

BACKGROUND AND CONTEXT

Under the auspices of The Somali Compact 2014 – 2016 that was agreed in September 2013 and the United Nations Somalia Integrated Strategic Framework 2014 – 2016 signed with the Federal Government on 29 October 2014, the Somalia Joint Rule of Law Programme ('the Programme') has been developed. The Programme is designed to support the Federal Government of Somalia (FGS) in achieving the Somali Compact Peace-building and State-building Goals (PSGs) 2 Security (Policing component) and 3 Justice, which identifies the strategic objectives of establishing unified, capable, accountable and rights-based Somali federal security institutions providing basic safety and security for all; and establishing independent and accountable justice institutions capable of addressing the justice needs of the people of Somalia by delivering justice for all.

UNDP Somalia has a long history in Somalia of providing support to the rule of law sector, which includes through its Access to Justice and Civilian Policing Projects. In full support of the delivery by UNDP to be aligned to the Somali Compact and to be based on the Compact consultation mechanisms and partnership principles and as part of the commitment to the UN Global Focal Point Arrangement; the UNDP Access to Justice and Civilian Policing Projects will be closed, and UNDP future support will be through a Rule of Law Project under the umbrella of the Somalia Joint Rule of Law Programme.

As part of the transition to the new programme and associated arrangements, a Project Evaluation of the Access to Justice and Civilian Policing Projects will be undertaken. This is particularly relevant noting the last comprehensive evaluation was completed in November 2011, that the UNDP Somalia Strengthening Governance and Rule of Law in Somalia 2012 – 2015 programme has been undertaken, and that there has been significant funding provided to the two projects during the period 2012 to 2015 by a range of donors including most recently through the Bridging and Inception Rule of Law Project (November 2013 to June 2015).. The two projects were also assessed under a review of the projects funded by the Norwegian funds in 2012.

PREVIOUS EVALUATIONS

REVIEW OF NORWEGIAN SUPPORT TO SOMALIA THROUGH UNDP, 2011-2012

Civilian Policing Project:

The overall conclusion of the evaluation was that there have been too few resources available, and not a sufficiently systematic approach, to really turn the police force into an effective, preventive, community-oriented security actor which will be so crucial for the building of trust and peaceful societies. For the UN to make a qualitative contribution in this direction, a more robust and systematic training support to the police is required, something one may hope that the new UNSOM mission may also see as a priority issue.

Access to Justice:

The overall conclusion regarding the Programme's impact on Access to Justice was that it is up against a tremendous task to contribute to real justice in the war-stricken societies of Somalia, torn between three different justice systems. The respect for basic human rights and women's rights thus still have a long way to go. But important steps have been taken through this project to bring justice procedures closer to people's reality, along the only route which is culturally legitimate in Somalia: under the overall respect for Sharia principles, however they are interpreted. The role of women in the justice system has been significantly enhanced, with the acceptance of female judges as a real possibility at least in Somaliland some years from now. If that is achieved, it would almost imply a revolution for women's rights and justice in general in the country.

EVALUATION OF ROLS III programme (2009-2011):

The evaluation concluded that overall the ROLS III Programme made a positive impact on security and justice provision in Somalia. The Programme, and its three component projects, are extremely relevant to the Somali context. At the overall outcome (impact) level, there are some important achievements in “improving security and protection under the rule of law”¹ for Somali citizens. There are significant improvements in the delivery of justice in some areas, for example in Hargeisa there has been a doubling of cases through the Hargeisa District Court and a four-fold increase in legal aid cases. Police support has emphasized strengthening the police as an institution – building police stations, training and equipping officers, and establishing communications infrastructure. Impact at the community level in improving the delivery of policing services to citizens has not yet been achieved.

2. EVALUATION PURPOSE

UNDP Somalia is commissioning an End of Project Evaluation to measure qualitatively and quantitatively the progress of its Access to Justice and Civilian Policing projects in its Rule of Law programme. The evaluation is also intended to measure impact in terms of how the project’s support to different institutions, organizations and individuals resulted in the expected and needed impact at the enabling environment, organizational and individual level. The evaluation aims to provide an understanding of the relevance, design, the sustainability of project interventions, the effectiveness of the institutional arrangements and the partnership strategies. The result of the evaluation will be used to improve the future interventions of UNDP in the rule of law area. The report should enhance the understanding UNDP’s key strengths and its alignment with the other actors in the PSG-2 and PSG-3 working Groups with recommendations on improving management arrangements and future initiatives that are sustainable and able to achieve transformational change.

3. OBJECTIVES AND SCOPE OF THE PROJECT

UNDP will conduct the exercise in collaboration with the key stakeholders (Government of Somalia and donors). The project evaluation will look at the Rule of Law Programme in all regions of Somalia and make separate recommendations based on regional context. The Project evaluation will assess how the Rule of Law Programme, and in particular the Access to Justice, Civilian police and ROL components of the Community Security projects contributed to a change in development conditions, clarify underlying factors affecting the situation, highlight unintended consequences either positive or negative, recommend actions to improve performance, and generate lessons learned.

More specifically, this evaluation seeks to achieve the following objectives, namely;

- Assess progress towards the achievement of the project results (at outcome and output level), and the extent to which the rule of law programme and its project outputs have been achieved. In particular, the evaluation will focus on the quality of the results and whether there has been progress made towards the achievement of both qualitative and quantitative targets of the project;
- Determine contributing factors and impediments and extent of the project outputs’ contribution to the achievement of the results;
- The relevance of the project interventions provided to the beneficiaries in addressing their articulated and prioritized needs, and the degree of satisfaction with the services and outputs provided thus far;
- The type, quality and adequacy of technical support, capacity development provided to the beneficiaries throughout project implementation;
- Assess the Value for Money component with a focus on the 3Es, including: Economy, Efficiency and Effectiveness.
- The planning process(es) followed for the implementation of the project interventions, the relevance and adequacy of the work plans produced and the suitability of the implementation modalities undertaken by service providers, including the UN Partners and their local implementation partners, and the efficiency of the project implementation and delivery;

- Extract the lessons learned and best practices that can be considered in the planning and design of future support activities for government and recommendations for next phase of project.
- Mechanisms put in place for the sustainability of the outputs initiated.
- Identification of benefits, including service delivery (both at community and institutional levels) that have arisen as a result of project implementation, and their significance in terms of addressing concerns of marginalized and vulnerable groups on the one hand, and institutions of the rule of law on the other hand;
- Methods and procedures followed in identification and prioritization of beneficiary needs (including institutions and the Somali people) (who facilitated the beneficiaries, how facilitation was done what the main priorities identified were);
- Assess the viability and effectiveness of partnership strategies in relation to the achievement of the project outputs. In particular, the evaluation should assess if the partnerships were appropriate and effective? What was the role of UNDP? How did the partnership contribute to the achievement of the project results? What was the level of stakeholders' participation;
- Assess the monitoring system used during the implementation period, consider adequacy and relevance of the project carried out by Implementing Partners and make recommendations for improvement;
- Review implementation arrangements with regard to the timeliness of outputs, use of resources and modifications of components, budgets and activities including re-allocations within the different project areas (policing, corrections and legal aid);
- Underlying factors: analyze the underlying factors beyond UNDP's control that influenced the project results;
- Consider if the cross-cutting issues gender and human rights been given sufficient attention and if they been integrated in the project in an adequate manner?
- Make recommendations on developing closer linkages and synergies between the judiciary and policing component of the project.

4. EVALUATION QUESTIONS

Key review questions include:

- Whether the outcomes and outputs have been achieved, the quality of the results and, if not achieved, whether there has been progress made towards the achievement of both qualitative and quantitative targets of selected projects.
- What has been the level, degree and appropriateness of participation by the beneficiaries, stakeholders, government and donor partners in the project, including the methods and procedures followed in identification and prioritization of beneficiary needs (IDPs, CBOs/local NGOs, state ministries and local authorities')
 - To what extent have UNDP outputs and assistance contributed to outcomes?
 - Has the UNDP partnership strategy been appropriate and effective? Assess the viability and effectiveness of partnership strategies in relation to the achievement of the project outputs.
 - What were the key challenges in implementing the project work plans?
 - To what extent is the political and security climate impacting project progress and how can the project best respond in the current political situation?
 - What factors contributed to effectiveness or ineffectiveness of the project; and how best can the bottle necks be countered?
 - the relevance, efficiency, effectiveness and sustainability of each component of the project;
 - Are the project design and intended outputs still consistent with the national priorities and in synergy with other similar interventions by other donors?
 - Discuss what has been the comparative advantage of UNDP vs other development partners in terms of effective project delivery and results achieved.

- Analyze whether the management arrangements for project delivery were enabling and responsive to implement the substantive activities with a focus on management capacity and timeliness of generating outputs, and how processes were managed/carried out.

5. METHODOLOGY

The review will be conducted in a participatory and transparent manner, whereby all stakeholders will have the opportunity to share their views. The outcome of this assessment will be used as a tool to inform policy makers and programme managers. The consultants shall use various participatory techniques to ensure qualitative information is obtained from different stakeholders that will be interviewed. The evaluation should ensure that the data collected (including from legal aid centres, courts, police stations) is done so in a manner that maximizes the development of reliable and valid inferences. Quantification, where applicable, of the findings will also be provided to support the qualitative information obtained. Before the start of the review, the consultants will prepare a detailed work plan which will: present the methodology to be utilized in the conduct of the review; identify the review issues to be addressed and a schedule/timeline of planned activities.

The evaluators will be two international consultants not involved with the formulation, appraisal, approval and/or implementation of daily management of the project. The consultants will be selected by UNDP's Partnerships and Planning Unit. An Evaluation Inception Report is required, but a final decision about the specific design and methods for the evaluation will emerge from consultations among the programme unit, the evaluators, and Partnerships and Planning Unit about what is appropriate and feasible to meet the evaluation purpose and objectives and answer the evaluation questions, given limitations of budget, time and extant data.

6. EVALUATION PRODUCTS (DELIVERABLES)

The evaluation team will deliver:

1. Inception report which should include a proposed schedule of tasks, activities and deliverables, designating a team member with the lead responsibility for each task or product;
2. Draft Evaluation Report describing the findings and recommendations for future intervention strategies. The programme unit and key stakeholders in the evaluation should review the draft evaluation report to ensure that the evaluation meets the required quality criteria;
3. Data Set and Final Evaluation Report. In particular, the final evaluation report should include:
 - a. An executive summary: 1) An introduction presenting the project's background, the evaluation objectives and description of methodology used; and 2) Findings of the evaluation as they relate to interview guide and data collection instruments (if relevant)
 - b. Recommendations: for the future implementation and management strategies; (1) Recommendations on the management and operational support to the project in light of the changing political and security climate the country and (2) Recommendations for the future implementation and management strategies.

A reporting template can be found at:

<http://web.undp.org/evaluation/handbook/Annex7.html>

Evaluation brief and other knowledge products or participation in knowledge sharing events, if relevant.

Table A. Sample Evaluation Matrix

Relevant Evaluation Criteria	Key Questions	Specific sub-questions	Data Sources /	Data Collection methods/tools	Indicators / Success standards	Methods for data analysis

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7. EVALUATION TEAM COMPOSITION AND REQUIRED COMPETENCIES

The review will be conducted by a team of consultants who should have an understanding of the Somali context and are very versed in issues of governance and rule of law and security in post conflict societies. It is expected that the consultants will be familiar with all of the two major areas of ROL:

1. Policing Services, and
2. Access to judicial services.

The qualifications and expertise needed for the assignment are laid out below:

- Advanced University Degree in political science or related fields, such as conflict studies, peace building, law, human rights, policing etc;
- A minimum of ten (10) years of relevant professional experience in the areas of Rule of Law, in the context of fragile and post-conflict states,
- Expert technical leadership and knowledge of theories, principles and methods in the combination of selective fields of the following: legal and judicial systems, security sector, etc;
- Experience in and knowledge of the UN (preferably UNDP) systems and approaches;
- The evaluation team should also possess a broad knowledge and understanding of the major economic and social development issues and problems in Somalia.
- Evaluation expertise and experience will be rated highly;
- Experience in the project cycle and knowledge of the activities of multilateral development donors will be an added advantage;
- Background or familiarity with conflict and post conflict situations may also be required, both for the conduct of the exercise itself, and for understanding the particular context of the evaluation.
- Ability to communicate and write effectively in English;

8. EVALUATION ETHICS

Evaluations in UNDP are conducted in accordance with the principles outlined in the UNEG ‘Ethical Guidelines for Evaluation.’ Evaluations should be carried out in a participatory and ethical manner and the welfare of the stakeholders should be given due respect and consideration (human rights, dignity and fairness). Evaluations must be gender and culturally sensitive and respect the confidentiality, protection of source and dignity of those interviewed.

Evaluation procedures should be conducted in a realistic, diplomatic, cost-conscious and cost-effective manner; must be accurate and well-documented and deploy transparent methods that provide valid and reliable information. Evaluation team members should have an opportunity to disassociate themselves from particular judgments and recommendations. Any unresolved differences of opinion within the team should be acknowledged in the report.

Evaluations should be conducted in a complete and balanced manner so that the different perspectives are addressed and analyzed. Key findings must be substantiated through triangulation. Any conflict of interest should be addressed openly and honestly so that it does not undermine the evaluation outcome. Evaluators should discuss, in a contextually appropriate way, those values, assumptions, theories, methods, results, and analyses that significantly affect the interpretation of the evaluative findings. These statements apply to all aspects of the evaluation, from its initial conceptualization to the eventual use of findings.

The rights and well-being of individuals should not be affected negatively in planning and carrying out an evaluation. This needs to be communicated to all persons involved in an evaluation, and its foreseeable consequences for the evaluation discussed.

9. IMPLEMENTATION ARRANGEMENTS

The mission is expected to take a total of five weeks including travel to the regions in Somalia and a week of SSAFE training which is integral to the evaluation however it is subject to flight availability, security risk management and subsequent travel restrictions.

The evaluation team will work closely with the UNDP Somalia, Governance and Rule of Law Programme Team, as well as Government and other relevant stakeholders. The Evaluation Team Leader will report to Assistant Country Director, Planning and Partnerships Unit.

The Project Management team will provide the following:

1. All documentation related to the Governance and Rule of Law Programme, implementation processes, including the programme documents, results and resources matrices, quarterly and annual progress reports, quarterly and annual financial statements, minutes of planning and project board meetings, work plans etc. which will facilitate the timely execution and completion of the assignment;
2. Logistics for the consultants during the course of the assignment, provided it is related to the assignment;
3. Fees of the consultants in a manner to be mutually agreed upon in a specific contract;
4. Reimbursable expenditures on production of receipts.

10. TIME-FRAME FOR THE EVALUATION PROCESS

The expected approach will be as follows:

1. Initial four days of SSAFE training
2. Inception Report within 13 days from commencement of the assignment.
3. Draft Report within 30 days from commencement of the assignment.
4. Review and approval of the Draft Report 1 week from submission of the Draft Report
5. Final Report 5 days from approval of the Draft Report for incorporation of comments in the Final Report.
6. Reports to be submitted to the UNDP Monitoring and Evaluation Specialist and UNDP Somalia Governance and Rule of Law Programme Manager in hard copy format and soft copies.
7. Final Evaluation Report submitted to UNDP after the Evaluation Team clears the comments from UNDP and the Government.

11. COST

Fees: The assignment will be contracted on a fee –based price basis. The consultants are expected to provide a financial proposal along with a technical proposal. It is expected that the Contractors will make available an appropriate management and backstopping mechanism, quality control system, secretariat and any other support staff (editors, proof readers, etc.) that they consider necessary in order to implement the Framework.

12. KEY DOCUMENTATION (PRESENTED IN CHRONOLOGICAL ORDER)

- McLure, Douglas “Monitoring Report: Support to the Governance Sector (Overall)”, Ref. 140303.01, 06.06.2011 (a.k.a. RoMS Report)
- Eavis, P, Hills, A, McLean, A & Mennen, T. Evaluation of the ROL III Programme. 15th November, 2011