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**Term of Reference (ToR)**

**Evaluation of the Norwegian Ministry of Foreign Affairs Support to the Development and Implementation of the African Union Human Rights Decade Project**

**(2016-2018):**

**Reference No: AUC/DPA/CS/04**

***PROJECT REF: RAF-15/0089***

**May 2019:**

**1. Background and Context:** At its 25th Ordinary Session, held from 20 to 24 June, 2014, in Malabo, Equatorial Guinea, the Executive Council of the African Union (AU), by decision EX.CL/Dec.842(XXV), “declared 2016 as the African Year of Human and Peoples’ Rights with particular focus on the rights of women. The year was construed as a veritable watershed in the history of the African Human Rights System as it marked the 35th Anniversary of the adoption of the African Charter on Human and Peoples’ Rights (the African Charter) in 1981; the 30th Anniversary of the entry into force of the African Charter in 1986; the 29th Anniversary of the operationalization of the African Commission on Human and Peoples’ Rights (the African Commission) in 1987; the 10th Anniversary of the operationalization of the African Court on Human and Peoples’ Rights (the African Court), the 15th Anniversary of the operationalization of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), as well as the 13th anniversary of the adoption of the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa (the Maputo Protocol).

It was in consideration of the above, that in July 2016, during its 27th Assembly held in Kigali, Rwanda, the Assembly of Heads of State and Government of the African Union adopted a Declaration on the Theme of the year 2016, in which the African leaders committed themselves “to enhancing efforts aimed at entrenching and reinforcing deeper understanding of the culture of human and peoples’ rights, in particular the rights of women, and their promotion and popularization amongst the African peoples by declaring the next ten years as “the Human and Peoples’ Rights Decade in Africa” and it’s Action Plan. The declaration of 2016 as African human rights year and the subsequent declaration of a Human Rights decade, together with a call for the adoption of a African Human Rights Action plan, provided an opportunity to consolidate the gains already made over the years, ensure better coordination of human rights bodies on the continent, and move towards the establishment of a true human rights culture on the continent, based on the ideals encapsulated in Aspiration three of the Africa Agenda 2063.

It was on the basis of the above that the African Union Commission sought support from the Royal Embassy of Norway for support to translate into realities the ideals expressed in the declaration and the development of the decade human and peoples’ rights action plan. The project was conceptualized to support the activities envisaged in the African Human Rights Decade, including the development of the Ten-Year Human Rights Action Plan. The financial request in support of the implementation was granted from 2016 to 2018[[1]](#footnote-1)[[2]](#footnote-2). In order to facilitate implementation of the in project, the Royal Norwegian Embassy to Ethiopia signed a Grant Agreement with the Department of Political Affairs, African Union Commission, Addis Ababa, Ethiopia on 11the November 2016.

**2. The Focus, activities and Outcomes of Project:** The primary focus of the Project is to help actualize and operationalize, inter alia, the African Human and Peoples Rights Decade Declaration by the Assembly of the Union and to inculcate and deepen the culture of human and peoples rights in Africa. Through a wider process of consultation, the African Union will develop a Ten Years Human and Peoples Rights Action Plan for Africa that will seek to create awareness, popularize the African Human Rights Charters and secure acceptance, ratification and implementation of the Charters by the AU member states. Work plans developed on the basis of the Grant Agreement later included implementation of principles of the African Charter on Human and Peoples’ Rights, particularly in following areas:

* Development of African Ten Years Human and Peoples Rights Action Plan;
* Involvement of National Human Rights Institutions, CSOs and other relevant stakeholders in the Development of the Ten Years Action Plan;
* Continental technical and Member States validation, finalization and adoption of the Plan;
* Technical Support to stakeholders on implementation of the Action Plan:
* Capacity building and Human Resource Support to the African Union Commission on implementation of the Project.

The Work plans also gave provisions for supportive and inspiring activities – including involvement of the non-state actors in the implementation of the Plan; popularization of the Plan among the stakeholders- particularly the AU member states; capacity building for the non-state actors on implementation of the Plan.

Specifically, the Project focused on supporting the implementation of activities around the four planned outcome areas:

1. *Outcome 1:* Developed and adopted AU Ten-Year Human and Peoples’ Rights Action Plan for Africa;
2. *Outcome 2:* Increased African NHRIs and CSOs involvement on development and implementation of the Plan;
3. *Outcome 3:* Continentally popularized Plan with capacity of relevant state agencies and CSOs to implement achieved;
4. *Outcome 4:* Enhanced capacity of AUC to provide technical support to the completion and implementation of the Decade Human and Peoples Rights Action Plan.

**3. Purpose of the Evaluation:** The Project was meant to be implemented for two years period (2016-2018). Due to non-completion of the Action draft Plan as originally scheduled, the African Union, twice requested no-cost extension of the project till 30th June 2019 and it was granted by the Norwegian Government. The overall objective of the evaluation of the project is to generate knowledge from its implementation. The evaluation will focus on the period to June 2019. The key stakeholders of this evaluation are the AUC through the DPA, the African Court on Human and Peoples’ Rights, the Pan African Lawyers Union (PALU) and the Royal Norwegian Embassy in Addis Ababa, Ethiopia. The specific purpose of the Evaluation is to assess the processes and achievements made to draw lessons that will inform the future partnership between the DPA-AUC and the Norwegian Government on promotion and protection of human and peoples’ rights in Africa. The evaluation is intended to be forward looking which will capture effectively lessons learnt and provide information on the nature, extent and where possible, the effect of the Project on the culture of human rights in Africa. The emphasis on learning lessons speaks to the issue of understanding what has and what has not worked as a guide for future planning.

**4. Scope and Focus of the Evaluation:** The evaluation will focus on the following areas:

* Project Conceptualization
* Project management;
* Project activities;
* Reflection of coordination within the Human Rights and Transitional Justice Platform of the AGA and with the PALU and other stakeholders on human and peoples rights in Africa, finally
* It will also address the results achieved, the partnerships established, as well as issues of capacity and approach.

**a) The Evaluation Questions**

The following key questions will guide the end of project evaluation:

i*.* ***Effectiveness – Assess design and focus of the project***

* To what extent did the Project achieve its overall objectives?
* What and how much progress has been made towards achieving the overall outputs and outcomes of the project for Support to the effective implementation of the African Union Human and Peoples’ Rights Decade Declaration?
* To what extent were the results (impacts, outcomes and outputs) achieved?
* Were the inputs and strategies identified, and were they realistic, appropriate and adequate to achieve the results?

ii. ***Efficiency – of Project Implementation***

* Was the process of achieving results efficient? Specifically did the actual or expected results (outputs and outcomes) justify the costs incurred?
* Were the resources effectively utilized?
* Did project activities overlap and duplicate other similar interventions (funded nationally and /or by other donors? Are there more efficient ways and means of delivering more and better results (outputs and outcomes) with the available inputs?
* Could a different approach have produced better results?

iii. ***Sustainability***

* To what extent are the benefits of the project be sustained after the completion of this project?
* What is the likelihood of continuation and sustainability of project outcomes and benefits after completion of the project?
* Describe key factors that will require attention in order to improve prospects of sustainability of project outcomes?
* How were capacities strengthened at the individual and organizational level (including contributing factors and constraints)?

**5. Methodology of Evaluation:** The designated Project Manager and Human Rights Specialist from the AUC/DPA shall guide and oversee the overall direction of the consultancy. The evaluation will provide quantitative and qualitative data through the following methods:

* Desk study and review of all relevant project documentation including project documents and project progress reports;
* In depth oral interviews to gather primary data from key stakeholders;
* Interview with Project Manager and Human Rights Experts and other key persons in the DPA;

**6. Duration of the Evaluation:** The evaluation is expected to start in June 2019 for an estimated duration of 10 working days; this will include desk reviews, interviews, and report writing

**7. Expected Deliverables:** The following deliverables are expected.

1. ***An inception report,*** outlining the key scope of the work and intended work plan of the analysis, and evaluation questions, shall be submitted after 5 days of commencing the consultancy. The evaluators will prepare an inception report which will outline the scope of work, intended work plan and analysis. The inception report will provide AUC/DPA, the African Court, the PALU and the Embassy of Norway the opportunity to verify that they share the same understanding about the evaluation objectives. The inception report should detail the evaluators’ understanding of what is being evaluated and proposed methods. The inception report should include a proposed schedule of tasks, activities and deliverables. The inception report will be discussed and agreed upon with all stakeholders.
2. ***A draft comprehensive report that will inform all the key stakeholders including***: the AUC/DPA, the African Court, the PALU and the Royal Norwegian Embassy and representatives from NANHRI and NHRIs and civil society. The report should provide options for strategy and policy as well as recommendations. DPA and the African Court will provide comments within 5 days after the reception of the Draft Report. The programme Manager and key focal person in the DPA should review the draft evaluation report to ensure that the evaluation meets the required quality criteria.
3. ***The Final Report:*** This will be submitted 5 days after receiving comments from the DPA and the African Court. The content and structure of the final analytical report with findings, recommendations and lessons learnt covering the scope of the evaluation should meet the requirements of DPA guidelines and should include the following:
4. Executive summary (1-2 pages)
5. Introduction (1 page)
6. Description of the evaluation methodology (3 pages)
7. Situational analysis with regard to the outcome, outputs, and partnership strategy (2-3 pages)
8. Analysis of opportunities to provide guidance for future programming (2-3 pages)
9. Key findings, including best practices and lessons learned (3-4 pages)
10. Conclusions and recommendations (2-3 pages)
11. Appendices: terms of reference, list of people interviewed, documents reviewed

**7. Duration of the Work**

1. The duration of contract shall be for a maximum of 10 (Ten) working days between June-July 2019
2. The consultant will work closely with the Directorate of Political Affairs

**8. Required Expertise and Qualifications:** The Evaluator shall have the following expertise and qualifications:

* At least Master’s degree in Law or Political Science with specialization in Human Rights, International Policy Development, or any other relevant university degree;
* At least 10 years of experience in working with international organizations and donors;
* Extensive Experience of project and Policy formulation and evaluation and experience of conducting similar evaluations for international programmes;
* Excellent Knowledge of AU Union organs with a mandate on human rights;
* Excellent written and verbal communication skills in English.

**9. Management Arrangement:** The Evaluation Team will report to the designated Programme Manager and focal person from the AUC/DPA who will manage the evaluation process including providing technical guidance and ensure that policy is followed.

**10.Evaluation and Qualification Criteria**

For evaluation of the submission the following criteria will be applied:

1. General Education Qualification and Relevant Training of the Consultant (20 Points);
2. Experience in undertaking similar assignments (45 points);
3. Technical approach and methodology (35 points)

**11: Consultancy Fee and Schedule of Payments**

1. The consultant will be offered a lump sum fee for 10(Ten) working days.
2. The payments will be made in installments based upon outputs/deliverables specified in the TOR and upon certification of satisfactory work as per work plan and endorsed by AU.

A fixed sum of **USD 10,024.00**, is envisaged as the total consultancy fees for this assignment including Ticket/travel costs. The payment will be phased in accordance with the various stages of the assignment and is inclusive of all assignment costs and profits as well as tax obligations that may be imposed on the Consultant.

**12. Documents**

While submitting the Technical Proposal, the Consultant shall, in particular, ensure to attach the following:

1. CV of the Individual Consultant
2. Detailed methodology and conceptual framework with expected deliverables and timelines (Work Plan)

Further information can be obtained at the address below during office hours 8:00-13:00hrs and 14:00-17:00 hours Local Time.

Proposal must be delivered in a written form to the address below not later than **15:00 hours local time, on June 7th, 2019.**

**African Union Commission,**

**Attn: Carine Toure Yemitia (Mrs.)**

**Head of Procurement Travel and Store Division**

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1. *The objectives of the project include; to improve capacity of national human rights institutions in Africa; Increase involvement of Civil Society Organisations (CSOs) in African Union activities on human rights, and strengthening the relationship between Government programmes and CSOs; constructively reshape the course of human rights agenda over the next ten years in Africa; Support the organization of the 5th Annual Dialogue on Democracy, Good Governance and Human Rights in Africa; facilitate the participation of Civil Society Organizations at the 5th High Level Dialogue; and contribute to the Consultancy on the development of the Ten Year Action Plan.*  [↑](#footnote-ref-1)
2. *See Grant Agreement between the Norwegian Ministry of foreign Affairs and the African union regarding RAF-15/0089, the African Human Rights Decade Project (2016-2018) for details.*  [↑](#footnote-ref-2)