



## UNITED NATIONS DEVELOPMENT PROGRAMME TERMS OF REFERENCE / INDIVIDUAL CONTRACT

I. Job Information	
Job title:	International Consultant for Final Evaluation of UNDP Project “Rule of Law Partnership in Uzbekistan”
Type:	Individual Contract
Project Title/Department:	“Rule of Law Partnership in Uzbekistan” (Atlas ID: 00081933)/ Effective Governance Cluster (EGC)
Duration of the service:	21 days in September 2021
Work status:	Part-time
Duty station:	Home-based
Expected travel site:	N/A
Reports To:	Deputy Resident Representative, UNDP in Uzbekistan

II. Background and context
<p>UNDP Uzbekistan jointly with the Supreme Court of the Republic of Uzbekistan and USAID has been implementing ‘Rule of Law Partnership in Uzbekistan’ project (ROL) since 2014, after successfully completing the ‘Civil Justice Reform: Effective Court Management’ project in 2012-2014.</p> <p>In 2017, based on the evaluation of the project activities in 2014-2017, to ensure sustainability and replication of the project results, as well as to continue support the Government of Uzbekistan in the implementation of legal and judicial reforms envisaged in the second priority pillar of the national Actions Strategy for 2017-2021, a second phase of the ROL project was launched for the period of 2018-2020.</p> <p>In 2020, the project was extended for another year – from October 1, 2020 till September 30, 2021 (third phase), to address the government’s need for further enhancing professionalism of judges and court staff by delivering specialized trainings especially for judges of the newly established administrative courts and inter-district economic courts.</p> <p>The overarching <b>goal</b> of the Project in 2018-2021 was to strengthen public access to and trust in Uzbekistan’s judicial system, focusing on the wider range of courts. For this purpose project aimed at the following main <b>objectives</b>:</p> <ol style="list-style-type: none"> <li>1. Increase systemic, institutional and procedural judicial independence in civil, economic and administrative courts through providing strategy policy advice to key decisions makers;</li> <li>2. Enhance criminal justice and civil justice systems in line with international standards and the best practices related to fair trial and due process;</li> <li>3. Increase integrity, efficiency and competency of judiciary through upgrading continuous education system for judges and wider application of e-justice tools. Improve court Administration Systems and Performance.</li> </ol> <p>The project’s office is located in Tashkent, Uzbekistan within the national partner agency – the Supreme Court of the Republic of Uzbekistan. The project has been working in two pilot regions – Tashkent city and Tashkent region since 2014.</p> <p>The total project duration is 8 years (November 2014 – September 2021) with total budget of USD 6,481,177.27 (USD 5,461,982.32 of USAID and USD 1,019,194.95 of UNDP).</p> <p>The project’s primary beneficiaries are the bodies and agencies comprising the judicial system of Uzbekistan. Therefore, the project’s activities were focused on the one hand on the judges and personnel of the courts, and on the other hand on the clients of the judiciary – ordinary citizens and lawyers who interact with courts and use their services.</p>

The project's main national implementing partner is the Supreme Court of the Republic of Uzbekistan. At the same time, project's separate components have been implemented in collaboration with such partners as the Supreme Judicial Council, Institute for Monitoring of Current Legislation under the President, the Bureau of Compulsory Enforcement at the General Prosecutor's Office, 'Strategy Development' Center, Lawyer Training Center under the Ministry of Justice, Tashkent State Law University, Research Center for under the Supreme Court, Higher Economic Court, and others.

#### Situation around COVID-19

The COVID-19 pandemic has significantly slowed or contracted economic growth for most countries globally and halted, or in some cases significantly reversed, progress on the 2030 Agenda for Sustainable Development. Uzbekistan's GDP growth in 2020 was suboptimal and poverty levels increased for the first time in two decades as a result of the COVID-19 crisis.

The project's end beneficiaries are population and business of Uzbekistan including those living and operating in rural areas. COVID-19 lockdown had impact on their access to justice rights. In this regard, it is obvious that implementation of project activities related to development and implementation of interactive digital services and video-conferencing systems, become even more relevant and important to mitigate the pandemic's adverse effects on people's access to justice.

In July-August 2021, there was a surge in new coronavirus cases recorded in Uzbekistan with daily rate reaching as high as 974 people. As of 25 August 2021, the total number of confirmed coronavirus cases reached 150,683 with 1,035 deaths (<https://www.worldometers.info/coronavirus/country/uzbekistan/>). Tashkent (capital) still leads in the number of infected people but cases are identified again in all regions in Uzbekistan. Since the start of the national vaccination program on 3 April 2021, only 3.7% of the total population (of 34 mil) have been fully vaccinated as of 13 August 2021 (<https://ourworldindata.org/covid-vaccinations?country=UZB>). In Uzbekistan, citizens are obliged to wear medical masks and take other precautions (social distance, disinfection). Starting from March 25, 2021, foreigners entering the republic must present a PCR test certificate issued exclusively by laboratories recognized by the Sanitary and Epidemiological Service of Uzbekistan.

### **III. Evaluation purpose, scope and objectives**

#### Purpose

The 'Rule of Law Partnership in Uzbekistan' project is in its last year of the implementation cycle and the final evaluation is included into the UNDP Uzbekistan's Evaluation Plan for 2021.

The **purpose** of the evaluation is to assess the achievement of project results against what was expected to be achieved, and draw lessons that can both improve the sustainability of benefits from this project, and help in the overall enhancement of UNDP programming in this thematic area. The evaluation will promote accountability and transparency, and assesses the extent of the project achievements.

The outcomes and recommendations of this evaluation will be instrumental for designing new programming initiatives and project proposals on further strengthening the rule of law and judicial reform in Uzbekistan for various donors through establishing a sound and well-informed ground for setting baselines and conducting an evidence-based situation analysis.

#### Scope and objectives

The evaluation needs to assess the ROL project's performance in terms of relevance, effectiveness and efficiency, and determine outcomes and impacts (actual and potential) stemming from the project, including their sustainability. The exercise should look into both outcome-level results, and the output-level results as key indicators of the overall project performance.

The timeframe of the intervention subject to final evaluation is the period ranging from 2017 to 2021, which includes the final year of the first phase of the project (2017), not covered by the previous evaluation, as well as the project's second phase (2018-2020) and the third phase (2020-2021).

The evaluation will have two primary **objectives**: (i) to provide evidence of results to meet accountability requirements, and (ii) to promote learning, feedback, and knowledge sharing through results and lessons learned among UNDP, USAID and the Supreme Court of the Republic of Uzbekistan, as well as the project's other national partners and stakeholders.

This evaluation is to be undertaken in line with:

- UNDP Evaluation Policy ([http://web.undp.org/evaluation/documents/policy/2019/DP\\_2019\\_29\\_E.pdf](http://web.undp.org/evaluation/documents/policy/2019/DP_2019_29_E.pdf));
- UNDP Evaluation Guidelines ([http://web.undp.org/evaluation/guideline/documents/PDF/UNDP\\_Evaluation\\_Guidelines.pdf](http://web.undp.org/evaluation/guideline/documents/PDF/UNDP_Evaluation_Guidelines.pdf));
- UNDP Decentralised Evaluation Guidance for Implementing Evaluations Remotely/virtually (June 2021) (<http://web.undp.org/evaluation/guideline/documents/covid19/update/June2021/UNDP%20DE%20Guidance%20for%20evaluation%20TOR%20during%20COVID%203%20June%202021.pdf>)

#### IV. Evaluation criteria and key guiding questions

The evaluation will take into account criteria such as **relevance, effectiveness, efficiency, sustainability, human rights**, and **gender** to review the final results of the project. Below are the guiding evaluation questions. The questions will be further agreed with the evaluation team through the inception report.

##### Relevance:

- To what extent was the project in line with the national development priorities, the country programme's outputs and outcomes, the UNDP Strategic Plan and the SDGs?
- To what extent does the project contribute to the theory of change for the relevant country programme outcome?
- To what extent were lessons learned from other relevant projects considered in the project's design?
- To what extent were perspectives of those who could affect the outcomes, and those who could contribute information or other resources to the attainment of stated results, taken into account during the project design processes?
- To what extent does the project contribute to gender equality, the empowerment of women and the human rights-based approach?
- To what extent has the project been appropriately responsive to political, legal, economic, institutional, etc., changes in the country?
- To what extent has the project contributed to covid-19 response?

##### Effectiveness

- To what extent did the project contribute to the country programme outcomes and outputs, the SDGs, the UNDP Strategic Plan and national development priorities?
- To what extent were the project outputs achieved?
- What factors have contributed to achieving or not achieving intended country programme outputs and outcomes?
- To what extent has the UNDP partnership strategy been appropriate and effective?
- What factors contributed to effectiveness or ineffectiveness?
- 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?
- 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?
- What, if any, alternative strategies would have been more effective in achieving the project's objectives?

- Are the projects objectives and outputs clear, practical and feasible within its frame? ☐ To what extent have stakeholders been involved in project implementation?
- To what extent are project management and implementation participatory and is this participation contributing towards achievement of the project objectives?
- To what extent has the project been appropriately responsive to the needs of the national constituents and changing partner priorities?
- To what extent has the project contributed to gender equality, the empowerment of women and the realization of human rights?

#### **Efficiency**

- To what extent was the project management structure as outlined in the project document efficient in generating the expected results?
- To what extent have the UNDP project implementation strategy and execution been efficient and cost-effective?
- To what extent has there been an economical use of financial and human resources? Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve outcomes?
- To what extent have resources been used efficiently? Have activities supporting the strategy been cost-effective?
- To what extent have project funds and activities been delivered in a timely manner?
- To what extent do the M&E systems utilized by UNDP ensure effective and efficient project management?

#### **Sustainability**

- Are there any financial risks that may jeopardize the sustainability of project outputs?
- To what extent will financial and economic resources be available to sustain the benefits achieved by the project?
- Are there any social or political risks that may jeopardize sustainability of project outputs and the project's contributions to country programme outputs and outcomes?
- Do the legal frameworks, policies and governance structures and processes within which the project operates pose risks that may jeopardize sustainability of project benefits?
- To what extent did UNDP actions pose an environmental threat to the sustainability of project outputs?
- What is the risk that the level of stakeholders' ownership will be sufficient to allow for the project benefits to be sustained?
- To what extent do mechanisms, procedures and policies exist to allow primary stakeholders to carry forward the results attained on gender equality, empowerment of women, human rights and human development?
- To what extent do stakeholders support the project's long-term objectives?
- To what extent are lessons learned being documented by the project team on a continual basis and shared with appropriate parties who could learn from the project?
- To what extent do UNDP interventions have well-designed and well-planned exit strategies?
- What could be done to strengthen exit strategies and sustainability?

#### **Human Rights and Gender**

- To what extent have poor, indigenous and physically challenged, women and other disadvantaged and marginalized groups benefited from the work of UNDP in the country?
- To what extent have gender equality and the empowerment of women been addressed in the design, implementation and monitoring of the project?
- Is the gender marker data assigned to this project representative of reality?
- To what extent has the project promoted positive changes in gender equality and the empowerment of women? Were there any unintended effects?

## V. Evaluation Approach and Methodology

The evaluation will employ a combination of both qualitative and quantitative evaluation methods and instruments including but not limited to the following:

- 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 quarterly and annual reports.
  - Results-oriented monitoring report.
  - Highlights of project board meetings.
- Semi-structured interviews with key stakeholders including key government counterparts, donor community members, representatives of key civil society organizations, and implementing partners:
  - Development of evaluation questions around relevance, effectiveness, efficiency and sustainability and designed for different stakeholders to be interviewed.
  - Key informant and focus group discussions with men and women, beneficiaries and stakeholders.
  - All interviews should be undertaken in full confidence and anonymity. The final evaluation report should not assign specific comments to individuals.
- Other methods such as outcome mapping, 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.

The evaluator is expected to follow a participatory and consultative approach ensuring close engagement with the Project Team, government counterparts, national partner agencies, the UNDP Country Office(s), direct beneficiaries and other stakeholders.

As of 11 March 2020, the World Health Organization (WHO) declared COVID-19 a global pandemic as the new coronavirus rapidly spread to all regions of the world. Travel to Uzbekistan was restricted on 25 March 2020. In end of 2020, the lockdown was lifted but in recent months (July-August 2021) the country is experiencing a surge in new coronavirus cases reaching as high as 970 cases per day. The difficult epidemiological situation makes it challenging to organize and conduct the physical mission of the evaluation team to Uzbekistan. Therefore, the evaluator should develop a methodology that takes this into account the conduct of the evaluation virtually and remotely, including the use of remote interview methods and extended desk reviews, data analysis, surveys and evaluation questionnaires. This should be detailed in the Inception Report and agreed with the UNDP CO.

If all or part of the evaluation is to be carried out virtually then consideration should be taken for stakeholder availability, ability or willingness to be interviewed remotely. In addition, their accessibility to the internet/computer may be an issue as many government and national counterparts may be working from home. These limitations must be reflected in the final evaluation report.

The final methodological approach including interviews schedule, formats, channels and data sources to be used in the evaluation should be clearly outlined in the inception report and be duly discussed and agreed between UNDP, stakeholders and the evaluators.

## VI. Evaluation Products (Deliverables)

The following outputs (deliverables) are expected from the evaluation:

1. **Inception report** (10-15 pages). The inception report clarifies objectives, methodology and timing of the evaluation. It is prepared following and based on the preliminary discussions with UNDP after the desk review, and should be produced before the evaluation starts (before any formal evaluation interviews, survey distribution or field visits) and prior to the country visit if planned.
2. **Evaluation debriefings**. Immediately following the start of the evaluation process, UNDP may ask for a preliminary debriefing and sharing of the interim findings.
3. **Draft evaluation report** (40-60 pages including executive summary is suggested). The programme unit and key stakeholders in the evaluation will review the draft evaluation report and provide an amalgamated set of comments to the evaluator within an agreed period of time, addressing the content required (as agreed in the TOR and inception report) and quality criteria as outlined in the UNDP Evaluation Guidelines.
4. **Evaluation report audit trail**. Comments and changes by the evaluator in response to the draft report should be retained by the evaluator to show how they have addressed comments.
5. **Final evaluation report**. 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
  - Description of the intervention
  - Evaluation scope and objectives
  - Evaluation methodology
  - Data analysis
  - Findings and conclusions
  - Lessons learned
  - Recommendations
  - Report annexes
6. **Presentations** to stakeholders and/or the evaluation reference group.
7. **Evaluation brief and other knowledge products** or participation in knowledge-sharing events, if relevant.

#### VIII. Timeframe and Payment Schedule

The total duration of the evaluation will be approximately 21 days in September 2021. The tentative evaluation timeframe is as follows:

1. Based on the project documentation and other relevant materials obtained from the UNDP CO, the evaluator conducts a desk review of relevant project-related documents and UNDP evaluation policies and, based on this information, drafts and **submits 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 days);
2. With the logistic and technical support of the UNDP CO, the evaluator conducts **meetings, discussions, and interviews** with relevant stakeholders and project beneficiaries in Uzbekistan, which include, but are not limited to: Supreme Court, Supreme Judicial Council, Higher School of Judges, Chamber of Advocates of Republic of Uzbekistan, Tashkent State Law university, 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 days);

3. With the logistic and technical support of the UNDP CO, the evaluator holds a **debriefing workshop** at the end of the mission with main stakeholders to present initial findings and recommendations (3 days);
4. Based on the inception report and on the feedback received during the debriefing workshop, the evaluator develops and submits to UNDP CO a full **draft of the 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 specify whom of each of the partners of the project they are addressed to (8 days).
5. The evaluator **finalizes the evaluation report**, addressing the feedback from UNDP and stakeholders and submits the final evaluation report with the audit trail to UNDP CO (3 days).

The exact dates of beginning and completion stages as well as scope of work can be corrected by the Commissioning Unit based on a reasonable justification by the Consultant. The Commissioning Unit reserves the right, if necessary, to amend the terms of reference of the Consultant on a written agreement. The final schedule will be agreed in the beginning of the consultancy assignment. All deliverables must be submitted to the Commissioning Unit by the Consultant in English or Russian in electronic editable format.

Payment for this assignment will be released in three instalments upon timely and satisfactory delivery of the below outputs and their approval by the Commissioning Unit.

#	Outputs	Due date	Installments, as % of total amount
1	Evaluation inception report	13 September 2021	30%
2	2.1. Report on meetings with stakeholders and project beneficiaries 2.2. Presentation for debriefing workshop 2.3. Draft evaluation report	20 September 2021	50%
3	Final evaluation report reflecting the feedback of UNDP and project stakeholders and completed evaluation Audit Trail.	24 September 2021	20%

This is a lump sum contract that includes costs of consultancy and other costs needed to produce the above deliverables.

In line with the UNDP's financial regulations, when determined by the Commissioning Unit and/or the consultant that a deliverable or service cannot be satisfactorily completed due to the impact of COVID-19 and limitations to the evaluation, that deliverable or service will not be paid.

Due to the current COVID-19 situation and its implications, a partial payment may be considered if the consultant invested time towards the deliverable but was unable to complete to circumstances beyond his/her control.

## IX. Implementation Arrangements

The principal responsibility for managing the evaluation resides with the Commissioning Unit. The Commissioning Unit for this project's final evaluation is the UNDP Uzbekistan Country Office.

The Commissioning Unit will contract the evaluator (international consultant) in accordance with the approved UNDP procurement procedures for an individual contract. Payment for services will be made from the Project funds with satisfactory discharge of duties and achievement of results. The results of the work shall be approved by the Commissioning Unit Officer - UNDP Deputy Resident Representative through RM Associate/CO M&E focal point.

- The Consultant will work under the direct supervision of the UNDP DRR, with support from RM Associate/CO M&E focal point

- The Consultant is responsible for the quality and timely submission of the deliverables;
- The Consultant ensures timely and rational planning, implementation of activities and achievement of results in accordance with the Terms of Reference;
- The Consultant provides the results of work in accordance with Deliverables;
- The Consultant shall provide reports in electronic form in MS Word format in English.

An updated stakeholder list with contact details (phone and email) will be provided by the Commissioning Unit to the evaluation team. The Project Team will be responsible for liaising with the evaluation team to provide all relevant documents, set up online stakeholder interviews.

## X. Evaluation Team Composition

The evaluation will be conducted by an independent evaluator hired as an international consultant.

The evaluator(s) cannot have participated in the project preparation, formulation and/or implementation (including the writing of the project document), must not have conducted this project's Mid-Term Review and should not have a conflict of interest with the project's related activities.

The evaluator is expected to meet the following qualifications:

### Education

- Bachelor's Degree in law, justice, or any other social sciences related to rule of law;

### Experience

- Minimum seven (7) years of professional experience in the area of rule of law, justice, or closely related field;
- Extensive knowledge and familiarity with the CIS country judiciaries;
- Relevant experience with results-based management evaluation methodologies;
- Experience applying SMART indicators and reconstructing or validating baseline scenarios;
- Experience in evaluating projects;
- Excellent communication skills;
- Demonstrable analytical skills;
- Project evaluation/review experience within United Nations system will be considered an asset;
- Experience with implementing evaluations remotely will be considered an asset.

### Language

- Fluency in written and spoken English. Knowledge of Russian will be considered an asset.

## XI. Evaluator Ethics

This evaluation will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation' (<http://www.uneval.org/search/index.jsp?q=ethical+guidelines>). 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.

UNDP is an equal opportunity employer. Qualified female candidates, people with disabilities, and minorities are highly encouraged to apply. UNDP Gender Balance in Management Policy promotes achievement of gender balance among its staff at all levels.

<b>XII. Signatures - Post Description Certification</b>					
Incumbent <i>(if applicable)</i>					
Name	P MADHAVA RAO		Signature	Date	<b>06 September 2021</b>
Officer of Commissioning Unit					
Name / Title					06-sep-2021
Ms. Doina Munteanu		<i>Doina Munteanu</i>	Signature	Date	
Deputy Resident Representative					
UNDP Uzbekistan					