

## ANNEX 1: TERMS OF REFERENCE

# Thematic Evaluation of DanChurchAid and partners' Human Rights-Based Approach to Saving Lives, Building Resilience and Fighting Extreme Inequality in marginalised communities.

In 2024, DanChurchAid (DCA) has decided to commission a global thematic evaluation of its Human Rights Based Approach (HRBA), including engagement with faith actors, youth engagement and gender equality as well as key themes of relevance to the HRBA such as International Humanitarian Law, Protection and Do No Harm. The evaluation of the HRBA will cut across three Strategic Goals in our Global strategy, specifically [Saving Lives](#), [Building Resilience](#) and [Fighting Extreme Inequality](#).

## 1. BACKGROUND AND INTRODUCTION

DCA is a multi-mandated organisation with more than 100 years' tradition of supporting the world's poorest in their struggle for a dignified life and helping those whose lives are threatened. We provide emergency relief in disaster-stricken areas and long-term development assistance in poor regions to contribute to a more equitable and sustainable world. DCA is active in Africa, Asia, Middle East, and Ukraine with presence in 19 countries, working to achieve its 4 global goals of Saving Lives, Building Resilient Communities, Fighting Extreme Inequality and Creating Engagement reflecting its work across the nexus of humanitarian response, development, and peace building.

DCA operates in a complex, fragile and ever-changing world where conflict, climate related disasters, pandemic(s), poverty, extreme inequality and pressure on human rights and democracy cause suffering and form barriers to opportunities for the World's poorest and people in need. This is the setting that the evaluation of our HRBA will take place in.

Human rights are the foundation for all our work, while the Human Rights-Based Approach (HRBA) is part of DCA's fundamental principles in our [Global Strategy \(2023\)](#) and shapes all project and programme work across the triple nexus. DCA has been a rights-based organisation for more than two decades and is well recognised for its rights-based programming. DCA is following its [Human Rights Policy \(2018\)](#) and our [Action Guide to HRBA \(2020\)](#). DCA's approach to HRBA is aligned with the [2030 Agenda](#) and [UNDP's framework for implementing a Leaving No One Behind approach](#). In our [humanitarian response](#) we are guided by four humanitarian principles: humanity, neutrality, impartiality, and independence.

DCA sees inequality, which is perpetuated by unjust structures, norms, and institutions, as a major development and human rights issue as well as a driver of humanitarian conflict. DCA has a holistic approach to the thematic areas of HRBA, gender equality, faith actor engagement and civic space. This is the special niche position of DCA when it comes to human rights protection, and promotion as well as gender transformative work. Faith actors are better protected and on occasion more influential than human rights organisations in many countries where DCA works, and hence faith actors are better positioned to protect and reclaim civic space than other civil society actors. This holistic approach provides DCA with a unique position to create structural, sustainable, and rights-based change because it gives us the leverage to work on norms, values, practices, as well as legal and political frameworks. With this holistic approach as the point of departure, DCA wishes to evaluate the HRBA plus gender equality across country programmes. DCA's country programmes are all developed through a Theory of Change approach which the evaluation will take into account.

DCA's HRBA aims at strengthening rights holders to know and claim their rights and at supporting the capacities of duty bearers to know and meet their obligations. DCA mainstreams the Human Rights-Based Approach through the PANEL+ principles:

- **Participation** of rights holders in decision making in society and project implementation.
- **Accountability** of formal and informal duty bearers in relation to human rights obligations.
- **Non-discrimination** by ensuring that all people have equal access to fully enjoy their rights.

- Empowerment by strengthening the capacity of rights holders to know and claim their rights.
- Linking to human rights framework and international humanitarian law.
- The + refers to addressing barriers and root causes to gender discrimination and injustice.

DCA's HRBA focuses on the needs, rights, and dignity of the poverty-stricken and groups in vulnerable situations such as displaced and marginalised people, ethnic and religious minorities, indigenous peoples, SOGIE minorities and persons with disabilities, with a special focus on youth and women and intersectionality within all groups. We have particular focus on these groups knowing, owning and being able to claim their rights in a world where the belief in human rights is decreasing due to authoritarianism rising and people not being able to see that the words on paper make a difference in their daily lives.

Attention to non-discrimination and inclusion of those most at risk, including various minority groups, is also a key aspect of mainstreaming the protection principles which mirror the PANEL principles. Strengthening non-discrimination, inclusion, and pluralism in and through our work is a continuous focus.

The promotion and protection of human rights at local and national level is a core element of DCA's work and is supported by regional and global advocacy, as well as extensive stakeholder engagement and leadership. DCA focuses on women's rights, climate justice and securing space for civil society through the ACT Alliance, through relevant human rights mechanisms, such as the [Universal Periodic Review \(UPR\) process](#), [Convention of the Elimination of Discrimination Against Women \(CEDAW\)](#), and through our Danish stakeholder engagement and media work.

DCA also promotes space for civil society by supporting the resilience of partners and faith actors against crackdowns on civic space, restrictive NGO-laws, illegitimate use of criminal and antiterror legislation, surveillance technology etc. We engage with relevant international mechanisms, e.g. [the Special Rapporteur on freedom of peaceful assembly and of association](#), [the Special Rapporteur on freedom of opinion and expression](#), [the Independent Expert on human rights and international solidarity](#), and build multistakeholder alliances that promote civic space as an enabler for sustainable rights-based development and just transition.

Potential relevant policies: Gender [Equality Policy 2022](#); [Partnership Policy 2022](#); [Human Rights Policy 2018](#); [Climate and Environment Policy 2023](#); [Risk Management Policy 2022](#);

## 2. CONTRACT PURPOSE AND EXPECTED RESULTS

An evaluation of DCA's HRBA now is timely since DCA is increasingly working in fragile, authoritarian contexts, presenting new challenges and paradoxes when it comes to implementing a rights-based approach. DCA would like to ensure that we continue integrating and developing our HRBA also when the world and the contexts, that we work in, are changing. Therefore, ***the organisation hopes to build on its comparative advantage and existing experience with working rights-based to further excel in its conceptualisation, application and integration of the HRBA in fragile, authoritarian, climate change and/ or conflict affected settings.***

Therefore, at a conceptual level, this evaluation has the overall dual purpose of contributing to ***organisational learning*** by seeking to ***improve knowledge, policy and practice*** when integrating HRBA across the humanitarian, development and peacebuilding nexus mirrored in the three global goals of Saving Lives, Building Resilient Communities and Fighting Extreme Inequality.

**Specifically, this evaluation will seek to learn from present practice and provide recommendations:**

- Assess the Human Rights Policy and Action guide to HRBA and the application of practice of the HRBA across the three global goals and the triple nexus, with a view to identify how well the various project and programmes supported by DCA and its partners integrate the PANEL + principles.

This will be an assessment of the Human Rights Policy and Action Guide to HRBA and application of these across the global goals. This will be an assessment seeking to identify areas of emergent good

practice in how DCA and its partners integrates the HRBA across projects and programmes in fragile settings.

- Document the results and impact of DCA's overall HRBA, including the role of partners such as CSOs and faith actors in the achievement of this impact, exploring overall successes, gaps and lessons learned:
  - How well are we implementing our HRBA (the PANEL + principles) across [all global goals](#)? Where do we have successes, gaps and where needed, how can we deepen the HRBA integration?
  - What are the current practices, results and what are the key challenges in scaling our leverage and influence?

***Explore dilemmas of integrating HRBA in fragile settings, provide advice and recommendations:***

- Have a special focus on DCA's rights-based approach in fragile and or conflict affected contexts, asking questions such as:
  - How well are protection principles and HRBA integrated?
  - How are we integrating a HRBA while also following the humanitarian principles? Especially related to Impartiality and Neutrality principles.
  - How do we tailor engagement with (very different kinds of) duty bearers in humanitarian and sometimes fragile settings? Please identify opportunities to work with alternative types of duty bearers in fragile settings. And is it possible to recommend some level of standardised red lines/safeguards?

***Explore and advice on potential new approaches and strategies:***

- Identify new strategies for human rights integration and promotion in a world of shrinking and increasingly also closing civic space:
  - How do we stay ahead of the curve when it comes integrating a rights-based approach of nexus programming and the local leadership agenda?
  - What are the new avenues for promoting human rights in a world where human rights are not at the forefront of government's development policies?
  - What are the strategic opportunities in integrating the rights-based approach in thematic agendas such as climate change, food security, including focusing in on economic, cultural and social rights?
  - How are we adapting amidst a changing civic space?
  - How are we connecting our support of social movements to the HRBA?

The evaluation will be used to inform the internal policies and practices at DCA. At policy and strategic level, DCA's international management and technical programming advisors in HQ and country offices are primary stakeholders. More broadly, the evaluation aims to capture good practice and areas for improvement and is intended to stimulate strategic reflection and learning amongst country programme management and officers who are involved in promoting a human rights-based approach to programming with special focus on local leadership and nexus. The evaluation will also be used to inform key donors on DCA's achievements and performance in strategic areas.

DCA evaluations are expected to apply the DAC evaluation criteria of Effectiveness, Efficiency, Relevance, Impact, Sustainability and Coherence.<sup>2</sup> The evaluation will give greatest weight to examination of relevance, and effectiveness, with attention to sustainability and coherence.

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<sup>2</sup> Better Criteria for Better Evaluation - Revised Evaluation Criteria. Definitions and Principles for Use. OECD/DAC Network on Development Evaluation (December 2019)

Below, we have proposed draft questions to guide the evaluation. The evaluation team can add more or advise on if they are appropriate for this evaluation.

EQ	Criteria	Key Questions	Scope and Rationale
1	Coherence/Relevance/Effectiveness	<ul style="list-style-type: none"> <li>- To what extent is there consistency and divergence in DCA's application of the HRBA programming across country programmes?</li> <li>- To what extent has DCA integrated its rights-based approach in its policies and practice?</li> </ul>	<ul style="list-style-type: none"> <li>- This question focuses on project design. It aims to examine the kinds of HRBA work supported by DCA with the intention of understanding the differences of how HRBA programming is approached across programming contexts. It is also used to understand how consistently DCA policies and practices in this area are applied across the organization.</li> <li>- This question should examine the project activities used in DCA's work at project and organisational level.</li> </ul>
2	Relevance/Effectiveness.	<ul style="list-style-type: none"> <li>-To what extent are project strategies more or less successful depending on the programming context? What are the enabling factors or challenges?</li> <li>-To what extent is DCA's HRBA work based on a comprehensive assessment of underlying causes and risk informed, and to what extent is there evidence that this leads to greater effectiveness?</li> <li>-To what extent does DCA's global portfolio demonstrate improved coordination of traditional humanitarian and development work and/or peacebuilding? (Double/triple nexus) and to what extent is there evidence that this leads to greater effectiveness?</li> </ul>	<ul style="list-style-type: none"> <li>-These questions examine project and programme design processes in DCA.</li> <li>-To what extent does explicit and holistic programmatic analysis lead to improved programming?</li> </ul>
3	Relevance	<ul style="list-style-type: none"> <li>-To what extent is DCA's work relevant to the needs of targeted individuals and communities?</li> </ul>	<ul style="list-style-type: none"> <li>-This should consider the design and targeting of both projects and country programmes with a HRBA focus.</li> <li>-This question should examine the approaches used in DCA's work at project level.</li> </ul>
4	Effectiveness	<ul style="list-style-type: none"> <li>-To what extent is DCA's portfolio effective at ensuring that all projects and programmes have HRBA element in them?</li> </ul>	<ul style="list-style-type: none"> <li>-This question focuses on effects more broadly across DCAs global goals. To what extent is DCA effective for the kinds of work we deliver with HRBA.</li> </ul>

### 3. ASSUMPTIONS AND RISKS

The contract assumes that the security situation permits that the work can be completed in the selected country offices. This is also recognising the potential risk that there could be limited access to country areas due to escalating conflicts. If one or more areas or countries need to be excluded from the evaluation, this will be negotiated internally.

In addition, consultants must be aware of not putting informants at risk by posing questions around the topics of human rights in settings where human rights are a sensitive issue. If such a situation occurs, it may result in adverse consequences for the individuals and communities involved and put the projects and programs at risk. However, this can be managed through the right design of the evaluation and processing of data.

To mitigate these risks, the DCA team will be in close dialogue with the consultants who are expected to follow [DCA's policy on data protection](#) throughout this consultancy.

### 4. SCOPE OF THE EVALUATION

The scope of the evaluation will cover work taking place between 2020 until present. By including 2020, we will cover the period of Covid 19 where outreach was more difficult and also explore HRBA integration in the Covid 19 response.

The evaluation should assess DCA's human rights-based approach, including the Human Rights Policy and the Action Guide to HRBA and the way that these policies and guidelines are implemented at project and programme levels well as in global level advocacy.

Acknowledging that a full review of all DCA's country programmes is overly ambitious given available resources, an in-depth assessment of all programmes is not required. Two country programmes will be selected for field visits; Central African Republic (CAR) and Nepal. And two country programmes will be selected for in depth analysis, with desk study and online interviews: Myanmar and South Sudan. DCA has country programmes in 19 countries: Cambodia, Central African Republic, Democratic Republic of Congo, Ethiopia, Iraq, Kenya, Lebanon, Libya, Malawi, Mali, Myanmar, Nepal, Palestine, South Sudan, Syria, Uganda, Ukraine, Zambia, and Zimbabwe.

### 5. APPROACH AND METHODOLOGY

The overall approach should be developed by the consultants and finally agreed in collaboration with DCA. Evaluation approaches which combine a theory-based assessment with case-based research are likely to be appropriate. Strategies which ensure the evaluation process is participatory, utilisation-focussed and engage the full range of stakeholders throughout the evaluation process are highly desirable. Internally within DCA this should include short regular updates to targeted audiences using online webinars at key milestones during the evaluation process. The method and approach for the evaluation should be guided by DCA's evaluation policy and DAC evaluation quality standards.<sup>2</sup>

#### Phase I. Mapping and refining the scope.

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<sup>2</sup> [Quality Standards for Development Evaluation | DAC Guidelines and Reference Series | OECD library \(oecd-ilibrary.org\)](#)

At the outset, consultants will receive an initial briefing, documentation pack and support to identify relevant material. Given the potential broad scope of HRBA-related work, this will be defined further by mutual agreement between DCA and the consultants. Given the broad nature of the exercise, it will be necessary to identify relevant sections of DCA's work which can best respond to the evaluation questions. This will be defined within the scope described above, but also by selecting cases which are representative of the following dimensions:

- Project activities which include activities aligned with the HRBA 'oval'.
- Project activities which include aspects associated with holistic practice (eg. risk-informed design, participatory design; community-managed design and others as identified)
- Projects which combine components transcending more than 1 traditional humanitarian, development and peacebuilding spheres of work.
- Projects which take a holistic approach combining multiple project activities for greater effect.

The key output from phase I will be a fully developed inception report outlining the planned methodology, schedule and other details as relevant.

### **Phase II. Desk Review.**

A thorough desk review should be conducted on policy and technical guidance, other relevant organisational documentation and recent reviews and evaluations, as well a review of a targeted selection of available programme and project documentation. The desk review should identify preliminary responses to the evaluation questions and propose adjustment to the evaluation questions and methodology to be adopted by mutual agreement with DCA.

The desk review should seek to include an assessment of availability and quality of evidence to support the findings.

An extended desk review is proposed to optimise use of existing documentation and evidence. The evaluation team will receive internal support from DCA to identify appropriate documentation from DCA archives.

The key output from phase II will be a 10–15-page report summarising the key findings of the review.

### **Phase III. Primary research.**

This should take the approach established during phase I and seek to complement the findings of the desk study with additional evidence necessary to respond to the identified evaluation questions. Given the broad nature of the exercise, it will be necessary to identify relevant sections of DCA's work which can best respond to the evaluation questions. Within the scope and criteria for case selection above, this is expected to include more in-depth review of a selected set of projects within a smaller set of country programmes. Tentatively a set of 4 country programmes. Given budget and time limitations it may be necessary to review 2 country programmes remotely (Myanmar and South Sudan or Ethiopia), while planning in-country research of the Nepal and Central African Republic (CAR) country programmes. This should include rightsholders/target groups, partner staff, DCA staff and other key informants as appropriate. Consultants are advised to also include contingency options for remote and low travel research at inception phase.

### **Phase IV. Analysis and Recommendations, Report drafting.**

This should be drafted as per the expectations below, with at least one draft and one final report submitted for review and feedback. The methodology should include at least one round of presentation to key internal stakeholders. If appropriate to the findings of the evaluation, DCA may be willing to commission a short extension contract to develop learning-products and briefs to improve accessibility of evaluation findings in collaboration with and supported by internal communication units.

## **6. OUTPUT**

- 1) Inception report, fully developed methodology and evaluation matrix for the evaluation, and workplan for the evaluation.

- 2) Desk Review, which comprises initial findings from previous evaluations and reviews as well as
- 3) 4 verification workshops and providing feedback opportunities to key internal audiences in DCA at the end of phases I, II, III and IV.
- 4) Draft and final evaluation reports in 1-3-25 format which makes use of the suggested report structure below as agreed with the evaluation manager.
- 5) Come up with clear recommendations on how to improve implementation of the HRBA overall.
- 6) Develop a pitch for DCA's rights-based approach for fundraising purposes.
- 7) Debriefing meeting and presentation of findings with key evaluation stakeholders.

## 7. REPORT FORMAT

An evaluation report prepared for DCA should follow the standard 1-3-25 format:

- Start with one page of main messages
- Follow that with a 3-page executive summary
- Present findings in no more than 25 pages of writing. Further details are below and outlined in the DCA evaluation policy.

1	Final Recommendations (once report is finalised)
3	Executive Summary
25	The structure of the report is flexible but should include the following sections: Background to programme Introduction to evaluation Description of methods and process Overview of evaluation findings Conclusions Recommendations Lessons Learnt. Include visual graphics in the report as appropriate.
	Annexes as needed. To include as a minimum: Final ToR. Inception Report. Tools for data collection Index, list of abbreviations

Failure to comply with this format results is considered breach of these Terms of Reference. The report language is GB English, and the report shall be shared in both a Word and a PDF document with the DCA responsible staff for approval.

**Workflow:** An initial meeting will be convened by DCA and attended by the consultancy team and DCA staff. This meeting will outline the scope of the evaluation and agree on the evaluation parameters including, tools, evaluation design, methodology, respondents that will be interviewed, locations to be covered and timelines to be used during the evaluation. The consultant will also outline the resources and documents that they will need to deliver the task and use the opportunity to clarify expectations of DCA. Alongside the review of the relevant existing literature and organisation documents, the consultant will embark on developing the tools that will be used for data collection. A meeting will be organised between the consultant and DCA to share and review these tools and to give feedback before the tools are validated for use in data collection.

## 8. EVALUATION MANAGEMENT AND VALUES

The evaluation will be managed by DCA Senior advisor in Copenhagen, A reference group will be established to ensure oversight of the key milestones and products of the evaluation. This will be composed of DCA HQ and field staff.

## 9. TIMING, LOGISTICS AND FACILITIES

Scheduling and milestones	Responsibility		Suggested deadline
	DCA	Consultant	
Contracting and commencement of contract	X	X	September 2024
Desk study, interviews, field visits etc.		X	September – November 2024
First draft and input by DCA staff.	X	X	Mid-January 2025
Report finalised.		X	Mid-March 2025

A more detailed timeline will be worked out with consultants.

The contractor will primarily work from their own office and is responsible for providing and paying for all needed home office equipment, facilities, and internet connectivity.

During the evaluation period, the consultant(s) will meet (online or physically) on a bi-weekly basis with the DCA responsible staff to update on the progress of the evaluation as well as to ensure continued safety of informants and risk mitigation.

## 10. QUALIFICATION REQUIREMENTS

The evaluation team should be composed of two-three experts including in-country expert(s) or sub-contractors. Demonstrated expertise should include:

1. At least 10 years of experience in undertaking global/regional Human Rights Based evaluations, with expertise in research and/or Evaluation methods. Experience in leading evaluation teams is essential.
  - a. Expertise in theory-based evaluation approaches and case-based approaches is a requirement.
  - b. Experience with Qualitative Comparative Analysis is desirable.
2. At least 8 years of practical expertise with the human rights-based approach and the PANEL principles.
3. Proven expert knowledge in concepts and theories on current trends in international aid, especially related to human rights,

- gender equality, civic space and inclusion of faith actors, but also the triple nexus, and the localisation agenda.
4. Experience from evaluating humanitarian work, including knowledge of protection principles and International Humanitarian Law.
5. Relevant experience from some of the countries/regions DCA works in.
  - a. Local consultants based in the countries/regions speaking local languages is desirable.
6. Experience of working with civil society is essential. It is desirable that the team has experience with partner-oriented organisations and faith-based organisations.
7. Fluency and excellent drafting skills in English and French
8. Availability to work, and to produce a report within the expected timeframe.
9. HEAT training is mandatory for visiting the Central African Republic. DCA needs to receive documentation of certified HEAT training before the mission to CAR.



n- or labour rights, or any of the standards laid down in this Code of Conduct, are encouraged to file a complaint with the Contracting Authority<sup>3</sup>.

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<sup>3</sup> DCA's Complaint Handling System is accessed on our website.