

# Terms of Reference

## Joint evaluation of the regional project on Enhancing Access to Justice for Women in Asia and the Pacific

[UN Women Regional Office for Asia and the Pacific, OHCHR Regional Office for South-East Asia, OHCHR Regional Office for the Pacific, and International Commission of Jurists]

### Purpose and Use of the Joint Evaluation

As the regional project, “Enhancing Access to Justice for Women in Asia and the Pacific: Bridging the gap between formal and community-based systems through women’s empowerment” (Women’s Access to Justice), is approaching the end of the project timeframe, an independent final evaluation will be undertaken during the last year of the project, as per the Project Document. It will be a joint evaluation between UN Women, Office of the High Commissioner for Human Rights (OHCHR), and International Commission of Jurists (ICJ), in accordance with the guidance from UN Evaluation Group, and involve the evaluation units following their evaluation policies, where applicable. The purpose of the evaluation is to feed into learning about what worked well with respect to the joint approach to gender-responsive people-centered justice, what can be improved, serve accountability purposes, and feed into decision-making regarding further iterations of the project. The primary evaluation users, namely UN Women, OHCHR and ICJ, will use the evaluation to further strategize for gender-responsive people-centered justice, while secondary users within the respective organizations and partners will use the information to learn about what works when advancing and enhancing women’s access to justice. The donor, Swedish International Development Cooperation Agency (Sida), may use the evaluation for accountability and as input for decision-making purposes.

Primary & Secondary Intended Users	Primary Intended Use			
	Learning & Knowledge Generation	Strategic Decision-Making	Accountability	Capacity Development & Mobilisation
UN Women, OHCHR, ICJ Personnel	X	X	X	X
UN Women IEAS	X			
Coordination Partners	X		X	
Primary Target groups (individuals, communities, programme / project partners)	X		X	X
National and local governments	X		X	X
Civil Society Representatives	X		X	X
Donors & Multilateral Partners	X	X	X	

### Objectives of the Joint Evaluation

The overall objective of the joint evaluation is to assess progress made over the project period towards the

attainment of the intended outcome, “Enhanced utilization of gender-responsive and people-centred approaches in central and community-based justice mechanisms in Asia and the Pacific, that enabled and empowered women, in all their diversity, to equally access justice for the realization of their rights”,<sup>1</sup> and the relevance, effectiveness, efficiency, sustainability, human rights, and gender equality, including a look into how women from vulnerable groups were engaged in the project. It should also provide an assessment of how the project has integrated the recommendations and lessons learned from the Mid-term Review. It will also provide inputs and give guidance for potential further iterations of the project or in the thematic area. The performance of the project will be assessed against the indicators presented in the results and reporting framework. The joint evaluation will:

1. Assess the relevance of the programme to stakeholders, including rights holders with respect to programme design and implementation;
2. Assess the effectiveness and efficiency of the approaches implemented in attaining the intended results and any potential unintended consequences;
3. Assess the potential for sustainability, and integration of human rights and gender equality in design and implementation; and
4. Produce lessons learned and issue actionable recommendations for further iterations of the project or similar programming.

## **Project background**

The Project “Enhancing Access to Justice for Women in Asia and the Pacific: Bridging the gap between formal and community-based systems through women’s empowerment and reduction of gender biases” is a five-year programme that began in May 2018, with financial support from the Swedish International Development Cooperation Agency (Sida).

The project aims to strengthen the gender-responsive people-centred justice, and eliminate gender discriminatory laws and practices to improve women’s use, access to and participation in justice systems. This is aligned with the gender justice concept, which considers women in legislative frameworks, but also promotes women as active citizens, with the right to live a life free from violence, fully participate in decision making, enjoy their rights, and have responsive avenues for redress if their rights are violated.

In realizing the goal, the project partners - UN Women, ICJ, and OHCHR, both the regional offices of Southeast Asia and the Pacific (OHCHR) - focus on achieving three outputs:

- (1) Domestic laws adopted and court decisions are consistent with international human rights law and standards, including CEDAW.
- (2) Gender discriminatory attitudes and stereotyped behaviours towards women by formal and community justice providers are addressed.
- (3) Grassroots women’s organizations and community-based women’s organizations are empowered and well-positioned to document, monitor, liaise and facilitate interactions with justice providers.

The project results are based on the theory of change that if: (i) A legal enabling environment for women to access gender-responsive justice is created by advocating for laws and court decisions that are consistent with international human rights law and standards, including the CEDAW; and, (ii) Community-based justice systems are gender-responsive and have an increased understanding and awareness of women’s rights; and, (iii) Grassroots

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<sup>1</sup> The Outcome statement was updated by the project partners (UN Women, OHCHR and ICJ), in accordance with the recommendation of the mid-term review.

women’s organizations, community-based women’s organizations, and communities are empowered and well positioned to document, monitor, liase and facilitate interactions with justice providers; then, women’s access to justice will be enhanced in the Asia Pacific region.

The project is implemented in the sub-regional level: Southeast Asia (SEA), South Asia (SA) and the Pacific Islands, with a specific focus on Indonesia, the Philippines, Nepal, Sri Lanka, Timor-Leste and Solomon Islands. The project is designed to work towards that all women will be beneficiaries, without leaving anyone behind, in line with the 2030 Agenda for Sustainable Development.

The total funding provided by the Government of Sweden amounts to \$11,391,985. A Mid-Term Review of the programme was undertaken in June 2022. The project is due to end on 30 June 2023.

**Key Evaluation Questions**

The evaluation team will revise the evaluation questions based on consultations during the inception phase and considering the feasibility of objectives and scope outlined in this Terms of Reference. The evaluation team should raise and address any other relevant issues that may emerge during the evaluation. They should be guided but not limited by the evaluation questions listed below. The evaluation team will develop an evaluation matrix during the inception phase in consultation with the Evaluation Management Group (EMG) and the Evaluation Reference Group (ERG) which will outline the questions and means of answering them.

Criteria	Key Question
<b>Relevance &amp; Coherence:</b>	<ul style="list-style-type: none"> <li>To what extent was the design and expected results (outcome and outputs) of the project informed by beneficiaries’ requirements, countries’ needs, priorities of international frameworks on gender equality, human rights and justice, and Sida’s policies?</li> <li>To what extent is the project complementing/creating synergies between project partners (UN Women, OHCHR, ICJ) and other development partners with respect to gender-responsive people-centered justice?</li> <li>To what the extent has the project adapted to the evolving context, including the COVID-19 pandemic?</li> </ul>
<b>Organizational efficiency</b>	<ul style="list-style-type: none"> <li>To what extent have the project partners (UN Women, OHCHR, ICJ) used their human and financial resources efficiently? Were funds received/disbursed on time? Why or why not?</li> <li>Have project partners (UN Women, OHCHR, ICJ) organizational structures, managerial support and coordination mechanisms effectively supported the coherent delivery of the project? This should include the structures at the regional and national levels.</li> <li>What are the strengths and weaknesses of the M&amp;E system, and the extent to which it has been used for decision-making?</li> </ul>
<b>Effectiveness</b>	<ul style="list-style-type: none"> <li>To what extent has the project contributed to the achievement of the intended outcome?</li> <li>What strategies were the most effective in accelerating progress? What factors have affected performance (hindered or facilitated the achievement of results)?</li> <li>Were there any negative/positive unexpected results?</li> </ul>
<b>Sustainability</b>	<ul style="list-style-type: none"> <li>Is there evidence that the benefits from project will continue after the project will end in 2023 (or continuation during further iterations of the project)? What is the probability of continued long-term benefits?</li> </ul>

	<ul style="list-style-type: none"> <li>To what extent have the capacities of duty-bearers and rightsholders been strengthened through the project?</li> </ul>
<b>Gender Equality and Human Rights<sup>2</sup></b>	<ul style="list-style-type: none"> <li>To what extent are the results contributing to the realization of international human rights and gender equality norms and agreements (e.g. CEDAW, UDHR, CRPD), as well as national and local strategies to advance human rights and gender equality?</li> <li>To what extent has the project engaged and reached the most marginalized groups, including women in remote locations, women from low socio-economic groups, women with disabilities and persons with diverse SOGIESC<sup>3</sup>?</li> <li>To what extent is the project addressing underlying social norms and structural barriers to achieving gender-responsive people-centered justice?</li> </ul>

## Scope of the Joint Evaluation

The evaluation will cover all components of the programme, including those implemented by each partner.

**Time Frame:** the evaluation will cover the entire project life (from June 2018 up to and including quarter 1 of 2023 as the last year of the project).

**Geographical coverage:** the evaluation will cover all countries where the project is implemented, while 2-3 countries will be selected for more in-depth review of outcome level achievements.

**Stakeholder coverage:** the evaluation will reach out to stakeholders, i.e. beneficiaries, participating governments, civil society partners, implementing partners at the national and regional levels, and partner agencies, as well as the project steering committee members and project partners.

**Limitations:** although unlikely, should there be limitations on the travel to selected countries, close collaboration with national evaluators and the conduct of virtual interviews/meetings would be required. Triangulation of information received from different sources and synthesis of key findings across the different countries and components will feed into the overall findings, but generalizations should not be made.

## Design of the Joint Evaluation

The evaluation will be, in its nature, summative of the entire project period (up to Q1 2023) and include recommendations for the next iteration of the project. The approach should also promote inclusion and participation by employing gender equality and human rights responsive approaches with a focus on utilisation<sup>4</sup>, empowerment<sup>5</sup> or feminist approaches<sup>6</sup>. The evaluation will be gender-responsive which applies mixed-methods (quantitative and qualitative data collection methods and analytical approaches) to account for complexity of gender relations and to ensure participatory and inclusive processes that are culturally appropriate. The design of the joint evaluation should be theory-based and the Theory of Change of the project may contribute to the

<sup>2</sup> Please refer to the *Integrating Human Rights and Gender Equality in Evaluation* for examples of questions (see Table 11 on pp.81-85): [link](#)

<sup>3</sup> Sexual Orientation, Gender Identity, Gender Expression and Sex Characteristics.

<sup>4</sup> Promotes intended use by intended users. Strong focus on participation of users throughout the evaluation process.

<sup>5</sup> Project participants are involved in the conduct of the evaluation. An outside evaluator serves as a coach or facilitator in the evaluation process.

<sup>6</sup> Addresses and examines opportunities to reverse gender inequities that lead to social injustice. Prioritizes women's experience and voices, including women from discriminated and marginalized groups.

evaluation.

## Methodological approach

The suggested methods of data collection include **desk review, key informant interviews, focus group discussions, and survey**. A **case study approach** will be taken to allow for in-depth look at key issues or implementation modalities at country level, which will include stakeholder consultation, observation, and review and documentation analysis (e. g. progress and completion reports, workshop and mission reports, knowledge and advocacy products, and other appropriate documentation produced and related by UN Women, OHCHR and ICJ). The **criteria for case study selection will be identified during the inception phase** – it is likely that the case studies will be limited to two or three countries and national consultants in the selected countries will be engaged to lead the data collation. The evaluation must integrate gender and human rights approaches and perspectives throughout data collection and analysis. It is particularly important to understand and assess how the project addresses complex, intersectional discrimination and how this affects women’s rights.

Evaluators will conduct consultation with stakeholder groups, to the extent possible, using participatory tools and suggest a plan for inclusion of women and individuals and groups who are vulnerable and/or discriminated against in the consultation process and a plan for translation, as necessary. Based on consultations, the national consultants will visit selected project sites to validate the findings of the desk review and documentation analysis, and identify good practices and lessons learned. The evaluation may employ a participatory **storytelling or most significant change approach** through the country case study visits.

The entire evaluation will be undertaken as per UNEG guidelines and consider a human-rights-based and gender empowerment approach<sup>7</sup>. The evaluation experts and all their direct collaborators will follow UN Women’s Evaluation Handbook<sup>8</sup> and UNEG Ethical guidelines.

## Stakeholder participation

There will be several **stakeholder meetings**, including debrief meetings with key in-country stakeholders (at minimum, UN Women, OHCHR and ICJ) at the end of each field visit to validate emerging findings from the mission and identify/fill data gaps. Then, once the evaluators have analysed the data, they will present preliminary findings to the Evaluation Reference Group (ERG) to validate these and consider preliminary feedback in the development of the draft report.

Key stakeholders (e.g., internal stakeholders, programme/project partners, donors, the Project Steering Committee, etc.) will be consulted through this the joint evaluation. It is important to pay particular attention to the participation of rights holders—women and vulnerable and marginalized groups—to ensure the application of a gender-responsive approach – this will be done through a civil society representative on the Evaluation Reference Group (ERG) and through the case studies.

- **Stakeholder participation in data collection:** there will be the inclusion of a diverse range of stakeholders – including vulnerable groups – in data collection.

## Evaluation Phases

The joint evaluation will be conducted according to the following tentative timeline and with the main deliverables

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<sup>7</sup> UNEG Norms and Standards for Evaluation (2016): <https://www.betterevaluation.org/en/resources/example/UNEG-evaluation-standards-2016>; UNEG Ethical Guidelines for Evaluations (2020): <http://www.unevaluation.org/document/detail/2866>; Integrating Human Rights and Gender Equality in Evaluation (2014): <http://www.uneval.org/document/detail/1616>

<sup>8</sup> UN Women’s Evaluation Handbook <https://genderevaluation.unwomen.org/en/evaluation-handbook>

outlined below. The Team Leader will be engaged in the stage 1-3 (February to June 2023) for approximately 50 days of work (this is an indicative number that should be used as a guideline).

#### **STAGE 0: PREPARATION (-mid February 2023)**

- Joint review (UN Women, OHCHR, ICJ) of the Terms of the Reference
- Formation of the Evaluation Management Group (EMG) and the Evaluation Reference Group (ERG)
- Recruiting an evaluation team including one international and 2 to 3 national consultants

#### **STAGE 1: INCEPTION (April 2023)**

- Briefing and consultation with EMG
- Desk review of key documents
- Theory of change workshop
- Inception report including the evaluability assessment, stakeholder mapping, theory of change (reconstructed as necessary), methodology, workplan, evaluation matrix, and data collection tools
- Presentation of the inception report to ERG

#### **STAGE 2: CONDUCT (mid-June 2023)**

- Data collection, including virtual and on-site interviews and meetings and debriefing of UN Women upon finalization
- Data systematization, analysis and interpretation of findings

#### **STAGE 3: REPORTING (July 2023)**

- Present the preliminary findings to EMG and ERG to validate findings and allow the evaluators to incorporate preliminary feedback in the draft report
- Draft report
- Comments and feedback from Evaluation Management and Reference Groups tracked for transparency
- Final evaluation report
- Presentation of the final evaluation report to the Joint Project Management Committee, comprising heads of UN Women, OHCHR, ICJ, and Sida (June 2023).

#### **STAGE 4: DISSEMINATION (August - responsibility of UN Women)**

- Communications based on the final evaluation to be disseminated widely to stakeholders and public
- Management response within 3 weeks of completion.

### **Management of the joint evaluation**

The joint evaluation will be jointly managed by UN Women, OHCHR and ICJ. UN Women, OHCHR and ICJ would support the evaluators in the evaluation process, including preparation, conduct, reporting, however, should not interfere with the impartiality of the evaluation. UN Women, OHCHR and ICJ will support the logistical support needed, such as materials and office space during field visits. UN Women, OHCHR and ICJ would jointly engage in the planning and reporting stages. The joint evaluation will have an Evaluation Management Group (EMG) and an Evaluation Reference Group (ERG) to facilitate the management of the evaluation.

The joint evaluation will have the following groups:

- **Co-managers:** UN Women Regional Evaluation Specialist, Independent Evaluation Service, will take the lead in co-managing the evaluation in close coordination and consultation with the OHCHR Independent Evaluation Office, and ICJ. The evaluation co-managers will ensure the independence and impartiality of the evaluation process given that they are not engaged in the management or implementation of the programme. They will provide guidance on methodology and oversee the quality assurance; and serve as the main contact with the evaluation team, but will work closely with the Evaluation Management Group to manage the logistics.
- **Evaluation Management Group (EMG):** the EMG includes the evaluation managers and programme personnel from project partners. It oversees the day-to-day management of the evaluation, also provides logistics and other types of support. The EMG is responsible for providing overall quality assurance on the evaluation process and deliverables.
- **Evaluation Reference Group (ERG):** In addition, the joint evaluation requires an Evaluation Reference Group (ERG) to ensure that the voices of stakeholders are heard and responded to through the evaluation process. The ERG will review evaluation products for factual correctness, possible misinterpretations, or major gaps. It is important to ensure their ownership of the evaluation process, as they are also representing the organizations that will carry forward the recommendations. The ERG should be limited to 6-8 people max and represent the diverse range of stakeholders from CSOs, UN agencies, governments, and the donor.
- **Evaluation team:** A 4-5 member evaluation team is proposed. One International team leader with expertise in evaluation and with experience evaluating people-centered justice initiatives from a gender perspective; the team leader is responsible for the overall evaluation and ensuring quality of the evaluation products; one evaluation research analyst and two to three national consultants (one each in two of the programme countries) will be engaged to lead the case studies in country and support the team leader with data collection and analysis; they should have experience in evaluation; the co-managers along with the UN Women Project Manager will recruit and manage the consultants, yet the evaluation team leader will liaise directly with the evaluation analyst and the national consultants and will be responsible for the final evaluation products.

## Ethical code of conduct

UN Women has developed a [UN Women Evaluation Consultants Agreement Form](#) for evaluators that must be signed as part of the contracting process, which is based on the [UNEG Ethical Guidelines and Code of Conduct](#). These documents will be annexed to the contracts. All data collected by the evaluation team members must be submitted to the evaluation manager in Word, PowerPoint or Excel formats and is the property of UN Women. Proper storage of data is essential for ensuring confidentiality and a data protection plan will be developed during the inception phase. The evaluation's value added is its impartial and systematic assessment of the programme. As with the other stages of the evaluation, involvement of stakeholders should not interfere with the impartiality of the evaluation. The evaluator(s) have the final judgment on the findings, conclusions and recommendations of the evaluation report, and the evaluator(s) must be protected from pressures to change information in the report. Proper procedures for data collection with rights holders who may have been affected by violence must be adhered to as outlined in the [WHO Ethical and Safety Recommendations for research on violence against women](#). Additionally, if the evaluator(s) identify issues of wrongdoing, fraud or other unethical conduct, [UN Women procedures](#) must be followed and confidentiality be maintained. The [UN Women Legal Framework for Addressing Non-Compliance with UN Standards of Conduct](#), and accompanying policies protecting against retaliation and prohibiting harassment and abuse of authority, provide a cohesive framework aimed at creating and maintaining a harmonious working environment, ensuring that staff members do not engage in any wrongdoing and that all

allegations of wrongdoing are reported promptly, investigated and appropriate action taken to achieve accountability.

## Annexes

After the selection of the evaluation consultant/firm, the following documents will be appended to the ToR:

- Integrating Human Rights and Gender Equality in Evaluation (2014): [link](#)
- [UN Women GERAAS evaluation report quality checklist](#)
- [UN Women Evaluation Consultants Agreement Form](#)
- [UNEG Norms and Standards for Evaluation in the UN System](#)
- [UN Women Evaluation Handbook](#)