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Terms of Reference

Final Evaluation Consultant For Project on

"Promoting Gender Equality and Improving Access to Justice for Female Survivors and Victims of Gender-Based Violence under the Khmer Rouge Regime"

1. Background and Context

1.1 Project description

The Victims Support Section of the Extraordinary Chambers in the Courts of Cambodia (ECCC) was awarded funding by the United Nations Trust Fund to End Violence Against Women (UN Trust Fund) for the project: "Promoting Gender Equality and Improving Access to Justice for Female Survivors and Victims of Gender-Based Violence under the Khmer Rouge Regime". The main objectives of the Project are to strengthen gender capacities at the ECCC, and in partnership with non-governmental organizations (NGOs) engaged in transitional justice, to improve trial attendance of sexual and gender-based violence victims and women through logistical support, legal counseling, and gender-capacity building amongst victims' representatives.

The Project addresses specific forms of sexual and gender-based violence (SGBV) that occurred during the Khmer Rouge regime, including forced marriage and rape; and promotes public awareness and knowledge of the origin and various forms of SGBV and the implications for gender equality today. The interventions target survivors of SGBV, civil society organizations, legal professionals working at the ECCC, community-based organizations, and the general public.

The Victims Support Section (VSS) of the Extraordinary Chambers in the Courts of Cambodia is implementing the Project in cooperation with two local NGOs, namely the Cambodian Defenders Project (CDP) and Transcultural Psychosocial Organization (TPO), over three (3) years from October 2011 to September 2014.

1.2 Project strategy

To achieve its goal, the Project envisages the following strategies: a) Increase women's participation in the ECCC's trial, b) Enhance institutional and community gender capacity

building, c) Provide psychosocial services, d) Implement truth telling activities, e) Raise awareness, and f) Document best practices.

The Project goal is to have female survivors of the Khmer Rouge regime, in particular survivors of sexual and gender-based violence, fully enjoy and exercise their transitional justice rights, namely the right to truth, to criminal justice, to rehabilitation and to non-recurrence. The Project results include:

Outcome 1: The ECCC and NGOs improve their gender-sensitivity in operations and activities. Educational institutions for judicial professionals are more aware of gender needs.

<u>Output 1.1:</u> Staff of ECCC, NGOs and educational institutions have demonstrably increased their knowledge related to gender-sensitive judicial and non-judicial measures.

Outcome 2: Female survivors and GBV victims are provided with resources and effective Case Management that ensures their participation in court and outside of court, the stories of victims are heard, and they get perspective of their redress.

<u>Output 2.1:</u> Female Civil Parties and GBV survivors are legally represented and have the logistic means to attend the trials.

<u>Output 2.2:</u> Female Civil Parties and GBV survivors have strengthened legal knowledge in legal proceedings.

Outcome 3: Female CPs and victims of GBV improved their mental well-being and mutual support.

<u>Output 3.1</u>: Female CPs and victims of GBV have better access to psychological and psychiatric treatment and a better understanding of their mental health issues.

Outcome 4: Women and men have demonstrably increased their understanding on GBV under the Khmer Rouge, the causes for Violence against Women and women's human rights today.

<u>Output 4.1:</u> Women and men engage in public dialogues on GBV under the Khmer Rouge and its implications for Cambodian society today.

<u>Output 4.2:</u> Information on GBV under the KR, women's rights, and "good practice" examples for gender sensitive transitional justice measures is documented and accessible to public.

1.3 Project geographic context

The project is implemented in the form of institutionalized capacity building and community-based interventions at the ECCC, and in some civil society organizations and various villages located in Phnom Penh, Kandal, Kampong Speu, Kampot, Pursat, Kampong Cham, Kampong Thom and Siem Reap provinces.

1.4 Total resources allocated for the interventions

The fund of USD 819,828.88 was committed to the Project. USD 628,500.88 was supported by the UN Trust Fund to End Violence against Women (UNTF), and USD 191,328.00 were a counter-part contribution from grantees for various positions to support the Project.

1.5 Key partners involved in the project, including the implementing partners and other key stakeholders

- Extraordinary Chambers in the Courts of Cambodia (ECCC)
- o Transcultural Psychological Organization (TPO) and
- Cambodian Defenders Project (CDP)
- o UN Women
- United Nations Cambodia Office of the High Commissioner for Human Rights (UNCOHCHR)
- Youth for Peace (YfP)
- KdeiKaruna (KdK)

2. Purpose of the Final Evaluation

This is a mandatory final project evaluation required by the UN Trust Fund to End Violence against Women. The evaluation will provide an assessment of the project implementation and identify and document best practices and lessons learnt.

The evaluation needs to evaluate the entire project with a strong focus on assessing results (i.e. project goal, outcomes and outputs) and impacts of the project.

The final project evaluation aims to assess the progress made towards the achievement of the overall and specific objectives based on the project proposal, current data and direct observation; as well as to identify gaps and lessons learned.

The results will be used to inform the direction of any continuing or new activities of the project partners, and to provide evidence for funding proposals to support such activities.

3. Evaluation Objectives and Scope

3.1 Scope of Evaluation:

The focus and scope of the evaluation shall be determined based on the five (5) evaluation criteria and key evaluation questions.

- o *Timeframe:* This evaluation shall cover the entire project duration.
- o **Geographical Coverage:** Phnom Penh, Kandal, Kampong Speu, Kampot, Pursat, Kampong Cham, Kampong Thom and Siem Reap.
- Target Groups: Primary beneficiaries (Sexual Gender-based Violence survivors of the Khmer Rouge regime and female Civil Parties in Case 002), secondary beneficiaries (general public who benefited from greater knowledge about SGBV and women's right), and broader stakeholders.

3.2 Objectives of Evaluation:

The overall objectives of the evaluation are:

- To evaluate the entire project in terms of effectiveness, relevance, efficiency, sustainability and impact, with a strong focus on assessing the results at the outcome and project goal levels;
- b. To generate key lessons and identify promising practices for learning;
- c. To determine the project's achievements and gaps;
- d. To provide best practices/recommendations that may be used in future programming and strategy;
- e. To determine if the results contribute to the project's overall goal.

4. Evaluation Questions

The key questions are made in relation to the five(5) evaluation criteria which are:

- o **Relevance:** whether the project goal and outcomes are in line with the needs and aspirations of the beneficiaries, and with the policy environment of the project.
- o **Impact:** whether there has been a change toward the achievement of the project goal as a consequence of the achievement of the project outcomes. Both intended and unintended impacts are reviewed.
- **Effectiveness:** the degree to which achieving outputs and outcomesof the project will contribute to the achievement of the project goal.
- o **Efficiency:** the relationship between the results and means i.e. whether the process of transforming the means into results has been cost-effective.
- **Sustainability:** the degree to which the benefits produced by the project continue after the external assistance has come to an end.

The key questions that need to be answered by this evaluation include the following, divided into five categories of analysis of overall evaluation criteria as described above:

Evaluation Criteria	Mandatory Evaluation Questions
Effectiveness	 To what extent were the intended project goal, outcomes and outputs achieved and how?
	2) To what extent did the project reach the targeted beneficiaries at the project goal and outcome levels? How many beneficiaries have been reached?
	3) To what extent has this project generated positive changes in the lives of targeted (and untargeted) women and girls in relation to the specific forms of violence addressed by this project? Why? What are the key changes in the lives of those women and/or girls? Please describe those changes.
	4) What internal and external factors contributed to the achievement and/or failure of the intended project goal, outcomes and

	outputs? How?
	Alternative questions focusing on the policy level:
	5) To what extent was the project successful in advocating for legal or
	policy change? If it was not successful, explain why.
	6) In case the project was successful in setting up new policies and/or laws, is the legal or policy change likely to be institutionalized and sustained?
Relevance	1) To what extent were the project goal, strategy and activities, as originally conceived, relevant in responding to the needs of female survivors affected by gender based violence under the Khmer Rouge?
	2) To what extent were the achieved results (project outcomes and outputs) relevant to the needs of female survivors affected by gender based violence under the Khmer Rouge?
Efficiency	1) How cost efficient was the project in terms of financial investment and outcome?
	2) Was the project implemented in a timely manner, in accordance with the Project Document?
	3) How efficient were management and coordination for the project?
Sustainability	1) How are the achieved results going to be sustained after this project ends, especially the positive changes generated by the project in the lives of women and girls at the project goal level?
	2) What elements of the project (in order of priority) should continue if further funding becomes available?
Impact	 What unintended consequences (positive and negative) resulted from the project, for stakeholders and project partners?
Knowledge	1) What are the key lessons learned that can be shared with other
Generation	practitioners on ending violence against women and girls?
	2) Are there any promising practices? If yes, what are they and how
	can these promising practices be replicated in other projects
	and/or in other countries that have similar interventions?
	3) What documentation of project activities, new knowledge and practice has been conducted?

5. Evaluation Methodology

To address the evaluation criteria and answer the key evaluation questions, analyze the data, interpret the findings, and report results, the evaluation will need to adopt methodologies that combine both qualitative and quantitative research techniques. The Consultant is expected to propose his/her methodology for the evaluation which should include but not limited to:

1) Evaluation design: It must detail a step-by-step plan of work that specifies the methods the evaluation will use to collect the information needed to address evaluation criteria and

answer the evaluation questions, analyze data, interpret the findings, and report the results.

2) Data sources:

- Primary Data: These data consist of the reported or observed values, beliefs, attitudes, opinions, behaviors and motivations and knowledge of stakeholders that should be obtained through questionnaires, surveys, interviews, focus groups, key informants, expert panels, direct observations and case studies. Our stakeholders include Civil Parties, ECCC, Civil Society partners, and donors, etc.
- Secondary Data: These data should be collected from documentary evidence that has direct relevance for the purposes of the evaluation. The documentary information can be obtained from the monitoring database created by the VSS, the project website (http://gbvkr.org/), documentary videos, national and international reports, ECCC documents, nationally/internationally-published reports, project plans, monitoring, and mid-term evaluation.

3) Proposed data collection methods:

- Monitoring and Evaluation System: A monitoring database has been created in the VSS to record performance indicators and measure progress.
 Documents and materials produced by the Project have been collected and kept in the database.
- Questionnaires: Civil Parties and Stakeholders follow the format of the mid-term evaluation (5-page questionnaires)
- Interviews: Civil Parties (30 CPs) and Stakeholders (approximately 30-35 people
- 4) Analysis of Data: It is a an evaluation tool that maps how the information collected will be organized, classified, inter-related, displayed and compared relative to the evaluation questions, including what will be done to include multiple sources, especially those that provide data in narrative form and any statistical method that will be used to present the data. Possible challenges and limitations should be described. The analysis plan should be written together with data collection methods and instruments.
- 5) Proposed Sampling Methods: Simple random samples
- **6) Field Visits**: At least visit 2 provinces amongst geographical areas mentioned in 1.3, where activities of testimonial therapy, forum theatres, and self-help group have taken place.

VSS staff will assist the Consultant in organizing workshops and/or group discussions, provide contact details, and facilitate meetings with relevant court officials and other stakeholders.

The detailed methodologies may be discussed again with the Consultant when he/ she comes on board.

6. Evaluation Ethics

The evaluation must be conducted in accordance with the principles outlined in the UN Evaluation Group (UNEG)"Ethical Guidelines for Evaluation" available at http://www.unevaluation.org/ethicalguidelines.

It is imperative for the evaluator(s) to:

- o Guarantee the safety of respondents and the research team.
- o Apply protocols to ensure anonymity and confidentiality of respondents.
- o Select and train the research team on ethical issues.
- Provide referrals to local services and sources of support for women that might ask for them.
- Ensure compliance with legal codes governing areas such as provisions to collect and report data, particularly permissions needed to interview or obtain information about children and youth.
- o Store securely the collected information.

The evaluator(s) must consult with the relevant documents prior to development and finalization of data collection methods and instruments. The key documents include (but not limited to) the following:

- World Health Organization (2003). Putting Women First: Ethical and Safety Recommendations for Research on Domestic Violence Against Women.
 www.who.int/gender/documents/violence/who fch gwh 01.1/en/index.html
- Jewkes, R.,E. Dartnall and Y.Sikweyiya (2012). Ethical and Safety Recommendations for Research on the Perpetration of Sexual Violence. Sexual Violence Research Initiative. Pretoria, South Africa, Medical Research Council. www.svri.org/EthicalRecommendations.pdf
- o Researching violence against women: A practical guide for researches and activists, November 2005. http://www.path.org/publications/files/GBV rvaw complete.pdf
- World Health Organization (WHO), 'Ethical and safety recommendations for researching documenting and monitoring sexual violence in emergencies' 2007, http://www.who.int/gender/documents/OMS Ethics&Safety10Aug07.pdf

7. Key Deliverables of Evaluators and Timeframe

The final evaluation report must be written and submitted in English.

	Deliverables	Description of Expected Deliverables	Timeline of each deliverable (date/month/year)
1	Evaluation inception	The inception report provides the grantee	11/September/2014
	report	organizations (VSS, CDP & TPO) and the evaluators	

	(language of report: in English that is comprehensible to non-native speakers)	with an opportunity to verify that they share the same understanding about the evaluation and clarify any misunderstanding at the outset. An inception report must be prepared by the evaluators before going into the technical mission and full data collection stage. It must detail the evaluators' 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/analysis procedures. The inception report must include a proposed schedule of tasks, activities, and deliverables, designating a team member with the lead	
		responsibility for each task or product. The structure must be in line with the suggested structure specified in the annex of the TOR.	
2	Draft evaluation report (language of report: in English that is comprehensible to	Evaluators must submit draft report for review and comments by all parties involved (VSS, CDP&TPO). The report must meet the minimum requirements specified in the annex of TOR.	10/November/2014
	non-native speakers)	The grantee (VSS, CDP & TPO) and key stakeholders in the evaluation must review the draft evaluation report to ensure that the evaluation meets the required quality criteria.	
3	Final evaluation report (language of report: in English that is comprehensible to non-native speakers)	Relevant comments from key stakeholders must be well integrated in the final version, and the final report must meet the minimum requirements specified in the annex of TOR. The final report must be disseminated widely to relevant stakeholders and the general public.	18/November/2014
4	Executive summary (language of report: in English)	Evaluator(s) is required to produce a stand-alone executive summary highlighting the key results and impacts along with the findings and recommendations for sustainability and scaling-up of activities.	27/November/2014

8. Evaluation Team Composition and Required Competencies

Qualified evaluators must be independent from any organizations that have been involved in designing, executing, managing or advising any aspect of the project that is the subject of the evaluation and any other UN Trust Fund-funded project.

The evaluators will be responsible for undertaking the evaluation from start to finish. He/she can create and manage his/her own team. He/she will be managed by an Evaluation Task Manager from the VSS with regard to the data collection and analysis, as well as the preparation of a draft report and finalization in English.

The evaluator(s) should have the following skills and knowledge:

Skills:

- At least five (5) years' experience in conducting external project evaluations using mixed-methods, including use of non-traditional and innovative evaluation methods
- o Expertise in gender and human rights-based approaches to evaluation
- o Specific evaluation experiences in the area of ending violence against women and girls
- o Experience in collecting and analyzing quantitative and qualitative data
- A strong commitment to delivering timely and high-quality results, i.e. credible evaluation and report
- o Strong team leadership and management track record.
- o Good interpersonal and communication skills, an ability to communicate with various stakeholders, and an ability to express ideas and concepts concisely and clearly.

Knowledge:

- o In-depth knowledge of gender equality and women's empowerment, and issues of violence against women and girls.
- Regional/country experience and knowledge: in-depth knowledge of Cambodia, especially about the ECCC and transitional justice.
- Language proficiency: fluency in English; knowledge of Khmer language is an advantage.

9. Management Arrangement of the Evaluation

Management arrangements are intended to clarify expectations, eliminate ambiguities, and facilitate an efficient and effective management of evaluation process.

Name of Group	Role and responsibilities	Actual name of staff responsible
Evaluation Team	External evaluators/consultants to conduct an external evaluation based on the contractual agreement and the Terms of Reference, and under the day-to-day supervision of the VSS Chief/his representative.	External evaluators
Evaluation Task Manager	The VSS Chief/his representative to manage the entire evaluation process under the overall guidance of the senior management, to: • lead the development and finalization of the	Mr. Hang Vannak, Project Manager

	and all a TOP to the state of the	
	 evaluation TOR in consultation with key stakeholders and senior management; manage the recruitment of external evaluators; lead the collection of the key documents and data to be shared with the evaluators at the beginning of the inception stage; liaise and coordinate with the evaluation team, the reference group, the commissioning organization, and the advisory group throughout the process to ensure effective communication and collaboration; provide administrative and substantive technical support to the evaluation team and work closely with the evaluation team throughout the evaluation; lead the dissemination of the report and follow-up activities after finalization of the report 	
Commissioning	Senior management of the organization who	Senior Management of the VSS
Organization	commissions the evaluation (grantee), responsible	and the top
	for: 1) allocating adequate human and financial	
	resources for the evaluation; 2) guiding the	
	evaluation manager; 3) preparing responses to the recommendations generated by the evaluation.	
Reference Group	Primary and secondary beneficiaries, partners and	Primary beneficiaries: SGBV
Reference Group	stakeholders of the project to provide necessary information to the evaluation team and to reviews the draft report for quality assurance.	survivors, female Civil Party in Case 002, Civil Society organizations, ECCC legal officers, lawyers, prosecutors, judges. Secondary beneficiaries: National and International Women Focal Points, community-based members, students, and community at large.
Advisory Group	A focal point from the UN Women Regional Office and the UN Trust Fund Portfolio Manager to review and comment on the draft TOR and the draft report for quality assurance and provide technical support if needed.	 Alice Ruxton, Programme Analyst – Asia and the Pacific Portfolio Inala Fathimath, UN Women Focal Point in Phnom Penh Mr. Vutha Phon, National
		Programme Officer- VAW, UN Women in Phnom Penh

10. Timeline of the Entire Evaluation Process

The consultancy is expected to take 55 working days, starting in 1 September 2014.

Stage of Evaluation	Key Task	Responsible	Number of working days required	Timeframe (dd/mm/yyyy - dd/mm/yyyy)
Preparation stage	Prepare and finalize the TOR with key stakeholders	Commissioning organization and	15 days	09 June- 30 June
	Compile key documents and existing data	evaluation task manager	15 days	1 July-21 July
	Recruit of external evaluator(s)		16 days	1 August -22 August
Inception stage	Briefings and orientation of the evaluators	Evaluation task manager	<mark>1 day</mark>	1 Sept.
	Desk review of key documents	Evaluation Team	<mark>5 days</mark>	2 Sept8 Sept.
	Finalize the evaluation design and methods	Evaluation Team	<mark>2 days</mark>	9 Sept10 Sept.
	Prepare an inception report	Evaluation Team	<mark>2 days</mark>	11 Sept12 Sept.
	Review inception report and provide feedback	Evaluation Task Manager, Reference Group and Advisory Group	2 days	15 Sept16 Sept.
	Submit final version of inception report	Evaluation Team		
Data collection and	Desk research	Evaluation Team		
analysis stage	In-country technical mission for data collection (visits to the field, interviews, questionnaires, etc.)	Evaluation Team	<mark>14 days</mark>	17 Sept9 Oct.
Synthesis and reporting stage	Analysis and interpretation of findings Prepare a draft report	Evaluation Team Evaluation Team	9 days	10 Oct24 Oct.
	Review of the draft report with key stakeholders for quality assurance	Evaluation Task Manager, Reference Group, Commissioning Organization Senior Management, and Advisory Group	<mark>7 days</mark>	27 Oct10 Nov.
	Consolidate comments from all the groups and submit the consolidated comments to evaluation team	Evaluation Task Manger	<mark>2 days</mark>	11 Nov12 Nov.

	Incorporate comments and revising the evaluation report Submission of the final report	Evaluation Team Evaluation Team	<mark>2 days</mark>	13 Nov14 Nov.
	Final review and approval of report	Evaluation Task Manager, Reference Group, Commissioning Organization Senior Management, and Advisory Group	<mark>2 days</mark>	17 Nov18 Nov.
Executive Summary of the Evaluation Report	Evaluators are required to produce a stand-alone executive summary highlighting the key results and impacts along with the findings and recommendations for sustainability and scaling-up of activities	Evaluation Team	<mark>6 days</mark>	19 Nov26 Nov.
Dissemination and follow-up	Publishing and distributing the final report	Commissioning Organization led by evaluation manager	3 days	24 Nov 26Nov.
	Prepare management responses to the key recommendations of the report	Commissioning Organization Senior Management	2 days	27 Nov28Nov.
	Organize learning events (to discuss key findings and recommendations, use findings for planning future projects, etc.)	Commissioning Organization led by evaluation manager	1 day	28 Nov.

11. Budget

The budget for the final evaluation is USD30, 000.

For detailed information on the costs of the final evaluation consultant:

No.	Description	Unit	No. of Units	Rate per Unit		ount uested
	A qualified evaluators					
1	Consultant Fees	Day	55	\$ 450.00	\$	24,750.00
2	Accommodation	Night	54	\$ 50.00	\$	2,700.00
	General Costs				•	

3	Material, Communication, Field Trips for consultants	Lump Sum	1	\$1,500.00	\$1,500.00
4	Printing Transcription and Translation for report	Lump sum	1	\$500.00	\$500.00
5	Organizing learning workshop	Lump sum	1	\$ 500.00	\$ 500.00
6	Other	Lump sum	1	\$ 50.00	\$ 50.00
	TOTAL				\$ 30,000.00

Payment Schedule (based on deliverables):

o 30% upon submission of the work-plan and tir	imeline to VSS
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- o 30% upon submission of the first draft report
- o 40% upon submission of final report

12. Annexes

1) Key stakeholders and partners to be consulted:

- The Victims Support Section (VSS)
- o Cambodian Defenders Project (CDP)
- Transcultural Psychological Organization (TPO)
- o Cambodian Human Rights Action Committee (CHRAC)
- o Extraordinary Chambers in the Courts of Cambodia (ECCC)
- German International Cooperation in Cambodia (GIZ)
- Legal Support for Children and Women (LSCW)
- Open Society Justice Initiative (OSJI)
- o The Cambodian Human Rights and Development Association (ADHOC)
- United Nations Cambodia Office of the High Commissioner for Human Rights (UNCOHCHR)
- o UN Women
- Other organizations to be suggested by consultants

2) Individuals who should be consulted, together with an indication of their affiliation and relevance for the evaluation and their contact information:

- Mr. Julian Poluda, Midterm evaluator, "Promoting Gender Equality and Improving Access to Justice for Female Survivors and Victims of Gender-Based Violence under the Khmer Rouge Regime", Cambodia, January 2014
- Ms. Caitlin Reiger, expert consultant "Gender Sensitivity in Transitional Justice", in June 2012 and 2013
- Dr. Theresa de Langis, Ph.D., international consultant, and Noy Sophary, National Consultant, "ECCC Baseline Study on Gender Sensitivity in Transitional Justice Process in Cambodia" April 2012

3) Suggested sites to be visited:

- Extraordinary Chambers of the Courts of Cambodia, NGO offices, Civil Party Forum (if available)
- Project sites: Kandal, Kampong Speu, Kampot, Pursat, Kampong Cham, Kampong Thom, Siem Reap

4) Documents to be consulted:

- o CDP: The Past and the Present of Forced Marriage Survivors, October 2012
- o CDP: Women Hearing report in year 2011, 2012 and 2013
- o Katrina Natale: "I Could Feel My Soul Flying Away From My Body" November 2011
- o ECCC: Closing Order in 2013
- o Press release "Trial Chamber Defines Scope for Trial in Case 002/02" on 7 April 2014
- Press release "Statement by the International Co-Prosecutor Nicholas Koumjian Regarding Case file 004" on 24 April 2014
- Phnom Penh Post: "Gender-based violence: Khmer Rouge survivors given a platform" on 24 January 2014
- Other documents to be discussed with consultant
- 5) **Required structure for the inception report** [see the suggested structure below under Section 4.3 of this document]. See the UNTF guidelines for Final External Project Evaluation (for Cycle 15th grantees).
- 6) **Required structure for the evaluation report** [see the suggested structure below under Section 4.4 of this document] See the UNTF guidelines for Final External Project Evaluation (for Cycle 15th grantees).