour Organization International Labour Office
ILS	International Labour Standards
ILSGEN	International Labour Standards, Rights at Work and Gender Equality (ITCILO)
IPEC	International Programme on the Elimination of Child Labour
ISSA	International Social Security Association
ITCILO	International Training Centre of the ILO
ITUC	International Trade Union Confederation
MLC, 2006	Maritime Labour Convention, 2006
SDGs	Sustainable Development Goals
SPGT	Social Protection, Governance and Tripartism Programme (ITCILO)
UN	United Nations

## Boxes, figures and tables

	<i>Page</i>
Box 1: Community of Practice .....	21
Box 2: Experience in Georgia .....	22
Box 3: Training as part of implementing standards supervisory recommendations .....	23
Box 4: Interview with an ILO field official who attended the 2016 ILS course .....	25
Box 5: Interviews with participants of the 2017 ILS course .....	26
Box 6: Suggestions made by the participants of the courses in Group 1 .....	29
Box 7: Other recommendations .....	29
Box 8: Case study - Domestic workers in Hong Kong .....	32
Box 9: Case study – Dealing with forced labour in Myanmar .....	33
Box 10: “Training for the process of social dialogue, not its contents” .....	41
Box 11: Training those who need to mobilize different kinds of knowledge .....	42
Box 12: ILO managers' views on ILS and strategic management skills .....	44
Box 13: How senior managers see ILS, including in training activities .....	55
Figure 1: Breakdown of activities by Programme in 2016 .....	14
Figure 2: Breakdown of activities by Programme in 2015 .....	14
Figure 3: Breakdown of participants by Programme in 2016 .....	15
Figure 4: Breakdown of participants by Programme in 2015 .....	15
Table 1: Labels of the different units in the Training Department .....	13
Table 2: Breakdown of activities by Programme in 2015 and 2016 .....	14
Table 3: Breakdown of participants by Programme in 2015 and 2016 .....	15
Table 4: The sample examined .....	17
Table 5: Questionnaires received from participants of Group 1 .....	27
Table 6: Questionnaires received from participants of Group 2 .....	34
Table 7: Questionnaires received from participants of Group 3 .....	37
Table 8: Questionnaires received from participants of Group 4 .....	48

## I. Executive Summary and Recommendations

1. The evaluation of International Labour Standards (ILS) in training programmes carried out by the International Training Centre of the ILO in Turin is addressed to the Board of the Turin Centre, following its decision to carry out annually a thematic evaluation. This evaluation on International Labour Standards has a double focus. On the one hand, it assesses the efficiency and results of ILS-related training. On the other hand, it examines the integration of ILS in all training activities, due to the cross-cutting nature of standards.

2. A sample of 15 programmes formed the basis of the evaluation. They covered both programmes on ILS and other programmes. A questionnaire was sent to 412 participants of this training held in 2015-16.

3. A fourth of the participants replied to the questionnaire, which on several occasions asked them to explain the choice of their reply as well as suggest changes or improvements to the activities. This rate of response varied between 22.45 per cent and 37.93 per cent for four groups, and it can be considered satisfactory. The questionnaire was completed by interviews with participants of training courses; a number of case studies; and in-depth interviews with ITCILO programme managers responsible for the training as well as ILO officials. Interviews were carried out with the organizations benefiting from the training. The training materials, schedules and immediate post-course feedback from participants were also examined.

**4. An overarching conclusion is that the integration of ILS in Turin programmes is well recognized as an aim and measures to integrate them are pursued. The training transmits the context and application process of ILS in a comprehensive way.**

5. The **relevance and outreach** are guaranteed by the fact that, in many cases, training takes place “at the source” – with the professional knowledge and insight of experts and trainers, who have unique knowledge of ILS and the implementation and supervision processes. There is ample evidence of the contribution of training to personal knowledge and performance and the capacity of the institutions which had benefited from the training. ILS-related courses of the Turin Centre can rightfully be called flagship programmes. Often the training provided by Turin is unique and not available elsewhere.

6. The **validity of the activity** design is underlined by two findings. Firstly, across all groups, the training proved to be relevant and provided results. Secondly, the role of International Labour Standards had been highlighted in the training which was not specifically about them. Yet more attention should be paid to the way in which ILS are integrated as a cross-cutting theme. This calls for understanding the double role that ILS have as the foundation of all ILO activities and as the custodian of their constitutional application procedures.

7. The **effectiveness** of training is underlined by numerous examples of how participants have been able to make virtually immediate use of it. A question identified for further discussion is the need to focus on covering what on several occasions was defined as a gap between the knowledge of ILS and their application in practice.

8. **Efficiency of use of resources** appears to be high. Yet questions were raised on the ways they could be allocated to in particular promote exchanges on experiences of both legal and practical application of ILS in different situations.

9. **Efficiency of management** arrangements appears generally to be high, with the substance and training methods combining well. Furthermore, the ITCILO can offer quality training with accommodation on clearly more advantageous terms than private sector entities.

10. **Impact orientation** is more difficult to assess for the training which was not directly on ILS, and which represents the vast majority of training of the Centre. Yet it is obvious that, although specific activities are not labelled as “ILS courses”, in virtually all cases the standards base was recognizable although it had not been spelled out.

11. **The bottom line of the recommendations of this evaluation is that ILS programmes should further develop means to bridge whatever gap exists between the aim and contents of the standards and their application in practice. All other programmes should recognize and better make use of the standards basis of the process launched nearly a century ago by the setting up of the ILO.**

12. Against this background, the evaluation makes **eight specific recommendations**:

<p>1. <b>As the “DNA of the Organization”, the relevance of International Labour Standards should be brought out in all ILO and ITCILO activities</b></p>
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13. Recognizing standards as a part of the DNA of the Organization and inherent in all activities carried out under the Decent Work approach calls for a renewed effort to recognize and explain their relevance. Unless their relevance is highlighted at an early stage of personnel training, they will be seen as a separate topic, equivalent to employment policy, labour inspection, occupational safety and health or any other of the ILO’s identified fields of work. ILS should be seen as relevant to all training offered by the ILO, and the aim of integrating them in all training programmes needs to be maintained.

14. It should be assumed that anyone contracted to be a resource person or lecturer would be familiar with the ILO approach, which includes the strategic objectives of Decent Work – especially standards and social dialogue.

15. When an increasing amount of training is delivered upon demand, through tailor-made courses, the “customer” needs to understand the benefits of turning to the ILO for obtaining a course. Some of these reasons are linked directly to the implementation, and interpretations, of ILS. In other cases those who request training may not be acutely aware of the ILS dimension of their request, and the ITCILO will have to be able to identify this element and explain how the training will contribute to the recipients’ knowledge and capacity of dealing with it. In this way use is made of the comparative advantage that ILS give to the ILO.

16. **The programme managers and their counterparts throughout the ILO should be given targeted further training on the role and use of ILS in all activities of the Organization.**

## **2. More space for the application of ILS in practice**

17. Both questionnaires and interviews show that at all levels, starting with the core of ILS training, there is a need to continuously focus on ways in which ILS can be successfully applied in practice. Training should give sufficient room for practical examples, using actual case studies and engaging the participants in sharing their experiences. Ideally, it should demonstrate the sequence between the ILS – in their historical context – and the different ways in which they can be applied in practice, through national law, practice and tripartite cooperation and collective bargaining.

18. The two training courses in the evaluation sample, one for employers on social dialogue and another for trade unions on organizing, both put the use of ILS in a practical context. First of all, being able to undertake all these activities is due to fundamental freedom of association and collective bargaining rights. But secondly, they show the way in which the contents of ILC should be used in the construction of industrial relations systems.

**19. Training should give sufficient space to exchanges of information and examination of different ways in which ILS have been successfully applied, either by the judiciary, public authorities, the constituents or other practitioners.**

## **3. A more diverse approach should not lose cohesion and fundamentals**

20. A wider choice in selecting a specific track for training on certain aspects of an item in the courses of an "Academy" allows to go deeper in developing the skills specially needed. In the field of ILS, as it has been demonstrated above, this enables having a separate focus on the knowledge for, on the one hand, legal specialists who report on the Conventions, and, on the other hand, those who carry out inspections at workplaces. This can be compared to a tree, which branches off in several directions. It is indispensable to describe the whole tree itself at the time of training before concentrating on its branches.

21. The Academy-format would seem to cater for needs of both legal experts and practitioners, and of other groups (such as media). The benefit of this is increasing depth to those who directly need it. Any training will always have participants who wish to explore a broader perspective and others, whose interest is deepening their knowledge on a specific issue. With more a more diverse offer of training options, it is important to avoid a drawback in terms of ILS. In other words, a menu-approach should not lead into ignoring the basic ingredients. Concentrating on different practices should not take place at a cost to the knowledge base of ILS.

**22. The ILS base of training should be clarified either at the outset of a course or through the material sent to the participants prior to it.**

## **4. A continuous learning experience maintains an international ILS community and contributes to a solid information base**

23. It is in itself a success of the training given that a significant number of participants feel that they are part of an international community, which needs to maintain links, both bilaterally and with the source of knowledge (the ILO and the ITCILO). As labour law is a continuously

evolving subject, ensuring the function of such a network can only be in the interests of both the ILO and its training institute. The prospects for maintaining and developing a unique database of judgements based on ILS hold much promise. However, they have serious implications in terms of human and financial resources. This is one of the areas where cooperation with the academic community is important – also in terms of searching for funding.

24. In terms of applying ILS in practice, beyond the standards supervisory mechanism, the ILO is already now in possession of a wealth of experience and concrete examples of applying Decent Work. Any guide to good labour practices is a guide to the use of ILS, too.

**25. The Turin Centre should endeavour to maintain a database of legal judgments and good practices, which could be accessed and complemented by the participants of training courses.**

## **5. ILS training modules have to be rethought and tailor-made**

26. At one stage there was a decision that the integration of ILS in all ITCILO programmes should be done by a specific module on standards. As it turns out, a separate dedicated session on ILS in training programmes may not be the most appropriate way to ensure integration. Where such sessions are part of the programme, they need to be carried out so that they are adapted to the subject and purpose of the specific training concerned. Instead of a standard ILS module to be inserted into all or a large number of training activities, a training aid for all managers on the role of ILS, and how to explain them, is more efficient.

27. The traditional approach of inserting a module on ILS for each training activity should thus be fundamentally reviewed. This question arises even with ILS courses. For instance, a course on discrimination and diversity starts with presentations based on the ILO's Discrimination Conventions. Later, invited experts deepen the theme without necessarily referring to the Conventions or their use. In the case of discrimination, new forms continue to emerge, and they are also taken up in the standards supervisory mechanism.

28. Training sessions need to focus on evolving practice and debate on the issue and explore situations which may be anticipating situations not yet covered by ILS procedures. Training can also have an important role in further developing the action regarding different ILS.

29. The above does not mean that training module, or modules, on ILS would be obsolete. However, unless the training is an orientation course for new officials and staff, such a module should allow for considerable adaptation to the purposes of each specific course.

30. In the same way as training must increasingly be custom-made for the different needs of the participants, its components have to be adapted to fit the overall objective of training. The danger of a uniform ILS module in each programme is that it is seen as something external, not suited to the audience. "Tailor-made" has to apply not only to the training activity but to all its components.

31. A training aid for senior managers on the role of ILS, and how to explain them, would be useful. ILS have unnecessarily suffered from a perceived one-size-fits-all approach. Given the identified gap between the standards and their application in practice, more attention has to be paid to how the ILS component is introduced.

**32. An ILS training module cannot be a one-size-fits-all product. It should be adapted to the concrete circumstances of each training. Current training modules should be reviewed in order to determine how their form and contents could be sufficiently adapted to different needs.**

## **6. Inclusion of an ILS question in the post-course evaluation**

33. Since some years, the end-of-activity evaluation questionnaire has included specific questions rating the performance of the lecturers on the main topics. This questionnaire includes also a compulsory question on how gender issues have been covered. This question has been seen by the trainers to be “delicate”. Attempts have been made to refine the question on this issue which often provokes subjective reactions.

34. The idea of including a question on ILS in the immediate post-training satisfaction survey has apparently already been discussed by programme managers, who have recognized that it is difficult to formulate such a question. Yet it has been a tool used for gender mainstreaming.

35. It may be difficult to take a firm stand on this before there is more clarity on what integrating ILS means. Simply counting the number of mentions of ILS, or sessions dedicated to them and their supervision, does not yet mean that the substantive issues of standards have been dealt with.

36. Just as with gender mainstreaming, one of the results of an evaluation question would be to force the designers and managers of each course to think in which way they would prepare the participants to be able to answer such a question.

**37. If the principle is retained, a generic question on the relevance of ILS to each training course should be drafted. The need to reply to this question should be taken into account in the development of training courses.**

## **7. Knowledge of ILS as a selling point for tailor-made programmes**

38. A good number of the “flagship” training is in response to a specific need arising out of the application of ILS. The Maritime Labour Academy is an example of this. Also, training for judges and lawyers as well as on the procedures linked to the adoption and supervision of standards means that there is a constant demand which the ITCILO can tap into. The fact has been mentioned above that, while there is different kind of training on trafficking around, others do not link it into the basic question of forced labour. In general, the attention to child labour and other fundamental rights at work has created a growing demand from public and private sector entities, including the employers’ and workers’ organizations, NGOs and researchers.

39. The issue has two facets. On one hand, there is a need to know more. ILS and their application are a developing process. The Maritime Labour Convention is only now entering a stage where the ILO’s supervisory bodies will start contributing to its application. Likewise, the debate for definition and action on various discrimination-related issues is on-going and will need both the creation and dissemination of knowledge.

40. The second facet is the direct demand by entities, whether Governments, employers' and workers' organizations, or private companies, to know better the standards and also avoid problems, which may be created by misunderstandings or lack of application by the appropriate national authorities.

41. A recent example is the interest of Latin American employers' organizations to have training to deal with the application of the Indigenous and Tribal Peoples Convention No. 169. Many countries in the Americas region have ratified the Convention. Employers feel that they – instead of the State – have in practice been made responsible for its implementation. In certain cases the state authorities have not clarified sufficiently, and in an operational way, what the requirement to consult with the representatives of the indigenous and tribal peoples means and how this should be done. Training for employers on the provisions of the Convention has proved to be useful to realize what the requirements of the Convention exactly mean. Also, since the mid-1990s, employer and business organizations have been interested in training on the requirements of both child and forced labour Conventions of the ILO.

**42. The ITCILO should make full use of the demand for various kinds of knowledge on ILS in promoting both its open and tailor-made training courses. It should not be shy in demonstrating its unique advantage to carry out such ILS-related training.**

## **8. Full use of the opportunities provided by tripartism**

43. The ILO community is unique in its tripartite engagement. Most often than not the place where the cross-cutting issue of ILS becomes daily reality is the workplace. The originality of the 1919 design of the ILO is in involving the workers and employers at all stages, from designing to expressing, promoting and applying, and supervising ILS. In this perspective, focussing on ILS should automatically lead into focussing on tripartite cooperation and social dialogue.

44. Mainstreaming ILS in training activities should also focus on how they are dealt with in the ACTRAV and ACT/EMP programmes. The full participation of both in developing all training activities helps to determine where specific training is needed for either employers or workers; where the participation of employers and trade unions would bring significant added value; and where tripartite or bipartite training can help in managing real work life situations.

45. ACTRAV and ACT/EMP courses legitimately assist both social partners in coping with ILS-related questions, which may be controversial or call for different competencies for different partners. But training activities could also function as "strategy sessions" on issues on which there are divergent or emerging views. Such issues tend to be in one way or another linked to standards, their interpretation and their application anyway.

46. In the end, the main question is safeguarding and developing the identity – the comparative advantage – of the ILO as the global lead organization in law and practice of all labour issues. It cannot do this without ILS, which provide the substance. It cannot do this without tripartite cooperation, which provide the method. It cannot do this without capable governments and representative and strong workers' and employers' organizations. But that, of course, is another story.

**47. A specific joint effort should be undertaken by the management of the Training Department together with the ILSGEN, SPGT, ACTRAV and ACT/EMP Programmes to assess training needs and the best available synergies.**

## **II. Introduction: Understanding International Labour Standards**

### **1. The historical context**

48. A report on how International Labour Standards have been integrated into educational activities, which are a significant part of technical cooperation carried out by the ILO and the ITCILO, will necessarily call for clarifying a number of basic concepts. This is best done by taking a historical perspective.

49. Social issues have been contentious since at least the beginning of the industrial revolution. They have been a source of strife, as they were part of the competition which arose from the increasing internationalization of trade and production. Managing them has been an integral part of the democratization of societies for the last two centuries. Internationally respected standards for work and rights of workers have been and remain in the centre of the political agendas, which among other things define the evolving legal framework in which the different interests in the labour sphere can be reconciled.

50. For the ILO, International Labour Standards play two interlinked roles. Firstly, they are legal instruments that establish basic minimum standards agreed upon by governments, employers and workers and translated into national law by Parliaments. This perspective concentrates on their application and the supervisory system, which in the ILO leads to observations, recommendations and complaints regarding specific countries and Conventions by the International Labour Conference or the Governing Body. This is covered by the procedures set out in the Constitution of the ILO and the practice as it has evolved over nearly a century.

51. But secondly, and possibly more importantly, underlying these procedures is an acknowledgement of the role of labour standards as the framework for social justice at international, national and workplace levels. These standards establish the benchmarks for what over the last two decades has been called Decent Work. They reflect the guiding principles for law and practice which each country should strive to live with.

### **2. ILS knowledge as the basis of training**

52. The question is of the way in which the Organization and its functions are perceived and how this is transmitted through training activities to practitioners, including to the future generations of ILO officials and project staff. International Labour Standards were the original reason for setting up the Organization in 1919. If we take ILS and social dialogue as the two basic elements of all ILO activities, both the legal framework and the practice of tripartite cooperation are tools for implementing the various elements of Social Justice.

53. This strengthens the argument that the normative and social dialogue basis of each activity would have to be clarified for each training activity. This would be the context in which the purposes of training should be seen. The training on the specific topics would thus be pitched at a level where the relevance of ILS and social dialogue has already been initially clarified.

54. The other approach is to consider ILS and social dialogue as separate elements, comparable to the aims of employment, labour protection and social security. In building construction terms, they would appear as individual chambers instead of being a key part of the architectural design.

55. The evaluator's view on ILS is based on the first one of these notions. What was set up in 1919 was a system for dealing with ILS (or "international labour law", as the Versailles peace negotiations agenda stated) at three interdependent levels. At the international level, the ILO aims at giving guidance through ILS and policy discussions in a tripartite process. At the national level, the results of this process are translated into Labour Law and administrative practice. At the third level, that of the constituents' daily work, the actors themselves – local authorities, employers, trade unions – act and cooperate in order to implement the standards in practice.

56. There is an "ILS community" which stretches from lawyers to labour inspectors, and from social and economic policy makers to those who carry out collective bargaining.

### **3. Standards as an incremental process**

57. These standards are not always cast in binding law. The hundred years of history of International Labour Law prior to the setting up of the ILO describes the search for agreed standards on conditions of work in order to achieve a balance between the rights of employers, workers and governments. It is this deep history of standards that inspires the continuous search for appropriate measures through law and interaction between the partners in the labour market.

58. Any learning process is incremental. Yet international labour law is often perceived as something definite, immutable. Both development economists and lawyers have at times seen the incremental approach of development policies to be in conflict with the provisions of ILS which are more absolute, with their implementation guided by procedures that are not always easily accessible.

59. Since the 1960s there has been a nagging belief that there somehow would be an inherent contradiction between international labour standards and development policies. Fostering development is to its nature incremental. International Labour Standards in turn are sometimes seen as absolute benchmarks which, as the ILO's policy documents as well as the standards supervisory mechanism often says, have to be "fully applied". The incremental reality is thus confronted by the supposedly absolute nature of standards, although the system does not provide an answer to the question, when is the supposedly "full" level of application reached.

60. This apparent contradiction between the goals and what is achievable became particularly acute when development policies became broadly applied by the United Nations, its specialized agencies, and individual donor countries. This coincided with the adoption since the late 1940s to the 1970s of both the fundamental Conventions of the ILO and the lead Conventions in different areas, such as occupational safety and health and social security. Divergent views of the role of standards in development, especially economic development, led different parts of the International Labour Office to publicly disagree with one another.

61. At the time, this divergence was conditioned by Cold War rivalries and different views on the extent to which the aim of the UN-driven New International Economic Order should give prominence to social objectives. After the end of the Cold War and the opening of global markets,

the question of applying standards versus economic activity and competitiveness became a continuing source of controversy. This was compounded with the push towards labour market flexibility, which had started in the industrialized economies in the early 1980s.

62. Contrasting development and standards with the argument that one of them is incremental and the other one is absolute does not recognize the reality of what all economies and societies are living through. International Labour Standards, as set out in Conventions, Recommendations and Protocols, codify the extent to which policy aims can be set out in legally binding ways to assist governments, employers and workers to achieve their aims. But the process of developing and implementing them is nothing but incremental.

63. In terms of development and application, ILS are no less incremental than any other process. The contents and application of labour law are deeply affected by economic, social and political realities and the needs of both workers, employers and public authorities. In most cases – among them all four categories of fundamental principles and rights at work – objectives have been agreed to and worked upon long before they have been set out in a Convention or Recommendations. The sequence has not been one of first establishing law and then applying it in practice. Standards needs arise out of practical economic, social and human conditions, where meaningful application can take place.

64. Labour law is continuously evolving, due to economic, social, technological, political and demographic realities. It affects human beings at all stages of their life. It calls for recognizing the need for a balance between the fundamental aim of protection of the workers and the conditions in which investment and employment creation take place. Bridging the distance between what should be achieved and what is achievable remains a challenge for training which has to encompass both the knowledge of ILS and their application in law and practice.

65. Many issues, which today are set out in legally binding and ratified Conventions, have for long periods of time been accepted as principles and goals. They have been formulated as goals and bargaining claims; they have been dealt with by “soft law” instruments; and they have received general guidance from the ILO Constitution and the ways in which national law has developed. The Declaration of Philadelphia of 1944, now part of the ILO Constitution, was adopted as a Conference Resolution. So was the United Nations 1948 Universal Declaration of Human Rights. Many of the ILO Conventions have been initiated by Resolutions of the International Labour Conference. A case in point is the Convention on Tripartite Consultations 1976 (No. 144).

66. It took the ILO nearly three decades to set out the principles of freedom of association and collective bargaining in Conventions and Recommendations. Yet issues of organizing rights and the independence of employers’ and workers’ organizations were dealt with by the ILO since the first session of its Governing Body in 1919. At its beginnings, the question of international labour law was set out on one hand by the desire to protect children, working women, and all who worked long hours, and on the other hand, the desire to recognize equal rights of the whole population. Equality itself was singled out by the Constitution before the adoption of the Discrimination Convention (Employment and Occupation), 1958 (No. 111). The Convention continues to produce a large body of jurisprudence and guides the search for new and varying forms of work-related discrimination.

## 4. Standards and development

67. The application of International Labour Standards is a part of the development process. Standards provide the compass and guidelines for the policies developed through the ILO for the protection of workers and for balanced economic and social progress. From the beginning, the agenda of the International Labour Conference has been determined by the need to establish in a tripartite manner the standards basis of economic and social policies. An examination of the discussion and decisions of the agendas of the 106 International Labour Conferences since 1919 would produce a comprehensive historical overview of the ILS base of the Organization.

68. This foundation has undergone many developments, but it should not be preposterous to say that the labour legislation of all the 187 member countries of the ILO lies on this basis, independent of ratifications of ILO Conventions. The standards policy of the ILO comprises the full scope of the Decent Work parameters. Policy needs, including needs of regulation, vary with time. Labour law is closely dependent on economic and structural changes. Defining standards needs calls for a process of negotiations to reconcile often diametrically opposing interests; the adoption of standards; and their use by the actors themselves, whose primary interests are involved.

69. While development assistance became a burning need with rapid decolonization, technical cooperation was not only an invention of the 1950s. The massive scale of development needs of a large part of the world, and the competition created by the divisions of the Cold War, called for robust measures. It was natural that, together with the rest of the United Nations system, the ILO contributed to technical cooperation, in conformity with its goals. Yet the ILO had experience of providing technical assistance already from the early 1920s, for instance for the development of labour legislation and tackling child labour in China.

70. The ultimate authority on the incremental nature of international labour law may be the first Director of the ILO, Albert Thomas himself. As related by his close collaborator, and later successor, Edward Phelan, in 1928 in China Thomas was presented in Nanjing with a draft Labour Code for China for his comments. It was an ambitious draft, with provisions that exceeded those in further developed countries. Thomas advised the Government to start with limited practical issues, such as prohibiting the work of children and the exploitation of women. "You must build up step by step a corps of factory inspectors who will enforce these provisions. Employ all your means and energy on that first and consider the rest later" he said according to Phelan's 1936 biography "Yes and Albert Thomas".

## 5. The standards policy cycle

71. While supervision is a unique, and necessary, function of the normative action of the ILO, its procedures are not the sole method for the use of ILS. Standards provide general guidance not only for legislation but also labour market policies, practice, and tripartite cooperation. Standards policy comprises a full cycle, which starts with defining that there is a need for a given standard. This continues with analyzing the subject matter and agreeing on determining which kind of Conventions, Recommendations, Protocols or other guidance would be appropriate. It moves on to preparing and carrying out the negotiations in a tripartite manner by the International Labour Conference. Following this, the adopted standards should be promoted, ratified by member States, applied in practice, reported on and supervised.

72. For an efficient training system, familiarity with ILS and their role has to be addressed at the source. Together with tripartite cooperation, ILS should form the initial knowledge base from which all training starts. They are not comparable to employment, labour protection, social security or other policy outcomes: they are the agenda and the method to promote social justice.

73. The relevance of ILS to all ILO strategies and activities is in continuous need of informed explanation. This will not be achieved by turning all ILO officials into standards specialists or by involving the Standards Department in every training activity. The best way to convey a message is to have the specialist, and trainer, explain the standards root of an issue and offer advice on how it should be dealt with, well before a conflict breaks out and possibly ends up in court.

## **6. The ILO's comparative advantage**

74. The knowledge arising out of reporting on instruments and the supervision of their application is a significant element of the ILO's comparative advantage. In this respect, the ITCILO provides unique training, which gives significant support for the professional experts involved. But the question of International Labour Standards and their integration in development processes cannot be seen merely from the reporting and supervision perspective. The comparative advantage of the ILO has its roots in the notion that labour issues can be regulated by international treaties. This history of international labour law precedes the establishment of the ILO by almost exactly a century.

75. ILS do not become relevant only when legal obligations are assumed through ratifications of Conventions. They serve as guides to the application and interpretation of national law whenever this law deals with the topics covered by the instruments. This is also implicitly recognized by those, who argue that low ratification rates discredit an instrument, particularly if the impediment to ratification is due to a detail of the Convention. But if 80–90 per cent of what the instrument contains is applicable at the national level, then even an instrument which has not been ratified should have the full right to guide legal and policy decisions.

76. A Recommendation which does not call for ratification is also recognized as a standard in the context of the ILO's supervisory mechanism. The mandate of the Committee of Experts specifically covers Recommendations. Recently, key areas have been strengthened by Recommendations, such as the HIV and Aids Recommendation, 2010 (No. 200), the Social Policy Floors Recommendation, 2012 (No. 202) and the Transition from the Informal to the Formal Economy Recommendation, 2015 (No. 204).

77. It is somewhat awkward to contemplate the integration of something which is a substantive element of the activities that are being dealt with. Programmes for the promotion of ILS are the starting point. But the issue arises with programmes which are not conceived as ILS activities. Regarding them, it would be advisable to define and recognize the standards aspect for the specific policies to be promoted – for a given industry or economic sector, or an enterprise; for government authorities and employers' and workers' organizations; and for the general good of the economy, employment and social security and welfare.

78. Standards should be seen as an integral part of building the institutions of a state on the basis of social justice and the rule of law. One description, in the interviews for this evaluation, was to see standards as the scaffolding for the construction, or reconstructions, of a building.

79. Over the last three decades, there has been a shift in the way the relationship of ILS to tripartite cooperation has been seen. In the original scenario, developing international labour legislation was the main purpose of the Organization. At the most elevated of three levels of action, international labour standards would be negotiated, adopted and supervised in a tripartite manner. As these standards could not be directly binding, national law and practice would be adapted in line with the guidance given by the ILS. Tripartite cooperation, in its multiple forms ranging from consultations to collective bargaining, would be the method to ensure the satisfactory application of ILS in different concrete situations.

80. In this scheme, tripartite cooperation is the method for translating standards and policies into reality. However, especially since the concept of “social dialogue” was introduced at the European level in 1985, the narrative appears to be that the purpose of social dialogue and tripartite cooperation (which are generally seen to be similar) is, when appropriate, to develop labour legislation in addition to other policy objectives. While this remains true regarding ILS, which are identified and negotiated in a tripartite way, at the national level such a view can amount to a reversal of priorities. Many of the ILS foresee that their application would also take place through bipartite or tripartite cooperation which, however, should conform to their purpose.

81. Recognizing ILS as a cross-cutting issue, is well established in the Programme and Budget strategies of the ILO and the Turin Centre. ILS form a theme which should be reflected throughout the full scale of the ILO’s headquarters and field operations. The question of integration of ILS in all training activities is not one of whether but how.

### III. Evaluation Report

#### 1. Mandate and scope

82. The decision to carry out an evaluation of training and learning activities of the Turin Centre in the thematic area of “Promoting International Labour Standards” was taken by the Board of the International Training Centre in October 2016. The evaluation was to include both training activities linked directly to ILS and other training provided by the Centre. The decision for this comprehensive approach was due to the cross-cutting nature of ILS for all ILO policy outcomes.

83. The Centre delivers each year over 400 training and learning activities to around 15,000 recipients from over 180 countries. Training is provided for International Labour Standards, employment policy, enterprise development, social protection, tripartism, workers’ and employers’ activities, and sustainable development. In addition to “open” courses, provided and offered by the Centre itself, there is a growing amount of various “tailor-made” courses, which have to cover about 75 per cent of the Centre’s budget.

84. The following tables and charts explain the distribution of training by different units of the Training Department in both 2015 and 2016.

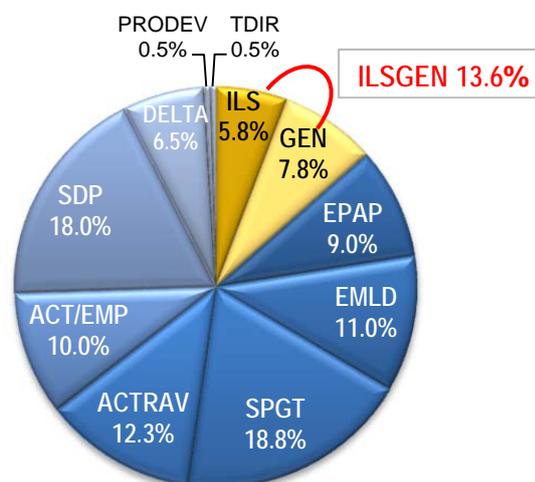
**Table 1: Labels of the different units in the Training Department**

ILSGEN	International Labour Standards, Rights at Work and Gender Equality	
	<i>ILS</i>	<i>ILSGEN - ILS activities</i>
	<i>GEN</i>	<i>ILSGEN - non-ILS activities</i>
EPAP	Employment Policy and Analysis	
EMLD	Enterprise, Microfinance and Local Development	
SPGT	Social Protection, Governance and Tripartism	
ACTRAV	Workers’ Activities	
ACT/EMP	Employers’ Activities	
SDP	Sustainable Development	
DELTA	Distance Education and Learning Technology Applications	
PRODEV	Partnerships and Programme Development Services	
TDIR	Training Directorate	

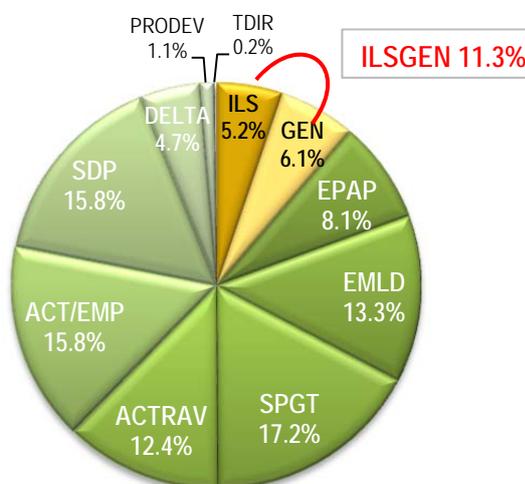
**Table 2: Breakdown of activities by Programme in 2015 and 2016**

No. of activities		2015		2016	
ILSGEN	<i>ILS</i>	23	5.2%	23	5.8%
	<i>GEN</i>	27	6.1%	31	7.8%
EPAP		36	8.1%	36	9.0%
EMLD		59	13.3%	44	11.0%
SPGT		76	17.2%	75	18.8%
ACTRAV		55	12.4%	49	12.3%
ACT/EMP		70	15.8%	40	10.0%
SDP		70	15.8%	72	18.0%
DELTA		21	4.7%	26	6.5%
PRODEV		5	1.1%	2	0.5%
TDIR		1	0.2%	2	0.5%
<b>TOTAL</b>		<b>443</b>		<b>400</b>	

**Figure 1: Breakdown of activities by Programme in 2016**



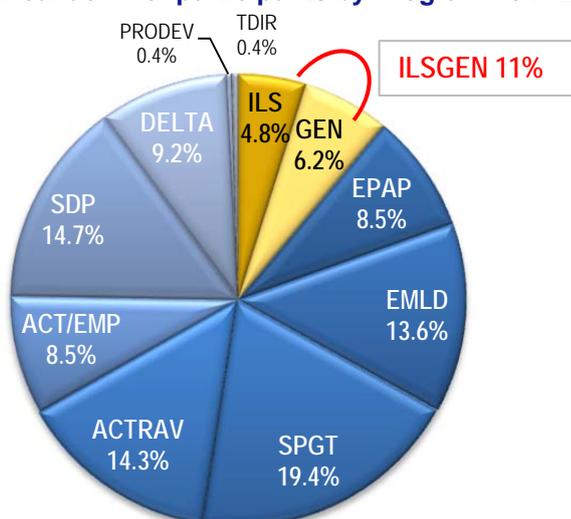
**Figure 2: Breakdown of activities by Programme in 2015**



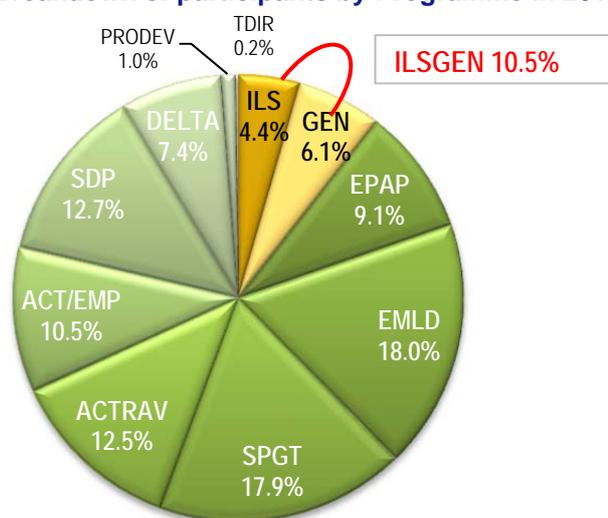
**Table 3: Breakdown of participants by Programme in 2015 and 2016**

No. of participants	2015		2016		
ILSGEN	<i>ILS</i>	554	4.4%	552	4.8%
	<i>GEN</i>	761	6.1%	710	6.2%
EPAP		1 143	9.1%	972	8.5%
EMLD		2 255	18.0%	1 553	13.6%
SPGT		2 239	17.9%	2 219	19.4%
ACTRAV		1 567	12.5%	1 641	14.3%
ACT/EMP		1 311	10.5%	973	8.5%
SDP		1 589	12.7%	1 681	14.7%
DELTA		921	7.4%	1 055	9.2%
PRODEV		126	1.0%	48	0.4%
TDIR		30	0.2%	46	0.4%
<b>TOTAL</b>		<b>12 496</b>		<b>11 450</b>	

**Figure 3: Breakdown of participants by Programme in 2016**



**Figure 4: Breakdown of participants by Programme in 2015**



85. The Programme on International Labour Standards, Rights at Work and Gender Equality (ILSGEN) carries out activities both directly linked to ILS and other activities, for instance on gender equality, diversity, and forced and child labour. In 2015 its share of activity was 11.3 per cent, with 10.5 per cent of participants. This increased slightly to 13.6 per cent (11 per cent of participants) in 2016.

86. ILSGEN activities are frequently carried out in cooperation with the Standards Department of the International Labour Office in Geneva as well as other relevant departments (the Governance and Tripartism Department, the Bureau for Workers' Activities and the Bureau for Employers' Activities), with its own staff and engaging competent outside resource persons.

87. Various "Academies" offer a menu of training courses tailored to the specific interest of either workers or employers or legal experts or practitioners, such as labour inspectors. This has allowed a more diverse and targeted offer of training activities. When such diversification takes place, it should be clear that each Academy has a common denominator which is based on the strategic objectives of the ILO. There is an increasing use of "master classes", that is plenary sessions around a specific theme, during the training activities.

88. The training courses produce a satisfaction survey at the end, which provides immediate feedback from the participants. On a scale from 1 to 5, the activities of ILSGEN had in 2016 an overall quality rate of 4.48 (with 92 per cent of participants ranking it at 4 or 5). The corresponding rate for all ITCILO courses was 4.49. ILSGEN activities thus fall squarely within the high average performance of the Centre. The post-training evaluations also show that on the average, the ILSGEN rating is high especially on the gender aspects.

89. According to the terms of reference, the evaluation was to (1) provide evidence on the relevance, validity of design, efficiency, impact and sustainability of training related to ILS; (2) assess the modalities which are most efficient for the promotion and implementation of ILS; and (3) extrapolate good practices, lessons learned recommendations for improvement of ILS activities.

90. The second, twin focus of the evaluation was to assess the extent to which the other training activities of the Centre, which are carried out by other technical programmes, reference and integrate ILS and have resulted in increased awareness about rights at work. The terms of reference are annexed to this report.

## 2. Methodology

91. The evaluation took as a basis a sample of courses held in Turin in 2015 and 2016. The training consisted of activities directly on ILS; other activities of ILSGEN; activities with ILSGEN contribution; and other activities of the Centre.

92. There are many different kinds of courses that are directly linked to the ILS and their supervisory procedures. Target groups can be government officials, the constituents, media and others. The three courses in the first group selected for evaluation are directly related to the supervision of ILS.

**Table 4: The sample examined**

GROUP	CODE	TITLE	DATES	LANG.	No. of PARTIC.
Activities on ILS	A908101	International labour standards for judges, lawyers and legal educators	22-JUN-15 03-JUL-15	EN FR	34
	A908099	ILO Maritime Labour Academy - Track 1: Training of trainers and maritime inspectors in the application of the ILO Maritime Labour Convention, 2006 - linked to P908063	22-JUN-15 03-JUL-15	EN	26
	A909192	International labour standards	19-MAY-16 27-MAY-16	EN ES FR	38
Activities of ILSGEN	A909179	Diversity, inclusiveness and non-discrimination in the world of work	22-FEB-16 26-FEB-16	EN	14
	A909190	Identifying and investigating cases of forced labour and trafficking	23-MAY-16 27-MAY-16	EN	18
Activities with ILSGEN contribution	A909001	Global workers' academy on sustainable development goals: trade union policies and action plans	09-MAY-16 20-MAY-16	EN ES FR	29
	A908090	Orientation workshop for new ILO officials II	16-NOV-15 18-NOV-15	EN	29
Other activities of the Centre	A408260	EYPA ( <i>Employers Young Professional Academy</i> ) - training programme 3: Engaging as social partners - linked to P408374	07-SEP-15 09-SEP-15	EN	34
	A909335	Global Organizing Academy	08-FEB-16 12-FEB-16	EN ES FR	31
	A909019	ILO executive leadership and strategic management	11-JAN-16 15-JAN-16	EN	31
	A909070	Start your business for social entrepreneurs	11-APR-16 15-APR-16	EN	14
	A908137	School to work transition data analysis for evidence-based policy	06-JUL-15 10-JUL-15	EN	23
	A408596	UN Fellows orientation workshop	07-DEC-15 18-DEC-15	EN	40
	A908023	Project cycle management	04-MAY-15 15-MAY-15	EN	14
	A908130	ISSA guidelines on contribution collection and compliance	09-NOV-15 13-NOV-15	EN	37

93. The courses that were subject to evaluation in the first group were all open courses. Their target groups varied according to substance and focus, from those for whom ILSs are indispensable tools (judges, legal practitioners, government officials responsible for promoting legislation and reporting on it) to those whose work tasks are essentially shaped by them (labour inspectors, negotiators, lobbyists). For instance, the use of the knowledge of the provisions of the Maritime Labour Convention is different for those who shape national legislation and report on it, and for those who actually carry out inspection on board ships.

94. The questions for the evaluation differed for each of the four groups of training activities chosen for the sample. The starting point was to examine whether the integration of ILS in all Turin Centre training was feasible; the extent and ways in which it was carried out; and what results it had produced in terms of increased understanding and competencies.

95. A first scoping mission was carried out to Turin in early May 2017 in order to discuss with the Training Department and each of the programme managers. The schedules, training materials, final reports and the results of immediate surveys of the participants' views were studied. In some cases, a follow-up survey of the participants had been conducted six months after the training, and reports of such surveys were also examined.

96. A questionnaire was sent out to all participants of the courses in the sample. The overall number of participants (421) was not very numerous, and thus it was feasible to try to reach all those who had participated in the training one – two years earlier. The questions sought concrete examples of results that the training had produced in terms of the use and promotion of ILS.

97. The questions were varied between the different groups of training activity. Those for ILS activities aimed at establishing evidence of results of the training on the use of ILO instruments. The questions for the second category, non ILS but standards and gender related activity, was aimed at finding out the role that knowledge of the ILS had in reaching the objectives of the activity.

98. The participants in training which included a specific contribution on ILS and standards activities were asked to assess the relevance of ILS for the purposes of the course. The evidence sought was a better understanding of them and their connection with the training on a topic where ILS were presented as a relevant but not exclusive tool.

99. For the sample of other training by the Centre, the questionnaire was drafted to first obtain information on achievements the participants had had as a result of the activity and then assess the extent to which they had, or had seemed to be, linked with the ILS.

100. Some of the replies received from the participants were followed up by interviews. Interviews were carried out with officials at headquarters, who had been involved in designing and carrying out the activities. Interviews were also conducted with departments which had used the training services as parts of their programmes.

101. A series of meetings were held with participants of the ILO executive leadership and strategic management course. Altogether, ten participants at the selected course in 2016 were interviewed.

102. Some activities were selected for case studies. These generally involved participants of earlier courses that those selected for evaluation, as they had had more time to apply the knowledge in practice. Such case studies proved to be particularly useful for the training of

judges and legal experts and the identification of forced labour. They have been included in the body of the report instead of being annexed, as they are closely linked to the findings and conclusions.

103. A second round of discussions was held with the programme managers in Turin in the end of May, 2017. The managers, as well as responsible headquarters officials, identified some participants of the 2017 training on ILS for an interview. In this way, five participants were interviewed while they were participating in the 2017 International Labour Conference immediately after the conclusion of the training in both Turin and Geneva.

104. Some of the institutional “customers” of tailor-made courses were also interviewed. They included, in particular, the European employers (BusinessEurope) and the International Trade Union Confederation. Interviews were also conducted with ILO departments and branches which had, in different ways, used training courses for technical cooperation or other promotional work.

105. The evaluator also had the possibility of observing a tailor-made training activity for judges, organized in June 2017 in Minsk in cooperation with the Supreme Court of Belarus and the International Labour Standards Department.

### **3. Research implementation and constraints**

106. Evaluating the training on identifying forced labour cases produced only one answer to the questionnaire from the 18 participants of the selected course. After a second interview with the programme managers, the evaluator reached out to some participants of earlier courses on the same topic, who had communicated their experiences to the Centre. This led into two short case studies.

107. While there was a satisfactory number of responses to the questionnaire from the participants of the 2016 training on International Labour Standards, the timing of the evaluation coincided with the International Labour Conference at which a number of participants of the just concluded 2017 course participated. This made it possible to complement the information from the questionnaires of the 2016 course with five fresh interviews, focussing on the immediate usefulness of the training. As these participants had a longer experience of dealing with the reporting requirements and other ILO procedures, the interviews were also used to assess the importance of receiving training so that the inputs could be correctly focussed and unnecessary work avoided.

108. As there was a certain parallel between an employers’ activity on social dialogue and a workers’ activity on organizing, interviews were carried out with the organizations whose members had been selected for the training. This gave insight to the question, how well does the training meet with the expectations of those to whom it has been customized.

109. Interviewing the participants of the strategic management training course produced a virtually unanimous reaction to the effect that the training had been good but not for the issue that was being evaluated. Yet there was an overwhelming consensus that the issue of ILS is of key importance for all ILO activities, including ITCILO training. This led into the reflections of (a) the role of ILS in orientation courses for all ILO staff and (b) a perceived need of better clarifying what, in fact, is meant by calling standards not only an issue to be mainstreamed but the “comparative advantage” of the ILO.

## 4. Evaluation results of the sample of programmes

### GROUP 1

#### 4.1 ILS programmes

110. The programme managers were involved in the selection of the activities included in the sample. These programmes are directly relevant to the topic and include “flagship” programmes of the Centre. To an extent, they also have a “captive audience” as they are directly beneficial to identifiable and specialized target groups. Regarding these programmes, the question of integration of ILS in principle does not arise. The primary question is the efficiency of the programmes in improving the competencies of the participants. Furthermore, each one of the training activities has to cope with the question of application of ILS in law and practice.

##### 4.1.1. International labour standards for judges, lawyers and legal educators (A908101)

111. This programme has possibly the most direct operative link to the legal application of ILS. It targets judges and academics who in their work make direct use of the provisions of ILS. The course selected for evaluation was a two-week course in Turin, with participants using English, French and Spanish. The aim is to identify and get to the course such participants as judges who are called upon to decide on labour issues, or lawyers engaged in the process of applying labour law.

112. The participants of this training belong to a community, which has a professional interest in obtaining information and exchanging experiences of the process. The aim is to combine knowledge sharing and the measuring of the impact of the application of ILS. During the training, specific cases are introduced to the participants for their deliberation. These cases refer to both ratified and unratified Conventions as well as Recommendations.

113. From the side of the Centre, contacts have been kept up formally and informally with participants after the courses – including the one evaluated – about the use made of the knowledge acquired, about further developments and also soliciting new up-to-date information. Participants are also encouraged to keep in touch with one another. However, for now the Centre appears to provide only a limited framework for such exchanges and data collection.

114. Two-way follow-up between the participants of these open courses and the ITCILO (and the Standards Department of the ILO) is of particular importance. The establishment of a database on the use of ILO standards in various legal rulings, at this stage from 2010 to 2015, is itself a significant achievement. Together with the existence of a dedicated network, this helps directly in carrying out a core function of the Organization in a sustainable way.

115. An example of the effect of the training is that the Industrial Court of Botswana has decided that each of its members would attend, at its cost, this course. Other countries where the judiciary dealing with labour matters has recently been particularly interested in the course are Argentina, Fiji, Georgia, Nigeria, the Philippines, Sri Lanka and Zimbabwe.

### Box 1: "Community of Practice"

There is a web-page dedicated to the training of judges, lawyers and legal educators ([www.itcilo.org/ils-for-judges-lawyers-legal-educators](http://www.itcilo.org/ils-for-judges-lawyers-legal-educators) ). It contains basic information in a brochure as well as resources for the training. It also includes an online compendium of court decisions with reference to ILS. The compendium has decisions by country; decisions by international courts; and decisions by subject.

For each course, there is an online platform with all training materials, and information is developed on the web. The participants can access this before, during and after their own training course.

There is a "Community of Practice", which is an online network of training participants, who have shared information on the way they have used knowledge acquired during the training sessions. Members of the Community of Practice share such information as judgements they have handed down relying on international labour law sources as well as their publications, lectures, university curricula that they have developed, and information and material from workshops they have organized in the field of international labour law. An online forum remains at the disposal of training participants to carry out discussions on various international labour law issues. There is also a toolkit box to access information on developments in the ILS system.

The Community of Practice is open to judges from courts and tribunals that deal with labour litigation; university law teachers; labour lawyers; and legal experts from employers' and workers' organizations – provided that they all have attended the Turin Centre course on ILS for judges and legal practitioners.

The value of such a continuous facility has been stressed both by programme managers and other ILO and ITCILO officials and by the judges and legal practitioners everywhere.

## Box 2: Experience in Georgia

A lawyer, who had participated in a training in 2014, noted that by explaining how ILS are adopted by the Conference, the course demonstrated how tripartite cooperation and consensus could produce a sufficient acceptance of a standard by all three groups involved. As of late 2014, there has been a significant number of decisions adopted by all levels of the Georgian judiciary applying ILS. Judges have also used Conventions not yet ratified by Georgia as guidance for their decisions. An example of this was that basing a decision on the Termination of Employment Convention, 1982 (No. 158), the provisions of already existing national law could be strengthened. For example, the Convention and the accompanying Recommendation No. 166, together with comments by the Committee of Experts on the Application of Conventions and Recommendations (CEACR), were used to interpret national norms based on the legislation, thus determining when obligations arising out of work contracts had been violated.

The judgements have played an important role in establishing a universal approach to dismissal case law in Georgia. In this respect, they have been instrumental for the development of Georgian Labour Law, especially since the 2013 amendments to the Georgian Labour Code, which removed certain provisions which were in violation of fundamental Freedom of Association Conventions. Important judgements have also been translated by the participants into English and included in the compendium produced as a result of information provided by judges who had attended the training (see the previous box on Community of Practice”).

Based on the ITCILO training course, a series of training has been - and continues to be - organized for the Members of the Georgian Bar Association. In addition to Georgian Bar Association and ILO specialists, the participant in the 2014 course also has led the training activity. He prepared a Graduate Course on ILS which was taught at the University of Georgia in 2014-15. A Manual on International Labour Standards and the Labour Code of Georgia has been produced jointly by the ILO and the Georgian High School of Justice, to foster integrated and coherent application of labour law taking into account both its domestic Georgian and international sources. The editor of the Georgian edition of the Manual, a Supreme Court Judge, also participated in the ITCILO training course.

In an interview, she in particular noted that the training was useful for understanding how ILS can be used in practice and not only at a theoretical level. Knowledge of them helps in understanding the problems underlying a court case, when they arise out of a lack of knowledge of the standards and when the subsequent articulation of the problem does not identify it in a way that can immediately be linked to ILS. If a lower level court fails to understand these connections, it is more difficult for the Supreme Court to indicate why a decision should be reviewed.

The Supreme Court cannot conduct its own investigations because “if you are busy, you cannot go back to study the ILO jurisprudence yourself. You need to know where to find it.” Attending the ITCILO training provided in a few hours information which otherwise would call for time-consuming research.

A court can also refer to ILS even without ratification by the member country. Labour Laws usually have provisions which can be linked with interpretations of international law. Such interpretations provide additional guidance for the implementation of national law. In most cases decisions are taken on the basis of provisions which can be contained in either international or national law, or both. Even if a Convention is not ratified, its provisions are relevant for the way in which national labour law has dealt with the question.

### Box 3: Training as part of implementing standards supervisory recommendations

The way in which training of judges works could be observed by the evaluator at a course arranged in Minsk, Belarus, from 20 to 22 June 2017. The course was attended by 24 judges and lawyers from municipal and regional courts, the Supreme Court, the Ministries of Justice as well as Labour and Social Protection, the General Prosecutor's Office and the Minsk Prosecutor's Office.

The training was a follow-up of recommendations of a Commission of Inquiry into trade union rights in Belarus in 2004. It had been both requested and recommended during activities agreed upon after a 2014 Direct Contacts Mission. The programme was tailor-made in cooperation with the ILO Standards Department. One of the lecturers was a judge of the Georgian Supreme Court, who herself had participated in an ITCILO course for judges and legal professionals three years earlier in Turin.

The course focused on ILS in general, with a particular emphasis on forced labour and freedom of association, which had been the subject of recent comments by the CEACR and the Committee on the Application of Standards of the Conference. The activity contained several new elements, and new information, for the participants. They followed the course attentively, and participated in working groups. There were numerous requests for further information and training.

The training course worked out an eight-point plan of action, which was prepared in sessions of small working groups and consolidated at the final session of the training. Among others, it contained the following items: the judges, who participated in the training, would share their experience with their fellow colleagues; the judges will use international law to solve cases, when applicable and in the framework of national law; Members of the Supreme Court would facilitate the judicial use of international labour law in the Republic of Belarus by clarifying, explaining and interpreting the possibilities and cases of usage and application of international law by the domestic courts.

A number of action points were addressed to the ILO. In particular, it was asked to provide space, and a platform, among the tripartite constituents in Belarus to share experiences and good practices about the application of ILO standards and interpretation of the ILO supervisory bodies' comments. In addition, there was a strong emphasis on the similarity of the origins of labour law and its application in the region. Due to this, there was a strong request to arrange more training – in Russian – with the help of judges and lawyers, who had experienced the difficulties of transition from the Soviet legal system. The participation of the Supreme Court Judge from Georgia in this training session was considered to have been particularly valuable.

#### 4.1.2. ILO Maritime Labour Academy – Track 1. Training of trainers and maritime inspectors in the application of the ILO Maritime Labour Convention, 2006 (A908099)

116. This training session was part of the follow-up actions for the Maritime Labour Convention (MLC) of 2006, which entered into force in August 2013. By the writing of this evaluation the Convention had reached 84 ratifications. Training courses on the Convention started in 2009. In most cases, the report due to the ILO standards supervisory bodies is the first report on the Convention. These reports thus establish a baseline for the country concerned. The ILO's standards supervisory mechanism will be under significant pressure in the years to come due to the reports on the Maritime Labour Convention. In terms of interpretation and conclusions by the

supervisory bodies, the MLC is at an early stage. As this relatively new supervision gets underway, the need for such specialist training will now no doubt grow.

117. The Maritime Labour Academy model provides a variety of training courses on the application of the MLC. The course included in the evaluation sample is on one of the two important measures to apply the Convention: practical information for inspectors, who verify conditions at the workplace level, on-board ships. Their action will be informed by supervisory comments, but it cannot wait for them. They in general would not be aware of ILS, for instance the fundamental principles and rights at work. For this audience, even the working of the ILO in general has to be explained. The inspection of compliance with the Convention in concrete situations is different from the task of the legal experts, who rarely set foot on vessels that are being physically inspected. The course selected for the evaluation belonged to this category and was thus less about law and practice and more about managing actual situations on ships. These courses also provide for certification of inspectors.

118. A follow-up questionnaire carried out after the training, and covering several similar courses, showed that 65.99 per cent of the participants had experienced “large improvement” of their competences while 33.73 per cent said that the improvement had been “slight”. The training package had been used by 84.69 per cent of the participants. The total number of training activities carried out by the trainers, who had participated in the course, was 910, with 14,911 participants. The total number of respondents who had participated in these courses was 143.

119. Other target groups for the Maritime Labour Academy include ship owners and seafarers as well as legal experts, who need to report on the Convention and follow its supervisory procedures. The first CEACR observations on the Convention were published in 2015, and several reports by large countries are due. The lawyers’ track of the Academy spends a good amount of time on clarifying the requirements of the reporting to the CEACR.

120. There is also interest by cruise operators for short (two or three days) workshops on the Convention. On-board application concerns working and living conditions of 1,000-2,000 seafarers on large cruise ships, which is a significant task for both human resources and accommodation managers.

121. Other training on the Maritime Labour Convention is being offered by private entities, but their cost is considerably higher than the ITCILO courses (which include accommodation). The ITCILO Academy is presently the only one which can provide training with inputs from direct sources, i.e. from officials who were involved in the negotiation of the Convention in 2006. It can also ensure a connection with the supervision of the MLC as it proceeds. Participants in the training have sent afterwards requests for further information, but the ITCILO staff cannot cope with all requests.

#### 4.1.3 International Labour Standards (A909192)

122. The annual course on ILS and the applicable procedures has been organized prior to the International Labour Conference since 1994. A number of participants stay on in Geneva as delegates or advisers at the Conference. In this respect, it could be seen as important preparatory training for the Conference, although with 38 participants, the number of those who could benefit from this was small. In 2017, the same course had 44 participants of whom 15-20 intended to participate in the Conference.

123. One of the uses of the training is to enable new member States or those who have had limited opportunities to participate to become acquainted with the ILS procedures. The Government representatives have not only participated in the Conference Committee on the Application of Standards. Many of them have had responsible roles in other Conference Committees.

124. The training course combined different methods: presentations face-to-face and via video; plenary discussions; role-plays; practical reporting exercises; terminology review sessions; and voting. The participants gain access to all ILC documents and learn to use the appropriate technology. The training involves the use of tablets; this was the first ITCILO activity to use them. The link to the ILC also means that the training focuses on the issues that are on the agenda of the Conference of the particular year.

125. During the training, role-plays had covered standard setting, submission of standards to competent authorities, ratification and regular supervision by the Conference Committee on the Application of Standards. The participants worked in groups according to the three working languages (English, French and Spanish), and they received feedback from trainers and experts. The report of the training noted that, when time-constraints prevented from addressing all the issues raised during the course, individual follow-up with trainers and experts was arranged.

126. The programme currently takes ten days, of which the last sessions are in Geneva just prior to the ILC. It is planned and carried out together with the International Labour Standards Department, and experiences of each course are also shared. Some ILO officials also attend the course for the improvement of their knowledge and competences.

127. There has been interest from many member States to have similar courses at the national or subregional level.

#### Box 4: Interview with an ILO field official who attended the 2016 ILS course

An interview was conducted with the ILO National Coordinator in Armenia, who participated in the training. She recognized that her knowledge of ILS had increased and clearly contributed positively to her daily work. An example of this was provided by discussions with the Government authorities on the findings of a child labour survey, which had led into an examination of the Minimum Age Convention, 1973 (No. 138). The National Coordinator was now able to explain the relevant provisions of the Convention. The Government had further requested assistance from the National Coordinator, who, supported by the Subregional Office in Moscow, could help find a solution for minimum wages for young people entering the labour market in a manner which was in conformity with the Minimum Wage Fixing Convention, 1970 (No. 131).

### Box 5: Interviews with participants of the 2017 ILS course

*As a similar training course to the one in the sample, which has been summarized above, took place before the International Labour Conference in May-June 2017, the attendance of participants of this training provided the evaluator with the possibility of carrying out interviews with Government representatives who were at the time applying in practice the knowledge they had acquired. The following is a summary of interviews with participants of the 2017 training while they were attending the International Labour Conference.*

Interviews were carried out with five participants immediately after the ILS course, during the 2017 International Labour Conference. They attended the Conference as Government representatives from Argentina, Fiji, Portugal, Samoa and Tonga. All of them agreed without hesitation that the training had been useful for the understanding of both reporting and supervisory procedures as well as the functioning of the ILC. In one case, the role-play during the training had directly assisted in coping with a similar situation at the Conference.

One participant noted the prominence of fundamental Conventions in the training, but questioned what had happened to the earlier advocacy of Occupational Safety and Health Conventions. He felt that the technical Conventions were now less emphasized. While it was important to take action for the elimination of the worst forms of child labour, it was also necessary to deal with hazardous work for others than children.

He further said that he would certainly use the lessons learned from the training in his work in the Labour Ministry. He was now better equipped to find and use the information available on the web-sites. "I learned a lot about what I knew and got a lot of information of what I did not know." He suggested that more prominence would be given to those conclusions of the Committee of Experts, which had been useful for national application. More knowledge, possibly in the form of case studies, would be needed on the measures used in different countries for the application of standards. After the training, he was faced with the issues of application, particularly as his department in the Ministry was in charge of labour inspection. He was one of the interviewed persons who drew attention to the need to bridge the gap between the knowledge of the standards and their implementation in practice.

One participant concluded that the training had led to understanding in particular the importance of ILS on social security. The issue is currently spread out across Ministries and governmental agencies, and it would need to be dealt with more coherently.

One participant, who was now a delegate to the Conference, reminded that her country was a recent ILO member State and had not yet ratified any Conventions. She was wondering whether it was better to first deal with fundamental Conventions and then approach technical ones, or would it be more appropriate to follow the opposite route. The training had put things in perspective and enabled her to have a list of priorities. In small island states, such as Samoa and Tonga, implementation always was a question of financing. These states had received assistance on the Maritime Labour Convention, but would need support on technical Conventions, too. More training in the region was desired.

Another delegate from a country which had ratified a significant number of Conventions said that at the training course he had realized that for 17 years he had been providing much unnecessary information in the reports to the ILO. Due to the training, reporting had now become a two-way process. "I only wish I would have had this training earlier." He also felt that too much time had been spent on the fundamental Conventions as opposed to the technical ones.

One participant described the training as "an eye-opener". It had given valuable knowledge, which she would bring back to her function as a public sector negotiator. As she also conducted academic research, she would wish to have deeper reflections on labour law. In practical terms, the training had helped to see how standards could be used in collective bargaining partners. They helped to see who was the weaker partner needing support. "Standards are not easy to put in practice, but they are necessary for bargaining and regulation." It was useful to be able to refer to standards in negotiations, especially when the bargaining partners had far-reaching and contradictory demands.

**QUESTIONNAIRE Group 1:**  
**Responses of participants of the selected ILS courses**

128. Out of the total of 98 participants in the three courses in this category of the sample for evaluation, 22 replied to the questionnaire, thus producing a 22.45 per cent reply rate.

**Table 5: Questionnaires received from participants of Group 1**

ACTIVITIES IN GROUP 1	Participants Total	Questionnaires received	
		Count	Percent
A908101 - International labour standards for judges, lawyers and legal educators	34	6	18%
A908099 - ILO Maritime Labour Academy - Track 1: Training of trainers and maritime inspectors in the application of the ILO Maritime Labour Convention, 2006 - linked to P908063	26	6	23%
A909192 - International labour standards	38	10	26%
<b>TOTAL</b>	<b>98</b>	<b>22</b>	

129. The participants who replied represented all ILO constituents and other stakeholders. 59 per cent of the respondents were male, 41 per cent female.

*Knowledge acquisition rate*

The participants of the 2016 training course were asked whether they have maintained the generally positive assessment they had made of the course immediately after it or whether they see the course differently now.

Some 68 per cent of the respondents had maintained their judgement on the course; 27 per cent said that in hindsight they were even more impressed by the training; no one said that they were now less impressed. One participant confirmed the original level of satisfaction and added that following the course, all the participants should be able to use their experience in practice.

To a question on whether the participants in hindsight considered that the course was a good investment, 50 per cent replied “completely”, 33 per cent “mostly” and 17 per cent “moderately”. Only 18 respondents answered the question, and one of them called it a “partly” good investment.

*Increase of knowledge of ILS*

The participants were asked whether they considered that the course they attended had increased their knowledge of ILS. Some 68 per cent of the respondents said that they had gained significant new insights into ILS and their application; 32 per cent considered that they had increased their knowledge; no one said that they had not acquired new knowledge.

*Relevance and focus*

Of all respondents, 82 per cent indicated that all issues relevant to the topic had been addressed; 18 per cent (four respondents) felt that the course could have addressed more the

assessment of damages and compensations in labour matters and various aspects of general maritime law.

#### *Use of acquired knowledge*

The participants were asked whether they had been able to use the acquired knowledge on ILS in their work. Some 77 per cent answered “Yes”, 14 per cent “No”. Judges and legal experts had made use of the courses in both writing decisions and training activities. Regarding the Maritime Labour Academy course, one respondent noted that the knowledge was used “every day”. Another specified that the knowledge obtained at the course had helped to assist seafarers to conclude crew agreements with employers as well as in port state inspections of several foreign vessels. Comments by participants of the International Labour Standards course mainly stressed the help the course had given for writing reports for the ILO’s supervisory system. In one case, the reports on different Conventions ratified by the member State had been sent for the first time in 12 years.

#### *Use of materials obtained at the training course*

No one said that they had not made use of the training materials and documents distributed during the session. Some 15 per cent had used them sometimes, 40 per cent often, 25 per cent nearly always and 20 per cent always.

#### *Improvement of competencies and job performance*

The participants were asked to what extent they felt that the training had improved both their competencies and on-the job performance. Regarding the first question (competencies), 5 per cent felt that there had been a slight improvement; 35 per cent recorded moderate improvement; 40 per cent said that there was a large improvement; and 20 per cent chose the alternative of very large improvement. Two responders skipped the question.

As to job performance, the figures were 20 per cent for slight improvement; 30 per cent for moderate improvement; 30 per cent for large improvement; and 25 per cent for very large improvement. Three responders skipped the question.

No one chose “no improvement” as an answer to the question.

#### *Continued networking and feed-back to the ITCILO*

Twenty-seven per cent of participants had provided upon request, or on their own initiative, further feedback to the ITCILO on the training activity and their experiences. Sixty-four per cent of those who answered this question had not. Two respondents skipped this question.

One participant had requested specific information, but had not received it. Others replied that they had provided information that had been requested. They had also shared information with colleagues who work on the same issues.

#### *Follow-up support from the ITCILO*

Twenty-three per cent (five) respondents had received follow-up support from the ITCILO after the initial training in order to apply the acquired knowledge, mainly by e-mail. They had received documentation after the training and, in one case, information on legal decisions for research purposes. Information had also been given on new material. Three participants were very satisfied with the support received, while one was simply satisfied and one “neutral”.

### *What else could have been useful?*

All in all 17 participants suggested other actions in terms of what they considered might have been useful for the desired training and capacity building.

#### **Box 6:**

**The following is a compilation of the suggestions made by the participants of the three training courses on ILS in Group 1:**

- Advanced training would be needed on the issues covered by the course attended.
- An additional workshop should be arranged because the training course was too short to fully deal with the questions and the material at hand.
- It should be possible to return to the ITCILO, maybe with participants from other similar courses, to further improve capacity.
- Technical support in the country is needed.
- There should be more information on new courses being offered.
- Information on any new developments concerning the Maritime Labour Convention is necessary.
- Further support is needed on how to respond to the comments of the ILO supervisory bodies and in particular the Committee of Experts on the Application of Conventions and Recommendations.

#### **Box 7: Other recommendations**

**Seventeen participants responded to the invitation to make recommendations for improving the training activity. The following summarizes the suggestions of the participants:**

- The courses should be reviewed often so that they respond to current needs; the course attended was appropriate and current.
- The courses should aim at removing confusion and solving difficulties on the implementation of the Maritime Labour Convention in concrete situations.
- The training should be given adequate time, including discussing the results of field experience.
- More training should be given on how to access the online facilities of the ITCILO.
- Work on the ground is done by teams, and there should be more opportunities for an entire team to participate in training.
- Regular training in the country should be available.
- Simulation exercises should be undertaken for reporting on both ratified and non-ratified Conventions.
- There should be more Master classes looking in-depth at the ILS relevant to a given topic.
- Participants of the training on International Labour Standards should receive more practice through attending the International Labour Conference.
- "Our organizations do not have the means to support the training of their members, which is why we ask the ILO and the ITCILO to help train the constituents".

## GROUP 2

### 4.2. ILSGEN programmes

130. The sample had two courses in this category, with altogether 32 participants. Of the ten who answered, only one had attended the course on identifying and investigating cases of forced labour and trafficking. The evaluator thus reached out to participants of earlier courses carried out for the same purpose. As with other training, the comments that participants had made to an earlier survey for a training report were also examined.

#### 4.2.1. Diversity, inclusiveness and non-discrimination in the world of work (A909179)

131. The open course was originally developed to promote the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and it has over time become a broader course on diversity, integrating the concepts of the relevant ILS. The course is an example of the follow-up of the 1998 ILO Declaration of Fundamental Principles and Rights at Work and the first Global Report on Discrimination at Work, submitted to the International Labour Conference in 2003. It has also been offered to an audience beyond the tripartite ILO constituents, but it lacks somewhat popularity. The course aims at promotion of diversity, but this is not an objective shared by all actors in the labour market.

132. The approach of this specific course was to start with examining diversity and then moving to the concepts that are defined by the relevant ILS and conclusions on their application. Diversity (even more so than multiple discrimination) is not an easily understood topic, and not all aspects, such as sexual diversity and disability, are treated. The course had 15 students, down from 20–25 in previous years, representing different groups which may not have been used to working together, but who had found synergies and highly effective cooperation.

133. Issues of discrimination and diversity, including gender issues, are taken up, for instance, by organizations engaged in social auditing. Tools can be developed in order to make assessments of enterprise performance in line with ILS. The Turin Centre has prepared online courses for both businesses and trade union organizations. But the shorter tailor-made courses are, the less possibility there is to explain the ILS background in depth. The programme managers also note that many of the new actors in this “market” lack the historical knowledge of the ILO in dealing with workplace discrimination.

134. This specific course had focussed on diversity, which is not always well understood for instance by activists. The depth of diversity, and how it can foster discrimination, is well visible at workplaces. The training had aimed at comprehending better the needs of non-discriminatory policies as well as the problems of multiple discrimination. This was necessary for crafting affirmative action.

135. Looking at the programme and contents of the presentations at the sample course, one could also observe that those who specifically addressed the ILS were ILO experts whereas other resource persons made only limited reference to the instruments. This in itself is not surprising, but it raises the question of the way in which, during training of this kind, the emerging issues could or should continue to be linked with the application and interpretation, and possible revision, of relevant ILS.

#### 4.2.2. Identifying and investigating cases of forced labour and trafficking (A909190)

136. This is an open course proposed by the Centre. Although there is considerable demand, and also offer, on educational activities on trafficking, there is less on forced labour itself. The ITCILO's offer comprised some 20 activities on forced and child labour in 2015-16. Some of them have focused on standards supervision, such as training on reporting on ratified Conventions. Courses rely on sponsoring partners, including ILO projects. A decrease on projects has also affected the demand for training activities.

137. The ILO International Programme for the Elimination of Child Labour (IPEC) was started in 1992 and, after the adoption of the 1998 Declaration on Fundamental Principles and Rights at Work, technical cooperation on child labour also became part of its follow-up. In 2000, Turin had four courses on child labour. The Special Action Programme on Forced Labour (SAP-FL) was started after the ILO adopted the first technical cooperation plan on forced labour in 2001. No courses on forced labour and trafficking had been held before that.

138. In 2010, there were four open and 24 tailor-made courses on child and forced labour. This included four courses on forced labour, eight on child labour, and a series of 18 activities under an EU-funded IPEC programme on children and armed forces and groups.

139. In 2015, there were altogether ten courses, six of which were tailor-made. Eight courses were on child labour and two on trafficking and forced labour. The recent trend seems to indicate more demand on forced labour than on child labour. Demand has also shifted from ILO headquarters to the field – either to ILO projects or non-ILO entities carrying out activities in this area. For recently recruited ILO staff, training of this kind serves also as a crash course on the topic they are dealing with.

140. The ITCILO can specifically offer training aimed at identifying and tackling all the aspects of forced labour, not only trafficking. On the normative side, the ILO's fundamental Forced Labour Convention, 1930 (No. 29) was complemented in 2014 by a Protocol on Trafficking.

141. The open course in the evaluation sample was offered to practitioners on the ground, such as labour inspectors, police officers and non-governmental organizations (NGOs). Consequently, it aimed at clarifying the underlying concepts, but did not extensively go into the standards concerned, including the new Trafficking Protocol. The initial feedback was positive, and about half of the participants responded to a survey which the trainers had carried out six months after the training itself.

## Box 8: Case study - Domestic workers in Hong Kong

The evaluator interviewed a participant of a similar course in 2014, who worked at the time as a volunteer in Hong Kong with a non-governmental organization offering support and services to domestic workers. He had participated in the Turin course on his own initiative and financing, as it corresponded to his academic and work interests. He had attended other human rights courses, for instance on coping with terrorism and political violence. Currently he is finishing a PhD in the UK, but is thinking of returning to Hong Kong to set up an NGO.

He was interested in the Turin Centre course because it was on forced labour in general and not only on trafficking for sex work, as other available courses were. In his view the ILO could provide a more comprehensive view on forced labour and trafficking. Most of the available research on forced labour itself came from the ILO.

Although the Basic Law of Hong Kong incorporates ILO Conventions on fundamental principles and rights at work, cases of forced labour are frequently not identified and brought to prosecutors under this denomination. They are not recognized as a specific crime, with penalties attached. Cases as a rule are referred to the Hong Kong Labour Department, but rarely to the judiciary. The participant focused particularly on the reference to "appropriate" remedies in the 2014 Protocol on Trafficking to the Convention on Forced Labour No. 29 (1930). He was interested in further examining whether the word "appropriate" in the Protocol could be used to justify more non-judicial settlements of cases.

He was satisfied with the course offered by the ILO but noted that it, too, showed a certain gap between the treatment of forced labour cases by law enforcement bodies and through other means in practice. He was concentrating on this in the academic research he was currently conducting, and he considered it probable that he would return to field work afterwards. He underlined that field workers need a useable set of indicators. In his view, in practice "there are two kinds of standards out there: the academic standards and the field standards". While there may not be contradictions between them, in practice there was a certain gap which he felt would merit more attention.

According to the researcher, the Turin course had helped in determining when a specific case could be identified as forced labour. It explained the indicators that amounted to what was forced labour, which then could be used in defining the legal case correctly. For instance, a legal case might have been raised due to an assault or other violent practice without recognizing that it arose out of a forced labour situation.

There is a clear distinction between "academic" standards and standards as applied on the ground. The aim of the researcher, himself an activist, was to build up a service for potentially vulnerable domestic workers in Hong Kong which could provide appropriate assistance in both practical situations, which may involve violence or deprivation of rights, as well as in cases that go to the court for settlement.

The lesson learned is that, despite a certain gap between the legal definition and its application in practice, identifying the applicable standard meant that the correct diagnosis could be made for the attempts to protect vulnerable workers from abuse, to end such abuse and to provide legal remedy. The first belongs to lawyers while the second addresses itself more to labour inspectors, social workers and the police, to ensure a correct identification of the problem. With time, the implementation of the Domestic Workers Convention, 2011 (No. 189) will no doubt contribute to this specific activity. As the collective representation of both employers and domestic workers is not easily established, the role of tripartite cooperation and collective bargaining remains work in progress.

## Box 9: Case study – Dealing with forced labour in Myanmar

Another **case study** is provided by the role that the training activities have had in solving one of the long-standing individual cases in the supervisory mechanism of the ILO. Starting with 1964, when the issue of forced labour in Burma came up for the first time in the Report of the Committee of Experts on the Application of Conventions and Recommendations, virtually every one of the supervisory procedures had been used. In 1996, the Governing Body of the ILO appointed a Commission of Inquiry on Forced Labour in Burma (Myanmar), which published its report in 1998. Due to a lack of implementation of the recommendations of this Commission of Inquiry, the International Labour Conference decided in 1999 and 2000 that all relations with Myanmar were to be restricted to dealing with the application of the Forced Labour Convention No. 29, including technical cooperation for the purpose of eliminating forced labour. As of 2003, the ILO had a Liaison Officer in Yangon, Myanmar, for the purposes of promoting these decisions. In 2007 agreement was reached on a specific complaints mechanism for dealing with cases of forced labour. The cooperation led to a joint programme of action, which expanded in particular after 2012 when the changes in the political landscape in Myanmar led into a more constructive cooperation with the then military government.

Responsible staff members from the Liaison Office in Myanmar had participated in the Turin training on identifying and dealing with forced labour. The ILO mandate to engage in capacity building was broader than the scope of activities of other United Nations agencies, which were more restricted to humanitarian work. This mandate arose from the decisions of the standards supervisory mechanism but also the joint desire, monitored by the supervisory mechanism, to engage in technical cooperation. The perception both within and outside Myanmar was that, due to this combination, the ILO's role could be "different" – something that was also underlined by the fact that Daw Aung San Suu Kyi chose the International Labour Conference of 2012 for the first place she publicly visited in Europe after being released from detention.

The decisions adopted by the ILO in 1999 and 2000, and subsequently reviewed by the Conference in 2006, were "sanctions" which had one important escape clause. They allowed for using capacity building as a key element in moving away from human rights violations. The ILO assisted the government in recognizing and dealing with the problems linked to forced labour. On the ground this meant, among other things, periodic training for the police, judges, relevant government officials, border officials, fire brigade personnel etc. A database was kept by the Liaison Office, which could, when appropriate, call upon trainees in areas from where there were reports of forced labour. This training was not systematic, due to a degree of reluctance from the Government. Furthermore, before 2012, sending officials to attend training in Turin was not feasible.

In 2012, the Government admitted publicly that forced labour existed in Myanmar, and the President stated that the political will of the country was to end it. The high-level inter-ministerial working group on forced labour was expanded to include the military and the Ministry of Interior, in addition to the earlier members from the Ministry of Labour, Foreign Affairs and the Attorney General's office. The focus thus changed from dealing with the outside world (including the ILO's supervisory bodies) to the issue itself in the country.

In 2013, the military government agreed that its representatives could attend the training course on forced labour in Turin. Until this day, all attendance at international training courses has to be approved by the Office of the President of Myanmar. The representatives of the Ministries of Labour and Home Affairs as well as the military were accompanied to Turin by a representative of the Liaison Office. Such training was foreseen in the Action Plan adopted by Myanmar in 2012 for the elimination of forced labour. The establishment of this Action Plan allowed in turn the International Labour Conference to review its earlier decisions.

The experience of the participants also contributed to bringing practical knowledge to others in the training programme, and the fact that they could interact with others on common questions and experience in a setting outside the country, without constraints, was of crucial importance for them. The participants continued to work in the inter-ministerial working group on forced labour in Myanmar. The courses in Turin focused more on new forms of forced labour than on the more traditional, state-sponsored form that had prevailed in Myanmar. Yet the practical experiences from other countries and situations could be used by the representatives from Myanmar in carrying out their own further work. At a crucial transition time, the training also provided an opportunity to discuss at the international level the experience of dealing with forced labour; something that the Myanmar authorities had not been able to do earlier.

## QUESTIONNAIRE Group 2

### Responses of participants of the selected ILSGEN courses

142. Out of the total of 32 participants in the two courses in this category of the evaluation sample, ten replied to the questionnaire, thus producing a 31.25 per cent reply rate.

**Table 6: Questionnaires received from participants of Group 2**

ACTIVITIES IN GROUP 2	Participants Total	Questionnaires received	
		Count	Percent
A909179 - Diversity, inclusiveness and non-discrimination in the world of work	14	9	64%
A909190 - Identifying and investigating cases of forced labour and trafficking	18	1	6%
<b>TOTAL</b>	<b>32</b>	<b>10</b>	

143. The participants who responded represented governments, judicial organizations, trade unions, the ILO and non-governmental organizations. Sixty per cent of the respondents were male, 40 per cent female.

#### *Knowledge acquisition rate*

As with the first group, the respondents were asked whether they had maintained or changed their positive view of the course expressed in the evaluation at the end of it. Eight participants (80 per cent) maintained their view; no one felt that in hindsight, they were less impressed by it; and one participant was more impressed now than at the end of the course. One participant commented that the course had really helped to understand the topic (inclusiveness) in a certain sector of activity.

To the question of the extent to which the participants now considered the training to have been a good investment, one replied “partly”; one agreed to “moderately”; five said “mostly”; and two selected the option “completely”. No one thought that it was “not at all” a good investment.

#### *ILS in the course programme*

Two participants recalled that there had been occasions on which references to ILS had been made. They concerned the Conventions Nos. 29, 87, 98, 100, 111 on forced labour, freedom of association and the right to collective bargaining as well as the Indigenous and Tribal Peoples Convention, 1989 (No. 169). One respondent also referred to the Trafficking Protocol to Convention No. 29.

All respondents agreed that the link between ILS and the specific topic of the training course had been explained sufficiently well for it to help the participants in their daily work.

#### *Knowledge application rate*

All respondents agreed that they had applied the acquired knowledge to their field of work. One stated that it had helped in being actively involved in discussing discrimination and gender issues. Another had trained human resources managers in disability equality training

and provided technical support for training teachers, employers and government officials in managing disability at the workplace. A judge had included the concepts in judgements.

One reply noted that training of 179 national police officers across the country had taken place after the Turin course on identifying and investigating human trafficking. Also, 32 frontline social workers of the Ministry of Social Welfare and Gender had been trained to identify victims of trafficking and arranging protection for them.

#### *Competencies and job performance*

The participants were asked to what extent they felt that the training had improved both their competencies and on-the-job performance. Regarding competencies, five participants felt they had had “moderate” improvement, three considered the improvement to be “large”, and for two it had been “very large”.

On-the-job performance had for one improved “slightly”, and for another “moderately”. Three considered the improvement to have been “large”, and for two it was “very large”. No one felt that neither their competencies nor their job performance had improved.

#### *Referencing international labour standards in the participants' work*

Seven participants said that after the course they made reference to ILS more often than before the training; and three said that they did so “about as often” as before. No one said that they were not referring to ILS in their work.

## GROUP 3

### 4.3. Programmes with ILSGEN contributions

#### 4.3.1. Global Workers Academy on Sustainable Development Goals; trade union policies and action plans (A909001)

144. The training sample was carried out in May 2016 for 30 participants in the framework of the Global Workers' Academy. It was designed to enable to understand how trade unions could at the national level make use of the Sustainable Development Goals of the UN and their implementation processes. Setting the SDGs had been a high-level process, to which the ILO had contributed to through its entire Decent Work approach. Most of the sessions contribute to the draft of the ACTRAV Trade Union Reference Manual on the 2030 Agenda for Sustainable Development. One of the other related training courses also tested an ACTRAV Guide on Recommendation No. 204 on Transition from the Informal to the Formal Economy.

145. The final report of this training course compared the participants' satisfaction with two other Academy trainings that had just taken place, one specifically on ILS and another one on transition to the formal economy. The SDG workshop had scored best on the achievement of its objectives (4.52 out of an average of 4.28), appropriateness of the contents for objectives (4.52), materials (4.63) and the relevance for the needs of the participants' own organization (4.69).

146. The training had enabled to strengthen the network of trade unionists who were aiming to promote the SDGs through cooperation with their national governments. Although the training was not specifically about ILS, each of the SDGs for which ILO is the "custodian", a link with the appropriate standards could be established. The training contributed to the promotion of a trade union cooperation network, which is facilitated by the International Trade Union Confederation (ITUC) and the Global Union Federations.

147. The report produced by the programme manager six months after the training, with feedback from participants, recorded that the ACTRAV Specialist in the Americas had used the training to help prepare the trade unions' declaration on the SDGs to the Assembly of the Organization of American States. A group of trade unionists had held a meeting with the Director of the UN body that was designated to be responsible for regional reports, who had expressed support for continuing trade union participation in the process.

148. Another participant reported having participated in the High-level Political Forum 2016 in New York to present trade union views on the implementation of the SDGs in Uganda. This also covered the role of trade unions and their involvement in the process. Finally, one participant had produced an article on the challenge for trade unions in engaging the Government of Zimbabwe on the SDGs.

#### 4.3.2. Orientation workshop for new ILO Officials (A908090)

149. One training activity – the orientation course for new ILO officials – raised a crucial question: how are the values and strategic objectives dealt with when the aim of the training is to shape the career of officials on whom the future work of the Office relies.

150. Induction courses for new ILO officials started being organized in Turin some 12 years ago. Currently they take place twice a year, with some 30 participants. This one-week course for

new officials has recently made available for staff with TC contracts and G-staff, too. The training usually starts with a history of the Organization, which highlights its original task of setting and supervising ILS. There regularly is a separate session on ILS, especially from the angle of the standards supervisory mechanism, presented by an expert or experts of the International Labour Standards Department of the ILO.

151. It is difficult to underestimate the importance of such introductions for new officials. It is their opportunity to have a comprehensive view of the functioning, strategy and aims of the Organization. Staff recruited for either headquarters or field offices rarely have had experience with working with the tripartite constituents and the ILO’s Constitutional procedures. They generally have experience on specific topics but not the context in which they are dealt with by ILS and the constituents. As the training is available for 60 participants a year, the Human Resources Development Department of the ILO has developed an interactive online induction course, which all new officials are required to complete prior to the workshop in Turin. There are also separate online courses on gender and ILS; the latter is developed with the International Labour Standards Department of the ILO.

152. The basic interactive e-induction course is interactive and takes some three hours. Taking this course is supposed to be obligatory for all new staff members, although it does not appear to be followed up in the same rigorous way as, for instance, the UN field security courses which are obligatory for security clearance for travel to sensitive areas. This comparison admittedly is a bit far-fetched, but a career in a specialized and many-faceted organization should warrant some degree of validation. Most of the different courses offered by the ITCILO provide the participants with a certificate recognizing that they have had the opportunity to achieve a certain competence.

153. The main e-induction course does not refer to ILS in detail. They are presented through the prism of social dialogue and tripartite cooperation, which according to the narrative may also affect labour law. This does not seem to entirely capture the historical design of the Organization, as in 1919 its main task was international labour law. Tripartite cooperation was not an aim in itself, it was a means to shape ILS and to apply the principles and provisions of labour law in different circumstances.

**QUESTIONNAIRE Group 3**  
**Responses of participants in selected courses with ILSGEN contribution**

154. Out of a total of 58 participants in the two courses in this category of the evaluation sample, 22 replied to the questionnaire, thus producing a 37.93 per cent reply rate. The participants either came from workers’ organizations or were new ILO officials.

**Table 7: Questionnaires received from participants of Group 3**

ACTIVITIES IN GROUP 3	Participants Total	Questionnaires received	
		Count	Percent
A909001 - Global workers' academy on sustainable development goals: trade union policies and action plans	29	12	41%
A908090 - Orientation workshop for new ILO officials II	29	10	34%
<b>TOTAL</b>	<b>58</b>	<b>22</b>	

### *Usefulness of the training for daily work*

The share of participants who said that the training had had a significant input in their daily work was 36 per cent. A total of 55 per cent considered that it had been helpful for solving specific questions. For five per cent (one participant) it had been interesting but not really decisive for its purposes; another participant considered that, in retrospective, the training had been less useful than it could or should have been.

### *Explanation of ILS during the course*

Twenty participants responded to the question of how ILS had been explained during the training. Of them, 12 had attended the Workers' Academy on sustainable development goals. Seven said that the explanations had been very good and clear and increased the knowledge of ILS while one participant did not recall that there had been a specific presentation of them. Two participants mentioned the relevance of ILS for their national trade union work.

Those who had attended the new officials' orientation workshop considered that ILS and standards policies and procedures had been well explained during the training. The expressions used were "in an interesting and interactive way" and "well explained in a systematic manner". One participant noted that "they were explained in a professional manner. I understood them." Another called them very important: "although I do not work on standards directly, I understand the ILO's work much better". Also, "they were explained in a simple but understandable manner". One participant thought that the presentations had been "average".

### *Increased understanding of the role of ILS*

Of the 22 received questionnaires, 19 answered the question of whether the training had increased their understanding of ILS in the work of the ILO and its objectives. All but one of the ten participants in the Workers' Academy stated that their knowledge had improved and that ILS were very much applicable in their countries. One participant added to their positive assessments that more information would have been needed to be able to apply ILS procedures. One participant said that ILS were not explicitly addressed in the training.

To a question specifically addressed to the Workers' Academy participants on follow-up action they had undertaken due to the training, participants referred to organizing workshops for trade union members and attending national events on sustainable development goals. Workshops had made it possible for trade unions to better articulate their interests in relation to the SDGs. One trade union had included them in its 2017 action plan. In one country, trade unions had used the acquired knowledge in particular for work on migration, with reference to the relevant ILO Conventions on Migrant Workers (Nos 97 and 143).

Regarding the new officials' workshop, all the responding participants said that their understanding of ILS had improved. "The workshop made it very clear that the ILS are central to the ILO and its objectives." One reply referred especially to the 2008 ILO Declaration on Social Justice for a Fair Globalization.

Asked about concrete examples on how knowledge of ILS had helped new officials in their work, three respondents said that it had concretely contributed to their current work. Two could not give an example.

### *Integration of ILS in training programmes*

Of the Workers' Academy participants, 11 made suggestions for possible further the integration of ILS in training courses, most requested more training on sustainable development goals and more frequent regional courses. One respondent requested more

training for trade unionists to make use of ILS. One participant wrote that *“toutefois, il conviendrait de mieux sélectionner les normes à intégrer en fonction des thématiques ou thèmes de la formation afin de permettre aux stagiaires ou étudiants de faire un lien direct avec les thèmes de la formation”*.

One of the five participants of the orientation workshop who replied to the questionnaire advised that there should be more sensitization of the ILO staff on ILS. Another had participated in other training which had given further information on the ILO’s standards supervisory system. One participant suggested case study examples on complaints and their resolution. Two were either satisfied with the course as it had been or had no further suggestions.

### *Improving the training*

Fourteen participants made suggestions for new training activities of the same kind. Of the Workers’ Academy participants, one suggested that the relationship between SDGs and ILS should be explored more. Also, participants should identify the areas most applicable to their needs early in the course, so that the training could be more focussed. More presentations by the participants themselves could help better understand challenges, which were common to all. Preparations online before the actual training were also suggested.

Regarding the new officials’ orientation workshop, the participants who responded were generally satisfied with the training and the possibility to interact with colleagues. One participant suggested increasing the number of days; another stressed the need to focus on core competencies and values; and yet another felt that the selection of the participants should involve “more strict measures”.

## GROUP 4

### 4.4. Other programmes

155. The selection of the eight “other” (meaning non-ILS) programmes to be focused on the training portfolio of some 400 activities held in 2015-16 was done in a random way. On more than one occasion programme managers initially questioned the appropriateness of their course to the purposes of the evaluation, saying that there was no explicit ILS role which could have fit into the programme. This concerned in particular short, tailor-made and very focused activities, which were not specifically designed to cover ILS.

156. However, a closer examination of all of these programmes made it possible to conclude that all of them had a distinct normative dimension, including instances where direct reference had been made to ILS and their supervision.

157. In the following presentations of the activities in this group, reference is made to the results of the questionnaire for each training activity, bearing in mind the fact that the training was not explicitly ILS linked. A summary of the replies of this group is given in the end of this section.

#### 4.4.1 EYPA (*Employers Young Professional Academy*) training programme 3: Engaging as social partners (A408260)

158. This course has been created six years ago in cooperation with Business Europe, which represents Employers in the European Union. Funding is provided by the European Commission. The basis for this cooperation is an agreement between the ILO and the European Commission, which foresees courses for both Employers and Workers. The duration of the sample course was 2½ days, which could be seen as typical for Europe.

159. The programme was originally created six years ago, and training sessions have had about 30 participants each. The one in the evaluation sample is one in a series, and should be seen together with the rest. There have been three courses for young professionals in a calendar year, and distance learning has taken place in between. Funding for the programme had recently been quite significantly reduced, but courses for both employers and trade unions continue.

160. On the legal side, the course mainly looks at European Directives and EU social dialogue, and the direct references are not widely mentioned or explained. This, of course, raises the question of how to deal with ILS in situations where their application mainly takes place through binding regional legislation as well as social dialogue between the partners. As to the principles of European legislation, it is to be noted that the European Social Charter is generally seen to be in conformity with ILO standards, and to an extent there is joint supervision between the Committee of Experts and the corresponding body of the Council of Europe.

161. As noted by the programme manager, regional differences play a role. In Eastern Europe, social dialogue is not part of the reality in the same way as it is in the “older” EU Member Countries. This is a hands-on training programme for executives of employers’ organizations, including role-playing to create situations where the relevance of social dialogue in the labour market is recognized. The training aims at a better understanding, and use, of the opportunities of social dialogue in the European context. For this purpose, an examination concentrating on the substance and application of ILS may be too much of an effort.

#### Box 10: "Training for the process of social dialogue, not its contents."

BusinessEurope, which is the recognized representative of private business and employers in the European Union, determines much of the contents of the course, in cooperation with the ITCILO, which it sees as one of the best partners in this activity due to its experience on training activities and also the interests of employers' organizations. The Turin Centre "has motivated personnel, it has the relations and the network needed, and it can also bring trade union representatives to certain sessions of the courses". Alternative training is not really available, as the trainers will have to know well the social partners and understand their specific roles. Turin "is the only place" to go to, as there are institutions and foundations that carry out research but not hands-on training.

Young professionals, who are engaged by the Member Organizations of BusinessEurope, often do not have experience of working with trade unions. In these organizations, collective bargaining and social dialogue are dealt with by different departments. Business organizations have a different focus than employment matters and social dialogue; in the case of this course, the focus is not on the tasks of business organizations on the whole but on "the voice of the employers". In this, business organizations differ from trade unions as their economic, social and political agenda is more comprehensive.

It is difficult for BusinessEurope to see how ILS could be brought as a separate topic into a course, which is short (2½ days) and focuses on the skills needed for social dialogue and negotiations. ILS as seen from the perspective of the ILO would appear to be too remote to be introduced, especially as even European Social Rights or EU Directives are not discussed in detail. They might come up as examples, but their contents would not be discussed. If employers want training on ILS, or European Social Rights for that matter, there are other courses and instances for this. In addition, ILS are highly ratified by the EU Member Countries and reflected in their legislation and practice. Of course social dialogue can lead into legislation and its effects will again be discussed in social dialogue, but details of this call for different kind of training.

BusinessEurope underlines that the aim of the course is not to cover any specific topic but the way in which any one of them, including aspects of labour law and social policy, could be tackled with in the process of social dialogue. Introducing a separate subject into the course would change the training method and reduce the audience. Then the courses would be on, for instance, social dialogue on labour law; social dialogue on protection of workers; social dialogue on migrant workers, etc. The benefits and techniques of social dialogue itself is the objective of this activity, and this has also been set out in the agreements with the European Commission to which reports have to be made annually. Any change in the purpose of the course would have to be approved by the Commission, too.

#### 4.4.2. Global Organizing Academy (A909335)

162. This workshop was to all practical purposes organized by the International Trade Union Confederation, in cooperation with ACTRAV in Turin.

163. One of the participants, in replying to the questionnaire, reported that after attending the training, he had conducted training on organizing strategy for 25 volunteer organizers in the Philippines, replicating almost the same training as received in Turin. Another one said that the "knowledge of the standards have empowered me to negotiate with employers through referring cases to international law". Other comments were that the training had been suitable for those who had less knowledge of international labour law, and the applicability of international law was easier to understand after the training experience.

### Box 11: Training those who need to mobilize different kinds of knowledge

This workshop was both designed and carried out by the International Trade Union Confederation with the logistical support of the ITCILO. It was an activity oriented towards organizers, i.e. those trade union leaders and activists whose main work is to strengthen trade union organization. As described by the ITUC, the issue of ILS would be treated as one of the necessary components in the process of organizing trade unions. However, at this specific course, the focus was not on the contents of the different standards which could be linked to organizing rights.

Organizing calls for a combination of legal knowledge, research and communication. On the legal issue, the concern for the organizer is not what the law says, but how and where it can be used. "Standards open the door for organizing workers, which in turn helps to improve the law and its application".

All ILS may come up in organizing activities, but the purpose is not to train a large number of ILS specialists. For that, other training is available. The organizer needs to understand the importance of standards, whether they are fundamental rights or technical standards. Occupational health and safety or the payment of wages are two good examples of standards, which concern people directly and can have a mobilizing effect. It would be up to the lawyers, or other specialists, in the trade unions to follow up with the specific contents of standards.

In this respect, for instance the Labour Inspection Convention, 1947 (No. 81) or existing sectoral Conventions might play a crucial role. The organizers need to understand the connection to the standards. The advantage of the training in Turin is that the Centre has the capacity to clarify how different coordination needs can be satisfied. In addition to making use of the legal expertise (to define what the law says and how it can be used), organizing has to be backed up with research and strong communications activities.

The explanation given by the ITUC on the purpose of training organizers is to all practical purposes similar to that given by the representative of BusinessEurope on the training of using European social dialogue mechanisms. Practitioners need to, among other things, ensure the access to knowledge of ILS but not necessarily be standards specialists themselves.

The ITUC felt that in this sample standards were adequately covered as they and their use was explained. For someone who would like to concentrate on the contents of the standards this training would not be appropriate. The aim was to strengthen operative conclusions on how standards and national legislation contribute to organizing workers.

#### 4.4.3. ILO executive leadership and strategic management (A909019)

164. The contents and participants of this regular one-week activity is mainly determined by the Human Resources Development Department of the ILO, together with the Office of the Director-General. The ITCILO input is both pedagogic and logistic. The main function of the training is increasing management skills and achieve high-level team building. The training included in the sample was the fourth annual such activity. Among the topical matters discussed were the Sustainable Development Goals of the UN.

165. The 30 participants included a representative selection of officials from Geneva and the field. There was no separate session dedicated to ILS or any other strategic objective of the ILO. Ways in which they might have emerged would primarily be determined by topical issues in the ILO at the time of a given course.

166. Early on examining this training the question arose whether it should at all have been included in the sample. Yet the more exchanges the evaluator had with both the participants of the course and senior ILO management, the more pertinent it seemed to reflect this training in the evaluation. The random sample of non-ILS courses had actually produced examples of training at different technical and managerial levels for carrying out the strategic plan of the Organization.

167. It provided an opportunity to examine the question of how ILS and standards policy are dealt with in internal ILO training at different levels. Some of the issues were equally pertinent to training on project cycle management, the orientation workshop for new officials (see above) and, to an extent, the UN Fellows' course.

168. High-level management training and orientation workshops, project management, and induction courses all need an answer to the question, why the activities are specifically carried out by the ILO and no other Organization, and why the officials concerned have chosen to work for the ILO.

169. The retrospective feedback received through the questionnaire from participants of the 2016 training course was exclusively positive on the strategic management training itself. Those who responded felt that the humanistic and not only procedural approach helped in understanding the ILO's global role and contributed to team building.

170. For two participants it had strengthened their earlier knowledge on ILS, and one said that extracurricular exchanges had led to a better understanding of the Indigenous and Tribal Peoples Convention, 1989 (No. 169). One participant stated that ILS were not really relevant to the course. One participant thought that an ILS module might have been useful while four thought that it would not have been. One participant pointed out to having received ILS training on a separate course. One reminded that standards should be treated as a cross-cutting issue.

171. Five participants felt that more focus on ILS would not have made any difference to the objective of the training. One participant reminded that this training must reflect the priorities of the current situation. One noted that "leaders at the ILO should be fully aware of the issues as one of the main competencies to improve in core values". Finally, one participant considered with some annoyance that the questionnaire was inappropriate, as the training had not been on ILS.

## Box 12: ILO managers' views on ILS and strategic management skills

The evaluator had in-depth discussions with several senior ILO officials, who had participated in this training and received written inputs from two of them. He also received observations from some participants of earlier strategic management training courses. The comments made in these discussions were particularly useful to see how senior management and higher responsible management levels express their understanding of ILS not only in training activities but in the overall ILO strategy.

- Some underlined that this course is not the right place for a training module on ILS. It is about “soft skills”. Knowledge about ILS belongs to induction courses, which deal with the core business of the ILO. Everyone, particularly at responsible levels, should have a broad view of ILS. The feeling in the house currently is that they primarily belong to the Standards Department. “They are the specialists, they know.” But about two thirds of officials outside the Standards Department “could benefit from an updating or a refresher course” on ILS.
- It was further noted that it is difficult to say what the real depth of knowledge of managers about labour standards is, especially beyond the fundamental principles and rights at work. “There was good motivational talk of what sets a leader apart from a manager, but if you had no idea what ILS had to do with ILO leadership, you would not have picked it up from that course.”
- The training was on how to be a good manager, and this was well conveyed. But it was not geared specifically towards ILO managers; it could have been for anyone in the UN system. “Facilitators from private sector organizations are not familiar with Decent Work, tripartite cooperation or ILS.” The team-building was fine, but it did not produce a team with an ILO vision. As one participant explained it, “standards are a tool, and if you have started working in the ILO with them, they stay with you”.
- Another participant noted that, before joining the ILO, her knowledge of ILS was “virtually non-existent and acquired in a haphazard way. Managers should understand the unique position of the ILO as a standard-setting organization in a consistent way. We communicate results in terms of technical cooperation rather than rendering ILS more understandable to the general public and even to the constituents.”
- One senior manager pointed out that “we should show what work is like without standards compared to Decent Work.” Programmes and training should explain how ILS concretely help in effectively implementing standards. The problems of the informal economy are due to a lack of both standards and tripartite cooperation.
- Another issue raised was that senior management takes many decisions on employment, and it is important to ensure that no recruitment would lead into a disguised employment relationship. Over the last 10- 15 years, Human Resources management has become more aware of the need to apply proper standards to the recruitment for the Organization itself. This issue, however, may be even more pertinent for training on the management of technical cooperation instead of strategic leadership.
- “We could have had a session on how to capitalize on ILS. It would have been more useful than a day on private-public partnerships,” said one participant. There are training sessions that are dedicated to the supervision of ILS but not to mainstreaming them. Each substantive session, on employment or social protection, should explain the relevant standards.
- “One of the comparative advantages of the ILO is standards, but who knows exactly what this means in particular in the field?”

#### 4.4.4. Start your business for social entrepreneurs (A909070)

172. This was a training of trainers course. The trainers would work at the company level, where the relevant standards have to be embedded in the guidance for enterprise development in general. The material was developed by the Enterprises Department of the ILO, and it included basic information about the organization, including the ILS. The starting point should be to construct all capacity-building programmes on a foundation which integrates both International Labour Standards and social dialogue.

173. The activity promoted the social and solidarity economy, which has been one of the ILO's aims especially in the context of the promotion of cooperatives, an activity which dates back to the keen interest of the first Director of the ILO to ensure interaction with the cooperative movement. It also reflects the more recent focus, after the end of the Cold War, to promote more enterprise creation activities. Workers' organizations have also shown a degree of interest in this training.

174. The lecturers at the course referred to ILS and their importance, in particular the fundamental principles and rights at work, as a reference point for social entrepreneurs, although there was no formal part of the course that would have been dedicated to standards or the 1998 Declaration.

#### 4.4.5. School to work transition data analysis for evidence-based policy (A908137)

175. This one-week course was highly technical, aimed at statisticians and not at policy makers. Courses like this represent a very small percentage of what the relevant department in Turin does in terms of training. The concepts on which the data is based are those developed by the ILO as well as the Resolutions of the International Conference of Labour Statisticians. In addition to specific transition to work concepts, such issues as freedom of association, collective bargaining, the definition of freely chosen and productive employment as well as issues of the informal economy (with reference to the recent Recommendation No. 204) had come up during the training.

176. The methodological manual on transition clarifies at the outset the age ranges with references to the Minimum Age Convention 1973 (No. 138) and the Worst Form of Child Labour Convention 1999 (No. 182). This ruled out the question of transition into unacceptable form of work. Much of the discussion on seeking successful transition would appear to have a normative dimension, too.

177. The course manager had made at the outset of the training a presentation on the framework for measuring and monitoring progress towards Decent Work. It referred to the 2008 Declaration on Social Justice for a Fair Globalization and the four strategic objectives of the ILO, the first one of which is rights at work. It also recalled that the 2008 Declaration recommends the establishment of appropriate indicators or statistics for monitoring progress made towards Decent Work.

178. The rights at work objective was explained to be applicable for each of the ten substantial elements in the grouping of statistical and legal framework indicators. It is the only strategic objective that is recognized to be relevant to all issues, which range from employment and wages to workers' protection and social dialogue.

179. One of the participants of this course replied to the question on whether the activity had increased knowledge about ILS in the following way: “Yes, it increased my knowledge of international labour standards. Now I always refer to the relevant international labour standards when dealing with various issues of labour statistics, in particular developing new definitions. International labour standards guide and help us to conceptualize issues of concern, including formalization of the informal economy.”

#### 4.4.6. UN Fellows’ orientation workshop (A408596)

180. The programme included in the sample for the evaluation, carried out in December 2015, was implemented for the sixth time. It responded to a demand from the Italian Foreign Ministry and was targeted to some 40 Italian-funded officials who serve in different positions in the United Nations system for a certain period (usually one year). How much this system-wide course dealt with international labour standards was dependent on the way in which they had been presented in the session of the course that dealt with activities of the ILO or possibly in the context of supervisory activities on human rights by the United Nations system as a whole.

181. Carrying out this course was covered by a Letter of Agreement between the United Nations Department of Economic and Social Affairs and the ITCILO. The timetable of the two-week programme was annexed to the Letter of Agreement, and it covered the three objectives: knowledge of the UN system; workplace skills for project planning and monitoring; and “soft” skills for not only report writing but security and stress management.

182. The presentation made by the ILO lecturer was on Sustainable Development Goals, and it referred to ILS as part of the normative basis that should guide their implementation by the UN system. They should frame the SDG targets and serve as the basis for UN operational activities. As part of this item, the participants discussed different aspects in working groups. The groups focused on poverty, gender, Decent Work, growth, climate change and peace, and institutions and rule of law.

183. Answers to the questionnaire by participants of this course indicate that ILS were referred to in the training, and there was at least some interest in knowing more. But of the 40 participants, none was seconded (with Italian funding) to work in an ILO headquarters or field office. Consequently they had not been further exposed to the ILO agenda. This raises a question: when the ITCILO does this kind of training, could it not be better used to obtain interns for the ILO itself?

184. Out of 40 answers to the whole of Group 4, this training scored well in terms of the response rate. But of the 11 respondents to the question on whether the course had increased their understanding of ILS, no one recalled that there would have been a focus on them. One respondent reminded that “it was 18 months ago. I do not remember.” Five respondents said that a separate training module on ILS would have been interesting while 9 considered that it would not have been relevant. All respondents considered that more focus on ILS would not have made a difference to the objective of the course, although one of them replied that it would have made for a “nice addition” and another said that “it could have been useful for general knowledge”.

#### 4.4.7. Project cycle management (A908023)

185. This training course can be characterized as technical and generic, intended for ILO and other UN staff, government representatives and NGOs involved in technical cooperation. The training is designed to assist project coordinators and staff in managing the development project cycle. Achieving the results of development programmes requires having well-trained and competent project personnel. They need to be able to analyze the problems, design a project, plan its execution and monitor, report and evaluate it. In one interview, this training was referred to as “car mechanics” as opposed to driving lessons.

186. Project cycle management includes also skills for the designing of Decent Work Country Programmes. As DWCPs are supposed to cover all the strategic objectives of the ILO, the role of ILS is relevant. As part of a DWCP, activities on ILS aim at assisting in defining the needs of ratification of ILO Conventions as well as the measures for their implementation, such as bringing the issue to the relevant national bodies, post-ratification measures, and especially the place of standards in the technical cooperation agenda and its priorities.

187. In the training, ILS would come up for instance in a case study of establishing a Decent Work Country Programme for a fictive country. The ILS situation is factored in most often from the vantage point of ratification, reporting and the observations of the ILO’s standards supervisory mechanism. While this tends to take in all the shortcomings established by the supervisory mechanism, it does not automatically reflect achievements on various, often technical, aspects of ILS activities.

188. There appears to be a certain reluctance of member States in Latin America to engage in DWCPs due to the way in which labour issues and in particular ILS in the region are dealt with by the ILO’s standards supervisory bodies. If the ILO is seen to serve enforcement of ILS rather than facilitating their use, this can become a problem. Constructing a comprehensive Decent Work Country Programme then has to resort to using the lowest common denominator, to the detriment of the ILS dimension.

189. Project managers are also in charge of increasingly large teams of project staff, including their contractual arrangements. At least two ILS-related aspects are important. An ILO project should not be found to violate the Labour Clauses (Public Procurement) Convention, 1949 (No. 94). Also, partners and service providers should be expected to live up to standards of corporate ethics. For instance the use of hotels, transport, catering or other services by entities with serious labour problems can carry a serious reputational risk for ILO projects.

190. Of the participants who answered the evaluation questionnaire, two thought that a separate training module on ILS would have been interesting while another one answered in the negative. One participant observed that this training course had increased the knowledge about ILS and their role but “at a small scale”. To the question of whether more focus on ILS would have made a difference to the objective of the training, two respondents said “Yes” and one said “No”.

#### 4.4.8. ISSA guidelines on contribution collection and compliance (A908130)

191. This is a highly technical course, such as the one on data on transition to work. It is offered on the basis of a Memorandum of Understanding between the ITCILO and the International Social Security Association (ISSA), and the training programme is developed by the

two partners. The target group is senior management and experts of ISSA-affiliated institutions. Consequently, they should be aware of the normative basis of the operational Guidelines that ISSA has established.

192. In the training offered in collaboration with ISSA – in 2017, altogether seven such courses are foreseen – there usually is an initial section covering the relevant ILS. In the case of the sample training course, this was not the case because the training was on how to carry out “micro-activities” which involve technically complicated mechanisms.

193. The view of programme managers, supported by the available course material, is that the training delivered is integrated with ILS because the ISSA Guidelines are aligned with them. Resource persons for the training are selected by ISSA, and they should have first-hand knowledge due to their work on the Guidelines.

#### QUESTIONNAIRE Group 4

##### Responses of participants in “other” courses

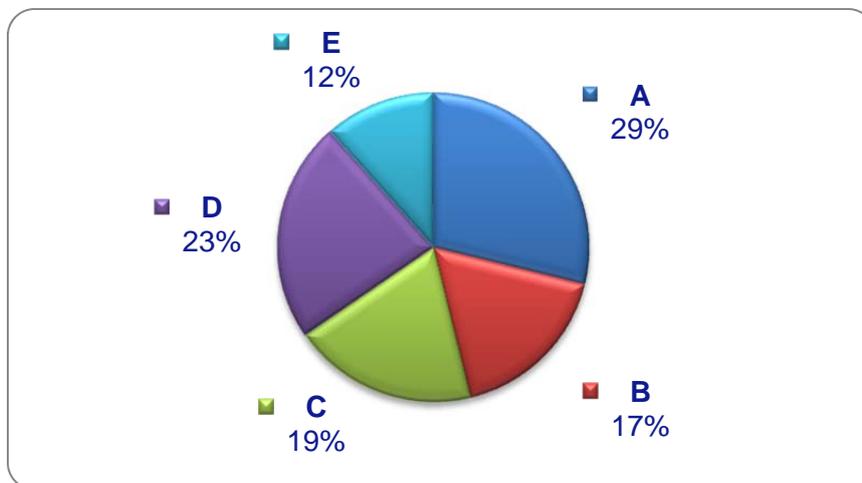
194. The courses in group 4 had altogether 224 participants, of whom 54 replied to the questionnaire, thus reaching an overall reply rate of 24.11 per cent for a very diverse selection of training activities. This reply rate can be considered satisfactory, given that the course programmes made limited or no reference to ILS. As this questionnaire solicited comments on the issue, it is of interest to note that on quite technical courses (statistics or application of social security guidelines) several participants made the link to ILS.

**Table 8: Questionnaires received from participants of Group 4**

ACTIVITIES IN GROUP 4	Participants Total	Questionnaires received	
		Count	Percent
A408260 - EYPA ( <i>Employers Young Professional Academy</i> ) - training programme 3: Engaging as social partners - linked to P408374	34	3	9%
A909335 - Global Organizing Academy	31	7	22%
A909019 - ILO executive leadership and strategic management	31	8	26%
A909070 - Start your business for social entrepreneurs	14	5	36%
A908137 - School to work transition data analysis for evidence-based policy	23	5	22%
A408596 - UN Fellows orientation workshop	40	15	38%
A908023 - Project cycle management	14	4	29%
A908130 - ISSA guidelines on contribution collection and compliance	37	7	19%
<b>TOTAL</b>	<b>224</b>	<b>54</b>	

195. The questionnaire for Group 4 concluded by giving five alternative statements on ILS and the training in Turin.

<i>Question: On the basis of the course you attended, which of the following statements would you agree with?</i>	Count	Percent
<b>A</b> - Not all activities by the ILO and the Turin Centre have a link to International Labour Standards.	15	29%
<b>B</b> - Promoting International Labour Standards is one of the strategic objectives of the ILO, but information and capacity building on them is separate from other activities.	9	17%
<b>C</b> - It is necessary to clarify the linkage between International Labour Standards and all ILO/Turin Centre activities.	10	19%
<b>D</b> - The relevance of International Labour Standards to each activity has to be explained by trainers, whose special area of competence is standards.	12	23%
<b>E</b> - The linkage with International Labour Standards should be explained by the programme managers, and the standards specialists could explain supervisory procedures where relevant.	6	12%
<b>Answered question</b>	<b>52</b>	
<b>Skipped answer</b>	<b>1</b>	
<b>Comments</b>	<b>1</b>	Agree to all above
<b>TOTAL questionnaires received</b>	<b>54</b>	



## 5. Findings, lessons learned and conclusions

196. An overarching conclusion of this evaluation on the integration of International Labour Standards (ILS) in training provided by the Turin Centre is that their role is well recognized and measures to integrate them are pursued. The ILS-related programmes themselves transmit the contents and process of application of international labour standards in a comprehensive way. The training has demonstrably improved the participants' capacity to apply them. Some of the "flagship" programmes on ILS are significant success stories. They provide knowledge which is not available elsewhere.

197. Yet interviews conducted as part of the evaluation also demonstrated that a gap is seen to exist between the legal knowledge of the contents of the ILS (including the way in which the standards supervisory mechanism has interpreted them) and their practical application by national authorities and the social partners. This concerns the everyday use of their principles in concrete situations of law enforcement or various forms of bipartite and tripartite negotiations and social dialogue as well as various technical cooperation activities.

### 5.1. Relevance and outreach of the activities

198. The evaluation included training activities directly linked with ILS and other training activities of the Centre. In this, it followed the strategic plans of the Centre and the Programme and Budget of the ILO, which both have underlined the importance of standards as a cross-cutting theme for all policy outcomes. Both the answers to the questionnaire and interviews with participants showed a significant level of satisfaction with the training activities and their relevance to the objectives of the training. Respondents gave numerous examples of how they had been able to make use of the acquired knowledge. For instance, some participants had found themselves at the International Labour Conference immediately after the training in exactly the kind of a situation that had been foreseen in the role-play and coped with it successfully.

199. The views expressed by the participants of the sample of the training courses and interviews with participants of other courses on the same topic converged. They did not substantially differ from the views expressed by programme managers in Turin, responsible officials in Geneva, and senior ILO managers.

200. The messages of satisfaction and achievement were clear. Training reached successfully out to personnel in key positions who, while not always being identified as part of a "labour community", play a decisive role in promoting and enforcing the provisions of ILS. This concerns law enforcement officials, social workers, NGOs, the academic community, and the media.

### 5.2. Validity of the activity design

201. Respondents to the questionnaires and interviews with participants demonstrated a high satisfaction rate on the training itself, including clarifying the contents of ILS and the functioning of the ILO's standards supervisory system in the courses carried out by ILSGEN. The immediate and medium-term positive results of the training in practice were confirmed. Judges and legal experts provided examples of how they had used ILS and supervisory findings in their work. The

same was true for Government representatives, a number of whom attend the International Labour Conference.

202. The interviews yielded several useful observations, which are quoted in this report and which underline the extent to which the training helped in dealing with real situations. The feedback (both immediately after the training and provided later in questionnaires), however, underlines that serious further reflection is needed to ensure that the cross-cutting ILS element is integrated in training programmes. A traditional approach, the introduction of an ILS item into training programmes does not yet guarantee the integration of standards.

203. This satisfaction was obvious for the Groups 1-3, for which by and large participants had obtained new knowledge on ILS and made use of it successfully. In the fourth Group, the assessment of the usefulness of the courses remained high, but it was not related to ILS. Still, even when the training was neither arranged by ILSGEN nor recognized as ILS courses, a number of respondents agreed that the normative element was relevant and had been present. This was true for also highly technical programmes even when the normative base of the training had not been highlighted.

204. Some discussions with programme managers, resource persons and participants for these courses started with the observation that the course in question had nothing or little to do with ILS. In the course of further discussions and interaction, the view became more nuanced. It also underlined the need to make a clearer distinction between ILS in terms of legal instruments and their supervision and the normative foundation of ILO-ITCILO programmes in general.

205. The evaluation attempted to identify and locate the standards element in activities which were not explicitly linked to ILS. The obvious conclusion is that, even when ILS are not referred to in the design of an activity and the training does not include a module on standards, this does not yet mean that integration has not taken place. Conversely, modifying the course description or adding to the training a module or session on ILS, does not mean that no integration would have taken place. The approach has to be seen in a more subtle manner.

206. The fundamental role of standards underlying the purposes of all training is less well recognized than their supervisory practices. Yet, training on employment policies or social protection issues is being carried out without specific references to the ILS (in terms of Conventions or Recommendations) although the item itself is on the ILO's agenda because there has been a need to set and implement standards on it.

### **5.3. Effectiveness**

207. Each training activity in the first, second and third groups grappled with the issue of applying ILS in practice, either legally or through policy implementation and tripartite cooperation. Somewhat surprisingly, there was little emphasis on the linkage between ILS and tripartite cooperation and social dialogue. Yet in a number of cases especially the social partners felt that the training had increased their capacity to engage with Governments on a whole range of social, economic and development issues.

208. While the training does cover examples – based on concrete situations – there apparently is a need for describing and discussing the variety of approaches to implementing ILS in practice. Awareness of different methods and cases can be an eye-opener. Both the replies to the

questionnaires and the interviews conducted showed that many participants hoped for more time and attention to their specific concerns. Exchanges of experience on similar issues in other circumstances were considered to be particularly useful. This did not lead into suggestions for changing the methodology but rather for increasing the space allotted for interaction between the participants and the trainers.

209. The political dimension of ILS did not feature directly in the evaluation, but there were sufficient references to it to warrant some observations. ILS is a “sensitive topic”, as their supervision can put countries under significant international pressure. The role of the ILO, including training, is to assist the tripartite constituents in their dialogue with the supervisory bodies. The functioning of the supervisory process, including the role of the International Labour Office, is in need of further clarification. This is especially true for coping with requests of the supervisory bodies.

210. It is counterproductive if the design or projection of the training attempts to hide or downplay this aspect. Yet it is important to recall that one of the fundamental aims of ILS training is to overcome deficiencies in the application of standards. Over the last two decades, conclusions of the supervisory bodies have increasingly recommended the use of technical advice, assistance and participation in technical cooperation programmes. This recognizes that often deficiencies in the application of ILS issues arise out of a lack of capacity and not from the absence of political will. Training has provided to be a significant remedy to many perceived problems. The training of judges on ILS in Belarus in June 2017 serves as an example of this.

211. As of the third group, the question is of whether the way ILS were covered was meaningful. As of this point, the ILS are not often presented primarily through the activities of the standards supervisory mechanism. The answers become more hesitant, and in the fourth group (“other training”), participants at the same course could give diametrically opposing answers to whether the course actually had dealt with ILS or not.

212. When ILS in terms of Conventions and other instruments is explained, by specialists of the ILS Department, this transmits the experience of the standards supervisory mechanism of applying the Conventions. One particularly pertinent observation made during the interviews was that occasionally standards are best explained by those who deal knowledgeably with the subject, which in turn may not even be defined as an ILS issue.

213. There is a growing body of evidence of how technical cooperation can provide a way out of problems, even severe ones which concern the application of fundamental standards. Possibly the best post-Cold War example is the Programme for the Elimination of Child Labour (IPEC). This, in turn, was followed by the Special Action Programme on Forced Labour (SAP-FL) and the Better Work Programme. These are programmes for the application of fundamental labour standards at the national, industry and local level through different techniques, such as monitoring. The interest in the Better Work approach, which is based on fundamental rights and concentrates on their application and promotion at the factory level is a good example of ways of linking ILS with development. This is also the direction outlined by the 1998 Declaration on Fundamental Principles and Rights at Work and, in particular, its follow-up through technical cooperation activities. When such programmes have become operational, the CEACR and the CAS have also in their conclusions and recommendations encouraged their use.

## 5.4. Efficiency of the use of resources

214. Both the immediate post-training satisfaction surveys and regular updates carried out afterwards lead to conclude that the training offered by the ITCILO provides good value for money. This is underlined by the fact that individual participants, who do not have an institutional backer, have seen them worthwhile to invest in. There are very few complaints about the length of the training, rather on the contrary. Yet it is clear that we live in a world where demand for more time-effective training is growing.

215. Integrating ILS is not a question of resources. It is a question of programme design. Moreover, a number of demands for ITCILO training are either directly linked to ILS, for instance to learn how to cope with the provisions of a particular Convention (which may be on child or forced labour or indigenous and tribal peoples).

216. Some comparison of costs with private sector training leads to the conclusion that, if indeed such training is available, it is at significantly higher cost per training day and without the accommodation provided by the Centre.

## 5.5. Effectiveness of management arrangements

217. The question of roles and responsibilities for promoting ILS by the programme managers or the participants themselves came up in particular in the sample courses for social dialogue for employers and organizing activities for workers. These two training activities produced almost observations on the integration of ILS. Training targeted to practitioners of the social dialogue process or for trade union organizers is not aimed at producing standards specialists. In both cases, participants needed to be provided knowledge of when, where and how legal instruments and their procedures can be used.

218. There is a difference between training on the use of tools, such as ILS, and the substance for which the tools have been designed. In both cases, the training takes place within a framework defined by ILS, but is not on their specific content. The training on project cycle management also falls into the category of building up the competence for managing processes, which in turn will need to engage various kinds of expertise based on ILS.

219. Consequently, the training personnel does not necessarily have to have detailed knowledge of ILS, but they have to be able to explain how this knowledge can be accessed and used.

220. This is particularly important with induction courses and other training for new ILO staff. The evaluation sample contained there was training on the basic functions of the ILO and the operational running of ILO programmes. These courses were all highly appreciated. The orientation course for new officials had incorporated ILS in the traditional way, by including an ILS module or explaining the role and functions of the ILO. The historical role of ILS was explained, and there was a dedicated session by an ILS specialist. Yet the impression received was that this was more of a “briefing” than interactive training.

## 5.6. Impact orientation

221. Especially for judges and lawyers and those who, in their professional life, interact with the ILO, the possibility of staying in contact and updating information is crucial. Updating through electronic means, the expansion of a database, the existence of a “Community of Practice” and refresher courses, especially in the regions, all are ways of achieving long-term impact.

222. The further the training moves from the “pure” standard, the more it becomes a challenge to ensure that the link to the way in which the International Labour Code deals with each of the topics is maintained. For instance, the ILSGEN training session on diversity started with a solid introduction of the Conventions concerned, but it is not clear whether the subsequent lectures and interaction led into improved knowledge on how to use the instruments themselves.

223. At the UN fellows course, which was focusing on generic skills for the whole multilateral system, ILS were introduced through their relevance to Sustainable Development Goals and their implementation programmes. They appear to have been seen as interesting, but the success of their integration is difficult to assess. At least for the training of young professionals, none of whom ended up working for the ILO, the question of ILS apparently was a remote one.

## 5.7. ILO senior management views

224. Before arriving at conclusions and recommendations, the evaluator wished to explore further the views of ILO management regarding the role of ILS and their integration in technical cooperation and training. Selected interviews covered all technical areas as well as various levels of management. A sample of the responses by the managers is reproduced in the box below. These interviews conducted with officials at ILO Headquarters give a summary of the way in which the importance of ILS is understood. All those interviewed considered that standards are not only a question for the supervisory mechanism. They are a cross-cutting item which should influence all activity.

225. These views convey a desire for more focused and user-friendly information of the role of ILS for the objectives of the Organization. The issues go beyond the processes provided for the application of ILS. They go to the role and nature of labour standards, and at the same time they are a fundamental question of the institutional memory of the ILO itself.

### Box 13: How senior managers see ILS, including in training activities

“Standards and social dialogue are the core business of the ILO, and they should underpin all activities. They are the distinguishing feature and the trademark of the ILO.”

“International Labour Standards are inherent rather than integrated in all ILO activities. They need to be weaved in as part of the DNA of what we do.”

“ILS are what distinguish us from other organizations and give us the ‘high ground’.”

“With extraordinary foresight, the Constitution left space for the evolution of ILS. A good example of this is discrimination, which is reaching out into such areas as harassment and violence at work.”

“ILS should be the primary basis from which all else stems. They are only mainstreamed if they produce the ‘terms of reference’ for all our work, and they should be owned by all branches and Departments.”

“There should be some reference to ILS in each training course.”

“At least the introduction to each training activity should explain the relevance of ILS to the topic.”

“The design of Turin courses depends on the Geneva counterparts. If they go light on standards, training will be light on standards, too.”

“There are continuously less officials who can articulate ILS. If the knowledge is seen to lie mainly with the International Labour Standards Department, others do not dare to interfere with it.”

“The audience must understand the principle and know how the standard came about in the first place.”

“These issues have to be dealt with smartly and on a well-informed basis. Some officials and experts have a grasp of the standards element without every time separately repeating it. If you have started with standards, they remain with you.”

“We should help those who promote standards without really knowing that that is what they are doing.”

“Mainstreaming has to be clarified; there are no mechanical or mathematical solutions.”

“A proper training module on standards and technical cooperation is needed.”

“What the ILO stands for is not a secret. It is on all websites. It does not have to hide its identity when it offers training courses.”

“Sometimes we mainstream things so well that people are not aware that we (also) cover a strategic issue, such as ILS.”

“We ourselves need to be trained on ILS. We need to talk about this. If we are to promote standards, we need to understand their role.”

“If you do not look after your core, it will kill you.”

## 5.8. Lessons learned

226. There is still some way to go to achieve a general understanding of the double role that ILS have in the ILO system. A distinction needs to be made between the ILS and their role for the ILO in general and the processes developed for their legal application and supervision. These procedures have developed a sophisticated science of their own. Yet even programmes focusing on the ILS endeavour to deal with the ways in which standards can be best implemented in practice, either through national legal procedures, collective bargaining, or other public enforcement means such as labour inspection.

227. A perceived gap between the ILS themselves, as supervised and interpreted by the ILO's supervisory mechanism, and action for implementation on the ground, is a significant preoccupation for all training courses. This concerns judges, who were using the standards for legal decisions; inspectors of conditions on ships and other labour inspectors; constituents faced with the reality of their national circumstances; and activists attempting to identify conditions of forced labour. The main challenge of training is how to translate standards into operational indicators and guidelines in a manner that these approaches do not contradict but reinforce one another.

228. The ILO strategic management training does not have a dedicated slot for ILS or any other cross-cutting issue. Virtually all participants, including senior management representatives, say upon reflection that in some form or manner ILS "should have been there" or "could well be there". But this should not be reduced to some kind of an obligatory message from the sponsor. Simply referring to an important item without properly explaining its linkage to the training that is being conducted does little to contribute to the training; indeed, it can be counterproductive.

229. In the worst case scenario, the issue of ILS can be dealt with in a way which provokes a "downward spiral". Managers, officials and trainers, may have a deficiency in explaining the link between standards and the technical work of the organization, including technical cooperation. If during training this link is made more out of duty than conviction, or if standards are explained in a bureaucratic and dogmatic way, this is liable to provoke reaction instead of integration. One of the recent Maritime Labour Academy sessions (not included in the evaluation sample) had received a high-level video briefing on the topical issue of future of work, but the rating in the satisfaction survey for this session had not been high.

230. In this perspective, the role of staff development is central. The tripartite ILO and its social justice agenda have their own distinct features. If someone works for the ILO and the ITCILO, she or he should have a basic competence which recognizes the standards fundament of the Organization. Not all are standards specialists, and not all should be. Responsible officials should still be able to recognize the way in which the search for standards and their application, through law and tripartite cooperation, has shaped and continues to shape the ILO agenda.

231. Attendance of ILO officials from the field in the training had a valuable multiplier effect, as it provided them with knowledge which could be made use of in advice and assistance given to the tripartite constituents.

232. The importance of understanding of the ILO's normative dimension for staff development has been strongly underlined by senior ILO managers during the interviews conducted for this evaluation. Frequently, however, this recognition is accompanied by a feeling that something is missing. It is important to understand why the ILO is the appropriate institution to carry out a

certain activity, and what the role of ILS in this is. “The realities of the world of work meant that sensitive issues, and opposing interests, needed to be addressed. By showing how this can be done, Turin could demonstrate the added value better than any private consulting firm.”

233. Especially short-term and specialized project staff can be engaged to work for the ILO with only a minimal effort of familiarizing them with the overall objectives and scope of the Organization. Only a limited number of newly-recruited staff can be expected to have practical knowledge of labour law or the governance of labour matters. They rarely are intimate with the methods and approaches that shape decision making in employers’ or workers’ organizations. Yet knowledge of ILS and their role is essential for any activity undertaken to support the tripartite constituents. The ILO ignores this at its peril.

234. No explicit mention of ILS in a training course does not yet mean that they are absent. Two of the sample training activities, on the use of youth employment statistics and the guidance for application of ISSA principles, give a useful insight into what can be called a “hidden” ILS role. The standards base was built into the course material and presentations. Some participants appeared to recognize the ILS element even more clearly than programme managers. Interviews, which started with an initial observation that the training was not directly linked to ILS, concluded with the acknowledgement that both statistics and social policy guidelines are built on a basis provided by ILS. Labour statistics are linked to one or another ILS, including the fundamental ones. The real question is the appropriate way to explain this standards origin.

235. Comments made on a topical UN theme, the Sustainable Development Goals, show that global policy goals are understood to have a link to ILO standards. How much in detail this should be clarified to each training activity depends on the purpose of the course. An important contribution of the ILO, as a member of the UN country team, is to transmit the knowledge of the contents and use of ILS, in particular as the experience with labour standards since 1919 has formed much of the basis of the international human rights law developed by the United Nations system.

236. The ILO Department of Statistics made available a presentation, which linked the SDGs for which the ILO is the “custodian”, or one of the custodians, with Conventions and Recommendations. It is unclear to which extent such linking is being used in training activities. This could further help in dissipating the perceived differences and contradictions between development and ILS.

237. Project cycle management has recognizable links to ILS. In some situations the role of the ILO is politically delicate because of the perception of the ILS by the constituents. This is above all due to the deficiencies in the application of standards as seen by the supervisory mechanism. ILO country representatives may be in a difficult position because of the way the supervisory bodies have judged the application of standards in the country for which the field office is responsible for. On one hand, they have to be aware of the identified problems of application. On the other hand, they are bound by the conclusions of the supervisory bodies. But they are often also in a position to best assess the root causes of specific problems and help in remedying them.

238. Political sensitivities linked to ILS do not normally arise prominently with “technical” standards. For the overall situation in the labour market, these standards affect directly the lives of more people than identified violations. A comprehensive action feasible on questions of employment policy, occupational safety and health, labour administration and social security, or

indeed on all sectoral activities. They all have a link to ILS. The industrial accidents in Bangladesh have demonstrated the linkage between occupational safety and health and freedom of association. Such linkages should be made operational at the country programme and project levels.

239. To be effective, integration of ILS has to take place at an earlier stage than when training is carried out so that trainers can explain the logic of ILS for each of the activities. They should focus on the substance of the questions concerned, referring to the reasons why they have been selected for normative action. The other aspects of ILS policy – the processes of reporting and supervision – belong to dedicated ILS courses.

## 5.9. Conclusions

240. There are no silver bullets or mathematical solutions to integrate ILS in training activities. Certain measures can be helpful. This evaluation suggests considering adding to the immediate training assessment a question on the way ILS have been covered. Such a question is meaningful only if the participants are given the means to reply to it. Consequently, the effect of it would be to induce managers to design the course so that the question could be answered. This is comparable to the way in which the cross-cutting issue of gender has been dealt with.

241. Further discussion on the role of ILS and how they should be projected, both within the International Labour Office and the Turin Centre as well as with the constituents, is warranted. Groups 1 and 2 were directly dealing with ILS, and thus the question was not whether they had been integrated or not. The focus was on the way in which the knowledge shared during the training had improved their capacity to use ILS as tools.

242. Training on ILS procedures is particularly successful regarding reporting and what needed to be reported. For those working on the ground, such as maritime inspectors or government representatives dealing with practice, or employers, workers and activists, the training had clarified the nature of standards and their use. However, the evaluation also pointed out to the existence of a gap between the knowledge on standards and their supervisory history on one hand and applying the standards to concrete circumstances on the other hand.

243. This gap manifests itself already at what could be considered to be a supreme level of legal application, when judges hand down decisions on concrete cases. Interviews provided examples of how a better understanding of ILS has helped in determining the causes of a problem. Knowledge of ILS can assist courts in identifying the root cause of an issue, which may have been articulated in an inadequate and non-professional way. The same knowledge can also help in determining that a certain behaviour, including violence, is due to situations in which ILS have been ignored.

244. Those who responded to the questionnaire one-two years after the training they had received both acknowledged an ILS dimension (irrespective of the title or programme of the course) and suggested that more information on ILS would be useful. Most of them recorded both personal improvement in their work and the contribution their training had made to their organization's objectives.

245. The recognition of ILS as a cross-cutting issue invites a comparison with the aim to achieve gender equality. Some lessons can be learned from the way in which gender issues have

been mainstreamed. In the ITCILO, this involved in-depth discussions between the Gender Team of the Office and each of the programmes in Turin. The same approach could be applied to ILS.

246. The immediate post-course evaluations include a question of how the gender aspect has been taken into account. A similar question regarding standards could be included. Experience has shown that in some cases, the assessment of participants on whether gender issues are covered sufficiently may depend more on the prominence given to the item in the programme than on an understanding of the way in which gender issues are important for the topic. But posing a question invariably means that the training needs to give the participants the tools to answer it.

247. The underlying question of the integration of International Labour Standards, or the lack thereof, lies where strategies and operational programmes of the ILO and the ITCILO are defined and set in motion. If at that level there is not sufficient understanding of the element of ILS in each aspect of Decent Work, it is impossible to remedy the situation at the level of programmes and activities. Both ILO officials and ITCILO trainers should be able to explain the normative dimension of each of the training courses.



## **IV. ANNEXES**

**Annex I: Terms of Reference**

**Annex II: List of persons interviewed**



## INTERNATIONAL TRAINING CENTRE OF THE ILO, TURIN

### Evaluation of training and learning activities on the thematic area of “Promoting International Labour Standards”

#### Terms of Reference

#### About the International Training Centre of the ILO

1. The International Training Centre of the International Labour Organization (the Centre) is the training arm of the ILO, the Specialized Agency of the United Nations which promotes social justice and human rights in the world of work. The Centre delivers training, learning and capacity development services to governments, employers' and workers' organizations, and other national and international partners, in support of decent work and sustainable development. Its mission is to be the leading global provider of learning and training for the world of work. Each year, it delivers over 400 training and learning activities for around 15,000 people from over 180 countries. For more information about the Centre refer to [www.itcilo.org](http://www.itcilo.org).

#### Background

2. The Centre's **Results-based Strategic Plan for 2016-17** refers to the importance of the evaluation function and states that excellence in training and learning will be promoted through continuous quality improvement measures, greater use of online surveys, and more systematic independent evaluations. The Strategic Plan commits the Centre to commission each year an external independent evaluation of a cluster of activities linked to one of its thematic areas of expertise. In 2014, the Centre commissioned an evaluation of its academies, followed in 2015 by an evaluation of the Centre's training activities linked to the *promotion of gender equality and diversity*, and in 2016 by an evaluation of the training activities to *strengthen employers' organizations*. For 2017, the Board has requested the Centre to commission an evaluation of the scope of its training activities promote International Labour Standards (ILS). The evaluation is to include both training activities linked directly to the theme of ILS and other training activities of the Centre, acknowledging that ILS cross-cut the ten ILO policy outcomes and are thus relevant for the entire training portfolio of the organization.

#### Purpose of the evaluation

3. The purpose of the evaluation is to:
  - provide the Centre with evidence of the relevance, validity of design, effectiveness, efficiency, impact and sustainability of its training and learning activities related to the theme of ILS;
  - assess which modalities of training, among those offered by the Centre are more effective and efficient for the promotion and implementation of the ILS;
  - extrapolate good practices, lessons learned and recommendations for the improvement or scale-up of the training activities conceived ILS promotion and implementation.

4. The evaluation findings will be used in order to take relevant decisions on the future programming of the Centre with regard to the training for the promotion and implementation of the ILS extrapolate lessons learned and good practices for their improvement and scale-up.

### Scope of the evaluation

5. The evaluation will have a twin focus on firstly the ILS activity cluster of the International Labour Standards, Rights at Work and Gender Equality (ILSGEN) Programme, and secondly the activities of other Technical Programmes of the Centre, in the second case assessing to which extent these activities reference ILS and result in increased awareness about rights at work.
6. Further to the above, the evaluation will cover firstly a sample of up to five training activities of the Centre carried out during the time period May 2015-May 2016 and linked to the area of expertise of *ratifying and applying International Labour Standards (ILS) as a contribution to the achievement of outcome 2 of the global ILO 2017-17 Programme and Budget*. For more information on the cluster of training and learning activities linked to this theme refer to <http://www.itcilo.org/en/areas-of-expertise/international-labour-standards>.
7. The evaluation will furthermore cover a sample of up to ten other training activities of the Centre implemented during the time period May 2015 - May 2016. The activities will be randomly selected among the following types of training:
  - a) other training (not directly linked to the theme of ILS) provided by ILSGEN;
  - b) training provided by other Technical Programmes with the assistance of ILSGEN;
  - c) training provided by the single Technical Programmes without the involvement of ILSGEN.

### Clients of the evaluation

8. The main clients of this evaluation will be:
  - the Board of the Centre;
  - the Training Department of the Centre;
  - the ILSGEN Technical Programme;
  - other Technical Programmes of the Centre.

### Evaluation criteria

9. The evaluation will focus on the relevance of the sampled activities to beneficiary needs (and where applicable the institutional sponsors financially supporting their participation), the validity of the activity design, the activities' efficiency and effectiveness and the impact of the results. Refer overleaf for a list of assessment criteria and corresponding evaluation questions.

Assessment Criteria	Questions to be addressed
<p><i>Relevance and outreach of the activity:</i> Relevance refers to the extent to which the objectives of the activity are consistent with beneficiaries' requirements, and partners' and donors' policies.</p>	<ul style="list-style-type: none"> <li>• How well did the activity operationalize the 2016-17 Strategic Plan of the Centre and the higher level ILO 2016-17 Programme and Budget?</li> </ul>
<p><i>Validity of the activity design:</i> The extent to which the design of the activity was logical and coherent.</p>	<ul style="list-style-type: none"> <li>• Was the result of promotion and application of ILS logical and realistic? How likely was it that the intended results of promotion and application were to be achieved?</li> <li>• Did the end-of-activity evaluation and (where applicable) the follow-up activity evaluation effectively measure results and progress in promotion and application of ILS?</li> </ul>
<p><i>Effectiveness:</i> the extent to which the activities immediate objectives were achieved, taking into account their relative importance.</p>	<ul style="list-style-type: none"> <li>• What results have been achieved/what progress has been made/what change has taken place in relation to the promotion and application of ILS since the implementation of the activities?</li> <li>• Which gaps remain and how could these be addressed through follow-up activities?</li> <li>• To what extent have the activities been an effective instrument to strengthen the institutional capacity of tripartite partners?</li> </ul>
<p><i>Efficiency of use of resources:</i> A measure of how economically resources/inputs (funds, expertise, time, etc.) were converted to results.</p>	<ul style="list-style-type: none"> <li>• Have the resources invested into the delivery of the activities been used in the most efficient manner with a view to promote and apply ILS? How economically were resources and inputs (funds, expertise, time etc.) converted to results? Did the results justify the cost?</li> <li>• What time and cost efficiency measures could have been introduced without impeding the achievement of results?</li> </ul>
<p><i>Effectiveness of management arrangements:</i> The extent to which management capacities and arrangements put in place supported the achievement of results.</p>	<ul style="list-style-type: none"> <li>• Were the roles and responsibilities for promoting ILS of Centre officials, including programme management, who were responsible for the implementation of the activities clearly defined and understood?</li> <li>• Were the current arrangements for implementing the activities effective?</li> <li>• Were the activities coordinated across Technical Programmes?</li> </ul>
<p><i>Impact orientation of the activity:</i> The strategic orientation of the activity towards making a significant contribution to broader, long-term, sustainable development changes, and whether the changes have been durable/were replicated by beneficiaries.</p>	<ul style="list-style-type: none"> <li>• How likely is it that the results of the activities in terms of promotion and application of ILS will be maintained or up-scaled by the participants?</li> <li>• What are the tripartite constituents' and judges' and lawyers', if applicable, perceived benefits from the activities (differentiated by groups)? What evidence exists of constituents and judges and lawyers, if applicable, benefiting from the activities?</li> <li>• What actions might be required for achieving long-term impact?</li> </ul>

## Methodology

10. The details of the methodology will be elaborated by the External Evaluator on the basis of the present Terms of Reference (TORs) and documented in an inception report. It is expected that the Evaluator will apply a combination of quantitative and qualitative evaluation methods that draw on both hard and soft evidence and involve multiple means of analysis. In principle the following methods are proposed:

- **Desk review:** the systematic analysis of existing documentation, including quantitative and descriptive information about the activities, including final reports about their outputs and outcomes, and other evidence.
- **Participants' survey:** responses from participants will be sought to questions designed to obtain in-depth information about their impressions or experiences of the activities. A sample of at least 150 women and men from the participant population will be extracted based on information available in the Centre's "Management of Activities and Participants" database (MAP). The questionnaires will be administered by way of an online survey on the basis of a pre-written and pre-coded questionnaire.
- In-depth and **face-to-face interviews** with the Programme Manager, Activity Managers and Programme Assistants in charge of the training activities in the sample, as well as Centre staff from other training programmes who contributed to, and/or participated in, the selected activities.
- In-depth **interviews via telephone or skype** with at least three institutional clients who sponsored participants linked to technical cooperation projects, to explore tangible and non-tangible changes resulting from the activities.
- A **focus group discussion** (in the field or through webinar) with at least one group of former participants (preferably linked to a technical cooperation project having sponsored the activity as part of a multi-step capacity building effort) to explore tangible and non-tangible changes resulting from the activities.
- **Three case studies of participants** met during the focus group discussion, documenting the changes resulting from the activities.

## Deliverables

11. The main deliverable of the assignment is an evaluation report, with statistical annexes and three case studies documenting good practice in attachment. Refer below for a draft timetable of activities

<b>Deliverables</b>	<b>By</b>
Short inception report. The inception report should describe the conceptual framework planned for undertaking the evaluation, including the evaluation questions.	April 2017
Scoping mission to the Centre by the selected consultant in order to carry out desk research on training activities, convene face-to-face interviews with staff from the ILSGEN Programme and other staff, and collect data from MAP.	April 2017
Interviews with key informants via skype/telephone.	May 2017
Online survey issued to selected participants.	May 2017
Field visit or webinar with focus group discussion.	May 2017
Draft evaluation report.	June 2017
<b>Final evaluation report</b>	<b>July 2017</b>

12. The Evaluation Report will be structured as follows:

#### **Cover page with key intervention and evaluation data**

1. Executive Summary
2. Brief background on the project and its logic
3. Purpose, scope and clients of evaluation
4. Methodology
5. Review of implementation
6. Presentation of findings regarding project performance, organized by evaluation criteria
7. Conclusions
8. Recommendations
9. Lessons learned and good practices

#### **Annexes**

TOR, questionnaires, list of informant, statistical annexes and at least five case studies documenting good practices

All the above-mentioned outputs will be delivered in English.

#### **Management and responsibilities**

13. The Evaluator will report to the Director of Training of the Centre. The evaluation will be carried out with the logistical and administrative support of a Monitoring & Evaluation focal point determined by the Director of Training.

#### **Quality assurance**

14. The Evaluator will be required to ensure the quality of data (validity, reliability, consistency and accuracy) throughout the analytical and reporting phases. It is expected that the

report shall be written in an evidence-based manner such that all observations, conclusions, recommendations, etc., are supported by evidence and analysis.

## Qualifications of the Evaluator

15. The Evaluator will have the following competencies:

- knowledge of the ILO's and the Centre's role and mandate, ILS, tripartite structure and policies;
- demonstrated experience in the design and implementation of institutional capacity-building interventions in general, and training interventions in particular, that focus on international labour standards;
- demonstrated experience in results-based management;
- experience in the evaluation function of national and international organizations;
- ability to write concisely in English;
- no relevant bias related to the ILO or the Centre, or conflict of interest that would interfere with the independence of the evaluation.

## Selection of the Evaluator

16. The Evaluator will be selected through a "call for proposals" in which candidates will be requested to provide a financial and technical proposal on how to undertake the evaluation based on the present TORs.

17. The selection committee will adopt the following criteria for the final selection of the Evaluator:

- skills and experiences of the Evaluator;
- quality of the proposal in terms of pertinence, clarity, feasibility and costs. From the financial point of view the proposal may be comprised between 15,000 and 20,000 Euros, including all the cost of the evaluation (travel costs, board and lodging, fees and other expenses).

## List of persons interviewed

### Participants in ITCILO training courses

Ms. Nino Bakakuri,	Georgia (resource person in Minsk 2017)
Ms. Andreea Francioni	(Lawyer, Argentina)
Mr. Reginald Frection	(Researcher, USA)
Mr. Atish Kumar	(Ministry of Labour, Fiji)
Mr. Luis Claudino de Oliveira	(Ministry of Labour, Portugal)
Ms. Kolotiya Popaofehi Fotu	(Ministry of Labour, Tonga)
Ms. Helen Sonja Uiese Rimoni	(Ministry of Labour, Samoa)
Mr. Zakaria Shevelidze	(Georgia)

### BusinessEurope

Mr. Guillermo Cravero

### International Organization of Employers

Ms. Maria Anzorreguy

### International Trade Union Confederation

Mr. Stephen Benedict

Ms. Esther Busser

### ILO

#### International Labour Standards Department (NORMES)

Mr. Xavier Beaudonnet  
Ms. Karen Curtis  
Mr. Jordi Agusti-Panareda  
Ms. Deepa Rishikesh  
Ms. Katerina Tsotroudi  
Ms. Beatriz Vacotto  
Ms. Corinne Vargha  
Ms. Oksana Wolfson

#### Fundamental Principles and Rights at Work Branch (FUNDAMENTALS)

Ms. Beate Andrees  
Ms. Aurelie Hauchère Vuong  
Ms. Snezhi Bedalli

#### Bureau for Employers' Activities (ACT/EMP)

Mr. Christian Hess  
Ms. Sanchir Tugschimeg

#### Bureau for Workers' Activities (ACTRAV)

Ms. Maria Helena André  
Mr. Ariel Castro  
Ms. Claire La Hovary

## Other ILO officials

Mr. André Bogui	Strategic Programming and Management Department (PROGRAM)
Ms. Sukti Dasgupta	Employment and Labour Branch (EMPLAB)
Mr. Tim De Meyer	ILO Country Office for China and Mongolia (CO-Beijing)
Ms. Audrey Esposito	Office of the Director-General (CABINET)
Mr. Tilmann Geckeler	Office of the Legal Adviser (JUR)
Ms. Susan Hayter	Inclusive Labour Markets, Labour Relations and Working Conditions Branch (INWORK)
Ms. Dorothea Hoehtker	Research Department (RESEARCH)
Ms. Nune Hovhannisyán	ILO National Coordinator for Armenia (NC-Yerevan)
Mr. Akira Isawa	Sectoral Policies Department (SECTOR)
Ms. Shauna Olney	Gender, Equality and Diversity Branch (GED)
Ms. Suzanne Dee Pedersen	Talent Management Branch (HR/TALENT)
Ms. Piyamal Pichaiwongse	ILO Deputy Liaison Officer for Myanmar (ILO-Yangon)
Mr. Vinicius Pinheiro	ILO Office for the United Nations (ILO-New York)
Mr. Peter Rademaker	Partnerships and Field Support Department (PARDEV)
Ms. Jeanne Schmitt	ILO DWT for Eastern and Southern Africa and ILO Country Office for South Africa, Botswana, Lesotho, Namibia and Swaziland (DWT/CO-Pretoria)
Mr. Ritash Sarna	Department of Statistics (STATISTICS)
Ms. Karen Naets-Sekiguchi	Department of Communication and Public Information (DCOMM)
Mr. Guy Thijs	Evaluation Office (EVAL)
Mr. Greg Vines	Deputy Director-General for Management and Reform (DDG/MR)
Mr. Vic van Vuuren	Enterprises Department (ENTERPRISES)

## ITCILO, Turin

Mr. Yanguo Liu	Director
Mr. Giuseppe Casale	Deputy Director
Mr. Andreas Klemmer	Director of Training
Mr. Alessandro Chiarabini	Manager, International Labour Standards, Rights at Work and Gender Equality Programme (ILSGEN)
Mr. Thierry Marchandise	Senior Programme Officer, ILSGEN
Ms. Benedetta Magri	Senior Programme Officer, ILSGEN
Ms. Giselle Mitton	Senior Programme Officer, ILSGEN
Ms. Tzehainesh Teklè	Senior Programme Officer, ILSGEN (currently University of Florence)
Ms. Maura Miraglio	Programme Officer, ILSGEN
Ms. Olena Vazhynska	Junior Programme Officer, ILSGEN
Mr. Samuel Asfaha	Manager, Employment Policy and Analysis Programme (EPAP)
Mr. Martin Gasser	Programme Officer, Enterprise, Microfinance and Local Development Programme (EMLD)
Ms. Luisa Guimarães	Manager, Social Protection, Governance and Tripartism Programme (SPGT)
Mr. Henry Cunningham	Manager, Workers' Activities Programme (ACTRAV)
Mr. Jorge Illingworth	Manager, Employers' Activities Programme (ACT/EMP)
Mr. Paolo Salvai	Programme Officer, ACT/EMP
Mr. Guillame Mercier	Senior Programme Officer, Sustainable Development Programme (SDP)
Ms. Jeannette Shalabi	Chief, Chief, Partnerships and Programme Development Service (PRODEV)
Mr. Tom Wambeke	Manager, Distance Education and Learning Technology Applications Programme (DELTA)
Ms. Monica Lisa	Programme Officer, DELTA
Mr. Alessandro Patrone	Evaluation Officer
Ms. Tiziana Cravero	Quality Assurance