

TERMS OF REFERENCE

Evaluation of the Law and Order Trust Fund for Afghanistan

1. Background

Rebuilding the national civilian police force for national security and recovery represents one of the Government's highest priorities. The Afghanistan National Development Strategy (ANDS) envisions a professional, disciplined and reinvigorated police force that is responsible and loyal to MoI, widely visible to and respected by the public, and capable of protecting rights, insurgency and drug trafficking.

International community support for rebuilding the Afghan police force started from the beginning of the establishment of the Afghan Interim Government in 2002, as stipulated by the Bonn Agreement. In May 2002, at the request of the Government and UNAMA, UNDP established a Law and Order Trust Fund for Afghanistan (LOTFA) to enable the police to return to operation throughout the country.

LOTFA is envisaged to cover the Government's police-related costs and undertake project activities in conjunction with the Ministry of Interior (MoI) in the following order of priorities:

- 1) Remuneration and payment of police;
- 2) Procurement, operations and maintenance of non-lethal police equipment;
- 3) Rehabilitation, reconstruction, operations and maintenance of police facilities;
- 4) Gender orientation (selection, recruitment and training of police); and
- 5) Institutional development.

The first three phases of the project have been completed and the project is currently in Stage IV (April 2006 – March 2008). The European Commission, the United States, Canada, the Netherlands, Japan, Germany, United Kingdom, Switzerland, Finland and Italy are the major contributors to LOTFA. The institutional oversight mechanisms for LOTFA include a Steering Committee comprised of the major donors, a monitoring sub-committee and regular audits. UNDP is the administrator of the fund.

While LOTFA is a mechanism for receipt and administration of the funds, there are a number of policy and institutional factors which have a bearing on the performance of LOTFA. Although some progress has been made towards reforming MoI and its police force through the pay and rank reform, introduction of Electronic Payroll System, Electronic Fund Transfer, promulgation of new policies, procedures and regulations, and improvement of the ethnic balance, many obstacles and challenges remain to be overcome. For instance, the Government of Afghanistan does not currently have the ability to cover core remuneration costs for the ANP from its own revenue sources, raising concerns about the sustainability of MoI reforms and the viability of the LOTFA exit strategy.

2. Purpose of the Evaluation

As per the UNDP project management cycle, a final evaluation of the project is to be conducted at the end of each project. Therefore, after the completion of the phase IV of the project, it will be evaluated. The main purpose of the evaluation would be to assess the effectiveness and impact of LOTFA in meeting its stated objectives during the two year period.

The evaluation should also provide lessons learnt and recommendations that can help improve the effectiveness of the Phase V of LOTFA . These will be extremely valuable for UNDP as it works to improve the planning, design and management of the LOTFA Phase V and for the international community to continue support to LOTFA.

3. Scope and Focus

The evaluation will cover all priorities of LOTFA and results achieved in each priority area. The evaluation team will analyse the implementation, outcome, outputs, impact and sustainability dimensions of LOTFA. Each of these aspects will be assessed as follows:

(1) Relevance

- Are LOTFA objectives and the logic behind them appropriate given the overall policy objective of rebuilding ANP?
- Are LOTFA activities consistent with the strategic priorities of its principal stakeholders? Where are LOTFA's linkages/synergies with other national programmes or projects?

(2) Effectiveness

- To what extent were the LOTFA objectives achieved or likely to be achieved directly by Trust Fund Administrator, donors and LOTFA, as well as indirectly by the Government?
- Has LOTFA been effective from a results-based perspective?
- To what extent have LOTFA outputs to date contributed to achieving the stated specific objectives?
 - reimbursement to the Government for police remuneration in all provinces;
 - monitoring of the verifiable present/for-duty strength data (on a random basis);
 - building financial and project management capacity in Mol; and
 - promoting the advancement of women and fostering gender equality in the police personnel and efforts made/incentives created to increase the no. of female police.

(3) Efficiency

- To what extent have the Electronic Payroll System and Electronic Fund Transfer mechanisms made the system of payment efficient and transparent? How effective have these investment been by the government?
- To what extent have timely payment of police been made? What kind of systems is MOF putting in place for smooth implementation of salary payment?
- How efficiently has Trust Fund planning and implementation been carried out, including the assessment of organisational structure, management support and co-ordination mechanism used by the Trust Fund Administrator to support LOTFA?
- Are the current monitoring mechanisms set up by LOTFA adequate for monitoring performance and the quality of results?

(4) Impact

- To what extent has LOTFA impacted the wider objective of re-building the ANP? In particular, what positive changes, both intended and unintended, can be attributed to the interventions?

- What is the impact of the LOTFA funding level on the police reform and overall security in the country?

(5) Sustainability

- To what extent will LOTFA benefits and results be maintained after its exit?
- To what extent have the funding requirements for the LOTFA been met and how have shortfalls been managed? How predictably and regularly have resources been supplied to LOTFA? What can be done to improve the predictability and sustainability/efficiency of fund raising?
- To what extent are LOTFA's capacity building initiatives/trainings sustainable?
- To what extent is the GoA taking measures for the fiscal sustainability of the ANP.

(6) Co-ordination and Institutional Arrangement

- To what extent do LOTFA activities compliment, duplicate or compete with other initiatives in the police sector?
- How efficient and effective are the management arrangements for LOTFA?
- How appropriate is LOTFA's governance structure and is there a need for streamlining it or making it more effective?

5. Recommendations

Based on the review, the team will provide:

- Recommendations for adjustments to the thematic focus of LOTFA, overall goals, strategic positioning including partnership strategy, delivery mechanisms including project staff, profile of expertise, organization, and systems, and the exit strategy and timeframe.

6. Review Process and Methods

A team of experts/institution will be hired to engage in a consultative process with the relevant GoA institutions, International Community, LOTFA Steering Committee members, LOTFA Trust Fund Administrator, and to assess the challenges and processes and provide recommendations for the future. An initial meeting could be conducted jointly with the Steering Committee members to provide a common direction to the evaluation, identify the major focus areas and agree upon key results.

The Review Team will be requested to prepare and submit to the UNDP Country Office an inception report with an outline of the methodology that will be followed for the evaluation.

The inception report will contain, but will not be limited to the following information:

- List of all key documents and resource people for the review exercise. The review mission will be provided with the available written documentation (Terms of Reference for LOTFA, programme documents, previous evaluation report, monitoring reports, project quarterly progress and annual financial reports, minutes of the Steering Committee and monitoring grant documents, etc).
- Work programme for the evaluation exercise.
- Draft of detailed programme for regional visits and consultation meetings.

- First cut of criteria and indicators for assessing the relevance, effectiveness and efficiency of LOTFA operations.
- List of specific questions and concerns relating to the review to which LOTFA Steering Committee would respond.

Upon arrival of the review mission in Kabul, a meeting will take place among all concerned parties to review and finalize the proposed work plan and methodology. The mission will meet with UNDP, LOTFA project management, National Director for the project, MoI and MoF staff and donors to receive answers to possible particular questions that the mission would like to look into prior to field visits.

Following these initial meetings the mission will have meetings in Kabul and the provinces (visiting provincial MoI departments) and hold discussions mainly with the police personnel, national project staff, local authorities, members of the public, donors and implementing partners, if necessary. The mission members would look into systems and processes adopted at different levels.

A participatory approach will be used throughout the review.

7. Deliverables

The consultancy will produce the following deliverables:

Inception Report
(as indicated earlier)

Preliminary conclusions

The Review team/institution will draft the preliminary conclusions one week prior to the end of the mission to be shared in meetings with all concerned, for obtaining reactions to these observations and conclusions. A particular effort will be made to obtain the views of the Government implementing agency (MoI), the LOTFA project management team, donors and UNDP staff during these meetings. Prior to its departure from Kabul, the Team Leader will submit the draft report.

Review Report

Within three weeks after receipt of the comments and observations on the draft report, the Review Team will submit a final report.

- The language of the report should be English
- 5 hard and soft copies should be delivered
- The soft copy should be compatible with MS Office Word and Acrobat Reader
- A five page long stand alone executive summary should be submitted

8. Team Composition

The evaluation team could consist of about three members (from an institution or individuals). The team leader (an international consultant) will take the overall responsibility for reviewing documents, undertaking field visits, conducting interviews and preparing draft and final reports.

National specialist will also be part of the team who may be separately hired by the institution or by the Trust Fund Administrator to support the team leader in reviewing documents, undertaking field visits and conducting interviews.

Minimum Qualification and Experience required for the Team members:

- Advance degree in law, public affairs or international developments studies;
- At least 15 years of experience in the area of democratic governance, security sector or police reform, of which at least five years should be experience of working for, or closely partnering with, international organizations working in a developing country context;
- Experience in evaluation of law enforcement and capacity building projects;
- Extensive experience in conflict countries, institution and state building initiatives; Knowledge of Afghanistan country context and the state's institutional framework;
- Experience in undertaking evaluation reviews/studies and impact assessments of development projects; Knowledge of management and implementation of Trust Funds;
- Ability to present information in transparent and comprehensive manner;
- Written and spoken fluency in English, knowledge of local languages is an asset

Minimum Qualification and Experience required for the National Specialist:

- University degree
- At least five years of experience in the area of democratic governance, law or judicial
- This expertise may have been gained in the private sector, NGO, international organizations or public sector
- Should have full command on Dari, Pashto and English languages

9. Timeline

The mission will start in Mid May 2008.

- Briefing, review of documentation – 5 days
- Inception Report - 1 week
- Consultations, field missions – 1 to 2 weeks
- Preliminary Conclusions- 1 week
- Draft Report – 2 weeks
- Receipt of comments and final report – 2 weeks

10. Procedures and Logistics

UNDP will be responsible for organizing and facilitating the evaluation. UNDP will provide all related documents and logistical support, arrange meetings and facilitate the field visits. LOTFA project staff will also assist the review team in performing their tasks.

Throughout the mission the evaluation team will be supported by the following staff:
UNDP Staff (1) and LOTFA Staff (2- Project Manager, Project Staff)

11. Funding

The review will be supported by the Trust Fund.

