



Empowered lives.  
Resilient nations.

## I. Position Information

**Title:** Local Evaluation Consultant

**Department/Unit:** Governance and Peacebuilding - UNDP Kosovo

**Reports to:** Rule of Law Project Manager/ Governance and Peacebuilding Portfolio Manager

**Duty Station:** Prishtinë/Priština, Kosovo

**Expected Places of Travel (if applicable):** throughout Kosovo

**Duration of Assignment:** 03 February 2020 – 10 March 2020 (20 w/ds within this period)

### Need for presence of IC consultant in office:

- partial (explain)
- intermittent (explain)
- time/office based (needs justification from the Requesting Unit)

-----

### Provision of Support Services:

Office space: No

Equipment (laptop, etc.): No

Secretarial Services: No

## II. Background Information

Rule of Law and Access to Justice are one of the key areas of UNDP's work in Kosovo since 2004. UNDP's work on Rule of Law is based on strong partnerships with Kosovo institutions, international stakeholders working on rule of law and financing partners. The overall objective of UNDP's project *Support to Strengthening the Rule of Law in Kosovo (SSROLK)* was to support the provision of an efficient, effective, and timely administration of justice. Rule of Law and Access to Justice are among the main political conditions for Kosovo in the European Integration process, which calls for ensuring that courts and prosecution are effective, independent, accountable and impartial, and free from political influence. As such, the SSROLK was designed to support Kosovo's Rule of Law priorities and strategic objectives focusing on:

- Policy level: addressed the policy and coordination aspects between justice institutions, and harmonization of strategic planning to increase efficiency on the implementation of reforms.
- Capacity development and institutional reform: focused on providing tailor-made institutional support to increase institutional and individual capacities, efficiency and accountability.
- Access to justice and service delivery: increasing access to justice for Kosovo's population and reducing the court case backlog through the mediation system.

The project was implemented in close cooperation and coordination with the Ministry of Justice (MoJ), Kosovo Judicial Council (KJC), Kosovo Prosecutorial Council (KPC), Academy of Justice (AJ), Agency for Free Legal Aid, civil society, and CSOs. The project activities and indicators for annual work plan were developed jointly with the above noted project beneficiaries and partners.

Due to the limited inter-institutional coordination on rule of law (also highlighted by the EC Kosovo

Report 2019) project contributed in establishing a Justice Coordination Mechanism (Secretariat) in 2016. The Secretariat consisted of the MoJ, KJC, KPC, and AJ. Through this coordination platform, the project contributed in improving strategic planning, policy development and coordination of priorities in the rule of sector, especially in light of the European Integration requirements.

With the commencement of the rule of law functional review process under the leadership of MoJ in 2018, the project aligned its professional and legal support to the Ministry in implementing the review process. To date, the review, supported also by other international stakeholders, is nearing completion opening the way to the drafting of the Sectoral Strategic Plan for the Justice System. UNDP' provided professional and legal support in developing the necessary policy papers that will feed into the upcoming Sectoral Strategic Plan for the Justice System.

Project worked with KJC and KPC to improve the administration of justice in light of the 2015 and 2018 amended basic laws on judiciary. Specifically, the project supported KJC and the KPC to prepare the secondary legislations to support the effective implementation of these laws. These regulations and administrative instructions have, among others, regulated the responsibilities, duties and organizational structures of Courts and justice institutions, and divided their work accordingly, thereby improving the administration of justice.

In cooperation with the Academy of Justice, the project provided various capacity development support for judges, prosecutors, and other legal practitioners. The project supported the Academy in drafting its annual training program, updating the e-learning tool to provide online trainings, and conducted various training on topics related to human rights, mediation, case management, drafting of legal opinions, etc. In addition, by publishing the Bulletin for Case Law for 2016, 2017 and 2018 the project contributed in improving judicial practices of the first instance Courts.

To guarantee equal access to justice for all the project worked towards improving the legal aid system. Legal aid in Kosovo is provided by AFLA, but it lacks the necessary capacities and financial resources to respond to citizens' needs. Although several CSOs are supplementing legal aid delivery, the coordination between CSOs and AFLA needs to improve in order to improve the impact and quality of services. By bringing together the legal aid actors and institutions in the *Legal Aid Coordination Forum*, the project contributed in improving the communication and coordination of the actors, and in identifying systematic issues related to the functioning of the legal aid.

In its efforts to promote access to justice, the project supported the mediation system, as an alternative dispute resolution. Over the past years, UNDP's efforts involved preparing the necessary legislation, namely the Law on mediation contributing to the sustainability of the mediation system, developing the capacities of more than 500 legal practitioners, and raising awareness about the advantage of using mediation. This intervention contributed in not only improving citizens' access to justice, but also in decreasing of the court and prosecution backlog.

As the project entered its final stage of implementation a final evaluation of the project activities will be conducted to assess the overall progress of the project towards the expected results, and provide lessons learned and recommendations for future interventions of similar nature. To this end, the project will hire a local evaluation specialist, who will work jointly to achieve the expected results.

### III. Project Information

**Project/outcome title:** (1) Improving Access to Justice in Kosovo, and (2) Enhanced Access to Justice and Rule of Law Reform

**Atlas ID: Award No.** 00084098 (Output 00092278 and Output 00112988) and **Award No.:** 00109645 (Output 00108950) and **Award No.:** 00070782 (Output 00084601)

**Corporate outcome and output:**

CDP Outcome 1.1 Rule of law system and institutions are accessible to all and perform in a more efficient and effective manner.

**Country:** Kosovo (as per UNSCR 1244/1999)

**Region:** Western Balkans, ECIS

**Project dates:** Start: April 2016 Planned end: January 2019

**Project budget:** USD 1,475,581 (2016-2019)

**Funding source:** UNDP Global Programme for Justice, Security and Human Rights (BBPS), Norwegian Ministry of Foreign Affairs, German Government, United Nations in Kosovo

**Implementing party<sup>1</sup>:** UNDP

#### IV. Objectives of Assignment

The overall objective of this consultancy assignment is to assess the overall achievement of the project in terms of its relevance, impact, effectiveness, efficiency, and sustainability, and elaborate on the lessons learned and recommendations for future improvements and interventions in rule of law sector. The scope of the evaluation of SSROLK should look both into the outcome-level results as well as the output-level results as key indicators of the overall project performance.

#### V. Scope of work

- Conduct a desk review of relevant project-related documents and UNDP evaluation policies and, based on this information, draft and submit an inception report with appropriate methodology to be applied during the evaluation, as well as the work plan and any technical instruments to be used during the course of the assignment, while being guided by the set of evaluation questions as presented below **(3 w/ds)**;
- Conduct on-site field visits, meetings, discussions, and interviews with relevant stakeholders and project beneficiaries in Kosovo which include, but are not limited to: Ministry of Justice, Kosovo Judicial Council, Kosovo Prosecutorial Council, Academy of Justice, Ombudsperson Institution, Agency for Free Legal, representatives of key civil society organizations, and implementing partners. The Evaluator is expected to share the list of interviews to be conducted beforehand, and receive feedback and clearance from UNDP **(4 w/ds)**;
- Hold a debriefing workshop at the end of the mission with main stakeholders to summarize initial findings and recommendations **(3 w/d)**;
- Based on the inception report and on the feedback received during the debriefing workshop, draft a final evaluation report containing the methodology applied, a presentation of findings, presentation of the lessons learned and clear strategic recommendations to the UNDP and its partners for future interventions in rule of law. These recommendations should contain specifically to whom of each of the partners of the project they are addressed **(9 w/ds)**;

The final evaluation report should include the elements outlined below:

- Title and opening pages
- Table of contents
- List of acronyms and abbreviations
- Executive summary, including a summary of the lessons learned and recommendations
- Introduction

<sup>1</sup> It is the entity that has overall responsibility for implementation of the project (award), effective use of resources and delivery of outputs in the signed project document and workplan.

- Description of the intervention
  - Evaluation scope and objectives
  - Evaluation methodology
  - Data analysis
  - Findings and conclusions
  - Lessons learned
  - Recommendations
  - Report annexes
- Finalize the final evaluation report, accounting for UNDP and stakeholders' feedback on the first draft (1 w/d).

The following evaluation criteria are to be used as per the UNDP methodology, and related evaluation questions are proposed for the evaluation process; however, these can be expanded, prioritized, and modified by the evaluator during the inception phase in consultation with UNDP.

**Evaluation questions:**

Relevant evaluation criteria	Key questions suggested
Relevance	<ul style="list-style-type: none"> <li>▪ Are/Were the project's activities relevant for the main beneficiaries? Has the initiative tackled key challenges and problems identified?</li> <li>▪ To what extent have the cross-cutting issues (such as environment, gender equality, women empowerment, human rights based approach and social standards), principle and quality criteria been duly considered/mainstreamed in the project implementation and how well is this reflected in the project reports? How could they have been better integrated?</li> <li>▪ Have there been any changes in policies and strategy development that have affected the project? If yes, have necessary revisions and adaptations been designed? To what extent has the project been appropriately responsive to political, legal, economic, institutional, etc., changes in Kosovo?</li> <li>▪ How did the project link and contribute the national development priorities, the UNDP Kosovo programme's outputs and outcomes, the UNDP Strategic Plan and the SDGs?</li> <li>▪ How did the project contribute to the theory of change for the relevant UNDP Kosovo programme outcome?</li> <li>▪ What are the areas of relevance for future interventions in the target area?</li> </ul>
Effectiveness	<ul style="list-style-type: none"> <li>▪ To what level has the project reached the project purpose and the expected results as stated in the project document (logical framework matrix)?</li> <li>▪ In which areas does the project have the greatest achievements? Why and what have been the supporting factors? How can the project build on or expand these achievements?</li> <li>▪ In which areas does the project have the fewest achievements? What have been the constraining factors and why? How can or could they be overcome?</li> <li>▪ To what extent did the project contribute to the Kosovo programme outcomes and outputs, the SDGs, the UNDP Strategic Plan and national development priorities?</li> <li>▪ What challenges have been faced? What has been done to address the potential challenges/problems? What has been done to mitigate risks?</li> <li>▪ To what extent has the UNDP partnership strategy been appropriate and effective, and to what extent have stakeholders been involved in project implementation?</li> <li>▪ To what extent were project management and implementation participatory and is the participation contributing towards achievement of the project objectives?</li> <li>▪ To what extent has the project been appropriately responsive to the needs of the national constituents and changing partner priorities?</li> <li>▪ To what extent has the project contributed to gender equality, the empowerment of</li> </ul>

	women and the realization of human rights?	
Efficiency	<ul style="list-style-type: none"> <li>▪ Have the resources been used efficiently? How well have the various activities transformed the available resources into the intended results in terms of quantity, quality and timeliness? (in comparison to the plan)</li> <li>▪ Were the project funds and activities delivered in a timely manner?</li> <li>▪ To what extent do the M&amp;E systems utilized by UNDP ensure effective and efficient project management?</li> </ul>	
Sustainability	<ul style="list-style-type: none"> <li>▪ How has the project ensured sustainability of its results and impacts (i.e. strengthened capacities, continuity of use of knowledge, improved practices, etc.)?</li> <li>▪ Did the project have a concrete and realistic exit strategy to ensure sustainability and what could be done to strengthen exit strategies and sustainability?</li> <li>▪ Has ownership of the actions and impact been transferred to the corresponding stakeholders? Do the stakeholders / beneficiaries have the capacity to take over the ownership of the actions and results of the project and maintain and further develop the results?</li> <li>▪ To what extent do stakeholders support the project's long-term objectives?</li> <li>▪ To what extent the lessons learned were kept and documented by the project team on a continual basis and shared with appropriate parties who could learn from the project?</li> </ul>	
Impact	<ul style="list-style-type: none"> <li>▪ Is there evidence of long-lasting desired changes, in which aspects?</li> <li>▪ Has the project appropriately reached its target groups? Did the project serve the needs of vulnerable groups, i.e. women, youth, non-majority communities?</li> </ul>	
Stakeholders and Partnership Strategy	<ul style="list-style-type: none"> <li>▪ How has the project implemented the commitments to promote ownership, alignment, harmonization, management for development results and mutual accountability?</li> </ul>	
Evaluation	<ul style="list-style-type: none"> <li>▪ Were intended results (outputs, outcomes) adequately defined, appropriate and stated in measurable terms, and are the results verifiable?</li> </ul>	
Theory of Change or Results/Outcome Map	<ul style="list-style-type: none"> <li>▪ Was the Theory of Change or project logic feasible and was it realistic? Were assumptions, factors and risks sufficiently taken into consideration?</li> </ul>	
Human rights	<ul style="list-style-type: none"> <li>▪ To what extent have poor, minority groups, physically challenged, women and other disadvantaged and marginalized groups benefited from the project?</li> </ul>	
Gender	<ul style="list-style-type: none"> <li>▪ To what extent have gender equality and the empowerment of women been addressed in the design, implementation and monitoring of the project?</li> <li>▪ Is the gender marker data assigned to this project representative of reality?</li> <li>▪ To what extent has the project promoted positive changes in gender equality and the empowerment of women? Were there any unintended effects?</li> </ul>	

## VI. Methodology

Methodological approaches may include some or all of the following. The final methodological approach including the interview schedule, field visits and data to be used in the evaluation should be clearly outlined in the inception report and be fully discussed and agreed with UNDP.

- Evaluation should employ a combination of both qualitative and quantitative evaluation methods and instruments.
- **Document review of all relevant documentation.** This would include a review of inter alia
  - Project document (contribution agreement).
  - Theory of change and results framework.
  - Programme and project quality assurance reports.
  - Annual workplans.

- Consolidated periodic and annual reports.
- Project board meeting minutes.
- Technical/financial monitoring reports.
- **Semi-structured interviews** with key stakeholders including key central and local institutions (which include, but are not limited to: Ministry of Justice, Kosovo Judicial Council, Kosovo Prosecutorial Council, Academy of Justice, Ombudsperson Institution, Agency for Free Legal, representatives of key civil society organizations, and implementing partners:
  - **Development of evaluation questions** around relevance, effectiveness, efficiency, impact and sustainability and designed for different stakeholders to be interviewed.
  - All interviews should be undertaken in full confidence and anonymity. The final evaluation report should not assign specific comments to individuals.
- **Surveys and questionnaires** including participants in development programmes, and/or surveys and questionnaires involving other stakeholders at strategic and programmatic levels.
- **Field visits** and on-site validation of key tangible outputs and interventions.
- The evaluator is expected to follow a participatory and consultative approach that ensures close engagement with the evaluation managers, implementing partners and direct beneficiaries.
- **Other methods** such as outcome mapping, observational visits, group discussions, etc.
- **Data review and analysis** of monitoring and other data sources and methods.
  - Ensure maximum validity, reliability of data (quality) and promote use; the evaluation team will ensure triangulation of the various data sources.

## VII. Expected Outputs and Deliverables

Deliverables/Outputs	Estimated Duration to Complete	Target Due Dates	Review and Approvals Required
Inception report (approx. 15-20 pages) containing appropriate methodology to be applied during the final evaluation, as well as the work plan and technical instruments to be used during the course of the assignment is drafted, submitted, and endorsed by UNDP.	3 w/ds	06 February 2020	Project Manager/ Portfolio Manager
Field visits, meetings and interviews in Kosovo are conducted, gathering data to be used in the final evaluation report.	4 w/ds	12 February 2020	Project Manager/ Portfolio Manager
A debriefing workshop with key stakeholders is held and initial findings and recommendations presented.	3 w/d	18 February 2020	Project Manager/ Portfolio Manager
Draft final Evaluation report with the methodology applied, a presentation of findings, a presentation of the lessons learned and clear strategic and operational recommendations to the UNDP and its partners is formulated, based on the findings acquired during the field mission to Kosovo and through the relevant project documentation, and submitted.	9 w/ds	28 February 2020	Project Manager/ Portfolio Manager
A finalized Final Evaluation report accounting for the UNDP, and stakeholders' feedback on the first draft is produced, submitted to, and	1 w/d	09 March 2020	Project Manager/ Portfolio Manager

validated by UNDP.				
--------------------	--	--	--	--

### VIII. Implementation Arrangements

#### The Evaluation Specialist

- The Evaluator will work together the SSROLK Project Manager and project team, in close consultation with the UNDP Governance and Peacebuilding Portfolio Manager. The project team will provide administrative and logistical support as needed.

#### Evaluation arrangements

- The SSROLK Project Manager and project team will provide necessary information for the evaluation, will lead the logistical support of the evaluation (support in arrangements of meetings, field visits), and will be the primary point of contact for the evaluator.
- The Governance and Peacebuilding Portfolio Manager will perform quality assurance of the evaluation process and its outputs.

### IX. Recruitment Qualifications

#### Education:

- Bachelor's degree in law, or any other social sciences related to the RoL;

#### Experience:

- Minimum seven (7) years of professional experience in the area of the rule of law;
- Extensive knowledge and familiarity with the Kosovo judiciary;
- Experience in conducting analyses, and evaluations;
- Strong working knowledge of UNDP and its mandate;
- Knowledge of results-based management evaluation, as well as participatory M&E methodologies and approaches is highly regarded;
- Excellent communication skills with various partners including donors;

#### Language requirements:

- Fluency in English and Albanian is required, knowledge of Serbian is a strong asset.

### X. Evaluation Ethics

- This evaluation will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation'. The consultant must safeguard the rights and confidentiality of information providers, interviewees and stakeholders through measures to ensure compliance with legal and other relevant codes governing collection of data and reporting on data. The consultant must also ensure security of collected information before and after the evaluation and protocols to ensure anonymity and confidentiality of sources of information where that is expected. The information knowledge and data gathered in the evaluation process must also be solely used for the evaluation and not for other uses with the express authorization of UNDP and partners.

### XI. Scope of price proposal and schedule of payments

#### Remuneration - Lump Sum Amount:

The Contract is based on lump sum remuneration and shall be processed subject to deliverables as per the schedule listed below:

- Draft Final Evaluation report received: **70% of the total amount of the contract**
- Final version of the Final Evaluation report received and validated: **30% of the total amount of**

## the contract

### XII. Recommended Presentation of Offer

The following documents must be submitted in order to be evaluated and considered for the assignment:

- **P11 (signed)**, 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 (P11 can be downloaded at UNDP web site: <http://www.ks.undp.org/content/kosovo/en/home/operations/jobs/>)
- **Technical proposal**, a max. 2-page document briefly outlining the methodology envisaged for the assignment for delivering the expected results within the indicated timeframe (an interview will be conducted for the shortlisted candidates);
- **Letter of Confirmation of Interest and Availability;**
- **Financial proposal**, - the consultant is expected to provide an all-inclusive lump sum amount/financial proposal. The Offeror must indicate at this point and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP. If an Offeror is employed by an organization/company/institution, and he/she expects his/her employer to charge a management fee in the process of releasing him/her to UNDP under Reimbursable Loan Agreement (RLA), the Offeror must indicate at this point, and ensure that all such costs are duly incorporated in the financial proposal submitted to UNDP.

### XIII. Criteria for selection of the Best Offer

Offers will be evaluated utilizing a combined Scoring method – where the qualifications, technical proposal, and the interview will be weighted a max. of 70% and combined with the price offer which will be weighted a max of 30%.

### XIV. Competencies

#### Corporate Competencies :

- Committed to highest regards of professionalism, impartiality, accountability, transparency, ethics, and integrity;
- Displays cultural, gender, religion, race, nationality, ethnicity, and age sensitivity and adaptability;
- Demonstrates substantial experience in gender equality and social inclusion.
- Treats all people fairly without favouritism.

#### Functional Competencies:

- Ability to work effectively within a team and develop good relationships with counterparts and stakeholders;
- Ability to synthesise research and draw conclusion on the related subjects;
- Ability to pay attention to details;
- Demonstrates transparency and provides feedback to all those who will contribute to the evaluation;
- Excellent interpersonal skills and ability to communicate effectively, both orally and in writing;
- Ability to establish effective working relations in a multicultural team environment;
- Commitment to accomplish work;
- Responds positively to critical feedback;
- Results and task oriented.



**This TOR is approved by:**

Signature: \_\_\_\_\_

Name and Designation: Marta K. Gazideda, Governance and Peacebuilding Portfolio  
Manager/Deputy Programme Coordinator

Date of Signing: \_\_\_\_\_

Acceptance by the IC holder: \_\_\_\_\_