

Annex A Terms of Reference

Annex 1 – Scope of Services

(Annex 1 comprises initially the original Terms of Reference. Later the Terms of Reference are supplemented by the Consultant's Technical Schedules as Annex 1.1)

Evaluation of the Danish Engagement in Palestine

1. Introduction

The overall political objective of the Danish engagement in Palestine is to support the realisation of a two-state solution to the Israeli-Palestinian conflict, encompassing the State of Israel and an independent, democratic, sovereign, and contiguous State of Palestine living side by side in peace and security.

Denmark has for many years been actively engaged in support of such a political solution to the conflict and has in this context provided substantial assistance to the Palestinian population, whether living in West Bank, Gaza or the refugee camps in the region. Hence, the Danish engagement in Palestine is first and foremost politically motivated and the substantial development assistance provided by Denmark to the Palestinian people should be understood in this context.

The context

The conflict between Israel and Palestine is one of the most protracted, violent and entrenched conflicts of modern time. It has wide implications for relations between the Arab World and the West, and for that reason considerable time and effort have over time gone into brokering a two-state solution to the conflict, including the very serious efforts currently underway by the US Administration, strongly backed by the EU.

Developments on the ground over the past years have made the achievement of a two state solution increasingly challenging. More than 500,000 Israeli settlers have now settled in more than 250 settlements and outposts across the West Bank while at the same time life for the Palestinian population is made more difficult by Israel as the occupying force through restrictions on Palestinians' movements, reservation of land for nature reserves, excavations, demolition of Palestinian houses, denial of building permits, withholding of Palestinian revenues etc. According to the World Bank the most serious impediment to growth and development in the West Bank is the multilayer of restrictions imposed by Israel. Similarly, the near closure of Gaza by Israel has created an economic and humanitarian crisis for the population residing there. Another challenge to progress on the two-state solution is the divided Palestinian leadership between PA in the West Bank and de facto Hamas in Gaza which has inhibited a unified Palestinian position. This split is also currently blocking presidential and legislative elections in Palestine which is gradually developing into a serious issue of legitimacy of the Palestinian leadership. There is a strong sense in the international community that efforts have to be made now to keep the perspective of a two-state solution alive.

Notwithstanding these challenges, concrete progress towards the establishment of state structures in the West Bank has been achieved. Denmark agrees with the assessment of the World Bank that if Palestine and the PA maintain their current performance in institution building and delivery of public services it is well positioned for the establishment of a state in the near future.

The development potential of Palestine is considerable, but can only be realized following a sustainable political solution. This has been a framework condition for Danish as well as other donors' assistance to the Palestinian population over the years. In the first decades after the partition of Palestine, focus was on humanitarian assistance often channelled through UNRWA, the UN-body created to take care of the then about 700,000 Palestinian refugees from the partition. But after the Oslo Peace accord more emphasis has been put on development assistance and support for state-building to prepare for a future Palestinian State. However, most donors continue to provide substantial levels of humanitarian assistance to the now more than 5 million Palestinian refugees, and to the ongoing situation in Gaza.

The Danish engagement in Palestine

The Danish engagement in Palestine encompasses on the one hand political activities at the international level, first and foremost through EU, in support of a two-state solution as well as political dialogue with the parties and stakeholders on both the Palestinian and the Israeli side; on the other hand, development assistance in support of the establishment of a Palestinian State and humanitarian assistance to the many refugees and displaced Palestinians.

Gradually over the years development assistance has developed from a dispersed project approach to a more programmatic and strategic approach. At the same time development assistance has increased while humanitarian assistance has been kept at a high level. In 2010 the first strategic framework for the assistance to Palestine was developed emphasising the following three strategic areas: 1) Peace building including support for peace initiatives, international monitoring effort (Hebron), and activities in East Jerusalem; 2) State-building, including support for human rights, the rule of law as well as decentralisation and local democracy, and 3) Livelihood including support for job creation and humanitarian assistance.

This framework is being further developed with a new Danish-Palestinian Partnership Strategy 2014-15 underscoring the two strands – on the one hand support for a political solution thorough political level activities and on the other a Danish-Palestinian Partnership with two overall objectives:

Palestinian State building and citizens' rights as a means to support Palestinian national aspirations, good governance, democracy and human rights;
Equal economic opportunities through stimulation of economic development, growth and livelihood.

Currently, a process of developing a country policy followed by a country programme engagement is underway. Preparations have begun with the initial studies underway, including mapping of the municipal sector. The policy paper will be developed through 2014 and the formulation of the new programme will take place first months of 2015. The evaluation will provide input into that process.

2. Evaluation purpose

The purpose of the evaluation is to assess the contribution of Denmark to the establishment of a viable Palestinian State as part of a negotiated two-state solution and to provide input for the next strategy period and programme phase of the Danish engagement in Palestine.

Hence, the evaluation serves accountability and learning purposes. The main emphasis is on providing evidence on what worked well and what worked not so well in order to inform decision making and support policy and programme development in the ongoing programming of the next phase of support.

The audience is first and foremost the Danish population and the Palestinian population as well as the authorities and others engaged in planning, and implementing the assistance in Palestine.

3. Scope of the evaluation

The evaluation looks at the full Danish engagement with Palestine and how it supports the overall goal of a negotiated two state solution to the conflict between Palestine and Israel. The evaluation must encompass the strategic level including the policy level, the intervention level (programme and project) as well as the linkages between these levels. Initiatives and/or activities will be assessed both in terms of how they contribute to the overall goal and the programme/project goals. The evaluation will be carried out taking into consideration the broader framework conditions for the Danish engagement, but the evaluation will not cover the Danish political initiatives at the international level or Danish political initiatives vis-à-vis Israel. It will only address political and policy initiatives vis-à-vis Palestine and Palestinian stakeholders as well as aid interventions where Palestinians are the ultimate beneficiaries.

The evaluation will focus on the period 2009 to 2013 but can go further back if this is deemed necessary to explain or understand decisions taken.

Assistance to UNRWA will only be covered in terms of its strategic importance for the overall engagement, but the evaluation will not cover UNRWA as such. Similarly with the Danish support through the EU run budgetary support scheme PEGASE (Mécanisme Palestino-Européen de Gestation et d'Aide Socio-Economic) – it will only be covered in terms of its strategic importance. Findings about the relevance and impact of PEGASE will be drawn from recent evaluation reports (Upcoming EU evaluation) and the EU Court of Auditor's report from 2013 "European Union Direct Financial Support to the Palestinian Authority".

The main focus of the evaluation will be on areas of support that have been selected for continued assistance in the Danish-Palestinian partnership 2014-15 which forms a bridge to a full-fledged country programme covering the period 2016-2020. This choice has been made do to the evaluation's focus on supporting the development of Theories of Change and M&E frameworks for the future interventions. Hence, particular efforts will be made on see more below under Approach and Methodology.

4. Evaluation questions and evaluation criteria

The overall evaluation questions to be answered by the evaluation are the following:

- Have the strategy and the activities carried out under the strategy been relevant to the overall goal of the Danish engagement; has the activities been relevant to the Palestinians' policy objectives as outlined in their National Development Plans; and has the interventions responded to the needs of the people?
- How effective has the engagement been as a whole and at the intervention level and what can be said of the impact on effectiveness from the unresolved Israel/Palestine conflict?

- To what extent is the engagement sustainable also in the event of a continued unresolved situation between Israel and Palestine?
- Has there been coherence between the various instruments – political initiatives vis-a-vis Palestine, policy dialogue with Palestinian stakeholders, development cooperation, humanitarian assistance – in the Danish engagement?

The evaluation will apply the OECD/DAC five criteria for evaluation: relevance, effectiveness, efficiency, impact and sustainability as well as a 6th criteria coherence. In addition, the evaluation will address whether the aid engagement aligns with the Principles for Good International Engagements in Fragile States.

Bidders will expand on the evaluation questions raised below as part of their proposal, which must include a provisional evaluation matrix. The final evaluation matrix will be developed by the Evaluation Team as part of the inception report.

4.1 Relevance

- Have the strategic choices with regard to interventions been relevant for the overall Danish goal of the engagement?
- Have the choices of interventions been relevant to the achievement of Palestinian goals and have they benefitted the people?
- Has the engagement responded to the developmental and humanitarian needs of the population taking into consideration also the very different situations in Gaza and the West Bank?
- Is there sufficient flexibility in the programme to deal with changes in context – both negative and positive?

4.2 Effectiveness and efficiency

- Have the interventions had clear intervention logics and have expected results been achieved?
- To what extent have political and security constraints from the unresolved conflict and the situations in Gaza and the West Bank limited the achievement of developmental and humanitarian results.
- How effective has the interventions been with regards to results on cross-cutting issues related to gender, environment and governance (anti-corruption and participation) and what could be done to enhance this?
- What are the consequences of the various aid modalities on results – and what are the implications of this for future phases?
- Are there evidence of increased efficiency and effectiveness from donor coordination?
- How has local ownership and alignment with national plans been addressed? Sustainability
- What are the opportunities for a more developmental approach as opposed to continued humanitarian assistance in such a protracted refugee situation?
- Are the results sustainable?

4.3 Impact

- What can be said about the positive and negative impacts from the interventions on the overall political goal, including intended and unintended.
- What can be said about the impact from the interventions on the affected populations, including intended and unintended?

4.4 Coherence

- Are there coherence between the policy initiatives and the aid interventions?
- Are there coherence between the development interventions and the humanitarian interventions?

5. Approach and Methodology

The evaluation will be carried out in accordance with the Danida Evaluation Guidelines (January 2012) and the OECD/DAC Evaluation Quality Standards (2010). The evaluation must be based on a sound methodology and the design must be methodologically rigorous and credible when judging the credibility of results.

The following provides some initial thinking about the approach and methodology that will need to be further developed by the bidders in their technical proposals and following the contract award in the inception report based on a realistic approach to what can actually be said given the availability of data:

Given the size of Denmark and the Danish engagement vis-à-vis other donors in Palestine and the use of joint aid modalities, including through multilateral organisations, it is to be expected that it will be difficult to attribute direct results to specific Danish interventions. Furthermore, results and outcome may be hampered not by the programme or programme design but the political and security situation on the ground.

This being said, it would be expected that the evaluation will apply theory of change approaches at the overall strategic level as well as the programme level to establish causality and understand what drives or hinders change by the programmes and project to which Denmark contributes. The evaluation is also expected to draw in contribution analysis to seek to establish plausible links between the Danish engagement and the results and the possible changes seen.

Elaboration of Theories of Change should inform the future development and programming of the Danish engagement in Palestine also with a view to strengthening future design of M&E frameworks and baselines against which to measure change at the programme level.

The evaluation will be carried out with comprehensive engagement of the Ministry of Planning (MoPAD). It is expected that a staff member from MoPAD's M&E Department will participate in the evaluation work undertaken in Palestine including field visits. In addition, key Palestinian partners and institutions will be invited to participate in an Evaluation Reference Group, see below.

The evaluation is expected to proceed in four phases:

1. Inception phase – in which key stakeholders will be identified, initial data collection will take place, the methodology and evaluation matrix will be refined (based on the outline in the proposal), working hypotheses developed, and a detailed work plan agreed upon. This phase will include an initial stakeholder work shop in Ramallah with key stakeholders. The inception phase will result in an inception report that will be presented in draft and final forms to EVAL.
2. Implementation phase – during which the way forward outlined in the inception report will be pursued. This phase is about data collection and analyses and will entail a field mission in the West Bank and Gaza as well as interviews with key stakeholders in Copenhagen. At the end of

the field visit a debriefing note will be shared with the Representation in Ramallah and key partners.

3. Reporting phase – during which the Evaluation Team will develop its findings and conclusions and present them in a draft and final evaluation report. The recommendations will be presented and discussed at a work shop in Ramallah, before they are made final.
4. Final open seminar for dissemination of the report and discussion of its findings, conclusion and recommendations with a wide range of stakeholders in Ramallah.

Bidders are welcome to expand on the above in their proposal. In particular, suggestions on approaches that facilitate learning and ensure more evaluable future programmes will be welcomed.

6. Documentation

All available strategic and programme documentation will be made accessible to the Evaluation Team, including:

- Policies and strategies;
- Relevant internal ministerial notes preparing for ministerial decisions;
- Programme and project documents;
- Appraisal and review reports;
- Data and other relevant material, including annual reports, related to the implementation of the assistance;
- Guidelines manuals and other relevant tools.

7. Output and milestones

Output

An inception report in draft and final version not exceeding 20 pages ex. annexes, including:

- Preliminary findings from the desk review in so far as it affects the focus and the approach of the Evaluation;
- An approach to engagement of Palestinian key partners;
- Overview of the strategies and the programme and project portfolio;
- An evaluation matrix;
- A detailed methodology;
- A detailed work plan;
- A suggested outline for the report.

The draft inception report should be submitted to Danida Evaluation Department (EVAL) and the Evaluation Reference Group for comment, based on which a final inception report will be presented to EVAL.

Short debriefing note at the end of the visit to be discussed with the representation and key stakeholders in Ramallah, and with EVAL.

An evaluation report in draft and final version according to the agreed outline and not exceeding 50 pages ex. Annexes. The evaluation report must include an executive summary of maximum 8 pages, introduction, and background, presentation and justification for the methodology applied, findings,

conclusions and recommendations. The evaluation report must respect Danida lay-out guidelines and will be made publicly available together with the management response.

Milestones

June	Desk study and first stake holder meeting in Ramallah
August	Draft and final Inception Report
Ultimo August/primo September	Palestine – including field visits.
Primo November	Draft report presented to 2. Stakeholder work shop in Ramallah
Ultimo November	Final report
December	Management response and publication, dissemination seminar in Copenhagen/Ramallah

8. Organisation of the evaluation

Management of the Evaluation will follow the Danida Evaluation Guidelines (2012) and OECD-DAC quality standards (2010). There are three sets of roles in the evaluation process:

- a. The Evaluation Management;
- b. The Evaluation Team (Consultant); and
- c. The Evaluation Reference Group.

8.1 Role of the Evaluation Management

The Evaluation will be supervised and managed by the Evaluation Department (EVAL) in the Danish Ministry of Foreign Affairs. The tasks of the Evaluation Management are to:

- Select the Evaluation Team based on received tenders;
- Coordinate with all relevant evaluation stakeholders;
- Ensure that quality control is carried out throughout the evaluation process. In so doing, EVAL may make use of external peer reviewers;
- Provide feedback to the Evaluation Team. Comment on draft versions of the inception report, work plan, progress reports and the evaluation report. Approve final reports;
- Organise and chair meetings of the Evaluation Reference Group;
- Facilitate and participate in evaluation workshops, Organise presentation of evaluation results and follow-up on the Evaluation to internal MFA management and the IMSG;
- Advise relevant stakeholders on matters related to the Evaluation (reference is made to the Codes of Conduct, which form part of the Danida Evaluation Guidelines, and which can be found at <http://evaluation.um.dk>).

8.2 Role of the Evaluation Team (the Consultant)

The DAC evaluation principles of independence of the Evaluation Team will be applied. The Evaluation Team will carry out the Evaluation based on a contract between MFA and the selected company/institution. The Evaluation Team will:

- Prepare and carry out the Evaluation according to the ToR, the approved Inception Report, the DAC Evaluation Quality Standards and the Danida Evaluation Guidelines;
- Be responsible to the Evaluation Management for the findings, conclusions and recommendations of the Evaluation. To the extent that the team needs access to restricted information, the team is responsible for handling such information with appropriate care;

- Ensure that quality assurance is carried out and documented throughout the evaluation process according to the Consultant's own Quality Assurance Plan as described in the proposal;
- Report to the Evaluation Management regularly about progress of the Evaluation;
- Organise and coordinate meetings and field visits, and other key events, including debriefing session and/or validation workshops with partners in the field visit countries;
- The Team Leader is responsible for the team's reporting, proper quality assurance, and for the organisation of the work of the team. The Team Leader will participate in the Evaluation Reference Groups' meetings and other meetings as required.

Suggestions provided by the Evaluation Team in the inception report and work plan will be addressed by members of the Evaluation Reference Group and the Evaluation Management prior to the initiation of the analysis and implementing fieldwork.

8.3 Role of the Evaluation Reference Group

An Evaluation Reference Group (ERG) will be established and chaired by EVAL. The mandate of the ERG is to provide advisory support and inputs to the Evaluation, e.g. through comments to draft reports.

The members of the ERG include:

- Representatives from relevant departments in MFA and Representation in Ramallah and key stake holders from Palestine, that will be kept regularly informed of progress;
- Researchers or other resource persons from Denmark and international community.

The tasks of the ERG are to:

- Comment on the draft inception report, and draft evaluation report with a view to ensure that the Evaluation is based on factual knowledge about the PSF programmes and how they have been implemented;
- Support the implementation, dissemination and follow up on the agreed evaluation recommendations.

The ERG will work through e-mail communication and video-conferencing mainly. Meetings will be held to discuss the draft inception report and the draft evaluation report. Members of the reference group who are not based in Ramallah may participate through video link or by forwarding written comments in connection with the meetings.

9. Composition and Qualification of the Evaluation Team

Team Composition and qualifications

The team will be evaluated according to relevance and complementarity of the qualifications of the team. The Evaluation Team must contain substantial experience in evaluation at strategy and policy level as well as evaluation of engagements in fragile and conflict affected states. The ideal team combines a high level of evaluation experience with experience from evaluation of complex interventions in in fragile contexts as well as considerable knowledge about the region and the conflict.

Strong methodological and analytical skills are required, and the tender should explain the specific experience of the suggested team with evaluation work and the specific methods applied. Experience

with and ability to assess results monitoring and reporting as well as establishing M&E frameworks is required. The team should include expertise with the design and evaluation of theories of change and impact assessment as this is expected to be a distinct aspect of the evaluation.

The team must have access to a person that reads Danish, as a considerable part of the documentation is available in Danish only.

The Evaluation Team is expected to consist of two (possibly three) core members: The core members will have international evaluation experience and be involved in all aspects of the Evaluation. The Tenderer may decide to include personnel for additional functions, e.g. research assistants, additional regional consultants. If so, they will not be assessed on an individual basis but as part of the overall team composition and backup.

The team leader and team member(s) are expected to complement each other so that the specific profile of the proposed team leader will have implications for the team members (and vice-versa). All suggested profiles will be assessed with a view to the role, competences and tasks they are suggested to cover in the team. If a team of more persons than three core members is suggested, the reasons for this and the role of the different team members must be clarified as part of the proposal. A gender balanced team is preferable. The Tender should clearly state who of the proposed team members covers which qualification criteria. The team must contain experience with all methodologies and tools suggested in the tender.

The organisation of the team's work is the responsibility of the consultant and should be specified and explained clearly in the tender. It is expected that the team leader is closely involved in the elaboration of the tender, and this should be indicated in the technical offer.

More specifically, the Evaluation Team should cover the following competencies:

Qualifications of the Team Leader:

- The Team Leader should have substantial experience with evaluation of complex interventions in conflict settings both at the strategic level as well as the programme level; strong analytical, writing and presentation skills. The Team Leader is responsible for the team's reporting to and communication with Danida EVAL, and for the organisation of the work of the team. The Team Leader will participate in meetings with EVAL as well as with the Reference Groups or Stakeholder workshops, as requested by EVAL.

General qualification:

- Relevant, higher academic degree or equivalent senior professional experience;
- Substantial evaluation experience, including as team leader, related to fragile and conflict affected states, including complex interventions;
- Experience as team leader for multi-disciplinary and multicultural teams.

Adequacy for the assignment:

- Proven capacity to lead, plan and report similar kinds of complex evaluations;
- Extensive experience in evaluation of activities at strategy and programme level or country level (three or more references) in fragile and conflict affected states;

- Extensive knowledge on and experience from establishing evaluation approaches and application of evaluation methods, in particular theory of change based evaluations, contribution analysis, and mixed methods evaluation. Experience with design of M&E frameworks;
- Excellent written and spoken English.

Qualification of the expert(s):

- The experts will be expected to complement the team leader, for example by offering particular and relevant experience from working in fragile and conflict affected areas and thematic experience.

General qualification:

- Relevant academic degree;
- Experience with evaluation in conflict settings, preferably from working in one or several fragile and conflict affected states;
- Substantial knowledge about the region and the conflict preferably from having lived in Palestine.

Adequacy for the assignment:

- Experience as team member on multi-disciplinary teams;
- Relevant thematic experience (e.g. state-building, peace building, peace keeping, security sector, countering violent extremism, governance etc.);
- Excellent written and spoken English.

10. Eligibility

The DAC evaluation principles of independence of the Evaluation Team will be applied. In situations where conflict of interest occurs, candidates may be excluded from participation, if their participation may question the independence and impartiality of the Evaluation. Any firm or individual consultant that has participated in the preparation or implementation of support funded by the Fund may be excluded from participation in the tender.

Tenderers are obliged to carefully consider issues of eligibility for individual consultants and inform the Client of any potential issues relating to a possible conflict of interest (cf. Danida Evaluation Guidelines).

11. Inputs

The total budget for the consultancy services is a maximum of DKK 1,400,000. This includes all fees and reimbursables required for the implementation of the contract, including all stake holder meetings and workshops.

EVAL will cover the expenditures of printing of the final evaluation report, Danish and English Summaries and any additional dissemination activities as and if agreed upon.

12. Requirements of home office support

The Evaluation Team's home office shall provide the following, to be covered by the Consultants fees:

- General home office administration and professional back-up;
- Quality assurance (QA) of the consultancy services in accordance with the Evaluation Team quality management and quality assurance system, as described in the Tender. Draft reports will also be subject to QA prior to the submission of such reports;

- Implementation of the business integrity management plan, as described in the Consultants application for qualification, in relation to the present Evaluation. This implementation shall be specified.

The Tenders shall comprise a detailed description of the proposed QA, in order to document that the Tenderer has fully internalised how to implement the QA and in order to enable a subsequent verification that the QA has actually been carried out as agreed.

The Tenderer should select a QA Team, envisaged to consist of one person not directly involved in the Evaluation. The person's CV should be included in the Tender. The QA person should have similar competence and professional experience as the Evaluation Team.