

Terms of Reference
For
Inception Phase Evaluation of the programme
"Strengthening Democracy by Promoting Human Rights Culture in
Bangladesh"
Implemented by Ain o Salish Kendra (ASK)

A. Introduction

Ain o Salish Kendra (ASK), a national legal aid and human rights organization, was established in 1986. Over the last thirty one years ASK has evolved a comprehensive approach to the promotion and protection of legal and human rights. Its strategies promote human rights awareness and community activism; offer legal aid through mediation and litigation, while clients are given psycho-social counseling; investigations into human rights violations and their documentation are supplemented by research which together lead to media campaigns to defend human rights, and public interest litigation for law and policy reform. Being committed to attaining gender equality at every sphere of life, ASK's activities have special focus on women but providing legal aid to victims/survivors of arbitrary arrest, preventive detention and taking stand against unlawful evictions, extra judicial killings, torture and death in custody, condition of the prisoners and interests of the religious and ethnic minorities very much are its concerns. ASK's advocacy is carried out both at the national level and international level. ASK's publications are an important means of disseminating information and knowledge.

ASK has no political affiliation, adopts a non-partisan approach in defense of human rights and encourages volunteerism among different stakeholders. ASK implements activities through direct implementation and partnership with the like-minded local NGOs, CBOs and Local Cultural Organizations.

From 2017 ASK has been implementing a programme "**Strengthening Democracy by Promoting Human Rights Culture in Bangladesh**" funded by the Embassy of Denmark, the Embassy of Switzerland and Swedish Embassy, Dhaka. Through this Programme, ASK is attempting to improve the Human Rights situation, conflict resolution situation in the formal and informal system for the poor and proactiveness of state institutions for ensuring HR and gender equality. ASK will facilitate access to justice, litigation, public interest suits, investigations, legal advocacy, training, community activism, publication, documentation, and international lobbying, and ultimately improve the capabilities of relevant institutions and capacity of citizens to promote the HR culture in Bangladesh.

The successful implementation of the programme will have positive impacts on survivors of violation of rights, especially, women and children. In the long- run, it will substantially contribute in promoting human rights culture in Bangladesh through the strengthening of democracy.

B. The Programme

The programme "**Strengthening Democracy by Promoting Human Rights Culture in Bangladesh**" will be implemented in Bangladesh for over 5 years (January 2017-December 2021). ASK provides rapid response and legal assistance to survivors of human rights violations across Bangladesh. Alongside, to attain more results at the local level, ASK will work extensively in 20 (twenty) districts of seven divisions in Bangladesh.

Outcomes	Working Areas
1	Kishoreganj, Kushtia, Jhenaidha, Naogaon, Gaibandha
	Kishoreganj, Kushtia, Jhenaidha, Naogaon, Gaibandha
	Cover all the working areas of ASK with its training support
2	Dhaka, Tangail, Satkhira, Rajshahi, Chittagong, Barisal, Hobigonj and for HRVs all over Bangladesh
3	Dhaka
4	Bagerhat, Satkhira, Narail, Meherpur, Dinajpur, Kurigram, Panchagar, Cox's Bazar, Pirojpur and Jhenaidha
	Dhaka and outside Bangladesh

Target groups

Direct: Target group of ASK includes the disempowered. They are the poor citizens, particularly, women, working children, religious and ethnic minorities, any other groups who are devoid of rights, ASK also includes HR defenders like CBOs, women's groups, community theatre groups, human rights defenders forums, school theatre groups, journalists etc.

Indirect: Although ASK serves these groups with specific activities, all citizens are expected to indirectly benefit from its general human rights based activities.

Results Chain

The overall Results-Chain (Impacts-Outcomes-Outputs) of the programme building in Theory of Change. The programmatic outlook of ASK is to emerge as an effective advocacy organization incorporating both the demand (empower citizens to demand) and supply side (influence the State institutions to deliver). The following describes each level of the Results-Chain, includes the corresponding Indicators, and defines Major Activities.

The Results-Chain also includes an overarching Output, for which ASK itself is the beneficiary and totally related to a wider understanding of Institution Building and Development. By incorporating it in the Results-Chain, the Institution Building and Development will become subject to monitoring and reporting.

Results Chain

Engagement Title	Strengthening Democracy by Promoting Human Rights Culture in Bangladesh		
<u>Impacts:</u> a) Improved human rights situation, b) Improved conflict resolution situation in the formal and informal system for the poor, and c) State institutions are proactive for ensuring HR and gender equality			
<u>Outcome 1:</u> Local HR actors are actively undertaking and facilitating initiatives on HR and gender issues.	<u>Outcome 2:</u> Disempowered people have increasing access to justice through legal aid.	<u>Outcome 3:</u> Working children increasingly enjoy fundamental human rights.	<u>Outcome 4:</u> State institutions (MOHA, MOLJPA, NHRC, MOFA etc.) are increasingly responsive to respecting HRs under their jurisdiction.

Output 1: Community based Women's groups (CBWG), community based HR protection groups (CBHRPG) and lawyers have enhanced capacities for claiming HR and transfer skills to other activists.	Output 1: Legal redress and assistance through mediation and litigation is provided to disempowered people.	Output 1: Access to basic services and dissemination of information to working children increased.	Output 1: Systematic monitoring, documenting and dissemination of HR situations enhanced (nationwide).
Output 2: HR education through cultural activities enhanced in educational institutions and community by theatre groups.	Output 2: Rapid Response is provided to survivors of violence.		Output 2: Legal Acts/Proposals drafted and Public Interest Litigations (PILs) filed in cooperation with various stakeholders.
Output 3: Capacities of HR actors, enhanced to address HR and Gender issues.	Output 3: Shelter and psychosocial support system for survivors of rights violation established.		Output 3: Improved HR recommendations presented to meet International Standard and Strengthen Public accountability of NHRC and other Bodies.

Implementing Partners:

ASK is the lead partner of this programme along with key 11 local NGOs, 20 High Schools, 5 human rights theatre groups and 10 Human Rights Defenders Forum (HRDF).

C. Inception Phase of the Programme:

Originally, the initiation of the programme was planned from January 2017. However, due to the delayed approval of NGOAB, drop out of some key staff and again recruitment, selection and MOU with PNGOs and high schools, the field level activities of the programme actually started in May 2017. The first 18 months of the programme is considered as an inception phase and it was agreed that an inception phase evaluation should commence within this 18 months. Hence this evaluation is now required to provide an independent analysis of the project's achievements during its first 18 months. Furthermore, recommendations will be needed to help provide options for how consortium partners might continue to support ASK, its partners and other stakeholders in the long term.

D. Overall objective

To assess the progress made under outcomes and outputs of this programme against its targets during its first 18th months and explore any future scope and opportunity for further improvement in certain areas so that strategies for improvement can be formulated by Programme management and approved by consortium donors.

E. Specific objectives:

- Effectiveness: To Review the project document including project log-frame and evaluate how far the intended results are achieved; To Assess the cost-efficiency of

project interventions; and to assess the effectiveness of the project approaches. The review should analyze the achievements and shortcomings of the project and draw possible adjustments for the remaining project period. Assess the performance (targets-achievements and effectiveness);

- **Relevance:** To identify the relevance of the project within the existing context of current Human Rights situation. To assess the relevance and effectiveness of the project's strategy and approaches for the achievement of the project objectives;
- **Efficiency:** To critically review the program (i) structures and resources (management, monitoring, steering, coordination); (ii) systems and policies and (iii) monitoring system. Assess ASK's capacity to promote HR and other central conditions with regards to external risks; To critically review the institutional strength and capacity of ASK to implement such project.
- Assess the programme ability to involve the civil society, community based organizations and other relevant actors in the programme;
- Based on the findings of evaluation, prepare a rationale and recommendations for any further improvement and formulate the strategies for improvement.
- Assess ASK's own organizational capacity to effectively implement the programme and recommendations for managing the challenges, if any.

F. Description of the Assignment:

To achieve the objectives of this evaluation, the consultant will propose a set of methodologies to get information about project outcomes and outputs against each of the targets and its sustainability. The consultant will assess the strengths, challenges and risks of the programme against the current socio-political context. The consultant should explore any future scope and opportunity for further improvement in certain areas and formulate strategies for such improvements. Therefore, the consultant should or may use the following methods for this evaluation:

- **Documents Review:** The Consultant will review project documents, reports and all other relevant reports of previous project to know the project outcomes/results and outputs achieved since its inception.
- **Discussion/Consultation:** The Consultant will meet staff of ASK and PNGOs separately to explore the outputs/results achieved by the project during the period covered and also to collect evidence of the changes created within ASK and outside due to project interventions.
- **Interview:** The Consultant will meet the EC members, ED and ASK Senior Management Team, Outcome heads and Coordinators, PNGO leader and staff, CSO leaders, key stakeholders etc. to discuss about any policy and strategic issues relating to the ongoing project implementation and future course of actions.
- **Focus Group Discussion:** The Consultant will conduct Focus Group Discussions with other stakeholders (like members of CBOs, School theatre teams, lawyers forum, human rights defenders forum, survivors of HRVs, panel lawyers etc.) involved to assess the benefits of the project intervention and will also explore the areas where action is further necessary. In addition to these, the Consultant will focus on capacity building of ASK and other stakeholders to promote human rights culture in Bangladesh.
- **Stakeholder analysis:** Who are the individuals and institutions involve in or influencing the programme? What are their positions on promoting HR? What and how significant are their influence over policy, beliefs and practices on HR?
- **Debriefing Session:** Before submitting the final report, a debriefing session will be held where the Consultant will present the key findings and recommendations

before the senior management of ASK, representatives of SDC, Swedish and Danish Embassy and selected persons from other stakeholders.

G. Scope of work and Deliverables and Expected deliverables:

Scope of Work:

The consultant has primary responsibility for the preparation of an objective and high-quality assessment report. He/she should meet with the key national stakeholders, beneficiaries, development partners, journalists and editors of national print and electronic media, prominent civil society members, HRFB members, chairman of NHRC, former chair of ASK, members of ASK executive committee etc. The evaluation will be conducted in Dhaka and PNGOs and HRDFs outside Dhaka.

The scope of this assessment will revolve around above mentioned specific objectives and the following questions will be an integral part of the assessment:

A.	Assesses the performance (targets-achievements and effectiveness) during the above-mentioned period; To what extent do the stakeholders see the value addition of this programme in the HR sector. Has the programme successfully put in place needed project management tools to continue its implementation. To what extent has the programme achieved its targets as indicated in its results frame work
B.	Assess ASK and its partners capacity and other central conditions to promote HR with regards to external risk. To what extent has ASK made progress under its mile stones as per its result chain
C.	Assess the programme ability to involve the civil society, CBOS and other relevant actors in the programme; What has been ASK’s programmes value addition in strengthening democracy by promoting human rights in Bangladesh.
D.	Based on the findings of assessment, prepare a rationale and recommendations.

Expected deliverables:

- A debriefing at the end of the assignment to present and discuss the findings, recommendations etc. with ASK management and representatives from donor and possible other stakeholders / key persons. The debriefing shall include a PPT presentation following the structure of the future evaluation report.
- A draft report (max 10 pages excluding annexes) including executive summary, recommendations /Future direction of the project
- A final report (max 10 pages excluding annexes) including an executive summary, recommendations for future and Annexes.

Activity	Time-frame	Responsible
Desk research and submission of detailed work plan, Donor requirements	2 days	Consultant
Review relevant documents and reports, Meeting, consultations, interview, FGD, etc. C. Prepare a draft	7 days	Consultant, Dhaka, and project areas

assessment report, D. Share the draft report and collect feedback		
1 st draft and related annexure and Debriefing	5 days	Consultant
Final report and related annexure	4 days	Consultant.
Total days	18 days	

H. Supervision, Performance Evaluation and Reporting Authority:

The senior management team of ASK will be the contract administrator for the assignment and will supervise the activities of the consultant, evaluate her/his performance and approve the deliverables. Broad guidance will be provided by the ED of ASK. The Consultant will directly report to ED, ASK and representatives of donor consortia.

The consultant will have the overall responsibility for quality submission of reports. The total duration of the mandate will be of maximum 18 working days including background study, field visits and report writing. However, all reports and documents prepared during the assignment will be treated as the property of ASK. The reports or documents or any part, therefore, cannot be sold, used /shared and reproduced in any manner without prior approval of ASK management. ASK will assist the consultants in:

- Briefing, planning and debriefing discussions and developing plans for field trips and review activities
- Providing relevant written materials/documents/reports (Country strategy, Project document, baseline report etc.

I. Timeframe and deadlines:

The mandate shall be carried out starting in May 2018, with the final deliverable to be ready by mid July 2018.

J. Experience requirements and qualifications

I. Academic Qualifications:

- A Master's Degree in Public Administration, Law, International Relations, Development Studies or relevant Social Sciences;

II. Experiences:

- Strong analytical skills and a progressive working experience in evaluation of projects/programmes of at least 12 years.
- ;
- Previous proven experiences (at least two assignments) in evaluation of projects/programmes relevant to human rights, access to justice or democratic governance;
- Proven working experiences on human rights/ as a human rights actor in Bangladesh will be an asset;
- Previous proven experience in working with donor agencies/international or national organizations as an evaluator.

III. Language:

- Full proficiency in English.
- Fluency in speaking Bangla is mandatory.

IV. Competencies:

Corporate Competencies:

- Demonstrates commitment to ASK's mission, vision and values;
- Strong analytical and time management skills;
- Ability to work in a challenging and complex environment;
- Independent and flexible;
- Excellent communication skills; and
- Creative and result-oriented.

Leadership and Self-Management

- Focuses on result for the client;
- Has demonstrable leadership skill;
- Demonstrates openness to change;
- Remains calm, in control and good humored even under pressure; and
- Responds positively to feedback and differing points of view.

K. Policies:

The consultant shall comply with the existing Policies of ASK like child protection policy, gender policy. Any violation/deviation in complying with these policies will result in termination of the agreement.

L. Disclaimers:

- **Terrorism and money laundering issues:** If there any proof of engagement in any terrorism and money laundering issues, ASK reject the proposal without assigning any reason
- ASK reserves the right to accept or regret any or all proposal without any reason what so ever.

M. Mode of Payment:

Payment of the consultant will be as per deliverables:

Deliverables	% of the payment
Submission of detailed work plan	40%
• A. Review relevant documents and reports, Meeting, Consultations, Interview, FGD, etc. C. Prepare a draft assessment report and D. Share the draft report and collect feedback	20%
• Acceptance of final evaluation report	40%
Total	100%

N. Apply Procedure:

ASK invites proposal from individual consultant including brief CV highlighting related assignment completed and role in of the completed assignments; TIN certificate and documents in favor of the previous relevant tasks. A complete technical and financial

proposal(all envisaged travel costs must be included in the financial proposal). in English, including detailed cost per major activity. The technical and financial proposal should be submitted in two separate envelopes. These two envelopes are then to be put in one larger envelope which must be sealed with a cover letter addressing the Executive Director, Ain o Salish Kendra, 7/17, Block-B, Lalmatia, Dhaka-1207, Bangladesh. **The proposal to be submitted at ASK office not later than 22 May, 2018.**

O. Evaluation:

Cumulative analysis:

When using this weighted scoring method, the award of the contract should be made to the individual consultant whose offer has been evaluated and determined as:

- 1 Responsive/compliant/acceptable, and
 - 2 Having received the highest score out of a pre-determined set of weighted technical and financial criteria specific to the solicitation.
- * Technical Criteria weight; [70]
 * Financial Criteria weight; [30]

Only candidates obtaining a minimum of (70 points) would be considered for the Financial Evaluation

Criteria	Max. Point
<u>Technical</u>	
A Master's Degree in Public Administration, Law, International Relations, Development Studies or relevant Social Sciences;	10
At least 8-10 years of experience in evaluation of projects/programmes	10
Demonstrated knowledge on human rights issues in Bangladesh	5
Excellent written and oral communication skills in English	5
Previous proven experience in working with donor agencies/international or national organizations as an evaluator.	10
Methodologies, approach and risk mitigation plan	5
Prepared a draft proposed methodology to carry out the assignment	20
Prepared a draft proposed Action plan to carry out the assignment (Documents Review, Discussion/Consultation, Interview, Focus Group Discussion, Debriefing Session etc.)	5
Financial	30
Total	100