

Minority Rights Group (MRG) International

Programme on

*Strengthening the Voice of Marginalised Minorities: Enhancing
Human Rights in East and Central Africa*

MID-TERM EVALUATION REPORT

Final Version

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Table of Contents

List of Acronyms	iv
Executive Summary	1
1. Introduction	3
2. Background	3
3. Evaluation Process.....	4
4. Key Findings from the Field Visit, Interviews and Reports	6
4.1 Overall Implementation	6
4.2 Uganda Partners and Activities	6
4.2.1 Community Development Resource Network (CDRN)	6
4.2.2 African International Christian Missionary (AICM).....	8
4.2.3 United Organisation for Batwa Development in Uganda (UOBDU)	9
4.3 Rwanda Partners and Activities.....	9
4.3.1 Rwanda Community of Potters (COPORWA).....	10
4.3.2 Young Women’s Christian Association (YWCA).....	10
4.3.3 Women’s Organisation for Promoting Unity (WOPU).....	12
4.3.4 Co-ordination in Rwanda.....	13
4.4: Kenya Partners and Activities.....	13
4.4.1 Ogiek People’s Development Programme (OPDP)	13
4.4.2 Endorois Welfare Council (EWC)	15
4.4.3 Resource Conflict Institute (RECONCILE).....	16
4.4.4 Centre for Minority Rights Development (CEMIRIDE).....	17
4.5 Tanzania Partners and Activities	18
4.5.1 Pastoralists Indigenous Non-Governmental Organisations Forum (PINGOs).....	18
4.5.2 Pastoral Women’s Council (PWC).....	18
4.6 DRC Partner and Activities	19
4.6.1: Réseau des Associations Autochtones Pygmées (RAPY)	19
4.7 Regional Programming Activities	20
4.7.1 Training for Pastoralists on AUPFP	20
4.7.2 Leadership Training for Youths from Minority Communities	21
4.7.3 Training of Judges in Tanzania.....	21
4.7.4 Building a Regional Land Rights Network for MIPs	22
4.8 Capacity Support from MRG to Partners.....	22
4.8.1 Institutional Capacity Support	22
4.8.2 Technical / Legal Support	23
5. Analysis of Findings	24

5.1	Results and Programme Effectiveness	24
5.1.1	Implementation of Activities and Delivery of Outputs.....	24
5.1.2	Progress in relation to Result 1: Advocacy Capacity of Communities	25
5.1.3	Progress in Relation to Result 2: Capacity to use Legal Mechanisms.....	26
5.1.4	Progress in relation to Result 3: Commitment of Governments	30
5.1.5:	Progress on Cross Cutting Issues	32
5.2	Analysis of Programme Processes	33
5.2.1	Programme Approach	33
5.2.2	Capacity Building	34
5.2.3	Reporting from Partners.....	34
5.2.4	Measuring Results	35
5.2.5	Coherence and Complementarity among Partners.....	35
5.2.6	Relationships between MRG and Partners.....	36
5.2.7	MRGs Capacity and Focus	36
5.2.8	Clarification on Matching Funds.....	37
5.2.9	Preparing for Final Evaluation	38
6.	Conclusion	39
7.	Recommendations	40
Annex 1:	Itinerary for Field Visit March 29 th – April 9 th 2014	43
Annex 2:	Progress against Expected Results at the Mid-Term Review Stage.....	45
Annex 3:	Terms of Reference (Original Version)	53

List of Acronyms

AJWS:	American Jewish World Service
ACHPR:	African Commission on Human and Peoples' Rights
AICM:	African International Christian Missionary
AUPFP:	African Union Policy Framework for Pastoralists
CDRN:	The Community Development Resource Network
CEMIRIDE:	Centre for Minority Rights and Development
COPORWA:	<i>La Communauté des Potiers du Rwanda</i> (Rwanda Community of Potters)
CSO:	Civil Society Organisation
EC:	European Commission
ERI:	EarthRights International
EWC:	Endorois Welfare Council
FGM:	Female Genital Mutilation
GBV:	Gender Based Violence
HMP:	Historically Marginalised People
IUCN:	International Union for Conservation of Nature
IWGIA:	International Work Group for Indigenous Affairs
KAPB:	Knowledge, Attitudes, Practices and Beliefs
MIP:	Minorities and Indigenous Peoples
MRG:	Minority Rights Group
MTE:	Mid-Term Evaluation
NGO:	Non-Governmental Organisation
OPDP:	Ogiek People's Development Programme
PCM:	Project Cycle Management
PINGOS:	Pastoralists Indigenous Non-Governmental Organisations Forum
PWC:	Pastoral Women's Council
RAPY:	<i>Réseau des Associations Autochtones Pygmées</i> (Network of Indigenous Pygmy Associations)
RECONCILE:	Resource Conflict Institute
RF:	Results Framework
ToT:	Training of Trainers
UCRT:	Ujamaa Community Resource Team
UNESCO:	United Nations Education, Scientific and Cultural Organisation
UNFEM:	Uganda National Forum for Ethnic Minorities
UNPO:	Unrepresented Nations and Peoples Organisation
UOBDU:	United Organisation for Batwa Development in Uganda
UPR:	Universal Periodic Review
WOPU:	Women's Organisation for Promoting Unity
YWCA:	Young Women's Christian Association

Executive Summary

Minority Rights Group (MRG) International is currently implementing a three-year programme entitled *Strengthening the Voice of Marginalised Minorities: Enhancing Human Rights in East and Central Africa* from July 2012 to June 2015. The programme is primarily funded by Irish Aid, with matching funds from other sources. This mid-term evaluation (MTE) of the programme was undertaken by the consultant on behalf of MRG in the period from March to May 2014. The MTE was designed to assess the current effectiveness and potential impact of the programme in relation to its purpose and objectives, and to provide recommendations that MRG and partners could take forward throughout the duration of the programme.

The programme is based on a partnership model, supporting 13 CSOs that represent or support minority communities across five countries: Kenya, Uganda, Rwanda, DRC and Tanzania. The target communities of the programme are the Batwa (Uganda, DRC and Rwanda), pastoralists and hunter-gatherers in Kenya, Uganda and Tanzania, and specifically the Endorois and Ogiek communities in Kenya. The three key objectives of the MRG programme are as follows:

- (1) Strengthening the voice of communities and civil society organisations to influence policy and its implementation at local, national and international levels;
- (2) Improved access to and control of resources for marginalised communities;
- (3) The promotion and realisation of human rights.

The process for the evaluation included a review of all relevant documentation for the programme as a whole, and for the 13 partners; a 12-day field trip in late March and early April to visits the projects of eight partner organisations in Uganda, Rwanda and Kenya; and interviews in person or via Skype with a ninth partner in Tanzania, and with key MRG personnel in the UK and Uganda.

The review of specific partner activities funded to-date under the programme indicates that most partners have substantially delivered on the expected activities, including capacity-building and advocacy / media related activities that were originally outlined in their concept notes to MRG. Substantial progress is being made in relation to minority and indigenous communities increasing their capacity to effectively advocate for their human rights (Result 1).

A number of very significant milestones have already been achieved in relation to the capacity of partners and minorities and indigenous peoples (MIP) communities to use national and international legal frameworks, particularly in relation to representation and cases at the African Commission for Human and Peoples' Rights (ACHPR) and the African Court (Result 2). Good progress has been made in relation to the training of paralegals in Tanzania and Kenya, and in relation to new communities seeking legal advice on land rights issues. No progress has been reported in relation to participation in Universal Periodic Review (UPR) processes in Rwanda and DRC, but some progress is reported in Kenya. The programme is well placed to meet the overall target of 600 minority community members reporting improved ability to interact with legal / policy frameworks.

In relation to the action of governments and international bodies (Result 3), targets on the development of media stories, and meetings with key decision-makers are likely to be met, but the delivery by various governments in relation to specific policy changes, action plans and processes such as the Tanzania pastoralist dialogue, implementation of the African Union Policy Framework for Pastoralists (AUPFP) and programmes for Historically Marginalised People (HMP) in Rwanda is less clear at this point. A satisfactory approach is being taken towards all four of the cross-cutting themes: gender, governance, environment and protection.

In overall terms, the programme is making good progress, and is well on target in terms of meeting its purpose of *'empowering minorities and indigenous peoples in the region to participate in governance processes, increase their access to justice, and secure their rights to economic and social development'*.

The key recommendations from the evaluation are as follows:

- MRG should make a clearer distinction between the level of support provided for, and progress expected from, the different categories of CSOs within the programme.
- The third module of training for paralegals should be completed before the end of the programme, and a system for co-ordination and oversight of paralegals should be developed. Paralegal training should be expanded to all countries and partners within the next phase of the programme.
- As the programme evolves over time, greater emphasis should be placed on partners in DRC, Uganda and Rwanda developing specific advocacy strategies for holding duty bearers to account, and in developing formal legal cases, where appropriate.
- The status and intent of the proposed regional land network for MIP should be clarified at this stage, and targets set for the development of a clear strategy for the network. Clarification should also be provided on how the regional land network for MIP and the proposed regional pastoralist forum will be developed in a coherent and consistent manner.
- Within future stages of the programme, MRG and its partners should make provision for the inclusion of a light but formal assessment of the impact of their media campaigns on public attitudes towards minority and indigenous groups.
- MRG and its partners should clarify the specific expectations and plans for progress to be achieved by the end of the programme in relation to delivery by governments on issues such as the Tanzania pastoralist dialogue, AUPFP implementation, and HMP programmes in Rwanda.
- Reporting against all indicators (OVIs) in the results framework, should be based on gender disaggregated data. The next programme should include an increased emphasis on gender equality, including gender specific indicators throughout.
- Learning from the current youth leadership training project should be used to develop a model for a broader youth training programme. The current programme for training for judges in Tanzania should also be considered for replication.
- MRG should support partners to develop basic templates and systems for formally recording work processes, legal cases, or beneficiary details, as appropriate to each project.
- Under the next phase of the programme, MRG should move from the current 'concept note' based system to a new two-tier funding model. More established partners, should move to a multi-annual (three-year) project funding scheme, with newer or less established partners moving to an annual funding scheme.
- A specific emphasis should be placed on improving the quality of reporting, and on the ongoing assessment of the internal impact of capacity-building initiatives within each partner. The new system should include the use of basic results frameworks by each partner.
- MRG, in conjunction with partners, should review all indicators on the Results Framework on a systematic basis at this point, to clarify precise targets where necessary. Action plans for Year 3 of the programme should then be developed to fully address each target.
- Greater efforts should be made to create more complementarity and synergy among partners working within the same country, through collaborative efforts among them.
- MRG should consider the possibility of developing strategic alliance with international livelihoods agencies at regional or country levels.
- In moving to a multi-year project funding scheme, MRG should seek to reduce the number of partners in the programme (and possibly the number of countries also) so that its resources can be focused more on the quality and impact of its programme;
- MRG should develop a detailed funding allocation table within project proposals and reports that identifies the source of funding for each activity with each partner.
- The field visit for the final evaluation in 2015 should be restricted to two countries at most, and possibly one.

1. Introduction

Minority Rights Group (MRG) International is currently implementing a three-year human rights programme for minority communities in East and Central Africa. The programme, entitled *Strengthening the Voice of Marginalised Minorities: Enhancing Human Rights in East and Central Africa* is running from July 2012 to June 2015, and is funded by Irish Aid. It forms part of a broader portfolio of work by MRG on behalf of minority groups in the region. MRG International had received funding from Irish Aid for several years prior to this programme, and as leading agency on addressing minority and indigenous issues, also obtains considerable funding from a variety of other international donors.

This mid-term evaluation (MTE) of the programme was undertaken by the consultant on behalf of MRG in the period from March to May 2014. As outlined in the Terms of Reference (Annex 3), the MTE was designed to assess the current **effectiveness** and **potential impact** of the programme in relation to its purpose and objectives, and to provide recommendations that MRG and partners could take forward throughout the duration of the programme.

2. Background

The MRG Programme is based on a partnership model, supporting 13 CSOs that represent or support minority communities across five countries: Kenya, Uganda, Rwanda, DRC and Tanzania. The final evaluation of the previous MRG intervention funded under the Irish Aid Civil Society Fund¹ identified that the programme had been well implemented, but was too ambitious in some respects, leading to a scaling down of both geographic and numerical reach within the current programme. The target communities of the programme are the Batwa (Uganda, DRC and Rwanda), pastoralists and hunter-gatherers in Kenya, Uganda and Tanzania, and specifically the Endorois and Ogiek communities in Kenya.

The three key objectives of the MRG programme are as follows:

- (1) Strengthening the voice of communities and civil society organisations to influence policy and its implementation at local, national and international levels;
- (2) Improved access to and control of resources for marginalised communities;
- (3) The promotion and realisation of human rights.

Under the agreement with Irish Aid, MRG is required to provide 30% of funding from other sources. Other donors for the programme to-date include EC, SIDA, and the Finnish and Norwegian Governments.

¹ *'From Exclusion to Inclusion: Improving the Situation for Minorities in Africa'*, 2009-2011.

3. Evaluation Process

The process for the evaluation included the following:

- (a) A review of all relevant documentation for the **programme as a whole**, including the evaluation report from the previous phase; the proposal and Year 1 report to Irish Aid; and reports on other related interventions and programmes²
- (b) A specific review of documentation relating to each of the 13 partners, including partnership and funding agreements with MRG, concept notes and implementation reports from partners for Year 1, and for the first part of Year 2.
- (c) A 12-day field trip in late March and early April to visits the projects of eight partner organisations in Uganda, Rwanda and Kenya;
- (d) A phone interview with the Executive Director of a ninth partner, PINGOS in Tanzania.
- (e) Interviews, in person or by Skype with key MRG personnel, including the Africa Regional Manager, the Programme Co-ordinator / Capacity Building Officer and the MRG Head of Law.
- (f) Internet based research to verify the status and outputs of various projects and initiatives referred to in programme documents and discussions.

The partner organisations visited were as follows:

Uganda:

- The Community Development Resource Network (CDRN)
- African International Christian Missionary (AICM)

Rwanda:

- Rwanda Community of Potters (COPORWA)
- Young Women's Christian Association (YWCA)
- Women's Organisation for Promoting Unity (WOPU)

Kenya:

- Ogiek People's Development Programme (OPDP)
- Endorois Welfare Council (EWC)
- Resource Conflict Institute (Reconcile)

The itinerary for the field trip and list of interviewees is outlined in Annex 1. The eight partners to be visited across the three countries were selected by MRG. Two additional partners, one in Uganda and one in Kenya, were excluded for specific reasons (see Sections 4.2 and 4.4), and phone interviews were planned for partners in DRC and Tanzania. An initial 11-day itinerary for the three-country visit was put together by the consultant based on the locations of offices and project bases of the eight partners. The itinerary had a tight timeline due to the significant travel distances involved across three countries, and the tight budgeting constraints for the exercise as a whole.³

The plan under the original Terms of Reference was that the consultant should meet with at least 15 beneficiaries of partner projects at their home locations, i.e. 120 beneficiaries in total. However, initial discussions on logistics between MRG and partners indicated that many beneficiaries were located in very remote locations that it would not be possible to visit without undertaking a much longer (and thus more expensive) evaluation process. An alternative plan was then put in place to

² For example, the report on the *Kenya Good Governance Programme*, as funded by EC, and the report on the Regional Land Rights Network Workshop (part of the MRG Global Advocacy Programme) in Kampala, December 2012.

³ The itinerary was later extended to 12 days (including flights) as outlined in Annex 2, in order to allow sufficient time to meet with all eight partners and their beneficiary groups.

ensure that the consultant could meet with a selection of approximately eight community members from each project, with a community members being provided with travel costs to enable them to travel to the partner office or the local project base. The community members met generally consisted part of individuals that had participated in some way in partner project activities e.g. as participants in training courses, workshops or advocacy activities.

Interviews were conducted to a semi-structured format, covering the following topics:

- History of the partner NGO or beneficiary groups
- Previous interaction with and support from MRG
- Interaction with and support from other donors or external actors
- Support provided and activities undertaken under the programme to-date
- Specific achievements to date against indicators in the results framework in relation to:
 - The programme purpose
 - Programme Result 1 (advocacy capacity)
 - Programme Result 2 (legal frameworks), and
 - Programme Result 3 (action by governments)
- Interaction with other programme partners and other local organisations
- Relationship with and support from MRG
- Problem issues
- Future plans / requests to MRG

Three additional partners in Tanzania (PINGOs and PWC) and DRC (RAPY) were also invited to participate in phone interviews, but only PINGOS responded to the requests. Comments in the following sections are based on the field visits, phone interviews and on the review of related project documentation from MRG and the partners.

4. Key Findings from the Field Visit, Interviews and Reports

This section contains a summary of key findings arising during the visits to the eight partners in Uganda, Rwanda and Kenya and from other phone interviews and the review of documentation. Issues arising from the field visits and related reports are discussed further in Section 5. Specific achievements or progress to-date in relation to the targets in the results framework, as identified during the field trip and from partner reports and from other interviews, are outlined in Annex 2.

4.1 Overall Implementation

The organisations funded under the MRG programme are a mixed group. Nine of the thirteen partners directly represent specific minority communities, either as individual NGOs in their own right, or as network organisations: EWC, OPDP and CEMIRIDE in Kenya, PINGOS and PWC in Tanzania, UOBDU in Uganda, COPORWA and WOPU in Rwanda, and RPY in DRC. CDRN (Uganda) and RECONCILE (Kenya) are local organisations, but have a wider brief than that of minority communities. YWCA (Rwanda) and AICM (Uganda) are members of wider international movements with a broader development remit. CDRN and CEMIRIDE both have a specific NGO capacity-building remit, while RECONCILE is primarily a research and advocacy organisation.

Funding provided by MRG to partners broadly falls into three categories:

- *'Co-ordination and Overhead'* (institutional) funding to support the administration of partner organisations themselves;
- Bursaries for specific training or learning activities of partners;
- Activity funding for specific advocacy-related activities or projects of partners, including their support to local indigenous communities.

MRG has developed specific partnership agreements with each of the 13 local organisations. Individual applications for bursaries or funding of activities are made via a 'concept note' from the partner to MRG, and a specific contract is developed for each grant.

Although the Irish Aid funded programme officially commenced in July 2012, many of the partners were already involved in similar advocacy related work, funded by other donors at that time (an EC-funded programme in particular). Hence, under the matching funds process, it was decided that Irish Aid funding in Year 1 would only be used for co-ordination purposes, and for training bursaries. All 13 partners received co-ordination and overhead funding in Year 1, with seven of them receiving bursary grants. UOBDU was the only organisation that had not received a Year 2 activity contract at the time of the evaluation. Some partners had obtained funding for more than one activity in Year 2.

4.2 Uganda Partners and Activities

An initial meeting with Jolly Kemigabo, Head of Africa Region for MRG took place in Kampala. Two partner projects were visited in Uganda, those of CDRN and AICM. UOBDU, the third Ugandan partner, was not included in the itinerary by MRG as it had not reported on its Year One grant at the time of the field trip, and thus had not received any activity funding for Year Two.

4.2.1 *Community Development Resource Network (CDRN)*

CDRN is a Kampala based NGO with a specific CSO capacity-building brief. It has supported minority communities since 2006, and currently provides support to two minority groups in Kasese and one Batwa group in Bundibugyo. An initial meeting with CDRN took place in its head office in Kampala. This was followed by a trip to Kasese the following day. The original intention was to visit Bundibugyo, but the itinerary was changed, as no Irish Aid funded activities have taken place in Bundibugyo under the current programme.

A specific meeting with members of the Banyabindi community was arranged in Kinyamaseke near the DRC border, approximately 40 minutes drive from Kasese Town. In addition to His Majesty Mugisha Elisha Ateenyi, the cultural leader of the Banyabindi, the group of eight people (four male: four female) met in Kinyamaseka included members of the Banyabindi Youth Forum, Women's Association (PAWA), the Eliana Group,⁴ and other officials from the Banyabindi Cultural Institution and Elders Forum.

CDRN had received a bursary from MRG that enabled a staff member to undertake a post-graduate course in monitoring and evaluation, and had also received a total of €1,200 as institutional support. Another staff member was funded in Year 2 to participate in a financial management training-of-trainers (ToT) course in Kenya.

A particular issue for CDRN was that its initial understanding of its intended role in the MRG programme was quite different from that envisaged by MRG. During the programme design stage, CDRN had assumed that, as a capacity-building organisation, it would play a significant role in providing capacity support for other partners within the programme. Following subsequent discussions with MRG on this issue, it was agreed that CDRN would only receive funding to support specific activity projects for the minority communities during the current programme phase, with the possibility of it being funded for capacity-building work in a later phase. During the evaluation interviews, the lack of involvement in capacity-building work was still expressed as a source of continuing frustration for CDRN.

The development of the Uganda National Forum for Ethnic Minorities (UNFEM) was a topic of considerable discussion both with CDRN and with the Banyabindi in Kinyamaseka. CDRN has supported the development of the forum since 2010, and worked with MRG to host two national events (funded under another programme) in 2012 and 2013 for leaders of minority communities in Uganda. Under the current programme, a three-day advocacy workshop for five UNFEM Steering Committee members (4 male: 1 female) was held in December 2013. The purpose of the workshop was to review the draft constitution, a draft strategic plan and a work plan for UNFEM, and to discuss the plans for ethnic minority groups (EMGs) to participate in the 2016 elections.

Overall progress in relation to the development of UNFEM has been slow, but it is gradually taking shape. Mugisha Ateenyi of the Banyabindi is an active and vocal Chairperson of UNFEM. A working constitution and a work plan have been drafted so far, but the strategy is not yet in place. It is intended that UNFEM will be formally launched in 2014. CDRN is an associate member of UNFEM and is currently acting as co-ordinator of the forum. MRG has funded workshops on a one-off basis to-date, but the forum itself does not have specific institutional or programme funding, and members of the forum have been slow to pay their membership fees. As an advocacy-based agency, MRG does not see itself as providing institutional funding for UNFEM at present.

In a significant move to raise the profile of minorities, and to highlight the issues facing them, Patrick Kansobera of the Banyabindi in Kinyamaseka is making plans to run in the 2016 presidential election. The key issues highlighted by the Banyabindi were similar to those raised by many minority communities: access to land and education; access to equality of opportunities at district level;⁵ compensation for historical injustices; fairer treatment in courts of law; the need for support for economic projects and the need for recognition of culture and language. Community members

⁴ Part of the Eliana R's and Jamp Banyabindi Foundation that was founded by Mugisha to address the needs and rights of Banyabindi.

⁵ The absence of specific Banyabindi enumerators for the forthcoming census was highlighted as currently generating a fear among the Banyabindi that their official numbers could be wrongly reduced.

highlighted the fact that education bursaries are often provided by donors at third level, but as most Banyabindi do not progress beyond primary (P7) level, these bursaries are inaccessible for them.

The need for exchange visits among the various ethnic minorities in Uganda was also highlighted by the cultural leader as a means to generate a greater understanding of common issues and a greater unity of purpose across the groups.

4.2.2 African International Christian Missionary (AICM)

AICM is a faith-based international NGO with a Uganda base in Kabale Town. The focus of its work is on the '*promotion of human rights and the improvement of livelihoods of the vulnerable and needy members of rural communities*'.⁶ In this context it is working specifically to support Batwa communities in Kabale District. An initial meeting was held with the Director of AICM and five other managers at the AICM centre in Kabale. John Kaheru, a Mutwa studying at the AICM centre, also participated in the meeting, and facilitated the subsequent field visit to meet with six other Batwa (four women).

In response to a specific need identified during a capacity analysis with MRG, AICM was also provided with funding for a staff workshop on '*Ingredients of Organisational Effectiveness and Team-Building*' that was conducted in Kabale in May 2013, and reported on by the director and staff as having a positive impact. AICM also received €1,200 in co-ordination funding from MRG in Year 1. Additional training for the Director (on budgeting and monitoring and evaluation) and for the HR manager (on HR management) took place in Year 2.

Two activity projects were funded in Year 2, one on Communications and Advocacy, and a second in relation to Positive Media Campaign. The advocacy project was based on creating a forum for interaction among minority groups and other stakeholders, including local authorities, to ensure that affirmative action⁷ is taken in relation to the rights of the Batwa. An initial informative meeting for 16 Batwa leaders (7 female) was held, followed by capacity building for 30 leaders (11 female). A specific meeting was held in relation to affirmative action, and 8 Batwa (3 female) participated in a meeting with officials at sub-county level. Eight change agents have been trained to support and advise the Batwa communities.

The report from AICM on the advocacy project is somewhat vague on achievements at results / outcome level, in that no specific issues are mentioned or results recorded in relation to those issues.⁸ However, some examples of issues addressed that were provided in the meeting with AICM included action on district bye-laws to reduce alcohol consumption times; participation of Batwa as ex-officio members of local sub-committees; use of ID cards; and prosecution for murders within Batwa communities.

The meeting with the Batwa beneficiaries provided further examples of greater awareness of and action on rights, including increased reporting on incidents of gender based violence (GBV) to authorities; reporting on more general violence against Batwa; reporting of theft of Batwa crops by outsiders; some indications of reduced alcohol consumption; and other approaches to local authorities on a variety of issues. Beneficiaries also noted the broader role played by AICM (outside of this programme) in providing educational support for Batwa at primary, secondary and tertiary

⁶ Quote from the AICM website.

⁷ In line with Article 32 of the Ugandan Constitution which recognises that '*The State shall take affirmative action in favour of groups marginalised on the basis of gender, age, disability, or any other reason created by history, tradition or custom, for the purpose of redressing imbalances which exist against them.*'

⁸ For example, the report states that '*there is enhanced advocacy, activism and collaboration with several human rights stakeholders that include government leaders, partner organisations and Batwa leaders*', but does not elaborate on what issues are being advocated on, nor on the impact of that advocacy work.

levels. The group noted that one Mutwa has been appointed chairperson of a village committee. Change agents have played a key role in supporting Batwa to report and address issues with the local authorities.

Plans are afoot also to meet with the sub-county leadership regarding land issues. Some meetings have been held with MPs on land, but despite their promises, MPs have not followed up on the meetings. The general picture emerging from these discussions was that the Batwa community are increasingly aware of their rights in relation to a range of issues, and are at least taking some actions to assert those rights, even if this action does not always lead to a satisfactory conclusion.

The Positive Media Campaign was designed to raise awareness of the Batwa and their rights among the general public and key decision-makers through documentation of positive stories in local newspapers, and participation in live talk shows and 'spot messages' on radio.⁹ As for the advocacy project, the report on the media campaign is also somewhat vague on actual activities completed and the broader outcomes achieved, but it does refer to an audience of 20,000 listeners or readers.¹⁰ Examples of issues discussed on the radio shows, as provided by the Batwa group themselves included land rights, education and men discussing rape.

Despite the obvious potential for linkages, the Batwa leaders supported by AICM are, somewhat surprisingly, not involved in the development of the minorities' forum UNFEM, as referred to in Section 4.2.2, above.¹¹

4.2.3 *United Organisation for Batwa Development in Uganda (UOBDU)*

UOBDU, the third Ugandan partner in the programme received co-ordination funding in Year 1, but had failed to report on the use of it by the time of the evaluation, so it was excluded by MRG from the field itinerary. No funding was provided in Year 2 because of the failure to report on Year 1 funding. MRG has indicated more recently that UOBDU has since provided its Year 1 report, and will be funded again in Year 3.

4.3 **Rwanda Partners and Activities**

Three partners and their projects to support the Batwa community were visited in Rwanda: COPORWA, YWCA and WOPU. The work of all organisations supporting the Batwa in Rwanda, and their ability to conduct advocacy in particular, is heavily influenced by the government's refusal to categorise or even acknowledge the Batwa as a specific minority ethnic group. This policy arises from the experience of the genocide in 1994 that resulted from the ethnic divisions of the past, and a consequent determination by the current government to avoid any such 'divisionism' in future. The Batwa are therefore known as a 'historically marginalised people' (HMP) within Rwanda, and the term 'Batwa' is not officially used.¹²

⁹ The *Voice of Kigezi* radio station was estimated in the AICM concept note to have a potential audience of 10 million people across Western Uganda, Rwanda, Northern Tanzania and Eastern DRC.

¹⁰ The report indicates that responses to radio talk shows show that people are '*more knowledgeable about the marginalised Batwa and accept them as fellow human beings*' but does not provide any statistics or detail to back up this statement.

¹¹ MRG subsequently explained that the Batwa representatives involved in UNFEM, are supported by UOBDU in Kisoro District, and that the intention was to establish UNFEM at first, and then to invite other organisations to participate.

¹² As evidenced in the titles of COPORWA and WOPU, which make no reference to the Batwa, but work specifically on their behalf.

4.3.1 Rwanda Community of Potters (COPORWA)

COPORWA (previously known as CAURWA¹³) has been in existence since 1995 and focuses its activities on support for the (Batwa) potters in Rwanda. The original plan was to visit two Batwa communities, but because of logistical difficulties and delays, the visit consisted of a short meeting with the Director and Deputy Director in the CAURWA office, and a subsequent visit facilitated by the latter to a pottery project in Kacyiru on the outskirts of Kigali.

COPORWA received co-ordination funding from MRG in both years, but has not received bursaries for training. A concept note was submitted to MRG in late 2013 with the objective of implementing an advocacy project for 'HMP' living in Nyaruguru District, Southern Province, near the Nyungwe Forest National Park. The objectives of the project were to build awareness within the HMP community in relation to their rights and related advocacy issues; to strengthen the capacity of HMP and the co-operatives that represent them to advocate for their rights; and to increase HMP participation in community development processes and decision-making structures. It was not possible to visit the Nyaruguru project during the short timeframe for the evaluation because of the distance involved, but details of progress made are outlined in the report to MRG, and were discussed with the Deputy Director.

In relation to awareness-raising, there was a target for at least 20 members (50% female) from each community to meet with local decision-makers. The report outlines that specific meetings took place at district level, but does not refer to the numbers of HMP participants in training, or participation in meetings. It does refer to marshland being provided in Kibeho Sector for the use of HMPs; to the Government providing health insurance to all HMPs in the target sectors; and to a pledge by government to provide a budget of 10 million Rwandan Francs to complete houses. However, it is not clear as to what extent these actions are a result of the advocacy project, or would have happened in any case.

Two radio programmes on the lives of the Batwa (focussing on pottery) were delivered as planned. A detailed advocacy plan was due to be compiled as part of the three-month project, but this has not yet happened as the community is still 'collecting issues'. It is intended that the plan will be finalised by July.

The pottery project visited in Kacyiru, employing 28 women and 23 men, is a well established business, but is not representative of a typical Batwa situation as it has been extensively supported by a number of external donors (e.g. UNICEF is supporting a project to manufacture clay water filters). It also has had substantial support from the sector level authority that provided a four hectare site and 28 cows to the co-operative. Four of the men on the pottery site had participated in the advocacy training, but none of the women were involved. Women on the site were also reluctant to engage in discussion with the consultant on their needs and development issues, suggesting that there is a need for a greater focus on gender issues within the group.

A significant factor that arose in discussions is that COPORWA is being supported by EU and Care in another advocacy project on 'Policy Engagement for Marginalised Inclusion'¹⁴. The degree to which this project overlaps with or might complement the MRG project requires further exploration.

4.3.2 Young Women's Christian Association (YWCA)

YWCA Rwanda was established in 1995, and is an affiliate of the global YWCA network. The focus of its work in Rwanda is on health, education and socio-economic conditions for women and girls. Its *Advocacy for Indigenous People Project* falls under a broader *Living in Harmony*

¹³ CAURWA stood for Communauté des Autochtones Rwandais (The Community of Indigenous Rwandese)

¹⁴ As referred to on the COPORWA website.

Programme that also includes support for victims of GBV. The visit to YWCA included an initial discussion with the General Secretary and two managers in the YWCA office. This was followed by a trip to Gitarama town to meet with eight members of the Duterimbere women's group who are supported by YWCA in a variety of income-generation activities.

YWCA has supported HMP (Batwa) groups in Gitarama since 2011 to utilise the medium of street theatre to challenge negative attitudes and stereotypes of HMP. This work was supported by MRG with EC funding. Members of the group met in Gitarama have participated in this theatre. Two films on the street theatre and the lives of Batwa were also produced as a further means to promote understanding of Batwa issues, and to disseminate messages to a wider audience. MRG facilitated a link between YWCA and the Akiba Uhaki, an international human rights and social justice fund, to develop further public awareness through screening of the films.

The Irish Aid funded project was designed to build on the previous awareness raising through the development of community advocacy and positive media stories. Under this project, YWCA initially conducted home visits to 150 'new' Batwa individuals (105 female) in Muhanga and Nyabihu districts to discuss and understand their needs. A meeting with the Executive Secretary of Karago Sector was subsequently organised to discuss the HMP issues and priorities. Thirty-five Batwa participated in this meeting. Specific topics for discussion included housing and access to land, including the right to dig clay for making pottery (bearing in mind considerations around environmental protection). A further 50 Batwa met with the Executive Secretary of Gifumba cell, in conjunction with representatives of the Unrepresented Nations and Peoples Organisation (UNPO). The initial link with UNPO was also facilitated by MRG, and UNPO subsequently agreed to provide support for the Batwa in Karago. YWCA and UNPO also organised a joint workshop on GBV and economic empowerment for the Batwa. YWCA also runs a legal advice clinic in Gitarama as part of its wider programme.

YWCA's work with the new communities is still at an early stage, but the meeting with the members of the Duterimbere group in Gitarama illustrated the progress that groups that have longer term support from YWCA have achieved. All members of the group have their own income-generating projects at this stage. There is also a greater public awareness and acceptance of Batwa, as illustrated, for example, by two members of the group being married to members of the wider community, and by Batwa no longer eating separately from others at public events. GBV issues are beginning to be addressed formally through the justice system also. A critical issue for Batwa is the lack of access to adequate health insurance (*'mutuelle'*). They have been lobbying at sector level for this, but with little impact so far.

The concept note for the project also included the development of two positive media stories for wider dissemination (apart from other public awareness work described above). One such story from Jeanne Sibomana, a dynamic member of the Duterimbere group, has been documented so far. A further plan on how this media and public awareness work will be taken forward is needed at this stage.

The Duterimbere group and other Batwa place a high emphasis on income-generation projects (IGPs). This is unsurprising given the success of YWCAs work with them to date, and the fact that the primary emphasis of the earlier work was on the provision of funding and services. When asked about advocacy initiatives, they tend to focus on YWCA advocating to donors for more IGPs and other services, rather than emphasising their own potential for advocacy. The advocacy work is still at a relatively early stage, but all groups would benefit from a clearly defined advocacy strategy at this stage.

A question posed by YWCA (and by several other partners and beneficiary communities also) was whether MRG could do more to support economic empowerment of minority communities, through service provision as well as advocacy work. This question will be referred to again in Section 5.2.

4.3.3 Women's Organisation for Promoting Unity (WOPU)

In recognition of the fact that there was no specific organisation to cater for the needs of Batwa women and girls in Rwanda, Epiphane Kanziza and other Batwa students founded WOPU as a new local NGO in 2011.¹⁵ Based in Kigali, WOPU commenced its activities in 2012 with MRG as its only donor. An initial bursary was given by MRG in Year 1 to provide specific training for the Co-ordinator / founder over a range of areas, including management and leadership, project development, financial management, donor reporting, monitoring and evaluation.

The Co-ordinator indicated that the budget for this wide-ranging training was very tight (€400), but that the trainers were accommodating and the training was very beneficial. Based on this training, an action plan was set out for the development of the organisation (as outlined in the bursary report). Part of this plan was to develop a broader strategic plan for WOPU, which was due to be completed by July 2014. A concern for the Co-ordinator was that the organisation does not have funding for a follow up accompaniment by the trainers to see how the training is being utilised.

WOPU was provided with temporary 12-month registration as an NGO by the Rwandan authorities in November 2013, with a view to obtaining full registration by November 2014. Support from MRG has also enabled it to open a small office in Kigali. A second bursary of €1,300 was provided in Year 2 to support computer training for the Co-ordinator and Administration Assistant, both of whom work on a voluntary basis. Funding was also provided in Year 2 for community advocacy and positive media stories, in addition to the annual coordination grant.

Community advocacy funding was used to identify 265 target beneficiaries (including 26 males) to work with at four locations in four separate districts, and for the preparation and implementation of training / discussions with two groups (in Nyagatare and Burera) in relation to their needs. Some Batwa have also met with sector representatives. Funding for media work has been used to purchase basic mobile phones for the co-ordinator and six contacts in beneficiary groups; the placement of a sign over the WOPU office; and a camera to aid promotional work. A radio journalist was also paid to participate in and report on a workshop with beneficiaries. WOPU is also supporting the Batwa groups to get formal accreditation as co-operatives.

The evaluation field visit consisted of a meeting with 15 Batwa women who are squatting in a building in Kacyiru and using the site to make pottery. Issues raised by the group were typical of those raised by other Batwa including, extreme poverty (including lack of basic clothing in some cases), lack of housing and access to education, conflicts over the use of land for clay-making, and discrimination when seeking paid employment (e.g. as cleaners). Given the relatively early stage for the development of WOPU itself, and of its relationship with the groups, it was unsurprising that the beneficiaries placed a strong emphasis on the need to develop income-generation projects at this stage, rather than on specific advocacy initiatives, and in particular on improving their pottery manufacturing and marketing processes. In line with its specific focus on women, WOPU is keen to work on GBV related issues (sometimes referred to as 'family peace').

As a significant learning and networking initiative, the WOPU Co-ordinator and another Batwa representative from Uganda¹⁶ were funded under the programme to participate in the 55th Session of

¹⁵ The organisation was originally known as Women's Association Potters University.

¹⁶ The representative from Uganda was one of the young leaders trained on leadership skills, as outlined later in Section 4.7.2.

the African Commission on Human and Peoples' Rights (ACHPR) in Angola in April-May 2014, where they issued a statement at the related NGO Forum.

4.3.4 Co-ordination in Rwanda

A striking feature of the Batwa projects visited in Rwanda is that there is no co-ordination among the three agencies, even though they are all part of the same MRG programme. Management in CAURWA and YWCA knew the Co-ordinator of WOPU (Epiphanie) as an individual (who had worked previously in COPORWA), but they had no knowledge of the activities of WOPU. While some of the COPORWA potters in Kacyiru had participated in training with other Batwa communities, there was a general sense that specific Batwa communities are not collaborating with each other as much as they could be in terms of rights and advocacy work.

4.4: Kenya Partners and Activities

The focus of the Kenya field visit was on the three partners based in Nakuru: OPDP, EWC and RECONCILE. The fourth Kenyan partner, CEMIRIDE, was excluded from the itinerary by MRG for logistical reasons, but documentation in relation to CEMIRIDE was included in the review.

4.4.1 Ogiek People's Development Programme (OPDP)

OPDP was established in 1999 and is a well-established partner of MRG. The major focus of its work has been on the asserting the rights of the Ogiek people to their ancestral land in the Mau Forest complex through legal means. A key achievement in 2009 was the filing of a case with the African Commission on Human and Peoples' Rights (ACHPR), and the subsequent referral of the case to the African Court of Human and Peoples' Rights in 2012.¹⁷¹⁸ This work was heavily supported by MRG and also by CEMIRIDE. OPDP has been working to present its case at the court in mid-2014, including documentation and channelling of human rights abuses reported by local monitors¹⁹ via MRG to the ACHPR.

Two representatives from OPDP (one male staff member and one female community member) were specifically funded by MRG to participate in the 54th Ordinary Session of the ACHPR in Banjul, The Gambia in October / November 2013, and made a specific presentation on the Ogiek situation in Mau Forest.²⁰ A very significant development in March 2013 was the issuing by the African Court of an Order of Provisional Measures,²¹ mirroring the measures previously ordered by the Commission, and representing the first time that such an order has been issued to protect the rights of indigenous peoples in Africa.

For the evaluation visit, an initial meeting with the Director and six staff was held in the OPDP office in Nakuru. A subsequent meeting was held with three paralegals²² who had received training under the previous MRG programme²³.

A bursary was provided by MRG in Year 1 to allow the Assistant Programme Manager to participate in a training course on *Management and Sustainability of Programmes*. Training materials from this

¹⁷ Application 006/2012, African Commission on Human and Peoples Rights V Republic of Kenya

¹⁸ Unlike the Commission, the Court has the power to issue binding legal judgements against states.

¹⁹ The Human rights monitors are supported by IWGIA, Denmark.

²⁰ OPDP has observer status at the ACHPR

²¹ African Court on Human and People's Rights: *In the Matter of African Commission in Human Rights and People's Rights V The Republic of Kenya*. Application No. 006/2012: Order of Provisional Measures.

²² Other paralegals were also invited to participate, in the meeting, but some were diverted at short notice to deal with two separate cases in police stations as part of their work.

²³ Training was funded under the Kenya Good Governance Programme.

course were subsequently shared with other staff. The training was reported as having helped to improve report writing skills, resulting in the receipt of a new grant of \$35,000 from AJWS in 2014. A place on the same course for another staff member was requested in Year 2, but was rejected by MRG on the basis that there were other priorities.

Funding from Irish Aid in Year 2 was utilised for a community advocacy campaign to raise awareness among the public and the media in relation to how specific policies impact on the Ogiek. The project included 'courtesy calls' to three county governments, and the national Ministry of Lands, and a public forum on the role of devolution and current policies in Nakuru, Uasin Gishu and Narok counties. OPDP met with the National Land Commission that is following a particular case with the Ogiek. A memorandum on issues had been developed by OPDP under the EC programme and was utilised in the meetings with officials from the three sectors. Approximately 50-100 people participated in each meeting.

The focus of discussions in Uasin Gishu was on women and youth, in Nakuru was on land ownership, and in Narok on livelihoods and the role of minorities in government. Examples given (in the evaluation meetings) of outcomes from these discussions were 26 education bursaries provided to some Ogiek children, equipment being obtained by the county government for dispensaries, and some roads being graded. Additional funding from Norway in both years was used for activities such as sensitisation meetings in relation to ACHPR (Court), the collection of evidence for the case, and the production of a video that was used as evidence in the case.

Positive media stories were also referred to in the Year 2 activity report, but were described only in vague terms.²⁴ OPDP has clearly invested in publications such as a specific briefing report in relation to its advocacy strategy,²⁵ a report on the Ogiek Cultural Festival,²⁶ and a briefing on the Ogiek case²⁷ at ACHPR. These are very informative and useful documents, but there is a lack of formal reporting from OPDP on precisely how they have been disseminated and used. OPDP reports to MRG are of variable quality. Reports on activities funded directly by Irish Aid, as outlined above, are poorly written, and fail to clarify the specific outputs and outcomes achieved in relation to initial targets, and to distinguish between outputs and outcomes. However, other reports on paralegal training and on African Court sensitisation meetings are of much better quality.

The paralegals who have been working since 2012 were able to provide good individual examples of the work that they do on issues such as child rights and early marriage; GBV; succession rights and will planning; engaging with the Sub-County Commissioner and a member of the County Assembly; and participation in media events with Kass FM and Kass TV. Some were involved in drafting the memorandum for meetings with county officials. However, their specific work activities and outputs are not formally documented, and they had not met as a group since the previous June.

OPDP has specific income-generation projects for women and would like to develop specific proposals on women's rights (land ownership, economic rights, reproductive health). In February, a staff member was funded by another donor to participate in a reproductive rights conference in Cameroon.

²⁴ For example, the report refers to: '*Ogiek as minority issues were spread all over the media*', but does not provide any specific details, yet a specific article in the Sunday nation on November 10th was cited as an example during the evaluation meeting.

²⁵ *Advocacy Brief Report: Strategies for Achieving Justice for the Ogiek of Mau Forest, Kenya*. Michael Ochieng Odhiambo, January 2013. The report was funded by EU.

²⁶ *Ogiek Cultural Festival Report*, OPDP (in association with IWGIA), January 2013.

²⁷ *Kenya's Ogiek Case: A test for the African Human Rights System*, OPDP / IWGIA, 2013.

4.4.2 Endorois Welfare Council (EWC)

EWC was founded in 1995 to assert the rights of the Endorois community to their ancestral land around Lake Bogoria and in Mochongoi Forest that had been taken from them in 1973. Working in collaboration with MRG and CEMIRIDE, EWC won a landmark case at the ACHPR in January 2010 under which it was found that the Kenyan Government had acted illegally in dispossessing the Endorois from their land. EWC has been working since then to ensure that the government will implement the ruling of the African Court. As a result of this work, the ACHPR (Commission) held a hearing on implementation of the case during the 53rd Session, and passed a specific resolution in November 2013 calling on the Kenyan Government to implement the Endorois Decision.²⁸ The hearing was one of the first ever undertaken by ACHPR in relation to the implementation of a decision.

Separately, at the request of MRG and EWC, ACHPR raised the designation of Lake Bogoria as a World Heritage Site with UNESCO and IUCN as that designation by UNESCO had breached the Endorois Decision. Direct representations to UNESCO / IUCN by MRG, EWC and others has also led to a 'State of Conservation' report on the lake that emphasised the participation of the Endorois in management and decision-making on resources.²⁹ EWC was granted observer status at the ACHPR during the 53rd Session - a direct result of assistance from MRGs legal cases programme.

Three community committees are currently working locally to address the three specific aspects of the ACHPR ruling: restitution (boundaries), natural resource management, and compensation. EWC plays a key role in linking these committees to a national expert steering committee on the ruling.

The evaluation visit to EWC consisted of an initial meeting with the Executive Director and the Programme Co-ordinator, and a visit the following day to meet eight community representatives (two women) in Maragit, including one elder, two paralegals and youth workers. In Year 1 of the Irish Aid funded programme, MRG provided EWC with a bursary for the Finance Officer to undertake a course in *Practical Financial Management for NGOs*. The Finance Officer reported that her understanding and skills were much improved by the course, and that she was able to put them into use immediately in writing a report on paralegal training.

Projects funded in Year 2 included a community advocacy project, a media project with a gender focus, and training for paralegals. Support for an Endorois delegation to participate in the 54th Session of ACHPR was also provided under the programme.

The advocacy project was designed in the context of the ongoing government devolution process.³⁰ EWC organised a community meeting with the Governor of Baringo County in November to present a memorandum of issues facing the Endorois, including insecurity, cattle rustling,³¹ resettlement in Mochongoi Forest, flooding, poor infrastructure and employment opportunities. 110 Endorois from 16 locations (including 40 women) participated in the meeting. Other politicians failed to show up as they were on the election trail, but 12 media representatives participated in awareness raising activities also, including some from Kass FM. Apart from sharing of issues, the meeting was also

²⁸ ACHPR / Res. 257 (LIV) 2013: Resolution Calling on the Republic of Kenya to Implement the Endorois Decision. ACHPR (Commission) Banjul, The Gambia, 5th November 2013.

²⁹ The UNESCO / IUCN State of Conservation Report on the Kenya Lake System (May 2014) concluded that the State Party should 'ensure full and effective participation of the Endorois in the management and decision-making of the property, and in particular the Lake Bogoria component, through their own representative institutions'. This wording was taken directly from the MRG / EWC / IWGIA correspondence to UNESCO.

³⁰ Under which county level governments are currently being established in order to devolve power and resources to local communities.

³¹ A typical cattle rustling raid had taken place on the night before the evaluation meeting in Maragit, with more than 100 cattle owned by the Endorois being stolen.

intended to enhance community understanding of their role in the management of Baringo County, and to get support from local leaders in relation to implementation of the ACHPR ruling. Follow up letters in relation to land issues at Mochongoi were also sent to the Attorney General's office and the Ministry of Lands on behalf of EWC.³²

Feedback from the evaluation meeting with project beneficiaries in Maragit indicated that little or no progress has been made so far in terms of addressing the issues in relation to land, roads, flooding, jobs, cattle-rustling or security. However, participants felt that they have at least raised the issues in a formal manner as a first step, and are also more aware of their rights and possibilities under the devolved government process, and the potential for further advocacy is there.

The media gender project was planned in the context of legal reform processes taking place in Kenya that will, among other things, entitle women to claim right of ownership and use of land and land based resources. A field visit by seven media representatives to Endorois communities was planned to interview women and youths in particular about their socio-economic activities. EWC was also to facilitate two talk shows focussing on issues of community land and gender issues. In the event, five media representatives (print and radio) captured and published stories, and two Endorois women appeared on live radio shows on Kass FM and Radio Amani. EWC estimates that approximately Endorois 200 women were better informed on their rights as a result of the project, and the participation of the women on radio was regarded by EWC and the women themselves as a huge step in its own right. However, there is no system in place at this stage for tracking the impact of these initiatives on the community.

Some members of the Endorois community had previously participated in initial paralegal training for pastoralists in Arusha. A second phase of training, specifically for 24 Endorois from Baringo, Laikipia and Nakuru counties, was delivered under this programme in November 2013. The focus of this phase of training was on devolution, child rights and court processes. The paralegals interviewed in Maragit were able to provide good examples of the work they are doing in relation to issues such as dispute resolution in the community, rape and female genital mutilation (FGM). Some broad information on action following the initial Phase 1 training is also contained in the Phase 2 report. However, there is no systematic documentation of cases or issues by the paralegals. The paralegal training course has three phases, of which the third is yet to be implemented.

Specific issues have been raised with MRG in the past, as to whether EWC is actively representing all of the Endorois community or just a portion of it.³³

4.4.3 *Resource Conflict Institute (RECONCILE)*

Founded in 1999, RECONCILE is a Nakuru-based NGO that works on research, policy analysis and advocacy in relation to natural resource management (NRM) and conflict issues. It provides capacity support to community organisations on these issues. Apart from co-ordination funding for the first two years of the Irish Aid programme, Reconcile was also funded by MRG to conduct a public forum on '*How to Integrate Minority Groups' Agenda in the County and National Development Plans.*' The forum was organised in conjunction with the Baringo Minority Groups Network.³⁴ RECONCILE had

³² For example, a letter from *Kituo Cha Sheria* (The Centre for Legal Empowerment) to the Principal Secretary, Ministry of Lands, sent on 5th February 2014 on behalf of EWC raising concerns about illegal evictions and the issuing of title deeds without proper verification of the beneficiaries.

³³ See Report on Start-up Meetings with Partners, Freddy Batundi, MRG, 1st October 2012.

³⁴ The Baringo Minority Groups Network was founded in advance of the elections in February 2013, and includes EWC, Baringo Human Rights Consortium, and representatives from the Nubian and Ogiek communities (OPDP does not work in Baringo). The Human Rights Consortium acts as the secretariat for the Network and is financially supported by RECONCILE.

previously facilitated a gubernatorial debate prior to the election, so it was well placed to facilitate a forum on minority inclusion.

The evaluation visit consisted of an initial meeting with the Director of RECONCILE, followed by a trip to Kabarnet the following day to meet with four members of the Baringo Human Rights Consortium (one female) and a separate meeting with the Deputy Governor, RECONCILE and the Human Rights Consortium.

The original intention of the public forum funded by MRG was that representatives from national and county level government would be invited to participate. However, on the advice of the Speaker of the County Assembly, it was agreed to keep the focus on the County Assembly (politicians), with a particular emphasis on members of the House Liaison Committee.³⁵ The focus of the meeting shifted therefore from a public forum to a 'partnership' meeting on mainstreaming the interests of minority groups in county legislation, budgets and development plans. 10 members of the Liaison Committee (four female) participated in the meeting on December 17th, together with 17 representatives (6 female) of minority communities.³⁶

The meeting was described as very useful by both sides, with a good rapport established between them. County legislators were reportedly surprised by the constructive and non-combative approach taken by the indigenous groups. Issues discussed included the definition of a minority group,³⁷ the entitlement of minority groups to obtain a fair portion of jobs within the county executive, the need for affirmative action on education within minority groups, cattle rustling, conflict and other economic issues.

As many indigenous representatives are not fully *au fait* with how the assembly works, it was agreed that a further meeting would be organised in early 2014, where each Assembly Committee would present its work, and a framework for interaction between the Assembly and minority groups would be established. This meeting had not yet happened at the time of the evaluation. In broad terms, the meeting appears to have been successful in achieving its objectives of informing minority group representatives about the workings of the Assembly, in establishing an initial platform for dialogue, and for enabling women from minority groups to have a voice. It remains to be seen how the relationship will develop from here.

The Deputy Governor confirmed that the interaction between the minority groups and the County Assembly was useful. There are some tensions between the Human Rights Consortium and the Governor's office as the former has taken the latter to court in relation to recruitment of staff without a proper recruitment process, but the relationship was broadly described by both parties as a cordial one. RECONCILE appears to be well placed to support further dialogue between the minority groups and the county government.

4.4.4 Centre for Minority Rights Development (CEMIRIDE)

CEMIRIDE was not included in the evaluation visits, solely on a logistical basis, as the focus of the Kenyan visits was on the three Nakuru-based partners. CEMIRIDE received a bursary in Year 1 to enable its Programme Officer to participate in a course on the *Management and Sustainability of Programme*. The Programme Officer subsequently reported that the course was of considerable benefit in enabling him, and the organisation to manage programmes in the future. The report is

³⁵ The House Liaison Committee consists of the 13 chairs of individual Assembly committees.

³⁶ Three RECONCILE staff were included in the 17 representatives.

³⁷ Clarification on this point was needed as, for example, a group could be a minority in national terms, but could be a substantial section of the population at county level.

well written, and provides a good example on how other recipients of bursaries might write their reports, particularly in relation to lesson learning from each session.

CEMIRIDE received funding in Year 2 for a one-day forum on the Draft Community Land Bill which was attended by 20 participants (7 female). The purpose of the forum was to inform representatives of indigenous communities on the implications of the bill and to highlight potential issues for advocacy. The report indicates that the forum met its objectives, but the 'outcome' expressed in the report: '*A good Community Land Law that will ensure the recognition, protection and promotion of MIP community land rights*' is surely more representative of a much broader aspiration than what actually resulted from the forum itself.

4.5 Tanzania Partners and Activities

Two Tanzanian partners are included in the programme: Pastoralists Indigenous Non-Governmental Organisations Forum (PINGOs) and Pastoral Women's Council (PWC).

4.5.1 Pastoralists Indigenous Non-Governmental Organisations Forum (PINGOs)

The Director of PINGOs was interviewed by phone as part of the evaluation process. PINGOs was funded in Year 2 for a specific project to defend the land rights of Maasai pastoralists in Kimotorok village in Simanjiro District. The project was developed in response to the burning of Maasai homes by Mkungunero Game Reserve scouts in March 2013. Activities undertaken by PINGOs included public awareness-raising on the land entitlements of the pastoralists and the specific incident that had taken place; paralegal training for local representatives from Kimotorok and other villages; meetings with lawyers who will represent the victims in court; and lobbying of MPs and other political and executive leaders in the region. PINGOs succeeded in organising a meeting for eight village representatives (two women) with the Prime Minister in Dodoma in November. The MRG funding was used specifically for the meeting with the Prime Minister, with all other activities being funded from other sources.

However, further burning of pastoralist settlements in Kimotorok have taken place since the meetings, and PINGOs continues to use its influence to seek support from key leaders in addressing the issue. In overall terms, the funding received from MRG for this project (€1,500) represents only a tiny portion of PINGOs overall annual budget, which is in the region of €500m - €650m. PINGOs values its relationship with MRG, and was appreciative of its support, and particularly also for the additional €1,200 provided in co-ordination funding each year. While the funding was used very strategically in this case to facilitate a meeting with the Prime Minister, the added value of supporting such a small portion of PINGOs overall programme might be questioned.

4.5.2 Pastoral Women's Council (PWC)

PWC received bursaries for staff training on report writing in Year 1 and on PCM in Year 2. The report to MRG on the Year 1 bursary is no less than 40 pages long (including several templates provided during the course) but still does not provide any analysis of the benefit of the course itself to the participants.³⁸ The course was clearly very comprehensive. However, reports from PWC, while well written in English, continue to have far too much background information of a very broad nature, which is repeated on all reports, and is often not directly relevant to the specific project.³⁹ The report on PCM training in Year 2 indicates that staff (3 male: 3 female) developed a greater

³⁸ A useful 'log book' for analysis of a training programme was one of the several templates provided during the course. This template could have been used to evaluate the course, but was not filled in for the report to MRG.

³⁹ For example, the nine-page report on coordination funding, could probably have been written on one page, even when allowing for all of the prescribed headings on the MRG template.

understanding of PCM processes as a result of the course. However, the statement of outputs and outcomes appear to have been taken straight from the course outline rather than referring to the actual experience.⁴⁰

Community advocacy funding was provided in Year 2 for a series of meetings in relation to land and conflict, as well as the ongoing Constitutional Review. Conflict involves pastoralist communities, tourism companies Thomson Safaris / Tanzania Conservation Ltd. and a hunting company (OBC), some of which have links to the Tanzanian Government. PWC had previously facilitated a large scale meeting for women and traditional leaders regarding the Ngorongoro Conservation Area (NCA).

Under this programme, meetings were held in three villages involving 76 participants (18 female).⁴¹ The main focus of the meetings was on maintaining unity among the villages in fighting for their rights, despite attempts by Thomson Safaris to divide them. A specific boundary dispute between Sukenya and Soitsambu villages was resolved. Meetings were also used to inform communities further on the petition by MRG and EarthRights International (ERI) for discovery of documents under United States law relating to Thomson Safaris and Sukenya Farm.⁴² PWC also updated communities on the legal case being taken against Tanzania Conservation in the High Court in Arusha.⁴³

The meetings were successful in persuading communities to work together and to maintain contact with the lawyers and PWC. Village assemblies agreed to provide funding to send chairpersons to Arusha when needed, rather than relying on PWC. The concept note had mentioned that the Prime Minister was due to visit the area later in September 2013, and that funding was also to be utilised to prepare for that event, but this issue was not mentioned in the report. The Constitutional Review was also mentioned in the concept note as an item for discussion, but was not mentioned in the report.

PWC also implemented a project to inform and sensitize local journalists on issues relating to pastoralism including national and international legislation; and contradictions between laws and process relating to wildlife management, game controlled areas and hunting blocks; the UN PANEL⁴⁴ reporting system on human rights abuses; and journalistic ethics and balance. The training included reviews and critiques of previous articles by journalists. The course appears to have been very strategic, yet practical, and was well received by participants, though the report does not confirm the number or types of journalists that participated.

Other PWC activities funded under the programme included paralegal training (which was very well received) provision of evidence gathering equipment for the legal case (cameras, motorbikes etc), and a research report on the land conflict, including the identification of potential witnesses.

4.6 DRC Partner and Activities

4.6.1: Réseau des Associations Autochtones Pygmées (RAPY)

RAPY, the only DRC partner in the programme, is based in Bukavu, South Kivu Province and is a network of NGOs whose creation was strongly supported by MRG. The structure of RAPY had been

⁴⁰ For example, the section on outputs in the report starts with the statement 'After the course, you as PWC Project Co-ordinators will ...'

⁴¹ The number of meetings originally proposed was not specified in the concept note.

⁴² Under Section 1728 of Title 28 of the US Code. A US Court Order approving discovery of the documents was made in April 2014.

⁴³ Based on an initial case taken by Soitsambu Village against Tanzania Conservation Limited in the Arusha High court in 2010. A new lawsuit was instigated in June 2013, and set for hearing in 2014.

⁴⁴ Participation, Accountability, Non-Discrimination, Empowerment and Linking to Human Rights Frameworks.

changed in January 2012 to include the creation of a formal Board of Directors, with the roles of President and Gender Officer being confined to a Mutwa man and Mutwa women respectively.⁴⁵ RAPH did not participate in an evaluation interview, so progress has been assessed here in relation to reports from RAPH and elsewhere, and feedback from MRG.

RAPH received a bursary in Year 1 for training of its leadership in financial management, reporting, monitoring and evaluation. The report on the bursary describes the activities undertaken during the six-day training course for RAPH members, but does not identify the participants on the course, and does not elaborate on the value of the course as perceived by the participants. Further funding for a bursary, community advocacy and media stories (in addition to annual co-ordination funding) was provided in Year 2. The Year 2 bursary was utilised to provide a further 12-day training course (facilitated by the same training agency) for the RAPH President / Project Co-ordinator on the same topics, and was reported on as being of significant value.

Under the community advocacy project, RAPH organised a day of reflection on the plight and rights of pygmies, in which 33 people participated, including some local officials. Ten Batwa leaders (3 women) also participated in two advocacy meetings with provincial deputies. Twenty-two indigenous representatives in total (9 women) participated in the advocacy project. Positive stories were collected in villages in both North and South Kivu and tapes were distributed to local media outlets Radio Maria and Vision Shala TV. An electronic version of the pygmy stories was also developed for circulation. Twenty-nine men and 17 women participated in the story gathering exercise. Later on, in June 2014, a law in favour of indigenous communities was drafted by some local MPs in conjunction with organisations working with these groups. Advocacy around the law was spearheaded by a wider network, of which RAPH is a very active member.⁴⁶

Feedback on RAPH from MRG indicates that poor reporting had been an issue in the past, and that other donors were stopping their funding, but that some improvements had been made more recently. RAPH has suffered from capacity issues, with board members working on a voluntary basis to fulfil management functions in the short-term, so that funding can ultimately be obtained to enable a full management team to be recruited. Ongoing conflict in Eastern DRC also makes it very difficult for RAPH and its members to function effectively.⁴⁷

4.7 Regional Programming Activities

Apart from the specific support to the 13 partners, MRG has also undertaken broader initiatives and activities at regional and country levels in conjunction with partners or other allies. These interventions include regional and country level training for pastoralists, leadership training for Youths, and training for judges in Tanzania.

4.7.1 Training for Pastoralists on AUPFP

MRG organised a regional training course for pastoralist community members and activists from Kenya, Tanzania and Uganda to provide them with the skills to effectively use the African Union

⁴⁵ The restructuring process is described in the *Report on Start-up Meetings with Partners*, by Freddy Batundi, 1st October 2012.

⁴⁶ The wider network is Dynamique des Groupes de Peoples Autochtones (DGPA). The proposed law will be tabled in parliament in September 2014.

⁴⁷ As indicated by the Director, Donatien to Freddy Batundi in a meeting on May 20th 2013, and reported by the latter in his field report.

Policy Framework for Pastoralists (AUPFP),⁴⁸ and national and international laws, instruments and mechanisms to advocate for their rights. The specific objectives of the training were as follows:

- To enable pastoralists to fully understand the AUPFP and its recommendations
- To understand the challenges of domesticating the AUPFP in Kenya, Uganda and Tanzania, and be empowered on how to overcome those challenges, and
- To acquire knowledge on how to push for implementation of AUPFP in their respective countries (including utilisation of international, regional and national human rights instruments and mechanisms).

Prior to the training, the MRG Capacity Building Officer had participated in the Pastoralism Policy Implementation Framework Stakeholders Meeting in Addis Ababa in August 2012. The output from this meeting informed the pastoralist training programme that subsequently took place over two days in Arusha in the following November. Twenty-nine people (11 women) participated in the training, including pastoralists, government delegates and activists from Kenya (4) Uganda (7) and Tanzania (18). During the post training evaluation, 80% of participants reported a very satisfactory knowledge of AUPFP.⁴⁹

Participants agreed to organise follow-up feedback workshops in each of the three countries. Sixty-seven people (26 in Kenya, 20 in Tanzania and 21 in Uganda), including 25 women, participated in these meetings in January 2013 (Year 1) and broad plans were developed for each country. A specific target for the project (as indicated in the results framework) is that at least one of the three country governments would develop a clear action plan for implementation of AUPFP by the end of this programme. Initial meetings have taken place in Uganda, but none of the three governments is developing a plan so far. Hence, beneficiaries of training will need to intensify their work on AUPFP further at country level over the final year of the programme.

4.7.2 Leadership Training for Youths from Minority Communities

The original concept for this project was that MPs and other elected leaders would mentor young members of minority communities in Kenya, Uganda and Tanzania during two-week placements with the officials. On the advice of partners in all three countries, the format was changed to allow for groups of 3-4 youths to interact with political leaders for 4 days on issues of leadership, political participation and standing for election. Four-day training programmes were implemented in the three countries in September / October 2013, involving a total of 12 trainees (6 female) under 25 years of age. There were four trainees in each country. Candidates and speakers / leaders were identified by AICM in Uganda, OPDP and EWC in Kenya and PINGOs in Tanzania. Feedback meetings were planned for each youth participant, though it remains unclear as to whether they actually happened or not.

4.7.3 Training of Judges in Tanzania

Ujamaa Community Resource Team (UCRT) is an NGO that works to empower marginalised people in the rangelands of northern Tanzania in relation to land, livelihoods and resource rights issues. Under the Irish Aid programme, MRG supported UCRT to provide a ground-breaking two-day training course on indigenous peoples rights for High Court judges and registrars from five regions of Tanzania in May 2014.⁵⁰ The project was co-funded by IWGIA. Initial feedback from the participants

⁴⁸ The AUPFP was endorsed at the 16th Ordinary Session of the AU Heads of State and Government Meeting in January 2011.

⁴⁹ Evaluation forms were completed by 20 participants.

⁵⁰ www.ujamaa-crt.org/Programmes/ Awareness Raising and Advocacy / Case Study: Bringing Indigenous Rights to the High Court in Tanzania.

was extremely positive and written resources provided by UCRT were particularly valued.⁵¹ The Chairman of the Law Reform Commission⁵² specifically requested further copies of UCRT publications for the Commission's library, and proposed further engagement with the Commission. Participants also suggested that training should be expanded to include local magistrates, Court of Appeal judges and local advocates.⁵³

4.7.4 *Building a Regional Land Rights Network for MIPs*

A workshop on building a land rights network for minority and indigenous peoples (MIPs) was convened by MRG and CDRN in Kampala in December 2012 under the Global Advocacy Programme Funded by EC. Participants came from Kenya, Tanzania and Uganda. At the start of that workshop, participants had initially questioned the feasibility of developing yet another regional coalition, but by the end of it there was general support for further engagement on applicability of a regional lands network. No specific next steps were outlined in the workshop report, but a target was set under the Irish Aid funded programme for the work to continue, and for progress to be assessed.⁵⁴ It is unclear at this point as to how the network will progress beyond the initial meeting.

4.8 **Capacity Support from MRG to Partners**

Apart from activity funding provided in response to specific concept notes, MRG provides capacity support to partners in two main ways:

- Institutional capacity support for each partner
- Specific technical support and linkages in relation to legal frameworks and human rights instruments at national and regional levels.

4.8.1 *Institutional Capacity Support*

The focus of MRGs capacity-building in the past had tended to be on specific project level capacity support. Following the recruitment of the Capacity-Building Officer in 2011, a more systematic approach to organisational capacity-building was developed. MRG organised a series of start-up meetings with each partner at their respective offices in August – September 2012, to explain the Irish Aid programme and its activities, and to develop specific partnership agreements with each of them. These meetings were utilised to identify potential activities by each partner for inclusion in the programme ('activities mapping'), in line with their individual strategic plans. MRG has a standard *Capacity Building Needs Assessment Template* that was applied to each partner to assess the level of capacity in relation to a range of institutional themes. Based on that analysis, a number of potential capacity-building initiatives were identified for each partner, including potential bursary support for some of these initiatives.

Specific capacity building support visits were made to WOPU, to support a visioning and strategic planning exercise for the relatively new organisation, and to RAPHY to provide support in the aftermath of a re-structuring process. Further capacity-building work relating to organisational effectiveness and teambuilding was facilitated for AICM in Kabale in May 2013.⁵⁵ This was followed by short meetings with RAPHY and WOPU in Kigali.

⁵¹ In his first address, Dr. Albert Barume, Co-ordinator and Senior Specialist of the ILO Programme on Indigenous Peoples stated that there had never before been a course for judges on this topic anywhere in Africa. Many judges also commented that this was the first time that they had received training from a CSO.

⁵² Judge Mujuluzi was the most senior judge present at the meeting.

⁵³ Quoted in email from Cara Scott, Programme Manager of UCRT to Lucy Claridge, Head of Law, MRG on 30th May 2014.

⁵⁴ See Section 5.1.3, below, and Result 2.3 in the Results Framework of the Irish Aid funded programme.

⁵⁵ Ref: *Capacity-Building Trip to Kabale(Uganda) and Kigali (Rwanda) 15-20 May 2013*. Freddy Batundi.

Joint capacity-building ‘surgeries’ were facilitated by MRG in Kenya, Tanzania, Rwanda and Uganda in August 2013.⁵⁶ Activities under Year 1 of the programme were reviewed, and activity mapping for Year 2 also took place. The surgeries provided an opportunity for partners to have collective discussions of issues and concerns of mutual interest, and to look for solutions. Recurring issues raised by partners during the surgeries, and in individual meetings, were as follows:

- Clarification around how matched funding works for the programme;
- Queries as to why MRG will not support livelihoods interventions;
- Concerns about the overall level of funding that is available to partners.

These issues are discussed later in Section 5.2 of this report.

4.8.2 Technical / Legal Support

MRGs knowledge and experience of national and international legal frameworks, human rights instruments and advocacy work, and its connections to a whole variety of actors (at government, multilateral and CSO levels) within individual countries and internationally provides a major driving force for the programme. Given that many of the partners are representing very poor and marginalised minority / indigenous communities, they are hugely dependent on MRG to support them in developing their advocacy and public communications skills, and in identifying the correct options to choose in fighting for their rights.

Apart from the basic training and support in relation to advocacy and media / communications, the Head of Law and her team play a crucial role in collaborating with and supporting partners to take specific legal cases at national and international levels e.g. to ACHPR. Much of the focus of the legal team and the legal cases taken has been on Kenya (the Endorois and Ogiek cases in particular) and on pastoralists in Tanzania. The major emphasis of paralegal training has also been on Kenya and Tanzania. Partners in Uganda, Rwanda and DRC have not received a significant degree of technical / legal support in relation to major legal cases, but are generally focussing on more basic advocacy and communications initiatives, including more localised legal cases in some instances. The legal team is also supporting broader work at regional level, including training on land rights and for pastoralists in relation to AUPFP.

⁵⁶ Ref: *Capacity-Building Meetings (Surgeries) with Partners in Kenya, Tanzania, Rwanda and Uganda, 13-30 August 2013*, Freddy Batundi, September 2013.

5. Analysis of Findings

Progress to-date in relation to the effectiveness of the programme as originally conceived, and with particular reference to the indicators and targets in the Results Framework (RF), are discussed in Section 5.1 below. Issues relating to the broader management and delivery of the programme, including relationships between the various parties involved, are discussed in Section 5.2.

5.1 Results and Programme Effectiveness

The table in Annex 2 illustrates specific examples and indications of progress to-date against each of the Objectively Verifiable Indicators (OVIs) at Purpose and Results levels in the Results Framework, as derived from field visits, interviews and reports from the 13 partners and from MRG itself. Obviously, there is a higher degree of verification of results from the eight partners in Uganda, Rwanda and Kenya whose programmes were visited, and who participated in detailed interviews with the evaluation consultant.

In analysing results, it is important to note that there is some overlap (and good complementarity) between the programme funded by Irish Aid and other programmes that MRG is implementing in the region. Some of the budgets from the EC-funded Kenya Good Governance Programme and the Global Advocacy Programme, for example, are used to fulfil the matching funds requirement under the Irish Aid programme, as referred to previously in Section 2. Hence, direct funding from Irish Aid was only used to fund advocacy-related activities (as opposed to co-ordination or training activities) from Year 2 onwards, as this type of activity was funded through matching funds from other sources in Year 1.

Efforts have been made to present results that directly relate to the Irish Aid funded programme (including matching funds) wherever possible. Given the inevitable overlaps between various donor programmes, some results will clearly be significantly influenced by activities of previous or concurrent programmes – as indeed should be the case if the MRG programmes funded by various donor are implemented in a coherent manner. The issue of matching funds is referred to again in Section 5.2.8.

5.1.1 Implementation of Activities and Delivery of Outputs

A review of the activities of partners outlined in detail in Section 4 indicates that **most partners have substantially delivered on the expected activities, including capacity-building, and advocacy / media related activities** that were originally outlined in their concept notes to MRG. Activities were slightly adjusted in some cases, but the bulk of initiatives were delivered as planned. The obvious exception, where progress appears to be very slow, is UOBDU that had not reported on its year 1 funding by the time of the evaluation, and was not therefore provided with any Year 2 activity funding.

The activities to be undertaken by each partner were not prescribed in the initial proposal. Rather, they were developed as a result of the annual ‘activities mapping’ exercises carried out each year,⁵⁷ that led to the development of individual concept notes for each activity.

⁵⁷ As described in Section 4.8.1, above.

5.1.2 Progress in relation to Result 1: Advocacy Capacity of Communities

Result 1: Minority and indigenous communities have increased capacity to effectively advocate for their human rights international / national / regional human rights systems.

The Year 1 report noted that 431 people (163 women) from minority communities in three countries attended training / workshops, and reported increased advocacy capacity, with the target of 600 people expected to be reached by Year 2. Actual numbers trained in advocacy were vague in some cases (e.g. COPORWA, WOPU) and there were also some differences between written reports and verbal accounts. However, when including the high numbers of people who participated in meetings with officials at various levels (particularly in Kenya), and the numbers who participated in village meetings (e.g. PWC 76 participants: 18 women), the figure of '600 minority community members reporting an increased understanding of their rights and how to achieve them' (Result 1.1) is likely to be exceeded.

In relation to training of pastoralists (Result 1.2), all of those who reported⁵⁸ on the first regional workshop stated that they had a greater knowledge and awareness of AUPFP – thus exceeding the target. While 67 people participated in the three country workshops, there was no feedback as yet in relation to evaluation of it. The issue of 'active use' of the knowledge also needs to be addressed in the remainder of the programme.

In relation to the ability of 12 participating CSOs to access grants of \$10,000 for new programmes (Result 1.3), several of the larger organisations (CDRN, AICM, YWCA, OPDP, PINGOs etc) have already done so or are well on the way to doing so. For organisations that have a wider remit to their work (e.g. RECONCILE, CDRN) and those that are part of wider international networks (AICM, YWCA), this finding is unsurprising. The situation is much more challenging for smaller or newer partners such as WOPU and RAPHY, as it is for minority community CSOs that are not direct partners, but are being supported by the partners e.g. UNFEM (supported by CDRN) or Baringo Human Rights Commission (supported by RECONCILE).

The existing target is likely to be achieved. However, in supporting the capacity of CSOs to fundraise and in measuring results on fundraising capacity, MRG should place a greater emphasis on the fundraising ability of smaller CSOs that are owned by minority group themselves, and perhaps also those that work exclusively with minority groups, rather than on larger organisations that have support from many other sources, including their own networks.

Three partners (CDRN, AICM and EWC) highlighted cases where 5 members of minority communities had run or were about to run for elected posts (Result 1.4). Hence, this target has already been met. One would expect to see more cases emerging during the remainder of the programme, preferably involving more partners. It was encouraging to see the Banyabindi very ambitiously putting forward a candidate for the presidency in Uganda, if only to highlight the issues of minority communities in the country. The training of 12 youths from three countries in leadership and the political system, (Section 4.7.2) is a particularly interesting initiative. **The future progress of these individuals should be tracked over time, with a view to developing a model for training of other youth leaders.**

In terms of describing an organisational problem that the programme has helped to resolve (Result 1.5), all eight partners that received bursaries referred to the impact of specific training courses funded by those bursaries, though these subjective views would need to be confirmed by more objective assessment of actual improvements in skills or processes. MRG also facilitated a workshop on the restructuring process of RAPHY that appears to have had a significant benefit for the

⁵⁸ 20 of 29 participants provided feedback.

organisation. Similarly, MRG played a significant role in supporting the creation and establishment of WOPU,⁵⁹ a factor acknowledged by that partner.

A review of the content of training courses by the consultant, as outlined in various partner reports, indicates that the quality of the courses was generally good, and courses were generally provided by reputable capacity-building organisations (e.g. AMREF). While some organisations reported improvements in report writing (e.g. AICM, PWC) the standard of their current reporting still indicates a need for improvement, illustrating that the provision of training courses in their own right may not be enough to fully address some capacity-building issues. Currently, 61% of partners have cited organisational improvements due to the programme. While this is still short of the three-year target of 80%, good progress is being made.

The overall target under Result 1 is for 20 CSOs to show evidence of capacity improvements in relation to organisational issues, including management capacity, governance and sustainability.⁶⁰ Presumably, the 20 CSOs referred to includes the 13 partners on the programme, plus some of the more localised organisations that partners are supporting. This target seems quite ambitious as much of the support provided by MRG to partners and other allies (e.g. UCRT), and by partners to more local organisations, is not necessarily focussed on organisational capacity, but on programming. Also, the programme itself, was not specifically geared towards looking at the organisational capacity of these 'sub-partners' or allies.

Notwithstanding the high target, it would appear the reasonably good progress is being made overall in relation to capacity development. As also mentioned above in relation to fundraising (Result 1.3), it would be useful in future to **make a distinction between the capacity of CSOs that are directly representative of minority communities or have a local mandate, and other NGOs that have a broader development remit, or are members of wider international networks,** as the capacity needs and sources of support for the different categories of CSO are very diverse. **MRG's future role in providing indirect support for 'sub partners' (such as UNFEM under CDRN) also needs to be clarified.**

5.1.3 Progress in Relation to Result 2: Capacity to use Legal Mechanisms.

Result 2: Minority and indigenous communities have improved capacity to use national and international legal mechanisms to safeguard their rights, particularly in relation to access to resources and services.

In relation to gathering and dissemination of evidence on minority rights violations to relevant decision-makers (Result 2.1), a number of highly significant milestones relating to legal cases have already been achieved during the course of the programme to-date, as previously referred to in Section 4, above:

- The presentations by OPDP and EWC on their respective cases at the Ordinary Session of ACHPR in November 2013, and EWCs achievement of observer status at ACHPR;
- The decision by ACHPR to issue the Order of Provisional Measures in relation to the Ogiek Case (March 2013) – the first order of its kind in relation to indigenous people in Africa;
- One of the first ever ACHPR implementation hearings in the Endorois case;
- The resolution from ACHPR (Commission) in November 2013 calling on the Kenyan Government to implement the Endorois Decision;
- Affirmation by UNESCO / IUCN of the rights of the Endorois in the State of Conservation Report (May 2014) on Lake Bogoria as a designated World Heritage Site;

⁵⁹ See Section 4.8.1

⁶⁰ Refer to the Purpose Section in Annex 2.

- The successful petition in US courts for discovery of documents in the case relating to Thomson Safaris and Sukenya Farm by PWC.

The high-profile cases at ACHPR (Commission and Court) have significant implications, both within Kenya and more broadly for other countries. MRG and other agencies have played a major role in working with partners to progress these cases. While a decision on the Ogiek Case (Result 2.3) will not be made by the Court until late 2014 or 2015, it is clear that the case is progressing well so far. Overall progress with the Kenyan Government in terms of implementing the Endorois Decision remains very slow, but EWC and MRG have clearly been working in a sustained manner to apply as much pressure as possible, and also to get support from local leaders in Baringo County for the implementation of the Decision.

Other significant examples of documentation and dissemination of evidence and taking of cases, include the following:

- PWC's support for an ongoing case against Tanzania Conservation in the Arusha High Court;
- The letters sent by *Kituo Cha Sheria* to the Ministry of Lands and the Attorney General's office reporting of specific rights abuses on behalf of EWC;
- PINGOs working on a case in relation to burning of houses of Maasai villagers in Kimotorok;
- AICM in Uganda beginning to document cases of violence against Batwa and murder cases within the Batwa community.

Partners in Uganda, DRC and Rwanda are generally not as active as those in Kenya and Tanzania at formal documentation of cases, though in some cases they had the capacity to do so.

For example, (and apart from the example given above in relation to general violence against Batwa) AICM was also able to provide a report that systematically documented 35 cases of (alleged) GBV incidences. However, this report was done for another donor, and AICM did not log cases or issue similar reports in relation to its work with MRG. This suggests that, in addition to the basic reporting on concept notes that is already in place, **MRG needs to be more specific in terms of its expectations on how partners should formally document their work processes in a systematic manner (including legal cases, activity logging, case studies beneficiary details etc.), and should support them to develop basic templates for this purpose, as appropriate to each situation or project.**

Paralegal training, has also been focussed on Kenya and Tanzania, and is a very positive dimension of the programme. It provides a very practical means to develop community and individual understanding of legal rights in relation to a whole range of issues, thus enabling MIP communities to assert their rights more formally over time. Paralegals from EWC and OPDP who were interviewed during the evaluation were generally very positive about the training received, and a review of training reports by the consultant also indicates that the courses were professionally delivered. The full three modules of the training programme have been completed with OPDP and PWC, but only two modules have been completed by EWC. Unfortunately, due to a lack of initial planning, there is currently no budget within the current programme to complete the third module with EWC.

The lack of formal documentation of cases or basic progress reports by paralegals emerged as a significant gap during the field visits. Despite this gap, the paralegals interviewed were able to provide some very good practical examples of the work they were doing, and the target of *'at least 50% of paralegals being able to provide examples of how they have used their new knowledge / skills'* (Result 2.4) is achievable. However, there also appears to be a lack of co-ordination, regular meetings and oversight of paralegals. Some paralegals also indicated that the role can be a difficult one at times as some local officials see them as 'supporting criminals' or as a threat to their own power bases. It is also essential that paralegals continue to work on a voluntary basis, as otherwise the entire system would be untenable. However, the means by which the communities they live in

create space and time for them to work on cases, and compensate them for any resulting losses⁶¹ also needs to be explored, with a view to developing a model that is entirely sustainable at a local level.

If well organised, the paralegal programme has huge potential to support minority communities and individuals at local level, and with more complex or higher level (national or international) cases over time. Hence, it is important that the current gaps are addressed as soon as possible during remainder of the current programme and within the next programme.

As referred to in Section 4.7.4 above, the initial workshop in relation to the establishment of a regional land network to support the rights of MIP took place in December 2012. However, while no specific action plan was developed in that meeting, the report of the meeting indicated that there was *'overall support for, and interest in, further discussion and engagement on applicability of a regional land rights network'*.⁶² When queried during the evaluation visit on progress in relation to Result 2.3 that *'at least 20 members of the network of land rights influencers feel more supported in their rights struggle'*, CDRN indicated that it was *'too early'* to assess progress.

The Year 1 report to Irish Aid also reflected this sentiment, and indicated that an evaluation of members' views would take place in Year 2. The evaluation had not been conducted at the time of the field visit by this consultant - almost 20 months after the original workshop. MRG has subsequently indicated that surveys on the use of acquired knowledge are normally conducted six months after the event, but in this case there was no budget to do so in Year 2, so this issue clearly needs to be addressed in Year 3.

Clarification is needed at this point as to the status and intent of the proposed network, including plans for the development of a clear purpose and strategy for it. Given that one of the recommendations⁶³ from the AUPFP training for pastoralists (see Section 4.7.1) referred to the creation of a regional pastoralist forum, **some clarification is also required on how these two regional networks will be developed in a coherent and consistent manner to avoid duplication of effort and resources.**

In relation to the target of three new minority communities seeking legal advice on land rights issues from experts (Result 2.5), no specific examples of new contacts were identified by partners during field visits, or from partner reports, but MRG was able to identify a number of significant examples where other communities are now seeking advice:

- The Uvinje pastoral community of Sadaani, Tanzania (linked to PWC) seeking support in contesting eviction from their ancestral land by the Tanzania Park Authority (TANAPA);
- The Maasai of Narasha near Naivasha in Kenya (linked to CEMIRIDE) who are facing eviction from their land, so that it can be used for geothermal energy production;
- The Batwa (linked to RAPHY) near Kahuzi Biega National Park in DRC who are challenging their eviction in local courts, and are considering whether to take an international case;
- The pastoralists of Mabwegere, Kilosa District, Morogoro Region in Tanzania (linked to PINGOs), who are in conflict with a local farming community, and now want to take the case to ACHPR.

⁶¹ In the same way as, for example, traditional birth attendants act on a voluntary basis in communities, but are compensated locally.

⁶² Ref: *Building a Sustainable Minority and Indigenous People's Regional Land Rights Network in East Africa*, Workshop Report, 13th – 14th December 2012, Grand Imperial Hotel, Kampala, Uganda. Global Advocacy Programme, January 20th, 2013.

⁶³ Recommendation 2 in the workshop report.

Hence, there is good evidence that the success of previous legal cases is providing encouragement to other minority or indigenous groups to seek legal support and to take legal cases.

As identified elsewhere in this report, several partners in Kenya and Tanzania are already heavily involved in land rights cases (EWC, OPDP, PINGOs, PWC) reflecting a gap between partners in those countries, and partners and MIP groups in Uganda, DRC and Rwanda that are not yet ready to address legal cases in relation to land.

Result 2.6 relates to Universal Periodic Review (UPR) sessions in Kenya, DRC and Rwanda (the first two in 2014 and the latter one due in 2015) including questions based on reports from partners. None of the partners in Rwanda or DRC indicated any involvement in UPR processes so far, or any intent to be involved. In Kenya, OPDP and EWC are participating in the development of a shadow report. Other Kenyan partners have not been involved so far. It appears that partners as a whole will struggle to make progress in relation to this indicator.

The Purpose-level target in relation to Result 2 is based on *'600 minority community members reporting improved knowledge / ability to interact with legal / policy frameworks protecting their rights, and or improved advocacy ability'*. Many positive examples are recorded in Annex 2 where most partners and many beneficiaries have provided positive feedback on a variety of trainings, workshops and information sessions across a range of themes, including understanding and work on political processes (e.g. elections, devolution) and specific rights and legal frameworks. Hence, in overall terms, it can be said that **the programme is well on course to meet the overall target set for Result 2.**

That said, the target itself is quite subjective in that it is based on self-reporting on improved knowledge / ability. Ideally, it should be accompanied by a more demanding target that refers to the newly acquired or improved knowledge / ability being demonstrated through action. **In relation to the documentation and taking of cases in particular, it is clear that very significant progress is being made in Kenya and Tanzania, with much less progress in DRC, Uganda and Rwanda so far.**

The ability of partners to support communities in taking legal cases is dependent on a number of factors, including the technical capacity of partners themselves; the length and depth of their relationship with the local communities; the technical support provided by MRG and other expert organisations; and the actual legal and political context in-country. The presence of paralegals or researchers is also a key factor in helping with formal documentation and processing of cases. Clearly some (but not all) of the partners and beneficiary groups in the latter three countries are at an earlier stage of development, and need to start with a basic understanding of the legal system, followed the formal documentation and presentation of local cases in the first instance. Notwithstanding the constraints in Rwanda⁶⁴ and DRC⁶⁵ in particular, there is some scope for MRG to place a greater emphasis on formal documentation and presentation of cases by partners in these countries over time.

Partners in DRC, Uganda and Rwanda also need to develop specific advocacy strategies to hold governments and other duty bearers to account in relation to minority rights issues. There is a sense at present that quite a few of them are happy to engage on an occasional or informal basis

⁶⁴ Taking legal cases on behalf of Historically Marginalised People (Batwa) in Rwanda might not necessarily be the best course of action in a society where there are strong sensitivities around 'divisionism' and the promotion of the interests of a particular ethnic group. The counter-argument to this is that issues of land grabbing in Kenya and Tanzania are also highly political with some very powerful internal and external parties involved, yet partners in those countries have had considerable success in taking on those powerful interests.

⁶⁵ The ability to take cases in DRC is complicated by the serious deficiencies in the legal system and the lack of a genuine rule of law in the east of the country in particular.

with decision-makers, but do not have a clear strategy and work plan for engagement with them. The concept note system of funding of one-off activities may be contributing to this perception. In some cases, community representatives viewed advocacy as looking for funds from donors, or focussed on the work being done by MRG and others in relation to advocacy, rather than looking at their own potential to advocate for their rights. Partners also need to distinguish between internal awareness raising or advocacy within the MIP community itself,⁶⁶ and advocacy to external duty bearers.

5.1.4 Progress in relation to Result 3: Commitment of Governments

Result 3: Governments and regional and international bodies demonstrate increased awareness of discrimination faced by minority and indigenous communities, and express commitment to improving their situation.

Eight partners have reported so far on the delivery of positive or neutral media stories (See Annex 2: Result 3.1). Some partners were able to provide specific examples of stories in papers or participation by minority representatives on radio or television. Again, there was a lack of formal documentation of successes by some partners, so the exact number of stories was unclear in some cases. Despite this lack of record-keeping, the target under Result 3.1 of 30 stories is likely to be achieved.

The impact of these stories on general public awareness and understanding of minority issues and rights is not easy to assess in a systematic manner. Some indications are provided by positive audience reactions to live shows, and street theatre in particular. Some examples were provided in interviews of how media stories had helped to break down barriers, resulting in a more positive interaction between minority communities and the general population (e.g. cases of inter-marriage, eating together during public celebrations - YWCA). However, it cannot be assumed that initial positive reaction to media events will automatically translate into significant changes in public attitudes.⁶⁷

Major public surveys on attitudinal change in relation to minority issues are beyond the scope of the current programme budget. However, **given the considerable emphasis on media stories in the programme, it is important for MRG and its partners to ensure that some form of assessment of impact is conducted in a systematic manner at certain stages or intervals.** This could include, for example, the use of independently-conducted localised KAPB⁶⁸ studies in a small number of randomly selected populations, or a more rigorous documentation and assessment of public and / or immediate audience reactions (or indifference) to particular broadcasts or published articles. Initiatives such as these should be considered in the design of the next phase of the programme.

To-date, eight of the thirteen partners have organised meetings with decision-makers at various levels (Result 3.2). One partner has not reported (UOBDU) and others have plans to organise meetings. While there is still some work to do to ensure that all communities meet with decision-makers, the target of 20 members from each community doing so has been well exceeded in some cases (e.g. OPDP approximately 225 people, EWC 110 people).

⁶⁶ For example, YWCA's work on the International Day of the Child that focussed on promoting education and preventing teen pregnancies.

⁶⁷ For example, the RPY Year 2 report refers to an entire population of 9.7m people in North and South Kivu that have 'benefitted' from its media campaign, but this provides no basis for assessing the level of attitudinal change.

⁶⁸ KAPB studies involve systematic assessment of changes in knowledge, attitudes, practices and behaviours in relation to a particular issue.

The specific target of each delegation consisting of 50% women has generally not been met, though it is probably a very ambitious target in the first place, given the level of discrimination against women that has existed within most of the minority communities for a long time. A scan of the gender breakdown for meetings suggests that the level of female participation in the meetings is in the region of 25% – 35%, which is a reasonable level of representation in the current context. One would expect to see a significant rise in that figure over time as gender barriers are broken down.

In relation to Result 3.3, a number of examples were provided where government officials (target is two per country) and / or international actors (target is three in total) have publicly expressed support for minority rights. However, this indicator is a bit unclear for a number of reasons: it does not indicate the level of officials that are being targeted (e.g. local government or national) or the nature of the expression of support that is considered valid.

In Uganda, an expression of support was received from certain MPs, but that was in the context of looking for election votes, and the promise was not followed by action. In Rwanda, UNPO has agreed as an international donor to support the Batwa, but again it's not clear if a donor is considered as an 'international actor' in this context, or whether the latter term refers more to political actors (e.g. high-level UN or EU officials). Cases cited in Kenya were the Cabinet Secretary for Education speaking out in favour of the Ogiek, and the Chief Justice and the Attorney General's office speaking of the need to implement the Endorois Decision. In Tanzania, the Prime Minister considered it sufficiently important to meet with a delegation of Maasai pastoralists from Kimotorok.

While the judges trained by UCRT in Tanzania are not in a position to formally advocate for the rights of MIP, they did express a much better understanding of the rights of minorities under the law. Clearly some of the formal decisions by international bodies such as UNESCO / IUCN, ACHPR and the US Courts (see Section 5.1.3, above) could also be considered as positive statements by international actors.

In relation to work on the Tanzanian Government allowing visits of UN or other INGOs to observe the human rights situation of pastoralists, and starting dialogue on a consultation mechanism (Result 3.4), PINGOs has hosted the Katiba Initiative, a pastoralists and hunter gatherers forum that has made a submission to the Constitutional Review Committee in January 2013.⁶⁹ While MRG had some input into the process, the work of Katiba was primarily funded from other sources. The Tanzania Pastoralists Consultative Forum organised meetings with the Ministers for Lands and Livestock and held a consultative workshop in September 2013 in relation to a pastoralist policy. A further meeting with members of the Constituent Assembly on a pastoralist policy took place in Dodoma on March 7th 2014, so it appears that some progress is happening.

Result 3.5 set a target for the government of at least one country to formulate an action plan with clear timelines to domesticate the AUPFP. Reports from partners indicate that no plans or timelines have been set in any of the countries so far, and partners did not appear to be particularly engaged on this topic. Result 3.6 related to the Government of Rwanda implementing programmes targeting poverty in Batwa in at least three regions. In practice, the government does not develop programmes for Batwa – only for 'Historically Marginalised Peoples.' Some examples were given by partners of several specific initiatives by government agencies on behalf of HMPs in various locations, but no large scale programmes are reported, and partners do not in any case appear to be engaging with government to a significant degree at a national level with regard to policy and national programming issues.

⁶⁹ Katiba Initiative: *Pastoralists and Hunter-Gatherers Demands for the New Constitution: A Summary of Demands that were Presented before the Constitutional Review Commission in January 2013.*

Result 3.7 was based on the Government of DRC beginning discussion on a draft development policy of a more minority-sensitive nature. No progress was reported in relation to this during the evaluation visit, but as indicated in Section 4.6.1, above, draft legislation relating to the rights of indigenous peoples has been produced by a group of MPs with support from some CSOs, including RAPHY.

In relation to Result 3 as a whole, there have been some notable achievements with regard to the development of media stories, even if the precise impact of some of those stories is difficult to assess. Partners and MIP communities have also had some notable success in organising meetings with key decision-makers on a variety of issues, and in gaining some support for their rights from officials at various levels. The delivery by various governments in relation to specific policy changes, action plans and processes is somewhat mixed at this point, though one would expect in any case that such changes are more likely to happen towards the end of the programme rather than at the beginning.

However, (unlike the specific Endorois and Ogiek cases) there is a sense that partners in each of the countries do not have a specific plan in relation to each of these issues, under which they are maximising pressure on government to deliver on the issues. **In general, partners should play a more active role (including engagement with other CSOs also) to ensure that some of the desired changes by governments in relation to issues such as the Tanzania pastoralist dialogue, AUPFP implementation and HMP programmes in Rwanda are delivered as targeted under the programme.**

5.1.5: Progress on Cross Cutting Issues

There are four cross cutting issues referred to in the programme proposal: gender, environment, governance and protection.

Gender Equality

MRG operates from a gender mainstreaming approach to its work, and this is reflected in a number of ways throughout the programme:

- The identification of specific partner organisations to work with, that have a particular focus on the needs and rights of women and girls within MIP communities (e.g. AICM, WOPU, YWCA, PWC);
- An insistence on a 50:50 gender split in funding delegations to participate and present at international events e.g. OPDPs participation at the ACHPR 54th Ordinary Session in Banjul;
- The targeting of a 50:50 split in community delegations to meet with officials at local and national levels. The achievement level to-date, at approximately 25% - 50% women as reported in Section 5.1.3 above, is still low, but in the context of previous representation levels represents significant progress;
- Several media stories projects have been based on the activities of minority group women, or included women as interviewees. The presence of women from some groups on live radio shows or TV shows for the first time was a significant step forward for some communities;
- The requirement for gender disaggregated data in project concept notes and reports, which was adhered to in most (but not all) cases;
- Some paralegals are working on specific GBV related and child protection cases, as are some of the partners that do not have trained paralegals.

While there are many positive examples of gender related successes, there are also some gaps and further opportunities in relation to gender. Surprisingly, only one of the 21 OVIs on the entire Results Framework has a specific gender quota target (Result 3.2). **This clearly suggests the need for gender disaggregation of OVIs.** Also, while a number of partners have a particular capacity and programming work on GBV (AICM, YWCA), the level of GBV-related work that is undertaken under

the MRG programme is quite light. Clearly, many of the activities under the programme are focused on articulating the rights of MIP community as a whole, but **a greater emphasis could be placed over time on specific rights within the communities themselves. GBV and child protection are certainly two areas that this internal work should focus on.** A specific emphasis on training of women on leadership and rights would also help to improve their participation in advocacy related work.

Other Cross-Cutting Issues

The programme as a whole does not have a specific environmental component. However, given the nature of the issues facing MIPs, including displacements from forests, conservation areas and game reserves, and issues such as grazing rights and removal of clay for pottery-making, there are very significant environmental issues to be addressed by MIP communities within most projects. A key challenge for MRG and its partners is to ensure that while environmental protection issues are respected, this does not happen to the detriment of MIP communities and their rights. A good example of a balanced approach towards environmental protection and MIP rights, was the successful lobbying of UNESCO / IUCN in relation to the designation of Lake Bogoria as a World Heritage Site.

Given that the programme is based on the rights of MIP communities, **governance** is unsurprisingly a major theme across the entire programme, and is being addressed through numerous activities, particularly under Result 3. There is no specific **protection** dimension to the programme as a whole, but some partners are addressing child rights issues to a certain degree. In developing the gender dimension of the programme further, there is scope for developing a stronger approach towards child protection also. In relation to the delivery of the programme itself, no specific child protection concerns have been identified to-date.

5.2 Analysis of Programme Processes

5.2.1 Programme Approach

From a partnership perspective, the system used to implement the programme is a slightly unusual one. Usually, under a partnership model, the implementing partners would develop a programme of work or a project for approval by the donor (MRG) on an annual basis (or sometimes a multi-annual basis) and some of the partner's institutional costs (e.g. on staffing or co-ordination) would be included in the project. However, under this programme, and following the 'activities mapping' exercise each year, partners submit individual concept notes to MRG for each individual activity or event that they are planning, be it a training course for which they are requesting a bursary, a community meeting, a specific meeting with decision-makers (sometimes including preparatory meetings also), a media stories exercise, or participation at a major event (e.g. an ACHPR session). This process enables MRG to have very tight control over the management of individual partner activities, and to keep a close eye also on expenditure. In some cases, partners drafted up to four concept notes within one year (e.g. PWC in Year 2).

During evaluation interviews, many partners expressed considerable frustration with the concept note system, as they feel that they are unable to fully plan their organisational activities and budget on an annual basis, and get frustrated at having to negotiate each individual concept note, sometimes over quite a period of time. Several of the partners are accustomed to using a project based funding system with other donors. As one partner put it: *'We have a strategic plan. It would be good if MRG could look at our strategic plan, and decide on which elements of the plan it wants to support.'*

The current system has its merits in terms of control from an MRG perspective, but it could not be considered best practice in terms of a partnership approach with local organisations. It is recommended therefore that MRG should move to an annual / multi-annual project funding system, with co-ordination, training / institutional support and activity funding all included under the annual plan.

If a new three year phase of the programme is to be developed post 2015, established partners that have well-developed strategies, substantial internal capacity, and lengthy programming experience (e.g. EWC, AICM, CDRA) should be asked to submit three year proposals, with annual plans and budgets to be approved on an annual basis. This would allow them to take a much more strategic view of their work, and to plan their activities and budgets with a greater degree of certainty. It would also reduce the amount of bureaucracy surrounding each concept note, allowing MRG to spend more time on looking at quality issues. While giving greater ownership to partners, it would also present them with more challenges in terms of planning and strategic thinking, and being more accountable in their reporting to MRG and others.

For newer or less established partners (e.g. RAPHY, WOPU) who may be less clear on their medium-term strategy and are still developing basic capacity, a multi-year programme may be unrealistic at this stage, but they **should move towards an annual project funding model.**

A move to a project based approach in relation to paralegal work, for example, would broaden the scope of that work from just a training programme to a more comprehensive implementation of a strong paralegal service, as previously suggested in Section 5.1.3, above.

5.2.2 Capacity Building

A review of previous programme reports and evaluations indicates that MRG has been taking a much more systematic approach to capacity-building with its partners in recent years, particularly since the arrival of the Capacity-Building Officer (who is also the Programme Co-ordinator). While Co-ordination funding is a relatively small amount (€1,200 / partner / year) it is very much welcomed by partners, even those that have very large budgets in their own right, as some other donors are often slow to provide any form of institutional funding. The systematic approach towards capacity assessment of partners, as evidenced by the use of the *Capacity Building Needs Assessment* tool is also very welcome, as specific capacity-building funding or bursaries are based on prioritised needs rather than random requests. The use of capacity-building ‘surgeries’ in each country, as described in Section 4.8.1 provides an important annual opportunity for partners to discuss issues on a collective basis, while also identifying individual needs.

5.2.3 Reporting from Partners

The level of reporting from partners to MRG is distinctly mixed, as illustrated in several comments on individual partners in Section 4, above. MRG has provided quite a few bursaries relating to report-writing and broader project cycle management (PCM). It has also adjusted its reporting template in an effort to place a greater emphasis on outcomes rather than just outputs. The main shortcomings in relation to reports are as follows:

- Training bursary reports providing too much commentary on the content and activities, and not enough on evaluating the benefits of it, or how it will be applied;⁷⁰
- Far too much very broad background information being provided in reports – often ‘cut and pasted’ from other reports. The background information should be specific to the particular intervention;

⁷⁰ Reference has already been made in Section 4.4.4 to an example of good reporting on training by CEMIRIDE, and in Section 4.5.1 to a ‘logbook’ obtained by PWC during a course (but not used) for the same purpose.

- A failure to be specific about the actual activities and outputs achieved (number of people etc), with particular reference to the original plan in the concept note. In some cases, the output section was obviously ‘pasted’ from the concept note;
- Confusion over the difference between outputs and outcomes, as the two were often mixed. Expected outcomes were often pasted from the concept note also.

Experience from capacity-building with CSOs more generally indicates that the provision of training courses and templates, while very useful in their own right, will not automatically lead to a good quality of reporting. **If MRG is to move to an annual or multi-annual project funding scheme with partners**, as suggested in Section 5.2.1, above, **a substantial amount of time will need to be invested in working with partners to improving their proposals and reports**. More time will also need to be spent on assessing the actual internal impact of training courses rather than just obtaining self-assessment feedback.

The manner in which MRG provided specific capacity support to WOPU (on organisational set-up) and RAPY (on re-structuring) has also been outlined in Section 4.8.1. Again, **a move to an annual or multi-annual funding system, might leave more scope for MRG to adopt a full Organisation Development (OD) approach with partners, placing a greater emphasis on areas such as organisational governance, strategy development and review, fundraising etc.**

Apart from reporting on specific concept notes, the lack of systematic documentation of activities, beneficiaries and cases being worked on was a recurring theme during the evaluation. This issue was highlighted previously in relation to paralegals (Section 5.1.2), but was not exclusive to them. Often when pushed, interviewees were able to provide specific examples of the sort of cases they were working on, but they did not use basic templates and recording systems to do this on a consistent basis. When asked, interviewees generally indicated that they would be quite happy to do this, but hadn’t thought about it. **A move to a more intensive OD approach would include the development of better project management and recording systems by partners.**

5.2.4 Measuring Results

In reviewing progress against each indicator in Section 5.1, above (and also in the Results Framework Review in Annex 2) a number of instances were highlighted where OVIs may require some further clarification. These details will not be repeated here, but **MRG, in conjunction with partners, should review all indicators on a systematic basis at this point, to clarify precise targets where necessary, and to make slight tweaks to OVIs where appropriate. Action plans for Year 3 of the programme should then be developed to address each OVI, as appropriate.** Major changes to OVIs should not be made at this stage of the programme.

One way to improve reporting from partners (as previously discussed in Section 5.2.3) would be for **partners to develop basic results frameworks for their multi-year project funding from MRG.** Considerable support from MRG would be necessary to support this, but the longer term benefits could be considerable. The use of RFs by partners would also mitigate some of the risks in moving from a concept note system to a multi-annual system.

5.2.5 Coherence and Complementarity among Partners

The overall structure of the programme, including specific support for 13 individual partners, backed up by a number of regional or multi-country initiatives, and strongly guided by technical expertise and linkages⁷¹ provided by MRG and other allies is a good one. Clearly, attempts have been made to bring partners, or representatives of them together for the pastoralist training in AUPFP, the land

⁷¹ For example, MRGs ability to make contact with Akiba Uhaki and UNPO to collaborate with YWCA and the Batwa.

rights workshop, youth leadership training, and during start-up meetings and capacity-building surgeries. However, a striking feature across all three countries visited was a certain lack of coherence or synergy across the work of partners:

- In Uganda, AICM and the Batwa they support were not involved in the development of UNFEM by the Banyabindi in conjunction with CDRN (though other Batwa representatives from Kisoro were involved);
- In Rwanda, all three partners are working with Batwa (HMP) but there is no interaction among them, and they were unaware of each other's activities in some cases;
- In Kenya, there was a sense during the field visits that the level of collaboration between EWC and RECONCILE in Baringo County could have been greater.

Apart from collective meetings in capacity-building surgeries, **greater efforts should be made to create more complementarity and synergy among partners working in the same country, through collaborative efforts among them and in conjunction with others. Consideration should also be given to how partners with specific capacity-building skills (e.g. CDRN, RECONCILE) or legal programming experience (e.g. EWC, OPDP) might use those skills to support other partners and MIP communities in the same country, or across the region.** These linkages should not be created just for the sake of it, but should be based on developing clear opportunities to add value to projects.

Linkages with other programme partners (and other CSOs) should form part of multiannual project proposals to MRG. Several partners requested support from MRG to undertake **study visits** to other groups. These types of visits can be very useful and informative for all concerned, but they can also be expensive, so **they need to be developed with a clear strategy in mind, as part of a larger project.**

5.2.6 Relationships between MRG and Partners

Despite the concerns about the concept note approach, and some complaints about the limited availability of funding from MRG, partners were in general very positive about their relationship with MRG, and were appreciative of the technical and organisational support that MRG provides for them. Most partners had good and reasonably regular contact with the Programme Co-ordinator. MIP community representatives interviewed at field level had much less understanding of MRG as an organisation, and many of them had never met anybody from MRG. MRG has a relative light overall staff capacity, but **it would be beneficial if more visits were made to beneficiaries and participants at field level.**

The evaluation report from the previous phase of the programme had referred to some tensions in the relationship between the London and Kampala offices of MRG. Feedback from both parties would suggest that relationships are now much better as the recruitment of the capacity-building officer has enabled MRG to develop greater coherence and information sharing about specific activities being led from both locations i.e. legal work from London and general partner support from Kampala.

5.2.7 MRGs Capacity and Focus

Many of the MIP communities supported under this programme are surviving in situations of extreme poverty, and the creation of income-generation projects is of vital importance to them. Hence, advocacy work is often not their first priority. A regular question asked by interviewees during the evaluation (and in feedback during capacity-building surgeries) was why MRG does not support livelihoods or income-generation projects (IGPs) in this context.

While some other international NGOs with advocacy agendas also support income-generation projects,⁷² and their support for these initiatives can be of benefit in encouraging communities to take up advocacy work, MRG has always operated from an exclusively advocacy based agenda. Apart from the considerable funding implications of service-provision / livelihoods work, it would require a major shift in organisational strategy for MRG to start funding IGPs. Such a shift is not recommended here, but MRG should continue to be mindful of the need for livelihoods programmes and IGPs for these communities, and seek to get other INGOs or donors to support them wherever possible.⁷³ **In this context, it might be useful for MRG to look at the possibility of developing strategic alliances with livelihoods / IGP agencies, either for the entire region, or within specific countries, so that the organisations could complement each other by working in parallel with the same MIP communities.**

The number of partners and countries included in the current Irish Aid funded programme was significantly reduced from the previous phase, but there is still a wide variety of partners and projects in relation to the overall budget. This has resulted in partners receiving relatively small grants, generally in the region of €1,000 to €3,000 to implement individual activities (in addition to co-ordination and bursary funding that are a similar or lower level). The lack of substantial funding from MRG has been raised as a source of frustration by many partners, and the geographic spread of partners also makes it difficult to oversee these small grants in a cost-effective manner. As previously indicated, a number of the partners are very well funded by other donors (e.g. COPORWA, PINGOs) and the level of funding they receive from MRG is fairly miniscule in comparison with their overall budgets.

If MRG is to move to a multi-year funding approach with partners, including a scaling up of its capacity building / OD work with partners, as recommended in this report, it will need to focus its resources more than heretofore. It is recommended that **MRG should seek to reduce the number of partners in the programme (and possibly the number of countries also)** so that its resources can be focused more on the quality and impact of its programme, and it can provide a greater degree of financial, technical and institutional capacity support to each remaining partner. MRG also needs to consider its own internal level of capacity as the current Capacity Building Officer, apart from also being the co-ordinator of this programme, currently operates across a wide range of countries. In this context, **MRG may also need to invest more on its overall capacity-building function.**

5.2.8 Clarification on Matching Funds

The requirement from Irish Aid for MRG to apply 'matching funds' from other sources to the programme represents a typical approach that is applied by many international donors. The evaluation process suggests that **there is a high degree of coherence between the Irish Aid funded programme and other programmes implemented by MRG in the region**, such as the International Advocacy Programme the Kenya Good Governance programme funded by EC. However, from a strict accountability perspective, it was difficult for the consultant to ascertain which elements / activities from those other programmes were included under 'matching funds' for the Irish Aid programme, and which of the activities within these programmes were not covered by matching funds.

Each allocation of funding from Irish Aid (i.e. co-ordination funding, bursaries and activity funding) was covered by a specific concept note, so the allocation of funds from Irish Aid was clear throughout. The allocation of matched funding from other programmes was much less clear. MRG should in future provide a greater degree of clarity, both in initial proposals and in reports, on the specific elements of the programme, and on each project within it, that are to be funded, or are

⁷² For example, CAFOD, Oxfam or Christian Aid.

⁷³ Partners such as AICM and YWCA also implement IGPs, so they are in a position to complement their advocacy work with MIP communities with other services (assuming that they can get funding for it).

being funded, from other sources. **A simple table detailing the allocation of funding by source to each activity and to each partner would provide sufficient clarity for reporting and accountability purposes.**

5.2.9 Preparing for Final Evaluation

Because of the geographic spread of partners and MIP communities funded under this programme, and a limited evaluation budget, the timeline and logistics around the field trip for this MTE were extremely tight. In the light of this, it is recommended that **the field visit for the final evaluation in 2015 should be restricted to two countries at most, and possibly one, with additional data gathering on the other countries being compiled through reports and partner interviews.** This would allow for a more in-depth assessment of the actual impact of partner activities on MIP community beneficiaries to be conducted within a reasonable timeframe. **If two countries are to be chosen for evaluation, it is recommended that one of them should be either Tanzania or Kenya, where partners are more advanced in terms of developing legal cases and advocacy strategies, with the other country to be selected from the three remaining countries.**

In moving to a project based funding mechanism, partners should also be expected to include some evaluation costs in their budgets in future, as evaluation should be seen as a core part of the PCM system, and not a one-off event.

6. Conclusion

The review of partner activities to-date for the Irish Aid funded MRG programme, as determined from field visits, interviews and reports, indicates that **most partners have substantially delivered on the expected activities, including capacity-building, and advocacy / media related activities** that were originally outlined in their concept notes to MRG. Activities were slightly adjusted in some cases, but the bulk of initiatives were delivered as planned. The obvious exceptions, where progress appears to be very slow, is UOBDU that had not reported on its Year 1 funding by the time of the evaluation, and was not therefore provided with any Year 2 activity funding.

In relation to the programme as a whole, substantial progress is being made so far in relation to minority and indigenous communities increasing their capacity to effectively advocate for their human rights (Result 1). Most of the individual targets under this result are likely to be met, but in assessing and supporting the capacity of CSOs, a clearer distinction needs to be made between the various types of CSOs within the programme, including the 13 direct partners, and other 'sub partners' that they support in turn.

A number of very significant milestones have already been achieved in relation to the capacity of partners and MIP communities to use national and international legal frameworks (Result 2). A significant feature of the programme, however, is that partners in Kenya and Tanzania are much more adept in developing legal cases than their counterparts in Uganda, Rwanda or DRC. Partners in the latter three countries also need to improve on their ability to develop specific advocacy strategies to hold governments and other duty bearers to account.

Progress has been made in relation to paralegal training, but there is a need for more systematic documentation of cases and activities that they are working on. More systematic documentation of activities and results is needed more generally throughout the programme. Some clarification is needed at this stage in relation to the status and intent of the regional land network for MIP, and in particular on how it might relate to the ongoing work in relation to AUPFP. Significant progress has been reported in relation to new communities seeking legal advice on land rights issues. No progress has been reported in relation to participation in UPR processes in Rwanda and DRC, but there has been some progress in Kenya. Despite these shortcomings, the programme is on target to meet the overall target set for Result 2 of 600 minority community members reporting improved ability to interact with legal / policy frameworks.

In relation to the action of governments and international bodies (Result 3), targets in relation to the development of media stories, and meetings with key decision-makers are likely to be met, but the delivery by various governments in relation to specific policy changes, action plans and processes such as the Tanzania pastoralist dialogue, AUPFP implementation and HMP programmes in Rwanda is less clear at this point, and more action is needed on these areas. A satisfactory approach is being taken towards all four of the cross-cutting themes: gender, governance, environment and protection, but there is scope for more work in relation to GBV and protection issues within communities.

In overall terms, the programme is a very good one, and is well on target in terms of meeting its purpose of *'empowering minorities and indigenous peoples in the region to participate in governance processes, increase their access to justice, and secure their rights to economic and social development'*.

In relation to programme processes, the 'concept note' system has its merits in terms of facilitating tight control by MRG over programme activities and budgets, but is not in line with best practice models for a partnership approach, and a move towards annual / multi-annual project based funding for partners would be preferable. MRG has developed a very systematic approach towards partner capacity-building, but the standard of reporting from partners is still very mixed. Some work is needed to review all existing indicators in the results framework to clarify and tweak them in

advance of Year 3 activities. More clarification is also required in relation to the precise use of matched funding from other sources on the programme.

There is potential for greater collaboration and complementarity among partners within individual countries, and potentially also across country boundaries. Relationships between MRG and its partners are generally good, as are working relationships between MRG in Kampala and in London. Given the current geographic spread of partners, the relatively low levels of funding going to each of them, and that fact that some partners have a far greater level of funding from other sources, there is a strong case for reducing the number of partners, and potentially the number of countries, in the next phase of the programme. This would allow MRG to place a greater emphasis on partner capacity-building and quality of interventions.

7. Recommendations

1. In assessing the capacity development (including fundraising capacity) of partners and other beneficiary CSOs in the programme (Result 1), MRG should make a clearer distinction between the level of support provided for, and progress expected from, different categories of CSOs:
 - a. A specific focus should be placed on support for and results achieved by CSOs that **directly represent and are managed by MIP communities themselves** (including partners and 'sub-partners' in this category).
 - b. Partners that are members of broader international networks, or that have a broader development mandate should be treated as a separate category, with a different level of support and expectations.

In this context, the systematic capacity assessment and support process currently applied by MRG to partners, should be extended to ensure that the capacity of **indirectly supported CSOs ('sub-partners')** who work for MIP communities is also being systematically assessed and improved over time.

2. MRG should complete the third module of training with existing **paralegals** before the end of this programme. Refresher courses should also be implemented, and a system for co-ordination and oversight of paralegals working under each of the existing partners should be established. The co-ordination system should include regular meetings of paralegals, the sharing of reports and ideas, and a referral and support system.
 - a. Formal documentation and reporting systems for paralegals should be developed, as should a system for assessment of their ways of working and impact, including risks and threats to them.
 - b. Under the next programme, the paralegal training should be expanded to all countries and partners (as deemed appropriate) with a view to developing a coherent sub-programme on paralegal work across all programme countries.
3. As the programme evolves, and partner / community capacity increases, MRG should place greater emphasis on **partners in DRC, Uganda and Rwanda developing formal legal cases** in relation to minority and indigenous rights (as appropriate to the local context) and in developing specific advocacy strategies for holding duty bearers (e.g. governments) to account.
4. MRG and CDRN should clarify at this stage, the status and intent of the proposed **regional land network** for MIP, including targets for the development of a clear purpose and strategy for the network. Clarification should also be provided on how the regional land network for

MIP and the proposed regional pastoralist forum will be developed in a coherent and consistent manner to avoid duplication of effort and resources.

5. Given the considerable emphasis on **media stories** within the programme, MRG and its partners should make provision within future stages of the programme for the inclusion of a relatively light but formal assessment of the impact of their media campaigns on public attitudes towards minority and indigenous groups, for example, through localised KAPB studies and more rigorous review of audience or public reactions to specific broadcasts or publications.
6. MRG and its partners should clarify at this point the specific expectations for progress to be achieved in relation to delivery by governments on issues such as the Tanzania pastoralist dialogue, AUPFP implementation and HMP programmes in Rwanda (all as referred to in Results 3.4 to 3.6 in the Results Framework). Clear plans should be put in place for the final year of the programme, under which partners, MIP communities and other CSOs should work to ensure that the desired outcomes are achieved.
7. Reporting against all indicators (OVIs) in the results framework in the final year of the programme, and in the final report, should be based on **gender** disaggregated data. The next programme should include an increased emphasis on gender equality, including:
 - a. The development of specific gender disaggregated OVIs in the Results Framework;
 - b. A specific focus on GBV and child protection issues within MIP communities;
 - c. An increased focus for training on rights and leadership for women from MIP communities.
8. The future progress of the 12 MIP youths trained to engage with the political or executive system as potential future leaders should be tracked over time, and a **model for training of other youth leaders** should be developed, including a continuing gender balance among trainees. The current programme for training for judges in Tanzania has similar potential for the development and replication of a training model elsewhere.
9. MRG should support partners to develop **basic templates and systems** for formally recording work processes, legal cases, activities, case studies or beneficiary details, as appropriate to each project intervention, as a means to enable partners to track and report on their interventions in a more systematic manner.
10. When developing a new phase of the programme, MRG should move from the current 'concept note' based system to a **new two-tier funding model. More established partners, with well-developed strategies, substantial capacity and extensive programming experience, should move to a multi-annual (three-year) project funding scheme**, with plans and budgets for each partner being approved on an annual basis. **Newer or less established partners should move to an annual funding scheme.**
 - a. In both cases, annual funding should cover all aspects of support from MRG, including institutional (co-ordination) funding, capacity-building bursaries, and project / activity funding.
 - b. The funding approach should include a more in-depth organisation development (OD) approach with partners, to cover all areas of organisational capacity, including governance, strategy and fundraising etc.
 - c. A specific emphasis should be placed on improved reporting quality, and on the ongoing assessment of the internal impact of capacity-building initiatives within each partner.
 - d. The new system should include the use of basic results frameworks by each partner.

- e. The development of strong project management and information recoding processes by all partners (as referred to under Recommendation 9, above) should form part of the new approach.
11. Greater efforts should be made to create more **complementarity and synergy among partners** working within the same country, through collaborative efforts among them and in conjunction with others:
 - a. Consideration should be given to how partners with specific capacity-building skills (e.g. CDRN, RECONCILE) or legal programming experience (e.g. EWC, OPDP) might use those skills to support other partners and MIP communities in the same country, or across the region.
 - b. The possibility of developing study visits between partners within countries, and more regionally, should be considered where such visits have a clear purpose, are part of a broader strategy, and can be justified within the context of the overall partner budgets.
 12. MRG, in conjunction with partners, should review all indicators on the Programme Results Framework on a systematic basis at this point, to clarify precise targets where necessary, and to make slight tweaks to OVIs where appropriate. Action plans for Year 3 of the programme should then be developed to fully address each OVI, as appropriate.
 13. MRG should consider the possibility of developing strategic alliance with international livelihoods / IGP agencies, either at regional level or within each country, so that the two organisations could complement and support each other by working in parallel with the same MIP communities.
 14. In moving to a multi-year project funding scheme with partners, MRG should seek to reduce the number of partners in the programme (and possibly the number of countries also) so that its resources can be focused more on the quality and impact of its programme, and it can provide a greater degree of financial, technical and institutional capacity support to each remaining partner. MRG may also need to invest more on its overall capacity-building function, in order to deliver on the more in-depth approach with partners.
 15. In order to provide greater clarity on the use of matching funds from other sources within the programme, MRG should develop a detailed funding allocation table within project proposals and reports that identifies the source of funding for each activity with each partner.
 16. The field visit for the final evaluation in 2015 should be restricted to two countries at most, and possibly one, with additional data gathering on the other countries being compiled through reports and partner interviews. If two countries are to be chosen for evaluation, it is recommended that one of them should be either Tanzania or Kenya (where partners are more advanced in terms of developing legal cases and advocacy strategies), with the other country to be selected from the remaining three.

Annex 1: Itinerary for Field Visit March 29th – April 9th 2014

Date	Day	Location	Time	Activity	Interviewees	Title / Role
March 29 th	Sat.	Dublin	06:00	Flight: Dublin – Amsterdam – Kigali – Entebbe.		
		Entebbe	22:20	Travel to Speke Hotel, Kampala		
30 th	Sun	Kampala	14.00	Meetings with MRG Africa Team	Jolly Kemigabo	MRG Africa Regional Manager
			16.00	Meeting with CDRN	Rachid Brian	Senior Prog. Officer Prog. Assistant
31 st	Mon	Kampala	07.00	Travel via Fort Portal to Kasese with Brian.	Godwin	Driver
		Kasese	14.00	Meeting with Banyabindi in Kinyamaseke	Mugisha Elisha Ateenyi and 8 other members of the community	Cultural Leader and Executive Director of Eliana R's & Jamp Banyabindi Foundation.
			17.00	Back to Kasese.		
April 1 st	Tue	Kasese	07.00	Travel to Kabale.		
		Kabale	12.00	Meeting with AICM	Katushabe Faith, 5 AICM managers and John Kaheru (Mutwa)	Director, and managers for Evangelization, Finance, Shelter, Agriculture and HR.
			14.30	Meeting with AICM participants / beneficiaries	John Kaheru and six local Batwa community representatives	Chairman LC1, Community Change Agents, VLSA and agriculture producers
			17.00	Back to WHI Hotel		
2 nd	Wed	Kabale	08.00	Travel by road to Rwanda Border.		
			10.30	Travel with YWCA driver to Kigali		
		Kigali	13.00	Meeting with COPORWA	Sebishwi Juvenal / Dominic	
		Kigali	15.00	Travel to Kacyiru for meeting with COPORWA beneficiaries	43 members of co-operative present	
3 rd	Thu	Kigali	09.00	Meeting with YWCA (Kigali)	Pudentienne Uzamukunda, Archimede Sekamana, Jean B Harindintwari.	General Secretary, Programmes Officer and Project Officer
			11.00	Travel to Gitarama for meeting with YWCA beneficiaries	8 members of Duterimbere group (livelihoods)	
		Gitarama	15.30	Travel back to Kigali.		
4 th	Fri	Kigali	09:00	Meeting with WOPU	Kanziza Epiphanie, Ncunguyinka Venuste,	Co-ordinator, Administration Assistant
		Kigali	11:00	Meetings with WOPU beneficiaries	15 Batwa women potters at Kacyiru.	
		Kigali	18:40	Flight to Nairobi		
		Nairobi	21:10	Travel to Panafric Hotel		
5 th	Sat.	Nairobi	All day	Data assimilation and initial report writing		

Date	Day	Location	Time	Activity	Interviewees	Title / Role
6 th	Sun	Nairobi	09:00	Travel to Nakuru.		
		Nakuru	14:00	Meeting with OPDP in office	Daniel Kobei & Peter, Eunice C, Judy, Emmanuel, Fanie, Eunice N.	Director & six managers
			16:00	Meeting with EWC at Bontana Hotel	Wilson Kipkazi, Bernard Obara	Executive Director Programme Co-ordinator
7 th	Mon	Nakuru	08:00	Meetings with OPDP participants beneficiaries / in OPDP office.	Peter Jusiot	Programme Manager & three paralegals based in Nakuru and Njoro.
				Travel to Maragit (Baringo County)		
			14:00 start	Meetings with EWC beneficiaries.	Jackson, Nicholas, Fiona, Sandra, Vincent, Daniel	7 community members (2 female) including 2 paralegals and 1 elder.
			19:00	Meeting with Reconcile Director in Nakuru	Shadrack Omondi	Director
8 th	Tue	Nakuru	08:00	Travel to Kabarnet (Baringo County)		with Shadrack Omondi
			Nakuru	10:00	Meeting with Reconcile beneficiaries.	Kimpruto Kimosoko, Stanley Sunnkwo Aaron Rono, Melka Rutanoyo.
				Meeting with Deputy Governor of Baringo County.		Including RECONCILE and Baringo HRC representatives.
		Nakuru	14:00	Travel to Nairobi.		
9 th	Wed	Nairobi	08:15	Flight: Nairobi – Amsterdam - Dublin.		

Skype Interviewees:

Organisation	Location	Interviewee	Title Role
PINGOS	Tanzania	Edward Pokorwa	Executive Director
MRG	Kampala	Freddy Batundi	Programme Co-ordinator / Capacity-Building Officer
MRG	London	Lucy Claridge	Head of Law

Annex 2: Progress against Expected Results at the Mid-Term Review Stage

Purpose	Objectively Verifiable Indicators (OVIs)	Indications / Examples of Progress at MTR Stage	Comments
<p>To empower minorities and indigenous peoples in Central and East Africa to participate in governance processes, increase their access to justice, and secure their rights to economic and social development.</p>	<p>20 CSOs show evidence of improved management capacity, governance processes and systems, and sustainability.</p>	<ul style="list-style-type: none"> • CDRN: Improved financial management and training capacity reported. UNFEM governance and management being developed. • AICM reports improvement in team working and financial management and HR management capacity. • WOPU training on NGO management and computers has improved internal capacity. Support from MRG has enabled the organisation to establish and register itself. • OPDP reports that training on programme management has improved capacity. • EWC finance officer indicated that report writing skills have improved. • CEMIRIDE: PO confirmed that management skills were improved as a result of course. • PINGOs: No bursary provided. Indicator not very relevant as MRG funding represents a small portion of PINGOs budget. • PWC: Participants in report-writing and PCM training expressed satisfaction about course, but content of reports to MRG is still mixed. • RAPHY: No evidence of improved capacity was reported from initial (general) training in Year 1, but follow-on training in year 2 for the President was said to have made a significant difference. • COPOWRA, YWCA and RECONCILE: No specific bursary provided. 	<p>There are only 13 direct CSO partners in the program, plus a range of minority group CBOs that they support. It would be more useful to have a specific indicator for expectations for CSOs that directly represent minority group (many of which are starting from a low base) with perhaps a separate indicator for CSOs that work with them e.g. AICM, YWCA, RECONCILE etc.</p> <p>Evidence of improved management capacity at this stage is based on feedback from the partners themselves. More objective evidence would require a more rigorous assessment of capacity before and after CB initiatives.</p>
	<p>600 minority community members report improved knowledge/ability to interact with legal/policy frameworks protecting their rights, and/or improved advocacy abilities.</p>	<p>Year 1 report to Irish Aid: Already 431 community members have been trained and report increased skills. Evaluation findings:</p> <ul style="list-style-type: none"> • CDRN: UNFEM leaders reporting greater understanding of issues in relation to elections. • AICM: Batwa beneficiaries report improved advocacy understanding, and are increasingly raising issues with local authorities. • COPORWA: 4 men who underwent training reported improved knowledge of advocacy. • YWCA: Members of Duterimbere group report improved understanding of rights. • WOPU participation at 55th Session of ACHPR for the first 	<p>Self reporting of improved knowledge, skills or ability is an important step in itself, but a stronger, outcome-level indicator is also required to assess more objectively whether or not those improvements in knowledge / skill / ability are being put into practice.</p>

		<p>time in 2014.</p> <ul style="list-style-type: none"> • OPDP paralegals report improved knowledge of community across a range of themes. • EWC: 7 project beneficiaries in Maragit report greater awareness and understanding of rights among community. EWC achieved observer status at ACHPR in 2013. • RECONCILE: Some understanding developed by its local partners, but more work needed on this. • CEMIRIDE: 20 training participants report improved knowledge of Draft Community Lands Bill. • PINGOs: Paralegal training and meetings with lawyers (both funded from elsewhere) provided greater understanding of legal processes for Maasai. • PWC: 76 villagers (18 female) report improved understanding of legal processes and advocacy tactics. • RPY: Training provided for community advocacy in Year 2, 22 people (9 female) reported positively on day of reflection. • Youth Leadership: 12 trainees interacted with political leaders – no feedback on this? One youth leader from Uganda participated at 55th Session of ACHPR in 2014. 	
	<p>6 instances where minority or indigenous rights abuses have been successfully challenged resulting in changes of policy, legal judgments/measures or de facto improvements for communities</p>	<ul style="list-style-type: none"> • YWCA: GBV case addressed by court – perpetrator in jail. • OPDP: Ogiek case before ACHPR in June 2014 (see Result 2) • EWC: ACHPR Resolution in Nov. 2013 calling on Kenyan Govt. to implement the Endorois Ruling. • EWC: UNESCO / IUCN State of Conservation Report 2014 calls on Govt. for full participation of Endorois in management and decision-making on Lake Bogoria lands. • RECONCILE: Baringo Human Rights Consortium taking a case against the Governor's office for employing people without due process. • PINGOs: No specific examples at this stage. • PWC: Successful discovery of documents in case against Thomson Safaris in US court (Section 1728) will help the overall case. High Court case against Tanzania Conservation set for 2014. • CDRN, AICM, COPORWA, WOPU, CEMIRIDE, RPY: None reported at this stage. 	

Result 1	Objectively Verifiable Indicators (OVIs)	Indications / Examples of Progress at MTR Stage	Comments
Minority and indigenous communities have increased capacity to effectively advocate for their human rights in international/ national/ regional human rights systems.	R1.1: At least 600 minority community members report increased understanding of their rights and of how to achieve them.	<ul style="list-style-type: none"> See examples provided under the second indicator at Purpose level, above. Reported in MRG Year 1 report at: '431 (163 women) from minority communities in Kenya, Uganda and Tanzania attended trainings/workshops and report increased advocacy capacity. Achieved at 71.8%- with the remainder to be achieved in Y2.' 	<p>Achievement seems likely given the number of trainings organised so far and level of participation in them. However, the indicator is quite subjective (self-reporting). Would be useful also to measure the understanding of those at an early stage of mobilisation, as opposed to those who have been advocating for a longer time (e.g. in Kenya) – though the latter are still improving their skills.</p>
	R1.2: 80% of trained pastoralists report greater knowledge and awareness of the recommendations of the AUPFP, and report active use of this knowledge.	<ul style="list-style-type: none"> 29 participants in the initial regional workshop. 100% of 20 who completed evaluation forms confirmed greater knowledge and awareness. 67 participants in 3 country workshops in January 2013. Evaluation results not yet available? 	<p>'Active use' of the knowledge also needs to be progressed during the remainder of the programme.</p>
	R1.3: 12 targeted CSOs have designed and secured grants of more than USD 10,000 for new programmes.	<ul style="list-style-type: none"> CDRN already accessing funds from other sources. AICM already accessing funds from other sources. No additional funding yet this year. COPORWA already in receipt of major funding from other donors YWCA already has multi funding sources. Promise of UNPO support for Batwa is based on YWCA link. WOPU relatively new – no other funding yet. OPDP: Funding of €35,000 received from AJWS in 2014. EWC: Application to Ford Foundation for \$50,000 submitted. EWC expects to get the grant, RECONCILE: Already well funded by other sources. Baringo Minority Groups Network needs to develop that capacity. CEMIRIDE: Has funding from other donors. PINGOs: Funded by several other donors already. Not dependent on MRG. PWC: Has funding from other donors. RAPY has ongoing funding problems. Some donors have stopped funding. 	<p>Indicator is useful in providing a sense of the degree of financial sustainability of the 12 CSOs in the short term. However, there should be an indicator that demonstrates how additional funding is achieved as a result of capacity building under this programme. Several partners already had well-established relationships with other donors. In the context of building capacity of minority groups, fundraising by international NGO partners (AICM, YWCA) or national organisations with a broader remit (CDRN, RECONCILE) is of less concern that the ability of organisations that are directly run by minority groups or focus entirely on these groups.</p>
	R1.4: At least 5 minority community members have started the process to stand for local/ national elected posts.	<ul style="list-style-type: none"> CDRN: Member of Banyabindi to run for president in Uganda (2016); AICM: A Mutwa appointed as chair of a village committee; None. EWC: Former board chair ran for parliament (unsuccessful). Two ran for county Assembly – 1 successful. COPORWA, YWCA, WOPU, OPDP, RECONCILE, CEMIRIDE, PINGOs, PWC, RAPY: None reported as yet. 	<p>The specific training of 12 youths from 3 countries in leadership (6 female) is a significant step towards encouraging minority representatives to stand for election. Their progress should be tracked over time to see if they will become active in politics.</p>

	<p>R1.5: 80% of partners can describe a specific organizational problem that the programme has helped them to resolve, which has made them more effective.</p>	<ul style="list-style-type: none"> • CDRN confirmed improvement in financial management and training capacity; • AICM Improved budgeting and reporting as a result of finance training, but reports still mixed. • WOPU: Management & computer training courses have helped to develop capacity. MRG played an important role in facilitating the establishment of the organisation also. • OPDP: Management training helped with reporting. • EWC: Improved financial management and report writing. • CEMIRIDE: Programme management improved. • PWC cites reporting and PCM improvements, but reports are still mixed. • RAPH: Major re-structuring process facilitated by MRG. RAPH training (Y2) was reported to have improved management capacity. • COPORWA, YWCA, RECONCILE, PINGOs: no bursaries received. 	<p>80% presumably refers to 11 of 13 partners in the programme. Is a very subjective indicator. Need to distinguish between capacity development of:</p> <ul style="list-style-type: none"> (a) Partners or 'sub-partners' that directly represent indigenous groups (e.g. EWC) (b) Stronger local NGOs that work with indigenous CBOs (e.g. CDRN, RECONCILE), and (c) Partners that are members of strong international networks, but support local indigenous groups (e.g. AICM, YWCA).
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Result 2	Objectively Verifiable Indicators (OVIs)	Indications / Examples of Progress at MTR Stage	Comments
<p>Minority & indigenous communities have improved capacity to use national and international legal mechanisms to safeguard their rights, particularly in relation to access to resources and services.</p>	<p>R2.1: Evidence is gathered and disseminated to relevant decision makers in 10 cases of minority rights violations</p>	<ul style="list-style-type: none"> • AICM: local abuses (violence against Batwa) reported to authorities. No specific documentation at project level. • COPORWA: Focus is more on advocacy for economic improvements. • OPDP: HR monitors documenting cases for MRG to send to ACHPR. Presentation by OPDP at the 54th Ordinary Session of ACHPR in 2013. African Court issued an Order of Provisional Measures in relation to the Ogiek Case (March 2014). • EWC: Evidence provided to ACHPR at 54th Session re implementation of Endorois Decision. Successful lobbying of UNESCO / IUCN re Lake Bogoria as a World Heritage Site. Letters of Attorney General and Ministry of Lands re land grabbing. Paralegals working on cases re gender violence at local level. • RECONCILE: Discussions are more general at this stage. • PINGOs: Paralegal training done and meetings with lawyers have taken place. • PWC: Work ongoing in relation to Thomson Safaris / Tanzania Conservation cases. Discovery of documents in US Court will provide further evidence. Evidence gathering equipment and training provided to identify potential witnesses. • CDRN, YWCA, WOPU, CEMIRIDE, RAPHY: No cases reported as yet. 	
	<p>R2.2: At least 20 members of the network of land rights influencers feel more supported in their rights struggle.</p>	<ul style="list-style-type: none"> • Year 1 report stated: 'The network has just started... Evaluation on how members feel will be done in Year 2.' Evaluation not completed yet. 	<p>Future strategy and plans for the network require clarification at this stage. It would be useful to have a target for the development of a specific strategy and action plan.</p>
	<p>R2.3: A positive decision is reached by the African Court on the Ogiek case.</p>	<ul style="list-style-type: none"> • Case remains pending before the Court with a final decision due in late Year 2 /early Year 3. • Court issued an Order of Provisional Measures, mirroring the measures ordered by the Commission in the original case, in March 2013 - the first time that such an order has been issued to protect the rights of indigenous peoples in Africa. • Government responded, stating that it was complying with the order. 	

	<p>R2.4: At least 50% of those receiving paralegal training are able to give evidence, of how they have used their new knowledge/ skills.</p>	<ul style="list-style-type: none"> • Post training feedback received from participants indicates that more than 80% believed their knowledge of their rights and how to achieve them had increased significantly; • Specific examples cases provided verbally by OPDP and EWC paralegals, but not formally documented or quantified at this stage. 	
	<p>R2.5: 3 new minority communities have sought legal advice on land rights issues from local or regional land rights experts.</p>	<p>Four specific examples reported by MRG:</p> <ul style="list-style-type: none"> • The Uvinje pastoral community of Sadaani , Tanzania (linked to PWC) seeking support in contesting eviction from their ancestral land by the Tanzania Park Authority (TANAPA); • The Maasai of Narasha near Naivasha in Kenya (linked to CEMIRIDE) who are facing eviction from their land so that it can be used for geothermal energy production; • The Batwa (linked to RAPHY) near Kahuzi Biega National Park in DRC who are challenging their eviction in local courts, and are considering whether to take an international case; • The pastoralists of Mabwegere, Kilosa District, Morogoro Region in Tanzania (linked to PINGOs), who are in conflict with a local farming community and now want to take the case to ACHPR. <p>Other cases reported by partners as follows:</p> <ul style="list-style-type: none"> • OPDP: Already involved in legal cases at ACHPR (not new). • EWC: Ongoing cases. Supported by Kituo Cha Sheria with letters. • PINGOs: Meetings between pastoralists and lawyers were arranged. Case to proceed. • CDRN, AICM, COPORWA, YWCA, WOPU, RECONCILE: No specific direct cases reported at this stage. 	
	<p>R2.6: 3 UPR sessions (DRC and Kenya in 2014, and Rwanda in 2015) include questions based on reports from partners, (or reference made in OHCHR summary. 2 more partner-led UPR submissions ready for session in 2016 (post-project)</p>	<ul style="list-style-type: none"> • Rwanda: no action from partners so far. • Kenya: A shadow report being developed. OPDP and EWC have participated in its development. • DRC: No indication of progress so far. 	

Result 3	Objectively Verifiable Indicators (OVIs)	Indications / Examples of Progress at MTR Stage	Comments
<p>Governments and regional and international bodies demonstrate increased awareness of discrimination faced by minority and indigenous communities, and express commitment to improving their situation.</p>	<p>R3.1: 30 positive/ neutral media stories on minorities and IPs.</p>	<ul style="list-style-type: none"> • CDRN – none so far • AICM: Batwa participation in Voice of Kigezi radio talk shows, and radio spot messages and newspaper reports. • COPORWA: Media stories on potters. • YWCA: One story documented. • WOPU: One community workshop reported on. • OPDP: ‘Many’ examples, including Sunday Monitor, Kass FM and Kass TV (not quantified). • EWC: Endorois women on 2 live radio talk shows (Kass and Amani); 12 media reps reported on advocacy / gender projects. • RECONCILE: No – none planned in budget. • CEMIRIDE: None planned • PINGOs: Not on the agenda for project. • PWC: No specific stories, but training done for journalists (unquantified number). • RAPHY: Stories collected in North and South Kivu and distributed to Radio Maria and Vision Shala TV. 	
	<p>R3.2: At least 20 members (50% women) from each community meet with decision-makers to discuss issues of concern.</p>	<ul style="list-style-type: none"> • CDRN – none reported. • AICM: Plans for meeting at sub-county level. Have met MPs on land issue, but no action delivered. • COPORWA: Meeting held at District Level (Joint Development Action Forum). • YWCA: 2 groups of Batwa (35+50) met with local officials in Karago Sector and Gifumgba Cell. • WOPU: None yet. • OPDP: Approx. 225 people met with 3 county governments (no gender breakdown). • EWC: 110 Endorois (40 women) met with Governor of Baringo County • RECONCILE: 17 minority group reps. (6 female) met with 10 members of the County Assembly House Liaison Committee. • CEMIRIDE: None planned this year. • PINGOs: 8 village reps (2 female) met with Prime Minister • PWC: No specific meetings with officials planned, though village assemblies agreed to provide their own funding for trips to Arusha. • RAPHY: 10 Batwa (3 females) met with provincial deputies (2 meetings). 	

	<p>R3.3: At least 2 government officials in each target country, and at least 3 international actors, express support of minority rights.</p>	<ul style="list-style-type: none"> • AICM: Nominal expression of support for Batwa by MPs – no delivery. • COPORWA: No specific • YWCA: UNPO agreed to support Batwa. • WOPU: No specific examples yet. • OPDP: Cabinet Secretary for Education has spoken out on Ogiek issues. • Chief Justice and Attorney General’s office have spoken of need to implement Endorois ruling. • RECONCILE: None cited. • CEMIRIDE: None. • CEMIRIDE: No. • PINGOs: Prime Minister expressed support during meeting in Dodoma. • PWC: None Reported. Concept note had stated that Prime Minister was due to visit villages. • RAPH: none reported. • UCRT training of Judges in Tanzania: They expressed much better understanding of rights of minorities. 	<p>Need to clarify:</p> <p>(a) The level of officials (e.g. district or cabinet level) and ‘international actors’ that are expected to express support, and</p> <p>(b) The nature of expression of support expected as, for example, some promises were made by politicians in the context of running for elections, but with no subsequent commitment.</p>
	<p>R3.4: As per 2011 UPR recommendation, Government of Tanzania allows visit of UN/ other INGOs to observe human rights situation of pastoralists, and starts dialogue on consultation mechanism.</p>	<p>Some work being done – PINGOs hosted the Katiba Initiative.</p>	
	<p>R3.5: Government of at least 1 target country formulates an action plan, with clear timelines, to domesticate the AUPFP</p>	<p>Uganda: Nothing planned yet. Rwanda: Nothing planned yet. Kenya: Nothing yet.</p>	
	<p>R3.6: Government of Rwanda implements programmes targeting poverty in Batwa in at least 3 regions of Rwanda</p>	<p>No specific programmes for Batwa. Various small initiatives around the country for ‘Historically Marginalised Groups’ (HMGs).</p>	<p>Specific expectations need to be clarified in indicator e.g. on scale of programmes expected and degree of attribution to or contribution by the work of MRG / partners.</p>
	<p>R3.7: Government of DRC begins discussion on draft development policy of a more minority-sensitive nature.</p>	<p>Draft legislation on indigenous peoples put together by some MP and CSOs in June 2014. RAPH had significant involvement in the wider CSO network. Legislation to be tabled in parliament in September 2014.</p>	

Note: As UOBDU had not provided any report to MRG by the time of the evaluation, and was not included in the field visit, results from UOBDU have not been included in the above table. the time of the evaluation, the only funding received by UOBDU under the programme was for Co-ordination and Overheads in Year 1.

Annex 3: Terms of Reference (Original Version)

Strengthening the Voice of Marginalised Minorities: Enhancing Human Rights in East and Central Africa

Irish Aid July 2012 – June 2015

Mid-Term Evaluation – Terms of Reference and Call for Expressions of Interest

This programme seeks to enhance the rights of highly marginalised and impoverished minorities in East and Central Africa (Kenya, Uganda, Tanzania, DRC, Rwanda). It does this by strengthening minority voices in national, regional and international human rights systems, supported by legal cases and grassroots capacity building. This is a mid-term evaluation (i.e. the programme is still on-going) and the evaluation work will take place during mid-March through mid-May 2014. The evaluation report should be drafted in March/April (and a draft report submitted no later than 15th May 2014). After MRG and stakeholders' input, the finalised report should reach MRG no later than the 8th June 2014.

We would expect that the evaluator selected would have extensive knowledge and experience of minority rights, experience of working on access and control of resources for marginalised communities, a strong track record of work in and knowledge of East and Central Africa, experience of gender issues, experience of advocacy strategies and experience of influencing decision makers. The person or team selected would also be expected to have a strong track record of evaluations carried out on similar or analogous projects and would need a working knowledge of spoken and written French (French is the working language for some in Rwanda and all in DRC, (the report will be drafted in English).

The evaluator will need to work within somewhat tense security situations. S/he will need to be able to gain the trust of programme participants, authorities and third parties and will need to be able to convince all those approached for information that this will remain secure and confidential. The evaluator will also need to be aware of, and use, ways of working that do not increase security risks to any party involved in the programme or the evaluation. Experience of training, capacity building and work with smaller NGOs in difficult contexts would also be helpful.

The results originally foreseen for the project are as follows:

1. Strengthening of the voice of communities and civil society organisations to influence policy and its implementation at local, national and international levels.
2. Improved access and control of resources for marginalised communities.
3. The promotion and realisation of human rights.

Key evaluation questions

Referring to the full logical framework, have we, so far, completed all of the **activities** as planned to a reasonably high quality? What problems have been encountered at this level? How did changes on the ground in Kenya, Uganda, Tanzania, DRC and Rwanda affect our plans and was our reaction and changes to plans appropriate and timely? How have any problems affected the activities and to what extent have they been overcome?

Outcome level

Where completed as planned, have activities contributed to the planned **results**? Where this was so, refer to evidence. Where not so, what factors intervened and explain how they impacted. Suggest ways that MRG has tried to overcome any problems and how successful this has been (or not). Document any changes in the external environment that have helped or hindered the project. If there have been any unplanned results (positive or negative) explain what these were and how they came about.

Impact level

If at all possible, make an assessment as to whether the results achieved are likely, over the longer term, to achieve or contribute to the achievement of the overall **purpose** of the project:

If it is unlikely that all or part of the purpose will be achieved, why is this and is this something that could have been foreseen/can be overcome? As this is an interim evaluation, it is likely that the report will focus more than is usual in most evaluations on the outcome level and it is likely that less will be able to be said with any great certainty on likely impacts.

Additional evaluation questions:

1. To what extent is MRG succeeding in the promotion and realization of human rights for marginalised minorities in East and Central Africa? Have we struck the right balance between grassroots capacity building, legal cases and

- local/national/regional advocacy? Was it too ambitious to aim to achieve all of these objectives in one programme? Have there been any conflicts between these objectives and the strategies needed to achieve them?
2. What effect has the project had (if any) on the capacities of those trained and supported to represent the rights and interests of their communities through advocacy campaigns? Detail progress made and gaps or constraints that are still impeding progress. What input have other organisations or individuals had in supporting and developing partners' capacities in addition to or alongside MRG's input? Assess MRG's contribution to any capacity gains vis a vis the work of others. Assess to what extent the project has made good decisions in deciding which aspects of capacity building to prioritise. Which capacity building methods have worked best and why? Which capacity building methods have been less effective and why? Are any gains in capacity sustainable over the longer term? To what extent have any improvements in capacity translated into benefits for the community on the ground?
 3. Has the legal cases strategy been effective in finding legal solutions to human rights violations and resource control issues? Do minority and indigenous communities have improved capacity to use national and international legal mechanisms to safeguard their rights, particularly in relation to access to resources and services?
 4. In relation to advocacy work, has the programme strengthened the voice of marginalised minority communities and civil society organisations to influence policy and its implementation, at local national and international levels? Were the project objectives realistic given the time frame and the context at the point that the programme was designed? Has the programme achieved commitments from local, national and international decision-makers to protect minority rights in the long-term?
 5. What sort of partnership relationship has developed between MRG and the organisations that received support through the programme? What aspects of this have been more or less helpful?
 6. To what extent have grassroots communities benefited from the project? Have the benefits been reasonably balanced between different areas and groups e.g. women, men, young and older people? Has the project contributed to or detracted from cooperation and harmony within minority communities? Has the project improved or proved negative for relationships between different communities (including some who benefitted (more) and some who benefitted less or not at all). Has the project in any way contributed to encouraging representatives of minorities to collaborate and identify common agendas and strategies? Could we have done things differently and better?
 7. Has MRG, and all those involved, incorporated women's issues and gender in the way envisaged? If not, why not? If yes, how was this achieved? What can MRG learn from this in the future in similar programme?
 8. It would be useful to have comments on how MRG and partners have monitored, kept track of and reacted to changes in circumstances? Have the reactions and changes in project implementation been based on a sound analysis and agreements reached? Have they proven to be good decisions? Have any critical external context changes slipped under the radar or been picked up too late and, if so, has this impacted the effectiveness of the work?
 9. MRG plans to continue to work on these issues in East and Central Africa, so it would be helpful if the evaluator could share feedback and comments on this and give any advice to the team on strategic directions or choices that could be made.
 10. How would participants like to see MRG working in Kenya, Uganda, Tanzania, DRC, Rwanda? What kind of support would they like to receive and what are the gaps they perceive in the MRG program? Are there any activities they would have implemented differently?

Specific tasks of the evaluator

- Read all project materials and review feedback from project partners.
 - Travel to Kenya, Rwanda and Uganda and visit 8 partners and talk with at least 120 potential beneficiaries:
 - Rwanda: 3 partners and 45 beneficiaries [WOPU (15 beneficiaries), COPORWA (15), YWCA (15)].
 - Uganda: 2 partners and 30 beneficiaries [(AICM (15), CDRN (15)].
 - Kenya: 3 partners and 45 beneficiaries [OPDPD (15), Reconcile (15), EWC (15)].
- At least 40% of the potential beneficiaries contacted on each project should be identified and spoken to independently of the partner organisation.
- Speak with all other partners on the project (e.g. those located in DRC and Tanzania) to gain their opinions on the project progress and feedback for MRG.
 - Speak to MRG project staff in London and Kampala (if necessary, some of the conversations with London staff could take place via Skype).
 - Report with an assessment of the current effectiveness and potential impact of the programme and on lessons emerging and recommendations that MRG, partners and others can take forward throughout the duration of the programme. This should include an executive summary of around 2 pages.

Results of the mid-point evaluation will be shared and discussed with partners to consider whether the evaluation's findings suggest that changes in programme design or ways of working would be beneficial. Results will also be shared with MRG staff, Trustees and the general public via MRG's website and e-bulletin. Generally applicable lessons emerging from the evaluation will be extracted and discussed with all MRG staff.

There is no pre-set format for this evaluation although MRG is particularly interested in lessons that we can apply in remaining and future programme activities. It is essential that the evaluation also assess how well gender has been mainstreamed in the work throughout. The evaluator will need to be independent of MRG, its donors, the project targets and will need to demonstrate that no perceived or actual conflict of interests would arise during the evaluation. The evaluator will need to work within the time frames outlined above. The evaluation will need to satisfy all requirements of the funder, Irish Aid Civil Society Fund.

The budget for this piece of work including the evaluators' fee, all travel, communication and other costs is €7,000. Please note that a final evaluation will be due on this project in 2015 and we may consider appointing the evaluator who completes this interim evaluation to also carry out the final evaluation in the interests of continuity, comparisons and cost saving.

If you are interested in being considered for this opportunity, please send your CV and a covering letter setting out your relevant experience and your suggested methodology of tackling this evaluation, including a work plan and budget, to Claire.thomas@mrgmail.org to arrive by 12.00 midday (Greenwich Mean Time) on February 21st 2014. MRG will endeavour to shortlist potentially strong candidates on or by February 28th and hopes to have made an appointment by March 3rd/5th.