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Resilient nations.*

TERMINAL EVALUATION OF THE DEMOCRATIC INSTITUTIONS PROGRAMME TERMS OF REFERENCE

I. PROGRAMME CONTEXT

Ethiopia has set itself a bold and ambitious development vision to become a middle income country by 2025. In elaborating this vision, government has articulated the imperative role of democratization in ensuring rapid, inclusive and equitable development, human and capital resource development for achieving the MDGs target by 2015. Since 1991 government has embarked on major transformative processes to reform the political/governance architecture, civil service and economic structure and orientation of the country. These reforms have gained momentum and led to significant demonstrable results. Ethiopia is the 3rd (second in Africa) fastest movers on human development. These impressive results have transformed Ethiopia to one that is growing, resilient and confident.

Set against this backdrop, the Democratic Institution Programme (DIP) is a capacity development intervention which aims at establishing well-structured and well-functioning democratic institutions. The strategic direction of developing the capacity of these institutions is to enhance wider participation, efficient and effective implementation of government policies. In this regard, the programme is a partnership and a mutual commitment between government and development partners to operationalise the various democratic institutions embodied in the constitution thereby ensuring “wider participation, accountability, transparency, human and political rights of citizens and peoples”. The programme supported the following institutions both at federal and sub national levels: Ethiopian Human Rights Commission (EHRC), National Electoral Board of Ethiopia (NEBE), Ethiopian Institution of the Ombudsman (EIO), Federal Ethics and Anti-Corruption Commission (FEACC), House of Federation (HoF), House of Peoples’ Representatives (HoPR), and the Office of the Auditor General. Development partners to the programme are Austrian Development Co-operation, Canadian International Development Agency (CIDA), Denmark, the Department for International Development (DFID), Irish Aid, Italian Co-operation, the Netherlands, Norway, Office of the High Commissioner for Human Rights (OHCHR), Swedish International Development Cooperation Agency (SIDA), UNDP, the United States Agency for International Development (USAID) and the European Commission (EC) that joined the programme in January 2010

The programme structure included an umbrella document outlining the programmatic framework and seven separate subprogramme documents tailored to address the specific development needs of the institutions. The program design process reflected the collaboration

among GoE, Development partners and UNDP with various partners taking leadership in the design of various components of the programme.

The programme commenced implementation in 2008 with five partners and two additional partners (OFAG and NEBE) joined in 2009. By December 2012, the programme had been implemented for a period of 42 months (3 and ½ half years). As a partnership, the programme's orientation and objective is to reinforce national ownership and capacity by aligning the programme support to Ethiopia's priorities as embodied in its national development plan. As such, the programme's anticipated outcomes have slightly evolved overtime as a result of the evolving needs of the country and the political economy context in which the programme is implemented. At the inception of the programme, in 2008, focus attention was on developing the organizational and operational capacities of these institutions as articulated in the Plan for Accelerated and Sustained Development to End Poverty (PASDEP) governance matrix and the Growth and Transformation Plan. However, the midterm review of the programme, identified the need for further capacity development to help these institutions deliver on their mandate triggering the review and development of a new results framework in close discussion programme partners.

The management and structure of the programme is grounded in the principle of national ownership implemented through the National Implementation Modality (NIM), a standard modality developed in compliance with the UN General Assembly Resolution [47/199] of December 1992 on programme implementation in programme countries. As provided in the National Implementation Manual, MOFED is the Government coordinating body which assumes ultimate responsibility on behalf of the Government for overall management of programs and is ultimately accountable for resources and results.

In accordance with the stipulations of the DIP Programme Umbrella document, the Programme Steering Committee (initially Coordination Committee and the Technical Committee) which comprises of 5 donors, heads of the democratic institutions, UNDP and MOFED provides policy direction for the programme. The Coordination Unit (CU) located within UNDP is responsible for coordinating the programme, supporting implementation, tracking and reporting on programme implementation. At each democratic institution, substantive and management experts were placed to support implementation of approved plans as part of the overall strategic plan of the institutions.

The key objectives of the programme are: Enhancing the capacity of democratic institutions to be effective, sufficient and responsive in promoting and protecting the rights of citizens; Promoting human rights and good governance and empowering citizens to be active and effective participants in the democratic process as well as respect for the rights of others. The objectives are envisaged to be met through capacity development of the partner institutions.

The outcome level indicators measure the following:

1. Level of satisfaction of citizens of services rendered

2. Institutionalized systems of accountability, transparency and participation
3. Level of awareness of the people about their rights, corruption and ethical standards

Each Implementing Partner has an output which contributes to the overall outcome to deliver on with clear indicators as enumerated below:

Ethiopia Human Rights Commission – Output 1: Enhanced capacity of Ethiopian Human Rights Commission (EHRC) to promote, enforce and protect the rights of citizens, and to receive, investigate, follow-up on complaints related to human rights violations and abuses and periodically report on its work in the public domain.

Indicators:

- No. National Human Rights reports produced by the EHRC detailing human rights cases pursued, actions taken and results of investigations (status, thematic, monitoring reports)—this can be disaggregated by cross-cutting issues such as gender, HIV/AIDs, PWDs
- Human Rights Action Plans prepared in an all-inclusive participatory manner, approved and implemented
- No. of EHRC outreach centres established and operational
- % decrease in number of outstanding state party reports of GoE to UN and African human rights treaty bodies
- % increase in the cases/complaints effectively resolved out of number submitted to the EHRC disaggregated by sex/social group/regions
- Proportionate increase in number of recommendations/advice /opinion provided to parliament on harmonization of laws with human rights standards

Ethiopia Institution of the Ombudsman – Output 2: Enhanced capacity of the Ethiopian Institution of Ombudsman (EIO) to receive, investigate and follow up on administrative complaints and for ensuring access by citizens to information (resulting in improved promotion, claiming and enforcement of both male and female citizens' rights)

Indicators

- No. of maladministration complaints filed to EIO (disaggregated by sex of the complainant)
- % increase in the cases/complaints effectively resolved out of submitted to the EIO
- No. of EIO branch offices established
- No. of enforcement regulations passed
- No. of recommendation provided by EIO for review of administrative procedures and directives to reduce maladministration in the civil service
- Publicly available reports made by the Ombudsman

Federal Ethics and Anti-Corruption Commission – Output 3: Effectiveness and efficiency of the Federal Ethics and Anti-Corruption Commission (enhanced, public participation in promoting ethics and fighting corruption increased and institutionalized).

Indicators:

- No. of corruption cases investigated and successfully prosecuted out of number submitted to FEACC
- Status of extent and perception of corruption known
- Mechanisms in place and operational to deal with corruption in public sphere

House of Federation Output 4: Enhanced capacity of The House of Federation to discharge its mandates of functioning mechanisms for equitable federal grants allocation, interpretation of the constitution, increased awareness of citizens on their constitutional rights, resolution of issues regarding nationalities and nations, resolution and mediation of conflicts, maintenance of unity and economic balance.

Indicators:

- Regular review and approval of Grant Sharing Formula that equitably allocates Federal subsidies to regions
- % increase in number of constitutional breach cases received and resolved by HoF in line with the Constitution
- No. of policies and strategies in place for conflict resolution in consultation with stakeholders.

House of Peoples Representatives and Regional State councils-Output 5: Enhanced capacities of the House of Peoples Representatives and Regional State councils in effective law making process, oversight management, public consultation and popular representation.

Indicators:

- No. of parliamentary rules and procedures put in place that foster constructive parliamentary deliberations and consensus building in committee and plenary discussions
- No. of MPs consultations and activities with constituencies
- No. of oversight functions carried out by standing committees
- % increase in number of women in parliamentary committees (at various levels, Federal, Regional)
- No. and level of participation of CSOs, political parties, other stakeholders in public hearings.

National Electoral Board of Ethiopia – Output 6: Enhanced capacity of the National Electoral Board of Ethiopia (NEBE) to organize free, peaceful and credible elections.

Indicators:

- % of Voter turnout at general elections proportionate to the registered voters disaggregated by sex
- % decrease in number of invalid votes at general elections
- No. of domestic and international observers accredited

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- % of citizens exposed to Civic and Voter Education and electoral information proportionate to the number of registered voters
- No. of electoral complaints effectively resolved out of number submitted to NEBE
- No. of necessary revisions and subsequent translation into local languages made on electoral laws, regulations, directives and frameworks in order to align it with the FDRE Constitution and international standards
- No. of measures/mechanisms introduced to increase participation of women in electoral process and decision making

Office of Auditor Generals (OAGs) – Output 7: Office of Auditor Generals (OAGs) across Ethiopia appropriately trained and capacitated, allowing them to carry out their constitutional mandates in accordance with internationally recognized standards, and in an institutional framework where audit work is followed up by due parliamentary process and reported in the public domain, leading to greater accountability of the executive to the legislature and citizens.

Indicators:

- % increase in public sector performance and financial audit coverage of the country in accordance with international standards
- % increase in retention of professionally qualified staff in OAGs
- No. of joint OAG and PAC sessions on audit report
- No. of consultations held with RSCs for the establishment of Public Accounts Committees (PACs)
- No. of interactive sessions between OAGs and the media
- No. of audit backlogs cleared
- % increase in quality and uniformity of audit reports

II. EVALUATION

The programme is expected to undertake two main evaluations as provided in the umbrella document. These are the midterm evaluation and terminal evaluation. The midterm evaluation was conducted in 2010. This terminal evaluation is intended to assess the relevance, efficiency, effectiveness, impact/outcome and sustainability of the programme. During the period of implementation, several other assessments were carried out. These include: 1) Institutional capacity assessment of DIP institutions (March 2010); 2) Gender Audit of DIP IPs (March 2010); 3) Mid-term Evaluation (December, 2010); 4) Capacity assessment of regional democratic institutions (April 2011); 5) NEBE sub-programme external evaluation (June 2011); 6) EHRC Capacity assessment (2011) and 7) OFAG Capacity assessment (2010)

Purpose and Scope

The terminal evaluation is being conducted to provide evidence-based and qualitative information about the status of DIP programme implementation to ensure accountability for

the delivery of results at the end of the programme. This would help to increase the stakeholders' knowledge about the benefits and challenges encountered during programme implementation. As a capacity development intervention, the terminal evaluation would also assess the extent to which the programme addressed an integrated systemic approach to capacity development that incorporates all levels of capacity. An evidence based assessment of the programme performance will be carried out, anchored appropriately in the political economy context, the evolving nature of the programme and the expectations set out in the Programme Logical Framework (Annex 1).

Scope: The scope of the terminal evaluation will cover all democratic institutions at national and sub national level and activities undertaken in the framework of the programme. The evaluators will compare planned outputs of the programme to actual outputs and assess the actual results to determine their contribution to the attainment of the programme overall outcome. The evaluation will also look at the management and partnerships around the programme and its contribution/impact on programme performance. The terminal evaluation would cover as much as possible stakeholders involved directly or indirectly in the implementation of the programme. The stakeholders include but not limited to MoFED, UNDP and donors. Beneficiaries could include CSOs, coalitions, academic and research institutions working with democratic institutions.

Geographic Coverage: The evaluation will look at progress made at federal level and at least four regions to be purposively selected. The evaluation team will be based in Addis Ababa and will travel to the selected regions for consultation, data gathering and validation. The evaluation will also look at the management and partnerships around the programme and its contribution/impact on programme performance.

Timeframe: The terminal evaluation would cover the period of programme implementation – June 2008 – June 2013.

Evaluation Criteria:

1. Assess the **relevance** of the programme: The extent to which the programme and its intended outputs and outcome are consistent with national and local policies and priorities and the needs of intended beneficiaries. The degree to which the programme has been justified and appropriate in relation to the country's transformation agenda as outlined in the National Development Plan(PASDEP & GTP) Governance Pillar.

Questions:

- How relevant was the programme to the capacity needs of democratic institutions as defined in the National development Plan?
- How relevant was the programme outcome to the country, cognisance of its political economic context?

2. Assess the **effectiveness** of the programme: The extent to which the programme's outcome has been achieved.

Questions:

- To what extent the expected outcomes and objectives of the project have been achieved?
- Which factors contributed to achieving (or not) intended outcomes?

3. Assess the **efficiency**: The analysis and the evaluation of the overall programme performance, the outputs in relation to the inputs, the financial management and the implementing timetable.

Questions:

- Review the extent to which the programme management arrangement facilitated efficient and effective implementation of the programme
- To what extent did the partnerships with relevant stakeholders contributed to the achievement of results of the programme?

4. Assess the **sustainability** of the programme: The extent to which results from the programme will continue or are likely to continue as the DIP substantive support came to an end in December 2012.

Questions:

- The extent to which the programme addressed an integrated systematic approach to capacity development that incorporates all levels of capacity development

5. Impact:

Questions

To what extent have the programme outcomes directly or indirectly strengthened the capacity of democratic institutions?

III. METHODOLOGY

The evaluation should be a systematic, comprehensive and fully participatory process to ensure objectivity. The assessment should be grounded in evidence with triangulated information sources. The evaluation should provide as much gender disaggregated data as possible. Secondary data including assessments conducted by Democratic institutions will be used and triangulated with desk review of reports and key informant interviews to review progress in citizens/clients satisfaction and level of awareness. Where data is not available, proxy indicators will be used to identify progress.

More specifically, the following or more methodologies shall be applicable:

- *Desk review of relevant documentation*- review of relevant documents including among others programme and sub-programme documents, AWP, bi-annual and annual reports, financial report, midterm evaluations reports, sub-programme reports, evaluation, studies and assessments
- *Key informant Interviews* – interview of programme stakeholders and direct and indirect beneficiaries
- *Participatory consultations with key Stakeholders* – implementing partners, MoFED, development partners, UNDP and CSOs.
- *Observations* – ongoing activities/initiatives supported by the DIP such as the Children parliament and Speakers; forum, activities of legal aid centre and branch offices

Stakeholders that will be included but not limited to the following (annex 3):

- Ministry of Finance and Economic Development – UN Agencies and Regional Economic Cooperation's Directorate
- Heads of All DIP implementing partners
- Management, Technical staff and experts of DIP institutions
- Regional office Management, Technical staff and experts
- Contributing donors: CIDA, DFID, SIDA, EC, Netherlands, Norway, Austria, Italy, Denmark, Ireland, UN OHCHR and UNDP.
- UNDP
- Governmental and non-governmental institutions such as CSOs and academic/research institutions

IV. EVALUATION DELIVERABLES

The key deliverable expected from this terminal evaluation is a comprehensive analytical, evidence based and high quality report in English that should follow an agreed outline. Report will be a stand-alone document that substantiates its conclusions. The following are the key deliverables expected from the firm:

1. **Inception report:** The evaluators are expected to prepare an inception report before embarking on the full-fledged data collection exercise. The report needs to provide detailed information about the evaluators' understanding of the ToRs. The **evaluation inception report** should contain an **evaluation matrix** that displays for each of the evaluation criteria, the questions and sub-questions that the evaluation will answer, and for each question, the data that will be collected to inform that question and the methods that will be used to collect that data. The inception report should make explicit the underlying theory or assumptions about how each data element will contribute to understanding the results— attribution, contribution, process, implementation and so forth—and the rationale for data collection, analysis and reporting methodologies selected. The inception report should also include a proposed outline of the report, schedule of tasks, activities and deliverables within the overall timeframe of the assignment.

2. **Draft evaluation report:** The firm will produce a draft Report presenting preliminary findings of the evaluation based on the agreed outline and quality standards agreed during the inception phase.
3. **Presentation of draft report to stakeholders:** The draft terminal report would be presented to the stakeholders for discussion and input.
4. **Preparation of final report:** Inputs and comments received from the stakeholders would be incorporated in the final report and submitted as final output of the exercise.

Outline of final evaluation report: The firm will deliver a final report with a maximum of 50 pages (excluding annexes) consisting of:

- Executive summary
- Background/Introduction (A brief description of the programme context, program including, key results, strategies, resources, partnerships, management, evolution of the programme etc)
- Objectives, scope, method and data sources
- Analysis of program progress (comparison of planned and achieved results and resources by sub program) – including relevance, efficiency, effectiveness, sustainability and coordination.
- Challenges and opportunities (including assessment of the assumptions)
- Lessons learnt: The new knowledge gained from the initiative, context, outcome and evaluation methods which are applicable to and useful in other similar contexts. The lessons should highlight strengths or weaknesses in preparation, design and implementation that affect performance, outcome and impact.
- Conclusion: reasoned judgment based on a synthesis of empirical findings corresponding to programme context circumstances
- Annexes (as appropriate)

V. CONSULTANCY FIRM

The task requires a highly qualified and experienced consultancy firm that will be responsible to deliver on all aspects of the evaluation.

- Proven track record in evaluating multi-donor democratic governance and capacity development programmes
- Proven record and expertise in developing country contexts
- In-depth knowledge of Ethiopia's democratic governance context.
- Demonstrable ability to mobilize highly qualified, senior expertise with political acumen to undertake evaluations
- Able to present evidence of relevant work undertaken

Team composition and required competencies

This consultancy firm will put together a team comprising of an international expert and supported by a national expert. The international consultant would serve as team leader for the exercise and be accountable for delivering results of this assignment on behalf of the firm.

The consultancy firm and assigned consultants must be independent from both the policy-making process and the delivery and management of activities of the programme, i.e. he/she must not have participated in the preparation and/or implementation of the assessed programme and must not be in a conflict of interest with programme-related activities. The selected consultancy firm would be required to present the two consultants (one international and one national) with the following key competencies:

Competencies:

- Strong interpersonal skills, communication and diplomatic skills, ability to work in a team
- Ability to plan and organize his/her work, efficient in meeting commitments, observing deadlines and achieving results
- Ability to work under pressure and stressful situations
- Strong analytical, reporting and writing abilities

Team Leader (International) responsible for the overall outcome of the evaluation

Required Skills and Experience:

Education:

- Advanced University Degree in Law, Justice, Governance , political science, or related discipline;
- Ph. D. will have an added advantage;

Experience:

- Extensive knowledge in democratic governance programming, monitoring and evaluation,
- Minimum of 15 years senior level experience in the field , law, political science, democratic governance and democratic institutions capacity development
- Demonstrated knowledge and experience of legal and judicial regulatory/institutional frameworks for protection of human rights, popular participation and transparency and accountability
- Preferably have experiences in working with UN agencies/bi-lateral agencies including experience in evaluating multi-donor initiatives.
- Have a deep knowledge and understanding of the Ethiopian democratic governance context

National Consultant

Education:

United Nations Development Programme

- Advanced University Degree in Law, Justice, Political Science, Human Rights, or related discipline;

Experience:

- Knowledge in democratic governance programming, monitoring and evaluation,
- At least 15 years experience in the field of human rights issues, law, political science, democratic governance and democratic institutions capacity development
- Demonstrated knowledge and experience of legal and judicial regulatory/institutional frameworks for protection of human rights, popular participation and transparency and accountability
- Preferably have experiences in working with UN agencies/bi-lateral agencies including experience in evaluating multi-donor initiatives.
- Have a deep knowledge of the Ethiopian democratic governance context

Evaluation Guiding Principles

UNDP has Evaluation policy which is guided by the Executive Board. The policy was approved by the Board in 2006. The policy establishes the guiding principles and norms and explains key evaluation concepts, outlines the main organizational roles and responsibilities and defines types of evaluations covered. The policy has set the following guiding principles which are complied with in any type of evaluation in UNDP. The policy emphasizes that the evaluations must be utility focused and a learning tool that creates an opportunity to share insights and knowledge about what worked, what didn't work and why, and supports UNDP and partners in managing for results.

Reporting:

The terminal evaluation would be guided and backstopped by UNDP. All DIP stakeholders would be actively involved in the process of the evaluation. The UNDP focal person for the evaluation is the Team Leader for the Democratic Governance and Capacity Development Unit.

TIME FRAME FOR THE EVALUATION PROCESS

Time Frame: The Terminal Evaluation shall take a total of 30 working days.

Activities	Work Week						Remarks
	1 st Wk	2 nd Wk	3 rd Wk	4 th Wk	5 th Wk	6 th Wk	
Review of documents/preparation of Inception Report							Home-based
Briefing/submission of Inception Report/stakeholders meeting on the inception report							In-Country
Consultation with IPs/MOFED/CSOs/academic institutions							
Consultation with DIP Donors							
Field visits - Regional Consultation (NEBE, RSCs – ORAGs EHRC and EIO branch offices)							
Preparation of draft report and Stakeholders meeting and review of the draft report							
Incorporating comments and finalizing the evaluation report							Home-Based

Annexes/Reference documents:

- Umbrella and sub-programme documents
- DIP Operational Guideline
- Project Implementation Manual
- A Plan for Accelerated and Sustained Development to End Poverty
- DIP Capacity Assessment Report
- DIP Midterm evaluation Report
- Gender Strategy
- Gender Audit Report
- DIP Communications Strategy
- HACT Report
- DIP Reports 2008, 2009, 2010, 2011 and 2012 bi and annual Reports (narrative and financial)
- DIP Implementing Partners Annual Work Plans
- DIP M & E Strategy
- DIP Management arrangement
- DIP Coordination/Steering Committee ToRs with the Minutes of Meetings