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| TERMS OF REFERENCETERMINAL PROJECT EVALUATION

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| PROJECT TITLE: SUPPORT FOR THE STRENGTHENING OF THE PROMOTION AND PROTECTION OF HUMAN RIGHTS AND RULE OF LAW THROUGH ENHANCED CAPACITY OF INSTITUTIONSPROJECT AWARD : 00067544PROJECT ID : 00083257 |

1. Background and context In 2010[[1]](#footnote-1), UNDP with support from the European Union (EU) implemented a project on Support for the Strengthening of the Promotion and Protection of Human Rights and Rule of Law through enhanced Capacity of Institutions” to build the capacity of the Zimbabwe Human Rights Commission (ZHRC) to implement its constitutional mandate. The ZHRC is established by Chapter 12, Section 242 of the Constitution. This establishment is supported by the Zimbabwe Human Rights Commission Act Chapter 10.30 which further outlines the operational powers and scope of the ZHRC’s mandate. This support to the ZHRC was extended from 2011-2014, with the objective of building the capacity of the ZHRC as a new institution for Zimbabwe with no precedent to borrow from in exercising its constitutional mandate. The Internal capacities for the ZHRC were inadequate at the time of its inception with Commissioners having been sworn into office by the President on 31 March 2010 yet its Secretariat was not appointed until 2014. Between March 2010- and December 2014, the UNDP has through this project provided financial and technical and advisory support to the ZHRC to prepare the Commissioners and Secretariat to assume a central role in the promotion and protection of human rights in Zimbabwe in accordance with recognised international standards and best practices.The programme design is informed by the Zimbabwe United nations Development Assistance Framework (ZUNDAF) national Development priority on Good Governance for Sustainable development. It aimed to contribute to equal access to justice for all in particular the vulnerable and marginalised. It further contributed to the realisation of human rights as envisaged in the international treaties as well as the attainment of peaceful communities through mediation and negotiation of disputes. The programmes is being implemented through a national implementation modality by the Zimbabwe Human Rights Commission as the implementing partners. As a component of this support and contribution to ongoing monitoring and evaluation of the project, the GoZ, UNDP, EU and partners agreed to conduct a terminal evaluation of the project. The purpose of the evaluation is to provide opportunity to assess the effectiveness, efficiency and sustainability of current programming, the lessons and challenges. These will be utilised as basis for informing and follow-on support to the ZHRC. Further, the evaluation will be an important accountability function, providing the UNDP, EU, the GoZ, the ZHRC, and partners with an impartial assessment of the results of this support in enhancing promotion and protection of human rights and contribution to the overarching national objective of strengthening good governance, poverty reduction and equitable and sustainable human development.2. Evaluation purpose This project evaluation will be conducted in fulfilment of UNDP regulations and rules guiding project evaluations. The UNDP Office in Zimbabwe is commissioning this evaluation of its support to the Zimbabwe Human Rights Commission to capture evaluative evidence of the relevance, effectiveness, efficiency and sustainability of this project which will set the stage for new initiatives. It is anticipated that the evaluation will outline lessons learned and recommendations which will be useful in contributing to the growing body of knowledge future projects in support of human rights and access to justice. The evaluation serves an important accountability function, providing national stakeholders and partners in Zimbabwe with an impartial assessment of the results of this project. 3. Evaluation scope and objectivesConsistent with UNDP development efforts, UNDP evaluations are guided by the principles of gender equality, the rights-based approach and human development as appropriate. This evaluation assesses the extent to which project initiatives have addressed the issues of social and gender inclusion, equality and empowerment; contributed to strengthening the application of these principles; and incorporated the UNDP commitment to rights based approaches and gender mainstreaming in the project design.This is a summative evaluation. This project evaluation will be conducted from March 2015 through to April 2015. The overall objective is to assess whether the project has succeeded in contributing towards substantive capacity building of the ZHRC to become the leading institution in the promotion and protection of human rights. It will also assess its contribution to overall good governance, gender equity while at the same time, highlighting the key lessons learned to provide informed guidance to future support to the ZHRC. Specifically, the terminal evaluation will: * Assess the relevance and strategic positioning of UNDP/EU support to Zimbabwe in general and specifically to supporting capacity strengthening of the ZHRC to promote and protect human rights and to contribution towards good governance and equitable human development;
* Assess the existing frameworks and strategies adopted by the UNDP/EU in providing support to the ZHRC including partnership strategies, engagements, and whether they were well conceived for achieving planned objectives;
* Whether the capacity of the Zimbabwe Human Rights Commission was enhanced to deliver on its mandate;
* Whether UNDP and EU’s contribution added value to the capacity building efforts of this institution;
* Determine if the project has achieved its stated objectives and explain why/why not;
* Provide recommendations on how to build on the achievements of the project and ensure that it is sustained by the relevant stakeholders;
* Assess Strategic partnership forged with key stakeholders including CSO, Parliament, government ministries and departments, other commissions, among others and their sustainability;
* Appraise the sustainability of the programme, including the institutionalisation of interventions;
* Review the programme’s efforts to mainstream gender and ensure the application of UNDP’s rights-based approach;
* Assess relevance and utilisation of M&E processes;
* The lessons learned for follow-on support of UNDP/EU to the ZHRC.

Partnerships Analysis* Examine the partnership among UN Agencies, EU and other donor organizations in the relevant field: What partnerships have been formed? What has the role of UNDP been? What has the level of stakeholders’ participation been?
* Determine whether or not there is consensus among project actors, partners and stakeholders on the partnership strategy;
* Determine whether project’s partnership strategy has been appropriate and effective; ZHRC’s capacity with regard to management of partnerships; ZHRC’s ability to bring together various partners across sectoral lines to address human rights concerns in a holistic manner;
* Analyse how partnerships have been formed and how they performed;
* Examine how the partnership affected the achievement of progress towards the intended Outcome.

4. Evaluation questions The summative evaluation seeks to answer, but is not limited, to the following questions, focused around the evaluation criteria of relevance, effectiveness, efficiency and sustainability:Relevance: - the extent to which the activities designed and implemented were suited to priorities and realities* Was the design of the project adequate to properly address the issues envisaged in the formulation of the programme?
* To what extent has ZHRC’s selected method of delivery been appropriate to supporting the current project and the overall development context?
* Are the activities and outputs of the programme consistent with the overall goal and the attainment of its objectives?
* Are the activities and outputs of the programme consistent with the intended outcomes and effects?
* To what extent has UNDP/EU’s capacity building support to the ZHRC contributed to influencing national policies focusing on human rights protection, gender equality and equitable sustainable development?

Effectiveness: - the extent to which the programme has achieved its intended outputs and objectives* Has the project made sufficient progress towards its planned objectives/has the project achieved its planned objectives within its specified time period?
* Have the quantity and quality of the outputs produced so far been satisfactory? Do the benefits accrue equally to men and women?
* Are the project partners using the outputs? Have the outputs been transformed by project partners into outcomes?
* How do the outputs and outcomes contribute to the UNDP’s mainstreamed strategies?
* How do they contribute to gender equality?
* How do they contribute to the strengthening of the social partners and social

dialogue?* How do they contribute to strengthening the influence human rights standards?
* How do they contribute towards the effective promotion and protection of human right, overall good governance, equitable, and sustainable development in Zimbabwe?
* How have stakeholders been involved in project implementation? How effective has the project been in establishing national ownership? Is project management and implementation participatory and is this participation contributing towards achievement of the project objectives? Has the project been appropriately responsive to the needs of the national constituents and changing partner priorities?
* Has the project been appropriately responsive to political, legal, economic, institutional, etc., changes in the country?
* Has the project approach produced demonstrated successes?
* In which areas does the project have the greatest achievements? Why this and what is have been the supporting factors? How can the project build on or expand these achievements?
* In which areas does the project have the least achievements? What have been the constraining factors and why? How can they be overcome?
* What, if any, alternative strategies would have been more effective in achieving the project’s objectives?
* Has the project made strategic use of coordination and collaboration with other national institutions and with other donors in the country/region to increase its effectiveness and impact?
* To what extent is UNDP’s engagement in capacity strengthening of the ZHRC to promote and protect human rights, and overall good governance support a reflection of strategic considerations, including UNDP’s role in the particular development context in Zimbabwe and its comparative advantage vis-a-vis other partners?

Has UNDP worked effectively with the EU and other UN Agencies and other international and national delivery partners to contribute towards capacity enhancement of the ZHRC to promote and protect human rights and good governance? Taking into account the technical capacity and institutional arrangements of the UNDP country office, is UNDP well suited to providing capacity building support to the ZHRC and to contribute towards the effective promotion and protection of human right, overall good governance, equitable, and sustainable development in Zimbabwe?Efficiency Has ZHRC’s project implementation strategy and execution been efficient and cost effective?* Has there been an economical use of financial and human resources? Have resources (funds, human resources, time, expertise, etc.) been allocated strategically to achieve outcomes?
* Have resources been used efficiently? Have activities supporting the strategy been cost-effective? In general, do the results achieved justify the costs? Could the same results be attained with fewer resources?
* Have project funds and activities been delivered in a timely manner?
* How has the steering or advisory committee contributed to the success of the project?
* Does project governance facilitate good results and efficient delivery? Is there a clear understanding of the roles and responsibilities by all parties involved?

Are the monitoring and evaluation systems that ZHRC has in place helping to ensure effective and efficient project management?Sustainability * Will the outputs delivered so far through the ZHRC programme be sustained by national capacities? If not why?
* Has the project generated the buy- in and credibility needed for sustained impact.
* Do the UNDP interventions have well designed and well planned exit strategies?
* What could be done to strengthen exit strategies and sustainability
* What changes if any should be made in the current partnership (s) in order to promote long term sustainability?

Partnership strategy* Has ZHRC’s partnership strategy in the justice and human rights sectors been appropriate and effective
* Are there current or potential overlaps with existing partners’ programmes’?
* How have partnerships affected the progress towards achieving the outputs

Based on the above analysis, the evaluators are expected to provide overarching conclusions on the project results in this area of support, as well as recommendations on how the UNDP Zimbabwe Country Office could adjust its programming, partnership arrangements, resource mobilization strategies, and capacities to ensure that the intervention fully achieves planned outputs. 5. MethodologyThe terminal evaluation will be carried out by an independent national evaluator, and will engage a broad range of key stakeholders and beneficiaries, including government officials, donors, civil society organizations, etc. in order to utilize existing information, examine local sources of knowledge and to enhance awareness about and mainstreaming results-based management. The evaluation exercise will be wide-ranging, consultative, and participatory, entailing a combination of comprehensive desk reviews, analysis and interviews. While interviews are a key instrument, all analysis must be based on observed facts to ensure that the evaluation is sound and objective. An overall guidance on evaluation methodology can be found in the *UNDP Handbook on Monitoring and Evaluating for Results* and the *UNDP Guidelines for Outcome Evaluators*. The evaluators are expected to come up with a suitable methodology for this evaluation based on the guidance given in the above mentioned document. During the project evaluation, the evaluators are expected to apply the following approaches for data collection and analysis:* Desk review of relevant documents (list and documents provided see attached)
* Discussions with UNDP Zimbabwe senior management, ZHRC, JLOS etc
* Site visits
* Consultation meetings and interviews:
* Interviews with relevant project staff
* Interviews with ZHRC Commissioners and staff, and UNDP Project Management team;
* Interviews with partner institutions, funding partners and other stakeholders such as civil society.
* Survey questionnaires where appropriate.

6. Evaluation products (deliverables)The following reports and deliverables are required for the evaluation:1. Inception report
2. Draft Project Terminal Evaluation Report
3. Presentation of Draft Project Terminal Evaluation Report at the validation workshop/meeting with key stakeholders, (partners and beneficiaries)
4. Final Project Terminal Evaluation report

One week after contract signing, the evaluation consultant will produce an inception report. The inception report should include an evaluation matrix presenting the evaluation questions, data sources, data collection, analysis tools and methods to be used. The inception report should detail the specific timing for evaluation activities and deliverables, and propose specific site visits and stakeholders to be interviewed. Protocols for different stakeholders should be developed. The inception report will be discussed and agreed with the ZHRC and UNDP country office before the evaluator proceed with site visits. The draft evaluation report will be shared with stakeholders, and presented in a validation workshop or meeting that the ZHRC and UNDP country office will organise. Key partners and stakeholders ie the EU and MOJLPA, will participate in this meeting among others. Feedback received from these sessions should be taken into account when preparing the final report. The evaluator will produce an ‘audit trail’ indicating whether and how each comment received was addressed in revisions to the final report. The suggested table of contents of the evaluation report is as follows: Title Table of contents Acronyms and abbreviations Executive Summary Introduction Background and context Evaluation scope and objectivesEvaluation approach and methodsData analysisFindings and conclusionsLessons learnedRecommendations Annexes 7. Evaluation team composition and required competencies The terminal evaluation will be undertaken by one local evaluator, hired as consultant. Required Qualifications 1. Minimum Master’s degree in Law, International Human Rights, International Relations, , political science, public administration, regional development/planning, or other social science;
2. Minimum 10-15 years of professional experience in public sector development, including in the areas of democratic governance, international human rights law or international relations, regional development, gender equality and social services.
3. At least 5 years of experience in conducting evaluations of national human rights institutions or government and international aid organisations;
4. Direct experience with civil service capacity building is an added advantage;
5. Strong working knowledge of the UN and its mandate in Zimbabwe, and more specifically the work of UNDP in support of Human Rights Institutions;
6. Sound knowledge of results-based management systems, and monitoring and evaluation methodologies; including experience in applying SMART (S Specific; M Measurable; A Achievable; R Relevant; T Time-bound) indicators;
7. Excellent reporting and communication skills

8. Evaluation ethicsThis terminal evaluation will be conducted in accordance with the principles outlined in the UNEG ‘Ethical Guidelines for Evaluation’[64](http://web.undp.org/evaluation/handbook/Annex3.html#64). The consultants must safeguard the rights and confidentiality of information providers, interviewees and stakeholders through measures to ensure compliance with legal and other relevant codes governing collection of data and reporting on it data. The consultants must also ensure security of collected information before and after the evaluation and protocols to ensure anonymity and confidentiality of sources of information where that is expected. The information knowledge and data gathered in the evaluation process must also be solely used for the evaluation and not for other uses with the express authorisation of UNDP and partners.9. Implementation arrangementsThe UNDP Zimbabwe country office will select the evaluator in consultation with the ZHRC. UNDP and ZHRC will jointly be responsible for the management of the consultant and will in this regard designate focal persons for the evaluation and any additional staff to assist in facilitating the process (e.g., providing relevant documentation, arranging visits/interviews with key informants, etc.) The UNDP will take responsibility for the approval of the final evaluation report in liaison with the ZHRC and EU. The designated ZHRC focal point will assist the consultant in arranging introductory meetings with the relevant parties in UNDP, the ZHRC, EU, the GoZ and civil society. The consultant will take responsibility for setting up meetings and conducting the evaluation, subject to advanced approval of the methodology submitted in the inception report. The UNDP country office will develop a management response to the evaluation within six weeks of report finalization. While UNDP and ZHRC will provide some logistical support during the evaluation, for instance assisting in setting interviews with ZHRC Commissioners and staff and senior government officials, it will be the responsibility of the consultant to logistically and financially arrange their travel to and from relevant project sites and to arrange most interviews. Planned travels and associated costs will be included in the Inception Report.  10. Time-frame for the evaluation process The evaluation is expected to take 30 working days for the consultant, over a period of four weeks starting after the contract is signed. A tentative date for the stakeholder workshop will be set in the inception meeting and the final draft evaluation report is due after 30 working days from the commencement of the assignment. The following table provides an indicative breakout for activities and delivery: Proposed Evaluation Mission Schedule (30 working days from February to April, 2015)

|  |  |  |
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| Activity | Responsible party | Timeframe/Deadline |
| Desk review, Evaluation design and work plan (Inception report) | Evaluation team | 5 days |
| Field visits, interviews with partners, and key stakeholders | Evaluation team | 11 days |
| Drafting of the evaluation reports | Evaluation team | 8 days |
| Debriefing with UNDP  | Evaluation team | Half day |
| Debriefing with partners | Partners and the Evaluation team | Half day |
| Finalization and submission of the evaluation reports (incorporating comments received on first drafts) | Evaluation team | 5 days |
| Total No. of Working Days |  | 30 |

11. Cost Interested consultants should provide their requested fee rates when they submit their expressions of interest, in USD. Fee payments will be made upon acceptance and approval by the UNDP and ZHRC of planned deliverables, based on the following payment schedule:

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| Inception report  | 10% |
| Draft Evaluation Report  | 70% |
| Final Evaluation Report  | 20% |

12. ToR annexes The following documents will be shared with the consultant as evaluation background documents to facilitate his or her work of evaluators. 1. ZUNDAF
2. CPAP
3. Project Document
4. Constitution of Zimbabwe
5. Zimbabwe Human Rights Commission Act
6. Work plans
7. Progress Reports
8. ZHRC Annual Reports
9. ZHRC Monitoring Reports
10. Partnership Agreements
11. Donor Reports
12. ROAR
13. Financial Narratives
14. UNDP Governance Outcome Reports for ZUNDAF 2012-2015
15. PME Handbook
16. CPD
17. ZUNDAF evaluation and thematic reports

In addition, a list of key stakeholders and other individuals who should be consulted, together with an indication of their affiliation and relevance for the evaluation and their contact information. Please list some of the major stakeholders1.2 EVALUATION MATRIX

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| EVALUATION MATRIX |
| Relevantevaluationcriteria | KeyQuestions | SpecificSub-Questions | DataSources | Data collectionMethods/Tools | Indicators/SuccessStandard | Methods for Data Analysis |
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1. UNDP support to the ZHRC commenced in 2010. The EU came on board with contribution for the same project in 2011 and application of their funds commenced in January 2012. This evaluation is the first in this project cycle. [↑](#footnote-ref-1)