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**TERMS OF REFERENCE FOR THE MID-TERM EVALUATION OF THE CIVIL SOCIETY SUPPORT PROGRAMME**

**Project Title: Civil Society Support Programme**

**Duty Station: Vientiane, Lao PDR**

1. **Background:**

UNDP has been working in partnership with the Government of Lao PDR since 2006 towards developing civil society in the Lao PDR. A pilot programme, ‘Enhancing Government – CSO Partnerships for Poverty Reduction’ Phase I, implemented by the former Public Administration and Civil Service Authority (PACSA, Prime Minister’s Office – reformed to become the current Ministry of Home Affairs) commenced in 2007. Together with Concern Worldwide and the Viet Nam Assistance for the Handicapped NGO, the main objective of this Programme was to support PACSA in drafting a Decree on Associations, which would allow for central registration of CSOs. This objective was supported by awareness-raising activities, at all levels of government and society, to increase understanding of the role of CSOs in poverty reduction. The Decree was passed on 29 April 2009. UNDP and PACSA extended the Phase I Programme until end 2009 to allow more time for transitioning from the project phase to the new, expanded programme entitled “Civil Society Support Programme” (CSSP) which is currently being implemented until end of 2014.

1. **CSSP - Programme Summary:**

Through its outputs, the CSSP programme aims at contributing to the achievement of the national poverty alleviation goals and the enhancement of the role of civil society and communities in improved governance. The latter, is done in the framework of the goals of the Peoples Participation pillar of the government’s Strategic Plan on Governance (2007). As stated in the National Growth and Poverty Eradication Strategy (NGPES), the Lao Government sees governance as an intersectoral priority and a “vital link between economic growth and poverty eradication”. The NGPES recognizes “that improvements in governance are directly linked to poverty reduction, for limited public resources must be used effectively and efficiently in reaching out to help the poor”. People’s participation is one of the focus areas in the 6th National Socio‐Economic Development Plan (NSEDP) 2006‐2012 and has been integrated into the plan for the 7th NSEDP.

More specifically, the **Goal** of the CSSP is to contribute to greater people’s participation in local development and nation‐building through the programme **purpose** of enhanced capacity of government, Not-for-Profit Associations (NPAs), INGOs, communities and development partners to develop partnerships, share knowledge and deliver services in the public interest towards poverty reduction.

The programme aims to enhance the enabling environment for Civil Society Organizations through three outputs:

**Output 1. Ministry of Home Affairs [MOHA] Capacity Development:**

MOHA - Department of Public Administration Development [DPAD] / Civil Society Division [CSD] is fulfilling its duties under the Non Profit Association [NPA] and Foundations Prime Minister Decrees (respectively 115 and 149) through an effective legal framework, information management system and coordination mechanisms.

**Output 2. Ministry of Foreign Affairs [MOFA] Capacity Development:**

MOFA - Department of International Organizations [DIO] / International Non-Governmental Organization Division is fulfilling its duties under the INGO decree (Prime Minister Decree 013) through an effective legal framework, information provision and coordination mechanisms.

**Output 3. Developing a Knowledge and Information Platform:**

MOHA-DPAD/CSD and MOFA-DIO/NGO have better knowledge and skills to support the enabling environment for civil society.

The programme supports the development of an enabling environment for the emergence and functioning of local and international civil society organisations that works towards achieving the Millennium Development Goals (MDGs). This is done by facilitating the implementation of the existing legal framework (PM Decree 115, 149, 013) which regulates the form civil society takes, its registration and its monitoring by government at the national and provincial level and by facilitating the development of an effective legal and regulatory framework.

The programme is further aimed at improving access to information and voice of those who are most vulnerable e.g. by supporting the dialogue between government and civil society in policy dialogue. It is also targeted at enhancing the awareness and knowledge of government officials, legislators and the general public with regards to the role of not-for-profit associations (NPAs), foundations and international NGOs to work alongside government towards reaching the MDGs.

The programme approach has been adopted along the lines of Vientiane Declaration on Aid Effectiveness to ensure better coordination and harmonisation of civil society initiatives in Lao PDR. The purpose is to deepen government - civil society partnership in the line of Accra Agenda for Action, in order to achieve the MDGs.

The programme started in February 2011 and will end in December 2014. The total budget of the programme is **US$ 1,300,000** over **three and half years** with an additional in-kind government contribution of US$ 200,000. The contributing donors are SDC, Oxfam Novi and UNDP.

1. **Purpose of the proposed evaluation:**
2. To assess the performance of the CSSP against its intended outputs (and that these remain aligned to appropriate outcomes) as set out in the Results and Resources Framework.
3. To take stock of lessons learnt, success and challenges and provide recommendations for the future design of the programme
4. **Objectives of the Mission:**

Based on the programme document signed in July 2011, this TOR and Mission have been formulated. The purpose of the Mission is to:

1. *Conduct a Mid-Term evaluation of the CSSP:* to assess progress towards achieving expected outcomes. This segment will consider the key benefits, achievements and possible gaps in the current Programme.
2. *Development of a Concept Note*: Using the lessons learned and information gathered in (A) above and devise a Concept Note which seeks to identify the required approach/strategy, with concrete key recommendations (related to outcomes / outputs / activities / timeline / budgetary implications) for the second part of the programme (mid-2013-2014) and the formulation of a new phase of the current programme beyond 2014.
3. **Scope of Work:**

The Mission team will be responsible for the following outputs under the overall guidance and supervision of the Programme Board, the Ministry of Home Affairs, the Ministry of Foreign Affairs and UNDP:

1. Conduct the Mid-Term Evaluation of the CSSP and compilation of the lessons learned
2. Submit a first draft of the Mid-Term Report for review
3. Concurrently using the lessons learned portion of the Evaluation, devise a Concept Note which outlines the required approach/strategy, with concrete key recommendations (related to outcomes / outputs / activities / timeline / budgetary implications) in the second part of the implementation of the CSSP [mid-2013-2014] and the formulation of a new phase of the current programme beyond 2014
4. Present the findings of the evaluation and proposed future direction to key stakeholders
5. Revise on the basis of comments received, the Final Mid-Term Evaluation Report and simultaneously revise the draft Concept Note to accurately reflect comments and inputs received
6. An agreed Mid-Term Evaluation report of the CSSP
7. A Concept Note which captures the outlines the required approach/strategy, with concrete key recommendations (related to outcomes / outputs / activities / timeline / budgetary implications) in the second part of the implementation of the CSSP [mid-2013-2014] and the formulation of a new phase of the current programme beyond 2014

**Existing CSSP**

1. To conduct a mid-term evaluation using the Programme Document (ProDoc) to compare the achievements and gaps of intended results with actual delivery
2. To identify lessons learned and best practices that can be considered or explored in the planning of the second part of the implementation of the CSSP [mid-2013-2014] and the formulation of a new phase of the current programme beyond 2014
3. To assess the stakeholders’ level of satisfaction with the programme’s results
4. To assess the sustainability of implemented activities and inventions in the medium and longer term

**Illustrative methodology**

The Mission team will review existing documentation related to the Civil Society initiatives in Lao PDR including the Programme Document (ProDoc), Programme work plans, Programme reports; as well as other relevant documents on civil society in Lao PDR and other important actors working with (Lao) civil society in Lao PDR.

The Mission team will hold meetings and discussions with Government of Lao PDR leadership and supporting staff, Programme beneficiaries, stakeholders and counterparts including:

* (Lao) Civil Society Organizations
* Mass Organisations
* International NGOs
* The Ministry of Home Affairs (including the programme management and secretariat of the National Governance and Public Administration Reform Programme / Governance Sector Working Group)
* The Ministry of Foreign Affairs
* A selection of Ministries in Vientiane (Ministry of Public Works and Transport, Ministry of Finance, Ministry of Planning and Investment, Ministry of Public Security)
* National Assembly Representatives
* A selection of Line Offices and the Department of Home Affairs and Foreign Affairs at the Provincial level
* UNDP
* Development Partners

The Mission will also meet with the National Programme Director, Programme management, technical staff and technical advisors (CSSP and NGPAR) and other relevant actors including the donors (UNDP/SDC/Oxfam Novib), UNDP personnel and strategic partners.

In addition, the mission team will conduct some site visits to a selection of provinces in order to broaden the scope of inputs at the stakeholder level.

In conducting the Mid-Term Evaluation, the mission should consider the country’s context and the cultural and socio-political dynamics including thematic areas like poverty reduction, corruption, climate change, gender equality and decentralization.

A final meeting will be organized to discuss the mission findings. The mission is expected to take into account the comments and suggestions provided at such discussions into the final version of the report, to be submitted by the 30th December, 2013.

# Indicative content & scope of the Mid-Term Evaluation

## Evaluation Questions for the country level assessment (additional questions may be added)

It is important for the Consultants to provide live examples to demonstrate or support the findings which will help to enrich the Mid-Term Evaluation report.

### Overall Results Achievement at the Middle of the Implementation of the Programme

* What has been the progress made towards the achievement of the intended outputs (and that these remain aligned to appropriate outcomes)? What are the results achieved? What are the reasons for the achievement or non-achievement? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP?
* To what extent have beneficiaries been satisfied with the results?
* Is the Programme cost-effective, i.e. could the outcomes and expected results have been achieved at lower cost through adopting a different approach and/or using alternative delivery mechanisms? What are the recommendations in this regard for the second phase of the implementation of the CSSP?
* Have the Programme activities enhanced a sustainable improvement in “greater people’s participation in local development and nation building”? Have they strengthened the capacities of the Implementing Partner?
* In line with the ProDoc, to what degree have human rights and gender equality considerations been integrated in the design and implementation of CSSP interventions? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?
* Does the programme have effective monitoring mechanisms in place to measure progress towards results? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?
* What are the lessons learned? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?

### Overall Results achievement at the output and outcome level

* What measures have been taken during planning and implementation to ensure that resources are efficiently and effectively used? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?
* Does the organizational structure, managerial support and coordination mechanisms effectively support the delivery of the Programme? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?
* How does the Programme utilize existing local capacities to achieve its outcomes? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?

### Factors affecting the successful implementation and overall results achievement

* What external factors influence the Programme implementations and results? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?
* What are the opportunities that the Programme is exploring / should explore in order to receive (additional) support for its implementation and the support for the potential implementation of a second phase of the CSSP beyond 2014?

### Strategic Positioning and Partnerships

* How well does the Programme coordinate and harmonize its work with other actors in the sector? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?
* How relevant is the CSSP to the National Development priorities and the achievement of the MDGs? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?
* What are the lessons learned from the shift from the pilot programme, ‘Enhancing Government – CSO Partnerships for Poverty Reduction’ Phase I to the new, expanded programme entitled ‘Civil Society Support Programme’ (CSSP) which is currently being implemented? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?

### Sustainability and future direction

* What is the likelihood that the benefits from the Programme will be maintained for a reasonably long period of time after the end of the current Programme? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?
* Is the Programme supported by National/Local Institutions? Do these Institutions demonstrate leadership, commitment and technical capacity to support sustainably the objectives of the CSSP? What are the recommendations in this regard for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014?

The team will be responsible for submitting the following **outputs**:

1. **An inception report** which contains the description of the evaluation methodology/methodological approach, data analysis methods, key informants/agencies, issues to be studied, work plan. Note that the methodological approach will be devised by the team as a stand-alone document which will set out the approach and design for the evaluation in line with the UNEG/G (2010)[[1]](#footnote-1).
2. **Executive Summary** (max 6 pages);
3. **Mid-Term Evaluation Report** including (max 20 pages but excluding annexes):

* Executive Summary (maximum five pages)
* Programme description
* Evaluation purpose
* Evaluation methodology
* Findings
* Lessons learnt
* Recommendations
* Annexes (including interview list – without identifying names for sake of confidentiality/ anonymity, data collection instruments, key documents consulted, Terms of Reference).
* **Concept Note development:** Using the information gathered during the Mid-Term Evaluation exercise, concurrently review and assess the information specifically around lessons learned to identify the key issues. Propose thematic and/or programmatic interventions, activities, indicative timelines and budgetary implications for the second phase of the implementation of the CSSP [mid-2013-2014]. Make concrete recommendations with regards to the second phase of the CSSP beyond 2014.

1. Based on comments received on the drafts, the Mission Team Leader will finalize the deliverables, with inputs from other evaluation team members, as required, and submit to UNDP as Managing Agent of the Programme by the agreed date.
2. Power point presentation of preliminary findings to the key stakeholders for dissemination purposes.

**The Mission team should pay particular attention to the following criteria in the Mid-Term Evaluation:**

* *Relevance*: Evaluate the logics and unity of the process in planning and designing the activities of the CSSP.
* *Efficiency:* Evaluate the efficiency of the Programme implementation, the quality of the results achieved and the time/political constraints.
* *Effectiveness:* Conduct an assessment of management decisions vis-a-vis the cost effectiveness; and to which extend the Programme outputs have been effectively achieved.
* *Impact:* Evaluate the mid-term achievement in the framework of the potential overall impact of the Programme and its contribution to greater people’s participation in local development and nation‐building.
* *Sustainability:* Assess the sustainability of mid-term results with specific focus on national capacity and ownership over the process.

In this Mid-Term Evaluation, the Mission team is expected to analyse all relevant information sources, such as annual reports, programme documents, internal review reports, programme files, strategic country development documents and any other documents that may provide evidence on which to form opinions. The team is also expected to use face to face interviews as a means to collect relevant data for the Mid-Term Evaluation.

The methodology and techniques to be used in the evaluation should be described in detail in the desk study report and the mid-term evaluation report, and should contain, at minimum, information on the instruments used for data collection and analysis, whether these be documents, interviews, field visits, questionnaires or participatory techniques.

# Management of the Evaluation & Stakeholder engagement

This Evaluation Mission and Concept Note development is being jointly commissioned by UNDP Lao PDR and the Ministry of Home Affairs and the Ministry of Foreign Affairs. The mid-term evaluation was planned in the signed Programme Document 2011.

Transparency and consultation with the major stakeholders are essential features of the evaluation process. This helps to improve the credibility and quality of the evaluation. It will also help build consensus about the directions and recommendations for the second phase of the CSSP [mid 2013-2014] and the formulation of a second phase of the CSSP beyond 2014.

**INDICATIVE TIMELINES**

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| **Product** | **Responsible Party** | **Estimated Time Frame** | **Place** |
| Develop the draft TOR and seek comments on the scope of evaluation from stakeholders involved | MOHA, MOFA and UNDP | Mid May 2013 | Vientiane, Lao PDR |
| Finalise TOR | MOHA, MOFA and UNDP | 4th Week of May 2013 | Vientiane, Lao PDR |
| Advertisement and selection of consultants |  | End of July 2013 |  |
| Write Inception Report | Evaluation Team | 8-9 November 2013 | Home based (2 work days) |
| Mission: Vientiane Lao PDR and visit of one or two provinces | Evaluation Team | 15 November – 27 November 2013 | Lao PDR (11 work days) |
| Facilitate an internal workshop or focus group discussion about the lessons learned  Lead the national debriefing for programme stakeholders in Vientiane: presentation of the inception report with a list of preliminary findings to gather feedback from stakeholders | Evaluation Team to MOHA, MOFA and UNDP | 26 November 2013  27 November 2013 | Lao PDR |
| Draft Report of the Mid-Term Evaluation + Draft Concept Note | Evaluation Team | 9 December 2013 | Home based (3 work days) |
| Review of Draft Report of the Mid-Term Evaluation + Draft Concept Note refinement | MOHA, MOFA and UNDP | 10—23 December 2013 | Concurrent action |
| Final Report, including the concept note & executive summary | Evaluation Team | 30 December 2013 | Home based (3 work days) |
| Dissemination of final version of the Mid-Term Evaluation Report to stakeholders | MOHA, MOFA and UNDP | 14 January 2014 | UNDP |

***Estimated level of effort 19 work days on a 6 day working week***

**COMPOSITION OF THE TEAM**

The required team needs to be both knowledgeable about civil society emergence and an enabling legal environment for civil society and citizen participation globally but with an appreciation of the unique issues that characterize the (public administration reform) processes (in Lao PDR).

Therefore, the evaluation team will be headed by an international expert on civil society regulatory frameworks and their implementation (Team Leader), assisted by a national consultant / translator. Other members of the team may include:

* Representative from UNDP;
* Representatives from MOHA and MOFA

The Team Members will have to be able to focus on the core issues identify the strengths, weaknesses, opportunities encountered during the implementation of the first phase of the CSSP and with that knowledge, frame a Concept Paper which is fully informed and structured to avoid similar pitfalls in the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014.

1. **Team Leader**

The evaluation team will be headed by an international expert on civil society regulatory frameworks and their implementation. He/she will evaluate the results, achievements and constraints in the implementation of CSSP and provide recommendations for the second part of the CSSP [mid-2013-2014] and the formulation of a second phase of the CSSP beyond 2014. The Team Leader will be responsible for delivering the final version of the Mid-Term Evaluation Report in a timely manner.

**Responsibilities of the Team Leader**

* Documentation review and framing of evaluation questions;
* Write inception report;
* Provide a global perspective and insights about governance, civil society in Lao PDR;
* Leading the evaluation team in planning, execution and reporting;
* Deciding and managing division of labour within the evaluation team;
* Use of best practice evaluation methodologies in conducting the evaluation;
* Hold consultations and interviews with relevant stakeholders and strategic partners: (Lao) civil society organizations, mass organizations, international NGOs, the Ministry of Home Affairs, the Ministry of Foreign Affairs, a selection of ministries (Ministry of Public Works and Transport, Ministry of Finance, Ministry of Planning and Investment, Ministry of Public Security), a selection of Line offices and the Department of Home Affairs and Foreign Affairs in one or two provinces, UNDP, SDC, Oxfam Novib;
* Data collection and data analysis;
* Identify possible capacity development/enhancement issues;
  + Evaluate the CSSP results, achievements and constraints;
  + Facilitate an internal workshop or focus group discussion about the lessons learned;
* Lead the national debriefing for programme stakeholders in Lao PDR;
* Lead the drafting and finalization/quality control of the evaluation report, concept note and executive summary;
  + Supervise the work of the other Mission Team member and distribute roles and responsibilities amongst the team.

**Monitoring arrangement**

The Team Leader will report to UNDP’s Head of the Governance Unit

**Qualifications:**

* + - * Master’s Degree or equivalent experience in the field of Public Administration, International Relations/Affairs, Public Policy, Social Sciences or Law;
      * Demonstrated substantial knowledge of comparative civil society law and experience in the development, set-up and implementation of the regulatory framework for an enabling environment for civil society preferably in a de-concentrated context;
      * Experience in the (formulation and) implementation of programmes aimed at strengthening the enabling environment for civil society;
      * Demonstrated experience in public administration reforms;
      * Minimum of ten years of professional experience in the context of project implementation in a Least Developed Country;
  + Demonstrated project evaluation experience;
  + Demonstrated experience with UNDP in similar missions an advantage;
    - * Thorough understanding of key elements of results-based programme management;
      * Strong capacity for data collection and analysis, as well as report writing;
      * Fluency in English, both in speaking and writing;
      * Strong communication skills;
      * Sound knowledge and understanding of gender sensitivity and social inclusion;
      * Ability to assess the effectiveness and sustainability of programme structure and implementation modalities;
      * Experience is South East Asia is an asset;
      * Working knowledge of Lao language is an asset.

**Competencies**

* + Strong leadership, communication and interpersonal skills;
  + Excellent organizational skills;
  + Demonstrated ability to work in a team (strong task management and team leading competencies);
  + Ability to work under pressure and in a highly political environment;
  + Demonstrated cultural sensitiveness and sound judgment.
* **DOCUMENTS (**initial listing as at 1st October, 2013 ongoing additions)
* 7th NSEDP 2011-2015;
* Strategic Framework on Governance (unofficial translation November 2011)
* Final evaluation ‘Enhancing Government – CSO Partnerships for Poverty Reduction’ Phase I Project
* Programme Document (signed in February 2011);
* National Governance and Public Administration Reform (NGPAR) – documents related to programme monitoring (oversight through programme board and Governance Sector Working Group)
* Operational and financial reports: annual workplans and budgets, quarterly workplans and budgets and quarterly and annual implementation reports;
* MOHA capacity assessment report, capacity strengthening strategy, public awareness strategy;
* Training and workshop reports;
* Annual Programme Review Minutes
* Annual Progress Report
* Narrative Reports submitted by UNDP to SDC and Oxfam Novib
* Programme Board and Monthly Meetings Minutes and minutes of other relevant meetings (e.g. Governance Sector Working Groups on People’s Participation);
* Vientiane Declaration and VDCAP progress reports;
* Country Analysis Report Lao PDR and analysis to inform the selection of the UNDAF priorities 2012-2015;
* Relevant legal documents:

*Constitution*

* + Constitution of Lao PDR – 06.05.03 (Art. 4)
  + *Non Profit Organisations:*
  + Decree № 115/PM on (*Non Profit*) Associations – 29.04.09 (+ its implementation guideline)
  + Decree № 149/PM on Foundations – 19.05.11
  + Decree № 13/PM on International Non-Governmental Organisations - 08.01.10 (+ its implementation guideline)

*Laws applicable to Non Profit Organisations:*

* + Decree № 456/PM on the Management of Local Staff Working for International Organisations in Lao PDR – 01.11.10
  + Decree № 75/PM on the Management and Utilisation of ODA – 20.03.09
  + Amended Tax Law № 05/NA, 20.12.11 and Law on Value Added Tax № 03/PO

*For Profit – Cooperatives:*

* + Decree № 136/PM on Cooperatives – 05.03.10

*People’s participation through the National Assembly:*

* + Law № 9/NA on the Oversight by the National Assembly 22.10.04 (Art. 8)
  + Law № 7/NA on the Handling of Petitions 9.11.05
  + **Decree** № 1/NA **on the Amended Law on the Election of Members of the National Assembly**

1. United Nations Evaluation Group Quality Checklist for Evaluation Terms of Reference & Inception Reports [↑](#footnote-ref-1)