

Terms of Reference

Final evaluation: **“Support to Strengthen capacities to undertake reforms to advance peacebuilding and transitional justice processes in Sri Lanka.”**

Assignment:	Final Project Evaluation
Reports to:	UNDP and the Senior Human Rights Advisor, RCO
Type of Contract:	Individual Contract
Application Deadline:	In two weeks after the date of advertisement
Language(s) Required:	English
Expected Duration:	August to December 2020
Contract Start Date:	Minimum two weeks after the closing date of the advertisement

A. BACKGROUND:

In 2015 the government co-sponsored the Human Rights Council Resolution A/HRC/RES/30/1, committing itself to a number of reforms that would endeavour to address the causes and impacts of the 30-year old war. Among these was the commitment to undertake a transitional justice process to ensure truth, justice and reparations for the victims. The government then passed the 19th Amendment to the Constitution that strengthened the independence of nine oversight bodies, including the Human Rights Commission of Sri Lanka (HRCSL) and the National Police Commission (NPC) and introduced the right to information as a Fundamental Right, followed by the establishment of the Right to Information Commission (RTI). In 2018 the government established the Office on Missing Persons and in 2019 Office for Reparations.

With a view of supporting this endeavour of the government, the United Nations Peacebuilding Fund (PBF) stepped in to provide funding to a series of UN, Government and civil society driven initiatives, within the framework of the Sri Lanka Peacebuilding Priority Plan (PPP) – a vision and policy document developed by the UN and endorsed by the government.

This proposed joint independent project end evaluation is to be conducted vis-à-vis the PBF funded Project titled **“Support to Strengthen capacities to undertake reforms to advance peacebuilding and transitional justice processes in Sri Lanka.”** The evaluation seeks to ascertain the Project’s results and impacts. It is also to serve as a means of consolidating lessons learned through this Project that could inform future peacebuilding initiatives. As such, the evaluation will be a participatory, multi-stakeholder process guided by Peacebuilding Support Office (PBSO) along with participant UN agencies – namely, UNDP, OHCHR and IOM.

B. PROJECT DESCRIPTION:

In April 2017, UN Sri Lanka commenced implementation of the Project: **“Support to Strengthen capacities to undertake reforms to advance peacebuilding and transitional justice processes in Sri Lanka.”** The Project valued at USD 4,411,874 is funded by the Peacebuilding Fund (PBF) in

support of the implementation of the Sri Lanka's PPP where transitional justice is identified as one of the four key pillars.

The Project was implemented with the objective of providing technical assistance and guidance to the government on taking forward its plan in relation to transitional justice including through setting of standards, developing policies and processes particularly in relation to the setting up of and guiding the operationalization of transitional justice mechanisms, but also supporting the government's other reforms measures through strengthening its independent commissions. The Project also sought to support civil society in ensuring that processes are participatory and victim-centred. As such, the Project was designed to support the implementation of A/HRC/RES/30/1. In addition, an inbuilt allocation for the rapid response provided avenues for the UN to remain engaged on critical interventions that were considered both timely and needed to advance peacebuilding agenda in the country.

As per the project document, the following are the project objectives and outcomes:

Overall objective: "project aims to support Sri Lanka in its effort to deal with the legacies of the past human rights violations as well to put in place comprehensive measures to prevent future recurrence."

Outcome 1: Secretariat for Coordinating Reconciliation Mechanisms (SCRM) and Peacebuilding Fund (PBF) Secretariat effectively coordinate and support the delivery of high-impact peacebuilding results

Output 1.1: Secretariat for Coordinating the Reconciliation Mechanisms ensures a coordinated and coherent Government approach to reconciliation and transitional justice

Output 1.2: Effective functioning of the PBF Secretariat with attention to coordination, resource mobilization, communications, evidenced-based interventions and high-impact results

Output 1.3: Rapid response fund for technical assistance set up to enable timely deployment of support to requests in line with the PPP

Outcome 2 - Sri Lanka undertakes reforms and establishes credible and broadly supported transitional justice mechanisms and processes that adhere to international standards

Output 2.1: Government designs and operationalizes credible and trustworthy truth-seeking, accountability and reparations mechanisms.

Output 2.2: Institutional reforms to prevent recurrence implemented

Outcome 03- Key independent commissions contribute to accountable and transparent democratic governance

Output 3.1: The National Police Commission has enhanced capacity to engage in its core functions

Output 3.2 Human Rights Commission of Sri Lanka (HRCSL) has in place a mechanism for conducting human rights due to diligence reviews

Output 3.3 The newly established RTI Commission benefits from legal, organizational, systems and public outreach assistance to perform its core functions of adjudicating complaints and ensuring compliance by designated public authorities.

C. SCOPE AND OBJECTIVES

The above Project is expected to be completed by September 2020, following four years of implementation. The independent evaluation is expected to provide evidence of the Project’s relevance, efficiency, effectiveness, impact and sustainability in achieving its objectives, while explicitly assessing results achieved through a peacebuilding approach and perspective:

<p>a. Relevance: the extent to which the Project has contextualized and addressed the recurring peacebuilding and transitional justice concerns in Sri Lanka. It will take into account the country’s commitments made at the 30th Human Rights Council session in 2015.</p>	<ul style="list-style-type: none"> • To what extent were the Project’s strategies relevant to national and local contexts? • To what extent was the Project able to contribute towards conflict transformation and promote institutional reforms through its support to institutional mechanisms in place to promote peace, justice and reconciliation. • To what extent was the Project able to contribute towards the civil society peacebuilding initiatives including in relation to awareness-raising, victim support and monitoring and research.
<p>b. Effectiveness: The evaluation is expected to</p>	<ul style="list-style-type: none"> • Were the planned activities consistent with the overall project objectives and purpose? • To what extent did the Project reach the planned results? • What were the reasons for the achievement or non-achievement of the planned results? What are the principal factors that influence or influenced achievement or non-achievement of the results?

<p>review the project activities as against the expected results and determine the effectiveness of the design and the implementation process.</p>	<ul style="list-style-type: none"> • To what extent did the Project make timely adjustments to its strategy to maintain its relevance and effectiveness? • To what extent did the output level interventions translate into progress towards outcomes? • What measurable changes in human rights; gender equality and women’s empowerment have occurred as a result of the Project?
<p>c. Efficiency: Using a selected cost analysis approach, the evaluation is expected to assess how well the Project produces the products and services it committed itself to deliver; how do costs affect the sustainability of the results. Further, it will assess the extent to which the Project was efficiently managed, implemented and has delivered quality outputs, against what was planned.</p>	<ul style="list-style-type: none"> • Have financial and human resources been allocated sufficiently and strategically to achieve project outcomes? • Have the outputs been delivered in a timely manner? If not, why? • What is the quality of the outputs (products/services) delivered, and how has it contributed to the overall peacebuilding agenda in-country?
<p>d. Impact: The evaluation is expected to assess any credible evidence and of impact (both intended and unintended, as well as positive and negative) achieved by the Project in the context of reference.</p>	<ul style="list-style-type: none"> • To what extent did the Project achieve its results/ outcome impacts? • Were there any unexpected results or unintended consequences of the results, both positive and negative? • To what extent was the Project catalytic (programmatic/ financial)?
<p>e. Sustainability: The evaluation will assess the project capacity to produce and to reproduce benefits over time through transferring of ownership of the intervention to national institutions to ensure sustainability</p>	<ul style="list-style-type: none"> • To what extent was capacity developed in order to ensure the sustainability of efforts and benefits? • Are national partners committed to continuing the Project or elements of the Project? • Are there any mechanisms developed and/or interventions linked with existing mechanisms at local and national levels to ensure continuation?
<p>f. Gender Equality and Human Rights: The evaluation will assess the extent to which the Project has integrated gender responsiveness and human rights into the</p>	<ul style="list-style-type: none"> • To what extent did the project address and respond to existing power dynamics and gender relations? • To what extent did the Project actively identify and include the most marginalized in Sri Lanka, ensuring no one is left behind?

program design and implementation	
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Further, the evaluation is expected to set out strong recommendations for future programming considering UN's comparative advantage in peacebuilding interventions in Sri Lanka and how UN system can better reach out to marginalized communities in the country through similar interventions in the future.

D. EXPECTED OUTPUTS AND DELIVERABLES

The service provider will;

- Use expert knowledge and experience in Peacebuilding and Transitional Justice to develop a comprehensive, evidence-based, evaluation report based on an appropriate research methodology that describes the thematic/conceptual considerations, appropriate tools and practices to be adopted to overcome limitations for primary data collection within a COVID-19 context and recommendations related to Transitional Justice processes in Sri Lanka;
- Ensure work is carried out in a timely manner and meets each deliverable target as per the work plan;
- Open to working collaboratively and effectively with all relevant stakeholders and partners to conclude the assignment effectively.

DELIVERABLES:

Key deliverables	Details of the expected deliverables	Percentage of the total contract	Indicative Timeframe
1. Inception Report	An Inception Report, which includes, but not limited to: <ul style="list-style-type: none"> a) An evaluation methodology/approach that clearly demonstrates how the evaluation team intends to assess project results and the impact in terms of advancing peacebuilding and human rights in Sri Lanka; b) Methods of data collection and key questions; c) A realistic workplan. 	20%	August 2020

2. A Preliminary Findings Report and a Presentation	A draft Preliminary Findings Report submitted for review following the completion of data collection and analysis efforts conducted as per finalized methodology and feedback; A presentation of the same conducted for the key staff of the participating UN agencies for feedback;	30%	September 2020
3. Draft Evaluation Report	Draft Report along with an Evaluation finding brief (2-page summary of key findings, lessons and recommendations) submitted for review.	30%	October 2020
3. Final Evaluation Report, Two-Page Evaluation Findings Brief and Presentation	1. Final Evaluation Report and a Two-Page Evaluation Findings Brief (in English) submitted for review. 2. A presentation of the same conducted for the key staff of the participating UN agencies	20%	November 2020

E. INSTITUTIONAL ARRANGEMENT

The service provider will be recruited by the United Nations Development Programme (UNDP) Sri Lanka on behalf of all the participating UN Agencies, and the following will be provided:

- Coordination of the Introductory meeting(s), interview schedule with relevant key stakeholders in close collaboration with the partner agencies
- Relevant background information/details to conduct the end evaluation
- An evaluation management group established with the participation of all partner agencies to extend support and necessary feedback to the evaluation team

FINANCIAL PROPOSAL

The financial proposal should demonstrate an “all-inclusive” total cost in Sri Lanka Rupees (LKR) reflecting upon all outputs indicated, as per the TOR. The Service Provider should incorporate all related costs in their financial proposals, as per the format given below

Description of Task/Activity	Cost (LKR)
Submission of Inception Report	
Preliminary Presentation on findings and report	
Draft Evaluation Report with the summary brief	
Final Evaluation Report	

- a) Any incidental out of pocket expenses (OPE) must be included in the overall “all-inclusive.”

- b) fees submitted to the UNDP;
- c) The fees proposed must be a total “fixed price” quotation indicating the overall total amount in Sri Lanka Rupees;
- d) The total fees as quoted by your firm to UNDP for the purpose shall be firm and final;
- e) UNDP shall pay no amount other than the proposed total “all-inclusive prices” fees for the provision of the Consultancy;
- f) The costs of preparing a proposal and of negotiating a contract are not reimbursable by UNDP.

F. CONDITIONS:

- The end product and all outputs of this assignment are the confidential and exclusive property of UN joint team. Dissemination or sharing of the findings in public or private fora without the prior consent of the UN joint team is strictly prohibited
- The contract will include all costs to be incurred, and the UN will not be liable to pay any charges extraneous to the contract value

G. DURATION OF WORK

The duration of the contract will be six months (August- December 2020) from the start date of the contract.

H. CONSULTANT EXPERIENCE AND REQUIREMENTS

The consultant contracted for the assignment should possess a high level of technical evaluation, sectoral and policy expertise in transitional justice; rigorous research, evaluation and drafting skills; and the capacity to conduct an independent and qualitative analysis. The following requirements are preferable.

1. Experience on transitional justice, preferably both as practitioner and researcher/academic.
2. Work experience in conducting strong international Transitional Justice research and evaluation initiatives.
3. A minimum of 10 years’ experience in the fields of transitional justice/reconciliation/peacebuilding/human rights, and experience conducting programme evaluations and lessons learnt exercises using a combination of qualitative and quantitative research methods
4. Proven ability to produce high-quality reports and presentations in the English language.

Required corporate competencies:

- Knowledge of the UN's norms and standards; and the peacebuilding and human rights-based approaches.
- Demonstrates integrity by modelling the UN's values and ethical standards.
- Displays cultural, gender, religious, race, nationality and age sensitivity and adaptability.
- Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment.

I. SELECTION OF SERVICE PROVIDER

Selection will be based on an open and competitive bidding process. Interested applicants with the capacity to execute the scope of work described above should submit a detailed proposal outlining their methodology and data collection methods and feasible work plan along with the rationale. The information provided in the scope of work is not prescriptive, and the UN remains open to interested bidders elaborating and presenting what they consider to be the most appropriate methodological approach and work plan to achieving the desired results. However, the decision as to the final methodology to be followed in the report will rest with the UN project partner agencies representing UNDP, OHCHR, IOM and the UN Resident Coordinators Office.

The selection method is 70/30, i.e. Technical proposal 70% and Financial proposal 30%. Technical proposals scoring 490 and above only will qualify for the financial evaluation. Selection is based on the highest cumulative value.

Overall Technical Evaluation Criteria:

Summary of Technical Proposal	Points
Section 1: Expertise of Service Provider	200
Section 2: Proposed methodology, work plan and approach	300
Section 3: Similar Assignments Undertaken in the past	200
Total	700

Details of evaluation criteria and marking scheme:

Section 1: Competence/expertise of the consultancy firm:

No.	Criteria	Points
1.1	Previous experience in undertaking similar studies, analysis and work on transitional justice, peacebuilding, reconciliation.	100
1.2	Quality of <u>relevant</u> sample materials provided (NOTE: This is a mandatory requirement. Those proposals which do not contain sample material will score 0 (zero) under this criterion.	50
1.3	Previous clients and partners.	25
1.4	Sufficient support staff and resources to organize and carry out the scope of work.	25

Section 2: Proposed methodology:

No.	Criteria	Points
2.1	Methodology/approach	200
2.2	Tasks defined for the scope of work and aligned to TOR	100

Section 3: Similar Assignments Undertaken in the past:

No.	Criteria	Points
3.1	Nature and complexity of TJ assignments undertaken and completed	100
3.2	Experience working on or evaluating TJ processes in different contexts	100

J. PAYMENT FOR SERVICES

The consultant will deliver the following over six months, and payments will be made upon the satisfactory certification by the Senior Human Rights Advisor and PBSO:

- 30% of payment upon completing Deliverable 1 (**Submission of Inception Report**)
- 15% of payment upon completing Deliverable 2 (**Preliminary Presentation on findings**)

- 35% of payment upon completing Deliverable 3 (**Draft Final Presentation on findings of the evaluation**)
- 20% of payment upon completion of Deliverable 4 (**Final Evaluation Report with robust analysis**)

HOW TO APPLY

To apply, please email to consultants.lk@undp.org with the subject heading: **‘Thematic support on Transitional Justice for an Independent Final Evaluation’** The application should contain:

1. A short project proposal outlining the planned approach, an overall budget and the skills of the proposed team, relevant organizational/team member experience and work plan.
2. Selected applicant will be briefed on further details for completing the proposed activities.

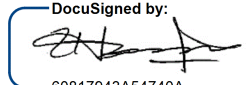
All proposals should be received by 17.00 hrs Sri Lanka time, on 31st July 2020.

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Prepared by: _____
Priyan Senevirathna, Technical Specialist- Peacebuilding and Reconciliation, UNDP

DocuSigned by:

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Cleared by: _____
Juan Fernandez- Jardon, Senior Human Rights Advisor, OHCHR

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Approved by: _____
Mohamed Muzain, Portfolio Manager, UNDP