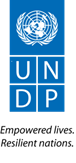
**ANNEX 1**



**TERMS OF REFERENCE**

For Joint Mid-term Evaluation of the UNDAF **Outcome 4.1**

***National institutions foster democratic governance and human rights to promote transparency, accountability, participation and access to justice for all especially women and children by 2016***

1. **BACKGROUND AND CONTEXT**

The Malawi United Nations Development Assistance Framework (UNDAF) 2012-2014 has 14 priority development outcomes. As a Delivery As One volunteering country, the United Nations Country Team (UNCT) agreed that individual UN agencies would adopt appropriate UNDAF outcomes in their CP documents instead of developing agency specific outcome statements for their respective Country Programme Documents (CPDs).

Outcome 4.1, namely: ***National institutions foster democratic governance and human rights to promote transparency, accountability, participation and access to justice for all especially women and children by 2016*** is one of the six outcomes of the UNDAF to which UNDP is directly contributing financially and technically.The areas of intervention under the outcome are contributing to MGDS II, Theme 5: Improved Governance - Sub-theme 3: Democratic Governance which focuses on justice and rule of law, human rights, elections and peace and security.

Outcome 4.1 has three outputs as follows:

**Output 4.1.1:** Democratic Governance sector strategy operationalized

**Output 4.1.2:** Capacity of national institutions strengthened for collaborative dialogue to support the establishment and operationalization of the national peace architecture

**Output 4.1.3:** Local governance structures strengthened in participatory planning, budgeting and managing integrated rural development

The outputs are being achieved by activities in annual work plans (AWPs) at the UNDAF and agency level. Annex 1 presents the relevant operational documents contributing to the outcome.

The current list of outputs is an outcome of a rationalization exercise which was conducted by the United Nations Country Team (UNCT) in 2013. This resulted in the reduction of the number of outputs from five to three. This also led to the introduction of an output on peace and development.

The interventions under this outcome are being implemented with assistance from the following UN agencies: *UNDP, UNICEF, UNCDF, UNFPA, ILO, UNOHCHR.*  UNDP is the lead UN Agency for the Outcome. It has been strongly recommended that the outcome be jointly evaluated by the participating UN agencies. Annex 3 provides a full list of key stakeholders and partners for the outcome.

1. **PURPOSE, OBJECTIVES AND SCOPE OF THE EVALUATION**

**The purpose of the evaluation is to**:

* Assess the contribution made by the UNCT, collectively, and participating UN agencies, individually, to promote good democratic governance as envisaged under outcome 4.1 of the UNDAF including cross-cutting issues of human rights and gender equality;
* Support learning across the UN to improve programme effectiveness.

**The objectives of the evaluation are**:

1. Determine the extent to which the outcome and related outputs have been achieved or are being achieved and the likelihood of being achieved by the end of 2016 in general and the extent of participating UN agencies’ contributions.
2. Determine the impact, both positive and negative, from achievement of the outcome and its related outputs;
3. Assess the relevance of the outputs to the effective achievement of the outcome;
4. Assess the adequacy or inadequacy of UNCT and UN agency partnership strategy(ies) for the achievement of the outcome;
5. Examine and analyse factors that facilitate and/or hinder the progress in achieving the outcome by the UNCT collectively and the participating UN agencies, individually, both in terms of the external environment and those internal to the portfolio interventions including: weakness in design, management, human resource skills and resources;
6. Explore strategic values and comparative advantage of each of the participating UN agency in contributing to the outcome;
7. Assess how the participating UN agencies worked together jointly in the planning, implementation and reporting of the outcome;
8. Document lessons learnt from the implementation of the interventions.
9. Make recommendations for the UNCT and specifically for each participating UN agency in strategic areas for improving the achievement and sustainability of the outcome; partnership arrangements, mainstreaming of cross-cutting issues and resource mobilization strategies.

**Evaluation scope:**

The evaluation will cover the period from January 2012 to 31 December, 2014. Geographically, the evaluation is national in nature although there are also district interventions. It will include a review of the UNDAF annual work plans and annual reports, agency level project documents and work plans and related progress reports. Annex 4 provides a list of further documents to be consulted by the evaluators.

1. **EVALUATION QUESTIONS AND CRITERIA**:

In order to fulfil the purpose and specific objectives stated above, the evaluation shall address the following five specific questions:

1. Whether the Results and Resources Framework (RRF) including the Outcome and Output indicators were properly designed.
2. Whether the level of financial resources made available by different UN Agencies was sufficient for successful implementation of the outcome vis-a-vis the planned resource envelope.
3. What progress has been made so far towards the outcome and whether the outcome will be met by December, 2016;
4. To what extent has each participating UN agency, separately, contributed to the achievement of the outcome?
5. What are the main factors (positive and negative) that are affecting the achievement of the outcomes? How have these factors limited or facilitated progress towards the outcome?

**Evaluation Criteria:** The evaluation of performance of the UNCT and the participating UN Agencies individually in the outcome and outputs will be made using the standard criteria: relevance; effectiveness; efficiency; impact and sustainability. Below are detailed questions related to each criterion to be addressed by the evaluator.

*Relevance:*

* To what extent is the UNCT’s collectively and each UN agency’ engaging in promoting democratic governance together with reflection of strategic considerations, including UNCT’s role in the development context of Malawi and its comparative advantage vis-a-vis other partners?
* To what extent has the UNCT’s collectively, and each participating UN agencies selected method of delivery been appropriated to the development context?
* Has the UNCT been influential in national debates in promoting democratic governance issues, and has it influenced national policies on legal reforms and human rights protection?

*Effectiveness*

* What evidence is there that the UNCT collectively and as individual UN agency contributed towards improved national government capacities, including institutional strengthening?
* Has the support at the national level been effective in helping improve democratic governance at all levels in Malawi?
* Has the UNCT and individual UN agencies worked effectively with other international and national development partners to improve democratic governance in Malawi?
* How effective has the UNCT collectively and individual participating UN agencies been in partnering with civil society and the private sector to promote democratic governance in Malawi?
* Has the UNCT collectively, and participating individual UN agencies utilised innovative techniques and best practices in its programming?
* Did the UN coordination reduce transaction costs and increase the efficiency of implementation of the programmes relating to the outcome? To what extent did the programme create actual synergies among agencies and involve concerted efforts to optimise results and avoid duplication?
* Is the UNCT collectively, and other participating UN agencies perceived by stakeholders as a strong advocates for improving democratic governance in Malawi?
* What contributing factors and impediments or enhance UNCT’s collective, and individual participating UN agencies’ performance in this area?

*Efficiency*

* Have participating UN agency strategies and execution of the outcome been efficient and cost effective?
* Has there been an economical use of financial and human resources?
* Are the monitoring and evaluation systems that UNCT collectively and individual participating UN agencies have in place helping to ensure that programmes are managed efficiently and effectively?

*Sustainability*

* What is the likelihood that the interventions are sustainable?
* What mechanisms have been set in place by UNCT and participating UN agencies of Malawi to sustain improvements made through these interventions?
* How should this portfolio be enhanced to support central authorities, local communities and civil society in improving service delivery over the long term?
* What changes should be made in the current set of partnerships and strategies in order to promote long-term sustainability?
* What could be done to strengthen sustainability of outcomes?
* Is the UNCT and individuals agency resource mobilization strategy in the area of democratic governance appropriate and likely to be effective in achieving this outcome?
* Are UNCT’s management structures and working methods appropriate and likely to be effective in achieving this outcome?

The evaluation should also include an assessment of the extent to which programme design, implementation and monitoring have taken the cross cutting issues into consideration: including gender equality and human rights.

Based on the above analysis, the evaluators are expected to provide overarching conclusions on the UNCT and individual participating UN agency results in this area of support, as well as recommend on how adjustments in the areas of: programming, partnership arrangements, resource mobilization strategies, and capacities would ensure that the portfolio fully achieves current planned outcomes and is positioned for sustainable results in the future. The evaluation analysis is additionally expected to offer wider lessons for the UNCT collectively, and individual participating UN agencies as well as the broader supportive development mechanisms to the country.

The evaluators will be expected to develop and present detailed statement of evaluations methods/approaches in an inception report to show how each objective, evaluation question and criterion will be answered.

1. **METHODOLOGY**

The evaluation team should provide details in respect of:

1. **Review of project documentation**. Review of key project documents such as approved program documents, recent studies, evaluations and reviews, project monitoring documents, disbursement reports, progress reports and other information available implementing agencies or participating UN agency offices.
2. **Construct a theory, identify detail evaluation questions, methods (mixed methods) and instruments**, stakeholder mapping, etc.
3. **Data collection**: (i) visits to selected stakeholders to carry out in depth interviews, inspection, and analysis of the project activities; (ii) phone interviews and performance data surveys of institutions not visited in person; (iii) interviews with the implementing agencies and participating UN agencies. For each of these interviews, the consultant should first develop and present their ideas for the content and format of the interview forms that will be applied to capture the information required, as well as the method to be used in administering them and tabulating the results.
4. **Analysis:** Data triangulation and analysis triangulation to validate evidence and arrive at findings.

The evaluators will be expected to develop and present detailed statement of evaluations methods/approaches in an inception report to show how each objective, evaluation question and criterion will be answered.

1. **IMPLEMENTATION ARRANGEMENTS**
2. An Evaluation Management Task Force will be established to manage the evaluation process. Each participating UN Agency will appoint an evaluation focal point who will be members of the task force. The full membership of the task force will include government counterparts to UNDAF outcome 4.1 and selected UN officers from the UNDAF outcome 4.1 group. The task force will assist in key aspects of the evaluation process including reviewing evaluation Terms of Reference, selecting evaluators, providing documents, providing detailed comments on the inception and draft evaluation reports and dissemination of evaluation findings, lessons learnt and recommendations.
3. The evaluation coordinating agency, UNDP in consultation with the RCO will provide the necessary guidance on the process and in reviewing reports.
4. A UNDP focal point will be identified to support the Evaluation Team on daily basis with respect to providing background information and progress reports and other documentation on Outcome 4.1, setting up stakeholder meetings and interviews, arrange field visits and coordinating with Government, other IPs and DPs. The focal point will also lead the Evaluation Management Task Force.
5. The Evaluation team leader will have the overall responsibility for the conduct of the evaluation exercise as well as quality and timely submission of the final evaluation report to UNDP.
6. The Evaluation Team will be expected to be fully self-sufficient in terms of office equipment and supplies, communication, accommodation and transport. Furthermore the evaluators will be expected to familiarise themselves with the United Nations Evaluation Group’s standards and norms for conducting project evaluations.
7. The Evaluation Team will provide the UNDP Outcome 4.1 focal point with regular reports and feedback on the progress of the evaluation process.
8. The UNDAF Cluster 4 Lead, i.e. the UNDP Deputy Resident Representative (Programme) will provide the overall oversight to the Outcome evaluation and ensure timely delivery and satisfactory final product.
9. **DELIVERABLES**

* **Inception report** – within 5 days of the start of the assignment with UNDP. The report will include a detailed approach and methodology, schedule, a draft data collection protocols and an evaluation matrix. Annex 5 gives a template of the evaluation matrix. The work plan should also include an outline of the evaluation report as set out in Annex 2 of this TOR.
* **Key emerging issues paper** – a presentation of preliminary findings to key stakeholders orally and in writing will be made after the data collection exercise with 4 weeks after presentation of the inception report. The purpose of this session is to provide opportunity for initial validation and elaboration of the evaluator’s observations and analysis.
* **Draft evaluation report** – The Evaluator will present a Draft Report within 5 weeks after presentation of the inception report.
* **Final Evaluation Report**. The evaluators will present a Final Report 5 days after receiving feedback and comments from UNDP.

1. **COMPOSITION OF THE EVALUATION TEAM**

**Team Leader will work with a national consultant employed by UNDP Malawi**

The evaluation team will consist of the following members:

* **Team Leader** (International consultant) who will be responsible for the overall outcome evaluation implementation and quality of the report. He/she will solicit the input of a team member, an output evaluator.
* **Evaluation Team Member** will report to the Team Leader, providing assessment of progress towards achievement of two outputs of the UNDAF Outcome 4.1 and who will be responsible for drafting relevant parts of the report. Her/his technical expertise will cover at least two of the following areas:1) public sector management; 2) democratic governance; 3) national elections management; 4) social cohesion and 5) human rights promotion and protection.
  1. **Qualifications**

The Evaluation Team Leader must satisfy the following qualifications:

* Minimum of Master’s degree in in economics, political science, public administration, regional development/planning, or other social science;
* Minimum of 7 years of professional experience in the area public sector management or democratic governance or human rights promotion including gender;
* Proven experience in leading consultancy teams:
  + Track record of conducting evaluation of governments and international aid agencies in any of the following areas in the past 5 years: 1) public sector management; 2) democratic governance; 3) national elections management; 4) social cohesion; and 5) human rights promotion and protection.
* Experience in conducting evaluations of UN agency project, outcome and Country Programme or UNDAF evaluations will be an added advantage;
* Excellent communication skills for report writing and presentation of research and evaluation projects backed by extensive technical reports and publications.
* Availability between 20 October and 20 December, 2015.

**Team leader competencies:**

* Institutional Strengthening
* Democratic governance
* Strategic thinking
* Strong analytical, reporting and communication skills
* Team work skills and experience in leading teams
* Result oriented

1. **TIME AND DURATION:**

The evaluation team will be hired for a combined total of 35 man/days.

Contract Start Date: 21 October, 2015. Contract End Date: 20 December 2015.

1. **TIME TABLE**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Activity** | **Weeks** | | | | | | |  |  |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| Contract and Entry meeting | x |  |  |  |  |  |  |  |  |
| Inception report, draft revised |  | x |  |  |  |  |  |  |  |
| Data collection and analysis |  | x | x | x |  |  |  |  |  |
| Synthesis and development of report of main findings and recommendations (Including inputs from output assessor) |  |  |  |  | x |  |  |  |  |
| Summary of main findings and interpretation and conclusions (including inputs from output assessors) |  |  |  |  |  | x |  |  |  |
| Drafting and submission of Evaluation Report |  |  |  |  |  |  | x |  |  |
| Receipt of comments from stakeholders and reference group members |  |  |  |  |  |  |  | x |  |
| Revision and submission of Final Report |  |  |  |  |  |  |  | X | X |

**EVALUATION ETHICS**

Responsibility of the CO to ensure credibility and independence of evaluation; responsibility of TL to provide impartial, evidence-based, report adhering to international evaluation standards, etc.

**ANNEX 1: UNDAF OUTCOME 4.1 operational documents**

**.**

* 1. Democracy Consolidation Programme Phase IV
  2. Strengthening Political Parties
  3. Social Cohesion – AWPs
  4. Malawi Electoral Cycle Support
  5. Malawi Human Rights Support
  6. Democratic Governance SWAP
  7. Integrated Rural Development

To add documents from other UN agencies where available

**ANNEX 2: OUTCOME EVALUATION REPORT OUTLINE**

1. Executive summary
2. Introduction
3. Evaluation purpose and objectives
4. Evaluation Methodology
5. Background
6. UNDAF/Country Programme Outcomes
7. Major findings
8. Lessons learnt (from both positive and negative experiences)
9. Constraints that impacted country programme delivery
10. Recommendations and conclusions
11. Annexes: Summary of Output-level assessments :

* **Output 4.1.1:** Democratic Governance sector strategy operationalized
* **Output 4.1.2:** Capacity of national institutions strengthened for collaborative dialogue to support the establishment and operationalization of the national peace architecture
* **Output 4.1.3:** Local governance structures strengthened in participatory planning, budgeting and managing integrated rural development

**ANNEX 3: KEY STAKEHOLDERS AND PARTNERS**

3.1 UN Agencies providing financial and /or technical contributions towards achievement of UNDAF Outcome 4.1: *UNDP, UNICEF, UNCDF, UNFPA, ILO, UNOHCHR*

3.2 Development partners: EU, DfID, Irish Aid, RNE, GIZ, JICA

3.3 Implementing Partners and Responsible Parties: Ministry of Justice and Constitutional Affairs, Malawi Human Rights Commission (MHRC), OPC, Ministry of Local Government and Rural Development and Centre for Multi-Party Democracy.

3.4 Other key stakeholders: Malawi Electoral Commission, Public Affairs Committee, NSO, District Councils, Parliament, Office of the Ombudsman, Malawi Police Service, Ministry of Gender and Social Services.

**ANNEX 4: DOCUMENTS TO BE CONSULTED**

* 1. Malawi Growth and Development Strategy (MGDS) II
  2. MGDS Annual Review Reports
  3. 2012-2016 UNDAF
  4. 2012-2016 UNDAF Action Plan
  5. 2012-2013 UNDAF Expanded Review Report
  6. 2014 UNDAF Progress Report
  7. Project Support Documents:
  8. Annual Project Progress Reports for above projects

**[To include document lists from participating UN agencies].**

**ANNEX 5: EVALUATION MATRIX TEMPLATE**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Relevant evaluation criteria | Key Questions | Specific Sub-questions | Data sources | Data collection Methods/Tools | Indicators/Success Standard | Methods for data analysis |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |