

Final Evaluation of “Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Respect, Protect and Remedy Framework (B+HR Asia)”

This evaluation covers the period January 2020 – June 2024 (including extension)

Date of evaluation: April – July 2024

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UNDP Project and Evaluation Information

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List of Acronyms

BHR	Business and Human Rights
B+HR Asia	Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Respect, Protect and Remedy Framework
BRH	UNDP Bangkok Regional Hub
CO	UNDP Country Office
CSDDD	Corporate Sustainability Due Diligence Directive
CSO	Civil Society Organizations
ERG	Evaluation Reference Group
EU	European Union
FDI	Foreign Direct Investment
FPI	Foreign Policy Instruments
GPN-AP	Global Policy Network Asia-Pacific
HHRDD	Heightened Human Rights Due Diligence
HRDD	Human Rights Due Diligence
MoLHR	Ministry of Law and Human Rights (Indonesia)
MoWECP	Ministry of Women's Empowerment and Child Protection (Indonesia)
MTE	Mid-Term Evaluation
NAP	National Action Plan
NBA-BHR	National Baseline Assessment on Business and Human Rights
NHRI	National Human Rights Institutions
NSBHR	The National Strategy on Business and Human Rights (Indonesia)
OECD – DAC	The Development Assistance Council of the Organisation for Economic Co-operation and Development
RRF	Results and Resources Framework
SIDA	Swedish International Development Agency
ToC	Theory of Change
ToR	Terms of Reference
UNDP	United Nations Development Programme
UNEP	UN Environment Programme
UNGPs	United Nations Guiding Principles on Business and Human Rights

Executive Summary

This report is the final evaluation of the United Nations Development Programme's (UNDP) project "Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Protect, Respect and Remedy Framework," (B+HR Asia), which was funded and implemented in partnership with the European Union (EU). It was implemented in seven countries: India, Indonesia, Malaysia, Mongolia, Myanmar, Sri Lanka, and Thailand. The Project ran from January 2020 through to December 2023, with an extension until June 2024. This final evaluation was conducted April to July 2024.

The purpose of the final evaluation was to inform the B+HR Asia team, EU, UNDP and its partners on the outcomes of the project and the results it had supported, describe lessons that had been identified during implementation, and provide guidance on areas for improvement or considerations for further UNDP work on Business and Human Rights (BHR) in the Asia region.

The evaluation used a mixed methods approach to assess the criteria set out by UNDP in the evaluation Terms of Reference (ToR). This combined a comprehensive review of project documentation, an assessment of the monitoring data collected during implementation, and remote interviews with key stakeholders. It was conducted with a learning and utility centered philosophy and built from an evidence base of project documentation and products, and 50 interviews including respondents from all of the countries involved in the project.

The evaluation concludes that the B+HR Asia project has been a highly relevant and successful contribution from UNDP to the development and strengthening of a policy and substantive response to BHR in the target countries. The four principal outputs of the project: to support policy development; to communicate and influence awareness of the BHR agenda; to improve Access to Remedy (A2R); and to build awareness on the nexus between the environment and business, have all been integral and important elements of the project's success.

The project has found the most success where it has been able to closely align the activities from the four outputs within a country effort, most clearly in cases where there has been a strong focus on either an aspect of the environmental dimension of BHR as was seen in Indonesia, or in Sri Lanka where gender provided an organizing theme to link project efforts together. The project's adaptable approach to identifying partners and areas of support, especially in terms of research, advocacy and A2R, was a useful mechanism to ensure an appropriate fit between context and project activities. It did, however, mean that in some of the countries the project did not have as clear an organizing focus or theme as a result of the different partnerships that were developed.

The use of a regional approach and project has been both an efficient one, but also is assessed to have been critical to the success in building UNDP's regional capacity to engage with and support BHR. Together with the efforts of UNDP's SIDA funded regional project these efforts have positioned UNDP and the EU as a key player in the development of BHR awareness, capabilities and policies across the region.

The progress that the B+HR Asia Project has achieved is currently fragile, as realistically all that could be achieved in the current phase was to begin establishing the policy frameworks and awareness that are required to support better implementation of BHR across the seven countries. It is critical that the momentum that has been initiated with the support of the project continues to be reinforced with the expertise and resources of international partners and national stakeholders if it is to be maintained.

Findings

Relevance

1. The B+HR Asia Project was a highly relevant response to the BHR context in Asia. The four outputs of the project have all been relevant and important contributions to progress: Policy support, communication & research, access to remedy, and business and the environment.
2. The Project has encouraged greater policy engagement with BHR across the majority of the countries it has supported and has directly contributed to the development and passing of NAPs in three countries. UNDP has been a critical partner to governments in this process, and has directly contributed to the progress that has been achieved.
3. The Project's choice of a strong environmental focus has been useful in directing and focusing the limited resources onto a specific and important BHR issue, and thus supporting overall project coherence.
4. The Project has functioned with a strong learning modality, driven by good learning focused monitoring and evaluation. Effective and adaptive interventions at the project level appear to be contributing positively to UNDP's regional efforts on BHR, and to UNDP CO engagement with BHR as a priority.

Effectiveness

5. The B+HR Asia Project has contributed to the significant progress in BHR policy development across the region and has been instrumental in supporting the development and adoption of three NAP's.
6. Not all country contexts were supportive of significant policy improvements, but the Project has done well to adapt to each context and contribute useful support.
7. The Project was most effective in countries where activities across the four project outputs were best aligned and reinforced each other.
8. The Project has consistently built good partnerships with stakeholders and was a highly appreciated partner for national organizations.

Efficiency

9. The regional coordination has been a vital aspect of project efficiency and effectiveness. The B+HR Asia Project has managed a dispersed team highly effectively.
10. The conceptual alignment between the EU funded project and the other regional UNDP efforts has been excellent. The efforts to further integrate these projects under a single portfolio are sensible and should improve the extent to which projects effectively disseminate and utilize joint knowledge and strengths.
11. While the Project has built strong partnerships with some key international partners, further efforts would be useful to approach BHR issues in a joint and integrated way.

Sustainability

12. The B+HR Asia Project has made significant progress, but was only the first step in developing awareness and policy responses to BHR. The government, company and civil society engagement that have been nurtured will need further support if it is to result in sustainable BHR outcomes.
13. The Project has been successful in developing country office engagement and capacity for BHR, but this has not yet developed into locally owned projects to maintain BHR support at the country level.

Gender

14. The B+HR Asia project has consistently prioritized and integrated gender into its implementation. In several contexts this has resulted in a strong gender focus in efforts and resulted in positive impacts for gender equality.

Recommendations

Recommendation 1: UNDP should continue to support BHR using and leveraging its regional coordination and approaches. As government engagement with the BHR agenda matures in each country, the regional teams should support the UNDP CO to resource and enable a country led project that can accompany implementation closely. UNDP's regional focus can then be reallocated to the many countries yet to be supported, and to encouraging consistent improvements across the region. (Findings 1, 2, 5, 9, 13)

Recommendation 2: UNDP should continue to reinforce the current progress on NAP policy development to support partner government and other key stakeholders to implement the policy changes effectively. The ultimate outcomes of policy support are only meaningful if those policies result in better human rights practices. (Findings 2, 5, 8, 13)

Recommendation 3: UNDP should continue to identify and use specific thematic areas, such as the environmental dimension of BHR, to focus and provide coherence to its BHR support. The range of potential areas of engagement on BHR issues is so diverse that projects without a focus risk spreading their efforts too widely to have an aggregated effect, or to enable activities that are interconnected and mutually supporting in a practical sense. (Findings 3, 7, 14)

Recommendation 4: UNDP should continue to include A2R as a core aspect of its BHR work, accepting that the outcomes in this area are more tactical than strategic at this time, as this places the needs of the vulnerable at the heart of project efforts. It should consistently ensure that such interventions are conceptually linked with the other project outputs, and seek to develop outcome data from A2R work to demonstrate the importance of BHR issues to influence policy discussions. (Findings 6, 7, 8)

Recommendation 5: UNDP should seek to fully integrate other UN or multilateral partners from an earlier stage and more completely. BHR is a highly shared thematic space, regardless of the specifics of the project. Jointly developed and implemented projects are inherently more complex to manage, but are better at empowering partner organizations to fully participate and contribute to coordinated and effective outcomes. (Findings 9, 10, 11)

Recommendation 6: UNDP should treat South-South influence as a core aspect of all regional approaches, and standardize a consistent assessment process to identify how and where it might be utilized to encourage the spread of good practices, strengthen or reinforce political will to reform, and create communities linked by interest and practice. (Findings 9, 11, 12)

Recommendation 7: UNDP should learn from how the Project used its strong gender-sensitive and disaggregated data collection to build effectively targeted gender focused lines of work in a project with multiple thematic priorities. (Finding 14)

Introduction

The UN Guiding Principles (UNGPs) on Business and Human Rights are widely recognized as the most authoritative normative framework guiding efforts to reduce or eliminate the adverse impact of business operations on human rights. The UNGPs consist of three pillars and are grounded on a polycentric governance framework promoting a so-called “smart mix of measures.” The first pillar of the UNGPs concerns the State duty to protect human rights in business operations under established international human rights law. The second pillar addresses the responsibility of business enterprises to respect human rights through policy commitments and processes. The third and final pillar stresses the need for both State and non-State actors to promote access to effective remedies to victims of business-related abuses through providing or cooperating in judicial and non-judicial grievance mechanisms.

In Asia, governments and business are widely aware of the UNGPs and its importance to ensuring high volumes of trade and investment. Thailand adopted Asia’s first stand-alone National Action Plan on BHR (NAP) on Business and Human Rights (BHR) in 2019, followed by Japan in 2020. Indonesia, Mongolia, Nepal, Pakistan and Viet Nam have since followed suit. India and Malaysia currently have NAPs in development. There has been an opportunity to build momentum in the region, building on existing political commitments from states, while engaging business and civil society under a wider heading of responsible or sustainable business practices.

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 Swedish International Development Agency (SIDA), 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. As regional momentum took shape, the European Union (EU), Service for Foreign Policy Instruments (FPI) was approached to deepen engagement at the country level, which would eventually include India, Indonesia, Malaysia, Mongolia, Myanmar, Sri Lanka and Thailand.

Description of the Intervention

The Project, “Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Protect, Respect and Remedy Framework,” (B+HR Asia) was implemented in partnership with the European Union. It was designed with the aim to promote the implementation of the UNGPs in Asia at the country level, focused on advocacy, policy development, technical advisory support, capacity building, awareness-raising, innovation platforms, regional peer learning events, and South-South cooperation. The project, in close alignment with the SIDA funded regional project and the Japanese funded global project, drove progress on BHR in the region, engaging diverse stakeholders including governments, businesses, civil society organizations (CSOs), and independent national human rights institutions (NHRIs). In mid-2020, the EU provided supplementary funding to enable activities in Mongolia and for the uptake of regional level work linking BHR to environmental issues. The amended project document was agreed on November 2020.

This project contributed to the UNDP Asia-Pacific Regional Programme Output 2.3 Institutions, networks and nonstate actors strengthened to promote inclusion, access to justice, and protect human rights (UNDP Strategic Plan 2.2.2 and 2.2.3). Project activities were channeled towards four (4) principle outputs:

1. To engender greater awareness and knowledge, and strengthen political will in furtherance of policy convergence and compliance with the UNGPs;
2. To enhance communication and public diplomacy around Business and Human Rights thereby building public interest and support;
3. To support access to remedy and other rights-based solutions such that human rights abuses are prevented; and
4. To explore interlinkages between adverse environmental and human rights impacts by business operations is better understood and policy action is more clearly articulated.

The project also aimed to deliver on four specific objectives according to the Description of Action agreed with the EU. These are:

1. To operationalise an EU-UNDP partnership promoting internationally agreed principles on human rights and environmental protection in the context of business operations, (multilateralism);
2. To raise awareness of and cooperate with national governments, the business sector, civil society and trade unions in the seven selected countries in Asia to support national efforts to implement the UNGPs on Business and Human rights where and when relevant, including the adoption and implementation of NAPs, the establishment of grievances mechanisms by businesses and enhanced access to effective remedies and rights-based solutions (human rights);
3. To facilitate a more level playing field and a reduced risk of disruption of their supply chains for EU businesses adopting responsible business behaviours in their operational and sourcing practices in Asia (economic diplomacy);
4. To enhance the profile of the EU as a global actor and promoter of human rights, in line with the EU Global Strategy (EUGS) and based on a convinced adherence to multilateralism (public diplomacy).

The project worked in partnership and collaboration with a range of key stakeholders to implement activities and support BHR outcomes. On the multilateral partner side, the project developed a strong working relationship with UNDP's Environment Team, and UN Environment Programme (UNEP) to develop and implement work on the environmental aspects of BHR. It also built project activities in conjunction with UNICEF to support youth awareness and engagement with the BHR agenda. The project also supported and took advantage of the Sida project's regional forums and events, which provided opportunities to gather national partners

At the national level, the project was developed and implemented in partnership with government, civil society, business, and NHRI's. The project's primary government partner was dependent on the allocation of responsibility for the BHR policy development¹. In Indonesia the primary partners were the Ministry of Law and Human Rights (MoLHR) and Ministry of Women Empowerment and Child Protection (MoWECP). In Malaysia the main government partners were The Prime Minister's Department, and the Human Rights Commission of Malaysia. In Mongolia the key partner was the Ministry of Foreign Affairs, who led the NAP development process. In Sri Lanka the partnership has been developing with the Ministry of Justice. In Thailand the main partnership is with the Ministry of

¹ With the exception of Myanmar, where for the majority of implementation it was not possible to engage with the government on BHR.

Justice, who oversee the NAP. The project worked with a diverse set of business and civil society partners, both as recipients of training, or as research partners, or implementing agents².

Theory of Change

The project theory of change is described in the project document as:

If:	UNDP, the EU and their various partners, demonstrate sufficiently, how respect for human rights can assist firms in managing risk, and help countries to enhance trade flows and attract FDI, thereby enhancing transparency and if;
	UNDP, the EU and their various partners encourage more public attention to human rights risks and abuses in the production of goods, commodities and services and if;
	UNDP, the EU and other international, regional and national organizations make their respective comparative advantages converge through an agreed international framework, namely the UNGPs and if;
	the efforts of UNDP, the EU and their various partners, lead to the effective adoption and implementation of the UNGPs in the selected countries, with a specific focus on the provision of remedy;
Then:	stronger human rights conditions, instead of being seen as a burden for profitable business, would be perceived as a comparative economic advantage by governments, as well as the private sector, in a similar situation in the region, and as a necessary precondition for engaging in fruitful sustainable trade relations with other regions and;
	policy makers, consumers and business actors would become more aware of the potential adverse impacts of business operations on human rights, and work to prevent these risks, or ensure in greater measure, that remedies are provided for abuses that have occurred;
	human rights conditions would be strengthened and the risks of disruptions to commercial flows between the EU and Asia would be mitigated, leading to heightened levels of prosperity, stronger levels of sustainable development, and greater recognition of the positive role of trade and increased mutual respect between regions and;
	greater legitimacy would be conferred to multilateralism as the preferential way to promote and defend values at a global level.

The project's approach to implementing the ToC was structured under three (3) component workstreams at the country level:

- 1) Policy and NAP support: raising awareness of the UNGPs and peer-to-peer exchange on lessons learned among key stakeholders to build knowledge and political will in furtherance of policy convergence and compliance;
- 2) Communications and Research: public diplomacy efforts to build public support of business and human rights agenda and;
- 3) Access to Remedy: promotion of access to remedy to ensure rights-based solutions and

^{2 2} Details of which business and civil society partners were interviewed are provided in Annex 1.

prevent future human rights abuses.

The project's regional approach was organized under two primary workstreams:

- 1) Communication and Research: cross cutting efforts at public diplomacy to build support for the business and human rights agenda;
- 2) Business and the Environment: Awareness raising on the adverse impact of business operations on climate and the environment.

As a result of the additional regional workstream on business and the environment, the evaluation assessed the project in terms of four key outputs³.

The ToC is described at a very high conceptual level, and is of little practical use to the project in terms of guiding the implementation of activities and adaption of approaches on the basis of assessing results. Perhaps as a result of this the project's results chain and monitoring framework sets targets under each component that are primarily outputs, commonly in terms of the numbers of knowledge products developed, grants disbursed, stakeholders engaged, and events conducted. A significant focus was placed on supporting NAP's, with the goal of having supported 4 to be approved by the end of the project.

Evaluation Scope and Objectives

The Final Evaluation aims to inform the B+HR Asia team, EU, UNDP and its partners on outcomes of the project, lessons-learned, results achieved and areas of improvement. This evaluation builds from the Mid-Term Evaluation (MTE, completed in May 2022). The findings of the Evaluation aim to inform broader programming on BHR in the region, as well as inform various initiatives organized by UNDP Regional Hubs and Country Offices (COs) globally and explore to what extent there have been synergies or on the other hand any duplication of efforts among the various initiatives.

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 evaluation assesses 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. In line with the ToR, the Final Evaluation will:

- assess project performance and progress against the expected outcome, expected outputs, targets including indicators presented in the RRF
- review and document the success and draw out lessons for deepening impact
- assess the effectiveness of the project's engagement with diverse stakeholders including governments, businesses, civil society organizations (CSOs), national human rights institutions (NHRIs), human rights defenders and other rights-holder groups in the implementation of the UNGPs and the development process of the NAPs
- review role of the project in enhancing the importance of and the space for the UNGPs at the national, and to a lesser extent, the regional level, while contributing knowledge, guidance and the development and application of the UNGPs through advocacy, policy development, technical advisory support, capacity building, awareness raising, innovation platforms, regional peer learning events, and South-South cooperation
- identify challenges and the effectiveness of the strategic approaches that the project adopted for addressing those challenges ascertain the relevance, effectiveness, efficiency, and sustainability of the project interventions
- outline recommendations, in line with the project's desired outcome provide forward looking recommendations to inform the future of UNDP's work on BHR in the region.

³ Communications and research were treated as a single output, and reporting from both workstreams was analysed.

The Scope of the Final Evaluation

The Final Evaluation assessed the B+HR Asia project progress against the project Theory of Change (ToC) and the achieved results from January 2020 through to June 2024, provides findings that identify the lessons that have been learnt through implementation, and proposes recommendations that can guide and influence further BHR programming in the region and globally. The Evaluation is based on a desk review of project related documents (including the Mid-Term Review) and in-depth virtual interviews as outlined in the methodology section. The evaluation leveraged the recent evaluation of the SIDA funded regional project to assess synergies and overlap where the findings are relevant to the implementation of the B+HR Asia project.

The Final Evaluation’s geographical coverage includes the project’s target countries, namely: India, Indonesia, Malaysia, Mongolia, Myanmar, Sri Lanka and Thailand. The Evaluation examined the regionality aspects of the project (such as work on business, human rights and the environment).

Evaluation Questions

The Evaluation focuses on four of the OECD-DAC evaluation criteria - Relevance, Effectiveness, Efficiency, and Sustainability. It also assesses Gender Equality as cross-cutting criteria. The guiding questions outlined below were developed by the project. The evaluation matrix structures and organises these questions to facilitate the data collection probes and allow clear reporting of findings and recommendations.

Criteria	Evaluation Questions
Relevance	<ol style="list-style-type: none"> 1. To what extent was the project in line with the regional development priorities and UNDP Strategic Plan and its direction on human rights? 2. To what extent does the project contribute to the ToC for the relevant regional programme outcomes? 3. To what extent were the project activities in target countries in line with national development priorities and country development programme outputs and outcomes? 4. To what extent is the overall design and approaches of the project relevant? 5. To what extent were the inputs and strategies identified realistic, appropriate and adequate to achieve the results? 6. To what extent did the project achieve its overall outputs? Are the project’s contributions to outcomes clear? 7. To what extent was/is the project able to raise awareness of the UNGPs in the region and translate them into country-level action plans for implementation of the UNGPs and/or policy movements towards the implementation of the UNGPs? 8. To what extent was/is the project able to enhance the profile of the EU as a global actor on advancing the UNGPs? 9. To what extent was/is the project able to support EU businesses to facilitate a level playing field in Asian markets? 10. To what extent did the project contribute to promoting responsible business practices as well as overall human rights conditions in the region? 11. To what extent does the project contribute to gender equality and women’s empowerment? 12. To assess whether the results achieved had a differentiated impact on women and other vulnerable groups?

	<p>13. To what extent has the project been appropriately responsive to the COVID- 19 pandemic as well as other political, legal, economic, institutional changes in target countries and the region?</p>
Effectiveness	<ol style="list-style-type: none"> 1. To what extent have the project activities delivered effectively in terms of quality, quantity, and timing? 2. How effective were the strategies used in the implementation of the project? 3. To what extent was the project successful in enhancing the capacity of States to implement the UNGPs and the development process of the NAPs and/or policies aimed at enhancing corporate accountability for human rights violations into the governments’ priorities? 4. What are the key internal and external factors (success & failure factors) that have contributed, affected, or impeded the achievements, and how have UNDP and other partners managed these factors? 5. 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? 6. 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? 7. To what extent have stakeholders been involved in project implementation? To what extent are project management and implementation participatory? 8. To what extent have the South-South cooperation and knowledge management contributed to the regional momentum on developing the NAPs and/or other similarly placed policies on Business and Human Rights?
Efficiency	<ol style="list-style-type: none"> 1. To what extent is the existing project management structure appropriate and efficient in generating the expected results? 2. Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve outcomes? 3. Was the process of achieving results efficient? Were the resources effectively utilized? 4. Did the project activities overlap, and duplicate other similar interventions funded nationally, and/or by other donors? 5. To what extent did the project produce synergies within UNDP and with other development partners (including the EU) and play complementary roles each other? 6. What is the added value of the project’s approach for influencing the implementation of the UNGPs and development process of policies on the UNGPs (e.g. NAPs) at the national and sub-national levels? 7. 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	<ol style="list-style-type: none"> 1. What is the likelihood of the continuation and sustainability of 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? 2. How were capacities of a various set of BHR stakeholders strengthened at the national level through regional peer-learning and south-south cooperation? 3. Describe key factors that will require attention to improve the prospects of sustainability of Project outcomes and the potential for replication of the approach?

	<ol style="list-style-type: none"> 4. To what extent do stakeholders support the project’s long-term objectives? 5. To what extent will financial and economic resources as well as political will be available to sustain the benefits achieved by the project? 6. Are there any social or political risks that may jeopardize sustainability of project outputs and the project’s contributions to country programme outputs and outcomes? 7. What have the benefits or return on investment of the outputs of the project, and which can be reasonably sustained and/or scaled up over time?
Human rights and Gender equality	<ol style="list-style-type: none"> 1. To what extent has gender equality and human rights-based approach been integrated into the programming design and implementation? 2. To what extent has the Project promoted positive changes in BHR implementation for women?

Evaluation Approaches and Methods

The evaluation was guided by the basic methodology as set out in the ToR, in line with the 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, effectiveness, efficiency, and sustainability of the project. Several of the questions asked in the ToR are focused on the extent to which a strong gender focus was implemented, so the evaluation matrix is organized to separate out these questions under a gender section to enable clarity of reporting on these issues. The ToR defined that the approach adopted would be entirely remote data collection, and that the evaluation would not involve any country visits to establish context. As a result of that constraint the evaluation approach focused on two forms of data: project and partner reports, and interviews conducted by the evaluator.

The evaluation was a learning and utility focused one, using a participatory and consultative approach. This includes close engagement with government counterparts, business actors, project team, UNDP Country Focal Points, UNDP Bangkok Regional Hub (BRH), the EU and other key stakeholders. The evaluation occurred after planning and design decisions have been made to significantly refocus the next phase of the EU partnership on specific issues around youth, and as a result the evaluation is not required to provide advice to guide a follow-on phase. The evaluation thus focuses on the learning that can be extracted from the project for BHR in the region and globally, primarily for UNDP’s BHR capacity but also for the international community.

The technical approach was a relatively simple one, involving a one-person evaluation team conducting two phases of data collection. The first phase was a detailed review of project documents and data to understand the context and the initial evidence base for assessing the evaluation questions. The project provided all its key documentation, including the monitoring framework and monitoring reports from implementation. These were reviewed and analysed to determine what evidence they provided on project outcomes, and to ground interview questions for each country in the major thematic focus or reported outcomes.

The second phase involved the primary data collection across the seven focus countries and the regional team using remote interviews. The interview sample was designed to cover the key stakeholder groups in each country, including business actors, CSO’s, government partners, and UNDP staff. The country advisors reviewed their list of stakeholders and identified one or more from each stakeholder group, focusing on the ones who had been most involved with the project. The

geographical range of the project’s work means that the sample is limited, and only included a few partners in each country, and overall a small selection of the total project partners. This is especially the case for business and civil society partners, as the project had made successful efforts to engage a very wide range of these groups across implementation. The list of partner consultations was developed together with B+HR Asia and is attached in Annex 1.

The technical approach allowed the evaluation team to use a mixed methods assessment, using the available quantitative and qualitative data that has been collected by the project and its partners through implementation of the monitoring framework, and then supplementing this evidence base through the qualitative data collected in the interviews.

The data collection and analysis methods were human rights and gender- sensitive to the greatest extent possible, with evaluation data and findings are disaggregated by gender. Selection of the sample of interviews included consideration of gender, but as the project has included a significant focus on gender issues it was not possible to balance the sample, and women are over-represented in the interview process (37 women interviewed, 13 men). The initial screening of project data identified the key areas where a gender focus had been the priority, and in these interviews, questions were asked on the specific gender-based outcomes. Gender was also a focus for the interviews with the project staff, to clarify how the approach to gender was implemented and influenced project decision making in practice. The project gender marker was tagged as GEN2, meaning that the project should have made a significant contribution to gender equality, and the evaluation assessed the extent to which this intent was achieved. The data collection methods are provided in more detail in the table below.

<p>Review of relevant literature and documentation</p>	<ul style="list-style-type: none"> All relevant project documentation and evidence sources, including: The B+HR Asia Project document; Theory of change and Result Framework; Project monitoring and quality assurance reports; Annual work plans; Activity designs; Consolidated quarterly and annual reports; project board meeting notes; financial reports; risk registers, relevant evaluation reports (project and hub); relevant UNDP regional strategic and programme documentation; Other relevant communication materials and knowledge products such as research studies, policy brief, blogs, etc.
<p>Online Interviews & Consultations</p>	<ul style="list-style-type: none"> 50 semi-structured interviews (13 men, 37 women), 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. Interviews with relevant key informants including the UN agencies, donors, business, implementing partners, partner governments, B+HR experts, CSO’s, and beneficiaries.

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 50 interviews (13 men, 37 women) was organised and coded according to stakeholder group (UNDP, UN partner, government, NHRI, civil society, business), and gender. This data set was then analysed according to the key evaluation questions.

Cross-cutting Issues

The Terms of Reference (ToR) identified human rights and gender equality as cross cutting issues to be explicitly covered by the final evaluation. As such the evaluation methodology was developed with the aim to ensure that considerations of these cross-cutting issues were integrated into all aspects of the evaluation. The focus on the cross-cutting issues was reinforced by the inclusion of a specific category of questions on gender equality. The evaluation includes an assessment of the extent to which the design, implementation, and results of the project have incorporated gender equality perspective and rights-based approach. The evaluation attempted to establish the effects of the project on the institutional capacity and policy, and in the promotion of equal power relations.

In the case of human rights, the current project is fundamentally one of addressing and improving issues with human rights. As such there is a direct and obvious importance of such aspects for all questions that mean this cross-cutting issue is integrated explicitly or implicitly into most of the evaluation questions.

In the case of gender equality, it is less directly the titular focus of the project. That said, issues with gender are clearly defined as core problems for human rights centric approaches to business in the project document. To ensure that gender equality was adequately covered in the evaluation the questions used to address cross cutting issues focus on this issue specifically. The evaluation report will include a section addressing the findings and recommendations on these issues.

Management of the Evaluation Process

The evaluation was managed by the UNDP BRH's PMU Manager / Regional Programme Coordinator, with support from the B+HR Asia Project Manager, and the Project Monitoring and Evaluation Officer at UNDP BRH. The evaluation consultant maintained regular communication with the evaluation manager throughout the process, to ensure that the process was conducted on time, and to address any issues that arise in a timely manner.

UNDP provided an Evaluation Reference Group (ERG) 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 the country offices, Global Policy Network Asia-Pacific (GPN-AP), and relevant BHR specialists. The reference group met to discuss progress on the report at key points in the process, including reviewing the draft inception and evaluation reports and providing feedback.

Performance Standards

Consistent with the approach adopted in the Mid-term, the evaluation used a rating scale to rank each evaluation criteria – relevance, efficiency, effectiveness, sustainability, and Gender Equality. The evaluation assessed the project against a 4-point rating scale as described below:

- Highly Successful (4)
- Successful (3)
- Moderately Successful (2)
- Unsuccessful (1)

Scoring of Project Performance

Rating	Performance description
4 Very successful (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 Successful (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 successful (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 Unsuccessful (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 stakeholder sample was defined in consultation with the B+HR Asia project team. The interview sample was designed to cover the key stakeholder groups in each country, including business actors, CSO's, government partners, and UNDP staff. The geographical range of the project's work means that the sample is limited, and was only able to include a small selection of the total project partners. The list of partner consultations is attached in Annex 1.

The evaluation conducted interviews with 50 participants (13 men, 37 women). The strong gender focus of the overall project meant that the evaluation encountered no difficulty in ensuring adequate inclusion of women in the process, and indeed the interviews were predominantly with women participants.

Evaluation Ethics

The evaluation was conducted in accordance with the principles outlined in the UNEG Ethical Guidelines for Evaluation and the Code of Conduct for Evaluation. The consultant safeguarded the rights and confidentiality of information providers, interviewees, and stakeholders to ensure compliance with legal and other relevant codes governing collection of data and reporting on data. The consultant ensured security of collected information before and after the evaluation and protocols to ensure anonymity and confidentiality of sources of information. The information

knowledge and data gathered in the evaluation process will be solely used for the evaluation and not for other uses without the express authorization of UNDP and partners.

Limitations

The three primary limitations of the methodology are the limited time that was available to conduct the interviews, the fully remote nature of the evaluation, and the dispersed and regional nature of the Project. These are explained more fully below.

Firstly, to align with the end of project reporting, the evaluation could only collect data from early May through to the first week in June. Given the regional scope of the project, with project activities and partners in seven countries, this directly limited the amount of primary data that was collected during the evaluation process. With the support of the B+HR Asia project team scheduling difficulty did not interfere with the conduct of consultations, so several partners were interviewed in each country. However, while the sample of interviews is adequate to provide a sense of country implementation, it is not a comprehensive review of partners, and will have missed some details regarding the specifics of implementation experienced in each country⁴.

Secondly, and linked with the first point, the evaluation was implemented using a fully remote modality. The evaluator was unable to visit any of the countries to directly assess the evidence of changes in the BHR dialogue and practice. While the project has collected a strong evidence base as a result of its consistent implementation of a robust monitoring framework, many of the key effects it is seeking to achieve are complex and difficult to measure directly. There are limits to the extent to which an evaluator can build the trust required with project partners remotely, and in the absence of direct observation of the context within which they are operating. It would be advisable for UNDP to consider including even a single country visit in future evaluations to enable some direct observation of project outcomes.

Finally, the Project is fundamentally one promoting a multi-country response to BHR, starting from supporting a policy response and awareness raising, in an effort to build national and regional momentum. This dispersed implementation and focus on influencing regional trends does not lend itself towards concrete measurements of progress in the implementation of human rights. The BHR discourse is still new to Asia, and specifically to several of the countries covered by this project, and the pace of change in the region has been rapid. The primary efforts of the project were to establish national policy responses and support raised awareness, both of which are intermediate outcomes designed to facilitate concrete improvements in human rights in business. As such the key intended outcomes will primarily occur further into implementation, and the current project has to be assessed in terms of more intangible outcomes of awareness and organizational prioritization of issues.

⁴ For instance in most countries only one government, 1-2 civil society, and one international partner were interviewed, which means for those other partners no data was collected.

Findings

Relevance

FINDINGS

1. The B+HR Asia Project was a highly relevant response to the BHR context in Asia. The four outputs of the project have all been relevant and important contributions to progress: Policy support, communication & research, access to remedy, and business and the environment.
2. The Project has encouraged greater policy engagement with BHR across the majority of the countries it has supported and has directly contributed to the development and passing of NAPs in three countries. UNDP has been a critical partner to governments in this process, and has directly contributed to the progress that has been achieved.
3. The Project's choice of a strong environmental focus has been useful in directing and focusing the limited resources onto a specific and important BHR issue, and thus supporting overall project coherence.
4. The Project has functioned with a strong learning modality, driven by good learning focused monitoring and evaluation. Effective and adaptive interventions at the project level appear to be contributing positively to UNDP's regional efforts on BHR, and to UNDP CO engagement with BHR as a priority.

The evaluation assesses the B+HR Asia project to have been highly relevant to the current BHR context and issues. This project has been an important component of UNDP's efforts to develop BHR policy in the region, it has reinforced this policy change with a strong focus on the development of awareness in their focal countries, and it has balanced the policy and conceptual promotion with practical efforts to improve access to remedy for affected populations. It has contributed towards UNDP regional efforts on SDG 8 (Decent Work and Economic Growth); SDG 10 (Reducing Inequalities); and SDG 16 (Peace, Justice and Strong Institutions). The conceptualization of these three project outputs as mutually reinforcing and relevant aspects of supporting BHR in the region appear to be well grounded in implementation and thus a highly relevant approach to the issues. The Project was also complemented and consistent with the other regional UNDP BHR projects, and represents a useful and coherent component of UNDP's efforts on human rights in the region.

National Development Priorities

- *Evaluation Question: To what extent was the Project in line with the national development priorities, regional development priorities, Country Office plans and the UNDP strategic Plan and its direction on human rights?*

The project has demonstrably done more than be aligned with national development priorities in the seven countries, it has assisted efforts to drive and progress BHR as a core government responsibility and policy priority. While some governments, notably in Thailand, had progressed BHR as a priority prior to the B+HR Asia (EU) project support, in the majority of country contexts the involvement of UNDP's project played a core role in the development of National Action Plans on BHR. Partners consistently noted the importance of the resources, expertise and networks that UNDP provided that assisted the development of their national policy frameworks⁵. With three of the seven countries adopting a national BHR policy with the support of UNDP⁶, and ongoing processes in a further two

⁵ Evaluation interviews in Indonesia, Malaysia, Mongolia, Thailand,

⁶ Indonesia Sep 2023, Mongolia June 2023, Thailand Sep 2023

countries⁷, the policy role of the project has been a sensible and valid focus for UNDP efforts. UNDP was consistently described by government stakeholders as a good partner for such policy support, having both the independence and expertise to be useful in progressing the process.

It should be noted that there remains significant work to be done to keep BHR a policy priority, and indeed in the majority of contexts to ensure that policies are translated into effective government and corporate responses to address BHR issues. BHR is a highly cross cutting topic that has relevance to multiple government institutions in all seven countries. National partners varied in the extent to which they considered that BHR issues were well understood across the range of relevant government agencies, making the policy support aspects of the project hold ongoing relevance⁸. For example in Mongolia the Project has been conducting implementation training with key ministries to assist them in managing and responding to the NAP, and in Indonesia the Project is actively working to capacity develop the staff in several ministries⁹. Without further support from UNDP the majority of government and CSO partners assessed that government implementation of BHR policy would be limited and less impactful.

The project's ability to promote the importance of BHR with government was also constrained in some of the partner countries. In Myanmar the ongoing conflict limited the opportunity for government engagement throughout the project's implementation period. This resulted in the adjustment of resources and effort into maintaining company and civil society awareness and engagement with BHR, which is a sensible adaption given the context. Likewise, the sensitivity of human rights issues in Sri Lanka had an impact on the extent of government engagement under the BHR terminology¹⁰. The Project was able to use some bottom-up approaches, working with local government on issues of microfinance.

Project Approaches

- *Evaluation Question: To what extent is the overall design and approaches of the project relevant?*

The project's role in promoting awareness clearly aligned and supported the policy efforts, and the broader BHR agenda in the region. The range of areas where BHR and the UNGP's are relevant is very broad, and as a result there is a significant awareness gap across government, companies, and civil society regarding the contexts in which it should be considered. There is also a significant amount of concern that addressing BHR issues will have an impact on financial outcomes and undermine companies competitive advantages, which does result in organizational reluctance to respond to them, so awareness raising is an important aspect of raising levels of knowledge and addressing these concerns¹¹.

The third output of the B+HR Asia (EU) project was access to remedy. This is an area that is perhaps of the most significance to UNDP, as improving the population's ability to reach remedy has the most direct effects on vulnerable people's human rights. It was also the most complex area to engage with from a regional perspective, given the diversity of potential specific areas of focus. As the initial phase of UNDP BHR work in the majority of countries, the project took a fundamentally adaptive approach to implement the A2R activities, selecting partners and focus on a country-by-country basis. For

⁷ Malaysia and India

⁸ These views held by both government and civil society partners in interviews.

⁹ Progress Report 2023

¹⁰ The Project did find alternative CSO led approaches in Sri Lanka that allowed indirect influence over Government policy, notably in relationship to the Microfinance and Credit Regulator Authority Bill.

¹¹ Despite this the Project was successful in engaging with business and had, for example, reached over 5000 corporate staff with its HRDD training.

example, in Indonesia the A2R activities in 2023 were aimed at corporate entities involved in the Citarum River intervention, and so aligned with the partnership the Coordinating Ministry of Maritime and Investment Affairs (MARVES) and the strong focus on water related BHR issues¹². In Mongolia the strong partnerships with women's organizations resulted in support to A2R focusing on research and small grants to CSO's with a focus on gender issues in the workplace¹³.

The evaluation considers this approach to be a sensible effort to ensure the relevance and effectiveness of the project, given that the context, priorities, partners and sensitivities in each country are highly variable. The limits of the resources available for A2R, along with the scale of the potential issues in each country, mean that the project's ability to support significant changes were very limited. As the initial phase of work aimed primarily at encouraging a policy and awareness response it was important and relevant that UNDP devote project resources to addressing the needs of the vulnerable from the start. The Project M&E reports demonstrated the seriousness of the need, and that the covid pandemic was having different and significant effects on vulnerable populations¹⁴. As a supporting effort this makes sense, however as the BHR agenda develops it would be optimal for more consistent priorities to be identified and supported across the region, in order to effectively define UNDP's focus areas, and thus leverage the regional strength of UNDP BHR capacity to enable a competitive advantage in expertise and lessons from implementation.

Finally, the Project's use of an environmental focus as the regional outcome appears to have been highly useful in providing a thematic focus to project implementation. Environmental concerns are a sensible BHR theme given they are highly relevant to all countries in the region, and that work to highlight and address environmental issues in the region had not framed issues using the BHR lens. Given the diversity of countries and potential BHR issues in each location, the adoption of the environmental theme provided the project with a way to structure messages that could be consistent across the region, develop a specific BHR expertise within the project team, and thus utilize some of the strengths of the regional approach. The only caveat to this finding is that the choice of a focus on environmental BHR issues directly implicates two areas of business, extractives and agribusiness, around which the most national sensitivities exist. While the thematic was managed and implemented from the regional level, sensitivities over engagement with specific areas of business contributed to greater diversity in the extent of engagement and partnership development across countries. Specifics of implementation could and were influenced by perceptions of the national government, the UNDP CO, or as a result of project risk assessment¹⁵. As with the approach to A2R, an adaptive and politically sensitive approach to implementation was a sensible way to manage the project, but the great diversity of work done across countries reduced the extent to which the project contributed towards a consistent outcome for environmental focused BHR in all project countries.

Project Design and Regional Approach

As a result, the evaluation concludes that the project design and approach was fundamentally well suited to the context. The regional approach leveraged UNDP's core regional capacity and expertise to enable a wide range of country interventions, and the design envisaged a set of interconnected outcomes that were conceptually interconnected and supportive in practice. The regional approach

¹² B+HR Annual Workplan 2023

¹³ B+HR Annual Workplan 2023

¹⁴ B+HR Asia Quarterly Monitoring Reports 2020-2022; UNDP Sri Lanka and CSO partner, Women's Centre Sri Lanka', 'The Impact of COVID-19 Pandemic on Women Garment Workers in Sri Lanka's Free-Trade Zones' (2022); UNDP Malaysia, 'Advancing COVID-19 Recovery in Malaysia: Strengthening Access to Remedy and Ethical Recruitment' (2021).

¹⁵ For example, Thailand integrated a strong focus on environmental BHR, and partners directly engaged with extractives linked human rights issues. In Indonesia the environmental focus was on water, with the extractives industry being a highly sensitive area.

was also highly relevant due to the limited UNDP BHR country level expertise available at the start of the project. The regional projects full funding of positions in each country office directly enabled country level engagement and provided consistency of support in each location. As a result, BHR is significantly better established into each UNDP CO remit, along with a level of expertise.

Learning and Theory of Change

- *Evaluation Question: To what extent does the Project use the ToC, and does it contribute to the relevant regional programme outcomes?*

Finally, the B+HR Asia (EU) Project has been implemented using a strongly learning focused modality. The Project's learning focus was enabled by the creation of an M&E role in the regional hub, which in conjunction with a strong emphasis from the project manager resulted in a consistent approach to data collection and use. Strong internal systems for sharing information resulted in lessons from one country being rapidly disseminated and understood, then integrated into future activities. This had numerous small positive impacts on how projects were implemented, both in terms of efficiency and effectiveness, and demonstrated an adaptive learning approach to the project. For example, the good flow of information between the country specialists meant that they knew when other countries had conducted a relevant activity, and were then able to utilize material and learnings from that context in the planning of their activities.

The project also demonstrated a strong degree of adaptability in response to the challenges caused by the covid pandemic. The team adapted its set of activities to be implemented online in an overall effective way, and was able to maintain and develop partner engagement despite the limitations. It is likely that the limitations caused by only online interactions had a negative effect on the development of trusted partnerships in what was the start of implementation, however these appear to have been mitigated to the greatest possible extent. One side effect of the pandemic was that it potentially supported greater internal team coherence, as all members were isolated from their CO context. The effective systems of communication and management that were established because of this underpinned the overall effective communication and interaction that has characterized the team throughout the project.

Unfortunately, the strong within-team use of learning focused monitoring has demonstrated the limitations of the original project theory of change. The ToC appears to only be articulated in the project document, and as stated is set at a very high conceptual level. It is composed of four "If" statements that are proposed to lead to four "Then" outcomes, but with no articulation of the specific linkages¹⁶. Nor are the statements as currently written simple propositions that could be testable during implementation¹⁷. Testability is a fundamental aspect of the ToC approach, as it is expected that the project will use the evidence and data developed through implementation to assess, adapt and improve its theory of how change happens. The B+HR Asia (EU) project did not do this as the ToC was not articulated at the correct level of detail, was not testable as articulated, and did not contain adequate linkages to what the project was attempting to implement.

The lack of a ToC that is operationally related to the implementation of the project represents a missed opportunity. The B+HR Asia (EU) Project was one of three UNDP projects conducted regionally, all representing initial efforts by UNDP to support the development of BHR in Asia, and all adopting

¹⁶ Do all four "Ifs" contribute to all four "Then's", and do they do so equally?

¹⁷ For example, it is not clear what the convergence of competitive advantages are between UNDP and the EU, nor how these could be operationalised by the project to achieve greater outcomes (If 1). Likewise it seems unlikely that a single regional project can meaningfully confer or measure how it contributed to greater legitimacy of multilateral approaches to global values (Then 4). This is further complicated by the EU funding mechanism sitting outside of ODA, and focusing on EU outcomes that are not the primary driver for UNDP.

different focuses and implementation modalities. While the B+HR Asia (EU) Project ran excellent internal M&E, the lack of a strong project level ToC means that this evidence is difficult to use as a coherent evidence base for the overall regional approach of UNDP, or of its development grounded theory of how policy and awareness can contribute to substantive changes in how human rights are experienced by communities in contact with business.

Project's Treatment of Risk

The Project document has a strong initial Risk Analysis which was then maintained and updated through implementation. The initial analysis of seven key risks across the political, operational and organizational spectrums appears to have covered the key issues that the Project experienced during implementation. This is especially notable in terms of the political risks, where the Project consistently demonstrated a politically aware approach to managing partnerships and ensuring it supported the often contested space of building political will to develop BHR policy. The operational assessments of risk were also highly relevant to the Project given the impact of Covid on the initial years of implementation was highly successfully managed, and had minimal impact on delivery. The Project's risk analysis was updated and reported in the Annual Progress Reports, with comments on both the experience of the risk during this period, and on how the Project intended to treat the risk in the following period. As such the Project is considered to have assessed and managed risk very well.

Effectiveness

FINDINGS
<ol style="list-style-type: none">5. The B+HR Asia Project has contributed to the significant progress in BHR policy development across the region and has been instrumental in supporting the development and adoption of three NAP's.6. Not all country contexts were supportive of significant policy improvements, but the project has done well to adapt to each context and contribute useful support.7. The project was most effective in countries where activities across the four project outputs were best aligned and reinforced each other.8. The project has consistently built good partnerships with stakeholders, and was a highly appreciated partner for national organizations.

The B+HR Asia Project is considered highly effective as well, in no small part thanks to the relevance of the design and the strengths of the regional approach that was adopted. The Project has supported demonstrable changes in policy responses across the countries it has supported, along with clearly raising the visibility and awareness of BHR as an important human rights issue for the region.

State Prioritization and Capacity for BHR

- *Evaluation Question: To what extent was/is the project able to raise awareness of the UNGPs in the region and translate them into country-level action plans for implementation of the UNGPs and/or policy movements towards the implementation of the UNGPs?*

While all governments consulted in this process noted that BHR was an identified issue prior to the support of the B+HR Asia Project, they all considered the project's support to have been fundamental in enabling the progress that had been achieved. Government partners in Malaysia, Indonesia, Mongolia and Thailand credited project support as being crucial for making progress in the NAP development, as the partnership with UNDP provided them with the expertise, capacity support and resources they required to deliver a credible and strong policy.

The partnerships in Malaysia, Mongolia and Indonesia are specifically notable for the effectiveness and extent of the Project's engagement. In all three cases the Project was able to engage with multiple government actors and enable consultations that brought the private sector and civil society into the policy development discussion. While national sensitivities around specific BHR issues remain salient to the outcomes achieved, inclusive policy development processes are a critical aspect of making progress in recognizing the full range of BHR issues. The Project's support was considered highly effective by the key partner agencies, and by civil society partners, in enabling a development process that created a useful policy basis for BHR in their respective countries¹⁸.

The Project's support in Malaysia is of specific note, as the relationship with the relevant ministry that developed through the National Baseline Assessment on Business and Human Rights (NBA-BHR) process enabled UNDP to be asked to provide a consultant to manage the NAP development. This placed UNDP support at the center of the development process, while also linking the NAP explicitly to the NBA-BHR that preceded the NAP development. Such a central role is a strong demonstration of the value of the Project's support to this process, and the strength of the partnership. Unfortunately, the project management of this support involved questionable timelines set by UNDP, that defined the support as a very short timeframe effort. This was not a realistic appreciation of the time it would take for the NAP development, nor does it take full advantage of the potential value of the role for the national process, however fortunately this has not so far undermined the continuity of the process¹⁹.

The Government of Thailand, despite having a more developed national process and adopting its second NAP in 2023, also considered the Project's support to be valuable in enabling the government to engage with the range of issues that implementing the NAP identified. Government funding cuts to the BHR budget were noted as a constraint for implementation of phase 2 of the NAP, and ongoing support from UNDP to develop the capacity of staff was considered necessary²⁰ if implementation was to improve.

The contribution of the B+HR Asia project to progress in the other three countries is more complex and bounded. The Indian government has engaged with the NAP policy development process since 2018, however it has not progressed to approving the draft that was first published in 2019. The lack of progress despite wide ranging consultations suggests that the BHR NAP is not a high priority for the government²¹, and while the B+HR Asia Project has continued several forms of support to policy development it has also sensibly prioritized other aspects of support in India. Indian partners indicated that UNDP's status as a multilateral organization has clear advantages, and the regional nature of the approach is also potentially of value in influencing Indian government prioritization of BHR²².

In Sri Lanka difficulties regarding Human Rights as an issue defined an approach that adopted restricted engagement with government partners. Multiple partners noted that Human Rights language is complicated by the linkage of concepts with the outcomes from the civil war²³. This contributed to delays in developing relationships with the relevant government counterparts in the Ministry of Justice²⁴. The delays in relationship development had predictable effects on the achievement of key

¹⁸ Evaluation interviews with Indonesian, Malaysian, and Mongolian project partners.

¹⁹ The consultant was engaged for only a two month contract to develop the zero draft document with the government stakeholders, a timeline that UNDP had adequate evidence from other countries would not be realistic.

²⁰ Evaluation interviews with Thailand government partners.

²¹ An assessment made by several Indian partners.

²² Evaluation interviews with Indian CSO's.

²³ Evaluation interviews with Sri Lankan project partners.

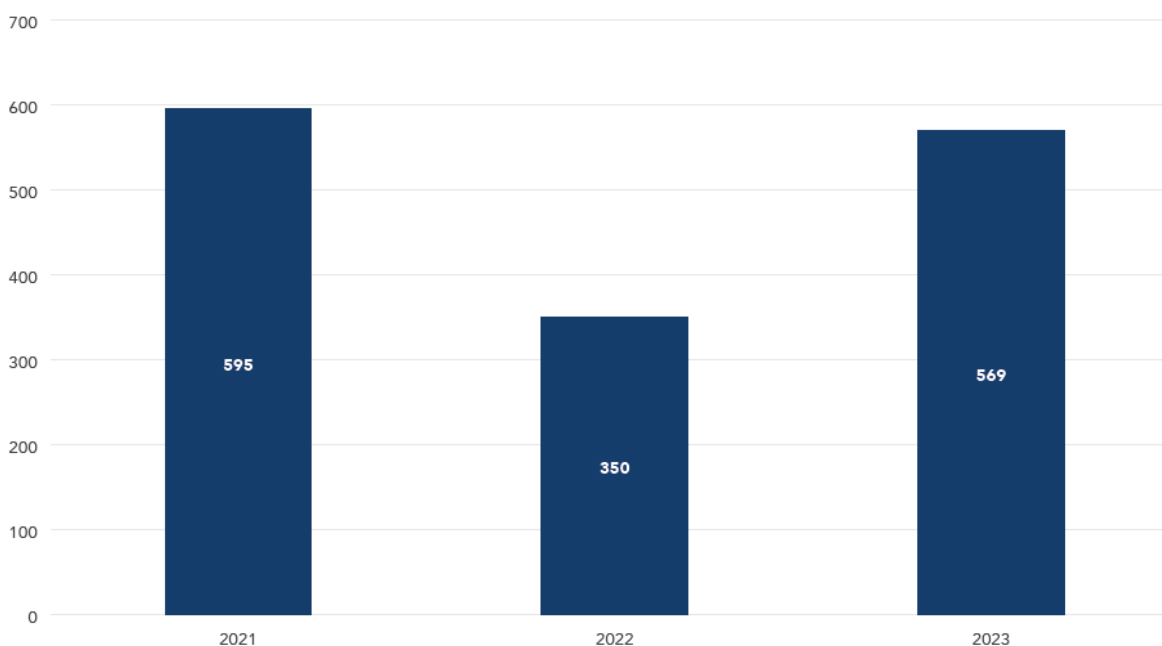
²⁴ Engagement was originally planned to start in 2021, Country Office risk analysis halted this, putting a hold on efforts to develop the relationship (BHR-EU Q1 Report 2021). Initial meetings with the Ministry of Justice started in 2022 (BHR-EU Q1 Report 2022).

milestones in developing government engagement with BHR, however the project had managed to complete a national scoping study of the government’s role in promoting BHR, and was using this to encourage government discussions of the issues and the creation of a roadmap or working group to guide the process of implementing the principles.

The Sri Lankan example has complex meaning for a regional approach such as the B+HR Asia project. Local stakeholders stressed the need for the adoption of adapted language that avoided the connotations associated with human rights, but also pointed to strong extant national laws on BHR issues and strong partnerships with other key international partners²⁵. Given the adaptation required to work effectively with local partners, and the delays caused by UNDP CO risk assessment, it is less clear to what extent the regional project could effectively leverage its strengths to support improved BHR policy and practice in Sri Lanka. The benefit of a regional approach may have been in allowing UNDP to enter the Human Rights development space under a less controversial aspect, however the evaluation was unable to establish evidence of this mechanism in the interviews it conducted.

The Project likewise was restricted in what could be achieved in Myanmar, with engagement with government policy impossible under the current context. The Project was unable to promote government engagement with BHR as a concept, and focused on maintaining awareness of and engagement with BHR concepts with civil society and private sector partners. The evaluation was unable to establish any significant impact from the Project’s work prior to the coup, and while there is some value in UNDP remaining engaged in supporting civil society, it is not clear that Project investments into Myanmar are contributing to any effective change at this time.

Number of working days logged towards National Action Plan drafting, adoption and engagement



Overview of number of working days spent towards NAP support from Progress Report 2023

Overall, the Project’s target for Output 1 was to support the development of four NAP’s or their equivalent. This has been achieved, as five countries conducted NAP development processes, and three countries have approved NAPs. As shown in the chart above, achieving these outputs involved

²⁵ Notably ILO on labor laws.

significant effort in all contexts, with effective partnerships between multilateral actors, government, business and civil society being required to make progress. While the NAP development process has been of some worth in all contexts, it is the evaluations assessment that the three approved NAP's should be considered the real successes of the support, as these provide a basis from which to move from policy influence into implementation of BHR improvements.

Effectiveness of the Project Strategy

- *Evaluation Question: How effective were the strategies used in the implementation of the project?*

Despite the caveats noted above for some of the countries covered by the B+HR Asia project, the evaluation assessment is that the regional approach adopted has been a highly effective strategy. As noted under Relevance, the main outputs of the Project have all contributed to an integrated approach, and this has supported the achievement of several important BHR outcomes. The regional approach of the project has enabled better engagement with the range of stakeholders, notably from a business perspective and in partnership with the EU, while also embedding a BHR capability into the UNDP CO that had not previously existed. In several cases stakeholders indicated that the project had contributed to stronger government partnerships with UNDP, to the overall benefit of the CO. It is difficult to see how an alternative approach could have resulted in as many achievements.

The evaluation assesses that the most effective outcomes have been found in countries where the Project outputs were most aligned and mutually reinforcing, either through a central thematic focus or because they worked closely as part of the NAP development process. National partners in these contexts were not only aware of UNDP's broader work to support progress on BHR, they could also articulate how their specific activities contributed and linked with this overall strategic goal. For example, in Malaysia, the initial provision of expert support to the NBA-BHR enabled the development of a network of CSO partners who have continued to be involved in the NAP development process, while also supporting broader community awareness and access to remedy. In partnership with UNICEF the Project worked to include youth voices into national discussions of BHR policy, but also at a local level to build youth participation on policy making for environmental focused BHR issues. Likewise, the Project's work on HREDD directly increased the capacity of companies to address environmental human rights risks, but also provided opportunities to include those companies in the national policy consultations. These linkages were strongly valued by all national partners and created a more empowered set of national actors involved in the process.

In Indonesia the cross cutting environmental theme proved very useful in creating a core focus for activities and providing links between the policy, advocacy and A2R efforts being undertaken. The focus on water related environmental issues enabled specific ministerial engagement, then was linked with activities aimed at relevant companies and CSO's to develop capacity on for voluntary Human Rights Due Diligence (HRDD) reporting. The alignment enabled greater contexts to government policy discussions, including specific examples and issues from the people and companies directly involved, while creating links between government, the private sector and CSOs for discussion of BHR overall. Multiple partners mentioned the value of the ecosystem that the Project had supported for the ongoing process of implementing the BHR agenda in Indonesia.

In contrast, there were several countries within which the limitations of policy influence resulted in a less integrated and reinforcing set of support activities. In Myanmar the restriction on government engagement, the limited UN capacities in country, and the complex nature of presenting human rights narratives resulted in a set of activities aimed at improving the awareness and sensitization of

companies and CSOs on Heightened Human Rights Due Diligence (HHRDD)²⁶. The Project was able to integrate aspects of the environmental focus by conducting focused events and creating communication products²⁷. The aggregated effects of these activities, including the support to legal assistance, is unlikely to be significant given the limited political space and the major disruptions that have occurred to the broader CSO efforts on BHR.

In India the B+HR Asia project did maintain a level of engagement with the policy development process, but this was a relatively limited investment due to the limited government prioritization of the issue at this time, and the resulting lack of significant progress in the finalization and approval of the NAP draft. Research, awareness and A2R activities appear to have covered a wide range of sectors, partner groups, and topics. This spread means that the Project was effective in a wide set of engagement, which is potentially useful in the Indian context where the scale of partners is massive. The partners involved in these considered them useful to the Indian context, and effective in direct terms of building the capacity and awareness of the groups involved²⁸.

However, it is more difficult to see how the Projects efforts in India could aggregate into a significant outcome for overall awareness, or measurable improvements in any specific application of BHR. It is not clear to what extent the Project made linkages between activities and partners, nor due to the diversity of partner groups is it clear how this would have been easy to make highly relevant to those involved. Several partners noted that their efforts and interaction with the Project were strongly activity focused and bounded, and that they would have appreciated a greater effort on networking and the development of a BHR ecosystem²⁹.

In Sri Lanka, despite the delayed initiation of government policy engagement, the Project's support had a clear focus on gender, and under this thematic was able to direct efforts towards empowering women in the workplace, with a focus on SME areas such as microfinance and the free trade zones where women encounter specific vulnerabilities and are disproportionately impacted. While the scale of each individual activity stream was limited, the conceptual alignment around gender and SME issues provided the Projects efforts with a significant amount of coherence, and contributed to an effective set of engagements that demonstrated initial positive outcomes³⁰. Efforts linked government prioritization of relevant legislation to awareness raising with companies and vulnerable groups, and reinforced this from examples developed through some direct support to A2R with communities.

The evaluation overall concludes that the B+HR Asia Project has been effective in supporting progress on a range of key issues under the four project outcomes. The extent of progress is variable across countries, due primarily to how current political and social dynamics impact on the extent of political engagement possible, but also on the extent to which the Project was able to create a focus to its work that supported more integration and interconnection between its activities. There are two key examples worth mentioning here.

Firstly, the Project has done well to identify and sponsor research into BHR issues that can be used to communicate and influence policy discussions, along with specifics of implementation of BHR concepts. However, only a few project partners mentioned or showed awareness of specific Project

²⁶ HRDD in contexts affected by armed conflict and other situations of widespread violence. UNDP, "Heightened Human Rights Due Diligence for Business in Conflict-Affected Contexts: A Guide", 2022.

²⁷ A social media campaign in 2023, and some events linked with World Environment Day on plastic based pollution.

²⁸ B+HR Asia (EU) quarterly monitoring reports, evaluation interviews with Indian project partners.

²⁹ Evaluation interviews with Indian project partners.

³⁰ B+HR Asia (EU) Quarterly reports and evaluation interviews identify some improvements in government efforts to implement microfinancing and labour laws, despite the difficult economic context. Companies, while still reluctant to change their practices, increasingly engaged in dialogue with workers through Project funded activities

funded research, and few examples were provided of how research dissemination was conducted and supported. It is an effortful process to convert research into useful influence, and the Project has made efforts to support communication and influence of its work, however it appears that in some cases more of a focus on the dissemination phase of research products would have been beneficial.

Secondly the evaluation considers the integration of Access to Remedy into the project to be fundamentally important, as noted above under the relevance section. However given the limited capacity of a regional project to implement A2R activities in any country at scale, the direct impacts of this line of work will always reach only a few beneficiaries. Such efforts will only contribute to bigger outcomes where they are closely aligned with the policy and awareness raising activities, something that appears to have occurred mostly where there was a greater amount of coherence of country level efforts under a single thematic approach or area. This is not to indicate that the activities conducted as stand-alone A2R interventions were not effective, as they appear to have reached and assisted a number of individuals in a useful way. However, such interventions were more effective where the examples and evidence derived from the support was then utilized directly in further project supported activities³¹.

In terms of the projects monitoring framework, Output 2 aimed to have produced 24 communication products and 25 knowledge products by the end of implementation. It had delivered 104 communications campaigns with 691 products, and a further 46 knowledge products, and thus overproduced compared to expectations. Output 3 measures progress in support beneficiaries to have access to remedy (Target: 70 beneficiaries supported), and in providing training in HRDD (Target 16 trainings). The Project significantly overperformed on both these measures, reaching 6,876 beneficiaries, and delivering 124 trainings. Finally the Project's regional efforts under Output 4 also overperformed, developing 21 knowledge products (Target: 5), and organizing 6 events (Target: 5). Together these indicators demonstrate a Project that delivered far more outputs than was originally planned. This clearly contributed to its success, as has been noted in detail above, however it also contributed to a very high degree of activity implementation which may have influenced the time the Project team had available to reflect and consider ways to make wider use of some of the opportunities identified during the delivery of these activities.

The evaluation considers the monitoring framework to be broadly suitable, and that the Project did very well to integrate monitoring into its approach (as is noted below under the efficiency section). However, the main successes of a speculative Project such as this, aimed at awareness and sensitization, are not typically well measured by quantitative output focused metrics. The most effective aspects of the Project monitoring were how it was used, and not the concrete measures identified in the Monitoring Framework.

Stakeholder Involvement

- *Evaluation Question: To what extent have stakeholders been involved in project implementation?*

The evidence from the interviews was that the B+HR Asia Project Stakeholder engagement and involvement has been a strength during implementation. UNDP was consistently noted as a good partner, and the partnership remains highly valued. This was especially noted by government partners, who appreciated UNDP as a key international partner, but it was equally true that CSO's and private sector partners saw specific value in the way that the project had approached working with them. The

³¹ Government partners in Malaysia and Indonesia specifically mentioned the usefulness of the examples they had received as a result of a range of project activities.

process of developing activities and approaches was seen as joint and consultative, with the relative expertise of each partner being appreciated in the process and thus integrated into the efforts.

As noted above, while in some cases the role of the Project in developing a network and ecosystem that enabled BHR was a highly valued component of the support, in other cases partners would have appreciated a greater effort on this aspect³². This indicates that one of the competitive advantages of UNDP in this space is the ability it has to connect a diverse set of actors in positive and enabling contexts, and that this aspect of the efforts could potentially be more prioritized.

EU Outcomes

- *Evaluation Question: How effective were the strategies used in the implementation of the project?*

The B+HR Asia Project has been very successful in promoting EU BHR policy priorities and concerns, enhancing the EU's role as a global actor on BHR, and the project partners consistently referenced the importance of changes in EU policy as a key driver of the developing BHR priority. There was strong awareness of the Corporate Sustainability Due Diligence Directive (CSDDD), and the need to adapt to meet the changing demands it placed upon business partners. The Project's engagement with EU Chambers of Commerce in each country has been an effective and highly valued aspect of the implementation. UNDP was considered to have been useful for the EU for the attention, expertise and resources it provided to BHR efforts at the national level, but also because it provided a distinct, respected and separate voice on sensitive issues around Human Rights. The ability of the partnership with the EU to ground changes in BHR rules in Europe in the overall global need to improve how the UNGP's are implemented in practice was a fundamental driver of the positive outcomes.

There were a number of complications in the relationship between the EU and the Project due to the diversity of country contexts and the variability of EU priorities across those locations. This complicated efforts to develop and maintain a consistent level of EU partnership involvement, resulting in occasional tensions with the Project. It is unclear to what extent these tensions could have been mitigated through alternative approaches, as human rights will remain a sensitive issue in many country contexts, however as they did not appear to cause significant negative impacts on either the overall relationship or the implementation of activities at the country level, they do not seem to have been major issues requiring address.

Leveraging Knowledge and Regional Cooperation

- *Evaluation Question: How effectively does regional-level work translate into tangible outcomes at the national level?*

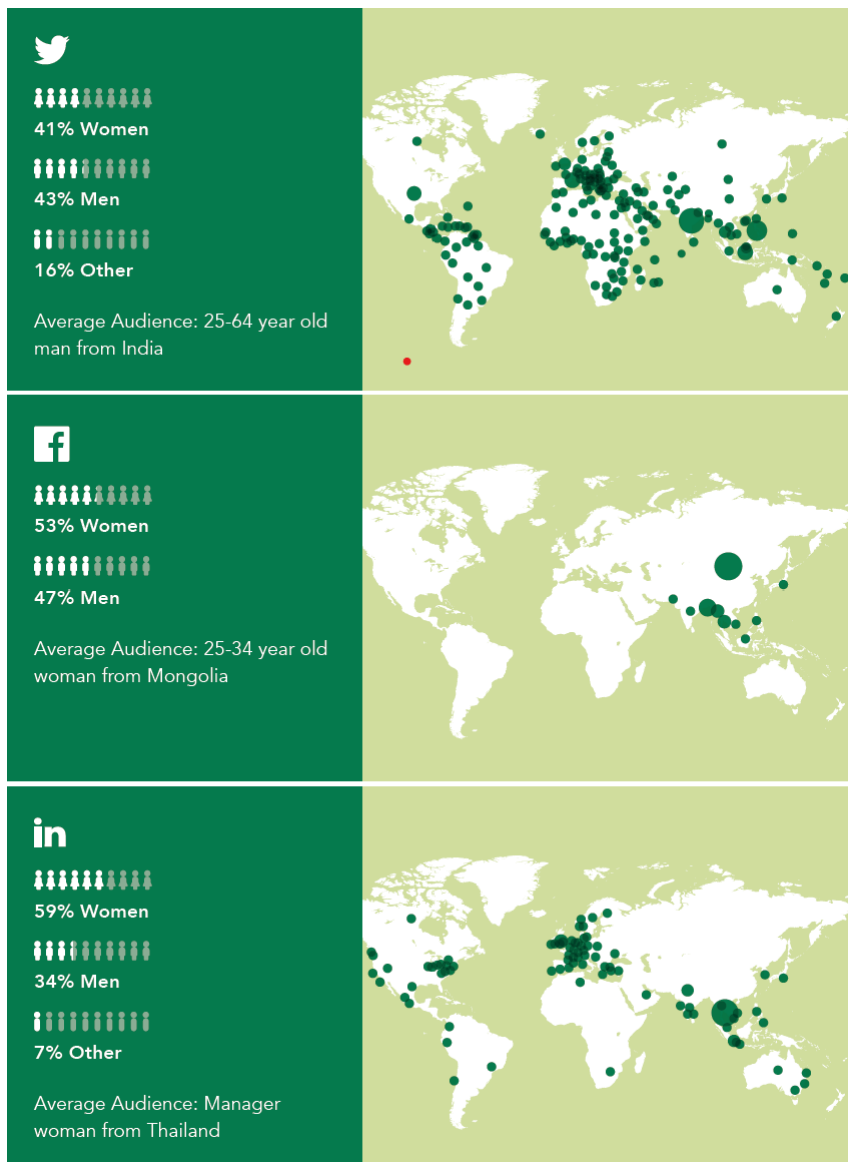
The effectiveness of the B+HR Asia Project has been well supported by a very strong system of internal knowledge management and M&E that has been critical in enabling a highly sharing team environment. The success of this aspect of the Project was driven by the investment into a central M&E role in the team management, including the explicit prioritization of this aspect by the Project Manager, which provided the resource and expertise required to support a consistent team focus and effective implementation. This core system has had many small impacts across all aspects of project effectiveness and efficiency.

The M&E system consistently implemented the Project's Monitoring Framework as intended, something which cannot be taken for granted. The Project developed quarterly monitoring reports, describing progress by country and under the regional component. These reports included contextual

³² As noted in terms of research, and in terms of coherence of country approaches around NAP development or a thematic focus.

country background relating to BHR awareness, summarized project activities for the period, and updated the key indicators of the Monitoring Framework. The Project also developed strong Annual Reports consistently, which summarized the progress for the year, and then described the direction for the next. These reports included key sections on gender, partnerships, the lessons identified, and an updated assessment of risks. They represent a strong implementation of the Monitoring Framework, and served as a clear communication tool for the Project as it worked across the region with a very wide range of partners.

Perhaps the most obvious benefits of the strong M&E was the development of more sophisticated systems to track the reach and effects of the communications outputs. The M&E investment enabled greater segmentation of audience engagement, in terms of gender, regional representation, and specific BHR topics that were generating interest.



The overview of the audience profile from the Digital Data Impact Assessment (2022)

This information as then used to direct greater thematic efforts in specific countries, for example contributing to the focus in Sri Lanka on empowering women in free trade zones, or to the strong

gender-based efforts with the Ministry of Women Empowerment and Child Protection (MoWECP) in Indonesia. The effectiveness of these integrated approaches has been noted above.

It is however unfortunate that this very effective internal system of regional knowledge management did not translate into greater efforts to strengthen South-South mechanisms of learning. The primary mechanism the Project used to support South-South learning was the regionally managed environmental output. Here the Project made significant efforts to build some regional momentum through activities like the Corporate Sustainability and Environmental Rights in Asia (CSERA) Conference. The Project also participated in the regional events run under the Sida funded regional BHR Project, contributing an environmental thematic focus to these as well, and developed a wide range of research products.

However, the project has utilized South-South influence inconsistently as a strategic element, and

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9. The regional coordination has been a vital aspect of project efficiency and effectiveness. The B+HR Asia Project has managed a dispersed team highly effectively.
10. The conceptual alignment between the EU funded project and the other regional UNDP efforts has been excellent. The efforts to further integrate these projects under a single portfolio are sensible and should improve the extent to which projects effectively disseminate and utilize joint knowledge and strengths.
11. While the Project has built strong partnerships with some key international partners, further efforts would be useful to approach BHR issues in a joint and integrated way.

focused more on within country efforts. In the background those efforts were clearly strongly enabled by the sharing of information regionally through the Projects internal knowledge management, but partners within countries were not consistently involved directly in efforts to encourage regional responses, nor to use lessons developed in one country context to inform another. For example, the excellent integrated work by the Project to support gender outcomes in Sri Lanka, or the partnership with UNICEF in Malaysia on youth BHR, does not seem to have been influential on partner efforts in other countries. While the Project covered a diverse set of countries, which complicates efforts to share lessons and experience, and that the project sensibly adapted its specific focus and efforts in each country to match identified concerns and needs, the evaluation considers that the Project could have done more to leverage its regional role directly in encouraging South-South systems of learning.

Efficiency

Management of the Project

- *Evaluation Question: To what extent was the existing project management structure appropriate and efficient in generating the expected results?*

The evaluation considers the regional approach adopted by the B+HR Asia (EU) Project to be highly efficient, both conceptually in terms of an approach to a regional issue, but also in the direct ways the team managed implementation and retained a strategic direction over a dispersed effort.

Any assessment of the efficiency of the approach needs to be grounded first in understanding the UNDP CO context at the start of the project. BHR was a new thematic area for most of the countries involved³³, and UNDP lacked CO expertise in the area. The Project's decision to fund roles in each

³³ Thailand was the exception

country has been critical to the effectiveness of the overall project, and was the most efficient way to build BHR capacity within UNDP to support multiple countries. This has demonstrably functioned effectively, with the majority of the CO taking on the BHR remit and integrating it into their priorities. This mainstreaming of BHR into CO has been a core outcome of the Project, with some CO indicating that BHR was now an ongoing focus for their work, and an important component of how they engaged with national government partners.

A key concern for highly distributed teams is to ensure that they function as a coherent group, something which the current Project managed exceptionally. With only a small nucleus in Bangkok, the weight of the team was spread across the six other countries. In each case a single team member as positioned into the local CO as a part of that office. The Project functioned well to ensure that these members were both part of and of value to the CO that hosted them, while being well integrated and primarily focused on the delivery of the BHR project. It managed the complexity of dual reporting lines with no major reported issues. The strong team structure to interaction along with the knowledge management systems functioned well to enable a sense of team, alignment on work, and a sense of a shared project³⁴.

In some senses the B+HR Asia (EU) project may have benefited from starting during the covid pandemic, as the fully online nature of all interactions at that time reduced any risk of the Bangkok hub being more central to the team identity and resulted in a strong sense of a unitary team amongst the members in all locations. In regard to the pandemic, the team also transitioned efficiently into a fully online approach to delivery of activities and support. Delays in implementation were reasonable, and despite the disruption the project was able to develop partnerships and make progress in its country implementation plans.

The projects management of its budget and expenditure appears to be equally competent. Budgets were largely utilized on the timeframes envisaged, and specific allocations were adjusted as plans developed and at the direction of the Joint Steering Committee (JSC). This included adjustments from the first year of implementation, as Mongolia was added to the countries being supported, and the environmental theme was confirmed as a regional approach. The project was consistently able to deliver the majority of its allocated activities and funding contribution.

Project Budget and Expenditure (USD)			
Year	Total Budget	Total Expenditure	% Delivery
2020	1,530,263.33	712,161.78	47%
2021	1,921.537.91	1,569,280.16	81%
2022	1,908,697.91	1,870,294.47	98%
2023	1,921.537.91	1,914,471.72	99%

The lower delivery rate in the first year is unsurprising given that it was the start up year, that the budget was not received until April, and that the Project was adapting it's planned implementation and hiring processes as a result of the impact of the Covid pandemic on UNDP operations. The Project delivery rate beyond that point was consistently high, and the over-delivery of Project support activities and knowledge products demonstrates that the funds were utilized efficiently to deliver against the planned outputs.

The JSC functioned effectively to manage and direct the B+HR Asia (EU) project as intended. JSC meeting notes reflect mature discussions regarding the progress of implementation, the relative

³⁴ Evaluation interviews with the country specialists.

importance of the planned outputs, including adjustments to budgets in line with this appreciation³⁵. The JSC clearly functioned as intended to support the alignment between the UNDP project and the EU, however to a certain extent this also may have constrained the project's appetite for risk³⁶.

Use of Synergies

- *Evaluation Question: To what extent did the Project produce synergies within UNDP and with other development partners (especially the EU) and play complementary roles each other?*

The B+HR Asia (EU) Project is one of three regional/global projects managed by UNDP that have complementary objectives. Synergies between the two UNDP regional projects, those funded by the EU and SIDA, remain strong. The projects deliberately complemented the SIDA project's stronger role at the regional level with the more extensive network of country office support provided by the EU one. The SIDA project had primary responsibility for developing regional momentum, however the EU project enabled the country level implementation required to translate regional discussions into national policy outcomes. Overall, the projects communicated well together, and their goals and efforts to develop NAPs, raise awareness on BHR issues, and strengthen national capacities to provide justice and A2R remained strongly aligned.

The work of the EU project and that of the Japanese funded global one is well aligned conceptually, but with fewer direct engagement and communications as a result of more different remits. The two projects shared few countries of interest³⁷, and the Japan funded project has a very focused role in supporting BHR for companies in the supply chain of Japanese business. The JSB project had been able to use the HRDD training facilitation guide developed by the B+HR Asia (EU) project, as HRDD capacity development was a primary output.

It should be said that this alignment primarily occurred at the conceptual level as few opportunities to directly leverage the strengths of each project were created. Both projects are complex to manage and implement, and to a certain extent defined different specific thematic focuses within the broad area of BHR issues. This perhaps contributed to the evaluation only being able to identify a limited number of specific instances where the tools or knowledge products produced by one team were utilized and implemented by the other. This lack of explicit leveraging of partner project work did not undermine the overall outcomes achieved, but is not the most efficient approach to UNDP utilizing the competitive advantage it holds with multiple regional projects designed to achieve cumulative effects. At the time of the evaluation UNDP was undertaking the development of a BHR portfolio approach at the Bangkok regional hub to manage the range of BHR work occurring under an integrated strategy, an approach the evaluation fully supports.

Synergies with other UNDP, UN and multilateral BHR actors are a less prominent element of the project. The project has identified and built upon some synergies between it and other teams, most prominently UNEP, UNICEF, and the UNDP nature team, and in all these cases was an appreciated partner. This is a natural development given the strong environmental focus of the project, and the developing focus on youth. However, while the partnerships are both valued and strong, there is some evidence to suggest that the project could have done more to engage with these UN partners at an earlier stage and utilize their knowledge base in planning implementation of the B+HR projects remit.

³⁵ Joint Steering Committee BHR-Asia Minutes 2021, 2023.

³⁶ EU delegation comments include a number of references to sensitive topics that needed to be carefully approached, demonstrating a risk adverse management approach. However given the diversity of stakeholders involved in decisions over what topics to focus on it is impossible to attribute the risk appetite of the project to any one actor.

³⁷ Indonesia, Mongolia and Thailand

The extent of B+HR Asia (EU) project coordination with other major BHR actors is less clear, as the evaluation did not interview representatives of ILO, IOM, and OHCHR during the data collection. The importance of these actors on BHR issues was mentioned by many national partners, but project documents give limited evidence of consistent processes to manage coordination with these partners³⁸. Some level of coordination did occur, as joint activities were conducted in a number of countries. For example OHCHR and IOM were useful partners in Malaysia, providing funds to enable a more developed consultation process for the NAP development³⁹. However joint activities make up a relatively small number of the overall work of the project, and there is limited evidence of efforts to closely align work within each country.

Synergy with EU Efforts

Synergies with the EU were a core feature of the B+HR Asia project despite some complications caused by the diversity of EU partner capacities and priorities. The partnerships with EU Chambers of Commerce were the most obvious and often strong and appreciated. The Chambers of Commerce respected the expertise and capability that the project brought to the issue of BHR, which was only one of the many priorities issues they were seeking to cover⁴⁰. As such the partnership synergy functioned very strongly at an operational level as UNDP was providing them with expertise and resources that they valued. The partnership also functioned well at the strategic level, as a mechanism to encourage and support a greater consistency of BHR policy and implementation across the region, and in line with EU policy and businesses.

The overall synergy between the EU and the project was strong, with the alignment confirmed when the EU adopted the Corporate Sustainability Due Diligence Directive (CSDDD) in 2024. This directive placed core BHR concerns of sustainable and human rights respectful business at the core of EU private sector engagement with global supply chains and partners. As such the work of the B+HR Asia project to develop national policy guidance and practice in the region is a critical enabling component of the trend in the EU. Despite the CSDDD now being approved, in practice EU Delegations are responsible and responsive to a wide range of EU priorities, and the political costs associated with international pressure on human rights issues have been varied over the countries and time of the projects implementation. The CSDDD itself is yet to be implemented, meaning that how it reinforces and impacts on national prioritization of BHR responses is yet to be seen. The Project has functioned to prepare the countries involved for this change, and to facilitate the level playing field for EU business, but much of the implementation of these policy changes remains unfinished at the time of the evaluation.

³⁸ The 2021 JSC minutes refer to a coordination working group occurring at the regional level. It is not clear what coordination mechanisms the project utilized with international partners at the country level.

³⁹ Albeit interviews indicated that this occurred as a result of consultations between the government and OHCHR.

⁴⁰ Evaluation interviews with EU Chambers of Commerce.

Sustainability

It is difficult to see strong sustainability of outcomes without a further phase of implementation, however this does not represent a failure of the B+HR Asia project. The Project's intent was to support initial engagement with BHR policy, including political, social, and financial engagement across the seven countries. Even the most progressed countries are at the initial stages of implementation of the BHR agenda, with many passing their first NAP and working out how to manage implementation, responsibilities, and resourcing. This timeframe is unsurprising, given the significant consultations and government coordination required to achieve policy change on complex cross cutting issues. The extent of progress made is consistent with the project document⁴¹, so the first phase was never intended to create a sustainable change as much as it was to start the process of policy response. Successfully supporting a strong policy implementation process will be critical to the NAP's and developing awareness of BHR issues contributing to better human rights outcomes for the vulnerable.

National Political and Financial Resourcing

- *Evaluation Question: To what extent do stakeholders support the project's long-term objectives?*

The B+HR Asia project has demonstrable contributed to a significant improvement in the partner governments ownership of BHR policy, but the depth of this political support is variable, as is the extent of state capacity to implement changes. Given the early stages of implementation, the extent of national financial and political commitments to sustain the effort are mixed and not sufficient at this time. In states like Thailand the policy change is now clearly embedded, and the government is likely to maintain BHR as a priority. However, all governments must balance priorities, and Thai partners indicated that the current difficult economic conditions had resulted in a reduction of the budget available for the BHR monitoring that supports and enables the NAP implementation⁴².

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12. The B+HR Asia project has made significant progress, but was only the first step in developing awareness and policy responses to BHR. The government, company and civil society engagement that have been nurtured will need further support if it is to result in sustainable BHR outcomes.
13. The project has been successful in developing country office engagement and capacity for BHR, but this has not yet developed into locally owned projects to maintain BHR support at the country level.

At the other extreme, government policy engagement and resourcing of BHR has not commenced in Myanmar, and is unlikely to progress until such time as the current conflict is resolved. Project efforts have focused on developing and sustaining some low level awareness of concepts, but there are no policy or national level outcomes at this time to be sustained.

The situation in the remaining countries falls between these extremes. In Indonesia the National Strategy on Business and Human Rights (NSBHR) was adopted by Presidential Decree, a method that assures it has dedicated funding attached. However the government partners stressed the need for ongoing support from UNDP due to the significant capacity gaps across ministries in the extent of BHR knowledge.

⁴¹ Which planned to have supported the approval of four NAP's, and has achieved three.

⁴² Evaluation interviews with Thailand partners.

In Malaysia the project has been effective in moving the national dialogue forward, and the government has responded with a strong sense of ownership over the NBA-BHR and the NAP development. However the decision to make the NBA-BHR a government document has resulted in delays in it being published, and the NAP is yet to be finalized. As a result the Malaysian policy response remains undecided despite strongly positive signs of BHR being a priority, so any conclusions regarding sustainable policy responses would be premature.

Mongolia has adopted their NAP (2023-2027) with a robust process of consultation, informed by the NBA-BHR conducted with the support of the project. However the process of government ministries translating the NAP into practice has only begun and government expertise and resources are limited⁴³. Ongoing international support to the process was considered important by all actors consulted.

Finally in Sri Lanka the project has directly engaged with the government for only a limited time, and the development of a NAP is an ongoing effort. Many partners considered there to be a significant interest in Sri Lanka to make progress on BHR, supported by a strong set of relevant national laws that are in place but could be implemented more consistently⁴⁴.

Regional Approaches to Strengthening National Responses

- *Evaluation Question: 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 regional approaches to strengthened national response remains equally unclear at this time. As noted in the effectiveness section, the B+HR Asia project did not use regional interactions consistently to push for sustainable country outcomes. The role of the Environmental focus as cross cutting theme was implemented consistently, and has made significant progress over the implementation of the project. However the environmental dimension of BHR is a subset of overall national responses, which remain in a state of development, and the significant successes of the project have been aimed at developing awareness and encouraging government, company and civil society engagement with the issues. While the importance of environmental BHR appears to be well established regionally, much remains to be done to develop and improve how this is translated into effective action.

Another significant factor that is difficult to assess is the impact of the EU CSDDD, as this is yet to be implemented. There is great potential for this to be used to build sustainable changes in BHR in all countries in the region, however there are also risks around implementation that will need to be managed if positive BHR effects are to be secured. CSDDD places many requirements on companies in the seven countries, many of which will have significant resource implications and require thought and expertise to implement effectively. Little work has been done at this level of detail currently, and much remains to be done to ensure that due diligence reporting requirements work for the companies and human rights outcomes.

Finally, it should be noted that the diversity of country contexts makes the consistent adoption and use of regional mechanisms to encourage sustainable outcomes difficult. Regional coordination around broad thematic like the environmental one allow a range of country level approaches and implementation focuses, but can reduce the extent to which lessons from one country are applicable to another. The evaluation is supportive of the priority the project placed on strong within country efforts to develop sustained government responses to BHR, and while greater use of South-South

⁴³ Evaluation interviews with Mongolian partners. Some noted that the current focus was on the upcoming elections, which limited the extent to which BHR was being prioritised currently.

⁴⁴ Evaluation interviews with Sri Lankan partners.

learning would have been of some value it is unclear that this would have resulted in significantly more sustainability of outcomes for this first phase of support.

Strengthening Exit Strategies

- *Evaluation Question: What could be done to strengthen exit strategies and sustainability of the Project?*

The intended plan for exiting the project support was not clearly articulated in the project document, which is unfortunate given that the planned end state was described at a high level as raising awareness, supporting national policy development and/or implementation, and enhancing access to remedy. These are and were reasonable aims for a project of this scope, but they represent sensible intermediate aims rather than clearly resolving the issues of BHR that drove the project creation. It was clear that the BHR agenda would require ongoing support at the end of the project. As a result it would have been useful to describe some specifics of how the project might have planned for transition to further support on the basis of what could be achieved by this first phase.

Within UNDP the B+HR Asia project has done a good job at embedding BHR into the seven UNDP CO, which is potentially a useful mechanism to enable sustainability. While an initial regional approach was the most relevant and effective way to build regional BHR awareness and capacity, support should transition from the regional level to the CO level as policy, expertise and implementation mature. To a certain extent this has begun, as with the support of the project several country offices have come to appreciate the value of a BHR focus as an integrated part of the country programme.

However, the extent to which CO are ready to take on this role is variable, and arguably the project could have done more to explicitly support CO investment and ownership over BHR as a theme. The embedding of the national experts into the country offices did provide a level of buy-in, but the development of new country led projects to continue implementation has not occurred in detail in any of the seven countries. In several there have been initial discussions with donors regarding potential funding of future work, but these appear to be the result of the lack of a direct follow-on project, rather than as longer-term efforts to transfer and embed ownership of BHR into the CO. This critique should be understood as a limited one, as at the start of the project BHR was a new concept to most of the CO, and it is unreasonable to expect that the project could have done a significant amount more to build country office led projects.

The second potential line of ongoing support is the roles of other UN and international actors. Here OHCHR, IOM, ILO, UNICEF and UNEP will all continue to make efforts to develop BHR practice within their organizational remits. UNDP's competitive advantage in the scale of country operations and in the depth of partnership with governments could be utilized to ensure ongoing support to the efforts made so far. However, ensuring continuity of support would be a difficult undertaking given the different capabilities of those international actors, and the lack of explicit planning for joint efforts or the transition of support suggests that this is yet to be prioritized by the project.

As a result, there is not currently a very clear strategy defined to exit the project, and there is a significant risk of disruption to some of the efforts being supported. This would be unfortunate given the significant progress the project has achieved so far, and the importance of solidifying those gains while possible.

Gender Equality

Integration of Gender Equality

- *Evaluation Question: To what extent has gender equality been integrated into the programming design and implementation?*

The project has consistently integrated and used the consideration of gender factors as a part of activity planning and implementation. It has collected gender disaggregated data consistently, and then has used the analysis of that data to guide resource allocation and thematic focuses of implementation where relevant. In several countries this has resulted in a coherent focus on gender issues in BHR.

The B+HR Asia project's work in Sri Lanka is a good example of the strong integration of a gender focus into project activities. The data used to guide early project decision making identified an important potential area of support around microfinance that disproportionately affected women. The project then developed interventions that directly supported A2R, developed research-based evidence on the issues, and used these activities as the basis for communications and advocacy on gendered BHR issues. This was a sensible and valuable engagement with a key vulnerable population, and it provided the country project with a useful focus to enable coordinated and additive contributions to gender based BHR.

In Indonesia the project utilized its disaggregation of collected data to identify that women were strongly represented at the policy level in government engagement with UNDP, in contrast to several other countries. This insight contributed to the decision to develop relationships with and support MoWECP, the relevant ministry. This identified the topic of infrastructure development as a relevant gendered BHR issue, and work has progressed to align government ministries on potential responses to the issue.

The projects efforts in Mongolia have also included a strong element of gender informed work.

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14. The B+HR Asia project has consistently prioritized and integrated gender into its implementation. In several contexts this has resulted in a strong gender focus in efforts, and resulted in positive impacts for gender equality.

Awareness raising on the rights of women in the hospitality sector was one of the first project activities with CSO's, and gender based BHR has remained the focus of a stream of activities. In Myanmar gender-based issues were identified as less politically sensitive, and as such were often a significant element of training on due diligence and BHR.

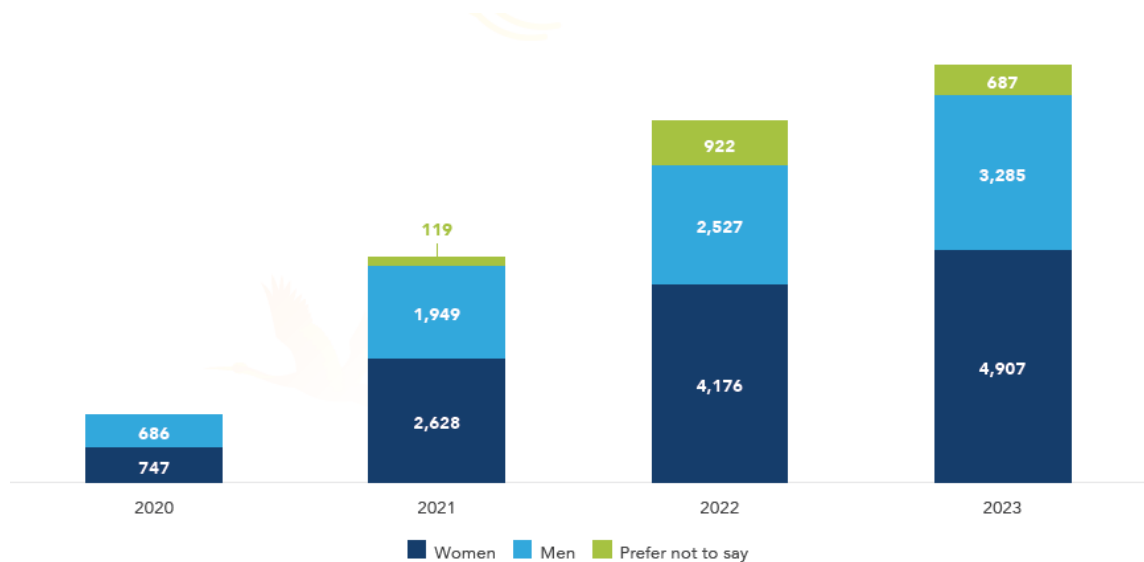
Gender Equality Marker Rating

- *Evaluation Question: To what extent does the project contribute to gender equality and women's empowerment?*

The B+HR Asia project was rated as a significant contribution (2), and the evaluation supports this assessment on the basis of the implemented project. Gender was consistently a significant objective, and has been more than adequately integrated as a cross cutting issue into the projects work. In the

context of Sri Lanka⁴⁵ gender could even be considered to have been the primary objective, as the projects activities were most aligned and coordinated in terms of this issue.

As a result of this consistent focus, the project was able to identify entry points, develop partnerships with relevant expert stakeholders, including government, civil society and business partners, and jointly design and implement linked sets of activities aimed at systemic areas of gender based BHR issues. For example, in Sri Lanka more than 600 women were involved in project activities on BHR awareness, access to remedy, and in the filing of cases with the human rights council⁴⁶. As shown in the chart below, overall 56% of participants at the project’s activities were women⁴⁷.



Overview of gender-disaggregated data from Progress Report 2023

There do not appear to have been any unanticipated effects related to gender, as the project consistently considered gender as a factor during implementation, and appears to have considered what impacts this would have. The project was successful in integrating and utilizing a focus on gender issues in BHR in several countries where an entry point was identified, and where partnerships could be developed that were relevant to addressing these issues.

Conclusions

The evaluation assessment of the B+HR Asia Project is very positive. The Project represents a highly relevant UNDP response and approach to support, is addressing a clear and obvious need in a sensible and adaptive way, and has been delivered efficiently and using data driven approaches. The Project has been a significant contribution to the extensive regional progress on BHR issues that has occurred over the last five years.

The Project has made an important contribution to the development of NAPs in the countries it has supported, and it is to its credit that in three countries there are now approved NAPs that are in the process of being implemented. In all countries bar Myanmar the Project has made significant contributions to awareness and engagement with the BHR agenda in government and across a wide

⁴⁵ The gender focus in Indonesia was notable greater than other contexts as well, however the environmental focus around water was the primary focus of a more extensive set of project activities.

⁴⁶ B+HR Asia Project monitoring reporting.

⁴⁷ B+HR Asia Progress Report 2023.

range of civil society and business partners. The strength of its partnerships has been to the clear advantage of the Project’s work.

The Project did well to identify several key thematic areas of focus in the environment and in gender, and has supported significant progress where the thematic has been implemented with a combination of research, advocacy, policy support, and the strengthening of access to justice systems. These efforts have been strengthened by the strong learning modality the Project staff have implemented, and the consistent implementation of a strong monitoring framework.

It is too soon to discuss the sustainability of the Project’s outputs, as there was a very low level of awareness and policy development at the initiation of the project. The Project’s significant success in supporting the development of awareness and policy responses still need significant support to be translated into enduring improvements in BHR.

While the extent of outcomes has varied between countries, this has primarily been the result of significant variations in country context and political issues beyond the scope of a UNDP project to address or manage. Noting that context, and the disruption caused by the pandemic, the Project has done an excellent job of implementing a coherent, adaptable and effective set of project outputs consistently across the region.

The evaluation makes several suggestions regarding potential improvements that UNDP could make on the basis of what has been learnt during this implementation period. The B+HR Asia (EU) Project has provided UNDP with a strong evidence base which could be very useful in considering regional approaches, effective ways to support BHR, and some good processes for knowledge management and evidenced based programming.

Assessment against the evaluation criteria

Criteria	Evaluation Conclusion	Ranking
Relevance	The Project has been a highly relevant and well-designed form of support to BHR. It has contributed to national policy adjustments that bring the supported countries more into line with the UNGP’s. The Project was implemented with a strong learning focus and has adapted well during implementation.	4
Effectiveness	The Project has directly contributed to improvements in BHR awareness in all the countries it supported, and to policy responses in the majority. Where the efforts across outputs were well aligned and thematically related the Project was able to achieve significant effects.	3
Efficiency	The regional approach has been a demonstrably efficient method of supporting changes in multiple countries.	4
Sustainability	The projects achievements are significant but will require further efforts if they are to be sustained and developed into ongoing improvements in human rights.	2
Gender	The Project has consistently implemented a strong gender focus, both collecting and using gender data to guide project focus and contributing to positive policy and awareness outcomes on these issues specifically.	4
Overall	The Project was well-designed, well implemented, and has been very successful in achieving its intended outcomes.	17/20

Recommendations

Recommendation 1: UNDP should continue to support BHR using and leveraging its regional coordination and approaches. As government engagement with the BHR agenda matures in each country, the regional teams should support the UNDP COs to resource and enable a country led project that can accompany implementation closely. UNDP's regional focus can then be reallocated to the many countries yet to be supported, and to encouraging consistent improvements across the region. (Findings 1, 2, 5, 9, 13)

Recommendation 2: UNDP should continue to reinforce the current progress on NAP policy development to support partner government and other key stakeholders to implement the policy changes effectively. The ultimate outcomes of policy support are only meaningful if those policies result in better human rights practices. (Findings 2, 5, 8, 13)

Recommendation 3: UNDP should continue to identify and use specific thematic areas, such as the environmental dimension of BHR, to focus and provide coherence to its BHR support. The range of potential areas of engagement on BHR issues is so diverse that projects without a focus risk spreading their efforts too widely to have an aggregated effect, or to enable activities that are interconnected and mutually supporting in a practical sense. (Findings 3, 7, 14)

Recommendation 4: UNDP should continue to include A2R as a core aspect of its BHR work, accepting that the outcomes in this area are more tactical than strategic at this time, as this places the needs of the vulnerable at the heart of project efforts. It should consistently ensure that such interventions are conceptually linked with the other project outputs, and seek to develop outcome data from A2R work to demonstrate the importance of BHR issues to influence policy discussions. (Findings 6, 7, 8)

Recommendation 5: UNDP should seek to fully integrate other UN or multilateral partners from an earlier stage and more completely. BHR is a highly shared thematic space, regardless of the specifics of the project. Jointly developed and implemented projects are inherently more complex to manage, but are better at empowering partner organizations to fully participate and contribute to coordinated and effective outcomes. (Findings 9, 10, 11)

Recommendation 6: UNDP should treat South-South influence as a core aspect of all regional approaches, and standardize a consistent assessment process to identify how and where it might be utilized to encourage the spread of good practices, strengthen or reinforce political will to reform, and create communities linked by interest and practice. (Findings 9, 11, 12)

Recommendation 7: UNDP should learn from how the Project used its strong gender-sensitive and disaggregated data collection to build effectively targeted gender focused lines of work in a project with multiple thematic priorities. (Finding 14)

Lessons Learned

The B+HR Asia (EU) Project provides UNDP with a number of potentially interesting lessons, three of which are detailed below.

Firstly, the Project has demonstrated the relevance of regional approaches for developing partner and UNDP capacity for action on BHR. The Project was successful because the use of a multi-country project managed and implemented in a regionally connected way, and the mechanism of embedding full time BHR country specialists into each CO proved to be an effective way of developing UNDP's reach and influence on BHR in all seven countries. The value of embedding the BHR agenda into each

CO has not been fully utilized yet, but the evidence of this project suggests that it is a sensible pathway to effective country level BHR outcomes.

Second, the Project provides good evidence of the tension between adaptive programming approaches versus a strong thematic focus for achieving outcomes. The decision to seek out strong partnerships with a diverse set of national partners, and to choose the specific topics and issues based on the national context is good programming logic and means the project efforts were well aligned with the specific of the current political and social factors influencing BHR in each country. It avoided the trap of forcing the environment or gender focus which may not have been as conducive to the development of the agenda in all countries. However, this appears to have come with a cost, as the country efforts that were able to more strongly leverage either the environmental or gender theme to guide and direct selection of implementation partners appear to have more coherent and structured outcomes. National partners in those contexts could articulate the various forms of support the project was providing against multiple project outputs other than their own, and saw the value of these different pathways of support.

Finally, the Project has provided an excellent example of data led gender programming. The link between the strong knowledge management and monitoring systems implemented consistently by the project and the project's investment into a range of specific gender-based interventions is impressive. It is true that this is supposed to be how data driven project implementation works, but it is much rarer to see governance projects adjust activities as a result of data, and so clearly in line with the evidence developed.

Annexes

Annex 1: Consultation List

Names of the interviewees have been anonymized.

Multilateral Organizations		
Organization	Designation	Gender
European Union	Programme Officer, Foreign Policy Instruments (FPI) (Project Focal Point)	Woman
European Union	Political/Human Rights Officer, EU Delegation to Thailand	Woman
UNDP, Business and Human Rights (EU Team)	Business and Human Rights Specialist (Project Manager)	Man
UNDP, Business and Human Rights (EU Team)	Project Monitoring & Evaluation Officer	Woman
UNDP, Business and Human Rights (EU Team)	Knowledge Management & Communications Officer	Woman
UNDP, Business and Human Rights (EU Team)	Programme Assistant	Woman
UNDP, Business and Human Rights (SIDA Team)	Regional Business and Human Rights Specialist, and Project Manager	Woman
UNDP, Business and Human Rights (JSB)	Business and Human Rights Project Coordinator	Woman
UNDP, Business and Human Rights (Global)	Global Advisor on Business and Human Rights	Man
UNDP Bangkok Regional Hub	Programme Advisor - Rule of Law, Security and Human Rights	Woman
UNDP, Bangkok Regional Hub, Environment team	Regional Technical Specialist (Biodiversity)	Man
UNDP India	Business and Human Rights Specialist	Woman
UNDP Indonesia	Business and Human Rights Specialist	Woman
UNDP Malaysia	Deputy Resident Representative	Woman
UNDP Malaysia	Business and Human Rights Specialist	Woman
UNDP Mongolia	Business and Human Rights Specialist	Woman
UNDP Myanmar	Business and Human Rights Specialist	Woman
UNDP Myanmar	Team Leader – Prive Sector Partnerships	Woman
UNDP Sri Lanka	Business and Human Rights Specialist	Woman
UNDP Thailand	Business and Human Rights Specialist	Woman
UNEP	Regional Coordinator – Environmental Law & Governance	Woman
UNICEF Malaysia	Coordinator – Youth Environment Living Lab (YELL)	Woman
IOM Malaysia	Written responses	N/A

Government and National Human Rights Institutions (NHRIs)		
Organization	Designation	Gender
Indonesia Coordinating Ministry of Maritime Affairs and Investment	Deputy Director for Integrated Marine Observation System	Man

Government and National Human Rights Institutions (NHRIs)		
Organization	Designation	Gender
Indonesia Coordinating Ministry of Maritime Affairs and Investment	Policy Analyst	Woman
Indonesia Ministry of Law and Human Rights	Director	Woman
Indonesia Ministry of Law and Human Rights	Sub Coordinator for Bilateral Cooperation on Human Rights	Man
Indonesia Human Rights Commission	Commissioner	Man
Malaysia Prime Minister's Department	Deputy Direct General – Policy & Development	Woman
Malaysian Human Rights Commission	Deputy Secretary – Policy and Law Group	Woman
Malaysian Human Rights Commission	Former Deputy Secretary – Policy and Law Group	Woman
Mongolia Ministry of Foreign Affairs	Head- Human Rights Division	Woman
Mongolian National Human Rights Commission	Head - International Law and Cooperation Division	Man
Thailand Ministry of Justice	Director International Human Rights Division	Woman
Thailand Ministry of Justice	Justice Officer	Woman

Civil Society and Businesses		
Organization	Designation	Gender
Change Alliance	Interim CEO	Woman
Apti Institute	Founder	Woman

Centre for Responsible Business	Director	Woman
Community Resources Centre Foundation (CRC)	Executive Coordinator	Woman
Collective of Applied Law and Legal Realism (CALR)	Collective Operating Officer	Woman
EuroCham Mongolia	Chief Executive Officer	Woman
Foundation for International Human Rights Reporting Standards (FIHRRST)	Senior Business and Human Rights Specialist	Man
German Chamber of Industry and Commerce (Sri Lanka)	Chief Delegate	Woman
Global Compact Network Thailand; CP Group	Executive Director	Woman
Legal Clinic Myanmar	Written responses	N/A
Myanmar Center for Responsible Business (MCRB)	Director	Woman
Mongolian Women's Employment Support Federation	Head	Woman
Panasonic	Senior Human Rights Expert	Woman
Selyn	Co-Founder and Managing Partner	Woman
Stand Up Movement Lanka	Founder	Woman
UPG Paint & Coating	Written responses	N/A
Yever	Managing Partner	Man

Annex 2: Evaluation Matrix

Evaluation Matrix					
Evaluation Criteria	Questions	Sub-Questions	Data Sources	Indicator/Success Standard	Methods of Data Analysis
Relevance (Regional)	To what extent was the Project in line with the national development priorities, regional development priorities, Country Office plans and the UNDP strategic Plan and its direction on human rights?	<p>What could be done to improve alignments?</p> <p>To what extent is BHR a priority for these different actors?</p>	<ul style="list-style-type: none"> • 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 	Consistency of partner feedback regarding relevance of interventions to national/regional BHR priorities.	<p>*Qualitative and quantitative data analysis</p> <p>*Data synthesis</p> <p>*Descriptive statistical analysis</p> <p>*Discussion of data with the B+HR Asia team</p> <p>*Verification of data with Stakeholders</p> <p>*Fact checking by UNDP comment and feedback to consultant</p>
	To what extent does the Project use the ToC, and does it contribute to the relevant regional programme outcomes?	<p>Is the ToC useful for the project team, and used to show learning?</p> <p>What is the role and contribution of BHR in the regional programme?</p> <p>To what extent has the project been appropriately responsive to the COVID- 19</p>	<ul style="list-style-type: none"> • UNDP Regional Programme Strategic documents • B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & 		

		pandemic as well as other political, social, legal, economic, institutional changes in target countries and the region?	<ul style="list-style-type: none"> Progress reports Project ToC UNDP regional programme ToC Interviews with UNDP staff 		
Relevance (Project)	To what extent is the overall design and approaches of the project relevant?	<p>Was the approach realistic, appropriate and adequate to achieve results?</p> <p>Is “regionality” relevant and does using it as an approach strengthen the project?</p>	<ul style="list-style-type: none"> 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 		<ul style="list-style-type: none"> *Qualitative and quantitative data analysis *Descriptive statistical analysis *Discussion of data with the B+HR Asia team *Verification of data with Stakeholders *Fact checking by UNDP comment and feedback to consultant
Effectiveness	To what extent was/is the project able to raise awareness of the UNGPs in the region and translate them into country-level action plans for implementation of the UNGPs and/or policy movements towards the	To what extent was the project successful in advocating for or enhancing the capacity of States to implement the UNGPs, NAPs and access to remedy, into the governments’ priorities?	<ul style="list-style-type: none"> B+HR Asia Project Document B+HR Asia yearly planning documents B+HR Asia Monitoring & Progress reports Interviews with UN staff Interviews with 	<p># of NAP or equivalent developed Baseline 2019: 0 Target 2023: 4</p> <p>Number of Communications products shared Baseline 2019: 0 Target 2023: 25</p>	<ul style="list-style-type: none"> *Qualitative and quantitative data analysis *Descriptive statistical analysis *Process tracing *Triangulation *Discussion of data with the B+HR Asia team

	implementation of the UNGPs?		<ul style="list-style-type: none"> national partners Lessons documents 	Number of events involving multiple countries?	<ul style="list-style-type: none"> *Verification of data with Stakeholders *Fact checking by UNDP comment and feedback to consultant
	To what extent was/is the project able to enhance the profile of the EU as a global actor on advancing the UNGPs?	To what extent was/is the project able to support EU businesses to facilitate a level playing field in Asian markets?	<ul style="list-style-type: none"> B+HR Asia Project Document B+HR Asia yearly planning documents B+HR Asia Monitoring & Progress reports Interviews with UN staff Interviews with EU partners (including EU chambers of commerce). 		
	How effective were the strategies used in the implementation of the project?	In which areas does the project have the greatest achievements? What are the key internal and external factors (success & failure factors) that have contributed, affected, or impeded the achievements, and how have UNDP and other partners managed these factors?	<ul style="list-style-type: none"> 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 		

		In which areas does the Project have the fewest achievements?	<ul style="list-style-type: none"> • Focus groups • Lessons documents 		*Verification of data with Stakeholders *Fact checking by UNDP comment and feedback to consultant
	To what extent have stakeholders been involved in project implementation?	<p>To what extent are project management and implementation participatory?</p> <p>How effective were the partnership strategies, and how can they be strengthened?</p>	<ul style="list-style-type: none"> • 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 BHR policies and action?	<ul style="list-style-type: none"> • 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 		
Efficiency	To what extent was the existing project management structure	How efficiently were the resources including human, material and financial	<ul style="list-style-type: none"> • B+HR Asia Project Document • B+HR Asia yearly 	Extent to which UNDP BHR projects complement rather	*Qualitative and quantitative data analysis

	<p>appropriate and efficient in generating the expected results?</p>	<p>resources used to achieve timely results?</p> <p>Is the project efficiently leveraging/supporting the County Offices?</p> <p>Is the Project Board functioning to guide and make decisions?</p>	<p>planning documents</p> <ul style="list-style-type: none"> • B+HR Asia Monitoring & Progress reports • B+HR Project Board meeting notes • Interviews with UN staff • Interviews with donors 	<p>than duplicate support.</p>	<ul style="list-style-type: none"> *Data synthesis *Descriptive statistical analysis *Triangulation *Discussion of data with the B+HR Asia team *Verification of data with Stakeholders *Fact checking by UNDP comment and feedback to consultant
	<p>To what extent did the Project produce synergies within UNDP and with other development partners (especially the EU) and play complementary roles each other?</p>	<p>Did the project activities complement, synergise, overlap, or duplicate other interventions funded nationally or regionally (eg. SIDA or Japanese funded projects)?</p> <p>What can be done to improve synergies?</p>	<ul style="list-style-type: none"> • 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 		
	<p>What is the added value of the Project's approach for influencing the implementation of</p>	<p>How does the project align with other regional and national level initiatives/activities on BHR? How efficiently are national and regional activities</p>	<ul style="list-style-type: none"> • B+HR Asia Project Document • B+HR Asia yearly planning documents 		

	the UNGPs and development process of the NAPs at the national level?	connected and complement each other?	<ul style="list-style-type: none"> • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners 		
Sustainability	To what extent do stakeholders support the project's long-term objectives?	To what extent will financial and economic resources as well as political will be available to sustain the benefits achieved by the project? Are there any social or political risks that may jeopardize sustainability of project outputs and the project's contributions to country programme outputs and outcomes?	<ul style="list-style-type: none"> • 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 	# of projects co-financed by government # of UNDP country Office BHR projects in the seven countries	*Qualitative and quantitative data analysis *Data synthesis *Descriptive statistical analysis *Process tracing *Triangulation *Discussion of data with the B+HR Asia team *Verification of data with Stakeholders *Fact checking by UNDP comment and feedback to consultant
	What is the likelihood of continuation and sustainability of regional/national level dialogues engaging various stakeholders and strengthening national	How were capacities of a various set of BHR stakeholders strengthened at the national level through regional peer-learning and south-south cooperation? Describe key factors that will require attention to improve	<ul style="list-style-type: none"> • B+HR Asia Project Document • B+HR Asia yearly planning documents • B+HR Asia Monitoring & Progress reports 		

	and regional partnership architectures?	the prospects of sustainability of Project outcomes and the potential for replication of the approach?	<ul style="list-style-type: none"> • Interviews with UN staff • Interviews with national partners 		
	What could be done to strengthen exit strategies and sustainability of the Project?	What have the benefits or return on investment of the outputs of the project, and which can be reasonably sustained and/or scaled up over time?	<ul style="list-style-type: none"> • B+HR Asia Project Document • B+HR Asia Monitoring & Progress reports • Interviews with UN staff • Interviews with national partners • Lessons documents 		
Gender Equality	To what extent has gender equality been integrated into the programming design and implementation?	<p>Are such approaches consistently applied during implementation?</p> <p>How can this be strengthened?</p>	<ul style="list-style-type: none"> • 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 	# of activities with gender equality as a primary focus	<p>*Qualitative and quantitative data analysis</p> <p>*Descriptive statistical analysis</p> <p>*Verification with key stakeholders, most notably Civil Society representatives of the relevant groups</p> <p>*Triangulation</p>

	<p>To what extent does the project contribute to gender equality and women's empowerment?</p>	<p>Did the project achieve the intended GEN 2 rating on the Gender marker?</p> <p>Were there any unintended effects (positive or negative) on women or other vulnerable groups?</p>	<ul style="list-style-type: none"> • 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 		<p>*Discussion of data with the B+HR Asia team</p> <p>*Verification of data with Stakeholders</p> <p>*Fact checking by UNDP comment and feedback to consultant</p>
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Annex 3: List of Documents Reviewed.

B+HR Asia Prodoc (Final, Mongolia Amendment), 2021

Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Protect, Respect and Remedy Framework. Description of the Action PI/2019/410-348

Addendum No 1 to Contribution Agreement, 2019

B+HR EU Programming Standards and Principles Social and Environmental Screening Sept 2022

Note to file: Regional Project Appraisal Committee (R-PAC) 15 Nov 2019

B+HR Asia Monitoring and Evaluation Plan

B+HR Asia Procurement Plan

B+HR Asia Human Resources Plan

B+HR Asia Project Structure

B+HR Asia Annual Work Plans 2020, 2021, 2022, 2023

B+HR Asia Organigramme

B+HR Asia Staff List

B+HR Asia Joint Steering Committee ToR

B+HR Asia Joint Steering Committee minutes 2021, 2023

B+HR Asia Communications Strategy

B+HR Asia Monitoring Inception report and quarterly reports 2020-2024

B+HR Asia Mid-Term Evaluation Report 2022

B+HR Asia Progress Reports 2020, 2021, 2022, 2023

B+HR Asia Digital Data Impact Assessment 2022

Annual Financial Report 2020, 2021, 2022

B+HR Asia Risk Logs 2021, 2022

PPM Programme Quality Assurance Assessment

Back to Office Mission Reports 2020, 2022, 2023

Combined Delivery Report 2020, 2021

UNDP Heightened Human Rights Due Diligence for Business in Conflict-Affected Contexts 2022

B+HR Asia Project Brief

Annex 4: Ethics Pledge



ETHICAL GUIDELINES FOR EVALUATION

PLEDGE OF ETHICAL CONDUCT IN EVALUATION



By signing this pledge, I hereby commit to discussing and applying the UNEG Ethical Guidelines for Evaluation and to adopting the associated ethical behaviours.



INTEGRITY

I will actively adhere to the moral values and professional standards of evaluation practice as outlined in the UNEG Ethical Guidelines for Evaluation and following the values of the United Nations. Specifically, I will be:

- **Honest and truthful** in my communication and actions.
- **Professional**, engaging in credible and trustworthy behaviour, alongside competence, commitment and ongoing reflective practice.
- **Independent, impartial and incorruptible**.



ACCOUNTABILITY

I will be answerable for all decisions made and actions taken and responsible for honouring commitments, without qualification or exception; I will report potential or actual harms observed. Specifically, I will be:

- **Transparent regarding evaluation** purpose and actions taken, establishing trust and increasing accountability for performance to the public, particularly those populations affected by the evaluation.
- **Responsive** as questions or events arise, adapting plans as required and referring to appropriate channels where corruption, fraud, sexual exploitation or abuse or other misconduct or waste of resources is identified.
- **Responsible** for meeting the evaluation purpose and for actions taken and for ensuring redress and recognition as needed.



RESPECT

I will engage with all stakeholders of an evaluation in a way that honours their dignity, well-being, personal agency and characteristics. Specifically, I will ensure:

- **Access** to the evaluation process and products by all relevant stakeholders – whether powerless or powerful – with due attention to factors that could impede access such as sex, gender, race, language, country of origin, LGBTQ status, age, background, religion, ethnicity and ability.
- **Meaningful participation and equitable treatment** of all relevant stakeholders in the evaluation processes, from design to dissemination. This includes engaging various stakeholders, particularly affected people, so they can actively inform the evaluation approach and products rather than being solely a subject of data collection.
- **Fair representation** of different voices and perspectives in evaluation products (reports, webinars, etc.).



BENEFICENCE

I will strive to do good for people and planet while minimizing harm arising from evaluation as an intervention. Specifically, I will ensure:

- **Explicit and ongoing consideration of risks and benefits** from evaluation processes.
- **Maximum benefits** at systemic (including environmental), organizational and programmatic levels.
- **No harm**. I will not proceed where harm cannot be mitigated.
- **Evaluation makes an overall positive contribution** to human and natural systems and the mission of the United Nations.

I commit to playing my part in ensuring that evaluations are conducted according to the Charter of the United Nations and the ethical requirements laid down above and contained within the UNEG Ethical Guidelines for Evaluation. When this is not possible, I will report the situation to my supervisor, designated focal points or channels and will actively seek an appropriate response.

Patrick Hagan

05 Dec 2023

(Signature and Date)

Annex 5: Evaluation Terms of Reference

POST TITLE: International Consultant – Final Evaluation of UNDP Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Respect, Protect and Remedy Framework ((B+HR Asia)

AGENCY/PROJECT NAME: UNDP Bangkok Regional Hub

COUNTRY OF ASSIGNMENT: Home-Based

DURATION OF ASSIGNMENT: 30 March – 30 June 2024 (40 working days)

Project Title

Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Respect, Protect and Remedy Framework (B+HR Asia)

Project Description

The UN Guiding Principles (UNGPs) on Business and Human Rights are widely recognized as the most authoritative, normative framework guiding efforts to reduce or eliminate the adverse impact of business operations on human rights. The UNGPs consist of three pillars and are grounded on a polycentric governance framework promoting a so-called “smart mix of measures.” The first pillar of the UNGPs concerns the State duty to protect human rights in business operations under established international human rights law. The second pillar addresses the responsibility of business enterprises to respect human rights through policy commitments and processes. The third and final pillar stresses the need for both State and non-State actors to promote access to effective remedies to victims of business-related abuses through providing or cooperating in judicial and non-judicial grievance mechanisms.

In Asia, governments and business are more widely aware of the UNGPs and its importance to ensuring high volumes of trade and investment. Thailand adopted Asia’s first stand-alone National Action Plan on BHR (NAP) on Business and Human Rights (BHR) in 2019, followed by Japan in 2020. Other States in Asia are following suit with NAPs in development in India, Indonesia, Malaysia and Pakistan. There is a unique opportunity to build momentum in the region, building on existing political commitments from states, while engaging business and civil society under a wider heading of responsible or sustainable business practices.

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. As regional momentum took shape, the European Union (EU), Service for Foreign Policy Instruments was approached to deepen engagement at the country level, which would eventually include India, Indonesia, Malaysia, Mongolia, Myanmar, Sri Lanka and Thailand.

The Project, “Business and Human Rights in Asia: Enabling Sustainable Economic Growth through the Protect, Respect and Remedy Framework,” (B+HR Asia) was thus designed with an aim to promote the implementation of the UNGPs in Asia at the country level, 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 EU, the project has been driving progress on BHR in the region, engaging diverse stakeholders including governments, businesses, civil society organizations (CSOs), and independent national human rights institutions (NHRIs). Importantly, in mid-2020, the EU approached UNDP to provide for supplementary funding to support the opening of activities in Mongolia and for the uptake of regional level work linking BHR to environmental issues. An amended project document was agreed on November 2020.

This project contributes to the UNDP Asia-Pacific Regional Programme Output 2.3 Institutions, networks and nonstate 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:

- 1) To engender greater awareness and knowledge, and strengthen political will in furtherance of policy convergence and compliance with the UNGPs;
- 2) To enhance communication and public diplomacy around Business and Human Rights thereby building public interest and support;
- 3) To support access to remedy and other rights-based solutions such that human rights abuses are prevented; and
- 4) To explore interlinkages between adverse environmental and human rights impacts by business operations is better understood and policy action is more clearly articulated.

Scope of Work, Responsibilities and Description of the Proposed Work

The Purpose and Objectives of Final Evaluation

The Final Evaluation aims to inform the B+HR Asia team and its partners on outcomes of the project, lessons-learned, results achieved and areas of improvement. The Evaluation will draw on the Mid-Term Review (completed in May 2022), as well as project deliverables, identify gaps in programming, and any course correction required for a second phase of programming. Furthermore, the findings of the Evaluation aim to inform broader programming on BHR in the region, as well as inform various initiative organized by UNDP Regional Hubs and Country Offices (COs) globally.

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 Eval 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, Evaluation will serve to:

- assess project performance and progress against the expected outcome, expected outputs, targets including indicators presented in the RRF
- review and document the success and draw out lessons for deepening impact
- assess the effectiveness of the project’s engagement with diverse stakeholders including governments, businesses, civil society organizations (CSOs), national human rights institutions (NHRIs), human rights defenders and other rights-holder groups in the implementation of the UNGPs and the development process of the NAPs
- review role of the project in enhancing the importance of and the space for the UNGPs at the national, and to a lesser extent, the regional level, while contributing knowledge, guidance and the development and application of the UNGPs through advocacy, policy development, technical advisory support, capacity building, awareness raising, innovation platforms, regional peer learning events, and South-South cooperation
- identify challenges and the effectiveness of the strategic approaches that the project adopted for

addressing those challenges ascertain the relevance, effectiveness, efficiency, and sustainability of the project interventions

- outline recommendations, including potential realignments in scope and approach in line with the project’s desired outcome provide forward looking recommendations to inform the future of UNDP’s work on BHR in the region along with the final evaluation

The Scope of the Final Evaluation

The Final Evaluation is expected to assess the B+HR Asia project progress against the project Theory of Change (ToC) and the achieved results from 30 March – 30 June 2024, and propose recommendations which will inform the designing of any future similarly placed projects. The Evaluation will be based on a desk review of project related documents (including the Mid-Term Review) and in-depth virtual interviews as outlined in the methodology section.

The Evaluation’s geographical coverage must include the project’s target countries, namely: India, Indonesia, Malaysia, Mongolia, Myanmar, Sri Lanka and Thailand. The Evaluation may also examine the regionality aspects of the project (such as work on business, human rights and the environment), but should focus primarily on country level, and as measured by resources available.

In responding to the Evaluation purpose and objectives, the Evaluation criteria and guiding questions can be outlined below:

Table 1 – Criteria and Guiding Questions

Criteria	Guiding Questions
<p style="text-align: center;">Relevance</p>	<p><i>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 following guiding questions.</i></p> <ol style="list-style-type: none"> 1. To what extent was the project in line with the regional development priorities and UNDP Strategic Plan and its direction on human rights? 2. To what extent does the project contribute to the ToC for the relevant regional programme outcomes? 3. To what extent were the project activities in target countries in line with national development priorities and country development programme outputs and outcomes? 4. To what extent is the overall design and approaches of the project relevant? 5. To what extent were the inputs and strategies identified realistic, appropriate and adequate to achieve the results? 6. To what extent did the project achieve its overall outputs? Are the project’s contributions to outcomes clear? 7. To what extent was/is the project able to raise awareness of the UNGPs in the region and translate them into country-level action plans for implementation of the UNGPs and/or policy movements towards the implementation of the UNGPs? 8. To what extent did the project contribute to promoting responsible business practices as well as overall human rights conditions in the region? 9. To what extent does the project contribute to gender equality and women’s empowerment? 10. To assess whether the results achieved had a differentiated impact on women and other vulnerable groups? 11. To what extent has the project been appropriately responsive to the COVID- 19 pandemic as well as other political, legal, economic, institutional changes in target countries and the region?
<p style="text-align: center;">Effectiveness</p>	<p><i>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;</i></p>

Criteria	Guiding Questions
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	<ol style="list-style-type: none"> 1. To what extent have the project activities delivered effectively in terms of quality, quantity, and timing? 2. How effective were the strategies used in the implementation of the project? 3. To what extent was the project successful in enhancing the capacity of States to implement the UNGPs and the development process of the NAPs and/or policies aimed at enhancing corporate accountability for human rights violations into the governments' priorities? 4. What are the key internal and external factors (success & failure factors) that have contributed, affected, or impeded the achievements, and how have UNDP and other partners managed these factors? 5. 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? 6. 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? 7. To what extent have stakeholders been involved in project implementation? To what extent are project management and implementation participatory? 8. To what extent have the South-South cooperation and knowledge management contributed to the regional momentum on developing the NAPs and/or other similarly placed policies on Business and Human Rights?
Efficiency	<p><i>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.</i></p> <ol style="list-style-type: none"> 1. To what extent is the existing project management structure appropriate and efficient in generating the expected results? 2. Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve outcomes? 3. Was the process of achieving results efficient? Were the resources effectively utilized? 4. Did the project activities overlap, and duplicate other similar interventions funded nationally, and/or by other donors? 5. To what extent did the project produce synergies within UNDP and with other development partners and play complementary roles each other? 6. What is the added value of the project's approach for influencing the implementation of the UNGPs and development process of policies on the UNGPs (e.g. NAPs) at the national and sub-national levels? 7. 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	<p><i>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;</i></p> <ol style="list-style-type: none"> 1. What is the likelihood of the continuation and sustainability of 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? 2. How were capacities of a various set of BHR stakeholders strengthened at the national level through regional peer-learning and south-south cooperation? 3. Describe key factors that will require attention to improve the prospects of sustainability of Project outcomes and the potential for replication of the approach? 4. To what extent do stakeholders support the project's long-term objectives? 5. To what extent will financial and economic resources as well as political will be available to sustain the benefits achieved by the project? 6. Are there any social or political risks that may jeopardize sustainability of project outputs and the project's contributions to country programme outputs and outcomes?

Criteria	Guiding Questions
	7. What have the benefits or return on investment of the outputs of the project, and which can be reasonably sustained and/or scaled up over time?

Final Evaluation Methodology

The evaluation will adhere to the UNDP Evaluation Policy and UNDG Norms & Standards with its findings and judgement based on sound evidence and analysis, clearly documented in the review report. Information will be triangulated (i.e. verified from different sources) to the extent possible, and when verification is not possible, the single source will be mentioned. Analysis leading to evaluative judgement should always be clearly spelled out. The limitations of the methodological framework and analysis should also be discussed in the report. The Evaluation approach suggested here are indicative only. The Evaluation consultant should review the methodology and propose the final methods and data collection tools as part of the inception report. The Evaluation should employ a combination of both qualitative and quantitative evaluation methods and instruments. It should build upon the available programme documents, 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:

Table 2 – Some Methods of Collecting Data

Data Review	Approach (Suggested)
Review of relevant literature and documentation	The Evaluation Consultant is expected to carry out the following activities while reviewing relevant documents: <ol style="list-style-type: none"> 1. Desk study of relevant literature 2. Study and review of all relevant project documentation and evidence sources, which include a review of <i>inter alia</i> <ul style="list-style-type: none"> - The B+HR Asia Project document (cost sharing agreement) - Theory of change and Result Framework - Project quality assurance reports - Annual workplans - Activity designs - Consolidated quarterly and annual reports - Results-oriented monitoring report - Highlights of Joint-Steering Committee meetings - Technical/Financial monitoring reports - Project Annual Strategic Review minutes - Project Mid-Term Review including Management Response - UNDP Strategic Plan, and relevant UNDP Regional Programme Documents (i.e. 2018-2021, and 2022-2025) - UNDP Bangkok Regional Hub Regional Programme Document Mid-term review (RPD MTR – 2018-2021), - Other relevant communication materials and knowledge products such as research studies, policy brief, blogs, etc.
Online Interviews/Consultations	<ol style="list-style-type: none"> 1. In depth interviews (online) to gather primary data from key stakeholders using a structured methodology 2. Focus Group discussion (online) with project beneficiaries and other stakeholders 3. Interviews (online) with relevant key informants including the UN agencies and other implementing partners

Data Review	Approach (Suggested)
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	<p>4. Online meetings and or discussions with relevant stakeholders to complement the information received from other sources and for triangulation of information.</p> <p>5. Development of evaluation questions around relevance, effectiveness, efficiency, and suitability and designed for different stakeholders to be interviewed based on stakeholder analyses. Online surveys or zoom meetings may be conducted to solicit feedback.</p>
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Gender and Human Rights-based Approach

Evaluation must include an assessment of the extent to which the design, implementation, and results of the project have incorporated gender equality perspective and rights-based approach. The Evaluation Consultant is requested to review UNEG’s Guidance in Integrating Human Rights and Gender Equality in Evaluation during the inception phase. The methodology used in the evaluation, including data collection and analysis methods should be human rights and gender-sensitive to the greatest extent possible, with evaluation data and findings disaggregated by gender. Detailed analysis on disaggregated data will be undertaken as part of final evaluation from which findings are consolidated to make recommendations and identify lessons learned for enhanced gender responsive and rights-based approach of the project and future initiatives.

List of key agencies, stakeholders and partners for evaluation UNDP

- UNDP B+HR Asia EU project team members
- UNDP Country Focal Points from India, Indonesia, Malaysia, Mongolia, Myanmar, Sri Lanka, and Thailand
- B+HR Asia Programme Team at the regional and global level

Stakeholders:

- Project donor and other partners
- International development partners (ILO, UN Women, OHCHR, OECD, etc.)
- UN Working Group on Business and Human Rights
- National Human Rights Institutions
- Ministry of Law and Human Rights, Ministry of Commerce, Ministry of Foreign Affairs, etc.
- CSOs and Human Rights Defender groups
- Academia
- Relevant private sector companies and/or business associations.

Expected Outputs and deliverables

The following deliverables, in line with the International Evaluation Office’s (IEO) Guidance, are expected:

Table 3 – Expected Deliverables and Descriptions

#	Deliverables	Description	Due Date
1	Workplan and methodology	The workplan should provide clear timeline of how each Evaluation steps will be undertaken. The consultant is required to provide clear key informant interview and/or focus group discussion schedule, with assistance from the BHR project team at BRH. As UNDP BRH completed the RPD MTR, the consultant is expected to review the RPD MTR findings and methodology used for the process as this will help inform the design of B+HR Asia project Evaluation approach and methodology. The B+HR Asia final evaluation	10 days after the contract is signed

#	Deliverables	Description	Due Date
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		methodology should provide a specific assessment framework, covering both quantitative and qualitative dimensions, with a detailed list of required stakeholders who need to be interviewed in the evaluation process. A simple stakeholder analysis for conducting interviews and evaluations can be conducted. The draft methodology can be adjusted later once the Evaluation consultant has completed the desk review of the project related documents. The final evaluation approach and methodology can be presented as a part of the Inception Report.															
2	B+HR Asia Evaluation Inception report	<ul style="list-style-type: none"> 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 Evaluation consultant before going into a full-fledged evaluation exercise. It should detail the reviewing approach, proposed format, and table of content of the Final Evaluation report. It must also outline the 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 an evaluation matrix. The inception report should provide UNDP/EU and the Evaluation 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 Evaluation Inception report should include an Evaluation Matrix. The matrix should include key evaluation criteria, indicators, question, and sub-questions to capture and assess them. <p><u>Evaluation Matrix</u> An evaluation matrix will be submitted as part of the inception report. The matrix should include evaluation questions that the evaluator will answer, data sources, data collection and analysis tools and methods appropriate for each source, and the standard or measure by which each question will be evaluated. Suggested format of the matrix is provided below.</p> <table border="1"> <thead> <tr> <th>Relevant evaluation criteria</th> <th>Key questions</th> <th>Specific sub-questions</th> <th>Data Sources</th> <th>Data Collection methods/tools</th> <th>Indicators/success standards</th> <th>Methods of data analysis</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p><u>Approval</u> The Evaluation Manager and Evaluation Reference Group will review the draft inception report, provide feedback and assure its quality. 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 evaluation process. The final inception report and evaluation matrix will be approved by the Evaluation Manager.</p>	Relevant evaluation criteria	Key questions	Specific sub-questions	Data Sources	Data Collection methods/tools	Indicators/success standards	Methods of data analysis								17 January 2024
Relevant evaluation criteria	Key questions	Specific sub-questions	Data Sources	Data Collection methods/tools	Indicators/success standards	Methods of data analysis											
3	Final Evaluation Briefing	After completion of data collection or before sharing the draft report, the evaluator should present preliminary debriefing and findings to the UNDP B+HR/EU Joint Steering Committee and Evaluation reference group.	31 May 2024														
4	Draft B+HR Asia Evaluation Report	<ul style="list-style-type: none"> The Evaluation Advisory Group¹ will review the draft B+HR Asia Project Evaluation report to ensure that it meets the required quality standards and covers all agreed components and contents of the final evaluation. Detailed comments and feedback on the draft report will be 	14 June 2024														

#	Deliverables	Description	Due Date
		<p>provided to the Evaluation consultant, and discussions may be held to provide clarifications as necessary.</p> <ul style="list-style-type: none"> The draft report will also be shared with stakeholders and other partners, including the EU, for additional feedback and inputs. Evaluator should submit a comprehensive draft report consisting of major findings and recommendations for future course of action. The evaluator is requested to review IEO's Quality Standards for evaluations to ensure that the report meets its criteria. 	
5	Final B+HR Asia Evaluation Report	<ul style="list-style-type: none"> The final evaluation report will be produced by the Evaluation 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 the EU, its stakeholders and other relevant partners. The final draft report should be submitted within the given timeline with enough detail and quality. 	21 June 2024
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 trail to show they have addressed comments. This document can be submitted as an Annex to the final evaluation report (please see template in the Annexes).	26 June 2024

Institutional Arrangements/Reporting Lines

The B+HR Asia Final Evaluation requires only one international consultant to complete the Evaluation. The Final Evaluation is estimated to commence on **30 March** and will need to be completed before **30 June 2024** at the latest (maximum 40 working days)

The principal responsibility for managing this evaluation resides with UNDP BRH B+HR Asia project manager, with support from the project Monitoring and Evaluation Officer at UNDP Bangkok Regional Hub. The B+HR Asia Team will contract the Evaluation consultant and help with the day-to-day coordination for evaluation process with different stakeholders. The details of the implementation arrangement are described in Table 4.

Table 4 – Implementation Arrangements

Who (Responsible)	What (Responsibilities)
Evaluation Advisory Group as Evaluation Manager	<ul style="list-style-type: none"> Assure smooth, quality, and independent implementation of the evaluation with needful guidance from UNDP's Senior Management. Hire the national consultant 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 EU Project Manager, and B+HR Asia EU Monitoring & Evaluation Officer)	<ul style="list-style-type: none"> Draft ToR to be reviewed and finalized by the <i>Evaluation Manager</i> 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	<ul style="list-style-type: none"> 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.

Who (Responsible)	What (Responsibilities)
Evaluation Consultant	<ul style="list-style-type: none"> • 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
Evaluation Reference Group	<ul style="list-style-type: none"> • The Evaluation 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, EU representatives 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 B+HR Asia Evaluation will remain fully independent. 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 and relevant stakeholders and noted comments from participants which will be incorporated in the final report. Contractor will arrange online final presentation with UNDP BRH and relevant stakeholders and noted comments from participants which will be incorporated in the final report.

The evaluator will incorporate two rounds of feedback from UNDP on the draft report.

The final report will be signed off by Business and Human Rights Specialist/Project Manager, B+HR Asia Team, UNDP Bangkok Regional Hub.

Evaluation Ethics

To promote trust and confidence in evaluation in the UN, all UN staff engaged in a final evaluation and evaluation consultants working for the United Nations system are required to commit themselves in conducting the evaluation in accordance with the principles outlined in the UNEG ‘Ethical Guidelines for Evaluation’³ and writing to the Code of Conduct for Evaluation. The consultants 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 consultant 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.

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

Experience and Qualifications

I. Academic Qualifications:

- A minimum of a master's degree or equivalent in law, political science, development studies, history, or other relevant social science.

II. Years of experience:

- At least 15 years of professional experience in the provision of policy, analytical, and technical advisory support for international development organization.
- At least 5 years of proven experience in development, risk assessment, and/or evaluation of programmes or projects in the area of human rights, democratic governance, rule of law, and/or development.
- Experience in the result-based management, evaluation methodologies and programme/project monitoring approaches with development partners
- The project mid-term review/evaluation experience with UNDP is highly desired.
- Sound understanding of the UN system and of UNDP's mandate and role.

III. Language:

- Excellent spoken and written English language skills required

IV. Competencies:

- Excellent in analytical and drafting skills
- Strong time management and organizational skills
- Strong interpersonal and communication skills
- Openness to change and ability to receive and integrate feedback

Payment Modality

The contract will be on a lump-sum basis.

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

#	Deliverables	Due Date	% Payment
1	Workplan and methodology	10 days after the contract is signed	10%
2	B+HR Asia Evaluation Inception report	17 May 2024	20%
3	Evaluation Briefing	31 May 2024	10%
4	Draft B+HR Asia Evaluation Report	14 June 2024	30%
5	Final B+HR Asia Evaluation Report	21 June 2024	20%
6	Audit Trail Form	26 June 2024	10%

Annex 6: Project Results Framework

EXPECTED OUTPUTS	OUTPUT INDICATORS	DATA SOURCE	BASELINE		YEAR 5		DATA COLLECTION METHODS & RISKS
			Value	Year	Target ⁴⁸	Achieved	
Output 1 Policy convergence and compliance with the UN Guiding Principles on Business and Human Rights increased	1. Number of National Actions Plans or their equivalent developed	Published National Action Plans or Policy documents	0	2019	4	3	Elections and other political circumstances may stall or bring processes on NAPs to a premature end.
Output 2 Public awareness of the Business and Human Rights Agenda enhanced	2.1 Number of communications products shared with the public (Enhanced social media products, articles in periodicals, and short videos. Viewing numbers and ratings of public/media/communication products and campaigns will be registered)	Published reports, social media messaging, videos, news articles	0	2019	24	104 campaigns (a total of 691 products)	Availability of researchers and data may hinder output of research findings. Political circumstances may hinder social media campaigning and messaging. Trade negotiations can disrupt efforts at communications.
	2.2 Number of knowledge products, including issue briefs, think pieces, and research products shared with the public	Training reports, workshop reports, roundtable reports	0	2019	20	23	Availability of materials on topics and raised awareness on UNGPs and benefits of HR and sustainable development provisions in trade and investment agreements dependent on EU DG Trade cooperation

⁴⁸ Targets for UNDP Results Framework calculated cumulatively as per Project Document.

Output 3 Access to remedy and other rights-based solutions increased	3.1 Number of beneficiaries in pursuit of access to remedy supported by civil society actors (Support or engagement can include legal aid provision, legal advice or mediation support, training in rights, and other levels of support depending upon country circumstances)	CSO partner reports, surveys	0	2019	70	6,876	CSO capacity to support human rights defenders, individuals seeking remedies, and communities opposing business operations will be determined by political circumstances, and safety concerns for stakeholders seeking remedy.
	3.2 Number of training and events organized or supported to reinforce skills and competencies of businesses to conduct human rights due diligence and operate effective grievance mechanisms	Training reports, workshop reports, event reports	0	2019	16	124	Decreasing appetite of companies to invest in responsible business practices and human rights due diligence processes due to economic challenges.
Output 4 Interlinkages between adverse environmental and human rights impacts by business operations is better understood so that policy action is more clearly articulated	4.1 Number of knowledge products, including issue briefs, think pieces, and research products shared with the public	Training reports, workshop reports, roundtable reports, other knowledge publications	0	2020	5	21	Availability of researchers and data may hinder output of research findings. Political circumstances may hinder social media campaigning and messaging. Trade negotiations can disrupt efforts at communications.
	4.2 Number of events organized or supported to enhance multi-stakeholder dialogues on the impact of Asian business operations and supply chains on the human rights and environment nexus	Training reports, workshop reports, event reports	0	2020	5	6	Online events-fatigue through travel restriction periods could affect attendance. Appetite from different sectors might be affected by economic difficulties and changing priorities in the post-COVID context.
	4.3 Number of communications products shared with the public (Enhanced social media products, articles in periodicals, and short videos. Viewing numbers and ratings of public/media/communication products and campaigns will be registered)	Published reports, social media messaging, videos, news articles	0	2020	12	16	Availability of researchers and data may hinder output of research findings. Political circumstances may hinder social media campaigning and messaging. Trade negotiations can disrupt efforts at communications.