



Terms of Reference for Endline Evaluation

“Promoting the right to a fair trial, improving detention conditions and abolishing torture in Iraq” project

Background

The Norwegian People's Aid (NPA) is a non-governmental organisation with roots in trade unions and labour movements. NPA supports processes towards democracy and equitable distribution of power through mobilisation, popular participation and collective organisation. The international strategy affirms civil society as a key pillar for nation building; democracy and development, and views human rights as building blocks for development and redistribution.

NPA's goal is to support human worth and equal rights for all, irrespective of sex, disability, ethnicity, religion, age, sexual preference or social status. The NPA vision is solidarity in practice. The vision demands commitment and action to protect life and health, build democratic societies and strengthen people's ability to master their own lives.

NPA and its partners are implementing a two-year project (February 2023 to January 2025) with fund from the European Union (EU) through the European Instrument for Democracy and Human Rights (EIDHR) with an overall objective to increase the access of people deprived of liberty to human rights through fair trials and humane treatment with improved conditions in the prisons and detention centres in Iraq. The project's target is People Deprived of Liberty (PDL), including Children and Youth in contact with the law, victims of torture, professionals of the judicial system such as lawyers, judges, judicial investigators, general prosecutors professionals in contact with PDL including management staff of detention centres (DC) and reformatory centres, and the Iraqi society. The project is implemented in twelve governorates (Dohuk, Erbil, Sulaymaniyah, Ninewa, Kirkuk, Diyala, Baghdad, Kerbala, Najaf, Diwaniyah, Babil, and Basrah) in Iraq.

Targeted stakeholders are government entities, civil society actors, national assembly members and government officials in both Federal Iraq and KRI, as well as the United Nations Assistance Mission for Iraq (UNAMI). Other stakeholders include political actors, UN agencies, activists and religious and tribal leaders.

Equal rights for women

NPA adheres to an inclusion mainstreaming approach in partnerships, organisational development, and programming such as supporting equal opportunities for women and men in partner organisations and in rights-holder groups.

NPA and its partners ensure that both women and men have equal access to the different components of the project, including project design, implementation, and monitoring. NPA and partners have done their best to reflect equal participation in not only the strategic aspects but also the day-to-day work of the project. Both NPA and the partners equally employ women and men within their organisational structures.

Purpose of the evaluation



The purpose of this evaluation is to help NPA assess how effectively the project objectives have been achieved, identifying both successes and areas for improvement. The evaluation will focus on lessons learned and recommendations, in accordance with NPA guidelines for end-of-programme evaluations, to help enhance our approach to designing and implementing similar programmes in the future.

The evaluation should provide a framework to collect data on immediate, basic changes that lead to longer, more transformative change, and allow for the plausible assessment of the initiative's contribution to results.

To aid in this purpose, the evaluation will therefore respond to the following objectives:

- To critically review the achievement of the project in terms of attaining its objectives using the evaluation criteria: relevance, effectiveness, efficiency, impact and sustainability.
- To gather evidence of change by evaluating both qualitative and quantitative data against the project's indicators in the log-frame; capturing achievements of the project's results and indicators.
- To reflect on the effectiveness of the NPA model of working in local partnerships with civil society organisations to achieve project objectives with a focus on those deprived of liberty and how to engage with them in a meaningful and purposeful way.
- Suggest key practical targeted recommendations and learning to be considered by NPA for future programming, in particular, inform with practical recommendations the continuation and further implementation of similar projects in 2025 and beyond.
- To contribute to NPA's overall institutional learning and refer to NPA Development and Humanitarian Cooperation Result Evaluation Plan 2020-2024.
- To showcase examples of how the project has ensured accountability towards the people most at risk.

The evaluation results are envisaged to identify and describe the lessons learned, through measurements of the changes in the set milestones, summarize the experiences gained, technically and managerially, and recommend ways in which the activities of the programme and future programmes can strengthen the access to justice for PDLs, including children and youth in contact with the law (CYWL), the rule of law, and democratisation and human rights process in Iraq.

Users of the evaluation

The evaluation shall provide the donor and NPA with a review of the project's relevance, effectiveness, efficiency, impact, sustainability and partnership to make suggestions for potential adjustments if required.

The primary intended users of the evaluation are:

- NPA Iraq Country Office
- NPA Head Office (MENA team and technical advisors)
- EU (donor)
- Partner organisations

Intervention logic:

The scope of this evaluation will focus on the project's Theory of Change, the role it has played in guiding NPA and its partners' delivery of results against strategy, to learn how these results enable change for people and understand CSOs' role, contribution and added value in this.

The design of the intervention is to contribute to the overall objective which is to increase access of people deprived of liberty to human rights through fair trials, humane treatment and improved conditions in the detention centres in Iraq. The proposed action aims to achieve this result through four specific objectives:

1. To provide effective oversight, identify systematic problems and enhance monitoring and follow-up in detention centres for reduced risk of ill-treatment and torture.
2. To strengthen civil society to contribute to the elimination of all forms of torture, inhumane and degrading treatment during detention; and promote the right to a fair trial.
3. To support civil society to strengthen legislative, practices, measures, policies and procedures of the Iraqi Justice system to be in line with the international standards and narratives.
4. To support civil society to improve transparency, efficiency, effectiveness and accountability of the Juvenile Justice System in Iraq and KRI.

These objectives will be fulfilled by achieving the following main results:

- CSOs are capacitated to monitor and report on ratified international human rights conventions against torture and other cruel inhumane or degrading treatment or punishment.
- Mechanisms for monitoring pre-, during and post-trial processes are in place.
- Multi-layer advocacy, lobbying and communication plans are in place.
- The public is onboarded and supports torture prevention and the adoption of humane approaches during all stages of the judicial process.
- Strategic plans are in place to promote legal, regulatory and procedural reform within the Iraqi and the Kurdistan Region of Iraq (KRI) justice systems.
- Improved policies and procedures of the Iraqi government and the Kurdistan Regional Government (KRG) for fair trial and torture prevention.
- Increased management, administrative and technical capacities of the Justice for Children actors.
- Mainstreamed child-friendly approach.
- Children and Youth in Contact with the Law re-integrated and rehabilitated in juvenile centres
- Promoted access to legal information for the public (e.g. about the justice system in general, court fees, how to initiate a claim, etc., through bulletin boards, leaflets, websites and media)

Key evaluation questions

It is expected that the consultant gives recommendations for further improvements of similar projects based on Iraqi context, trends and other key questions. The evaluation is expected to consider evaluation criteria: relevance, effectiveness, efficiency, sustainability and impact. In addition, the evaluation should focus on partnership and lessons learned. Lessons learned should be documented to inform NPA's and partners' decision-making processes.

The evaluation should identify strengths, challenges and weaknesses in the project design, implementation and monitoring process and recommend possible changes for future learning. Also, document the lessons learned in terms of the design, implementation, and monitoring of the project, that should be applied for future programmes and projects, with consideration to the NPA partnership model. Details of lessons learned about how change comes about, what should be done differently in the future and what needs to happen next.

Some of the overarching questions are proposed below; however, the consultant may suggest other questions as relevant:

<i>Evaluation Criteria</i>	<i>Key Review Questions</i>
Relevance and quality of design	• To what extent does the project align with the needs and priorities of people deprived of liberty in Iraq, including children and youth in contact with the law? • How well does the project design respond to the identified gaps in the Iraqi and KRI justice systems, particularly regarding torture prevention, fair trials, and detention conditions? • Are the project objectives coherent with the broader international human rights standards, particularly in addressing torture and improving judicial transparency?
Effectiveness	• To what extent have the specific objectives of the project (e.g., oversight of detention centres, strengthened civil society, legislative reforms, and juvenile justice improvements) been achieved? • Were the inputs and strategies used effective, realistic, appropriate and adequate to achieve the project results? • How effective has the project been in capacitating CSOs to monitor and report on ratified international human rights conventions against torture? • Have mechanisms for monitoring pre-, during, and post-trial processes been successfully established and utilized? • What progress has been made in enhancing transparency, efficiency, and accountability in Iraq's juvenile justice system?
Efficiency	• Were the resources used effectively and in a timely manner to produce the outputs and results appropriate compared to the planned budget and activities? • What factors contributed to implementation efficiency? • Did the project activities overlap and duplicate other similar interventions (funded nationally and/ or by other donors)? • How efficient were the management and accountability structures of the project? • To what extent are the objectives of the project still valid? • How well did the collaboration between NPA, CSOs, and other stakeholders contribute to the cost-effective delivery of results? • Was the advocacy, lobbying, and communication strategy implemented in a timely and resource-efficient manner?
Impact	• What were the positive and negative, intended and unintended, changes produced by the project? • What significant changes have been observed in detention conditions, the handling of fair trials, and the prevention of torture due to the project's interventions among both adults and children and youth in contact with the law?



	• How has the capacity-building of CSOs contributed to long-term improvements in the monitoring of human rights abuses and the reform of the justice system (including juvenile law)? • To what extent has the project impacted the juvenile justice system, especially in terms of reintegration and rehabilitation of children and youth in contact with the law? • Has public awareness increased on the issue of torture prevention and the judicial process through the project's public advocacy efforts?
Sustainability	• How sustainable are the results achieved by the project, particularly in terms of the capacity of CSOs to continue monitoring and reporting on torture and fair trials? • To what extent are the reforms in legal, regulatory, and procedural frameworks likely to be maintained by the Iraqi government and KRG beyond the project's lifecycle? • Are there any mechanisms in place to ensure that the improvements in juvenile justice continue after project support ends?
NPA capacity and partnership with local CSO	• How is the NPA's organisational capacity set up in order to achieve the intended programme results? This includes implementation performance and work planning, • How are the NPA capacity and systems for risk management? • How is monitoring and documentation of outputs, outcomes and longer effects organised and what monitoring systems are in place? • Assess the partnership process and the partnership relationship between NPA and its local partners, identify what worked well and what did not work well and recommend possible changes. • In what ways, the working responsibilities between NPA and partners have been effective or ineffective during the implementation of the project? • How NPA's contributions and approaches have been in terms of communications and advocacy to partners?
Lessons Learned	• Identify strengths, challenges and weaknesses in the programme implementation process and recommend possible changes/ potentials for future programmes. • Document the lessons learned in terms of the design, implementation, and monitoring of the project, that should be applied for future programmes, with consideration to NPA partnership model.

Evaluation implementation

Timeframe

The preliminary draft report should be submitted to NPA by **1st December 2024** at the latest and the final evaluation report should be submitted to NPA after two weeks of receiving NPA's feedback on the draft report, latest by **20th December 2024**. The work is planned to commence no later than **1st November**.

The Consultant/Company should present a detailed timeframe for each activity in the work plan including working days for each activity.



Organisation of evaluation management

- The Consultant will report to the NPA steering committee, consisting of the Country Office team (Country Director, Programme Manager, Projects Manager and MEAL Manager) and the Iraq Advisor at NPA Head Office.
- The steering group will oversee and support the day-to-day delivery of the evaluation.
- The donor will provide feedback on draft findings and recommendations and inform NPA's management response.
- NPA will provide administrative/logistical support towards the organisation of documentation, interviews, meetings, field visits and workshops.

Methodology

The Consultant will design the details of the methodology in cooperation with NPA. The evaluation should follow a collaborative and participatory mixed-methods approach that draws on both existing and new quantitative and qualitative data to respond to the evaluation questions mentioned earlier in this document. The Consultant should follow a theory-based approach based on the programme theory of change. Furthermore, it should combine evaluation tools based on international standards and guidelines, notably OECD DAC Quality Standards.

It is expected that the Consultant will assess the quality of the project's theory of change and, if necessary, develop a realistic impact logic based upon on the conducted interventions. The methodology design should be developed by the Consultant in consideration of the information outlined in this ToR to ensure accuracy and rigour. A detailed methodology and data collection methods should be included in the technical proposal, which will be further improved in consultation with NPA team during the inception phase of the evaluation. The choice of methods must also consider the needs and capacities of the different target groups and stakeholders.

Desk review:

Desk Review should be conducted by the consultant to inform the methodology and development of the tools. In addition, the conducted desk review should cover the following documents:

- Project proposal
- Log-frame
- Annual and quarterly reports
- Existing documents available at NPA and among partners

The desk review process should serve as guiding for the Consultant to continue gathering resources that would enable him/her to carry out the development of tools.

The document review will also include NPA policies, proposal, reports to donor, documentation from partners, and various forms of programme documentation.



It will also include field studies to sample the selected locations in Iraq. This will include field visits and interviews with NPA staff, donor staff, representatives of partners, local authorities and other stakeholders.

The evaluation should have a strong learning aspect and should therefore apply participatory methods that will include various stakeholders.

The main findings should be presented at NPA country office before the final version of the report.

Deliverables

- a. Present to NPA Evaluation Inception Report: This document will operationalise and direct the evaluation. It will describe how the evaluation will be executed, thus refining and elaborating upon the terms of reference; it will be approved by NPA senior management and act as an agreement between parties for how the evaluation will be conducted. The report will include the following elements:
 - Expectations of evaluation
 - Roles and responsibilities
 - Evaluation methodology, questions
 - Evaluation framework
 - Information collection and methods of analysis
 - Reporting formats
 - Day-by-day work plan and time frame for activities and deliverables
- b. Develop the tools and methodology for conducting the evaluation, using both quantitative and qualitative approaches to address the key evaluation questions listed above. The Consultant will then compare the findings with baseline values, using appropriate surveys, and statistical tests (relevant methodology), to draw the findings and conclusions and take into account the qualitative information to write the report.
- c. Review all project documents (proposal and reports submitted to the donor) and relevant NPA policy documents.
- d. Conduct qualitative/quantitative data collection through appropriate methods and carry out data analysis (including appropriate statistical tests).
- e. Prepare a draft evaluation report which includes the following elements:
 1. A stand-alone Executive Summary
 2. Introduction
 3. Methodology
 4. Responses to questions/ Findings
 5. Problems and needs
 6. Achievement of purpose
 7. Overall assessment



8. Conclusions, Targeted Recommendations and Management Responses
 9. Annexes to the report, including data analysis report.
- f. Present findings to NPA and partners' staff in a briefing session.
 - g. Consultant receives feedback on the first draft from NPA and partners' staff.
 - h. Prepare the evaluation report incorporating all the feedback from both the document review and briefing session and submit the final report to NPA.
 - i. All developed tools, questionnaires, reports, and guidelines should be delivered to NPA in soft and hard copy.

Qualities of the Consultants

The Consultant should be skilled in conducting evaluations and reviews and must have a substantive understanding of issues related to human rights, youth and women issues. Knowledge of programme management and implementation is critical for this assignment. The Consultant should demonstrate ethical consideration including a respectful attitude towards NPA partners and their constituency, as well as other stakeholders.

The Consultant should have proven experiences of previous assignments with development analysis, evaluations and reviews of a similar nature as well as engaging communities using participatory methodologies.

The composition of the evaluation team is up to the Consultant who can choose, depending on their internal system, ideas and logic but the team members must fulfil competency criteria.

NPA recommends that the team should be comprised of a Team Leader/Focal point who takes overall responsibility for this evaluation and coordinates/liaises between NPA and the evaluation team on the ground. The evaluation team should include other personnel such as a coordinator, data analyst, enumerators, etc.

Supervision of the fieldwork and quality (reliability and validity) of the data/information collected at the field level is the primary responsibility of the team leader. Similarly, the team Leader will work closely with NPA's programme management team. In each step and process, consultation with the NPA Programme Manager is vital.

More specifically, the Consultant/Company should have the following competencies and/or experience.

- Proven expertise in the design and review of programmes focused on human rights, democratisation, especially in Access to Justice and Justice for Children, and experience in the MENA context, preference will be given to candidates that have past experience with programme design, implementation and/or evaluation of development programmes in the MENA region.
- Experience with data analysis and writing up evaluation reports
- Extensive work experience and in-depth knowledge of conducting programme evaluations.



- Post-graduate degree in development studies and human rights, or equivalent knowledge in the areas mentioned in the above two points.
- Preferably, the Consultant should deploy a multidisciplinary team with a background in political and statistical data analysis qualifications.
- Postgraduate in Access to Justice and/or Justice for Children studies is desirable.
- Preference will be given to those who possess past experience working with INGOs and conducting evaluation surveys.
- The Consultant should have proficiency in English. Working knowledge of Arabic is a plus.
- The field team must have proficiency in Arabic and Kurdish.

Resource needs

Submission of the technical and financial proposition:

The potential and interested Consultants must submit a technical and financial proposition expressing their interest in conducting an end-line evaluation for the project “Promoting the right to a fair trial, improving detention conditions and abolishing torture in Iraq ” by **15th October 2024** to:

Procurement Department, NPA Iraq (iraq_tender_dhc@npaid.org)

NPA will hold prior discussions with short-listed interested consultants/firms to provide further clarification to the ToR in order to ensure quality final quotations. Short-listed Consultants will be contacted by NPA for a meeting date/location/skype for the interview prior to a final revision of the technical proposal budget and finalisation.

Budget:

The total estimated budget for this evaluation is around 14,500,000 IQD. A well-structured budget by the consultant should include the cost to implement the above-listed activities and deliverables as per the below table.

Budget line	Unit	Max. total # of days	Unit cost (IQD)	Total cost (IQD)
1. Inception phase				
Personnel (give details of each person's title and his/her role in this evaluation). <i>For example, 1.1 Team Leader (overall responsibility on design implementation and writing the evaluation report)/ day/ xx days/ yy IQD per day/ zzz total IQD</i>				
Sub-total 1				
2. Data collection phase				



Personnel (give details of each person's title and his/her role in this evaluation). <i>For example, 2.1 Team Leader/ day/ xx days/ yy IQD per day/ zzz total IQD</i> <i>Mention the role of the person if he was not involved in phase 1.</i>				
Sub-total 2				
3. Analysis, validation and write-up phase				
Personnel (give details of each person's title and his/her role in this evaluation). <i>For example, 3.1 Team Leader/ day/ xx days/ yy IQD per day/ zzz total IQD</i> <i>Mention the role of the person if he was not involved in phases 1 or 2.</i>				
Sub-total 3				
4. Fieldwork expenses and logistics				
4.1 logistics for the field work including transportation and overhead costs	Lump sum			
4.2 Flight tickets (two way)	Lump sum			
4.3 accommodation and peridium	Lump sum			
Sub-total 4				
5. Other expenses				
Sub-total 5				
Total cost				

Evaluation Criteria:

The application will be evaluated based on the following criteria: The key factors stated below will be taken into consideration during the evaluation process:

Criteria	Total obtained score
Technical	80%
1. Demonstrated understanding, objective and completeness of the evaluation	10%
2. Methodology and implementation plan	25%
a. Details and quality (adequacy) of the methodology proposed for the evaluation	(15%)
b. Detailed implementation plan indicating time frame	(10%)
3. Proposed team Detailed description of the proposed team, position with the company with CVs (not more than three pages for each CV) of the proposed team leader and other key team members.	30%
4. Organization	15%
a. Experience in similar work in the last five-years, client list, management control system.	5%
	5%

b. Exposure to working with UN, international donors, international organisations and other development agencies. c. Additional resources/ logistics which can be made available to conduct the evaluation.	5%
Financial	20%
All technically qualified proposals will be scored out of 30% based on the below formula. The maximum score (30%) will be assigned to the lowest financial proposal. All other proposals receive points according to this formula: $P = y (m/z)$ Where: $P =$ points for the financial proposal being evaluated $Y =$ maximum number of points for the financial proposal $m =$ price of the lowest-priced proposal $z =$ price of the proposal being evaluated	

Evaluation Ethics:

Due to the dynamic situation in which NPA and its partners operate, as well as the potentially life-threatening nature of the issues involved, it is essential that the Consultant adheres to strict ethical and security guidelines. The purpose of this evaluation should never be to hurt anyone or find out information at the expense of other people. The Consultant will only be considered where the ethics and appropriate protocols are embedded into their organizational or private consultancy profile. The consultant has to demonstrate they are keenly aware of particular ethical and security issues that arise from working in this specific environment, including the protection of local communities and the need for vigilant data handling and management.

Confidentiality:

All information presented, obtained and produced concerning the EU Human Rights Defenders mechanism, the partners and beneficiaries during the Evaluation process/Consultancy is to be treated as confidential. The selected consultant will be required to sign a confidentiality agreement upon signature of the contract. The selected consultant should also observe the communication and online digital security protocols established for the project, particularly in their interactions with beneficiaries of the project and in the management of sensitive information.

Literature reads:

- Previous relevant evaluations
- Project documents
- Project reports and available results information
- NPA current strategy
- NPA country programme strategies
- NPA Partnership Policy



Norwegian People's Aid

- NPA Humanitarian Policy
- NPA Equality Policy
- NPA DHC Result Evaluation Plan 2020-2024.