

International Consultant (final Evaluation) - UNDP/Justice and Human Rights in Afghanistan, Phase II (JHRA II)

Location :	Kabul, AFGHANISTAN
Application Deadline :	05-Feb-17
Additional Category	Management
Type of Contract :	Individual Contract
Post Level :	International Consultant
Languages Required :	English
Expected Duration of Assignment :	02 Months (With Maximum 50 Working Days)

Background

UNDP Global Mission Statement:

UNDP is the UN's global development network, an organization advocating for change and connecting countries to knowledge, experience and resources to help people build a better life. We are on the ground in 166 countries, working with national counterparts on their own solutions to global and national development challenges.

UNDP Afghanistan Mission Statement:

UNDP supports stabilization, state-building, and governance and development priorities in Afghanistan. UNDP support, in partnership with the Government, the United Nations system, the donor community and other development stakeholders, has contributed to institutional development efforts leading to positive impact on the lives of Afghan citizens. Over the years UNDP support has spanned such milestone efforts as the adoption of the Constitution; Presidential, Parliamentary and Provincial Council elections; institutional development through capacity-building to the legislative, the judicial and executive arms of the state, and key ministries, Government agencies and commissions at the national and subnational levels. UNDP Programmes in Afghanistan have benefited from the very active support of donors. UNDP Afghanistan is committed to the highest standards of transparency and accountability and works in close coordination with the United Nations Assistance Mission in Afghanistan and the UN system as a whole to maximize the impact of its development efforts on the ground.

Justice and Human Rights in Afghanistan:

The Justice and Human Rights in Afghanistan (JHRA) Phase II project represents one component of this overall strategic support, contributing in particular to the Afghan National Priority Plans on Justice (NPP 5) and Human Rights (NPP 6). JHRA Phase II was initiated on 1 January 2013 and ended on 31 March 2016. The project supported the government and national institutions to increase the overall capacity of the justice sector and human rights institutions to provide services to the Afghan people, and increase the overall trust of Afghan men and women in the justice sector. JHRA had the following four outputs:

1. High-level coordination mechanisms for developing policy and legislation in accordance with international and national standards are established and functional in State justice institutions.
2. Mechanisms for providing quality access to justice services to vulnerable groups are established and functional.
3. Public participation processes and knowledge base for improving access to justice and human rights compliance established.
4. Project Support Unit: Internal oversight, monitoring and evaluation capacity in place.

Duties and Responsibilities

Scope of Work and Deliverables

Objective of the Assignment:

The purpose of this evaluation is to assess progress against expected results and review the project's theory of change vis-à-vis the project achievements, the impact of the project's activities, the overall capacity of the justice sector and human rights institutions to deliver services the Afghan people, and the overall trust of Afghan men and women in the justice sector.

The Final Evaluation International Consultant, who will be the team leader, will assess the strategies, implementation mechanisms and programmatic results, at both national and subnational levels, based on the 2013 JHRA Project Document and 2013-2016 Annual Work Plans; Monitoring and Evaluation Plan; Procurement Plan; Human Resources Plan. The evaluation will include an analysis of synergies between JHRA II and other key UNDP, UN and other partners' interventions, which help support the achievement of JHRA II objectives. The evaluation will highlight strengths, weaknesses/gaps, good practices and provide forward looking recommendations for future assistance on justice and human rights to increase the overall capacity of the justice sector and human rights institutions to service the Afghan people, and increase the overall trust of Afghan men and women in the justice sector.

The main objective of the final independent evaluation is to assess the efficacy of the project design and governance structure, relevance of the project outputs, specific contributions and impact, efficiency and effectiveness of technical assistance, and sustainability of interventions. The evaluation must include an analysis of how JHRA II interventions addresses a Human Rights-based Approach.

The scope of the evaluation will focus around the objectives of the four pillars of JHRA-II. These objectives are:

High-level coordination mechanisms for developing policy and legislation in accordance with international and national standards are established and functional in State justice institutions:

- Increase justice institution capacity to monitor progress and performance of justice sector delivery (through the Rule of Law Indicator Study, ROLIS)
- Increase the MOJ's capacity to effectively reform law through the Taqin, including the Translation Board
- Strengthen human rights institutions' capacity to track, monitor and report on the implementation of human rights commitments.

Mechanisms for providing quality access to justice services to vulnerable groups are established and functional:

- Legal Aid Grant Facility increases access to justice through free legal representation, particularly for detainees, women and children.
- Increase women's access to justice on issues of gender based violence by assisting the AGO/Government to implement the EVAW law and to design pilot EVAW courts
- Enhance the Professional Capacity of State Justice providers including respect for due process through establishment of NLTC

Public participation processes and knowledge base for improving access to justice and human rights compliance established:

- Empower male and female street vendors through recommendations and advocacy for policy change
- Consolidate communication and coordination between State and non-State justice providers through recommendations and advocacy for policy change
- Strengthen the public's awareness of human rights and the role of the justice system through the MoJ Legal Awareness Unit and media institutions

Project Support Unit: Internal oversight, monitoring and evaluation capacity in place:

- JHRA implementation is conducted in an accountable, effective and efficient manner
- Strategic direction informed and refined through analysis using robust monitoring, evaluation and reporting processes

The following are guiding questions within the framework of the evaluation criteria (to be reviewed/ elaborated in the evaluation inception report).

Relevance:

- Is JHRA's theory of change clearly articulated and are the outputs/activities consistent with the Theory of Change;
- What specific methods and tools were used to assess the needs of the project beneficiaries? Have the interventions matched the capacities needs for the institutions and needs of individuals;
- How well did JHRA II react to changing work environment and how well has the design able to adjust to changing external circumstances;
- How did UNDP/ JHRA II increase the overall capacity of the justice sector and human rights institutions to service the Afghan people, increase the overall trust of

Afghan men and women in the justice sector; UNDAF outcomes; and CPD outcomes.

Effectiveness & Results:

- To what extent JHRA II has been successful in achieving the expected results;
- To what extent targeted institutions (MOJ, AGO, Supreme Court and AIBA) have been engaged in the implementation of the project;
- How effective JHRA II has been in attempts to increase the overall capacity of the justice sector and human rights institutions to service the Afghan people, and increase the overall trust of Afghan men and women in the justice sector;
- To what extent JHRA II interventions have been implemented/ coordinated with appropriate and effective partnership and strategies;
- What has been the nature and added value of these partnerships;
- What results are evident short-term to long term that can be directly or indirectly attributed to the project;
- What factors contribute or influence JHRA II's ability to positively contribute to high-level coordination mechanisms for developing policy, to mechanisms of access to justice services to vulnerable groups and to public participation processes and knowledge base for improving access to justice and human rights compliance;
- How efficiently were funding, staff, and other resources used to achieving the expected results of the project;
- Based on cost-benefit analysis, what conclusions can be drawn regarding 'value for money' and cost related efficiencies or inefficiencies in implementing JHRA II;
- Were there any unanticipated events, opportunities or constraints contributed to or hindered the delivery of the interventions on timely manner;
- In light of the above, what, if anything, could have been done differently;
- Have associated risks at the national and local level been anticipated and addressed.

Potential Impact:

- What impact did the JHRA II project have on high-level coordination mechanisms for developing policy and legislation in state justice institutions, and what impact this had in targeted provinces;
- What impact did the JHRA II project have on mechanisms for providing quality access to justice services to vulnerable groups in targeted provinces;
- What impact did the JHRA II project have on public participation processes and knowledge base for improving access to justice and human rights compliance.
- What impact did the JHRA II project with regards to regaining trust of Afghan women and men in the justice institutions

Coordination:

- To what extent the project adopted a coordinated and participatory approach in mainstreaming gender and human rights into policies and program;
- To what extent the project used UNDP's internal expertise and adopted joint planning and programming with other UNDP projects;

- To what extent the project was effective in coordinating its activities and avoiding duplication/inconsistencies, with UN agencies, relevant development partners, donors, CSO, NGOs and academic institution.

Sustainability:

- To what extent did the capacity building activities under each of the components produce lasting results;
- To what extent JHRA II has taken the necessary steps to transfer capacities and skills to MOJ, AGO, Supreme Court and AIBA and other institutional partners and has the capacities of the mentioned institutions improved as result of these efforts;
- To what extent the JHRA II project's stakeholders implement gained knowledge received through capacity building interventions, provided by the project
- How, and to what extent did UNDP/JHRA II's design, implementation strategy/ partnership, and governance foster national ownership and capacity development.

Methodology:

The evaluation team will consist of an international consultant (team leader) and a national consultant. The team leader will propose an evaluation methodology and agree on a detailed plan for the assignment as part of the evaluation inception report. The national consultant will assist the team leader with research (for example revising documents in Dari and Pashtu), facilitate meetings with national counterparts and provide translation services. In general, the evaluation team should adopt an integrated approach involving a combination of data collection and analysis tools to capture both the tangible and the qualitative impacts of UNDP/JHRA II project, and generate concrete evidence to substantiate all findings. The methodology should be robust enough to ensure high quality, triangulation of data sources, and verifiability of information. It is expected that the evaluation methodology will comprise of the following elements:

- Document review (desk study)
- Interviews with key stakeholders
- Field visits to meet and consult with beneficiaries and province level stakeholders (security permitting)
- Focus group discussions with small groups of national stakeholders of Government authorities

The evaluation process will include:

- Desk review: Review all available material related to the project, such as project progress reports, Project Document, Annual Work Plans, Monitoring and Evaluation Plan, Procurement Plan, and others.
- Planning, data collection and consultations: Consult key stakeholders, including UNDP staff, MOJ, AGO, Supreme Court, AIBA officials, HRSU, donors, and NGO/CSO implementing partners and others. UNDP will assist in setting up appointments and to organize local transportation and logistics in support of the mission's data collection and consultative activities.
- Debriefing session: Debrief the relevant stakeholders including UNDP management and donors, about the initial findings including key observations and recommendations based on verifiable facts and figures.

- Final Report: Compile and submit a comprehensive final evaluation report to UNDP in accordance with a format to be agreed. It is expected that the evaluation team will consider any management responses and comments to the draft, while completing the final report.

Expected Outputs, Deliverables and Timelines:

- Draft inception Report detailing the evaluation methodology, including evaluation matrix with methodology, data collection tools, and data sources for evaluation. 5 working days. (10 %)
- Draft questionnaire and description of data collection tools for the 4 components of the project. 5 working days (10 %)
- Conduct interviews and focus groups discussions' reports. 15 days (25%)
- Draft JHRA II project's evaluation report. 15 working days (35%)
- Finalize JHRA project's evaluation report, based on comments. 7 working days (10%)
- De-brief to Country Office, project management and key staff of JHRA II. 3 working days (10%)

Competencies

Corporate Competencies:

- Demonstrates integrity by modelling the UN's values and ethical standards;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability;
- Treats all people fairly without favouritism.

Functional Competencies:

Knowledge Management and Learning:

- Qualitative and quantitative research skills
- Evaluation expertise, with knowledge of UN/DAC evaluation standards
- Knowledge of result based management
- Experience in access to justice, human rights and gender mainstreaming will be considered an asset

Management and Leadership:

- Builds strong relationships with clients, focuses on impact and result for the client and responds positively to feedback
- Consistently approaches work with energy and a positive, constructive attitude;
- Demonstrates openness to change and ability to manage complexities;
- Ability to lead effectively, mentoring as well as conflict resolution skills;
- Demonstrates strong oral and written communication skills;
- Remains calm, in control and good humoured even under pressure;
- Proven networking, team-building, organizational and communication skills.

Required Skills and Experience

Education:

- At least a master's degree in any of the following fields: Human Rights, Law and Development Studies, Evaluation, Social Sciences

Experience:

- At least 10 years work experience in the area of access to justice, human rights
- Proven Experience in evaluating access to justice, human rights related interventions
- Working experience in Afghanistan is desirable

Language:

- Excellent written and oral English skills;
- Competence in Dari and/or Pashtu is an asset.

Payment Modality

Payments under the contract shall be delivery based and be made on receipt of the specific milestone reports indicated above, and including a timesheet according to UNDP procurement formats for individual contractors. These shall be as indicated in the table above, and shall be made upon approval by the relevant JHRA II managers. The draft of the assessment and recommendations will be reviewed by both the MOJ concerned departments and UNDP JHRA II Management. Upon receipt of final comments, the consultant shall finalize the report for formal acceptance by UNDP at which point the final payment shall be released.

Price Proposal and Schedule of Payments

The contractor shall submit a price proposal as below:

- Daily Fee – The contractor shall propose a daily fee which should be inclusive of his professional fee, local communication cost and insurance (inclusive of medical evacuation). The number of working days for which the daily fee shall be payable under the contract is 50 working days;
- Living Allowance, LA – The contractor shall propose a Living Allowance (LA) at the Kabul applicable rate of USD 162 per day for his/her stay at the duty station. The contractor will spend 40 days in Afghanistan. The contractor is NOT allowed to stay in a place of his choice other than the UNDSS approved places. UNDP will provide MORSS compliant accommodation in UNOCA compound. The payment of UNOCA accommodation shall be made directly to UNDP;
- Travel & Visa – The contractor shall propose an estimated lumpsum for home-Kabul-home travel and Afghanistan visa expenses;

The total professional fee, shall be converted into a lump-sum contract and payments under the contract shall be made on submission and acceptance of deliverables under the contract in accordance with the schedule of payment linked with deliverables.

Work Arrangements

Institutional Arrangements

The contractor will work under direct supervision of the Head of Rule of Law and Human Security (ROLHS) Unit. She/he is to provide progress reports on a weekly basis. The ROLHS unit will clear deliverables as per the agreed timelines. The consultant will meet a government counterparts including the Ministry of Justice and its provincial offices, AGO, Supreme Court, AIBA and other key ministries that received support through the project.

Duration of the Work:

Total Duration of work is maximum 50 working days.

Duty Station:

Home based (10 working days) and Kabul based (40 working days).

Evaluation Method and Criteria

Individual consultants will be evaluated based on the following methodology:

Cumulative analysis

The award of the contract shall be made to the individual consultant whose offer has been evaluated and determined as:

- Responsive/compliant/acceptable; and
- Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.
- Technical Criteria weight 70%;
- Financial Criteria weight 30%.

Only candidates obtaining a minimum of 49 points (70% of the total technical points) would be considered for the Financial Evaluation.

Technical Criteria 70 points

Technical Proposal (30 marks)

Technical Approach & Methodology (20 marks) – This explain the understanding of the objectives of the assignment, approach to the services, methodology for carrying out the activities and obtaining the expected output, and the degree of detail of such output. The

Applicant should also explain the methodologies proposed to adopt and highlight the compatibility of those methodologies with the proposed approach.

Work Plan (10 marks) – The Applicant should propose the main activities of the assignment, their content and duration, phasing and interrelations, milestones (including interim approvals by the Client), and delivery dates. The proposed work plan should be consistent with the technical approach and methodology, showing understanding of the TOR and ability to translate them into a feasible working plan.

Qualification and Experience (40 marks) [evaluation of CV]:

- General Qualification (10 marks);
- Experience relevant to the assignment (25 marks);
- Experience of working for projects funded by UNDP (5 marks).

Documents to be included when submitting the proposals

Interested individual consultants must submit the following documents/information to demonstrate their qualifications in one single PDF document.

Duly accomplished Confirmation of Interest and Submission of Financial Proposal Template using the template provided by UNDP (Annex II);

Personal CV or P11, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidate and at least three (3) professional references.

Technical proposal:

- Brief description of why the individual considers him/herself as the most suitable for the assignment;
- A methodology, on how they will approach and complete the assignment.