



**LO-NORWAY- MCTU FINAL EVALUATION REPORT,
2010-14**



BY

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JUNE 2015

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ACKNOWLEDGEMENTS

During the course of this external evaluation, the team benefitted immensely from excellent backstopping and logistical support from the Norwegian Confederation of Trade Unions (LO-Norway) team comprising Nina Mjøberg, Head of International Co-operation, Tuva Bugge, Africa Advisor, International Department, and Alice Gondwe Siame, Regional Consultant for Africa. During the study visit of Malawi between the 12th and 21st of April 2015, we were accompanied by Ms. Siame Gondwe, who provided support and useful insights beyond the call of duty, for which we are indebted. We are particularly inspired and encouraged by her heart for Africa and her genuine desire to see the working people's conditions on the continent sustainably improved.

The leadership of the Malawi Congress of Trade Unions (MCTU) warmly received us and provided a congenial environment for the evaluation, always looking for ways of facilitating the evaluation. For this, we owe you a huge debt of gratitude. Our point-person at MCTU, Sister Jessie Ching'oma was untiring in her efforts to ensure that everything went according to plan, and was often with us way past normal working hours. Your heart is in the right place.

To all those we interviewed during the course of the evaluation in Malawi, whose names are in Appendix I, this evaluation would not have been possible without your selfless sharing of your experiences and information. We sincerely thank you for your generous inputs, and for setting aside your valuable time to meet us and discuss the activities you participated in, and your role in this Co-operation Agreement. We hope we have done justice to all the information you off-loaded on us, and that this Report will assist in taking this precious work forward to achieve all your objectives.

We would also like to express our sincere appreciation to the ILO Senior Expert on Workers' Activities based in Pretoria, Ms. Inviolata Chinyangarara, who kindly agreed to be interviewed on the side-lines of the FOS-Belgium partners' meeting in Johannesburg on the 6th of May 2015, and agreed to share the Report on the MCTU Organizational Review and Capacity Assessment of December 2013 which assessed the capacity of MCTU to implement the 2012-15 Strategic Plan and was funded by the ILO.

While we are happy to acknowledge the support we received from the aforementioned, we remain solely responsible for the positions taken in this Report, and any errors of omission or commission therein.

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ACRONYMS

ALEN	African Labour Educators' Network
ALRN	African Labour Research Network
BCCEWU	Building, Construction and Civil Engineering Workers Union
CBAs	Collective Bargaining Agreements
CCMA	Commission for Conciliation, Mediation and Arbitration
CEMAU	Chemicals, Energy Mining and Allied Workers Union
CEYCA	Centre for Youth and Children's Affairs
CIAWU	Commercial Industrial and Allied Workers Union
COMATU	Congress of Malawi Trade Unions
COWUMA	Communication Workers Union of Malawi
CSTU	Civil Servants Trade Union
ECAM	Employers' Consultative Association of Malawi
FNV	Federation of Dutch Trade Unions
GUFs	Global Union Federations
HFPCSU	Hotel Food Processing and Catering Services Union
HIV / AIDS	Human Immuno-Deficiency Virus / Acquired Immuno Deficiency Syndrome
ILC	International Labour Conference
ILO	International Labour Organization
ILRF	International Labour Rights Forum
ITUC	International Trade Union Confederation
JCCs	Joint Consultative Committees
KRAs	Key Result Areas
LO-FTF	Danish Trade Union Council for International Development Co-operation
LO-Norway	Norwegian Confederation of Trade Unions
LO-TCO	Swedish Trade Union Confederation Secretariat of International Trade Union Development Cooperation
MANGO	Management Accounting for Non-Governmental Organizations
MCP	Malawi Congress Party
MCTU	Malawi Congress of Trade Unions
M-DWCP	Malawi Decent Work Country Programme
MHCWU	Malawi Housing Cooperation Workers Union
MK	Malawian Kwacha
MUFIS	Malawi Union for Informal Sector
NEDLAC	National Economic Development and Labour Council
NONM	National Organization of Nurses and Midwives of Malawi
OATUU	Organization of African Trade Union Unity
OSH	Occupational Health and Safety
PanAf	Pan-African Workers' Education Programme (OATUU & LO-Sweden)
PSEUM	Private Schools Employees Union of Malawi
PAWUM	Plantation Agriculture Workers Union of Malawi
SATUCC	Southern African Trade Union Co-ordination Council
SCATTU	Shipping Customs and Clearing Agents Trade Union
SPAWUM	Sugar Plantation and Allied Workers Union of Malawi
TGLSSWU	Textiles, Garments, Leather and Security Services Workers Union
TOAWUM	Tobacco Tenants and Allied Workers' Union of Malawi
TPT	Tackling Poverty Together
TUCM	Trade Union Congress of Malawi
TUCOSWA	Trade Union Congress of Swaziland
TUM	Teachers Union of Malawi
WETUM	Water Employees Trade Union of Malawi

EXECUTIVE SUMMARY

This end of project evaluation was undertaken on behalf of LO-Norway and its Co-operating Partners in Malawi, namely, the Malawi Congress of Trade Unions (MCTU) (Organizational Development), the Ministry of Labour and Manpower Development (Social Dialogue in Malawi), and the Tobacco Tenants and Allied Workers' Union of Malawi (TOAWUM) (Training and Education) covering the period 2010-14.

This evaluation was undertaken to seek ways of leveraging improved social relations amongst the tripartite partners in order to promote and protect workers' rights, strengthen the membership and financial base of MCTU, improve women's participation in decision making structures, improve the levels and quality of Collective Bargaining Agreements (CBAs), and explore other modalities of cooperation that enhance results and reduce donor dependency. Given these identified needs, the evaluation also seeks to assess the progress and results, efficiency of the implementation and sustainability of current arrangements and the continued relevance of the programme in order to determine the nature of future support and cooperation. The evaluation relied heavily on qualitative research methods including literature review, interviews, and focused group discussions.

The findings of the evaluation are as follows:

On organizational development support towards MCTU, while significant progress was made in terms of organizing and recruitment of new members at three out of the six targeted unions, the overall membership however is only 1.2 percent higher than the baseline level of 137,000 in 2009, against a target of increasing membership by 10 percent per year between 2010 and 2014. The target of organizing 5 new enterprises/branches per year was achieved, as well as the target of at least 30 percent of the new members being women. However, the target of having at least 30 percent of the new members being youth could not be verified due to lack of adequate reporting on the issue. An important observation is the failure by assisted unions to declare the new members to MCTU as required. The expected reduction of the number of affiliates to 17 by 2012 was not achieved. A challenge remains in terms of establishing an updated and reliable membership database, as unions under-declare membership to minimize their subscriptions.

On education and training, a total of 1,632 workers benefitted during the programme period, 54.1 percent of whom were women. An impressive database of trained cadres is in place, broken down by gender and age. However, their deployment appears ad hoc and hence the need for a more systematic approach at both the MCTU and affiliate levels to achieve the expected multiplier effect. Training materials were produced on collective bargaining, shop-stewards, occupational health and safety, and finance handling for trade unions.

Based on the agreed target of at least 4 new unions adopting gender policies per year, this implies at least 20 affiliates should have had gender policies by end of 2014. Available evidence suggests that as at 2014, only six unions had draft gender policies. The levels of women elected into decision-making positions improved from 20 percent to 42.9 percent at the last MCTU Congress in 2012, while at affiliate level the improvement was from 40 percent to 60 percent. The target of negotiating at least 3 gender-sensitive CBAs per year was exceeded with at least 4 CBAs being concluded each year of the programme.

On internal democracy, the MCTU Constitution was updated and revised in 2011, and now has a clause stipulating that 50 percent of elected positions should be held by women. MCTU held its quadrennial Congress and women and youth committee conferences in September 2012, and holds internal structural meetings as mandated. With the participation of its affiliates, MCTU developed a new Strategic Plan for the period 2012-15. This was

followed by an assessment of its organizational capacity to implement the Strategic Plan which was concluded at the end of 2013 with ILO support. The available information on affiliates suggests that only one amended its Constitution in 2014, and only two did so in 2013. The MCTU report for 2014 indicates 7 affiliates were overdue for congresses. Affiliates seem to have challenges fulfilling constitutional mandates, and are failing to provide MCTU with their audited accounts as required. Issues of internal democracy could also be strengthened by ensuring that all work plans of staff are approved by the Secretary General and the Deputy Secretary General, with all staff reporting through the Deputy.

Programme components are especially relevant in a context of low trade union membership, politically induced exploitative tendencies and poor working conditions, limited enjoyment of human and trade unions rights, as well as their alignment with the Malawi Decent Work Country Programme (M-DWCP) (2011-16) and MCTU's Strategic Plan (2012-15), and excessive dependence on external support. Management of resources, and especially finances improved over time as evidenced by few repeat issues in the management reports. The strategy of prioritizing sectors with greatest membership potential and joint MCTU and affiliate union organizing work is a more efficient approach to deploying limited resources.

However, sustainability of results remains a challenge, constituting a significant going concern risk. Apart from low paid up membership, subscriptions in 2013 and 2014 were at 57.3 percent and 79.4 percent of the 2010 level, respectively. On average, subscriptions increased by 0.8 percent per year during the programme period 2010-14, against a target growth of 20 percent per annum. In addition, subscriptions amount to only 10 percent of MCTU's total income, with the support from LO-Norway constituting 70 percent. Even at the low subscription level of MK4 per member per month, arrears amount to MK3,122,620 (US\$6,788) as at 31st March 2015. Tellingly, at an average of 0.43 for the period 2010-14, the liquidity ratio implies current assets cannot cover current liabilities, yet a ratio of 2:1 is deemed adequate.

The project on education and training with TOAWUM did not perform as planned. While the education and training activities went ahead as scheduled, at organizational level, the union disintegrated into two factions that have brought into question its going concern status. However, the support for Social Dialogue under the Ministry of Labour produced impressive results, with the project being credited with resurrecting the concept of tripartism in Malawi.

A key lesson learnt is that while the partnership with LO-Norway was results-based, with regular reporting centred on agreed performance indicators, there was a failure to take early remedial action in areas where results were not forthcoming. In terms of the way forward, organizational development support for MCTU could focus on the issue of consolidating the sustainability of the results, and implementing a phased aid exit strategy based on organizing and recruitment, facilitating mergers, education and training, gender mainstreaming, viable subscriptions, and an aggressive financial management and mobilization strategy.

The value addition with respect to the education and training support to TOAWUM lies with an emphasis on merging the agricultural unions in line with the 'one-industry-one union' policy, and building the capacity of the amalgamated union. Lastly, strengthening and consolidating the ground-breaking work on promoting social dialogue in Malawi may now require support towards institutionalizing the dialogue process and integrating it into the Malawi Decent Work Country Programme (M-DWCP) given the overlaps and synergies.

1.0 BACKGROUND INFORMATION AND CONTEXT

1.1 Profile of MCTU

The Malawi Congress of Trade Unions (MCTU) was established at the dawn of the democratic dispensation in 1995 following the dissolution of the government controlled Trade Union Congress of Malawi (TUCM) which existed under the one-party state of Hastings Banda. MCTU has 23 affiliates cutting across almost all economic sectors of Malawi, with a paid up membership of 138,690 (as at April 2015).

MCTU is currently the most representative of the two existing trade union federations in Malawi, the other being the breakaway Congress of Malawi Trade Unions (COMATU), which has only two affiliates and has little or no influence at all. The mandate of MCTU is to promote, defend, protect, unite and strengthen workers and trade union rights in pursuit of social justice for workers in Malawi (see Constitution of MCTU, 2011).

1.2 Current Socio-Economic and Political Context in Malawi

Malawi is a small landlocked country of 118,484 square kilometers with a population of 15.4 million people, 86.2 percent of who live in rural areas and 12.8 percent in urban areas, 52 percent of whom are female. It is bordered by Mozambique in the south and east, Zambia to the west and Tanzania to the east and north. The country attained independence on the 6th of July 1964. Until the advent of multi-partism in June 1993, Malawi was ruled by a one party dictatorship under the Malawi Congress Party (MCP) led by Dr. Hastings Kamuzu Banda. Since the era of political pluralism, Malawi has experienced four regime changes, which have all been tainted with controversy and allegations of corruption, resulting in the country not making the progress expected, and hence its relations with external partners is frosty.

Malawi has a fragile economy that is heavily dependent on rain-fed agriculture and a narrow range of products. Agriculture is the mainstay of the economy, providing livelihood for 80 percent of the population, accounting for over 90 percent of export earnings, and 35-45 percent of GDP. While maize is the staple crop, tobacco is the largest source of export earnings, generating 60 percent of export earnings. Small-holder agriculture is particularly dominant, accounting for more than 70 percent of agricultural GDP and around 85 percent of the rural workforce is employed in subsistence farming. Since 1981, the country implemented a series of structural and sectoral adjustment programmes, with the focus of economic policy shifting from estate agriculture to market-based macroeconomic policies, and more recently, the alleviation of poverty.

This notwithstanding, 40 percent of the population lives below the national poverty line, with a skewed distribution of income reflected in a Gini co-efficient of 0.62. The 2011/2012 economic and governance crisis reduced real GDP growth to 1.9 percent in 2012, from an average annual growth rate of 7 percent during the period 2006-10. Real GDP growth recovered to 5.2 percent in 2013 and a projected 5.7 percent in 2014. However, this growth is not inclusive and job-rich.

Of the 5.5 million employed persons aged 15-64 years, 60.1 percent were in precarious employment [either employed as contributing family workers or own account workers (53.6 percent for males and 66.9 percent for females)]. As much as 88.7 percent of all jobs were informal (83.8 percent for males and 93.6 percent for females), with only 11.3 percent of the employed persons formally employed, suggesting that decent work deficits abound in Malawi. The broadly unemployed (those without work and available for work) constituted 20.4 percent of the labour force (see 2013 Malawi Labour Force Survey).

2.0 OBJECTIVES AND METHODOLOGY OF THE EVALUATION

2.1 Brief Review of the Project/Cooperation

Since 1996, the MCTU and the Norwegian Confederation of Trade Unions (LO-Norway) have co-operated, mainly through projects. Through these agreements, LO-Norway has been providing support to MCTU for organizational development, and education and training. The latest Co-operation Agreement which is being evaluated covered the period January 2010 to December 2014. This Agreement had the overall objective to: “Build a strong, financially viable, effective, democratic and influential trade union movement in Malawi,” with special emphasis placed on financial management and recruitment of members in order to achieve higher levels of organizational and financial strength, through among other things: (i) the achievement of internal democracy; (ii) building the necessary capacity for effective service delivery to workers and participation in national issues; and (iii) development of the capacity to organize and working towards the attainment of financial sustainability and efficiency in administration and finance management.

In addition to the direct support to MCTU, LO-Norway in 2006 started to support a Social Dialogue project to equip the social partners with tenets of tripartism, improve relations and build consensus among the three social partners, namely, the MCTU, the Employers’ Consultative Association of Malawi (ECAM), and the Ministry of Labour. The Ministry of Labour coordinated the project until its closure in December 2014. A third component of the LO Malawi programme has been the support to the Tobacco Tenants and Allied Workers Union of Malawi (TOAWUM), mainly for training of membership. This project was also closed end of December 2014. The evaluation therefore reviews the following three programmes: (i) NAOMW: Organizational Development – MCTU; (ii) NATMW: Training and Education – TOAWUM; and (iii) NDWAF2: Social dialogue in Malawi – Ministry of Labour.

For the detailed Terms of Reference (ToRs) of the evaluation, see Appendix II.

2.2 Implementation and Methodology

The field work in Malawi was conducted from 12th to 21st April, 2015. The evaluation methodology was based mainly on qualitative approaches, including a desk review of project documentation shared by MCTU and LO-Norway, field work that involved interviews with MCTU elected leadership and staff; selected affiliate unions and other key stakeholders and beneficiaries, including the Ministry of Labour and ECAM, and MCTU auditors, Deloitte; direct observation; plenary discussions; focused group discussions with key informants (MCTU elected leadership, selected participants from various training activities, TOAWUM leadership, Malawi Human Rights Commission); and peer review.

The team also visited a tea factory, Lujeri Tea Estates, with the leadership of PAWUM, and also the Norwegian Embassy in Lilongwe. At the end of the working visit, the draft conclusions were presented to the elected leadership of MCTU and staff where further inputs and comments were solicited. After the on-site visit in Malawi, one of the evaluators interviewed the ILO Senior Expert on Workers’ Activities, Ms. Inviolata Chinyangarara on the side-lines of a FOS-Belgium partners’ meeting in Johannesburg on the 6th of May 2015. She provided useful insights and shared an ILO commissioned study of MCTU’s organizational capacity to implement the Strategic Plan entitled ‘MCTU Organizational Review and Capacity Assessment’ of 2013. The Agreement, especially its Appendix, between MCTU and LO-Norway which outlines the outputs, targets and baseline indicators, was used as a reference. Hence, the evaluation used the triangulation research methodology, which relies on a multi-method strategy in order to enhance confidence in the ensuing findings.

3.0 KEY FINDINGS OF THE EVALUATION

3.1 NAOMW: Organisational Development – MCTU

The five planned programme results/outputs under this phase of the agreement include the following:

- a) Plans for organizing and recruitment have been formulated and implemented;
- b) Increased gender equality within the trade unions and increased women's representation;
- c) Unions have good constitutions that are democratic, respected and adhered to;
- d) Unions have effective systems for membership management, dues collection and internal and external accountability;
- e) Relevant capacities developed at leadership and enterprise/workplace level.

3.1.1 Organizing and Recruitment of Members

a) Objectives of the programme

Under organizing, the planned result is that plans for organizing and recruitment have been formulated and implemented. The performance indicators include the following:

- i. 10 percent annual membership increase over the level of 137,000 of December 2009;
- ii. At least 30 percent of new members should be women;
- iii. At least 30 percent of new members should be young workers;
- iv. 5 new enterprises are organized per year (5 new branches per year);
- v. MCTU reduces its total number of affiliates, through mergers or amalgamations, to 17 by the end of 2012;
- vi. MCTU and affiliate unions have updated and reliable membership data disaggregated by gender and age.

Given the importance of membership to unions, it was hoped that MCTU would allocate at least 30 percent of LO-Norway funds to organizational activities. MCTU pledged to continue with membership recruitment, with priority given to unions with the highest potential, targeting women and young workers. To track performance, MCTU and unions undertook to maintain membership registers, and through MCTU's Research Department, to continue to review and collect latest statistics from affiliates disaggregated by gender and age. To promote strength among unions, MCTU sought to prioritize mergers and or amalgamations among its affiliates during the programme period with the objective of having fewer but more effective unions. As such, under this cooperation agreement, LO-Norway indicated that it would not fund participation from unions representing less than 1,000 paid up members.

b) Key activities accomplished

Interviews and document review indicated that the following activities were accomplished:

- In its Report of 2014, MCTU indicates that it organized workers with the following unions and in the process created new branches: (i) Plantation Agriculture Workers Union (PAWUM); (ii) Hotel Food Processing and Catering Services Union (HFPCSU); (iii) Commercial Industrial and Allied Workers Union (CIAWU); (iv) Communication Workers Union (COWUMA); (v) Private Schools Employees Union (PSEUM); and (vi) Sugar Plantation and Allied Union (SPAWUM). Table 1 reports the paid up membership of MCTU by affiliate for the period 2010-15.

Table 1: MCTU Paid Up Membership Schedule

Union	2010	2011	2012	2013	2014	% male	% female	2015	% male	% female
Building Construction	6,401	6,401	6,401	6,401	6,401	100	0	6,401	100	0
CIAWU	3,000	3,000	4,025	5,124	5,000	54.8	45.2	5,000	48.8	51.2
Electronic Media	1,500	1,500	1,508	350	350	82.3	17.7	412	77.4	22.6
ESCOM	1,500	1,500	2,845	2,845	2,845	100	0	2,900	100	0
Hotels & Catering	3,129	5,006	7,953	5,006	5,506	100	0	9,000	66.7	33.3
M.H.C	304	304	350	350	350	100	0	350	100	0
COWUMA	2,525	3,173	3,275	2,500	2,525	69.1	30.9	2,525	51.7	48.3
Plantation & Agric	200	200	3,500	11,852	11,852	58.4	41.6	11,852	58.5	41.5
Railways	415	415	359	368	368	100	0	368	95.1	4.9
Sugar plantation	8,598	8,598	8,024	6,229	8,024	98	2	8,598	94.8	5.2
T.U.M	43,000	43,000	44,000	35,000	43,000	65.1	34.9	43,000	65.1	34.9
Textile Garments	6,388	6,388	7,645	7,764	6,388	83.3	16.7	7,340	96.6	3.4
Tobacco Tenants	4,500	4,500	275	27,510	275	40	60	5,993	40	60
Transport & General	3,257	5,002	4,000	3,500	4,000	100	0	4,900	100	0
Water Employees	2,300	2,300	2,300	2,488	2,300	79.6	20.4	2,550	81.6	18.4
Private Schools	3,153	3,153	3,310	3,310	3,310	72.8	27.2	3,489	71.7	28.3
MUFIS	2,050	2,050	2,695	2,201	2,050	100	0	2,514	100	0
SCCATU	200	200	350	350	200	82.5	17.5	200	95	5
Civil Servants	12,000	12,000	13,200	13,200	13,200	100	0	15,000	60	40
Nurses Union	2,500	200	959	1,500	1,500	29.3	70.7	2,647	38.3	61.7
Municipal	4,500	4,500	4,500	4,500	4,500	64.9	35.1	2,240	80	20
University	1,500	1,500	1,085	1,085	1,085	100	0	1,085	100	0
Chemical	-	1,000	1,373	1,300	300	100	0	326	100	0
TOTAL	112,920	115,890	123,932	144,733	125,329	77.4	22.6	138,690	71	29
Increase in Membership		2,970	8,042	20,801	-19,404			13,361		
% increase		2.6	6.9	16.8	(15.66)			10.66		

Source: MCTU Documents.

- As shown in Table 1, of the prioritized unions, the largest improvement in membership is for PAWUM. Indeed, during the evaluation mission, we met in Thyolo an elated leadership of PAWUM, which testified to the significant increase in its membership due to MCTU support. However, there is a discrepancy in that whereas the 2014 organizational development report indicates that 2,314 new members were recruited at PAWUM, the membership schedule (see Table 1) shows constant membership in 2014 compared to 2013. Also a commendable rise in membership was recorded by HFPCSU and to some extent CIAWU. BCCEWU also indicated

during the interview that three-quarters of its 6,401 members were organized through the LO-Norway supported programme, and as a result of this support, the union is now active in the three regions (north, south and central). TGLSSWU) also indicated that of its 7,340 members, about 34 percent were recruited through MCTU support.

- MCTU's organizational development reports for 2010-13 and 2014 state that resources allocated to organizing activities increased from 2 percent in 2010 to 17 percent in 2013, declining to 13 percent in 2014, against a benchmark of 30 percent set in the Agreement with LO-Norway for the period 2010-14. However, the overall membership of MCTU as at April 2015 is only 1.2 percent above the baseline level of 137,000 of 2009, and yet the target in the Cooperation Agreement was to increase membership by 10 percent per annum during the period 2010-14. Moreover, as reported in the various source documents and interviews, MCTU does not only have a low membership base, the paid up membership, which is what matters, is very low.
- The Cooperation Agreement also stipulated that at least 30 percent of new members should be women. Based on the 2,314 new members organized at PAWUM in 2014, out of the 2,228 that indicated their gender, 32.8 percent were female, while of the 107 new members organized in 2014 at HFPCSU, 34.6 percent were women. Out of the 203 new members organized at Mzimba Jatropa, of the 194 that gave their gender, 38.2 percent were female, while out of the 13 new members organized at Mzuzu Coffee Growers in 2014, 33.3 percent were women. Of the 69 new members at PSEUM in 2014, 18.8 percent were females, while of the 10 new members at COWUM (Airtel branch), 60 percent were women. Hence in all but one case, the proportion of the new members that was female exceeded the 30 percent benchmark indicated in the programme document.
- While the Agreement indicated that at least 30 percent of new members should be young workers, the data provided for membership for the period 2010-15 were not broken down by age except for HFPCSU where out of the 107 new members, 55.2 percent were youth, and also of the 10 new members recruited at COWUMA (Airtel branch), all (100 percent) were youth aged 15-35 years. The 2013 report on results and indicators of planned activities indicates that only 10 percent of new members were youth. The establishment of the Youth Committee in 2012, launching of a National Youth Wing, holding of youth activities and inclusion of the Youth in decision making structures of the union is commendable. Six unions (Railways, CSTU, Electronic Media, ESCOM, Textiles, and MHCWU) have fully functional youth structures. Notably, some youth have been elected into leadership positions: the General Secretary of CSTU is the vice chairperson of the Youth Committee, and the General Secretary of ESCOM staff union is vice secretary of the Youth Committee.
- There is evidence of attainment of the stipulated target of 5 new enterprises being organized per year (5 new branches per year). The 2014 organizational development report of MCTU states that new workplaces were organized in Karonga and Mulanje Thyolo, Chikwawa, Mangoche, and Blantyre, as well as new sectors (Non-Governmental Organizations, namely World Vision and Private Health Sector). The detailed information provided for 2014 shows that for PAWUM, 12 new estates were covered, namely, Makwasa (Sayama, Khongoloni and Makwasa divisions), Matawale, Mwalawaphande, Mapingo, Chiwale, Chilimwe, Miula, Mphwazi, Chisambo, Fumbi and Limbuli, as well as Mzimba Jatropa. For HFPCSU, new members were recruited at Beach Chamber Motel, Boat Beach, Culture and Education, Mphiri Lodge, Sumuka Inn, Taj Hotel, Club Marina, Mbuta Tourist Lodge, Face food, Chitimba Beach Camp, Safari Lodge and Namiashi Lodge. The 2013 Report on results and indicators for planned activities states that three (3) new enterprises; National Examinations Board, Njuli farms and Mota were organized, while the 2012 report shows that up to 6 new workplaces were organized.
- The project expectation that MCTU reduces its total number of affiliates, through mergers or amalgamations, to 17 by the end of 2014 was not achieved. In fact, the

total number of affiliates increased from the baseline level of 22 in 2009 to the current 23. Various reasons were offered during the interviews, ranging from fear of losing positions, procrastination, to lack of political will and courage to take the bull by the horns. Thus, five of the affiliates have membership of between 200 and 412, way below the 1,000 benchmark level cited in the Project Document. However, merger processes were initiated between (i) Communication Workers Union and Electronic Media Workers Union; (ii) Plantation Agriculture Workers Union, Sugar Plantation and Allied Workers Union, and Tobacco and Allied Workers Union; (iii) Hotels Catering and Food Processing Union merged with Carlsberg Union (which was not an affiliate of MCTU), and in 2014 with an independent company union at Coca Cola. Lastly, the Cooperation Agreement anticipated that by the end of the project period, MCTU and affiliates would have an updated and reliable membership data disaggregated by gender and age. MCTU's 2014 organizational development report simply states that membership records' updating was still in progress, while the 2013 report highlighted improvements in membership data, noting however that it is still work in progress. In addition, interviews revealed that union membership remains 'contested terrain.' Because of the association between membership and subscriptions, affiliates under-declare their actual membership, inflating it towards congress time, and reducing it thereafter. The annual reports of MCTU also highlight the drawback of the manual membership records.

3.1.2 Education and Training

a) Objectives of the programme

The planned results under education and training are that relevant capacities are developed at leadership and enterprise / workplace level; skilled shop stewards capable of representing their members are in place. The planned performance indicators include the following:

- At least 45 negotiators trained and retrained annually;
- At least 45 organizers trained and retrained annually;
- 20 trainers trained and retrained annually;
- 80 percent of elected shop stewards trained on their role, including in lobbying and advocacy skills;
- Number of trainings conducted on social security;
- Up to 34 Treasurer and Union finance officers trained in sound financial management (all affiliates will have had training at the end of the programme period);
- Materials and programmes produced on awareness raising, governance and transparency.

Under this programme, MCTU was encouraged to undertake special programmes for shop stewards, organizers, negotiators, trainers / educators, women, young people, leaders and management of finance. Those receiving training were expected to apply their skills, and be effective representatives of the union members, through promoting human and trade union rights, through social dialogue and negotiations and through lobby and advocacy.

b) Key activities accomplished

From the available documentary evidence, the following performance indicators were achieved under the education and training programme:

- Overallly, 12 activities were conducted in 2010, reaching 136 members (61.4 percent of whom were women); 10 activities were organized in 2011, with 256 workers trained, 43.6 percent of whom were women; 6 activities in 2012 involving 307

workers, 54.7 percent of whom were women; 17 activities in 2013 with 342 workers trained, 52.6 percent of whom were women; and 14 activities in 2014, with 375 workers trained, 55.2 percent of whom were women. Throughout the period 2010-14, a total of 1,632 persons were trained, 54.1 percent of whom were women.

- The performance indicator of 45 negotiators trained and retrained annually was achieved in 2011 when 45 were trained (40 percent women); 2012 when 51 were trained (25.5 percent women); 2013 when 64 were trained (46.9 percent women). There were no negotiators trained in 2010 and 2014.
- **At least 45 organizers trained and retrained annually:** Only 13 organizers were trained in 2011 (30.8 percent women); and a further 19 in 2013 (26.3 percent women). No organizers were trained in 2010, 2012 and 2014.
- **20 trainers trained and retrained annually:** 16 educators were trained in 2011 (50 percent women). No educators' training was held in 2010, 2012, 2013 and 2014.
- **80 percent of elected shop-stewards trained on their role, including lobbying and advocacy skills:** every year had shop-stewards training, with 156 trained in 2010 (39.7 percent women); 53 in 2011 (43.4 percent women); 24 in 2012 (29.2 percent women); 124 in 2013 (46 percent women); and 179 in 2014 (43.6 percent women).
- **Number of trainings on social security:** While a study was undertaken on social security in Malawi under the African Labour Research Network (ALRN), no other activities were undertaken on social security. However, the Malawi Government introduced the Pensions Act in 2010 which came into effect on 1 June 2011. On a related issue, 20 people were trained in OSH in 2013 (75 percent women); and a further 28 were trained in OSH in 2014 (53.6 percent women).
- **Up to 34 Treasurer and Union finance officers trained in sound financial management:** 24 treasurers were trained in 2010 (41.7 percent women); and in 2013, 14 were trained (35.7 percent women).
- **Materials and programmes produced on awareness raising, governance and transparency:** Training materials were produced for almost all target groups with the exception of the Youth Committee which is a relatively new structure. Training materials were produced on collective bargaining, on shop-stewards, on occupational health and safety and on finance handling for trade unions.
- A total of 117 women were trained in 2010, 20 in 2011, 88 in 2012, 40 in 2013, and 84 in 2014. The youth training programme started in 2013 after the youth structures were put in place in 2012, with 40 trained in 2013, 45 percent of whom were female; and 21 in 2014, 47.5 percent of whom were female. Leadership training was undertaken every year, with 55 trained in 2010 (49.1 percent women); 108 in 2011 (36.1 percent women); 144 in 2012 (41.7 percent women); 21 in 2013 (47.6 percent women); and 59 in 2014 (33.9 percent women).

We observe that while the training programmes were not necessarily according to plan in terms of the targeted numbers and activities, with various reasons given including floatation of the kwacha and increased costs, especially in 2012, there was no communication and approval from LO-Norway on the changes, even though the reasons were understandable. An impressive list of trained cadres was presented by gender and age, suggesting that MCTU has a data base of trained cadres. However, in a few cases and activities, the ages were not provided.

Clearly, MCTU has trained organizers, negotiators, educators, shop-stewards, paralegals, women and youth structures, and leaders. Other projects such as the African Labour Educators' Network (ALEN) also trained many more cadres that should be at the disposal of MCTU and its affiliates. The assessment of organizational capacity of December 2013 noted the under-utilization of the available skills. It is also amiss for training programmes to remain steeped in a top-down delivery mode, especially in some instances like TOAWUM, where the

General Secretary is a jack of all trades. There should therefore be maximum utilization of trained cadres and delegation of responsibilities in order to maximize resources and create a critical mass of conscientized members. MCTU needs to urge affiliates to use their trained members. Furthermore, the Education and Organizing department should follow up members who go through training in various skill areas to ascertain the extent to which they are being utilized and should also keep a tab on those who leave the labour movement.

3.1.3 Gender mainstreaming

a) ***Objectives of the programme***

According to the Co-operation Agreement, gender equality shall be mainstreamed in the programme co-operation, going beyond women's representation to reflect a gender perspective in all trade union issues, including membership recruitment, skills/leadership development, policy, negotiations, agreements, etc. However, there is still need for specific women's activities to attain gender equality at all levels. MCTU should therefore apportion at least 10 percent of the funds from LO-Norway to women's programmes – membership recruitment, skills development for leaders and general education and training activities. MCTU should also ensure full implementation of the Gender policy during the tenure of the Co-operation agreement, and also work with affiliates to ensure adoption of gender policies.

Under this programme, the planned result is increased gender equality within the trade unions and increased women's representation, with the following performance indicators:

- At least four new unions per year adopt gender policies;
- At least 40 percent women participation in all activities;
- Increased number of women in negotiations and collective bargaining;
- Over 3 CBAs concluded annually;
- All new CBAs are gender sensitive.

b) ***Key activities accomplished***

From the documentary evidence and interviews, the following performance indicators were achieved under the gender mainstreaming programme:

- **At least four new unions per year adopt gender policies:** Draft gender policies were being developed at TUM, TPT, WETUM and CIAWU, with the draft at COWUMA finalized in 2014. Regarding the full implementation of the gender policy during the tenure of the Co-operation Agreement, the Women's Committee indicated that while some progress has been made, this is still a challenge with some affiliates.
- **At least 40 percent women participation in all activities:** At the MCTU 2012 Congress, the number of women in decision making positions increased from 20 percent to 40 percent, while at affiliate union congresses the improvement was from 40 percent to 60 percent. As at June 2014, women constituted 27 percent of the top 5 positions (president, vice president, general secretary, deputy general secretary and treasurer general) in MCTU affiliates. According to the Women's Committee, 10 percent of the funds from LO-Norway are directed at women's programmes for training and education, enabling the Women's Committee to decentralize its training to places like Mzuzu and Zomba.
- **Increased number of women in negotiations and collective bargaining:** Most unions' leadership has women who are involved in negotiations and collective bargaining.
- **Over 3 CBAs concluded annually:** At least 4 CBAs were concluded each year during the period 2010-14. As reported in the 2010-2013 Report, there was an

increase in the number and quality of collective agreements concluded from seven to 12 in 2013, with HIV and AIDS clauses, which are also youth and gender sensitive, compared to 5 wage agreements in 2010. In 2014, negotiations in the Civil Service resulted in workers receiving a 45 percent pay rise instead of 24.5 percent, in MHC the lowest paid got 126 percent, on-going negotiation in both Private and public institutions focusing on wages and general conditions of work by trained shop-stewards and leaders. Three CBAs were signed for Water Employees Union of Malawi (sector Bargaining Agreement), COWUMA and Transport and General Workers Union with gender sensitive and HIV and AIDS clauses.

3.1.4 Internal Democracy

a) Objectives of the programme

The planned result under this component is that unions have good constitutions that are democratic and are respected and adhered to. MCTU is expected to review and overhaul its Constitution by end of 2010 so that it reflects and conforms to international trade union standards. Extra efforts should be made to ensure that it is adopted through established structures in readiness for the next congress to avoid confusion that reigned at past congresses. MCTU is also expected to adhere to the constitution which amongst other things legitimizes leadership and allows affiliates to participate in the formulation of policies and programmes of the organization. All unions are also expected to have adopted renewed constitutions within the period 2010-14. The expectation is also that MCTU and all affiliates hold congresses to seek a fresh mandate from members, internal structural meetings are held quarterly and members participate actively in decision making processes. In addition, there will be a 40 percent representation of women at all levels of the organization.

b) Key activities accomplished

As reflected in the documentary evidence and interviews undertaken, the following indicators of performance were achieved:¹

- MCTU has a new Constitution adopted at the Malawi Sun Hotel in Blantyre on the 11th of March 2011.
- The Constitution stipulates that at least 50 percent of the elected Executive committee members shall be women and that in the event that 50 percent representation is not attainable, the congress shall co-opt some members from the Women's and Youth Committees to achieve this goal.
- However, only 1 union (ESCOM) amended its Constitution in 2014, and only 2 did so in 2013. For other years since 2010, no information is given in the reports.
- Generally, constitutionally mandated structural meetings were held every year both Executive Board and General Council Meetings.
- A quadrennial Congress and Conferences for the Women's and Youth Committees were held in September 2012.
- There was a review of MCTU's strategic plan that ended in 2008 with affiliates' active participation with the new plan for the period 2012-15 approved by the General Council in May 2012, and an assessment of the organizational capacity of MCTU to implement the plan concluded at the end of 2013 with support from ILO.
- A regional conference was held on developing manuals on handling of finances to encourage internal accountability and transparency and to share experiences.
- The MCTU 2014 organisational development report states that ESCOM Staff Union and NONM held Congresses with COWUMA, MAUMAU, BCCEWU, SCATTU,

¹ This area proved difficult to analyse fully due to inconsistent reporting on performance indicators.

HFPCW,CEMAU and MUFIS being overdue for Congresses. In a few cases such as MUFIS and SCATTU, they have not organized any congress since establishment.

- The 2013 MCTU Annual Results Indicators Report notes that only 9 Unions were able to hold board and council meetings with 14 of them not able to hold any. It also states that unions were not submitting audited accounts to MCTU as required.
- There is improved communication to affiliates and membership.
- However, the organizational capacity assessment study of 2013 highlighted the lack of strategic leadership, and weak enforcement of constitutional orders in the affiliates.
- The absence of clear job descriptions and annual work plans for every person/employees to facilitate appraisal was also raised. In particular, we note from the job descriptions that while that for the Deputy Secretary General is detailed, that for the Secretary General is superfluous, with most responsibilities, especially for programming resting on the shoulders of the Deputy.
- Financial management at affiliate level is still a major challenge and hence MCTU takes care of the funds for activities targeting affiliates due to limited capacities and past experiences, and this at times creates tensions over control of resources.
- Inadequate human resources at secretariat and failure to adequately utilize available resources at affiliate level as well as trained cadres.

3.1.5 Assessment of Programme Relevance, Efficiency, Effectiveness and Impact

a) *Relevance*²

Clearly, the 5 programme components on organizing and membership recruitment, education and training, mainstreaming gender, internal democracy and financial management are at the core of trade union work. Trade union strength and therefore its influence are closely related to the number of members it can mobilize. Furthermore, as a membership-based organization, the level of membership impacts the union's financial sustainability. In the case of Malawi in particular, it is of essence given the country's history where unions were severely restricted during the one party period under Dr. Hastings Banda, and the resultant serious decent work deficits that prevail. A new dawn for trade unions only emerged with the era of political pluralism and democracy in the mid-1990s.

Furthermore, the programme components are critical in a country where membership to unions and employees' associations among workers is low with only 6 percent and 4 percent of persons in wage employment being members of trade unions and employees' associations respectively (2013 Labour Force Survey, page 34). The proportion of persons age 15-64 years who, during the reference period of one week were trade union members (as dues-paying membership) to the total workforce is therefore low at 5.5 percent (6.8 percent for males and 3.6 percent for females – page xvi). As the 2013 Malawi Labour Force Survey reveals, the most prevalent reasons for not joining trade unions or employees' associations are lack of knowledge on the existence of the trade union or employee association (51.9 percent) and not aware of any union to join at the work place (22.3 percent). The often cited discouragement by employers is not a significant factor, with only 1.1 percent of respondents citing this as their reason for not joining trade unions.

²Since this aspect is relevant for all the programme components under the Organisational Development Support to MCTU, to avoid repetition, it is treated as a continuation from the discussion of the (a) objectives of the programme, and b) key activities accomplished for all the four planned results. The planned result on financial management: unions have effective systems of membership management, dues collection and internal and external accountability is integrated into the discussion on sustainability of results achieved below given the overlaps.

The relevance of the programme and its interventions is highlighted in that it resonates with the nine strategic areas in the MCTU strategic plan (2012-2015), namely: Recruitment and Organizing; Membership Service Delivery; capacity building on the Decent Work Country Program; Advocacy and Policy Influence; Social Dialogue; improving the Image of MCTU; enhancing MCTU Financial and Resource Sustainability; developing leadership Skills and Competencies as well as improving MCTU Governance structures. Moreover, the programme components derive from a needs analysis and hence are not imposed.

b) Effectiveness

Clearly some notable successes in membership recruitment were achieved, with the level of women who are new members exceeding the benchmark of 30 percent. Sadly, even where membership increased, there is no corresponding increase in subscriptions/dues. Capacities were developed in diverse areas such as organizing, negotiating, education, women, youth, leadership, shop-stewards, and financial management. However, turning the activities into outputs, results, outcomes and impact is a process. The results achieved therefore need to be placed in the context of a country where the fundamental rights and principles at work were circumscribed for so long, creating a culture of fear, exploitation and neglect. As stated in the M-DWCP (2011-16), while the country has made tremendous progress in creating an enabling policy and legal framework for the realization of rights at work, "...full enjoyment of these rights in practice is constrained by historical gender discrimination based on deep-rooted cultural attitudes and beliefs, the lack of sufficient capacity of the duty bearers, particularly Ministry of Labour, to ensure compliance with the law, inadequate capacity of the dispute settlement and adjudication system...", (page x).

As the quality of programming improved over the years, we take a cue from the observations by LO-Norway under "Comments to MCTU's Annual Reports 2011 and way forward," of 20 April 2012, that: "We are impressed to see that MCTU managed to achieve so many positive results amidst a very difficult year for Malawi! We are pleased to inform you that we chose to present the positive results in Malawi as a special case in our annual report to our back donor Norad. For the future, in addition to your well-written, comprehensive report, we ask you to please refer to the appendix of our co-operative agreement in order to respond to progress on all indicators agreed (see matrix attached). Our co-operation agreement states this matrix should be filled in at least every annual and every half-year report."

c) Efficiency

The use of material, human and financial resources has improved over time. Evidence suggests MCTU has come a long way in terms of financial management, to the extent that LO-Norway took the opportunity to congratulate its partner for preparing its own financial statements for 2012, and for the efforts of the new leadership to sustain MCTU's core activities despite a trying economic environment in Malawi (see letter dated 27 November 2013 cited above). This was attested by MCTU's auditor, Deloitte, which indicated that the MCTU has come a long way from its past where record keeping was not good. They should know better as the partner at Deloitte working with MCTU has been doing their books since 1999 when repeat issues in the management reports were the order of the day.

Deloitte highlighted that this significant improvement in bookkeeping practices is evidenced by the fact that the managerial report no longer has repeat issues but only raises the perennial issue of going concern (see below under sustainability). The long standing issue of the appointment of the head of the finance department, which was raised in the aforementioned letter from LO-Norway of 27 November 2013, has been finalized and an accountant was employed. As reported in the MCTU Activity Report for the period 2010-2013, the increased allocation of resources to organizing activities from 2 percent in 2010 to

17 percent in 2013 is commendable, even though it is short of the 30 percent indicated in the Cooperation Agreement. Teaming up with unions in prioritized sectors with potential membership is a most efficient way of using resources, as well as the decision to use cost-serving venues and management of costs by MCTU - 'doing more with less.'

d) ***Financial management and sustainability of results achieved***

While the case of the support given to PAWUM in organizing and recruiting new members reflects a good practice, especially as the union is now able to run and sustain its operations, the overall results indicate issues of sustainability remain problematic. As indicated above, the total current membership of MCTU only increased by 1.2 percent over the baseline level of 137,000 in 2009, yet the target was to increase membership by 10 percent annually.

While the union dues or subscriptions paid to MCTU were increased from MK2 to MK4 per member per month in 2008, the total collected declined in 2011 and 2012, before increasing in 2013 and 2014 (see Table 2 below). However, the levels in 2013 and 2014 are 57.3 percent and 79.4 percent below the 2010 level, respectively. There appears to be no correlation between declared membership and dues collected, with periods of increase in union membership (2011-12) associated with declines in subscriptions remitted to MCTU (see Tables 1 and 2). Moreover, total subscriptions increased by 11.5 percent in 2010, declined by 33.1 percent and 20.6 percent in 2011 and 2012 respectively, before increasing by 7.7 percent in 2013 and 38.7 percent in 2014, against a targeted annual increase of 20 percent in the performance indicators in the Cooperation Agreement. To illustrate the inadequacy of the subscriptions, MCTU collects MK 568,160 every month from union dues, which cannot cover the total administration salary budget of MK 3,8 million a month.

Yet even at such low levels of subscription, MCTU is owed MK 3,122,620 (US\$6,788) by affiliates as at 31 March 2015, with some affiliates such as TOAWUM in arrears over the past ten years. Out of the 23 affiliates of MCTU, slightly over half (12) are paid up. As the Secretary General of MCTU intimated during the interview, such levels of subscriptions are 'shameful,' highlighting that a level of MK100 will allow MCTU to at least break-even. Even the level of MK30 per member per month proposed by the Finance Committee is considered low.³ It raises questions in terms of sincerity and ownership of MCTU,⁴ especially given the token nature of the subscriptions and that some unions such as TUM levy their members at MK500 per month, and yet pay to MCTU only MK4 per month per member. This suggests that more revenue could be raised by increasing the level of subscriptions.

This failure to adequately discuss and address arrears and the unsustainable level of subscriptions raises serious questions regarding the lack of political will and courage within the leadership of MCTU to tackle affiliates head-on on this matter, especially given the decision to review the subscriptions annually. Article V(i) of the MCTU Constitution on Membership provides for a partial waiver not exceeding six months of the payments due to MCTU subject to the review and discretion of the National Executive Board as endorsed by the General Council. Here, we can only borrow from the apt observations in the letter from LO-Norway dated 20 April 2012 on 'Comments to MCTU's Annual Reports 2011 and way forward,' "We note that MCTU has been weak in systematically effecting penalties on defaulting affiliates. The need to improve the liquidity situation cannot be over emphasized. We would very much encourage MCTU to draw up a workable programme for payment of subscriptions with all affiliates which should be seriously adhered at all times."

³ However, at this level of subscriptions, MCTU can raise MK4,236,020 per month, just enough to meet the salary and administration costs.

⁴ It was raised during the interviews with MCTU leadership that the focus amongst affiliates is more on what they can get out of the mother body than what they can contribute.

Table 2: MCTU assets and liabilities (MK), liquidity and insolvency ratios, 2010-14

	2014	2013	2012	2011	2010
Subscription fees	3 233 810	2 331 177	2 164 206	2 726 074	4 072 134
Total current assets	12 914 428	20 653 054	9 826 521	7 171 712	5 246 503
Total assets	34 838 084	33 766 540	14 073 750	11 520 614	9 461 681
Total current liabilities	31 748 146	31 097 092	23 959 422	19 583 377	17 683 184
Of which, Total Payables and accruals	31 742 339	31 004 415	23 911 683	16 963 259	15 099 088
OATUU	16 653 735	14 293 722	11 019 601	4 748 794	4 031 311
SATUCC	8 326 868	7 584 336	5 697 536	2 128 770	2 090 309
ITUC Africa	246 869	764 557	719 130	86 762	297 934
Accruals	6 514 867	8 361 800	6 475 416	9 998 933	8 679 534
Total liabilities	31 748 146	31 097 092	23 959 422	19 583 377	17 683 184
Liqty. ratio (curr. assets/curr.liabilities)	0.41	0.66	0.41	0.37	0.30
Insolvency ratio (assets/liabilities)	1.10	1.09	0.59	0.59	0.54

Source: MCTU data from accounts department, and own calculations.

MCTU's liquidity (current) ratio is precarious, suggesting current assets cannot cover current liabilities; with an average ratio of 0.43 for the period 2010-14.⁵ As a rule of thumb, a current assets ratio of more than two is generally considered adequate. The insolvency ratio (total assets to total liabilities) showed an improvement from 0.54 in 2010 to 1.10 by 2014 (see Table 2). The creditors are mainly external affiliation fees to bodies such as SATUCC, OATUU, ITUC-Africa and ITUC-Brussels. The debt to OATUU and SATUCC quadrupled during the period 2010-14, with that to OATUU particularly distorting as it increased from constituting 24.2 percent of total liabilities in 2011 to 57.3 percent by 2014, and it includes arrears owed by the predecessor to MCTU, TUCM. Despite having engaged OATUU, the matter remains unresolved as OATUU insists on MCTU making some down payments amounting to half the arrears before the outstanding fees are written off.

The total liability also includes the MK3 million owed in arrears for allowances to the elected leadership that is part-time (President and Vice, Treasurer General and Women's Committee Chairperson) which is accruing. We cannot agree more with the observations and advice given in the letter from LO-Norway dated 20 April 2012 on 'Comments to MCTU's Annual Reports 2011 and way forward,' that "LO Norway believed the MCTU President, his deputy and Chairperson of the Women's Committee are not on MCTU payroll, but serve on part time basis?"⁶ To avoid the experiences of the past where office bearers had to seek legal recourse for MCTU to make good accumulated liabilities to elected officials, resulting in LO-Norway having to assist because of the scale of the accruals, we emphasize the enormity and gravity of the issue and urge that a policy position be adopted to curtail such accruals.

The issue of sustainability has recurred continuously during the long tenure of the cooperation between MCTU and LO-Norway. The onsite inspection by Ernst and Young (Oslo) of 23-25 November 2011 highlighted the dependency of MCTU on grants and donations which accounted for 88.8 percent of total income, with dues constituting only 6,1 percent in 2010.⁷ In a letter dated 6 March 2012 on the 'Visit from controller and auditor 2011,' LO-Norway appealed to MCTU to increase its own funds, stressing the importance of affiliates owning MCTU. That letter ominously warned that "The support from LO Norway is not forever! We discussed, prior to your last congress, that LO-Norway would embark on a phasing out process. Having had a relationship with MCTU for fifteen years, we don't

⁵ The current assets ratio measures the ability of a company to pay the liabilities that it is most likely to have to pay soon with the assets that should yield cash the quickest.

⁶ This matter was also raised by Deloitte during the interview. Deloitte indicated that if these cannot be removed, then a policy to the effect that they cannot be paid retrospectively but prospectively should be put in place.

⁷ The accountant estimated that subscriptions currently account for 10 percent of total income.

consider it unreasonable to start phasing out.” Indeed, the phasing out process has started as LO-Norway would like to see MCTU and its affiliates taking up more responsibility and ownership. Moreover, the current Agreement has a clause (6) to the effect that in view of LO-Norway’s funding requiring approval from the Norwegian Agency for International Cooperation (Norad), if that funding is reduced, so will the funding to MCTU.

This therefore marks a turning point in that for so long, LO-Norway has contributed almost single-handedly to support organizational development of MCTU and carrying a disproportionate weight as evidenced by the longevity of its commitment and the fact that its support constitutes around 70 percent of MCTU’s annual income. LO-Norway support covers the salaries of 8 out of the 12 staff at MCTU (5 administration staff, two programme officers and the two elected officials who are full-time). One member of staff is covered by the other cooperating partner (LO-FTF takes care of a projects coordinator). MCTU is currently directly responsible for the salaries of the cleaner and accounts intern, as well as the allowances of the 4 elected leaders who are part-time. This therefore constitutes both a going concern risk, and an opportunity for MCTU and its affiliates to take greater responsibility and ownership.

MCTU is aware of the implications of the phasing out process. On a positive note, construction work at the piece of land donated by Government a decade ago in Lilongwe has commenced, and is based on three phases, first phase by 2016, second phase by 2018 and the last phase by 2020. A budget plan of MK400 million was adopted, and plans are underway to fundraise from affiliates, donors and government. Cost cutting measures were adopted to manage costs. These include the decision to occupy one wing of the second floor instead of the whole second floor (sharing office space among programme staff) since July 2013, MCTU no longer takes care of the gratuity of the elected leadership that is part-time, international allowances that were pegged at MK150 for staff and MK225 for elected leaders were stopped, fuel expenses were cut, recourse to using cost serving venues for activities, and migration from using the more expensive broad-band for internet services to MTL which is cheaper (without sacrificing on quality). The plan is to achieve self-sustenance by 2020.

Lastly, comparing the existing level of cooperating partners to that which existed during the baseline period (2009) will shed some insights into the evolving challenges around sustainability. At the baseline period, MCTU had 11 cooperating partners, namely, LO-Norway, ILO, LO-TCO (Women’s Department), CEYCA (child labour), LO-FTF, PANAF (Sweden), National Aids Commission, FNV (ALEN programme), African Labour Research Network (ALRN), Unite Africa (UK) and Hivos. As at end of 2014, only 4 cooperating partners are working with MCTU (LO-Norway, ILO, LO-FTF, and CEYCA). It is estimated that MCTU lost 15-20 percent of its income due to the withdrawal of some of its cooperating partners.

e) *Impact*

Since the advent of multi-partism in 1994, a marked shift occurred in Malawi’s industrial relations, with the web of controls on the labour market being relaxed. Malawi has ratified 29 Conventions, including the entire eight core Conventions, since becoming a member of the ILO in 1964. Agreement has been reached by the Social Partners to ratify ILO Conventions 155 on Occupational Health and Safety, No. 189 on Domestic Workers and No. 135 on Protection of Workers’ Representatives, and the establishment of the Productivity Centre. The 1994 Constitution calls for equal and fair treatment, addressing inequalities in the society and affirms rights in relation to employment. The Labour Relations Act (No. 54 of 1996) draws heavily from ILO Convention No. 87 on Freedom of Association and Protection of the Right to Organize, and Convention No. 98 on the Right to Organize and Collective Bargaining, while the Employment Act (No. 6 of 2000) seeks to establish minimum standards of employment to ensure equity and social justice.

The Workers' Compensation Act (No. 7 of 2000) provides for compensation for injuries or diseases contracted at work or death from such injuries or diseases, while the Occupational Safety and Welfare Act (No. 21 of 1997) makes provision for regulating conditions of employment with respect to safety, health and welfare of employees, for the inspection of certain plant and machinery, and for the prevention and regulation of accidents at work. More recently, the Pension Act of 2011 provides for mandatory pension by every employer for his/her employees, with the exception of those below a specified salary threshold who are exempted but covered by provision of a gratuity on termination of employment.

Furthermore, the country is implementing the M-DWCP (2011-16) developed with the participation of the social partners, with the following priorities: (i) creating more and better employment and income generation opportunities, particularly for vulnerable groups, including women, youth and people with disabilities, as well as eliminating the worst forms of child labour; (ii) enhancing and extending the coverage of social protection; and (iii) building the capacities of the Government and social partners to improve service delivery. Under the current Government of Professor Peter Mutharika, the status of the Ministry of Labour has been raised to a senior Ministry following lobbying from the social partners. In addition, a draft National Employment and Labour Policy was drafted with tripartite participation.

As a result of the programme interventions and capacitation of unions, 72 CBAs have been registered since 1994. After protracted negotiations between Government, MCTU and ECAM, the minimum wage was increased by 74 percent from MK317 per day to MK551 per day with effect from 1 January, 2014 and is under review. To enhance its effectiveness, MCTU is building and working within networks. An example relates to how MCTU and its affiliates are working closely with the Malawi Human Rights Commission to investigate abuses of trade union and workers' rights. A representative of unions sits on each of the Commission's 5 thematic areas (economic, social and cultural rights; civil and political rights; child rights; elderly and people with disabilities rights; and gender and women's rights). Signs of increased worker militancy have emerged with an increase in the number of strikes. Furthermore, steps have been taken to promote decent work in the informal economy and efforts towards transforming informality to formality have begun, especially since MUFIS was established in 2001 and registered in 2004.

Clearly, from the education and training programme, relevant capacities have been developed at leadership and enterprise levels (shop-stewards), organizers, trainers/educators, negotiators, women, youth and financial management skills and a database of all those trained is available. For instance, MUFIS indicated how it had been capacitated by the training to negotiate reasonable levies with Lilongwe City Council and better prices denominated in foreign currency equivalent MK value for tea growers in 2010-11. MUFIS also highlighted how the training empowered the union to send a representative to the ILO 2014 International Labour Conference (ILC) where transitioning of informality to formality was discussed. It will also attend the 2015 ILC. NONM highlighted how, with the assistance of MCTU, they developed a draft CBA which is now with the Ministry of Health.

Hence, the co-operation arrangement with LO-Norway was seen by all as re-defining Malawi's industrial relations. However, in spite of the progressive policy and legal framework, enforcement lags behind due to serious capacity constraints amongst duty-bearers, the Ministry of Labour, MCTU and ECAM, inadequate capacities of the dispute settlement and adjudication system and deep-rooted cultural attitudes and beliefs that perpetuate gender-based discrimination (see the M-DWCP, 2011-16). For instance, there has not been any new recruitment of labour officers at the Ministry of Labour since 2006, due to the economic austerity measures being implemented and the zero-aid budget. As a result, the tripartite National Labour Advisory Council has not met since 2008.

3.2 Tobacco Tenants and Allied Workers' Union of Malawi (TOAWUM) Project

3.2.1 Objectives of the project

The project focused on training and education activities. These were carried out in tandem with advocacy and grassroots organizing for increased numerical strength and the union's self-sufficiency. The development goal was to build TOAWUM into "a financially viable, effective, democratic and influential trade union in Malawi, safeguarding the rights and benefits of its members." The programme goal was to ensure that "TOAWUM's members and leaders are skilled and effectively representing their workers' rights"⁸. Thus, in co-operation with MCTU, TOAWUM planned and executed an aggressive capacity building and membership mobilization programme anchored on education, training and membership recruitment activities. The project, executed from 1st January 2010 to 31st December 2014, also included intensifying efforts to eliminate child labour and mainstream gender and HIV/AIDS in all union activities.

3.2.2 Progress/results achieved

At the inception of the project in January 2010, four Key Result Areas (KRAs) and planned results (outputs) and indicators for measuring progress were identified as follows:

- i) **Organizing and recruitment:** with the main planned result (output) being that at the end of the project cycle in 2014 "plans for organising and recruitment have been formulated and implemented and organisers have been trained." This KRA and output was to be measured by annual percentage increase in membership, proportion of new female members per year, annual percentage increase in union dues, number of trained members and annual increase in number of branches organised at enterprise level per year.
- ii) **Gender equity:** with the main output being that at the end of the project cycle in 2014 "TOAWUM has gender balance representation." This entailed mainstreaming gender into all activities funded by LO-Norway. This KRA and output was to be measured by the proportion of women in all seminar and union activities, percentage increase in the proportion of women leaders at branch and national levels.
- iii) **Negotiation and collective bargaining training:** with the main output being that at the end of the project cycle in 2014 "TOAWUM has improved negotiation skills at rank and file levels, and members know and claim their rights at the workplace." This meant investing in equipping union cadres with negotiating and collective bargaining skills. This was to be measured by the establishment of a minimum salary in the sector, the number of signed collective bargaining agreements per year and inclusion of provisions on child labour, gender, HIV/AIDS and occupational health and safety;
- iv) **Child labour:** with the main output being that at the end of the project cycle in 2014 "there is a continuous decrease in child labour in the Malawian tobacco sector." This entailed continued fight and intensifying union work aimed at continuous decrease in child labour in the Malawian tobacco sector. This was to be measured by reported increase in school enrolment in tobacco estate areas and TOAWUM's engagement on child labour issues. Table 3 captures the output matrix and planned indicators for the project – as captured in the Co-operation Agreement.

⁸See Appendix to the Co-operation Agreement between Tobacco Workers and Allied Union of Malawi (TOAWUM) and the Norwegian Confederation of Trade Unions (LO-Norway), 2010-2014.

Table 3: Project Goal, Planned Results and Indicators for the Period 2010-2014

Development Goal: TOAWUM is a financially viable, effective, democratic and influential trade union in Malawi, safeguarding the rights and benefits its members.		
Programme Goal: TOAWUM's members and leaders are skilled and effectively representing their workers' rights		
Planned results (outputs)	Indicators:	Baseline data (December 2009)
1. Plans for organising and recruitment have been formulated and implemented and organisers have been trained	<ol style="list-style-type: none"> 10 percent membership increase annually At least 30 percent of new members are women Union dues increased by 8 percent over 2009 numbers Number of trained members Increased number of branches /organised members at enterprise level 	2009: 23 513 members 2009: Female members 9417 2009: number of trained members: See table below.
2. TOAWUM have gender balance representation	<ol style="list-style-type: none"> 1/3 of all seminar and activity participants are women 30 percent women leaders at branch and national level The union has developed and implemented a gender policy 	Women leaders at National level 2009: 1 (treasurer) 2009: No gender policy adopted
3. TOAWUM have improved negotiation skills at rank and file levels, and members know and claim their rights at work place level	<ol style="list-style-type: none"> Minimum salary ensured 2 signed Collective Agreements per year The renewed collective agreement includes provision of child labour, gender, HIV/Aids and Occupational Health and Safety 	2009: No minimum salary 2009: 0 CBAs signed, 6 drafts.
4. There is a continuous decrease in child labour in the Malawian tobacco sector	<ol style="list-style-type: none"> TOAWUM has engaged Reported increase in school enrolment 	

Source: Co-operation Agreement between TOAWUM and LO-Norway, 2010-2014.

Documentation reviewed and interviews conducted showed that plans for organizing and recruitment were formulated and implemented during the review period (2010-2014). A total of 64 organisers were trained, comprising 39 males and 25 females. It was also evident from the documentation that sustained training programmes for women were undertaken. The reports show that 147 members participated in education and training activities for promoting gender equity at the workplace. Further, documentation reviewed show that 219 union leaders at various levels were trained. Documentary review and interviews also confirmed that 275 shop stewards had been trained in union organizing and membership recruitment. Overall, a total of 2,411 participants (out of which 1,193 were female, representing 49 percent) benefited from targeted education and training activities aimed at strengthening the capacity of the union in organizing, recruitment and negotiation skills. Thus, the key performance indicator on the number of trained members had been met. Further, interviews with TOAWUM national leadership also showed that 9 additional districts had been organized in the period 2010-2014, namely; Lilongwe, Rumphi, Nkhhotakota, Mchinji, Ntchisi, Kasungu, Salima, Dowa and Mzimba, thereby partially meeting the indicator on increasing the number of branches organized at enterprise level. This can be characterized as having been partially met because even though these districts were reported to have been organized during the project period, neither the actual number of enterprises organized nor the actual number of branches newly organized were specified. Admittedly, a contradiction exists between the reported increase in the number of districts organized and the reduction in membership levels reported.

Despite evidence of aggressive training and education activities at the input level, there was neither evidence of commensurate increase in paid up membership at the output level nor evidence of increase in union dues. Therefore, the key performance indicator of achieving at least 10 percent membership increase per year was never met during the project implementation period. Available evidence suggest that paid up membership numbers had regressed from a baseline figure of 23,513 in 2009 to 275 in December 2014 (representing a decline of about 98 percent), even though it increased to 5,993 during the first quarter of 2015 (See Table 4 below). At the time of the evaluation in April 2015, TOAWUM had a paid up membership of 5,993, comprising 1,437 men (26 percent) and 4,456 women (74 percent). The drastic fall in paid up membership in 2011 and 2014 was attributed to macroeconomic shocks, particularly the low prices of tobacco in auction floors, but there was also an element of speculation among some members interviewed that perhaps TOAWUM's national secretariat was not being sincere with paid up membership figures being reported⁹. However, a forensic audit was beyond the scope of the current evaluation. It must be added here that according to the General Secretary of TOAWUM, "even though the total number of paid up members had drastically fallen to 275 during the review period, the total number of registered members remained relatively high at 28,400 during the same period, with a potential membership for the entire tobacco sector estimated at 3.7 million."

The performance indicator of increasing union dues by 8 percent over the 2009 number had not been met during the project period. Documentary evidence indicate that the union collected MK 339,441 in 2011, MK 269, 500 in 2012, MK 361, 380 in 2013 and MK 108,815 in 2014. Thus, documentary evidence and interviews suggest that union dues decreased by 20 percent in 2012, rose by 34 percent in 2013 before decreasing further by 70 percent in 2014, representing a net decrease in union dues of 56 percent during the period 2012 to 2014¹⁰. Besides, TOAWUM remained indebted to MCTU to the tune of MK 876,904 (i.e. about US\$2,000) and had not yet followed up action to put in place an effective dues collection system nor acted on present possibilities to ensure maintenance of accurate financial records of membership subscriptions in a transparent manner. Documentary evidence and interviews also confirmed that the recommendation from internal reviews to have a consolidated financial audited report as of 31 December 2014 had not been acted upon. Also, it was confirmed that the union was still not maintaining a register of members and that it was still using a Savings Account held at Nkhotakota Standard Bank for running the project as opposed to the recommendation from the 2013 audit report to open a current account. On the balance of things, therefore, low membership levels, low income from subscriptions and continued indebtedness to MCTU altogether combined leading to poor performance of the union in terms of financial viability. In this regard, sustainability of union activities beyond LO-Norway's support remains doubtful.

A second key result area was to achieve gender balanced representation by mainstreaming gender into all activities funded by LO-Norway. A key indicator in this regard was to ensure that 1/3 (about 33 percent) of all participants in seminars and other activities were women. This performance indicator was achieved and exceeded in all the years during project implementation. Women representation in training activities ranged between 40 and 79 percent during the period 2010 to 2014 (See Table 4). Gender was, therefore, being mainstreamed in all seminar and training activities during the reference period. However, due to poor record keeping and the absence of administrative systems, it was not possible to determine the proportion of women leaders at branch level. Otherwise, the composition of the national executive committee was reported to be 60 percent men and 40 percent women.

⁹There was a strong perception among members and within MCTU that the TOAWUM membership figure were inaccurate. This, however, could not be verified because TOAWUM could not avail the evaluators an updated list of paid up members.

¹⁰ Data on union dues was not available for the baseline year of 2009 and for the year 2010, making it difficult to benchmark the analysis against the base year figure.

However, the target indicator to achieve 30 percent women representation at branch leadership level was not tracked due to none availability of data. Nonetheless, documentary evidence and interviews suggested that the union had not developed nor implemented a gender policy. This performance indicator was, therefore, not met. Table 4 below gives a summary of TOAWUM's performance against agreed outputs and key indicators.

Table 4: Performance Matrix for TOAWUM, 2010-14

N r	Planned result (outputs)	Key Performance Indicators	Baseline	Outturn					
			2009	2010	2011	2012	2013	2014	
			23,513 Members	4500	4500	275	27,510	275	
1	Plans for organising and recruitment have been formulated and implemented and organisers have been trained	10 percent membership increase annually	100	-80 percent	-80 percent	-98 percent	17 percent	-98 percent	
		At least 30 percent of new members are women	40 percent Female	***	***	***	***	***	
		Union dues increased by 8 percent over 2009 numbers(MK)	***	***	339,441 ***	269,500 (-20 percent)	361,380 (34 percent)	108,815 (-70 percent)	
		Number of trained members		1003	98	205	403	702	
		Increased number of branches /organised members at enterprise level	***	***	***	***	***	***	
2	TOAWUM has gender balance representation	1/3 (about 33 percent) of all seminar and activity participants are women		47 percent	79 percent	48 percent	40 percent	54 percent	
		30 percent women leaders at branch and national level	Women leaders at national level: 1 (treasurer)	***	***	***	***	***	
		The union has developed and implemented a gender policy	No gender policy	0	0	0	0	0	
3	TOAWUM has improved negotiation skills at rank and file levels, and members know and claim their rights at work place level	Minimum salary ensured	No minimum salary	0	0	0	0	0	
		2 signed Collective Agreements per year	No CBAs signed	0	0	0	0	0	
		The renewed collective agreement includes provision of child labour, gender, HIV/Aids and Occupational Health and safety	6 CBA drafts	0	0	0	0	0	
4	There is a continuous decrease in child labour in the Malawian tobacco sector	TOAWUM has engaged (with child labour issues)		✓	✓	✓	✓	✓	
		Reported increase in school enrolment		***	***	***	***	***	

Source: Cooperation agreement; Annual reports, Auditor's report
 *** denotes data not available.

The third key result area was to have improved negotiation skills at rank and file levels, and ensure that members know and claim their rights at the workplace. Documentary evidence and interviews established that no minimum salary was established for the sector. The target indicator to have the minimum salary ensured was, therefore, not met. Besides, it was

established that no collective agreement was signed during the period under review and, hence, the key performance indicator to have two (2) signed collective bargaining agreements per year was not met. Consequently, the indicator to have the renewed collective bargaining agreements include provisions of child labour, gender, HIV/AIDS and occupational health and safety was not met during the project implementation period.

The fourth key result area was on child labour. The planned result was a continuous decrease in child labour in the Malawian tobacco sector. TOAWUM was expected to continue to fight and intensify its work aimed at eliminating child labour in Malawi. While data on one of the two specified performance indicators (i.e. reported increase in school enrolment) was not available, documentary evidence and interviews revealed that TOAWUM had made significant strides in its advocacy and organising to end child labour and improve the lives of tenant farmers, farm workers and their families. This was evidenced by the fact that the union had received an international award from the International Labour Rights Forum (ILRF) for its advocacy and organizing work to end child labour. Further, evidence from interviews indicated that there was reduced rate of cases of child labour in areas the union was organizing.

On outcome level indicators, however, evidence from interviews suggest that the collective strength of the union has diminished due to substantial reduction in numbers and internal polemics within the national leadership. Documentary evidence and interviews revealed that the national executive committee of TOAWUM had not met for two (2) years (i.e., from 2012 to 2014) due to internal wrangles within the national leadership. The extent of internal democracy was, therefore, still on the low side. Besides, evidence of membership participation in the running of the organisation was not available. At best, it seemed that communication and information flow within the union's structures was weak. For instance, during the evaluation's focused group discussions, two contrasting reports were submitted, one by the Deputy General Secretary of the union and another by the General Secretary, who denounced the views by his Deputy as representing only the north of Malawi which had allegedly usurped union powers. We heard how it was impossible to organize a meeting, with the General Secretary resorting to raucous behaviour. Another dimension stressing the poor communication within the union was evidenced by the fact that while the union was a recipient of the 2015 International Grassroots Organising Award from ILRF for its advocacy and organizing efforts to end child labour, national executive committee members and the rank and file of TOAWUM were not aware of this milestone achievement. Most fundamentally, while this effort was achieved through LO-Norway's support to TOAWUM's child labour project activity, TOAWUM national secretariat failed to appropriately acknowledge this in submitting information to the awarding organization. Suspicion of misuse of subscriptions by the General Secretary resulted in non-remittance of collected dues to the union, with two centres of power emerging.

3.2.3 Relevance of project

Documentary review and interviews conducted revealed that the TOAWUM project on training and education was well received by participants as it filled an area of huge decent work deficits, especially given the dominance of agriculture in Malawi. It was also the collective feeling of the national executive committee of TOAWUM that given the dire economic conditions and the industrial relations dynamics currently underway in Malawi's tobacco sector, trade union education and training carried out in tandem with organizing activities was very relevant to the local context. Thus, the project had great relevance to the work of TOAWUM and the trade union movement in Malawi.

3.2.4 Efficiency in project implementation

In terms of project efficiency, documentary evidence reviewed and interviews conducted established that education, training and organizing activities were carried out as planned. Besides, consideration was made to hold training workshops within estates and villages to ensure a high response rate and reduce on costs associated with holding seminars in costly urban venues. In addition, respondents in focused group discussions were of the view that the workshops were well-organized with relevant and practical agendas and excellent resource persons from MCTU. Opportunities for exchange and discussion were built in, encouraged by small group work. Well-chosen materials were available for the trade union officials to use as reference. However, the complaint of some educators and organizers trained was that they were not being engaged in further training and organizing activities that would have enabled them apply the acquired skills. In this regard, the project did not provide for a systematic use of cadres trained to be engaged in subsequent training activities. This would have further developed a cadre of reliable training of trainers in the sector and thus guaranteed continuation of the programme activities in an event that MCTU personnel were not available. Efficiency of project implementation was, therefore, less than optimal.

3.2.5 Project effectiveness

Regarding project effectiveness, efforts made at executing the planned activities demonstrate substantial commitment on the part of the MCTU to realise the mutually shared goal of building a strong, effective and democratic trade union movement. However, documentary evidence and interviews conducted suggest that only two (2) out of five (5) key performance indicators for the first key result area on organizing and recruitment were met, representing a 40 percent success rate. The two (2) indicators were on the number of trained members and increased number of branches organized. Only one (1) of the three (3) indicators on gender balanced representation was met, representing a 33 percent success rate. This was on the proportion of women attending seminars and other union activities. None of the indicators for ascertaining improvement in negotiation skills were met while no data exist for ascertaining progress on child enrollment in schools other than reported efforts in advocacy around the subject. It was expected that those receiving training would apply their skills, and be effective representatives of the union members, through promoting human and trade union rights, through negotiations, recruitment, further training and through lobby and advocacy. There was no evidence of this happening, which is a cause for concern.

At the input level, resources (both financial and human) deployed into the project were fully utilized as the planned training, education and organizing activities were undertaken. But, results at both outputs and outcome levels were far from satisfactory. Part of the challenge arises from economic influences that have depressed demand for tobacco export thereby exerting pressure on employers to substantially scale down on employment levels. But, there was also evidence of lack of cohesion among TOAWUM national leaders and a serious lack of transparency and accountability at the national secretariat which might have worked to undermine the effectiveness of the project. A useful starting point is to ensure that future programme design is such that the skills of those being trained are systematically harnessed and applied in subsequent capacity building undertakings and that specific recruitment targets contained in the cooperation agreement are made known to newly trained organizers who can then be monitored to ensure that they report progress of knowledge application in bringing into the union fold new members.

3.2.6 Sustainability

With declined membership and subscriptions, it is highly unlikely that TOAWUM would be able to continue the current level of activities when LO-Norway support ends. The capacity of the organisation has not been improved. Membership levels remain rather too low, reported union dues have fluctuated at lower levels without assuming any upward trend while the union has been unable to liquidate its debt to MCTU over the last five years. On the other hand, poor internal governance, lack of transparency and accountability¹¹ has left the union seriously divided and struggling to pull in one direction. According to documentary evidence and interviews, “lack of internal union accountability and transparency has negatively affected members’ willingness to pay fees.” On the other hand, poor tobacco sales have affected members “as members take long to get their wages for them to be able to pay membership fees since collection of membership fees is done by hand.” Overall, when one looks at how much TOAWUM has collected in total membership subscription fees in the four years between 2011 and 2014, it amounts to a paltry MK 1,079,136.00 compared to a total of MK 24,974,010.00 received in external revenue grants from LO-Norway¹². Thus, in order to break even at the current level of expenditure if LO-Norway were to discontinue its support, TOAWUM would need to up its income by 23 times over. For all practical purposes, this is unattainable in the short term. Arguably, if TOAWUM were to put its house in order and win back the trust of the 28,400 registered members that are currently not paying fees, it has the potential to raise about MK 8,400,000.00 per year (i.e. 28,400 registered members not paying fees X MK300 current subscription rate per member per year).

3.2.7 External Impact

The external impact of the project would seem to be more in terms of its advocacy and organizing to end child labour which has been externally recognised as a result of the project cooperation. Otherwise, documentary evidence suggests that the union has not been able to meaningfully improve its performance as a result of the project. In this regard, impacts of political influence in the society, improved trade union rights, better labour legislation, etc., that might have been directly or indirectly linked to the project were hardly discernible. The weak role and strength of TOAWUM in terms of defending workers and workers’ rights, the declining trend and challenges of union membership and subscriptions altogether acted to undermine the external impact that would have been realized out of the project. Going forward, efforts might have to be direct towards value adding in terms of securing unity between and within unions in the sector, as well as ensuring that fragmenting unions can successfully merge to strengthen the workers’ voice in the agriculture and plantations sector.

3.2.8 Internal governance structures

Documentary evidence and interviews conducted with the national executive board of TOAWUM revealed existing challenges with internal governance structures. TOAWUM national leadership was not united on a number of issues, especially financial management. Besides, no systems appear to exist for building an organization in which members have a

¹¹Evidence suggest that the union hardly acted on concerns raised by internal reviews and external auditors that should have assisted the union set its foot on firm ground to ensure a more sustainable pathway. On this note, the union has not put in place an effective dues collection system; the union has not ensured maintenance of accurate financial records of membership subscriptions in a transparent manner; and the union has not consistently facilitated a consolidated financial audit as specified in the cooperation agreement.

¹²These figures have been generated from Audited Reports for the period 2012 to 2014 and documentary evidence from MCTU records.

say and get involved in the running of the organization through appropriate, effective and established structures.

3.3 Social Dialogue Project

3.3.1 Objectives of the project

Project co-operation on social dialogue between the Norwegian Confederation of Trade Unions (LO-Norway) and the Ministry of Labour in Malawi started in 2004. The project is aimed at realizing the mutually shared goal of promoting social dialogue in Malawi. Since 2004, tripartite meetings have been held regularly. Building on the foundation laid, the current project co-operation on social dialogue (2010-2014) sought to further contribute to creating a common understanding between the social partners regarding the need and importance of tripartite cooperation. More specifically, the goal of the 2010-2014 Social Dialogue Project was to build a sustainable social dialogue in Malawi. The main target groups were the Government of Malawi, ECAM and MCTU. The planned results (outputs) were: harmonized labour relations in Malawi; resolution of conflict of interests through agreed upon systems of dispute settlement mechanisms; mutual respect between the social partners in Malawi, and; joint discussion of important and relevant political and economic issues. The main indicators for assessing progress were: number of regular tripartite meetings held on regional and national levels; number of new recognition agreements signed; number of new collective agreements signed and, number of joint policy initiatives undertaken from the tripartite forum.

3.3.2 Progress/results achieved

(a) Regular meetings held on regional and national levels

Documentary evidence and interviews conducted established that social dialogue forums at national and regional levels were being held during the project implementation period. In the first two years (2010-2011), two (2) regional forums were held while between 2012 and 2014, two (2) national forums were held. These proved extremely useful in information sharing, capacity building and national consensus building between the social partners. Major outcomes of the national social dialogue forums were two jointly signed communiqués (2012 and 2014) that spelt out priority areas for collective action by the social partners in the coming year. Further evidence from interviews confirmed that there has been a shift in the nature with which social partners related to each other. At the moment, social partners see each other as partners in development as reflected in mature and constructive discussions. The regularity of bipartite discussions being held is further evidence of the results of social dialogue forums. In the words of one social partner “social dialogue forums have brought in an element of trust between social partners, and this makes it easier to operate in the strengthening of industrial relations”.

(b) New recognition agreements signed

Documentary evidence suggests that a limited number of recognition agreements were signed during the period under review. Notable progress was made in the textiles and garments sector where five (5) new recognition agreements were signed. Another notable progress in this regard was the signing of the access agreement between MCTU and the Tea Association of Malawi and ECAM to consolidate membership base and extend enjoyment of the freedom of association and the right to organize and collective bargaining. These positive developments can be attributed to the tripartite cooperation and improved relations between the parties facilitated by the social dialogue project.

(c) New collective bargaining agreements signed

Documentary evidence further indicates that there has been notable progress in concluding and reviewing collective bargaining agreements during the project implementation period. A total of 31 collective bargaining agreements were either concluded or reviewed during the project implementation period, 2010-2014. It was further reported that negotiation activities have increased in frequency even in the absence of collective bargaining agreements¹³.

(d) Joint policy initiatives

More significant progress was recorded in the area of joint policy initiatives. For instance, the improved cooperation between MCTU and ECAM enabled the two parties to access HIV/AIDS funding from the National AIDS Commission. The two social partners developed and presented a joint proposal to the Global Fund representatives in Geneva during a side meeting on HIV/AIDS organized by LO-Norway. The issue was first discussed in the Social Dialogue Forum where the two agreed to collaborate on HIV/AIDS activities at the work place. This collaboration and resultant activities are presently underway in Malawi. Second, following accidents in the tea processing factories in Thyolo, it was agreed at the Social Dialogue Forum that all Tea Processing Factories and other related establishments needed to have Safety Committees as per the requirement in the Occupational Safety, Health and Welfare Act and that these should be trained by the Ministry of Labour. Evidence suggests that this was done and the Committees have since been operational. Third, there has since been undertaken joint training on collective bargaining by the three social partners – this has created some understanding on the importance of collective bargaining – leading to more CBAs being signed and more employers becoming open to negotiations.

There was also the development of a model CBA which has been finalized and is being used by the social partners in CBA discussions. Fourth, there was a tripartite visit to Norway which was facilitated by LO-Norway. The aim of the visit was to appreciate the working relationship between the social partners in Norway and learn on how best this could be emulated in Malawi. According to documentary evidence, the visit consolidated the importance of consistently engaging in dialogue, both at bipartite and tripartite levels, as well as the need to have updated Collective Bargaining Agreements. In addition, there was a tripartite study visit to the National Economic Development and Labour Council (NEDLAC) in South Africa which was facilitated by LO – Norway. During this visit, the tripartite delegation had an opportunity to visit the Commission for Conciliation, Mediation and Arbitration (CCMA). This helped the social partners to learn more on how the Tripartite Labour Advisory Council could be revived and be made more vibrant and operational. Some points of learning were incorporated in the draft programme for the 2014 Labour Law Review. It can further be noted that following a deadlock reached in discussions on the then Pensions Bill, the Social Dialogue Forum discussed the deadlock and instituted a tripartite task force which worked on the Pensions Bill. The bill was eventually passed in Parliament as the Pensions Act, making it mandatory for all workers in Malawi to be pensionable - as a form of social security. The social dialogue forum further led to the agreement to re-establish the sectoral minimum wages as well as start the discussions on the list of essential services in Malawi.

¹³The Labour Relations Act in Malawi allows negotiations to take place without necessarily being accompanied by a collective bargaining agreement at the end of the process. A typical case in point is in the public service where the outcome of a negotiation process is attested to through signed minutes on the issues agreed to instead of signing a collective bargaining agreement.

3.3.3 Relevance of project

Admittedly, social partners, especially MCTU benefited a lot in terms of capacity building in their various constituencies which has had a positive impact in the strengthening of social dialogue and industrial relations. The project has directly promoted the empowering of the social partners and promoted social dialogue between the social partners. “We have for the past seven years received incredible support, technically and administratively, from the LO-Norway representative in Zambia and it is for this reason that we managed to implement all the activities within the prescribed time”, noted a representative from MCTU. ECAM noted as follows, “the past five years has witnessed a tremendous improvement in the nature and quality of outputs of social dialogue. In the first place, the programme has served as an effective avenue for information sharing and capacity building.

Secondly, the nature of discussions has improved greatly. A sense of maturity and responsibility among all members is visible and there is real discussion of issues unlike in the past when it was used mainly as a forum for getting at each other”. It was highlighted by the social partners that issues of tripartism are attributable to LO-Norway as well as the visibility of MCTU. Following a study visit of Norway under the LO-Norway funding, MCTU and ECAM successfully lobbied for speedy justice at the Industrial Relations Court which resulted in the increase of court panelists from 3 to 10 per social partner from 2010, giving a total of 20. Overall, all social partners were united in appreciating that social dialogue forums have changed the industrial relations landscape in Malawi.

3.3.4 Project effectiveness

By and large, the project goal of realizing the mutually shared goal of promoting social dialogue in Malawi was met. Admittedly, while all social partners seemed conscious about the need to implement issues discussed and agreed at these forums to develop further the capacities of the social partners, it is the case that the project achieved the planned goals and comes across as being reasonably effective. For instance, exchange of ideas has improved, understanding of issues around joint consultative committees has improved and there is improved communication and information flow among social partners. As a result of this collaboration, ECAM organizes its own employer of the year award to coincide with Workers’ (May) Day in a bid to showcase members that recognize workers’ rights. At the award-giving ceremony, MCTU and the Ministry of Labour are also invited to make presentations.

3.3.5 Sustainability

Given that LO Norway has discussed with the Ministry of Labour for several years the scaling down and phasing out of the project, its closure in December 2014 should not be a surprise to the social partners. In view of its central importance as a key pillar of decent work, social dialogue should therefore be funded through the regular budget of the Ministry of Labour. Furthermore, social dialogue objectives are covered in the M-DWCP, which is central to ILO programming. In this way, the financing of the social dialogue activities would be covered within the financing framework of the Decent Work Country Programme.

4.0 CONCLUSIONS, LESSONS LEARNT AND RECOMMENDATIONS

4.1 Conclusions

4.1.1 Organizational development – Support to MCTU

The key finding of the evaluation on this programme component is that while the quality of the programming and co-operation improved overall, there remained a tendency for partial reporting on the performance indicators, especially the quantitative targets. While it is understandable that not all targets can be met for various reasons, what we found amiss is that when this happens, there is no communication with LO-Norway to that effect.

On recruitment and organizing, MCTU indeed prioritized sectors with potential membership, with impressive results recorded in the plantations, food processing and catering, and commercial sectors. However, the current paid up membership of 138,690 is only 1.2 percent higher than the baseline level of 137,000 in 2009, against a target of increasing membership by 10 percent per annum. Disturbingly, there is a culture amongst unions of not declaring the new membership. In this regard, therefore, it is clear that the target of having an updated and reliable data base at MCTU and affiliate union level remains elusive. MCTU appears to be lacking the political will and courage to deal with this matter head-on.

However, MCTU did consistently provide a breakdown of the new membership by gender, and in almost all cases, the target of at least 30 percent of new members being women was achieved. The planned target of at least 30 percent of the new members being youth could not be verified because of the failure to provide data broken down by age. A similar concern arises with the targeted reduction of affiliates to 17 by 2014. In fact, the number of affiliates increased to the current 23. Given the lack of real progress on this issue, we would agree with the valid observations in the letter from LO-Norway dated 20 April 2012 on 'Comments to MCTU's Annual Reports 2011 and way forward,' which noted that "Whilst we appreciate efforts to hold discussions on union mergers, we note that these "initial" discussions have been going on for the last three years without progress. A scrutiny of your affiliates' profile indicate that the majority are either house unions (membership below 500) or membership below 2,000." The same letter highlights the benefits of mergers as follows: "Mergers are a must if unions are to survive the harsh environment of globalization and global financial crisis. This is an area where MCTU leadership has not been proactive enough to guide affiliates. We urge [you] to guide your affiliates through this important process. If mergers took place among your affiliates, there would only be one General Secretary among the six affiliates, resources would be available to pay the one General Secretary and a skeleton support staff. Trade union mergers can address issues of low income and low membership." We also note that LO-Norway developed a booklet on mergers to assist the process and that Resolution 1 of the 2012 Congress of MCTU calls upon the organization to 'walk the talk' and implement the 'one sector, one union' policy.

On the education and training component, while the annual quantitative targets in terms of activities and persons reached were not met, a commendable data base of beneficiaries is in place, broken down by age and gender. During the focused group discussions, we encountered a very motivated and empowered group of beneficiaries ranging from leaders, shop-stewards, organizers, educators/trainers, negotiators, women, youth and people trained in such strategic skills as management of finances. However, there is a need for a more systematic approach in how these cadres are utilized at both the MCTU and affiliate levels to achieve the expected multiplier effects. This is particularly critical given the tendency to overload and over rely on the Education and Organizing Officer at MCTU. MCTU does not appear to have developed/groomed a second layer of trainers to assist the Education and Organizing Officer to carry out training activities among affiliates who call on MCTU for trainers. Clearly, the Education and Organizing Officer spends an inordinate amount of time

running courses for selected individual unions at the expense of coordinating, consolidating and following up logistical matters with affiliates in the area of organizing and training in order to streamline records at the Secretariat and ensure results are achieved.

In terms of mainstreaming gender, the establishment of the Women's Committees at MCTU and union level has helped improve the attainment of results in this area, even though only 5 unions have drafted their own gender policies. There is evidence of improved participation of women in decision-making processes, including negotiations. Evidence suggests that the target of achieving 3 CBAs that are gender and HIV sensitive was surpassed, with at least 4 negotiated each year.

Regarding internal democracy, time did not permit a rigorous assessment of this. However, in terms of the planned results, MCTU amended its Constitution in 2011, which includes a clause on gender equity in terms of positions and participation. MCTU went to congress in 2012, with women and youth conferences also held which has helped create structures for women and youth participation. However, the information with regard to the amendment of union constitutions is patchy, and while more affiliates held their congresses as mandated, some like COWUMA, MAUMAU, BCCEAWU, SCATTU, HFPCW, CEMAWU and MUFIS were overdue in 2014. Some like MUFIS and SCATTU have never held any congress since inception. In terms of internal cohesion, this could be improved by clarifying the reporting structure, wherein once the work plans for staff have been approved by the Secretary General and the Deputy, all staff have to report through the Deputy. The job description for the Secretary General needs to be defined more clearly as it is ambiguous.

The relevance of the programme is not in doubt given the fairly recent (1995) relaxation of the plethora of controls on industrial relations, and introduction of union, and workers' rights. The programme components resonate with the priorities in the MCTU Strategic Plan (2012-15). It is particularly critical in a country with low levels of unionization, weak implementation capacities amongst the three social partners, and the poor working conditions that underpin Malawi's status as one of the 48 Least Developed Countries. Notable improvements in outcome areas suggest improved effectiveness; an area that can be strengthened through more strategic use of the new capacities created through the training programmes. In terms of efficient utilization of resources, there is a conscious effort to do 'more-with-less.'

This notwithstanding, the real challenge is on sustainability of results, especially given the over-dependence on external support and in particular LO-Norway which constitutes 70 percent of MCTU's income. Subscriptions, the main area for sustainability, still contributes only about 10 percent of total income, with arrears worsening the problems associated with already low levels of union dues. The balance sheet is particularly weak, with MCTU's current assets unable to cover current liabilities as reflected in a precarious liquidity (current assets) ratio that averaged 0.43 during the programme period 2010-14 against an optimal level of at least 2. Liabilities to OATUU, which include the period before MCTU's establishment in 1995, and those to elected officials in particular distort the balance sheet and should be addressed as a matter of urgency. Furthermore, the reduction in external partners from 11 during the baseline period of 2009 to the current 4, as well as indications of scaling down support by the main partner, LO-Norway, highlights the significance of implementing an aid exit strategy.

4.1.2 Training and Education - TOAWUM

The project supporting TOAWUM was well meaning and relevant to the circumstance of the union. The commitment demonstrated by the MCTU in providing capacity building training was significant and telling and the support rendered by LO-Norway was highly appreciated by all respondents interviewed. However, the project reported no visible outcomes, making it

difficult to form another opinion other than that the capacity of the union to pursue and protect the individual and collective interests of workers in the tobacco sector had not been improved during the project implementation period. At best, the union's secretariat had not cooperated sufficiently to ensure the achievement of desired project gains.

4.1.3 Social Dialogue – Ministry of Labour

Fundamental freedoms and rights at work are now enshrined in the Constitution, various pieces of labour legislation and ratified International Labour Conventions. The political environment is relatively conducive to trade union activities despite the economic hardships being experienced. However, the level of unionization is still very low in Malawi with less than five (5) percent of the workers unionized. Hence a lot remains to be done to level the playing field in the industrial relations sphere. The Employers too, have similar challenges of fragmentation, financial viability and capacity constraints. However, a useful start has been made in the area of social dialogue that needs to be sustained.

4.2 Lessons Learnt

There are a number of useful lessons learnt that can inform future programming and co-operation between MCTU and LO-Norway and other participating stakeholders. Those relating to the strategic and policy guidance of the project are classified as upstream, while those that relate to the implementation of the project are downstream.

4.2.1 Upstream (Project co-ordination and strategic guidance)

The structured nature of the project, with insistence upon quarterly audited accounts to LO-Norway, audited annual and narrative accounts helped push MCTU towards greater efficiency and effectiveness in programme delivery, and the detailed reporting matrix aligned to the performance indicators helped improve the outcomes. For instance, the onsite inspection by Ernst and Young (Oslo) of 23-25 November 2011 highlighted issues of sustainability, while the visits by LO-Norway officials and in particular its Consultant on Africa helped identify challenges early and offer solutions. Detailed comments were provided on the accounts, which raised fundamental issues that this evaluation was able to flag out. Such strategic guidance, including exchange visits to Norway and South Africa on enhancing the efficiency of the industrial dispute adjudication and justice delivery system, was considered most useful by all stakeholders. This project is therefore a good example of the transition from donor-partner relations of the past to building true partnerships where stakeholders are mutually accountable to each other and account for results.

4.2.2 Downstream (Project Implementation)

From the implementation side, it is most gratifying to note the progress achieved in all aspects of the programme(s) arising mainly from persistence and longevity of the interventions. For instance, it emerged very strongly that when the Social Dialogue programme commenced in 2006, relations amongst the three social partners, MCTU, ECAM and Ministry of Labour were so bad that the initial meetings were acrimonious. However, as the programme progressed, social dialogue is now fairly entrenched in Malawi, especially at the national level. This new understanding helped the social partners deal with the deadlock regarding the Pension Bill, which was eventually passed in 2009.

However, we also note that while programming improved generally, there are still several recurring issues which even though they were highlighted fairly early, have persisted,

including issues of recruitment and organizing, reliable membership database, union mergers and sustainability. The worst case is the component with TOAWUM, which has degenerated to the point where continuing with the partnership in the present form is both unsustainable and undesirable. Early warning should have resulted in prompt remedial action. There is also need to develop a framework for systematically using the trained cadres to achieve multiplier effects as the education and training, as well as the organizing components remain steeped in a top-down approach which is highly dependent on limited personnel at MCTU. The establishment of women and youth committees is a good example of how to re-energize the labour movement in a gender-sensitive and inclusive manner as well as focusing on cross-cutting issues such as child labour and HIV/AIDS.

4.3 Recommendations

4.3.1 Organizational Development – Support to MCTU

The following recommendations can be logically derived from the conclusions:

- The programme reports should fully address all the performance indicators as provided for in the reporting matrix, and especially the quantitative targets;
- When planned activities can no longer be implemented for various reasons, this should be communicated to LO-Norway so that outcomes are based on the revised performance indicators as this also promotes mutual accountability for results;
- There is need to further strengthen the implementation of results-based reporting so that due attention is given to outcomes and impacts;
- As pointed out in the letter from LO-Norway dated 27 November 2013 on 'Conclusions and Action Points from LO Norway's Visit to MCTU 12-15 November 2013,' "It is important that MCTU continues to strategically prioritize those sectors with great membership potential in your organizing efforts, in order not to overwork the limited resources you have available for this;"
- MCTU and its affiliates must develop an updated and reliable database on membership, consistently disaggregated by gender and age. Especially where assistance of MCTU is provided in recruitment and organizing, it should be a condition of the support that new members are fully declared;
- New forms of organizing should be explored, including; linking workplace and community issues, action research, as promoted in the ALEN programme;
- Mergers amongst unions should be pursued to achieve the policy of 'one-industry, one union' with support from stakeholders such as Global Union Federations (GUFs), the ILO and regional federations such as SATUCC. Best practices in this area abound and should be drawn upon (e.g. LO-Norway facilitated similar mergers of the 3 public sector unions in Zanzibar and the recent establishment of the Trade Union Congress of Swaziland (TUCOSWA) from the then existing two federations);
- MCTU leadership in conjunction with the Women's Committee should ensure that women participate in equal numbers to men in all trade union activities;
- A systematic way of utilizing trained cadres should be implemented at both MCTU and affiliate level so that programme implementation is not dependent on the Education and Organizing Officer. MCTU should therefore identify a core group of trainers who are groomed to assist the Education and Organizing Officer, who in turn should spend more time doing the coordination, logistics and monitoring performance indicators to ensure results are achieved;
- To facilitate greater efficiency and effectiveness, detailed job descriptions should be adopted to guide internal operations of MCTU and create greater internal cohesion, with clear reporting lines. Work plans for all staff should be approved by the Secretary General and his Deputy, with staff reporting through the Deputy Secretary General;

- The 2016 MCTU Congress could consider the option of delegating the General Council to appoint the Secretary General based on performance criteria so that focus is on longer-term results as opposed to short-termism associated with election cycles. As elsewhere, there may be no need for both the Secretary General and his/her Deputy to be full-time;
- To address the perennial issue of 'going concern' and financial sustainability, MCTU should either reverse its current policy of providing monthly allowances to elected officials, or put in place a policy to the effect that they cannot be paid retrospectively but prospectively. In addition, subscriptions should be reviewed to a viable level. Furthermore, MCTU should negotiate with OATUU for the writing off of the accrued affiliation fees which date back to its predecessor, TUCM.
- MCTU and affiliates should adopt and implement resource mobilization and financial sustainability frameworks that include: (i) membership recruitment and viable subscriptions, (ii) cost management strategies; (iii) strengthening own sources of income etc. NONM is leading in this instance, having developed its own infrastructure that is being leased, is constructing a clinic (subsidized for members while the public pays), and a five-storey complex to lease, running its own restaurant on its premises (out-sourced), an aggressive fund-raising exercise driven by its branches, external partners (mainly Norwegian Nurses Association) and well-wishers, anchored on subscriptions which constitute 20 percent of income. NONM has a sustainability strategy with targets of reducing donor dependency to 60 percent, 40 percent, 20 percent and nil each year. They train young nurses to become effective leaders in the organization once a month based on a curriculum and give them diplomas at the end of the training. NONM has trained 156 nurses since 2008. They have now extended this leadership training to the public and expanded the intakes from 20 to 120 as an income generating project. Their 30 slots are on scholarships while the rest pay;¹⁴
- LO-Norway could assist MCTU to develop a financing and resource mobilization strategy as part of the implementation of an exit strategy. FNV is implementing a similar programme called Mango (management accounting for NGOs) with its partners, where it is providing training on how to develop a financing strategy that promotes financial sustainability. The programme allows the partner to see where they are, and where they want to be, and then strategize how to get to where they want to be in a defined period. The partner develops a sound plan for financial sustainability, which is measurable and monitored as part of the overall strategic plan. This should involve all the senior people who make key decisions;
- Further collaboration with other co-operating partners of MCTU could be strengthened to ensure greater harmonization and alignment of activities, especially where overlaps exist, and to ensure better co-ordination for results.

4.3.2 Training and Education - TOAWUM

Going forward, efforts might have to be directed towards:

- (i) Value addition in terms of securing unity between and within unions in the agriculture sector by ensuring that the fragmenting and struggling unions can successfully merge to strengthen the workers' voice.

Once this is done, it might be useful to:

¹⁴NONM has a membership of 10,500, which includes about 2,000 students who are associate members. The subscriptions are such that students contribute MK500 per annum, registered nurses, MK2,000 per annum, and midwives and technicians, MK1,000 per annum. The over 500 branches each contribute at least 5 bags of cement for the construction works.

- (ii) Put in place an effective communication and information flow within the union's structures at all levels;
- (iii) Put in place a system for creating a critical mass of trained cadres and harnessing their skills and monitoring progress with membership recruitment;
- (iv) Put in place an effective dues collection system, and maintaining an accurate financial record of membership subscriptions in a transparent manner as well as acting to ensure that the union opens a current account for projects.

4.3.3 Social Dialogue – Ministry of Labour

On the Social Dialogue component, the following could inform the way forward:

- Institutionalizing social dialogue and creating an independent secretariat to avoid the ad-hoc and donor driven focus in the current thrust;
- Need to align the national social dialogue forum and the M-DWCP.

4.3.4 Future Cooperation and Partnership

The stated and identified needs of MCTU relate to organizing membership and establishing an updated and reliable membership database, mergers of unions to achieve the 'one-industry-one union' policy, Trade Union Democracy and Accountability, viable subscriptions, servicing members, mainstreaming gender and youth, and expanding the income base, especially uncommitted longer-term income to underwrite the sustainability of its 'going concern' status. This is critical if MCTU is to accomplish its core business of improving the working conditions of the working people and reducing in a sustainable manner the huge decent work deficits that abound in Malawi. On its part, having provided organizational support to MCTU for such a long time, LO-Norway would like to explore other modalities of co-operation that enhance the sustainability of the results and reduce donor dependency. However, it is conscious of the fact that the proposed shift from organizational and administrative support to a few thematic areas has to be gradual to safeguard achievements.

The next Cooperation Agreement could therefore make organizational development and sustainability an overriding objective, with the thematic focus on recruitment and organizing, facilitating mergers, education and training, gender mainstreaming, viable subscriptions, and an aggressive financial management and mobilization strategy being means to achieving sustainability of results and exit from aid dependency. The mode of delivery should change towards delegated delivery of services (organizing, education and training etc.) through trained trainers and organizers from affiliates instead of relying on MCTU. A conscious aid exit strategy should be developed with MCTU with agreed targets of reducing the contribution of external partners within specified timelines as is the case with NONM. Furthermore, greater cooperation and coordination with other MCTU partners, and especially the ILO would help to align and harmonize activities to promote mutual accountability for results (see Paris Declaration on Aid Effectiveness of 2005).

Appendix IA: List of Interviewees

Name	Union	Position
Mr. Chauluka Muwake	MCTU	President
Mr. Ronald Mbewe	MCTU	Vice President
Mr. Pontius Kalichero	MCTU	Secretary General
Ms. Grace Lonjezo Nyirenda	MCTU	Deputy Secretary General
Ms. Jessie Ching'oma	MCTU	Deputy Director Education & Organizing
Ms. Chikondi Nakoli	MCTU	Research Officer
Ms. Christina Kachulu Wahera	MCTU	Accountant
Mr. John Chimimba	MCTU	Accounts Intern
Mr. Shakespear Sesani	HFPCSU	General Secretary
Ms. Eunice Chitwanga	HFPCSU	National Organizer
Mr. John Obongo Mwafulirwa	BCCEWU	General Secretary
Mr. Charles Mikundi	TGLSSWU	General Secretary
Mr. Mathand	Lujeri Tea Estates	Human Resources Manager
Mr. Kanyuka	Lujeri Tea Estates	Factory Manager
Mr. Khembo	PAWUM	President
Mr. Banda	PAWUM	General Secretary
Mr. Nkhoma	PAWUM	Treasurer General
Mr. Makupiza	PAWUM	Organizer
Ms. K. Hambayani	PAWUM	Organizer
Ms. Rose Singano	PAWUM	Vice Chairman, Women's Committee
Mr. Titus Linje	PAWUM	Branch Chairperson
Mr. Haji	MUFIS	Treasurer General
Ms. Gladys Mponda	MUFIS	Education & Training Support
Mr. Lyton Kapongola	TOAWUM	President
Ms. Regina Ledson	TOAWUM	Vice President
Mr. Raphael Sandramu	TOAWUM	General Secretary
Mr. Edison Gidion	TOAWUM	Chairman
Mr. Richard Munthali	TOAWUM	Deputy General Secretary
Ms. Phides Chongwari	TOAWUM	Treasurer General
Mr. Daniel Mphavu	TOAWUM	Chairperson
Ms. Jessy Banda	TOAWUM	Women's Committee Vice Secretary
Mr. Servace Sakala	CSTU	President
Mr. Madalitso Njolomole	CSTU	General Secretary
Mr. Joseph Mdambo	CSTU	Treasurer General
Mr. Dens Sandram	MCTU Youth Committee	Chairperson
Ms. Priscilla Chete	MCTU Youth Committee	Secretary
Mr. Joseph Kamwendo	MCTU Youth Committee	Vice Secretary
Ms. Joyce M'mangisa	MCTU Women's Committee	Chairwoman
Ms. Marie Kambeja	MCTU Women's Committee	Vice Chairwoman
Ms. Ruth Chibari	MCTU Women's Committee	Secretary
Ms. Harriet Kapyepye	NONM	Executive Director
Mr. Vilengo Beza	Deloitte (MCTU Auditors)	Partner
Mr. Manuel Chisale	Deloitte (MCTU Auditors)	Manager
Mr. Beyani Todd Munthali	ECAM	Executive Director

Mr. Wycliffe Masoo	Malawi Human Rights Commission	Disability & Elderly Rights
Mr. Winston Mwafulirwa	Malawi Human Rights Commission	Director of Corporate Services
Mr. Harry Migochi	Malawi Human Rights Commission	Director of Economic, Social & Cultural Rights
Mr. Peter Chisi	Malawi Human Rights Commission	Director of Civil & Political Rights
Mr. Michael Kakatera	Malawi Human Rights Commission	Acting Director of Gender
Ms Lindizga Mtegha-Kawamba	Ministry of Labour	Chief Labour Officer

Appendix IB: List of Workshop Participants Interviewed

Name	Union / Position	Activity Attended
Mr. Wilson Sochela	HCFPWU Blantyre Secretary-SOBO	Collective bargaining
Mr. Assam Osman	NONM-QECH Blantyre	Collective bargaining
Ms Mallen Mkandawire	MHCWU Blantyre - Educator	Educators' training
Mr. Samuel Njiwa	PSEUM Blantyre - Educator	Educators' training
Mr. Harry Tindo	TUM Blantyre - Organizer	Organizers' training
Mr. Coldwell Mdala	CIAWU Blantyre - Organizer	Organizers' training
Mr. Stonek Amos	TUM Phalombe – Zone chair	OSH/HIV & AIDS
Ms. Magret Midaya	MUFIS Blantyre – Chairperson	OSH/HIV & AIDS
Ms. Janet Zingale	CSTU Blantyre – CSTU Women's Chair	Women leadership
Ms. Agnes Phiri	WETUM Blantyre – Chairperson	Women leadership
Mr. Toney Chitimatima	WETUM Blantyre – General Sec./Youth rep.	Youth training
Ms. Natalia Lester	PAWUM Njuli/Chiladzulo – Branch chair/youth rep.	Youth training

Appendix II: Terms of Reference: Evaluation of LO-Norway's Malawi Programme

Scope and Objectives of the Evaluation

MCTU-Malawi has identified a range of internal and external strengths and challenges they are currently facing in their work. They perceive the environment between the social partners in the country as conducive, and see an increased level of activism in the promotion and protection of workers' rights, as well as improved capacity of the membership. However, it has a continued weak financial base, there is a proliferation of small and weak unions contributing to fragmentation in the trade union movement (and high costs), there is lack of women in decision-making structures, weak collective bargaining structures, and low trade union density. These challenges, especially mobilizing membership, lack of disclosure of membership information by affiliates and failure to adhere to constitutional obligations/governance structures, while also remaining visible in national policy-making and interventions, are seen as needing new possible options for improving efficiency and improved results.

LO-Norway has provided organisational support to MCTU for many years and is now looking to explore other modalities of co-operation that further enhances results achieved and that reduces donor dependency. It has been proposed to shift the focus from pure organisational and administrative support to focus on a few thematic areas. The shift will not happen overnight but be a gradual shift over the next project period. MCTU also has have a host of other donors, amongst them LO-TCO (Sweden), LO-FTF (Denmark). The potential is also there for better coordination.

LO-Norway has provided feedback to MCTU's audited accounts and narrative reports. Some of the comments are recurring and ideas for how to proceed is needed. The issue of trained members is a case in point. How are these trained members being utilized by the union movement to ensure maximum benefit and to alleviate the workload of the union leadership? Is there a database keeping track of those being trained and whether the skills are being utilized? Are the skills benefiting the trade union movement or individuals? There are also issues of accurate and regularly updated membership statistics and database (for example for statistics on women and youth membership).

Based on these identified needs, LO Norway and MCTU want to evaluate the programme co-operation; both to assess the progress and results, the efficiency of the implementation and sustainability issues of the current arrangements; as well as the programme's continued relevance/need going forward, the added value of LO continued support, and if so identifying and suggesting potential new avenues/areas for cooperation. The evaluation will be an important tool in determining the nature of future support and cooperation.

The main objective of the evaluation is thus twofold, and should include, but not be limited to an assessment of the listed issues below;

- **Assessment of progress**

- To assess the **relevance** of the project cooperation, determining whether the project has targeted the needs of the organisation and whether potential modification made during the implementation has successfully targeted changed needs.
- To assess the **efficiency** in the implementation of the project. How efficient has this organisation been in the implementation of the project i.e. has the work been carried out, and the financial and human resources been used in an appropriate and cost-efficient manner?

- To assess the **progress/results** of the LO Norway support to MCTU and the affiliated national unions, based on agreed targets and indicators for the previous project period (2010-2014) .***Progress should be tracked for each of the project outputs as well as the outcome level (aggregated)***. What are the lessons from the previous period in terms of the objectives being met, and that all the expected results of the project will be produced by the end of 2014? If not, -why? i.e. have the objectives been unclear and/or unrealistic or is it due to other internal and/or external factors? Have recommendations of the member organisations, LO-Norway and internal reviews been followed up in an appropriate manner?
- To assess the **sustainability** of LO Norway support to MCTU. Are MCTU and the participating organisations able to continue the current level of activities when LO-Norway support ends? Has the capacity of the organisations been permanently improved? If so, what are the indicators of this?
- To assess the **external impact** of MCTU vis-à-vis towards the government, employers and the general public, and whether this is a result of the project cooperation or other factors? Has MCTU and the participating partners been able to improve their performance as a result of the project? Has there been an impact of political influence in the society, improved trade union rights, better labour legislation, etc, that may be directly or indirectly linked to the project? The role and strength of the MCTU in terms of defending workers and workers' rights, the trend and challenges of union membership. The MCTU's value added in terms of securing unity between and within unions, as well as ensuring mergers.
- To assess the **internal governance structures** of MCTU. Internal democracy, ownership and accountability between MCTU leadership and secretariat and affiliated unions, including financial management (especially debt management).
- Particular emphasis should be paid to assess **gender issues**, to what extent they have been mainstreamed and resulted in women's effective participation as well as whether these issues have been adequately addressed in the project (this is stated in the co-operation agreement from 2010).
- To assess the impact of the **Social Dialogue project** among the social partners. Are there any visible outcomes? Has the capacity of the social partners improved? What about sustainability of the activities now that LO-Norway has left?
- To assess the impact of the **TOAWUM support**. Are there any visible outcomes? Has its capacity improved? What are the lessons from the cooperation that can be distilled and be important for future engagements in similar projects for LO-Norway?
- Based on the assessment of progress, **to assess the modality of cooperation with MCTU** and provide recommendations for future cooperation and partnership. Special emphasis should be put on:
 - Assessment of MCTU's current partners and their support vis-à-vis the added value of LO Norway support.
 - Analysis of stated and identified needs of MCTU and LO Norway's strategic position in relation to these.

The evaluation should include, but not necessarily be limited to, an assessment of the following issues.

The Consultants should review any strengths or weaknesses of the programme and the partners, and make recommendations on how to enhance the achievement of the planned results.