

APPENDIX 1: TERMS OF REFERENCE

BACKGROUND

Darfur is considered the worst humanitarian disaster today. The roots of the current crisis date back to many decades and encompass a variety of socio-political and economic elements. The current conflict began in early 2003 when two rebel groups, the Sudan Liberation Army (SLA) and the Justice and Equality Movement (JEM) attacked government military installations in Darfur. Although the region is uniformly Muslim, insurgency was provoked by a sense of economic and political marginalization and long-standing resentment over the government policy supporting militias from the Arab nomadic tribes, at the expense of predominantly African farming communities. To some extent, progress in the peace talks between the government and the Sudan People's Liberation Movement/Army provided a trigger to conflict in Darfur as groups feared they would lose leverage as peace-agreements were reached in the South.

Following a string of rebel victories in the first few months, the conflict shifted from one in which government security forces tried to route out insurgents—to a full scale crisis in which Arab Janjaweed militias, backed by regular forces, engaged in unrestrained attacks on civilian populations thought to be supportive of the insurgency. Attacks led to indiscriminate killings, looting and mass rape. The conflict has been characterized by massive population displacement in Sudan, and a large movement of refugees outside of the country into neighbouring Chad.

The effects of the conflict had started to become widely evident by the middle of 2003. By September, UN agencies had estimated that 500,000 people in Darfur needed humanitarian aid and the refugee numbers in Chad had reached 65,000. In early November, OCHA had warned that Darfur was facing its worst humanitarian crisis since 1988 and that the access to humanitarian workers was non-existent in some cases. By May 2004, the situation had evolved to one of the worst humanitarian crisis ever with the number of IDP estimated at above one million. Initial estimates for death casualties varied between 30 to 50 thousand people including a large proportion of children and women. Women and children are also the prime victims of sexual violence including a large number of reported cases of rapes.

According to OCHA estimates, the total number of IDPs in Darfur as of 1 July was 1,050,506 people, supported by equally vulnerable host communities, totalling approximately 209,915 people. Some 500,748 IDPs were located in West Darfur, 324,215 in North Darfur and 225,493 in South Darfur. In addition, several hundred thousand people were affected by the conflict, although remaining in their places of origin. The total number of conflict-affected people in Darfur therefore was estimated to be no less than two million people (roughly one-third of the population in the Darfur region). The number of refugees in Chad is estimated to be around 190,000, spread over 11 camps, almost half of them children.

UNICEF has a long history (over 40 years) of involvement in Sudan. The current (2002-2006) programme of cooperation between UNICEF and the Government of Sudan (GoS) includes emergency preparedness planning as one of the cross-cutting strategies. All programmes are expected to develop a high degree of emergency preparedness by maintaining plans for rapid response to emergencies and also maintain the capacity for rapid response to emergencies with essential supplies and services. Following this strategy, UNICEF could act quickly to organise preparedness planning, sectoral emergency plans and provide rapid response during emergencies.

UNICEF response to Darfur can be loosely defined as having three phases. The earliest phase was February - October 2003 when UNICEF was able to plan and organise selective but rapid response very early in the crisis. A second phase began in November 2003 when UNICEF created sub-offices in El Fasher and El Geneina. UNICEF already had field presence in Nyala. During this period, the 2004 Project Plan of Action (PPA) allowed more systematic planning for Darfur and a number of activities were implemented as part of the PPA. To facilitate increased levels of programme/field operation, all 3 zonal offices were gradually expanded and strengthened during the period March-June 2004. A third phase covers June–August 2004, when UNICEF involvement was expanded further with the implementation of

the 90 Day Plan (June-August 2004). The 90 Day Plan includes programme targets in the area of health, nutrition, child protection, education and WES.

UNICEF was a collaborator in developing the UN Contingency and Emergency Response Plan and was designated coordination roles in water and sanitation, education, child protection (as a subset of protection) and nutrition as part of the UN 90 Day Plan.

The context of the emergency in Darfur has several other elements relevant for the proposed evaluation:

- the on-going conflict in South Sudan and the recent progress in signing the peace-agreement
- restrictions by the Government for access by the humanitarian agencies/workers to areas affected by the crisis
- the Government of Sudan as the main implementing partner of the humanitarian response in Darfur, even during the emergency phase
- presence/involvement of a large number of UN agencies and bilateral donors in Sudan
- limited NGO presence/capacity in the Darfur region due partly to the remoteness of the region

PURPOSE OF THE EVALUATION

The main purpose of the evaluation is to strengthen the on-going UNICEF response to the Darfur crisis through a systematic assessment of the experience and performance of UNICEF in planning, organising and managing the early response.

The evaluation will examine the relevance and timeliness of preparedness planning, early intervention, and the 90 Day Plan, as well effectiveness (progress in terms of outcome and/or coverage/output), efficiency (analysis of cost/resources invested in relation to the results achieved), and management and operational support in all three phases. It will also examine issues related to coordination, partnerships and the overall/sectoral leadership/advocacy role of UNICEF in support of child rights in response to the crisis.

The evaluation will generate detailed recommendations to facilitate learning and immediate support to the CO and the 3 zonal offices to address the problems, gaps and constrained identified. In addition, the evaluation will provide lessons and recommendations for CO, RO and HQ for strengthening of preparedness planning and early response for the future.

SCOPE AND FOCUS

Timeframe: The evaluation will cover all three phases of planning and response (February 2003 - August 2004) while taking due account of the restrictions which existed in accessing areas in Darfur until late 2003 and the fact that the first UN appeal was released in September 2003.

Regular versus emergency programme: The evaluation will assess only the humanitarian response to the crisis in Darfur but not other aspects of the country programme. In doing so, the evaluation will however, need to consider the linkages and implications with respect to programmatic, managerial and operational (including human resources) issues in the Sudan CO and the country programme, including emergency preparedness planning.

Organisational: Although the main focus is on the performance of the Khartoum Office and the 3 zonal offices, the evaluation will involve examination of the roles of the Country, Regional Office (MENARO) and UNICEF HQ⁴⁶, and UNICEF's role in the UNCT⁴⁷.

Cross-border issues (Chad): The evaluation will exclude the humanitarian response in Chad but will examine the collaboration between UNICEF offices in Sudan and Chad.

⁴⁶ 'HQ' here refers to Headquarters in New York, Copenhagen and Geneva

⁴⁷ but not other aspects of the functioning of the UNCT, which is being covered by a concurrent OCHA evaluation

Evaluation criteria: The exercise will entail reference to selected evaluation criteria -- relevance, appropriateness, effectiveness (selected impact/outcome, coverage/output), efficiency (some aspects of cost/resource allocation/use), -- as specified in the evaluation questions below. Within the overall framework established by the CCCs, the evaluation will assess both the process as well as results orientation of UNICEF performance including the application of the human rights-based approaches, humanitarian principles and results-based planning and management but in consideration of the given context and limitations posed by the nature of the Darfur emergency. More specifically, the evaluation will explore the CO experience and performance with regard to some of the basics of HRBAP in emergencies:

- that the CO approached the humanitarian response with attention to broader protection needs (i.e. protection considerations were integrated in programmatic response)
- that the CO was aware of the situation of children's rights in humanitarian crises and documented and reported this appropriately (i.e. maintaining a wider perspective beyond immediate life-saving interventions)
- that the CO advocated on human rights issues which emerged as the crisis unfolded
- that the CO used as a reference the norms of humanitarian law and humanitarian principles
- that the CO took appropriate positions in terms of calling for accountability for those who have committed crimes against children and women, as well as for child-sensitive protocols in any truth and justice-seeking mechanism
- that the CO made efforts to build linkages between emergency response and longer-term development work.

EVALUATION QUESTIONS

Within the limitations posed by the methodology and the specific context of the Darfur emergency, the evaluation will aim to answer to the following key questions:

a) Emergency preparedness planning

Preparedness planning and early response planning:

How well prepared was the country office to organise response to the Darfur crisis? How well developed were the plans and provisions for Darfur emergency (in relation to the UNICEF CCCs in emergencies).

What facilitated or constrained preparedness planning?

How prompt was country office in recognizing the scale of need?

How well did UNICEF liaise with other partners in preparedness planning (i.e., the UN wide contingency plan for Darfur)?

How successful was UNICEF in positioning humanitarian needs for children in Darfur in the UN contingency plan and how complete was the contingency plan with respect to addressing humanitarian needs for children?

How strategic and responsive was UNICEF in organising/supporting timely assessments/surveys to generate information for planning and situation/performance monitoring? Which factors facilitated or constrained this?

How timely were country office requests to RO/HQ for additional resources? How well did RO/HQ respond to these requests?

What lessons can be drawn for the future with respect to UNICEF's role and performance in inter-agency preparedness planning for emergencies (in the context of Sudan and elsewhere)?

How appropriate/realistic were the criteria/assumptions used to set the targets for UNICEF humanitarian action in Darfur?

How useful was prior preparedness planning (including the 2004 PPAs) for planning and implementing emergency interventions?

How well did UNICEF's response plan relate to UNICEF CCCs in emergencies (especially the Programme Commitments)?

How well did the response establish a strategic overview for sectors where UNICEF had lead responsibility?

How appropriate were the targets set for each sector?

How adequate was the programmatic (use of logical thinking to get intended results) and operational strategy outlined in the Plan to achieve the targets? How adequately did the plan reflect inter-sectoral linkages and synergies?

How did UNICEF's partners view the UNICEF targets and strategies?

What conclusions, lessons and recommendations can be drawn for planning emergency response in general and in planning of humanitarian response for Darfur during the next phase?

b) Programme (plan) implementation and performance

What was the nature and extent of the humanitarian responses in the early phases (including in 2003) and how well did they address the humanitarian needs of children and women?

How well balanced were the sector responses with respect to their focus on service delivery, capacity building and programme communication (behaviour change, social mobilization)?

How adequate was inter-sectoral collaboration in addressing multi-sectoral issues and problems that demand such collaboration?

How well did UNICEF provide sectoral leadership and co-ordination for their lead sectors (WES, education, child protection and nutrition)?

What were the contributing factors and/or constraints in providing timely response?

Were the targets set for the early response appropriate and achievable? To what extent have the targets set been achieved (for each sector)? Where are the gaps?

What specific results can be measured or suggested that are attributable to UNICEF's role and response (objectively but also as viewed by UNICEF and its partners)?

What factors most facilitated or constrained timely response or results? How quickly and how well did UNICEF respond to constraints?

What conclusions can be drawn with respect to the actual impact of these interventions in ensuring the right to survival, health, education, development and protection?

How did the UNICEF relationship with the Government affect WES interventions?

How and to what extent was information collected and analysed for monitoring of key outcomes, outputs/coverage and inputs?

How timely, adequate and efficient was the information collection and flow for use in decision-making processes?

How well was the information/monitoring system linked to the users of the information at different level/offices?

What have been the major constraints in information and monitoring systems both for situation monitoring and performance measurement?

What recommendations can be made for strengthening of the information systems and their use?

c) Inter-agency and sectoral coordination

How effective was the coordination within UNICEF during the preparedness planning and response phases at the CO level and zonal office levels but also with the RO and HQ?

What were the major gaps and constraints in coordination?

What has been the experience in working with other agencies, government counterparts, bilateral agencies and NGOs?

What specific role was played by UNICEF in inter-agency coordination (overall and for each sector)?

How well did UNICEF contribute to and benefit from interagency collaboration at all levels?

d) Organizing and using human/technical resources

How appropriate were the CO human resources to planning and responding to the crisis?

How well did the CO anticipate and cover staffing needs in Khartoum office and the 3 zonal offices in support of the humanitarian response? How adequate and balanced was the provision of human resources across sectors and for operations?

How rapid/adequate was the support by the RO/HQ with respect to human resources support? What information was used by RO/HQ to plan for this support?

What external support (RO, consultants) was sought? What were facilitating and constraining factors?

How adequate is the current/proposed staffing for Khartoum office and the zonal offices?

What are specific training needs of the staff in relation to planning, coordination, management and monitoring of emergency response?

e) Resource mobilization

How well did the CO, RO and HQ mobilize resources?

How adequate and effective was the fundraising strategy and what were the constraining/facilitating factors? How well did UNICEF utilize the CERF and EPF facilities?

What are the areas where funding has been adequate and which areas have experienced major shortfalls? What measures need to be taken to address funding shortfalls?

How well did the CO/RO/HQ roles complement each other? How well did the CO/RO/HQs manage donor relations?

f) Planning and management of finance, supply assistance and logistics

How well did the CO and the zonal offices anticipate and meet cash and supply needs and logistic requirements?

To what extent did the CO and the zonal offices meet planned implementation schedules of activities?

What were the facilitating or constraining factors?

How well did the CO maintain sound financial management? What adaptations were made to accommodate the humanitarian response?

How well did the offices manage and monitor their input management mechanisms (fund disbursement, cash transactions, supply transactions/transportations etc.)?

How timely were supply deliveries to the end users? What were the major constraints and facilitating factors?

How adequately did the field-offices monitor utilization/maintenance of supplies disbursed?

What has been learned in working with the private sector suppliers (WES sector in particular)? How efficient (cost, speed, community relationships) is the private sector in comparison to working with the government?

How well did UNICEF's procurement systems support the emergency response in Darfur?

g) Office management and operations (including planning/management of the zonal offices)

What adjustments were made to the CO management structures (CMT, CRC, APC, other) and functions during all three phases of response?

What was the experience in establishing the zonal offices? How systematically planned and managed?

How effective were the new office/management structures in supporting the humanitarian response?

How well did the CO manage the shift to Darfur emergency response in terms of gearing up of operations system with a clear sense of urgency? What were the facilitating and constraining factors?

What specific roles have been played by the HQs and MENARO? What can be said about the adequacy of support provided?

h) Interaction with and support from RO and HQ

How clearly did CO/RO/HQ establish coordination and information networks?

To what degree were accountabilities and responsibilities clear, complementary and efficient? Where was there overlap or gaps?

How supportive and timely were the MENARO, HQ offices in performing their roles as per the organisational accountabilities and CCCs?

What recommendations can be made for strengthening and efficiency of RO and HQ roles?

How appropriate was the information (written and verbal) provided by UNICEF to donors during the crisis?

What contribution did UNICEF play in the interagency contingency planning and humanitarian needs profile exercises?

i) Interaction and communication with UNICEF office in Chad

To what extent has there been interaction/communication between the two offices on cross-border issues, exchange of ideas and information sharing, timely reporting or other related issues?

What have been the facilitating and constraining factors including any roles of HQ and respective ROs?

What recommendations can be made to further strengthen the communication and collaboration between the two offices?

j) Communications with media, donors, partners

How well was the media used to support advocacy on children's rights during the crisis?

How well was the media used to promote visibility for UNICEF? What was the balance between UNICEF's visibility and actual performance?

How well did UNICEF use the media and advocacy to generate a response from the international community and the Government of Sudan?

How adequate were the communications with the donors and other partners, including the quality of proposals and donor reporting? How well did CO/MENARO/HQ complement each other?

k) Planning and management of security

What was the experience in developing a security plan particularly in determining the needs and provisions for staff (both national and international) security and programme delivery?

To what extent did the CO and field offices comply with the Minimum Operating Security Standards (MOSS) ?

How effective were the security provisions for protecting staff (international and national) and protection of supplies and assets?

What were the facilitating and constraining factors?

l) UNICEF-DFID partnership

What role has DFID played in support (financial or otherwise), influencing and reviewing UNICEF's emergency preparedness and response?

What lessons can be drawn for both UNICEF and DFID from the Darfur experience to improve the institution's partnership in emergency preparedness and response?

What lessons can be drawn from the Darfur experience to inform the wider DFID-UNICEF institutional partnership?

m) Key innovations, lessons learned and recommendations

What are the innovations learned in the area of preparedness planning, early response planning/design, actual response, and management/operations that are of relevance within Sudan or elsewhere?

What lessons can be drawn from the experience so far with respect to preparedness planning, coordination, and other elements covered within the CO of the evaluation?

EVALUATION PROCESS AND METHODS

The evaluation will be based on the following methods:

- Desk review of all secondary information (including plans, policies, programme/sector review papers, studies evaluations, field reports, situation reports) to be made available at the Khartoum office
- Interviews with selected UNICEF staff and external (Govt. NGOs, bilateral agencies, field staff, implementing partners) at the CO, zonal offices and field sites
- Participatory meetings with selected staff in groups (programmes and operations) around Particular themes for in-depth analysis (themes to be identified well in advance to avoid overlaps with the interviews)
- Systematic analysis of constraints, risks, and management functions using tools developed for similar evaluations
- Analysis of costs/expenditures to compare the cost (per unit) for various options used (supply in particular), resource allocations/distributions across sectors and to identify major gaps and imbalances

- Field visits to selected sites and to zonal offices for observing the situation and for gathering first-hand information for the evaluation (instrument/list of questions to be developed)
- Consultation with IDPs
- In-depth consultations with selected staff/external experts to develop solutions to problems identified
- Interviews with selected key informants in MENARO, HQ, Supply Division, and Khartoum representatives of UN and donor agencies

Lessons learned workshop will be held in the first week of November in Khartoum where provisional findings and early recommendations will be discussed⁴⁸. These discussions will serve to refine the evaluation analysis.

A schedule of key informants will be agreed with the Evaluation Team at the outset of the evaluation and will cover Khartoum (UNICEF staff, NGOs, UN agencies, government officials); Field (selected locations in West, South and North Darfur); HQ (New York, Geneva, and Copenhagen); MENARO; DFID Khartoum and London. (The list of informants may be modified as the evaluation proceeds, within the constraints of time and cost).

Two members of the evaluation team will travel to Amman in the first week of the evaluation. The team leader and DFID consultant will travel to New York for 2 days consultations after the Sudan phase of the evaluation. Key informants from New York, DFID London, Geneva and Copenhagen will be interviewed in person in Khartoum ahead of the lessons learned workshop in the first week of November. Other informants will be interviewed by phone.

EVALUATION REPORT

The evaluation team will have editorial control over the content of the draft and final reports⁴⁹. The final report will conform to UNICEF's evaluation reporting standards, a copy of which will be provided to the evaluation team leader.

The evaluation report will provide findings, lessons learned and recommendations for strengthening of planning and response during the on-going response phase and for the future, including, amongst others:

- improving the practicality and usefulness of EPRP and actual planning
- human resource and technical support
- financial management
- external relations, media and communications
- operational support including supplies and financial management
- coordination within UNICEF and with partners including NGOs and UN agencies
- future UNICEF-DFID partnership in emergency preparedness and response

Recommendations should have immediate relevance for strengthening UNICEF response (with partners) to the crisis in Darfur, as well as for UNICEF's longer-term planning of and response to emergency situations.

UTILIZATION OF THE EVALUATION REPORT

The lessons and recommendations from the evaluation will be used to improve planning and response to emergency situations within Sudan and elsewhere.

Following a presentation of findings and the completion of the final report, UNICEF will respond to the evaluation findings, stating which evaluation findings it accepts or rejects, with reasons, and the actions to be taken in response to the evaluation findings and recommendations, with designation of responsibilities and time scales.

⁴⁸ In addition to UNICEF Sudan staff, this workshop will be attended by representatives from UNICEF HQ, DFID, and the European Commission and US missions in Khartoum

⁴⁹ The final report may be edited and formatted for UNICEF house style before its publication

The executive summary of the evaluation will be disseminated widely through UNICEF HQ and regional networks.

MANAGEMENT

Focal Points and Support. Khartoum office will designate 3 focal points for the evaluation - one each from planning, programmes and operations. Khartoum office will also designate a full-time project assistant in support of the evaluation. In addition, the 3 zonal offices in Darfur will each designate a focal point for the evaluation that will facilitate field visits, interviews and logistic support. MENARO, Khartoum Office and the HQs will make available planning documents, CAPs, SITREPS and other relevant information for the desk review.

Evaluation Team The evaluation team leader will manage the evaluation team, assigning tasks as necessary and drawing together the draft and final reports. During the evaluation exercise, the team members will be accountable to the team leader.

Supervision. The MENARO Regional M&E Advisor, in consultation with the Senior Programme Coordinator, Khartoum CO, will be supervise the evaluation team, resolving logistical and practical issues, and dealing with consultancy contracts and payments.

Issues Arising. A group comprising MENARO Regional M&E Advisor; MENARO Regional Emergency Advisor; Senior Evaluation Officer, Evaluation Office; Deputy Director, EMOPS; Programme Officer, Humanitarian Affairs Unit; and a representative of DFID-CHAD will provide guidance on any substantive issues arising during the evaluation and help to resolve any difficulties in the execution of the evaluation.

Follow-Up. A reference group, led by the Director of EMOPS, will attend the presentation of the evaluation findings, comment on the draft report, and devise the management response, and supervise the follow-up to the evaluation.

TEAM COMPOSITION

The evaluation will be conducted by a team of 4 evaluators; 2 external, 1 DFID expert and 1 UNICEF expert (current or former staff member familiar with UNICEF's work). The 2 external evaluators will be selected in consultation among the Sudan CO, NYHQ and MENARO.

TIME-PLAN

The evaluation is planned to be conducted from mid-October to end-November 2004. A detailed work-plan will be agreed with the Regional M&E Advisor and division of responsibilities among the 4 evaluators will be undertaken during the week prior to the evaluation and finalized by 15 October.⁵⁰ The following is a tentative calendar:

Desk review/interviews in Khartoum and Amman	14 Oct - 19 Oct
Visits to the 3 zonal offices (and interviews)	20 Oct - 30 Oct
Further interviews in Khartoum	31 Oct - 02 Nov
Lessons learned workshop	03 Nov- 04 Nov
Report drafting (whole team)	05 Nov - 07 Nov
Team leader plus DFID team member visit New York	10 Nov - 11 Nov
Draft report	by Nov 14
Presentation, Copenhagen or Geneva	tba ⁵¹
Final report	by end November
Management response	by end December

⁵⁰ The team will agree on a work arrangement to share work responsibilities to get the evaluation completed efficiently and in time.

⁵¹ To be determined. It may be feasible for the presentation to be made during/after the mid-November PBR meeting in Copenhagen where UNICEF directors will already be in attendance. Otherwise the presentation will be made in Geneva or New York. The presentation will be attended by DFID.

FINANCIAL RESOURCES

The UNICEF financial resources required for this evaluation (all costs other than DFID costs) based on the TOR are estimated at \$60,000.