UNDP B+HR Asia

FINAL EVALUATION REPORT

"Business and Human Rights
in Asia: Promoting Sustainable
Business through Regional
Partnerships (B+HR Asia)"

B+HR°
BUSINESS AND HUMAN RIGHTS | ASIA

UNDP

Sweden
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Final Evaluation of "Business and Human Rights in Asia: Promoting Sustainable Business through Regional Partnerships (B+HR Asia)"

With support from the Government of Sweden

May 2023 – August 2023

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Commissioned by UNDP Asia-Pacific

UNDP Project and Evaluation Information

Project Information	
Project title	Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia)
Atlas ID	00110712
Corporate outcome and output	UNDP Regional Programme Outcome 2: Accelerate structural transformations for sustainable development
Country	Regional with country level support to Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand, and Vietnam
Region	Asia Pacific
Date project document signed	9 Aug 2018

Project dates	Start	Planned end
	9 August 2018	31 December 2023

Total committed budget	SEK 63,500,000 or around USD 6,073,126
Project expenditure as at time of evaluation – 26.08.2023	USD 5,37,612
Funding source	The Swedish International Development Cooperation Agency (Sida)
Implementing party	UNDP Asia-Pacific

Evaluation information		
Evaluation type (project/ outcome/thematic/country programme, etc.)	Project	
Final/midterm review/ other	Final	
Period under evaluation	Start	End
	August 2018	June 2023
Evaluators	Dr Patrick Hagan	
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Evaluation dates	Start	Completion
	May 2023	August 2023

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List of Acronyms

AICHR	ASEAN Intergovernmental Commission on Human Rights
ASEAN	The Association of Southeast Asian Nations
AWP	Annual Work Plan
BHR	Business and Human Rights
B+HR Asia (Sida)	Business and Human Rights in Asia: Promoting Sustainable Business through Regional Partnerships (Sida-funded)
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CPTPP	The Comprehensive and Progressive Agreement for Trans-Pacific Partnership
CO	UNDP Country Office
CS3D	EU Corporate Sustainability Due Diligence Directive
CSO	Civil Society Organizations
ESG	Environmental, Social and Governance
EU	European Union
EVFTA	EU-Viet Nam Free Trade Agreement
IEO	Independent Evaluation Office
ILO	International Labour Organization
IOM	International Organisation for Migration
LDC	Least Developed Countries
MNE Declaration	Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy
MTE	Mid-Term Evaluation
NAP	National Action Plan
NHRIs	National Human Rights Institutions
OECD – DAC	The Development Assistance Council of the Organisation for Economic Co-operation and Development
OHCHR	Office of the High Commissioner for Human Rights
RBHR	United Nations Regional Business and Human Rights Forum
RH	UNDP Regional Hub
RPD	Regional Programme Document
Sida	Swedish International Development Cooperation Agency
ToC	Theory of Change
ToR	Terms of Reference
UN	United Nations
UNDP	United Nations Development Programme
UNEG	United Nations Evaluation Group
UNFCCC	UN Framework Convention on Climate Change
UNGPs	United Nations Guiding Principles on Business and Human Rights
UPR	Universal Periodic Review

Executive Summary

This report is the **final evaluation** of the United Nations Development Programme's (UNDP) Business and Human Rights in Asia: **Promoting Responsible Business Practices through Regional Partnerships Project (B+HR Asia [Sida]).** The Project ran from August 2018 through to July 2023, with an extension until December 2023, and was funded by the Government of Sweden. The final evaluation was conducted May-August 2023.

The **purpose of the final evaluation** was to **assess progress made since the Mid-Term Evaluation** (MTE) and **provide UNDP and its partners with the lessons learned, the results achieved, and the areas for improvement** to guide decision making regarding any future programming on business and human rights (BHR) in Asia. The primary audience for this report is the Project staff and the donor, but important audiences include UNDP's other B+HR projects along with this Project's government, civil society and business partners.

The **evaluation used a mixed methods approach** to assess the criteria set out in the evaluation Terms of Reference (ToR). It was a learning and utility focused evaluation that analysed the project documentation, assessed the 2023 United Nations Responsible Business and Human Rights Forum (RBHR Forum) in Bangkok, and **interviewed a total of 133 key informants** (69 women and 64 men). These stakeholders included representatives of governments, civil society, business, national human rights institutions (NHRIs), UNDP and other United Nations (UN) organisations. It also included country case studies in Bangladesh and Viet Nam, conducted by national evaluators.

The evaluation team conclude that the **B+HR Asia (Sida) Project has been highly successful** and has **become a core element of the development of momentum on the United Nations Guiding Principles (UNGP) on BHR in the Asia** region as was intended. Project activities have contributed significantly to **regional dialogue and the effective sharing of knowledge**. The Project has adopted a **consultative** and **partnership-driven approach** that has contributed to **strong stakeholder engagement and effective outcomes**. It has **demonstrated the effectiveness and efficiency of the regional approach** that was adopted, and in doing so validated several of the core mechanisms that were proposed in the Project's Theory of Change (ToC). However, the **Project has supported many activities**, and this has at times **interfered with its ability to respond rapidly, and to engage with opportunities as they occur**. The Project also needs to do more to ensure its ongoing relevance for all stakeholders, and especially business.

The impact of the Project in building awareness and sharing knowledge means that it **can now pivot to address outstanding issues of implementation of the UNGPs, leveraging its regional position to support improvements by utilising South-South knowledge sharing and influence**. This will require a more focused approach in some areas, and consistent linkages between regional events and country progress. The Project will **need to continue to focus on the needs of the vulnerable groups,** for example, **women** and **Indigenous communities**, while **strengthening its engagement and understanding of the business community**, which will be a critical stakeholder for effective implementation.

This **evaluation provides a set of 19 findings, nine conclusions, and nine recommendations to guide UNDP and its partners**. A summary of the findings and recommendations is provided below, along with the overall ratings of the Project against the key evaluation criteria.

Findings

Relevance

Finding 1: The B+HR Asia (Sida) Project has been **instrumental in shaping the business and human rights (BHR) agenda in the region** and influencing national development priorities. The **Project is a globally influential example of how the BHR agenda can be developed and implemented**. As such, it **remains highly relevant at both national and regional levels** playing a significant advocacy role on progressively increasing the number of National Action Plans (NAPs) in the region. Despite this success, adjustments are needed to ensure that the Project is not spread too thinly given the increased demand and interest in BHR in the region.

Finding 2: The B+HR Asia (Sida) Project has been **implemented in a flexible and adaptive way**, and, as a result of this strong adaptive approach, has been able to navigate the massive disruption of the COVID-19 pandemic while continuing to deliver on its core mandate to support the BHR agenda in Asia. It has also been **proactive in seeking to leverage political opportunities** when they occur to build government commitments to BHR.

Impact

Finding 3: The **B+HR Asia (Sida) Project has been fundamental to** building momentum on **the BHR agenda** in Asia. While the development of BHR in Asia remains at a relatively early stage, the **level of awareness of BHR issues has grown enormously** over the last five years, with the **Project being identified as central to this impact**.

Finding 4: The **B+HR Asia (Sida) Project has achieved much** and is on track to support more than the impacts envisaged in the project document, including in terms of the extent of awareness raising and policy development. However, the nature of the problem in the region has **moved from awareness to effectiveness of implementation of BHR principles**, and the B+HR Asia (Sida) Project must adapt further to remain relevant. The evaluation assesses that the **regional approach will remain critical to the success of the BHR agenda**, but that key events such as the **regional[1] and sub-regional forums[2] will need to be planned and implemented in a way that more clearly links content with country or thematic level implementation**.

Effectiveness

Finding 5: The B+HR Asia (Sida) Project has made **significant achievements in supporting the development of regional awareness of BHR and reinforcing networks of knowledge sharing and partnership** through the regional UN Responsible Business and Human Rights Forum (RBHR Forum)[3] and sub-regional UN South Asia Forum on Business and Human Rights (South-Asia Forum).[4] It has effectively supported the translation of that awareness into national commitments through its efforts to support and enable the inclusive development of NAPs.

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[1] The UN Responsible Business and Human Rights Forum is an annual regional event convening stakeholders from (and working in) Asia and the Pacific. The B+HR Asia (Sida) Project has served as Secretariat for the RBHR Forum since its inception. Co-organizers have included ILO, IOM, UNICEF, ESCAP, UN Women, UNEP, OHCHR, and UNWG.
[2] The UN South Asia Forum on Business and Human Rights is a regular sub-regional event convening stakeholders from (and working in) South Asia. The B+HR Asia (Sida) Project has served as Secretariat for the South Asia Forum since its inception. Co-organizers have included the ILO), IOM, OHCHR, and UNWG
[3] See the UN Responsible Business and Human Rights Forum website: https://www.rbhrforum.com/
[4] See the UN South Asia Forum website: https://www.safbhr.com/

Finding 6: The B+HR Asia (Sida) Project has notable achievements against all outputs of the original project document; however, through the process of implementation it has become clear that there were a number of **limitations to the original concept**, particularly in the context of the link between the regional approach and implementation on the ground. These will need to be addressed to facilitate positive BHR outcomes in the future.

Finding 7: The **B+HR Asia (Sida) Project has been highly consultative and developed deep partnerships with the full range of stakeholders, including the UN agencies and other key actors in the BHR space.** Since the MTE, the Project has included significant improvements in its coordination of efforts with the B+HR Asia (EU) Project. **Maintaining effective stakeholder engagement with a system of this complexity is a very difficult task, and the Project has done well to succeed up to this point.** The goal for the Project going forward is to strengthen the involvement of business in the BHR agenda, create more facilitated spaces for stakeholder interactions, and maintain the UN system investment to further expand ownership and joint implementation of activities, beyond co-organizing the forums.

Finding 8: The B+HR Asia (Sida) Project has **supported too many activities** as it attempted to engage effectively with the full range of stakeholders, and this has, at times **resulted in delays in communication or missed opportunities.**

Finding 9: The B+HR Asia (Sida) Project has been **highly successful in progressing towards the aim of building the BHR agenda in Asia.** However, **significant improvements in policy and knowledge have not yet translated into measured improvements in the quality of BHR experienced by rights holders** at country levels. A key aspect for the Project to manage going forward is to consider how national-level monitoring of BHR implementation can be measured such that improvements can be identified and adaptions to approaches can be data driven.

Finding 10: The B+HR Asia (Sida) Project has built effective relationships with UNDP Country Offices, especially with Bangladesh and Viet Nam, and based its interventions on clear indications of national interest in engagement. The adoption of this approach seems to have resulted in no significant noted conflict between the Project and CO priorities, nor impacted on the effectiveness of project efforts.

Efficiency

Finding 11: The B+HR Asia (Sida) Project has demonstrably **used an efficient process leveraging partnerships and South-South learning and influence** to deliver project outputs and support regional outcomes. The success of the Project has resulted in an observable increase in expectations on the Project, consistent with the concept of the original project document. To sustain momentum, the Project will need to adapt to maintain and improve the efficiency of its approach.

Finding 12: The B+HR Asia (Sida) Project has adopted a **strong, partnership-focused approach to engagement within UNDP and with the partners** involved in addressing BHR issues in the region. This partnership focus is effortful to maintain, as coordination between UN actors remains more difficult in practice than it should be due to a diversity of organisational priorities, systems and approaches. Despite this cost, the investment the **Project has made into its partnerships has been a significant success and has contributed to the positive regional perceptions of the overall UN role in supporting the BHR agenda**.

Finding 13: The **validity of the regional approach has been established** by the success of the B+HR Asia (Sida) Project. Such an approach integrates South-South learning as a core mechanism of change and reflects the regional and international nature of the BHR issues that

countries must address to make progress on the implementation of effective human rights approaches to business.

Sustainability

Finding 14: The B+HR Asia (Sida) Project has supported sustainable gains in regional awareness of the BHR agenda. This change will be persistent in the extent to which the region is engaged with BHR issues. Any future project on BHR will need to maintain its support to regional forums due to the unique advantages that the UN has in bringing the full range of stakeholders together and facilitating the spread of knowledge across the region.

Finding 15: The B+HR Asia (Sida) Project has a **defined pathway to support national partners in maintaining initiatives beyond the Project** by enabling UNDP Country Offices (COs) to effectively implement longer-term, country-level support.

Finding 16: The B+HR Asia (Sida) Project has **integrated lesson-learning approaches into its reporting and activities**, which is ideal for a Project devoted to a new field in a region with little experience at the start of implementation.

Finding 17: The B+HR Asia (Sida) Project has **supported significant improvements in awareness and engagement with the BHR agenda** and has a **process to transition regional support to CO-level managed long-term, country-specific projects**. Progress on BHR is at a relatively early stage of development in Asia and it is too early to consider exit strategies in detail when the regional role of UNDP will remain critical for the foreseeable future if more countries are to invest effectively in BHR improvements.

Human Rights, Gender Equality, and Social Inclusion

Finding 18: The B+HR Asia (Sida) Project has been an **effective champion for the importance of gender as an issue in BHR and has integrated gender-sensitive approaches** into all aspects of the Project's work. Gender will remain an important topic for the BHR agenda in the Asia region for the foreseeable future.

Finding 19: The B+HR Asia (Sida) Project has done **much to keep marginalised and Indigenous groups included as key stakeholders**, but the country context remains difficult for many such stakeholders. There is significant frustration with the extent to which awareness and policy action on the BHR agenda is translated into tangible improvements for these communities.

Recommendations

The recommendations that follow are aimed at building on the success and lessons from this Project to inform future UNDP programming on BHR are as follows:

Recommendation 1 (Relevance and Impact): The B+HR Asia (Sida) Project has helped to shape and respond to the strong demand on BHR in the region, and any future programming should continue to reinforce the BHR regional and sub-regional forums, which have been critical to the effectiveness of the Project.

Recommendation 2 (Impact, Effectiveness and Efficiency): Any future programming on BHR should reduce the number of issues it focuses on in order to work consistently on those issues and support greater implementation of changes in how BHR is done at the country level. Indeed, the Project should continue assessing its complementarity with other UNDP B+HR Projects, including those funded by the EU and Japan, and prioritize interventions in certain countries and on certain teams based on those complementarities.

Recommendation 3 (Impact and Effectiveness): Any future programming on BHR should continue to engage with countries that seek its support to expand the influence of the BHR agenda. This will need to occur in conjunction with careful management of its workload and a deliberate effort to transition ongoing country support to CO management.

Recommendation 4 (Effectiveness, Efficiency and Sustainability): The role of any future regional project on BHR in supporting capacity development should be focused on two pathways: supporting regional development of standards and tools and supporting effective initial country engagement in the BHR agenda. It should not attempt to support direct capacity development at the national level beyond initial development aimed at enabling effective national CO projects.

Recommendation 5 (Impact and Effectiveness): Any future programming on BHR should strengthen investment into understanding and supporting effective business engagement with BHR (currently Output 5).

Recommendation 6 (Human Rights, Gender Equality and Social Inclusion): Any future projects and programming on BHR should maintain the current level of investment into supporting marginalised communities and communities negatively impacted by business practices. The Project is limited in what it can directly achieve for these groups, and it is as important to ensure continued involvement of the other stakeholders.

Recommendation 7 (Effectiveness): Future projects and programming on BHR should continue to invest in its UN system relationships and be mindful of the capacity limits of its partners.

Recommendation 8 (Effectiveness): Future regional projects and programming on BHR should invest into the conceptualisation and testing of monitoring approaches that would allow detection of progress in the implementation of key BHR concepts, notably changes in workers' rights and conditions, the effectiveness of access to remedy systems, and the experiences of women, youth and Indigenous communities.

Evaluation Criteria Ratings

In terms of the overall ratings against the evaluation criteria, the B+HR Asia (Sida) Project has received high scores. Individual criteria ratings are out of 4, and the overall rating is the sum of the individual ratings.

Relevance: 4 (Highly satisfactory)

The Project is highly relevant to regional improvements in BHR and has used an adaptive approach through implementation to maintain its relevance. The Project is aligned with and influencing national development policies and is relevant to the current UNDP Regional Programme Document (RPD).

Impact: 4 (Highly satisfactory)

The Project has made a significant impact on the awareness and development of momentum across the region on the BHR agenda.

Effectiveness: 3 (Satisfactory)

The Project has been highly effective in supporting the development of regional dialogue on BHR and in using regional mechanisms to improve BHR policy development. National-level improvements in the implementation of the UNGP's are at an early stage of development.

Efficiency: 4 (Highly satisfactory)

The regional approach has been an efficient method of supporting regional- and national-level effects. The Project has adopted a strong partnership model which is the most efficient approach for the issues. The extent of alignment with other UNDP BHR projects has improved.

Sustainability: 3 (Satisfactory)

The Project has supported the sustainable improvement in BHR awareness that was intended. It is too early to tell if the momentum generated will result in sustainable improvements to the implementation of the UNGPs in the region.

Human Rights, Gender Equality, and Social Inclusion: 4 (Highly satisfactory)

The Project has prioritised supporting the needs of vulnerable groups, has supported Indigenous communities, and has consistently supported gender equality in its actions and efforts.

Overall: 22/24

The Project has been highly successful, well-conceived and managed, and has had significant influence on the regional dynamics around BHR.

Introduction

This evaluation is an external final evaluation of UNDP's Business and Human Rights in Asia: Promoting Responsible Business Practice through Regional Partnerships (referred to as B+HR Asia (Sida) in this document) project (1 August 2018 – 31 December 2023). The Project was due to end in July 2023, but it received a costed extension to end on 31 December 2023. The evaluation was commissioned by the project and covers the period August 2018 – June 2023. This is the initial implementation of the B+HR Asia (Sida) Project, it was funded by the Swedish International Development Cooperation Agency (Sida), and it had a total budget of SEK 63,500,000 (approx. US $6,000,000).

The B+HR Asia (Sida) Project is one of several UNDP projects working to improve BHR in Asia[5]. The other two projects that are relevant to BHR in Asia and the Pacific are the regional B+HR Asia Project funded by the European Union[6] (referred to as the EU-funded project in this document) and the global B+HR Project funded by the Government of Japan[7] (referred to as the Japan-funded project in this document).

The B+HR Asia (Sida) Project underwent a Mid-Term Evaluation (MTE) in 2021, the recommendations from which have been incorporated in the Annual Work Plans (AWP) of 2022 and 2023. The purpose of conducting a final evaluation at this time is to:

1. Assess the progress made after the MTE and integration of recommendations in subsequent workplans;
2. Inform the UNDP B+HR Asia (Sida) team and its partners of lessons learned, results achieved and improvement areas.

This information will guide decision making regarding any future programming, including a potential further phase of the Project. Evaluations are also fundamentally a good practice in implementation of development projects that support and enable cycles of learning and adaption.

There are **several audiences for this report**. The primary one is the **project staff and donor**, to guide decision making and planning for potential future programming on BHR in Asia. Further audiences include UNDP's other B+HR projects, as the Asia region is leading implementation of BHR approaches, and has the strongest regional approach adopted so far. The report will also be relevant to the **B+HR Asia (Sida) Project partners**.

The report adopts the standard template structure recommended by UNDP's Independent Evaluation Office (IEO).[8] This starts with describing the intervention, the scope and objectives of the evaluation, and the approach and methods adopted. The body of the report describes the findings of the evaluation according to the evaluation criteria of: Relevance, Impact, Effectiveness, Efficiency, Sustainability, and Human Rights, Gender Equality and Social Inclusion. The report ends with conclusions, recommendations, and lessons. '

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[5] Please see Project Brief as Annex 5
[6] For more information: https://bizhumanrights-asia.shorthandstories.com/-business-and-human-rights-in-asia/index.html
[7] For more information: https://www.undp.org/rolhr/projects/bhr-jsb
[8] Find more information on the UNDP IEO website: http://web.undp.org/evaluation/evaluation-office.shtml

Description of the Intervention

The Project, "Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia (Sida))" was designed with the aim to promote the implementation of the UNGPs in Asia through regional efforts focused on advocacy, policy development, technical advisory support, capacity building, awareness-raising, innovation platforms, regional peer learning events, and South-South cooperation. Funded by the Swedish International Development Cooperation Agency (Sida) the Project has been supporting progress on BHR in the region, and engaging with diverse stakeholders including governments, businesses, civil society organizations (CSOs), regional institutions, human rights defenders, indigenous peoples, regional institutions such as the Association of Southeast Asian Nations (ASEAN's) Intergovernmental Commission on Human Rights (AICHR) and independent national human rights institutions (NHRIs).

This Project contributes to the **2022-2025 UNDP Asia-Pacific Regional Programme[9] Output 2.2: Institutions, networks and non-state actors strengthened to promote expanded civic space and access to justice** through gender-responsive policy and systemic changes addressing racism, gender inequality, and exclusion and discrimination and strengthening the rule of law, human rights and equity of opportunities, including in digitization and the business sector[10]**.** The B+HR Asia programme indicators have been mapped to UNDP's Regional Project Document and can be seen in Annex 1.

Project activities are channelled towards five (5) principle outputs:

1. Regional momentum strengthened toward implementation of the UN Guiding Principles on Business and Human Rights through advocacy and regional dialogue on opportunities, priorities and challenges of implementation;
2. Support development and implementation of regional and national legislative and policy frameworks;
3. Strengthen regional partnership architecture, made up of UN system, NHRI, CSO, and private sector actors working on BHR;
4. Increase awareness of all regional stakeholders of the UNGPs and strengthened access to effective remedy for violations of human rights in the context of business operations;
5. Strengthen policy coherence between regional trade agreements, international investor agreements, and UN Guiding Principles on Business and Human Rights to enhance the region's competitive positioning in attracting investment and increasing trade flows.

The key activities implemented under these 5 outputs are:

- Strengthening regional momentum and partnership architecture through regional events such as UN Forums on BHR, dialogues with regional institutions, peer-learning and south-south exchange

- Providing technical and advisory support to governments and national human rights institutions

- Supporting business in developing corporate human rights policies, and conducting due diligence processes, and remediation

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[9] Read the full UNDP Regional Programme Document for Asia and the Pacific (2022-2025): https://digitallibrary.un.org/record/3952329?ln=en
[10] The project previous contributed to Output 2.3 Institutions, networks and non-state actors strengthened to promote inclusion, access to justice, and protect human rights under the previous Regional Programme Document.

- Providing regional platforms to amplify the voices of rights holders and highlighting the need for effective remedy

- Developing knowledge products, tools and guidance

- Raising awareness, building capacity and facilitating peer learning

The Project engaged with a range of stakeholders including:

- governments and business regulators;
- companies, investors, and industry associations;
- civil society organizations (CSOs), human rights defenders (HRDs) and indigenous peoples;
- national human rights institutions (NHRIs);
- relevant legal and journalism professionals;
- academia and think tanks; and
- regional institutions and multilateral organizations.

Geographical Scope

The project was initially conceived to build regional momentum to implement the UNGPs through work with seven target countries (Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand, and Viet Nam); however, this focus was amended in consultation with donors and UNDP Country Offices and senior leadership in light of the development of an aligned EU-funded project in 2020 that was dedicated to supporting all these countries, except Bangladesh and Viet Nam. As a result, in consultation with the EU and SIDA the B+HR Asia (SIDA) Project covered the regional approach and provided deeper support in Bangladesh and Viet Nam. This decision was based on the expected complementarities of the two projects: whereas, the EU-funded project had a significant emphasis on in-country interventions and hired national specialists in the five countries of overlap (India, Indonesia, Malaysia, Sri Lanka and Thailand), the Sida-funded project placed significant emphasis on regional approaches coupled with country programming in countries that did not receive support from the EU-funded project. In addition, the Japan-funded global B+HR Project places significant emphasis on trainings for private sector actors linked to Japanese supply chains, as well as supporting NAP processes in countries not covered by the Sida- and EU-funded projects.

From the start, the intent of the regional project was to foster momentum in countries by creating linkages, sharing knowledge, and developing partnerships. This was summarized as a four-prong approach to support UNGPs implementation:

Prong 1: Promote regional momentum and collaboration through regional dialogue and peer-learning opportunities and investments at the country level;

Prong 2: Leverage the international standing of the UN and its processes, including the Universal Periodic Review (UPR), to build government engagement with BHR;

Prong 3: Make the business case to show that BHR is in the economic interests of the country and its people;

Prong 4: Recognize business as partners and advocates in the process, as they are fundamental to effective change.

The **theory of change** of the Project was:

If the economic and political interests driving policy by national governments and businesses can be leveraged to ensure endorsement and implementation of the UNGPs on BHR, and if governments, businesses, CSOs, NHRIs, and representatives of affected communities are supported and convened with the purpose of devising policies and partnerships to strengthen human rights and protect the environment in the context of business operations, then: these stakeholders can draft and jointly own and implement regional strategies, effective National Action Plans and other solutions that raise awareness of problems and potential solutions; stakeholders can engage in peer learning and knowledge sharing; businesses can effectively develop and participate in mechanisms to protect human rights through multi-stakeholder initiatives and networks; legal and accountability frameworks can be strengthened to prevent, mitigate and remedy violations; NHRIs can play a key role in devising and overseeing the implementation of polices and resolve disputes in a just manner; disruptions to trade relations can be minimized through greater policy coherence and; business and government can contribute effectively to impacting positively on people's lives, environmental protection, and achieving sustainable development goals.

Evaluation Scope and Objectives

This Final Evaluation is intended to inform the UNDP B+HR Asia (Sida) team and its partners of lessons learned, results achieved and areas for improvement. The Evaluation assesses progress towards achieving the project outcome, outputs and deliverables as specified in the project documents, as well as on the recommendations of the mid-term evaluation of the Project conducted in 2021. As this Project is the first initiative developed in UNDP on BHR, the Evaluation will be able to produce valuable lessons and experiences, providing useful findings to the other relevant BHR projects and various initiatives organized by UNDP Regional Hubs (RHs) and Country Offices (COs) globally. The Evaluation should assess the implementation approaches, progress made, and challenges encountered, identify and document the lessons learned and good practices, and make specific recommendations for a course of action for any future BHR programming.

The Final Evaluation relies on the IEO guidelines to assess the relevance of the Project, quality of the project design, effectiveness and efficiency of the implementation to date, sustainability of the overall project results, impact of intervention made to date, and forward-looking directions for future. The Final Evaluation serves to:

- Assess the progress made after the mid-term evaluation, and the challenges that remain in line with the project goal and outputs outlined in the project document
- Relevance of the Project: review the progress against its purpose, objectives, outputs and indicators, as per the project documents and its components, such as the Theory of Change (ToC), Results and Resources Framework, and draw out lessons for deepening impact
- Effectiveness and efficiency of implementation approaches: review the Project's technical and operational approaches and deliverables, quality of results and their impact, alignment with regional priorities and responding to the needs of the stakeholders;
- Review the Project's approaches, in general and with regards to mainstreaming of gender equality and social inclusion, with a particular focus on women and marginalized groups;
- Review and assess the risks and opportunities (in terms of resource mobilization, synergy and areas of interventions) related to future interventions and assess the Project's unique value proposition 'regionality' and comparative advantage relative to other actors and initiatives in the region;

- Review external factors beyond the control of the Project that have affected it negatively or positively;
- Review planning, management and quality assurance mechanisms for the delivery of the project interventions;
- Assess the Project's partnership strategies and performance in achieving intended results through collaboration with partners; and
- Review coordination and communication processes and mechanisms with the stakeholders.

Scope of Evaluation

The Final Evaluation assessed the B+HR Asia (Sida) Project progress against the project ToC and the achieved results from August 2018 until June 2023, and proposes recommendations that will inform the programming in the future for BHR in the region.

The geographical coverage includes the Project's targeted countries in Asia Pacific, namely Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand, and Vietnam. The Evaluation mainly focused on the regional aspect of the Project, but it also featured country-specific aspects, especially on how the Project's regional endeavour is translated at the country level, particularly in Bangladesh and Viet Nam[11] and any other countries in the region that may or may not be yet included in UNDP's B+HR Asia Programme.

Criteria and questions

The Evaluation focussed on four of the OECD-DAC evaluation criteria: Relevance, Effectiveness/impact, Efficiency, and Sustainability. It assessed Human Rights, Gender Equality and Social Inclusion as cross-cutting criteria. The guiding questions outlined below were developed by the Project and have been refined by the Evaluator and agreed with UNDP.

Criteria	Evaluation Questions
Relevance	Regional level • To what extent was the Project in line with national development priorities, regional development priorities, the UNDP strategic plan and its direction on human rights? • To what extent does the Project use the ToC and does it contribute to the relevant regional programme outcomes? Project level • To what extent did the Project remain relevant in the evolving BHR landscape globally and regionally? • How has the Project adapted to respond to issues during implementation (including the COVID-19 pandemic and other political,

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[11] In 2020, UNDP received complementary funding from the EU to promote the responsible business agenda in Asia. Given there was country overlap, the two donors agreed that this project will focus on mainly regional initiatives and approaches with deep-dive in Bangladesh and Viet Nam. The project activities and annual work plans were revised accordingly.

	legal, economic, and institutional changes in target countries and the region)?
Effectiveness & Impact	• To what extent did the Project contribute to promoting responsible business practices in the region? • To what extent does progress on project initiatives indicate that intended impact will be achieved in the future? • In which areas does the Project have the greatest achievements? • In which areas does the Project have the fewest achievements? • To what extent have stakeholders been involved in project implementation? • How effectively does regional-level work translate into tangible outcomes at the national level? • How do different contexts and priorities between UNDP Country Offices and the Bangkok Regional Hub impact the overall effectiveness of the Project in the region?
Efficiency	• To what extent was the existing project management structure appropriate and efficient in generating the expected results? • To what extent did the Project produce synergies and play complementary roles within UNDP and with other development partners? • How has coordination and cooperation between the Sida- and EU-funded projects changed and improved since the Mid-Term Evaluation? • What is the added value of the Project's regional approach for influencing the implementation of the UNGPs and development process of NAPs at the national level?
Sustainability	• To what extent did the project interventions contribute to sustaining the results achieved by the Project? • What are the plans or approaches of the local authorities/national partners to ensure that the initiatives will be continued after the Project ends? • What could be done to strengthen exit strategies and sustainability of the Project?
Human rights, gender equality and social inclusion	• To what extent has gender equality and a human rights-based approach been integrated into the programming design and implementation? • To what extent have disadvantaged and marginalized groups, including Indigenous Peoples, benefitted from the work of the Project? • To what extent has the Project promoted positive changes for women and marginalized groups?

Evaluation Approaches and Methods

The evaluation was guided by the basic methodology as set out in the ToR, in line with the United Nations Evaluation Group (UNEG) and OECD/DAC Quality Standards for Development Evaluation and keeping in mind the Paris Declaration on Aid Effectiveness. As required by the ToR, the evaluation assessed the relevance, impact, effectiveness, efficiency, and sustainability of the Project and looked at how it integrated human rights, gender equality and social inclusion.

The **evaluation is a learning and utility focused** one, using a **participatory and consultative approach**. This included close engagement with government counterparts, the project team, UNDP COs, UNDP Bangkok RH and key stakeholders. Consistent with standards for ethical evaluation in development projects, the data was collected in full confidence and anonymity. In consultation with the B+HR Asia (Sida) team, the evaluation attempted to ensure that selection of respondents was gender balanced and adequately includes voices of the most vulnerable. This involved prioritizing the voices of CSO partners who represent the most vulnerable and utilizing opportunities to collect direct data during the national-level consultations. Due to the sensitivities around such populations, care was taken to avoid any identification of which communities or populations were consulted.

The **technical approach involved a three-person evaluation team** conducting **three phases of data collection**. The **first phase** was a detailed review of programme documents and data to understand the programme context and the initial evidence base for assessing the evaluation questions. The **second phase** involved the evaluation team attending a major project event in Bangkok to see a key implementation activity and conduct in-person interviews. The **third phase** involved further data collection in the two focal countries and further interviews conducted remotely at the regional level. The full list of interviews conducted is attached in Annex 4.

The **team structure** and inclusion of **two national consultants** enabled a joint approach that collected remote data to cover the full range of international partners and work of the Project, while also conducting an in-depth, country-level assessment in Bangladesh and Viet Nam. The local evaluators conducted a range of interviews to directly observe and assess progress in each country. The evaluation used the opportunity provided by the United Nations Responsible Business and Human Rights Forum in Bangkok in June to directly interview a number of key stakeholders while observing implementation of one of the key annual activities of the Project.

UNDP provided an **evaluation reference group** to give oversight and guidance to the process, and to provide a structure to coordinate the feedback process for the final report. This group was comprised of representatives from UNDP (including Bangladesh and Viet Nam Country Offices), and included representatives from the donor, civil society groups, and business to provide external input into the process. The reference group met to discuss progress on the report when called on by the B+HR Asia (Sida) team.

The evaluation team remained in close contact with the programme management team throughout the process, discussing progress over a series of exchanges, including briefings on potential findings to encourage discussion and further information gathering.

Data Sources and Collection

The evaluation used multiple forms of data collection methods, comprised of document review, direct collection of perceptions from programme staff and partners, and the observation of the 2023 United Nations Responsible Business and Human Rights Forum (RBHR2023, a major programme activity). The forum enabled both observation of a number of activities, but also

allowed for in-person interviews with many of the key stakeholders who were present for this annual event. The inclusion of two national level evaluators in the team (In Bangladesh and Viet Nam) allowed the direct collection of data from stakeholders in those countries as well.

A **mixed-methods approach using qualitative and quantitative data collection methods** was applied to gain an understanding of the performance of the Project. Data collection was conducted based on two main sources of information, i.e., **primary sources** (e.g., site visits to locations and personal interviews with 133 key informants, including 69 women, representing a cross-section of stakeholders, including donor and international representatives, government, business and civil society actors) and **secondary sources** (project documents, including annual progress reports and UN policy documents and internet sources).

The respondents for the evaluation were selected based on their current engagement with the B+HR Asia (SIDA). The following factors have been considered during the selection process:

- Proximity to the Project;
- Influence or decision-making power in BHR discourse;
- Expertise or knowledge related to BHR and the Project;
- Level of interest or concern regarding the Project; and
- Potential impacts or dependencies on the Project.

Stakeholders have been identified across the Asia-Pacific region, and relevant individuals and institutions/organizations will be mapped to gain a holistic understanding of the project's key BHR priorities, achievements, challenges and opportunities.

To ensure a diversity of viewpoints in the data, the research team applied an intersectional lens to stakeholder mapping and analysis and then used snowball sampling to recruit and identify respondents.

SECTORS CONSULTED	UN staff	Government	NHRI	Business	Civil society
	31	18	17	21	46
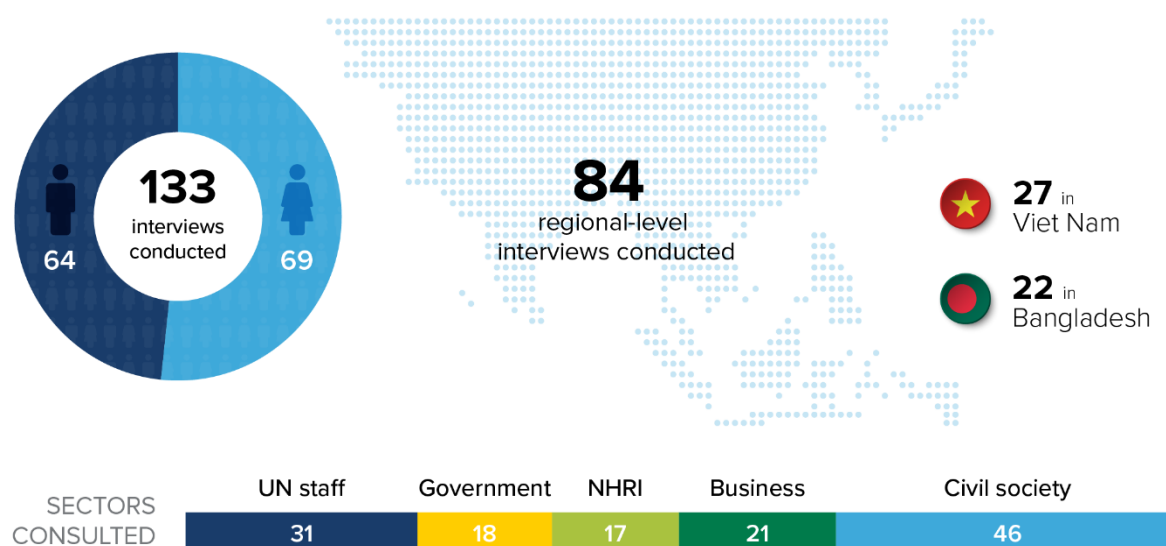
The data collection methods are provided in more detail in the table below.

Review of relevant literature and documentation	• All relevant project documentation and evidence sources, including: The B+HR Asia (Sida) Project document; Theory of Change and Results Framework; project monitoring and quality assurance reports; annual work plans; activity designs; consolidated quarterly and annual reports; project board meeting notes; relevant evaluation reports (project and hub); other relevant communication materials and knowledge products such as research studies, policy brief, blogs, etc. • The Mid-Term Evaluation, its findings and recommendations in particular.
Field Missions	• Attendance at the UN Responsible Business and Human Rights Forum, including assessment of the forum as a key activity • In-person interviews with stakeholders who attended the forum • In-person interviews by the national evaluators
Online Interviews & Consultations	• Semi-structured interviews, based on questions designed for different stakeholders based on evaluation questions around relevance, coherence, effectiveness, efficiency, and sustainability, human rights-based approach and gender equality • Focus group discussion with project beneficiaries and other stakeholders where the group dynamics and interaction may provide useful information regarding outcomes and shared/different opinions of progress and priorities • Interviews with relevant key informants including UN agencies, donors, implementing partners, partner governments, B+HR experts, civil society actors, and beneficiaries

Performance Standards

Consistent with the approach adopted in the mid-term evaluation, this evaluation used a rating scale to rank each evaluation criteria: relevance, efficiency, effectiveness/impact, sustainability, human rights/gender equality and social inclusion. The evaluation assessed the Project against a four-fold rating scale as described below.

- Highly Satisfactory (4)
- Satisfactory (3)
- Moderately satisfactory (2)
- Unsatisfactory (1)

Scoring of Project Performance

Rating	Performance description
4 Highly satisfactory (Always/almost always) ★★★★	Performance is clearly very strong in relation to the evaluation question/criterion. Weaknesses are not significant and have been managed effectively.

3 Satisfactory (Mostly, with some exceptions) ★★★	Performance is reasonably strong on most aspects of the evaluation question/criterion. No significant gaps or weaknesses, or less significant gaps or weaknesses have mostly been managed effectively.
2 Moderately satisfactory (Sometimes, with many exceptions) ★★	Performance is inconsistent in relation to the question/criterion. There are some serious weaknesses. Meets minimum expectations/requirements as far as can be determined.
1 Unsatisfactory (Never or occasionally with clear weaknesses) ★	Performance is unacceptably weak in relation to the evaluation question/criterion. Does not meet minimum expectations/requirements.

Stakeholder Participation

The **primary source of data collection was through semi-structured interviews and focus groups**, conducted both in-person and remotely. This was designed to ensure that all key stakeholder groups were well represented and had an opportunity to share their experiences and perceptions of programme performance. The team built from the guiding questions and adapted the specifics of what was asked for each key actor that was interviewed.

The evaluation **conducted 133 interviews, of which 69 were with female** respondents. This included 84 interviews at the regional level, **27 in Viet Nam, and 22 in Bangladesh**. Stakeholders were categorised in terms of the five main groups that are fundamental to progress on business and human rights: UN staff (31), government (18), NHRI (17), business (21), and civil society (46).[12]

The evaluation started with interviews primarily with UNDP programme staff and management to get an initial impression of the workings of the programme. This was followed by interviews conducted during the 2023 RBHR Forum, with as many stakeholders as could be arranged. This included the full range of key partners, including government partners, civil society groups, national human rights institutions (NHRI), human rights defenders, and business organisations as well as other relevant programme partners including other UN agencies and representatives of Sida. Remote interviews were conducted after the forum to reach a wider range of stakeholders, in line with the groups identified above. A full list of consultations can be found in Annex 4.

The strong gender focus of the overall programme meant that the evaluation encountered no difficulty in ensuring adequate inclusion of women in the process, and more than half of all interviews were with female stakeholders. The interview process prioritised civil society voices in order to adequately include vulnerable groups, human rights defenders, and indigenous communities.

Ethical Considerations

The evaluation team adhered to the transparency norms and ethical principles set out by the UNEG. The evaluation was conducted in line with the principles that are described in the

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[12] It should be noted that there can be overlap between these groups, and the evaluation team assigned interviews to each category on the basis of how the stakeholder described their role and alignment.

UNEG's Ethical Guidelines for Evaluation and the Code of Conduct for Evaluators in the UN System.

In line with these guidelines the evaluation was carried out in a participatory and gender-sensitive manner. The evaluation sought and was able to ensure equal participation of men and women, and emphasis was given to vulnerable groups. Due to the sensitivity of the subject matter all individuals were informed from the start of each interview that no comments would be directly attributed to them, and the names of the respondents are not recorded in this evaluation report, only their organisational relationship. The evaluation team included national evaluators in Bangladesh and Viet Nam to ensure that those processes were conducted in a culturally relevant context.

Evaluation Team

A three-person evaluation team conducted the evaluation. The team was comprised of a team leader and evaluation expert; and two national evaluators covering Bangladesh and Viet Nam. The team was gender balanced (2 male and 1 female evaluators), all of whom had experience working on human rights, business and evaluations. Full terms of reference for the evaluation team can be found in Annex 2.

Limitations of the Methodology

The three primary limitations of the methodology are the limited time that was available to conduct the interviews, the dispersed and regional nature of the Project, and the ability to attribute impact to B+HR Asia (Sida) Project. These are explained more fully below.

Firstly, to align with the timeframes for submitting a concept for the next phase of the programme, the evaluation could only collect data from early June through to late July. Given the regional scope of the programme, a significant number of interviews were conducted remotely, an approach which takes significantly more time. Scheduling difficulty did interfere with the conduct of some consultations. As such, while the sample of interviews is significant, it is not a comprehensive review of partners, nor could the majority of regional countries be visited to directly assess the evidence of changes in the BHR dialogue and practise.

Secondly, and more significantly, the programme is fundamentally one promoting a regional response to BHR, starting from supporting a general level of raised awareness and building momentum from that. This dispersed implementation and focus on influencing regional trends does not lend itself towards concrete measurements of progress. The BHR discourse is still relatively new to Asia, and the pace of change in the region has been rapid. The field of BHR as a whole currently lacks strong indicators and data on outcomes, even within most countries, so the evidence base for the regional programme is necessarily weak and exact contribution to outcomes is difficult to establish. This issue was noted in the MTE and remains a factor for the current evaluation.

Thirdly, it is difficult to fully attribute specific impacts to specific B+HR Projects, whether Sida-, EU- or Japan-funded. Attribution among the three projects is difficult because they work on similar topics demarcated to some extent by geographic boundaries or thematic issues. UNDP B+HR communications employ a "one programme" approach, and as a result external audiences were not consistently aware of what activities should be attributed to which UNDP B+HR Projects active in Asia, and hence were not able to attribute specific impacts to specific projects. This is overall a very positive outcome as it indicates a strong level of alignment across the UNDP B+HR Programme, but it does complicate the attribution of impact.

Data Analysis

The mixed methods approach was adopted to allow data triangulation and analysis, which was used throughout the evaluation. The reliability and quality of information and data was assessed through a critical review and analysis, including crosschecking of facts with respondents while collecting information. Triangulation of data, sources and methods was also used to minimise the possibility of errors and discrepancies. Where possible, data from different sources was collected using different data collection techniques, e.g., semi-structured interviews with different stakeholders and document analysis.

The qualitative data from the 133 interviews was organised and coded according to stakeholder group (UNDP, UN partner, government, NHRI, civil society, business), gender, and civil society status (human rights defender, indigenous community representative). This data set was then analysed according to the key evaluation questions.

Findings

This section presents the analysis and findings of the evaluation organised according to the evaluation criteria. Each of the key questions from the evaluation matrix are answered, and the full evaluation matrix is presented in Annex 3 at the end of the report.

Relevance

To what extent was the Project in line with the national development priorities, regional development priorities, the UNDP strategic plan and its direction on human rights?

To what extent did the Project remain relevant in the evolving BHR landscape globally and regionally?

The BHR discourse in Asia has developed rapidly over the course of this five-year Project, with the UNGPs becoming well known and an ever-increasing number of countries engaging with the agenda on government and business levels. The B+HR Asia (Sida) Project is designed to support and reinforce this momentum, leveraging regional interactions to encourage wider policy uptake of BHR principles, and influencing the prioritisation of BHR in national development plans. The success of the BHR work in the region has also resulted in the strengthening of BHR concepts in the UNDP Regional Programme Document, as it became clear that the Asia region was leading UNDP's work on this topic globally. Further, BHR has been mentioned in Country Project Documents of implementing countries and is aligned with the country priorities.

The B+HR Asia (Sida) Project is demonstrably aligned with national government strategies and plans for the sector as it has directly influenced and supported their development in cases such as Bangladesh's Roadmap for Responsible Business Conduct, Pakistan's National Action Plan on Business and Human Rights (2021-2026), and Viet Nam's National Action Plan to Promote Responsible Business. '

The BHR agenda has also been clearly integrated into the current UNDP Regional Programme Document for Asia and the Pacific (2022-2025). Output 2.2[1] has several indicators directly dedicated to assessing progress towards the capacity of both institutions and the private sector in the region to support fulfilment of human rights obligations[2], and the strengthening of the capacity of all actors, including business, to promote and conduct human rights and due diligence processes[3]. This places BHR in the centre of UNDP's priorities for support in the region.

The B+HR Asia (Sida) Project's work on NAPs is demonstrative of a flexible approach to implementation. The Project has leveraged progress in the initial countries to expand support in Bangladesh, Nepal, Pakistan, Viet Nam[13], and other countries, as greater awareness has created national interest and political will to engage. The Project is both aligned with national development priorities, in places such as Thailand and India where the BHR agenda has been longer established, while also influencing the uptake of BHR as a national agenda item. The regional nature of the Project enables the expansion of country networks of influence, something the B+HR Asia (Sida) Project has used to ensure experiences are shared and progress sustained.

The expansion in regional prioritisation of BHR can also be seen in the extent to which governments are active participants in the regional forums on BHR led by B+HR Asia (Sida). For

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[13] Country-level work in Bangladesh and Viet Nam is supported through B+HR Asia (Sida), and in Nepal and Pakistan through B+HR Asia (Japan)

example, the South Asia Forum began in 2019 with three governments represented; the 4th forum occurred in 2023 with six South Asian governments participating.[14] Moreover, in 2019, only one country had made some progress on a policy framework on BHR. By 2023, Pakistan had adopted a NAP, India and Nepal are in the final stages of NAP development, and Bangladesh, the Maldives and Sri Lanka have demonstrated commitments to NAP development. The B+HR Asia (Sida) Project can take significant credit for that impact given the central, and widely acknowledged, role that the forums have played in inspiring processes for NAP development. These processes were then further supported through the EU-funded project in India and Sri Lanka and the Japan-funded project in Nepal and Pakistan.

As a result of this success, the B+HR Asia (Sida) Project has done well to respond and adapt to update its work and remain relevant as opportunities and challenges arose. Project adaptation focused on building from the successful development of regional awareness, towards supporting efforts to identify and address specific BHR issues and improving implementation. This has been done in a coordinated effort with the other UNDP regional projects supporting BHR, most notably the EU-funded project, to cover the key issues that have emerged as priorities (for example the Sida-funded Project led on informal economy, the EU-funded project led on environmental BHR).

It is clear that the B+HR Asia (Sida) Project[15] has been the engine driving the development of the issue at a regional level, and it has clearly contributed to both greater global investment into supporting BHR along with its sister projects funded by the EU and Japan, and provided noticeable knowledge development that is relevant to issues found globally. BHR is fundamental to achieving Goals 8 and 10 of the 2030 Agenda for Sustainable Development, but it is also highly relevant to SDG 5 and the environmental aspects of Goals 11 and 12.[16] It works as a coherent effort to advance the effective implementation of the UNGPs in the region, along with the Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy (MNE Declaration).

However, the Project does face challenges, as progress on NAP development calls for greater support to the effective implementation of the components of the NAPs. There is awareness across the region that implementation of NAPs remains weak[17], even if both the process of development and the adoption of these plans is seen as a positive outcome. Improving implementation is fundamentally a resource-intensive, country-level issue, one that must be done at the UNDP CO level. The B+HR Asia (Sida) Project remains at the core of UNDP knowledge on BHR and critical to facilitation of effective CO-level projects, a role that will continue to expand as more countries become more engaged with the BHR agenda. The Project has identified and developed research and toolkits for several significant BHR issues, notably on access to remedy, youth, and gender. However, these efforts have been part of a wide range of research and development of conceptual areas of BHR, and more focus is needed if progress is to be made on implementing changes. As part of the planning for the next phase, the Project should undertake an analysis of the key thematic areas it will support, and then develop phased approaches to developing CO-level effectiveness in supporting them. Supporting effective country-level implementation of BHR from a regional level is complex and risks overwhelming the capabilities and the resources of the Project.

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[14] Bangladesh, India, Maldives, Nepal, Pakistan, and Sri Lanka.
[15] Along with other B+HR Asia Projects in the region.
[16] BHR arguably underlies aspects of all the SDGs, but it is useful to identify the focal ones to which is has the most direct impact.
[17] A consistent comment in the interviews with CSOs, business and government stakeholders.

The second challenge for the B+HR Asia (Sida) Project is the resources required to provide adequate coverage of the whole region. While the project document makes it clear that there are a limited number of focus countries, the fundamental intent is to support the overall development of inclusive regional norms and adoption of the UNGPs. This has resulted in a slow expansion of requests from other regional countries as the BHR agenda has progressed in the region and more governments are willing to seek support. The Project responded to requests from Pakistan, Nepal, the Maldives, and Laos for support to BHR needs at the national level. Responding to these requests is highly relevant to the BHR agenda and is appropriately a responsibility of the B+HR Asia (Sida) Project; however, it opens up the requirement to enable ongoing effective support to any momentum that develops within those countries.

Recognising this need points to a limitation of the current project document, which was developed and defined around the focus countries. There is nothing in the current document which clarifies how the Project can meet any expanding regional support while still delivering the range of support required to maintain and build progress in Bangladesh and Viet Nam.[18] The result has been that the Project has delivered far more activities than was originally envisaged.[19] Given that the evaluation validates the role of the Project in meeting expanding country requests for support, and noting the expanding support requirements associated with the move from awareness to implementation, it is critical that the Project adopts a clear pathway to transition initial country support over to CO ownership so that adequate Project resources are available to implement the regional focus and engage with opportunities in new countries.

Finding 1: The B+HR Asia Project has been **instrumental in shaping the B+HR agenda in the region and** influencing national development priorities. It is a globally influential example of how the BHR agenda can be developed and implemented. As such, it remains highly relevant at both national and regional levels playing a significant advocacy role on progressively increasing the number of NAPs in the region. Despite this success, adjustments are needed to ensure that the Project is not spread too thinly given the increased demand and interest in BHR in the region.

To what extent does the Project use the ToC and does it contribute to the relevant regional programme outcomes?

The MTE found the current ToC to be unclear and difficult to use as it lacked assumptions and risks and did not provide a clear enough set of testable linkages between impacts, outcomes and outputs. Due to the conduct of the MTE being fairly late in the project lifespan, the management response to the finding indicated that the ToC would be updated as part of the design of a potential future phase of the Project to ensure that it could do so in close alignment with the EU-funded project, as was also recommended. The B+HR Programme has developed the *Business and Human Rights in Asia Vision for 2030*, based on inputs received during stakeholder consultations and the lessons from the MTE of both the B+HR Asia (Sida) Project and the EU-funded project. The B+HR Asia 2030 Vision outlines six pathways and three enablers, which the Sida, EU and Japan-funded projects will seek to implement in a complementary manner. The document is attached as Annex 5.

That noted, and while agreeing that the ToC can be improved, this evaluation is more positive about the evidence that the current ToC was a useful construct of the problem that the Project sought to address. The ToC started from the incentives of government and business and linked

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[18] Indeed, the Project has also delivered multiple activities in support of India, Indonesia, and Malaysia despite all countries being covered by the EU-funded project.
[19] At the time of evaluation, the Project had an average implementation of approximately 220% of the activities that were originally planned according to the project document.

these explicitly to the methods of supporting change and the partnerships with civil society and NHRIs. The success of the Project indicates that aspects of this theory were correct, a fact validated by many interviews that stressed the effect that successful integration of the different stakeholders had on progress.[20]

The ToC could be improved by focusing on the mechanisms that have been successful, namely South-South knowledge sharing and influence, and the central role of the forums in building regional partnerships (both within the UN agencies and with the other key stakeholders). It would also be more useful if it contained a better articulation of the assumptions underlying key points in logic chains that could be tested during implementation.

How has the Project adapted to respond to issues during implementation (including the COVID-19 pandemic and other political, legal, economic, and institutional changes in target countries and the region)?

The evaluation concludes that the **B+HR Asia (Sida) Project did well to adapt to the significant disruptive issues** that arose over the five years of the current phase. While the COVID-19 pandemic was a massive disruption to all development work, the Project's response was good, and **all of the activities identified in the project document were implemented**. The Project was effective in using online options for major events, trainings, and workshops, which even enabled some positive aspects by allowing easier and cost-effective attendance to some parties, supporting greater inclusion and contributing to reductions in travel associated carbon footprint. COVID-19 still had a number of negative impacts, as much of the relationship building, networking, and agenda influencing is more effective at in person events, but the Project clearly adapted to the situation as best possible. This included returning to in-person events once they became safely possible once more, but now with a notably stronger hybrid nature that enables greater involvement from a wider audience.

The B+HR Asia (Sida) Project also did well to **identify opportunities to learn through the disruption of the pandemic**. The disruption to global supply chains that occurred provided significant insight into BHR issues in supply chains in the region, demonstrating disproportionate impacts on the most vulnerable. The production and dissemination of the *Human Rights Due Diligence and COVID-19: Rapid Self-Assessment for Business*[21] demonstrated an active engagement with the BHR issues as they arose, as does the work in Malaysia to develop a brief on access to remedy, ethical recruiting and recovery from the pandemic.[22] The 2021 RBHR Forum hosted events focusing on the impacts of the pandemic on the garment industry, along with other COVID-19 related panels and discussion. The Project also undertook a study, "The Weakest Link in the Supply Chain - How the Pandemic is Affecting Bangladesh's Garment Workers[23]". The report evaluates global retailers' response to the pandemic and its effect on Bangladesh garment workers through in-depth interviews with

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[20] The primary purpose to ToC is to guide project implementation and adaption. While it was not overtly used a such, it equally does not appear that significant project adjustments would have occurred had the ToC been more closely consulted and updated.

[21] *Human Rights Due Diligence and COVID-19: Rapid Self-Assessment for Business:* https://www.undp.org/publications/human-rights-due-diligence-and-covid-19-rapid-self-assessment-business

[22] *Advancing Covid-19 recovery in Malaysia: strengthening access to remedy and ethical recruitment:* https://www.undp.org/malaysia/publications/advancing-covid-19-recovery-malaysia-strengthening-access-remedy-and-ethical-recruitment

[23] *The Weakest Link in the Supply Chain - How the Pandemic is Affecting Bangladesh's Garment Workers:* https://www.undp.org/asia-pacific/bizhumanrights/publications/weakest-link-global-supply-chain-%E2%80%93-how-pandemic-affecting-bangladesh%E2%80%99s-garment-workers

major international brands, Bangladeshi suppliers, trade union representatives, and international civil society, and provides recommendations that may help avert future crises.

Beyond the pandemic, the B+HR Asia (Sida) Project has consistently demonstrated responsiveness to partners in identifying and engaging with opportunities provided by country-level changes. The conduct of the South Asia Forum in Bangladesh in 2022 is an example of the Project identifying county momentum and then the linking Project activities in response to support and reinforce progress on BHR issues. In this case, Bangladesh's significant progress in growth and development means that it is on track to graduate from the UN's Least Developed Countries (LDC) list in 2026. This upcoming transition was identified as an opportunity to raise awareness on the BHR issues that most impact on Bangladeshi businesses and workers, and to encourage government investment into the development of a NAP to improve Bangladesh's status on BHR. Similarly, the Project has adapted the BHR language to engage with Viet Nam on responsible business conduct/practices, which allows the discourse to be developed under new terms while still focusing on key issues under the BHR agenda.

Finding 2: The B+HR Asia (Sida) Project has been **implemented in a flexible and adaptive way**, and, as a result of this strong adaptive approach, has been able to navigate the massive disruption of the COVID-19 pandemic while continuing to deliver on its core mandate to support the BHR agenda in Asia. It has also been proactive is seeking to leverage political opportunities when they occur to build government commitments to BHR.

Impact

To what extent did the Project contribute to promoting responsible business practices in the region?

The core intent of the B+HR Asia (Sida) Project was to **support and build regional momentum on the BHR agenda**, and in this role the **Project has demonstrably supported real and sustained impacts**. All stakeholders interviewed in this process credited the B+HR Asia (Sida) Project with being at the centre of the regional change that has occurred over the last five years. This is consistent with the findings of the MTE, that the **B+HR Asia (Sida) Project was a major driver of the regional discourse**. The UN RBHR Forum represents a unique effort in the region to develop BHR awareness, share lessons, and encourage progress. It has a significant regional presence and has progressively expanded its multilateral agency representation from the initial four[24] to the current eight[25], making it a more comprehensive and holistic approach to supporting BHR in the region.

The **impact of this discourse can be seen in the increasing level of policy engagement and work being done on BHR in the region**. In 2019, only Thailand had adopted a NAP, with India launching a zero draft and Pakistan starting the drafting process. Over the intervening years the Project has worked to support the importance of NAPs across the region, and, in conjunction with the relevant UNDP CO and sister projects, support the development of them where governments make the commitment to do so. This support has contributed to NAPs in Mongolia, Pakistan, and Viet Nam, and processes to develop NAPs in Bangladesh, Indonesia, Malaysia, the Maldives, and Nepal.[26] While NAPs do not represent the final step in improved implementation of human rights in business, they do represent significant milestones, they demonstrate a level of government buy-in to the importance of the BHR agenda, provide entry

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[24] UNDP, OECD, ILO and UNESCAP
[25] UNDP, ILO, IOM, UNICEF, UN Women, UNEP, OHCHR, and the UNWG on BHR. ESCAP has been a consistent partner, but was undergoing an organizational restructure in 2023 and as a result did not engage.
[26] Also India, but as the process noted in the zero draft in 2019 remains ongoing in 2023 the impact of UNDP support is less clearly resulting in positive change. Regionally Japan and South Korea also have developed NAPs.

points for civil society to engage with government on human rights priorities such as gender and the environment, and set out commitments to specific improvements.[27]

Finding 3: The **B+HR Asia (Sida) Project has been fundamental to the impact of BHR in the Asia region**. While the development of BHR in Asia remains at early stages, the level of awareness of BHR issues has grown enormously over the last five years, with the **Project being identified as central to this impact**.

To what extent does progress on project initiatives indicate that intended impact will be achieved in the future?

The positive assessments above should be seen within the broader context of the low initial level of BHR awareness in the region when the Project started, and the significant barriers remaining to effective implementation of BHR consistently across countries. While the progress has been notable, many countries remain under invested in BHR efforts, and even those countries who have made great policy progress still have much to do to make those commitments effective for the most vulnerable in the region.

The trajectory of the **Project is highly positive, and much progress has been made**. The fundamental question to sustain momentum on BHR in Asia is how to transition from the current awareness-focused remit into supporting effective implementation of BHR in the region. An additional challenge is the lack/absence of BHR discourse in other countries such as Cambodia and China. The awareness and policy changes supported so far represent two major steps, but it will be complex to move to greater consistency and effectiveness in the implementation of responsible business practices in the region.

The **Project has already done significant work to support specific aspects and details of BHR implementation.** This has included various assessments, capacity development of key actors, and the development of toolkits and research to guide identification and approach to good BHR practices on specific themes or issues. However, the scale of country support required from UNDP (and other actors) is vastly beyond the capacity of a regional project and needs to be primarily supported at the country level.

The B+HR Asia (Sida) Project has a vital role in facilitating this development, given its high level of expertise and its central role in coordination and facilitation in the region. The Project has already demonstrated significant investment into supporting the development and strengthening of UNDP CO level BHR capability, and in effective conjunction with the EU-funded project acts as a central support function for the development of UNDP's regional BHR expertise. Such a function is likely to remain important in future programming, given that many countries in the region remain at a low level of development of BHR planning.

This **enabling function of the regional Project remains critical** and will need to be reinforced through greater prioritization of issues and stronger planning for regional UN Responsible Business and Human Rights Forum and sub-regional UN South Asia Forum on Business and Human Rights as an integrated part of country-level initiatives to implement the BHR agenda. A significant number of interviewees from civil society, business and governments assessed that **it is now time to move into stronger links between forums and specific national improvements**. This requires the forums to be more clearly linked to specific projects for change at the country level, to address solutions and not reiterate problems, and to hold utility in providing one step in larger processes of change. This does occur currently – most notably in the so-called "day-zero events" (events which are organized one or two days prior to the

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[27] The issue of voluntary vs mandatory commitments will be addressed in later sections.

official opening of the aforementioned forums), including sector/stakeholder-specific safe space sessions for discussion and networking and targeted trainings. However, this aspect of the forums will need to expand to adequately match the range of BHR issues that are currently being considered. Likewise, there are currently only a few examples of forums being used to provide an update on progress[28] and a limited number of safe space style events to bring together government, business and civil society actors to discuss issues in implementation and seek mutually acceptable solutions.

Balancing the need to support such efforts with the more traditional forum content of sharing experiences and providing a space for new research or ideas will be difficult. These functions remain important in maintaining regional sharing and networking, and the forums should continue to support them. However consistent threads of topics designed to support country-level implementation across years will take up time and space in the events, potentially limiting the number of new topics or issues that can be presented.

The next phase of the Project will also require careful consideration of how to engage with and utilize the coming opportunities to be found in existing or expected legislation, including: the EU Corporate Sustainability Due Diligence Directive; mandatory human rights due diligence legislation adopted in France, Germany, the Netherlands, Norway and Switzerland; and Modern Slavery Acts adopted by the United Kingdom and Australia. These initiatives place far greater emphasis on mandatory risk analysis and reporting on human rights compliance issues for companies, including in their supply chains. Civil society partners interviewed during this evaluation were broadly more invested into mandatory initiatives as a result of their disappointment in progress with policy documents such as NAPs, which are intended to serve as a precursor to legislative initiatives and enforcement. CSO's commented that the voluntary nature of NAPs contributed to less resourcing of their activities and less impact on business practices. On the other hand, many in the region see that NAPs continue to play an important role, and mandatory legislation often takes a long time to implement effectively. Assessment of what options exist to leverage these to the benefit of the most vulnerable will be important given that several mandatory initiatives will come to influence how BHR is implemented in the region over the next few years.

Finding 4: The **B+HR Asia (Sida) Project has achieved much** and is on track to support more than the impacts envisaged in the project document, in terms of the extent of strengthening BHR momentum in Asia. However, the nature of the problem in the region has **moved from awareness to effectiveness of implementation of BHR principles**, and the B+HR Asia (Sida) Project must adapt further to remain relevant. The evaluation assesses that the regional approach will remain critical to the success of the BHR agenda, but that key events such as the regional and sub-regional forums will need to be planned and implemented in a way that more clearly links content with country or thematic level implementation.

Effectiveness

In which areas does the Project have the greatest achievements?

The evaluation considers the most obvious and significant achievement to be the rapid and wide expansion in regional awareness and dialogue about BHR that has occurred during project implementation, which is widely attributed to the specific efforts of the B+HR Asia (Sida) Project. Promoting this agenda effectively represents the core effort of the Project as described under Output 1, and it is a clear and notable credit to the Project's implementation that the effort

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[28] Such updates reportedly did occur in earlier years, but unfortunately seem to have been reduced as the full range of BHR issues came to dominate the schedule.

has been so successful despite a complicated concept and significant global disruptions. Key partners describe a context that is radically different to the one the Project was conceived in, where the BHR agenda is now well known regionally, expanding numbers of governments are engaging in responding to it, civil society is aware and working to support improvements, and business too has done much to engage with the agenda. While the Project cannot claim all responsibility for this change – and has worked in close alignment with the EU-and Japan-funded projects in this regard – it is widely seen to have been central to this outcome.

At the centre of this success has been the **regional forums, both the annual RBHR Forum in Bangkok, and the four South Asia Forums on Business and Human Rights** conducted since 2019. These flagship events have functioned as intended, bringing UN system actors involved in the BHR agenda together with governments, civil society, NHRIs, and business, to discuss the agenda and develop networks to address the issues. The RBHR forum has served as a place to bring the region together to share knowledge and influence the development of the agenda, while the South Asia Forums are seen to have enabled a more specific focus on sub-regional interactions that has encouraged country engagement by leveraging regional dynamics.

Linked to this success, progress on Output 2, **support to NAP development, should also be seen as one of the primary achievements**. The B+HR Asia (Sida) Project began with technical policy support to NAP development in Thailand and India and has now supported NAP development in eleven countries in the region[29] in close coordination with the EU- and Japan-funded B+HR projects. The Project works to support inclusive processes of NAP development, to provide technical support and assessments, and to ensure the NAP is grounded in a strong appreciation of the national issues and capabilities. The Project has implemented the South-South model as planned, leveraging both regional forums and specific bilateral interactions to promote and progress the NAP development process.

The third aspect of the B+HR Asia (Sida) Project that deserves to be highlighted as a substantial achievement is the **cross-cutting efforts to support UNDP CO led BHR efforts with the technical expertise** they need to make progress. The B+HR Asia (Sida) Project is fundamental to this enabling effort, as investment into BHR is a rapidly developing aspect of UNDP's work, and the majority of COs lack significant experience in managing this area. **Working to reinforce and develop UNDP's regional expertise in BHR is a fundamental enabler of long-term effective support to the agenda in the region.** It is an ongoing and typically invisible task, but one that the Project has invested into supporting and that has resulted in the spread of capabilities in country-level projects beyond the two focal countries of Viet Nam and Bangladesh. This evaluation process has only a limited capacity to assess the specific extent to which these country projects are making progress in delivering effective support to BHR; however, the overall assessment is that the value of the regional approach to country outcomes is strongly supported.

Finding 5: The B+HR Asia (Sida) Project has made significant achievements in supporting the development of regional awareness of BHR and reinforcing networks of knowledge sharing and partnership through the **regional UN Responsible Business and Human Rights Forum, Asia-Pacific and sub-regional UN South Asia Forum on Business and Human Rights**. It has effectively supported the translation of that awareness into national commitments through its efforts to support and enable the inclusive development of NAPs.

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[29] Bangladesh, Thailand, India, Indonesia, Laos, Malaysia, the Maldives, Mongolia, Nepal, Pakistan, Sri Lanka, and Viet Nam. Note that progress has been mixed across cases. This work was also done in close coordination with the EU- and Japan-funded projects.

The overall assessment of this evaluation is that **there are no areas of significant weakness in the B+HR Asia (Sida) Project**. From an implementation perspective, the Project has done the things it said it would, and most of these efforts have been positively assessed by the partners involved. Within this highly positive context, this evaluation finds **three areas where improvements could be made**, even if there have been positive achievements under each.

Firstly, there are clarifications needed about the role that the regional B+HR Asia (Sida) Project should play in supporting human rights defenders (Output 4), as it is unclear what the Project can do from a regional level. As will be discussed in more detail in the next section, the **Project must manage significant variation in expectation from its different stakeholder groups.**[30] It is sensible and indeed important that the project document foreground the importance of human rights defenders, and that the regional approach recognize their role. The Project has done good work in developing the toolkit on access to remedy[31], in supporting research in the area, in including NHRIs and human rights defenders in forums, and in supporting the inclusion of human rights defenders in NAP development. Despite those achievements it has struggled to demonstrably link these activities with effective pressure on government or business stakeholders.[32] The political sensitivities involved constrain the possible outcomes and result in some concern from civil society stakeholders that they are not being supported effectively. The wording of the current project document suggests an approach to supporting NHRIs and human rights defenders that reaches the level of legal assistance, which is beyond the capacity of a regional project to support consistently and effectively.

Secondly, while the work under Output 3 to strengthen the regional partnership architecture has been broadly effective, the conceptual separation of this aspect of the Project from the work done under Output 1 (to create the regional dialogue) has resulted in several missed opportunities of an unclear conceptual value. The primary effective mechanism the B+HR Asia (Sida) Project has established is the forums, and the Project has been considering the expansion of these to cover a wider range of sub-regions. This is not to suggest that the work done by the Project to build regional partnerships, such as with AICHR, have not been worthwhile, as they have. However, the work under Output 3 is mostly research activities and events that could conceptually sit under Output 1.[33] The success of the forums and their central role in regional discussions suggest that the Project should focus on reinforcing this line of action.

The missed opportunities resulting from this Project output structure are most evident in the B+HR Labs. These Labs were conceptually placed under Output 3 as a method of building problem -solving partnerships around topics of interest, a function against which they appear to have been successful. The B+HR Labs were events that brought relevant UN agencies together with a group of civil society stakeholders to discuss innovative options to support progress against key issues.[34] The Project's work on youth, which has the potential to address

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[30] This issue is discussed in more depth under the stakeholder section.
[31] The Routes to Remedy toolkit covers seven countries in Asia and connects defenders facing business-related human rights impacts with information on available judicial and non-judicial options for accessing remedy: https://www.routes2remedy.com/
[32] It is telling that Thailand is a leading country on BHR with one of the first NAPs in the region, the RBHR forum occurs in Thailand, with the participation of Thai human rights defenders, yet a human rights defender who participated in the forum continues to operate under significant legal pressure at the time of the evaluation.
[33] The activities do not seem to have resulted in ongoing regional partnerships outside those that are supported and created through the forums.
[34] They were initially conceived of as focusing on leveraging new technological solutions to address BHR challenges. Fortunately, the technology focused concept seems to have declined over time as the Labs became more general workshops for seeking solutions.

the development of champions for BHR in the region while also improving understanding of a key stakeholder group, grew out of the 2021 B+HR Lab.[35] However, this focus on the innovation component of partnership development concealed the importance of the Labs for UN partners as a milestone in the planning process for the RBHR Forum. The UN partners involved in organizing the RBHR Forum are all busy, and not all collocated in Bangkok, and the B+HR Lab provided an opportunity to bring that group together, something that often proves difficult in practice without such a concrete event in the calendar. The lack of a B+HR Lab in 2022[36] was noted by several UN partners as contributing to relatively less engagement in the planning process for the 2023 forum, clearly an unintended and unappreciated outcome[37].

While the majority of activities that occur under Output 3 are sensible contributions to the development of the BHR agenda in the region, this evaluation cannot see a clear rationale in practice for the value in differentiating between dialogue promotion and partnership building for planning and reporting's sake.

Finally, the evaluation considers Output 5 to be a critical component of the B+HR Asia (Sida) Projects conceptualisation of how change needs to be supported, but the specific wording of the output is poorly matched to the role of the Project in practice and the output is the smallest of the Project's five.[38] Business engagement is at the core of the success of the B+HR Asia (Sida) Project so far and will need to remain a priority if advocacy and advancement of the BHR agenda is to result in real improvements in the application of human rights. In practice, the team has adapted well to use this to work closely with business, supporting updates to Environmental, Social and Governance (ESG) health checks with the Thai Stock Exchange and working with Viet Nam on a foreign investment screening instrument. To fully engage with the perspectives of business this output should be reformulated in future programming to make it clear this is a place to ensure proactive business engagement with the BHR agenda.

Finding 6: The B+HR Asia (Sida) Project has notable achievements against all outputs of the original project document; however, through the process of implementation it has become clear that there were a number of **limitations to the original concept**. These will need to be addressed to facilitate positive BHR outcomes in the future.

To what extent have stakeholders been involved in project implementation?

Over five years of implementation, the Project engaged with more than 170 partners and numerous other stakeholders representing governments, businesses and business associations, think tanks, CSOs, civil society actors, human rights defenders, NHRIs, judges, lawyers, UN agencies and other teams in UNDP. Balancing this many stakeholders, not all of whom are traditional partners for UNDP, across a diverse and expansive region is an incredibly difficult balancing act. **One of the B+HR Asia (Sida) Project's successes is that it has managed to do so effectively through the five years of the Project**. The interviews conducted during this process made it completely clear that the main stakeholder groups involved in the B+HR Asia (Sida) Project hold very different agendas and priorities and do not always agree on the

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[35] Albeit the outcomes of the B+HR Lab on youth appear to have been primarily to link the UNDP youth team effectively with the B+HR Asia (SIDA) team, enabling further work on the issue. It is less clear that the lab contributed to any ongoing partnership between youth organisations.. i.e. a strengthened regional partnership architecture.

[36] The 2022 UN RBHR Forum was held in September 2022. The Project team used the opportunities during the Forum to substitute the Lab, however, as identified by partners – an additional activity for B+HR Lab could have been organized in October as planned each year.

[37] It is to be noted that as per RRF, B+HR Asia was expected to organize 5 B+HR Labs, and at the end of the project has organized 5 B+HR Labs (in 2017, 2018, 2019, 2020, and 2021).

[38] Only 8% of the budget was assigned to Output 5. This was acceptable for the first phase to develop understanding of BHR regionally, but should be adjusted in any future phase.

appropriate processes that should be used, nor on the specific role of UNDP in supporting the BHR agenda. Many in civil society have a clear expectation that UNDP is there to support them in a fight against business and government and expect this to be explicitly shown in flagship events like the regional forums. They also often see these events as important opportunities to highlight their research and priorities to influence government and business. In contrast, government partners appreciate the convening power of UNDP but expect a neutral environment and a managed range of discussions that only approach controversial points carefully and allow governments to clearly articulate what they have achieved. Finally, business partners broadly speaking are interested in discussions of solutions, wanting UNDP to create spaces where the various stakeholders can identify what will work mutually.

Within this context **the strong success of the Project in not only maintaining the stakeholder group, but expanding it over time, is a testament to the extent to which the B+HR Asia (Sida) Project has adopted an effective and highly participatory approach**. Multiple respondents across different stakeholder groups commended the Project for the extent to which it was responsive to their questions or requests for support and highlighted the strong sense of ownership they had over work that occurred with the Project. It is clear that **the B+HR Asia (Sida) Project functions with a fundamentally partnership model at its heart**, one which prioritises the development and empowerment of a wide range of partners and understands that the effects that can be achieved by the Project can only occur through effective leveraging of strong partner capacity. This is highly sensible for a regional project aimed at working with and influencing such a diverse range of partners and aligned with the UN's neutral convening role.

Where the B+HR Asia (Sida) Project failed to deliver on this approach, partners from the UN, civil society and business all identified time pressures and the overwhelming number of activities that the small Project team were supporting as the primary cause of failures in communication or process. There was a generally high degree of understanding for these issues, even if some partners had examples of less optimal outcomes resulting from such delays.[39] The issue of the number of activities and workload of the team will be addressed further under efficiency, as the evaluation concludes that the team was overall highly effective in involving stakeholders in the conceptualisation, planning, and implementation of project activities.

Three inter-stakeholder issues are worth discussing in more detail at this point. The first is the perception held by some partners that the involvement of business in the forums and the Project had declined in the last few years of the Project. This was not a universally held position,[40] but several business respondents pointed to the need to strengthen the practical relevance of activities and focus on a balance of solutions and issues. Given that the considerable involvement of business so far has been a strength of the Project, and that business remains critical to addressing the issues, the Project should consider what can be done to reinforce the perceived value of participation.

Secondly, the B+HR Asia (Sida) Project will need to continue to closely manage the balance between civil society participation on one side and the expectations of government (and to a lesser extent business) that they can participate safely. A number of civil society partners stated that it was the role of UNDP to be on their side, a position with some merit given that UNDP's

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[39] While it is clear that the project team prioritize communications with partners, several partners identified difficulties in consultation as resulting in extra work, or in extended delays to finalization of products.
[40] The RBHR Forum data and reporting indicates a relatively stable level of business attendance, but comments on a reduced value for business stakeholders were a feature in the majority of interviews conducted during the evaluation, and many indicated they had reduced the amount of time they spent attending these forums.

fundamental mandate is to support the most vulnerable and that many of the frustrations can legitimately be linked with poor government behaviour. However, it is also true that government stakeholders are often sensitive to criticism and can withdraw from these dialogues relatively easily. The B+HR Asia (Sida) Project has done well to manage these tensions, by creating safe spaces and prioritising civil society voices[41]. It should assess options to increase the number of more targeted and facilitated spaces to enable effective sharing on sensitive issues, for all stakeholders and not just civil society. This could align well with Project efforts to more closely align and maintain support to a smaller set of specific country-level processes.

Finally, the B+HR Asia (Sida) Project can be highly commended for bringing multiple UN actors into one system, but this may result in tensions and issues due to individual mandates, institutional capacities, and issues relating to communication and division of labour. The good will and investment into relationship maintenance of the Project has resulted in very positive reviews from the majority of its UN partners. Where issues remain, they arise from long-standing differences in process and prioritisation and can only be managed and mitigated. The Project has directly supported some partners' participation, such as the UNWG, but it may also be useful to attempt to fix the dates of the RBHR Forum in the year to ensure it is consistently distinct to key Geneva human rights events.[42]

Finding 7: The **B+HR Asia (Sida) Project has been highly consultative and developed deep partnerships with the full range of stakeholders**. Maintaining effective stakeholder engagement with a system of this complexity is a very difficult task, and the Project has done well to succeed up to this point. The goal for the Project going forward is to strengthen the involvement of business in the BHR agenda, create more facilitated spaces for stakeholder interactions, and maintain the UN system investment.

Finding 8: The B+HR Asia (Sida) Project has supported too many activities as it attempted to engage effectively with the full range of stakeholders, and this has at times resulted in delays in communication or response.

How effectively does regional-level work translate into tangible outcomes at the national level?

While there is a strong link between the regional-level work and progress in policy development, there is a more questionable link between regional-level work and tangible outcomes at the national level for rights holders. However, it is not clear that it is reasonable to expect significant tangible outcomes for rights holders at this time. It is clear from the project document that the priority was to utilize regional mechanisms and approaches to maintain or develop momentum in building awareness and policy responses from countries in the region. The majority of the Project's efforts so far have gone into developing this awareness, identifying opportunities to engage with countries, and then supporting policy development around BHR. While it is apparent that the support of the B+HR Asia (Sida) Project was well appreciated and considered to have encouraged and reinforced the quality of policy development efforts, tangible outcomes result from implementation of those policies, and that implementation has only just begun. Furthermore, that implementation will involve significant country-level efforts aimed at supporting business and government to change their current behaviours, which are forms of support better suited to the CO. The role of the regional Project is best suited to

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[41] UNDP has taken into account the power dynamics and recognised the need to prioritise support to civil society given that they are the most disempowered group.

[42] It may be useful to identify specific project funding under any further phase to enable UN partners participation. It is clear that several UN partners currently struggle to fund their participation, and this difficulty may increase if there are more sub-regional forums.

enabling the work of the CO, and not in managing much of the work of translating regional influence into national outcomes.

Looking at Bangladesh and Viet Nam – the two countries which received the most direct support from the B+HR Asia (Sida) Project, in both cases the majority of respondents considered implementation to be at an early stage and did not point to significant concrete changes in how government and business were improving the conditions around human rights. They saw the successes primarily in terms of raising the agenda and getting interest in planning for BHR, but there was a general perception that much remained to be done. This is to be expected given that BHR is a relatively new concept for both countries, and that there are many practical challenges to implementing change.

The B+HR Asia (Sida) Project's work on assessments and toolkits was valued where relevant. Civil society, government and business respondents could point to toolkits such as the Routes to Remedy toolkit[43] and Reporting Business and Human Rights: A Handbook for Journalists, Communicators and Campaigners[44] as relevant examples of needed guidance that was having some impact on behaviour. The quality of these reports was seen in their utility and applicability to the contexts they were designed for; however, such examples were primarily given at the individual level and no respondents could point to an evidence base addressing overall outcomes at the national level.

This last point is significant, as it reflects the nature of investments made in the current phase of the B+HR Asia (Sida) Project. While the Project has done notable work to support the development of some forms of evidence on the state of BHR in the region, these have so far been characterized as assessment-style approaches designed to define the current state on particular topics. These include Project support to the National Baseline Assessment and the Preliminary Assessment of the Regulatory Framework on Responsible Business Practice in Viet Nam, the assessment of the current state of BHR in Bangladesh to feed into NAP development, and the Needs Assessment of NHRIs on Business and Human Rights.

Assessments are critical stages in the process of deciding what issues exist and what should be done to address them; however, they are not monitoring processes and as such do not serve to provide evidence of change as a result of efforts to improve BHR. A number of partners commented on a current general lack of evidence of what is changing in business approaches to human rights, and in the effects of the BHR and national agendas on the experiences of the vulnerable. This is a major issue for the field currently, as it makes it difficult to assess what aspects of support contribute to improvements in the actual human rights observed. While the strengthening of national monitoring systems would best be supported at the CO level, approaches to monitoring will be more effective if there were standards to doing so that were regionally consistent.

Finding 9: The B+HR Asia (Sida) Project has been **highly successful in progressing towards the aim of building the BHR agenda in Asia**. The significant policy and knowledge improvement have not yet translated into measured improvements in the quality of BHR experienced by rights holders at country levels. A key aspect for the Project to manage going

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[43] See the Routes to Remedy digital toolkit: https://www.routes2remedy.com/

[44] Reporting Business and Human Rights: A Handbook for Journalists, Communicators and Campaigners: https://www.undp.org/publications/reporting-business-and-human-rights-handbook-journalists-communicators-and-campaigners

forward is to consider how national-level monitoring of BHR implementation can be measured, such that improvements can be identified and adaptions to approaches can be data driven.

How do different contexts and priorities between UNDP Country offices and the regional office impact the overall effectiveness of the Project in the region?

The overall approach of the B+HR Asia (Sida) Project has been one of leveraging its regional nature to encourage country engagement when there is evidence of growing interest, or where events make for an opening. This appears to have the effect of aligning the work of the Project with the priorities of the COs that they work closely with, as the government is typically generating the interest in engagement to some extent. As a result, COs acknowledge the priority, albeit as one of many and perhaps not the most significant. The work of the Project to provide expertise to support the development and implementation of effective projects at the country level is well perceived.

It is difficult for the evaluation to say more than this, given the broadly positive nature of the reporting. The positive nature of the responses clearly includes strong elements of the EU-funded project's work, as most CO did not differentiate between the two projects. This is also a success in terms of alignment of the two projects' work, as was recommended by the MTE. No CO reported major issues with how the Project seeks to develop the BHR agenda in that country, and the nature of the Project approach means that there do not seem to have been any incidents where the CO blocked or failed to resource approaches due to different priorities. The nature of the CO relationship with the host governments probably results in some reluctance to directly address BHR issues where the government is highly responsible for the problem; however, the evaluation did not find any evidence to suggest that the B+HR Asia (Sida) Project had set such a directive agenda in any context, so it is not clear that the issue has arisen. As was discussed above in the stakeholder section, there are differences in opinion across the different stakeholder groups over the nature of the role that UNDP should play.

Finding 10: The B+HR Asia (Sida) Project has built effective relationships with UNDP Country Offices, especially with Bangladesh and Viet Nam, and based its interventions on clear indications of national interest in engagement. Indeed, the Project has provided technical and advisory support to country offices in Nepal[45], Maldives[46], India and Pakistan[47]. The adoption of this approach seems to have resulted in no significant noted conflict between the Project and CO priorities, nor impacted on the effectiveness of project efforts.

Efficiency

To what extent was the existing project management structure appropriate and efficient in generating the expected results?

The current project management structure is broadly fit for purpose, with the team capabilities aligned with the regional structure and activities, and the approaches adopted by the B+HR Asia (Sida) Project appear to be efficient in terms of implementation practices. However, the Project has not consistently filled the expanded team structure that was identified at the time of the MTE, and the consistent expanding remit of the Project risks reducing the efficiency of

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[45] The B+HR Specialist provided technical and advisory support to the government on developing NAP and conducted two rounds of trainings for businesses on Human Rights Due Diligence
[46] The B+HR Specialist long with Global Business and Human Rights Advisor, supported Maldives CO in conducting a workshop for NHRIs on Human Rights Based Approaches and Business and Human Rights in March 2022. The B+HR Specialist will also support the National Dialogue on Business and Human Rights in Maldives to be held in October 2023.
[47] B+HR Asia (Sida) Team has consistently supported India and Pakistan CO on NAP development process, speaking engagements and workshops.

the Project approaches due to an excessive workload. The Project's own reporting demonstrates the scale of the expansion in support, with an average activity implementation rate of approximately 220% of what was planned in the project document at the time of the evaluation. Such approaches are unsustainable, and arguably reduce the extent to which the Project actions result in significant outcomes.

That Project team capacity to support the full range of activities over the lifespan of the Project would become an issue could have been identified in the project document, given that the plan was explicitly one of leveraging initial support to build momentum and engage with a wider range of country partners. The intent was expansion, so the demands on the Project team were likely to increase if momentum was strengthened successfully, and it would have been useful to have identified this in the risk log and considered mitigation.[48]

The impact of the workload on the efficiency of the team is already noted by its partners. A wide range of civil society, UN, and business partners provided comments on a level of variability in speed of response. A number of implementation partners described notable, and perhaps more critically unexplained, delays in the finalisation of products they had worked on. The evaluation team reviewed the availability of Project supported knowledge products online to validate the issue, and found a number of instances where the reports appeared to be currently unpublished.[49] While delays in publication are normal, and it is clear that the Project has supported the publication of a range of key assessments, toolkits and knowledge products that have been used by partners, it appears that there are some issues in timely production of outputs. Several stakeholders perceived a link between flagship events and the capacity of the team to engage, which seems unsurprising given the extensive effort witnessed in managing the delivery of the 2023 RBHR Forum.

The Project team has responded to the pressure to perform well, and to the findings of the MTE, by adapting the original project team to add capability in communications.[50] However, this gain in capability should be interpreted within the context of changes to the role and remit of the regional P4 advisor, which will likely reduce that role's capacity to engage in supporting the Projects activities.[51] Additionally, the position for P3, Project Co-ordinator was not filled after May 2022, which created additional pressure on the existing team. The Project has also articulated ambitious goals to build on the success of the sub-regional South Asia Forum and match this with similar events for other sub-regions. Such an expansion is warranted by the core Project ToC and fundamentally remains an appropriate goal of this regional Project; however, it should be implemented with a full understanding of the requirements of such an expansion.

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[48] The evaluation team notes that the original project was designed to support a greater number of country projects, and that the change from this concept to the one delivered in partnership with the EU-funded project may have disrupted analysis and identification of this issue. In retrospect the original staffing concept would have been seriously lower than what has been required in practice across the two teams, which would likely have had direct negative consequences for the achievement of outcomes.

[49] The review focused on 2022/2023 products under Output 2, and was unable to identify available publications of the "Casebook on Gender-Sensitive Business Practices", the "Recentering Business Respect for Human Rights: Overcoming Pillar II Pitfalls", the "Brief on Behavioural Science, Youth and Responsible Consumption", or the "Workers Rights in the Construction Sector of Bangladesh".

[50] The MTE recommended strengthening the monitoring capability, which was endorsed in the management response, but the evaluation team was not made aware of any such role continuing at the point of the evaluation process.

[51] The role of the P4 advisor in the regional office has been changed to make it country support focused, and the BHR support now sits with the P5 in the regional office. Given the significant organisational responsibilities of that P5 role, which covers the whole rule of law and justice portfolio.

This evaluation suggests that there are several potentially viable options to manage this efficiently without undermining the overall effectiveness of the Project. Firstly, the Project could engage in stronger prioritisation of efforts, focus on a few key BHR themes to reinforce, and reduce its investment into new concepts and into researching or resourcing all potential aspects of BHR. The current Project defined the Innovation Lab as a process to identify and expand into new conceptual areas, but the innovation could easily be within a smaller set of defined and consistent themes.[52] Secondly, the Project could manage the sequencing of flagship activities, offsetting sub-regional forums to avoid attempting to manage too many major events each year.[53] Such offsetting would also assist UNDP's smaller UN partners who are already struggling to engage with two flagship forums per year in the Asia region. Thirdly, the Project can expand its core staffing significantly, recognising that a larger pool of technical experts is required to enable the ongoing technical support to COs and manage the Project's lines of thematic research and knowledge production, while also supporting the whole-of-team effort required to deliver the flagship events. Fourthly, the Project can strengthen its plans to transition support in focal countries, currently Bangladesh and Viet Nam, to full CO ownership to enable reallocation of resources on to new country engagements.

In terms of contributing to the overall efficiency of UNDP's regional work on BHR, the B+HR Asia (Sida) Project has demonstrably leveraged strong partnerships with UNDP COs, with their technical expertise being used in a targeted way to support CO-level capacity to engage in the BHR agenda. In some ways it is useful that BHR is a relatively new agenda in UNDP, and the value add of technical expertise that the Project brings is both significant and appreciated. This understanding and appreciation of the regional support encourages positive relationships and efficient allocation of UNDP resources.

Finding 11: The B+HR Asia (Sida) Project has demonstrably used an efficient process in delivering project outputs and supporting regional outcomes, by leveraging partnerships and South-South learning and influence. The success of the Project has resulted in an observable increase in expectations on the Project, consistent with the concept of the original project document. As a result, the Project will need to adapt to maintain and improve the efficiency of its approach in the next phase.

To what extent did the Project produce synergies and play complementary roles within UNDP and with other development partners?

As was noted above, the B+HR Asia (Sida) Project is consistently acknowledged as an exemplar of partnership, working in a highly consultative way and with a consistent intent to complement and strengthen the work of UNDP on BHR. The work of the team to build effective relationships with the regional CO has been covered above, but this section covers the improved collaboration between the B+HR Asia (Sida) Project and the EU-funded project, along with identifying other UNDP synergies that have been developed.

Firstly, the EU- and Sida-funded projects have demonstrably responded to the findings of their respective MTEs and sought to improve the extent to which they work together in a coordinated way. This has involved a notable investment into communication, including the regularity of team and management meetings that focus on information sharing and collaborative opportunities. The two projects have worked to clarify leadership over certain themes, enabling them collectively to split the burden of specific expertise. The teams have improved collaboration on project management, monitoring, and communications, thus aligning

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[52] Noting also that the Innovation Labs had a strongly positive unintended consequence of enabling greater UN partner coordination, and this effect should be maintained and reinforced.
[53] The success of the South Asia Forum has led to a stated intent to hold other sub-regional forums.

implementation processes with management. This also involves the inclusion of the other teams in consultations on the development of tools and products, which encourages collaborative use of these knowledge products while also reinforcing a shared understanding of the BHR agenda. Since the MTE, the Sida and EU projects have been exchanging information and coordinating annual workplans to ensure complementarity and coherence. For example, the EU project and its regional and national specialists have engaged strongly in regional forums and other activities, whole the Sida team is involved in various big ticket item activities of the EU team, including the Corporate Sustainability and Environmental Rights in Asia Regional Conference and research on ESG. These are just a few examples of coordination and collaboration.

Finally, the teams have improved the extent to which they open their project events to enable the partner project involvement, which in the case of the RBHR Forum allowed the EU-funded project a platform to amplify their messages. Noting these efforts, this evaluation concludes that the projects are well aligned both conceptually and in practice.

Secondly, the B+HR Asia (Sida) Project and Japan-funded project have also collaborated in a coordinated manner. For example, B+HR Asia (Sida) Project staff conducted trainings for the Japan-funded project in Nepal and Ghana with government and private sector stakeholders; the Japan-funded project supported UN Responsible Business and Human Rights Forum and UN South Asia Forum on Business and Human Rights, using the forums as a platform to convene their project's key stakeholders, especially governments. Finally, the B+HR Asia (Sida) Project provided technical and advisory support to the Japan-funded project, including in the context of Pakistan's NAP process.

The B+HR Asia (Sida) Project has also demonstrated its capacity to develop synergies with other relevant UNDP teams in the region, most notably in enabling a strong partnership with the regional office's youth team to raise awareness on the specifics of BHR issues involving youth. The teams have collaborated on activities in the context of Indigenous groups and in terms of climate and consumption. The youth team was highly positive of working with the B+HR Asia (Sida) Project team, noting that they always listened and considered them to be enabling emerging topics on youth issues.

Beyond UNDP specifically, the team has demonstrated some synergies with other development partners in the UN system, most notably in the joint approaches to the regional and sub-regional forums. However, a number of factors are likely to continue to constrain the extent to which this can develop further. For example, the Office of the High Commissioner for Human Rights (OHCHR) could point positively to the ways in which they valued and had reinforced UNDP's work on NAPs by directly supporting CSO consultations and involvement in those processes. However, the specific mandate of OHCHR and their resource constraints meant that such coordination of efforts occurred occasionally. In contrast, the International Organisation for Migration (IOM) saw that their alignment with UNDP was increasing, with the two agencies holding a productive joint planning consultation as a side session at the 2023 RBHR Forum in preparation for their new project phases. With UNICEF, the Project co-developed an updated version of the *Human Rights Due Diligence and COVID-19 Rapid Self-Assessment for Business* toolkit to include children's rights. Likewise, the International Labour Organization (ILO) was a strong partner in the series of workshops conducted in Bangladesh leading up to the national dialogue on responsible business conduct in 2022. Other UN partners also noted positively the B+HR Lab model as a key event in the year that enabled sharing of priorities and progress and allowed for the identification of options for collaboration. That these opportunities did not occur enough and should be deliberately invested into by all UN actors in order to encourage further collaboration was acknowledged by a number of partners.

Finding 12: The B+HR Asia (Sida) Project has adopted a strong, partnership-focused approach to engagement within UNDP and with the partners involved in addressing BHR issues in the region. This partnership focus is effortful to maintain, as coordination between UN actors remains more difficult in practice than it should be due to a diversity of organisational priorities, systems, and approaches. Despite this cost, the investment the Project has made into its partnerships has been a significant success and has contributed to the positive regional perceptions of the overall UN role in supporting the BHR agenda.

What is the added value of the Project's regional approach for influencing the implementation of the UNGPs and development process of the NAPs at the national level?

As noted above, the regional approach is both an effective and efficient modality for UNDP. The BHR agenda was poorly known at the start of the B+HR Asia (Sida) Project and did not represent a traditional component of UNDP's work in the region or globally. As such UNDP lacked a depth of expertise or a wide range of active projects working directly on these issues prior to the creation of the B+HR Asia (Sida) Project. This has resulted in the positive cycle of UNDP COs seeking to have the technical support of the B+HR Asia (Sida) Project, which has contributed to a consistency and coherence of approaches across the countries that have engaged with UNDP on BHR.

The regional approach conceptually reinforces the South-South aspect of encouraging locally owned solutions and approaches. The project document explicitly states that a key mechanism for change is the influence that can occur between countries. This is most clearly seen in the rationale for the sub-regional forums, where the intent is to have relatively like-minded neighbouring countries sharing knowledge under the assumption that this will be more influential, more attuned to local conditions, and thus more likely to result in the spread of momentum and more rapid and consistent progress in BHR improvements. The Project can point to a number of examples where facilitation of country interactions is acknowledged to have contributed to engagement and progress and is notably considered to have contributed to the spread of NAP development processes in the region. The evaluation supports the effectiveness of this mechanism overall, but notes that several partners considered a simple sub-regional approach to inadequately reflect the most effective mechanisms for inter-state influence.[54]

The regional approach also seems to hold advantages from a business perspective, based on the interconnected nature and distributed supply chains that characterise modern business. This results in issues and effects that cut across borders and require regional responses. One of the specific issues that business stakeholders raised was the need for consistency of implementation of BHR principles across the region in order to maintain a level playing field. Concerns that investment in BHR will result in the loss of economic competitiveness cut to the heart of business concerns over actively participating in the BHR agenda, and a regional approach provides a clear conceptual demonstration that UNDP shares the vision and need for consistency in implementation of standards. That said, while the overall concept of the regional approach fits the needs of business, in practice there is less evidence of how the B+HR Asia (Sida) Project is engaging with business to support such consistency and clearly address these concerns. The expansion of the Project to support more countries in the region seems to be primarily the result of indications of government interest. This makes sense given the role and nature of UNDP and probably represents the most politically sensible approach that can be adopted. However, it does leave business needs the least served in the current Project, a fact

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[54] More than one partner considered regional influence to be mainly unidirectional, and dependent on national perceptions of the most relevant comparison states. For some this was not geographically bound, and the Project would be better to leverage different comparison nations, for example European nations.

noted under the stakeholder section before. Future programming should consider refining the work planned under the Output 5, and resource this line of action more substantively to ensure greater business engagement.

Finding 13: The validity of the regional approach has been established by the success of the B+HR Asia (Sida) Project. Such an approach integrates South-South learning as a core mechanism of change and reflects the regional and international nature of the BHR issues that countries must address to make progress on the implementation of effective human rights approaches to business.

Sustainability

To what extent did the project interventions contribute towards sustaining the results achieved by the Project?

What is the likelihood of continuation and sustainability of regional/national level dialogues engaging various stakeholders and strengthening national and regional partnership architectures?

The sustainability of project outcomes is variable due to the varied nature of the efforts that are being undertaken by the Project. Not all aspects of B+HR Asia (Sida) Project activities are intended to be sustained, nor would it be efficient for a regional project to invest to build sustainable capacities for all components of its work.

In terms of sustainable outcomes, it is clear that the Project has had a **sustainable impact on the BHR agenda in the region, as was intended**. The awareness, engagement and uptake that has occurred in this phase is so extensive and widespread that it is highly likely to be maintained beyond the life of the Project, not the least due to ongoing changes in the international legislative arrangements that influence businesses and supply chains in the region. The Project does continue to play an important role in conducting the regional forums as a vehicle for sharing knowledge, and there is no clear alternative to the UN as a coordinating actor to bring the region together in this way. However, this does not appear to be an issue of sustainability at this time, given the early stage of development of BHR in the region and the need for UNDP to progressively support countries as they become ready to engage with the agenda. The forums are also likely to retain utility for UNDP in the coordination and alignment of CO-level efforts in the region, as well as with the other UN partners, making them desirable to maintain at this time.

However, for many other aspects of the Project it is not clear that sustainability is or should be a priority. An example of this is the current approach to supporting NAP development, which is executed as a shorter-term investment focused on supporting an initial policy response. The B+HR Asia (Sida) Project has implemented these processes as a series of linked but bounded activities, including some capacity development, the conduct of assessments to support problem identification, and guidance on good practises in national consultations, including making links with other countries who have gone through the process. This process can take an extended period but is primarily about a single policy development process.

Some aspects of this support may result in a sustained improvement in national capacity to plan for and execute NAP development processes, but the approach is not structured as an effort at strengthening national policy development capability. Nor indeed should it be, as the investment required to build national capacity to manage BHR is a significantly greater long-term task and is not clearly the remit of a regional project. As such the best role for the Project is one that focuses on the initial policy development to support good outcomes in the creation of what represents the first NAP on BHR for most countries. Further support at both policy and

rights holder levels are better led by the UNDP CO, with the B+HR Asia (Sida) Project adopting an efficient and sensible regional approach that enables the Project to continue to expand the number of countries it supports who are conducting their first NAP process.

The other element of the Project that was intended to support sustainable regional outcomes is the work under Output 3 on strengthening regional partnerships. Towards this end the partnership with ASEAN represents a sensible pathway to embedding BHR into an enduring regional construct. However, overall the work under Output 3 can be more characterised as research, innovation, and facilitation around the regional forums, and it is difficult to see any evidence of sustainable regional partnerships being created at this time. As has been suggested elsewhere, Output 1 and Output 3 have in practice overlapped significantly, and there would be value in centralising partnership reinforcement under one output, which would reinforce the effects being achieved through the forums.

Finding 14: The B+HR Asia (Sida) Project has supported sustainable gains in regional awareness of the BHR agenda. This change will be persistent in the extent to which the region is engaged with BHR issues. Any future Project will need to maintain its support to regional forums due to the unique advantages that the UN has in bringing the full range of stakeholders together and facilitating the spread of knowledge across the region.

What are the plans or approaches of the local authorities/national partners to ensure that the initiatives will be continued after the Project ends?

The primary role for the B+HR Asia (Sida) Project is one of linking regional knowledge and supporting countries to engage with the initial steps of implementing the BHR agenda. In this context it is difficult to assess the sustainability of initiatives, as success in NAP development and national engagement represents very initial steps in improving BHR. It is not clear that the Project could have done more to consider sustainability that would have improved the outcomes at this stage.

The primary mechanism the B+HR Asia (Sida) Project appears to be using to build or sustain national investment into BHR is the support to the development of UNDP CO-level projects that have the capability to support national progress on an ongoing and country-specific level. The Project has made some investment into national-level capacity development through trainings and toolkits, but these should be considered as resources for more comprehensive CO projects, and not as stand-alone sustainable outcomes. Probably the more important investment the Project has made into sustainable outcomes is the extensive technical expertise support that has been provided to UNDP COs to enable their integration of BHR work into their portfolios, which represents a sensible mechanism for sustained support to the implementation of the BHR agenda at a national level.

Overall, the Project was intended to catalyse regional responses, not develop sustainable national capacity to maintain initiatives. A project aimed at doing this would look very different and be able to do much less overall regionally.

Finding 15: The B+HR Asia (Sida) Project has a defined pathway to support national partners in maintaining initiatives beyond the Project by enabling the CO to effectively implement longer-term, country level support.

To what extent have lessons learned been documented by the Project and then used to inform Project implementation?

The integration of lessons into the B+HR Asia (Sida) Project is an interesting topic. To this point, the Project can be characterised primarily as one of exploration and knowledge development. The Project has devoted significant effort to developing assessments, research, and toolkits

aimed at increasing the understanding of the dynamics on issues of BHR in the region. While these are not traditional lessons documents, in that those represent internal analysis efforts to learn from implementation, the Project's investment in this area and in the promulgation of this knowledge through regional interactions is fundamentally one of learning and development. The Project does have a sub-output under Output 2 that is described as the creation of lessons learned products, which does reinforce the overall assessment that the Project is focused on learning and knowledge development.[55]

Within this broader conceptual space of being a knowledge development project with a strong investment into learning lessons, the Project has also implemented specific processes to analyse and highlight the lessons that have been developed through implementation. The Projects annual reports are the most noticeable element of this, with dedicated sections on lessons integrated into each report. This foregrounding of the learning process is a positive sign, even if the content of the lessons sections is difficult to assess in terms of how it has influenced project implementation. For instance, difficulties in securing adequate engagement from business is noted by the 2020 Annual Report, a significant problem that has been noted in this evaluation; however, the potential methods of addressing it presented in the lessons section are minimally described, and there is no Project-level evidence of the lesson resulting in specific adaptations of approach. It is difficult to critique the Project on this issue, as creating effective lesson learning cycles is a difficult organisational challenge, and the Project has demonstrated a commitment to foregrounding lessons that is praiseworthy.

Finding 16: The B+HR Asia (Sida) Project has integrated lesson learning approaches into its reporting and activities, which is ideal for a Project devoted to a new field in a region with little experience at the start of implementation.

What could be done to strengthen exit strategies and sustainability of the Project?

As noted above, the B+HR Asia (Sida) Project has adopted an approach to regional capacity building based on supporting and developing UNDP's country capacities to manage and support BHR across the region. This is considered a sensible modality for a regional project to adopt to manage the scale of support required, while retaining its focus on the regional level. Beyond this aspect, it is primarily too soon to consider exit strategies given that awareness raising is the first stage of the overall response. The key challenge for the Project in the future will be to link regional awareness and policy changes with concrete improvements in the implementation of BHR in countries in the region. It will be doing this to retain relevance even as it is still in an expansion phase, given the number of countries that have yet to engage with the BHR agenda to a substantial extent.

One aspect that should be considered at this time is that the transition to greater emphasis on the effectiveness of BHR implementation will require more consideration of sustainability. Current Project activities in support of government or civil society capacity building tend to be somewhat standalone, and do not appear to be integrated into linked sets of activities that could contribute to sustainable changes. The Project will need to consider how best its activities can leverage existing civil society and business capabilities at the national level. This is most notable for business, where some respondents indicated that both funding and knowledge development were not strong requirements when the unique role that the UN could play was bringing reputational credibility along with facilitating stakeholder involvement. This perception is not shared by all stakeholders, and it is highly likely that enabling civil society participation in

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[55] Some of the products under this output are clearly lessons documents, such as the testing of the COVID-19 Business and HRDD Rapid Self-Assessment tool, however several can be characterized as knowledge development products that are better classified as assessments. This is considered a sensible Project decision.

BHR processes will continue to require different forms of support to that of businesses. As a result of these different expectations and needs, creating sustainable improvements with all stakeholders involved in BHR implementation is highly likely to remain challenging.

The toolkits are somewhat of an exception to this, as a number of partners report positively that they remain highly useful in the absence of direct UN support. While they were deliberately designed in this way, it is useful to note that they have been successful at having a sustainable utility to the relevant partners.

Finding 17: The B+HR Asia (Sida) Project has supported significant improvements in awareness and engagement with the BHR agenda and has a process to transition regional support to long-term, CO-level managed, country-specific projects. Progress on BHR is at a relatively early stage of development in Asia and it is too early to consider exit strategies in detail when the regional role of UNDP will remain critical for the foreseeable future if more countries are to invest effectively in BHR improvements.

Human Rights, Gender Equality and Social Inclusion

To what extent has gender equality and human rights-based approach been integrated into the programming design and implementation?

Gender equality and a human rights-based approach represent the fundamental approach that the B+HR Asia (Sida) Project has adopted through implementation. Gender considerations inform the basic planning and implementation of Project activities, such as the Project's implementation of gender balance in the panels that occur at its event. Stakeholders reported that the Project consistently adopted a gender-responsive methodology in its approaches and was a strong champion of gender issues in BHR. The Project prioritised the creation of products that addressed gender issues, such as the Casebook on Applying Gender-Sensitive Practices to the UNGPs in 2020, and a study of the costs of sexual harassment for businesses in 2021. The capacity building trainings delivered by the Project integrate gender and address the gendered nature of BHR issues. The Project also consistently pushed for gender-responsive NAP development processes.

This gender focus remains an important aspect of BHR and of the Project's work, and the evaluation supports the extent and consistency with which the B+HR Asia (Sida) Project has integrated gender considerations into all aspects of its work. Civil society and UN stakeholders noted that progress on addressing gender-specific issues in BHR remained a real challenge in the Asia region, and that the **Project's ongoing support was an important aspect of developing adequate responses**.

Finding 18: The B+HR Asia (Sida) Project has been an **effective champion for the importance of gender** as an issue in BHR and has integrated gender-sensitive approaches into all aspects of the Project's work. Gender will remain an important topic for the BHR agenda in the Asia region for the foreseeable future.

To what extent have disadvantaged and marginalized groups including Indigenous Peoples benefitted from the work of the Project?

To what extent has the Project promoted positive changes for women and marginalized group?

The B+HR Asia (Sida) Project has explicitly identified marginalised groups, including Indigenous Peoples, as important stakeholders with unique issues in the context of BHR that remain especially difficult to address. The Project has demonstrably shown that it is aware and creates space for the discussion of and support to marginalised groups, and the extent to which it has done so has improved over the five years of the Project. For example, the Project has

consistently provided space for Indigenous communities, with the project document noting them as critical stakeholders and the inclusion of their voices occurring from the first regional forum. Despite this recognition and prominence in the project document, there was also a common perception that the Project had improved how it managed and integrated indigenous issues into activities over time, and that they have greater prominence now. Indigenous communities have been included in support activities during NAP development, for example in Malaysia and Indonesia. The B+HR Asia (Sida) Project has also conducted a number of specific activities to strengthen the role of Indigenous communities in BHR, including a regional dialogue on Indigenous youth in 2020, and providing small grants to Indigenous youth organisations in 2021.

Adequate inclusion of marginalised groups is always a challenge for projects operating to support and address issues at a regional level. Not all marginalised groups can be consistently included, nor will these issues consistently get the prominence and engagement from other stakeholders that they need. The evaluation finds the Project to have done well in inclusion, and that it has been a consistent priority as it should be for UNDP. Representatives of marginalised stakeholder groups recognised the networking value of their inclusion, and that their voices were recognised and given space by the Project. However, a number of these stakeholders were frustrated by the pace of progress in addressing issues of marginalisation in BHR, were critical of NAP processes due to the lack of clear resourcing and implementation of these plans, and were among the most vocal groups calling for the Project to move from conversations to more direct support to improvements in implementation of BHR principles. Civil society stakeholders considered the role of the UN to be on their side and more directly supporting them in their conflict with governments and business.

This is a difficult context for the B+HR Asia (Sida) Project, as the core principle has been to ensure the inclusion of all groups, which does mean that more confrontational approaches are not adopted. The evaluation is supportive of the need to keep government and business engaged in BHR, and that this will involve significant trade-offs in how topics are handled and how hard stakeholders can be pressured to perform better. On the other hand, the role of UNDP is primarily to support the most vulnerable, and so marginalised groups must also gain unambiguous value from their involvement with the Project. Management of Project events such that the full range of stakeholders are willing to be involved – and so that substantive exchanges occur to the satisfaction of all sides – is not an easy task and requires significantly more planning and organisation than do other events.[56]

The issue also connects to the challenge that BHR generally lacks the capability to measure and assess positive change (or the lack of it) and thus hold duty bearers to account for their performance. The Project can demonstrate significant investment and prioritisation of gender equality, marginalised groups, and Indigenous communities in its BHR agenda, and efforts are primarily at the level of policy and awareness. It struggles to show what positive changes for these vulnerable groups result from this, as the national-level structures to measure changes in practice are non-existent or failing to collect adequate data. As the next phase of the Project strengthens its efforts to link policy with improvements in quality of BHR, strengthening systems of monitoring that cover marginalised groups and Indigenous communities will be an important aspect of assessing overall progress and ensuring no one is left behind.

Finding 19: The B+HR Asia (Sida) Project has done much to keep marginalised and Indigenous groups included as key stakeholders, but **the country context remains difficult for many such**

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[56] It would be important to note that the evaluation is not claiming that any multi-stakeholder regional event is easy to organize.

stakeholders. There is significant frustration with the extent to which awareness and policy action on the BHR agenda is translated into tangible improvements for these communities.

Case Study Viet Nam

Viet Nam has increased its engagement with the BHR agenda in recent years as the government has identified the need to align its policies with international standards and taken steps to do so. Labour rights have been a significant focus of Vietnam's progress towards business and human rights. The country has made steps to improve labour standards and worker protection through legal reforms including the updated 2019 Labor Code. This introduced a number of provisions to protect workers' rights and improve responsible business practices. A driver of this change was the signing of several important international agreements, notable the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) and the EU-Viet Nam Free Trade Agreement (EVFTA) in 2019. These developments aim to enhance workers' rights, promote freedom of association, and address forced and child labour issues. In 2018, Vietnam ratified the International Labour Organization's (ILO) Convention on the Abolition of Forced Labour and the Minimum Age for Employment Convention. This indicates a willingness to address labour rights and combat forced labour and child labour practices.

Starting in 2018 under the term 'responsible business practices', Viet Nam sought support from the B+HR Asia (Sida) Project in developing a roadmap to advance BHR. The technical support from the Project has supported the process of developing a NAP on Responsible Business, which was published in July 2023. This technical support involved many of the approaches that have been described above. The Project directly assisted the initial assessment stage of the NAP development process by conducting the Preliminary Assessment of the Regulatory Framework on Responsible Business Practice in 2020, which informed the national baseline assessment conducted by the Vietnamese government. The B+HR Asia (Sida) Project also supported ten consultation events that brought together ministries, business associations, and civil society to collect inputs for the draft NAP. The regional approach was leveraged in several ways, including through mechanisms of South-South sharing. These included by facilitating a Thai expert to participate in a capacity building and peer-learning workshop for the drafting team in 2022, enabling Viet Nam to learn from Thailand's experience in some of the specifics of NAP development. Finally, the Project has also supported some toolkits for specific aspects of BHR, such as the Foreign Investment Screening Instrument developed with the Viet Nam Chamber of Commerce, and the Roots to Remedy Toolkit, which covers Viet Nam.

The result of this support was a NAP that is based on the three pillars of the UNGPs, with actions organized in five main cross-cutting groups, including (i) awareness and capacity raising; (ii) policy and law improvement; (iii) effective enforcement of policy and law; (iv) coordination and information sharing; and (v) review and evaluation of NAP implementation. The publishing of this NAP represents a significant milestone in the development of BHR in Viet Nam.

Noting this success, many of the business, civil society and academics that were interviewed for the evaluation point out that the results are preliminary, with the Vietnamese government needing to allocate resources and then take action to implement the NAP. Much work remains to be done in the promotion of BHR concepts and needs in Viet Nam, especially for the many small companies at the end of supply chains. One specific issue that was noted was the ambiguous status of the NAP in Viet Nam, as it was currently unclear if it was a policy or a law, which will influence implementation. A second was the role of civil society engagement with

the government over responsible business, something which has been enabled by the Project during the NAP consultation process, but which should not be taken for granted and would need further support if it was to be effective in influencing the implementation of the NAP.

Case Study Bangladesh

International standards concerning human rights, labour rights, and the environment are becoming increasingly integrated into trade and investment regimes. Bangladesh has ratified most key international conventions, notably the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the ILO Protocol 29 of 2014 and the Forced Labour Convention (ratified in 2022). Bangladesh has also ratified the ILO Age Convention (no. 138) in March 2022, and its law on child labour is complaint with the convention on this aspect. It has also adopted environmental acts, including the UN Framework Convention on Climate Change (UNFCCC), and has designated environmental courts.

Despite these improvements in the legal framework for BHR principles in Bangladesh, effective and consistent implementation remains a challenge. As a result of COVID-19 and more workers being pushed into the informal sector, Bangladesh was categorised as a country with "extreme risk" of modern slavery in 2020. In some industries, there are concerns about the extent to which labour and human rights are complied with in practice. The government was initially slow to develop a NAP, and this contributed to the B+HR Asia (Sida) Project proposing that the 2022 South Asia Forum be hosted in Dhaka.[57] This occurred in the context of the upcoming 2026 graduation from LDC status and the implementation of the EU Corporate Sustainability Due Diligence Directive (CS3D). Following the forum, the Prime Minister's Office took leadership over the process of developing a NAP in collaboration with the B+HR Asia (Sida) Project. The Project conducted workshops and trainings in support of the development process, bringing together government officials, lawyers, and civil society. The Project also conducted studies to develop the knowledge base, including on specific issues like workers' rights in the construction industry, covered Bangladesh in the Routes to Remedy Toolkit, and held a workshop on communicating BHR issues with civil society.

A national consultation process on the NAP was ongoing at the time of the evaluation, with the Bangladesh government stating that they were using a whole-of-society approach to ensure adequate civil society and private sector consultations. A number of aspects of the BHR agenda remain sensitive in Bangladesh, and the B+HR Asia (Sida) Project funds a dedicated position in the UNDP Bangladesh Country Office to support the extent of work being conducted in support of NAP development and other lines of work aimed at improving the implementation of BHR nationally. Responsible business has become a significant issue for UNDP Bangladesh, recognising the progress and importance of the issue for the country.

Conclusions

Conclusion 1 (Relevance and Impact)

The B+HR Asia (Sida) Project has been successful in becoming a core element of the development of momentum on BHR in the Asia region. It has contributed to the quality of the regional dialogue, provided a vital space for civil society, government and businesses to interact, and successfully used its regional approach to influence a number of countries to increase their investment into addressing BHR issues. It has demonstrated a politically aware

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[57] The Project had previously supported this process by conducting a preliminary National Baseline Assessment in 2021.

and adaptive approach through implementation that has contributed strongly to its success. It has also achieved all of the above despite the massive disruption that occurred during the COVID-19 pandemic.

Conclusion 2 (Relevance)

To stay relevant and build upon the success of the Project, the B+HR Asia (Sida) Project will need to invest more into using its regional position and influence to support efforts to translate policy progress into more practical human rights outcomes. Most of the success so far can be found in greater awareness and policy responses. The awareness raising and policy support roles of the Project remains relevant; however, more and clearer progress needs to be seen in tangible changes to the quality of BHR experienced by marginalised and vulnerable groups in the region.

Conclusion 3 (Impact, Effectiveness and Efficiency)

The Project's success results from the highly consultative approach adopted and the deep partnerships that have developed from this approach. Maintaining engagement with stakeholders and balancing their different priorities and needs is a constant challenge for the Project, but it has been a core priority through implementation and has been successful overall. The investment the Project has made into its partnerships has contributed to the positive regional perceptions of the overall UN role in supporting the BHR agenda. However, the project document, while recognising the importance of business, did not engage that stakeholder group to the extent that it did the others. An important goal of the Project moving forward should be to strengthen the involvement of business by ensuring the utility of the Project for their needs (Output 5).

Conclusion 4 (Effectiveness and Efficiency)

The B+HR Asia Programme is more coordinated now than it was at the time of the MTE. The B+HR Asia (Sida) Project and the EU-funded project have implemented effective mechanisms to share information on activities, divide up work on thematic areas, and identify opportunities to work together to achieve better outcomes.

Conclusion 5 (Relevance and Impact)

The B+HR Asia (Sida) Project has achieved notable outcomes against all outputs of the original project document. As a result of what has been learnt and the progress that has been achieved so far, the original five outputs would need to be adjusted for any future phase.

Conclusion 6 (Impact and Effectiveness)

The B+HR Asia (Sida) Project's role in managing the regional forums remains critical to successful regional knowledge sharing, influence, and progress towards implementing the UNGPs (Output 1). Its strengths are that it brings together all of the key stakeholders in the BHR agenda (civil society, business, government, and the UN) and recognises their importance to the overall outcomes.

Conclusion 7 (Impact and Effectiveness)

Efforts to support the development and implementation of national policies have been equally effective (Output 2). The support to NAP development has demonstrated the utility of the regional approach by enabling national interactions that encourage greater investment into BHR responses. The approaches that the Project have supported have also provided useful entry points for civil society to raise key human rights issues in this context.

Conclusion 8 (Effectiveness and Efficiency)

While the investment into strengthening regional partnerships was a sensible conceptual approach in the project document (Output 3), it has not resulted in the creation of significant and enduring partnerships separate to those enhanced by the forums (Output 1). Many specific activities under this output have been worthwhile, but partnership development is so intertwined with the effort to reinforce regional momentum towards implementing the UNGPs that the evaluation does not see added value in artificially differentiating this line of work.

Conclusion 9 (Efficiency and Sustainability)

The work of the B+HR Asia (Sida) Project to support capacity development of partners has been useful (under all outputs, but notably under Output 4), but to result in sustainable improvements at the national level this needs to be clearly linked with consistent national-level processes of development. The regional nature of the Project makes it most effective in supporting initial forms of engagement, and in providing UNDP COs with the technical expertise they need to develop and implement projects at the national level to support the longer-term work required for tangible improvements. Transitioning ongoing country support to COs will be important if the Project is to be able to effectively engage with opportunities to bring more countries in the region into alignment with the UNGPs.

Conclusion 10 (Effectiveness and Efficiency)

The regional approach to reinforcing momentum on BHR has been an efficient and effective strategy for UNDP. Its effective use of South-South learning as the core mechanism is a strong demonstration of good approaches to development. The success of this has resulted in an increasing number of countries seeking UNDP support for their BHR processes and planning, which has placed further pressure on the Project team. The evaluation supports the core concept that UNDP should continue to expand its support to other countries in the region in order to leave no one behind; however, the resource requirements of this need to be factored into planning and approaches.

Conclusion 11 (Human Rights, Gender Equality and Social Inclusion)

The B+HR Asia (Sida) Project has prioritised marginalised groups, gender equality, and Indigenous communities in its work so far. The regional context for progress in addressing the needs of these groups remains very difficult, and there is legitimate frustration with many of these partners over the pace of change. Any future stage of implementation will need to maintain the current focus and support to these groups, as they represent the core beneficiaries of the Project's work. However. it is as important to maintain the involvement of government and business stakeholders, and the Project is constrained in the extent to which it will be able to directly support improvements at the national level, as this is more properly the role of the CO.

Conclusion 12 (Impact and Effectiveness)

The extent to which it is possible to see tangible effects in human rights improvements for key vulnerable groups is at least in part due to an overall lack of monitoring of such outcomes across the whole area of BHR. There is little consistency, and in most instances very little monitoring at all, at a national level that would allow determination of how human rights compliance had changed or improved.

Summary of Evaluation Criteria and Rating

The evaluation ranked the B+HR Asia (Sida) Project against the key evaluation criteria according to the ranking scale that was described in the Inception Report. This is consistent with the one used for the MTE. The table below provides a brief summary of the assessment against each criteria.

Criteria	Assessment	Ranking
Relevance	The Project is highly relevant to regional improvements in BHR and has used an adaptive approach through implementation to maintain its relevance. The Project is aligned with and influencing national development policies and is relevant to the current UNDP RPD.	4
Impact	The Project has made a significant impact on the awareness and development of momentum across the region on the BHR agenda.	4
Effectiveness	The Project has been highly effective in supporting the development of regional dialogue on BHR, and in using regional mechanism to improve BHR policy development. National level improvements in the implementation of the UNGPs are at an early stage of development.	3
Efficiency	The regional approach has been an efficient method of supporting regional and national level effects. The Project has adopted a strong partnership model which is the most efficient approach for the issues. The extent of alignment with other UNDP BHR projects has improved.	4
Sustainability	The Project has supported the sustainable improvement in BHR awareness that was intended. It is too early to tell if the momentum generated will result in sustainable improvements to the implementation of the UNGPs in the region.	3
Cross Cutting	The Project has prioritised supporting the needs of vulnerable groups, has supported indigenous communities, and has consistently supported gender equality in its actions and efforts.	4
Overall	The Project has been highly successful, well-conceived and managed, and has had significant influence on the regional dynamics around BHR.	22/24

Rating scale

- Highly Satisfactory (4)
- Satisfactory (3)
- Moderately satisfactory (2)
- Unsatisfactory (1)

Recommendations

The recommendations that follow are aimed at building on the success and lessons from this Project to inform future UNDP programming on BHR. As the body of the report indicates, the success so far is notable, but does represent an initial stage of turning the BHR agenda into a system that supports better human rights outcomes consistently across the region. Much remains to be done to build from these initial successes and improvements into a more consistently strong Asian business and human rights context.

Recommendation 1 (Relevance and Impact)

The B+HR Asia (Sida) Project has helped to shape and respond to the strong demand on BHR in the region, and any future programming should continue to reinforce the BHR regional and sub-regional forums, which have been critical to the effectiveness of the Project.

The success of the Project in building awareness and engagement is significant, but the spread of awareness is also ongoing. In practical terms, the forums serve as the main vehicle for UNDP to strengthen partnerships and provide the strongest mechanism around which to coordinate knowledge sharing. Efforts to build partnerships under Outcome 3 have not contributed to persistent systems that provide strong alternative mechanisms, and the Project's conceptual distinction between Output 1 and 3 has not contributed to improved outcomes. Given the complexity of the regional Project, simplification and focus is warranted, and would be best served by treating the forums as the main milestone in consistent efforts to strengthen regional partnerships and knowledge sharing. This should include strengthening the linkages between forums, making explicit the focus and role that each play, and then working to ensure that they coherently contribute to overall impacts.

Recommendation 2 (Impact, Effectiveness and Efficiency)

Any future programming on BHR should reduce the number of issues it focuses on in order to work consistently on those issues and support greater implementation of changes in how BHR is done at the country level.

This Project has rightly been one of raising awareness and flexibly engaging with issues as they become more salient. The move from BHR awareness to effective BHR requires greater consistency of investment if it is to result in progress against persistent issues that cause poor human rights compliance. If the Project team is to avoid being overwhelmed, then this will reduce the number of key issues that can be supported. A potential guide to how this will influence content, the largest part of forum content (60% of sub-regional, but also 30% of the regional) should follow up and build directly from previous years' sessions. This would allow the tracking of progress, a focus on issues identified during efforts, and would increase the extent to which the forums could be used as directed political tools to support progress.

Recommendation 3 (Impact and Effectiveness)

Any future programming on BHR should continue to engage with countries that seek its support to expand the influence of the BHR agenda. This will need to occur in conjunction with careful management of its workload and a deliberate effort to transition ongoing country support to CO management.

The fundamental conception of the Project is that building BHR awareness in some countries, and using regional sharing and exchange, will encourage more countries to invest into BHR. This concept has been validated during implementation and should continue to be implemented in any future phase so that no country's vulnerable communities are left behind. However, expansion of support has a direct impact on the workload of the team and its partners should the sub-regional expansion result in further forums as planned. This expansion requires closer management of resources and will require sequencing of events across years if it is to maintain partnerships. One way to manage this would be that if more than one sub-regional forum is being supported, then these sub-regional forums should be done on alternate years. Progress and momentum can be maintained between years through smaller activities restricted to explicit follow-up on strategic efforts (such as progress in NAP development).

Recommendation 4 (Effectiveness, Efficiency and Sustainability)

The role of any future regional project on BHR in supporting capacity development should be focused on two pathways: supporting regional development of standards and tools and supporting effective initial country engagement in the BHR agenda. It should not attempt to support direct capacity development at the national level beyond initial development aimed at enabling effective national CO projects.

The role of the regional Project is to support the start of the process of engagement with the BHR agenda. As such, the evaluation appreciates the role and importance of the regional Project in doing some work to develop national capacity and to advance knowledge on particular aspects of BHR. However, the unique value of the regional Project is in its regional nature, and as the number of countries being supported expands, depth of investment into the original countries must decline. The B+HR Asia (Sida) Project should clearly define that its pathway to supporting national partners in maintaining initiatives beyond the initial stage is through enabling the CO to effectively implement longer-term, country-level support. The Project should be looking for ways to transition support to countries like Bangladesh and Viet Nam increasingly over to the CO so that it can devote additional resources to countries that are only now engaging in development of BHR. Towards this end, the technical advisory role of the Project will remain critical to enable effective UNDP CO projects and should be adequately resourced for any future phase.

Recommendation 5 (Impact and Effectiveness)

Any future programming on BHR should strengthen investment into understanding and supporting effective business engagement with BHR (currently Output 5).

The Project has done well to engage with business, noting that business is the least familiar partner for UNDP and that there remain many political constraints to how UNDP can partner with business. That said, the ongoing success of the BHR agenda is fundamentally one where business is an equal partner with civil society and government in implementing changes that strengthen implementation of the UNGPs. Stronger business engagement is not directly a matter of greater funding, but one of providing more spaces that enable business to work with civil society and governments to find solutions. This will not be easy, and so greater investment in this line of action will primarily involve the investment in relationship development and problem solving in a search for mutually acceptable outcomes.

Recommendation 6 (Human Rights, Gender Equality and Social Inclusion)

Any future projects and programming on BHR should maintain the current level of investment into supporting marginalised communities and communities negatively impacted by business practices. The Project is limited in what it can directly achieve for these groups, and it is as important to ensure continued involvement of the other stakeholders.

UNDP's core role is to support the most vulnerable, which is easy to state but difficult to do consistently from a regional level where many stakeholder groups are involved. The Project will never be able to provide in-depth support to all vulnerable groups, but the current phase has done well to identify and provide adequate resource support to several key stakeholders. Gender is and remains a critical aspect for BHR globally and in the region, and its prominence should be maintained in project approaches. Indigenous communities are often a group most exposed to human rights violations related to business and can struggle to have their voices heard in national-level processes. As such their ongoing involvement is both important in ensuring the needs of the most vulnerable are represented and understood, but also a valuable test of the extent to which governments and businesses are consistent in implementing the

BHR agenda. The primary mechanism for the Project to support the most vulnerable is through enabling stronger CO responses to BHR.

Recommendation 7 (Effectiveness)

Future projects and programming on BHR should continue to invest in its UN system relationships and be mindful of the capacity limits of its partners.

The Project has done an excellent job of prioritizing engagement and building partnerships with UN partners, which has usefully expanded the number of agencies coordinating their efforts on BHR in the Asia region. It has improved the extent to which it works with the EU-funded project to achieve coherent outcomes. Maintaining and strengthening this coordination requires significant effort, but it is a worthwhile priority for the Project to resource given the reputational and substantive benefits it has provided. To this end it is important that UNDP appreciate the differences in regional capacity and focus between UN partners, and clearly take this into account when it comes to planning and implementing major events that benefit from full participation of said partners.

Recommendation 8 (Effectiveness)

Future regional projects and programming on BHR should invest into the conceptualisation and testing of monitoring approaches that would allow detection of progress in the implementation of key BHR concepts, notably changes in workers' rights and conditions, the effectiveness of access to remedy systems, and the experiences of women, youth and Indigenous communities.

A key aspect for the Project to manage going forward is to consider how national-level monitoring of BHR implementation can be measured such that improvements can be identified and adaptions to approaches can be data driven. Without improvements in this level of data collection, it is difficult to see how UNDP will be able to determine what aspects of BHR theory have the most impact or judge to what extent government and business engagement in policy debates is translating into concrete improvements for the most vulnerable. It will not be the role of a regional project to implement such monitoring systems, but the regional Project's position does give it significant positional power to both study what monitoring systems might work and assess how well they can be applied into different country contexts yet allow useful regional and international comparisons.

Lessons Learned

The success of the B+HR Asia (Sida) Project is significant enough that it has resulted in a number of potential important lessons for UNDP and its partners. It is not yet clear that these lessons are being mainstreamed into UNDP practice, or that there is adequate detailed evidence developed so far to be able to do that effectively, but this evaluation has identified three potential lessons that would bear further investigation.

Firstly, the Project has utilised regional mechanisms of influence effectively, most especially by empowering South-South interactions. This is in theory just development good practice, and aspects of this mechanism are often referenced in UNDP regional or project level documents. In practice, however, it has proved difficult to effectively implement regional approaches consistently, and regional effects on outcomes are often hard to define. The B+HR Asia (Sida) Project has benefited from putting the regional nature of its effects at the centre of its ToC, and then consistently implemented activities that leverage that effect. It has involved technical sharing, but also polite encouragement of competition between countries and the facilitation of opportunities for network development. There is good evidence for the positive effects this

had in some cases, albeit in others it is more difficult to be certain that regional interactions directly contributed to better outcomes.

Secondly, the B+HR Asia (Sida) Project has collected further good evidence that the linking between policy progress and tangible human rights outcomes remains a difficult and poorly understood one. Achieving policy progress is itself a difficult undertaking, as can be seen from the extended processes of NAP development that have occurred in several countries. Policy can also have a strong positive effect on human rights outcomes, but this requires a further step of resourcing and prioritisation of the specific aspects identified in the NAP. The Project has multiple examples of success in policy development, but it would be difficult to determine what factors contributed to success in one location versus an ongoing process in another. Equally, the Project now has a potential group of examples of what happens when a NAP starts to be implemented, but it is unclear what drives different levels of implementation and what can be done by UN actors to strengthen the level of implementation.

Thirdly, the Project has provided more evidence that coordination is an inherently effortful effect in the UN system, but that it can be effectively strengthened in unpredictable ways. The B+HR Lab was intended as an incubator style laboratory for discussions on new ways to address important BHR issues. The inclusion of the key RBHR Forum partners was almost a formality, and while coordination with them was an aspect of the event, it was not a key locus of effect. It appears that they were involved primarily because the Project already had a strong and fundamentally stakeholder-driven approach and, as such, valued their participation given that they also worked on these thematic issues. The B+HR Labs did effectively serve their intended purpose, contributing to several useful lines of Project activity. For example, the strong work on youth appears to have developed out of the 2020 and 2021 B+HR Labs. However, in practice the yearly labs occurred a useful time ahead of the RBHR Forum and attending them brought the relevant UN agencies together around a BHR topic. This resulted in the unintended consequence of allowing forum planning and coordination to occur a useful time ahead of the annual RBHR Forum. The impact of this event as a UN preplanning activity appears to have been underappreciated, and as such one was not conducted in 2022 due to that line of project activity having been completed.

Annexes

Annex 1: Major project results by principle output

Output 1: Regional and international dialogue and training events build momentum and inform progress on UNGP implementation efforts and facilitate South-South exchange and cooperation.	
Significant Results	The activities falling under this output are at the core of the success of the Project in strengthening and developing regional momentum on BHR. The unique position of UNDP enabled it to play a central role in coordinating and convening stakeholders, most notably through the forums organised by the Project. These forums have been central to the development of regional engagement on BHR, and to the strong south-south learning dynamic that the Project has supported. Regional level expert workshops created awareness and built capacities focused on environmental protection and the specific needs of women, migrants and indigenous peoples. The output successfully connected the regional with global discourse (e.g. through the global Forum on Business and Human Rights in Geneva) as well as with national discourse through national dialogues. In addition to the seven project countries, the Project also generated momentum in other Asian countries, including in the Maldives, Mongolia, Nepal, and Pakistan. **Key results include (but are not limited to):** - **Regional and subregional forums,** including the UN Responsible Business and Human Rights Forum (2018-2023) and the UN South Asia Forum on Business and Human Rights (2019, 2021, 2022, 2023); - **Sessions at the UN Forum on Business and Human Rights in Geneva,** while also enabling government, civil society and NHRI participation in Geneva; - **Numerous communication campaigns,** including in relation to forums as well as key events such as global human rights day, women's day, Indigenous Peoples' day (among others); - **Produced various videos and other communication products,** including promotional videos on the nexus between BHR, the SDGs, the environment, women's rights (among others), as well as a documentary on the Thai National Action Plan on Business and Human Rights; - **Organized a wide range of expert workshops at the regional level,** targeting a wide range of stakeholders, including governments, NHRIs, CSOs, regional institutions (e.g. ASEAN and AICHR), journalists, academics, human rights defenders and Indigenous Peoples; - **Developed toolkits and training curricula,** including the Human Rights Due Diligence and COVID-19: Rapid Self-Assessment for Business toolkit (2020) and training modules for policy makers and businesses on gender and LGBTI issues, as well as training modules for NHRIs.

EXPECTED OUTPUTS	OUTPUT INDICATORS	Activities for the 5 year project	Total Targets	Achievements	% of Performance
Output 1: Regional and international dialogue and training events build momentum and inform progress on UNGP implementation efforts and facilitate South-South exchange and cooperation Output 1 Indicators: No. of governments represented at the regional dialogue % increase in number of Asian companies that adopt human rights policies and due diligence protocols	1.1 No. of Regional dialogue events that support peer learning and strengthen political will and South-South cooperation	1.1.1 Co-host five (5) regional dialogue forums on progress towards the implementation of the UNGPs, including review of South-South cooperation and learning	5	10	200%
		1.1.2 Produce five (5) reports, outcome documents or multi-media product summarizing deliberations and conclusions	5	38	760%
		1.1.3 Develop three (3) videos and three (3) social media communication products to introduce gender and environmental dimensions, and other sub-topics to a widening B&HR agenda	6	11	183%
	1.2 No. of Regional Expert-level Workshops supporting capacity building, focused on the environment, and the specific needs of women, migrants and indigenous peoples	1.2.1 Host five (5) regional expert-level workshops on the UNGPs, or similar event identifying priority areas of action and best practices	5	13	260%
		1.2.2 Produce multi-media training products to support expert-level workshop	4	4	100%
	1.3 No. of key stakeholders actively participate in Global Forum on Business and Human Rights	1.3.1 Five (5) events co-hosted at the annual Forum on Business and Human Rights (Geneva)	5	8	160%
		1.3.2 Provide support to NHRIs, CSOs, and government in their engagement at the annual Forum on Business and Human Rights	5	5	100%

Output 2: Regional and national legislative and policy frameworks, including National Action Plans, are developed and implemented on UNGP, reflecting regional best practices, including perspectives of women, migrants and Indigenous Peoples (IPs).	
Significant Results	The Project has conducted a wide range of support activities that have contributed to government commitments to develop NAPs, stronger consultation processes, and an improvement in the BHR policy space across the region. To promote engagement of a wide range of stakeholders in NAP development processes, the project organized numerous awareness raising and capacity building events geared towards NAPs. Moreover, the project developed knowledge products and organized various consultations to inform the development of government policies. Finally, the project expanded significant effort in advising governments developing NAPs through technical and advisory support throughout different stages of NAP development, including through missions. **Key results include (but are not limited to):** - **Completed 56 advocacy missions to kickstart and support NAP development processes,** often involving advisory and capacity building support to governments; - **Technical and advisory support on NAP development,** including in Bangladesh, Lao PDR, India, Indonesia, Japan, Malaysia, Maldives, Nepal, Pakistan, Thailand, Viet Nam, Pakistan; - **Developed 16 knowledge products to support NAPs and uptake of the UNGPs beyond NAPs,** including National Baseline Assessments in Viet Nam and Bangladesh, a capacity and needs assessment of NHRIs in Asia; - **Facilitated NAP consultations with a wide range of stakeholders (including from civil society)** in Bangladesh, India, Indonesia, Thailand, and Viet Nam; - **Organized 66 awareness raising and 17 capacity building events** to support and strengthen NAP development processes and encourage implementation of the UNGPs.

EXPECTED OUTPUTS	OUTPUT INDICATORS	Activities for the 5 year project	Total Targets	Achievements	% of Performance
Output 2: Regional and national legislative and policy frameworks, including National Action Plans, are developed and implemented on UNGP, reflecting regional best practices, including perspectives of women, migrants and Indigenous Peoples (IPs) Output 2 Indicator: Four (4) NAPs or other strategic level planning documents, that meet international standards, fully developed and published.	2.1 No. of advocacy missions conducted in support of NAPs or other policy planning initiatives on B&HR	2.1 Provide policy guidance and encourage governments over the course of twenty-five (25) missions to develop NAPs or other strategic planning documents towards UNGP implementation	25	56	224%
	2.2 No. of policy products produced and disseminated in furtherance of NAPs development on B&HR	2.2.1 Five (5) policy products delivered on lessons learned and evidenced-based impact in the Asia context regarding UNGP implementation	5	16	320%
		2.2.2 Four (4) launch events coincide with each policy document release engaging media, CSOs, government, diplomatic community, and private sector	4	8	200%
	2.3 No. of technical support initiatives delivered on NAP drafting process	2.3.1 Provide technical expertise, guidance and inputs into NAPs and other implementation strategies, ensuring that policies are properly consulted, costed, and include defined roles and responsibilities, among other indicators of quality.	100%	100%	100%
		2.3.2 Host eight (8) consultations or eight (8) validations on finalized NAPs and other strategic materials with stakeholders at national and regional levels	8	22	275%
	2.4 No. of capacity building events conducted on NAP development and implementation, targeting government officers, CSOs actors, NHRI staff, and business leaders	2.4 Develop and implement ten (10) capacity building events on NAP processes and best practices tailored to government, NHRIs, and business	10	17	170%
	2.5 No. of awareness raising events conducted on B&HR that widen and deepen engagement on existing NAP or similar processes or that encourage government implementation of UNGPs	2.5.1 Develop and implement with partners thirty (30) awareness raising events at the regional and national levels on the UNGPs targeting communities impacted by business operations, private sector actors, CSOs, women, migrants and IPs	30	66	220%

Output 3: Strengthened regional partnership architecture, made up of UN system, NHRIs, CSOs, and private sector actors working on B&HR, brings greater coherence to awareness raising, technical assistance efforts, while facilitating innovative practices.	
Significant Results	Activities under this output were instrumental in establishing a regional partnership architecture on BHR, in addition to the activities undertaken under other outputs. As part of the third output, the project fostered partnerships through activities that brought together different stakeholder groups and especially fostered collaboration among UN system partners. The resulting partnership architecture enabled the project and its partners to identify and leverage synergies in terms of mandates, knowledge, capacities, resources and networks. **Key results include (but are not limited to):** - **Organized annual B+HR Labs** which brought together UN and CSO partners to enable collective reflection on priorities and outline plans for collaboration; - **Coordinated Bangkok Business and Human Rights Weeks** coinciding with the UN Responsible Business and Human Rights Forum, in partnership with the Swiss Embassy in Thailand, various UN Global Compact Networks, the Government of Thailand, AICHR, and a wide range of other partners from different stakeholder groups; - **Organized various thematic consultations and other dialogues with key UN partners,** including on issues related to labour, gender, migrant workers, access to justice, the right to development, and Indigenous Peoples; - **Conducted innovative research,** including on behavioural science and responsible consumption, and the informal economy; - **Established the Access to Justice Lab,** which is developing issue briefs on pressure points to influence corporate decision making and will support rights holders across the region moving forwards; - **Provided eight small grants to Indigenous entrepreneurs working on BHR-related issues.**

EXPECTED OUTPUTS	OUTPUT INDICATORS	Activities for the 5 year project	Total Targets	Achievements	% of Performance
Output 3: Strengthened regional partnership architecture, made up of UN system, NHRIs, CSOs, and private sector actors working on B&HR, brings greater coherence to awareness raising, technical assistance efforts, while facilitating innovative practices Output 3 indicators: # of organizations that attend knowledge sharing events, and develop joined-up programming with UNDP and other entities to work on B&HR # of scalable social impact projects launched	3.1 No. of coordination and knowledge-sharing lab strengthening cohesion among partners working on B&HR	3.1.1 Design and host five (5) partnership coordination and knowledge sharing lab to inform and shape regional dialogue on B&HR	5	5	100%
	3.2 No. of externally-facing events co-organized with other members of the partnership architecture	3.2 Co-organize three (3) events with members of the partnership architecture on the human rights risks that women, migrants and IPs face in the agriculture/fisheries, manufacturing, and infrastructure/extractives industries.	3	9	300%
	3.3 No. of innovation labs conducted between CSO and UN system partners and private sector start-ups that address business and human rights challenges	3.3.1 Three (3) innovation labs conducted	3	4	133%
		3.3.2 Three (3) social innovation projects provided seed funding for product launch in three countries	3	8	267%

Output 4: Increased awareness of all regional stakeholders of the UNGPs and strengthened access to effective remedy for violations of human rights in the context of business operations.	
Significant Results	The targeted work of the Project to increase awareness among stakeholders across the region and in specific countries was highly valued by partners. The projects has facilitated numerous learning opportunities and developed training modules, handbooks and toolkits which can be used by UNDP, its partners and beneficiaries to promote greater business respect for human rights. The challenge for the project has been to prioritise and focus on specific issues such that tangible progress can be supported, given the extensive range of potential BHR issues that need further support.

Key results include (but are not limited to):

- **Organized various events for NHRIs**, including a learning exchange with NCPs (2019); five south-south learning exchanges for NHRIs during (sub)regional forums (2019-2023); and a multi-day training on BHR for NHRIs (2023);
- **Organized or facilitated 53 awareness raising events with partners** for a diverse set of stakeholder audiences;
- **Developed various training modules and toolkits,** including the *Reporting Business and Human Rights: A Handbook for Journalists, Communicators and Campaigners;* the *Routes to Remedy Toolkit for Defenders Facing Business-Related Human Rights Abuse;* the Environmental Human Rights Defenders Toolkit (with UNEP and YECAP); the *Four-part Training Module for National Human Rights Institutions;* the *Case Study Book on Responsible Business Practices for Universities in Viet Nam;* a *Training Module for Royal University of Law and Economics, Cambodia;*
- **Provided five small grants to civil society actors** on environmental pollution, Indigenous Peoples and human rights defenders;
- **Completed studies on gender and issues,** including on sexual harassment in the workplace, and the Bangladesh tea sector;
- **Completed a regional research on SLAPPs and conducted in-country trainings for judges and public prosecutors** in Indonesia, Malaysia, Thailand and the Philippines;
- **Organized 15 trainings for business enterprises** on human rights policies, human rights due diligence processes and grievance mechanisms at the regional level as well as in Bangladesh, Viet Nam, Sri Lanka, and Nepal;
- **Produced various communication products,** including videos, documentaries and blogs;
- **Provided technical and advisory support to support NAP development and other policy processes.** |

EXPECTED OUTPUTS	OUTPUT INDICATORS	Activities for the 5 year project	Total Targets	Achievements	% of Performance
Output 4: Increased awareness of all regional stakeholders of the UNGPs and strengthened access to effective remedy for violations of human rights in the context of business operations

Output 4 indicators: % increase in complaints involving allegations of human rights violations received and resolved by NHRIs

#. of amendments in legislation or changes in legal frameworks hampering legal suits against businesses that engage in human rights violations

% reduction in number of SLAPP cases brought against Human Rights Defenders over three-year period | 4.1 No. of peer learning and technical training events involving NHRIs and National Contact Points (NCPs) | 4.1.1 Two (2) learning exchange events co-hosted between NCPs and NHRIs on business and human rights cases | 2 | 1 | 50% |
		4.1.2 Host two (2) regional capacity building events with NHRI on UNGPs, sharing lessons learned and stoking South-South cooperation	2	9	450%
	4.2 No. of CSOs and NHRIs supported in raising awareness and providing access to effective remedy	4.2.1 Fifteen (15) awareness raising sessions conducted with partners in seven (7) countries on business and human rights targeted towards women, migrants, IPs and other vulnerable groups	15	53	353%
		4.2.2 One (1) training module produced and distributed for purposes of awareness raising efforts	1	7	700%
		4.2.3 Three (3) regional CSOs supported through small grants to CSOs providing legal aid on business and human rights	3	5	167%
	4.3 No. of research products on access to remedy	4.3.1 Two (2) multi-country research study on the differentiated impact of business operations on women, including sexual harassment and exploitation in the workplace	2	2	100%
		4.3.2 Two (2) studies on the regional scope and impact of SLAPP legislation.	2	2	100%
	4.4 No. of trainings on UNGPs, including human rights due diligence and compliance, grievance mechanism provisions, with Private Sector firms and State-owned enterprises	4.4.1 Five (5) trainings with private sector firms and state-owned enterprises	5	16	320%

4.5 No. of trainings on UNGPs with Judiciaries and Ministries of Justice from the region	4.5.1 Two (2) trainings with judges and prosecutors	2	6	300%
4.6 Develop campaigns to heighten awareness of the UNGPs, and its role in assisting those impacted by business operations	4.6.1 Develop three (3) Facebook live stories on Business and Human Rights	3	6	200%
	4.6.2 Produce communication products including two (2) documentaries featuring SMEs that are operationalizing the business duty to respect human rights, and five (5) short social media pieces	7	27	386%
4.7 Policy guidance, support, and capacity development (Technical Specialist)	4.7.1 Provide technical expertise, guidance and inputs into NAPs and other implementation strategies, ensuring that policies are properly consulted, costed, and include defined roles and responsibilities, among other indicators of quality. Publish technical and policy documents detailing lessons learned from UNGP implementation efforts.	100%	100%	100%

Output 5: Strengthened policy coherence between regional Trade Agreements, International Investor Agreements, and UNGP to enhance the region's competitive positioning in attracting investment and increasing trade flows.	
Significant Results	Results under this output developed slower than under other outputs, but picked up significantly towards the final years of the project. As businesses, industry associations, regulators and policy makers became more interested in BHR, opportunities emerged for B+HR Asia to connect with the international trade and investment ecosystem. Indeed, tangible progress was made in terms of integrating responsible business criteria in investment screening in Viet Nam, for example. Similarly, the project has experienced an increasing interest in BHR from investors, stock exchanges and financial market regulators. To this end, while the Project did make itself relevant to business needs, further investments are needed to create sustainable engagements with companies, investors and policy makers on BHR-related issues. **Key results include (but are not limited to):** - **Developed think pieces and issue briefs on trade and investment topics,** including on special economic zones and trade and investment in conflict-affected States; - **Developed toolkits related to investment,** including the Viet Nam Foreign Investment Screening Instrument (with the Viet Nam Chamber of Commerce and Industry) and the ESG Health Check (with the Stock Exchange of Thailand); - **Hosted consultations to inform the development of, and organized launch events to disseminate, the Viet Nam Foreign Investment Screening Instrument;** these launch events aimed to seek buy in from the government to institionalize the screening instrument through legislation, which the Government committed to in the NAP in 2023; - **Hosted and facilitated various ESG trainings and events for investors,** including a training on BHR for UBS and other institutional investors in Singapore; as well as other events with The Maldives Capital Market Development Authority, Responsible Investor Asia-Pacific, and Chatham House (among others); - **Provided technical and advisory support to governments on trade and investment issues linked to BHR.**

EXPECTED OUTPUTS	OUTPUT INDICATORS	Activities for the 5 year project	Total Targets	Achievements	% of Performance
Output 5: Strengthened policy coherence between regional Trade Agreements, International Investor Agreements, and UNGP to enhance the region's competitive positioning in attracting investment and increasing trade flows Output 5 indicators: Awareness raised of the sustainable development and human rights clauses of trade and investment agreements among civil society actors, government and business # of CSOs working on trade, human rights, and sustainable development issues and awareness raising	5.1 No. of evidence-based research projects on the relationship between FTAs, IIAs and UNGPs and their impact on human rights and rule of law conditions at national and regional levels	5.1.1 One (1) multi-country research study on the impact of sustainable development clauses, human rights clauses and other social protection provisions of trade and investor agreements	1	0	0%
		5.1.2 Four (4) think pieces on the B&HR implications of special economic zones, Belt and Road, Economic and Social Impact Assessments	4	4	100%
	5.2 No. of Policy Coherence Roundtables on trade and investment instruments, Equator Principles, RBC and UNGPs	5.2 Conduct four (4) sector-specific roundtables with government, business and civil society stakeholders on human rights due diligence and compliance principles, in the context of Free Trade Agreements, International Investor Agreements, and the UNGPs	4	5	125%
	5.3 No. of stakeholder dialogue sessions hosted on regulatory cooperation with multiple actors and stakeholders, on topics related to human rights due diligence in supply chains, environmental protection, and human rights provisions of trade and investment agreements	5.3 Host 3 (three) policy dialogues involving International Chambers of Commerce and Asia-Pacific business associations leveraging peer pressure, and technical expertise to ensure strong human rights and environmental standards among all businesses, including SMEs, in the context of sustainable development clauses, human rights clauses, and other social protection provisions of trade and investor agreements	3	4	133%
	5.4 Policy guidance, support, and capacity development (Technical Specialist)	5.4.1. Provide technical expertise and guidance towards greater coherence between trade, investment, human rights policy streams. Raise awareness of the policy connections between these and other policy areas, inputting into national, regional and internationsl policy development processes where possible. Publish technical and policy documents detailing lessons learned from roundtables and policy dialogues.	100%	100%	100%

Annex II: Terms of reference for final evaluation team

TERMS OF REFERENCE

FOR INDIVIDUAL CONTRACT

POST TITLES:	:	External Evaluator : International Consultant on Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia) Project
AGENCY/PROJECT NAME:	:	Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia) Project supported by the Government of Sweden
COUNTRY OF ASSIGNMENT:	:	Home-based with travel required in Bangkok, Dhaka and Hanoi
TYPE OF CONTRACT:	:	Individual Contractor (IC)
CONTRACT DURATION:	:	10 May-30 August 2023
REPORTING TO:	:	Project Manager, Business and Human Rights

Background and Context:

Since the Human Rights Council's unanimous endorsement of the United Nations Guiding Principles on Business and Human Rights (UNGPs) in June 2011, the UNGPs have been widely recognized as the most authoritative and normative framework guiding efforts to reduce or eliminate the adverse impact of business operations on human rights. The UNGPs consists of three pillars and are grounded on a polycentric governance framework promoting a "smart mix" of measures. While the first pillar of the UNGPs concerns the well-established States duty to protect human rights under international human rights law, the second pillar addresses the responsibility of business enterprises to respect human rights and mainly links the concept of human rights with corporate governance and private regulation. Finally, the third pillar stresses the need for both State and non-State actors to promote access to effective remedies for victims of business-related abuses through providing or cooperating in judicial and non-judicial grievance mechanisms.

The business and human rights (BHR) discourse was taken off not long ago in Asia, but the region has been showing increased awareness and its uptake in recent years. For example, Thailand adopted Asia's first stand-alone National Action Plan on BHR (NAP) in 2019, followed by Japan in 2020 and Pakistan in 2021/ Additionally, other States in Asia are developing such national frameworks. There is a unique opportunity to build this momentum in the region, bring

in political commitments from states, and engage various stakeholders in promoting responsible business practices for preventing human rights abuses and risks and promoting and protecting human rights.

The UNDP Asia-Pacific, Bangkok Regional Hub, Business and Human Rights unit, has been playing a central role in promoting the implementation of the UNGPs in Asia. Based on a year-long piloting phase including scoping mission between June 2017 and March 2018, funded by the Regional Development Cooperation Section at the Embassy of Sweden in Thailand, UNDP identified seven countries—Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand and Viet Nam to accelerate regional momentum taking place in Asia towards the implementation of the UNGPs.

The Project, "Business and Human Rights in Asia: Promoting Sustainable Business through Regional Partnerships (B+HR Asia)" was thus designed with an aim to promote the implementation of the UNGPs in Asia through regional efforts focused on advocacy, policy development, technical advisory support, capacity building, awareness-raising, innovation platforms, regional peer learning events, and South-South cooperation. With support from the Swedish International Development Cooperation Agency (SIDA), the Project has been driving progress on BHR in the region, engaging with diverse stakeholders including governments, businesses, civil society organizations (CSOs), regional institutions, indigenous peoples and independent national human rights institutions (NHRIs).

This Project contributes to the UNDP Asia-Pacific Regional Programme Output 2.3 Institutions, networks and non-state actors strengthened to promote inclusion, access to justice, and protect human rights (UNDP Strategic Plan 2.2.2 and 2.2.3). Project activities are channelled towards five (5) principle outputs:

- Regional peer learning and training events that build regional momentum and inform progress on implementation of the UNGPs;

- Regional strategies in support of the advancement of National Action Plans, or similar policy frameworks, in furtherance of implementation of the UNGPs;

- A partnership architecture bringing greater coherence to policy and advocacy efforts among actors working on a regional level on business and human rights;

- Strengthened CSOs and NHRIs that provide access to an effective remedy for violations of human rights in the context of business operations and;

- Greater policy coherence, public discourse on trade and international investor agreements and their relationship to the business and human rights agenda.

In 2020, European Union extended its support to UNDP for regional programming on BHR and, in particular country-level programming in India, Indonesia, Myanmar, Mongolia, Sri Lanka, and Thailand, Mongolia. With the advent of the EU supported Project, it was agreed upon that the Project funded through SIDA would promote regional objectives using regional approaches and deepen country-level programming in Bangladesh and Viet Nam (the two countries that do not overlap with the EU project). Both projects underwent mid-term Evaluation in 2021.

Table 1 – A Snapshot of Project Information

PROJECT INFORMATION		
Project title	Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia)	
Award ID	00110712	
Contributing outcome and output:	UNDP Regional Programme Outcome 2: Accelerate structural transformations for sustainable development	
Targeted Countries	Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand, and Vietnam	
Region	Asia Pacific	
Cost Sharing Agreement Signing Date	9 August 2018	
Project dates	Start	Planned end
	1 August 2018	31 December 2023
Project budget	SEK 63,500,000 or around USD 6073126	
Funding source	The Swedish International Development Cooperation Agency (SIDA)	

The Project underwent a Mid-Term evaluation in 2021, the recommendations from which have been incorporated in the AWP of 2022 and 2023. The Project was due to end in July 2023. However, it received a costed extension to end on 31 December 2023. The Project now intends to conduct the Final Evaluation of the Project.

Objectives, Purpose, and the Scope of the Final Evaluation

The Final Evaluation aims to inform the UNDP B+HR Asia team and its partners of lessons learned, results achieved and improvement areas. The Evaluation will assess progress towards achieving the project outcome, output and deliverables as specified in the project documents, as well as on the recommendations of the mid-term Evaluation of the Project conducted in 2021. As this Project is the first initiative developed in UNDP on BHR, the Evaluation will be able to produce valuable lessons and experiences, providing useful findings to the other relevant BHR projects and various initiatives organized by UNDP Regional Hubs (RHs) as well as Country Offices (COs) globally. The Evaluation should assess the implementation approaches, progress made, and challenges encountered, identify and document the lessons learnt and good practices, and make specific recommendations for future course of action for the next phase of the programming.

Responding to the Theory of Change (ToC) as described in the project document, the agreed results and resources framework (RRF) and the approved workplans, the final Evaluation should look at the relevance of the Project, quality of the project design, effectiveness and efficiency of the implementation to date, sustainability of the overall project results, impact of intervention made to date, and forward-looking directions for future. To meet these ends, final Evaluation will serve to:

- Relevance of the Project: review the progress against its purpose, objectives, outputs and indicators, as per the project documents and its components, such as the Theory of Change, Results and Resources Framework, and draw out lessons for deepening impact

- Effectiveness and efficiency of implementation approaches: review Project's technical as well as operational approaches and deliverables, quality of results and their impact, alignment with regional priorities and responding to the needs of the stakeholders;

- Review the Project's approaches, in general and with regards to mainstreaming of gender equality and social inclusion, with a particular focus on women and marginalized groups;

- Review and assess the risks and opportunities (in terms of resource mobilization, synergy and areas of interventions) related to future interventions and assess the Project's unique value proposition "regionality" and comparative advangate relative to other actors and initiatives in the region;

- Review external factors beyond the control of the Project that have affected it negatively or positively;

- Review planning, management and quality assurance mechanisms for the delivery of the project interventions;

- Assess the Project's partnership strategies and performance in achieving intended results through collaboration with partners

- Review coordination and communication processes and mechanisms with the stakeholders

The Scope

The Final Evaluation is expected to assess the B+HR Asia project progress against the project ToC and the achieved results from 1 August 2018 till date and propose recommendations which will inform the programming in the future. The Evaluation will be based on a desk review of Project related documents and in-depth interviews as outlined in the methodology section.

The geographical coverage includes the Project's targeted countries in Asia Pacific, namely Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand, and Vietnam, The Evaluation will mainly focus on the regionality aspect of the Project, but can also feature country specific aspect especially on how the Project's regional endeavor is translated into the country level particularly Bangladesh and Vietnam.

The project was originally envisaged to be implemented at regional level in Asia, and focus on seven countries as mentioned above. In 2020, UNDP received complementary funding from the EU to promore the responsible usiness agenda in Asia. Given there was overlap in certain countries (Inndia, Sri Lanka, Indonesia, Malaysia and Thailand) , the two donors agreed that the project supported through Sweden will focus on mainly regional iniatives and approaches with deep-dive in Bangladesh and Viet Nam (not covered by the EU supported Project). The project activities and annual Work Plans were revised accordingly, so as to focus on regionality, Bangladesh and Viet Nam.

Evaluation Criteria and guiding questions

The Evaluation will follow the four OECD-DAC evaluation criteria - Relevance, Effectiveness, Efficiency, and Sustainability. The evaluation must follow all required protocols, guidelines and processes as identified by IEO.

Human Rights and Gender Equality will be added as cross-cutting criteria. The guiding questions outlined below should be further refined by the Consultant and agreed with UNDP.

Criteria	Evaluation Questions
Relevance	*Relevance of the Project: review the progress against project outputs and contribution to outcome-level results as defined in the Project's theory of change and ascertain whether assumptions and risks remain valid. Identify any other intended or unintended, positive or negative, results using the following guiding questions.* • To what extent was the Project in line with the regional development priorities and UNDP strategic Plan and its direction on human rights? • To what extent does the Project contribute to the ToC for the relevant regional programme outcomes? • To what extent were the project activities in target countries in line with the national development priorities and country development programmes' outputs and outcomes? • To what extent were the overall design and approaches of the Project "regionality" relevant? • To what extent did the Project remain relevant in the evolving BHR landscape globally and regionally? • To what extent, the inputs and strategies identified were realistic, appropriate and adequate to achieve the results? • To what extent did the Project achieve its overall outputs? Are the Project's contributions to outcomes clear? • To what extent the Project was/is able to strengthen the regional momentum on business and human rights in Asia? • To what extent the Project was able to raise awareness of the UNGPs in the region and translate them into country-level action plans for the implementation of the UNGPs and development and implementation of the NAPs? • To what extent did the Project contribute to promoting responsible business practices in the region? • To what extent have the project design and implementation been consistent with the gender-responsive, human rights based, diversity and inclusion approaches? How can this be strengthened? • To what extend has the Project been appropriately responsive to COVID-19 pandemic as well as other political, legal, economic, and institutional changes in target countries and the region?

Effectiveness	*Effectiveness of implementation approaches: review Project's technical as well as operational approaches, the regionality and deliverables, quality of results and their impact, alignment with national priorities and responding to the needs of the stakeholders; covering the results achieved, the partnerships established, as well as issues of capacity using following guiding questions;* • To what extent the project activities were delivered effectively in terms of quality, quantity, and timing? • How effective were the strategies used in the implementation of the Project? • To what extent the Project was effective in enhancing the capacity of stakeholders to implement UNGPs and the development process of the NAPs into the governments' priorities? • What are the key internal and external factors (success & failure factors) that have contributed, affected, or impeded the achievements, and how UNDP and the partners have managed these factors? • In which areas does the Project have the greatest achievements? Why and what have been the supporting factors? How can the Project build on or expand these achievements? • In which areas does the Project have the fewest achievements? What have been the constraining factors and why? How can or could they be overcome? • To what extent have stakeholders been involved in project implementation? To what extent are project management and implementation participatory? How effective were the partnership strategies, and how can they be strengthened? • To what extent have the South-South cooperation and knowledge management contributed to the regional momentum on developing the NAPs? • To what extent the regionality principle of the Project has been effective in project implementation? How effectively does regional-level work translate into tangible outcomes at the national level? • How do different contexts and priorities between UNDP Country offices and the regional office impact the overall effectiveness of the Project in the region?
Efficiency	*Efficiency of the project management structure and the added value of the Project's regional approach: review planning, management, monitoring and quality assurance mechanisms for the delivery of the project interventions and the added value of the regionality of the Project set up in the context of fiscal reform at national and subnational level using following questions.* • How efficiently were the resources including human, material and financial resources used to achieve the above results in a timely manner? • To what extent was the existing project management structure appropriate and efficient in generating the expected results? • To what extent has the project implementation strategies including partnership strategy and architecture and its execution been efficient and cost-effective? • Was the process of achieving results efficient? Were the resources effectively utilized?

	- Did the project activities overlap, and duplicate other similar interventions funded nationally, and/or by other donors? - To what extent did the Project produce synergies within UNDP and with other development partners and play complementary roles each other? - What is the added value of the Project's regionality approach for influencing the implementation of the UNGPs and development process of the NAPs at the national level? - How does the Project align with other regional and national level initiatives/activities on BHR? How efficiently are national and regional activities connected and complement each other?
Sustainability	*Sustainability of the project results and risks along with opportunities related to future interventions: review and assess if the current project setup has plans for future resource mobilization, synergy, long term partnership and / or taking into account institutionalization of the project impact for continued support after the project end using following questions;* - To what extent did the project interventions contribute towards sustaining the results achieved by the Project? - What are the plans or approaches of the local authorities/national partners to ensure that the initiatives will be continued after the Project ends? - What is the likelihood of the continuation and sustainability of regional and national level dialogues engaging various stakeholders and strengthening national and regional partnership architectures, made up of UN system, NHRIs, CSOs, and private sector actors working on BHR? - How were capacities of a various set of BHR stakeholders strengthened at the national level through regional peer-learning and south-south cooperation? - What could be potential new areas of work and innovative measures for sustaining the results? - To what extent have lessons learned been documented by the Project on a continual basis to inform the Project for needful change? - What could be done to strengthen exit strategies and sustainability of the Project?
Impact	- To what extent did the project initiatives indicate that intended impact will be achieved in the future? - Review the progress against the indicators and identify potential obstacles or challenges.
Human rights, Gender equality and social inclusion	- To what extent has gender equality and human rights-based approach been integrated into the programming design and implementation? - To what extent have disadvantaged and marginalized groups including indigenous peoples benefitted from the work of the Project and with what impact? - To what extent has the Project promoted positive changes for women and marginalized group? Were there any unintended effects (positive or negative)?

Proposed Methodology

The methodology suggested here are indicative only. The Consultant should review the methodology and propose the final methods and data collection tools as part of the inception report. The Consultant should engage and consult with the national-level evaluators to adapt the methodology to relevant contexts. In general, the methodology should employ a combination of both qualitative and quantitative evaluation methods and instruments. It should build upon the available programme documents, mid-term evaluation report, interviews with key informants and gathered from focus groups discussion, which would provide an opportunity for more in-depth analysis and understanding of the Project. The evaluation consultant is expected to frame the Evaluation using the criteria of relevance, effectiveness, efficiency, and sustainability.

The Consultant must provide evidence-based information that is credible, reliable, and useful. The Consultant is expected to follow a participatory and consultative approach ensuring close engagement with government counterparts, project team, UNDP COs, UNDP BRH and key stakeholders. The Evaluation will provide quantitative and qualitative data adopting appropriate methods. Some of the data collection methods are listed in below table 3.

Table 3 – Some Methods of Collecting Data

Review of relevant literature and documentation	The Consultant is expected to carry out the following activities while reviewing relevant documents:
	• Desk study of relevant literature
	• Study and review of all relevant project documentation and evidence sources, which include a review of inter alia
	• The B+HR Asia Project document (cost sharing agreement)
	• Theory of change and Result Framework
	• Project quality assurance reports
	• Annual work plans
	• Activity designs
	• Consolidated quarterly and annual reports
	• Results-oriented monitoring report
	• Highlights of project board meetings
	• Technical/Financial monitoring reports
	• UNDP Bangkok Regional Hub Regional Programme Document Mid-term review
	• Mid-term evaluation report of the Project and management response
	• Other relevant communication materials and knowledge products such as research studies, policy brief, blogs, etc.
OnlineInterviews/Consultations	• Semi-structured interviews, based on questions designed for different stakeholders based on evaluation questions around relevance, coherence,

		effectiveness, efficiency, and sustainability, human rights based approach and gender equality
		• In depth interviews to gather primary data from key stakeholders using a structured methodology
		• Focus Group discussion with project beneficiaries and other stakeholders
		• Interviews with relevant key informants including the UN agencies and other implementing partners
		• Meetings and or discussions with relevant stakeholders to complement the information received from other sources and for triangulation of information.
		• Coordinate with the national level evaluators for interviews and group discussions at the national level
		• In consultation with national consultants, develop evaluation questions around relevance, effectiveness, efficiency, and suitability and designed for different stakeholders to be interviewed based on stakeholder analyses. Online surveys or virtual meetings may be conducted to solicit feedback by an international consultant. The data should be complemented with the interviews and focus group discussions at national level.

The data should be collected in full confidence and anonymity. The final evaluation report should not assign specific comments to individuals. While selecting the respondents, the evaluator should ensure gender balance. And ensure voices of the most vulnerable are included in this assessment.

Evaluation Products (Deliverables/ Outputs)

The following deliverables in line with IEO's guidance are expected:

Table 4 - Expected Deliverables and Descriptions

#	Deliverables	Description	Due date
1	Workplan and methodology	The workplan should provide clear timeline of when and how the steps will be undertaken. The BHR MTR methodology should provide a specific assessment framework, covering both quantitative and qualitative dimensions, with a detailed list of required stakeholders to be interviewed in the process. A stakeholder analysis for conducting interviews and evaluations can be drafted. The draft methodology can be adjusted later once the Consultant has completed the desk review of the Project related documents. The final approach and methodology can be presented as a part of the Inception Report.	26 May

#	Deliverables	Description	Due date
		The International Consultant is expected to lead the Evaluation process and coordinate with the national-level consultants in Bangladesh and Viet Nam.	
2	Inception report of the BHR Final Evaluation	The inception report should include a proposed schedule of tasks, activities, and deliverables, building on what has been provisionally proposed in this ToR. • It should be prepared by the consultant before going into the full-fledged data collection exercise. • It should detail the reviewing approach, proposed format, and table of content of the Final report. • It must also outline reviewers' understanding of what is being reviewed and why, showing how each area of inquiry will be answered by way of: proposed methods; proposed sources of data; and data collection procedures. This information should be provided through the preparation of a final Evaluation Matrix. • The inception report should provide UNDP/SIDA and the consultant with an opportunity to verify that they share the same understanding about the assignment, the same understanding of the ToC and clarify any misunderstandings at the outset. • The Inception report should include Final Evaluation Matrix. The matrix should include key evaluation criteria, indicators, questions, and sub-questions to capture and assess them.	10 June
3	Final Evaluation briefing	After completion of data collection or before sharing the draft report, the evaluator should present preliminary debriefing and findings to UNDP Advisory Team and final Evaluation reference group at UNDP BRH.	5 July 2023
4	Draft B+HR evaluation report	The Final Evaluation Advisory Group58 will review the draft B+HR Asia Project Final evaluation report to ensure that it meets the required quality standards and covers all agreed components and contents of the final evaluation report?. Detailed comments and feedback on the draft report will be provided to the consultant, and discussions may be held to provide clarifications as necessary. The draft report will also be shared with SIDA, Project Board Members and other and key stakeholders, for additional feedback and inputs.	20 July 2023

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58 The Final Evaluation Advisory Group refers to the BHR MTR oversight function at BRH. The group members are composed of representatives from UNDP BRH Programme Management Unit and M&E Team, and B+HR Asia Team Advisor and

#	Deliverables	Description	Due date
		Evaluator should submit a comprehensive draft report consisting of major findings and recommendations for future course of action.	
5	Final B+HR evaluation report	The final report will be produced by the Consultant based on feedback received on the draft report. The evaluator should include two rounds of feedback from UNDP. The final report will be shared with SIDA, stakeholders and other relevant partners. The final report is expected to capture findings and recommendations on both the programme approach, management, and performance. Suggestions and comments gathered during the briefing session will be taken into consideration. The minimum structure of the evaluation report (to be written in the English language) is the following: • Executive summary; • Introduction; • Methodological approach; • Evaluation findings; • Lessons learnt; • Recommendations for future programme interventions; • Conclusions; • Relevant annexes •	30 July 2023
6	Audit Trail Form	The comments and changes by the Consultant in response to the draft report should be retained by the evaluator in form of audit trial to show they have addressed comments. This document can be submitted as an Annex to the final evaluation report.	30 July 2023

Evaluation team composition and duration

The B+HR final evaluation requires one international Consultant and two national-level consultants in Bangladesh and Viet Nam to complete the Final Evaluation. The Evaluation is estimated to commence on 15 May2023 and will need to be completed before 30 July 2023 at the latest. The international consultant will develop overall guidelines, questios and the responsibilities listed below, while the national level consultants will support in data gathering and providing country-speicifc context/inputs. While the international consultant will be mainly responsible for drafting the evaluation report,

the national consultants will contribute to the country specific context, as well, provide verall support in authoring and finalizing thereport.

Ethical Considerations

This Evaluation will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation. The contractor must safeguard the rights and confidentiality of information providers, interviewees, and stakeholders through measures to ensure compliance with legal and other relevant codes governing collection of data and reporting on data. The contractor must also ensure security of collected information before and after the Evaluation and protocols to ensure anonymity and confidentiality of sources of information where that is expected. The information knowledge and data gathered in the evaluation process must also be solely used for the Evaluation and not for other uses without the express authorization of UNDP and partners.

The contractor will be held to the highest ethical standards and are required to sign a Code of Conduct upon acceptance of the assignment.

Schedule of Payments

Consultant must send a financial proposal based on Lump Sum Amount. The total amount quoted shall be all-inclusive and include all costs and components required to perform the deliverables identified in the TOR, including professional fee and any other applicable cost to be incurred by the IC in completing the assignment. The contract price will be fixed output-based regardless of the specified duration extension. Payments will be done upon completion of the deliverables/outputs and as per below percentages:

#	Deliverables	Due date	Payment
1	Draft of the Inception report	10 June 2023	20%
2	Briefing for the Final Evaluation to Reference Group and relevant partners	30 July 2023	30%
3	Draft report of final Evaluation	15 August 2023	50%
3	Final report	30 August 2023	20%
	TOTAL		100%

In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the event of unforeseeable travel not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and the Consultant, prior to travel and will be reimbursed.

Travel costs shall be reimbursed at actual but not exceeding the quotation from UNDP approved travel agent. The provided living allowance will not be exceeding UNDP DSA rates. Repatriation travel cost from home to duty station in Bangkok and return shall not be covered by UNDP.

The Consultant will work under supervision of UNDP Regional PMU Coordinator. UNDP B+HR Asia project manager at UNDP Bangkok Regional Hub will be a focal point of day-to-day interaction and for liaisons during the assignment. The B+HR Asia Team will contract the Evaluation consultant and help with the day- to-day coordination for Evaluation process with different stakeholder.

Implementation Arrangement

Who (Responsible)	What (Responsibilities)
BRH Programme Coordinator as Evaluation Manager	• Assure smooth, quality, and independent implementation of the Evaluation with needful guidance from UNDP's Senior Management. • Approve hiring of the evaluator by reviewing proposals and complete the recruitment process. • Ensure the independent implementation of the evaluation process. • Approve each step of the Evaluation • Supervise, guide, and provide feedback and comments to the evaluation consultants. • Ensure quality of the Evaluation. • Ensure the Management Response and action plans are fully implemented
Business and Human Rights Specialists (B+HR Asia SIDA Project Manager)	• Draft ToR to be reviewed and finalized by the Evaluation Manager • Support in hiring the Consultant • Provide necessary information and coordination with different stakeholders including donor communities • Provide feedback and comments on draft report • Prepare management response and action plan and follow up the implementation
B+HR Project Team	• Provide required information, furnishing documents for review to the consultant team. • Logistic arrangements, such as for support in setting up stakeholder meetings, arranging field visits and coordinating with the Government.

Evaluation Consultant	• Review the relevant documents.
	• Develop and submit a draft and final inception report
	• Conduct evaluation.
	• Maintain ethical considerations.
	• Develop and submit a draft evaluation report
	• Organize meeting/consultation to discuss the draft report
	• Incorporate inputs and feedback in draft report
	• Submit final report with due consideration of quality and effectiveness
	• Organize sharing of final evaluation report
	• Evaluator is expected to work within Asia-Pacific working hours, particularly for the interviews.
Reference Group	• The Reference Group comprised of COs focal points, DRR/RR as relevant, representative from GPN-AP, relevant UNDP Business and Human Rights Specialists in the region and others, SIDA representative and other relevant stakeholders
	• Review draft report and provide feedback
	• Participate in debriefing session and provide suggestions

The Evaluation Consultant will be briefed by UNDP Evaluation Manager upon arrival on the objectives, purpose, and output of the Evaluation. An oral debriefing by the Evaluation Consultant on the proposed work plan and methodology will be done and approved prior to the commencement of the process.

The Evaluation will remain fully independent and reports to UNDP Programme Coordinator at UNDP Bangkok Regional Hub. The Evaluation Consultant maintains all the communication through the Evaluation Manager during the implementation of the Evaluation. The Evaluation Manager should clear each step of the Evaluation. Evaluation report must meet the requirements from the Independent Evaluation Office's guidelines which will be provided as part of the inception meeting.

Contractors will arrange online final presentation with UNDP BRH, UNDP Maldives, UNDP Sri Lanka and the European Union and noted comments from participants which will be incorporated in the final report. The Inception and draft report must meet IEO's standardized template and quality standards2.

It is understood that it may take multiple rounds of feedback before Evaluation Report is finalized and approved. Final report must meet IEO's Quality Criteria. The final report will be signed off by Programme Coordinator, UNDP Bangkok Regional Hub

Intellectual Property:

All information pertaining to this programme as well as outputs produced under this contract shall remain the property of the UNDP who shall have exclusive rights over their use. Except for purposes of this assignment, the products shall not

be disclosed to the public nor used in whatever format without written permission of UNDP in line with the national and International Copyright Laws applicable

Evaluation ethics:

Evaluations in UNDP will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation'.UNEG, 'Ethical Guidelines for Evaluation', 2020. Access at: http://www.unevaluation.org/document/detail/2866

Duration of Assignment and Duty Station

The period of the assignment is estimated to be from 10 May to 30 July 2023, up to a maximum of 40 working days. The Consultant will be home-based with travel required in Bangkok, Dhaka and Hanoi.

Qualifications of the Successful MTR Individual Contractor

The application submission procedure and its selection criteria will be reflected in procurement notice. The following are minimum required qualifications for the B+HR Asia project Final Evaluation Consultant:

Education:

- A minimum of a Bachelor's degree or equivalent in political science, development studies or other relevant social science.; Master's degree or PhD is an asset

Work Experience:

- At least 7 years of proven experience in the design and Evaluation of development programmes or projects in the area of human rights, governance, public policy, rule of law, and/or development.

- Proven work experience on rule of law, human rights is necessary and on business and human rights is desirable.

- Demonstrated strategic thinking and strong understanding of business and human rights issues and recent policy developments and programming of business and human rights

- Sound understanding of the UN system and of UNDP's mandate and role. The project review/evaluation experience within the UN System is highly desired.

- At least 4 years of experience in project management/monitoring and Evaluation on development issues in the Asia-Pacific region.

- Prior programme/project evaluation work experience with UNDP is a strong asset.

- Prior programme/project evaluation work experience concerning Sweden-funded programmes/projects is a strong asset.

Functional competencies:

- Excellent in interviewing and facilitation skills
- Excellent spoken and written communication and presentation skills
- Strong analytical, reporting and writing abilities

- Strong interpersonal skills, communication, and diplomatic skills
- Openness to change and ability to receive and integrate feedback
- Experience of evaluation gender aspects of programmatic engagement desirable

Language requirements:

Excellent spoken and written English language skills required

Documentation required in application

Interested individual consultants must submit the following documents/information to demonstrate their qualifications.

a) Duly accomplished **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;

b) **Personal CV**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references;

c) **Brief description** of why the individual considers him/herself as the most suitable for the assignment, and a methodology, if applicable, on how they will approach and complete the assignment;

d) **Example of works** demonstrating the individual past experiences working on evaluations for the UN system and;

e) **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided. If an Offeror is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

Evaluation Method and Criteria for Selection of the Best Offer

Evaluation Method and Criteria

Only candidates which are responsive and compliant will be evaluated, Individual consultants will be evaluated based on the following methodology.

Combined Scoring Method:

The award of the contract shall be made to the individual Consultant whose offer has been evaluated and determined as a) responsive/compliant/acceptable; and b) having received the highest score out of set of weighted technical criteria consisting of the qualification review and the interview (70%) and financial criteria (30%).

The technical criteria consist of qualification review (education and experience) [max. 50 points] and interview [max. 50 points] will be based on a maximum 100 points. Only candidates obtaining a minimum of 35 points (70% of the qualification review) would be considered for the interview, and only candidates obtaining a minimum of 70 points (70% of the total technical points) will be considered for the financial review

Financial score shall be computed as a ratio of the proposal being evaluated and the lowest priced proposal received by UNDP for the assignment. Only candidates obtaining a minimum of 70 points (70% of the total technical points) would be considered for the Financial Evaluation.

For those passing technical and interview evaluation above, offers will be evaluated per the Combined Scoring method:

a) Technical and Interview (70%)

b) Financial Evaluation (30%)

The financial proposal shall specify an all-inclusive daily fee (including number of anticipated working days and all foreseeable expenses to carry out the assignment)

The applicant receiving the Highest Combined Score and has accepted UNDP's General Terms and Conditions will be awarded the contract.

Annexes

Relevant document will be shared with the evaluator after selection process is completed and the evaluator is on board.

1. Relevant Documents:

   - The B+HR Asia Project document (cost sharing agreement)
   - Theory of change and Result Framework
   - Mid-Term Evaluation Report of the Project and management response
   - Annual workplans
   - Activity designs
   - Consolidated quarterly and annual reports
   - Results-oriented monitoring report
   - Highlights of project board meetings
   - Technical/Financial monitoring reports
   - Relevant documents of the B+HR Asia project funded by the EU
   - UNDP Bangkok Regional Hub Regional Programme Document Mid-term review (RPD MTR),
   - Other relevant communication materials and knowledge products such as research studies, policy brief, blogs, etc.

2. IEO's guidance on structure and content of report,

3. List of key agencies, stakeholders and partners for Evaluation

   UNDP
   - UNDP BRH B+HR Asia SIDA project team members
   - UNDP Country Focal Points from Bangladesh and Vietnam under the B+HR Asia SIDA project as well as India, Indonesia, Malaysia, Sri Lanka, and Thailand
   - B+HR Asia Advisor and UNDP BRH B+HR Asia EU project team members

   Stakeholders:
   - International development partners (ILO, UN Women, OHCHR, OECD, etc.)
   - UN Working Group on Business and Human Rights
   - Project donor and other donors

- National Human Rights InstitutionsGovernment from Ministry of Law, Ministry of Commerce, Ministry of Foreign Affairs, Parliamentarians, etc.
- CSOs and Human Rights Defenders groups
- Indigenous peoples and affected communities
- Academia
- Media
- Regional institutions
- Business
- Others

TERMS OF REFERENCE

FOR INDIVIDUAL CONTRACT

POST TITLES:	:	External Evaluator – National Consultant on Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia) Project, Bangladesh
POSITIONS	:	1 National Consultant for Bangladesh (Bangladesh Nationality)
AGENCY/PROJECT NAME:	:	Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia) Project supported by the Government of Sweden
COUNTRY OF ASSIGNMENT:	:	Home-based with international travel required to Bangkok, Thailand and domestic travel within Bangladesh
TYPE OF CONTRACT:	:	Individual Contractors (IC)
CONTRACT DURATION:	:	15 days from 11 June-30 August 2023
REPORTING TO:	:	Project Manager, Business and Human Rights

Background and Context:

Since the Human Rights Council's unanimous endorsement of the United Nations Guiding Principles on Business and Human Rights (UNGPs) in June 2011, the UNGPs have been widely recognized as the most authoritative and normative framework guiding efforts to reduce or eliminate the adverse impact of business operations on human rights. The UNGPs consists of three pillars and are grounded on a polycentric governance framework promoting a "smart mix" of measures. While the first pillar of the UNGPs concerns the well-established States duty to protect human rights under international human rights law, the second pillar addresses the responsibility of business enterprises to respect human rights and mainly links the concept of human rights with corporate governance and private regulation. Finally, the third pillar stresses the need for both State and non-State actors to promote access to effective remedies for victims of business-related abuses through providing or cooperating in judicial and non-judicial grievance mechanisms.

The business and human rights (BHR) discourse was taken off not long ago in Asia, but the region has been showing increased awareness and its uptake in recent years. For example, Thailand adopted Asia's first stand-alone National Action Plan on BHR (NAP) in 2019, followed by Japan in 2020 and Pakistan in 2021/ Additionally, other States in Asia are developing such national frameworks. There is a unique opportunity to build this momentum in the region, bring in political commitments from states, and engage various stakeholders in promoting responsible business practices for preventing human rights abuses and risks and promoting and protecting human rights.

The UNDP Asia-Pacific, Bangkok Regional Hub, Business and Human Rights unit, has been playing a central role in promoting the implementation of the UNGPs in Asia. Based on a year-long piloting phase including scoping mission

between June 2017 and March 2018, funded by the Regional Development Cooperation Section at the Embassy of Sweden in Thailand, UNDP identified seven countries—Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand and Viet Nam to accelerate regional momentum taking place in Asia towards the implementation of the UNGPs.

The Project, "Business and Human Rights in Asia: Promoting Sustainable Business through Regional Partnerships (B+HR Asia)" was thus designed with an aim to promote the implementation of the UNGPs in Asia through regional efforts focused on advocacy, policy development, technical advisory support, capacity building, awareness-raising, innovation platforms, regional peer learning events, and South-South cooperation. With support from the Swedish International Development Cooperation Agency (SIDA), the Project has been driving progress on BHR in the region, engaging with diverse stakeholders including governments, businesses, civil society organizations (CSOs), regional institutions, indigenous peoples and independent national human rights institutions (NHRIs).

This Project contributes to the UNDP Asia-Pacific Regional Programme Output 2.3 Institutions, networks and non-state actors strengthened to promote inclusion, access to justice, and protect human rights (UNDP Strategic Plan 2.2.2 and 2.2.3). Project activities are channeled towards five (5) principle outputs:

- Regional peer learning and training events that build regional momentum and inform progress on implementation of the UNGPs;

- Regional strategies in support of the advancement of National Action Plans, or similar policy frameworks, in furtherance of implementation of the UNGPs;

- A partnership architecture bringing greater coherence to policy and advocacy efforts among actors working on a regional level on business and human rights;

- Strengthened CSOs and NHRIs that provide access to an effective remedy for violations of human rights in the context of business operations and;

- Greater policy coherence, public discourse on trade and international investor agreements and their relationship to the business and human rights agenda.

In 2020, European Union extended its support to UNDP for regional programming on BHR and, in particular country-level programming in India, Indonesia, Myanmar, Mongolia, Sri Lanka, and Thailand, Mongolia. With the advent of the EU supported Project, it was agreed upon that the Project funded through SIDA would promote regional objectives using regional approaches and deepen country-level programming in Bangladesh and Viet Nam (the two countries that do not overlap with the EU project). Both projects underwent mid-term Evaluation in 2021.

Table 1 – A Snapshot of Project Information

PROJECT INFORMATION	
Project title	Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia)
Award ID	00110712
Contributing outcome and output:	UNDP Regional Programme Outcome 2: Accelerate structural transformations for sustainable development

PROJECT INFORMATION	
Targeted Countries	Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand, and Vietnam
Region	Asia Pacific
Cost Sharing Agreement Signing Date	9 August 2018

Project dates	Start	Planned end
	1 August 2018	31 December 2023

Project budget	SEK 63,500,000 or around USD 6073126
Funding source	The Swedish International Development Cooperation Agency (SIDA)

The Project underwent a Mid-Term evaluation in 2021, the recommendations from which have been incorporated in the AWP of 2022 and 2023. The Project was due to end in July 2023. However, it received a costed extension to end on 31 December 2023. The Project now intends to conduct the Final Evaluation of the Project.

Objectives, Purpose, Scope of the Final Evaluation, Evaluation Team

The Final Evaluation aims to inform the UNDP B+HR Asia team and its partners of lessons learned, results achieved and improvement areas. The Evaluation will assess progress towards achieving the project outcome, output and deliverables as specified in the project documents, as well as on the recommendations of the mid-term Evaluation of the Project conducted in 2021. As this Project is the first initiative developed in UNDP on BHR, the Evaluation will be able to produce valuable lessons and experiences, providing useful findings to the other relevant BHR projects and various initiatives organized by UNDP Regional Hubs (RHs) as well as Country Offices (COs) globally. The Evaluation should assess the implementation approaches, progress made, and challenges encountered, identify and document the lessons learnt and good practices, and make specific recommendations for future course of action for the next phase of the programming.

Responding to the Theory of Change (ToC) as described in the project document, the agreed results and resources framework (RRF) and the approved workplans, the final Evaluation should look at the relevance of the Project, quality of the project design, effectiveness and efficiency of the implementation to date, sustainability of the overall project results, impact of intervention made to date, and forward-looking directions for future. To meet these ends, final Evaluation will serve to:

- Relevance of the Project: review the progress against its purpose, objectives, outputs and indicators, as per the project documents and its components, such as the Theory of Change, Results and Resources Framework, and draw out lessons for deepening impact

- Effectiveness and efficiency of implementation approaches: review Project's technical as well as operational approaches and deliverables, quality of results and their impact, alignment with regional priorities and responding to the needs of the stakeholders;

- Review the Project's approaches, in general and with regards to mainstreaming of gender equality and social inclusion, with a particular focus on women and marginalized groups;

- Review and assess the risks and opportunities (in terms of resource mobilization, synergy and areas of interventions) related to future interventions and assess the Project's unique value proposition "regionality" and comparative advangate relative to other actors and initiatives in the region;

- Review external factors beyond the control of the Project that have affected it negatively or positively;

- Review planning, management and quality assurance mechanisms for the delivery of the project interventions;

- Assess the Project's partnership strategies and performance in achieving intended results through collaboration with partners

- Review coordination and communication processes and mechanisms with the stakeholders

The Scope

The Final Evaluation is expected to assess the B+HR Asia project progress against the project ToC and the achieved results from 1 August 2018 till date and propose recommendations which will inform the programming in the future. The Evaluation will be based on a desk review of Project related documents and in-depth interviews as outlined in the methodology section.

The geographical coverage includes the Project's targeted countries in Asia Pacific, namely Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand, and Vietnam, The Evaluation will mainly focus on the regionality aspect of the Project, but can also feature country-specific aspect, especially on how the Project's regional endeavour is translated into the country level, particularly Bangladesh and Vietnam.

The project was originally envisaged to be implemented at the regional level in Asia, and focus on seven countries as mentioned above. In 2020, UNDP received complementary funding from the EU to promote the responsible business agenda in Asia. Given there was overlap in certain countries (India, Sri Lanka, Indonesia, Malaysia and Thailand) , the two donors agreed that the project supported through Sweden will focus on mainly regional initiatives and approaches with deep-dive in Bangladesh and Viet Nam (not covered by the EU supported Project). The project activities and annual Work Plans were revised accordingly, so as to focus on regionality, Bangladesh and Viet Nam.

Evaluation Criteria and guiding questions

The Evaluation will follow the four OECD-DAC evaluation criteria - Relevance, Effectiveness, Efficiency, and Sustainability. Human Rights and Gender Equality will be added as cross-cutting criteria. The guiding questions outlined below should be further refined by the Consultant and agreed with UNDP.

Criteria	Evaluation Questions

Relevance	*Relevance of the Project: review the progress against project outputs and contribution to outcome-level results as defined in the Project's theory of change and ascertain whether assumptions and risks remain valid. Identify any other intended or unintended, positive or negative, results using the following guiding questions.* • To what extent was the Project in line with the regional development priorities and UNDP strategic Plan and its direction on human rights? • To what extent does the Project contribute to the ToC for the relevant regional programme outcomes? • To what extent were the project activities in target countries in line with the national development priorities and country development programmes' outputs and outcomes? • To what extent were the overall design and approaches of the Project "regionality" relevant? • To what extent did the Project remain relevant in the evolving BHR landscape globally and regionally? • To what extent, the inputs and strategies identified were realistic, appropriate and adequate to achieve the results? • To what extent did the Project achieve its overall outputs? Are the Project's contributions to outcomes clear? • To what extent the Project was/is able to strengthen the regional momentum on business and human rights in Asia? • To what extent the Project was able to raise awareness of the UNGPs in the region and translate them into country-level action plans for the implementation of the UNGPs and development and implementation of the NAPs? • To what extent did the Project contribute to promoting responsible business practices in the region? • To what extent have the project design and implementation been consistent with the gender-responsive, human rights based, diversity and inclusion approaches? How can this be strengthened? • To what extend has the Project been appropriately responsive to COVID-19 pandemic as well as other political, legal, economic, and institutional changes in target countries and the region?
Effectiveness	*Effectiveness of implementation approaches: review Project's technical as well as operational approaches, the regionality and deliverables, quality of results and their impact, alignment with national priorities and responding to the needs of the stakeholders; covering the results achieved, the partnerships established, as well as issues of capacity using following guiding questions;* • To what extent the project activities were delivered effectively in terms of quality, quantity, and timing? • How effective were the strategies used in the implementation of the Project? • To what extent the Project was effective in enhancing the capacity of stakeholders to implement UNGPs and the development process of the NAPs into the governments' priorities?

	• What are the key internal and external factors (success & failure factors) that have contributed, affected, or impeded the achievements, and how UNDP and the partners have managed these factors?
	• In which areas does the Project have the greatest achievements? Why and what have been the supporting factors? How can the Project build on or expand these achievements?
	• In which areas does the Project have the fewest achievements? What have been the constraining factors and why? How can or could they be overcome?
	• To what extent have stakeholders been involved in project implementation? To what extent are project management and implementation participatory? How effective were the partnership strategies, and how can they be strengthened?
	• To what extent have the South-South cooperation and knowledge management contributed to the regional momentum on developing the NAPs?
	• To what extent the regionality principle of the Project has been effective in project implementation? How effectively does regional-level work translate into tangible outcomes at the national level?
	• How do different contexts and priorities between UNDP Country offices and the regional office impact the overall effectiveness of the Project in the region?
Efficiency	*Efficiency of the project management structure and the added value of the Project's regional approach: review planning, management, monitoring and quality assurance mechanisms for the delivery of the project interventions and the added value of the regionality of the Project set up in the context of fiscal reform at national and subnational level using following questions.*
	• How efficiently were the resources including human, material and financial resources used to achieve the above results in a timely manner?
	• To what extent was the existing project management structure appropriate and efficient in generating the expected results?
	• To what extent has the project implementation strategies including partnership strategy and architecture and its execution been efficient and cost-effective?
	• Was the process of achieving results efficient? Were the resources effectively utilized?
	• Did the project activities overlap, and duplicate other similar interventions funded nationally, and/or by other donors?
	• To what extent did the Project produce synergies within UNDP and with other development partners and play complementary roles each other?
	• What is the added value of the Project's regionality approach for influencing the implementation of the UNGPs and development process of the NAPs at the national level?
	• How does the Project align with other regional and national level initiatives/activities on BHR? How efficiently are national and regional activities

	connected and complement each other?
Sustainability	*Sustainability of the project results and risks along with opportunities related to future interventions: review and assess if the current project setup has plans for future resource mobilization, synergy, long term partnership and / or taking into account institutionalization of the project impact for continued support after the project end using following questions;* • To what extent did the project interventions contribute towards sustaining the results achieved by the Project? • What are the plans or approaches of the local authorities/national partners to ensure that the initiatives will be continued after the Project ends? • What is the likelihood of the continuation and sustainability of regional and national level dialogues engaging various stakeholders and strengthening national and regional partnership architectures, made up of UN system, NHRIs, CSOs, and private sector actors working on BHR? • How were capacities of a various set of BHR stakeholders strengthened at the national level through regional peer-learning and south-south cooperation? • What could be potential new areas of work and innovative measures for sustaining the results? • To what extent have lessons learned been documented by the Project on a continual basis to inform the Project for needful change? • What could be done to strengthen exit strategies and sustainability of the Project?
Impact	• To what extent did the project initiatives indicate that intended impact will be achieved in the future? • Review the progress against the indicators and identify potential obstacles or challenges.
Human rights, **Gender equality and social inclusion**	• To what extent has gender equality and human rights-based approach been integrated into the programming design and implementation? • To what extent have disadvantaged and marginalized groups including indigenous peoples benefitted from the work of the Project and with what impact? • To what extent has the Project promoted positive changes for women and marginalized group? Were there any unintended effects (positive or negative)?

Evaluation Team:

The evaluation team consists of **one international consultant (evaluator)** and **two national consultants (Bangladesh and Viet Nam)**. The National Consultant in Bangladesh will focus on Bangladesh while the one from Viet Nam will support on data gathering, analysis and report writing for Viet Nam.

The scope of work for the national consultants of this evaluation will include but not be limited to:

- Provide inputs to the inception report that will include detailed evaluation methodologies and the elaboration of the evaluation matrix (how each evaluation question will be answered along with proposed sources of data and data collection and analysis procedures);

- Support in designing data collection tools (i.e., checklists/semi-structured questionnaires);

- Coordinate with the international evaluator and other national evaluator

- Collecting data/information using various methods, including desk review, Key Informant Interviews (KIIs), and Focus Group Discussions (FGDs) at the country level, and where necessary, support international consultants in gathering information from the region/other project countries

- Support in conducting data analysis on data/ information collected, including triangulation for respective countries, as well as overall analysis

- Develop draft sections for respective countries for the final evaluation report;

- Revise the draft report to address necessary feedback;

- Finalize a final evaluation report

- Support evaluation Team as and when required on responsibilities listed in tasks/deliverables.

Phase	Scope of work of the consultant	Number of Days	Timing
Inception Phase	This phase is meant to ensure that the consultant is fully prepared before undertaking data collection. The International Consultant will lead the Evaluation process and national consultants will coordinate and support in developing an inception report. The workplan should provide clear timeline of when and how the steps will be undertaken. The BHR final Evaluation methodology should provide a specific assessment framework, covering both quantitative and qualitative dimensions, with a detailed list of required stakeholders to be interviewed in the process. A stakeholder analysis for conducting interviews and evaluations can be drafted. The draft methodology can be adjusted later once the Consultant has completed the desk review of the Project related documents. The final	03 Days	20 June 2023

	approach and methodology can be presented as a part of the Inception Report.		
Data Collection Phase	• Meet with the evaluation team in Bangkok during the RBHR forum and support in interviews, data gathering etc • Conduct key Informant Interviews (KIIs)/ Focus Group Discussions (FGDs) with the stakeholders and partners, including the Government of Bangladesh; • Consult with relevant UNDP staff, including the management; • Collect data and information through document review; • Provide debriefing to the UNDP CO and the stakeholders on the key findings • Coordinate with the International Consutlant on data collection from the region, and country specific information	9 Days	30 July 2023
Reporting Phase	Provide support in • Triangulating/analyzing findings from desk review, stakeholders interviews, KIIs and FGDs; • Prepare a draft final evaluation report; • Organize a meeting to share draft findings with UNDP and relevant stakeholders to solicit feedback; • Revise the draft evaluation report to incorporate comments and feedback; • Finalize and submit a final evaluation report	3 days	30 August 2023

Proposed Methodology

The methodology will be developed by International Consultant with inputs from the National Consultant.

The methodology suggested here are indicative only. The Consultant should review the methodology and propose the final methods and data collection tools as part of the inception report. The Consultant should engage and consult with the national-level evaluators to adapt the methodology to relevant contexts. In general, the methodology should employ

a combination of both qualitative and quantitative evaluation methods and instruments. It should build upon the available programme documents, mid-term evaluation report, interviews with key informants and gathered from focus groups discussion, which would provide an opportunity for more in-depth analysis and understanding of the Project. The evaluation consultant is expected to frame the Evaluation using the criteria of relevance, effectiveness, efficiency, and sustainability.

The Consultant must provide evidence-based information that is credible, reliable, and useful. The Consultant is expected to follow a participatory and consultative approach ensuring close engagement with government counterparts, project team, UNDP Cos, UNDP BRH and key stakeholders. The Evaluation will provide quantitative and qualitative data adopting appropriate methods. Some of the data collection methods are listed in below table 3.

Table 3 – Some Methods of Collecting Data

Review of relevant literature and documentation	The Consultant is expected to carry out the following activities while reviewing relevant documents: • Desk study of relevant literature • Study and review of all relevant project documentation and evidence sources, which include a review of inter alia • The B+HR Asia Project document (cost sharing agreement) • Theory of change and Result Framework • Project quality assurance reports • Annual work plans • Activity designs • Consolidated quarterly and annual reports • Results-oriented monitoring report • Highlights of project board meetings • Technical/Financial monitoring reports • UNDP Bangkok Regional Hub Regional Programme Document Mid-term review • Mid-term evaluation report of the Project and management response • Other relevant communication materials and knowledge products such as research studies, policy brief, blogs, etc.
Online/in-person Interviews/Consultations	• Semi-structured interviews, based on questions designed for different stakeholders based on evaluation questions around relevance, coherence, effectiveness, efficiency, and sustainability, human rights based approach and gender equality • In depth interviews to gather primary data from key stakeholders using a structured methodology • Focus Group discussion with project beneficiaries and other stakeholders

		• Interviews with relevant key informants including the UN agencies and other implementing partners • Meetings and or discussions with relevant stakeholders to complement the information received from other sources and for triangulation of information. • Coordinate with the national level evaluators for interviews and group discussions at the national level • In consultation with national consultants, develop evaluation questions around relevance, effectiveness, efficiency, and suitability and designed for different stakeholders to be interviewed based on stakeholder analyses. Online surveys or virtual meetings may be conducted to solicit feedback by an international consultant. The data should be complemented with the interviews and focus group discussions at national level.	

The data should be collected in full confidence and anonymity. The final evaluation report should not assign specific comments to individuals. While selecting the respondents, the evaluator should ensure gender balance. And ensure voices of the most vulnerable are included in this assessment.

Evaluation Products (Deliverables/ Outputs)

The following deliverables in line with IEO's guidance are expected:

Table 4 – Expected Deliverables and Descriptions

#	Deliverables	Description	Due date
1	Inception report of the BHR Final Evaluation	The inception report should include a proposed schedule of tasks, activities, and deliverables, building on what has been provisionally proposed in this ToR. • It should be prepared by the consultant before going into the full-fledged data collection exercise. • It should detail the reviewing approach, proposed format, and table of content of the Final report. • It must also outline reviewers' understanding of what is being reviewed and why, showing how each area of inquiry will be answered by way of: proposed methods; proposed sources of data; and data collection procedures. This information should be provided through the preparation of a final Evaluation Matrix. • The inception report should provide UNDP/SIDA and the consultant with an opportunity to verify that they share the same understanding about the assignment, the same	20 June

#	Deliverables	Description	Due date
		understanding of the ToC and clarify any misunderstandings at the outset. • The Inception report should include Final Evaluation Matrix. The matrix should include key evaluation criteria, indicators, questions, and sub-questions to capture and assess them.	
2	Data gathering through meetings, interviews, focus group discussions, consultations etc		15 July 2023
3	Final Evaluation briefing	After completion of data collection or before sharing the draft report, the evaluator should present preliminary debriefing and findings to UNDP Advisory Team and final Evaluation reference group at UNDP BRH.	30 July 2023
4	Draft B+HR evaluation report	The Final Evaluation Advisory Group59 will review the draft B+HR Asia Project Final evaluation report to ensure that it meets the required quality standards and covers all agreed components and contents of the final evaluation report? Detailed comments and feedback on the draft report will be provided to the consultant, and discussions may be held to provide clarifications as necessary. The draft report will also be shared with SIDA, Project Board Members and other and key stakeholders, for additional feedback and inputs. Evaluator should submit a comprehensive draft report consisting of major findings and recommendations for future course of action.	15 August 2023
5	Final B+HR evaluation report	The final report will be produced by the Consultant based on feedback received on the draft report. The evaluator should include two rounds of feedback from UNDP. The final report will be shared with SIDA, stakeholders and other relevant partners. The final report is expected to capture findings and recommendations on both the programme approach, management, and performance. Suggestions and comments gathered during the briefing session will be	30 August 2023

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59 The Final Evaluation Advisory Group refers to the BHR MTR oversight function at BRH. The group members are composed of representatives from UNDP BRH Programme Management Unit and M&E Team, and B+HR Asia Team Advisor and

#	Deliverables	Description	Due date
		taken into consideration. The minimum structure of the evaluation report (to be written in the English language) is the following: • Executive summary; • Introduction; • Methodological approach; • Evaluation findings; • Lessons learnt; • Recommendations for future programme interventions; • Conclusions; • Relevant annexes	
6	Audit Trail Form	The comments and changes by the Consultant in response to the draft report should be retained by the evaluator in form of audit trial to show they have addressed comments. This document can be submitted as an Annex to the final evaluation report.	30 July 2023

Evaluation team composition and duration

The B+HR final evaluation requires one international consultant and two national-level consultants in Bangladesh and Viet Nam to complete the Final Evaluation. The Evaluation is estimated to commence on 10 June 2023 and will need to be completed before 30 August 2023 at the latest. The international consultant will develop overall guidelines, questions and the responsibilities listed below, while the national level consultants will support in data gathering and providing country-specific context/inputs. While the international consultant will be mainly responsible for drafting the evaluation report, the national consultants will contribute to the country specific context, as well, provide overall support in authoring and finalizing the report.

This Evaluation will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation. The contractor must safeguard the rights and confidentiality of information providers, interviewees, and stakeholders through measures to ensure compliance with legal and other relevant codes governing collection of data and reporting on data. The contractor must also ensure security of collected information before and after the Evaluation and protocols to ensure anonymity and confidentiality of sources of information where that is expected. The information knowledge and data gathered in the evaluation process must also be solely used for the Evaluation and not for other uses without the express authorization of UNDP and partners.

The contractor will be held to the highest ethical standards and are required to sign a Code of Conduct upon acceptance of the assignment.

Schedule of Payments

Consultant must send a financial proposal based on Lump Sum Amount. The total amount quoted shall be all-inclusive and include all costs and components required to perform the deliverables identified in the TOR, including professional fee and any other applicable cost to be incurred by the IC in completing the assignment. The contract price will be fixed output-based regardless of the specified duration extension. Payments will be done upon completion of the deliverables/outputs and as per below percentages:

#	Deliverables	Due date	Payment
1	Draft of the Inception report	20 June	20%
2	Briefing for the Final Evaluation to Reference Group and relevant partners; Draft report of final Evaluation	30 July	60%
3	Final report	30 August 2023	20%
	TOTAL		100%

In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the event of unforeseeable travel not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and the Consultant, prior to travel and will be reimbursed.

Travel costs to be included in the financial offer of the national consultant for Bangladesh.

Institutional Arrangement

The Consultant will work under the supervision of the UNDP Regional PMU Coordinator. UNDP B+HR Asia project manager at UNDP Bangkok Regional Hub will be a focal point of day-to-day interaction and for liaison during the assignment. The B+HR Asia Team will contract the Evaluation consultant and help with the day-to-day coordination of Evaluation process with different stakeholder.

Implementation Arrangement

Who (Responsible)	What (Responsibilities)
BRH Programme Coordinator as Evaluation Manager	• Assure smooth, quality, and independent implementation of the Evaluation with needful guidance from UNDP's Senior Management. • Approve hiring of the evaluator by reviewing proposals and complete the recruitment process. • Ensure the independent implementation of the evaluation process. • Approve each step of the Evaluation • Supervise, guide, and provide feedback and comments to the evaluation consultants. • Ensure quality of the Evaluation. • Ensure the Management Response and action plans are fully implemented
Business and Human Rights Specialists (B+HR Asia SIDA Project Manager)	• Draft ToR to be reviewed and finalized by the Evaluation Manager • Support in hiring the Consultant • Provide necessary information and coordination with different stakeholders including donor communities • Provide feedback and comments on draft report • Prepare management response and action plan and follow up the implementation
B+HR Project Team	• Provide required information, furnishing documents for review to the consultant team. • Logistic arrangements, such as for support in setting up stakeholder meetings, arranging field visits and coordinating with the Government.
Evaluation Consultant	• Review the relevant documents. • Develop and submit a draft and final inception report • Conduct evaluation. • Maintain ethical considerations. • Develop and submit a draft evaluation report • Organize meeting/consultation to discuss the draft report • Incorporate inputs and feedback in draft report • Submit final report with due consideration of quality and effectiveness • Organize sharing of final evaluation report • Evaluator is expected to work within Asia-Pacific working hours,

	particularly for the interviews.
Reference Group	• The Reference Group comprised of COs focal points, DRR/RR as relevant, representative from GPN-AP, relevant UNDP Business and Human Rights Specialists in the region and others, SIDA representative and other relevant stakeholders • Review draft report and provide feedback • Participate in debriefing session and provide suggestions

The Evaluation Consultant will be briefed by UNDP Evaluation Manager upon arrival on the objectives, purpose, and output of the Evaluation. An oral debriefing by the Evaluation Consultant on the proposed work plan and methodology will be done and approved prior to the commencement of the process.

The Evaluation will remain fully independent and reports to UNDP Programme Coordinator at UNDP Bangkok Regional Hub. The Evaluation Consultant maintains all the communication through the Evaluation Manager during the implementation of the Evaluation. The Evaluation Manager should clear each step of the Evaluation. Evaluation report must meet the requirements from the Independent Evaluation Office's guidelines which will be provided as part of the inception meeting.

Contractors will arrange online final presentation with UNDP BRH. The Inception and draft report must meet IEO's standardized template and quality standards2.

It is understood that it may take multiple rounds of feedback before Evaluation Report is finalized and approved. Final report must meet IEO's Quality Criteria. The final report will be signed off by Project Manager, UNDP Bangkok Regional Hub

Intellectual Property:

All information pertaining to this programme as well as outputs produced under this contract shall remain the property of the UNDP who shall have exclusive rights over their use. Except for purposes of this assignment, the products shall not be disclosed to the public nor used in whatever format without written permission of UNDP in line with the national and International Copyright Laws applicable

Evaluation ethics:

Evaluations in UNDP will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation'.UNEG, 'Ethical Guidelines for Evaluation', 2020. Access at: http://www.unevaluation.org/document/detail/2866

Duration of Assignment and Duty Station

The period of the assignment is estimated to be from15 June – 30 July 2023, up to a maximum of 15 working days. The Consultant will be home-based with travel required to Bangkok, Thailand for a meeting with the evaluation team and engage with other stakeholders (3 days). The evaluator will also travel within country as required to collect data and insights. Pls indicate travel provicines for VN and how many misisons and how many days each mission????

Qualifications of the Successful MTR Individual Contractor

The application submission procedure and its selection criteria will be reflected in procurement notice. The following are minimum required qualifications for the B+HR Asia project Final Evaluation Consultant:

Nationality: Bangladesh (for Bangladesh consultant) and Viet Nam (Viet Nam National Consultant)

Education: 200 points

- A minimum of a Bachelors degree or equivalent in political science, development studies, social science, law or other relevant discipline.- 100
- Professional educational background in Human Rights, Rule of Law, M&E, RBM and/or programme management is desirable. Knowledge on business and human rights is asset. 100

Work Experience: 500 points

- At least 5 years of proven experience in programmes or projects in the area of human rights, governance, public policy, rule of law, and/or development. Experience in business and human rights is desirable.- 200

- Demonstrated strong understanding of human rights issues and recent policy developments and programming in respective countries (Viet Nam/Bangladesh) - 100

- Sound understanding of the UN system and of UNDP's mandate and role. The project review/evaluation experience within the UN System is highly desired - 50

- At least 3 years of experience in project implementation/management/monitoring and Evaluation on development issues in relevant country (Bangladesh/Bangladesh) - 50

Functional competencies:200 points

- Excellent written communication skills in English by provision two English reports samples
- Strong analytical, reporting and writing abilities, by submitting a list of past projects and publications.
- The consultant should have a strong background in gender equality and related issues.

Annexes

Relevant document will be shared with the evaluator after selection process is completed and the evaluator is on board.

4. Relevant Documents:

- The B+HR Asia Project document (cost sharing agreement)
- Theory of change and Result Framework

- Mid-Term Evaluation Report of the Project and management response
- Annual workplans
- Activity designs
- Consolidated quarterly and annual reports
- Results-oriented monitoring report
- Highlights of project board meetings
- Technical/Financial monitoring reports
- Relevant documents of the B+HR Asia project funded by the EU
- UNDP Bangkok Regional Hub Regional Programme Document Mid-term review (RPD MTR),
- Other relevant communication materials and knowledge products such as research studies, policy brief, blogs, etc.

5. IEO's guidance on structure and content of report,

6. List of key agencies, stakeholders and partners for Evaluation

   UNDP
   - UNDP BRH B+HR Asia SIDA project team members
   - UNDP Country Focal Points from Bangladesh and Vietnam under the B+HR Asia SIDA project as well as India, Indonesia, Malaysia, Sri Lanka, and Thailand
   - B+HR Asia Advisor and UNDP BRH B+HR Asia EU project team members

   Stakeholders:
   - International development partners (ILO, UN Women, OHCHR, OECD, etc.)
   - UN Working Group on Business and Human Rights
   - Project donor and other donors
   - National Human Rights InstitutionsGovernment from Ministry of Law, Ministry of Commerce, Ministry of Foreign Affairs, Parliamentarians, etc.
   - CSOs and Human Rights Defenders groups
   - Indigenous peoples and affected communities
   - Academia
   - Media
   - Regional institutions
   - Business
   - Others

TERMS OF REFERENCE

FOR INDIVIDUAL CONTRACT

POST TITLES:	:	External Evaluator – National Consultant on Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia) Project, Viet Nam
POSITIONS	:	1 National Consultant for Viet Nam (Viet Nam Nationality)
AGENCY/PROJECT NAME:	:	Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia) Project supported by the Government of Sweden
COUNTRY OF ASSIGNMENT:	:	Home-based with international travel required to Bangkok, Thailand
TYPE OF CONTRACT:	:	Individual Contractors (IC)
CONTRACT DURATION:	:	15 days from 10 June-30 August 2023
REPORTING TO:	:	Project Manager, Business and Human Rights

Background and Context:

Since the Human Rights Council's unanimous endorsement of the United Nations Guiding Principles on Business and Human Rights (UNGPs) in June 2011, the UNGPs have been widely recognized as the most authoritative and normative framework guiding efforts to reduce or eliminate the adverse impact of business operations on human rights. The UNGPs consists of three pillars and are grounded on a polycentric governance framework promoting a "smart mix" of measures. While the first pillar of the UNGPs concerns the well-established States duty to protect human rights under international human rights law, the second pillar addresses the responsibility of business enterprises to respect human rights and mainly links the concept of human rights with corporate governance and private regulation. Finally, the third pillar stresses the need for both State and non-State actors to promote access to effective remedies for victims of business-related abuses through providing or cooperating in judicial and non-judicial grievance mechanisms.

The business and human rights (BHR) discourse was taken off not long ago in Asia, but the region has been showing increased awareness and its uptake in recent years. For example, Thailand adopted Asia's first stand-alone National Action Plan on BHR (NAP) in 2019, followed by Japan in 2020 and Pakistan in 2021/ Additionally, other States in Asia are developing such national frameworks. There is a unique opportunity to build this momentum in the region, bring in political commitments from states, and engage various stakeholders in promoting responsible business practices for preventing human rights abuses and risks and promoting and protecting human rights.

The UNDP Asia-Pacific, Bangkok Regional Hub, Business and Human Rights unit, has been playing a central role in promoting the implementation of the UNGPs in Asia. Based on a year-long piloting phase including scoping mission between June 2017 and March 2018, funded by the Regional Development Cooperation Section at the Embassy of

Sweden in Thailand, UNDP identified seven countries—Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand and Viet Nam to accelerate regional momentum taking place in Asia towards the implementation of the UNGPs.

The Project, "Business and Human Rights in Asia: Promoting Sustainable Business through Regional Partnerships (B+HR Asia)" was thus designed with an aim to promote the implementation of the UNGPs in Asia through regional efforts focused on advocacy, policy development, technical advisory support, capacity building, awareness-raising, innovation platforms, regional peer learning events, and South-South cooperation. With support from the Swedish International Development Cooperation Agency (SIDA), the Project has been driving progress on BHR in the region, engaging with diverse stakeholders including governments, businesses, civil society organizations (CSOs), regional institutions, indigenous peoples and independent national human rights institutions (NHRIs).

This Project contributes to the UNDP Asia-Pacific Regional Programme Output 2.3 Institutions, networks and non-state actors strengthened to promote inclusion, access to justice, and protect human rights (UNDP Strategic Plan 2.2.2 and 2.2.3). Project activities are channeled towards five (5) principal outputs:

- Regional peer learning and training events that build regional momentum and inform progress on implementation of the UNGPs;

- Regional strategies in support of the advancement of National Action Plans, or similar policy frameworks, in furtherance of implementation of the UNGPs;

- A partnership architecture bringing greater coherence to policy and advocacy efforts among actors working on a regional level on business and human rights;

- Strengthened CSOs and NHRIs that provide access to an effective remedy for violations of human rights in the context of business operations and;

- Greater policy coherence, public discourse on trade and international investor agreements and their relationship to the business and human rights agenda.

In 2020, European Union extended its support to UNDP for regional programming on BHR and, in particular country-level programming in India, Indonesia, Myanmar, Mongolia, Sri Lanka, and Thailand, Mongolia. With the advent of the EU supported Project, it was agreed upon that the Project funded through SIDA would promote regional objectives using regional approaches and deepen country-level programming in Bangladesh and Viet Nam (the two countries that do not overlap with the EU project). Both projects underwent mid-term Evaluation in 2021.

Table 1 – A Snapshot of Project Information

PROJECT INFORMATION	
Project title	Business and Human Rights in Asia: Promoting Responsible Business Practices through Regional Partnerships (B+HR Asia)
Award ID	00110712
Contributing outcome and output:	UNDP Regional Programme Outcome 2: Accelerate structural transformations for sustainable development

PROJECT INFORMATION	
Targeted Countries	Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand, and Vietnam
Region	Asia Pacific
Cost Sharing Agreement Signing Date	9 August 2018

Project dates	Start	Planned end
	1 August 2018	31 December 2023

Project budget	SEK 63,500,000 or around USD 6073126
Funding source	The Swedish International Development Cooperation Agency (SIDA)

The Project underwent a Mid-Term evaluation in 2021, the recommendations from which have been incorporated in the AWP of 2022 and 2023. The Project was due to end in July 2023. However, it received a costed extension to end on 31 December 2023. The Project now intends to conduct the Final Evaluation of the Project.

Objectives, Purpose, Scope of the Final Evaluation, Evaluation Team

The Final Evaluation aims to inform the UNDP B+HR Asia team and its partners of lessons learned, results achieved and improvement areas. The Evaluation will assess progress towards achieving the project outcome, output and deliverables as specified in the project documents, as well as on the recommendations of the mid-term Evaluation of the Project conducted in 2021. As this Project is the first initiative developed in UNDP on BHR, the Evaluation will be able to produce valuable lessons and experiences, providing useful findings to the other relevant BHR projects and various initiatives organized by UNDP Regional Hubs (RHs) as well as Country Offices (COs) globally. The Evaluation should assess the implementation approaches, progress made, and challenges encountered, identify and document the lessons learnt and good practices, and make specific recommendations for future course of action for the next phase of the programming.

Responding to the Theory of Change (ToC) as described in the project document, the agreed results and resources framework (RRF) and the approved workplans, the final Evaluation should look at the relevance of the Project, quality of the project design, effectiveness and efficiency of the implementation to date, sustainability of the overall project results, impact of intervention made to date, and forward-looking directions for future. To meet these ends, final Evaluation will serve to:

- Relevance of the Project: review the progress against its purpose, objectives, outputs and indicators, as per the project documents and its components, such as the Theory of Change, Results and Resources Framework, and draw out lessons for deepening impact

- Effectiveness and efficiency of implementation approaches: review Project's technical as well as operational approaches and deliverables, quality of results and their impact, alignment with regional priorities and responding to the needs of the stakeholders;

- Review the Project's approaches, in general and with regards to mainstreaming of gender equality and social inclusion, with a particular focus on women and marginalized groups;

- Review and assess the risks and opportunities (in terms of resource mobilization, synergy and areas of interventions) related to future interventions and assess the Project's unique value proposition "regionality"

and comparative advantage relative to other actors and initiatives in the region;

- Review external factors beyond the control of the Project that have affected it negatively or positively;

- Review planning, management and quality assurance mechanisms for the delivery of the project interventions;

- Assess the Project's partnership strategies and performance in achieving intended results through collaboration with partners

- Review coordination and communication processes and mechanisms with the stakeholders

The Scope

The Final Evaluation is expected to assess the B+HR Asia project progress against the project ToC and the achieved results from 1 August 2018 till date and propose recommendations which will inform the programming in the future. The Evaluation will be based on a desk review of Project related documents and in-depth interviews as outlined in the methodology section.

The geographical coverage includes the Project's targeted countries in Asia Pacific, namely Bangladesh, India, Indonesia, Malaysia, Sri Lanka, Thailand, and Vietnam, The Evaluation will mainly focus on the regionality aspect of the Project, but can also feature country-specific aspect, especially on how the Project's regional endeavour is translated into the country level particularly Bangladesh and Vietnam.

The project was originally envisaged to be implemented at regional level in Asia, and focus on seven countries as mentioned above. In 2020, UNDP received complementary funding from the EU to promote the responsible business agenda in Asia. Given there was overlap in certain countries (India, Sri Lanka, Indonesia, Malaysia and Thailand) , the two donors agreed that the project supported through Sweden will focus on mainly regional initiatives and approaches with deep-dive in Bangladesh and Viet Nam (not covered by the EU supported Project). The project activities and annual Work Plans were revised accordingly, so as to focus on regionality, Bangladesh and Viet Nam.

Evaluation Criteria and guiding questions

The Evaluation will follow the four OECD-DAC evaluation criteria - Relevance, Effectiveness, Efficiency, and Sustainability. Human Rights and Gender Equality will be added as cross-cutting criteria. The guiding questions outlined below should be further refined by the Consultant and agreed with UNDP.

Criteria	Evaluation Questions
Relevance	*Relevance of the Project: review the progress against project outputs and contribution to outcome-level results as defined in the Project's theory of change and ascertain whether assumptions and risks remain valid. Identify any other intended or unintended, positive or negative, results using the following guiding questions.* • To what extent was the Project in line with the regional development priorities and UNDP strategic Plan and its direction on human rights? • To what extent does the Project contribute to the ToC for the relevant regional programme outcomes? • To what extent were the project activities in target countries in line with the national development priorities and country development programmes' outputs and outcomes? • To what extent were the overall design and approaches of the Project "regionality" relevant? • To what extent did the Project remain relevant in the evolving BHR landscape globally and regionally? • To what extent, the inputs and strategies identified were realistic, appropriate and adequate to achieve the results? • To what extent did the Project achieve its overall outputs? Are the Project's contributions to outcomes clear? • To what extent the Project was/is able to strengthen the regional momentum on business and human rights in Asia? • To what extent the Project was able to raise awareness of the UNGPs in the region and translate them into country-level action plans for the implementation of the UNGPs and development and implementation of the NAPs? • To what extent did the Project contribute to promoting responsible business practices in the region? • To what extent have the project design and implementation been consistent with the gender-responsive, human rights based, diversity and inclusion approaches? How can this be strengthened? • To what extend has the Project been appropriately responsive to COVID-19 pandemic as well as other political, legal, economic, and institutional changes in target countries and the region?

Effectiveness	*Effectiveness of implementation approaches: review Project's technical as well as operational approaches, the regionality and deliverables, quality of results and their impact, alignment with national priorities and responding to the needs of the stakeholders; covering the results achieved, the partnerships established, as well as issues of capacity using following guiding questions;* • To what extent the project activities were delivered effectively in terms of quality, quantity, and timing? • How effective were the strategies used in the implementation of the Project? • To what extent the Project was effective in enhancing the capacity of stakeholders to implement UNGPs and the development process of the NAPs into the governments' priorities? • What are the key internal and external factors (success & failure factors) that have contributed, affected, or impeded the achievements, and how UNDP and the partners have managed these factors? • In which areas does the Project have the greatest achievements? Why and what have been the supporting factors? How can the Project build on or expand these achievements? • In which areas does the Project have the fewest achievements? What have been the constraining factors and why? How can or could they be overcome? • To what extent have stakeholders been involved in project implementation? To what extent are project management and implementation participatory? How effective were the partnership strategies, and how can they be strengthened? • To what extent have the South-South cooperation and knowledge management contributed to the regional momentum on developing the NAPs? • To what extent the regionality principle of the Project has been effective in project implementation? How effectively does regional-level work translate into tangible outcomes at the national level? • How do different contexts and priorities between UNDP Country offices and the regional office impact the overall effectiveness of the Project in the region?
Efficiency	*Efficiency of the project management structure and the added value of the Project's regional approach: review planning, management, monitoring and quality assurance mechanisms for the delivery of the project interventions and the added value of the regionality of the Project set up in the context of fiscal reform at national and subnational level using following questions.* • How efficiently were the resources including human, material and financial resources used to achieve the above results in a timely manner? • To what extent was the existing project management structure appropriate and

	efficient in generating the expected results?
	• To what extent has the project implementation strategies including partnership strategy and architecture and its execution been efficient and cost-effective?
	• Was the process of achieving results efficient? Were the resources effectively utilized?
	• Did the project activities overlap, and duplicate other similar interventions funded nationally, and/or by other donors?
	• To what extent did the Project produce synergies within UNDP and with other development partners and play complementary roles each other?
	• What is the added value of the Project's regionality approach for influencing the implementation of the UNGPs and development process of the NAPs at the national level?
	• How does the Project align with other regional and national level initiatives/activities on BHR? How efficiently are national and regional activities connected and complement each other?
Sustainability	*Sustainability of the project results and risks along with opportunities related to future interventions: review and assess if the current project setup has plans for future resource mobilization, synergy, long term partnership and / or taking into account institutionalization of the project impact for continued support after the project end using following questions;*
	• To what extent did the project interventions contribute towards sustaining the results achieved by the Project?
	• What are the plans or approaches of the local authorities/national partners to ensure that the initiatives will be continued after the Project ends?
	• What is the likelihood of the continuation and sustainability of regional and national level dialogues engaging various stakeholders and strengthening national and regional partnership architectures, made up of UN system, NHRIs, CSOs, and private sector actors working on BHR?
	• How were capacities of a various set of BHR stakeholders strengthened at the national level through regional peer-learning and south-south cooperation?
	• What could be potential new areas of work and innovative measures for sustaining the results?
	• To what extent have lessons learned been documented by the Project on a continual basis to inform the Project for needful change?
	• What could be done to strengthen exit strategies and sustainability of the Project?
Impact	• To what extent did the project initiatives indicate that intended impact will be achieved in the future?
	• Review the progress against the indicators and identify potential obstacles or challenges.

Human rights, Gender equality and social inclusion	• To what extent has gender equality and human rights-based approach been integrated into the programming design and implementation? • To what extent have disadvantaged and marginalized groups including indigenous peoples benefitted from the work of the Project and with what impact? • To what extent has the Project promoted positive changes for women and marginalized group? Were there any unintended effects (positive or negative)?

Evaluation Team:

The evaluation team consists of **one international consultant (evaluator)** and **two national consultants (Bangladesh and Viet Nam)**. The National Consultant in Bangladesh will focus on Bangladesh while the one from Viet Nam will support on data gathering, analysis and report writing for Viet Nam.

The scope of work for the national consultants of this evaluation will include but not be limited to:

• Provide inputs to the inception report that will include detailed evaluation methodologies and the elaboration of the evaluation matrix (how each evaluation question will be answered along with proposed sources of data and data collection and analysis procedures);

• Support in designing data collection tools (i.e., checklists/semi-structured questionnaires);

• Coordinate with the international evaluator and other national evaluator

• Collecting data/information using various methods, including desk review, Key Informant Interviews (KIIs), and Focus Group Discussions (FGDs) at the country level, and where necessary, support international consultants in gathering information from the region/other project countries

• Support in conducting data analysis on data/ information collected, including triangulation for respective countries, as well as overall analysis

• Develop draft sections for respective countries for the final evaluation report;

• Revise the draft report to address necessary feedback;

• Finalize a final evaluation report

• Support evaluation Team as and when required on responsibilities listed in tasks/deliverables.

Phase	Scope of work of the consultant	Number of Days	Timing
Inception Phase	This phase is meant to ensure that the consultant is fully prepared before undertaking data collection. The International Consultant will lead the Evaluation process and national consultants will coordinate and support in developing an inception report. The workplan should provide clear timeline of when and how the steps will be undertaken. The BHR final Evaluation methodology should provide a specific assessment framework, covering both quantitative and qualitative dimensions, with a detailed list of required stakeholders to be interviewed in the process. A stakeholder analysis for conducting interviews and evaluations can be drafted. The draft methodology can be adjusted later once the Consultant has completed the desk review of the Project related documents. The final approach and methodology can be presented as a part of the Inception Report.	03 Days	20 June 2023
Data Collection Phase	• Meet with the evaluation team in Bangkok during the RBHR forum and support in interviews, data gathering etc • Conduct key Informant Interviews (KIIs)/ Focus Group Discussions (FGDs) with the stakeholders and partners, including the Government of Bangladesh/Viet Nam; • Consult with relevant UNDP staff, including the management; • Collect data and information through document review; • Provide debriefing to the UNDP CO and the stakeholders on the key findings • Coordinate with the International Consultant on data collection from the region, and country specific information	9 Days	30 July 2023
Reporting Phase	Provide support in • Triangulating/analyzing findings from desk review, stakeholders' interviews, KIIs and FGDs; • Prepare a draft final evaluation report;	3 days	30 August 2023

	• Organize a meeting to share draft findings with UNDP and relevant stakeholders to solicit feedback; • Revise the draft evaluation report to incorporate comments and feedback; • Finalize and submit a final evaluation report		

Proposed Methodology

The methodology will be developed by International Consultant with inputs from the National Consultant.

The methodology suggested here are indicative only. The Consultant should review the methodology and propose the final methods and data collection tools as part of the inception report. The Consultant should engage and consult with the national-level evaluators to adapt the methodology to relevant contexts. In general, the methodology should employ a combination of both qualitative and quantitative evaluation methods and instruments. It should build upon the available programme documents, mid-term evaluation report, interviews with key informants and gathered from focus groups discussion, which would provide an opportunity for more in-depth analysis and understanding of the Project. The evaluation consultant is expected to frame the Evaluation using the criteria of relevance, effectiveness, efficiency, and sustainability.

The Consultant must provide evidence-based information that is credible, reliable, and useful. The Consultant is expected to follow a participatory and consultative approach ensuring close engagement with government counterparts, project team, UNDP Cos, UNDP BRH and key stakeholders. The Evaluation will provide quantitative and qualitative data adopting appropriate methods. Some of the data collection methods are listed in below table 3.

Table 3 – Some Methods of Collecting Data

Review of relevant literature and documentation	The Consultant is expected to carry out the following activities while reviewing relevant documents: • Desk study of relevant literature • Study and review of all relevant project documentation and evidence sources, which include a review of inter alia • The B+HR Asia Project document (cost sharing agreement) • Theory of change and Result Framework • Project quality assurance reports • Annual work plans • Activity designs • Consolidated quarterly and annual reports • Results-oriented monitoring report • Highlights of project board meetings • Technical/Financial monitoring reports • UNDP Bangkok Regional Hub Regional Programme Document Mid-term review

	• Mid-term evaluation report of the Project and management response
	• Other relevant communication materials and knowledge products such as research studies, policy brief, blogs, etc.
Online/in-person Interviews/Consultations	• Semi-structured interviews, based on questions designed for different stakeholders based on evaluation questions around relevance, coherence, effectiveness, efficiency, and sustainability, human rights-based approach and gender equality
	• In depth interviews to gather primary data from key stakeholders using a structured methodology
	• Focus Group discussion with project beneficiaries and other stakeholders
	• Interviews with relevant key informants including the UN agencies and other implementing partners
	• Meetings and or discussions with relevant stakeholders to complement the information received from other sources and for triangulation of information.
	• Coordinate with the national level evaluators for interviews and group discussions at the national level
	• In consultation with national consultants, develop evaluation questions around relevance, effectiveness, efficiency, and suitability and designed for different stakeholders to be interviewed based on stakeholder analyses. Online surveys or virtual meetings may be conducted to solicit feedback by an international consultant. The data should be complemented with the interviews and focus group discussions at national level.

The data should be collected in full confidence and anonymity. The final evaluation report should not assign specific comments to individuals. While selecting the respondents, the evaluator should ensure gender balance. And ensure voices of the most vulnerable are included in this assessment.

Evaluation Products (Deliverables/ Outputs)

The following deliverables in line with IEO's guidance are expected:

Table 4 – Expected Deliverables and Descriptions

#	Deliverables	Description	Due date
1	Inception report of the BHR Final Evaluation	The inception report should include a proposed schedule of tasks, activities, and deliverables, building on what has been provisionally proposed in this ToR. • It should be prepared by the consultant before going into the full-fledged data collection exercise. • It should detail the reviewing approach, proposed format, and table of content of the Final report. • It must also outline reviewers' understanding of what is being reviewed and why, showing how each area of inquiry will be answered by way of: proposed methods; proposed sources of data; and data collection procedures. This information should be provided through the preparation of a final Evaluation Matrix. • The inception report should provide UNDP/SIDA and the consultant with an opportunity to verify that they share the same understanding about the assignment, the same understanding of the ToC and clarify any misunderstandings at the outset. • The Inception report should include Final Evaluation Matrix. The matrix should include key evaluation criteria, indicators, questions, and sub-questions to capture and assess them.	20 June
2	Data gathering	• during the RBHR forum and support in interviews, data gathering etc • Conduct key Informant Interviews (KIIs)/ Focus Group Discussions (FGDs) with the stakeholders and partners, including the Government of Bangladesh; • Consult with relevant UNDP staff, including the management; • Collect data and information through document review; • Provide debriefing to the UNDP CO and the stakeholders on the key findings Coordinate with the International Consutlant on data collection from the region, and country specific information	15 July 2023
3	Final Evaluation briefing	After completion of data collection or before sharing the draft report, the evaluator should present preliminary debriefing and findings to UNDP Advisory Team and final Evaluation reference group at UNDP BRH.	30 July 2023

#	Deliverables	Description	Due date
4	Draft B+HR evaluation report	The Final Evaluation Advisory Group60 will review the draft B+HR Asia Project Final evaluation report to ensure that it meets the required quality standards and covers all agreed components and contents of the final evaluation report? Detailed comments and feedback on the draft report will be provided to the consultant, and discussions may be held to provide clarifications as necessary. The draft report will also be shared with SIDA, Project Board Members and other and key stakeholders, for additional feedback and inputs. Evaluator should submit a comprehensive draft report consisting of major findings and recommendations for future course of action.	15 August 2023
305	Final B+HR evaluation report	The final report will be produced by the Consultant based on feedback received on the draft report. The evaluator should include two rounds of feedback from UNDP. The final report will be shared with SIDA, stakeholders and other relevant partners. The final report is expected to capture findings and recommendations on both the programme approach, management, and performance. Suggestions and comments gathered during the briefing session will be taken into consideration. The minimum structure of the evaluation report (to be written in the English language) is the following: • Executive summary; • Introduction; • Methodological approach; • Evaluation findings; • Lessons learnt; • Recommendations for future programme interventions; • Conclusions; • Relevant annexes	30 August 2023

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60 The Final Evaluation Advisory Group refers to the BHR MTR oversight function at BRH. The group members are composed of representatives from UNDP BRH Programme Management Unit and M&E Team, and B+HR Asia Team Advisor and

#	Deliverables	Description	Due date
6	Audit Trail Form	The comments and changes by the Consultant in response to the draft report should be retained by the evaluator in form of audit trial to show they have addressed comments. This document can be submitted as an Annex to the final evaluation report.	30 July 2023

Evaluation team composition and duration

The B+HR final evaluation requires one international consultant and two national-level consultants in Bangladesh and Viet Nam to complete the Final Evaluation. The Evaluation is estimated to commence on 10 June 2023 and will need to be completed before 30 August 2023 at the latest. The international consultant will develop overall guidelines, questions and the responsibilities listed below, while the national level consultants will support in data gathering and providing country-specific context/inputs. While the international consultant will be mainly responsible for drafting the evaluation report, the national consultants will contribute to the country specific context, as well, provide overall support in authoring and finalizing the report.

Ethical Considerations

This Evaluation will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation. The contractor must safeguard the rights and confidentiality of information providers, interviewees, and stakeholders through measures to ensure compliance with legal and other relevant codes governing collection of data and reporting on data. The contractor must also ensure security of collected information before and after the Evaluation and protocols to ensure anonymity and confidentiality of sources of information where that is expected. The information knowledge and data gathered in the evaluation process must also be solely used for the Evaluation and not for other uses without the express authorization of UNDP and partners.
The contractor will be held to the highest ethical standards and are required to sign a Code of Conduct upon acceptance of the assignment.

Schedule of Payments

Consultant must send a financial proposal based on Lump Sum Amount. The total amount quoted shall be all-inclusive and include all costs and components required to perform the deliverables identified in the TOR, including professional fee and any other applicable cost to be incurred by the IC in completing the assignment. The contract price will be fixed output-based regardless of the specified duration extension. Payments will be done upon completion of the deliverables/outputs and as per below percentages:

#	Deliverables	Due date	Payment
1	Draft of the Inception report	20 June	20%
2	Briefing for the Final Evaluation to Reference Group and relevant partners; Draft report of final Evaluation	30 July	60%
3	Final report	30 July 2023	20%

#	Deliverables	Due date	Payment
	TOTAL		100%

In general, UNDP shall not accept travel costs exceeding those of an economy class ticket. Should the IC wish to travel on a higher class he/she should do so using their own resources.

In the event of unforeseeable travel not anticipated in this TOR, payment of travel costs including tickets, lodging and terminal expenses should be agreed upon, between the respective business unit and the Consultant, prior to travel and will be reimbursed.

Travel costs to be included in the financial offer of the national consultant for Viet Nam and UN-EU cost norms will be applied.

Institutional Arrangement

The Consultant will work under supervision of UNDP Regional PMU Coordinator. UNDP B+HR Asia project manager at UNDP Bangkok Regional Hub will be a focal point of day-to-day interaction and for liaisons during the assignment. The B+HR Asia Team will contract the Evaluation consultant and help with the day- to-day coordination for Evaluation process with different stakeholder.

Implementation Arrangement

Who (Responsible)	What (Responsibilities)
BRH Programme Coordinator as Evaluation Manager	• Assure smooth, quality, and independent implementation of the Evaluation with needful guidance from UNDP's Senior Management. • Approve hiring of the evaluator by reviewing proposals and complete the recruitment process. • Ensure the independent implementation of the evaluation process. • Approve each step of the Evaluation • Supervise, guide, and provide feedback and comments to the evaluation consultants. • Ensure quality of the Evaluation. • Ensure the Management Response and action plans are fully implemented
Business and Human Rights Specialists (B+HR Asia SIDA Project Manager)	• Draft ToR to be reviewed and finalized by the Evaluation Manager • Support in hiring the Consultant • Provide necessary information and coordination with different stakeholders including donor communities • Provide feedback and comments on draft report

	• Prepare management response and action plan and follow up the implementation
B+HR Project Team	• Provide required information, furnishing documents for review to the consultant team. • Logistic arrangements, such as for support in setting up stakeholder meetings, arranging field visits and coordinating with the Government.
Evaluation Consultant	• Review the relevant documents. • Develop and submit a draft and final inception report • Conduct evaluation. • Maintain ethical considerations. • Develop and submit a draft evaluation report • Organize meeting/consultation to discuss the draft report • Incorporate inputs and feedback in draft report • Submit final report with due consideration of quality and effectiveness • Organize sharing of final evaluation report • Evaluator is expected to work within Asia-Pacific working hours, particularly for the interviews.
Reference Group	• The Reference Group comprised of COs focal points, DRR/RR as relevant, representative from GPN-AP, relevant UNDP Business and Human Rights Specialists in the region and others, SIDA representative and other relevant stakeholders • Review draft report and provide feedback • Participate in debriefing session and provide suggestions

The Evaluation Consultant will be briefed by UNDP Evaluation Manager upon arrival on the objectives, purpose, and output of the Evaluation. An oral debriefing by the Evaluation Consultant on the proposed work plan and methodology will be done and approved prior to the commencement of the process.

The Evaluation will remain fully independent and reports to UNDP Programme Coordinator at UNDP Bangkok Regional Hub. The Evaluation Consultant maintains all the communication through the Evaluation Manager during the implementation of the Evaluation. The Evaluation Manager should clear each step of the Evaluation. Evaluation report must meet the requirements from the Independent Evaluation Office's guidelines which will be provided as part of the inception meeting.

Contractors will arrange online final presentation with UNDP BRH. The Inception and draft report must meet IEO's standardized template and quality standards2.

It is understood that it may take multiple rounds of feedback before Evaluation Report is finalized and approved. Final report must meet IEO's Quality Criteria. The final report will be signed off by Project Manager, UNDP Bangkok Regional Hub

Intellectual Property:

All information pertaining to this programme as well as outputs produced under this contract shall remain the property of the UNDP who shall have exclusive rights over their use. Except for purposes of this assignment, the products shall not be disclosed to the public nor used in whatever format without written permission of UNDP in line with the national and International Copyright Laws applicable

Evaluation ethics:

Evaluations in UNDP will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation' UNEG, 'Ethical Guidelines for Evaluation', 2020. Access at: http://www.unevaluation.org/document/detail/2866

Duration of Assignment and Duty Station

The period of the assignment is estimated to be from 10 June – 30 July 2023, up to a maximum of 15 working days. The Consultant will be home-based with travel required to Bangkok, Thailand for a meeting with the evaluation team and engage with other stakeholders (3 working days).

Qualifications of the Successful MTR Individual Contractor

The application submission procedure and its selection criteria will be reflected in procurement notice. The following are minimum required qualifications for the B+HR Asia project Final Evaluation Consultant:

Nationality: Bangladesh (for Bangladesh consultant) and Viet Nam (Viet Nam National Consultant)

Education: 300 points

- A minimum of a bachelor's degree or equivalent in political science, development studies, social science, law or other relevant discipline.- 150
- Professional educational background in Human Rights, Rule of Law, M&E, RBM and/or programme management is desirable. Knowledge on business and human rights is asset. 150

Work Experience: 500 points

- At least 5 years of proven experience in programmes or projects in the area of human rights, governance, public policy, rule of law, and/or development. Experience in business and human rights is desirable.- 200

- Demonstrated strong understanding of human rights issues and recent policy developments and programming in respective countries (Bangladesh/Viet Nam) - 200

- Sound understanding of the UN system and of UNDP's mandate and role. The project review/evaluation experience within the UN System is highly desired - 50

- At least 3 years of experience in project implementation/management/monitoring and Evaluation on development issues in relevant country (Bangladesh/Viet Nam) - 50

> *Functional competencies:200 points*
>
> - Excellent written communication skills in English by providing two English reports samples - 100
> - Strong analytical, reporting and writing abilities, by submitting a list of past projects and publications. – 50
> - Experience in evaluating gender aspects of programming - 50

Annexes

Relevant document will be shared with the evaluator after selection process is completed and the evaluator is on board.

7. Relevant Documents:

   - The B+HR Asia Project document (cost sharing agreement)
   - Theory of change and Result Framework
   - Mid-Term Evaluation Report of the Project and management response
   - Annual workplans
   - Activity designs
   - Consolidated quarterly and annual reports
   - Results-oriented monitoring report
   - Highlights of project board meetings
   - Technical/Financial monitoring reports
   - Relevant documents of the B+HR Asia project funded by the EU
   - UNDP Bangkok Regional Hub Regional Programme Document Mid-term review (RPD MTR),
   - Other relevant communication materials and knowledge products such as research studies, policy brief, blogs, etc.

8. IEO's guidance on structure and content of report,

9. List of key agencies, stakeholders and partners for Evaluation

   UNDP
   - UNDP BRH B+HR Asia SIDA project team members
   - UNDP Country Focal Points from Bangladesh and Vietnam under the B+HR Asia SIDA project as well as India, Indonesia, Malaysia, Sri Lanka, and Thailand
   - B+HR Asia Advisor and UNDP BRH B+HR Asia EU project team members

   Stakeholders:
   - International development partners (ILO, UN Women, OHCHR, OECD, etc.)
   - UN Working Group on Business and Human Rights
   - Project donor and other donors
   - National Human Rights Institutions, Government from Ministry of Law, Ministry of Commerce, Ministry of Foreign Affairs, Parliamentarians, etc.
   - CSOs and Human Rights Defenders groups
   - Indigenous peoples and affected communities
   - Academia
   - Media
   - Regional institutions
   - Business
   - Others

Annex 3: Evaluation matrix

The evaluation matrix sets out how the various forms of data will be used to answer the evaluation questions that have been set out above.

Evaluation Matrix			
Evaluation Criteria	Questions	Sub-Questions	Data Sources
Relevance (Regional)	To what extent was the Project in line with the national development priorities, regional development priorities, the UNDP strategic Plan and its direction on human rights?	What could be done to improve alignments? To what extent is BHR a priority for these different actors?	• UNDP strategic and project documents • UN Human Rights documents • National policy documents • B+HR Asia Project Document • B+HR Asia yearly planning documents • Interviews with UN staff • Interviews with national partners
	To what extent does the Project use the ToC and does it contribute to the relevant regional programme outcomes?	Is the ToC useful for the project team, and used to show learning? What is the role and contribution of BHR in the regional programme?	• UNDP Regional Programme Strategic documents • B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Project ToC • UNDP regional programme ToC • Interviews with UNDP staff
Relevance (Project)	To what extent did the Project remain relevant in the evolving BHR landscape globally and regionally?	What has changed in BHR in the region? Is "regionality" relevant and does using it as an approach strengthen the project?	• UNDP regional and global strategic documents • B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners

	How has the Project adapted to respond to issues during implementation (including the COVID-19 pandemic and other political, legal, economic, and institutional changes in target countries and the region)?	Have these adaptions been captured and lessons learned? Are these changes captured in the project ToC?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • Lessons documents
Impact	To what extent did the Project contribute to promoting responsible business practices in the region?	To what extent is the Project able to strengthen the regional momentum on business and human rights in Asia? what factors have contributed to or impeded this? Is this consistent or variable across countries?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • Lessons documents
	To what extent does progress on project initiatives indicate that intended impact will be achieved in the future?	Has the project been adapting to increase the chance of positive outcomes?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • Lessons documents
Effectiveness	In which areas does the Project have the greatest achievements?	Why and what have been the supporting factors? How can the Project build on or expand these achievements?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • Focus groups • Lessons documents

	In which areas does the Project have the fewest achievements?	What have been the constraining factors and why? How can or could they be overcome?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • Focus groups • Lessons documents
	To what extent have stakeholders been involved in project implementation?	To what extent are project management and implementation participatory? How effective were the partnership strategies, and how can they be strengthened?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • Interviews with national partners • Focus groups • Lessons documents
	How effectively does regional-level work translate into tangible outcomes at the national level?	To what extent have the South-South cooperation and knowledge management contributed to the regional momentum on developing the NAPs?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • Focus groups
	How do different contexts and priorities between UNDP Country offices and the regional office impact the overall effectiveness of the Project in the region?	Are there possible improvements in prioritization and alignment?	• UNDP Regional and Country strategy documents • B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners
Efficiency	To what extent was the existing project management structure appropriate and efficient in generating the expected results?	How efficiently were the resources including human, material and financial resources used to achieve timely results?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • B+HR Project Board meeting notes • Interviews with UN staff • Interviews with donors

		Is the project efficiently leveraging/supporting the County Offices? Is the Project Board functioning to guide and make decisions?	
	To what extent did the Project produce synergies within UNDP and with other development partners and play complementary roles each other?	Did the project activities overlap, and duplicate other similar interventions funded nationally or regionally? What can be done to improve synergies?	• B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • Interviews with Donors • Interviews with other projects
	What is the added value of the Project's regionality approach for influencing the implementation of the UNGPs and development process of the NAPs at the national level?	Does the approach make sense	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners
Sustainability	To what extent did the project interventions contribute towards sustaining the results achieved by the Project?	Are interventions clearly designed with sustainability in mind?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners
	What are the plans or approaches of the local authorities/national partners to ensure that the initiatives will be continued after the Project ends?	What evidence exists to show commitment and resourcing to implement these plans?	• National plans, budget information, and reporting • B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners

	What is the likelihood of continuation and sustainability of regional/national level dialogues engaging various stakeholders and strengthening national and regional partnership architectures?	Does this differ between actors? (UN system, NHRI, CSOs, Private sector)	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners
	To what extent have lessons learned been documented by the Project and then used to inform Project implementation?	Are lessons and changes in approaches clearly described?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • Lessons documents • Updates to project ToC
	What could be done to strengthen exit strategies and sustainability of the Project?	What are the likely timeframes for sustainable outcomes?	• B+HR Asia Project Document • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • Lessons documents
Human Rights, Gender Equality and Social Inclusion	To what extent has gender equality and human rights-based approach been integrated into the programming design and implementation?	Are such approaches consistently applied during implementation? How can this be strengthened?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • CSO reporting
	To what extent have disadvantaged and marginalized groups including indigenous peoples benefitted from the work of the Project?	What has been the impact of this on these groups? Should this aspect be strengthened?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • CSO reporting
	To what extent has the Project promoted positive changes for women and marginalized group?	Were there any unintended effects (positive or negative)?	• B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports

			- Interviews with UN staff - Interviews with national partners - CSO reporting

Annex 4: List of stakeholders consulted (by organization)

United Nations
- International Labour Organisation (ILO)
- International Labour Organisation (ILO) Bangladesh
- International Labour Organisation (ILO) Viet Nam
- International Organization for Migration (IOM)
- International Organization for Migration (IOM) Viet Nam
- UN Special Rapporteur on Right to Development
- UN Working Group on Business and Human Rights
- UNDP B+HR Sida team
- UNDP B+HR EU team
- UNDP Global
- UNDP India
- UNDP Pakistan
- UNDP Thailand
- UNDP Viet Nam
- UNDP Youth Team
- United Nations Children's Fund (UNICEF)
- United Nations Children's Fund (UNICEF) Viet Nam
- United Nations Environment Programme (UNEP)
- United Nations High Commissioner for Human Rights Regional Office for South-East Asia (OHCHR)

Government
- Development Cooperation Section, Regional Asia and the Pacific, Embassy of Sweden in Bangkok, Thailand
- Bangladesh Investment Development Authority
- Bangladesh Ministry of Commerce
- Bangladesh Prime Minister's Office
- Bangladesh National Human Rights Institution
- Thailand International Human Rights Division, Rights and Liberties Protection Department, Ministry of Justice
- Thailand ASEAN Intergovernmental Commission on Human Rights (AICHR)
- Viet Nam Department of Civil and Economic Law, Ministry of Justice

Civil Society and Business
- Action Aid Bangladesh
- AIPP
- amfori
- Article 30
- Asian Forum for Human Rights and Development (FORUM-ASIA)
- Awaj Foundation
- Bangladesh Garment Manufacturers and Exporters Association (BGMEA)
- Stock Exchange of Thailand
- Business & Human Rights Resource Centre (BHRRC)
- Business for Social Responsibility
- Centre for Policy Dialogue
- City University
- Coca-Cola
- Community Resource Centre Foundation
- Dasra

- Dhaka University
- Dibang Resistance, India
- Disability Research and Capacity Development
- Earthrights
- ECUE Vietnam
- Freedom Fund
- GIZ Bangladesh
- GIZ Vietnam
- Global Business Initiative on Human Rights
- Hanoi Law University
- Human Rights Space
- IMA Research Foundation
- Independent Consultant
- Institute for Human Rights Study, Ho Chi Minh National Politic Institute
- Institute of Studies of Society, Economics and Environment - Vien Nghien Cuu Xa Hoi, Kinh Te va Moi Truong
- International Organisation for Employers
- Indigenous Peoples Rights International (IPRI)
- Manushya Foundation
- New Age Bangladesh
- NHQuang & Associates
- Oxfam in Vietnam
- Partners in Change
- Pillar 2
- Responsible Business Alliance
- Robeco
- Safe in India
- School of Law, Viet Nam National University
- Social Life Institute
- SRS
- Twentyfifty
- UBS Group Global
- Uniqlo Vietnam
- University of New South Wales, Australia
- Vietnam Chamber of Commerce and Industry (VCCI)
- Vietnam Office of Friedrich-Ebert-Stiftung
- Walk Free
- World Benchmarking Alliance
- YouthNet for Climate Justice

BUSINESS AND HUMAN RIGHTS IN ASIA: A VISION FOR 2030

Current scenario in Asia and the Pacific

Recent economic gains in Asia-Pacific, the fastest growing region in the world, have been characterized by increased inequalities, democratic backsliding, shrinking civic space, attacks on human rights defenders, increased polarization, vulnerability to climate risks, increased levels of corruption, and weakened institutions, rule of law and transparency.

The Asia-Pacific region is in turmoil amidst the ongoing recovery from the COVID-19 pandemic, the triple planetary crisis, inflationary pressures and geopolitical shifts. At the current pace, the region will miss 90% of the 118 measurable targets under the Sustainable Development Goals unless efforts are multiplied between now and 2030.

The UN Guiding Principles on Business and Human Rights (UNGPs) were adopted in 2011, and it took several years for some Asian countries to take their first timid, yet important, steps towards greater business respect for human rights. Ever since UNDP launched its Business and Human Rights in Asia Programme in 2017, important initial victories were celebrated, including the fast-paced expansion of the Asian business and human rights (BHR) discourse, the adoption of national action plans on business and human rights (NAPs), and improved human rights due diligence practices.

Initially, UNDP managed to push the envelope through so-called 'top-down' strategies targeting policymakers and multinational corporations. Such programming has been inspired by policy movements such as the EU's long-anticipated directive on Corporate Sustainability Due Diligence and the Government of Japan's release of the Guidelines on Human Rights Due Diligence. Moreover, UNDP managed to increase pressure on governments to develop NAPs by crafting compelling narratives around the G7's commitment to an "international consensus on business and human rights" and, in some instances, upcoming graduations from Least Developed Country status. Similarly, interest from investors in environmental, social and governance (ESG) practices helped UNDP in convincing securities regulators to mandate human rights reporting requirements for listed companies.

Over time, UNDP also utilized 'bottom-up' strategies to push lagging duty bearers (governments and businesses) from the grassroots level by increasing pressure from civil society organizations, journalists, human rights defenders, citizens and consumers, youth, and rights holders such as workers and Indigenous Peoples.

Though it is safe to say that Asia has awoken to the BHR agenda, it might not be surprising if there was backsliding on business-related human rights commitments where policymakers perceive they now suffer from a 'first-mover disadvantage'. Indeed, if current pressure is not maintained and if laggards are not taken on board, we might soon find ourselves at a pause or even standstill, as some countries in Asia seem poised to recapture their former economic dynamism.

Hence, Asia and the Pacific is at a crossroads: the decisions made today will shape the lives of more than 4.3 billion people and the future of our planet. As the region turns the corner on debilitating economic challenges, the moment appears right to review a strategic approach to BHR in Asia and introduce a new stream of initiatives that might reignite momentum.

In this context, UNDP has developed an ambitious 2030 vision to maintain and accelerate momentum on BHR and achieve the Sustainable Development Goals.

What's next for Asia and UNDP's 6-by-3 Approach

UNDP has developed an ambitious 2030 vision to maintain and accelerate momentum on BHR and achieve the Sustainable Development Goals. To make this a reality, multilateral and bilateral partners will need to ready themselves for a new '6-by-3 Approach' comprised of six pathways and three enablers for business, human rights and sustainable development in Asia and the Pacific.

1. **Building political will by complementing 'top-down' with 'bottom-up' pressure.** Match the resources and energy put to top-down work on bottom-up approaches and build political will and capabilities at scale. Encourage more **youth, consumer and civic** engagement and **media** attention to ensure bottom-up approaches gain traction, while onboarding **small and medium-sized enterprises**.

2. **Accelerating progress through regional and local approaches.** Continue building buy-in for the BHR agenda through **regional approaches** – including **regional forums**, **South-South exchange**, **trade partner dialogues,** and engaging **international financial institutions and development banks** – while at the same time going beyond the corridors of power in capitals to build interest and buy-in at **provincial levels.**

3. **Responding to the triple planetary crisis**. Ramp up work at the regional and country levels that keeps pace with the evolution of international environmental and climate scenarios. This also means moving from traditional human rights issues and recognizing the opportunities implicit in the newly recognized **right to a clean, healthy and sustainable environment.**

4. **Fostering civic space and promoting access to effective remedy.** Prevent further breakdown of civic space, promote **enabling environments for human rights defenders and journalists**, and create **safe spaces for learning and engagement**. Facilitate access to effective remedy by highlighting **routes to remedy** and guiding rights holders on how to activate a range of **pressure points**, and build bridges between rights holders, UN Special Procedures, National Contact Points, multi-stakeholder initiatives, companies and financial institutions.

5. **Utilizing sector-specific approaches.** Engage more deliberately with specific sectors, including the **financial sector** to build pressure on companies, as well as the **technology sector** to address the next generation of human rights concerns hindering progress on the 2030 Agenda. Redouble efforts on **human rights due diligence** in high-risk industries, including **garment, agricultural and extractives** sectors where salient human rights abuses continue to go unaddressed. Work with companies, industry associations, investors and financial institutions through UNDP's B+HR Academy.

6. **Realizing just transitions.** Ensure that ongoing economic transitions, including efforts to **green, automate, digitalize and formalize the economy**, are underpinned by the human rights-based approach and the **leave no one behind** principle. Awaken the Asia-Pacific region to **green jobs**, the marginalization of the region's 1.3 billion **informal workers**, and challenges related to **automation, smart cities, surveillance and artificial intelligence**.

Enablers

1. **Equality and intersectionality.** Promote equality and non-discrimination throughout our work and prioritize the **most marginalized sections of society** facing **intersectional impacts**, including those linked to **gender, sexual orientation, race, ethnicity, caste, class, religion and disability**, among others.

2. **Rule of law and anti-corruption.** Promote the preconditions for the enjoyment of human rights, including **the rule of law, anti-bribery and anti-corruption, transparency, and meaningful participation in decision making**.

3. **Data gathering and impact measurement.** Inform programme implementation and impact measurement through data collection and analytics.

UNDP's added value

As the largest development organization in the world, UNDP enjoys long-standing relationships with government and civil society, as well as increasing levels of business engagement in multiple countries in the region. UNDP is well-positioned alongside its partners to deliver on new levels of BHR work that drive next-level impact. UNDP is recognized a leader on BHR in Asia. It is uniquely

positioned to accelerate the implementation of UNGPs based on the following comparative advantages:

1. **Unmatched field presence.** UNDP has 25 country offices in the Asia-Pacific region operating in 36 countries applying a signature partnership approach, with work on business and human rights already being carried out in 11 country offices and promising opportunities for organic expansion in others.

2. **Unique partnership architecture.** UNDP's B+HR Asia programme has built meaningful partnerships with the UN Working Group on Business and Human Rights, ILO, IOM, OHCHR, UNICEF, UNEP, UN Women, and UN ESCAP. We partner with multilateral organizations and development partners, governments and regulators, companies and industry associations, financial institutions and stock exchanges, academia, think tanks and independent experts, civil society organizations, human rights defenders and journalists, among others.

3. **Senior expertise and ability to connect agendas.** The technical knowledge of the B+HR Asia team is complemented by global B+HR specialists and our extensive network of thought leaders. We are uniquely placed to connect agendas – including BHR, responsible business conduct, ESG investing, peacebuilding and security, rule of law, and sustainable development – and promote policy coherence and collective action.