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TERMS OF REFERENCE
MID-TERM EVALUATION OF THE STRENGTHENING ACCESS TO JUSTICE AND HUMAN RIGHTS
PROTECTION IN TANZANIA

UNDP TANZANIA

Consultancy Information	
POSITION	NATIONAL EXPERT
PROJECT TITLE:	STRENGTHENING ACCESS TO JUSTICE AND HUMAN RIGHTS PROTECTION IN TANZANIA
PROJECT AWARD	00095421
PROJECT ID	00099427
IMPLEMENTATION PARTNER	MINISTRY OF CONSTITUTION AND LEGAL AFFAIRS (MoCLA)
TYPE OF CONTRACT:	INDIVIDUAL CONTRACT
LOCATION	MAINLAND (DAR ES SALAAM AND DODOMA)
1. Project Description/Background	

Project Description/Background

The Strengthening Access to Justice and Human Rights Protection in Tanzania Project (Access to Justice Project). is designed to address the current problems that people in Tanzania, particularly women and other vulnerable groups, are confronted with in accessing responsive and accountable justice & human rights protection mechanisms to claim their legal and human rights, as well as resolve their grievance. The project, which is funded by the United Nations Development Programme (UNDP), is designed in line with the country's development priorities as outlined in Vision 2025 (mainland Tanzania), the first 2011-2015 and the second 2016-2021 National Five Year Development Plan for Tanzania (FYDP), and in the 'MKUKUTA', the National Strategy for Growth and Reduction of Poverty.

Overall, the project is designed to pursue strategic initiatives to strengthen the ability of selected justice and human rights institutions to provide effective and accountable public service delivery in the justice & human rights sector, as well as to improve access of communities, particularly women and other vulnerable groups, to available justice and human rights protection mechanisms. At outcome level, the project is expected to contribute to the achievement of the following: People, particularly women and other vulnerable groups, have improved access to responsive and accountable justice and human rights protection mechanisms. It is designed around achieving the following three outputs:

- Justice sector coordination and data management enhanced for a more inclusive, accountable and evidence-based policy and law-making processes;
- Women and other vulnerable groups enjoy enhanced access to justice and are empowered to demand respect for their rights;
- Strengthened role of national authorities and civil society in the promotion and protection of human rights and women access to justice.

The main institutions involved in the implementation of the project during this reporting period include the Ministry of Constitutional and Legal Affairs (MoCLA), the Commission for Human Rights and Good Governance (CHRAGG), and the National Prosecution Service (NPS).

Purpose of the Assignment

This mid-term evaluation will be conducted in fulfilment of UNDP regulations and rules guiding project evaluations. The evaluation shall inquire into the relevance, efficiency, effectiveness, impact, and sustainability of the project and further generate lessons learned and best practices derived from the implementation. The evaluation shall be carried out in accordance with UNDP programme evaluation principles, norms, and standards. The Consultants shall carry out the assignment under the supervision of the Technical Specialist-Access to Justice - UNDP in Dar es Salaam. The evaluation shall serve as an important accountability function, providing national stakeholders and partners in Tanzania with an impartial assessment of the results including gender equality results of this project.

Scope and Objectives of Evaluation

Consistent with UNDP development framework, this mid-term evaluation shall be guided by the principles of gender equality and women empowerment, leaving no one behind, the rights-based approach and human development as appropriate. This evaluation shall assess the extent to which the Access to Justice Project has contributed to issues of social and gender inclusion, equality and empowerment in pursuit of the overall objective of enhancing access to justice for the people of Tanzania.

This mid-term evaluation will cover the period 2017 – 2019 and will be conducted from May 1st to June 30th, 2020, highlighting the key lessons learned in providing informed guidance and technical assistance to the Government of Tanzania. The overall objective of the mid-term evaluation is to review progress towards the project's objectives and outcomes; assess the efficiency and cost-effectiveness of how the project has moved towards its objectives and outcomes; identify strengths and weaknesses in project design and implementation, and; provide recommendations on overall design and orientation of the project, modifications and specific actions that might be taken into consideration in the remaining period of the project and well as informing the designing of future projects of a similar nature.

Specifically, the mid-term evaluation will:

- Assess the extent to which the project is making progress towards the achievement of its overall objectives;
- Assess the degree to which the development objectives and outputs of the Access to Justice Project are being achieved;
- Review the implementation of the project monitoring and evaluation framework, systems, and processes;
- Describe and assess efforts of stakeholders in support of the implementation of the project;
- Describe the management processes – how are project activities changing in response to new conditions encountered during implementation, and were the changes appropriate?
- Review the clarity of roles and responsibilities of the various institutional arrangements for overall project management and implementation and the level of coordination among relevant players;
- Examine and evaluate the extent to which the impact of the project has reached the intended beneficiaries.
- Assess the likelihood of continuation and sustainability of project outcomes and benefits after completion of the project - analyze how far the system of exit policy in the project ensures the viability of the project benefits;
- Review the risk assessment and management of the project;
- Describe key factors that shall require attention in order to improve prospects for sustainability of project outcomes and the potential for replication of the approach;
- Describe the main lessons that is emerging from the project regarding local ownership

Evaluation Questions

This mid-term evaluation shall seek to answer, but is not limited, to the following questions, focused around the criteria of relevance, effectiveness, efficiency and sustainability:

1. **Relevance** - the extent to which the activities designed and implemented are suited to national development priorities, the country programme's outputs and outcomes, the UNDP Strategic Plan and the SDGs?
 - Review the relevance of the project strategy and assess whether it provides the most effective route towards the intended results. Were lessons from other relevant projects properly incorporated into the projects design?
 - Review the problem addressed by the project and the underlying assumptions. Review the effect of any incorrect assumptions or changes to the context to achieving the project results as outlined in the project document.
 - Review how the project addresses the country's priorities. Review country ownership. Was the project concept in line with the national sector development priorities and plans of the country?
2. **Effectiveness** - the extent to which the programme is achieving its intended outputs and objectives
 - Review overall effectiveness of project management structure as outlined in the Project Document. Are responsibilities and reporting lines well defined? Is decision-making transparent and undertaken in a timely manner? Give recommendation for improvement.
 - Review the quality of support provided by UNDP and recommend areas for improvement.
 - Critically analyze the Multi Year Results and Resources Framework included in the project document.
 - Has the project been appropriately responsive to political, legal, economic, institutional, etc., changes in the country?
 - In which areas does the project have the greatest and least achievements? Why this and what are the supporting factors? How can the project build on or expand these achievements?
 - 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?
 - How have stakeholders been involved in project implementation? How effective has the project been in establishing national ownership?
3. **Efficiency**
 - Has UNDP's project implementation strategy and execution been efficient and cost effective?
 - 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?
 - 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 UNDP has in place helping to ensure effective and efficient project management?
4. **Sustainability**
 - Are there any social or political risks that may jeopardize sustainability of project outcomes?
 - Are the current stakeholders in support of the long-term objectives of the project?
 - Do the current legal frameworks, policies, governance structures and processes pose risks that may jeopardize the sustenance of the project benefits?
 - Are there any environmental risks that may jeopardize the sustenance of the project's outcomes?
 - 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?

5. Partnership strategy

- Has UNDP's partnership strategy been appropriate and effective?
- Has the project developed and leveraged the necessary and appropriate partnerships with direct and indirect stakeholders?
- To what extent has stakeholder involvement and public awareness contributed to the progress towards achievement of project objectives?
- Review the internal project communication with stakeholders – is it regular and effective? Are there key stakeholders left out of communication? Are there feedback mechanisms in place? Does this communication with stakeholders contribute to their awareness of project results?
- Review the external project communication – are there proper means of communicating the impact of the project to the public?

The evaluation should also include an assessment of the extent to which programme design, implementation and monitoring have taken the following cross cutting issues into consideration:

6. Human rights

To what extent have poor, indigenous and physically challenged, women and other disadvantaged and marginalized groups benefitted from UNDP Tanzania's work in enhancing access to justice and justice for women?

7. Gender Equality

- To what extent has gender been addressed in the design, implementation and monitoring of the project?
- Is the gender marker data assigned to this project representative of reality?
- To what extent has the project promoted positive changes in gender equality? Were there any unintended effects?
- To what extent have strategic gender needs of women and men been addressed through the project, and has this resulted in sustainable improvement of women's rights and gender equality?

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 Tanzania Country Office could adjust its programming, partnership arrangements, resource mobilization strategies, and capacities to ensure that the intervention fully achieves planned outputs.

Methodology and Deliverables

The mid-term evaluation will be carried out by two national evaluators and will engage a broad range of key stakeholders in accessing and analysing existing information and examining local sources of knowledge. The evaluation exercise will be wide-ranging, consultative, and participatory, entailing a combination of comprehensive desk reviews, analysis and individual and group interviews. While interviews are a key instrument, all analysis must be based on observed facts to ensure that the evaluation is sound and objective.¹

The evaluators are expected to come up with a suitable methodology for this evaluation based on the guidance given in the UNDP Handbook on Monitoring and Evaluating for Results and the UNDP Guidelines for Outcome Evaluators. The mid-term evaluation shall provide evidence-based information that is credible, reliable and useful. Evaluator shall review all relevant sources of information including documents prepared

¹ 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.

during the preparation phase and products of the project including reports, legislations, policies, action plans, strategies and guidelines. This evaluation is expected to take a “theory of change” (TOC) approach in determining the causal links between the interventions that UNDP Tanzania has supported and identify progress at mainstreaming them in national priorities. The evaluators will develop, in consultation with the programme team, a logic model of how UNDP Tanzania justice and human rights interventions are expected to lead to improved national and local strategies in mitigating and adapting to evolving governance context of Tanzania. The model will be validated by the Technical Specialist. During the project evaluation, the evaluators are expected to use both qualitative and quantitative methodologies, though, among others, the following approaches for data collection and analysis are preferred:

1. **Desk review of relevant documents:** The evaluators will collect and review all relevant documentation and activity reports; iii) past evaluation/ self-assessment reports; iv) deliverables from project activities, e.g. published reports and training materials; v) client surveys on support services provided to Implementing Partners, if any; vi) country office reports; vii) UNDP’s corporate strategies and reports; and viii) government, media, academic publications.
2. **Interviews and focus group discussions:** The evaluator will conduct face-to-face and/or telephone interviews with relevant stakeholders, including: i) UNDP staff (managers and programme/project officers); ii) Officials of MoCLA, NPS, CHRAGG and other relevant justice institutions; iii) beneficiary groups and donors in the country. Focus group discussions may be organized as appropriate.
3. **Site visits:** The evaluation team will visit selected regions, districts and communities and project sites to observe first-hand progress at implementation and in assessing the achievements of results. This shall ensure that claims of implementation are verified, and that best practices and lessons learned are tracked and documented. A case study approach will be used to identify and highlight issues that can be further investigated across the project.

Deliverables

The following reports and deliverables are required for the evaluation:

1. Inception report
2. Draft Project Mid-term Evaluation Report including report on the Lessons Learned and best practices emerging from the project.
3. Evaluation debriefing- Immediately following an evaluation, UNDP may ask for a preliminary debriefing and findings.
4. Presentation of Draft Project Mid-term Evaluation Report at the validation workshop/meeting with key stakeholders, (partners and beneficiaries)
5. Evaluation report audit trail (Comments and changes by the evaluator in response to the draft report should be retained by the evaluator to show how they have addressed comments)
6. Final Project Mid-term Evaluation report and Lessons Learned Report

Upon signing the contract, the evaluators will also sign a ‘*Code of Conduct for Evaluators in the UN System*’, which will be made available as an attachment to the evaluation report. One week after the signing of contract, the consultant will produce an inception report. The inception report should include an evaluation matrix (see annex 3) 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 MoCLA 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 MoCLA and UNDP country office will organize. Key partners and stakeholders i.e. the

Ministry of Finance and National Environmental Management Council, 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. A lessons-learned report will also be discussed during the validation workshop. Feedback received should be taken into consideration when preparing the final lessons learned report. This report should be annexed to the main evaluation report.

All deliverables will be elaborated in English and must be submitted in digital form together with all supporting documentation including tables, graphs and diagrams in its original format.

The content and structure of the final analytical report with findings, recommendations and lessons learned covering the scope of the mid-term evaluation shall meet the following requirements; of contents of the evaluation report is as follows:

- Title
- Table of contents
- Acronyms and abbreviations
- Executive Summary (1-2 pages)
- Introduction Background and context (1 page)
- Evaluation scope and objectives (1 page)
- Description of evaluation approach and methodology (6 pages)
- Data analysis including situational analysis regarding the outcome, outputs, and partnership strategy (6-7 pages)
- Analysis of opportunities to provide guidance for future programming 3-4 pages)
- Key Findings including best practices and lessons learned (4-5 pages)
- Conclusions and Recommendations (4.5 pages)
- Annexes, charts, terms of reference, field visits, people interviewed, documents reviewed

Evaluation Team Composition & required Competences

The evaluation team will be comprised of 2 national consultants who will jointly work together to complete the evaluation assignment.

Required Qualifications

- Lead consultant - Masters' degree in Law, Development Studies, Public Administration, International Affairs or in any other relevant field of study;
- Co – consultant A minimum of 10-15 years relevant professional experience;
- Knowledge of/experience with UNDP monitoring and evaluation policies and procedures;
- Previous experience working or evaluating access to justice and human rights projects in Africa, specifically Tanzania will be an added advantage;
- Proven experience working on access to justice and human rights projects (inter alia, policy analysis, dialogue, negotiation, research, monitoring and assessment) and in the implementation of access to justice and human rights policies;
- Experience in evaluation of international donor funded development projects will be an advantage
- Recent experience with result-based management evaluation methodologies;
- Demonstrated understanding of issues related to gender and access to justice and human rights; with experience in gender sensitive evaluation and analysis;

Corporate Competencies:

- Demonstrates integrity by modelling the UN's values and ethical standards;
- Promotes the vision, mission, and strategic goals of UNDP;
- Displays cultural, gender, religion, race, nationality and age sensitivity and adaptability;

- Treats all people fairly without favoritism.

Technical Competencies:

- Demonstrated ability to coordinate processes to collate information and facilitate discussion and analysis of material;
- Technical competencies in undertaking complex evaluations which involve multiple partners and variety of stakeholders;
- Demonstrated strong research and analytical skills.

Professionalism:

- Demonstrated ability to meet deadlines and work under pressure;
- Demonstrated excellent organizational skills.

Language:

Excellent written and verbal communication skills in English is required. Knowledge of Kiswahili is a bonus.

Evaluation Ethics

This evaluation will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation. The Consultant 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 data. The Consultant 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 authorization of UNDP and partners.

Implementation Arrangements

The UNDP Tanzania Country Office will select the evaluator through an open process in consultation with the MoCLA. UNDP will 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.) UNDP will take responsibility for the approval of the final evaluation report in liaison with MoCLA in Tanzania.

The designated focal point will assist the Consultant in arranging introductory meetings with the relevant parties in the UNDP, Government of Tanzania institutions, civil society etc. 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 MoCLA will provide some logistical support during the evaluation, for instance assisting in setting interviews with MoCLA and other justice sector institutions, 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.

The Task Manager of the Project will convene an Advisory Panel comprising of technical experts from MoCLA and other justice sector institutions in Tanzania as well as UNDP to enhance the quality of the evaluation. This Panel will review the inception report and the draft evaluation report to provide detail comments related to the quality of methodology, evidence collected, analysis and reporting. The Panel will also advise on the conformity of evaluation processes to the UNEG standards. The evaluator is required to address all comments of the Panel completely and comprehensively. The Evaluator will provide a detail rationale to the advisory panel for any comment that remain unaddressed.

Timeframe for The Evaluation Process

The evaluation is expected to start Mid-March 2020 for an estimated period of 25 working days, over a period of eight (8) 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 25 working days from the commencement of the assignment. The following table provides an indicative breakout for activities and delivery:

Deliverables, timing and payment terms

This section presents the key evaluation products the evaluator will be accountable for producing. The deliverables are the following:

- **Evaluation inception report:** An inception report should be prepared by the evaluator before going into the full-fledged data collection exercise. It should detail the evaluator's understanding of what is being evaluated and why, showing how each evaluation question will be answered by way of: proposed methods, proposed sources of data and data collection procedures. The inception report should include a proposed schedule of tasks, activities and deliverables, designating a team member with the lead responsibility for each task or product. The inception report provides the programme unit and the evaluator with an opportunity to verify that they share the same understanding about the evaluation and clarify any misunderstanding at the outset. The inception report will be discussed and approved by UNDP and MoCLA, 1 week after signing the contract.
- **Preliminary Findings:** Following field missions and prior to the drafting of the evaluation report, the evaluation team should debrief the UNDP project/programme and management teams with preliminary findings. This gives an opportunity to discuss preliminary findings and address any factual errors or misunderstandings, prior to writing the evaluation report.
- **Draft evaluation report:** Submission of draft evaluation report to UNDP for comments and inputs. The project team and key stakeholders in the evaluation will then review the draft evaluation report to ensure that the evaluation covers the scope and meets the required quality criteria.
- Presentation of Draft evaluation report (PPT presentation) to the Stakeholders for inputs and comments.
- **Final evaluation report:** The final report should be completed 1 week after receipt of consolidated comments from stakeholders.

#	Deliverable	Description	Timing	Responsibilities
1	Inception Report	Desk Review of project documents and other relevant documents. Briefings of evaluator. An inception report will detail the evaluators understanding of what is being evaluated and why, showing how each evaluation question will be answered by way of scope of the work and intended work plan of the analysis, proposed methodology and evaluation questions, proposed schedule of tasks, proposed data sources and data collection procedures, activities and deliverables. Meetings with UNDP and MoCLA to receive feedback on Inception report	During 7 days of starting the consultancy	Evaluator submits to UNDP project management
2	Draft Comprehensive Evaluation Report	Interviews with the project team, stakeholders (Board members, MoCLA, CHRAGG, donors, government officials, CSOs, including field visit to Dodoma); and preparation and submission of the draft MTR report Inform all the key stakeholders on the preliminary findings and provide options for strategy and policy as well as recommendations	10 days after approval of Inception Report	Evaluator sends to UNDP Project management
3	Validation Workshop	Preparation and Presentation of Draft Project Mid-term Evaluation Report to stakeholders at a validation workshop/meeting with key stakeholders, (partners and beneficiaries). The comments shared by stakeholders will be incorporated into the final evaluation report	Within 3 days after submission of Draft Report	Evaluator in close collaboration with UNDP and MoCLA
4	Draft Final Report and Final report	Preparation and submission of final evaluation report following written feedback of UNDP, MoCLA and stakeholders on the draft report.	Within 5 days after receiving comments from UNDP project management team and stakeholders	

Logistic Support and setting up meetings:

While UNDP will provide some logistical support during the evaluation, for instance assisting in setting up interviews with senior government officials, it will be the responsibility of the evaluators to logistically and financially arrange their travel to and from relevant project sites and to arrange most interviews. Contact details will be provided by UNDP staff upon request. Planned travels and associated costs should be included in the financial proposal and included in the Inception Report and agreed with UNDP.

2. COST	
Interested candidates 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 MoCLA of planned deliverables, based on the following payment schedule:	
Inception report	10%
Data collection and completion of field work	20%
Draft evaluation report and lessons learnt report submission and acceptance by UNDP	20%
Validation of draft report by stakeholders and incorporation of comments	20%
Final Evaluation and lesson learned Reports and acceptance	30%

How to apply

Please submit the following documents:

I. Technical proposal comprising of the following:

1. Letter of Confirmation of Interest and Availability using the template provided by UNDP.
2. Personal CV or P11, indicating all experience from similar assignments, as well as the contact details (email and telephone number) of the Candidate and three (3) professional references.
3. A cover letter, with a brief description (max. ½ page), explaining why they are the most suitable for the assignment, and a methodology (max. 1 page) for how they will approach and complete the assignment.

II. Financial Proposal: that indicates the all-inclusive fixed total contract price, supported by a breakdown of costs, as per template provided below.

Criteria	Weight
Technical Proposal	70
Extensive practical experience in or with justice, rule or law and human rights institutions as a researcher, senior government or lawyers, prosecutors and civil society.	30
Soundtrack records in managing successful impact evaluations preferably within the technical area of the TOR (projects related to enhancing access to justice, rule or law and human rights)	25
The technical proposal should demonstrate a sound understanding of the TORs and must adequately describe the mentioned approach, methodology and timeline of the assignment.	15
Financial Proposal	30

Approval

This TOR is approved by:

Name: Sergio Valdini

Designation: Deputy Resident Representative

Signature: Sergio Valdini Date: 07-Apr-2020