

Terms of Reference:

Rule of Law Access to Justice and Security Terminal Evaluation 2019-2022

PROJECT/OUTCOME INFORMATION		
Project Title	Strengthening Community Access to Justice, Community Policing and Effective SGBV Response	
Country	The Gambia	
Post Title	International Consultancy Firm	
Region	Africa	
Duty Station:	Banjul, The Gambia	
Expected Places of Travel	Field visits in The Gambia.	
Duration	Duration: 45 working days over a period of 65days	
Date project document signed	2019-2022	
Project dates	Start:	Planned end
	10/03/2019	31/09/2022
Total Project Budget	\$1,649,988.15	
Funding source	Peace Building Fund	
Implementing party	Government of The Gambia, CSOs, NGOs, UNDP, UNFPA & UNICEF	

1. Background and Context

The Gambia was under an authoritarian regime for 22 years, justice institutions were systematically manipulated, freedom of expression, association and assembly were severely restricted, several critical media houses were shut down to preserve the dictatorial regime in power. There was a constant interference and arbitrary removal of independent minded judges by the Executive. There was limited confidence in the justice and security sector as the former president dispensed crude justice by imprisoning his opponents and often determining their sentences publicly. Civil society activists and students were harassed, detained, tortured, murdered, made to disappear, or forced into exile during his regime.

Since 2017 to date The Gambia is continuing its transition from a dictatorship notorious for its human rights abuses to a nascent and fragile democracy following the outing of the former regime. The new government has initiated a series of reforms to bring to fruition, "The New Gambia." The respect for Rule of Law, Human Rights, and the reform through Transitional justice, Security Sector and Constitutional Review processes are intended to remedy the violations and overreach of the previous regime and set in place a democratic state. All processes are under intense public scrutiny with mixed support and confidence. In March 2019, The Gambia government approved the *Strengthening Community Access to Justice, Community Policing and Effective SGBV Response* Funded by the UN Peacebuilding Fund (PBF), with UNDP, UNICEF and UNFPA as the implementing agencies.

The joint project endeavors to implement a holistic and comprehensive program which addresses both the supply and demand sides of justice delivery. This project seeks to improve the legal, justice and social systems in the country to promote the rule of law through strategic entry points which will help to enhance the rule of law sector's response to citizen needs and citizen confidence in the system and in its capacity and willingness to protect their rights and respect for rule of law. It is in the project's

theory of change that if there is protection of Human Rights and the respect for the Rule of Law, peace and sustainable development in The Gambia will become inevitable. The project key partners include, the Judiciary, Ministry of Justice, Ministry of Gender, Children and social Welfare, National Agency for Legal Aid, Alternative Dispute Resolution Secretariat, The Gambia Police Force, The Gambia Prison Service, The Gambia Bar Association, Civil society Organizations, Network against Gender Based Violence.

Project Description and Management

The project with partners identified the mobile legal aid clinics, Community Policing initiative, SGBV response, citizen engagement with justice actor through awareness and sensitizations of their rights as key entry points in building the bridge between the police force and the citizens, capacity building of justice and security stakeholders including the health and social workers in ensuring the delivery of quality services thereby improve access to justice and security to all. The first phase of the project support was the development of a government owned community policing strategic and implementation plan, national rule of law road map and a rapid prison assessment which set a benchmark on the priority needs of the justice, security and civil society organisations in fostering trust and accountable institutions. The project continues to provide technical and financial support to the legislations, strategies and build institutional capacity to strengthen rule of law, human rights access to justice, and security in The Gambia with particular attention to women, children, victims of serious human right abuses and the marginalise groups.

The Project is managed by a Project Management team which comprised of UNDP, UNICEF and UNFPA staff. UNDP led the overall coordination and quality control of the project. The project commenced in March 2019 and was due to close in March of 2022, due to the COVID-19 pandemic, most of the activities were delayed leading to an additional 6-month extension which brings the new closing date to September 2022. The project was implemented under the following outcomes and outputs aligned to its activities:

Outcome 1: Improved access to justice especially for women and children who are victims of serious human rights violations.

1. Output 1.1: Increased legal aid services to communities particularly women and children
2. Output 1.2: Increased awareness among community structures on justice delivery mechanisms
3. Output 1.3: Quality integrated services available for survivors of SGBV

Outcome 2: Establish community policing initiative for the prevention of serious human rights violations and the protection of survivors of such violence.

1. Output 2.1: Improved capacity of local police to respond to community needs
2. Output 2.2: Strengthened Gambia Police Force at the Institutional level to enable implementation of the new community policing approach

Outcome 3: Strengthened justice service delivery system for citizens, particularly victims of human rights abuses

1. Output 3.1: Strengthened judicial capacity to address human rights crimes, children's rights issues, SGBV and legal issues arising from the TJ and TRRC processes.
2. Output 3.2: Increased capacities of government/CSO institutions for coordination, monitoring, and prosecution of SGBV related cases.

2. Purpose of the Evaluation

The main purpose of the terminal project evaluation is to collect and analyze information that will establish the achievements/challenges/ recommendations/lessons learned including effectiveness, efficiency, relevance, and sustainability; build evidence of the results, and highlight the strategies that have contributed to, or hindered, the achievement of set results. In particular, the evaluation aims:

- To assess the project's performance and achievements vis-à-vis the project's overall objectives and to conduct impact assessment on the various sub-national level beneficiaries.
- To generate lessons learned from the implementation of the project's activities and the outcomes achieved that will be useful for similar projects.
- To develop specific and actionable recommendations for major stakeholder groups anchored on the conclusions the different stakeholder groups will develop based on their own recommendations and insights.
- To Assess the implementation process (efficiency, effectiveness, and sustainability)
- To Assess whether the resources (financial, human, and materials) have been used efficiently and effectively for the desired impact on the target group/communities.
- To assess the achievements of project and to determine its overall added value to peacebuilding in The Gambia, in the areas of community access to justice, community policing and effective SGBV response

To document innovative and promising practices, strategies and lessons emerging from the project.

3. Scope and Focus of the Evaluation

United Nations Peacebuilding Fund requires an independent external evaluation to be undertaken at the end of project implementation, to gauge its level of implementation and achievement of results, challenges, gaps, and lessons learned. The Evaluation Consultancy firm will assess the overall joint project intervention including an assessment of the appropriateness of the objectives, planned outputs, activities and inputs as compared to cost-effective alternatives as well as assess the project relevance, effectiveness, efficiency, sustainability and impact on the national institutions, processes, and beneficiaries, either directly or indirectly. The Evaluation firm is to verify, analyse, and assess, where relevant, the integration and impact of cross cutting issue in the project notably gender mainstreaming, human rights, equity considerations, and access to resources etc. The evaluation will follow the policy procedure and structure as per the UNEG guidelines for evaluations:

The terminal evaluation of the evaluation would be conducted by an international evaluation firm working closely with a National Evaluation team with experience in project evaluations related to rule of law, access to justice, security and SGBV response. The evaluation has five key objectives:

1. To assess the contribution of the project activities to the realization of project objectives and outcomes by determining how relevant, efficient, effective, and sustainable the project is.
2. To identify and provide analysis of the factors that have either positively or negatively affected/impacted the project beneficiaries.
3. To recognize the catalytic effects of the project.
4. To assess the project's contribution towards the national development plan as well as peacebuilding, partnerships, coordination towards strengthening government efforts to improve access to justice, respect for rule of law, human rights, and accountable institutions.
5. To provide recommendations, lessons learned for improving UN support to the country's reform and peace building agenda.

To verify, analyse, and assess, where relevant, the integration and impact of cross cutting issues. Below are sample questions to guide the evaluation process. The Evaluating firm is encouraged to provide additional questions not captured be relevant to the overall objective of the evaluation.

project evaluation sample questions

Relevance

- Is the theory of change based on valid assumptions and has the project's conflict analysis remained valid?
- To what extent is the project aligned with the national development needs and priorities?
- How well does the design of the project address the needs of the most vulnerable groups in the country?
- Did the project address relevant key causes and drivers of conflict and fragility?
- To what extent did the project adapt to the changing environment in country at national and subnational levels?
- To what extent has the project interventions reflected key strategic national considerations, on the priorities on rule of law, access to justice and security/or influenced national polices on legal reforms and human rights in relation to its comparative advantage vis-a-vis other partners?

Effectiveness

- To what extent has the project achieve planned results (intended and unintended, positive, or negative)?
- To what extent has the project planned benefits been delivered and received by all key stakeholders, and how unplanned results may have affected the project benefits.
- To what extent has project been effective in supporting local initiatives for SDGs, Strategic Vision 2030, UNDAF fulfilment?
- What evidence is there that the project support has contributed towards an improvement in national government capacity, including institutional strengthening?
- How effective has the project been in partnering with the government, development partners, civil society, and private sector in Sustainable Development Human Right and Rule of Law in The Gambia
- Did the project utilized innovative techniques in achieving the project's objectives?

Efficiency

- To what extent has the projects outputs been efficient and cost effective?
- Was the project able to overcome unforeseen difficulties and deliver project outputs on time and within budget.
- How did the monitoring and evaluation systems ensure efficiency and effectiveness of project intervention?
- Has the project been efficient in building synergies with other stakeholders in The Gambia?

Sustainability

- How well has the project supported institutional capacity for continues and sustainable Access to Justice, Rule of Law, and Human Right in The Gambia
- What mechanisms have been put in place by the project with national institutions, CSOs, private sector, and other development partners to promote long term sustainability and durability of results?
- To what extent has the project build ownership and participation that includes men, women Youths and people with disability.
- Has the project contributed to the momentum for peace by encouraging communities to develop their own peace initiatives.
- What mechanisms, procedures and policies have been put in place to ensure the sustainability on gender equality, empowerment of women, human rights, and reform for sustainable peace by primary stakeholders
- To what extent have primary stakeholders committed to providing continuing support to sustain the project's objectives for long-term impact

Partnership and Coordination

The evaluation should draw conclusions about the extent to which UNDP, UNICEF and UNFPA were effective in coordinating the support offered by all partners. Also, evaluation what risks were taken with regards to partnership management and how these were managed.

Evaluation cross-cutting issues sample questions

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

Human rights

- To what extent do the poor and vulnerable, peoples, women, children, and other disadvantaged and marginalized groups benefitted from the project activities?

Gender Equality and Youth Participation

- To what extent has gender been addressed in the design, implementation and monitoring, and reporting? Is gender marker data assigned to projects representative of reality (focus should be placed on gender marker 2 and 3 projects)?
- To what extent has the projepromoted positive changes in gender equality, Youth and children Participation? Are there any unintended effects?

Guiding evaluation questions that have been outlined in the TOR will further be refined by the evaluation team and agreed upon with UNDP, UNFPA, and UNICEF evaluation stakeholders.

4. Methodology

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 evaluation should align

with the OECD DAC Evaluation guidelines

The prospective firm will also propose a suitable methodology that aligns to the project's "Theory of Change" (TOC) approach to determining causal links between the interventions that the project has supported, and achievements made.

The following steps in data collection are anticipated:

Desk Review

- A desk review should be carried out of the key strategies and documents underpinning the work of the project (AWPS, progress reports, monitoring, evaluation documents etc, to be provided by the project team).
- The evaluating firm is expected to review pertinent strategies, plans, legislations and reports supported by the project
- Hold consultations with the senior management and relevant programme staff of UNDP, UNFPA, UNICEF and the UN Resident Coordinator's Office (including the PBF Secretariat).

Field Data Collection. Following the desk review, the evaluating firm will build on the documented evidence through an agreed set of field and interview methodologies, including:

- Interviews with key partners and stakeholders, including project beneficiaries at community levels
- Field visits to project sites and partner institutions
- Use survey questionnaires where appropriate
- Participatory observation, focus groups, and rapid appraisal techniques when needed

5. Expected Outputs and Deliverables

The evaluating firm produces the deliverables using the following phases. The deliverables for each phase are as follows.

- **Evaluation inception report (10-15 pages maximum).** The inception report should be carried out following and based on preliminary discussions with the project staff from UNDP, UNFPA and UNICEF after the desk review including the survey tools for validation and should be produced before the evaluation starts.
- **Data Collection:** The evaluator would conduct field data collection with the relevant stakeholders, CSOs, partners, beneficiaries, and report on any setback during the process.
- **Evaluation debriefings.** Immediately following an evaluation, UNDP, UNFPA and UNICEF may ask for a preliminary debriefing and findings.
- **Draft evaluation report (within an agreed length).**¹ The project staff, peacebuilding support office and key stakeholders in the evaluation will review the draft evaluation report and provide an incorporated set of comments to the evaluating firm within an agreed period, (as agreed in the TOR and inception report) and quality criteria as outlined in these guidelines.
- **Evaluation report audit trail.** Comments and changes by the evaluating firm in response to the draft report should be retained by the evaluator to show how they have addressed comments.
- **Final evaluation report.**

The suggested table of contents of the evaluation report is as follows:

- I. Title
- II. Table of Contents
- III. List of Acronyms and Abbreviations
- IV. Executive Summary

¹ A length of 40 to 60 pages including executive summary is suggested.

- V. Introduction
- VI. Description of the interventions
- VII. Evaluation Scope and Objectives
- VIII. Evaluation approach and methods
- IX. Data Analysis
- X. Findings and conclusions
- XI. Lesson learned
- XII. Recommendations
- XIII. Annexes

No.	Deliverables / Outputs	Estimated Duration to Complete	Review and Approvals Required
1	Submit Desk review, Evaluation design and workplan (Inception report)	5 Working days	Focal point from UNDP, UNFPA and UNICEF
2	Submission of the first draft evaluation report	30 Working days	Focal point from UNDP, UNFPA and UNICEF as well as the relevant stakeholders
3	Submission of second draft incorporating comments and inputs from UNDP, UNFPA, UNICEF /stakeholders	5 Working days	Focal point from UNDP, UNFPA and UNICEF as well as the relevant stakeholders
4	Validation workshop on the evaluation report	1 Working days	Focal point from UNDP, UNFPA and UNICEF as well as the relevant stakeholders
5	Submission of the final terminal evaluation report	4 Working days	Focal point from UNDP, UNFPA and UNICEF as well as the relevant stakeholders

6. INSTITUTIONAL ARRANGEMENT / REPORTING RELATIONSHIPS

The project will establish an evaluation reference group to review and endorse the deliverables. The evaluation group will consist of the Ministry of Justice, judiciary, Ministry of Gender Children and Social Welfare, National Agency for Legal Aid, the Alternative Dispute Resolution Secretariat, Police Force, Prison Service, Civil Societies (Network against gender-based violence (NGBV) UNDP, UNFPA, UNICEF & PBS for the purpose of this consultancy.

7. LOGISTICS AND ADMINISTRATIVE SUPPORT

UNDP will offer administrative support, in sending out letters of introduction and an appointment of institutional focal points to facilitate with the meeting appointments.

8. DURATION OF THE WORK

The duration of the consultancy is 45 working days over a period of 65 days

9. EVALUATION TEAM COMPOSITION AND REQUIRED QUALIFICATIONS AND COMPETENCIES

This consultancy is to be undertaken by an International Consultancy Firm with a composition of national evaluator and national with rule of law background based in The Gambia. The evaluation will be headed by an International Evaluation Manager. The Evaluation Manager will have overall responsibility for the quality and timely submission of the draft and final evaluation report and is expected to be on the ground. The Evaluation Manager will perform the following tasks,

1. Lead and manage the evaluation process.
2. Develop the inception report, detailing the evaluation scope, methodology and approach.
3. Ensure that the project evaluation is conducted in accordance with the proposed objective and scope of the evaluation, and UN evaluation guidelines.
4. Draft and present the draft and final evaluation reports.
5. Lead the presentation of draft findings in the stakeholder workshop.
6. Finalize the evaluation report and submit it to UN.

10. Evaluation Team of the Consultancy firm Composition and Required Competencies

The evaluation team is expected to include at least four (4) members including national evaluators and the Lead Evaluator. The team will include members with expertise and practical knowledge in the following areas:

1. Rule of Law, Security
2. Access to Justice, including children in conflict with the law.
3. Gender expertise / good knowledge of gender issues
4. Strong analytical and communication skills
5. Evaluation /Data Science experience,
6. Familiarity with the country
7. Community Policing
8. Excellent writing and interpretation skills in English language

Required Qualifications of the International Evaluator (Lead):

Academic Qualification:

- An advanced degree in economics, public administration, regional development/planning, or any other social sciences related to economic management and project/programme management.

Years of Experience:

- At least 10 years' experience in conducting endline evaluations for government and international development agencies.
- Experience conducting peace building or rule of law, access to justice and security project evaluations.

Competencies

- Strong working knowledge of UN and its mandate, the civil society, and the government institutions.
- Extensive knowledge of results-based management evaluation, as well as participatory M&E methodologies and approaches.
- Experience in applying SMART (S Specific; M Measurable; A Achievable; R Relevant; T Time-bound) indicators and reconstructing or validating baseline scenarios;
- Extensive professional experience in development, including gender equality and social policies.
- Strong reporting and communication skills; excellent communication skills with various partners including donors.

- Knowledge on mainstreaming Gender and Human rights in projects and evidence of similar evaluations conducted.

Language

- Excellent writing and interpretation skills in English language
- Computer skills: full command of Microsoft applications (word, excel, PowerPoint) and common internet applications will be required.
- Fluency in one or several local Gambian languages would be advantageous.
- Work experience in the region is an asset.

Compliance of the UN Core Values:

- Demonstrates integrity by modelling the UN's values and ethical standards.
- Fulfils all obligations to gender sensitivity and zero tolerance for sexual harassment.

11. Evaluation ethics

This evaluation will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation'. The consultancy firm 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 consultancy firm 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.

In particular, the evaluation firm must be free and clear of perceived conflicts of interest. To this end, interested consultancy firms will not be considered if members of the team have directly been substantively involved, as an employee or consultant, in the formulation of the project strategies or documents. The code of conduct and an agreement form to be signed by the consultancy firm.

12. Criteria for selection

The proposals will be evaluated based on the merit of the proposed approach, including the following.

- 10%. Qualification and experience
- 35%. Technical approach as illustrated in the description of the proposed methodology.
- 5 %. Timeline reflecting proposed activities, which emphasis the ability to meet the proposed deadlines
- 20%. Evidence of experience of the consultant in conducting evaluations as detailed in the CV
- 30% Financial

An all-inclusive fee is to be included as part of the Financial Proposal. The term 'all-inclusive' implies that all costs (professional fees, travel related expenses, communications, utilities, consumables, insurance, etc.) that could possibly be incurred by the Firm is factored into the financial proposal. Under this arrangement, the contract price will be fixed regardless of change in the cost components. Payments will be made only upon confirmation by UNDP on delivering on the contract obligations in a satisfactory manner. The table below indicates the criteria and scores attached

13. Payment Approach

14. PAYMENT MILESTONES AND AUTHORITY

The qualified Consultant shall receive his/her service fees upon certification of the completed tasks satisfactorily, as per the following payment schedule:

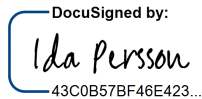
Installment of Payment/ Period	Deliverables or Documents to be Delivered	Approval should be obtained	Percentage of Payment
1 st Installment	Submission of inception report	DRR	15%
2 nd Installment	Submission of the second draft report	"	40%
3 rd Installment	Submission of the approved final report and validation report	"	45%

15. CONFIDENTIALITY AND PROPRIETARY INTERESTS

The Individual Consultant shall not either during the term or after termination of the assignment, disclose any proprietary or confidential information related to the consultancy service without prior written consent. Proprietary interests on all materials and documents prepared by the consultants under the assignment shall become and remain properties of UNDP.

This TOR is approved by: Head of Governance

Signature:

DocuSigned by:

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Name and Designation:

Date of Signing:

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