

## Terms of Reference

## Outcome Evaluation

## Of the Initiative

## Women Citizens for Constitutional Reform 2013-2020

### Background information

“Women Citizens for Constitutional Reform” is an informal initiative of 36 civil society organisations (CSOs) and individuals that advocates for the Constitution of Bosnia and Herzegovina (BiH) to ensure a greater protection of human rights and freedom with a special focus on the gender perspective. The initiative was formed by activists and organizations from all over BiH with the aim to advocate for gender-sensitive constitutional reforms in order to achieve equal and rightful participation of women and men in the private and public sphere of life.

Reforming the Constitution is one of the conditions for the accession of BiH to the European Union, due to the obligation to implement the verdicts of the European Court for Human Rights (ECHR) in cases Sejdić-Finci, Zornić, Pilav and Šlaku. According to ECHR, the Constitution of BiH contains discriminatory provisions that prevent citizens who do not declare themselves as Bosniaks, Croats or Serbs, from becoming candidates for the Presidency and the House of Peoples of the Parliamentary Assembly. Having in mind the necessity to amend the Constitution of BiH, women’s civil society organisations and citizens gathered around the Initiative “Women Citizens for Constitutional Reform”, started to advocate the reform of the Constitution from the gender perspective. Negotiations over constitutional reforms has been seen as the unique opportunity to present their views on how the most important legal document should look like and to draw the attention to the fact that Constitution of BiH is discriminatory not only towards non-constituent people but also towards women because it does not acknowledge them as equal citizens and it does not provide clear definition of gender equality and ban of the discrimination against women. Thus, BiH remains one of few European countries whose constitution does not contain provisions related to equality between women and men, and discriminates on ethnic grounds.

Members of the Initiative have defined five priorities further elaborated in the document *“Platform of women’s priorities for Constitutional reforms with amendments to the Constitution of B&H from a gender perspective”*.

The mission of the Initiative is to promote the highest values of social justice, the rule of law and direct democracy as fundamental values that together will guarantee the improvement of living standards and political stabilization in B&H.

Since the establishment in 2013 to the present day, Helsinki Citizens’ Assembly BL (further on hCa BL) has been the Coordinating Organization of the Initiative, responsible for coordination and implementation of the Initiative’s activities and communication with its members. So far, the Initiative,

supported by the Kvinna till Kvinna Foundation (further on KtK), has implemented several projects aimed at:

1. Developed and strengthened organizational and advocacy capacities of the Initiative “Women Citizens for Constitutional Reform”
2. Increased visibility of (the Platform of) women's priorities for constitutional reform among citizens, targeted stakeholders and in monitoring instruments
3. Increased visibility of the Initiative's work and demands for engendering the constitutional reform among citizens and targeted stakeholders
4. Improved advocacy for inclusion of gender perspectives in constitutional reform negotiations and debates

The Initiative is implementing these goals through the following:

- By raising citizens' awareness on the effects and consequences of discriminatory constitutional provisions
- By pointing to the importance of issues relevant to constitutional reforms by using media and blog of the Initiative
- By conducting advocacy activities on the necessity to reform the Constitution of BiH from a gender perspective targeting relevant stakeholders, local and international/EU institutions, bodies, organizations and individuals

## **The assignment:**

### **Evaluation – focus on result/outcome evaluation**

The external evaluation of the work of the Initiative “Women Citizens for Constitutional Reform” coordinated by hCa BL is to assess the results reached so far, the relevance of the programme in relation to the problem/context and challenges, and to outline recommendations for future strategic direction/programming, to benefit hCa BL, the Initiative and KtK.

**The aim of the evaluation** is to look at results achieved in relation to the objectives of the Initiative Women for Constitutional Changes and specific expected results of the project within which the larger process (the advocacy work of the Initiative) is being implemented. Additionally, the evaluation should focus on assessing the relevance of activities implemented by the Initiative (according to its guiding documents, mission and strategic objectives/action plans).

The consultant should assess the **effectiveness in creating change, relevance, sustainability, strategic positioning and impact of the Initiative Women for Constitutional Reform** since its inception in 2013 to date, with a strong focus on the priorities of women's in constitutional reforms and on the constitutional reform process itself (or the lack of it).

**The evaluation should provide** an opportunity to capture lessons learned, identify areas of improvement and enable the provision of recommendations that could serve as basis for future programmatic support to the Initiative Women for Constitutional Reform.

Thus, **recommendations are to:**

- a) provide hCa BL and KtK with recommendation and methods for further support to the Initiative, and
- b) support the Initiative in the improvements to be incorporated in future action plans and strategies.

#### **The assessment shall include the following:**

1. An assessment of the relevance of the Initiative goals and design contributing to desired change on local and national levels from the aspects of:
  - amending the Constitution from a gender perspective
  - changing stakeholders' awareness on the importance of reforming the constitution from a gender perspective
  - increasing the outreach and visibility of issues relevant to constitutional reforms, peace-building and gender equality
  - increasing women and citizen's participation in decision-making processes relevant to constitutional reforms, EU accession and peace-building
2. An assessment of the effectiveness of methods and strategies of the Initiative to achieving desired change with respect to the challenges arising from the political context of BiH and issues impeding on the constitutional reform process itself.
3. Assessment of the Initiative's capacities to advocate for an engendered Constitution, bearing in mind the complexity of targeted issues and lack of actual negotiation processes over reforming the Constitution.
4. Provide recommendations and lessons learnt, including good practices and examples of innovative responses, for future programmatic support to the Initiative

#### **Examples of guiding evaluation questions:**

- What change on local/entity/national level has the Initiative contributed to in view of its mission and objectives? (e.g. legislative and policy changes, changes in standards, processes, attitudes, skills, behavior, relationships)? What change has the work of the Initiative lead to for its target groups?
- How and to what extent do these changes contribute to achieve the goal and outputs of the Initiative? How have changes occurred? Are there any unintended changes?
- Has the choice of the Initiatives' activities and methods been relevant and strategic for achievement of change? What is the degree of relevance of the work of the members of the Initiative and their implemented activities?
- To what extent did the Initiative's work influence the political and institutional response to the necessity of reforming the Constitution from a gender perspective? And how? What kind of impact has the Initiative made in driving constitutional reform process forward, if any?

- Considering that there are no actual negotiations around the constitutional reforms, what are the actual possibilities and capacities of the Initiative in achieving the desired change?
- To what extent has the work of the Initiative so far contributed to raising citizens' awareness of the need to reform the Constitution from the gender perspective?
- What is the added value of the Initiative's work in bringing these sensitive and difficult issues at the attention of the local/national/EU actors – with respect to its structure, objectives, mission and overall post-conflict/peace-building context?

### Recommendations for the future:

- What would be the most critical areas and improvements to take into consideration during a future programme support to the Initiative?
- Considering the above-mentioned challenges, should the Initiative change its methods and strategic approaches? Target groups? Advocacy scope? Are there ways to overcome the existing challenges? Are there any new focus areas or methods/strategies the Initiative should look at?
- What would be the most relevant evaluation findings to incorporate in future programming and support to the Initiative?
- Are there any challenges to which the Initiative may not respond adequately? What could be the responses of the Initiative?

### Methodology

The assignment will be conducted partly as a desk study of available material. In order to complement the document review, interviews and potential survey with relevant representatives and members of the *Initiative Women Citizens for Constitutional Reform*, and other proposed stakeholders will also be conducted.

### Sources for information:

- Desk study of available documentation – Proposals and reports of realized and ongoing projects, Action plans (realized and ongoing), strategic plan; policy changes documents, media outreach, etc.
- Interview with the Coordinating Organization of the Initiative
- Interviews with up to five members of the Initiative (members of the Coordinating committee, CSOs and individuals).
- Interviews with relevant stakeholders, such as for e.g. members of the relevant state Commissions, representatives of some political parties, representatives of the Agency for gender equality, etc.
- Interviews with representatives of media and relevant local/international actors, including the EU Delegation
- Interview with the representatives of Kvinna till Kvinna in BiH

Field visits to some selected locations should be considered (if the Covid-19 situation allows), while some regions can be covered through virtual interviews (Zoom, Skype, tel.).

A more detailed framework for the evaluation, including the selection of interviewees, will be discussed and developed by the consultant in dialogue with the Helsinki Citizens Assembly staff, at the beginning of the contract period.

### Deliverables

- Work plan including activities, documents to be reviewed and timetable (to be developed in close consultation with *hCa BL* staff).
- Draft Evaluation report (including final list of documents reviewed, in English and, if possible, BHSs).
- Final Evaluation report (approximately 35 pages in length, in English and, if possible, BHS).

### Foreseen timeframe

Work plan ready	10 September 2020.
Research period (desk studies, interviews, etc.)	10 September – 30 September 2020.
Draft of findings/First version	10 October 2020.
Final report	20 October 2020.

### Required skills and competencies:

The consultant/s should have:

- University degree, preferably in political science, gender studies, international law, human rights or other related discipline;
- Extensive knowledge about women human rights and civil society;
- Familiar with the socio-political context in BiH (especially regarding the constitutional framework/issues and relevant reforms)
- Experience in conducting external evaluations of international and local programmes;
- Excellent command of English, especially writing skills;
- Knowledge of Bosnian/Serbian/Croatian is an asset;
- Excellent analytical skills, including ability to analyse policy and political processes;
- Ability to plan and meet requirements on time.

The consultant should assess appropriateness and consider integration of diverse data collection methods (desk review, interviews, focus groups, survey etc.).

The consultant is expected to ensure professional approach respecting independent evaluation standards (professionalism, objectivity, independence, impartiality, confidentiality, ethics, do-no-harm approach and gender sensitivity etc.)

### Financial framework

The total proposed budget for the assignment shall cover all the costs, including salaries and taxes/VAT, any potential travel and per diem and any other expenses related to the assignment such as hiring of interpreter/ assistants. In case if travel isn't possible due to the Covid-related situation, the field assignment can be conducted via online.

Contracted consultant/s cannot further subcontract the assignment. In cases where the tender includes a team of consultants, their division of labour shall be presented in advance.

### Deadline for submission of tender

Interested consultants are requested to submit tender no later than **August 24, 2020**.

Applications for tender should consist of:

- CV (maximum 3 pages)
- Motivation letter/letter of intent (maximum 1 page)
- Budget proposal (as specified in the chapter Financial framework)

hCa BL intends to sign a contract no later than **September 5, 2020**.

### Contact

Please submit the tender to Željka Umičević, Coordinator of the Initiative Women Citizens for Constitutional Reform ([zumicevic@hcabl.org](mailto:zumicevic@hcabl.org)).