

ROM report

Type of ROM review	Projects and Programmes
Project title	Improving the standards of employment conditions/relations as well as health and safety at work in Georgia
Project reference	C-409668
Delegation in charge	Georgia
Status	Final
Report date	01/12/2020

Project - Key Information	
Domain (instrument)	European Neighbourhood Instrument (NEAR)
DAC Sector	
Zone Benefitting from the Action	Georgia
Action Location	Georgia
Type of Project/Programme	Geographic
Geographic Implementation	Single-country
Entity in Charge	Georgia, Moldova & Neighbourhood Cross-Border Cooperation
OM in Charge	JUODSNUKYTE JURATE
Contracting Party	SLOVENSKA REPUBLIKA

Project - Financial data on 19/10/2020			
Total budget	1,500,000 €		
EU contribution	1,500,000 €		
Paid Amount	732,719 €	Date of last payment	04/10/2019

Project - Dates				
Contractor Signature Date	20/09/2019			
Activities	Start Date	07/10/2019	End Date	06/10/2021
Final Date for Implementation (FDI)	07/04/2022			

ROM review - Key information				
Reason for ROM review	Yes			
ROM expert(s) name(s)	MIZANDARI Marine			
Field phase	Start Date	19/10/2020	End Date	27/10/2020

Executive Summary

The Institutional Twinning project 'Improving the Standards of Employment Conditions/Relations as well Health and Safety at work in Georgia' (TWG project) is implemented by a consortium of three European Union (EU) Member States (MS) partners - representing public administrations of Slovakia, Spain and Estonia - and the Ministry of Internally Displaced Persons, Labour, Health and Social Affairs (MoIDPLHSA) of Georgia. The MoIDPLHSA is also the beneficiary administration (BA) and is represented by two of its departments: the Labour Conditions Inspecting Department (LCID) and the Labour and Employment Policy Department (LEPD). The action aims "to support higher standards in employment relationship and working conditions in Georgia through improving legal framework and enforcing implementation" (overall objective) by relying on a legal approximation process to the relevant EU acquis.

The main stakeholders are the Makhviladze Research Institute of Labour Medicine and Ecology, the Technical and Construction Supervision Agency under the Ministry of Economy and Sustainable Development, the Tripartite Social Partnership Commission, and the Municipal Inspection of the Tbilisi City Hall. Relevant sector representatives of social partners are also targeted as well as specialists and experts from relevant education institutions on the topic. The final beneficiaries are employees and employers and the general public of Georgia.

The TWG project is well designed to address the current needs of the MoIDPLHSA and its two departments. The two components of the project, focusing mainly on legal framework improvement and institutional capacity building, effectively complement each other and contribute to the overall objective. The intervention logic is thus clear but there is a room for a slight improvement of the Logical Framework Matrix (LFM) in order to enhance its readability and usefulness.

The project remains highly relevant as it intends to have direct impact at the legal framework and its execution mechanisms. The choice of implementing modality – Institutional Twinning – responds to the needs of the relevant Georgian institutions in adoption of the EU directives and normative acts, in sharing best EU practices of control and enforcement mechanisms and methodologies in the Labour-related area. The possible risk of overlapping with other on-going actions has been transformed in good synergy and complementarity by creating a special matrix that allows a good coordination of the diverse initiatives carried out, in particular, by the International Labour Organisation (ILO) or the Gesellschaft für Internationale Zusammenarbeit (GIZ).

The efficiency of the TWG project appears quite limited due to difficulties and restrictions related to COVID-19 pandemic but also the parliamentary elections in October 2020. These restrictions have led to significant delays in implementation, from four to nine months. The delays concern in particular the first component of legal approximation and public awareness raising under the second component, as well as developing number of written operational guidelines, manuals and procedures required to implement all legislative and regulatory changes. These delays make already impossible the achievement of mandatory results (outputs) within the allocated timeframe. The TWG project disbursement rate is consequently not high (33.5%), and the remaining budget will not be used before the actual planned end of the project.

Nevertheless, the TWG project demonstrated good flexibility in this context by adapting the format of some activities - as meetings and trainings - but especially by responding to the most urgent needs of the BA to share the best EU practices in addressing the COVID-19 pandemic context and in developing 39 restrictive regulations.

Moreover, the TWG project benefits from highly qualified, experimented and committed human resources both on the side of the European partners and on the Georgian side. High professionalism and motivation of the BA staff members compensate the limited resources made available by the Ministry for the action.

The chosen implementation mechanisms appear also to be sound, but they do not, however, promote sufficient participation of certain actors who are though considered essential for the success of the TWG project by the main stakeholders. Thus, the envisaged working groups are not yet operational and the possibilities of usefully involving other actors in certain activities are little explored.

Despite the significant delays, the TWG project has been able to prove its effectiveness in the actions undertaken so far. It has already produced some outputs of good quality even though none of the mandatory results have yet been fully achieved. Concerning the 'Approximation of primary and secondary legislation related to labour law, gender equality and Occupational Safety and Health in accordance with the EU acquis' (mandatory result/output 1) significant progress has been made in terms of amendments of the Labour Code – including gender equality – and the Law on Labour Inspection. With regard to capacity building, inter-institutional cooperation, and awareness raising campaigns (mandatory result/output 2), none of the three sub-results has been achieved at this stage, even if the activities have started. In particular, forty newly hired Labour Inspectors were trained in the first module to be initiated to the principles of Labour Inspection (LI) and the legislative foundations of LI. They are currently going through the second module of training cycle. The accumulated delay in achieving planned outputs makes impossible achieving expected outcome within the remaining period. There is however good progress: the intervention already contributed to the adoption by the Georgian Parliament of the package of amendments of the Labour Code, Draft LI Law and other related laws. Thus, the most important obligations from the relevant EU directives are now correctly reflected in the Labour Code and a significant progress in harmonisation with EU standards -has been achieved.

The sustainability of the TWG project appears good thanks to its right-based approach and contribution to systemic changes, as improvement of primary and secondary legislation of Georgia in the field of Labour Rights and Labour Protection, and capacity building of target groups and institutions.

Nevertheless, while the TWG project places particular emphasis on the importance of public awareness campaigns, little progress has been made at this stage in terms of implementing communication and visibility activities.

The main recommendations based on the findings of the review focus on (1) a cost-free extension of the TWG project; (2) the operationalisation of the working groups and (3) of the public awareness campaigns; (4) the strengthening of the involvement of other interested institutional actors; and (5) a slight adaptation of the LFM.

Project Synopsis

Description of the context with a focus on the problematic to be addressed by the action

Georgia joined the International Labour Organization (ILO) in 1993 and ratified 18 Conventions. It has also ratified a number of articles of the European Social Charter but not, yet, the ILO Conventions related to Labour administration, Labour inspection and Occupational Safety and Health (OSH). Before the launch of the Twinning Fiche for this TWG project, the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) made a series of critical recommendations on the Labour Legislation in Georgia.

These recommendations concerned the Labour Code (2006, amended in 2013). It contained some rules on working conditions, individual labour relations, collective labour agreements, liability and disputes, and establishes a Tripartite Social Partnership Commission. But if it included some generic obligations for the employers on the prevention of occupational risks, it did not contain dispositions related to violation of labour legislation and did not regulate labour inspection. Labour regulatory framework needed thus to be improved to satisfy all international requirements arising out of the ILO fundamental Conventions but also the EU-Georgia Association Agreement (AA) signed in June 2014.

The Law on Gender Equality (2010) was also not judged satisfactory as it included just an article on the gender equality in labour relations.

Several articles of the Georgian Constitution relate to principles and rights at work, as protection of labour rights, equality and non-discrimination, freedom of association, right to strike, and safe and healthy working conditions. In addition, over 200 legislative acts and ministerial orders are in force, but most of them are obsolete or need to be substantially revised. For the moment of drafting the Twinning Fiche, the only modern standards could be found in three orders of the Ministry of Internally Displaced Persons, Labour, Health and Social Affairs (MoIDPLHSA), adopted as government resolutions: the list of professional diseases and professional activities, containing the risks for developing professional diseases; the list of hard, hazardous and dangerous workplaces; and the list of severe, harmful and hazardous works, that contain increased risk. Finally, a Law on Trade Unions (1997) regulates aspects related to the freedom of association in Trade Unions, and recognises their role in the observance of Labour Law and the right to take part in the workers and environmental protection.

Signing the AA was a decisive point in the field of OSH since Georgia took the responsibility of approximation to the relevant Union acquis.

Despite strong opposition from business sector and part of the Georgian administration, several fatal accidents in construction and mining sectors has mobilized civil society and general public, and led to the adoption by the Georgian Parliament of the law of Georgia on Occupational Safety (OSH Law) in March 2018. This achievement was a result of a long consultation and preparation process, steered by the MoIDPLHSA.

This TWG project aims to support this legal approximation process and takes place in accordance with national framework on policy and legislative development. It follows the better regulation approach supported by the EU which requires policies and legislations to be prepared on the basis of the best available evidence (impact assessment) and according to an inclusive approach, involving both internal and external stakeholders. Moreover, the TWG project aims at strengthening capacity of the MoIDPLHSA in implementing this legislation.

The action is implemented by a consortium of three partners, representing relevant public administrations of EU Member states (MS) – from Slovakia (leading partner), Spain and Estonia –, and MoIDPLHSA as the beneficiary administration (BA).

The total amount of the TWG project is EUR 1.5 million.

Description of the intervention logic

- Overall Objective: Support higher standards in employment relationship and working conditions in Georgia through improving legal framework and enforcing implementation.

- Specific Objectives/Outcome: To assist the MoDPLHSA, together with other relevant stakeholders, to draft the legal and administrative provisions and establish the institutional mechanisms to improve employment conditions/relations and OSH, including a labour inspection system. Additionally, to strengthen the capacity of the national institutions to implement and adopt the best European practices.

- Mandatory Results (R)/Outputs:

R1: Approximation of primary and secondary legislation related to labour law, gender equality and OSH in accordance with the Union acquis.

R2: Capacity building, inter-institutional cooperation, and awareness raising of relevant state authorities and private sector for full implementation of amended legislation in labour law, gender equality and OSH.

- Sub-Results (SR) per component:

SR 1.1: Legal framework on labour law, including aspects of labour inspection system, amended in compliance with the Union acquis.

SR 1.2: Legal framework on non-discrimination and gender equality, including aspects of labour inspection system, amended in compliance with the Union acquis.

SR 1.3: Legal framework on OSH, including aspects of labour inspection system, amended in compliance with the Union acquis.

SR 2.1: Analysis for strengthening state authorities' capacity for implementation of the EU best practices performed and required strategies developed.

SR 2.2: Implementation of the EU best practices regarding the amended legislation piloted and awareness of the citizens and private sector on the topic increased.

SR 2.3: Organisation of working group(s) on labour law, gender equality and OSH comprising line ministries and social partners completed and functional.

- Project Activities

Under SR 1.1

Aligning Georgian legal framework to the EU labour acquis, including aspects of labour inspection system.

- Indicators and targets (I/T):

Number (No.) of Tables of Concordance (ToC) prepared for the Labour Law acquis, including aspects of labour inspection system.

Target: 8 by June 2020.

List of amendments to be made in the Georgian primary and secondary labour legislation specified with explanatory notes.

Target: 8 Directives by the end of 2020.

Under SR 1.2

Aligning Georgian legal framework to the EU non-discrimination and gender equality legislation including aspects of labour inspection system.

- I/T:

List of amendments to be made in the Georgian primary and secondary legislation on Gender Equality acquis specified with explanatory notes.

Target: 4 Directives by July 2020.

Share of staff from relevant public institutions who are fully informed on regulatory and fiscal impact of changes in labour law and gender equality acquis.

Target: 90% of staff in LCID and LEPD by the end of 2020.

Under SR 1.3

Aligning Georgian legal framework to the EU OSH legislation, including aspects of labour inspection system.

- I/T:

Availability of quality checked translation of the OSH acquis with clear technical terminology

Target: Quality check of 13 Directives by the end of the project.

ToC prepared for the OSH acquis, including aspects of labour inspection system

Target: 13 by the end of the project.

List of amendments to be made in the Georgian primary and secondary OSH legislation specified with explanatory notes.

Target: 13 Directives prepared by the end of the project implementation.

Share of staff from relevant public institutions who are fully informed on regulatory and fiscal impact of changes in OSH acquis.

Target: 90% of staff in LCID and LEPD by the end of project.

Under SR 2.1

Assessing and proposing the improvements of the administrative structures, and capacity strengthening proposals, including training needs assessment for the staff of the beneficiary and other relevant institutions.

- I/T:

Functional Review of the relevant state authorities to implement changes, including human and financial resources, administrative structures and equipment needed.

Target: 1 Functional Review completed by June 2020.

Training needs analysis and plan of the whole staff of beneficiary department and representatives from other relevant institutions listed.

Target: 1 Training need analysis completed by June 2020.

Share of BA staff who received training to implement necessary changes and the representatives from other relevant institutions listed.

Target: 90% of staff in BA and others by the end of project implementation.

No. of labour inspectors who are trained more to become trainers.

Target: 5 by the end of the project implementation.

Under SR 2.2:

Developing necessary guidelines, manuals and procedures to improve the institutional operations as well as OSH online glossary and Risk Assessment Checklist; ensuring that staff members of key stakeholders know and use these tools.

- I/T:

Plan for improving institutional operations and procedures of the relevant state authorities to support their pilot implementation, each with clear competences and coordination roles.

Target: 1

No. of written operational guidelines, manuals and procedures required to implement all changes, explaining all steps of implementation to the relevant staff.

Target: At least 15 documents by the end of the project.

No. of OSH online Glossary and Risk Assessment checklists and their dissemination to relevant parties.

Target: At least 20 by the end of the project.

No. of elaborated promotional materials and public information campaigns in printed and online media, TV and other tools.

Target: 30 short written materials + 2 public campaigns by the end of the project.

Share of private companies (i.e. both employers and workers) which are informed, and No. of citizens reached out on the new rules and changes made in labour legislation.

Target: 90% of registered companies informed by the end of the project.

Proposal for a structure of inter-institutional cooperation and working procedures.

Target: 1

Under SR 2.3:

Developing the structure of inter-institutional cooperation.

Description of the intervention logic

- I/T:

Working groups operational with team members from relevant institutions with a clear mandate and their continuous involvement in the 'Technical Working Group' and 'Coordination Group'.

Target: 2 working groups operational by the end of the project.

No. of meetings facilitated for effective functioning of working groups through team building, training and expert inputs.

Target: at least 4 meetings a year.

In the description of the Action, a table presents a list of eleven risks and assumptions, including corrective and mitigation measures. The issues identified relate mainly to risks of disengagement or changes at the political or institutional level; access to information and communication between stakeholders; lack of administrative and technical support.

Description of the target group(s) and final beneficiaries

The main beneficiary and target group is the Ministry of Internally Displaced Persons, Labour, Health and Social Affairs (MoIDPLHSA), namely its two departments: The Labour Conditions Inspecting Department (LCID) and the Labour and Employment Policy Department (LEPD).

Among other targets are the Makhviladze Research Institute of Labour Medicine and Ecology, the Technical and Construction Supervision Agency under the Ministry of Economy and Sustainable Development (MoESD), and the Municipal Inspection (former Department of Supervision) of the Tbilisi City Hall. Makhviladze Research Institute of Labour Medicine and Ecology is a scientific institution in place since the Soviet time that plays an important role in developing normative acts related to the occupational diseases and conducting risk assessment to define ecological threats. The Technical and Construction Supervision Agency (TCSA) under the MoESD has a mandate of executing special control over the so called high technical risks objects, as construction-buildings, installations, machinery, strategic objects that comprise particular technical risks and may damage human health and environment. The TCSA has a memorandum of cooperation with the Labour Conditions Inspecting Department (LCID) of the MoIDPLHSA for conducting joint inspection of construction sites. The Municipal Inspection of Tbilisi City Hall has some functions covering only the area of the capital, which partially overlap with Labour Inspection mandate when it comes to supervising construction sites.

Relevant sector representatives of social partners are also targeted as well as specialists and experts from the relevant higher education institutions on the topic.

The final beneficiaries are employees and employers, and the general population of Georgia.

Findings

1. Relevance

The Institutional Twinning project 'Improving the Standards of Employment Conditions /Relations as well Health and Safety at work in Georgia' (TWG project) is highly relevant for the Georgian reality. It responds to the current needs of both the target groups and final beneficiaries.

The main target and partner of the project is the Ministry of Internally Displaced Persons, Labour, Health and Social Affairs (MoIDPLHSA), beneficiary administration (BA), mainly represented by its two departments: Labour Conditions Inspecting Department (LCID) and Labour and Employment Policy Department (LEPD). Among other targets are other actors of the state system of Occupational Safety and Health (OSH) and labour inspection: the Makhviladze Research Institute of Labour Medicine and Ecology, the Technical and Construction Supervision Agency of the Ministry of Economy and Sustainable development and the Municipal Inspection of Tbilisi Municipality.

The TWG project intends to accompany the relevant institutions of Georgia in adoption of the EU directives and normative acts, in sharing best EU practices of control and enforcement mechanisms and methodologies in Labour-related area.

Legislative framework in Labour field in Georgia went through important improvements during last years. Labour inspection was abolished in 2006 and re-set only in 2015, after almost a ten-year interruption. The EU-Georgia Association Agreement (AA), including Deep and Comprehensive Free Trade Agreement (DCFTA), signed in 2014, was a turning point for the decisive shift. The AA calls for proper labour Governance through social dialogue and compliance with International Labour Organisation (ILO) standards. Thus, Georgia was committed to implementing internationally recognised core labour standards, including effective labour inspection, until September 2019.

A close cooperation between the EU and Georgia is envisaged in the field of Employment, Social Policy and Equal Opportunities (Chapter 14, articles 348-354) and approximation of Georgian legislation to the EU acts and instruments referred to in the Annex XXX. This Annex gives a list of 40 directives, to be approximated to the Georgian legislation, mainly related to labour legislation (eight directives), anti-discrimination and gender equality (six directives); and occupational safety and health (OSH) (26 directives). Some of OSH directives are to be implemented by 2020-2022, others by 2023-2025.

The department for labour conditions inspection was formed in 2017 in the Ministry of Labour, Health and Social Affairs. However, from 2015 to 2018, this department was rather monitoring OSH, and labour conditions, than operating as an inspection service. The regulatory changes later on empowered the inspectorate to deliver inspections in relation to forced and undeclared labour and human trafficking without prior notification. The next stage in the development of the OSH system was the adoption of the Organic Law of Georgia on Occupational Health and Safety (OSH Law) by the Parliament of Georgia in March 2018, despite strong opposition from business sector and some part of the Georgian Administration. Until September 2019 the Law applied just to hazardous and dangerous work. After the amendment, the OSH Law applies to all sectors and enterprises. The new organic law empowered labour inspection with competencies ensuring an effective inspection and the right to impose sanctions. But a series of normative acts – indicated in the article 25 of the OSH Law, with different deadlines – still need to be adopted to make the OSH Law fully operational and effective.

Substantial institutional improvement will take place within the project implementation period: the LCID will be transformed in a Labour Inspection Agency under the MoIDPLHSA starting from the 1st of January 2021. This organisational change provides for a further functional separation of the inspection service, with considerable degree of autonomy, and for a more balanced regional presence. The TWG project will accompany this institutional change through its capacity building and public awareness raising component.

The TWG project is thus well designed to address the current needs of the MoIDPLHSA and its two departments, LCID and LEPD, through its two components, related to further improvement of the legal framework in labour field and its implementation mechanisms in Georgia, and, on the other hand, to capacity building of labour inspectors. The second component of the TWG project, related to institutional strengthening, also comprises a public awareness raising campaign, aiming at informing Georgian society about importance and benefits of introducing new norms and standards in the field of labour protection and OSH.

The TWG project also responds to the needs of the final beneficiaries which are employees and employers, and the general public of Georgia. Indeed, despite important progress made in the field of labour protection during more than two years – since the development of the Twinning Fiche – thousands of people are still working in inhuman conditions in Georgia, risking their life and sacrificing their health. Moreover, the new requirements in terms of improved working conditions are still not reflected in the state tender procedures of Georgia and therefore penalise companies that have made effort to comply with new norms and standards, nor do they promote their wider application.

The action intends to support employees by protecting their rights, but also employers in providing the workers with decent working environment and by transforming their companies into organisations that respect human rights. Development of appropriate implementation mechanisms of the legislative reforms will also contribute to fair competition and labour market development.

The choice of implementing modality – Institutional Twinning with consortium of three partners, representing public administrations of EU Member states (MS) and MoIDPLHSA as a beneficiary administration (BA) – seems adequate. Institutional Twinning instrument, made available to Georgia from 2008 on demand-driven and tailor-made basis, proved to be an effective and appreciated tool for legal approximation to Union acquis and for capacity building of Georgian public administrations. Thirty-one institutional Twinning projects have already been implemented since 2008 and 13 Twinning projects are currently on-going. This instrument became even more demanded following the signature of EU-Georgia Association Agreement since legal approximation to EU norms and standards became mandatory for several sectors.

The choice of implementing partners is appropriate. They have extensive experience in assisting EU-funded projects in the areas of OSH, labour law, anti-discrimination law, employment and labour market and/or a good knowledge of the country. From the EU side, the lead and main partner -represented by Twinning project leader (PL) and resident twinning advisor (RTA) - is the Ministry of Labour, Social Affairs and Family of the Slovak Republic. The junior partners are represented by the Ministry of Labour, Migrations and Social Security and Labour and Social Security Inspectorate of Spain, and the Ministry of Social Affairs of the Republic of Estonia. This combination of old and new MS is relevant since for Slovak and Estonian partners the context of Georgia is more familiar. Moreover, Georgia and Estonia have common Soviet past.

From Georgian side, the MoIDPLHSA, with its two departments leading the process of legislative framework and technical standards improvement in the field of labour inspection and OSH – has highly qualified staff members and plays a crucial role in the project implementation.

Other stakeholders, as Technical and Construction Supervision Agency under the Ministry of Economy and Sustainable Development (MoESD), Ministry of Justice, Georgian Trade Unions Confederation, Employers Association, European Business Association, Municipal Inspection of Tbilisi City Hall, have also good institutional, human and financial capacity to support the TWG project.

All interviewed stakeholders demonstrated high commitment to the objectives of the TWG project and readiness to be actively involved in the project activities. Nevertheless, the prospects in terms of ownership are perceptible only with some stakeholders as, for example, Georgian Trade Unions Confederation that is involved in several activities, including Public awareness raising Campaign; Makhviladze Research Institute of Labour Medicine and Ecology, which was supported by the TWG project to develop a National Concept of Labour Medicine, has also high expectations regarding involvement in the activities under the component 1, related to elaboration of technical regulations.

But, other important stakeholders/target institutions, with whom collaborations were envisaged in the Description of the Action, were not really associated to the TWG project until now. For example, this is the case of the Technical and Construction Supervision Agency, under the MoESD, which has a memorandum of cooperation with the MoIDPLHSA for joint inspection of construction sites. In the Description of

Findings

1. Relevance

the Action, this Agency is mentioned as essential (among others) in the implementation of the TWG project, but at this stage, the TWG project did not have any particular interaction with this institution, yet already familiar with the twinning tool.

Finally, the inclusive character of the action is clearly stipulated in the indicators of the mandatory results, related to legal framework, of the TWG project as, for example, 'Status of amendments in the field of Labour Law, Gender Equality, and Occupational Safety and Health as per Union acquis, with an inclusive and evidence-based approach'.

2. Coordination, complementarity and EU added value

The possible risk of overlapping of the TWG project with other on-going actions in the field labour rights was transformed in good synergy and complementarity.

According to the BA, the TWG project made a special effort within the starting phase of implementation to review all ongoing or upcoming projects and programmes, related to the Labour protection. A meeting was organised in January 2020 to gather all important actors as:

- International Labour Organization (ILO), implementing the project Inclusive Labour Markets for Job Creation funded by the Danish International Development Agency (DANIDA), also developing a Labour Inspections Management Electronic System and the wording of the Occupational Accident Insurance;
- International Organization for Migration (IOM) and other partner institutions that provide training for labour inspectors in the field of human trafficking/trafficking/forced labour/labour exploitation and support Georgia in improving legal framework;
- EU funded technical assistance (TA) facility SOCIEUX+, aiming at raising awareness of OSH for business associations and chambers and upgrade technical skills of Labour inspectors;
- The Gesellschaft für Internationale Zusammenarbeit (GIZ) which implements the application 'Construction Safety', aiming at enhancement of efficiency of both labour inspectors and labour safety specialists at the workplace and establishment of decent work culture in Georgia. This application was created by the 'Ownership of employers' liability insurance association of the construction industry' and was accessible only in German.

The TWG project anticipated the risk of overlapping in training and legislative activities by creating a special matrix that allows coordination and complementarity of all on-going activities per trimester. Also, a clear task distribution was made: for example, when it comes to the legal framework, ILO is concentrated rather on international conventions and their implementation mechanisms, than specific EU directives on OSH, the GIZ is providing training in the field of labour safety mainly at the construction sites and has regional coverage while the training modules of TWG project cover all sectors.

The EU added value is inherent to the institutional Twinning instrument which has been chosen as an implementing modality. Content wise, the TWG project aims at adoption, with necessary adaptation to Georgian context, of EU directives related to Labour Rights and Labour Safety.

At the practical level, the project benefits from EU added value and best practices on the daily basis, namely with the help of the Project Implementing Partners, three of which represent the relevant administrations of EU Member States (Slovakia, Estonia and Spain). Thanks to the flexibility of the TWG project, the Georgian BA largely benefitted from EU best practices and measures, related to COVID-19 pandemic context: the TWG project supported the MoDPLHSA in developing and implementing 39 ad-hoc regulations to address the special needs.

3. Intervention logic, Monitoring & Learning

The intervention logic is clear and the two components of the TWG project effectively complement each other and contribute to the overall objective, achieving 'higher standards in employment relationship and working conditions in Georgia'.

The TWG project is built on the best practices of the EU Member States and relevant public administrations of the three partner countries, Slovakia, Spain and Estonia, in the field of labour rights. The Twinning Fiche was drafted with active involvement of the BA which has extensive experience of international cooperation and has a good vision of real needs both in terms of legal framework improvement and institutional capacity building. The design of the TWG project draws a special attention to public awareness campaign which is crucial for good understanding and implementation of the reform at all level.

Nevertheless, the formulation of specific objective and mandatory results/outputs is very descriptive and rather activity-like than focusing on legal and institutional changes expected from the intervention. For example, the specific objective, which includes several levels of results, is formulated as follows: 'To assist the MoDPLHSA, together with other relevant stakeholders, to draft the legal and administrative provisions and establish the institutional mechanisms to improve employment conditions/relations and Occupational Safety and Health, including a labour inspection system. Additionally, to strengthen the capacity of the national institutions to implement and adopt the best European practices.'

The two mandatory results/outputs are broken down into six (6) sub-results, three per each mandatory result. This contributes to more structured and detailed overview of the action. The vertical logic of the intervention is coherent: the correlation between overall objective, specific objective and outputs is good.

The planned outputs and outcomes are feasible since they are in line with the commitments of the government of Georgia undertaken within the EU-Georgia AA and are planned to support already started process of legal framework improvement and institutional development.

The key assumptions and risks have been clearly identified. They are mainly focusing on sustained political will and enabling context, as for example 'Government commitment on the fulfilment of AA/ DCFTA requirements continued'. The mitigation measures have been defined in the section Risk Analysis of the Description of the Action and appear quite pertinent. However, such assumptions, as 'Strong support and commitment from the senior management of the MoDPLHSA' and 'Strong support and commitment from twinning MS partner(s)' seem unjustified since these are conditions sine qua non for launching the TWG project.

Overall, the horizontal logic of the Logical Framework Matrix (LFM) is adequate, even though there is a room for improvement.

The choice of indicators is appropriate. They are clear and most of them correspond to 'RACER' criteria: Relevant, Accepted, Credible, Easy and Robust. Nevertheless, the indicators are not numbered in accordance with corresponding result or sub-result and an opportunity for approximation with EU Results Framework (EURF) indicators has also not been exploited.

Baseline data and target values are set for each indicator but have no dedicated columns in the LFM table what affects readability of the document. The target values are also not sex disaggregated, which may appear regrettable given that gender equality is one of the axes of the TWG project.

Various sources of information are foreseen to assess the achievement of indicators/results in an objective way: external sources as comparative international studies and national statistics, and some information produced by the MoDPLHSA on the regular basis.

An adequate internal monitoring system is in place. The Resident Twinning Adviser (RTA) follows the activities on the daily basis and ensures overall monitoring of the progress of implementation, in close cooperation with RTA Counterpart and relevant staff of the MoDPLHSA. She is supported by Twinning Back-stopping office in Slovakia, Twinning Mandated Body, Regional Development Agency Senek-Pezinok (RDA), ensuring financial monitoring of the action. The RDA has extensive experience in assisting EU-funded projects in the areas of OSH, labour law, ant-discrimination law, employment and labour market, and relevant working experience in Georgia through successful implementation of the Institutional Twinning Project in the field of employment.

The TWG project has already produced four Interim Quarterly Reports which give the detailed information about the implementation progress and encountered difficulties.

The Project Administration Office (PAO) within the Georgian Ministry of Foreign Affairs ensures overall monitoring of on-going Twinning Projects, in cooperation with the EU Delegation (EUD) to Georgia.

4. Efficiency

The implementation mechanisms appear to be sound, but they do not, however, allow sufficient participation of certain actors who are though considered essential for the implementation of the TWG project by the main stakeholders.

The TWG project is implemented by a consortium of three EU Member States (MS) partners, and the MoIDPLHSA as a beneficiary administration (BA) (see also section 1). Two project leaders (PL), Slovak and Georgian, and two junior PL, Spanish and Estonian, ensure overall supervision and high-level support of the intervention. The Resident Twinning Advisor (RTA) from Slovakia, in charge of overall management and daily implementation of the activities, works in close cooperation with the RTA Counterpart, Head of Labour Conditions Inspection Department (LCID) of the MoIDPLHSA. Responsibility of each Twinning actor and clear task distribution were agreed from the very beginning and successfully assumed during the implementation. The TWG project benefits from good cooperation, mutual respect and commitment of the implementing partners.

A Steering Committee (SC) is in place. Among SC members are Georgian and Slovak PLs, Junior PLs, RTA and RTA Counterpart, Head of Labour Relations and Social Partnership Division of the MoIDPLHSA, representatives of the EUD and Programme Administration Office (PAO) of EU Assistance and Sectoral Coordination Department of the Georgian Ministry of Foreign Affairs. SC meetings are organised on a regular basis and three were held within one year of the TWG project implementation, the last two of them were organised on-line.

This mechanism is quite efficient but does not sufficiently promote an active participation to the action of other interested actors. Other implementation mechanisms foreseen by the TWG project are clearly stipulated in the sub-result 2.3: 'Organisation of working group(s) on labour law, gender equality and OSH comprising line ministries and social partners completed and functional', with its indicator 'Working groups operational with team members from relevant institutions with a clear mandate and their continuous involvement in the 'Technical Working Group' and 'Coordination Group', targeting two operational working groups until the end of the project implementation. The 'Technical Working Group' has been constituted in July 2020 but is still not yet operational while the 'Coordination Group' with its rather political mandate, has not been formed.

Overall, the TWG project has sufficient financial and human resources to carry out planned activities and to achieve planned outputs.

From the side of MS partners, both Slovak PL and RTA have extensive experience in Twinning instrument implementation in various countries. The working experience in Georgia in the field of employment, and cooperation records with the MoIDPLHSA in the past, are perceived as an asset by the BA. This experience ensures understanding of the Georgian context from EU MS partners' side. High-level profiles of the Slovak and Georgian PL is a good asset for successful implementation of the action. The Slovak PL has long-term experience of high-level management in the public administration and transposition of EU norms and standards in the field of Labour protection in Slovakia when holding a position of deputy minister within the Ministry of Labour, Social Affairs and Family of the Slovak Republic. The Georgian PL holds a position of deputy minister within the BA, with Labour-related portfolio, and is responsible for legal approximation to Union acquis, capacity building and institutional development. The Twinning instrument was requested by the Georgian TL. The Junior PL from Spain is leading a component of legal approximation and provides the project with its in-depth expertise in the field. The TWG mobilized a good team of short-term experts and some of them have also worked in Georgia in the past.

From the Georgian side, the main resources for the TWG project implementation are provided by the MoIDPLHSA. The human resources, dealing with Labour Protection issues, are limited, counting 60 Labour inspectors and 15 departments' staff members. The public administration is however in process of institutional development and has recently recruited additional 30 labour inspectors. High professionalism and commitment of the BA staff members, involved in the TWG project implementation, compensates the limited number of the resources made available for the TWG project. In addition, the resources of the Public Relations and Communication Department of the MoIDPLHSA are also available for the action.

The TWG project benefits from venues of the BA for trainings and other activities. Nevertheless, the logistical conditions for the trainees for eight-hour training sessions do not seem suitable at the moment: in particular, there is clearly a lack of tables and adequate chairs.

For some specific activities, as research or public awareness campaigns, the TWG benefits from the resources of other stakeholders, as Georgian Trade Unions Confederation, Employers Association and others.

However, the efficiency of the TWG project is hampered by significant delays in its implementation, and several reasons are put forward to explain them:

First, the difficulties due to COVID-19 pandemic and various restrictions introduced by Georgian government since March 2020, related to this context.

There are several sub-reasons, related to the first and major reason of the delay:

- i) the MoIDPLHSA was on the front-line of the governmental response to COVID-19 pandemic. It was transformed in a crisis managing institution for a while and continues to play this role. During the period from March to October 2020 the BA developed 39 restrictive regulations, most of them for different business sectors.
- ii) the TWG project target departments of the BA were in charge of developing restrictive regulations and had low capacity to undertake other activities in parallel.
- iii) As the new sectoral regulations, issued to address safety needs within the force majeure context, were already quite restrictive for the business sector, the BA judged inappropriate to start the OSH directives adoption process during this difficult for the business sector and economy of the country period.

Second, the upcoming parliamentary elections, scheduled for the 31st of October 2020, have been mentioned, together with COVID-19 pandemic, as a reason for postponing the public awareness campaign that should start in spring.

Third, some activities were inter-related: for example, public awareness raising campaign should highlight the benefits of adoption of a series of EU directives for end beneficiaries and whole society. Thus, the communication and visibility activities depend on the achievements planned under the Component 1.

Overall, the delays are important, from four to nine months, depending on the planned activities. They concern particularly the first component of legal approximation, and public awareness raising under the second component, as well as developing number of written operational guidelines, manuals and procedures required to implement all legislative and regulatory changes.

The state of play with regard to the legal approximation component is the following: the translations of the six OSH directives have been revised and were ready in July. The technical working group was in place, even a Zoom meeting was scheduled in July but the process of exchange and commenting the documents for the final adaptation of the directives to the Georgian context did not take place due to the decision of the BA to postpone the process.

This makes impossible achievement of mandatory results within the allocated timeframe. Until now, if some adjustments have been made, the overall planning has not been revised due to the worsening unpredictable context and uncertainty.

On the other hand, the project demonstrated good flexibility by adapting the format of some activities, as meetings, trainings and so on, to the pandemic context; but especially by responding to the most urgent needs of the BA to share the best EU practices in addressing the COVID-19 pandemic context. The TWG project mobilized short term experts to support the BA staff members in developing specific COVID-19 related regulations. A significant teamwork has been done even though the RTA had to leave Georgia in March 2020 and managed to come back only on 13th of September 2020. For a while, the RTA, who worked remotely during this period, was transformed in a 'crisis manager'.

In the third quarter 2020, the remote work in combination with the presence of RTA in beneficiary country allowed implementation of all slightly rescheduled activities in time. Training module 1 was delivered face-to-face, as requested by the beneficiary. Visibility materials were completed and sent to approval by the beneficiary and the EUD.

4. Efficiency

Despite the daily increase of COVID-19 cases, the TWG project succeeded in overcoming the most challenging logistical issues related to the short-term experts' arrival to Georgia, training facilities and organization of the training, respecting the epidemiological requirements in the COVID-19 context. In October a training module 2 is being delivered on-line for the audience physically present in the training venue.

However, and as a consequence of these delays and of activities carried out on-line – which reduced therefore travel and other expenses – , the TWG project disbursement rate is not high: by the end of October 2020, during the period corresponding to 52% of the total length of the Project of two years, around 35% of activities are implemented and around 33.5% of the total budget spent.

It seems therefore unlikely that the remaining budget will be consumed before the actual planned end of the TWG project, especially taking into account the worsening situation in terms of COVID-19 pandemic in Georgia which makes difficult the return to a normal rhythm of activities in the upcoming months.

5. Effectiveness

Despite these significant delay (see previous section), the TWG project has been able to prove its effectiveness in the actions undertaken so far.

As a significant number of activities had to be postponed until now, none of the outputs/mandatory results mentioned in the logical framework of the project have yet been fully achieved. However, there have been some notable achievements at the sub/output/result level and the qualitative judgement is mainly based on these achievements.

Within the mandatory result/output 1, 'Approximation of primary and secondary legislation related to labour law, gender equality and OSH in accordance with the Union acquis', significant progress has been made with the expected quality and targets that are partially reached: the amendments of the Labour Code were developed and submitted to the Parliament of Georgia (PoG) and went through the first reading. In the same way, the Law on Labour Inspection was submitted to the PoG and went through the first reading. The TWG project jumped into already launched by the PoG process from the very starting phase of the implementation: participated in the meetings, made three revisions of the draft law and three statements. Some of TWG project recommendations were taken into account and most probably will be reflected in the final legislative changes.

The first sub-result of the mandatory result 1 – 'Legal framework on labour law, including aspects of labour inspection system, amended in compliance with the Union acquis' – is achieved, both targets reached, with an important contribution of good quality of the TWG project:

- one lacking Table of Concordance of the 'Council Directive 91/383/EEC of 25 June 1991 supplementing the measures to encourage improvements in the safety and health at work of workers with a fixed-duration employment relationship or a temporary employment relationship' was developed and completed.
 - fourth version of the Compliance Report of Amendments to the draft Organic Law of Georgia, the Labour Code, with eight Directives in the field of the Labour Law was prepared. All versions were submitted to the BA and to the representatives of the PoG, the initiators of the amendments. All reports have included main findings, recommendations for the amendments, good practices and the recent Court of Justice of the EU law. Reports were submitted to the Directorate General Employment and the European Training Foundation which provided additional comments.
- At the level of sub-result 1.2: 'Legal framework on non-discrimination and gender equality, including aspects of labour inspection system, amended in compliance with the Union acquis', progress has also been made and the work carried out is judged to be of good quality by stakeholders.
- the target of the first indicator of this sub-result 1.2 is reached: two table of Concordance of Council Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services and Council Directive 79/7/EEC on the progressive implementation of the principle of equal treatment for men and women in matters of social security were elaborated and a level of harmonisation was assessed.

But the target of the second indicator of the sub-result 1.2, related to share of staff from relevant public institutions who are fully informed on regulatory and fiscal impact of changes in labour law and gender equality acquis, is being gradually reached even though fiscal impact of legal changes has not been discussed yet. And under sub-result 1.3 – related to amendment, in compliance with the Union acquis, of Legal framework on OSH including aspects of labour inspection system – at this stage, only the quality of translation of four out of fourteen EU directives on OSH has been improved.

Within the mandatory result/output 2 – Capacity building, inter-institutional cooperation, and awareness raising of relevant state authorities and private sector for full implementation of amended legislation in labour law, gender equality and OSH – none of the three sub-results has been achieved at this stage, even if the activities have started.

In particular, forty newly hired Labour Inspectors were trained in the first module to be initiated to the principles of Labour Inspection (LI) and the legislative foundations of LI competence and authority, limits and significance in terms of enforcement. The interviewed trainees highlighted high quality of the training courses delivered while indicating a significant difference in effectiveness and interactivity between normal and on-line training experienced within the second module.

A solid public awareness campaign concept and materials have also been developed by the TWG project. Nevertheless, some key messages appear quite heavy and not really adapted to the format of slogan, as, for example, the one developed for citizens of Georgia/journalists/the media: 'The Twinning project strengthens the labour inspections' (training) capacities and increases know-how of civil servants in Georgia of labour law, gender equality and OSH according to EU standards'.

Moreover, a 'Functional Review of the Relevant State Authorities to Implement Changes, Including Human and Financial Resources, Administrative Structures and Equipment Needed', has been conducted. It consists of a mapping and an assessment of the interinstitutional relationships between the various state and non-governmental actors dealing with the occupational health and labour relations. This study, including important conclusions and key recommendations for further improvement of law enforcement mechanisms in the Labour Inspection area, is already used as a reference document by the personnel of the MoDPLHSA and the EU Member States experts, involved in the TWG project.

However, it seems clear that the accumulated delay in achieving planned outputs will make impossible achieving expected outcome within the remaining period, less than one year. There is however good progress and good prospects: on 29th September 2020, the Parliament of Georgia approved the legislative package, including amendments of the Labour Code, Draft Labour Inspection Law and other amendments to the related laws. Thus, the most important obligations from the relevant EU directives were correctly reflected in the Labour Code and a significant progress in harmonisation with EU standards was achieved.

The development and coordination of legal and administrative procedures and institutional mechanism for improved employment relations and health and safety standards at work – which constitute the second indicator of the specific objective – will probably be gradually reached after adoption of the OSH directives and regulations, significantly delayed. The continuation of the process will nevertheless also depend on the persistence of a strong political will.

The COVID-19, restrictions and consequences of the pandemic made impacted the quality of some specific activities where physical meetings and interaction represent an added value. The TWG project demonstrated high flexibility to mitigate this effect and to avoid additional delays by continuing to work on some planned activities remotely.

6. Sustainability

The Twinning project has excellent prospects of sustainability since it intervenes directly at the policy level, deals both with primary and secondary legislation of Georgia, related to labour protection and safety. The TWG project is intended to have direct impact at the legal framework and its execution mechanisms. The intervention already contributed to adoption of the package of amendments of the Labour Code, Draft Labour Inspection Law and other related laws that will have lasting repercussions.

All activities of the TWG project are directly or indirectly devoted to the institutional strengthening of the Labour dedicated departments of the MoIDPLHSA, Beneficiary Administration (BA) and other relevant institutions to enable them to best implement and manage the new legal provisions.

The first component of the TWG project, aiming at approximating of primary and secondary legislation of Georgia related to Labour Law, gender equality and OSH to the Union acquis, mobilises the BA staff members and experts from the EU MS for working together on the legislative documents and regulations. This interaction and experience-sharing process is highly appreciated by the BA personnel as beneficial for their professional skills upgrading. The technical group, created for working on OSH directives, involving various stakeholders, including social partners, can also potentially contribute to professional development of all participants as soon as it becomes operational.

The second component of the TWG project, dedicated to capacity building and public awareness raising campaign, intends to build capacity of the recently recruited inspectors through eight-module training course and upgrade professional skills of some Senior Inspectors of the BA. Forty recently recruited inspectors are already following the second module of training. Other thirty inspectors, currently being recruited by the MoIDPLHSA, will also be trained by the TWG project. The inspectors of other important stakeholders, as the Technical and Construction Supervision Agency under the Ministry of Economy and Sustainable Development (MoESD), currently do not benefit from capacity building activities organised by the TWG project but may be included in the skills upgrading actions at a further stage.

The Action also envisages the training of trainers activity (under sub-result 2.1) that will ensure continued flow of benefits: some of labour inspectors will be trained to become 'trainers' with full knowledge and competency in implementing new laws.

The participation of private sector is also an asset for the viability of the action as it is crucial for ensuring correct understanding of the ongoing reforms in the country from the business sector side. The private sector is involved mainly through professional bodies as 'Georgian Employers Association', 'European Business Association Georgia' and others. They supported the TWG project in implementation of some activities related to the research targeting the business companies of Georgia, within the starting phase. They will participate in technical working group and public awareness campaign.

If since March 2020, the TWG project operates in difficult environment due to COVID-19 pandemic context, this one has nevertheless produced unintended positive effect and contributed to enhancing visibility of Labour Inspection. This service started to play an important role in advising and controlling multiple businesses in terms of fulfillment the requirements imposed by new 39 regulations. This reality has created rather positive attitude towards the Labour Inspection which is perceived as a timely support to the population in coping with COVID-19 pandemic issues. This is also a small positive facet for viability of the mandatory results to be achieved by the action.

Thus, the TWG project results should be beneficial over the long term for all groups of population all over the country by improving legal environment in the field of Labour protection in Georgia and by raising awareness about needs and rights of workers to have decent working conditions. Keeping in mind that the difficult economic situation in the country, especially in the regions, weakens the workers position, and pushes some to accept inhuman working conditions proposed, for example, by mining companies, the TWG project has a strong potential to contribute to change this reality. It should increase resilience of some fragilised workers or job seekers to pressure from the companies violating fundamental human rights by providing them with legal framework and means to defend their rights.

7. Cross-cutting issues

By promoting the improvement of the Georgian legal framework, the TWG project supports a rights-based approach at all level, including rights of workers. It makes a special effort to share EU acquis and best practices in this regard. It contributes to increasing human dignity, safety, security, by imposing a human-rights based approach to business companies, and by improving the working environment for everybody.

Gender equality and human rights represent an axis of the TWG project which is stipulated in the Mandatory Result 1 of the action: 'Approximation of primary and secondary legislation related to labour law, gender equality and OSH in accordance with the Union acquis'. The target of the first indicator of the sub-result 1.2, related to gender equality, is already reached: 'two table of Concordance of Council Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services and Council Directive 79/7/EEC on the progressive implementation of the principle of equal treatment for men and women in matters of social security were elaborated and a level of harmonisation was assessed.

Even though the target values set for the indicators of the TWG project are not sex disaggregated, considering the specific measures undertaken by the TWG project in favour of gender equality, the marker of the Organisation for Economic Cooperation and Development (OECD) applicable to the intervention with regard to gender is "1".

The intervention is respectful towards environment – for example, by guaranteeing a minimising paper use during the implementation – but does not foresee any specific environment-related action. In the absence of specific measures, the markers that apply to the Convention on Biological Diversity as well as to the Convention to Combat Desertification are "0" in each case.

The TWG project has no particular contribution to EU climate change commitment. The marker that applies to the Climate Change Convention is "0".

8. Communication and visibility

While the TWG project places particular emphasis on the importance of public awareness campaigns, little progress has been made at this stage in terms of implementing communication and visibility activities (see also section 4).

These are inherent to Institutional Twinning Instrument in general. In this particular case, awareness raising of relevant state authorities and private sector, needed for full implementation of amended legislation in labour law, gender equality and OSH, is a part of the Mandatory Result 2 to be achieved by the TWG project. Therefore a 'Communication and Visibility Plan', has been developed by the TWG project in spring 2020, in close cooperation with the BA. It combines general approach aiming at enhancing EU visibility in Georgia and specific public awareness actions regrouped in two public awareness campaigns.

The concept and materials of these campaigns were developed but this activity has not yet been implemented due to COVID-19 pandemic context and parliamentary elections scheduled in October 2020. According to the BA, the parliamentary elections of October 2020 reduced the availability of public TV channels for other messages and it judged more appropriate to launch the public awareness campaign after the elections. The important delay in its implementation is thus quite penalizing for the TWG project.

According to the 'Communication and Visibility Plan', the main objective of the Public Awareness Raising Campaign will be to 'ensure ongoing, effective and targeted information and awareness raising of the private sector and citizens (companies, employers and workers) about legal changes focused on improvements of the standards of employment conditions, new requirements and practices promoting occupational safety and health at the workplaces, building a positive attitude of public and ensure that the population in Georgia is aware of the EU's role.' The campaign will also aim to enhance visibility of ongoing reforms in Georgia in the EU through EU Member State partners' websites and social channels. Several target groups have been identified, including media representatives, and slogans developed per identified target group, as well as means and channels of communication defined for a country-wide media campaign. But in spring COVID-19 pandemic made temporarily obsolete some channels of communication envisaged by the campaign as, for example, visual messages to be exposed in metro stations, since metro was closed.

The actions envisaged comprise also some effective evidence-based steps, as visits, in company of media representatives, of at least three companies with a good OSH practice. Television and radio debates are also planned.

In terms of visibility, at this stage, the only major action carried out was the launch of the TWG project: it benefited from a high-level event, the launching conference of the EU-funded programme "Skills Development and Matching for Labour Market Needs" (Skills4Jobs - Phase 2), with a total EU contribution of EUR 48.85 million, in October 2019. This event was attended by key stakeholders from the Government of Georgia, EU Delegation to Georgia, European Training Foundation, young people and other stakeholders. The TWG project team used this opportunity to be introduced to the representatives of the social partners and other stakeholders and delivered the presentation about objectives, activities and outputs of the action.






























Moreover, printed visibility material, including Twinning Brochure, is actually in pipeline. The EU logo is properly displayed in all project related documentation, including 'Functional Review' and 'Training Plan for Labour Inspectors'.

Conclusions	
N°	Conclusion
C1	<p>The TWG project is still highly relevant. It is well designed to address the current needs of the MoDPLHSA (BA) and its two departments, LCID and LEPD, to be accompanied in adoption of the EU directives and normative acts, in sharing best EU practices of control and enforcement mechanisms and methodologies in labour-related area.</p> <p>The choice of implementing modality – Institutional Twinning with consortium of three partners, representing public administrations of EU Member states (MS) and MoDPLHSA as a beneficiary administration (BA) – is appropriate.</p>
C2	<p>The efficiency is rather limited as the TWG project is experiencing significant delays due to COVID-19 pandemic, but also the parliamentary elections, held at the end of October 2020. Thus, some activities are actually particularly penalised, such as the adoption of OSH directives – which requires the working groups to be operational – and public awareness raising campaigns considered to be crucial for a good understanding and implementation of the reform at all level.</p> <p>Consequently also, the project disbursement rate is rather low, and the remaining budget will probably not be consumed before the actual planned end of the action, especially taking into account the worsening situation in terms of COVID-19 pandemic in Georgia.</p>
C3	<p>The TWG project benefits from highly qualified and committed human resources from both EU Member States and Georgian side and the Steering Committee is functional and meets regularly.</p> <p>But the Working Groups are not operational yet and the TWG project has also a wide range of stakeholders/target institutions whose role in the implementation appears too moderate at this stage, when they can be an important lever for the successful implementation of the action.</p>
C4	<p>Despite these significant delays, the TWG project has been able to prove its effectiveness in the actions undertaken so far.</p> <p>The TWG accompanied the MoDPLHSA in the reconstitution of labour inspection service in Georgia, with a reinforced legal framework, enhanced capacity and inspection capability and greater degree of autonomy. The new developments mark the end of a transition period from the reestablishment of the service in 2015 and announce the beginning of a full-fledged labour inspection service in the country. Inclusive approach is the cornerstone of the intervention: the amendments related to gender equality and anti-discrimination have already been approved by the Parliament of Georgia.</p> <p>Nevertheless, the accumulated delay in producing planned outputs makes the achievement of expected outcome impossible within the remaining period, less than one year.</p>
C5	<p>The COVID-19, restrictions and consequences of the pandemic made impacted the quality of some specific activities where physical meetings and interaction represent an added value. The TWG project demonstrated lots of flexibility to mitigate this effect and to avoid additional delays by continuing to work on some planned activities remotely. The action was also supportive in responding to the most urgent needs of the BA to share the best EU practices in addressing the COVID-19 pandemic context.</p>
C6	<p>The action has excellent prospects of sustainability by contributing to systemic changes, as improvement of primary and secondary legislation of Georgia in the field of Labour Protection and capacity building, including training of trainers, of target groups and institutions.</p>
C7	<p>The intervention logic is coherent with a good correlation between overall objective, specific objective and outputs. The horizontal logic of the Logical Framework Matrix (LFM) is also quite adequate.</p> <p>Nevertheless, the LFM suffers from some weaknesses, as lack of clear structure, inadequate formulation, absence of sex-disaggregation. This affects legibility of the document and probably limits its use as a project management tool.</p>
C8	<p>The TWG project benefits from venues of the BA for trainings and other activities. Nevertheless, the receiving conditions for the trainees for eight-hour training sessions are clearly not suitable at the moment.</p>

Recommendations					
#	Linked to	Recommendation	To whom	Priority	Importance
R1	2	It is recommended to envisage a cost-free extension of the TWG project by a period of at least six months, up to one year. The needs of the project in terms of cost-free extension could be checked in February 2021 and the duration of the extension could be defined in accordance with the evolution of COVID-19 pandemic in Georgia and the remaining budget.	European Union Delegation to Georgia	Short term	High
R2	2	It is highly recommended to make operational the technical working group as soon as possible, to start working on Occupational Safety and Health (OSH) directives urgently, use the remote phase of the implementation for working on technical documents and final consolidation of the content.	Project Implementing Partners (IP)	Short term	High
R3	2	<p>Now that the elections are over, it is recommended to start implementing public awareness raising campaign on the urgent basis. Some key messages and slogans need nevertheless additional brainstorming and finetuning.</p> <p>The Communication and Visibility Plan should be revised and updated in accordance with the evolving reality and reflect the gender equality approach.</p>	IP	Short term	High

R4	3	Interaction and communication with main stakeholders and partners of the TWG project should be strengthened. If possible, consider their active involvement in the project to ensure inter-institutional cooperation and broader impact of the action. For example, inspectors from Technical and Construction Supervision Agency under the Ministry of Economy and Sustainable Development could be allowed to attend the training courses for Senior Inspectors.	IP	Short term	High
R5	7	<p>It is recommended to revise the LFM to make it more operational.</p> <p>In particular, it is recommended to adapt the formulation of the third indicator for the sub-result 2.1 – “Share of BA staff who received training to implement necessary changes and the representatives from other relevant institutions listed” to the following EU reference framework indicator: 2.15 ‘Number of people who have benefited from institution or workplace-based VET/skills development interventions supported by the EU’.</p> <p>It is also recommended to number the indicators and create separate columns for baseline and target values respectively. For example, the indicators for the sub-result 2.1 should be numbered as follows: 2.1.1; 2.1.2; 2.1.3; 2.1.4.</p>	IP	Medium term	Medium
R6	8	In order to ensure correct learning conditions, an ergonomic equipment should be purchased, namely at least 40 tables and chairs for the training space, provided that this equipment will be made available for the Labour Inspection Agency that will become operational in January 2021.	IP	Short term	High

Scoring overview

Relevance	1.1	1.2	1.3	1.4	
					
Coordination, complementarity and EU added value	2.1	2.2			
					
Intervention logic, Monitoring & Learning	3.1	3.2	3.3	3.4	3.5
					
Efficiency	4.1	4.2	4.3	4.4	
					
Effectiveness	5.1	5.2	5.3	5.4	5.5
					
Sustainability	6.1	6.2	6.3	6.4	
					
Cross-cutting issues	7.1	7.2	7.3	7.4	7.5
					
Communication and visibility	8.1				
					

Comments from EC services

Date of EC services comments

14/12/2020

Comments on Executive Summary

Comments on Synopsis

Comments on Findings

Criteria	Comments from EC services
Relevance	
Coordination	
Intervention	
Efficiency	
Effectiveness	
Sustainability	
Cross-cutting	
Communication	

Comments on Conclusions

N°	Comments from EC services
C1	
C2	
C3	
C4	
C5	
C6	
C7	
C8	

Comments on Recommendations

N°	Agreed	Comments from EC services
R1	Yes	Possible extension shall be discussed again in spring 2021, during SC meetings, and, if agreed, addendum initiated in summer 2021.
R2	Yes	The Beneficiary has committed (during the last SC in November 2020) to organize the meeting of the working group still in December 2020 and continue regular meetings in 2021.
R3	Yes	The IPs confirmed that the CVP will be revised in Q1 2021 and are ready to start preparing awareness campaigns.
R4	Yes	The MoED agency will be invited to relevant training courses, which will start in Q1 2021 (by now, according to IPs the training courses carried out were not relevant to this agency and its functions).
R5	Yes	Will be adjusted by MS partner in OPSYS.
R6	Partially	The situation to which this recommendation refers has been resolved without any additional purchase. However, the location of training courses is expected to change in relation to the change of legal status of the Labour Inspectorate, and purchase of such means/equipment might be needed in the future.

Quality of the report

Is the report complete, clear and well argued and does it allow operational follow-up?



The reports is clear and concise. It was discussed with the PM at the Delegation and all suggestions/recommendations are well reflected in the report.

Follow-up Plan			
Action	Linked Rec.	Implemented by	Deadline