**Terms of Reference (ToR)**

**End-of-the Programme Evaluation**

**Support to Access to justice for all, the foundation for good governance and poverty reduction programme**

1. **Introduction**

In 2008, the United Nations Development Programme (UNDP), together with five government institutions jointly initiated the **Programme for Access to justice for all, the foundation for good governance and poverty reduction**. This programme was built on the foundation laid by the previous “Access to Justice programme” that ended in 2008[[1]](#footnote-1). This 5-year program was initially supposed to end on 31st December 2012, but was extended, together with the UNDAF (2008-2012), for a further six months to 30th June 2013. This was done to align UN and UNDP’s follow-on programming with the launch of the GoR’s EDPRS II. This program was implemented by the Government of Rwanda (GoR), through the Ministry of Justice, the Supreme Court, the National Prosecution Authority, Rwanda National Police, and the National Gacaca jurisdictions.

The overall objective for this program was to develop the capacity of the relevant GoR institutions to increase access to justice especially for the most vulnerable, promote crime prevention through encouraging community policing; and improve the efficiency and effectiveness of the judicial system both classical and Gacaca courts for improved peace building and reconciliation.

The specific objectives of the Programme were to:

1. build the capacity of the ministry of justice to review and draft laws and policies and sensitize the citizens on basic laws and individual rights;
2. build the capacities of the justice institutions in the areas of administration of justice, and law enforcement by building a strong judiciary plus an effective and well-coordinated justice sector;
3. promote crime prevention through encouraging community policing;
4. strengthen peace building and reconciliation through support to Gacaca and increase access of justice to the people especially the most vulnerable by reinforcing legal aid mechanisms and mediation committees.

The programme contributed to the achievement of the following UNDAF outputs:

1. Strengthening of the capacity of the Justice sector in the field of Justice Administration as well as in the area of law enforcement.
2. Strengthening capacities and mechanisms for conflict resolution, peace and reconciliation promotion at district and sector levels.
3. Enhancing the capacities of national human rights institutions, government and civil society to promote, monitor and report on Human Rights, of the government, and of the civil society.
4. Increasing access of Justice to all in particular to the poor and most vulnerable people.
5. **Purpose of the Evaluation**

The purpose of this evaluation is to **review and highlight** the achievements and impact of the “**Programme for Access to justice for all, the foundation for good governance and poverty reduction”, and** capture lessons learnt, challenges faced and best practices. The evaluation will also assess the extent to which the programme was able to achieve its intended objectives, and those of EDPRS1 and UNDAF; as well as the appropriateness of project design, scope, and implementation strategy/arrangements for achieving project results.

**3. Scope and focus of the Evaluation**

**3.1 Scope**

The evaluation will cover the whole program implementation period from January 2008 to June 2013, and will include all program components and activities implemented by the five implementation partners, namely: the Ministry of Justice, the Supreme Court, the National Prosecution Authority, Rwanda National Police, and the National Gacaca jurisdictions. The evaluation will also assess the effectiveness of UNDP’s program implementation support.

**3.2 The Evaluation Questions**

The following key questions will guide the evaluator in undertaking this assignment:

1. **Relevance**

* To what extent did the programme design and scope respond to the development challenges that it was meant to address?
* Was the theory of change clear and logical as articulated in the program hierarchy of results?
* Was the partnership strategy appropriate and effective?
* Was the programme relevant to the GoR governance priorities and the needs of the beneficiary institutions in particular?

1. **Effectiveness**

* To what extent were the stated program results[[2]](#footnote-2) achieved?
* To what extent did the programme results contribute to the achievement of UNDAF and EDPRS1 results in governance?
* Was the strategy adopted and inputs identified realistic, appropriate and adequate for achievement of the results?
* To what extent did UNDP support contribute to the achievement of the program results?
* What factors contributed to or hindered achievement of the intended program results. How effective were the strategies and tools (including M&E systems) used in the implementation of the programme?

1. **Efficiency**

* Was the process of achieving results efficient? Specifically did the actual or expected results (outputs and outcomes) justify the costs incurred? Were the resources effectively utilized?
* What factors contributed to implementation efficiency?
* Did programme activities overlap and duplicate other similar interventions (funded nationally and /or by other donors? Are there more efficient ways and means of delivering more and better results (outputs and outcomes) with the available inputs?
* Could a different approach have produced better results?
* How efficient were the management and accountability structures of the programme?

1. **Sustainability**

* To what extent are the results likely to be sustained after the completion of this programme?
* What are the key factors that will require attention in order to improve prospects of sustainability of Programme outcomes and the potential for replication of the approach?
* Describe the main lessons learned
* What are the recommendations for similar support in future?

1. **Expected Deliverables:**

The following deliverables are expected.

1. **Inception report:** The evaluator will prepare an inception report which details the evaluators understanding of the evaluation and how the evaluation questions will be addressed. This is to ensure that evaluator and the stakeholders (the Ministry of Justice, the Supreme Court, the National Prosecution Authority, Rwanda National Police, and the National Gacaca jurisdictions, as well as UNDP and other partner UN organizations) have a shared understanding of the evaluation. The inception report will include the evaluation matrix summarizing the evaluation design, methodology, evaluation questions, data sources and collection analysis tool for each data source and the measure by which each question will be evaluated. (**See Sample in Annex).**The report will include the scope of work, work plan, time frame, analysis, 3 days after starting the evaluation process.
2. **Draft Access to Justice End of Programme Evaluation repor**t- The evaluation team will prepare a draft Report, in the format provided in annex 2. The checklist used for the assessment of evaluation report is also included in Annex 2. The draft report will be submitted to UNDP fordistribution to the members of the Steering Committee and other stakeholders for review and comments. Comments from the Steering Committee and stakeholders will be provided within working 10 days after submission of the Draft Report. The report will be reviewed to ensure that the evaluation meets the required quality criteria. The report will be produced in English in Kigali, Rwanda.
3. **Final Access to Justice End of Programme Evaluation Report.** The final report (30-50 pages) that incorporates comments from the Steering Committee, UNDP, and stakeholders will be submitted 10 working days after receiving all comments. This will be submitted to the Access to Justice Project Steering Committee through the UNDP Country Director for validation. It will include recommendations, policy options and conclusions.(**Recommended structure of the report is included in the Annexes)**
4. **Duty Station**

The duty station of the work is Kigali, Rwanda. However, the consultant may be required to travel to project sites outside Kigali.

1. **Price Proposal and Schedule of Payments**

The consultancy fee will be paid as a Lump Sum (inclusive of all expenses related to the consultancy), and will be fixed regardless of changes in the cost components of the consultancy. The consultancy fee will be paid upon completion of the following milestones.

* 30% after presentation and adoption of the inception report
* 30% after presentation and approval of the draft report
* 40% after the approval of the final report

1. **Required expertise and qualification**

The successful consultancy team will comprise of both an international consultant and a national consultant.

The international consultant should have the following expertise and qualifications:

* At least master’s degree in Law, Social Sciences, Public Policy and Management, Development studies, International Development, or any other relevant university degree;
* Extensive expertise, knowledge, and experience in the field of rule of law, justice including transitional justice, human rights, peace and security;
* At least 10 years’ experience working with international organizations and donors;
* Extensive experience in programme formulation, monitoring and evaluation;
* Excellent written and oral communication skills in English. Working knowledge of French is an added advantage.

The national consultant should have the following expertise and qualifications:

* At least bachelor’s degree in Law, Social Sciences, Public Policy and Management, Development studies, International Development, or any other relevant university degree;
* At least 4 years’ experience working in the field of rule of law, justice including transitional justice, human rights, peace and security;
* Excellent written and oral communication skills in English, and ability to write and read Kinyarwanda. Working knowledge of French is an added advantage.

In addition, the consultants should possess the following corporate and functional competencies

**Corporate Competencies:**

* Demonstrates integrity by modelling the UN’s values and ethical standards;
* Promotes the vision, mission, and strategic goals of UNDP;
* Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability;
* Treats all people fairly

**Functional Competencies:**

**Leadership:**

* Capacity to engage with a wide audience of diverse background.

**Technical Skills:**

* The suitable candidate for this consultancy shall have extensive experience in  research and possess well-developed  data collection skills;
* Good understanding  of knowledge management

**Planning and Management:**

* The consultant needs to demonstrate a proven record in the field of  research coordination, with experience in facilitating documentation of   lessons learned;
* Work experience in post-conflict contexts is necessary.

**Communication:**

* The consultant will have written and oral fluency in English.  Knowledge of French and or Kinyarwanda is an added advantage.

**Teamwork:**

* Ability to establish and maintain good working relations with colleagues in multi-cultural environment.

1. **Management Arrangements for the Evaluation**

* UNDP will contract the evaluation team (An International consultant working together with a national consultant) on behalf of the Government of Rwanda and the UN. UNDP will be the focal point for the evaluation and will facilitate the logistical requirements for the evaluation team including setting up interviews, organizing field visits where required, and making payments for the evaluation teams.
* A Technical Committee, led by the UNDP Country Director comprised of both implementing partner representatives, and UNDP will supervise the overall work of the consultancy team and guide the process at technical level and provide regular reports to the heads of the Access to Justice implementing institutions. The Governance and Peace Consolidation Unit Team Leader will be the focal point for the evaluation and will provide technical oversight. The M & E Advisor will provide quality assurance and guidance to the evaluation to ensure that it meets the UNEG evaluation quality criteria. The technical committee will oversee the implementation of the agreed schedule of consultation activities, wide stakeholder consultation and verification of all facts in the report and oversee the production of the final Report and follow-up actions.

1. **Time-Frame for the Evaluation Process**

The evaluation will be conducted in September/October 2013 for an estimated 30 working days.

1. **How to apply**

**The team (international and national) of interested candidates should apply by presenting the following documents:**

1. **Letter of Confirmation of Interest and Availability** using the template provided by UNDP;
2. **Personal CV or P11**, indicating all past experience from similar projects, as well as the contact details (email and telephone number) of the Candidates and at least three (3) professional references for each of the prospective consultants;
3. **Brief description** of why the individuals consider themselves as the most suitable for the assignment, and a methodology, if applicable, on how they will approach and complete the assignment.
4. **Financial Proposal** that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided.
5. **Selection Criteria**

Proposals will be evaluated **using the Best value for money approach** (combined scoring method**)**. Technical proposal scores will be weighted 70% whereas the financial proposals will be weighted 30%.

Below is the breakdown of scores for the technical proposal on 100% basis which will be brought to 70%:

|  |  |  |
| --- | --- | --- |
| ***Technical Criteria*** | ***Weight*** | ***Max. Point*** |
| Soundness of evaluation design and methodology | *40%* | *40* |
| Expertise and experience in the field of rule of law, justice including transitional justice, human rights, peace and security | *20 %* | *20* |
| Master’s degree and Bachelor’s degree in Law, Social Sciences, Public Policy and Management, Development studies, International Development, or any other relevant university degree for the International and National consultants respectively | *10 %* | *10* |
| Experience working with international organizations and donors; and demonstrable experience working for the UN system | *5%* | *5* |
| Fluency in English, Kinyarwanda and a working knowledge of French | *5%* | *5* |
| ***TOTAL*** | ***100%*** | ***100*** |

**Annex 1: Recommended List of Documents for review**

1. Republic of Rwanda, Rwanda Vision 2020
2. Republic of Rwanda, Economic Development & Poverty Reduction Strategy (2008 – 2012), September 2007
3. Republic of Rwanda, Annual Progress Reports on the implementation of the Economic Development and Poverty Reduction Strategy (EDPRS) – 2008
4. EDPRS evaluation
5. Republic of Rwanda, Health Sector Strategic Plan (July 2009 – June 2012), July 2009
6. Republic of Rwanda, Rwanda Aid Policy, 2006
7. United Nations Rwanda, One UN ‘Delivering As One’ in Rwanda Concept Paper, April 2007
8. United Nations Rwanda, UNDAF 2008-2012
9. United Nations Rwanda, One UN Programme Rwanda, Common Operational Document (2008-2012)
10. United Nations Rwanda, Communication Strategy (2007-2008), 2007
11. Consolidated Annual Work Plan (CAP) 2008
12. United Nations Evaluation Group (UNEG), Evaluability Assessment of Delivering as One Pilots, Assessment Report on Rwanda, March 2008
13. United Nations Rwanda, Annual Reports 2008, 2009, 2010
14. United Nations Rwanda, Stocktaking report 2008 & 2009 for Delivering as One in Rwanda
15. Consolidated Annual Work Plan (CAP) 2008, 2009, 2010, 2011
16. JRLOS strategic Plan 2013-2018

Web links

**Studies, Surveys and Evaluations**

1. Demographic and Health Survey Reports (2000, 2002, 2007/8)
2. Integrated Household Living Condition Survey (2000, 2005)
3. United Nations & Republic of Rwanda, Country-led evaluation of the Delivering As One, 2010
4. Sectoral studies and evaluations
5. Rwanda Governance Score Card 2010
6. Justice Sector Perception Survey, 2012
7. Rwanda National Police Strategic Plan 2009-2014

**Annex 2: Standard Format of UNDP Evaluation Reports**

Title page

Name of programme or theme being evaluated

Country of project/programme or theme

Name of the organization to which the report is submitted

Names and affiliations of the evaluators

Date

**List of acronyms**

**Executive summary**

* A self-contained paper of 1-3 pages.
* Summarize essential information on the subject being evaluated, the purpose and objectives of the **Access to justice for all, the foundation for good governance and poverty reduction** **Programme** Evaluation methods applied and major limitations, the most important findings, conclusions and recommendations in priority order.( Maximum 5 pages)

(**Main Report; Maximum 35 pages)**

**Introduction**

* (Context and national priorities, goals, and methodology, brief description of the results)
* Describe the project/programme/theme being evaluated. This includes the problems that the interventions are addressing; the aims, strategies, scope and cost of the intervention; its key stakeholders and their roles in implementing the intervention.
* Summarize the **Programme for Access to justice for all, the foundation for good governance and poverty reduction** purpose, objectives, and key questions. Explain the rationale for selection/non selection of evaluation criteria.
* Describe the methodology employed to conduct the **Access to justice for all, the foundation for good governance and poverty reduction** End of Programme Evaluation and its limitations if any.
* Detail who was involved in conducting the **Access to justice for all, the foundation for good governance and poverty reduction** End of Programme Evaluation and what were their roles.
* Describe the structure of the Access to Justice End of Programme Evaluation report.
* A Reflection on the main findings which considers: (a) the results of the desk review of existing documentation available, and (b) the interviews conducted with all the stakeholder categories
  + Results by UNDAF Outcome: national progress, (specific contribution of UN agencies and resources mobilized etc.

**Partnership and collaboration** strategy among UNDP/ GoR/IPs, Donors; and evaluation of the efficiency and effectiveness of the Access to Justice programme as a partnership framework

**Major Challenges**

**Access to Justice Financial Management**

**Assessment of M&E process**

**Findings and conclusions**

* State findings based on the evidence derived from the information collected. Assess the degree to which the intervention design is applying results based management principles and human rights based approach. In providing a critical assessment of performance, analyse the linkages between inputs, activities, outputs, outcomes and if possible impact. To the extent possible measure achievement of results in quantitative and qualitative terms. Analyse factors that affected performance as well as unintended effects, both positive and negative. Discuss the relative contributions of stakeholders to achievement of results. Assess how/if the intervention has contributed to gender equality and fulfilment of human rights.
* Conclusions should be substantiated by the findings and be consistent with the data collected. They must relate to the Access to Justice programme objectives and provide answers to the evaluation questions. They should also include a discussion of the reasons for successes and failures, especially the constraints and enabling factors.

**Recommendations and lessons learnt**

* Based on the findings and drawing from the evaluator(s)’ overall experience in other contexts if possible provide lessons learned that may be applicable in other situations as well. Include both positive and negative lessons.
* Formulate relevant, specific and realistic recommendations that are based on the evidence gathered, conclusions made and lessons learned. Discuss their anticipated implications. Consult key stakeholders when developing the recommendations.
* List proposals for action to be taken (short and long-term) by the person(s), unit or organization responsible for follow-up in priority order.

**Annexes may include the following (maximum 10-15 pages)**

* Attach ToR (IPG End of Programme Evaluation).
* List persons interviewed, sites visited.
* List documents reviewed (reports, publications).
* Data collection instruments (e.g. copies of questionnaires, Survey, etc.).
  + Assessment of the progress by outcomes in relevance to the nationally defined goals.
  + Photos
  + Stories worth telling (Most Significant changes [MSC])
  + List of used documents and persons met.

***\*The Programme for Access to justice for all, the foundation for good governance and poverty reduction*** ***Evaluation Report should be developed in accordance with the UNEG “Standards for Evaluation in the UN system”, “Norms for Evaluation in UN System and “Ethical Guidelines for Evaluation.” Analysis should include an appropriate discussion of the relative contributions of stakeholders to results. It will consider the evaluation objectives as per relevance, effectiveness, efficiency, impact and sustainability of results, as well as the key issues of design, focus and comparative advantage.***

**Annex 3: Sample Evaluation Matrix**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Relevant evaluation criteria** | **Key Questions** | **Specific Sub-Questions** | **Data Sources** | **Data collection Methods / Tools** | **Indicators/ Success Standard** | **Methods for Data Analysis** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

1. “Can we briefly reference the achievement of the old Access to justice program and indicate if there an evaluation or end of program report that can be reviewed by the consultant as a footnote.” [↑](#footnote-ref-1)
2. UNDP defines results as the outputs, outcomes and impact achieved as a consequence of the program intervention. As such, program results should be assessed at these three levels: outputs, outcomes and impact. [↑](#footnote-ref-2)