

TERMS OF REFERENCE FOR THE END OF THE PROJECT EVALUATION

Date: 28 February 2024

Legal Resources Centre from Moldova (LRCM) is a non-governmental, non-profit, independent, and politically unaffiliated organization that contributes to the consolidation of democracy and the rule of law in the Republic of Moldova through research, monitoring, and advocacy activities. The LRCM promotes an independent, efficient, and accountable judiciary, efficient anticorruption mechanisms, observance of human rights, an enabling environment for civil society and democracy. To that end, we identify problems with systemic impact, propose solutions, bring them onto the public agenda, address abuses, and mobilize partners to bring changes. More information on LRCM activity is available at www.crjm.org.

1. BACKGROUND

In February 2021, the LRCM started the implementation of the project "[Shields for Human Rights Defenders - Supporting Human Rights Defenders in the Republic of Moldova](#)", supported by the European Union represented by the European Union Delegation to Moldova (*hereinafter the EUD*). The project is implemented in cooperation with International Commission of Jurists – European Institutions (ICJ-EI) and Association Eco Contact (EcoContact), as co-applicants.

The project **main goal** is to enhance the human rights monitoring and protection of the Human Rights Defenders (HRDs) in Moldova through better trial monitoring and improved legal assistance, while its **specific objective** is to empower HRDs to operate in a safe and enabling environment, in compliance with their full rights and freedoms.

The period of implementation of the project is February 2021– May 2024 (40 months). Total budget of the project - EUR 400,000.

The project outputs are the following:

- **HRDs in Moldova benefit from better trial conditions** – to achieve this objective, the project implementors aims at reaching the following sub-results: **(1)** develop court trial monitoring methodology, **(2)** deliver training on international standards on the protection of the HRDs, on monitoring of court trials against HRDs and international standards on fair trial; **(3)** monitor at least 10 court trial against HRD and/or members of their families that are persecuted because of their work s.
- **HRDs in Moldova benefit from legal and other types of assistance** - to achieve this objective, the project implementors aims at reaching the following sub-results: **(1)** provide legal, emergency, or digital security assistance for at least 10 HRDs in need, **(2)** prepare at least three submissions / statements / shadow reports to international stakeholders for HRDs in need and on the environment for CSOs and HRDs.
- **The environment for the HRDs' activity in Moldova is enabled** - to achieve this objective, the project implementors aims at reaching the following sub-results: **(1)** submit at least three joint public reactions and/or legal opinions on high level officials' statements, legislative initiatives and public policies meant to enable the legal framework for the civil society and HRDs, including in Transnistria and against striking breaches of the rights of the HRDs **(2)** Organize periodical meetings and collaboration with a task force group of likeminded CSOs to maximize the impact and build resilience against human rights abuse, **(3)** publish an annual timelines of attacks against HRDs and CSOs.
- **HRDs, including environmental HRDs, and legal community build their knowledge and skills in their human rights work and protection of HRDs** - to achieve this objective, the project implementors aims at reaching the following sub-results: **(1)** deliver trainings for CSOs, lawyers

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and other HRDs on digital and personal security, **(2)** deliver trainings at the local level on environmental HRDs protection, **(3)** elaborate and promote guidelines for emergency situations in case of violations of the rights of the HRDs, including guidelines for HRDs on environmental cases.

Project beneficiaries:

- HRDs of the Republic of Moldova, community of lawyers, employees of the Ombudsman’s Office, and other legal practitioners.
- Population of 3 rayons where the pilot cases on environmental issues will be monitored.
- CSOs and Initiative Groups (IGs), including the environmental rights protection organizations.
- The general population of the country benefiting of better human rights protection.

2. PURPOSE OF ASSIGNMENT

LRCM seeks to contract a consultant / team of consultants (hereinafter referred to as - *the Consultant*) to conduct the external final evaluation of the implementation of the project mentioned above. The evaluation is set to take place between March-May 2024. The evaluation is expected to include specific considerations regarding the impact of the project on enhancement of HRDs situation in Moldova.

To this end, the evaluation will have two main purposes:

- I. The evaluation must ascertain the degree to which human rights monitoring and protection of the HRDs is enhanced in Moldova as a result of the project.
- II. The evaluation must also provide relevant insights on the percentage of HRDs that benefited from assistance during the project implementation (trial monitoring of cases, legal and other types of assistance, trainings, etc.) who feel more enabled and empowered to perform their human rights work.

The **objectives** of this evaluation are to:

1. Undertake an evaluation to assess the project’s:

- **Relevance** – the extent to which the objectives were consistent with beneficiaries’ needs and priorities.
- **Effectiveness** – the extent to which the targeted project objectives were achieved (or are expected to be achieved).
- **Efficiency** – how economically resources/inputs were converted into results.
- **Sustainability** – the extent to which the benefits are likely to continue after the project.
- **Impact** – where possible, the long-term effects produced by the project (directly, indirectly, intended, unintended, positive, and negative).

2. Provide recommendations for future improvements / planning

Illustrative questions directed at evaluating the project activities, in each of the project objectives, might include (but are not limited to) the following domains:

- To what extent the activities undertaken by the project team lead to a more effective and enabled environment for HRDs and CSOs?
- To what extent the activities undertaken by the project team empowered HRDs to operate in a safe and enabling environment?
- How has the project influenced the court trials monitoring, and what capacities has it built, if any?
- To what extent active monitoring of court trials increased the safeguarding of HRDs rights during trials, especially for those confronting threats and vulnerabilities?
- To what extent did the submissions and legal opinions drafted by the project team contribute to ensure a more enabling legal framework regarding the CSOs and HRDs, including in Transnistria?

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- To what extent the activities undertaken by the project team enabled professionals to use and apply human rights standards in their daily work?
- To what extent the written submissions drafted under the project objectives have informed the national stakeholders and international fora?
- Is there evidence that the initiatives started under the project are likely to grow – scaling up and out – beyond the project life?

The evaluation shall focus on the entire period of implementation (01 February 2021 – 31 May 2024, 40 months duration).

3. METHODOLOGY

The evaluation will result in a Final Evaluation Report aimed at providing the implementing organizations and the donor with a clear understanding of both the expected and unexpected results of their work in all project dimensions. Secondly, it shall gather lessons learned, challenges faced, and best practices and use such insight to generate recommendations that can help to design and undertake similar initiatives in the future. Last but not least, the Final Evaluation Report must identify the contributions of the project to enhance the human rights monitoring and protection of the Human Rights Defenders (HRDs) in Moldova (positive and/or negative).

The evaluation assignment is expected to be conducted in a consultative and participatory way. LRCM expects the consultant / team of consultants to use the following methods: desk study and review of LRCM project documents, activity reports, interviews with the staff, donors, and direct beneficiaries (face-to-face interviews when possible), as well as other methods as deemed appropriate. The consultant / team of consultants shall draft the methodology and consult it with LRCM prior to initiating the evaluation. Critical reflection and learning are integral to this process. The consultant / team of consultants is expected to plan and ensure the engagement of the LRCM and the project partners staff in the evaluation process.

The Project's results chain was defined in a **Logical Framework Matrix** during the design phase, including a **Monitoring and Evaluation Plan (MEP)**. These documents can serve as basis for the accountability dimension of the project evaluation. In addition to this, the following documents will provide the Evaluator with background information and insight into project implementation and achievement of the objectives:

- Project proposal (Description of the Action attached to the contract);
- Interim reports submitted to the DUE;
- Documents produced over the course of the Project, including guidelines, reports, papers, and other deliverables produced by all project partners.

4. KEY DELIVERABLES

The Consultant shall provide the following deliverables:

- 1) Methodology / action plan, including evaluation tools;
- 2) A draft evaluation report of the project implementation, to be submitted to LRCM for comments;
- 3) A final evaluation report on the implementation of the project, which will cover at least the following: executive summary, brief project background, main findings relating to the evaluation questions and including details of any unintended outcomes that are resulting from project activities, recommendations for future action.

All deliverables shall be presented in English. The exact report format will be agreed upon with the Consultant prior to commencing the assignment.

5. TIMELINE

The evaluation shall be conducted between **20 March – 15 May 2024**, with the final Evaluation report to be delivered by **20 May 2024**. The evaluator is expected to present the report conclusion upon the final closing event of the project, expected to take place during the **second half of May 2024**.

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6. REQUIREMENTS FOR THE CONSULTANT

The Consultant (company or individual) shall have proven experience in project evaluation with at least 5 years of experience. Additional requirements include:

- a) good knowledge of Moldovan or regional Human Rights Defenders and CSO environment context;
- b) proved experience in project cycle management;
- c) experience in evaluation of at least three projects implemented by civil society organizations. Previous experience in evaluation of the EU funded projects is an advantage. Record of participation in assignments of similar evaluation or degree of complexity;
- d) excellent writing, reporting and communication skills;
- e) university degree in Law, Political Sciences, Democracy, Public Policy, International Development. Master's degree in the same fields is an advantage;
- f) proficiency in English. Knowledge of Romanian or Russian is an advantage.

Persons who directly benefited from the implementation or provided services within the project are not eligible.

7. APPLICATION PROCESS

Offers may be submitted by individual candidates and/or legal entities. The signed and dated offer shall be sent by e-mail to applications@crjm.org by **13 March 2024, 23.59**, including the following components:

- A copy of the **registration certificate**/extract for the legal person and the **updated CV** of the candidates, together with a **Cover letter**, which will contain: (1) interest in the assignment and a short description of previous portfolios/beneficiaries, including links or attached two most relevant similar assignments; (2) the name and contact details **of two reference** persons.
- An outline of the **envisaged methodology** for the assignment (outlining the overall approach and suggested methods), including a proposed **plan of action** to achieve the key deliverables with timelines.
- **Financial offer in EUR**, with the breakdown of costs (consultancy fee per number of anticipated working days). The evaluation will be conducted fully online. Offers submitted in any other currency will be converted at the official exchange rate of the National Bank of Moldova at the deadline date for submitting the offers.

For local resident candidates: (a) **legal entities** are invited to send their financial offers with the application of the VAT exemption with deduction right. (b) **individual candidates** – net amounts. **For foreign individual candidates/legal entities**, according to the legislation of the Republic of Moldova, the income generate as a result of consultancy services by a non-resident shall be subject of taxation at source of payment. The income tax will be additionally calculated from the net amount indicated in financial offer. LRCM will have the sole responsibility for the payment of all applicable taxes for the provided services.

VAT exemption shall be applied to the total service amount in full compliance with the tax legislation applicable to the project “Shields for human rights defenders – Supporting Human Rights Defenders in the Republic of Moldova”, implemented by LRCM, with the financial support of the European Union represented by the European Union Delegation to Moldova and in the frame of which LRCM is implementing the project.

- **Declaration on conflict of interests.** In case of a conflict of interests, real or potential, with the members or employees of the LRCM, the candidate is obliged to declare it in a written document enclosed with the application.

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8. EVALUATION AND SELECTION PROCESS

Stage 1: Compliance check

At this stage, a review of the formal requirements will be conducted. It includes screening to determine whether a complete package of documents has been submitted in accordance with the terms of reference.

Stage 2: Evaluation of the technical proposals

During the second evaluation stage, the technical proposal will be analyzed by the members of the evaluation committee. The cumulative method will be applied at this stage, and scores will be assigned based on the following criteria:

Criteria	Max. point
Envisaged methodology and action plan, including evaluation tools for the assignment	35
Knowledge of Moldovan or regional Human Rights Defenders context	20
University degree in Law, Political Sciences, Democracy, Public Policy, International Development	10
Proved experience in project cycle management	15
Experience in evaluation of at least three projects implemented by the civil society organisations / in evaluation of the EU funded projects. Record of participation in assignments of similar evaluation or degree of complexity	20
TOTAL	100

Only proposals that accumulate a minimum of 75 points in the evaluation of the technical proposal will qualify for the next evaluation stage.

Stage 3: Evaluation of the financial offer

The lowest qualified financial offer in the competition will receive 100 points score, and for the subsequent offers, the score will be calculated using the formula: *(value of the minimum offer / value of the evaluated offer) * 100*.

Selection results

The cumulative method will be applied in the final evaluation of the applications. The contract will be awarded to the candidate achieving the highest cumulative score from the technical and financial parts of the proposal. In determining the final scores, the accumulated score for the technical proposal will carry a weight of 80%, while the financial proposal will carry a weight of 20%. Thus, the *Final Score = Technical Proposal Score * 0.80 + Financial Proposal Score * 0.20*.

Disbursement and payment modalities will be agreed upon by both parties and specified in the contract with the Consultant.

All applicants will be notified of the decision regarding selected proposals after the completion of the selection process. Preselected participants may also be invited to the interview stage.

For any clarifications on the assignment, please e-mail us at applications@crjm.org.

NOTE: LRCM reserves the right not to choose any candidate in case the offers received do not meet the desired requirements mentioned in this ToR.

LRCM is an inclusive and diversity-friendly employer. We value difference, promote equality and challenge discrimination, enhancing our organisational capability. We welcome and encourage applications from all qualifying candidates. We do not discriminate on the basis of disability, race, colour, ethnicity, gender, religion, sexual orientation, age, marital or parental status or other category protected by law. All applications received will be processed with strict adherence to the confidentiality of the data provided.

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