



UNITED NATIONS DEVELOPMENT PROGRAMME

I. Position Information

Job code title: Consultant: External End-Term Evaluation of UNDP/JHRA Project
Supervisor: Head of Rule of Law/UNDP
Duty Station: Kabul, (with possibility of travel to other provinces)
Duration: 3 weeks
Number of Positions: (2 posts, 1 international and 1 national)

II. Organizational Context

Afghanistan's justice system faces extraordinary challenges. Justice sector infrastructure has often been destroyed or damaged by fighting or decay during the years of conflict; a full 97.8% of Afghanistan's court houses are in need of construction or rehabilitation. Legal professionals are very often the victims of violence by insurgent groups who target them as agents of the state; threatening of justice officials, particularly in the less secure regions of the country is absolutely commonplace, and assassinations are very common. Corruption is a constant concern; judges and other justice system officials are poorly paid, justice system capacity to prosecute corruption is very limited, and corruption is perceived as rampant both within and outside the justice system. The Afghan Government and the international community are both concerned about bolstering the credibility of the "formal" justice system, recognizing that Afghanistan's traditional justice system plays a major role in resolving conflicts yet does so at times in violation of national and international human rights obligations, particularly the rights of women. Cultural values in Afghanistan, including a very strict interpretation of Islam by some religious leaders, also often create obstacles to access to justice for women, by limiting their freedom of movement, literacy, and ability to assert their rights.

Following continuous engagement in supporting Afghanistan's justice sector since 2002, UNDP Afghanistan's justice sector support has now entered a new phase. The JHRA Project draws on the lessons learned through two previous UNDP justice projects – Strengthening the Justice System of Afghanistan (SJSA) and Access to Justice at the District Level (AJDL). The JHRA Project continues many activities piloted by these projects, while also adding several new activities identified as key priorities by Government partners.

The JHRA Project began on 26 June 2009, and, will run until June 30, 2012. It is designed to support the achievement of the priorities and benchmarks on human rights, rule of law and justice highlighted in the Afghanistan National Development Strategy (ANDS) and the Afghanistan Compact. The JHRA project aims at improving access to justice at the central and district levels in Afghanistan. It is doing so using a human rights based approach that simultaneously strengthened citizens' capacity to claim their rights and enhanced the capacity of justice delivery system actors to deliver justice in compliance with the rule of law and human rights standards. Project activities include awareness raising through training justice officials, and raising the human rights awareness of community members including school teachers and students, and the general public and villages throughout districts in Afghanistan. It also engages in the rehabilitation of district justice facilities. providing emergency infrastructure works and basic equipment so facilities can function

The JHRA Project consists of the following components:

1. District Level Component: This component, building on the lessons learned and work accomplished by UNDP's previous Access to Justice at the District Level Project (AJDL), works with the three justice institutions to strengthen access to justice in Afghanistan's through a combination of rehabilitation of district-level justice infrastructure, training of district justice officials, and community level legal awareness activities.
2. Central Level Component: This component assists the three national justice institutions, the Ministry of Justice (MoJ), the Supreme Court (SCt), and the Attorney General's Office (AGO) in strengthening their capacity so as to be able to better contribute to the justice reform process and the realization of human rights in Afghanistan.

Under the District Level Component, the following activities have been undertaken:

- Construction justice facilities at provinces and districts.
- Public education through village awareness and mass media campaigns
- Trainings on legal rights and responsibilities for justice officials
- Trainings on women's rights, child rights and the justice system conducted for community and religious leaders at provinces.

Under the Central Level Component of JHRA:

- Human Rights Support Unit has been established within the Ministry of Justice (MoJ). The HRSU is responsible for strengthening the Government's capacity to fulfill its international human rights obligations in conformity with the Constitution of Islamic Republic of Afghanistan and its ratified human rights treaties. It acts as an inter-ministerial mechanism within the MoJ to assess and evaluate executive functions from a human rights perspective. Upon its establishment, the HRSU has undertaken two key functions. First, it has familiarized government agencies with international human rights standards, and second provided technical assistance to government agencies to enable them to apply a human rights-based approach to developing programmes, strategies, laws and policies to achieve the Afghanistan Compact benchmark and ANDS outputs.
- A Translation Unit was established at the Ministry of Justice in 2010 and at present it undertakes translation of agreements, contracts and documents for the Ministry of Justice. It was envisaged that such a unit would provide the Minister, the Ministry, and potentially other government institutions the high quality translations of legislations, treaties, conventions and other important documents that can then be referred as reference documents. This unit began full operations in late 2011, and has already contributed significantly to the Ministry's knowledge resource base. The Translation Unit has provided the Ministry with full Dari and Pashto translations of international laws, examples of progressive Sharia legislature, and legal publications, as well as internal and inter-ministerial contracts and documentation. Because of the immediate and expansive access the Translation Unit affords the Ministry of Justice, it has been cited by the Minister as an integral unit within the Ministry, requiring continued support throughout the integration process into the Ministry's *Tashkeel*.

III. Functions / Key Results Expected

OBJECTIVE OF THE ASSIGNMENT:

The objective of this external end-term evaluation is to evaluate the project's approach, achievements, and challenges. Also, it is to record lessons learned over the course of the project and provide recommendations as to how to improve and strengthen the next phase of the project.

SCOPE OF THE ASSIGNMENT:

The Consultants will specifically focus on the following issues:

- An in-depth review of implementation of various project components and outputs/outcomes outlined in the project document with a view to identifying the level of achievement as well as an analysis of factors in case the set benchmarks were not fulfilled.
- An in-depth review of the progress towards the ANDS and compact benchmarks, and UNDP Country Programme Action Plan.
- Assess the risks of the Project's Components and suggest related mitigation strategies which may be undertaken in future.
- Assess the quality of partnerships, national ownership and sustainability vis-à-vis the strategy in the project document.
- Assess partnerships that can be further enhanced for the next phase of the project. Also identify those partnerships that need to be undertaken for comprehensive programming, coordination and project implementation.
- Undertake comprehensive review of financial disbursements and the mechanisms available at the project level to ensure tracking of fund disbursement, accountability and transparency.
- Assess the conflict-sensitive aspects of the project's components.
- Extract the lessons learned and best practices that can be considered in planning and design of future project phase in the area of human rights and justice for the GoA and recommendations for future direction of the JHRA project.
- The report must clearly define the specific result areas under each component of the project. Further the report must include at least one impact chain for each component and analyse those in depth in terms of relevance, efficiency, effectiveness, impact and sustainability. Therefore the evaluation design will be discussed and accessed at each stage of the briefing, inception and debriefing.

The consultants will be based in Kabul with possible travels to provinces, security permitting.

The project consultants should pay particular attention to the following criteria:

- Gender, conflict sensitivity and Human Rights-based Approaches: the issues mentioned above will have to be evaluated through the particular lens of these 3 approaches.
- Relevance: Evaluate the logics and unity of the process, as well as the relevance of the chain of results of each project's component, for supporting the justice and human rights sectors, and providing subsequent capacity building programmes to improve justice and human rights;
- Efficiency: Evaluate the efficiency of the project implementation, the quality of the results achieved and the time/political constraints during implementation period;
- Effectiveness: Conduct an assessment of how assumptions have affected project achievements and the subsequent management decisions vis-à-vis the cost effectiveness; to which extend the project outputs have been effectively achieved;
- Impact: Evaluate the impact of the project on its wider environment and its contribution towards the wider objectives outlined in the project's document;
- Sustainability: Assess the sustainability of results with specific focus on national capacity and ownership over the process.

OUTPUTS OF THE ASSIGNMENT:

The consultants are expected to produce the followings:

- Evaluation design: stakeholder mapping, methodology, refining of scope and evaluation questions, implementation plan.
- Briefing: upon arrival, the evaluators will brief UNDP, the project's partners and donors, as well as other relevant stakeholders on the evaluation design.
- Inception report: a revised plan reflecting any specific needs indicated by the UNDP team or

concerns by consultants concerning the scope of work of this assignment, evaluation design, or scheduling as agreed upon by both parties in the Briefing session.

- Debriefing: at the end of the evaluation (by end of third week), the evaluators will provide a debriefing to the same stakeholders, focusing on the main results and recommendations of the evaluation.
- Draft report: the evaluators will send a draft evaluation report with gender-disaggregated information to UNDP *by the end of the third week*. This report will be shared by UNDP with all JHRA donors, JHRA partners and selected other stakeholders, and consolidated written comments will be provided to the evaluators *within 2-3 weeks*. The report will also contain recommendations on future support to the Government of Afghanistan to improve justice and human rights including lessons learned and best practices.
- Final Report: the evaluators will send the final evaluation report with gender-disaggregated information to UNDP *within 4 weeks* after having received the consolidated comments on the draft report. UNDP will then send a management response to the evaluators.

The international consultant will be overall responsible for the preparation of the final report.

IV. COMPOSITION:

The evaluation will be conducted by two external independent consultants, 1 being an international and the other a national expert. The gender composition of the team will be particularly taken into consideration. Both shall be a specialist on human rights and justice programmes and initiatives in post-conflict countries.

The international consultant will visit Kabul in first week July 2012. UNDP CO/Rule of Law Unit will inform stakeholders in advance of the evaluation and its purposes. Prior to arrival in Kabul, the consultant will prepare by studying any documentation provided to him/her by UNDP Afghanistan.

The national consultant will be provided detailed documentations prior to the initiation of the assignment. The national consultant will provide expertise in financial disbursement and their impact on ground through programming, mechanisms for monitoring financial disbursement and their overall impact in the programming. The two consultants may be supported by other UNDP experts.

UNDP Rule of Law Unit will also 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 with the help of the project team.

METHODOLOGY IN UNDERTAKING THE ASSIGNMENT:

The consultants will conduct a desk review of existing documentation with regard to human rights and justice, including project documents, periodic reports, AIHRC reports, Afghanistan National Development Strategy, UNDP Country programme and other relevant documents); extensive one-on-one interviews and focus group discussions with national authorities, UN personnel, strategic partners, relevant national and international organizations, donors and individuals; and carry out field missions (security permitting) for direct observation of project activities.

V. Competencies and Critical Success Factors

Corporate Competencies:

- Demonstrates integrity by modeling the UN's values and ethical standards (human rights, peace, understanding between peoples and nations, tolerance, integrity, respect, results orientation (UNDP core ethics) impartiality;
- Promotes the vision, mission, and strategic goals of UNDP;

<ul style="list-style-type: none"> • Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability. <p>Functional Competencies:</p> <ul style="list-style-type: none"> • Consistently approaches work with energy and a positive, constructive attitude; • Demonstrates good oral and written communication skills; • Ability to work both independently and in a team, and ability to deliver high quality work on tight timelines. <p>Behavioural competencies:</p> <ul style="list-style-type: none"> • Gender-sensitive; • Comfortable in working in dynamic environments that change frequently; • Able to perform in a high-stress and difficult security environment, with austere living quarters.

VI. Recruitment Qualifications for 2 consultants:	
Education:	<ul style="list-style-type: none"> • Master degree from a recognized university in Law, International Development, Human Rights or any other relevant field • Knowledge of broad reconstruction and stabilization strategies and experience working in fragile States is strongly desired
Experience:	<p>International consultant:</p> <ul style="list-style-type: none"> • Minimum 6 years experience in human rights and/or justice • Minimum 6 years of experience in international development, with proven expertise in monitoring and evaluation. • Strong analytical capacities (quantitative and qualitative) and strong ability to communicate and summarize this analysis in writing. • Wide exposure on Justice, Human Rights and conflict-sensitivity aspects. • Knowledge and/or experience in gender analysis, gender-based discriminations and gender equality. • Experience in situations in conflict and/or post-conflict, experience of justice and human rights in other Islamic countries and/or experience in Afghanistan are strongly desired <p>National Consultant:</p> <ul style="list-style-type: none"> • 3 years of experience in human rights and/or justice sector work. • Must have a strong background in programming especially understanding of financial monitoring and tracking systems. • Minimum 3 years of experience in international development, monitoring and evaluation, particularly in field assessments. • Strong analytical capacities (quantitative and qualitative) and strong ability to communicate and summarize this analysis in writing. • Exposure on Justice, Human Rights and conflict-sensitivity aspects. • Knowledge and/or experience in gender analysis, gender-based discriminations and gender equality. • Experience of working in Afghanistan development sector.
Language Requirements:	<ul style="list-style-type: none"> • Effective communications skills, both written and oral, in English with proven ability in report writing • Knowledge of Dari/Pashto is considered an asset for the international evaluator • Proficient Dari and/or Pashto for the national evaluator

VII. Signatures- Post Description Certification		
Incumbent <i>(if applicable)</i>		
Name	Signature	Date
Supervisor		
Name / Title	Signature	Date
Chief Division/Section		
Name / Title	Signature	Date