DRAFT TERMS OF REFERENCE

Evaluation of UNHCR Colombia

Policy Development and Evaluation Service

September 2015
I. Introduction

This Terms of Reference (TOR) is for the evaluation of the UNHCR Colombia operation, with a dominant forward looking focus. The evaluation is commissioned by the UNHCR Policy Development and Evaluation Service (PDES), at the request of and in cooperation with the Regional Bureau for the Americas, and will be conducted by an external evaluation consultant and a staff member of PDES.

The ToR has been prepared by PDES with support of the Regional Bureau for the Americas, and articulates the overall purpose, focus and deliverables of the evaluation. They also set out the key evaluation questions to be answered and the methodology to be followed. The final ToR will be based on comments on this draft document from stakeholders and on agreement with the selected external consultant. The evaluation is scheduled to take place over a period of four months, from October 2015 to January 2016.

The evaluation is timely with the continuing peace talks in Colombia and changing operational context, the first steps taken to a transition to solutions, and with availability of funding for the Colombia operation decreasing.

II. Background

Country Context

For over 50 years, Colombia has been experiencing an internal armed conflict. Violent actions carried out by leftist guerrilla groups, right-wing paramilitary groups, and Colombia’s armed forces have led to the death and displacement of tens of thousands of people. Non-state armed actors currently include the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), the Popular Liberation Army (EPL), as well as post-demobilization groups (splinter groups of former paramilitary groups). Terror attacks, kidnappings, killings, forced recruitment of children, sexual and gender based violence have been part of the history of this armed conflict.

The decades-long armed conflict in Colombia has forcibly displaced more than 6.3 million persons within the country and over 360,000 Colombians have sought international protection in neighbouring countries.

In August 2012, the Government of Colombia and the FARC signed a "General Agreement for the termination of conflict and the construction of a stable and lasting peace". The first peace talks foreseen under this Agreement started in October 2012 and continue to date. The first two years of the formal peace talks produced steady progress and gradual consolidation. At the same time, there is continued violence within the country, also causing new displacement, and with regional dimensions not to be under-estimated.

The collapse in May 2015 of the unilateral ceasefire declared by the FARC in December 2014, triggered renewed violence and an escalation in military action. Notwithstanding this set-back, ongoing negotiations have paved the way for discussions on a bilateral ceasefire that would accelerate peace negotiations. On 5 June, both parties announced that they had reached agreement on the establishment of a Truth and Non-Repetition Commission. This is a major breakthrough in the victims of conflict agenda item of the negotiations. UNHCR has provided direct support to the
parties on this topic, which has positive implications for internally displaced persons, Colombian refugees and persons in refugee-like situations.

In this new context, in early August, negotiators invited the UN Department of Political Affairs to discuss monitoring and verification mechanisms for a possible bilateral ceasefire. On 13 August, the Secretary General, on the request of the parties, appointed a senior UN diplomat as his Delegate to the Sub-Commission on End of Conflict Issues within the Colombia Peace Process.

As a result of recent measures undertaken by the Venezuelan government, thousands of Colombians living in Venezuela have been deported or have been induced to return to Colombia. This poses additional challenges in terms of their sudden return, possible protection concerns, and need for reintegration in Colombia.

UNHCR presence and operations

At the request of the Colombian Government UNHCR established a presence in Colombia in late 1997, with the main role, as stated in a Memorandum of Understanding signed between UNHCR and the Government of Colombia in January 1999, to strengthen the capacity of the government to prevent displacement, respond to new situations of displacement, and ensure that the displaced population enjoys a level of protection which respects international standards.

In light of its refugee mandate, UNHCR Colombia is also providing protection, including assistance, to asylum-seekers and refugees in Colombia and pursuing durable solutions for them. So far, the number of refugees and asylum-seekers has been rather limited, with 156 asylum-seekers and 213 refugees in Colombia by end 2014.

Since the establishment of UNHCR’s presence in 1997, the focus of operations went through various phases in response to the developments on the ground. With the roll out of the Humanitarian Reform in Colombia in 2006, including the cluster approach, UNHCR assumed the leadership role of the Protection Cluster, which it continues to co-lead with the Norwegian Refugee Council to date.

One of the specificities of the UNHCR operation in Colombia is the combination of helping the authorities to build their response to displacement, together with a strong UNHCR field presence, particularly in areas where State presence has been weak. While initially UNHCR had a presence only in the capital, in response to large-scale displacements in various parts of the country, in late 1999 UNHCR opened its first three field offices in Apartado, Barrancabermeja and Puerto Asis. By 2015 UNHCR has an extended presence in Colombia: 2 Sub-Offices (Medellin and Pasto), 7 field offices (Apartado, Arauca, Buenaventura, Cucuta, Mocoa, Quibdo and Villavicencio) and 4 field antennas (San Jose del Guaviare, Monteria, Soacha y Tumaco). UNHCR’s current presence in the field largely coincides with the map of the conflict and violence in the country. While initially UNHCR’s role was limited to supporting the government in its response to internal displacement, it is now present in areas controlled by the two main guerrilla groups and in marginalized urban areas where other armed actors are involved in various forms of extortion and trafficking.

Besides direct implementation, UNHCR funds mainly small community-based projects, aiming at reinforcing the protection response on the part of the authorities or the communities themselves. In relation to the former, UNHCR has provided support to many institutions. Currently, UNHCR pro-actively interacts with at least 15 national government institutions and many more at the regional
UNHCR’s most important interlocutors at the national level are currently the Ministry of Foreign Affairs, the Victims Unit, the Land Restitution Unit, the Ombudsman, the Office of the Controller, the Protection Unit (Ministry of Interior) and the Constitutional Court. It also actively works together with a wide variety of national NGOs, community-based organizations, universities, and local communities. It provides funding to some 30 partners, mainly national NGOs, to implement projects. Under the agreement with one national partner, numerous small community-based organizations are receiving financial support to implement small community-based projects.

Colombia is also one of the focus countries of the Transitional Solutions Initiative (TSI), and since 2012 UNHCR and UNDP have been implementing projects in 17 communities across the country. These projects have an over-arching rights-based solutions focus working with communities, which had often been displaced for many years without hope of a better future, to help create conditions for identifying solutions (in the form of local integration, voluntary return or resettlement (within the country) and make them sustainable (by, inter alia, working with development actors).

The needs-based budget for the annual Operating Plan (OP) of the Colombia operation has slightly increased since 2012. The ‘Operating Level’ (OL), which reflects the authorized level of expenditures based on available funding, remained relatively stable until 2016, when the initial OL shows a significant decrease. While this reflects the initial OL, and could increase in the course of the year, prospects for additional funding allowing a further increase in OL are rather bleak.

<table>
<thead>
<tr>
<th>Year</th>
<th>Pillar 1 OP</th>
<th>OL</th>
<th>Pillar 4 OP</th>
<th>OL</th>
<th>Total OP</th>
<th>OL</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>1,028,040</td>
<td>863,942</td>
<td>28,364,218</td>
<td>17,272,936</td>
<td>29,392,257</td>
<td>18,136,878</td>
</tr>
<tr>
<td>2013</td>
<td>1,250,050</td>
<td>858,248</td>
<td>28,384,581</td>
<td>19,205,022</td>
<td>29,634,631</td>
<td>20,063,270</td>
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<tr>
<td>2014</td>
<td>1,362,554</td>
<td>740,338</td>
<td>29,177,543</td>
<td>18,140,551</td>
<td>30,540,098</td>
<td>18,880,889</td>
</tr>
<tr>
<td>2015</td>
<td>1,289,691</td>
<td>805,763</td>
<td>30,360,304</td>
<td>17,599,726</td>
<td>31,649,995</td>
<td>18,405,489</td>
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<tr>
<td>2016</td>
<td>911,891</td>
<td>611,891</td>
<td>30,521,659</td>
<td>14,802,327</td>
<td>31,433,550</td>
<td>15,414,217</td>
</tr>
</tbody>
</table>

Note: Pillar 1 refers to the refugee programme and pillar 4 to the IDP programme. The budget is reflected in US Dollars.

III. Purpose, Objectives and Scope

The purpose of the evaluation is to assess the relevance, effectiveness and coherence of the UNHCR operation in Colombia in order to inform the future strategic direction and priorities. It is in particular intended to review current strategic direction and priorities of the UNHCR operation in Colombia, and how they may need to be adapted to the developments on the ground as well as in light of (expected) funding availability in the coming years. This both in relation to its refugee mandate (including possible repatriation of Colombian refugees) as well as its role and responsibilities for IDPs and affected populations within the inter-agency structures, with a focus on its protection cluster co-lead responsibilities and operational interventions.

While including a high-level review of how the UNHCR operation in Colombia developed since 1997 in response to the changing operational context, the scope of the evaluation will focus on the last three years, with the peace talks having started in October 2012 and UNHCR having conducted an internal review of the Colombia operation in January 2013, and be forward looking. It will review whether the decision-making on the strategic positioning is based on an objective assessment, also taking into considering the views and priority interventions of other partners, and draw lessons that
may assist the Colombia Office in i) developing its strategy related to internal displacement within the overall humanitarian response under the leadership of the RC/HC and in light of the possibility of a peace agreement between the Colombian government and the FARC; ii) the impact on solutions strategies for Colombian refugees in neighbouring countries, and iii) its strategy and involvement related to refugees and asylum-seekers for the coming years.

The evaluation has the dual objectives of learning and accountability. With respect to the learning objective, the evaluation will examine the reasons why certain results were or were not achieved with a view to generate lessons informed by evidence with the broad time to inform strategic and operational decision-making for the Colombia operation moving forward. Lessons learnt from the operation in Colombia are also highly relevant for other operations (e.g. IDP crises in middle income countries), including in Central America, and beyond. With respect to the accountability objective, the evaluation will review key decisions taken in the past three years, their emerging results and their possible implications on future direction.

IV. Users and Stakeholders

The primary users of the review within UNHCR are the UNHCR Offices in Colombia, particularly managers, and the Regional Bureau for the Americas. The findings and recommendations of the evaluation should support them in setting strategic directions, priorities and orientation of the Colombia operations in the coming years. At regional level, the report will also be of direct interest to the UNHCR offices in neighbouring countries (particularly countries in Central America), hosting significant number of Colombian refugees. At the global level, in particular the Division of Programme Support and Management (DPSM) and the Division of International Protection (DIP) will be key users.

The external stakeholders with an interest in the evaluation include the IDPs and host communities, refugees and asylum-seekers in Colombia, members of the Humanitarian / UN Country team, members of the Protection Cluster, and other NGO partners, national and local authorities, and donors.

V. Evaluation Criteria and Questions

The criteria for the evaluation include relevance, effectiveness, efficiency, coordination, coverage and impact. The evaluation sub-questions below may be refined in the inception phase.

Evaluation Questions

The key evaluation questions and related sub-questions are as follows:

**Strategic positioning** - Taking into account UNHCR’s refugee mandate, protection cluster co-leadership and established operation in Colombia, are UNHCR’s objectives appropriate and relevant in light of the evolving situation in Colombia?

- Are objectives, strategy and (planned) activities coherent with and complementary to the priorities and efforts of other stakeholders, in particular the HCT, other clusters and their members, and other humanitarian organizations?
• Are objectives, strategy and (planned) activities coherent with and complementary to the priorities and efforts of other stakeholders, in particular the HCT, other clusters and their members, and other humanitarian organizations?
• Has UNHCR been able to adjust its interventions to adapt to the political, legal, and policy developments?
• Is UNHCR making a substantial contribution to government and humanitarian objectives, especially with respect to solutions?

**Decision-making** - What have been the drivers for key decisions with respect to UNHCR’s operations in Colombia, and how and on which basis are decisions made. Sub-questions may include: To which extent has UNHCR Colombia

• Analyzed the political, security, displacement situation and trends, and protection needs sufficiently and factored these insights into its priorities and the design of its interventions?
• Given due consideration to the priorities and interventions of other humanitarian actors, to ensure coherence, complementarity and added value?
• Reviewed its approach to protection and assistance to ensure that interventions are reaching the most affected communities and individuals?
• Reviewed issues (e.g. available funding, government pressure, capacities and priorities of partners) that may have led to different strategies, approaches and/or priorities being adopted?
• Assessed and selected its areas of intervention in terms of ensuring cost-effective and timely progress towards intended results and sustainability of its presence and interventions?
• Appraised whether it has sufficient capacities and resources to manage its interventions strategically?

**Results** - What results have been achieved against the objectives set? Sub-questions may include looking at:

• To what extent has the UNHCR operation in Colombia achieved its objectives, including in terms of protection, community mobilization and their strengthened capacities, and transition to solutions?
• What has been the result of UNHCR’s institution-building work, in terms of influencing the policies and actions of government, judiciary and other state authorities, and other consequences?
• What have been the results of UNHCR field presence on the displaced population, particularly the Indigenous and Afro-Colombian communities?
• How effectively has UNHCR performed its responsibility as co-lead of the protection cluster, including on advocating on the centrality of protection in the humanitarian response?
• How well has UNHCR Colombia coordinated its operational interventions with other humanitarian and development actors, as well as other relevant stakeholders, in responding to the challenges it has chosen to address?
• Has UNHCR’s presence helped to reduce displacement or has it inadvertently contributed to protracted situations of displacement?
Lessons learned and future direction - What are the key lessons learned that may assist UNHCR Colombia to develop an appropriate strategy to respond to the changing environment in Colombia? Sub-questions may include:

- What were the key factors that led to the operation’s results, and what are related lessons learned for the future?
- How has the staffing structure of the Representation adapted over time to address operational challenges? Is the current structure strategically poised to enable UNHCR to adapt to a dynamic environment in which it will need to assist with the consolidation of comprehensive and sustainable protection solutions, including through the hand-over of activities and methodologies.
- Is UNHCR’s presence and structure efficient, effective and appropriate within the budgetary constraints to implement the strategic direction and priorities?
- What are the key lessons learned through UNHCR’s work in Colombia that could be of use to other operations?

V. Methodology

The evaluation will be participatory and collaborative in approach to inform future strategic direction and design of the UNHCR Colombia operation. A mixed-method approach is envisaged, including qualitative (interviews and focus group discussions) and quantitative methods (document review and data analysis). It will include interviews and focus groups discussions with key stakeholders, including relevant UNHCR staff at Headquarters and country level, UN and NGO partner agency staff, national authorities, donors and persons of concern. Consultations will ensure that diverse groups of persons of concern are included with an age, gender and diversity approach.

A combination of information will be drawn upon, including i) the document objectives of the programme, ii) perspective of UNHCR staff; iii) perspectives of partners, including the UN Country Team and Humanitarian Country Team, and iv) feedback from relevant stakeholders, including national authorities, refugees and asylum-seekers, IDPs and affected populations. Data from different sources will be triangulated and cross-validated so as to determine the robustness of the findings.

The detailed methodology will be designed by the evaluation team during the inception phase, following a desk review and preliminary interviews with key stakeholders. The evaluation team will thereby assess and confirm the evaluability of the questions set out above. For each key evaluation question, the information/data source, method and associated criteria will be clearly defined so as to constitute a solid evidence base of any findings. The methodology and evaluation questions will be finalized upon completion of the inception report by the evaluation team.

VI. Timeline and Deliverables
The evaluation is expected to be completed within four months (from October 2015 to January 2016). The key activities and deliverables (to be provided in English) of the evaluation with indicative timeline are as follows:

- **Finalization of ToR by late October.**
- **Inception report by 6 November** – The inception report should include a preliminary analysis of the operational context and UNHCR operation in Colombia, and an evaluability. A detailed methodology should be provided and an evaluation matrix setting out how each of the evaluation questions will be answered. A detailed schedule of activities and deliverables should be provided, designating who is responsible for each.
- **Field mission to Colombia in November** - The evaluation team will be expected to travel to Colombia for some 2 to 3 weeks, visiting at least two, and possibly more, sub/field offices. The selection of the locations to be visited will be determined in the inception phase.
- **Data collection tools** – The evaluation consultant should develop specific data collections tools to address the evaluation questions, consistent with the proposed methodology.
- **Oral briefing to stakeholders** – At the end of the evaluation mission, the evaluation team should provide an oral briefing to the UNHCR Colombia office presenting the initial analysis of the data collected through the desk review and evaluation mission.
- **Draft Evaluation report by mid-December** – The evaluation report should not exceed 40 pages and should include the following: executive summary, description and short assessment of methodology, findings, analysis, conclusions, recommendations and references. The ToRs, data collection instruments and/or other relevant information should be added as annexes. Findings and recommendations should be evidence-based and clearly linked to the evaluation questions. Recommendations should be limited in number, actionable, directed to relevant actors, and clearly linked to the analysis, findings and conclusions. The final report will be placed in the public domain and a management response will be required. A summary will be made available in Spanish.
- **Briefing with PowerPoint presentation** – The evaluation team will provide a final briefing to the Regional Bureau for the Americas and the UNHCR Colombia office, including a PowerPoint presentation, on the main findings, conclusions and recommendations.

The independent consultant is expected to spend some 2 to 3 days in person in Geneva for interviews with UNHCR staff and possible external partners based in Geneva, and spend some 2 to 3 weeks in Colombia for the field mission.

**VII. Organization, structure and conduct of the Evaluation**

The evaluation will be jointly managed by PDES and the Regional Bureau for the Americas, and will be conducted by an independent evaluation consultant selected through a competitive tender process.

The competencies, expertise and skills of the independent consultant should include:

- Knowledge of UNHCR’s refugee mandate and Protection Cluster leadership
- Good grasp of the inter-agency humanitarian coordination structure
- Fluent in Spanish
- Demonstrated competence in mixed-method evaluation in a humanitarian context
- Demonstrated knowledge of the Colombia and regional context
- Excellent writing and communication skills in English and Spanish
- Relevant evaluation experience in humanitarian programmes, especially in the area of refugee and IDP responses.

The independent consultant should not have had direct involvement in the response to displacement in Colombia during the last 10 years, to avoid conflict of interest. The evaluation should be conducted in conformity with UNEG Ethical Guidelines for Evaluation and the UNEG Code of Conduct for Evaluation in the UN system.

UNHCR will provide the evaluation team with documentation and information necessary to the evaluation; facilitate contact between the evaluation team and stakeholders; provide logistical support for briefings and field visits; assist in arranging interpretation for the evaluation team if needed; and provide feedback to the evaluation team on deliverables in a timely manner.

VIII. Guidelines for Submission of Proposals

Bidders should submit a proposal outlining:

a) A technical proposal, including:
   - The design and data collection methods proposed for the evaluation, minimizing repetition of information shared in the ToR;
   - A proposed work plan;
   - A minimum of two references from clients for whom evaluation projects of a similar scope were carried out, including an indication of the scope and scale of projects and the nature of services provided. UNHCR may contact referees for feedback on services provided by bidders. The CV of the consultant(s) should be included in the proposal.

b) A cost proposal indicating
   - Daily consultancy fees, and estimated number of working days. Travel costs to selected destinations will be on a cost-reimbursable basis. All rates must be exclusive of tax, as UNHCR is a tax-exempt organization.
   - A proposed payment schedule linked to deliverables.

UNHCR will award the contract after considering the technical and cost factors, on the principle of best value-for-money.

Queries regarding this call for proposals should be sent to greveb@unhcr.org.

Bids should be submitted to hqpd00@unhcr.org and Betsy Greve (greveb@unhcr.org) by 18:00 hrs (Geneva Time) on 7 October 2015.

UNHCR PDES
September 2015