

## TERMS OF REFERENCE (TOR)



<b>Post Title</b>	Final Evaluation of the Project Access to Justice and Human Rights 2018-2021
<b>Agency/ Project Name</b>	Project Access to Justice and Human Rights 2018-2021
<b>Country of Assignment</b>	Maputo, Mozambique
<b>Post Type</b>	IC – 1 National and 1 International
<b>Period of assignment/services</b>	35 working days

### 1. BACKGROUND AND CONTEXT

The UNDP and the Rule of Law Sector of Mozambique have partnered in support to the Justice sector and Human Rights since the late 1990s. Projects implemented in the last decade have produced visible results and have supported the introduction of a new philosophy leading to improved service delivery in the justice context. Such philosophy includes in a few districts the one-stop-shop approach to service delivery embodied in the “houses of Justice”, commonly called “Palaces of Justice”, where all the Criminal Justice institutions are in the same building.

This has been gradually allowing for pursuing the goal of simplifying a criminal justice process that so far has been too complicated to the general citizen as it has been generally offered in different geographical areas and distant buildings and therefore inaccessible to citizens in decentralized areas. By constructing and equipping “Palaces of Justice” at the district level, focus was being given to supporting disadvantaged groups and work with beneficiaries often marginalized by those aid-programs that work only at national level.

Within the UNDAF period 2012-2016, where UNDP provided support to the Ministry of Justice, Constitutional and Religious Affairs, through a comprehensive intervention addressing the capacities of the Supreme Court, the Attorney General’s Office, the Correctional Services, the Free Legal Aid Institute, and the National Human Rights Commission.

The project Access to Justice and Human Rights 2018-2021 builds on the lessons learned from decades of progressive intervention and expansive support to justice, human rights and policing institutions and is guided by the United Nations Development Assistance Framework 2017-2020 (UNDAF), and now renamed United Nations Sustainable Development Cooperation Framework (UNSDCF).

The Project aims to strengthen access to justice and the promotion and protection of human rights, as well as strengthen the capacity of law enforcement agents and law enforcement agents to prevent and combat gender-based violence and deal with situations arising from stigma and discrimination associated with HIV and AIDS in Mozambique, women, and other vulnerable

groups. It aims to develop the capacity of rights holders and duty bearers, promote the collection and processing of data, evidence-based rights and policies, prioritization and provision of services, accountability structures, coordination and partnerships between the justice sector and human rights institutions, as well as civil society, with a commitment to improve the implementation of commitments under the Sustainable Development Goals Agenda of the United Nations 2030. The project directly supports to:

1. Ministry of Justice (Supreme Court, the Attorney General's Office, the Correctional Services, Judicial Training Centre, the Directorate for Human Rights, the Free Legal Aid Institute)
2. National Human Rights Institutions (the Ombudsman and the National Human Rights Commission)
3. Ministry of Interior (Police of the Republic of Mozambique, SERNIC)

Since 2007, UNDP has been involved in supporting the legal aid, the expansion and coordination of investigative, prosecution and judicial services at the decentralized level. The project builds on the legacy of best practices and lessons learned and aims at further supporting the access to justice and legal aid, particularly of women, PLHIV/AIDS and people living in poverty. Mobile courts and other innovative justice campaigns are part of the desired result of this project.

In 2010 and 2011 UNDP and the MJCR championed the criminal justice reform with the introduction of alternatives to prison. This project further strives to bring forward this agenda by further building qualitative capacity across all actors on the new criminal law package.

Established in 2009 with the support of UNDP, the NHRC is central to the project, which aims to further develop institutional capacities to improve the protection and promotion of human rights. Similarly, the project seeks to assist the Ombudsman in expanding their capacities and influence in the protection of fundamental and constitutional rights. Interventions within the human rights system include development of key foundational institutional frameworks and operational interventions in the field.

The project further seeks to enhance and mainstream the protection of human rights and state's leadership and responsibility on human rights. Following the II Cycle UPR to the Government of Mozambique in January 2016, the Ministry of Justice, Constitutional and Religious Affairs began drafting the new National Action Plan for the implementation of the II Cycle UPR recommendations for the period 2017-2020, with collaboration of other stakeholders, including CSOs. Out of the 210 recommendations of the 2<sup>nd</sup> cycle of the UPR to Mozambique by the HRC, the Government has accepted 180 and noted 30. The project seeks to strengthen the Government capacity to monitor and implement the recommendations of the UPR and to mainstream them across sectorial interventions.

Another development challenge the project seeks to tackle is the capacity for prevention and investigation of the police and the recently established (2016) SERNIC, particularly on prevention and response to GBV.

Priority areas of intervention of UNDP Mozambique partnership with the sector include:

- i) Reinforce legal aid and the provision of integrated services at the local level.
- ii) Support to criminal justice reforms, with a focus on the implementation of alternatives to prison.

- iii) Enhance the national human rights system and framework and the Government reporting to regional and global human rights mechanisms and body treaties.
- iv) Promote the protection of the rights of victims of GBV, PLHIV/AIDS and people living in detention.
- v) Enhance the capacity of National Human Rights Institutions to monitor and protect human rights of the most vulnerable people.
- vi) enhance the capacity of the police and the criminal investigative police to respond to GBV and protect survivals of GBV.

The project's theory of changes states that:

*If the provision of justice services, human rights mechanisms and access to justice, especially for women and vulnerable groups are strengthened, coordinated, inclusive, transparent and participatory with respect to human rights, then they have contributed to maintaining peace and peace and to improving justice and trust in justice and human rights institutions.*

The project aligns with the UNDAF 2017-2020, SDG 16 and 5 and the Government Quinquennial Plan. The resources required against the project are of 7,901,850 USD \$, of which 3,250,000 USD \$ committed as in-kind contribution of UNDP.

## **2. OBJECTIVE OF THE ASSIGNMENT/SCOPE OF SERVICE**

The end of project evaluation is a corporate requirement of UNDP and it was planned in the Project Document. The evaluation will inform the project about key results, challenges faced, best practices and lessons learned as well as assess risk and mitigation.

The evaluation will cover all activities undertaken in the framework of the project. The evaluators will compare planned outputs of the project to actual outputs and assess the actual results to determine their contribution to the attainment of the project objectives. The evaluation is intended to identify weaknesses and strengths of the project design and implementation strategy by evaluating its relevance, efficiency, effectiveness, sustainability, and impact, as well as assessing the project outputs and outcomes. It will collate and analyse lessons learned, challenges faced, and best practices obtained during implementation period (from December 2018).

## **3. EVALUATION QUESTIONS**

❖ **Relevance:** – (The design and focus of the programme)

- 3..1. Were the project's planned results (outputs and outcomes) relevant and realistic to the situation and needs on the ground?
- 3..2. What factors have contributed to achieving or hindering achievement of the intended outputs and outcomes?
- 3..3. Was the strategy adopted and inputs identified, realistic, appropriate and adequate for achievement of the results?
- 3..4. Does the project continue to be relevant to the Government's priorities in the area of governance?

- ❖ **Effectiveness** - (The management processes and their appropriateness in supporting delivery)
  - 3..1. Was the project management structure and staffing effective and efficient to produce the required results?
  - 3..2. To what extent have the stated outputs for the A2J and HRs protection Project being met?
  - 3..3. What is the project contribution to the stated outcomes?
  - 3..4. What factors have contributed to achieving or hindering achievement of the intended outputs and outcomes?
  - 3..5. Was the formulated M&E framework suitable to monitor and support the implementation of the targeted results?
  - 3..6. Were the strategies and tools used in project implementation effective?
  
- ❖ **Efficiency** – (Of Project Implementation)
  - 3..1. Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve the relevant outputs and outcomes?
  - 3..2. Were management capacities adequate?
  - 3..3. Did the project's activities overlap and duplicate with other similar interventions (funded nationally and /or by other donors)?
  - 3..4. What were the strengths, weaknesses, opportunities, and threats of the project implementation process?
  
- ❖ **Sustainability**
  - 3..1. Are the Project results, achievements and benefits likely to be durable?
  - 3..2. What are the key factors that require attention in order to improve prospects of sustainability of the Project outcome and the potential for replication of the approach?
  - 3..3. What elements of the project (in order of priority) should continue if further funding becomes available?
  - 3..4. Describe the main lessons that have emerged.
  - 3..5. Are there any potential best practices that can be replicated in other projects?
  - 3..6. What are the recommendations for similar support in future?
  
- ❖ **Impact**
  - 3..1. What is the impact of the intervention for the targeted groups, and particularly for women?
  - 3..2. Was there any unexpected impact resulting from the intervention?

### **3. METHODOLOGY AND TIMEFRAME**

Under the overall supervision of the responsible officer of UNDP Mozambique, the Consultant will be responsible for the evaluation covering all activities as outlined in the framework of the project.

The evaluation will be conducted by two external independent consultants, one international (team leader) and one national expert, currently under recruitment by UNDP.

The Team Leader will be responsible for coordinating the evaluation and will lead the work of the national consultant.

The evaluator is expected to frame the work using the criteria above listed of **relevance, effectiveness, efficiency, sustainability, and impact** and to apply the following approached in the elaboration of a detailed methodology that clarifies how the objectives of the evaluation will be met:

- ❖ Briefing with UNDP Senior Management and programme staff.
- ❖ Desk Review of relevant documents including Project Document, Annual Work Plans, reports produced during the life cycle of the project, and other relevant documentation. The project team will provide these documents to the selected evaluator.
- ❖ Consultation meetings/interviews with key staff involved in management and implementation of the project.

Interviews will be held with the following organizations and individuals:

- Ministry of Justice, Constitution and Religious Affairs
  - Ministry of Interior
  - National Human Rights Commission
  - Ombudsman Office
  - Ministry of Foreign Affairs and Cooperation
  - CSOs
  - Project staff (former and current)
  - UN Resident Coordinator, UN agencies
  - UNDP Resident Representative and Deputy Resident Representative
  - UNDP Head of Governance and Social Cohesion Unit
- ❖ Debrief and presentation of findings to UNDP and project stakeholders.

## **6. EVALUATION TEAM COMPOSITION AND REQUIRED COMPETENCIES**

The evaluation will be conducted by two external independent consultants, one international (team leader) and one national expert. Both consultants shall be specialists on Justice and preferably have knowledge of Justice and human rights initiatives in Africa. The international consultant will be responsible for the achievements of the objective of the evaluation and for the submission of the deliverables

The international consultant will travel to Mozambique after acceptance of the Inception report. UNDP CO Governance and Social Cohesion Unit will inform stakeholders in advance of the evaluation and its purposes. Prior to the field work of the assignment, the consultants will prepare by studying any documentation provided to them by UNDP Mozambique and submit the inception report.

The national consultant will also be provided with the key project documentation prior to the initiation of the field work. The national consultant will provide technical and interpretation/translation support to the international consultant throughout the assignment.

UNDP Governance Unit will facilitate the work of the consultants before and during the assignment period, including preparing a schedule of meetings with the stakeholders, and producing necessary background information for the revision process, in coordination with the Justice Project team.

## **6.1. Requirements for Experience and Qualifications**

### **Team Leader:**

#### Academic Qualifications:

- Master's degree in Law, Human Rights or any other relevant field

#### Relevance of experience:

- Minimum of 15 years of work experience in the area of Justice and preferably also on human rights
- Minimum of 7 years of experience in Evaluation of international development projects and programmes.
- Strong analytical skills and strong ability to communicate and summarize this analysis in writing.
- Previous experience of evaluation of Justice and/or Human Rights projects in sub-Saharan Africa is strongly desired.

#### Language proficiency

- Fluency in English is essential.
- Knowledge of Portuguese will be an asset.

#### Competencies:

##### **Corporate Competencies:**

- Demonstrates integrity by modeling the UN's values and ethical standards (human rights, tolerance, integrity, respect, and impartiality);
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

##### **Functional Competencies:**

- Consistently approaches work with energy and a positive, constructive attitude;
- Strong interpersonal and written and oral communication skills;
- Has ability to work both independently and in a team, and ability to deliver high quality work on tight timelines.

### **National consultant**

Academic Qualifications:

- Degree in Law, Human Rights or any other relevant field

Relevance of experience:

- Minimum of 5 years of work experience in Justice and preferably also on human rights
- Previous experience in conducting evaluation in development work, with proven knowledge on monitoring and evaluation.
- Proven analytical capacities and ability to communicate

Language proficiency

- Working Knowledge of English is essential.

Competencies:

**Corporate Competencies:**

- Demonstrates integrity by modeling the UN's values and ethical standards (human rights, tolerance, integrity, respect, and impartiality);
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability.

**Functional Competencies:**

- Consistently approaches work with energy and a positive, constructive attitude;
- Strong interpersonal and written and oral communication skills;
- Has ability to work both independently and in a team, and ability to deliver high quality work on tight timelines.

**4. DUTIES AND RESPONSIBILITIES**

- Design the detailed scope and methodology (including the methods for data collection and analysis) for the report.
- Review documents.
- Data collection.
- Actively engage the project stakeholders and leads consultations and presentations of findings.
- Conduct an analysis of the outcome, outputs and partnership strategy (as per the scope of the review described above) for the report.

**5. EVALUATION ETHICS**

This Evaluation will be conducted in accordance with the principles outlined in the Ethical Guidelines for Evaluation (UNEG 2008) and the consultants need to use measures to ensure compliance with the evaluator code of conduct (e.g. measures to safeguard the rights and confidentiality of their sources, provisions to collect and report data, particularly permission (consent) is needed to interview or obtain information about children and young people.

**6. EXPECTED OUTPUTS AND DELIVERABLES**

During and after the consultancy, the consultants shall provide:

- a) **Inception report:** detailing the evaluator's understanding of what is being evaluated, why it is being evaluated, and how (methodology) it will be evaluated. The inception report should also include a proposed schedule of tasks, evaluation tools, activities, and deliverables.
- b) **1st draft report:** this report should highlight the findings of the consultation processes, which the consultant will present to UNDP and the project stakeholders.
- c) **Final Report:** which will include the findings of the evaluation and of the consultation process. The report will have the following components:
  - Executive summary
  - Introduction
  - Description of the review methodology
  - Political and development context
  - Key findings
  - Lessons learned
  - Recommendations
  - Annexes: mission report including field visits, list of interviewees, and list of documents reviewed.

## 7. PAYMENT SCHEDULE

No.	Deliverable/Output	Target Due date	Percentage disbursement
1	Submission and acceptance of Inception Report	5 days	20%
2	Submission and approval of the 1st draft evaluation report	20 days	40%
3	Submission and approval final terminal evaluation report	10 days	40%

## 8. DUTY STATION

Maputo, Mozambique. For this assignment the **international consultant** will be working remotely.

## 9. SELECTION PROCESS

- Letter of application with duly accomplished Letter of Confirmation of Interest and Statement of Availability for the entire duration of the assignment.
- Personal CV and P11 Form, indicating all past relevant experience, as well as the contact details (email and telephone number) and three (3) professional references.
- Brief letter of presentation describing:
  - .1. why the individual considers him/herself as the most suitable. This should include a brief description of how the candidate meets all the mandatory requirements and how her/his experience meet the requirements for assignment.
  - .2. how the individual consultant will approach and complete the assignment.
- Financial Proposal that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided by UNDP.



The selection process will be based on the evaluation of both the Technical Criteria (70%)(CV; P\_11; Letter of Presentation) and the Financial Proposal (30%).

### Team Leader – International Consultant

<b>Criteria</b>	<b>Weight</b>	<b>Max. Point</b>
<b><u>1. Technical criteria</u></b>	<b>70%</b>	<b>70 points in total</b>
1.1. Education	15 %	<b>Total criteria 15 points</b>
<ul style="list-style-type: none"> <li>Master's degree in Law, Human Rights or any other relevant field</li> </ul>		15 points
<b><u>1.2. Experience</u></b>	<b>35%</b>	<b>Total criteria 35 points</b>
Minimum of 15 years of work experience in the area of Justice and preferably also on human rights		10 points
Minimum of 7 years of experience in Evaluation of international development projects and programmes.		9 points
Strong analytical skills and strong ability to communicate and summarize this analysis in writing.		8 points
Previous experience of evaluation of Justice and/or Human Rights projects in sub-Saharan Africa is strongly desired.		8 points
<b><u>1.3. Language requirements</u></b>	<b>5%</b>	<b>Total criteria 5 points</b>
<ul style="list-style-type: none"> <li>Fluency in English is essential.</li> <li>Knowledge of Portuguese will be an asset.</li> </ul>		5 points
<b><u>1.2. Technical proposal</u></b>	<b>15%</b>	<b>Total criteria 15 points</b>
Letter of Presentation		15 points
<b><u>Finacial</u></b>	<b>30%</b>	<b>Total criteria 30 points</b>
Financial proposal		30 points

### National Consultant

<b>Criteria</b>	<b>Weight</b>	<b>Max. Point</b>
<b><u>1. Technical criteria</u></b>	<b>70%</b>	<b>70 points in total</b>
1.1. Education	15 %	<b>Total criteria 15 points</b>
<ul style="list-style-type: none"> <li>Degree in Law, Human Rights or any other relevant field</li> </ul>		15 points
<b><u>1.2. Experience</u></b>	<b>35%</b>	<b>Total criteria 35 points</b>
Minimum of 5 years of work experience in Justice and preferably also on human rights		10 points
Previous experience in conducting evaluation in development work, with proven knowledge on monitoring and evaluation.		9 points
Proven analytical capacities and ability to communicate		8 points
Minimum of 5 years of work experience in Justice and preferably also on human rights		8 points

<b><u>1.3. Language requirements</u></b>	<b>5%</b>	<b>Total criteria 5 points</b>
<ul style="list-style-type: none"> <li>Working Knowledge of English is essential.</li> </ul>		5 points
<b><u>1.2. Technical proposal</u></b>	<b>15%</b>	<b>Total criteria 15 points</b>
Letter of Presentation		15 points
<b><u>Financial</u></b>	<b>30%</b>	<b>Total criteria 30 points</b>
Financial proposal		30 points

## 10. HOW TO APPLY AND PROCEDURES TO FOLLOW UP

The documentation for this application, listed in Section 11 should be submitted through the following email address [bidsubmission.mz@undp.org](mailto:bidsubmission.mz@undp.org) **within 15 days from the publication of the vacancy**. Proposals received after the deadline will not be considered. Any request for clarification must be sent by standard electronic communication to the same e-mail address. The UNDP CO Procurement Unit will respond in writing or by standard electronic mail and will send written copies of the response, including an explanation of the query without identifying the source of inquiry, to all consultant firms. The financial proposal should be comprehensive and include a breakdown.

- Letter of application with duly accomplished Letter of Confirmation of Interest and Statement of Availability for the entire duration of the assignment.
- Personal CV and P11 Form, indicating all past relevant experience, as well as the contact details (email and telephone number) and three (3) professional references.
- Brief letter of presentation
- Financial Proposal

### APPROVAL

**This TOR is prepared by**

*Rolando Baratta*

Designation

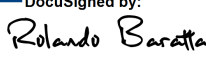
Program Analyst – Rule of Law

Signature

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Date of Signature

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