



Terms of Reference

- A. Job Title:** International Consultant to perform the end of project evaluation of the “Strengthening the forensic examination of torture and other forms of ill-treatment in Moldova” Project
- B. Duty Station:** Chisinau, Moldova
- C. Project Reference:** “Strengthening the forensic examination of torture and other forms of ill-treatment in Moldova” Project
- D. Type of Contract:** Individual Contract (IC)
- E. Duration of Assignment:** 12 working days (including a 3 days mission to Moldova; period 20 Nov-15 Dec 2012)

F. Background

All forms of torture or other ill-treatment are unequivocally prohibited under international human rights law. Moldova being party to the main UN, international and European treaties and other relevant instruments, ratified the Optional Protocol to the Convention against Torture by the Law nr. 66-XV dated 30 March 2006. The respective Law entered into force on 24 July 2006 and with this a National Preventive Mechanism for the prevention of torture was established in Moldova. However, concerns related to torture and other forms of ill-treatment in detention in Moldova are long-standing and have been the subject of extensive scrutiny by international and European human rights monitoring bodies.

Human rights concerns were heightened to the level of emergency in April 2009 after the authorities detained hundreds of people in the wake of demonstrations which turned violent. Abuses included arbitrary detention, widespread ill-treatment, as well as apparently malicious prosecution of a number of individuals. As of September 2009, the prosecutor office has opened criminal proceedings in a handful of cases. However, close to half of over 100 complaints submitted to the prosecutor offices have reportedly been dismissed, many of them because of a lack of basic documentation, including forensics evidence. Therefore, the forensic documentation is crucial for documenting torture cases, and is generally treated as a central component of any effort to prosecute torture.

In order to effectively address torture and other related forms of ill-treatment in Moldova in a comprehensive, integrated and holistic approach, UNDP with support of the European Commission and in partnership with Centre for Forensic Medicine launched the project “Strengthening the forensic examination of torture and other forms of ill-treatment in Moldova”. The overall objective of the Project is to strengthen the forensic examination of torture and other

forms of ill-treatment, as a key strategic element in comprehensive, integrated, holistic efforts to end torture and related forms of ill-treatment in Moldova.

G. Brief description of the project to be evaluated

Strengthening the forensic examination of torture and other forms of ill-treatment in Moldova, <http://www.undp.md/projects/Forensic.shtml>

The overall objective of the project is to strengthen the forensic examination of torture and other forms of ill-treatment, as a key strategic element in comprehensive, integrated, holistic efforts to end torture and related forms of ill-treatment in Moldova. The project will:

- (i) strengthen the institutional and operational capacity of the Centre of Forensic Medicine in the examination of the torture and other cruel, inhuman or degrading treatment or punishment cases at the national level;
- (ii) heighten the quality of forensic documentation brought before courts and to other public review instances in cases where torture or other forms of ill-treatment is alleged; and
- (iii) increase partnership and awareness between governmental and non-governmental organisations for improving the situation on torture, and in particular as pertains to securing timely, high-quality forensic evidence in cases of torture.

At the programming level, the Project is to contribute to the achievement of:

UNDAF Outcome(s):	UNDAF outcome #1: By 2011, public institutions with the support of Civil Society Organizations (CSOs) are better able to ensure good governance, rule of law and equal access to justice and promotion of human rights
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Expected CP Outcome(s):	The justice system functions in a more transparent, accountable and independent manner
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Expected CP Output(s):	<ul style="list-style-type: none">- Key reform proposals developed/revised and capacity of various entities of the justice system strengthened to ensure efficient administration and equitable access to justice, including alternative dispute settlement mechanisms- Coordination mechanisms are in place to enable CSOs to play an effective role in developing and implementing poverty reduction strategies and reporting on implementation of national plans and on human rights treaties
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Implementing partner: Centre of Forensic Medicine of the Republic of Moldova

The budget is 1,000,000 Euro provided by the European Union (800,000 Euro) and UNDP (200,000 Euro).

Duration of Project: January 2011-December 2012

H. End of Project Evaluation Objectives

The Evaluation is expected to shed light on the underlying factors that impact outputs and outcomes, capture good and bad practices as well as lessons learned, including unintended consequences, with the objective of assisting UNDP in improving design and implementation of future UNDP-supported interventions in this area.

The overall objectives of the evaluation are the following:

1. Provide an objective assessment of the achievements and results, failures and constraints of the project, as well as an analysis of its performance, impact, relevance and sustainability of the interventions;
2. Generate lessons learned and good practices from each of respective outputs established in the project since its inception to date to inform current and future programming at the country level;
3. Assess whether the results achieved are relevant for the current justice and human rights environment in the country and provide solid basis for UNDP and other players for future programming;
4. Provide clear and forward-looking recommendations that can guide UNDP and partners in developing realistic strategies in this area of work.

The evaluation should be comprehensive and cover the outcome, outputs, activities and inputs of the project. The results of the evaluation will be used for re-focusing the interventions and guiding future programming. In this context, the evaluation will:

- (i) Extract lessons learned for future interventions in the sector;
- (ii) Propose improvement of the coordination between donor-supported interventions in meeting national requirements;
- (iii) Outline main areas of focus for future UNDP projects in the sector.

I. Scope of Evaluation

The evaluation is expected to address the following issues:

Outcome status:

Outcome Analysis – what and how much progress has been made towards the achievement of the outcome (including contributing factors and constraints) to which the project was contributing¹.

- Determine whether or not the outcome has been achieved and, if not, whether there has been progress made towards its achievement.
- List innovative approaches tried and capacities developed through Project assistance.
- List factors (positive and negative) that affect output completion.

Underlying factors: Analyze the underlying factors beyond UNDP's control that influenced the outcome. Distinguish the substantive design issues from the key implementation and/or

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See www.undp.md for the Country Programme Action Plan and Project Results Framework

management capacities and issues including the timeliness of outputs, the degree of stakeholders and partners' involvement in the completion of outputs, the changing political environment and how processes were managed/ carried out.

Outputs status: Were the outputs relevant to the outcome? Were the outputs achieved? What are the factors (positive and negative) that affect the accomplishment of the outputs?

Activities status: Were the activities to achieve the outputs effective and efficient? How well the activities were planned and implemented? Were key methodologies and approaches that facilitate the success of the initiative, particularly regarding participation and empowerment, gender balance, and delivery of necessary inputs appropriate?

Inputs status: What contribution UNDP and EU have made to the progress towards the implementation of activities and achievement of the output and outcome? How appropriate were the inputs? Were the inputs sufficient to achieve the results? How cost effective they were?

Partnership strategy: Ascertain whether Project's partnership strategy has been appropriate and effective. What partnerships have been formed? What was the role of UNDP? How did the partnership contribute to the achievement of the outcome? What was the level of stakeholders' participation? Examine the partnership among UN Agencies and other donor organizations in the relevant field.

Objectively Verifiable Indicators): Where all of the indicators/targets set at the beginning of the project met? If not, why? Where any exceeded?

J. Evaluation criteria

The evaluation criteria include:

Relevance – degree to which the overall purpose of the project was valid and pertinent.

Efficiency – measure the productivity of the implementation process: how good and cost effective the process of transforming inputs into outputs and outcomes was.

Effectiveness – measure of the extent to which the project results have contributed to the national context and the outcomes as defined by the Project document.

Impact – extend and ways in which the Project succeeded to change the national human rights environment, particularly in documenting and investigating effectively and promptly torture cases.

Sustainability – extent to which the changes (and benefits) brought by the Project can be expected to last after Project completion.

The evaluation consultant is requested to provide recommendations for potential follow-up interventions, i.e. how feasible the follow-up actions would be, what alternatives can be identified and/or what components can be added to it, what knowledge products could be developed, etc.

K. Proposed Methodology of Work

An overall guidance on evaluation methodology can be found in the *UNDP Handbook on Monitoring and Evaluating for Results* and the *UNDP Guidelines for Outcome Evaluators*. The evaluator should come up with a suitable methodology for the evaluation of this intervention based on the guidance given in these two documents.

During the evaluation, the Consultant is expected to apply the following approaches for data collection and analysis:

- Desk review of relevant documents (project documents, review reports – midterm/final, donor-specific, etc.);
- Discussions with the Senior Management and programme staff of UNDP Country Office;
- Briefing and debriefing sessions with UNDP and the Government, as well as with other donors and partners
- Interviews with partners and stakeholders (including gathering the information on what the partners have achieved with regard to the outcome and what strategies they have used)
- Field visits to selected project sites and discussions with project teams, project beneficiaries.

L. Expected deliverables

The key product expected from this evaluation is a comprehensive evaluation report in English that should, as a minimum, include the following contents:

- Executive summary;
- Introduction;
- Description of the evaluation methodology;
- Analysis of the situation with regard to the outcome, the outputs and the partnership strategy;
- Analysis of opportunities to provide guidance for the future programming;
- Key findings (including best practices and lessons learned)
- Conclusions and recommendations
- Annexes: ToRs, field visits, people interviewed, documents reviewed, etc.

M. Proposed Time frame

It is expected that the evaluation will be conducted during the period 20 November – 15 December 2012, over a period of 12 working days, during which all activities and results envisaged under the present assignment will be performed. The assignment will also include an in-country mission of up to 3 working days (mission's costs will be stipulated separately in the financial proposal and include DSA in line with UN rates, international travel costs, other costs if/when justified).

The tentative schedule of the assignment is as follows:

Desk review of existing documents	2 working days
Mission to Moldova (interview, field visits, meetings, etc.)	3 working days
Drafting the evaluation report	4 working days

Debriefing with UNDP and with partners	1 working day
Finalization of the evaluation report (incorporating comments received on first drafts)	2 working days

Note: the mentioned number of working days has been estimated as being sufficient/feasible for the envisaged volume of work to be completed successfully and is proposed as a guideline for the duration of the assignment, and it cannot be used as criteria for completion of work/assignment.

N. Required qualifications and skills:

- Advanced university degree in social sciences, public administration, international development studies, law or other related areas;
- At least five years of work experience in the review, evaluation and monitoring of development projects and/or programmes, with budgets over USD 0.5 million;
- At least eight years of work experience in the field of democratic governance, public administration, development, including participatory planning, monitoring and evaluation;
- Sound knowledge of results-based management (especially results-oriented monitoring and evaluation);
- Previous work experience in similar assignments with UN agencies and other development organizations, preferably in the region;
- Ability to analyze, plan, communicate effectively orally and in writing, produce well written analytical reports, solve problems, organize and meet expected results, manage diversity of views, adapt to different environments;
- Good interpersonal skills, solid judgment/decision making, having demonstrated initiative; creative and team player; self-starter and results-oriented.
- Fluency in English, both written and verbal;
- Knowledge of Romanian or Russian would be an asset;
- Adheres to the core values of the United Nations; in particular, is respectful of differences of culture, gender, religion, ethnicity, nationality, language, age, HIV status, disability, and sexual orientation, or other status.

O. Reference materials

The evaluators should study the following documents:

1. UNDP Handbook on Monitoring and Evaluating for Results
2. UNDP Results-Based Management: Technical Note
3. United Nations Development Assistance Framework (UNDAF) for Moldova (2007-2011)
4. Projects Document and other relevant reports/products (including developed by the Project)
5. UNDP National Human Development Reports for Moldova
6. Other documents and materials related to the outcome to be evaluated (from the government, donors, etc.)

Background documentation is available on www.undp.md