

Terms of Reference

Baseline Survey for Trade, Labour and Fundamental Principles and Rights at Work in South-East Asia Project.

**Trade, Labour and Fundamental Principles and Rights at Work
in South-East Asia Project**

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I. Background and purpose

The "Trade, Labour and FPRW in Southeast Asia" project is a five-year initiative (March 2024 – February 2029) funded by Employment and Social Development Canada (ESDC) and implemented by the International Labour Organization (ILO). With a budget of CAD 6.99 million, the project aims to enhance the integration of and compliance with ILO fundamental conventions in Southeast Asian trade sectors, particularly in countries involved in free trade agreements (FTAs)

The project seeks to strengthen the promotion and enforcement of labour compliance with international labour standards, including Fundamental Principles and Rights at Work (FPRW), particularly in export sectors. The initiative aligns with the Decent Work Agenda for ILO Asia and the Pacific region, Canada's Indo-Pacific strategy, and ASEAN initiatives to promote sustainable and inclusive growth through improved labour compliance mechanisms.

Project Objectives:

1. To improve enforcement and compliance with labour provisions under current and future FTAs between Southeast Asia and Canada.
2. To foster Freedom of Association and Collective Bargaining (FOA/CB), irrespective of a convention's ratification status.
3. To promote gender equality and inclusion within labour frameworks.

Project Outcomes¹:

1. **Strengthened capacity** of key stakeholders in Southeast Asia to uphold labour compliance with international labour standards, including FPRW.
2. **Enhanced tripartite dialogue** and consensus on labour rights compliance and the enforcement of FPRW in Southeast Asia.
3. **Improved knowledge and awareness** among stakeholders for informed action towards FPRW.
4. **Strengthened implementation** of FPRW in ongoing Southeast Asian initiatives.

¹ Relevant outputs and results framework will be provided after the contract is signed

The Baseline review and report (hereafter referred to as 'Baseline') will provide crucial data to inform project indicators, allow for measurement of progress, and enable adaptive, informed management and a basis for comparison over the project's life.

II. Scope of Work:

The objective of the Baseline is to establish a clear reference point for tracking project progress, providing up-to-date information, and measuring achievements against the set outcomes and outputs. It will also collect a base line which would be used to understand changes in the situation in future. Additionally, the survey will support the review of lessons learned and transferable practices from similar regional initiatives in Southeast Asia. The baseline survey will:

- **Describe the current situation** of labour compliance and relevant initiatives, including related to FPRW, key stakeholder perspectives, and tripartite dialogue in trade sectors before the project intervention. This description will be fully informed by a consideration of barriers, issues, and opportunities related to the effects of gender and social variables as they relate to labour compliance and to FPRW.
- **Ensure data availability** to enable regular tracking and reporting of project progress through its M&E framework.
- **Provide a basis for comparison** by identifying gaps and setting realistic targets for improvement of project interventions.

III. Detailed Tasks:

The consultant will conduct the baseline research at both ASEAN regional level and in selected ASEAN countries, with a focus on trade-oriented sectors, particularly those engaged in FTAs. This assignment is to be conducted remotely (online). The scope of work includes:

1. Baseline Methodology and Framework Development

Develop a clear, justified methodology to ensure the collected data supports and informs the project's objectives and outcomes, including:

- Guiding research questions, key indicators, stakeholders, key themes and countries to be covered;
- Desk review guide;
Survey tools based on desk reviews;
- Stakeholders interview and focus group discussion schedule;

- Articulation of how the proposed methodology will deliver GEDSI-responsive findings and recommendations beyond disaggregating data., and focus group discussions to ensure the collected data aligns with the project's objectives and outcomes.

2. Desk Review

Review of relevant literature, project and M&E documents, labour reports, exiting initiatives, and legal frameworks related to international labour standards compliance (FPRW focus) and trade agreements in Southeast Asia.

3. Data Collection

Engage key stakeholders, including government agencies, employers' and workers' organizations, trade unions, policy makers, regional bodies such as the ASEAN Secretariat, and ILO staff. Conduct interviews (the ILO will provide the list) and focus group discussions to capture qualitative insights on their challenges, ideas, and suggestions for improving labour compliance in trade sectors. Additionally, collect any quantitative data to support project progress tracking.

5. Analysis and Reporting

- Analyze collected data to establish baseline values for key project indicators.
- Group and analyze the data into clear themes, Identifying key gaps, transferable practices, and opportunities for project's interventions.
- Prepare a comprehensive baseline report, including
 - i. the current situation of labour compliance and FPRW in trade sectors,
 - ii. Stakeholder perspectives and lessons learned from existing initiatives.

6. Validation and finalisation. Facilitate an online stakeholders' consultation webinar² to share the draft findings with stakeholders for their feedback. Revise the report based on their input to ensure accuracy.

IV. Methodology

The consultant is expected to use a mixed-methods approach combining both qualitative and quantitative research techniques, including:

- **Primary Data Collection:**

ILO will responsible for logistic work and covering relevant funding for this online webinar

- Semi-structured **Key Informant interviews (KIIs)** with key stakeholders.
- **Written Surveys** with representatives from governments, employers, and workers' organizations.
- **Focus group discussions (FGDs)** with sectoral representatives.
- **Secondary Data Collection:**
 - **Desk Review** of reports and statistical data from ILO, ASEAN, and national labour ministries and relevant existing initiatives
 - Analysis of trade-related labour data available through existing FTA frameworks.
- **Quantitative Analysis:** Use data from Primary and Secondary Data Collection to establish baseline values for key project indicators.
- **Qualitative Analysis:** Use thematic coding to analyse data from KIIs and FGDs, synthesizing findings into key themes like enforcement challenges, existing initiatives, opportunities, tripartite dialogue effectiveness, gender inclusive, etc.
- **Comparative Analysis:** Contextualize findings by incorporating lessons learned from existing initiatives and identifying transferable practices.

The methodology should ensure inclusivity, gender sensitivity, and a participatory approach.

V. Expected Deliverables:

The consultant is expected to provide the following deliverables:

1. **Inception Report - A concise and engaging presentation summarizing the approach, methodology, and key considerations**
 - a. Baseline Framework (workplan detailing the approach, methodology, data collection tools, etc).
 - b. A list of key stakeholders to engage.
 - c. Indicative Baseline report outline
2. **Draft Baseline Report**
 - a. Initial findings
 - b. Recommendations for enhancing project interventions and the baseline and data component in M&E reporting mechanisms.
3. **Presentation of Findings**
 - Facilitate a virtual stakeholders' consultation workshop and make Presentation of the draft baseline report to key stakeholders for validation and feedback³.
4. **Final Baseline Report**

³ The ILO will cover costs and logistics for this online workshop.

- Comprehensive report with findings, recommendations, and annexed data-- well-structured and reader-friendly

VI. Timeline

The consultancy will cover a total of **15 working days**. The contract will tentatively start on **4 April 2025** and will finish on **15 May 2025**, with the following proposed:

Deliverables	Working Days	Expected completion date
Inception Report	2 days	10 April 2025
Data Collection and Analysis	8 days	30 April 2025
Draft Report	2 days	3 May 2025
A virtual Validation Workshop and Final Report	3 days	15 May 2025
Total working days	15 days	

VII. Reporting arrangements

The consultant will report to the Project Manager against the expected deliverables as indicated in the ToRs. He/she will work in close relationship with M&E/Communications Officer.

VIII. Detailed qualifications, experience and skills required

The consultant should possess the following qualifications:

- Advanced degree in Labour Studies, Economics, Social Sciences, or related fields.
- At least seven years of experience in M&E, baseline surveys, or research related to labour rights compliance, trade-related projects, and international labour standards.
- Proven experience in Monitoring and Evaluation and conducting baseline studies, evaluations, and data analysis in Southeast Asia.
- Demonstrable understanding of FPRW, trade policies, the ASEAN regional context and the GEDSI dimensions of labour market compliance (with a focus in FPRW) in Southeast Asia.
- Demonstrable prior experience delivering GEDSI-responsive analysis
- Excellent report writing and presentation skills.

VX. Payment Terms

The consultancy fee shall be paid in a single instalment upon the satisfactory completion and acceptance of all deliverables.

X. Submission

Interested consultants are invited to submit the following documents by **30 March 2025, Bangkok Time**, to **TradeLabourFPRW@ilo.org**:

- A technical proposal outlining the approach to the project Baseline Survey, as well as proposed activities and duration in a work plan.
- A financial proposal regarding consultancy fees.
- CV and Cover letter that highlighting relevant experience.

Proposals will be assessed based on the following criteria:

- Understanding of the assignment and proposed methodology.
- Relevant experience and qualifications.
- Cost-effectiveness of the financial proposal.

The total amount for this consultancy to be determined after competitive bidding. Each applicant should apply individually. Applications submitted after the deadline will not be accepted. Only selected applicants will be contacted for an interview.

XI. Annex

ILO Resources and Publications:

- **ILO Declaration on Fundamental Principles and Rights at Work**
<https://www.ilo.org/declaration/lang--en/index.htm>
- **Global Estimates of Modern Slavery and Child Labour**
<https://www.ilo.org/global/topics/forced-labour/statistics/lang--en/index.htm>
- **ILO Conventions and Recommendations**
<https://www.ilo.org/global/standards/lang--en/index.htm>
- **Application of International Labour Standards**
<https://www.ilo.org/global/standards/applying-and-promoting-international-labour-standards/lang--en/index.htm>

- **Decent Work Indicators Guidelines**
https://www.ilo.org/integration/resources/pubs/WCMS_229374/lang--en/index.htm
- **Handbook on Assessment of Labour Provisions in Trade Agreements**
https://www.ilo.org/global/publications/books/WCMS_564702/lang--en/index.htm
- **Labour Provisions in Trade Agreements Hub**
<https://www.ilo.org/LPhub>
- **ILO Guidelines for Evaluation (PDF)**
https://www.ilo.org/wcmsp5/groups/public/---ed_mas/---eval/documents/publication/wcms_165972.pdf
- **ILO EVAL Discovery Platform (Evaluations, Lessons Learned, Good Practices, Recommendations)**
<https://webapps.ilo.org/ievaldiscovery/#b5b9for>