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Human Rights

OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

**External Evaluation of OHCHR Project
“Combating Discrimination in the
Republic of Moldova, including in the
Transnistrian Region”
2014-2015**

FINAL REPORT

This report has been prepared by an external consultant. The views expressed herein are those of the consultant and therefore do not necessarily reflect the official opinion of the OHCHR.

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The evaluator of the OHCHR project “Combating Discrimination in the Republic of Moldova, including in the Transnistrian Region” is deeply grateful to the many individuals who made their time available for providing information, discussing and answering questions.

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List of Abbreviations

CEDAW	Committee on the Elimination of Discrimination against Women
CERD	Committee on the Elimination of Racial Discrimination
CRAP	Republican Centre for Psycho-Pedagogical Assistance
CPEDEE	Council on the Prevention and Elimination of Discrimination and Ensuring Equality
CRPD	United Nations Convention on the Rights of Persons with Disabilities
CSO	Civil Society Organization
DEXREL	Donor and External Relations Section
ECA	Europe and Central Asia Section
EIDHR	European Instrument for Democracy and Human Rights
EU	European Union
FG	Focus Group
FOTCD	Field Operations and Technical Cooperation Division
HQ	Headquarters
HRA	Human Rights Adviser
HRO	Human Rights Officer
LGBT	Lesbian, Gay, Bi-sexual and Transgender
ME	Ministry of Education
MFA	Ministry of Foreign Affairs
Mol	Ministry of Interior
MLSPF	Ministry of Labour, Social Protection and Family
NIJ	National Institute for Justice
NGO	Non-Governmental Organization
NHRI	National Human Rights Institute
NHRC	National Human Rights Coordinator
OECD-DAC	Development Assistance Committee of the Organization for Economic Cooperation and Development
OHCHR	United Nations Office of the High Commissioner for Human Rights
PPMES	Policy, Planning, Monitoring and Evaluation Systems
ROCA	OHCHR Regional Office for Central Asia
TOT	Training of Trainers
UNICEF	United Nations Children Fund
USSR	Union of Socialist Soviet Republics
UNCTs	UN country teams
UNOG	United Nations Office in Geneva
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
UPR	Universal Periodic Review
WG	Working Group

1 Executive Summary

1.1 Background and context (Ex Summary)

From July 2008 to August 2015, an OHCHR Human Rights Adviser was posted to the Office of the UN Resident Coordinator (UNRC) in the Republic of Moldova. The Human Rights Adviser supported and advised the RC, the United Nations Country Team (UNCT) in Moldova, the Government, the National Human Rights Institutions (NHRIs) and civil society in strengthening human rights and human rights based approaches. The HRA also supported the UNCT to implement the recommendations of UN Senior Expert Thomas Hammarberg as concerns human rights in the Transnistrian region of the Republic of Moldova. As of September 2015, the OHCHR Field Presence in Moldova is led by a National Human Rights Coordinator (NHRC).

From 1 April 2014 to 30 September 2015 (18 months), OHCHR implemented the European Commission funded project “Combating Discrimination in the Republic of Moldova, including in the Transnistrian region”. Its overall objective was to address discrimination in Moldova as concerns people belonging to stigmatized or marginalized groups. The specific objectives include: 1) Creation of a network of children with disabilities and their parents to empower them to seek inclusive education in Moldova, including in the Transnistrian region; 2) Creating an environment for integrated education for Roma in key problematic municipalities, including in the Transnistrian region; 3) Promoting the freedom of assembly for LGBT; 4) Establishment of alternative service for conscientious objectors in the Transnistrian region; 5) Strengthening the competences of judicial and quasi-judicial bodies to address and to rule on discrimination in accordance with international law; 6) Achieving significant advancement in documentation of discrimination.

The project was implemented under the auspices of the Human Rights Adviser in Moldova and in cooperation with key institutional and civil society partners. The staff involved in the implementation phase were composed of both, OHCHR project employed staff (3) and more than 10 contracted individual consultants, who were hired to implement the specific objectives listed above. Since January 2015 the project was managed by the Anti-discrimination and National Human Rights Institutions Projects Coordinator and administratively supported by the Project Assistant. The total budget of the project amounted to EURO 300,000, with 95% (EUR 285,000) financed by the European Commission. Five percent of the budget (EUR 15,000) was contributed by Poland in 2013.

OHCHR is interested in learning from the overall project experience and in extracting good practices that can be reproduced elsewhere. There is no contractual obligation to conduct an external evaluation, but the EU project document suggests that “to ensure maximum efficiency and outputs, the applicant and its partners will apply their internal evaluation procedures”.

The objectives of the evaluation were therefore formulated as follows:

- To produce useful lessons learned and good practices that illustrate successful and unsuccessful strategies in the achievement of results;
- To produce clear and actionable recommendations identifying concrete actions and responsibilities for OHCHR to undertake towards these ends;
- To identify areas of strength and areas of weakness in the planning and achievement of results – including in the area of gender equality.

1.2 Main findings and conclusions (Ex Summary)

The EU funded OHCHR project was preceded by several years of OHCHR work on combating discrimination in Moldova, which guaranteed a thorough knowledge of the issue and a capacity to make an informed decision on specific discrimination areas to address. The right of children with disabilities to access mainstream schools, the end to segregation between Roma and non-Roma children, the rights of the LGBT community and of religious minorities were well chosen priority areas, as this report shows. The relevance of the project therefore seems well founded.

The evaluation interviewees also attested to the appropriateness of the implementation methods used, including rights awareness building with parents of children with disabilities and with Roma parents, training of judges and prosecutors in international and national anti-discrimination law as well as the judicial and quasi-judicial pursuit of emblematic cases of discrimination.

The six project results were formulated in relatively modest and realistic terms, but the numerous associated results and activities, as well as the complexity of the six fairly different activity areas, meant successful project implementation was a very serious undertaking for OHCHR Field Presence in Moldova. The task was made more complex by the fact that the project operated in four different administrative rule systems: EU, UNDP, UNOG and OHCHR.

Despite these challenges, the evaluator has received evidence and information indicating that the project was not only highly relevant but also effectively implemented, generally achieving all six project results. Interviews and focus group discussions in Moldova revealed that partners and beneficiaries are pleased with the results and motivated to continue the activities beyond the end of the project.

There are tangible, direct results such as the new legislation on alternative military service in the Transnistrian region, or the fact that LGBT Pride marches have safely been carried out in 2014-2015. Other results promise change in the near future, such as the strengthened competence of judicial and quasi-judicial bodies to address discrimination in accordance with international law, or the documentation and pursuit of over 50 emblematic discrimination cases. Then there are results that empower a small core group of beneficiaries and allow them to continue to advocate for country-wide policy change. This is the case of the parents of children with disabilities who, empowered by the project activities, have formed an NGO and are being invited to advise the Ministry of Education on inclusion of children with disabilities. Similarly, the project's success in ending the segregation of Roma and non-Roma students in a number of schools is an important step towards country-wide desegregation of the school system.

The latter two results could have a comprehensive long-term impact if the advocacy and support activities are taken to scale and thousands, rather than hundreds, of beneficiaries are eventually reached. Information gathered indicate that the project design and implementation could have been more geared towards long-term impact through concrete plans for the replication of experiences with the support of other stakeholders. Similarly, the project has contributed to gender equality through certain aspects of the activities, but few conscious efforts seem to have been made to plan and incorporate activities explicitly addressing gender inequality.

1.3 Lessons Learned, Good Practices and Recommendations (Ex Summary)¹

¹ The arguments made in this section are drawn from the findings section where they have already been referenced and footnoted.

Lessons Learned

a) When the context is right, and the initiative is welcome by the RC, the UNCT and the host government, even OHCHR HRAs, with primarily an advisory function, can successfully lead implementation of operational capacity building and human rights reform activities, including in the form of externally funded projects. HRA advisers deployed in similar contexts around the world could therefore learn, benefit from and build on the positive lesson learned in Moldova in relation to the EU funded anti-discrimination project.

b) Similarly, HRA positions, despite not having a mandate to pursue case work², can play an important role in supporting the effective use of emblematic individual cases to promote and protect human rights. Without carrying out investigations, or substituting for the judicial or quasi-judicial authorities in Moldova in any other way, the project has successfully assisted and advised national actors to pursue highly representative discrimination cases. Further, when domestic judicial and quasi-judicial processes failed to hand down sentences/recommendations in line with international norms on discrimination, the HRA/project team provided information on and facilitated access to international human rights mechanisms.

c) Context analysis and needs assessments are crucial steps in the early project preparation process. Those phases are also an opportunity to solidly anchor and create commitment to the project from local and national authorities. When a counterpart's commitment is in doubt, it is crucial to intensify and maintain a permanent, high-level dialogue throughout the project. There is clear indication that the context analysis and the needs assessment have been properly done by OHCHR Field Presence in Moldova. Unfortunately, once in the implementation phase, it became clear that the Transnistrian de facto authorities, as well as the Russian Orthodox Church in that region, were not actively collaborating with the project, despite previous efforts by the HRA and the Project Coordinator to achieve acceptance and ownership by local authorities.

d) In order to achieve results, it is often necessary to not only focus on the beneficiaries and the direct stakeholders but to also create awareness and buy-in among broader sectors of society, including the authorities, schools, civil society and massmedia. Given the difficulties to form networks of parents and to establish an inter-faith dialogue in the Transnistrian region, the context analysis might also have underestimated the political, socio-economic and cultural differences between Moldova proper and the Transnistrian region. Therefore, the least impressive project results are recorded in the Transnistrian region.³ The project logically focused on the direct beneficiaries, but interviewees suggested that a broader focus, including work with civil society, mass media, schools, and the authorities is necessary in the Transnistrian region to overcome the differences referred to.⁴

e) Achieving long-term impact and paving the way for large-scale replication of project activities and sustainability of results requires early planning and explicit inclusion in the project design. Links to other stakeholders and their programme activities should be included from the beginning, or they may never materialize as effective follow-up activities. In Moldova, ensuring the long-term impact of the project and

² ToR for the HRA in Moldova: (iv) Follow and analyze the human rights situation in his/her country of assignment, providing issue-based or situational assessments to OHCHR and the RC as appropriate. The HRA will not be expected to engage at the level of individual cases.

³ See responses to Evaluation Question No. 5 in this report.

⁴ OHCHR consultants hired to work in the Transnistrian region referred to a "Soviet Union mentality", a lack of relevant social legislation, a very low development level that only allowed parents to focus on basic survival of their children (not inclusive education) a limited understanding and a "cold-hearted attitude" to the fate of their children. Interview with Ms Lucia Gavrilita and Tatiana Cernomorit, Chisinau, 26 October 2015.

taking activities to scale seem to be pending project challenges. There is no lack of opportunities to do so, but they don't seem to have been included in the project design, which is an important lesson learned. There are an estimated 15.000 children with disabilities in Moldova.⁵ The project might only have achieved inclusive education for around 1% of them, but with the parents networks efficiently established, an important qualitative and highly replicable result has been produced. To take the result to scale and achieve a longer term impact, the success achieved with project beneficiaries could have been further built on. Links to other actors and their programmes could have been explicitly included in the project design, including to the Ministry of Education and to UNICEF.

Similarly, the three project-supported desegregated schools (Roma and non-Roma children attending together) have integrated a relatively small number of Roma children, but the successful example has huge replication potential, particularly with the support of the network of Roma Community Mediators. An explicit project link to, and commitment from, the Ministry of Education, the Bureau for Interethnic Relations, UNICEF and/or UNDP⁶ could have given the project a clearer impact-orientation.

f) Working directly with victims and family members of victims requires a different approach than working with individuals without a personal engagement or link to the rights violations being addressed. As rights advocates, victims and their family members have comparative advantages and disadvantages, which need to be properly considered and managed in order to effectively achieve change.

In Moldova, important lessons were learned around the challenges involved in turning uninformed and frustrated parents of children with disabilities into effective rights advocates capable of focusing on broad policy change, and not just immediate material improvements for their particular child. Initial meetings between the parents and the Ministry of Education and the Ministry of Labour, Social Protection and Family were reportedly more confrontational than productive because of the lack of emotional preparation and individual focus of the parents. The project team quickly learned the lesson and immediately adjusted the programme with the parents to include sessions on how to control their emotions and how to effectively advocate with authorities. This proved as important as knowledge about international norms, such as the International Convention on the Rights of Persons with Disabilities.

g) Social change processes are complex, often influenced by cultural practices. Rights-holders will carefully weigh perceived and real pros and cons before deciding to cooperate with efforts to fulfil their rights. A thorough understanding of the socio-cultural context is therefore a necessary starting point. For example, the OHCHR project team found it difficult to incentivize the Roma children in Moldova to regularly attend school at all. Cultural phenomena such as seasonal migration and child marriage work against school attendance by Roma children. And when in school, limited knowledge of Romanian/Moldovan often hampers the Roma child's learning. Roma parents also reported a fear of rejection and even physical abuse on behalf of teachers and non-Roma children, leading some parents to feel it was safer to keep their children in segregated Roma-only schools.

⁵ Focus group discussion with parents of children with disabilities, Chisinau, 30 October 2015.

⁶ UNDP has previously supported the Roma Community Mediators.

Good Practices

a) Creation of networks of victims and beneficiaries is an important strategy of the anti-discrimination project in Moldova. The successful creation of these networks in Moldova proper opened the door for the formal establishment of those networks as officially registered NGOs and associations, which ensures a high degree of sustainability of those project activities. The project team provided opportune support to the formation of NGOs and associations, and to the organizational strengthening of the recently created structures through its own direct support and by referring them to other capacity building organisations.

b) To implement the anti-discrimination project in Moldova, OHCHR chose to work with one disability organisation, one Roma NGO and one LGBT organisations. Also, a Roma person was hired to work with the Roma Community Mediators. These implementing partners were selected among organisations/individuals forming part of, or already working with the target communities - in this case minority groups, victims of discrimination. This closeness between partners and beneficiaries contributed to the success of the project. It does not seem to be a coincidence that the only Associated Partner that did not meet performance expectations, and where concrete activity implementation was unsuccessful, did not have such a direct tie to the target communities.

c) When the limited performance of the Associated Partner in Tiraspol (Transnistria) became evident, the project team wisely broadened the geographical focus of the activity and quickly identified an additional partner in Dubasari (Transnistria), who had a direct link with the beneficiary community and could therefore effectively mobilize beneficiaries and at the end of the project showed encouraging results.

d) The project team has made very strategic use of the visits of international experts on the issues addressed by the project. This should be considered an excellent practice for several reasons. The visits of Special Rapporteurs and other experts were effectively used to raise the general attention of the discrimination issues addressed by the project. They were also used to seek the receiving authorities' enhanced commitment to the issues addressed and to the project activities. Also, written contributions by visiting experts (recommendations, guidelines, press statements) were used after their departure to keep up the momentum around specific rights and rights deficits, discussed with the authorities during the visits of the experts.⁷

e) The project made excellent use of success stories to impart knowledge, inspire and motivate beneficiaries who were recently starting to improve their own situations. Visits to well-functioning desegregated schools (Roma and non-Roma mixed) and schools offering inclusive education (children with disabilities in mainstream schools) had a very motivating impact on beneficiaries and should be considered a good practice. Interviewees also suggested that other former USSR-countries, like for example the Baltic states, have come even further in organizing parents of children with disabilities and study visits abroad should be considered.

Recommendations

Based on the evaluation findings, the following recommendations have been formulated for OHCHR:

⁷ This refers to the following experts: the UN Rapporteur on Freedom of Religion or Belief, Mr. Hans Bielefeld, the UN Rapporteur on the Rights of Persons with Disabilities, Ms. Catalina Devandas Aguilar; the General Rapporteur of the Committee on Equality and Non-Discrimination of the Council of Europe Parliamentary Assembly, Robert Biedron; the Senior Expert Thomas Hammarberg.

- **Recommendation 1:** In view of the expertise developed by OHCHR Field Presence in Moldova in the area of combating discrimination - as evidenced by the positive outcome of this evaluation - OHCHR should continue to prioritize anti-discrimination activities in Moldova, including those linked directly to the areas addressed by the project (i.e. inclusive education for children with disabilities, integration of Roma children in mainstream schools, rights of LGBT community, alternative service for conscientious objectors, strengthened capacity of judicial and quasi-judicial bodies to address and rule on discrimination, advancement in documentation of discrimination cases).
- **Recommendation 2:** OHCHR should consider briefly contracting one of the lead consultants on inclusive education (Activity Area No.1) to document, step-by-step, the process and lessons learned while training, empowering and organizing the parents of children with disabilities in Moldova and in the Transnistrian region. This exercise could be conducted in cooperation with the Methodology, Education and Training Section (METS) at OHCHR Geneva and the result should be disseminated to other field presences, particularly OHCHR's Regional office for Central Asia.
- **Recommendation 3:** When designing technical cooperation projects in the future, OHCHR should identify and plan follow-up activities that could contribute to the sustainability of the project activities, as a form of exit-strategy from the project, including soliciting at an early stage, support from other organisations, authorities and institutions to ensure the post-project continuation and strengthening of the activities and outcomes.
- **Recommendation 4:** To ensure long-term and comprehensive, country-wide impact, OHCHR Field Presence in Moldova should consider conducting a brief internal review of the project outcomes with the objective of identifying and approaching counterparts that could support the replication and taking to scale of the successful activities, particularly in activity area No.1 and No.2.⁸
- **Recommendation 5:** OHCHR should seriously consider the ad hoc establishment and use of locally established Grant Review Committees for the authorization of very small grants to OHCHR implementing partner organisations, thereby allowing a quick process that strengthens local organisation rather than individual consultants.
- **Recommendation 6:** To avoid staff turn-over during projects, employment contracts to local project staff and consultants should be extended as long as possible, i.e. as long as project funding is guaranteed (in this case, 30 September 2015) and not routinely just to the end of the calendar year.
- **Recommendation 7:** OHCHR should always analyse how it can take measures and include activity components that promote gender equality in a given project context, even if not required or prompted by the project application process. Proposal writing and project design should benefit from the review and advice of gender experts, locally or from OHCHR Geneva.
- **Recommendation 8:** The innovative role played by the OHCHR HRA in Moldova, managing operational human rights activities and supporting the judicial and quasi-judicial pursuit of individual cases, should be encouraged in similar country contexts. The HRA adviser's experience of successfully expanding the traditional HRA-role could be shared with other HRA at the next OHCHR Heads of Field Presences meeting.

⁸ Only three schools have been desegregated and some 1% of all children with disabilities have been offered inclusive education.

2. Background

2.1 Intervention Background

From July 2008 to August 2015, an OHCHR Human Rights Adviser was posted to the Office of the UN Resident Coordinator (UNRC) in the Republic of Moldova. The Human Rights Adviser supported and advised the RC, United Nations Country Team (UNCT) in Moldova, Government, National Human Rights Institutions (NHRIs) and civil society in strengthening human rights and human rights based approaches. The HRA also supported the UNCT Moldova to implement the recommendations of UN Senior Expert Thomas Hammarberg as concerns human rights in the Transnistrian region of the Republic of Moldova. OHCHR's thematic priorities for its work in the Republic of Moldova for 2014-2017 include: (1) countering discrimination, in particular racial discrimination, discrimination on the grounds of disability, religion, sexual orientation and other criteria; (2) combating impunity and strengthening accountability and the rule of law; (3) strengthening the effectiveness of international human rights mechanisms and the progressive development of international human rights law and standards. As of September 2015, OHCHR Field Presence in Moldova is led by a National Human Rights Coordinator (NHRC).

From 1 April 2014 to 30 September 2015 (18 months), OHCHR implemented the European Commission funded project "Combating Discrimination in the Republic of Moldova, including in the Transnistrian region". Its overall objective was to address discrimination in Moldova as concerns people belonging to stigmatized or marginalized groups. The specific objectives include: 1) Creation of a network of children with disabilities and their parents to empower them to seek inclusive education in Moldova, including in the Transnistrian region; 2) Creating an environment for integrated education for Roma in key problematic municipalities, including in the Transnistrian region; 3) Promoting the freedom of assembly for LGBT persons; 4) Establishment of alternative service for conscientious objectors in the Transnistrian region; 5) Strengthening the competences of judicial and quasi-judicial bodies to address and to rule on discrimination in accordance with international law; 6) Achieving significant advancement in documentation of discrimination.

The project was implemented by the OHCHR HRA and his team, in cooperation with key institutional and civil society partners. The staff involved in the implementation phase were composed by both, OHCHR project employed staff (3) and more than 10 contracted individual consultants, who were hired to implement the specific objectives as listed above. Since January 2015 the project was managed by the Anti-discrimination and National Human Rights Institutions Projects Coordinator and administratively supported by a Project Assistant. The total budget of the project amounted to EURO 300,000 with 95% (EUR 285,000) financed by the European Commission. Five percent of the budget (EUR 15,000) was contributed by Poland back in 2013.

2.2 Evaluation Background

OHCHR is interested in learning from the overall project experience in Moldova and in extracting good practices that can be reproduced elsewhere. There is no contractual obligation to conduct an external evaluation, but the project document suggests that "to ensure maximum efficiency and outputs, the applicant and its partners will apply their internal evaluation procedures".

The objectives of the evaluation were therefore formulated as follows:

- To produce useful lessons learned and good practices that illustrate successful and unsuccessful strategies in the achievement of results;

- To produce clear and actionable recommendations identifying concrete actions and responsibilities for OHCHR to undertake towards these ends;
- To identify areas of strength and areas of weakness in the planning and achievement of results – including in the area of gender equality.

The evaluation took both a quantitative and a qualitative approach, in that it looked at results achieved or not achieved so far with a view to inform OHCHR's anti-discrimination work in the future. This approach will therefore increase OHCHR's accountability and learning, as per OHCHR's Evaluation Policy.

Purpose and scope of the evaluation

The purpose of the evaluation was to assess the project and produce recommendations in terms of the following criteria:

- **Relevance** – the extent to which the project is relevant to the situation in the country/region, the mandate of OHCHR, its comparative advantage, and the needs of stakeholders (both duty bearers and right-holders);
- **Efficiency** – the extent to which the project has economically converted resources into results in the course of its term;
- **Effectiveness** – the degree to which planned results and targets have been achieved, at outcome and output levels;
- **Impact orientation** – the extent to which the strategic orientation of the project points toward making a significant contribution to broader, long-term, sustainable changes on human rights issues;
- **Sustainability** – the degree to which changes achieved last in time;
- **Gender equality mainstreaming** – the degree to which gender has been mainstreamed in all the activities of the project, and the degree to which the results obtained have contributed to the goal of gender equality.

Temporal scope

Support to the combatting of discrimination has been an important objective for OHCHR and the UNCT in Moldova for several years. However, the evaluation was limited to the activities carried out during the 18 months of the project, from 1 April 2014 to 30 September 2015.

Geographical scope

The evaluation will look at activities carried out in the Republic of Moldova, including the Transnistrian region.

2.3 Methodology

Evaluation Methodology Framework

This evaluation was carried out by an external consultant familiar with OHCHR's work, including in Moldova. A mixed methodology was applied, allowing for appropriate triangulation of information. The following methods were used:

- **Desk Review** (informal, for general background; and formal, based on OHCHR's and external documents such as reports, evaluations, legislation adopted, etc.);
- **Interviews** with stakeholders (conducted in person or by Skype);
- **Focus group discussions** with selected groups representing a community of stakeholders, e.g. judges and prosecutors, Roma community mediators, network of parents/children with disabilities;
- **Direct observation**, through a field mission to Moldova, including a visit to the Transnistrian region;

As agreed with the Evaluation Reference Group⁹ the methodology included a 5-day mission to Moldova, including the Transnistrian region, for face to face interviews, focus group meetings and direct observation.

The Methodological Framework (see Appendix 5.2) was based on the five standard OECD/DAC evaluation criteria, also agreed with the Reference Group, namely: relevance, effectiveness, efficiency, impact orientation and sustainability. For each evaluation question in the framework, various performance indicators were developed and included in the framework. Further, the data sources as well as the methods used for collecting the data are identified in the framework.

Gender equality aspects were integrated through all evaluation methods. Gender relevant documents were solicited for the desk review, interviewees and focus group participants were asked gender specific questions and interview notes on gender relevant aspects were logged separately.

The evaluation questions were not necessarily put directly to the evaluator's interlocutors. Rather, 44 more detailed and specific interview questions, aimed at shedding light on the five evaluation criteria, for each of the six project results were developed (see Appendix 5.5). The interviews were conducted in a semi-structured way and the questions were therefore only used as a guide to ensure coverage of all the evaluation criteria for each of the six project results. Interviews and focus group discussions followed an open format, allowing interlocutors to share relevant information, under the guidance of the evaluator.

3 Main Findings

Evaluation findings are presented below in accordance with the evaluation questions listed in the terms of reference. Some of the questions are grouped together to avoid repetition.

3.1 Analysis of Relevance

- **EQ1 How relevant to the country/regional situation have the project's planned results been in the course of the period evaluated?**
- **EQ2 Have the strategies used to achieve results been adequate to the local context and stakeholders? Was context analysis conducted? Were risks and assumptions considered during this process?**

All stakeholders interviewed in the framework of this evaluation confirmed the relevance of the project's overall goal to address discrimination of stigmatized or marginalized groups in Moldova, as well as the choice of specific areas for engagement.

The short time lap between the launch of the call for proposal and the deadline for submission of concept notes made it difficult to carry out a targeted and exhaustive context analysis and needs assessment. Despite that time-constraint, the OHCHR HRA and the Project Coordinator managed to carry out a targeted context analysis, which filled the gaps in OHCHR Moldova's on-going context analysis. This analysis concluded that children with disabilities, Roma children, LGBT persons and members of religious minorities

⁹ A Reference Group is constituted for this evaluation and it serves in an advisory capacity to help strengthen the evaluation's substantive grounding and its relevance to the Office. The Reference Group is chaired by PPMES, and includes representatives of FOTCD and OHCHR Field Presence in Moldova, as well as representatives of relevant external stakeholders, as determined by the Chair.

are among the most vulnerable groups in Moldova, which is why the EU funded project focused on these minorities. Further, the needs analysis identified the need to strengthen documentation of discrimination cases as well as justice operators' capacity to address and rule on discrimination cases.

As an essential part of its mandate, OHCHR is constantly assessing the general and specific human rights needs and priorities on the ground, including in Moldova. Periodic reporting from OHCHR Field Presence in Moldova to headquarters shows the close monitoring of the general discrimination situation.¹⁰ Further, specific reports identify the needs of particularly vulnerable groups addressed by the project, such as persons with mental disabilities. For example, the outcome of a targeted effort to monitor the situation of persons with disabilities in Moldova between 2012 and 2015 is presented in the 2015 OHCHR report "Human Rights of People with Mental or Intellectual Impairments in the Republic of Moldova", produced jointly with the Mental Disability Advocacy Centre (Budapest-based NGO).

Other sources confirm the outcome of OHCHR's needs analysis. A perception survey by the Institute of Public Policies showed that respondents were very concerned about discrimination in Moldova and that that concern increased by 9% from 2010 to 2014, despite the issuance of national legislation on discrimination (2012) and institutional developments such as the establishment of the Equality Council¹¹. Further, the human rights organisation Promo Lex confirms the gravity of the discrimination situation in the country and the failure of recently established institutions to change it.¹²

Other studies confirm the vulnerability and exposure to discrimination of the specific groups targeted by the project, including Roma children's right to non-discriminatory education.¹³ Also, representatives of the governmental Bureau of Inter-Ethnic Relations described to the evaluator how the project component which focused on desegregation of schools fits perfectly into the government's Action Plan on Roma population.¹⁴ With more time at hand, a more detailed context and needs analysis could have been conducted in relation to each school selected for desegregation. This would have revealed that Roma parents in Vulcanesti town were not convinced of the benefits of desegregated schools and therefore not interested in leading such a process.

¹⁰ Monthly internal OHCHR Moldova reports submitted to OHCHR Geneva from March 2014 to June 2015 (on file with evaluator).

¹¹ The Phenomenon of Discrimination in Moldova: Perceptions of the Population: A Comparative Study, Ludmila Malcoci, Arcadie Barbăroşie, Inst. De Politici Publice, Chişinău, Lexon-Prim, 2015, p.13.

¹² "Despite the legal and political commitments taken by the Republic of Moldova (RM) to align the national legislation to international human rights standards, RM still faces major problems related to the observance of human rights and non-discriminatory principles. For the third consecutive year, indicators in the National Human Rights Index are troubling with discrimination on a number of criteria that are below a reasonable level. The establishment of the Council on the Prevention and Elimination of Discrimination and Ensuring Equality (CPEDEE) failed to change the dynamics of this issue. Further, the activity reports submitted by the Council confirmed civil society fears that the actions taken to resolve a case of discrimination were minimal." Human rights in Moldova: Retrospective 2014, Pavel Postica, Nadejda Hriptievşchi, Sorina Macrinici [et al.] "Promo-Lex", Civil Rights Defenders, Chisinau 2015, p.115.

¹³ Roma National Center, Human Rights Resource Group, Report on the situation on Roma Rights, Republic of Moldova January, 2011 (Right to Education, p.5)

¹⁴ Interview with Ms Vera Petuhov, representative of the Bureau for Inter-Ethnic Relations, Chisinau 26-30 October 2015.

Further, the report of the Senior Expert, Thomas Hammarberg on the human rights situation in the Transnistrian region guides the project design and selection of discrimination issues to be addressed in that region.¹⁵

The work and emphasis of international human rights organisations such as Amnesty International seem to confirm the relevance of the topic in Moldova.¹⁶ Further, recommendations from international human rights mechanisms show great concern for the topic of discrimination in Moldova, including from Special Procedure mandate holders, Treaty Bodies and the Universal Periodic Review.¹⁷

It therefore seems that OHCHR Moldova had thoroughly assessed the needs in the area of discrimination before designing the project proposal, without necessarily conducting an additional, project-specific context and needs analysis. It is clear from the project proposal that not only the general discrimination challenges are identified but also the needs of specific groups of beneficiaries.

Further, the proposal discusses the risks and the assumptions on which the project is built, including the need for continued commitment and collaboration by the national and local authorities. As discussed below, the assumption that local authorities and de facto authorities would fulfil their verbal commitments to actively engage and support the project proved somewhat erroneous in the Transnistrian region, but was correctly identified as a risk factor.

In terms of the strategies used, several interlocutors indicated that the material, socio-political and cultural situation in the Transnistrian region differs so much from that in Moldova proper, that a different project approach in that region might have produced better results. Interviewees suggested the need to address what they referred to as the “Soviet Union-mentality”¹⁸ on behalf of parents, teachers and authorities, suggesting an urgent need for sensitization regarding children’s rights and multiple needs. As discussed later, region specific challenges might have called for different strategies, including those addressing the low level of socio-economic development in the region which reportedly focuses parents’ attention squarely on basic

¹⁵ Report on Human Rights in the Transnistrian Region of the Republic of Moldova, Senior Expert Thomas Hammarberg, 14 February 2013

¹⁶ Moldova Chapter, Amnesty International Report 2014/15: The State of the World’s Human Rights, Amnesty International, 25 February 2015

¹⁷ See for example:

Committee on the Elimination of Discrimination against Women

[Concluding observations \(2013\) CEDAW/C/MDA/CO/4-5](#)

Optional Protocol to the Convention on the Rights of the Child on the sale of children child prostitution and child pornography, [Concluding observations \(2013\) CRC/C/OPSC/MDA/CO/1](#), **Committee on Economic, Social and Cultural Rights** [Concluding observations \(2011\) E/C.12/MDA/CO/2](#), **Committee on the Elimination of Racial**

Discrimination [Concluding observations \(2011\) CERD/C/MDA/CO/8-9](#)

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<http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/173/94/PDF/G1117394.pdf?OpenElement>

¹⁸ Project consultants who worked in the region of Transnistria referred to a “shocking lack of sensibility” and awareness of children’s rights and needs among parents, school officials and other authorities. Further, the prevailing view put the sole responsibility on state institutions and only a medical approach was expected, thinking which was referred to as a “Soviet Union-mentality”.

survival needs (food, shelter, basic health care), leaving them little time to be concerned about their children's education.¹⁹

3.2 Analysis of Effectiveness

EQ3 What evidence of positive results obtained by the project can be found? To what extent were planned results actually achieved?

One year into the project, the project team estimated that the 98% of the activities were being implemented.²⁰ At the time of conducting the evaluation, it can be generally stated that all six results effectively seem to have been achieved. The quantitative evidence to back such a conclusion is found in the objectives and results indicators presented in a separate matrix in the annex to this report (Appendix 5.1 Outputs and quantitative results table), while the qualitative evidence is presented and discussed under the different headings of this findings section. As the activity areas are fairly dissimilar, some evaluation questions will be answered in relation to each specific result/area of activities.

Result 1: Network of children with disabilities and their parents legally empowered to seek inclusive education in Moldova, including in the Transnistrian region

The evaluation shows impressive progress towards the achievement of this result in Moldova proper. Not only has a network of parents been created and their capacity built in several relevant areas, but the parents have also received OHCHR support to create a now formally established and functioning NGO (ProSprijin). Focus group discussions with its members and interviews with authorities and partner organisations provide clear testimony to the newly gained strength of the parents to successfully advocate for inclusive education for children with disabilities, not only for their children but as a country-wide policy in Moldova.

The project has enabled and accompanied these parents on a remarkable journey from individual parents concerned about the education and integration of their children with disabilities, to organized advocates capable of not only engaging effectively with national authorities, but also with international human rights mechanisms such as the UN Special Rapporteur on the Rights of Persons with Disabilities, Treaty Bodies and the UPR.²¹

Their recently acquired skills gained one parent of the network a seat on the Coordinating Council on Preventing Institutionalization and Developing Inclusive Education under the Ministry of Education. Also, a group of parents will be reviewing financial priorities in the area of social welfare and inclusion of children with disabilities together with the Ministry of Labour, Social Protection and the Family.

It seems this result was reached to a much lesser degree in the region of Transnistria. The project activities there have focused on the de facto capital, Tiraspol, and the town of Dubasari. In the former, no network could be created, which will be discussed in more detail under Evaluation Question 4-5. In Dubasari, learning from the challenges in Tiraspol, OHCHR managed to connect a number of parents and children with disabilities to an existing initiative by an activist parent, mother of a disabled child. Focus group discussions with the parents showed great appreciation for and learning from the OHCHR supported seminars and trainings on rights in general, inclusive education and social services for children with

¹⁹ Interviews in Moldova, including in the region of Transnistria, with beneficiaries, associated partners, project consultants, government representatives, UN partners and project staff, 26-30 October 2015.

²⁰ OHCHR Interim Narrative Project Report submitted to the EIDHR for the reporting period 1 April 2014-31 March 2015, p.4.

²¹ In 2015, the parents of the network provided input to the Special Rapporteur's agenda for her visit to Moldova, met with her and provided useful information for her report.

disabilities. The achievements in the Transnistrian region do however not reach the extraordinary level of those in Moldova proper.

Result 2: Genuine progress on integrated education for Roma in key problematic municipalities, including in the Transnistrian region

The information provided to the evaluator indicates that the intense programme of visits to targeted communities and schools, the awareness and capacity building sessions with Roma parents, as well as the support to the Roma Community Mediators has undoubtedly led to inspiring progress towards integrated education for Roma children in Moldova. Three schools have been desegregated and trained Roma Community Mediators from different parts of the country are in the process of establishing an umbrella association, which will be supported not only by OHCHR but also by other international organisations. To achieve this positive result, OHCHR Field Presence in Moldova had to overcome serious challenges that will be discussed below and in the lessons learned section.

Result 3: LGBT public assemblies accepted and protected

For the first time in Moldova, the LGBT community was able to organize not just a Pride March in the center of Chisinau (2014 and 2015), but an entire week of minority rights activities, without being shut down by authorities or hindered by conservative forces and groups. Interviews with the Associated Partner (Genderdoc-M), and with the project team, allowed the evaluator to gather testimonies of how the project activity achieved a manifest change of attitude within the police, resulting in effective protective action by the police. Awareness-building events supported by the project and the documentation and judicial and quasi-judicial pursuit of discrimination cases against members of the LGBT community further promoted tolerance and progress towards a rights-based jurisprudence in relation to discrimination of LGBT persons.

Result 4: Alternative service for conscious objectors established in the Transnistrian region

On 12 February 2014, the Supreme Soviet of the Transnistrian Moldovan Republic adopted Law No.61 on Alternative Civilian Service (on file with evaluator). Result 4 has therefore been achieved, but questions still remain about its level of implementation. Interviews with OHCHR's Associated Partner in Tiraspol indicate that some young men are still forced to do military service, while at least the Jehovah's Witnesses community reports not being forced to serve in the military any more.

Other expected results associated with result 4 include the promotion of the rights of religious minorities to freely practice their religion, manifest and meet in public, register their organisations and have their right to property ensured. In these areas, few tangible results are visible yet, but the project has effectively raised awareness among the religious minority communities, the authorities and the public at large about the authorities' international obligations in relation to the mentioned rights.

Result 5: Strengthen competences of the judicial and quasi-judicial bodies to address and to rule on discrimination cases in accordance with international law

An impressive number of judges and prosecutors (205) have been trained on anti-discrimination law and anti-discrimination concepts. In a focus group discussion with the evaluator they described their increased knowledge and awareness in this area. This positive project result has also been documented through pre- and post-training tests, indicating some 20% improved knowledge among the prosecutors and judges.²²

²² Interview with project consultants, Chisinau, 27 October 2015.

Also, in support of Result 5, the project has produced an extremely appreciated manual on national and international anti-discrimination law, which will continue to be used by the Ministry of Justice (posted on its website) and the training institute, the National Institute of Justice, which continuously graduates judges.

Result 6: Significant advancement in documentation of discrimination issues

The evaluator has received quantitative and qualitative information indicating that Result 6 has been more than fully achieved. A total of 51 discrimination cases have been documented and around 20 of them have been taken forward to the courts, the Equality Council or other bodies. Further, 16 cases have been published on the website of the project partner, discriminare.md.²³

The project team and its partners have successfully worked directly with the victims in many of these cases, or provided access to pro bono legal assistance, covered by OHCHR from the earmarked extra-budgetary funds received from the European Commission and other donors. When cases have not been successful in the domestic courts, the project team has assisted with information and advice on how to bring the case before international human rights mechanisms. Only cases with a human rights component potentially leading to strategic reform were prioritized by the project.

EQ4 Where positive results of the project were found, what were the enabling factors and processes? Are there notably differences in the results obtained in some particular geographical zones or thematic areas of intervention? What lessons have been learned?

Result 1: Network of children with disabilities and their parents legally empowered to seek inclusive education in Moldova, including in the Transnistrian region

In interviews with the evaluator, parents and partners repeatedly stressed the importance of the project systematically providing child care or parallel activities for the children when trainings and other meetings were held with the parents. This allowed the parents to attend with the right state of mind, relaxed and ensured their children were in good hands.

All interlocutors report comparatively better results from this activity area in Moldova proper than in the Transnistrian region. However, in the latter region, when the challenges discussed below under EQ5 became evident, the project team pursued timely and effective “damage control” by shifting resources and focus to a different town and implementing partner organisation²⁴, thereby ensuring an acceptable result also for the Transnistrian region. The need for such flexibility and out-of-the-(project)box thinking (supporting parents to join an existing organization and partnering with that NGO) is an important lessons learned.

Result 2: Genuine progress on integrated education for Roma in key problematic municipalities, including in the Transnistrian region

An important lesson learned by the project team was the need to adjust the pace of the organizational activities planned with the Roma communities according to the level of preparation and motivation of the parents themselves. OHCHR Field Presence in Moldova reported that Roma parents in for example

²³ Written input received from the Project Coordinator, Chisinau 29 October 2015.

²⁴ In the town of Dubasari the project partnered with the parent-initiated NGO: Society of Parents of Disabled Children, led by Stella Climenco.

Vulcanesti town were, somewhat surprisingly, not convinced of the benefits of desegregated schools and therefore not interested in leading such a process. Similarly, initial visits to Otaci town indicated that the concept of desegregated schools was still unclear and the parents needed more information and time.²⁵

Result 3: LGBT public assemblies accepted and protected

The representatives of Genderdoc-M – the project’s Associated Partner in this activity area – described how being associated with the project and OHCHR enabled them to radically change their relationship with the police. “Now we have better relationship with the police, once they could see we are normal people”, explained the interviewees from Genderdoc-M. The project opened the door to three meetings between Genderdoc-M and the police in different police departments. The meetings were an opportunity to discuss planned LGBT activities but also freedom of association and assembly in general. The new “attitude” of the police was described as mainly a result of OHCHR pressure and police concerns to ensure protection for representatives of diplomatic missions who were likely to attend the LGBT events and the pride march. But OHCHR and the project also contributed to breaking down some of the barriers between law enforcement and the activists. The face to face meetings and discussions about freedom of assembly and the planned activities created a personal rapport between activists and the police. In the end, mobile phone numbers were even exchanged between representatives of Genderdoc-M and operative police commanders.²⁶

Result 4: Alternative service for conscious objectors established in the Transnistrian region

In general, the project team has made excellent use of respected international experts and their recommendations to the authorities. This applies particularly to the project work in the Transnistrian region where OHCHR Moldova facilitated the visits of UN Special Rapporteur on Freedom of Religion or Belief, Mr. Heiner Bielefeld, and separately, the visit of Senior Expert Thomas Hammarberg. Both visits allowed for intensified contacts with the de facto authorities and generated written recommendations by the Experts, which became effective frameworks for OHCHR’s discussion with the local authorities.

Result 5: Strengthen competences of the judicial and quasi-judicial bodies to address and to rule on discrimination cases in accordance with international law

Judges and prosecutors highly appreciated the content and methodology of the project-produced Manual on Anti-Discrimination. Beneficiaries also found that it effectively complemented the oral presentations and ensured that participants were left with a reference material which can be re-read and consulted as and when needed.²⁷ The manual can therefore be seen as an enabling factor to the overall success of the activity.

Result 6: Significant advancement in documentation of discrimination issues

The positive results from this activity provide an important lesson learned in relation to case work by OHCHR field presences in general. The effective implementation of the project component indicates that even OHCHR HRAs in UNCT can contribute to case work, despite not having a mandate to investigate and directly pursue individual human rights cases. Here, the HRA, in the framework of the anti-discrimination project, provides assistance and advice to victims and lawyers willing to submit cases to the courts, to the

²⁵ OHCHR Interim Narrative Project Report submitted to the EIDHR for the reporting period 1 April 2014-31 March 2015, p.16-17.

²⁶ Interview with Ms Anastasia Danilova and Ms Angela Frolov, Genderdoc-M, 27 October 2015.

²⁷ Focus group discussion with judges and prosecutors beneficiaries of the project, Chisinau, 29 October 2015.

Equality Council and to international human rights mechanisms.²⁸ This successful indirect role in case work could be an important lesson learned for other OHCHR HRAs.

EQ5 What prevented the project from achieving results? What lessons can be drawn from this?

Result 1: Network of children with disabilities and their parents legally empowered to seek inclusive education in Moldova, including in the Transnistrian region

Two major obstacles were reported to the evaluator. The Associated Partner in Tiraspol (Transnistria) described how the authorities, despite their assurances to the HRA during the needs assessment, did not engage and attend meetings with the parents of children with disabilities, reportedly to avoid taking on commitments with the parents. This demotivated the parents and prevented the creation of effective networks in Tiraspol.²⁹

Secondly, parents' emotional attachment to their children with disabilities and the challenges they are facing sometimes made it difficult for them to properly address the broader issue of inclusion and non-discrimination with national authorities, as opposed to the individual situation of their particular child. Similarly, during initial meetings with representatives of the Ministry of Education (ME) and the Ministry of Labour, Social Protection and Family (MLSPF), the parents' advocacy style was reportedly too emotional to be effective.³⁰ The project team learned from this experience and introduced "psychological training" and advocacy techniques for the parents, before even starting to build awareness around rights.³¹

Result 2: Genuine progress on integrated education for Roma in key problematic municipalities, including in the Transnistrian region

The project team quickly learned that desegregating schools in order to integrate Roma children is not just a straight forward organizational challenge, but a complex exercise involving overcoming cultural barriers and a well-founded fear of discrimination on behalf of the Roma parents. The OHCHR project team and the specialized consultants found it difficult to incentivize the Roma children to regularly attend school at all. Cultural phenomena such as seasonal migration and child marriage work against school attendance by Roma children. And when in school, limited knowledge of Romanian/Moldovan often hampers the Roma child's learning. Roma parents also reported a fear of rejection and even physical abuse on behalf of teachers and non-Roma children, leading some parents to feel it was safer to keep their children in segregated Roma-only schools.³² In an effort to overcome this hesitation, the project created a committee of Roma parents and facilitated a dialogue with the teachers in the targeted schools.³³

Result 3: LGBT public assemblies accepted and protected

No significant challenges reported to the evaluator.

²⁸ OHCHR Interim Narrative Project Report submitted to the EIDHR for the reporting period 1 April 2014-31 March 2015, p.29-32.

Interview with project consultants working on discrimination cases, Chisinau 29 October 2015.

²⁹ Interview with Common Home in Tiraspol, 28 October 2015.

³⁰ Interviews with representatives of the Ministry of Education and the Ministry of Labour, Social Protection and Family, with the network of parents and with the project team, Chisinau, 26-30 October 2015.

³¹ Interview with lead consultant on activity area 1, Chisinau, 30 October 2015.

³² Interviews with project team members, with Roma consultant and focus group discussion with Roma Community Mediators, Chisinau 26-30 October 2015.

³³ Interview with Roma consultant, Chisinau, 30 October 2015.

Result 4: Alternative service for conscious objectors established in the Transnistrian region

As seen above, legislation on alternative service was put in place by the de facto authorities in the Transnistrian region. Associated project results include activities aimed at increased respect for religious minorities in the Transnistrian region, including the right to openly practice their religion, the right to registration as religious entities and the right to property (confiscated). To achieve the associated results, the project team and the local partner tried to initiate a dialogue between the religious minority groups and the local authorities but the latter did not agree to attend meetings. Similarly, the dominant Russian Orthodox Church rejected initiatives to bring the churches together as a first step towards enhanced rights for minority religious groups. The lesson learned, as formulated by the local project implementer, is that in the Transnistrian region, the political and religious authorities are not effectively influenced by international and EU standards and initial agreements can quickly be forgotten.³⁴

Result 5: Strengthen competences of the judicial and quasi-judicial bodies to address and to rule on discrimination cases in accordance with international law

Beneficiaries, the National Institute of Justice, consultants and the project team reported successful implementation of this activity. However, the Deputy Minister of Justice, without necessarily disagreeing with the activity, expressed skepticism in relation to the possibility to change the “mindset” of mature justice operators and recommended a focus on young people in schools and universities.³⁵

Result 6: Significant advancement in documentation of discrimination issues

No challenges reported to the evaluator.

EQ6 What have been the roles of local stakeholders, partners or other UN agencies in the achievement of results?

The project counted on one co-applicant (UNDP) and six associated partners. Four of the associated partners were local NGOs, another one a news portal and the sixth one a training institute linked to the Ministry of Justice. The four NGOs were organisations very close to the beneficiaries, three of them made up of individuals representing the beneficiary communities targeted by the project (Roma, persons with disabilities and LGBT persons). This choice of partners potentially provided the opportunity to also strengthen those organisations. Unfortunately, OHCHR administrative rules complicated and in the end prevented direct grant support to the partner NGOs. All grants (independently of the amount) have to be approved at one of the bi-annual or ad-hoc meetings of the Grants Committee in Geneva. Because of the frequent delays and cumbersome process often required to go through this process, it was decided that the only practical solution open to the project team was to hire staff from the partner NGOs as individual consultants instead of providing a grant to the organisation as such. Once on-board, the consultants played a crucial role in achieving results thanks to their expertise and acceptance by beneficiaries.³⁶

The project team worked with other UN agencies in both the design and implementation of the project, particularly with UNICEF in relation to education. Efforts to explain and anchor the project with the Ministry of Education were pursued jointly by the HRA and UNICEF staff. UN agencies, including UNICEF,

³⁴ Interview with Common Home, Tiraspol, 28 October 2015.

³⁵ Interview with Mr. Nicolae Esanu, Deputy Minister of Justice, Chisinau 29 October 2015.

³⁶ Interview with Mr. Claude Cahn, HRA RC Office Moldova at the time when the project was implemented, 5 November 2015.

seem to have been surprised to see OHCHR involved in project development and implementation, expecting OHCHR to focus on monitoring and advocacy. On the rare occasion when differences in approach or overlap occurred during the project period, the UNICEF Representative met with the HRA and issues were clarified.³⁷ As the project was presented as a support project to civil society organisations interested in inclusive education and not a direct advocacy project with the Ministry of Education, it was accepted and welcomed by UNICEF.³⁸ It is unclear why the project chose to formally partner with UNDP when the subject matter of several activities fell under the expertise and mandate of UNICEF.

EQ7 Did the project plan results that contributed to challenge unjust power relations in the area of gender? To what degree were such results achieved?

In general, the work of OHCHR Field Presence in Moldova has encompassed important gender dimensions, including dedicated work on rape crime reform. However, a thorough review of the project objectives, expected results, outcomes, outputs, selected vulnerable groups/beneficiaries, activities and indicators does not indicate that the anti-discrimination project was designed to “challenge unjust power relations in the area of gender”. Additionally, none of the evaluator’s interlocutors could point to project design features or activities that challenged unjust power relations in the area of gender equality. This does not mean that gender aspects have not been considered during design and implementation.³⁹

Given the predominance of women in the education system in Moldova (at the Ministry, as headmasters and as teachers) and the role of women as traditional facilitators of children’s education in the family, the project struggled to achieve a healthy gender balance through a more active involvement of the fathers. This was achieved to some degree. For example, the recently created NGO of parents of children with disabilities is now led by a father, providing an important example for other fathers of children with disabilities.⁴⁰

Also, the project was an opportunity to engage Roma women in leadership roles. All 36 Roma NGOs in Moldova are headed by men. The project therefore encouraged Roma women to become Community Mediators, and today, 17 of the 19 active Roma Community Mediators are women.⁴¹

The leadership skills acquired by the Roma women Community Mediators have come to good use in a new Roma Women Network established in 2014 with the support and expert guidance by UN Women and OHCHR Field Presence in Moldova. This network (focused on political participation) and the Roma Women Community Mediators have the potential to mutually reinforce each other and ensure continuation of the project activity.⁴²

The project component on individual cases of discrimination pursued two emblematic gender discrimination cases, one involving domestic violence and rape. This case also provided an opportunity to highlight gender discrimination in the judicial process. The gender dimension of this project component was strengthened by the involvement of the Coordinator of the Legal Centre for Women (NGO), who in the interview with the

³⁷ Interview with Ms. Ludmila Lefter, UNICEF Moldova.

³⁸ Interview with Mr. Claude Cahn, HRA RC Office Moldova at the time when the project was implemented, 5 November 2015.

³⁹ OHCHR Grant Application, EIDHR, Combating Discrimination in the Republic of Moldova, including in the Transnistrian region, September 2013 and interview with Mr. Claude Cahn, HRA RC Office Moldova at the time when the project was implemented, 5 November 2015.

⁴⁰ Fathers of children with disabilities in Moldova often abandon the family, according to OHCHR’s local project consultants.

⁴¹ Interview with Ms. Anna Gherganova, Ministry of Labour, Social Protection and Family, Chisinau, 27 October 2015

⁴² Interview with Ms. Krisitna Raducan, UN Women Moldova, Chisinau, 27 October 2015.

evaluator stressed that the above mentioned case would not have reached a court of law without the OHCHR involvement.⁴³

Also, the project produced anti-discrimination manual, used in the trainings of judges and prosecutors, contains a useful chapter on gender discrimination.⁴⁴ The beneficiaries of this product and the trainings were more or less equally men and women. The evaluator met with a focus group of 4 judges/project trainees (all women) who considered the gender content in the trainings to be adequate.⁴⁵

Additional gender outputs could probably have been included and achieved if the draft project proposal had benefitted from a gender expert review by OHCHR colleagues in Geneva, or alternatively by UN Women Moldova.

3.3 Analysis of Efficiency

👉 **EQ8** How efficiently has the project been using the human, financial and intellectual resources at its disposal to achieve its targeted outcomes?

It seems from interviews with the project team that the efficient use of resources was complicated by the fact that the project was implemented in the context and framework of four different administrative rule systems, namely those of: OHCHR, UNOG, UNDP and the EU.⁴⁶

Staff argued that the design of the project would have been more efficient if small grants could have been provided locally to implementing NGO partners without being reviewed and approved by the Grants Committee in Geneva. They pointed out that the Grants Committee in Geneva meets infrequently and involves too much bureaucracy and time to be a workable procedure for the project. Having decided that the use of the Grants Committee was not a workable option, the project was not allowed to pay local NGOs to carry out activities and therefore used a formula of directly hiring individuals from the local counterpart NGOs as project consultants. This might have been administratively more agile, but was not an efficient way of supporting the NGOs as entities. The HRA suggested that a local grant review board could have been established for the approval of grants of smaller amounts (5.000-10.000 euros).⁴⁷

However, OHCHR Grants Committee (GC) in Geneva reports that the Committee has met monthly and ad hoc over the project period and that there was therefore every opportunity for OHCHR in Moldova to have presented the grants. Further, OHCHR Programme Support and Management Services (PSMS) does not approve of hiring of local consultants as a substitute for grants to organizations and discourages the establishment of local Grants Committees.⁴⁸

The efficient use of human resources was also influenced by administrative rules. Project contracts were only issued until the end of the calendar year (2014), even though the project funding ran until 30 September 2015. Interviews with project consultants revealed that this situation led some of them to look for back-up employment as the end of the year drew closer, which reportedly contributed to substantial turn-over of project staff and consultants in January 2015.

⁴³ Focus group meeting with four lawyers engaged in case work for the project, Chisinau 25 October 2015.

⁴⁴ Manual Anti-Discriminare, Pentru Judecatori, Gheorghe Zugravu, OHCHR Consultant, Chisinau 2014, Section 4.2

⁴⁵ Focus group discussion with judges and prosecutors, Chisinau, 29 October 2015.

⁴⁶ Interview with Mr. Claude Cahn, HRA RC Office Moldova at the time when the project was implemented, 5 November 2015.

⁴⁷ Interview with Mr. Claude Cahn, HRA RC Office Moldova at the time when the project was implemented, 5 November 2015.

⁴⁸ Written comments submitted by the Grants Committee and PSMS (on file with evaluator).

Also, one project staff found that too many part-time consultants were hired (“difficult to keep them busy”), particularly for activity area No 2. Many of them were reportedly overqualified for the more operational/administrative tasks they carried out. A clearer definition of human resource needs, including projected tasks and time-frames would have been useful. At the same time, the work load for the Project Coordinator, who was managing another project in parallel, did not really allow for stock-taking and reflection that could have resulted in useful adjustments and improvements to project implementation. For example, it was felt that project staff did not have enough time to regularly discuss project implementation with the Ministry of Education and the de facto authorities in the Transnistrian region.⁴⁹

EQ9 How has the communication and coordination been among the project, the country/regional office, and other units within OHCHR in terms of programmatic, financial and administrative issues?

The interviewees in Moldova were pleased with the lines of communication between Geneva, the project and the EU delegation in Moldova. At the beginning of 2015, there were a few procedural issues that needed to be clarified with the EU delegation. All formal communication was carried out by e-mail, in English and with OHCHR Geneva carbon copied, but national project staff found it useful to every now and then pick up the phone to discuss and resolve issues directly, in Romanian/Moldovan, with the responsible person in the EU delegation. They also thought this contributed to a better mutual understanding and a more flexible position by the EU delegation.

Communication and coordination between project components and Associated Partners was planned to be ensured through the establishment of an Advisory Steering Committee made up of OHCHR Field Presence in Moldova and the Associated Partners, which would meet periodically (monthly, indicative) to:

“discuss the development of the individual activities implemented by each partner individually in collaboration with the Applicant. In order to ensure the efficient monitoring and evaluation of project results, maintain continuous cooperation between all project partners at all stages the partners will constantly provide feedback on lessons learned, propose corrective actions to solve problems, ensure accountability, and make recommendations on how to improve the quality of interventions, assess the risks and seek solutions for their mitigation.”⁵⁰

At the very beginning of the project, one coordination meeting was held with all the Associated Partners. The Project Coordinator (former) however felt that the partners’ different thematic areas of responsibility were too different for all of them to sit through detailed discussions of, for example, the LGBT Pride March or physical access requirements for children with disabilities. Therefore, after that first meeting, the coordination meetings were held on a regular but thematic basis. Thematic (by activity area) coordination and information-sharing meetings were held between members of the project team, the Associated Partner and other key stakeholders, including representatives of the involved Ministries.⁵¹

⁴⁹ Interview with Project Coordinator, Chisinau 30 October 2015.

⁵⁰ OHCHR Grant Application, EIDHR, Combating Discrimination in the Republic of Moldova, including in the Transnistrian region, September 2013, p.22-23.

⁵¹ Interview with Project Coordinator (former), 6 November 2015.

3.4 Analysis of Impact Orientation

- ✦ **EQ10 To what extent is the project making a significant contribution to broader and longer term enjoyment of rights? Or how likely is it that it will eventually make this contribution? Is the project's strategy and management in this area steering towards impact?**

As seen from the findings of this evaluation, the project has very effectively achieved results in all its areas of activities, but the results are mostly qualitatively impressive, while the number of beneficiaries is sometimes modest (with the exception of the training of over 200 prosecutors and judges). The transformation of beneficiaries from simply concerned parents to empowered and capacitated rights-holders, prepared to organize and advocate for the rights of their children can be seen as an extremely replicable success story which has great potential to contribute to broader and longer term enjoyment of rights by a numerically significant target group. There are reportedly an estimated 15.000 children with disabilities in Moldova.⁵² The project might only have reached around 1%⁵³ of them, but more importantly, it has set the stage for policy change towards inclusive education that can have a long term impact on 100% of them.

Similarly, the three project-supported desegregated schools have integrated a relatively small number of Roma children, but the successful example has huge replication potential, particularly with the support of the network of Roma Community Mediators. A similar logic applies to the results in the other four project areas.

The replication and taking-activities-to-scale challenge is still pending, but the OHCHR project has foreseen such a crucial step by committing in the project proposal to disseminate the project results.⁵⁴ The project application entry on dissemination and replication for multiplier effect could have been more detailed and specific, but more importantly, the commitment and awareness of its importance is there.⁵⁵ The continuation of OHCHR's work in Moldova therefore means there is clear potential for comprehensive, long-term impact far beyond the immediate beneficiaries of this project.

3.5 Analysis of Sustainability

- ✦ **EQ11 Are the results, achievements and benefits of the project likely to be durable?**
- ✦ **EQ12 Are the local stakeholders willing and committed to continue working on the issues addressed by the project? How effectively has the project built national ownership?**
- ✦ **EQ13 Are the local stakeholders able to continue working on the issues addressed by the project? How effectively has the project built necessary capacity?**

It is difficult to imagine any future scenario in which the results and achievements in the six activity areas could be substantially rolled back. Maybe a drastic deterioration of inter-ethnic relations in Moldova could have a negative impact on progress towards desegregated schools, but in most other activity areas no

⁵² Focus group discussion with parents of children with disabilities, Chisinau, 30 October 2015.

⁵³ Interview with lead consultant on activity area 1, Ms Tatiana Cernomorit, Chisinau, 30 October 2015 and with Ms Stella Climenco, Dubasari, 28 October 2015.

⁵⁴ Ibid.p.23

⁵⁵ Ibid.p.30

eminent risk factors have been reported to the evaluator and the achievements can largely be considered durable.

Interviewees pointed out that the networks and organisations created as a result of the project (NGO of parents with children with disabilities and network of Roma Community Mediators) have not been left to fend for themselves at the end of the project. Other organisations, including with capacity to train and support in key areas of organisational development were contacted and are now working with the NGOs and networks resulting from the OHCHR project.

Leaders from ProSprijin (Association of Parents of Children with Disabilities) are receiving training in for example project writing, action plan design and administrative skills.⁵⁶ The Republican Centre for Psycho-Pedagogical Assistance (CRAP) is supporting the parents, and also works with authorities, teachers and children to promote inclusive education.⁵⁷ UNICEF is also open to play a role in the support of ProSprijin but has not been formally requested to do so. This lead agency for child rights recommends that ProSprijin joins the UNICEF-supported local Alliance of Organisations Active in Child and Family Social Protection.⁵⁸

A Network of Roma Community Mediators is being formed with guidance and support from OHCHR and others.⁵⁹ Some project trained Roma Community Mediators are participating in the Inter-Ministerial Working Group (Bureau for Interethnic Relations) formed to implement the National Action Plan on Roma Issues.⁶⁰ The Network members plan to advocate with the Bureau for Interethnic Relations for the implementation of the Roma Action Plan and to train new Roma Community Mediators.⁶¹

The results in other areas of project activity seem similarly sustainable. The government authorization and protection of Pride Marches and other LGBT public events is likely to continue as this is now expected by the national and international community. Also, Genderdoc-M has established better contacts and working relationship with the police.⁶² The legislation on alternative military service in Transnistria is approved and in place. The documentation and judicial and quasi-judicial pursuit of discrimination cases has picked up certain momentum, through the project supported publications, the work of the Equality Council and the successful “internationalization” of a few discrimination cases (CERD and CEDAW).⁶³ The capacity of over 200 judges and prosecutors has been strengthened and the anti-discrimination manual produced for that purpose continues to be used in the NIJ’s on-going courses for future judges.⁶⁴

However, the evaluator has not received any information indicating that the above described situation of successful continuation of the project activities corresponds to a systematic OHCHR plan to ensure project sustainability. Rather, effective measures have been taken to build capacity and beneficiaries have been (spontaneously) connected with the appropriate organisations that can support a continuation of activities, but there seems not to be a plan as such in place. The EU application form asks applicants to “Describe a dissemination plan and the possibilities for replication and extension of the action outcomes (multiplier effects), clearly indicating any intended dissemination channel.” The OHCHR information provided under this item is limited to a brief, very general paragraph, which does not provide specific information on sustainability of

⁵⁶ Interview with Mr Vitalie Mester, Centre for Legal Assistance for People with Disabilities, Chisinau, 26 October 2015.

⁵⁷ Interview with CRAP, Chisinau 26 October 2015.

⁵⁸ Interview with Ms Ludmila Lefter, UNICEF Moldova, Chisinau, 27 October 2015.

⁵⁹ Including the European Roma Rights Center in Budapest (NGO).

⁶⁰ Interview with Ms Vera Petuhov, Bureau for Interethnic Relations, Chisinau 27 October 2015.

⁶¹ Focus group discussion with Roma Community Mediators, Chisinau, 27 October 2015.

⁶² Interview with Genderdoc-M, Chisinau 26 October 2015.

⁶³ Interview with HRA Claude Cahn, HRA RC Office Moldova at the time when the project was implemented 5 November 2015.

⁶⁴ Interview with Ms Ecaterina Popa, National Judicial Institute, 29 October 2015.

each of the six fairly dissimilar activity areas.⁶⁵ In the future, OHCHR should therefore systematize and plan in more detail, activities (by OHCHR and others) that can ensure the sustainability of undertaken project activities.

⁶⁵ OHCHR Grant Application, EIDHR, Combating Discrimination in the Republic of Moldova, including in the Transnistrian region, September 2013, p.29-30.

4. Conclusions, Lesson Learned, Good Practices and Recommendations

4.1 Conclusions

The EU funded OHCHR project “Combating Discrimination in the Republic of Moldova, including in the Transnistrian Region” was preceded by several years of OHCHR work on combatting discrimination in Moldova, which guaranteed a thorough knowledge of the issue and a capacity to make an informed decision on specific discrimination areas to address. The right of children with disabilities to access mainstream schools, the end to segregation between Roma and non-Roma children, the rights of the LGBT community and of religious minorities were well chosen priority areas. The relevance of the project therefore seems well founded.

The evaluation interviewees also attested to the appropriateness of the methods used, including the rights awareness building with parents of children with disabilities and with Roma parents, the training of judges and prosecutors in international and national anti-discrimination law as well as the judicial and quasi-judicial pursuit of emblematic cases of discrimination.

The six project results are formulated in relatively modest and realistic terms, but the numerous associated results and activities, as well as the complexity of the six fairly different activity areas, meant successful project implementation was a very serious undertaking for OHCHR Field Presence in Moldova. The task was made more complex by the fact that the project operated in four different administrative rule systems: EU, UNDP, UNOG and OHCHR.

Despite these challenges, the evaluator has received evidence and information from multiple sources indicating that the project was not only highly relevant but also effectively implemented, generally achieving all six project results. Interviews and focus group discussions in Moldova revealed that partners and beneficiaries are pleased with the results and motivated to continue the activities beyond the end of the project.

There are tangible, direct results such as the new legislation on alternative military service in the Transnistrian region, or the fact that LGBT Pride marches have safely been carried out in 2014-2015. There are also results that promise change down the road, such as the training of over 200 prosecutors and judges in anti-discrimination law, or the documentation and pursuit of over 50 emblematic discrimination cases. Then there are results that empower a small group of beneficiaries and allow them to continue to advocate for country-wide policy change. This is the case of the parents of children with disabilities who, empowered by the project activities, have now formed an NGO and are being invited to advise the Ministry of Education on inclusion of children with disabilities. Similarly, the project’s success in ending the segregation of Roma and non-Roma students in a number of schools is an important step towards country-wide desegregation of the school system.

The latter two results could have a comprehensive long-term impact if the advocacy and support activities are taken to scale and thousands, rather than hundreds, of beneficiaries are reached. The project design and implementation could have been more geared towards long-term impact through concrete plans for the replication of experiences with the support of other stakeholders. Similarly, the project has contributed to gender equality through certain aspects of the activities, but few conscious efforts seem to have been made to plan and incorporate activities explicitly addressing gender inequality.

The successful implementation of this complex technical cooperation project under the leadership of the OHCHR Human Rights Adviser in Moldova indicates that in similar country contexts, HRAs can play a successful operational role and go beyond merely advising the RC, UNCT and the government on human rights issues.

4.2 Lessons learned and Good practices⁶⁶

Documenting lessons learned and good practices is one of the key purposes of this evaluation, and there is no lack of them. Though most of them have already been mentioned in the findings chapter, this section gathers the key lessons learned and good practices in one place.

Lessons Learned

a) When the context is right, and the initiative is welcome by the RC, the UNCT and the host government, even OHCHR HRAs, with primarily an advisory function, can successfully lead implementation of operational capacity building and human rights reform activities, including in the form of externally funded projects. HRA advisers deployed in similar contexts around the world could therefore learn, benefit from and build on the positive lesson learned in Moldova in relation to the EU funded anti-discrimination project.

b) Similarly, HRA positions, despite not having a mandate to pursue case work⁶⁷, can play an important role in supporting the effective use of emblematic individual cases to promote and protect human rights. Without carrying out investigations, or substituting for the judicial or quasi-judicial authorities in Moldova in any other way, the project has successfully assisted and advised national actors to pursue highly representative discrimination cases. Further, when domestic judicial and quasi-judicial processes failed to hand down sentences/recommendations in line with international norms on discrimination, the HRA/project team provided information on and facilitated access to international human rights mechanisms.

c) Context analysis and needs assessments are crucial steps in the early project preparation process. Those phases are also an opportunity to solidly anchor and create commitment to the project from local and national authorities. When a counterpart's commitment is in doubt, it is crucial to intensify and maintain a permanent, high-level dialogue throughout the project. There is clear indication that the context analysis and the needs assessment have been properly done by OHCHR Field Presence in Moldova. Unfortunately, once in the implementation phase, it became clear that the Transnistrian de facto authorities, as well as the Russian Orthodox Church in that region, were not actively collaborating with the project, despite previous efforts by the HRA and the Project Coordinator to achieve acceptance and ownership by local authorities.

d) In order to achieve results, it is often necessary to not only focus on the beneficiaries and the direct stakeholders but to also create awareness and buy-in among broader sectors of society, including the authorities, schools, civil society and massmedia. Given the difficulties to form networks of parents and to establish an inter-faith dialogue in the Transnistrian region, the context analysis might also have underestimated the political, socio-economic and cultural differences between Moldova proper and the Transnistrian region. Therefore, the least impressive project results are recorded in the Transnistrian region.⁶⁸ The project logically focused on the direct beneficiaries, but interviewees suggested that a broader

⁶⁶ The arguments made in this section are drawn from the findings section where they have already been referenced and footnoted.

⁶⁷ ToR for the HRA in Moldova: (iv) Follow and analyze the human rights situation in his/her country of assignment, providing issue-based or situational assessments to OHCHR and the RC as appropriate. The HRA will not be expected to engage at the level of individual cases.

⁶⁸ See responses to Evaluation Question No. 5 in this report.

focus, including work with civil society, mass media, schools, and the authorities is necessary in the Transnistrian region to overcome the differences referred to.⁶⁹

e) Achieving long-term impact and paving the way for large-scale replication of project activities and sustainability of results requires early planning and explicit inclusion in the project design. Links to other stakeholders and their programme activities should be included from the beginning, or they may never materialize as effective follow-up activities. In Moldova, ensuring the long-term impact of the project and taking activities to scale seem to be pending project challenges. There is no lack of opportunities to do so, but they don't seem to have been included in the project design, which is an important lesson learned. There are an estimated 15.000 children with disabilities in Moldova.⁷⁰ The project might only have achieved inclusive education for around 1% of them, but with the parents networks efficiently established, an important qualitative and highly replicable result has been produced. To take the result to scale and achieve a longer term impact, the success achieved with project beneficiaries could have been further built on. Links to other actors and their programmes could have been explicitly included in the project design, including to the Ministry of Education and to UNICEF.

Similarly, the three project-supported desegregated schools (Roma and non-Roma children attending together) have integrated a relatively small number of Roma children, but the successful example has huge replication potential, particularly with the support of the network of Roma Community Mediators. An explicit project link to, and commitment from, the Ministry of Education, the Bureau for Interethnic Relations, UNICEF and/or UNDP⁷¹ could have given the project a clearer impact-orientation.

f) Working directly with victims and family members of victims requires a different approach than working with individuals without a personal engagement or link to the rights violations being addressed. As rights advocates, victims and their family members have comparative advantages and disadvantages, which need to be properly considered and managed in order to effectively achieve change.

In Moldova, important lessons were learned around the challenges involved in turning uninformed and frustrated parents of children with disabilities into effective rights advocates capable of focusing on broad policy change, and not just immediate material improvements for their particular child. Initial meetings between the parents and the Ministry of Education and the Ministry of Labour, Social Protection and Family were reportedly more confrontational than productive because of the lack of emotional preparation and individual focus of the parents. The project team quickly learned the lesson and immediately adjusted the programme with the parents to include sessions on how to control their emotions and how to effectively advocate with authorities. This proved as important as knowledge about international norms, such as the International Convention on the Rights of Persons with Disabilities.

g) Social change processes are complex, often influenced by cultural practices. Rights-holders will carefully weigh perceived and real pros and cons before deciding to cooperate with efforts to fulfil their rights. A thorough understanding of the socio-cultural context is therefore a necessary starting point. For example,

⁶⁹ OHCHR consultants hired to work in the Transnistrian region referred to a "Soviet Union mentality", a lack of relevant social legislation, a very low development level that only allowed parents to focus on basic survival of their children (not inclusive education) a limited understanding and a "cold-hearted attitude" to the fate of their children. Interview with Ms Lucia Gavrilita and Tatiana Cernomorit, Chisinau, 26 October 2015.

⁷⁰ Focus group discussion with parents of children with disabilities, Chisinau, 30 October 2015.

⁷¹ UNDP has previously supported the Roma Community Mediators.

the OHCHR project team found it difficult to incentivize the Roma children in Moldova to regularly attend school at all. Cultural phenomena such as seasonal migration and child marriage work against school attendance by Roma children. And when in school, limited knowledge of Romanian/Moldovan often hampers the Roma child's learning. Roma parents also reported a fear of rejection and even physical abuse on behalf of teachers and non-Roma children, leading some parents to feel it was safer to keep their children in segregated Roma-only schools.

Good Practices

a) Creation of networks of victims and beneficiaries is an important strategy of the anti-discrimination project in Moldova. The successful creation of these networks in Moldova proper opened the door for the formal establishment of those networks as officially registered NGOs and associations, which ensures a high degree of sustainability of those project activities. The project team provided opportune support to the formation of NGOs and associations, and to the organizational strengthening of the recently created structures through its own direct support and by referring them to other capacity building organisations.

b) To implement the anti-discrimination project in Moldova, OHCHR chose to work with one disability organisation, one Roma NGO and one LGBT organisations. Also, a Roma person was hired to work with the Roma Community Mediators. These implementing partners were selected among organisations/individuals forming part of, or already working with the target communities - in this case minority groups, victims of discrimination. This closeness between partners and beneficiaries contributed to the success of the project. It does not seem to be a coincidence that the only Associated Partner that did not meet performance expectations, and where concrete activity implementation was unsuccessful, did not have such a direct tie to the target communities.

c) When the limited performance of the Associated Partner in Tiraspol (Transnistria) became evident, the project team wisely broadened the geographical focus of the activity and quickly identified an additional partner in Dubasari (Transnistria), who had a direct link with the beneficiary community and could therefore effectively mobilize beneficiaries and at the end of the project showed encouraging results.

d) The project team has made very strategic use of the visits of international experts on the issues addressed by the project. This should be considered an excellent practice for several reasons. The visits of Special Rapporteurs and other experts were effectively used to raise the general attention of the discrimination issues addressed by the project. They were also used to seek the receiving authorities' enhanced commitment to the issues addressed and to the project activities. Also, written contributions by visiting experts (recommendations, guidelines, press statements) were used after their departure to keep up the momentum around specific rights and rights deficits, discussed with the authorities during the visits of the experts.⁷²

e) The project made excellent use of success stories to impart knowledge, inspire and motivate beneficiaries who were recently starting to improve their own situations. Visits to well-functioning desegregated schools (Roma and non-Roma mixed) and schools offering inclusive education (children with disabilities in

⁷² This refers to the following experts: the UN Rapporteur on Freedom of Religion or Belief, Mr. Hans Bielefeld, the UN Rapporteur on the Rights of Persons with Disabilities, Ms. Catalina Devandas Aguilar; the General Rapporteur of the Committee on Equality and Non-Discrimination of the Council of Europe Parliamentary Assembly, Robert Biedron; the Senior Expert Thomas Hammarberg.

mainstream schools) had a very motivating impact on beneficiaries and should be considered a good practice. Interviewees also suggested that other former USSR-countries, like for example the Baltic states, have come even further in organizing parents of children with disabilities and study visits abroad should be considered.

4.3 Recommendations for OHCHR Geneva and OHCHR Moldova

- **Recommendation 1:** In view of the expertise developed by OHCHR Field Presence in Moldova in the area of combating discrimination - as evidenced by the positive outcome of this evaluation - OHCHR should continue to prioritize anti-discrimination activities in Moldova, including those linked directly to the areas addressed by the project (i.e. inclusive education for children with disabilities, integration of Roma children in mainstream schools, rights of LGBT community, alternative service for conscientious objectors, strengthened capacity of judicial and quasi-judicial bodies to address and rule on discrimination, advancement in documentation of discrimination cases).
- **Recommendation 2:** OHCHR should consider briefly contracting one of the lead consultants on inclusive education (Activity Area No.1) to document, step-by-step, the process and lessons learned while training, empowering and organizing the parents of children with disabilities in Moldova and in the Transnistrian region. This exercise could be conducted in cooperation with the Methodology, Education and Training Section (METS) at OHCHR Geneva and the result should be disseminated to other field presences, particularly OHCHR's Regional office for Central Asia.
- **Recommendation 3:** When designing technical cooperation projects in the future, OHCHR should identify and plan follow-up activities that could contribute to the sustainability of the project activities, as a form of exit-strategy from the project, including soliciting at an early stage, support from other organisations, authorities and institutions to ensure the post-project continuation and strengthening of the activities and outcomes.
- **Recommendation 4:** To ensure long-term and comprehensive, country-wide impact, OHCHR Field Presence in Moldova should consider conducting a brief internal review of the project outcomes with the objective of identifying and approaching counterparts that could support the replication and taking to scale of the successful activities, particularly in activity area No.1 and No.2.⁷³
- **Recommendation 5:** OHCHR should seriously consider the ad hoc establishment and use of locally established Grant Review Committees for the authorization of very small grants to OHCHR implementing partner organisations, thereby allowing a quick process that strengthens local organisation rather than individual consultants.
- **Recommendation 6:** To avoid staff turn-over during projects, employment contracts to local project staff and consultants should be extended as long as possible, i.e. as long as project funding is guaranteed (in this case, 30 September 2015) and not routinely just to the end of the calendar year.
- **Recommendation 7:** OHCHR should always analyse how it can take measures and include activity components that promote gender equality in a given project context, even if not required or prompted by the project application process. Proposal writing and project design should benefit from the review and advice of gender experts, locally or from OHCHR Geneva.
- **Recommendation 8:** The innovative role played by the OHCHR HRA in Moldova, managing operational human rights activities and supporting the judicial and quasi-judicial pursuit of individual cases, should be encouraged in similar country contexts. The HRA adviser's experience of successfully expanding the traditional HRA-role could be shared with other HRA at the next OHCHR Heads of Field Presences meeting.

⁷³ Only three schools have been desegregated and some 1% of all children with disabilities have been offered inclusive education.

5. Appendices

5.1 Outputs and quantitative results table

Outputs and quantitative results in relation to project indicators			
	Intervention logic	Objectively verifiable indicators of achievement	Outputs and results
Overall objectives	O1 - To address discrimination in Moldova as concerns people belonging to stigmatized or marginalized groups	Key indicators related to the overall objectives, for the purposes of this action are:	
		1. Number of civil society entities formally engaging relevant local, national or international bodies to resolve discrimination cases or address problematic discrimination policies. ⁷⁴	<i>Indicator 1:</i> Gender Doc M NGO; Centre for Legal Assistance of People with Disabilities NGO, National Roma Centre NGO; the network of Roma Community Mediators; Promo-LEX NGO; Anti-discrimination Coalition NGO; The informal network of human rights lawyers; Pro Sprijin NGO
		2. Number of judicial instances, equality body or other relevant public bodies recognizing and remedying discrimination in individual cases. ⁷⁵	<i>Indicator 2:</i> Judges and prosecutors from all 53 courts and 45 prosecution offices in Moldova trained by the project; Also: the Equality Council, the Ombudsperson Institution; the Ombudsmen for Psychiatric Institutions.
		3. Percentage of relevant (anti-discrimination, equality and diversity) recommendations by UN Senior Expert on Human Rights in Transnistria implemented in practice. ⁷⁶	<i>Indicator 3:</i> Two of the four Hammarberg recommendations (50%) directly linked to the OHCHR project can be considered implemented (Recommendations No 25 and 33).

⁷⁴ Indicator derived from United Nations-Republic of Moldova Partnership Framework 2013-2017, "Towards Unity in Action", Indicator 1.4.c., civil society empowerment cluster.

⁷⁵ Indicator derived from United Nations-Republic of Moldova Partnership Framework 2013-2017, "Towards Unity in Action", Indicator 1.2.c., justice reform cluster, anti-discrimination area.

⁷⁶ Indicator derived from United Nations-Republic of Moldova Partnership Framework 2013-2017, "Towards Unity in Action" Action Plan, Indicator 1.3.1.c.

<p>Specific objectives</p>	<p>SO 1– Strengthening the ability of victims of discrimination to stand for and claim equality rights, including by strengthening the legal and methodological competences of their representative organisations;</p>	<p>SO. "Indicator 1": Contiguous with Indicator 1 above.</p>	<p><u>SO Indicator 1:</u> Sixty-four parents of the children with disabilities in Moldova and 35 parents in Transnistria were empowered to seek inclusive education and social inclusion for their children.</p> <p>Civil society entities formally engaging relevant local, national or international bodies to resolve discrimination cases and address problematic discrimination policies:</p> <ul style="list-style-type: none"> • “ProSrijin”: NGO registered during the project to further support the network and fight for parents and children’s rights; • Roma NGO in Transnistria in the process of registration (with the support of a consultant hired by the project); • Roma Community Mediators Network in the process of registration (with the support of a consultant hired by the project) • Common Home (NGO) • “ Alye Parusa (NGO) • Genderdoc M (NGO) • Jehovah’s Witnesses
	<p>SO 2- Heightening the ability of judges and prosecutors to understand and apply antidiscrimination law and concepts as understood under international and European law;</p>	<p>SO. "Indicator 2" : Number of judges and prosecutors indicating heightened understanding of anti-discrimination law and concepts as understood under international and European law; number of trained judges applying relevant anti-discrimination normative material in court rulings.</p>	<p><u>SO Indicator 2:</u> One hundred and seven (107) judges and 98 prosecutors trained, as well as 12 specialists working in the justice and human rights field, including the Ombudsperson institution. A total of 217 justice professionals were trained. Since January 2013 until September 2015 there were about 180 discrimination cases analyzed by the courts, the majority are appeals against the Equality Councils decisions and its recommendations for actions and only a reduced number were discrimination cases directly filed with the courts (without involving the Equality Council).</p>

<p>SO 3 - Enhancing the abilities of the Council on Preventing and Combating Discrimination and Ensuring Equality and of the Ombudsman Institution (NHRI) to act and address discrimination cases and themes;</p>	<p>SO. "Indicator 3": Number of instances in which the Council and NHRI take action to resolve and remedy discrimination cases in compliance with international and European law.</p>	<p><u>SO Indicator 3:</u> Since 2013 more than 100 decisions were issued by the Equality Council. The project (mainly the HRA) offered continuous advice and guidance to the Council on specific cases. More than 10 cases were referred to the Council from the project, the victims receiving support from project staff. In at least 3 cases, OHCHR offered advice to the Ombudsman institution on possible acts of discrimination.</p>
<p>SO 4 - Strengthening documentation of discrimination cases and issues in Moldova to improve the public record.</p>	<p>SO. "Indicator 4": Number of publicly available reports produced under or as a result of the project, as well as memorandums and other documents providing competent, reliable, fact-based reporting on discrimination cases and/or issues</p>	<p><u>SO Indicator 4:</u> The project documented a total of 51 cases (30 cases in 2014 and 21 in 2015). About 20 of them were taken forward to the Equality Council, courts, other bodies. 16 cases were published on discriminare.md and/or in local mass-media.</p> <p>Some 38 cases were being monitored, 6 of them taken to international mechanisms + other 5 LGBT strategic litigation cases. One analytical memo on hate crime was drafted together with the Equality Council, which provided recommendations for law amendments.</p> <p>About 10 human rights lawyers were mentored and advised on anti-discrimination issues, HR Treaty Bodies and further engagement with the victims.</p>

<p>Expected results</p>	<p>R1 - Network of children with disabilities and their parents legally empowered to seek inclusive education in Moldova, including in Transnistria region</p>	<p><i>"Indicator 1"</i> : The network of children with disabilities and their parents is created and functional on the Moldovan and Transnistrian sides/ the number of meetings held and the number of initiatives taken by the network to remedy the situation related to education (R1)</p>	<p><u><i>Indicator R1:</i></u> 16 meetings held in Moldova 8 meetings held in Transnistria 14 informative sessions organized in schools 2 training organized for the teachers</p> <p>The network of children with disabilities and their parents was created and now functional.</p> <p>The initiatives taken by the network to remedy the situation related to inclusive education:</p> <p>“ProSprijin” (NGO) was registered, contributing to parent’s involvement in providing support to other parents on inclusive education and advocate for their children’s rights and needs.</p> <p>A rights-based dialogue was initiated between the parents of children with disabilities (members of the network) and the central authorities, especially the Ministry of Education and the Ministry of Labour, Social Protection and Family</p> <p>One parent was proposed to be member of the Coordinating Council on Preventing Institutionalization and Developing Inclusive Education under the Ministry of Education.</p> <p>A group of parents will be involved in the process of reviewing the financial priorities in the area of social welfare and inclusion of children with disabilities. A group of parents and children with disabilities was created in Transnistrian region, and empowered to stand for their rights. The members of this group adhered to a locally registered NGO supported by the project and is now involved in advocacy activities.</p>
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<p>R2 - Genuine progress on integrated education for Roma in key problematic municipalities, including in Transnistria region.</p>	<p><i>"Indicator 2"</i> : Desegregated Roma and non-Roma classes and schools in identified in problematic municipalities on Moldovan side and the number of Roma children integrated in schools in Transnistrian side (R2)</p>	<p><u>Indicator R2:</u> 14 visits conducted to Roma communities (Raciula/Parcani; Straseni Rayon, Vulcanesti and Otaci); 2 trainings organized for community mediators; 2 trainings on leadership skills for children from Roma communities; One round table organized with the Ministry of Education</p> <p>3 schools/localities desegregated (Otaci , Stejareni/Lozova and Raciula/Parcani)</p>
<p>R3 - LGBT public assemblies accepted and protected.</p>	<p><i>"Indicator 3"</i>: The successful organisation of the LGBT Pride in 2014/ The number of documented and adjudicated cases of discrimination against LGBT people (R3)</p>	<p><u>Indicator R3:</u> The LGBT Pride/march 2014 and LGBT Pride/march 2015 successfully organized</p> <p>5 discrimination cases of LGBT community documented and monitored and legal support offered.</p> <p>Support provided to GENDERDOC-M in organization of a training for 18 volunteers in 2014 and for 17 police officers in 2015.</p> <p>2 short movies on LGBT rights elaborated and publicly disseminated</p>
<p>R4 - Alternative service for conscientious objectors established in Transnistrian region.</p>	<p><i>"Indicator 4"</i> : The initiative group created and trained/ The initiative taken by the group to establish the alternative service for conscientious objectors in Transnistrian region (R4)</p>	<p><u>Indicator 4:</u> The law on alternative military service was adopted in 2014 by the Transnistrian <i>de facto</i> authorities</p> <p>A round table for the religious minorities from the Transnistrian region, with the participation of Mr. Heiner Bielefeldt (SR)</p> <p>8 meetings held with Muslim, Jewish, Adventist, and Jehovah's Witnesses communities and with Church of Christ the Savior (charismatic church).</p> <p>2 trainings on UN human rights standards organized Ongoing advice on human rights and discrimination issues provided to religious minorities.</p>

R5 - Strengthened competences of the judicial and quasi-judicial bodies to address and to rule on discrimination	"Indicator 5" : Trainings held for judges and prosecutors on anti-discrimination / consultation meetings held with the Equality Council and NIHR on documentation and concluding on the cases of discrimination (R5)	<u>Indicator 5:</u> 107 judges and 98 prosecutors trained (+12 specialists working in the justice and human rights field, including Ombudsperson institution). A total of 217 justice professionals trained.
R6 - Significant advancement in documentation in discrimination issues	"Indicator 6": The number of cases documented and published on the website as well as discussed at the local TV channels/ The number of this cases remedied at the judicial level (R6)	<u>Indicator 6:</u> The project documented a total of 51 cases (30 cases in 2014 and 21 in 2015). About 20 of them were taken forward to the Equality Council, courts, other bodies. 16 cases were published on discriminare.md and/or in local mass-media. Some 38 cases were being monitored, 6 of them taken to international mechanisms + other 5 LGBT strategic litigation cases. One analytical memo on hate crime was drafted together with the Equality Council, which provided recommendations for law amendments.

5.2 Methodological Framework

Evaluation Criteria (OECD/DAC)	Key evaluation questions (drawn from TOR)	Performance Indicators	Data Sources	Data Collection Methods
Assessment of Relevance	How relevant to the country situation have the project's planned results been in the course of the period evaluated?	Existence of human rights context and needs analysis identifying discrimination as a priority issue in Moldova. Existence of discrimination reports addressing the six project results as priority or relevant areas.	Authoritative national and international human rights reports and testimonies, including: CoE Commissioner reports, OHCHR Moldova reports, recommendations from UN HR mechanisms, NHRAP, NGO/INGO reports, project documents etc.	Interviews with OHCHR Moldova staff, consultants, partners and beneficiaries. Document review. Direct observation during field mission.
	Have the strategies used to achieve results been adequate to the local context and stakeholders? Was a context	Availability of local situation analysis. Degree of concurrence with Moldovan		Interviews with OHCHR Moldova staff, consultants, partners and beneficiaries. Document

	analysis conducted? Were risks and assumptions considered during this process?	State/Government priorities. Documented discussion of potential risks.		review. Direct observation during field mission.
Assessment of Efficiency	How efficiently has the project been in using the human, financial and intellectual resources at its disposal to achieve its targeted outcomes?	Documentation and analysis of stakeholder opinions on efficiency of utilization of available human, financial and intellectual resources.	Counterparts, beneficiaries and authorities' opinions on use of project resources.	Interviews and focus group sessions with counterparts, beneficiaries and authorities.
	How has the communication and coordination been between the project, OHCHR Moldova and other units within OHCHR in terms of programmatic, financial and administrative issues?	OHCHR staff and consultants' ranking (1-3) of: a) Degree of clarity in division of roles and responsibilities between staff and consultants at OHCHR Moldova and at HQ. b) Level of efficiency of the cooperation during the implementation of the project.	OHCHR Moldova staff and consultants, OHCHR Geneva staff.	Interviews with OHCHR Moldova staff/consultants and OHCHR Geneva staff.
Assessment of Effectiveness	What evidence of positive results obtained by the project can be found? To what extent were planned results actually achieved? Where positive results have been achieved, what were the enabling factors and processes?	Rights-based and anti-discriminatory recommendations and decisions by the NHRIs, Equality Council and the judiciary. Approved legislative reform on alternative military service. Number of desegregated and integrated schools. Number of beneficiary advocacy groups formed. Number of discrimination cases documented and published. Number of public LGBTI Pride manifestations held in 2014-15.	OHCHR Moldova staff, consultants, partners and beneficiaries. Project and regular reports. Official judicial and legislative records. Meeting minutes. Media coverage.	Interviews with OHCHR Moldova staff, consultants, partners and beneficiaries. Document review. Direct observation during field mission.
	Are there notable differences in the results obtained in some particular geographical or thematic areas of the project?	Documentation and analysis of key stakeholder opinions on positive results achieved in different	OHCHR Moldova staff, consultants, partners and beneficiaries. Project and regular reports.	Interviews with OHCHR Moldova staff, consultants, partners and beneficiaries. Document review. Direct

		geographical/thematic areas with identification of enabling factors and processes.	Meeting minutes. Media coverage.	observation during field mission.
	What prevented the project from achieving results?	Existence or lack of shared agenda with authorities/de facto authorities. Application of progressive or inappropriate approaches to children w disabilities. Identification of other contextual, resource and operational constraints affecting implementation of project activities.	OHCHR Moldova staff, consultants, partners and beneficiaries. Project and regular reports. Meeting minutes. Media coverage.	Interviews with OHCHR Moldova staff, consultants, partners and beneficiaries. Document review. Direct observation during field mission.
	What have been the roles of local stakeholders, partners or other UN agencies in the achievement of results?	Informal ranking (with justification) of local stakeholders and partners' roles in results: 1) Useful, 2) Major contributor, and 3) Indispensable	OHCHR Moldova staff, consultants, partners and beneficiaries. Project and regular reports. Meeting minutes. Media coverage.	Interviews with OHCHR Moldova staff, consultants, partners and beneficiaries. Document review. Direct observation during field mission.
	Did the project plan results that contributed to challenge unjust power relations in the area of gender? To what degree were such results achieved?	Existence of expected results on gender equality and level of their achievements. Judicial and quasi-judicial bodies make recommendations/decisions challenging gender inequality.	OHCHR Moldova staff, consultants, partners and beneficiaries. Project and regular reports. Judicial and quasi-judicial records. Meeting minutes. Media coverage.	Interviews with OHCHR Moldova staff, consultants, partners and beneficiaries. Document review. Review of judicial and quasi-judicial records. Direct observation during field mission.
Impact Orientation	To what extent is the project making a significant contribution to broader and longer term enjoyment of rights? How likely it will eventually make this contribution? Is the project's strategy and management in this area steering towards impact?	Degree of structural change sought by project. Focus on policy and legislative change or stand-alone activities? Project aims at changing behavior or fundamental beliefs and attitudes? Temporal scope of project.	OHCHR Moldova staff, consultants, partners and beneficiaries. Project and regular reports. Judicial and quasi-judicial records. Meeting minutes. Media coverage.	Interviews with OHCHR Moldova staff, consultants, partners and beneficiaries. Document review. Review of judicial and quasi-judicial records. Direct observation during field mission.
Sustainability	Are the results, achievements and benefits of the project likely	Degree of genuine interest among local	OHCHR Moldova staff, consultants,	Interviews with OHCHR Moldova staff,

	<p>to be durable? Are the local stakeholders willing and committed to continue working on the issues addressed by the project? How effectively has the project built national ownership? How effectively has the project built necessary capacity?</p>	<p>authorities and partners to continue project activities. Continuation of project activities does not require large resources/resources are available. Number and duration of capacity building components included in project. Existence of forces interested in rolling back results.</p>	<p>partners (including local authorities) and beneficiaries. Project and regular reports. Meeting minutes. Media coverage.</p>	<p>consultants, partners and beneficiaries, including local authorities. Document review. Direct observation during field mission.</p>
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5.3 Terms of references of the evaluation

TERMS OF REFERENCE

1. BACKGROUND AND CONTEXT

During July 2008 - August 2015 the OHCHR was present in the Republic of Moldova via the Human Rights Adviser (HRA), who was based in the Office of the United Nations Resident Coordinator (UN RC). The Human Rights Adviser supported and advised the UN RC Office, United Nations Country Team (UNCT) in Moldova, Government, National Human Rights Institution (NHRI) and civil society in strengthening human rights and human rights based approaches. The HRA also supported the UN CT Moldova to implement the recommendations of UN Senior Expert Thomas Hammarberg as concerns human rights in the Transnistrian region of the Republic of Moldova. Thematic priorities for work in the Republic of Moldova for 2014-2017 include: (1) countering discrimination, in particular racial discrimination, discrimination on the grounds of disability, religion, sexual orientation and other criteria; (2) combating impunity and strengthening accountability and the rule of law; (3) strengthening the effectiveness of international human rights mechanisms and the progressive development of international human rights law and standards. As of September 2015, OHCHR Field Presence in Moldova is led by the National Human Rights Coordinator (NHRC).

On 1 April 2014, OHCHR started the implementation of the European Commission funded project "Combating Discrimination in the Republic of Moldova, including the Transnistrian region", which ended on 30 September 2015. The project is implemented in the Republic of Moldova, including the Transnistrian region and its' *overall objective* is to address the discrimination in Moldova as concerns people belonging to stigmatized or marginalized groups. The *specific objectives* refer to: 1) Creation of a network of children with disabilities and their parents to legally empower them to seek inclusive education in Moldova, including in Transnistrian region; 2) Creating an environment for integrated education for Roma in key problematic municipalities, including in the Transnistrian region; 3) Promoting the freedom of assembly for LGBT; 4) Establishment of alternative service for conscientious objectors in the Transnistrian region; 5) Strengthening the competences of judicial bodies to rule on discrimination in accordance with international law; 6) Increasing the understanding of the Equality Council as concerns international anti-discrimination law; 7) Achieving significant advancement in documentation of discrimination.

The *target groups* of the project are: 1) Public and civic bodies involved in redressing discrimination (including from the Transnistrian region); 2) Judicial and quasi-judicial bodies; 3) Vulnerable people, potential victims of discrimination, focusing in particular, although not necessarily exclusively, on key, high-risk categories: (a) Roma, (b) LGBT, (c) persons with disabilities (in particular children with intellectual disabilities and their parents), (d) religious minorities.

The project is implemented by OHCHR office in cooperation with UNDP in Moldova and key institutional and private (civil society) partners. The staff involved in the implementation phase is composed by both, OHCHR project employed staff (3) and more than 10 contracted individual consultants, who were hired to implement the specific objectives as listed above. Since January 2015 the project is managed by the Projects Coordinator (previously by the HRA and Project Manager) and administratively supported by the Project Assistant.

The total budget of the project is EURO 300,000 with 95% (EUR 285,000) financed by the European Commission. 5% of the budget (EUR 15,000) was provided by Poland back in 2013.

2. EVALUATION JUSTIFICATION, PURPOSE AND OBJECTIVES

The project document establishes that “to ensure maximum efficiency and outputs, the applicant and its partners will apply their respective internal evaluation procedures”.

In line with this and as the project is coming to an end on 30 September 2015, the project management proposed to conduct an evaluation following the OHCHR evaluation requirements for technical cooperation projects and with focus in the measurement of project results and the identification of best practices.

The overall purpose of the evaluation is to assess the project and produce recommendations in terms of the following criteria:

- Relevance – the extent to which the project is relevant to the situation in the country/region, the mandate of OHCHR, its comparative advantage, and the needs of stakeholders (both duty bearers and right-holders);
- Efficiency – the extent to which the project has economically converted resources into results in the course of its term;
- Effectiveness – the degree to which planned results and targets have been achieved, at outcome and output levels;
- Impact orientation – the extent to which the strategic orientation of the project points toward making a significant contribution to broader, long-term, sustainable changes on human rights issues;
- Sustainability – the degree to which changes achieved have the potential to last in time;
- Gender equality mainstreaming – the degree to which gender has been mainstreamed in all the activities of the project, and the degree to which the results obtained have contributed to the goal of gender equality.

The objectives of the evaluation are:

- To identify areas of strength and areas of weakness in the planning and achievement of results – including in the area of gender equality;
- To produce useful lessons learned and good practices that illustrate successful and unsuccessful strategies in the achievement of results;
- To produce clear and actionable recommendations identifying concrete actions and responsibilities for OHCHR to undertake towards these ends.

The evaluation will therefore take both a quantitative and a qualitative approach, in that it will look at results achieved or not achieved so far (quantitative) with a view to inform OHCHR’s anti-discrimination work in the Republic of Moldova and other OHCHR Field Presences in the future (qualitative). This approach will therefore increase OHCHR’s accountability and learning, as per OHCHR’s Evaluation Policy.

The evaluation will follow the UNEG Standards and Norms for Evaluation in the UN System, including the UNEG Guidance on Integrating Human Rights and Gender Equality in Evaluations

3. SCOPE AND EVALUATION QUESTIONS

The evaluation will focus on the six project results and their key activities and indicators.

The following set of evaluation questions, framed along the OECD/DAC criteria, will guide the evaluation in pursuit of its stated objectives and purposes:⁷⁷

RELEVANCE

- How relevant to the country/regional situation have the project's planned results been in the course of the period evaluated?
- Have the strategies used to achieve results been adequate to the local context and stakeholders? Was a context analysis conducted? Were risks and assumptions considered during this process?

EFFECTIVENESS

- What evidence of positive results obtained by the project can be found? To what extent were planned results actually achieved?
- Where positive results of the project were found, what were the enabling factors and processes? Are there notably differences in the results obtained in some particular geographical zones or thematic areas of intervention? What lessons have been learned?
- What prevented the project from achieving results? What lessons can be drawn from this?
- What have been the roles of local stakeholders, partners or other UN agencies in the achievement of results?
- Did the project plan results that contributed to challenge unjust power relations in the area of gender? To what degree were such results achieved?

EFFICIENCY

- How efficiently has the project been in using the human, financial and intellectual resources at its disposal to achieve its targeted outcomes?
- How has been the communication and coordination among the project, the country/regional office, and other units within OHCHR in terms of programmatic, financial and administrative issues?

IMPACT ORIENTATION

- To what extent is the project making a significant contribution to broader and longer term enjoyment of rights? Or how likely is it that it will eventually make this contribution? Is the project's strategy and management in this area steering towards impact?

SUSTAINABILITY

- Are the results, achievements and benefits of the project likely to be durable?
- Are the local stakeholders willing and committed to continue working on the issues addressed by the project? How effectively has the project built national ownership?
- Are the local stakeholders able to continue working on the issues addressed by the project? How effectively has the project built necessary capacity?

3.1 Evaluability

Ongoing monitoring ensure that the project meets its internal deadlines and that report recommendations and implementation are consistent with project objectives and meets the needs of the target groups. The project logical framework includes a set of indicators to be used during the evaluation to assess the achievement of the intended results.

⁷⁷ It is expected that the questions will be reviewed by the evaluators in the course of their inception work and may therefore be modified to reach a final form after the inception report has been approved by the Evaluation Management.

3.2 Stakeholder Involvement

The main stakeholders of the evaluation includes, at least:

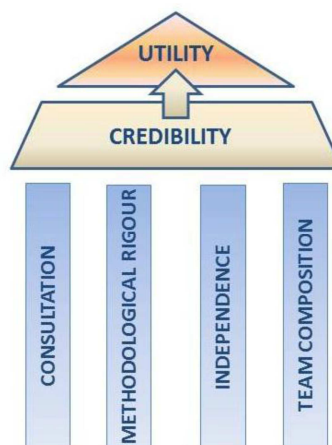
- Internal stakeholders:
 - OHCHR Field Presence in Moldova
 - Field Operations and Technical Cooperation Division
- External stakeholders:
 - Governmental institutions in Moldova
 - NGOs in Moldova
 - UNDP and other UN Agencies in Moldova

4. APPROACH AND METHODOLOGY

Overarching approach to conducting utilization-focused evaluations:⁷⁸

The evaluation's overall approach will be guided by the principle of credibility – that is, ensuring that the best evidence available is harnessed, and that it is analysed appropriately, so as to generate findings, conclusions and recommendations that resonate and that management can therefore feel confident acting on. This approach presumes four main pillars, depicted in the figure below. These include:

- a. **Consultation** with and participation by key stakeholders, in the form of a Reference Group (see below) and other venues (e.g. on-going communications and updates), so as to ensure that the evaluation remains relevant, and that the evidence and analysis are sound and factually accurate;
- b. **Methodological rigour** to ensure that the most appropriate sources of evidence for answering the questions above are used in a technically appropriate manner;
- c. **Independence** to ensure that the analysis stands solely on an impartial and objective analysis of the evidence, without undue influence by any key stakeholder group;
- d. **Evaluation team composition** to ensure that the foregoing three pillars are adequately understood and followed, and that the appropriate evaluation skills and appropriate subject matter expertise to make the analysis of the evidence authoritative and believable.



Methodology:

The evaluation will be conducted by an external consultant. The evaluator will use as far as possible, considering the specificities of OHCHR's work, a mixed-methods approach - quantitative and qualitative,

⁷⁸ This section and section 6 below have been liberally adapted from UNICEF Terms of Reference for evaluations, as best practices shared through the United Nations Evaluation Group.

with rigorous triangulation of information. It is expected that evaluator will be using the following methods (to be further defined in the inception report):

- **Desk Reviews** (informal, for general background; and formal, based on OHCHR's and external documents such as reports, evaluations, legislation adopted, etc.);
- **Focus group discussions** either in person or virtually with stakeholders identified in the analysis;
- **Surveys, questionnaires and interviews** (conducted in person or by Skype) with stakeholders;
- **Direct observation**, through field mission to Moldova;
- **Secondary data analysis** of existing data sets, particularly monitoring information contained in OHCHR's systems and available in-country statistical information, when relevant.

The evaluation methodology includes a mission to Chisinau, Moldova, for desk review, direct observation and face to face interviews with stakeholders. If some of the stakeholders (e.g. former staff members) can't be interviewed in person, Skype will be used.

The evaluation will follow the UNEG Standards⁷⁹ and Norms⁸⁰ for Evaluation in the UN System, including the UNEG Handbook "Integrating Human Rights and Gender Equality in Evaluation –Towards UNEG Guidance"⁸¹.

5. MANAGEMENT AND GOVERNANCE ARRANGEMENTS

The Policy, Planning, Monitoring and Evaluation Service is in charge of managing the evaluation through its Evaluation Officer, who will act as the Evaluation Manager. This will include recruiting the evaluators; serving as the main port-of-call for evaluator, as well as for internal and external stakeholders; recording the feedback of the reference group and effectively integrating it into the evaluation exercise; monitoring the budget and the correct implementation of the work-plan; organizing missions; participating in them on an ad hoc basis to ensure quality assurance; etc.

A **Reference Group** (RG) will be constituted for this evaluation and it will serve in an advisory capacity to help strengthen the evaluation's substantive grounding and its relevance to the Office. The Reference Group shall be chaired by PPMES, and include representatives of FOTCD and OHCHR Field Presence in Moldova, as well as representatives of relevant external stakeholders, as determined by the Chair.

The Reference Group is responsible for advising the Chair on the following:

- The Terms of Reference;
- Oversight of the consultant's selection process;
- Approval of key aspects of Evaluation design and processes and any adjustments to TOR;
- Ensuring the Evaluation process (internal and external phases) involves key stakeholders adequately, to ensure ownership of analysis and recommendations;
- Approval of Evaluation products;
- Decision on a post-Evaluation dissemination strategy.

6. DELIVERABLES AND TIMEFRAME

The evaluation will produce the following major outputs, all of which will be grounded in UNEG Norms and Standards and good evaluation practice, to be disseminated to the appropriate audiences:

⁷⁹ <http://www.unevaluation.org/document/download/561>

⁸⁰ <http://www.unevaluation.org/document/download/562>

⁸¹ <http://www.unevaluation.org/document/download/1294>

- An **Inception Report** (maximum 15 pages), that outlines the selected evaluator’s understanding of the evaluation and expectations, along with a concrete action plan for undertaking the evaluation. It will spell out the specific methods and data sources from which it will garner evidence to answer each evaluation question and to assess attribution/contribution of results to OHCHR’s efforts (i.e., an analytical framework); a validated logic model for use in the evaluation and the precise performance indicators against which the project’s interventions will be assessed; a more thorough internal and external stakeholder analysis ; any proposed modifications to the evaluation questions, further thoughts on any other areas (e.g., risks, country case study selection, and so on). The Inception Report will be reviewed by the Evaluation Manager and the Reference Group for feedback before finalization;
- A comprehensive **Data Collection Toolkit** that translates all of the methods agreed in the Inception report into specific data collection instruments;
- A **Draft Report (maximum 40 pages)** generating key findings, useful lessons learned and good practices, and clear and actionable recommendations for concrete action, underpinned by clear evidence (for review by the Evaluation Manager and the Reference Group for factual comments), and an Executive Summary of no more than 5 pages that weaves together the evaluation findings and recommendations into a crisp, clear, compelling storyline;
- A **Final Report** that incorporates the comments and feedback from the Evaluation Manager and the Reference Group;

The draft and final report will follow the outline suggested in Annex 1. The timeline proposed for the conduct of the evaluation is the following:

ACTION	TIMELINE
Constitute Reference Group	September 22, 2015
Circulate and finalize Terms of Reference	September 23, 2015
Select consultant	September 24, 2015
Recruit consultant	October 2, 2015
Kick off evaluation	October 12, 2015
Deliver inception report	October 16, 2015
Field mission to Moldova	October 26 – 30, 2015
Undertake data analysis and draft report	November 2 -13, 2015
Deliver Draft Report	November 13, 2015
Circulate and finalize Draft Report	November 16 – December 4, 2015
Deliver Final Report	December 4, 2015

7. EVALUATION CONSULTANT PROFILE

Profile

- Advanced university degree (Master's degree or equivalent) in law, political science, international relations, economics, or related field. A first level university degree in combination with a qualifying experience may be accepted in lieu of the advanced university degree.
- Minimum of 5 years of experience conducting evaluations of projects, programs or policies in the UN or international context.
- Fluency in oral and written English.
- Experience conducting evaluations in human rights or related field (humanitarian assistance, peace operations).
- Knowledge of Moldova.
- Knowledge of OHCHR is desirable.
- Knowledge of Romanian and/or Russian is desirable.

Scope of work

Specifically, the evaluator will be responsible for conducting the evaluation from start to finish according to its Terms of Reference, including the phases of inception, data collection and review, and report writing:

- Desk review and preparation of inception report (5 working days)
- Data collection and review (5 working days)
- Field mission to Chisinau, Moldova
- Preparation of the drafts and final evaluation reports (10 working days)

Supervision of the work

The evaluator will report to the Evaluation Manager.

5.4 List of interviews and focus group discussions

#	Type of mtg	Name	Position	Organization
1	Interview	Valentina Purcel	Project Coordinator	OHCHR Moldova
2	Interview	Elena Darii	Project Assistant	OHCHR Moldova
3	Interview	Tatiana Cernomorit	Project Consultants	OHCHR Moldova
4	Focus Group	Ms. Lucia Gavrilita	Project Consultants	OHCHR Moldova
5	Focus Group	Ms. Marina Balici	Project Consultants	OHCHR Moldova
6	Focus Group	Ms. Nicoleta Muntean	Project Consultants	OHCHR Moldova
7	Focus Group	Ms. Olivia Partac	Project Consultants	OHCHR Moldova
8	Focus Group	Ms. Natalia Duminica	Project Consultants	OHCHR Moldova
9	Interview	Mr. Ion Bucur	Project Consultants	OHCHR Moldova
10	Interview	Ms. Anna Lungu	Project Coordinator (former)	OHCHR Moldova
11	Interview	Mr. Claude Cahn	HRA	OHCHR Moldova
12	Interview	Anita Trimaylova	Desk Officer	OHCHR Geneva
13	Interview	Ms. Laure Beloin	Human Rights Officer	OHCHR Geneva
14	Interview	Mr. Evghenii Golosceapov	Programme Officer	UNDP Moldova
15	Interview	Ms. Ludmila Lefter	Child Rights Officer	UNICEF Moldova
16	Interview	Ms. Kristina Raducan	Project Officer	UN Women
17	Interview	Ms. Nadia Cristea	Dep Min of Educ.	Ministry of Education

18	Interview	Ms. Valentina Chicu	Head of Secondary Education Department	Ministry of Education
19	Interview	Ms. Anna Gherganova	Head of Employment Policies Department	Min of LSPF
20	Interview	Ms. Vera Petuhov	Dep.BIR	BIR
21	Interview	Mr. Nicolea Esanu	Dep Min of Justice	Ministry of Justice
22	Interview	Mr. Victor Lapusneanu		MFA
23	Interview	Mr. Oxana Gumennaia	President (former)	Equality Council
24	Interview	Ms. Ecatarina Popa	Training Coordinator	NIJ
25	Interview	Mr. Vitalie Mester	Director	Centre for Legal Ass for People w Disabil.
26	Interview	Mr. Dimitri Gavrilov	Director	Common Home
27	Interview	Ms. Stella Climenco	Consultant	Society of Parents of Disabled Children
28	Interview	Ms. Victoria Neaga	Project Manager, Justice Operations Section	EU Delegation Moldova
29	Focus Group	Group of beneficiaries	6 judges and prosecutors	NIJ
30	Focus Group	Group of beneficiaries	7 parents of children with disabilities	Dubasari, Transnistria
31	Focus Group	Group of beneficiaries	7 parents of children with disabilities	Chisinau, Moldova
32	Focus Group	Group of lawyers	Collaborators with the project	
33	Interview	Ms Anastasi Danilova	Executive Director	Genderdoc-M
34	Interview	Ms. Angela Frolov	Lobby and Advocacy of LGBT Rights Program Coordinator	Genderdoc-M
	Interview	Ms. Virginia Rusnac	Director	The Republican Centre for Psycho-pedagogical Assistance
35	Focus Group	Group of Roma Community Mediators	Community Mediators	

5.5 Data collection tool

Result I: Network of children with disabilities and their parents legally empowered to seek inclusive education in Moldova, including in the Transnistrian region

1. **Why is school segregation of children with disabilities an important issue in Moldova? Are the strategies pursued by the project relevant (organizing and mobilization of parents groups)? Why?**
2. **Please describe the established parents/children networks and how they operate? How did the process in Moldova proper differ from that in the Transnistrian region? Which were the biggest obstacles to establishing the networks? How were those overcome? What has been the role of local authorities, school administrations, other organisations, including UN agencies?**

3. **What is the approximate gender break down of participating children and parents? Did traditional gender patterns play a role in segregation or in the process of overcoming segregation?**
4. **Could the establishment of the children/parents networks and the integration of children with disabilities in ordinary schools have been achieved in a more efficient way? What other strategies and resources could have been applied?**
5. **Will the successful completion of the project activities have an impact beyond the affected schools/children? How can the desegregated school attendance by children with disabilities become the norm in Moldova, and how could this project contribute?**
6. **Is it possible that the established parents/children networks cease to operate upon completion of the project? Why? Which are the key factors determining this? How could the project have avoided this?**

Result 2: Genuine progress on integrated education for Roma in key problematic municipalities, including in the Transnistrian region

7. **Do you consider the segregation of Roma and non-Roma school children a contributing factor to discrimination against the Roma population in Moldova? Is integration of Roma and non-Roma children in schools an appropriate strategy in the given context?**
8. **Please describe the role and impact of the Roma community mediators used in the project.**
9. **What challenges has the project encountered during the integration process and how can they be overcome? Why did integration not take place in Vulcanesti locality?**
10. **Where integration has taken place, which positive factors contributed to successful integration?**
11. **Through-out the process, what has been the role and attitude of the local authorities and school administrators/teachers? The Ministry of Education? The Bureau for Interethnic Relations?**
12. **What is the approximate gender break down of integrated Roma children? Did traditional gender patterns play a role in the process of integration of Roma school children?**
13. **How has the project contributed to broader inter-ethnic community integration (Roma and non-Roma Children Task Force Group, integration training of youth leaders)?**
14. **Could the integration of Roma children in ordinary schools have been achieved in a more efficient way? What other strategies and resources could have been used?**
15. **Does the project have the potential to influence country-wide school integration policy or is its impact limited to the selected beneficiary schools? If yes, how?**

16. Which components of the project do you think supports sustainability of the results? (Role of the Ministry of Education, Training of 24 Roma community mediators, leadership training, Roma Parents Council (Otaci School). What factors work against a successful continuation of the activities?

Result 3: LGBT public assemblies accepted and protected

17. What is the history of LGBT public meetings and events in Moldova? How will successful Pride marches/week-long LGBT events contribute to combat discrimination in general against the LGBT community?

18. Pride marches/events were successfully held in 2014 and in 2015, which were the enabling factors contributed by the project?

19. Has the police and other authorities changed their attitude and handling of LGBT public assemblies, and in what way (if any) has the project contributed to that change?

20. How has Genderdoc-M's partnership with OHCHR and the Anti-discrimination Project influenced (positively and/or negatively) the NGO's relationship with the police and other authorities?

21. What role has other international actors played (e.g Special Rapporteur Freedom of Religion or Belief, EU, embassies, other international organisations, etc.)?

22. Did the activities chosen efficiently achieve the planned results (visits and awareness raising with the police, volunteers trained to monitor march, thematic conference, monitoring and documentation of individual cases, etc.)?

23. On the surface, the realization of a yearly march might be seen as far from the achieving the overall goal of equal rights for the LGBT community. Is the project activity geared towards broad impact (rather a first step), or is there a symbolic value in the successful marches that gives the activity a broader and long-term significance?

24. LGBT-rights are being challenged by well-organized and powerful traditional groups in Moldova. Has the project been able to reach out to other constituencies and build national ownership, capacity and broad partnerships to sustain the achievements during the project? Who are the key actors that will ensure sustainability and further progress on this issue?

Result 4: Alternative service for conscientious objectors established in the Transnistrian region

25. The passing of legislation allowing for a civilian alternative to military service in the Transnistrian region is a recommendation of the former Council of Europe Human Rights Commissioner, T. Hammarberg and the Special Rapporteur, Bielefeld. They provided written guidance to the de facto authorities, which became the normative blueprint for the OHCHR project. What other evidence exist to conclude this is a priority discrimination issue in the Transnistrian region? Context analysis?

26. **Reportedly, no one from the religious community of Jehovah's Witnesses was summoned for military service during the project period. Project efforts were focused on promoting respect for religious minorities, including their right to freedom of assembly, to register as religious communities and the right to communal property restitution. How successful was the project activity to create the "joint religious communities and de facto authorities' initiative group"? Why did the de facto authorities refuse to meet with the CSOs? How could the related challenges been foreseen and overcome? What lessons can we learn?**
27. **The narrowly formulated and successfully achieved result in the project area (alternative service for conscientious objectors) is only one outcome of a series of OHCHR activities aimed at respect for religious minorities in the Transnistrian region. Other activities include training/awareness building on religious minority rights and facilitation of communication with local authorities. How could the latter have been better achieved? Given the "political" nature of the refusal to register religious minority communities, were potentially strategic advocacy partners enlisted by the project, in addition to the Rapporteurs/Former Commissioner?**
28. **What degree of capacity has been built in the religious minority communities? Can they effectively sustain project efforts to claim rights?**

Result 5: Strengthen competences of the judicial and quasi-judicial bodies to address and to rule on discrimination cases in accordance with international law

29. **Was a needs assessment and baseline study conducted before the manual and trainings were decided on? How were discrimination cases addressed and ruled on before the project?**
30. **Is pre- and post-project statistic on discrimination cases available?**
31. **What training material on discrimination existed before the project and how has the project-produced manual been used?**
32. **Will the National Institute for Justice continue to use the manual on discrimination in trainings with judges and prosecutors?**
33. **How were the trainings received by the beneficiaries? How could their design be improved? What should be done differently next time?**
34. **Which national and international partners were involved in the training sessions? In what capacity?**
35. **How was gender discrimination addressed in the manual and by the training course? Please give example of areas of gender discrimination that could now be treated differently by the trained justice operators?**
36. **Did the activities chosen efficiently achieve the planned results? Were there alternative routes to achieving similar results (ToT) for a smaller number of operators or law professors, advocacy for reform of curriculum reform at law universities, consideration**

of rulings on discrimination in operator's performance reviews and promotion processes)?

- 37. How will the trainings of individuals contribute to the project's long-term impact in terms of the justice system's handling of discrimination cases? Will for example jurisprudence be influenced?**
- 38. Is the National Institute for Justice now in a position to regularly carry out similar trainings without OHCHR's support? Are the NHRIs capable and committed to continue to pursue capacity building of judges and prosecutors in the area of discrimination?**

Result 6: Significant advancement in documentation of discrimination issues

- 39. What national actors have in the past researched and published discrimination cases? How much attention has such efforts received? Is there a public debate about discrimination in Moldova?**
- 40. Who researched and documented the project cases, other than OHCHR staff and consultants? Where are the cases from (rural-urban, Moldova proper-Transnistria)? Does the selection of cases (number and group identity) largely represent the discrimination situation in Moldova, including the Transnistrian region (disability, Roma, racial, religious)?**
- 41. Of the total of 30 cases documented, how many constitute gender discrimination? Why were reportedly no gender discrimination cases selected among the 12 cases singled out for special consideration by project staff?**
- 42. How was the cooperation with the News Portal www.discriminare.md and other local stakeholders?**
- 43. Was a risk analysis made, and what was its outcome in relation to the victims, the News Portal and other stakeholders? What negative and/or positive reactions, if any, has this activity received from the authorities, organised conservative communities, the public, etc.?**
- 44. What will happen with the cases after the completion of the project? Will OHCHR be in a position to continue to provide individual support and follow-up on the cases? What other actors could take on this role? Will the Equality Council be able to fill the role of the project? What role will/can international human rights mechanisms play? What can be done to ensure decisions are implemented and progress not rolled back after the project?**

