

Terms of Reference
for
Short Term Expert on Project Evaluation
within the scope of
**Support to the Improvement of Legal Aid Practices for Access
to Justice for All in Turkey Phase II Project (ILAP)**



1) BACKGROUND

According to Turkish justice system, legal aid applications are made either to Bar Associations or -if the case started to be processed- to the related court. Legal aid services are provided by lawyers appointed by Bar Associations. Legal aid fees are paid to lawyers by the Ministry of Treasury and the fee rate is determined by the court where the case has been processed. Turkey's efforts to improve access to justice for all have been given impetus since 2000 and providing better functioning legal aid system has been seen an important means for attaining that goal. For instance, one of the most important aspects of **Judicial Reform Strategy (JRS) of 2015-2020** was that unlike the previous one it started addressing the legal needs of specific groups such as women and children. The JRS was amended for a second time in May 2019 which includes provisions related to legal aid quality and performance standards. Furthermore, Ministry of Justice took important steps through its Judicial Support and Victims' Services Department such as the creation of Judicial Support Directorates¹ and Judicial Interview Rooms². However, despite the initiatives for improvement of the legal aid services in Turkey, it is addressed by both EU Progress Reports, as well as international and national analysis that legal aid system in Turkey needs to be further supported and improved in terms of its procedures, quality and impact on citizens together with the coordination among all actors involved and further improvement of quality of legal-aid services provided by lawyers³ ⁴. Legal aid system requires systemic improvement by incorporating new and practical mechanisms for recipients of legal aid, especially survivors of violence and victims of crimes to access solutions as fastest as possible. These mechanisms should be holistic where victims are able to access both legal and physical protection regardless of their age, gender, ethnicity, religion or status.

Both UNHCR 2016-2020⁵ and UNDP Country Programme Document (CPD 2016-2020) make explicit references to the need to strengthen the judicial system to better protect and promote the rights of most vulnerable. **CPD Output 2.1.1** (Transparent and efficient judicial system providing better access to justice and redress for all, especially groups facing vulnerabilities) has a specific indicator on the provision of high-quality legal aid stated as:

Indicator 2.1.1.1 # of individuals, particularly those facing vulnerabilities, with access to high quality legal aid, disaggregated by sex

Baseline: 30,000 (w); 35,000 (m) Target: 50,000 (w); 50,000 (m)

By considering all these circumstances and based on the achievements and results of the "Support to the Improvement of Legal Aid Practices for Access to Justice for All in Turkey Phase I", this Project aims

¹ <https://magdur.adalet.gov.tr/Home/SayfaDetay/adm-nedir> (accessed on 4 February 2021)

² <https://www.avrupa.info.tr/en/eu-and-turkish-authorities-improve-protection-vulnerable-groups-justice-system-7113> (accessed on 4 February 2021)

³ <https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-turkey-report.pdf> (pg. 39, accessed on 4 February 2021)

⁴ https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/turkey_report_2020.pdf (pg. 40, accessed on 4 February 2021)

⁵ **UNHCR Outcome 2.1:** By 2020, central and local administrations and other actors more effectively protect and promote human rights, and adopt transparent, accountable, pluralistic and gender sensitive governance systems, with the full participation of civil society, including the most vulnerable

Indicator 2.1.3: % of the targets of the new Judicial Reform Strategy to promote and protect the rights of specific groups (women, youth, children) achieved (from 0 % in 2016 to 4 % by 2020)

to develop more coordinated, qualified and systematic approach to legal aid practices in Turkey and build awareness on the operationalization of performance management tools and mechanisms to enhance the efforts to ease access to justice. This will be achieved through developing mechanisms for better coordination and improving networks among legal aid service providers (Union of Turkish Bar Associations, Bar Associations and lawyers), women's NGOs and civil society at large, as well as increased capacity of lawyers through a tailor-made training programme. With the aim to develop a systematic and structured approach, the Project will implement pilot practices for specialized legal aid services towards gender-based violence victims. The Project will also address the implementation of the policy recommendations for improved legal aid services generated in Phase I and will further support the institutional needs of Bar Associations through the dissemination of performance criteria and evaluation mechanisms that are introduced to ensure an effective, coordinated and monitored legal aid system in Turkey.

To give more detail about the nature of pilot practices of ILAP Phase II, 7 Violence Prevention Centers in Denizli, Balıkesir, Samsun, Rize, Mardin, Antalya and Nevşehir have been established so far with their proper venue, necessary hardware and human resources to serve legal aid recipients more effectively. These 7 Violence Prevention Centers will work as legal-aid support centers where effective counselling is provided to vulnerable individuals and people subjected to gender-based violence. VPCs will be working for an efficient legal aid system both in terms of the referral mechanism and quality of services provided. Legal aid lawyers will be working at VPCs, primarily to support women and girls subjected to violence and other members of vulnerable communities. VPCs will be cooperating with relevant public institutions at the local level such as: security forces, gendarmerie, provincial directorate of Ministry of Family, Labor and Social Services (MoFLSS), provincial directorate of Ministry of Health (MoH), governorates, district governorates, provincial directorate of migration management, municipalities, chief prosecutors and courthouses. VPCs will actively cooperate with civil society especially with NGOs working in the field of women and girls' rights. The VPCs will fill the gap in the local violence prevention mechanisms for efficient legal support and counselling for accelerating access to legal protection.

The project aims to achieve the following results for enhancing the efficiency of the legal aid system in Turkey:

- **Result I: (COORDINATION)** Enhanced coordination between women's NGOs, civil society, public bodies, lawyers and bar associations to improve the legal aid system in Turkey.
- **Result II: (SYSTEM DEVELOPMENT)** Development of a systematic and structured approach for legal aid services via implementing and further improving best practices in pilot Bar Associations
- **Result III: (CAPACITY DEVELOPMENT)** Enhanced capacities of lawyers practicing legal aid through a tailor-made training programme
- **Result IV: (AWARENESS RAISING)** Awareness raising among bar associations in Turkey on the performance criteria and evaluation mechanism for legal aid services and automation system for appointment of CCP lawyers

Union of Turkish Bar Associations (UTBA) is the end beneficiary and Ministry of Justice (MoJ) is the co-beneficiary of the Project. UNDP is the Implementing Agency of this Project. The Project is funded by the Swedish Development Cooperation Agency (SIDA) which is based in Swedish Embassy in Ankara.

The project commenced on 1 June 2019, following the signature of the Project Document. The Project has been carrying out its activities in line with agreed workplans and deliverables set out in the Project Document. The project will end on 30 June 2022. Alongside this, the activities are also in line with the inception phase, where pilot reviews, road maps and reports were prepared, listing the training needs in each pilot bar association to establish and operationalize VPCs. While mid-term evaluation was initially scheduled for September 2020, due to spread of Covid-19 pandemic, there have been certain delays in

project activities such as the establishment of Violence Prevention Centres (VPCs) and training of legal practitioners whose exclusion from the mid-term evaluation would have given an incomplete picture about project accomplishments. In agreement with the donor, it was later decided to carry out the mid-term evaluation in June 2021 to capture the lessons learned and to translate them into actionable strategies for the remaining portion of the project.

2) SCOPE OF THE EVALUATION AND SPECIFIC OBJECTIVES

Short Term Expert on Project Evaluation will be mobilized as Individual Consultant for preparing an independent mid-term evaluation report that measures the expected results and specific objectives achieved until the mid-term of project duration against those stated in the Project and identifying the lessons learned which are relevant for the remaining portion of the project duration as well as to the planning, preparation and implementation phases of a possible subsequent project through the conduct of an evaluation mission.

The object of study for this evaluation is understood to be the set of components, specific objectives (outcomes), expected results (outputs), activities and inputs that were detailed in the project document(s) and in associated modifications made during implementation.

This midterm evaluation has the following **specific objectives**:

- To measure to what extent the project has contributed to solve the needs identified in the design phase until the mid-term of project duration,
- To measure project's degree of implementation, efficiency and quality delivered on expected results (outputs) and outcomes, against what was originally planned until the mid-term of project duration or subsequently officially revised,
- To measure the project contribution to the objectives set in the Country Program Document (CPD) of UNDP Turkey and United Nations Development Cooperation Strategy (UNDCS),
- To generate substantive evidence-based knowledge by identifying best practices and lessons learned that could be useful to other development interventions at national (scale up) and international level (replicability) and to support the sustainability of the project or some of its components.

3) EVALUATION QUESTIONS, LEVELS OF ANALYSIS AND EVALUATION CRITERIA

Considering the evaluation parameters, the Individual Consultant is expected to analyse data and share his/her findings, conclusions and recommendations generated by this analysis. As a reference point for the evaluation, the Individual Consultant is provided with indicative evaluation questions below, which are expected to be amended, elaborated and submitted and shall be included as an annex to the final version of the midterm report.

Relevance:

Under this parameter, the Individual Consultant will analyse the extent to which the objectives of this intervention are consistent with the needs and interest of the people, the needs of the country and international norms:

1. To what extent was the design and strategy of the development intervention relevant to national priorities (including clear linkage to CPD, UNDCS and international norms)?
2. How much and in what ways did the project contribute to solve the needs and problems identified in the design phase until the mid-term?
3. To what extent was this project designed, implemented, monitored and evaluated as rights based and gender sensitive? (See Gender Equality related documents to be reviewed under Annex C.)
4. To what extent does the project create synergy/linkages with other projects and interventions in the country?

Effectiveness:

Under this parameter, the Individual Consultant will analyse to what extent the Project objectives have been achieved or how likely they are to be achieved:

1. To what extent did the project contribute to the attainment of the development of outputs and outcomes initially expected/stipulated in the project document's logical framework until the mid-term of the project duration? (The Individual Consultant is expected to provide detailed analysis of: 1) planned activities and outputs until June 2021 and 2) achievement of results until June 2021.)
2. To what extent, Legal Aid Phase I lessons learned were considered during the current phase and efforts were taken to reach certain results that weren't achieved in the previous phase. To what extent was Ankara Bar Association's Poppy Seed Center (which was promoted as a best practice in the first phase) is successfully emulated by 7 Violence Prevention Centers set up in the Second Phase?
3. Did the project successfully establish a robust cooperation mechanism between CSOs and Bar Associations in pilot cities?
4. What are the key factors contributing to project success or underachievement until the mid-term of project execution? How might this be improved in the future?
3. Have any good practices, success stories, lessons learned, or transferable examples been identified? Please describe and document them.
4. To what extent has the project contributed to the implementation of Judicial Reform Strategy, United Nations Development Cooperation Strategy (UNDCS) and CPD goals as well as Sustainable Development Goals (SDGs)?
5. To what extent has the project contributed to the well-being and human rights of vulnerable groups, including, women and girls subjected to Gender Based Violence (GBV)? Did the project effectively contribute to leave no one behind agenda and successfully integrate human rights-based approach (HRBA)?
- 6) Did Covid-19 measures have a positive or negative effect on the achievement of project results?

Efficiency:

Under this parameter, the Individual Consultant will analyse to what extent the resources/inputs (funds, time, human resources, etc.) have been turned into results and the results have been delivered with the least costly way possible:

1. To what extent did the project's management model (i.e. instruments; economic, human and technical resources; organizational structure; information flows; decision-making in management) was efficient in comparison to the development results attained?
2. To what extent was the implementation of this project intervention more efficient in comparison to what could have been in the absence of such an intervention?
3. What type of work methodologies, financial instruments, and business practices have the implementing partners used to increase efficiency?
4. What type of (administrative, financial and managerial) obstacles did the project face and to what extent have this affected its efficiency?
5. What was the progress of the project in financial terms, indicating amounts committed and disbursed (total amounts & as percentage of total) by UNDP until the mid-term of project execution?

Sustainability:

Under this parameter, the Individual Consultant will analyse to what extent the project's positive actions are likely to continue during the remainder portion and after the end of the project:

1. To what extent have the project decision making bodies and implementing partners undertaken the necessary decisions and course of actions to ensure the sustainability of the effects of the project? What

is the risk that the level of stakeholder ownership will be insufficient to allow for the project outcomes/benefits to be sustained?

2. Are the legal frameworks, policies and governance structures and processes in place for sustaining project benefits? How does the recent changes in legislation pertaining to lawyers and other relevant legal reforms might influence the sustainability of the project?

3. To what extent will the project be replicable or scaled up?

4. To what extent will the benefits and outcomes continue after external donor funding ends? What is the likelihood of financial and economic resources not being available once the donor assistance ends?

5. What is the likelihood that 7 Violence Prevention Centres established will be operationally and financially self-sustainable once the donor funding ends?

6. What can be done to maximize the likelihood of sustainable outcomes?

Cross-Cutting Issues:

All the above-mentioned evaluation questions should include an assessment of the extent to which programme design, implementation and monitoring have taken the following cross cutting issues into consideration:

1. To what extent has the project contributed to the advancement and the progress in women's empowerment as well as mainstreaming gender equality? (to be elaborated in relation to the UNDP Gender Mainstreaming strategies and guidelines, along with other relevant strategies and guidelines)
2. To what extent the project adopted environmental and conflict mainstreaming?

4) METHODOLOGICAL APPROACH

The Individual Consultant will use methodologies and techniques as determined by the specific needs for information, the questions set out in this Terms of Reference and the availability of resources and the priorities of stakeholders. In all cases, Individual Consultant is expected to analyse all relevant information sources, such as reports, programme documents, strategic country development documents and any other documents that may provide evidence on which to form judgements which are indicatively listed in **Annex C** of this Terms of Reference. Individual Consultant is also expected to use interviews, surveys or any other relevant quantitative and/or qualitative tool to collect relevant data for the evaluation. The Individual Consultant will make sure that the voices, opinions and information of target audience/participants of the project are considered.

The methodology and techniques to be used in the evaluation should be described in detail in the Inception Report and the Final Evaluation Report, and should contain, at minimum, information on the instruments used for data collection and analysis, whether these be documents, interviews, questionnaires or participatory techniques following high level of research ethics and impartiality.

In addition, the Individual Consultant must assure that information and data are gathered and reported in a gender sensitive approach. To that extent, specific methodological tools should be used, and sex disaggregated data should be provided.

5) KEY ROLES AND RESPONSIBILITIES IN THE EVALUATION PROCESS

There will be actors involved in the implementation of monitoring and evaluation:

1. Evaluation Manager

This role will be conducted by the **Monitoring and Evaluation Analyst of UNDP** who will have the following functions:

- Supervise the evaluation process throughout the main phases of the evaluation (preparation of the ToR, implementation and management and use of the evaluation)
- Participate in the selection and recruitment of the Individual Consultant
- Provide the Individual Consultant with administrative support and required data and documentation
- Ensure the evaluation deliverables meet the required quality
- Safeguard the independence of the exercise, including the selection of the Individual Consultant
- Review the Inception Report, Draft Evaluation and Final Evaluation Reports and give necessary approvals on behalf of UNDP
- Collect and consolidate comments on draft evaluation reports and share with the evaluation team for finalization of the evaluation report
- Contribute to the development of management responses and key actions to all recommendations addressed to UNDP
- Ensure evaluation terms of reference, final evaluation reports, management responses are publicly available through Evaluation Resource Center within the specified timeframe
- Facilitate, monitor and report on implementation of management responses on a periodic basis

2. Inclusive and Democratic Governance Portfolio Manager will have the following functions:

- Establish the Evaluation Reference Group with key project partners when needed
- Ensure and safeguard the independence of the evaluation
- Provide comments and clarifications on the Terms of Reference, Draft Inception Report and Draft Evaluation Reports
- Ensure the Individual Consultant's access to all information, data and documentation relevant to the intervention, as well as to key actors and informants who are expected to participate in interviews, focus groups or other information-gathering methods
- Respond to evaluation recommendations by providing management responses and key actions
- Ensure dissemination of the evaluation report to key stakeholders
- Be responsible for implementation of key actions of the management response

3. The Individual Consultant will conduct the evaluation study by fulfilling his/her contractual duties and responsibilities in line with this ToR, United Nations Evaluation Group (UNEG) norms and standards and ethical guidelines. This includes submission of all deliverables stipulated under Article 11 (Terms and Payments) of this ToR, to the satisfaction of UNDP. Individual Consultant's functions do not include any managerial, supervisory and/or representative functions in UNDP, end beneficiaries and implementing partners. All documents and data provided to the Individual Consultant are confidential and cannot be used for any other purpose or shared with a third party without any written approval from UNDP.

4. Evaluation Reference Group: Union of Turkish Bar Associations, Ministry of Justice and SIDA will function as the evaluation reference group. This group is composed of the representatives of the major stakeholders in the project and will review and provide advice on the quality of the evaluation process, as well as on the evaluation products (more specifically comments and suggestions on the draft report and final report) and options for improvement.

6) EXPECTED DELIVERABLES

The Individual Consultant is expected to submit the following deliverables to the satisfaction of UNDP:

- **Inception Report:**

This report will be 15 pages maximum in length and will propose the methods, sources and procedures to be used for carrying out the independent evaluation. The report should justify why the said methods are the most appropriate, given the set of evaluation questions identified in the ToR. It will also include a mission programme which indicates proposed timeline of activities and submission of deliverables. This document will be used as an initial point of agreement and understanding between the Individual Consultant and UNDP. In principle, the report is expected to contain the outline stated in Annex A of this Terms of Reference.

- **Draft Evaluation Report:**

The draft evaluation report will contain the same sections as the final report (described in the next paragraph) and will be approximately 30 pages in length, excluding annexes. It will also contain an executive summary of no more than 5 pages that includes a brief description of the project, its context and current situation, the purpose of the evaluation, its methodology and its main findings, conclusions and recommendations. UNDP will disseminate the draft evaluation report to the Evaluation Reference Group in order to seek their comments and suggestions. Comments and suggestions of UNDP and Evaluation Reference Group will be collected in an audit trail and will be shared with the Consultant for him/her to make his/her final revisions.

- **Final Evaluation Report:**

The final evaluation report will be approximately 30 pages in length excluding annexes. The final evaluation report will also contain an executive summary of no more than 5 pages that includes a brief description of the project, its context and current situation, the purpose of the evaluation, its methodology and its main findings, conclusions and recommendations. The report should contain, at minimum, information on the instruments used for data collection and analysis, whether these be documents, interviews, questionnaires or participatory techniques following high level of research ethics and impartiality. In addition, the Final Evaluation Report should contain clear recommendations that are concrete, feasible and easy to understand. The Final Evaluation Report will be shared with UNDP to be disseminated to the key stakeholders. In principle, this report is expected to contain the sections stated in Annex B of this Terms of Reference. The Consultant will also submit his/her answers to the Audit Trail to show the actions taken/not taken and revisions made/not made in line with suggestions and recommendations of UNDP and Evaluation Reference Group providing detailed justifications in each case.

Reporting Line

The Individual Consultant will be responsible to the Evaluation Manager (in this case UNDP's Monitoring and Evaluation Analyst) for the completion of the tasks and duties assigned throughout this Terms of Reference. All the reports are subject to approval from Evaluation Manager, in order for the payments to be affected to the Individual Consultant.

Reporting Conditions

The reporting language will be English. All information should be provided in electronic version in word format. The Individual Consultant shall be solely liable for the accuracy and reliability of the data provided, along with links to sources of information used.

Title Rights

The title rights, copyrights and all other rights whatsoever nature in any material produced under the provisions of this ToR will be vested exclusively in UNDP.

7) TIMING AND DURATION

The Assignment will be non-consecutively undertaken by the Individual Consultant throughout the timeframe below;

Contract Start Date: 3 May 2021

Contract End Date: 26 July 2021

Following the mobilization of the Individual Consultant; submission of the documents, access to reports and archives and briefing on project, the following timeframe will be followed:

Activity of the Implementation Phase	Responsible Party	Due Date
Kick off meeting	Portfolio Manager, Evaluation Manager and Project Team	3 May 2021
Draft Inception Report	Individual Consultant	10 May 2021
Providing the feedbacks to the Draft Inception Report	Portfolio Manager, Evaluation Manager	14 May 2021
Finalized Inception Report based on the feedbacks received from UNDP	Individual Consultant	18 May 2021
Data collection and interviews with UNDP and key stakeholders ⁶	Individual Consultant	20 May – 4 June 2021
Delivery of Draft Evaluation Report compiling findings from data collection and interviews with key stakeholders	Individual Consultant	11 June 2021
Review the Draft Evaluation Report and provide feedback	Portfolio Manager, Evaluation Manager, Evaluation Reference Group	18 June 2021
Delivery of the Final Evaluation Report by taking into consideration the feedbacks received from UNDP	Individual Consultant	25 June 2021
Total Evaluation Process (days)		30 Days
Estimated Maximum Total Number of Person/Days to be Invested by the IC		30 Days

Expected Interview Schedule

Partners/ Stakeholder(s) to be Interviewed	Location ⁷	Estimated Day(s) of Interview
UNDP	Ankara, Turkey	0,5
Union of Turkish Bar Associations	Ankara, Turkey	0,5
Ministry of Justice	Ankara, Turkey	0,5
SIDA	Ankara, Turkey	0,5
Violence Prevention Centers at 7 pilot provinces and NGOs	Antalya, Balıkesir, Denizli, Nevşehir, Rize, Samsun, Mardin	10
ESTIMATED TOTAL		12

8) INSTITUTIONAL ARRANGEMENT

UNDP will provide background materials for the IC's review. Neither UNDP nor any of the project partners are required to provide any physical facility for the work of the IC. However, depending on the availability of physical facilities (e.g. working space, computer, printer, telephone lines, internet connection, etc.) and at the discretion of UNDP and/or the relevant project partners, such facilities may

⁶ (exact interview date(s) will be decided by UNDP and communicated with the Individual Contractor)

⁷ The locations of partners and stakeholders does not rule out the probability of a remote monitoring mission. The names of cities are there to inform the reader about the location of stakeholders and do not mean that the evaluator must pay an in-person field visit to each city indicated in this list.

be provided at the disposal of the IC. UNDP and/or the relevant project partners will facilitate meetings between the IC and other stakeholders, when needed.

9) ETHICAL PRINCIPLES AND PREMISES OF THE EVALUATION

The evaluation of the project is to be carried out according to ethical principles and standards established by the UNEG.

- **Anonymity and confidentiality.** The evaluation must respect the rights of individuals who provide information, ensuring their anonymity and confidentiality.
- **Responsibility.** The report must mention any dispute or difference of opinion that may have arisen between the Individual Consultant and Project Team in connection with the findings and/or recommendations. The Individual Consultant must corroborate all assertions and disagreements with him/her must be noted.
- **Integrity.** The Individual Consultant will be responsible for highlighting issues not specifically mentioned in the ToR, if this is needed to obtain a more complete analysis of the intervention.
- **Independence.** The Individual Consultant should ensure his or her independence from the intervention under review, and he or she must not be associated with its management or any element thereof.
- **Incidents.** If problems arise during the interviews, or at any other stage of the evaluation, they must be reported immediately to UNDP. If this is not done, the existence of such problems may in no case be used to justify the failure to obtain the results stipulated by UNDP in this Terms of Reference.
- **Validation of information.** The Individual Consultant will be responsible for ensuring the accuracy of the information collected while preparing the reports and will be ultimately responsible for the information presented in the evaluation report.
- **Intellectual property.** In handling information sources, the Consultant shall respect the intellectual property rights of the institutions and communities that are under review.
- **Delivery of reports/deliverables.** If delivery of the reports/deliverables is delayed, or in the event that the quality of the reports delivered is lower than of the quality desired by UNDP, the Individual Consultant will not be entitled for any payment regarding that specific report/deliverable, even if s/he has invested person/days for submission of the report/deliverable.

10) PLACE OF WORK

Duty Station for the Assignment is Home-based. The Individual Consultant may be requested to travel to or within Turkey. However, as the COVID-19 pandemic is still continuing, field visit to Ankara might not be possible and interviews might be held virtually through telecommuting and online conferencing tools, or any other alternative method to protect the safety of individual consultant, key actors and informants whilst ensuring the successful conduct of evaluation mission. “Interviews” referred in this Terms of Reference comprises such telecommuting and online conferencing tools as well. Nevertheless, if UNDP deems a field visit is necessary, travel, accommodation costs (bed and breakfast) and living costs (terminal expenses, intra-city travel costs, lunch, dinner, etc.) of the missions to Ankara and/or other provinces of Turkey will be borne by UNDP. UNDP will arrange economy class roundtrip flight tickets through its contracted Travel Agency.

Assignment-related travel and accommodation costs outside of the Duty Station, which are pre-approved by UNDP, will be borne by UNDP in line with UNDP’s corporate rules and regulations. The costs of these missions may either be;

- Arranged and covered by UNDP CO from the respective project budget without making any reimbursements to the Consultant, through UNDP’s official Travel Agency or,

- Reimbursed to the Consultant upon the submission of the receipts/invoices of the expenses by the consultant and approval of the UNDP. The reimbursement of each cost item is subject to the following constraints/conditions provided in below table or,
- Covered by the combination of both options.

The following guidance on travel compensation is provided as per UNDP practice:

Cost item	Constraints	Conditions of Reimbursement
Travel (intercity transportation)	Full-fare economy class tickets	1- Approval by UNDP of the cost items before the initiation of travel 2- Submission of the invoices/receipt, etc. by the consultant with the UNDP's F-10 Form 3- Acceptance and approval by UNDP of the invoices and F-10 Form.
Accommodation	Up to 50% of the effective DSA rate of UNDP for the respective location	
Breakfast	Up to 6% of the effective DSA rate of UNDP for the respective location	
Lunch	Up to 12% of the effective DSA rate of UNDP for the respective location	
Dinner	Up to 12% of the effective DSA rate of UNDP for the location	
Other Expenses (intra city transportations, transfer cost from /to terminals, etc.)	Up to 20% of effective DSA rate of UNDP for the respective location	

11) TERMS AND PAYMENTS

• Contracting Authority

Contracting Authority for this Assignment is UNDP, and the contract amount will be provided through the project budget.

• Contracting Modality

IC – Individual Contract of UNDP.

• Payment Schedule

Payments will be made within 30 days upon acceptance and approval of all corresponding deliverables by UNDP on the basis of payment terms indicated below, along with the pertaining Certification of Payment document signed by the Individual Consultant and approved by Evaluation Manager (Monitoring and Evaluation Analyst).

The maximum total amount to be paid to the Individual Consultant within the scope of this assignment cannot exceed equivalent of 30 person/days. The payments will be made according to the below table:

Deliverable	Due Date	Estimated Number of Person/Days to be Invested by the IC*	Payment
Draft Inception Report	10 May 2021	6	N/A
Finalized Inception Report based on the feedbacks received from UNDP	18 May 2021	2	N/A
Data collection and interviews with UNDP and key stakeholders	4 June 2021	12	N/A
Delivery of Draft Evaluation Report	11 June 2021	5	N/A

compiling findings from data collection and interviews with key stakeholders			
Delivery of the Final Evaluation Report by taking into consideration the feedbacks received from UNDP	25 June 2021	5	Upon submission and approval of all five deliverables (100% of the total contract amount)
Estimated Maximum Total Number of Person/Days to be Invested by the IC		30 Person/Days	

*While the number of days to be invested for each deliverable may change, the total number of days invested by the Individual Consultant cannot exceed **30 days** for this assignment (i.e. for submission of all the deliverables) as defined in this ToR.

Without submission and approval (by UNDP) of the above listed deliverables in due time and quality, the Consultant shall not be entitled to receive any payment from the UNDP even if he/she invests time in this assignment. While the IC may invest less or more than estimated number of person/days for each deliverable different than the estimated person/days stipulated in the above table, the total amount of payment to be affected to the IC within the scope of this Assignment cannot exceed equivalent of **30 person/days** throughout the contract validity.

In cases where the Consultant may need to invest additional person/days to perform the tasks and produce the deliverables listed and defined in this Terms of Reference, the Consultant shall do so without any additional payment.

If any of the deliverables stipulated in this Terms of Reference are not produced and delivered by the IC in due time and to the satisfaction of UNDP, no payment will be made even if the IC has invested person/days to produce and deliver such deliverables.

The IC shall be paid in USD if he/she resides in a country different than Turkey. If he/she resides in Turkey, the payment shall be realized in TRY through conversion of the USD amount by the official UN Operational Rate of Exchange applicable on the date of money transfer.

The amount paid to the consultant shall be gross and inclusive of all associated costs such as social security, pension and income tax, etc. The daily fee to be paid to the Consultant is fixed regardless of changes in the cost components. The daily fee amount should be indicated in gross terms and hence should be inclusive of costs related to tax, social security premium, pension, visa (if needed) etc. UNDP will not make any further clarification on costs related to tax, social security premium, pension, visa etc. It is the applicants' responsibility to make necessary inquiries on these matters.

Tax Obligations: The IC is solely responsible for all taxation or other assessments on any income derived from UNDP. UNDP will not make any withholding from payments for the purposes of income tax. UNDP is exempt from any liabilities regarding taxation and will not reimburse any such taxation to the IC.

12) QUALIFICATION AND SKILLS REQUIREMENTS

	Minimum Qualification Requirements	Assets
General Qualifications	<ul style="list-style-type: none"> Bachelor's Degree in public administration, law, economics, international relations, development studies or any other relevant field. Good command of spoken and written English. 	<ul style="list-style-type: none"> Master's or Ph.D. Degree in law, development studies, public administration or any other relevant field.

	Minimum Qualification Requirements	Assets
General Professional Experience	<ul style="list-style-type: none"> • Minimum 7 years of overall professional experience in research design, field work, qualitative, quantitative and mixed-method research strategies, including but not limited to focus groups, surveys and interview techniques. 	<ul style="list-style-type: none"> • 8 to 11 years of overall professional experience in research design, field work, qualitative, quantitative and mixed-method research strategies, including but not limited to focus groups, surveys and interview techniques. • More than 12 years of overall professional experience in research design, field work, qualitative, quantitative and mixed-method research strategies, including but not limited to focus groups, surveys and interview techniques.
Specific Professional Experience	<ul style="list-style-type: none"> • Minimum 5 years of professional international experience in conducting and managing evaluations, assessments, research or review of legal aid/justice/human rights projects, programmes or thematic areas either as team leader or sole evaluator. • Experience in evaluation of legal aid, justice sector and/or human rights projects/programmes. 	<ul style="list-style-type: none"> • 6 to 9 years of professional international experience in conducting and managing evaluations, assessments, research or review of legal aid/justice/human rights projects, programmes or thematic areas either as team leader or sole evaluator. • More than 10 years of professional international experience in conducting and managing evaluations, assessments, research or review of legal aid/justice/human rights projects, programmes or thematic areas either as team leader or sole evaluator. • Experience in evaluation of projects funded by SIDA. • Authorship of article(s) / research paper(s) on programme/project evaluation.

Notes:

- Internships (paid/unpaid) are not considered professional experience.
- Obligatory military service is not considered professional experience.
- Professional experience gained in an international setting is considered international experience.
- Experience gained prior to completion of undergraduate studies is not considered professional experience.

13) ANNEXES

Annex A - Outline of the Inception Report

1. **Background and context** illustrating the understanding of the project/outcome to be evaluated.
2. **Evaluation objective, purpose and scope.** A clear statement of the objectives of the evaluation and the main aspects or elements of the initiative to be examined.

3. **Evaluation criteria and questions.** The criteria the evaluation will use to assess performance and rationale. The stakeholders to be met and interview questions should be included and agreed as well as a proposed schedule for field site visits.
4. **Evaluability analysis.** Illustrate the evaluability analysis based on formal (clear outputs, indicators, baselines, data) and substantive (identification of problem addressed, theory of change, results framework) and the implication on the proposed methodology.
5. **Cross-cutting issues.** Provide details of how cross-cutting issues will be evaluated, considered and analyzed throughout the evaluation. The description should specify how methods for data collection and analysis will integrate gender considerations, ensure that data collected is disaggregated by sex and other relevant categories, and employ a diverse range of data sources and processes to ensure inclusion of diverse stakeholders, including the most vulnerable where appropriate.
6. **Evaluation approach and methodology,** highlighting the conceptual models adopted with a description of data-collection methods,⁸ sources and analytical approaches to be employed, including the rationale for their selection (how they will inform the evaluation) and their limitations; data-collection tools, instruments and protocols; and discussion of reliability and validity for the evaluation and the sampling plan, including the rationale and limitations.
7. **Evaluation matrix.** This identifies the key evaluation questions and how they will be answered via the methods selected.
8. A revised **schedule of key milestones,** deliverables and responsibilities including the evaluation phases (data collection, data analysis and reporting).
9. Detailed **resource requirements** tied to evaluation activities and deliverables detailed in the workplan. Include specific assistance required from UNDP such as providing arrangements for visiting particular field offices or sites
10. **Outline of the draft/final report** as detailed in the guidelines and ensuring quality and usability (outlined below). The agreed report outline should meet the quality goals outlined in these guidelines and also meet the quality assessment requirements outlined in section 6.

Annex B - Outline of the draft and final reports

1. **Title and opening pages** should provide the following basic information:
 - Name of the evaluation intervention.
 - Time frame of the evaluation and date of the report.
 - Countries of the evaluation intervention.
 - Names and organizations of evaluators.
 - Name of the organization commissioning the evaluation.
 - Acknowledgements.
2. **Project and evaluation information details** to be included in all final versions of evaluation reports (non-GEF) on second page (as one page):
3. **Table of contents,** including boxes, figures, tables and annexes with page references.
4. **List of acronyms and abbreviations.**
5. **Executive summary (four-page maximum).** A stand-alone section of two to three pages that should:
 - Briefly describe the intervention of the evaluation (the project(s), programme(s), policies or other intervention) that was evaluated.

⁸ Annex 2 outlines different data collection methods.

- Explain the purpose and objectives of the evaluation, including the audience for the evaluation and the intended uses.
 - Describe key aspect of the evaluation approach and methods.
 - Summarize principle findings, conclusions and recommendations.
 - Include the evaluators' quality standards and assurance ratings.
6. **Introduction**
- Explain why the evaluation was conducted (the purpose), why the intervention is being evaluated at this point in time, and why it addressed the questions it did.
 - Identify the primary audience or users of the evaluation, what they wanted to learn from the evaluation and why, and how they are expected to use the evaluation results.
 - Identify the intervention of the evaluation (the project(s) programme(s) policies or other intervention—see upcoming section on intervention).
 - Acquaint the reader with the structure and contents of the report and how the information contained in the report will meet the purposes of the evaluation and satisfy the information needs of the report's intended users.
7. **Description of the intervention** provides the basis for report users to understand the logic and assess the merits of the evaluation methodology and understand the applicability of the evaluation results. The description needs to provide sufficient detail for the report user to derive meaning from the evaluation. It should:
- Describe **what is being evaluated, who seeks to benefit** and the **problem or issue** it seeks to address.
 - Explain the **expected results model or results framework, implementation strategies** and the key **assumptions** underlying the strategy.
 - Link the intervention to **national priorities**, UNDCS priorities, corporate multi-year funding frameworks or Strategic Plan goals, or other **programme or country-specific plans and goals**.
 - Identify the **phase** in the implementation of the intervention and any **significant changes** (e.g., plans, strategies, logical frameworks) that have occurred over time, and explain the implications of those changes for the evaluation.
 - Identify and describe the **key partners** involved in the implementation and their roles.
 - Identify **relevant cross-cutting issues** addressed through the intervention, i.e., gender equality, human rights, marginalized groups and leaving no one behind.
 - Describe the **scale of the intervention**, such as the number of components (e.g., phases of a project) and the size of the target population for each component.
 - Indicate the **total resources**, including human resources and budgets.
 - Describe the context of the **social, political, economic and institutional factors**, and the **geographical landscape** within which the intervention operates and explain the effects (challenges and opportunities) those factors present for its implementation and outcomes.
 - Point out **design weaknesses** (e.g., intervention logic) or other **implementation constraints** (e.g., resource limitations).
8. **Evaluation scope and objectives.** The report should provide a clear explanation of the evaluation's scope, primary objectives and main questions.
- **Evaluation scope.** The report should define the parameters of the evaluation, for example, the time period, the segments of the target population included, the geographic area included, and which components, outputs or outcomes were and were not assessed.
 - **Evaluation objectives.** The report should spell out the types of decisions evaluation users will make, the issues they will need to consider in making those decisions and what the evaluation will need to achieve to contribute to those decisions.
 - **Evaluation criteria.** The report should define the evaluation criteria or performance standards used. The report should explain the rationale for selecting the particular criteria used in the evaluation.
 - **Evaluation questions** define the information that the evaluation will generate. The report should detail the main evaluation questions addressed by the evaluation and explain how the answers to these questions address the information needs of users.

9. **Evaluation approach and methods.** The evaluation report should describe in detail the selected methodological approaches, methods and analysis; the rationale for their selection; and how, within the constraints of time and money, the approaches and methods employed yielded data that helped answer the evaluation questions and achieved the evaluation purposes. The report should specify how gender equality, vulnerability and social inclusion were addressed in the methodology, including how data-collection and analysis methods integrated gender considerations, use of disaggregated data and outreach to diverse stakeholders' groups. The description should help the report users judge the merits of the methods used in the evaluation and the credibility of the findings, conclusions and recommendations. The description on methodology should include discussion of each of the following:
- **Evaluation approach.**
 - **Data sources:** the sources of information (documents reviewed and stakeholders) as well as the rationale for their selection and how the information obtained addressed the evaluation questions.
 - **Sample and sampling frame.** If a sample was used: the sample size and characteristics; the sample selection criteria (e.g., single women under age 45); the process for selecting the sample (e.g., random, purposive); if applicable, how comparison and treatment groups were assigned; and the extent to which the sample is representative of the entire target population, including discussion of the limitations of sample for generalizing results.
 - **Data-collection procedures and instruments:** methods or procedures used to collect data, including discussion of data-collection instruments (e.g., interview protocols), their appropriateness for the data source, and evidence of their reliability and validity, as well as gender-responsiveness.
 - **Performance standards:** the standard or measure that will be used to evaluate performance relative to the evaluation questions (e.g., national or regional indicators, rating scales).
 - **Stakeholder participation** in the evaluation and how the level of involvement of both men and women contributed to the credibility of the evaluation and the results.
 - **Ethical considerations:** the measures taken to protect the rights and confidentiality of informants (see UNEG 'Ethical Guidelines for Evaluators' for more information).⁹
 - **Background information on evaluators:** the composition of the evaluation team, the background and skills of team members, and the appropriateness of the technical skill mix, gender balance and geographical representation for the evaluation.
 - **Major limitations of the methodology** should be identified and openly discussed as to their implications for evaluation, as well as steps taken to mitigate those limitations.
10. **Data analysis.** The report should describe the procedures used to analyse the data collected to answer the evaluation questions. It should detail the various steps and stages of analysis that were carried out, including the steps to confirm the accuracy of data and the results for different stakeholder groups (men and women, different social groups, etc.). The report also should discuss the appropriateness of the analyses to the evaluation questions. Potential weaknesses in the data analysis and gaps or limitations of the data should be discussed, including their possible influence on the way findings may be interpreted and conclusions drawn.
11. **Findings** should be presented as statements of fact that are based on analysis of the data. They should be structured around the evaluation questions so that report users can readily make the connection between what was asked and what was found. Variances between planned and actual results should be explained, as well as factors affecting the achievement of intended results. Assumptions or risks in the project or programme design that subsequently affected implementation should be discussed. Findings should reflect a gender analysis and cross-cutting issue questions.

⁹ UNEG, 'Ethical Guidelines for Evaluation', June 2008. Available at <http://www.uneval.org/search/index.jsp?q=ethical+guidelines>.

12. **Conclusions** should be comprehensive and balanced and highlight the strengths, weaknesses and outcomes of the intervention. They should be well substantiated by the evidence and logically connected to evaluation findings. They should respond to key evaluation questions and provide insights into the identification of and/or solutions to important problems or issues pertinent to the decision-making of intended users, including issues in relation to gender equality and women’s empowerment.
13. **Recommendations.** The report should provide practical, actionable and feasible recommendations directed to the intended users of the report about what actions to take or decisions to make. Recommendations should be reasonable in number. The recommendations should be specifically supported by the evidence and linked to the findings and conclusions around key questions addressed by the evaluation. They should address sustainability of the initiative and comment on the adequacy of the project exit strategy, if applicable. Recommendations should also provide specific advice for future or similar projects or programming. Recommendations should also address any gender equality and women’s empowerment issues and priorities for action to improve these aspects.
14. **Lessons learned.** As appropriate and/or if requested by the TOR, the report should include discussion of lessons learned from the evaluation, that is, new knowledge gained from the particular circumstance (intervention, context outcomes, even about evaluation methods) that are applicable to a similar context. Lessons should be concise and based on specific evidence presented in the report.
15. **Report annexes.** Suggested annexes should include the following to provide the report user with supplemental background and methodological details that enhance the credibility of the report:
 - TOR for the evaluation.
 - Additional methodology-related documentation, such as the evaluation matrix and data-collection instruments (questionnaires, interview guides, observation protocols, etc.) as appropriate.
 - List of individuals or groups interviewed or consulted, and sites visited. This can be omitted in the interest of confidentiality if agreed by the evaluation team and UNDP.
 - List of supporting documents reviewed.
 - Project or programme results model or results framework.
 - Summary tables of findings, such as tables displaying progress towards outputs, targets and goals relative to established indicators.
 - Code of conduct signed by evaluators.

Annex C – Documents to be Reviewed

Background Documents on Country and UNDP Priorities (will be provided after Contract Signature)

- Summary of the M&E frameworks and common indicators
- M&E strategy
- UNDP Guidelines on “Gender Mainstreaming in Practice: A Toolkit”
- UNDP Gender Equality Strategy (2014-2017)
- UNDP Social and Environmental Standards (14 July 2014)
- UNDCS 2016-2020 and UNDP Country Programme Document 2016-2020
- Judicial Reform Strategy Document (updated in May 2019)

Project Documents, which will be provided after Contract Signature

- Project Document of Legal Aid Project Phase I and Phase II
- Grant Agreement and its Annexes (including Description of the action, budget, communication plan)

- Inception and progress reports
- Final Report of Legal Aid Project Phase I
- Annual Workplan
- Steering Committee and Management Meeting Minutes
- Advisory Board Meetings Minutes
- Gender Action Plan
- VPC guideline
- Protocols
- First Regional Meeting Minutes