Terms of Reference

Mid-Term Evaluation for Support Project for Implementation of Legal Sector Master Plan (International Consultant)

Title: International Evaluator for Support Project for Implementation of Legal Sector Master Plan (SPLSMP)

Reporting to: Assistant Resident Representative and Head of Governance Unit at UNDP Lao PDR

Duty Station: Vientiane, Lao PDR

Duration: 20 Working Days from November 15 2015 to March 31 2016
(output based consultancy)

Contract Type: Individual Contract (IC)

Background Information:

In September 2009, the Legal Sector Master Plan was officially adopted by the Government of Lao PDR. The Master Plan lays out a framework for the country’s first broad-ranging legal reform in order to achieve its ultimate goal of establishing a rule of law state by 2020. It is a comprehensive and candid statement of the current needs of the legal system as well as a series of guiding principles for developing a rule of law state and action plan to achieve this goal. The Plan represents an effort at coordinated legal system development consistent with the guidance of the political report of the 9th Party Congress.

In order to support the implementation of the Master Plan, UNDP, together with other donors, launched a new project ("Support Project for Implementation of the Legal Sector Master Plan") in January 2014. As the first attempt towards a programme-based approach in the legal sector of Lao PDR, the SPLSMP is expected to deliver the following 6 key outputs:

1. Enhanced capacity, procedures, and standards for legislative development and implementation in Lao PDR
2. Improved capacity, structure, and arrangements further improved at legal and judicial institutions for more effective and responsive judicial process
3. More systematic development of legal and judicial professionals enabled through the establishment of a unified judicial training institute
4. Increased public understanding of legal rights and information, and increased participation in the legal system towards full realisation of their rights
(5) Lao PDR’s further integration into regional and international communities enabled through adoption, implementation, enforcement, monitoring, and reporting of international legal instruments
(6) Enhanced capacity of the Secretariat for more effective coordination in the legal sector and implementation of the LSMP

As the Project duration goes from January 2014 to December 2016, this consultancy serves as a mid-term evaluation to assess the Project in such areas as efficiency, effectiveness, and relevance at the output level.

Objective

The objectives are (1) to assess the Project’s relevance, effectiveness and efficiency and how much progress has been made in achieving the abovementioned outputs during the first 18 months of the project implementation and also (2) to provide evidence-based and forward looking recommendations that are useful for UNDP and stakeholders in adjusting the second half of the Project and for conceptualizing a direction and key elements of the next phase.

Use and Management Response

UNDP evaluation policy, approved by its Executive Board in 2009, requires all independent evaluations to have a management response. According to the policy, UNDP management, in close consultation with Ministry of Justice, SPLSMP, and other stakeholders, will prepare a management response to the recommendations and follow up action points.¹ This plan will note the responsible parties for each follow-up activity, as well as the timeframe by quarter, to allow for clear tracking of progress on the corporate public website, Evaluation Resource Center (erc.undp.org).

Evaluation Ethics

The evaluation must be undertaken in accordance with the UNEG Ethical Guidelines for Evaluation, which are available here: http://www.unevaluation.org/document/download/548

Scope of Work

UNDP Lao PDR invites applications from qualified consultants in order to perform the mid-term evaluation of the SPLSMP. This evaluation should assess relevance, effectiveness and efficiency of the project. It should assess what works and does not work and why, highlight intended and unintended progress and/or results, and provide strategic lessons to guide decision-makers and inform stakeholders.

The consultant is expected to hold meetings and discussions with government ministries and agencies’ concerned departments and committees as well as other relevant stakeholders in the execution of the mission.

¹ The template for a management response can be seen on page 16 of UNDP’s Evaluation Policy, available here: http://www.uneval.org/document/detail/958
In relation to the above-mentioned aspect, the Evaluator will review, analyze and provide conclusions and recommendations on the following evaluation criteria:

- **Effectiveness** (e.g. the degree to which the project activities listed in the Project Document and capturing government priorities have been successfully implemented and desired outputs are being achieved);
- **Efficiency** (e.g. the approach to project management, including the role of stakeholders and coordination with other development projects in the same area);
- **Relevance** of the Project activities, results and design in view of (1) justice sector development in Lao PDR, and (2) enabling environment for citizens and civil society organizations' participation/engagement in decision-making process;
- **Data collection and methods** should include evaluating the stakeholders' satisfaction level with the Project's results/progress thus far.
- **Identifying and evaluating recommendations** and lessons learned from the first 18 months implementation for corrective action to further enhance results supported from this project.
- **Evaluating changes** made to the project to meet the priorities of the justice sector vis-à-vis the original planned activities.
- **Identifying and evaluating the level of national ownership** catalyzed by the project.
- **Evaluating partnership and coordination** built by project interventions.
- **Evaluating the sustainability** basis built into ongoing and planned project interventions and make recommendations if course alteration is needed.
- **Evaluating M&E and risk management framework**.
- **Providing specific recommendations** for further improvement in addressing cross-cutting elements such as gender and human rights dimensions within the project intervention.

**Team Composition**

This evaluation will be conducted by an international evaluator who will report to the UNDP Assistant Resident Representative under the overall guidance of UNDP Deputy Resident Representative and UNDP Resident Representative. With the support from the Implementing Partner (Ministry of Justice), SPSLPSM team, UNDP, and other stakeholders, the international evaluator will be responsible for developing a methodology for the assignment that reflects best practices and encourages the use of participatory and consultative approach as well as delivering the required outputs to meet the objective of the assignment and will work under the overall guidance and supervision of the SPSLPSM National Project Director and under the direct supervision of the Head of Governance Unit at UNDP Lao PDR.

**Evaluation Questions**

Although these are to be finalized by the international consultant after the scoping phase, the evaluation should address the following questions among others:
Overall Results and Achievements:

- What has been the progress made towards 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 to take corrective actions for the second half of the implementation of the SPLSMP?

- What are the gaps that haven't been filled by this phase of the SPLSMP? What are general indications for the direction that should be considered in moving forward for this Project given the achievement or non-achievement of the intended outputs?

Relevance:

- As the first comprehensive support for implementation of the Legal Sector Master Plan since its adoption in 2009, to what extent was this support to the legal sector of Lao PDR thus far based on clearly identifiable development needs as outlined in the government's strategies including the Legal Sector Master Plan and National Socio-Economic Development Plan, international obligations and others?

- During the evaluation period, what economic, social or political changes have taken place that affected this Project?

- What opportunities are there to better align the support to the changed context and the needs of the beneficiaries?

- How does the SPLSMP's work link to other development initiatives, implemented by the UN, other Development Partners, Civil Society Organizations, or government agencies?

Effectiveness:

- What factors have contributed to achieving or not achieving intended outputs? Any corrective action required for the second half of the project implementation?

- How far has the Legal Sector Master Plan Secretariat mechanism, its objective, set-up and rules and procedures been effective in fulfilling the intended objectives and needs of the users? How has its effectiveness compared with that of other funding modalities?

Efficiency:

- How cost-effective and time-efficient has the implementation by this Project of its activities and outputs been during the evaluation period? What measures were taken to ensure competitiveness?

- How efficient did the project support prove to be in the period?
• To what extent are the planned funding and timeframe sufficient to achieve the intended outputs?
• How efficient has the coordination mechanism become in the legal sector (role and function of the LSMP Secretariat)?

Partnership and Coordination:
• How well does the Project coordinate and harmonize its work with other actors in the sector?
• How well does the LSMP Secretariat coordinate with all key stakeholders under the Governance Sector Working Group and Legal and Institutional Oversight Sub-Sector Working Group?
• How appropriate and effective has the UNDP partnership strategy been? What factors contributed to this effectiveness or ineffectiveness?
• How is policy dialogue being used to effectively influence government and development partners and support the outputs?
• How could the approach to policy dialogue be strengthened and made more impactful?

Sustainability
• To what extent has the Implementing Partner increased its ownership during the period in question? What impact has this had on external support?
• Has there been any mechanism built in the project to enable sustainability for its interventions?

Monitoring & Evaluation and Risk Management:
• To what extent is the Monitoring and Evaluation system generating credible information that can be used for program improvement, learning and accountability?
• To what extent did the results framework allow for relevant monitoring of progress and impact of interventions? How could this be improved, with particular reference to the findings regarding relevance?
• How accurate was the risk assessment undertaken? How effectively were the risks managed?

Methodology

The final design of the evaluation methodology will result from consultations among the evaluation team, UNDP, and key stakeholders. The methodology may include but is not limited to:

Desk Review
• Desk Review of project documentation, monitoring records and progress and other relevant reports

Data Collection
• Discussions (focus group discussions and/or individual interviews) with key staff involved, development partners, and project beneficiaries to assess project's relevance and effectiveness of project implementation take note of their perceptions of accomplishments and potentials for further development and provide suggestions for management response to evaluation findings. Objectively verifiable data should be collected whenever available, to supplement evidences obtained through interviews and focus group discussions;
• Schedule of interviews will be coordinated with UNDP and SPLSMP project team;

Field Visits
• Field visits to selected areas will be planned to organize focus group discussions and/or interviews with relevant stakeholders

Data Analysis
• Application of triangulation of both quantitative and qualitative methods of analysis to the results of the above data-gathering exercises for data consistency and accuracy
• Presentation of initial analysis to stakeholders as a means of refinement and quality review

The evaluation should be undertaken with the guidance of the 2009 UNDP Handbook on Planning, Monitoring and Evaluating for Development Results, available here:


Duties and Responsibilities
• Lead the evaluation mission in planning, execution and reporting
• Provide a global perspective and insights about the legal sector reform;
• Document, review and frame approach and questions for the evaluation;
• Ensure use of best practice methodologies in conducting the mission;
• Hold consultations and interviews with relevant stakeholders and strategic partners
• Data collection and data analysis;
• Identify possible capacity development/enhancement issues;
• Identify and analyze the SPLSMP results, achievements and constraints;
• Facilitate an internal workshop or focus group discussion about the lessons learned and on the future concept development
• Lead the national debriefing for programme stakeholders in Lao PDR;
• Lead the drafting and finalization/quality control of the evaluation report

Desk Review
A following set of information sources about the project will be made available to the Evaluators:

- Project document;
- Progress reports;
- Annual Review Meeting minute;
- Key materials produced by the project

Expected Deliverables

It is expected that the evaluation deliverables will be completed within 20 working days between November 2015 and March 2016.

1. Desk Review and Inception Report (Day 3)

   It should contain the description of the assessment methodology, data analysis methods, key informants, issues to be evaluated, and work plan. The inception report shall outline the proposed division of labor between the international and national evaluators, ensuring that it reflects the scope of each TOR. Note that the methodological approach will be devised by the international consultant as a stand-alone document which will set out the approach and design for the evaluation in line with the UNEG/G (2010)12.

2. Draft Evaluation Report (Day 15)

   After compiling all relevant data, a draft evaluation report shall be produced, capturing preliminary findings and recommendations. In addition to the meetings and consultations held with all stakeholders, the international consultant is expected to analyze all relevant information sources including the annual progress report, project document, and key materials produced by the project amongst others.

   Please note that the Implementing Partner (Ministry of Justice), SPLSMP team, UNDP, and other relevant stakeholders reserve the right to provide comments on the draft report prior to approval.

3. Debriefing Workshop/Presentation Material (Day 16)

   At the end of the in-country mission, it is expected that the international consultant organizes a debriefing workshop to present preliminary finding and recommendations.

4. Final Evaluation Report (Day 20)

   Upon receiving comments from all stakeholders, the international consultant will finalize the deliverables with inputs from the national consultant.

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12United Nations Evaluation Group Quality Checklist for Evaluation Terms of Reference & Inception Reports
Please note that the Implementing Partner (Ministry of Justice), SPLSMP team, UNDP, and other relevant stakeholders reserve the right to provide comments on the draft report prior to approval.

### Indicative Timeline

<table>
<thead>
<tr>
<th>Expected Deliverables</th>
<th>Responsible Party</th>
<th>Estimated Time Frame</th>
<th>Place</th>
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<tbody>
<tr>
<td>Inception report including work plan and evaluation matrix</td>
<td>International Consultant</td>
<td>Day 3: December 10 (3 days)</td>
<td>Home based</td>
</tr>
<tr>
<td>In-Country Mission: Vientiane Lao PDR</td>
<td>International Consultant</td>
<td>January 5, 2016 – January 16, 2016 (10 days)</td>
<td>Lao PDR</td>
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<tr>
<td>Facilitate an internal workshop or focus group discussion about the lessons learned &amp; future direction.</td>
<td>International Consultant</td>
<td>Day 13: January 16 (1 day)</td>
<td>Lao PDR</td>
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<tr>
<td>Lead the national debriefing for programme stakeholders / presentation of the initial findings to gather feedback from stakeholders</td>
<td>International Consultant</td>
<td>Day 15: January 19-20, 2016 (2 days)</td>
<td>Lao PDR</td>
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<tr>
<td>Draft Evaluation Report</td>
<td>International Consultant</td>
<td>Day 15: January 19-20, 2016 (2 days)</td>
<td>Lao PDR</td>
</tr>
<tr>
<td>Final Evaluation Report, including the executive summary</td>
<td>International Consultant</td>
<td>Day 20: February 1 - 5 (5 days)</td>
<td>Home based</td>
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### Evaluation Report Criteria

The criteria of utility, credibility, and relevance/appropriateness will be used for assessing the quality of the evaluation report:

- The report has to be written in clear and proficient language (English);
- The Executive Summary should be an extremely short chapter, highlighting the evaluation mandate, approach, key findings, conclusions and recommendations;
- The information in the report has to be complete, well-structured and well presented;
- The information in the report has to be reliable i.e. well documented and supported findings;
- The information in the report has to addresses priority or strategic information needs;
- Recommendations have to be concrete, realistic and implementable; and
• Gender equality and ethnicity diversity perspective should be taken into account.

In developing its Evaluation Report, the Evaluator must attempt as far as possible to incorporate all inputs received during the stakeholder engagement process. It must highlight areas that require attention and make concrete recommendations on the steps that are required to address the issues. The evaluation has to be conducted in accordance with the principles outlined in the Ethical Guidelines for Evaluation.

Skills and Competencies

• Excellent analytical skills;
• Demonstrated strong knowledge about judicial development;
• Displays ability to synthesize research and reach empirically based conclusions on related subject;
• Strong writing skills;
• Proven capacity to produce reports;
• Displays capacity to provide experienced advice on best practices;
• Possesses knowledge of inter-disciplinary development issues;
• Focuses on result for the client and responds positively to feedback;
• Good application of Results-Based Management;
• Good communication, coordination and facilitation skills;
• Consistently ensures timeliness and quality of work;
• Treats all people fairly without favoritism;
• Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability;
• Demonstrates integrity by modeling ethical standards;
• Ability to deliver when working under pressure and within changing circumstances;
• Consistently approaches work with energy and a positive, constructive attitude; and
• Excellent interpersonal skills.

Qualifications and Experience

The below stated criteria shall apply to an International Evaluator.

Education:

• Masters or equivalent in relevant field of political science, law or another relevant field.

Work Experience:

• At least 7 years of professional experience in evaluating and monitoring technical cooperation and development activities and projects, especially in South East Asia
• Relevant professional experience at the national or international level in providing consultancy work related to judicial development preferred;
Knowledge:

- Strong knowledge of justice sector / development would be an asset;
- Familiarity with the UN(DP) evaluation policy, norms and standards; and
- Knowledge in the use of computers and office software packages and handling of web based monitoring systems.

Language:

- Excellent knowledge of written and spoken English. Knowledge of Lao PDR would be an asset.

Application Procedure:

The following are steps for on-line application:

Submit the application in one document (as listed below) via UNDP web site www.lao.undp.org under the heading "Work with us/Vacancies":

The application should contain:

1. Technical Proposal:

   (i) Cover Letter – Explaining why they are the most suitable for the work; and
   (ii) Provide a brief methodology on the approach to the work and how it will be conducted (maximum 1000 words).

2. Financial proposal;

3. Personal CV in the form of P11 that includes past experience in similar projects and e-mail contacts of three referees (section 26 & 29 in P11).

The above information should be included in the following documents:

- Offeror’s Letter to UNDP confirming Interest and availability for the Individual Contractor (IC) Assignment. Document can be downloaded from the following: http://www.lao.undp.org/download/ic/Confirmation.docx (only PDF will be accepted); and
- Updated and signed P11, in PDF format, containing e-mail contacts of three referees (section 26 & 29). P11 can be downloaded from the following: http://www.lao.undp.org/download/ic/P11.doc.

Additional Information:

- Individual Contract (IC) will be applicable for individual consultants applying in their own capacity. If the applicant is employed by any legal entity, IC would be issued upon submission of Consent letter from the employer acknowledging the
engagement with UNDP. Template of General Conditions on IC could be found on:

http://www.undp.org.lao/download/General%20Conditions%20IC.docx;

- Reimbursable Loan Agreement (RLA) will be applicable for applicants employed by any legal entity;
- In the case of engagement of Civil servants under IC contract modality a no-objection letter should be provided by the Government entity. The ‘no-objection’ letter must also state that the employer formally certifies that their employees are allowed to receive short-term consultancy assignment from another entity without being on “leave-without-pay” status (if applicable), and include any conditions and restrictions on granting such permission, if any. If the previous is not applicable ‘leave-without-pay’ confirmation should be submitted.

This TOR was approved by:

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