



2012:10

Sida Decentralised Evaluation

Stefan Dahlgren
Sarah Forti
Jane Magigita

Evaluation of Legal and Human Rights Centre (LHRC) in Tanzania

Final Report

Evaluation of Legal and Human Rights Centre (LHRC) in Tanzania

**Final Report
July 2012**

**Stefan Dahlgren
Sarah Forti
Jane Magigita**

Authors: Stefan Dahlgren, Sarah Forti and Jane Magigita

The views and interpretations expressed in this report are the authors' and do not necessarily reflect those of the Swedish International Development Cooperation Agency, Sida.

Sida Decentralised Evaluation 2012:10

Commissioned by the Embassy of Sweden in Tanzania

Copyright: Sida and the authors

Date of final report: July 2012

Published by Citat 2012

Art. no. Sida61525en

urn:nbn:se:sida-61525en

This publication can be downloaded from: <http://www.sida.se/publications>

SWEDISH INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Address: S-105 25 Stockholm, Sweden. Office: Valhallavägen 199, Stockholm

Telephone: +46 (0)8-698 50 00. Telefax: +46 (0)8-20 88 64

Postgiro: 1 56 34-9. VAT. No. SE 202100-478901

E-mail: info@sida.se. Homepage: <http://www.sida.se>

Table of contents

Abbreviations and Acronyms	3
Preface.....	4
Executive Summary.....	5
1 Introduction.....	7
1.1 Background to the Evaluation.....	7
1.2 Methodology.....	8
1.3 Limitations	9
1.4 Structure of the Report	11
2 General Background	12
2.1 The Legal and Human Rights Context in Tanzania	12
2.2 The Role of Human Rights Civil Society Organizations in Tanzania since 2010	13
2.3 The Legal and Human Rights Centre: a brief organiSational history	14
3 Major Findings	15
3.1 Introduction and Overall Description.....	15
3.2 Strategic Aim 1: To identify and expose policy, law reforms and issues of practice with a view to advocating for social justice in Tanzania.	16
3.3 Strategic Aim 2: To Raise Awareness, Build Alliances and EMpower the Public on Legal and Human Rights with a View to Advocating for Social Justice in Tanzania	21
3.4 Strategic Aim 3: To Improve the Performance and Sustainability of LHRC	28
4 Assessment.....	30
4.1 Assessment, strategic aim 1	30
4.2 Assessment, strategic aim 2.....	34
4.3 Assessment, Strategic Aim 3.....	38
5 Conclusions	43
6 Lessons Learned for Future Plans	45
7 Recommendations for Future Alternative Strategies	46
Annex 1 – Terms of Reference.....	48
Annex 2 - Programme Agenda and Persons Interviewed.....	52
Annex 3 - Bibliography.....	57
Annex 4 – Evaluation Analytical Matrix	61
Annex 5 – Inception Report	67

Abbreviations and Acronyms

CBO	Community based organisation
CSO	Civil society organisation
CSR	Corporate social responsibility
DAC	OECD's Development Assistance Committee
EITI	Extractive Industries Transparency Initiative
FGM	Female genital mutilation
HR	Human rights
ICCPR	International covenant on civil and political rights
ICT	Information and communications technology
LGBT	Lesbian, gay, bisexual and transgender
LHRC	Legal and Human Rights Centre, Tanzania
LogFrame	Logical framework approach – a planning tool
MP	Member of parliament
PCCB	Prevention and Combating Corruptions Bureau, Tanzania
RBA	Rights based approach
SGBV	Sexual and gender-based violence
Sida	Swedish International Development Cooperation Agency
SWOT	Strengths, weaknesses, opportunities and threats – an organisational analysis tool
TACCEO	Tanzania Civil Society Consortium for Election Observation
TAMWA	Tanzania Media Women's Association
WILDAF	Women in Law and Development in Africa

Preface

This report presents the evaluation of the *Legal and Human Rights Centre (LHRC)*, which is a not profit, non partisan, nongovernmental organisation striving to empower the public, promote, reinforce and safeguard human rights and good governance in Tanzania through legal and civic education and the provision of legal aid, advocacy, research and monitoring of human rights violation.

The purpose of this evaluation was to assess the relevance, effectiveness and efficiency of the program in achieving its intended objectives and use the results to inform the formulation of the LHRC's strategic plan and the subsequent program for the period beginning January 2013.

The Embassy of Sweden in Tanzania contracted Indevelop to undertake the evaluation through Sida's Framework Agreement for Reviews, Evaluations and Advisory services on Results Frameworks. The evaluation was implemented in cooperation with Tana Copenhagen.

The evaluation was conducted by a team of three consultants consisting of Stefan Dahlgren (Team Leader), Sarah Forti (human rights and legal aid specialist) and Jane Magigita (national human rights and legal aid specialist). Indevelop provided active support in the planning and execution of the evaluation as well as quality assurance of the process and all reports produced.

Executive Summary

The purpose of evaluation is to assess the relevance, effectiveness, efficiency as well as, to some extent, the impact and sustainability of LHRC's six year strategic plan's (2007-2012) objectives and the implementation of the three year operational plan 2010-2012. The embassy of Sweden in Dar es Salaam commissioned this evaluation in late Spring 2012. The reason was due to strategic and operational plans implemented by the LHRC for the past six years coming to an end in December 2012 and it was "time to reflect on the impact of the work done..." and "...to assess the extent to which the intended objectives have been achieved..."¹

For the period 2010-2012 LHRC received 44 million SEK from Sida for a total 62 million SEK budget, which constitutes around 70 percent of the current budget. From other donors support was provided by Norwegian People's Aid, Ford Foundation, UNICEF and the Foundation for Civil Society, the EU and Oxfam.

The evaluation field work was carried out from 18 June to 6 July 2012. The team visited LHRC activities implemented in Dar es Salaam, and in nine districts in northern and southern Tanzania, and the team interviewed key stakeholders in the government, judiciary, members of parliament, civil society organisations, media, LHRC staff, paralegals and their clients, human rights monitors and other donors.

Since its foundation in 1995 LHRC has grown and increased its range of work. Its current activities are: (i) training local communities on legal and human rights; (ii) awareness raising among the general public through media and paralegals; awareness raising among public officials including police through targeted courses and seminars; and (iii) advocacy.

LHRC has clearly become a leading and indispensable human rights advocate and watchdog in Tanzania.

The analysis and evidence suggests that LHRC has succeeded in fulfilling its strategic aim 1, as it was capable of identifying and exposing policy, law reforms and issues of practice whilst advocating for the social justice. LHRC has also succeeded in achieving strategic aim 2, as it has been skilled in devising a variety of strategic approaches to raise awareness, build alliances and empower the public on legal and human rights whilst still keeping the social justice orientation stated in the strategy. Part of strategic aim 3, mainly related to the performance of LHRC, has been achieved and even surpassed.

¹ Terms of Reference, see Annex 1

It is by combining a rights-based approach to development with a deeper and political notion of social justice that LHRC has succeeded in achieving the strategic aims and numerous related outputs and impacts on reestablishing social justice at clients' level as well as addressing structural inequalities and injustice within the legal framework.

The main challenge for the LHRC is the increased demand it is facing from all fronts (stakeholders, partners and strategic allies and clients it has served). This is partly due to the success and reputation it has gained and partly due to the immensity of the problem at hand. Related to this are the possible effects on LHRC itself and other organisations with similar aims from the "institutionalisation" of LHRC and on the Tanzanian legal system from the amount of legal work partly done outside the formal legal system. Therefore, the truly strategic conclusion LHRC needs to engage upon is that of balancing the qualitative standards of the results achieved so far and at the same time meeting the demands of tomorrow without overstressing resources and ensuring sustainability, both of the organisation itself and the human rights objectives it is striving for. Obviously successful alliances, e.g. the constitutional review process, elections monitoring and FGM campaigns, may provide good lessons on how to proceed.

The effectiveness of the LHRC is evidenced by the timely provision and quality of services to (i) rights holders through the legal aid clinics, the paralegals, the human rights monitors, etc.), and (ii) to duty bearers through LHRC's technical services to MPs, training and capacity building of government officials including the police, MPs, the media, judiciary, paralegals and human rights monitors etc. The substantive impact of LHRC's outputs is both the prevention of human rights violations and the resolution of human rights violations in a variety of ways. The sustainability of the organisation may not be ensured since there is a high reliance on one donor (Sida 70% of the budget in 2011) and partly due to a shift of priorities by LHRC's formal traditional donors.

Among the evaluation's recommendations are that Sida should continue to fund LHRC for their new six-year strategic plan, that Sida should advocate for joint funding of LHRC's new strategic plan with other likeminded donors, and that donors should encourage reporting practices that facilitate joint NGO actions and alliances by not requiring results related to specific donor funding or specific attribution of results.

The evaluation's main recommendations to LHRC are that in the new strategy a clear linkage between social justice and the overall goal of poverty reduction should be made more explicit and integrated in the overall objective, continue internal strategic reflections on the consequences of continued growth and increased demand on LHRC in order to determine crucial turning points as well as incorporate gradual exiting strategies to some activities. It also recommends LHRC to develop the future strategic plan in collaboration with other CSOs in order to facilitate future cooperation and even promote effective division of labour.

1 Introduction

1.1 BACKGROUND TO THE EVALUATION

The embassy of Sweden in Dar es Salaam commissioned this evaluation in late Spring 2012. The reason was that the strategic and operational plans implemented by the LHRC for the past six years were coming to an end in December 2012 and it was "time to reflect on the impact of the work done..." and "...to assess the extent to which the intended objectives have been achieved...".²

The purpose of evaluation is to assess the relevance, effectiveness, efficiency as well as, to some extent, the impact and sustainability of the *six year strategic plan's* (2007-2012) *objectives* and the *implementation of the three year operational plan* 2010-2012.

Sida has supported the Legal and Human Rights Centre since 2001. A strategic plan for the years 2007-2012 was developed and Sida supported the first phase operational plan for 2007 to 2009 with 9 million SEK with additional support of 3 million SEK during 2009 to cover unfinanced parts of the budget. Additional support of 3,6 million SEK for 2008 and 2009 was also allocated to strengthen the village legal workers as a part of the phase out of support to the Land Management Area Programme (LAMP) previously supported by Sida.³

The current operational plan 2010-2012 constitutes the second phase of the implementation of the Strategic Plan 2007-2012. The first three year operational plan 2007-2009 was evaluated in September 2009⁴. For the second operational plan 2010-2012 and second phase of the Strategic Plan, the LHRC received 44 million SEK from Sida for a total 62 million SEK budget, which constitutes around 70 percent of the current budget. From other donors support was provided by Norwegian People's Aid, Ford Foundation, UNICEF and the Foundation for Civil Society, the EU and Oxfam.⁵

The Evaluation Team was fielded from 18 June to 6 July 2012. The team visited LHRC activities implemented in Dar es Salaam, in northern Tanzania (Geita, Ukerewe, Tarime, Serengeti, and Arusha) and southern Tanzania (Dodoma, Iringa, Mbeya, Makete). The team met LHRC's board members, management, staff and vol-

² Terms of Reference, see Annex 1

³ Embassy of Sweden's memo for support to LHRC, Ulrika Lång, (01/04/2010):1

⁴ See Evaluation of the Legal and Human Rights Centre 3-year operational plan 2007-2009, Techtop Consult(Tanzania)Ltd,(September 2009).

⁵ Embassy of Sweden's memo for support to LHRC, Ulrika Lång, (01/04/2010):1

untary workers in Dar es Salaam and Arusha's offices, government officials at central and district levels, members of the judiciary at central and district levels, members of parliament, members of the academia and the students, civil society organisations, media professionals, paralegals and their clients, human rights monitors and the clients and staff of the legal aid clinics. The team also met with the Embassy of Sweden, The Royal Danish Embassy, Accountability-Tanzania (AcT) and the Foundation for Civil Society. (The programme of the mission and list of persons met is attached as Annex 2).

The evaluation was carried out under the framework agreement for decentralised evaluations between Sida and Indevelop, a Swedish consultancy. The team was composed of Stefan Dahlgren, Team Leader (Indevelop), Sarah Forti, Gender and Human Rights Expert (Tana/Critical Rights & Gender Consult) and Jane Magigita, Legal Expert (Indevelop).

The team would like to express its appreciation for the significant support given by the LHRC management and staff and would like to give special thanks to the extraordinary commitment of the voluntary workers and human rights defenders encountered during the field work and to the many clients of the LHRC's work for sharing their experiences and moving life stories.

1.2 METHODOLOGY

The objectives of the evaluation focus on three key issues: results, strategic choices and organisational development:

- i) To measure **achievements** (results) and **challenges** of the implementation of the operational plan 2010-2012
- ii) To ascertain the **extent to which the goals and objectives** of the six year strategic plan were achieved, challenges observed and expectations from the general public met.
- iii) To make **recommendations on the way forward** for the LHRC next strategic plan.⁶

Key evaluations questions were formulated as follows:

- i) What are the main **results** achieved through the LHRC's programs at **outcome and impact levels**?
- ii) What are the **gaps, challenges and opportunities** observed in the implementation of the LHRC's program?
- iii) What are the **key lessons from the past** program which can be used in future plans?⁷

⁶ TOR LHRC Evaluation (27 March 2012) Section 2.3: 2.

⁷ TOR LHRC Evaluation (27 March 2012) Section 2.4: 2-3.

In an inception report the team presented the methodology to be used. It included an analytical matrix combining key evaluation questions for each evaluation tasks and the five OECD/DAC evaluation criteria, namely relevance, effectiveness, efficiency, impact and sustainability. (The analytical matrix is attached in *Annex 4*).

The team undertook a thorough document review of internal and external documentation pertaining to LHRC's work and carried out semi-structured interviews, meetings with key informants, and focus group discussions with a variety of stakeholders (see List of persons met in *Annex 2*) both in Dar es Salaam and during the field trips to northern and southern Tanzania. Where possible, the team applied the SWOT analysis as a key methodological tool as further detailed in *Annex 4*.

The briefly summarised cases at the end of chapters 3 and 4 were described to the team by the clients themselves, and they should be read as illustrations of typical cases that the paralegals and the legal aid clinic staff encounter.

Table 1 below summarises number and categories of interviewees.

Category	No. of interviewed
• Members of the judiciary	• 10
• Civil servants (national)	• 11
• Civil servants (district)	• 2
• MPs & ministers	• 4
• Clients/Beneficiaries	• 31
• LHRC management & staff	• 10
• Paralegals & HR monitors	• 63
• LHRC board & members	• 5
• Repr for NGOs	• 4
• Development partners	• 9
• Other	• 8
• Total	• 157

1.3 LIMITATIONS

The time schedule for the evaluation limited the ability of the team to satisfactorily cover all tasks in the ToR. In particular the amount of documentation, which was indeed important as a source, proved to be far more than expected, and the field trips were time consuming. The field trips were, however, necessary to better understand both the reality in which LHRC works and the character of work carried out by the paralegals⁸ and the human rights monitors.

⁸ It should be noted that the term "paralegal" has a different meaning in Tanzania than in e.g. United States. A paralegal in Tanzania is a person with basic training in legal matters who

The team had to decide after the initial meetings in Dar es Salaam which parts of the ToR should take priority and decided to concentrate on relevance, effectiveness and impact of the pursuance of human rights through advocacy, in particular at national level, human rights monitoring and information collection at district level, and the legal aid through the paralegals and the clinics; i.e. in operational plan terms on outcomes 1 and 2. Less priority was put on the issues of the organisation⁹ itself and on financial matters, and on efficiency/cost effectiveness. Nevertheless, the team has looked at several aspects related to outcome 3 and has some conclusions and recommendations regarding this. In addition the issue of sustainability is discussed in the report.

Furthermore for reasons of time the team relied partly on LHRC's management for the selection of interviewees and districts to visit outside Dar es Salaam. The team assessed the proposed list of interviewees against its own preliminary list and also initiated a number of interviews on its own. The team visited seven districts out of the 17 where LHRC currently has paralegals and also has human rights monitors. In a short memo LHRC presented to the team its reasons for the selection of districts. The reasons were mainly to give an opportunity to meet people who had a substantial experience from this kind of voluntary work and also to see places where the paralegals' had established a long-term and institutional presence. The findings have been assessed with these circumstances in mind. The team would like to emphasise that we have no reason to believe that the selections were biased in order to present the organisation in a better light than it deserves.

This, however, highlighted a methodological problem that was difficult to solve within the time allocated, namely to systematically trace instances where LHRC (or other human rights organisations) had failed. The concept of "failure" in this area is not easy to define, but it might have been helpful for the future to pinpoint circumstances that would warrant a different approach or which should be abandoned for the time being.

In order not to duplicate previous and on-going monitoring work, the evaluation did not conduct an exhaustive review of all LHRC's activities. The various activity outputs are well detailed in LHRC's Annual Reports. The objective of the evaluation was therefore not to again collect what is already in the annual reports but to bring further insights and qualitative reflections on a selected number of activities that the team was able to visit and thereby contribute to the upcoming strategy work.

on a voluntary basis advises poor citizens about problems related to human rights and the law, while in the US the terms usually refers to supporting legal staff at law firms.

⁹ We were informed that the embassy of Sweden has plans to initiate an organisation study of LHRC in the near future. Although no decision about such a study has yet been taken the team felt that organisational questions for this reason should not get the same attention as other matters.

1.4 STRUCTURE OF THE REPORT

The report has four main sections. The *first, introductory part* describes the purpose and practical issues regarding the evaluation as well as the method and the limitations for the evaluation. The background chapter on the situation for human rights work in Tanzania also belongs to this first part.

In the *second part* the major findings are presented in relation to the three outcomes from the operational plan and then assessed. Although the evaluation report is structured along the current three logical framework outcomes, the evaluation does not necessarily cover all the activities under each outcome and it also brings up some insights and comments on issues that are beyond the strict logical framework as such. (The team provides recommendations as to how the current logical framework might benefit from possible revision.)

In the subsequent assessment chapter the results are discussed in relation to the five DAC evaluation criteria mentioned above. Mainly due to the character of the subject the evaluation has a *qualitative* focus rather than a quantitative one.

The *third part* of the report has three chapters: conclusions, arranged along the five evaluation criteria, lessons learned (with a wider potential application than the current programme), and recommendations, which are sorted in relation to the perceived recipient of the recommendation.

At the end are *the annexes* with the terms of reference, lists with sources of information and a more detailed structure for the information collection

2 General Background

2.1 THE LEGAL AND HUMAN RIGHTS CONTEXT IN TANZANIA¹⁰

The emergence of the present pattern of civil society organisations in Tanzania may be traced back to the introduction of the multiparty system at the beginning and middle of the 1990's. A number of human rights based organisations are active and there has been a development of what may be called an 'accountability movement' with many NGOs requesting government to better explain the use of public resources to the citizens.

The ongoing sector and institutional reforms by the United Republic of Tanzania Government have given opportunities for legal and human rights civil society actors to influence changes in policies and ways to carry out reform. Though such reforms have not yet yielded particularly concrete results, some progress can be identified: the ongoing Legal Sector Reform Programme provides space to civil society organisations to dialogue and promote the legalisation of paralegal work in Tanzania; the Prevention and Combating of Corruption Bureau (PCCB) in 2009 commenced the prosecution of 17 grand cases as compared to 14 in 2008; improved access to the parliament by the public to give recommendations to parliamentary committees during law making process (as per parliamentary proceedings rule 84(2)), appointment of CSO members into the Constitution Making Commission, etc.

Many of the human rights concerns are related to Tanzania's failure to attain a better standard of living for its citizens. The decline in performance for both primary and secondary education is illustrated by a student pass rate of 53% in 2011 as compared to 72% in 2009. Likewise, a decline in the health sector performance is reflected in poor access to basic social services in the country. The problems are related to lack of health facilities, shortage of human resources and high prevalence of communicable and non-communicable diseases like HIV, cancer and malaria. A series of doctors' strikes in 2012 in Tanzania were related to these shortcomings where doctors demanded decent standards of health care, including better working conditions and fair remunerations.

¹⁰ There are numerous studies and essays on this subject and much of what is presented here was also brought up during several interviews. It constitutes what may be seen as common knowledge among those interested in human rights and accountability matters in Tanzania. No specific references are therefore given here.

Corruption remains a serious social problem with the possibility that it is even increasing. The Tanzania Human Rights Report 2011 views corruption as serious challenge to the society and detrimental to development. Other human rights concerns are related to increased cases of land grabbing and land evictions with involvement by land management and administration bodies at both local to the national level.

2.2 THE ROLE OF HUMAN RIGHTS CIVIL SOCIETY ORGANIZATIONS IN TANZANIA SINCE 2010

There are presently more than 8,000 registered organisations in Tanzania, many of which are NGOs registered as District Development Trusts or religious organisations. The main theme for such NGOs is service delivery, dominated by those working to promote education. It is difficult to clearly specify the number of human rights organisations in Tanzania as the directory of Tanzanian NGOs published in 1995 classifies organisations according to their main activities, and the human rights organisation may be among those classified as professional organisations, social service, women's groups or general, umbrella organisations.

Currently, the roles of many human rights CSOs in Tanzania are both service delivery aimed at particularly the poor and marginalised, and working at national and locals levels creating pressure on the government for change of the policies and practises that are detrimental and contrary to human rights standards.

While there are numerous CSOs working to promote human rights in Tanzania, only a few may yet be categorised as being strategic and strong. Among human rights CSOs there is also a variety as to how such organisations operate, as well as their means to communicate with policy makers.

Individual human rights network are usually under-resourced and lack capacity to organise and carry out large national campaigns. The current human rights networks include Policy Forum, Feminist Activism (FEMAct), Southern Africa Human Rights NGOs Network Tanzania Chapter (SAHRINGON-T), Anti-FGM Coalition, Tanzania Paralegal Network (TAPANET), and Tanzania Natural Resource Forum (TNRF). This is an important new constitutional participatory process across NGOs in Tanzania.

The human rights CSOs have in recent years, adopted an approach to setting up *ad hoc* coalitions for advocacy on specific issues of concern when such needs arise. The opportunity vested in LHRC and other key human rights actors in 2012 through the Tanzania Civil Society Consortium on Election Observation (TACCEO), which was formed to observe the election process during the 2010 General Elections, opened another chapter for Tanzania civil society's to insist on upholding the principles of democracy in Tanzania.

2.3 THE LEGAL AND HUMAN RIGHTS CENTRE: A BRIEF ORGANISATIONAL HISTORY

The Legal and Human Rights Centre (LHRC) was created in 1995 out of experiences and lessons generated from the Tanzania Legal Education Trust (TANLET) and the Faculty of Law of the University of Dar es Salaam (UDSM). Increasing human rights violations in NAFCO¹¹ wheat farms in Arusha, land evictions of Maasai pastoralists and an alarming number of citizens being in conflict with the law, mainly due to ignorance of the legal system made teachers of law view it as necessary to develop a legal education programs as well a legal aid representation for public interest cases. In the 1990s when the first multiparty conference was held the Faculty of Laws organised University Human Rights camps, which started to build awareness of Human Rights issues as clearly Human Rights issues were not known about. TANLET founding members who were also public servants working as lecturers with the UDSM considered the risks involved in challenging the State, hence the idea of setting another centre.

LHRC became a registered company¹² in 1995 and since then the organisation has grown and increased its range of work. Its current activities are:

- (i) training local communities on legal and human rights
- ii) awareness raising among the general public through media and paralegals; awareness raising among public official including police through targeted courses and seminars
- iii) advocacy

LHRC started with training paralegals in four districts and has now LHRC-sponsored and trained paralegals in 17 districts. The choice of districts has to a large extent been related to emerging cases in the respective areas, e.g. land-grabbing in northern Tanzania. Human rights monitors, i.e. individuals reporting human rights violations to LHRC headquarters, now exist in all 127 districts. Their information is reported to the LHRC headquarters and fed into the annual Human Rights Report published by LHRC and its equivalent organisation in Zanzibar.

It was emphasised to the team that LHRC's development was essentially demand driven. It is an organisation that has grown to respond to different human rights violations and to respond to an ever growing need to empower citizens to know and claim their rights. LHRC also aims at clarifying legal inconsistencies with international human rights standards, promoting its domestication and strengthening the capacity of the judiciary and parliament to implement them.

¹¹ NAFCO – National Agricultural and Food Corporation, a Tanzanian parastatal organisation

¹² It was explained to the team that for legal reasons it is an advantage to be registered as a company instead of an NGO.

3 Major Findings

This chapter presents the major findings from the documents and the interviews that constitute the sources¹³ for the evaluation. The findings are arranged along the three strategic aims in the *six year strategic plan for 2007-2012* and the planned outcomes according to the *operational plan 2010-2012*. In the next chapter an assessment is made of LHRC's achievements using the established evaluation criteria *relevance, effectiveness, efficiency* as well as to some extent, *impact* and *sustainability*.

3.1 INTRODUCTION AND OVERALL DESCRIPTION

In its six-year strategic plan 2007-2012, LHRC's broad objective is '*to create legal and human rights awareness among the public, promote, reinforce and safeguard human rights and good governance in Tanzania.*'

The overall objective is articulated around the three following strategic aims which in turn correspond to three main outcomes as further described in the three year operational plan:

- **Strategic aim 1:** To identify and expose policy, law reforms and issues of practice with a view to advocating for social justice in Tanzania.
Outcome 1: The practices, policies and legislative framework of government and business corporations are improved.
- **Strategic aim 2:** To raise awareness, build alliances and empower the public on legal and human rights with a view to advocating for social justice in Tanzania.
Outcome 2: The capacity of civil society, media and parliament to address human rights violations and monitor decision makers is increased.
- **Strategic aim 3:** To improve the performance and sustainability of LHRC.
Outcome 3: The performance (LHRC wants to become one of the leading agent of change) and sustainability of LHRC is improved.

¹³ In accordance with the practice in most development evaluations no specific sources are given for information based on interviews. The main written sources were LHRC's four latest annual reports and the annual Human Rights Reports, that are published by LHRC and its sister organisation in Zanzibar (for details see Annex 3 Bibliography).

3.2 STRATEGIC AIM 1: TO IDENTIFY AND EXPOSE POLICY, LAW REFORMS AND ISSUES OF PRACTICE WITH A VIEW TO ADVOCATING FOR SOCIAL JUSTICE IN TANZANIA.

3.2.1 Description

Under the operational plan 2010-2012,¹⁴ *Outcome 1, 'The practices, policies and legislative framework of government and business corporations are improved* is articulated around the following 4 sub-outcomes. They are listed here together with examples of the desirable, concrete outcomes:

- 1.1 Access to justice for the poor and marginalised.
(Model legal aid clinic in place; Awareness and capacity in legal aid providers and coordinator of the national legal aid network; Legal aid policy and legislative reforms, recognition of paralegals and government financing legal aid scheme.)
- 1.2 Legal framework and policy improved in conformity with human rights principles.
(Engagement with parliament and other like minded organisations for the ratification and domestication of International human rights instruments.)
- 1.3 Government efforts to address corruption and to hold free and fair elections.
(Capacity of districts to organise elections, capacity of law enforcement officers to address client according to the law, increased pressure from human rights defenders, journalists and other whistle blower protection.)
- 1.4 Compliance to labour rights, environmental rights and land right by corporate sector.
(Pressure on business companies to improve their compliance to labour, land and environmental rights; Increased engagement by government to regulate and control business companies.)

The section below presents the findings for some of the *selected activities* included in the regular reporting by LHRC that are listed above, and which the team was able to visit or were covered in the interviews.

Access to justice for the poor and the marginalised is one of the two major groups of activities that constitute the practical work of LHRC (the other is advocacy in various forms.) The provision of free legal advice aims at achieving two sub-objectives; firstly, ensuring that the vulnerable and the poor overcome barriers to access the legal system and, secondly, that the service delivery end up empowering citizens to defend

¹⁴ LHRC Operational Plan 2010-2012 : 7-11

for their rights. In 2010 a total of 16,778 clients were attended in the legal aid clinics in Kinondone, Dar es Salaam, and in Arusha while in 2011 at number was 13,060.¹⁵ The leading cases were land issues followed by employment. The number of men seeking legal assistance was almost 50% higher compared to women. The decline in number of clients in 2011, according to the LHRC, was due to renovations at Kinondoni legal clinic and lawyers could not attend clients during the first quarter of the year.

LHRC carries out legal services in what is called a "model clinic", which means it could be seen a standard for such services regarding format and quality. A second purpose for LHRC is to use this form of free legal aid as an avenue to identify legal gaps and shortcomings within Tanzania's legal framework and propose changes to relevant authorities, above all the Legal Sector Reform Programme. Since its adoption in 2009 no major changes have been made of the basic model, which includes a permanent division of the clinics into small, specialised units. The team's interviews with clients at the Kinondoni and Arusha clinics indicated that they appreciated the support and assistance provided by legal officers. Clients told the team that other members of the public directed them to clinics after desperately searching for legal assistance either from court clerks, district council legal officers, or private firms that demanded high fees.

From events described to the team it is evident that collective legal aid assistance cases have been shown to have a multiple effect to communities: they not only receive legal assistance but it is also an opportunity for awareness raising. According to the team's interviews communities in Meatu and the Maasai in Loliondo in northern Tanzania now feel they are able pursue their rights without fear of repercussions as a result of legal aid assistance by LHRC and support of other stakeholders.

Mobile clinics are short time visits by a group of LHRC lawyers and volunteers to a location. They are used in areas with high incidences of rights violations. From 2010 to 2011 the LHRC was able to serve communities in districts of Mvomero, Kilosa, Geita, Ukerewe, Simanjiro, Hanang, Babati, and Serengeti in northern Tanzania. In 2011 pastoralists in these areas were evicted from their land by the government for various reasons. The number of people reached was around 800. In interviews paralegals confirmed the positive results of the mobile clinic, but it also created a problem since when a mobile clinic leaves a huge burden remains for the paralegals. In addition, some of the cases the clinic's lawyers accepted were complicated and it was difficult for the paralegals to offer qualified assistance such as drafting of legal documents.

To complement the personal advice by legal aid officers and paralegals LHRC has produced so-called self-help kits in easy-to-read language. Around 40 such booklets

¹⁵ LHRC provides legal aid in two ways: through the two legal aid clinics in Dar es Salaam and Arusha and through paralegals, currently in 17 districts.

have so far been published. Booklets on new topics and reprinting of old booklets are produced each year to meet a growing demand. (The team had no opportunity to judge the distribution or quality of these booklets but the immediate impression was that they are useful as introductions to a topic or reminders of issues discussed with advisers.)

Legal framework and policy improved in conformity with human rights principles. Ensuring the domestic implementation of international instruments that Tanzania has ratified has been a challenging task for LHRC. Ratification of an international instrument does not automatically guarantee its application, and since 2010 LHRC has concentrated on the Protocol to the African Charter on Human and Peoples' Rights on Women Rights, commonly referred as Maputo Protocol, as part to its broader advocacy work. Various strategies were adopted for this. It includes popularising the protocol by airing of 26 TV programs on women's rights, and to disseminate the protocol in a simplified Swahili version. LHRC has been informing or training judges, parliamentarians, permanent secretaries, members of the police force and paralegals on what the protocol contains.

LHRC has been campaigning since 1998 for public demand for a new constitution in order to enhance a legislative framework that conforms to international human rights principles. The appointment by the president of a constitutional review commission has created a favourable situation to further such reforms. An opportunity in this direction for LHRC was the hosting the civil society forum *Jukwaa la Katiba* in 2011, which was later registered as an independent organisation. Later in 2011, LHRC contributed to the review of the Constitutional Review Bill to allow more participation of citizens in the process; four out five recommendations submitted by LHRC to the Ministry of Constitutional and Legal Affairs were adopted. Public awareness campaigns were carried out both in the Tanzanian mainland and Zanzibar to emphasise citizens' active participation and promote understanding of the need for the constitution to reflect national consensus. LHRC organised five public debates; two in Dar es Salaam and one each in Zanzibar, Mwanza and Arusha. Around 3,000 Tanzanians participated in the debates and 2,000 copies of the current constitution were distributed together with 2,000 T-shirts with the message 'constitution is the answer'.

Improving government efforts against corruption and to hold free and fair elections. In 2010 LHRC managed to follow up of incidences of corruption by government officials during election process and also succeeded to mobilising 15 organisations into a network called Tanzania Civil Society Consortium on Election Observation (TACCEO). For the first time monitors (240) and poll watchers (1,700) were trained by Tanzanian civil society organisations to oversee election countrywide. The monitoring of the election by the consortium aimed at overseeing adherence to principles of democracy and curbing corruption.

Reputation and experience in election monitoring gained by the success of TACCEO in the 2010 general elections was further increased when LHRC was invited as election observers for the Zambia and Uganda general elections in year 2011.

In 2011 LHRC engaged in both research and fact-finding to unveil corruption cases and expose them to the public using the media. Fact-finding missions indicated corruption by the district council officials that had negative effects on public access to reliable public goods and services. The LHRC findings coincide with the Controller and Auditor General (CAG) 2011 financial reports which depict misuse and embezzlement of public funds and other financial irregularities by 48 local councils. As a result LHRC decided to conduct a needs assessment in 15 districts of the Tanzanian mainland to identify needs and knowledge gaps among local government officials. The assessment indicates the dire need to train local councillors on human rights and good governance, labour rights, land laws and the Public Procurement Act. In collaboration with the Ministry responsible for local government ward councillors from Babati, Kilosa, Ludewa, Makete and Mvomero districts were trained.

Compliance to labour rights, environmental rights and land rights by corporate sector involves both information to law enforcement authorities and those working directly with the private sector. An example of the former kind of work was the target to empower 75% of senior police, prison officers and other law enforcement officers set to be attained by 2012. In 2009 LHRC managed to raise awareness on human rights to senior officers in 25 regions of Tanzania mainland and Zanzibar which might have partly contributed to the establishment of gender desks at a number of the police posts/police stations to effectively serve victims of gender-based violence. Internal evaluation has, however, led LHRC to change its strategies from conducting awareness training to exposing human rights through media. Fact-finding missions have been an approach towards increasing accountability of state organs including game scouts, forestry wardens and prison officers.¹⁶

In the corporate social responsibility (CSR) field LHRC followed up on human rights violation cases in mining investment areas in 2010, and demanded more transparency regarding natural resources exploitation and pointed out mismanagement of public funds. LHRC is monitoring the extractive industry in Tanzania which is characterised by poor transparency and accountability with regard to revenue generated from the industry, in particular the mining sector. In 2010 LHRC was part to the initiative "Publish What you Pay Tanzania" (PWYP-T) which comprises of 20 organisations which aim to keep records on resource transparency. As Tanzania was accepted as a EITI¹⁷ candidate country, LHRC partnered with other EITI members to launch the first EITI report. It is now possible for the general public to know about payments made by mining companies to the government and the obligation by Tanzania to comply with EITI rules.

¹⁶ LHRC, Annual report 2011:23

¹⁷ Extractive Industries Transparency Initiative, an international organisation to keep track of revenues from the industry and its use.

In 2010 the work of LHRC concentrated on overseeing compliance by corporate companies regarding labour, environment, land and consumer rights with the aim of decreasing the number of human rights violations perpetrated by business companies in Tanzania. Two strategic litigation cases were filed claiming gross violation of human rights by mining companies to show attention to human rights monitoring work. A representative case against Barrick Gold Mining Company was filed at the High Court in Mwanza. Upon filing of the cases Barrick Co. began to address some of the defects as a result of environmental pollution, which had led to serious damage to livestock and loss of human life.¹⁸ The other case was on land eviction in Loliondo that took place in July, 2009 which led into burning of homesteads in Loliondo Game Controlled Area. The eviction of Maasai community was done by local field force together with Ortello Business Corporation (OBC) owned by a royal family from the United Arab Emirates. In August, 2010 a team of religious leaders and NGOs investigated the allegations. The investigation led to a special UN rapporteur on the human situation in Loliondo who urged the government to establish a mechanism to effectively identify and protect the rights of indigenous people.

In 2011 LHRC created what may be seen as a foundation for its systematic and long-term advocacy work in relation to CSR in Tanzania. LHRC managed to develop tools for asserting pressure on companies and seeing the formation of business human rights defenders network HURB-NET, currently with 10 members. The network has launched an advocacy tool in the form of a booklet titled 'Right of Community members in Investment Areas' in both Swahili and English. LHRC further managed to instigate two strategic litigation cases, mainly to challenge the decision of the International Commercial Court of Arbitration that ordered government to make payments to a foreign owned company on dubious ground and against setting public funds for constituency development by MPs respectively.

Examples of cases:

Case 1: Land

It took a woman 11 years to win a case that enabled her to regain her marital house, which ended being a shelter for her three children and herself. Efforts to prevent the sale of the house located in Moshi by her husband proved futile. Lawyers in all these years made relentless efforts to pursue two cases against her husband and four buyers. In October, 2010 the case was ruled in her favor.

Case 2: Abuse of power

A woman suddenly found herself as a widow with four children to care for by herself. The ordeal happened in 2009 when her husband died at the Arusha Central Police

¹⁸ LHRC, Annual report 2011:26 As a result of the pressure from the public Barrick has decided to rebuild tailing dams in North Mara so as to rectify the continuous spill of poisonous water in the old dams.

Station following a beating that was made at his house. An autopsy was performed without the family's consent or awareness. The matter is pending awaiting the coroner's inquiry. The case led LHRC to work to ensure speed up of the inquiry.

Case 3: SGBV

LHRC collaborated with Tanzania Media Women Association (TAMWA) to follow up a case of two girls (14 and 16 years old) who fled their home after their parents attempted to force them into Female Genital Mutilation (FGM). Girls requested LHRC to secure access at a boarding school since by going back home they would be subject to FGM. LHRC and other stakeholders managed to sponsor the girls for a boarding school and secured a shelter at the House of Peace when schools are closed for safe family visits.

Case 4: Civil Claim

A woman was made redundant by the Arusha Municipal Council in October, 2002 and denied pension, leave allowances and salary arrears. She sought assistance from LHRC and in January, 2011 the court ordered the employer to pay her Tshs. 22 mil to be paid in installments.

3.3 STRATEGIC AIM 2: TO RAISE AWARENESS, BUILD ALLIANCES AND EMPOWER THE PUBLIC ON LEGAL AND HUMAN RIGHTS WITH A VIEW TO ADVOCATING FOR SOCIAL JUSTICE IN TANZANIA

3.3.1 Description of key activities

Under the Operational plan 2010-2012,¹⁹ *Outcome 2: 'The capacity of civil society, media and parliament to address human rights violations and monitor decision makers is increased'* is constructed around the following three sub-outcomes:

- 2.1 Communities participate in democratic processes and address human rights violations. New paralegals in eight districts are empowered with awareness tools and the capacity to assist their communities, Paralegals in 15 districts have the capacity to work independently and meet requirements of new paralegal system scheme, human rights monitors in 126 districts have capacity to monitor gov-

¹⁹LHRC, Operational Plan, 2010-2012: 12-14.

- ernment performance on human rights, capacity of 126 districts to participate in elections and address human rights violations.
- 2.2 Potential future leaders have internalised values of human rights and good governance.
University students at the 12 major universities have the capacity to advocate for human rights.
- 2.3 The voice of civil society, media and parliament is enhanced and their ability to hold decision makers accountable.
Voice of civil society is amplified, through networking on strategic issues, provision of advocacy tools and legal service; Media journalists have the awareness of capacity to monitor government performance on human rights, capacity of parliament to monitor government performance and propose changes is enhanced.

Since 2010 and according to the LHRC 2010 and 2011 Annual reports, the following major activities were undertaken:

Communities participate in democratic processes and address human rights violations.

In 2010 the LHRC trained 129 paralegals and 30 new paralegals in human rights with a focus on land rights, women's rights, civil and criminal procedures. Participants were drawn from Maswa, Bariadi, Ukerewe, Geita, Makete and Ludewa districts. In 2010 and 2011 annual paralegal symposia were held and attended by 65-70 paralegals to share experiences, network and undertake a small evaluation of lessons learned.²⁰ In 2011, the LHRC identified and trained 61 new paralegals from Ludewa and Makete Districts in Iringa Region. The LHRC undertook new skills training to include human rights and the constitution. LHRC also trained existing 221 paralegals from Maswa, Bariadi, Ukerewe and Geita districts on constitution, civil, criminal and evidence acts including the distribution of 720 self-help kits and each paralegal was provided with a copy of the constitution. The paralegals then went on sensitising the communities on human rights and this activity was backstopped by LHRC in 11 paralegal districts.²¹ LHRC further linked the paralegal CBOs with the Foundation for Civil Societies (a funding agency) for orientation on funding procedures and guidelines. As a result six paralegal centres submitted funding proposals and four were successful in obtaining funds from the FCS.

Human Rights monitors In 2010, LHRC trained 99 human rights monitors on various issues, pertaining to election, anti corruption laws, ethics and conduct of moni-

²⁰ LHRC, Annual Report. 2010: 34.

²¹ LHRC, Annual Report, 2011: 50.

tors. Out of 70 human rights monitors follow-up cases 30 had a successful conclusion from the point of view of the victims. In 2011 the LHRC continued to build the capacity of human rights monitors at district level and to engage the monitors to follow up and report the violations in their communities to the LHRC through a standard reporting format. LHRC trained 124 human rights monitors on the constitution, child law and family law. Refresher training for monitors included works of PCCB and the police gender desk. Activities of human rights monitors have included (i) reports on human rights violations to LHRC, (ii) follow-up of cases and (iii) assistance to their communities independently from LHRC.²² In other cases, having received a human rights monitor's report, LHRC takes over the case which may result in (i) conducting specific fact finding missions; (ii) preparation of documentaries and air through the media for exposure of the violation nationally and internationally, (iii) using the judiciary system to institute strategic litigation cases or acts as *amicus curiae*²³ of the court, and (iv) using law enforcement officers including senior police officers and heads of the police to address issues related to governance and administration.²⁴

In 2011, a total of 61 human rights monitor's follow-ups were undertaken and out of them 35 were successful. A number of fact finding missions were conducted by LHRC. The evaluation team met with the victims of some of the selected follow ups as further analysed below. Other key strategic fact finding missions include Dodoma unlawful evictions, the Nyamongo Tarime killings of five people by security guards at the Barrick North Mara Gold mine, and the Kiru valley land conflict where suspected villagers from Kiru valley estate burned part of the estate and farm and 42 villagers including women and children were arbitrarily arrested.

Future leaders. LHRC expanded its outreach programmes to students from universities by mobilising 50 students from 12 universities, training them on human rights and good governance. Major results were the creation of a human rights club in St John's Dodoma, St Augustine Mtwara, University of Dodoma and Tengeru College Arusha.²⁵ In 2011 seven human rights clubs were established in Tumaini, Arusha, Institute for Financial Management in Dar es Salaam, St. John's, University of Dodoma, St. Augustine Mtwara and Mzumbe University. The human rights club at the University of Dodoma was visited by the evaluation team. The launching was done together with the human rights, constitution and good governance training by way of

²² For example the Kibondo monitor succeeded to follow-up bail of 16 year old to whom the police had refused bail based on allegations of theft; in Mbeya HR monitor's intervention led to 81 people being released from being illegally detained for trespassing properties of rice farms investors.

²³ The role of an *amicus curiae* [literally 'friend of the court'] (is) to help the court by expounding the law impartially, or if one of the parties were unrepresented, by advancing the legal arguments on his behalf. (From Wikipedia, article on *amicus curiae*.)

²⁴ LHRC, Annual Report, 2011: 50.

²⁵ LHRC, Annual Report 2010: 38.

public lectures for 700 the university students. An additional 50 students were trained on more specific issues such as children and women's rights, the role of the parliament in the protection and promotion of human rights, obedience of the law without the use of force and its enforcement and implementations at all levels.²⁶

The voice of civil society, media and parliament is enhanced and their ability to hold decision makers accountable.

Strategic networking. LHRC's key strategic networking activities have been done on a selected thematic basis with other civil society organisations and coalitions in 2010, particularly on the FGM campaign, commercial rights compliance and the 2010 general election campaign.²⁷ In addition LHRC increasingly engaged in awareness raising during 2011, specifically regarding Women's Rights as stipulated in the Maputo Protocol.²⁸

Collaboration has thus been fostered with a few targeted and selected NGOs included TACCEO for the elections, anti-FGM coalition, HUNNET for commercial rights compliancy, and for the constitution review process with *Jukwaa la Katiba*, for women's rights with FemACT and commemoration of the 16 years of activism and International human rights day with WILDAF – some form of cooperation was also identified by the team with TAMWA and Sikika for the Tanzanian doctor's strike during Spring 2012. The Constitution Platform is an important and unique example of NGO cooperation at national level aimed at the overhaul of the current constitutional review bill which is coordinated by the LHRC.²⁹

Parliament. In 2010, LHRC worked closely with parliament committees and parliamentarians in general. Such close relation was evidenced by the fact that the LHRC submitted recommendations to parliamentary standing committees on various bills

²⁶ LHRC, Annual Report 2011: 55.

²⁷ LHRC's strategic training and awards included in 2010, commemoration of HR day and the Majimaji Human Rights Award to parliamentarians, LHRC also trained judges and permanent secretaries from different ministries on human rights, the Maputo protocol and domestication of international human rights law, these training resulted in opened doors for further strategic networking. Commemorations of African Child Day was also undertaken in 2010 and 2011 in collaboration with several NGOs. See LHRC, Annual Report 2010: 39-41.

²⁸ Following the investigations on FGM started in 2010, the LHRC continued to raise awareness on FGM among the mutilators, traditional leaders, police forces, primary students, judges and permanent secretaries through the anti-FGM coalition to which other leading women's rights NGOs participated. Evidence of FGM campaign starting to yield fruit was in the fact that a mutilator was sent to court and jailed for 10 years. The LHRC participated in the commemoration of the zero tolerance day 2011 in Serengeti sensitizing all members of the community also through two-day trainings in Tarime district of traditional leaders, police officers, clan leaders, community development officers, and primary and secondary school children. The LHRC has now become a point of reference for other organisations to engage in anti-FGM actions. LHRC, Annual Report 2011: 45-46.

²⁹ LHRC, Annual Report 2011: 60-64.

which were to be tabled in the parliamentary sessions held in Dodoma. A total of 34% of LHRC's recommendations were adopted.³⁰ Further in this year, LHRC collaborated with TACCEO coalition members to monitor the general elections. The LHRC played a key role in mobilizing resources, setting up ICT infrastructures, handling accreditation of monitors and deployment of 1,470 observers in all constituents that reported in a timely fashion for the police and PCCB to act.³¹ In 2011, LHRC's engagement with parliament turned into a solid working partnership. The engagement of parliamentarians in the law making process included under the new parliamentary standing order 2007,³² are a key strategic opportunities for civil society and LHRC's advocacy work to influence legislative reforms.³³ Further recommendations were presented by LHRC on bills and acts through the public hearing. The LHRC was honoured by the government after LHRC analysed six acts to identify the areas for improvement and present recommendations thereof before the parliamentary committee on public hearing. A total of 57 recommendations were produced and submitted. Sixty-eight percent of the LHRC's recommendations were accepted and incorporated into the law.³⁴

In addition to this substantive contribution to legislative reforms, the LHRC produced a report exposing the shortfalls in the performance of the Parliament, proposing radical reforms.³⁵

³⁰ Notably in The Mining Act 2010, The Land disputes Act 2010, The Electoral laws Act 2010, The Grazing land and Animal Feed Resources Act 2010, The persons with Disability Act 2010, The Nursing and Midwifery Act 2010, The National Health Insurance Fund Act 2010. See LHRC, Annual Report, 2010: 43-45.

³¹ LHRC, Annual Report, 2010: 43-45.

³² For example where parliamentary committee can initiate and present private motions to be brought before parliament and easily tabled by MPs and standing committees as well as the establishment of special committees that would perform parliamentary functions in accordance with the orders, as well as the introduction of premier's questions and answers session, and the involvement of the public in discussing draft bills. See LHRC, Annual Report, 2011: 66-67

³³ Examples of private motions prepared by LHRC and presented before the House of Parliament on 26/06/2011 include the Private Motion on Police Brutality and extra judicial killing; after consultations with MP another private motion concerned the New Constitution of the United Republic of Tanzania issued on 03/02/2011; LHRC assisted another MP to prepare a private motion to stop the government from paying DOWANS Holding Corporation and DOWANS Tanzania Ltd against TANESCO for presentation before the Clerk at the National Assembly. Even if the motion was thrown away it was still an opportunity taken to influence laws that do not conform with human rights principles. See LHRC, Annual Report, 2011: 66-67.

³⁴ Examples of these were The Constitutional Review Bill 2011 (43 recommendations presented and a total of 75% were accepted), other examples included The Pharmacy Act 2011, The Contractor Registration Board, The Economic and Organised Crime Control Act, the Criminal Procedure Act. See LHRC, Annual Report, 2011: 68-69.

³⁵ According to LHRC, Bunge performance Assessment Report, 2005-2010, the weaknesses included poor attendance and continued reception of allowances, lack of compliance with Parliamentary Standing Orders and regulations as tools for effective contributions (as op-

Media. In 2010, LHRC's work with the media aimed at mass education by means of regular programmes on television and radio. For instance the Pambanua programme on Channel 10 (considered one of the most independent TV channels in Tanzania) was aired and followed by a discussion forum with viewers. These triggered both calls for comments and requests for follow-up legal consultations at an average of 350 calls each month per programme.³⁶ According to the 2010 Annual Report, media outlets used by LHRC include The Guardian Ltd, Sahara Media, Free media, Standard News and Mwananchi Media Group. A landmark LHRC media programme, which also reflected the work of LHRC's gender and children unit against harmful traditional practice, was a programme on FGM.³⁷ In 2011, the relationship with the media grew to formal recognition as one of LHRC's 'best allies and partners' in raising public awareness on human rights and good governance. This was *inter alia* evidenced by a voluminous file of press cuttings provided by LHRC to the team.

LHRC engagement with the media has essentially been done through the (i) continuation of programmes for mass human rights education and raising human rights awareness amongst the public, (ii) press conferences for exposure of human rights violation practices and (iii) amplification of strategic commemoration of the international Human Rights Day and calls for government and public to act on specific issues. LHRC also targets journalists on issues pertaining to human rights and good governance as well as strengthening the capacity for investigative journalism.³⁸ Fur-

posed to long thanks to the voters), by the Speaker, the President. The impartial overseeing of substantive debate by the speaker, and appointment of MPs that represents nobody by the President. This was widely covered in the media as a result the Parliament Secretary issued clarifications trying to water down failure of the Speaker of the Parliament to adhere to parliamentary guidelines and principles in conducting public affairs. See LHRC, Annual Report, 2011: 70

³⁶ For detailed number of calls and public response graph on the Pambanua programme see LHRC, Annual Report 2010: 34-35.

³⁷ The LHRC conducted a fact finding mission on 5000 girls who were to undergo FGM, the team actually rescued 8 girls. The LHRC team reported to the police hundreds of girls bleeding with the rest of the celebrating 'rite of passage' and launched a media campaign against the practice broadcasting pictures of the victims. As a result the Minister for Community Development, Gender and Children declared FGM as a national calamity, and the imprisonment of two culprits found guilty of mutilating young girls. In addition LHRC conducted training of media journalists and editors in 2010 that led to the dialogue on the issue of the new constitution organised by LHRC which was captured by all media. See LHRC, Annual Report 2010: 36-37.

³⁸ For example, the training of a total of 76 journalists on investigative journalism, human rights and the constitution. The journalists play a key role in uncovering human rights violations as well as putting pressure to the government for accountability, as well as empowering the public to hold accountable the duty bearers. There are several evidence of some important LHRC fuelled Human Rights issues that were picked up by the media and then picked by academics and government officials some of key issues were the DOWANS case discussed above, Igunga by elections under TACCEO, statement on Zanzibar Arson, North

ther, the LHRC staff were used by the media as resource persons and experts in several programmes, notably on Channel Ten, Star television Mlimaniu TV, BBC Radio, Radio France, Voice of America Radio, Mwananchi, TBC One etc. The Pambanua television programme continued in 2011, and still engages viewers with an average of 520 sms and 22 calls during the programmes.³⁹

Examples of cases:

Case 5: In Iringa, a District Ward officer beat a pregnant woman until she had a miscarriage. Following the human rights monitor report to LHRC, the case was sent to court.

Case 6: In Makete, a paralegal intervened in several reported cases of abuse of orphan children whose parents died of HIV/AIDS. Following the paralegal counseling the cases of 'milder' violence stopped at mediation stage whilst the rape cases were reported to the police and ended in court. Thanks to paralegal intervention, a man who was well known for raping 5-7 year olds was brought to court and jailed for 30+ years.

Case 7: In Makete, following the death of her husband, a widow was left with a house and 20,000 Tsh to feed her small baby. Her mother in-law took over the house and the money leaving the widow and the baby destitute. Following the intervention of the **paralegal**, the case was presented before a Court. The widow won the case and could recover her house and the money.

Case 8: In a primary school in Iringa the parents of a child were jailed for one year because the child did not attend school for 3 days and this without defence. Following the human rights monitor's direct intervention the parents were released without further charges.

Case 9: In Mbeya, one of the human rights monitors was a Reverend who opened a one room Human Rights office with his own resources in the outskirts of Mbeya. Clients interviewed from his office had different women's rights issues ranging from domestic violence and repudiation because of HIV/AIDS, widow inheritance rights violations, SGBV to corruption through arbitrary taxation. The advice received in the

Mara killings by Barrick Gold Mining. Then the press has been present to promote the centre various strategic networking commemorations days such as African child day, launching of LHRC human rights report, launch of students associations etc. LHRC in the enhancement of its close relations also managed to obtain free air time on radios for example one hour programme per week on Radio Morning Star to educate the public on human rights issues with the assistance by legal officers, the same was offered by Mlimani radio, capital Television, East Africa Radio etc.. See LHRC, Annual Report 2011: 52.

³⁹LHRC, Annual Report, 2011: 51.

different cases helped the women present their case before the court and claim their rights. For the cases that succeeded the compensation received through the court made a direct difference to the livelihoods of the single mothers who could now feed their children. As for the cases still pending in court, women felt that they were able to claim their rights and that this had a direct empowering effect often putting an end to the domestic violence in case of SGBV. When an elderly woman, client of the office, was asked by the evaluation team if any men were coming at all to seek advice in this small and humble human rights office, she replied: ‘Only the smart ones!’

Case 10: In Iringa, fishermen were illegally charged with taxes, the human rights monitor reported to the LHRC which follow-up on the issue and the corruption stopped.

Case 11: In Dodoma, following reports from both the media and human rights monitors that more than 200 families were homeless after their houses had been demolished. LHRC team went to Dodoma to investigate the report and investigated the illegality of the whole exercise, as it had been conducted without the consent of the District Land and Housing Tribunal as required by law. The tribunal lacked jurisdiction to handle the compensation, due to LHRC media reporting the acting SC of Dodoma announced to the victims that they will be provided with alternative land near by the University. The LHRC is still following up on the case until a satisfactory outcome and compensation is awarded to the many victims (some who even lost their business as it was demolished).

3.4 STRATEGIC AIM 3: TO IMPROVE THE PERFORMANCE AND SUSTAINABILITY OF LHRC

3.4.1 Description

Under the Operational plan 2010-2012⁴⁰ Outcome 3 *The performance (LHRC wants to become one of the leading agent of change) and sustainability of LHRC is improved* is constructed around the following 3 sub-outcomes:

- 3.1 LHRC is seen as one of the most reputable and professional HR organisations in Tanzania and in the world (LHRC continues to have a human resource management that ensures capacity to implement its operational plan professionally, LHRC is able to mobile and manage resources effectively)

⁴⁰ LHRC Operational Plan 2010-2012 : 12-14.

- 3.2 LHRC is seen as an organisation that practice what it preaches (LHRC governance is improved, awareness of staff members on HIV/AIDS raised with the aim to reduce the stigma)
 - 3.3 LHRC is seen as an organisation that can make a difference (LHRC has a functioning M&E system and baselines indicators in place, the information, IT and documentation systems of LHRC are strengthened to be reliable, accessible, effective and supportive of all operations)
- The reputation of LHRC is high and the organisation is fairly well-known according to the baseline survey in selected districts that was undertaken in 2011⁴¹. This is due to considerable media coverage over the last three years⁴² and the leading role the organisation has had in several campaigns and alliances as described in the previous sections of this chapter.
 - Indications are not absolutely clear that existing development partners will remain as before and alternative sources of funding have so far not provided any immediate solution.
 - The staff meetings of various kinds were held according to plans, which is part of the aim to engage staff at all levels in the on-going work of the organisation. The capacity is shown by the swift reactions to various human rights violations and accountability issues.
 - A comprehensive baseline survey was conducted and published in 2011 that can be used as benchmark for future actions.
 - A quarterly reporting system is in place which provides feedback to the board, the management and the staff and the handling of the reports is established with discussions on a regular basis in the board and elsewhere in the organisation.

⁴¹ LHRC Baseline Survey Report 2011, in particular section 3.8

⁴² Collection of LHRC press cuttings made available to the evaluation team

4 Assessment

4.1 OVERALL ASSESSMENT

LHRC has clearly become a leading and indispensable human rights advocate and watchdog in Tanzania. Part of strategic aim 3, mainly related to the performance of LHRC, has thus been achieved and even surpassed.

The analysis and evidence below suggests that LHRC has succeeded in fulfilling strategic aim 1, as it was capable of identifying and exposing policy, law reforms and issues of practice whilst advocating for social justice.

LHRC has also succeeded in achieving strategic aim 2, as it has been skilled in devising a variety of strategic approaches to raise awareness, build alliances and empower the public on legal and human rights whilst still keeping the social justice orientation stated in the strategy. (See assessment strategic aim 2 below)

It is by combining a rights-based approach to development with the deeper and political notion of social justice that LHRC has succeeded in achieving the strategic aims 1 and 2 and numerous related outputs and impacts on reestablishing social justice at clients' level (see examples on cases of land and power redistribution) as well as addressing structural inequalities and injustice within the legal framework. This is a substantial achievement even if one might argue the extent of the problem remains immense.

The main challenge for the LHRC is the increased demand it is facing from all fronts (stakeholders, partners and strategic allies and clients it has served). This is partly due to the success and reputation it has gained and partly due to the immensity of the problem at hand. Therefore, the truly strategic conclusion LHRC needs to engage upon is that of balancing the qualitative standards of the results achieved so far and at the same time meeting the demands of tomorrow without overstressing resources and ensuring sustainability, both of the organisation itself and the human rights objectives it is striving for.

4.1 ASSESSMENT, STRATEGIC AIM 1

The selected activities visited by the team under strategic aim 1 have integrated a two-pronged rights-based approach⁴³ to address on the one hand the strengthening of duty

⁴³ A rights-based approach to development puts the (poorest) citizens at the centre of attention and emphasises a "downward accountability". It distinguishes between *duty bearers* –

bearers' responsibility to implement human rights, and their accountability to the citizens and, on the other hand, empowering the citizens to claim their rights. The first one is done through LHRC's work with government to ensure policy and legislative reforms in compliance with international human rights standards as well as addressing corruption to reinforce accountability and the second through the provision of legal aid. As a general assessment, most of the objectives and outputs in the operational plan under this outcome have been met. This section assesses the relevance, effectiveness, efficiency, impact and sustainability of these activities.

The **relevance** of LHRC's *legal aid* efforts is clear. The assistance offered by the two legal aid clinics as well as by the paralegals is highly demand-driven and there is clear evidence that only clients with small or no means at all are admitted. Staff at the legal aid clinics told the team that no one is denied assistance even if it puts a strain on working hours. The clinics are divided into units which seem well adapted to the case load; there are units specialising in land issues, family matters, employment/labour relations etc. Together with impressions from the team's interviews and the documentation that leads to the conclusion that LHRC's work to give the poor access to justice is relevant.

The mobile clinic was important for reaching areas that are remote areas and with mass violation of human rights. Mobile clinics conducted in districts where LHRC paralegals are available were, according to the interviews, more successful where paralegals are not present. It helps advertise the work of paralegal to a wider community, provided technical support on difficult cases. Paralegals recommended the increase of the mobile clinic visits by the Centre as this will also enhance the capacity of paralegal in handling complicated cases.

However, the records regarding number of clients attended to, especially old clients, can be improved. It fails to track the exact number of clients being attended to while separating it from number of services offered to each/all clients. The double counting method may falsely increase the number of clients attended to.

LHRC's work with the *Legal framework and policy in compliance with international Human Rights Standards* takes several forms and all of them seem relevant for achieving the targets. Although LHRC identifies itself as a pressure group or 'watch dog' it works at times to build links and contacts with policy makers. The work involved policy makers and implementers ranging from councillors, permanent secretaries and members of parliament. Specifically, LHRC worked closely with the Ministry of Gender and Children Affairs on the Maputo Protocol adoption campaign, with Ministry of Local Government in building the capacity of councillors on accountability and good governance and Ministry of Constitutional Affairs and Justice on the constitution review process and the legal sector reform program. In 2009 LHRC had a close partnership with the Ministry of Internal Affairs in raising human right awareness to

basically the authorities – and *rights holders* – the citizens.

senior police officers. LHRC has changed from its original approach of raising awareness among senior officers through seminars to the use of media to expose human rights violations by enforcement agents through fact-finding missions, a new strategy to raise awareness and open debate amongst the general public.

The evaluation team found that LGBT issues were seldom raised by LHRC and the explanation was, according to some interviews, that such questions were not considered a major problem in Tanzania; other human rights issues were more urgent and warrant more attention.

The relevance of LHRC's work to ensure domestication of human rights instruments is indeed relevant though has not yet yielded the desired result. Domestication of the Maputo Protocol and second optional protocol to ICCPR on abolition of the death penalty have not been done. The constitutional review process is an opportunity for citizens to raise concerns on human rights and LHRC continues to be very active on these issues.

The work of *human rights monitors* and its manifestation in the voluminous LHRC annual human rights report, mentioned in the previous sections is also highly relevant for outcome 2.

LHRC as an organisation also remained relevant for the aim to pursue *government efforts against corruption and to hold free and fair election*. It managed to raise policy issues that were critical at the right time e.g. hosting of the civil society election monitoring team TACCEO during the 2010 general elections and active participation in initial stages of the constitution review process. Extended invitations to LHRC to observe and support other civil society organisations in east and southern Africa is an indicator of its ability to become a regional resource organisation on election monitoring. The post election "Report on the URT General Elections of 2010" was jointly produced by LHRC and TACCEO and it will likely make a substantive contribution to improving the electoral process in Tanzania. The report highlights irregularities during the election, mainly due to the election agency's poor performance, which led to a number of eligible voters not voting. There has been successful use of media to expose corrupt and other malpractices by local government, corporations, parliament and the judiciary.

LHRC's relatively recent engagement with the private sector and corporate social responsibility (CSR) seems relevant to the team against the background of the involvement by private firms in, for example land grabbing cases and the current fast expansion of the extractive industry sector. LHRC and its paralegals and human rights monitors have for a long time successfully intervened on land issues and the current efforts may be seen as a relevant expansion of that. High level corruption cases require involvement of well vested, experienced attorneys and international pressure by advocacy groups. LHRC's commitment to such cases has been significant but more organising and adequate resources may be needed.

Throughout the document review and interviews carried out by the team both in Dar es Salaam and during the field visits, much evidence was found of the LHRC's activities not merely being relevant but actually filling obvious institutional gaps such as the legal aid provision gap not yet addressed by the government and the human rights knowledge and awareness gap at citizens level.

To provide *legal aid* through the two *legal aid clinics* in an **effective** way, the LHRC uses a pool of professional and specialised lawyers, and has enrolled advocates of the high court working on issues of high relevance to the human rights violations of the poorest such as family law, land law, labour law. As the LHRC is also fostering voluntary engagement it includes internships from graduate law students or students in the course of becoming graduates.

One of the weaknesses indicated through the interviews carried out by the team, was that although the client is being coached regarding how to act before the court there seems to sometimes be a need for a much longer coaching process to actually achieve the desired effect. The client may feel too shy or uncertain to say anything, let alone uphold a sound defence of his or her case. Another problem is that there does not always seem to be a systematic follow up of cases to check whether the client was actually able to effectively argue his or her case in court. There are also mixed views on the quality of the documentation prepared by the LHRC – some magistrates the team interviewed thought that the documents were very good while other judges had the opposite view.

The team admits that these are only scattered observations but the fact may need attention. The legal aid clinics have regular internal meetings to discuss cases and thus the officers can provide support to each other. The work load is obviously high at the clinics, but the team did not come across any systematic quality assurance system for example documentation.

However, the clients are not the only one who seems to be in need of further training. In fact, it transpires that the training needs in Human Rights runs throughout the judiciary as it is not a compulsory subject at law school.

The five LHRC "watches" or committees, made up by professional lawyers and keep track of the developments in different areas of government work, seems to the team as an effective way to both collecting information and informally influence the legal debate.

In terms of **efficiency** volunteers (students with a law degree or in the process of getting a law degree) are widely used by the LHRC. At the *legal aid clinics* volunteers are used during the specially allocated days for example dedicated to preparation of court documents.

Regarding measurable **impact**, one of the main challenges for the Evaluation is that the outcome indicators are either too ambitious or they do not sufficiently or precisely capture the linkages with social justice, rights-based approach and ultimately poverty reduction even though these are consistently captured in practice as further analysed below.

In terms of impact related to addressing structural inequalities and injustices at normative level to *legislative and policy reforms*, there has been some partial progresses in the amendments of key legislation such as family, inheritance and land law and partial progresses also on the recognition of paralegals. The challenges are mainly beyond the control of LHRC, which are that these changes have not been as full and complete as the LHRC would have liked to see. For example in the land law reform, the amendment was according to interviews considered too weak to produce the desired impact, i.e., a company is prevented from land grabbing.

With regard to the domestication of the other human rights instruments the process is well under way and ongoing with several challenges. It was pointed out in interviews that not all the judges and advocates are aware of or are able to use international conventions as arguments and much is hoped for in the new Bill of Rights, assumed to be part of the constitutional reform.

With regard to the possible impact on corporate social responsibility there are few donors who are keen to support activities in this field. This remains a challenge in terms of achieving substantive and sustainable outcomes in this field. A further complication is that there has not been any baseline to build outcome indicators for potential improvements in CSR. Perhaps an important change might be achieved by the LHRC being part of the constitutional committee in advocating for the transparency of government contracts in particular as those related to investors in the big mining companies.

4.2 ASSESSMENT, STRATEGIC AIM 2

Also the activities under strategic aim 2 have integrated a two-pronged rights-based approach to address, on the one hand, the strengthening of duty bearers' responsibility to implement human rights, and their accountability to the citizens, and on the other hand empowering the citizens to claim their rights. The first is being done through LHRC's intensive works with members of parliament and parliament committees and the second through the work of paralegals and human rights monitors. The works of the media and, to some extent, the works of human rights monitors have also contributed to demand accountability and transparency from duty bearers. As a general assessment, most of the objectives and outputs in the operational plan under this strategic aim have been met.

LHRC's work with *parliamentarians*, which consists not only of advocacy but also of the provision of technical assistance to individual MPs in the drafting of bill processes and private motions, is a highly **relevant** work for strengthening the legal and policy framework to increase government accountability. At the same time it provides LHRC with a not only relevant but also highly strategic position to influence legislative reforms and changes related to human rights which are otherwise difficult to undertake once the laws are enacted.

LHRC's work on building a close partnership with the *media* has been both relevant and strategic. It has ensured that LHRC has the ability to effectively reach the media, e.g. to call press conferences to react on hotspot thematic issues and raise massive awareness amongst the general public through the launching of specific human rights programmes. The media have also benefited from LHRC as a trainer and resource centre. Similar to the close relationship with parliament, LHRC has succeeded in not only being relevant but is apparently becoming an indispensable partner.

The relevance of LHRC's work with *paralegals* is illustrated by their position in the Tanzanian legal and societal landscape. They are in a sense filling a legal void, at the cross-roads between formal and traditional normative systems, between the citizens and the formal legal system. This space is often overlooked but it is crucial for reaching the poorest and for the rule of law to have a meaningful impact on poverty reduction. It is obvious from written sources and from the team's interviews with paralegals that many

citizens do not sufficiently know their rights and, even if they might know of their rights, they are not sufficiently empowered to claim them. At the same time there is an insufficient number of advocates and an equally insufficient free or inexpensive legal aid provision and *paralegals* are not only relevant but become essential.

The relevance of the works of *human rights monitors* is best illustrated by the voluminous LHRC Annual Human Rights Report which has become an institution in itself.⁴⁴ Most of the relevant information for these reports is collected from human rights monitors across Tanzania (in 124 out of 127 districts). The human rights monitors are thus a relevant and independent critical voice. In addition to reporting cases to LHRC, which might intervene from the Dar Es Salaam office, there are instances where human rights monitors provide counselling and legal advice or intervene directly in a case, increasing their relevance when no paralegals are covering the areas.

The relevance of the LHRCs' work with the *university students* is more hypothetical. It lies in the expectation that the professionals and leaders of tomorrow across different areas of society might take with them their human rights activism into their respective profession. For the more immediate relevance, it lies with some of these students challenging governance issues of universities themselves. With regard to *strategic networking* LHRC's has been able to engage with other CSOs on targeted thematic campaigns on certain issues as indicated above. These were highly relevant and could be further expanded as is further discussed in the analysis of Strategic Aim 3 here below.

With regard to the **effectiveness** LHRC has carried out the planned activities under this strategic aim, reaching a considerable number of desired targets as listed in the annual reports, which seem to correspond to what the team could observe.

Evidence of *paralegals'* and *human rights monitors'* effectiveness is illustrated by the number of clients assisted. From what the team could observe at the visits, paralegals also contributed to reducing the queues at primary court level as many cases they were involved in could be solved outside the court system. In addition, paralegals facilitate access to justice in remote areas where there is no access at all to legal advice and there are, what may even be called, 'lawless zones'. There is, however, no obvious, reliable way to establish the paralegals' work in relation to potential needs for legal advice in the country, and the team can only note that it seems from the interviews and visits that every client is attended to and receives advice in one way or another.

⁴⁴ It covers Civil and Political Rights, Social, Economic and Cultural Rights, The Rights of vulnerable groups including women, children, persons with disabilities, refugees, aged persons, refugees, rights of minority and indigenous people as well as collective rights such as the right to Development, clean environment, corporate social responsibility, consumer rights, natural resource. The special chapter on corruption and abuse of power is also included as well as any progresses related to ratification and adoption of international human rights instruments as well as Treaty Reporting requirements.

Both formal and informal technical and research services provided to the members of *parliament*, were pointed out in interviews as effective in strengthening MPs' capacity to do their work and for LHRC to influence legal and human rights matters.

As to the challenges identified by the team, i.e. where LHRC has not fully reaching the desired targets, the majority of them these seem to have been due to external event and beyond the LHRC's direct control. In advocacy work final decisions are by definition outside the lobbying organisation's realm. However, the team had no possibility to systematically analyse possible, hypothetical strategies regarding various issues and discuss alternatives.

During the interviews it was sometimes difficult for LHRC's stakeholders both at main office level and in the field to identify internal weaknesses in terms of effectiveness and there are clear areas of possible improvement. These relate partly to IT and logistical circumstances that would increase effectiveness of *paralegals* and *human rights monitors* alike such as lack of computers (laptops), lack of communication tools (mobile phones) and cameras as well as lack of transport means or transport compensation. As neither paralegals, nor human rights monitors are remunerated for their work, not having adequate means to carry out the due reporting, to conduct fact finding missions in remote areas to provide the required legal assistance is a challenge to their effectiveness. The consequence has sometimes meant that either their activities have been more limited than they could have been or they had to cover these costs from their own personal resources. For the few that have managed to raise funding, the issue is somewhat different, but the majority of them have to rely on their personal resources (e.g. to walk 'on steep hills for 3 to 4 hours under the sun to go and visit a client' or carry out a fact finding mission).

With regard to the measurable **impact** one of the main problems for the evaluation is the current formulation of some of the outcome indicators in the Logframe related to Strategic Aim 2 (and also for Strategic Aim 1). They are either too ambitious or they do not sufficiently and precisely capture the linkages with social justice, rights-based approach and ultimately poverty reduction which are otherwise identifiable in practice.

One impact by LHRC on structural inequalities and injustices at legislative level that can be identified is the direct influence on changes in the legislative framework as a result of its close working relationship with the *parliament*. LHRC, like other NGOs, is part of the formal platform of dialogue with parliament through the parliamentary committees, and especially the community development committee. In these committees there is a formal opportunity to influence the formulation of new bills, policies and legislation. Beside this formal platform, LHRC has used informal working relationships with MPs, both from the ruling party and from the opposition, to influence normative frameworks that are structuring human rights violations and social injustices in Tanzanian society. This might be in fact akin to the provision of "technical assistance" in development projects. Indeed, MPs do not usually have research assistants and do not always have the capacity to undertake the necessary legal research themselves. In this context, LHRC provides a primary and direct contribution to the drafting of private motions and bills' analysis. Even if not all recommendations submitted by LHRC to the amendments of a bill are approved by the parliamentary committee, a good percentage of them are (see the descriptive section above). In this way a direct

impact of LHRC's work on structural changes related to inequalities and injustices at normative level is traceable.

Over the past three years the increased level of coverage of human rights themes in the *media* is in part quite probably due to LHRC's active work and close partnership with the media. Effective means are to regularly call press conferences on current human rights violations in the country and participate in human rights related programmes on a monthly basis. Another possible impact stemming from this close collaboration by LHRC is an increased visibility of otherwise invisible human rights violations to the general public. This has in turn two effects as judged by people interviewed by the team: (i) increasing public awareness as evidenced by the number of calls that usually follow the aired programme, and (ii) mounting pressure on government to respond to these. (LHRC has not yet, as far as the team learned, used opinion polls to measure impact of its awareness raising efforts. An attribution problem, i.e. what would the actual cause a change in attitudes and knowledge, will be there but it may still be an interesting way to check results.)

With regard to the impact of LHRC's work in building the capacity of judging from the team's interviews, the *paralegals* as 'first legal aid' for people with small incomes described above, it is three-fold. Firstly, thanks to the mediation work of paralegals, it seems that successful engagement of two parties in negotiations has avoided many cases going through court. These have mainly resulted in either preventing human rights violations or abuse of powers from occurring, or stopping them. Secondly, for the cases that were presented before court, the follow-ups of paralegals, like the follow-ups of cases by human rights monitors (discussed below) have at times had effects in terms of ensuring adherence to the relevant procedures by the magistrate in question. In some cases, the mere presence of a paralegal had effects in terms of avoiding corruption and speeding up court proceedings. As indicated in the description above, there are still many cases that could not be solved this way, but the impression is that there is a good level of success rate from cases initiated by paralegals. Thirdly, many paralegals are using public forums to raise awareness of human rights in their community.

Beyond these direct effects, similar to the cases of legal aid clinics in Strategic Aim 1, one result of the paralegals' work is the contribution of some successful cases in addressing social injustices and poverty reduction (especially land cases). Judging from the team's interviews the work of LHRC through the paralegals clearly put back a smile on many powerless citizens, especially women who seldom believed they stood any chances at all to obtain justice against the powerful. As a result the demand on the paralegals is increasing as their work gets known in the community and this is both an indication of their success in supporting citizens to claim their rights and justice but it is also likely to become a challenge in the future.

The result of LHRC's collaboration with *Human Rights Monitors* is two-fold. First of all the human rights monitors reports on human rights violations across Tanzania and these reports are one of the key inputs to LHRC's Annual Human Rights Report. (The report has become a quasi-institution and working tool for duty bearers and rights holders alike as mentioned above.). Secondly, it was clear that in some cases human rights monitors either intervene directly and or ensure that LHRC intervenes directly in the cases following their reports. Thus both human rights monitors and LHRC

through their direct interventions, either prevent, put an end to, or will follow-up instances of human rights violations and social injustices. In these cases there is evidence of direct impact of either human rights monitors or the LHRC contributing to addressing social injustices. This is especially visible in cases related to abuse of powers by authorities or private companies and eviction of people from land whether in the public or private spheres. In the successful cases the team could find evidence of similar empowerment effects at the client's level as described above. Even if the single cases might be a drop in the ocean in terms of *quantitative* impact, it may in terms of *qualitative* impact in some cases cause a turn from a life of despair and misery and one in which a fundamental idea of justice is re-established, enough to re-start a dignified life again. The implicit theory of change is that single cases will have a ripple effect and prevent new, similar violations from happening. The team cannot substantiate the validity of such a theory but as cases often become widely known it seems likely that such an effect occurs.

Finally with regard to the **sustainability** of activities under this strategic aim, there are indications that the influence by LHRC's various efforts on the legal framework reforms are there to stay beyond the work of the LHRC, at least according to the opinions in some of the interviews.

On a smaller scale and with a short timeframe a few paralegals and human rights monitors have managed to obtain funding for their activities and thereby secure continued work, thereby laying a kind of foundation for continued work in the future. However, for the great majority of activities under this outcome this is not the case. Further reflections on the sustainability of the organisation can be found in the section below.

4.3 ASSESSMENT, STRATEGIC AIM 3

As pointed out in the introduction the evaluation team found it difficult to include a proper organisational study within the limits of this evaluation. The assessment of different organisational issues below does not therefore cover all aspects of the organisation but is concentrated to those the team encountered during the field visits and the interviews and which seem important in view of the up-coming strategy work as well as for a possible dedicated organisational study.

It is obvious from what was presented and discussed above that LHRC's performance is **effective** and that the strategic aim from this point of view is generally fulfilled. There are, however, indications from interviews that LHRC in its high ambitions to cover and react to everything related to human rights may be overstressing itself and run the risk of becoming shallow in its work. The team was not shown any tangible example of this happening but it may be a real risk also taking into consideration the expectations that are apparently linked to LHRC.

The temporary alliances with other civil society organisations formed on specific issues may be seen as a strategic measure by the LHRC management to both cope with the organisation's limits regarding large scale "operations" like watching over the general elections and ensure sufficient wide-spread engagement in the society. From both points of view, this seems to have worked and presumably provide lessons for the future.

LHRC has apparently reached such a level of coverage, perceived trust and medium to long-term stability that it is reasonable to say that it has become an institution in itself in Tanzanian society. It is, in several ways performing services and activities that in many countries are seen as normal functions of the state. This may all be very good at the present stage of development of Tanzania; voluntary and non-government organisations are part of the processes when a country is developing (and indeed part of any society that aspires to be democratic and tolerant). However, filling voids left or not yet filled by the state may result in confusion of roles and LHRC may be seen as part of the establishment instead of being independent and critical.

Another aspect of what we may call the institutionalisation of LHRC is the organisation's relationship to other, similar NGOs in the legal and accountability spheres. This may be looked upon in two ways. A negative or critical way is that LHRC takes space for other organisations through its relative size, coverage and speed of reaction to many issues. Other organisations may feel left behind or even ignored. A positive way is that LHRC increases the opportunities for other organisations by proving that reactions to human rights violations are possible, that the government at various levels may listen and initiate remedies, and by showing that the citizens have channels to make themselves heard. There is obviously enough to do in this sphere for many organisations and LHRC could be seen as a supporting force or a catalyst for similar initiatives.

Both aspects – the role in relation to government and the role in relation to other NGOs – are essentially about balance and awareness about the risks and advantages that the different roles entails.

LHRC seems to have a tradition of openness which may be effective to counter any perceived or real disadvantages of the organisation's growth and status and maintain its ethos. A possible "projection" of that openness might be to carry out the upcoming strategy work in close relation with other organisations. This may require support and understanding from the side of the donors, which the evaluation proposes should be requested. The evaluation provides some recommendations to the donors in this direction.

Efficiency or cost-effectiveness is a notoriously difficult aspect to measure for organisations like LHRC, which aims at changing policy or struggles against problems in society that are not easy to establish in numerical terms. Cost-effectiveness measurement, in a limited and traditional way, e.g. using cost per unit, is in the case of LHRC probably only possible regarding training, where different methods may be applied and compared, but this will not answer the larger questions regarding how well resources are spent. The team was able to take notice of only a few aspects of the organisation's mode of work and what follows below are just some scattered observations.

Administratively the office in Arusha seems to be very closely linked to the main office in Dar es Salaam, in fact so closely linked that even relatively small operational costs have to be decided in Dar es Salaam. Likewise, IT support is provided from the main office. Although the team has not studied this in detail it would seem reasonable to see if some decentralisation of travel decisions and computer support would increase operational efficiency.

On a larger scale the links between the paralegals in the districts and the main office may be subject to review. The team heard frequently that some form of regular or geographically closer professional backup is highly desired. The mobile clinics are one way to respond to that wish but as mentioned above their work may be a mixed blessing in the sense that those clinics not only provides competent assistance but they also generate more clients and perhaps more complicated cases that local paralegals have to handle after the mobile clinic staff have left. The team is well aware that the linkage between the paralegals and the Centre is not a new issue, but the future strategy has to find a solution, especially if the number of paralegals is expanded in the future.

Efficiency has also to do with steering mechanisms and LHRC has systematically applied the logical framework approach in its operational plan and for the follow-up of its activities. It seems also to have worked quite well. However, the evaluation team noted that there may be a certain amount of overlap between outcome 1 and outcome 2, which may make the follow-up unclear. Also some of the outcomes are quite vague, which makes it difficult and in a few instances next to impossible to establish whether the outcome was achieved. With the considerable experience LHRC has gained there would be comparatively easy to improve this part of the steering tools.

The issue of *sustainability* has in this context two meanings: one is the sustainability of the organisation itself, the other is the sustainability of the intended impact of LHRC's work as expressed in the two strategic aims. The former question is much related to financial stability; the latter question has been discussed in the previous chapters.

Both the LHRC management and some of the donors have brought up the fact that the organisation is heavily dependent on one donor, Sida, and recently even more so because of a reorientation of priorities by a couple of donors. Faced with this situation LHRC has tried to find alternative means for funding and the most concrete, yet at the same time still uncertain and maybe too distant, is to be partly funded through the recently established University of Bagamoyo.

A number of questions can be raised in relation to this. One is if it is in some way "unhealthy" to be dependent on one donor, another is what risks are linked to this and in what time perspective, a third if being financed from abroad is an asset or a liability when dealing with domestic human rights problems.

The third question is probably beyond the task for the evaluation team and LHRC is better situated to judge the risks or advantages to having foreign funding.

The answer to the first question whether having one large funding source is sound is has mainly to do with dependence: will this large provider of funds have requirements that will jeopardise the integrity of LHRC? From what the evaluation team has learnt that Swedish support to the field of work LHRC is engaged in is firmly based on the current strategy for cooperation with Tanzania and the wider commitment to human rights and poverty reduction is part of Sweden's overall development cooperation policy. In addition, it is known that Sida avoids earmarking of funds and prefers core funding. From these points of view it is reasonable to conclude that being dependant of Swedish support does not entail a high risk regarding integrity of the organisation. On the other hand, planning and reporting procedures required by Sida are increasingly strict which may require increased attention to monitoring and reporting within LHRC. (The latter applies also to other donors.)

The second question has of course to do with risk management and here the time perspective is essential. Again, the team is hardly in a better position than LHRC to answer the question but would like to add that Sida prefers long-term agreements and LHRC should therefore plan and seek new funding on that assumption.. From what the team learnt, admittedly only briefly in a couple of interviews, is that the alternative source of funding through the University of Bagamoyo seems to be feasible on in a longer perspective and the short term funding has to be solved in other ways.

A fund-raising unit within LHRC, which has been planned for a while, seems anyway to be desirable.

The team provides some recommendations to donors to find measures that would facilitate joint funding and ease the burden of handling and reporting on the use of funds to different donors.

Impact (or outcomes, depending on time perspective) has been touched upon in the preceding sections. Here the team would like to bring up a wider issue that may lie beyond the ToR but nevertheless is worth discussion in relation to the role and effects LHRC and similar organisations may have on the legal system in Tanzania, namely the question whether there exists a "parallel" legal system. The question of parallel legal systems is an on-going topic in international legal research and may have positive effects.

It is obvious from the documentation we have received from LHRC and from the team's interviews and observations during the field trips that LHRC through its legal clinics and outreach activities through the paralegals in 17 districts undertakes a huge amount of legal work that never or only partially reaches the formally legal system. By the formal system we mean criminal cases that are considered by a prosecutor or criminal and civil cases that appear in courts. Also advocates and their advisory work may be included in the formal, official part of the judiciary system.

Many of the cases LHRC handles are successfully solved (this presumably also apply to many cases handled by other, similar organisations) to the satisfaction of the client. The solutions of these cases seem to take two main forms: one is that the paralegal/legal aid clinic initiates negotiations between the parties resulting in some kind of settlement; the other is that the appearance and involvement of a paralegal in the case makes the person who has caused the problem – not seldom an official – to change his mind regarding the client's position or even abandon the issue altogether.

As far as the evaluation team has seen this has no obvious negative consequences for the formal legal system. Not one of the persons interviewed has expressed any deep concern about the legal apparatus falling apart or being subject to an emerging anarchy. The criticism, at least what was heard by the team, was a vague and often mildly expressed worry that the paralegals might not quite understand the law and cause misrepresentation of what it says, thus perhaps creating trouble in the long run.

It is apparent that much of the advice provided by the paralegals and the acceptance of their advice has its roots in widely held perceptions of right or wrong albeit normally "backed up" by actual, existing formal law, which is often different from traditional justice and practices in a particular social or ethnic group, which a client may belong to. Thus, the paralegals' work, while partly done outside the formal system, may in fact help to promote the codified law.⁴⁵

Another positive consequence is that their work most probably results in an effective reduction of cases reaching the courts thus reducing the strain of the formal, judicial system. The evaluation has no systematically collected data that could verify this conclusion but the number of total cases handled by the paralegals and the two LHRC legal aid clinics is substantial and many of these never end up in courts.

The most important consequence of this informal legal system is, however, that it provides support to the weakest members of the society and thus plays a part in the struggle for poverty reduction. The successful cases are vivid illustrations of the fact that fairness is also available to the poor and weak.

It is worth noting also that a free, government driven legal aid system would not automatically solve the problem with what may be called "the legal gap". One reason the clients come to LHRC's legal aid clinics or to paralegals is that they do not trust the government system. They do not see a principled, independent judiciary but have instead experienced what they perceive as oppressive practices, e.g. the land grabbing or extra judicial killings that are wrongdoings by the government; that the same government would immediately take the side of the poor or understand his or her point of view is for many hard to imagine.

The informal legal system thus has three advantages:

- it provides access to justice, albeit sometimes incomplete, for the poor;
- it reduces the load on the formal system, an obvious advantage at the present situation for Tanzania; and
- and it compensates for the lack of trust that many citizens may have for the government driven legal system

The evaluation's conclusions are that Tanzania currently has a need for an informal legal system and measures should be taken to facilitate its operations.

⁴⁵ This would be an interesting topic for research with both theoretical and practical implications.

5 Conclusions

This chapter presents the conclusions⁴⁶ in relation to the objectives in the strategy and the operational plan according to the five OECD/DAC evaluation criteria applied in the main findings chapter above.

- A. LHRC is a leading human rights advocate and watchdog in Tanzania on nearly all categories of human rights covering core first and second generation human rights: political, civil, social, economic and cultural rights as well as specific categories of Human Rights such as collective rights and the rights of vulnerable groups (women, children, the disabled, the aged etc.). Its works is clearly **relevant** to the fundamental needs of rights holders and duty bearers alike.
- B. The **effectiveness** of the LHRC is evidenced by the timely provision and quality of services to (i) *rights holders* through the legal aid clinics, the paralegals, the human rights monitors, the students human rights clubs and the media (legal aid, consultations and negotiations, human rights awareness raising, promoting active citizenship etc.), (ii) to *duty bearers* through LHRC's technical services to MPs, training and capacity building of government officials including the police, MPs, the media, judiciary, paralegals and human rights monitors etc.

The **effectiveness** the organisation is also evidenced (through news papers and press conferences) by their immediate, consistent and courageous responses to nearly *all* human rights violations across the country. The *main challenge* in terms of effectiveness is for the organisation's staff, paralegals and human rights monitors to be able, in a self-critical manner, to assess the limits of their own capacity to solve all human rights issues and identify internal weaknesses. Weaknesses as to effectiveness were mostly related to external matters such as increasing demands made on the LHRC and lack of communications and transport capacity for paralegals and HR monitors.

⁴⁶ The order and numbering do not necessarily indicate the level of importance.

At times, LHRC may even be considered to **surpass** reasonable effectiveness in its efforts to meet the ever increasing capacity building and technical service demands stemming from existing and glaring institutional gaps within government, parliament, the judiciary, the media and the legal empowerment needs of the citizens to claim their rights.

- C. As far as **efficiency** is concerned, the team has not undertaken a full assessment as an organisational review of the LHRC is expected to later look into these issues. It is suffice to say that the substantial use of voluntarism in the organisation's offices and with paralegal and human rights monitors working on a voluntary basis, the results is likely to have been achieved with an **efficient** use of resources.
- D. LHRC produce an impressive number of *qualitative* and *quantitative outputs* that together have an influence on the overall **outcome** and desired **impact** of LHRC in line with Tanzania's Constitution strive for a more just and equitable society.

The substantive **impact** of LHRC's outputs is both the *prevention* of human rights violations and the *resolution* of human rights violations in a variety of ways. Major findings above show results achieved through pre-court cases negotiations with paralegals, mere human rights monitors presence and exposure of malpractices, successful legal aid cases, successful strategic cases where LHRC is taking government to court, legislative reforms due to LHRC human rights related recommendations, etc.

- E. **Sustainability** of the organisation may not be ensured since there is a high reliance on one donor (Sida 70% of the budget in 2011) and partly due to a shift in priorities by LHRC's formal traditional donors. The envisaged solution by the centre of the University of Bagamoyo is expected to take some years to materialise and at the moment the LHRC has no fundraising and or research units.

As for the sustainability of activities there are some encouraging signs of LHRC activities may have a possibility to become self-sustainable (e.g. paralegals were able to establish their own CSOs and fundraise etc.)

- F. LHRC has largely achieved the objectives set out in the current strategy and operational plan.

6 Lessons Learned for Future Plans

- Although clearly numerous in quality and quantity, the actual extent of LHRC impact achieved remains difficult to measure, as not all human rights violations and accountability issues are reported or claimed. However, the ***persistence***, and the combination of various ways to work seems to have been fruitful.
- The combination of advocacy and clinical experience makes it possible to use legal aid results, which are a goal in itself, for strategic purposes, and advocacy achievements add to the legal aid palette.
- Organisations like LHRC seem currently indispensable for Tanzania and its citizens and the need is likely to continue for quite some times in the future.
- One lesson learned for the organisation is the risk of it becoming the first victim of its own success. If LHRC is not sufficiently selective, the organisation might not be able to withstand the future increase in demands whilst keeping the current high standard of quality and without overstretching capacity and human resources.
- The LHRC cannot, by itself, respond to the increasing demand. Obviously successful alliances, e.g. the constitutional review process, elections monitoring and FGM campaigns, may provide good lessons on how to proceed.

The success of LHRC seems to be related to the combination of trust or credibility and an ability to react in a professional yet engaged manner to a variety of human rights and legal violations. As far as the evaluation has found, many other human rights and accountability promoting NGOs have partly these characteristics but few, if any, combine them as clearly as LHRC.

7 Recommendations for Future Alternative Strategies

Recommendations to Sida (and other donors)

1. Based on the high quality and quantity of the results achieved by LHRC, Sida should continue to fund LHRC for their new six-year strategic plan.
2. Sida should advocate for joint funding of LHRC's new strategic plan with other likeminded donors and call for strategic joint donor meetings accordingly.
3. Donors should encourage reporting practices that facilitate joint NGO actions and alliances by not requiring results related to specific donor funding or specific attribution of results.
4. As the most effective mode of operation in the human rights (and accountability) field is not always easy to predict donors should avoid ear-marking of contributions.

Recommendations to LHRC for integration in their future strategic plan

5. In the strategy a clear linkage between social justice and the overall goal of poverty reduction should be made more explicit and integrated in the overall objective.
6. LHRC should retain explicit reference to the notion of social justice in its strategic aims and include further appropriate indicators that can adequately measure this notion.
7. Continue internal strategic reflections on the consequences of continued growth and increased demand on LHRC in order to determine crucial turning points.
8. Incorporate gradual exiting strategies to some activities, with a step by step approach (e.g. building the capacity of stakeholders to undertake activities and then gradually let them take over); also building on the successful self-sustainable activities of the current plan (e.g. paralegals creating their own CSOs and fundraising.)
9. Develop the future strategic plan in collaboration with other CSOs in order to facilitate future cooperation and even promote effective division of labour.
10. Strive to strategically strengthen the capacity of targeted CSOs in the field of human rights to build solid and united "critical mass".
11. Find ways to facilitate common actions with other NGOs (e.g. establish a common framework for certain activities or actions)

12. Consider possibilities to tailor paralegal training to dominant types of cases in different areas to effectively capture local needs and demands.
13. Add a fundraising unit in LHRC's organisation both to fundraise and write consultancy proposals. Also consider making some of LHRC technical services payable (e.g. technical assistance to MPs, training of high level stakeholders, etc.)
14. Strengthen the M&E unit with more staff to more effectively monitor the works of outreach activities and improve opportunities for analysis of reported results.
15. Consider delegation of financial decisions to the Arusha office in order to enhance administrative efficiency.
16. Strengthen the quality assurance systems of Legal Aid clinics to ensure that the quality of legal documents are up to adequate standards for them to be considered model legal aid clinics and that the level of training and coaching to clients to argue their case in court is sufficiently effective.
17. Consider supplying paralegals and human rights monitor with adequate technical tools (e.g. laptops, mobile & cameras) as well as cover transports costs.
18. All outcome indicators should be revised to be realistically achievable; the rationale for the division between outcome 1 and 2 be clarified if such a division is kept.
19. Ensure that the drafting process of the new strategic and operational plans addresses the inconsistencies in terms of outcome, outputs and indicators formulation highlighted in the main findings above and improve the LFA overall quality.

Annex 1 – Terms of Reference

1. Background Information

Legal and Human Rights Centre is a nongovernmental human rights organisation based in Dar es Salaam as its Head Quarters and having a sub-office in Arusha. It was founded and registered in 1995 under the Companies Ordinance, Chapter 212 of the laws of Tanzania as a company without shares limited by guarantee. Before its registration in September, 1995 the centre was a human rights project of the Tanzania Legal Education Trust (TANLET). Its main purpose is to strive to empower the public, promote, reinforce and safeguard human rights and good governance in Tanzania.

In the implementation of its activities LHRC focuses on two major target groups. These are reached through two main programs which specifically target the duty bearers (decision makers) on their duties to uphold human rights, enhance transparency, reduction practices of corruption and discrimination in accordance with international standards and national policies. On the other hand, another targeted group is rights holders (the citizens). LHRC empowers citizens in demanding accountability, change of harmful practices and increased the capacity of communities to hold decision makers accountable. The third program focuses on institutional capacity building concentrating on improved performance and sustainability of LHRC.

1.1. Vision

Legal and Human Rights Centre (LHRC) envisages a just and equitable society

1.2. Mission Statement

Legal and Human Rights Centre (LHRC) is not profit, non partisan, nongovernmental organisation striving to empower the public, promote, reinforce and safeguard human rights and good governance in Tanzania through legal and civic education and the provision of legal aid, advocacy, research and monitoring of human rights violation.

1.3 Program Description

LHRC is about to complete the implementation of its three years operation plan 2010- 2012. This is a final part of the six years strategic plan 2010- 2012. The activities of the strategic plan were geared towards achieving LHRC programmatic objective of creating legal and human rights awareness among the general public, in particular the underprivileged sections of the society through legal and civic education, provision of legal aid, research and follow ups of the human rights abuses in order to attain a just and equitable society. The evaluation will take into account the context under which the activities were implemented in order to determine the extent of the achievement secured and challenges encountered. Lists of the strategies implemented under the operation plan can be found in the LHRC progress reports; a detailed program description is found as well in the LHRC operational plan 2010- 2012.

2. Evaluation

2.1 Rationale for Evaluation

The strategic plan and operational implemented by the LHRC for the past six years is coming to an end in December 2012. It is time to reflect on the impact of the work done throughout the program phase with a view to observe whether there is a need to replicate it over to other areas or phase out and change the focus as the case may be. It is also time to assess the extent to which the intended objectives have been achieved and the extra miles (if any) the organisation was able to go.

Evaluation is also a communication tool to partners, members and target community. To the partners, it is clear that they all need to see the results and impact made from the use of funds provided. Members are interested with the relevance of their organisation's intervention in society and the communities would want to feel the impact brought by the interventions. The evaluator will thus undertake a critical, thorough and comprehensive holistic evaluation of the organisation with a view to fulfill expectations from all the groups. This includes but is not limited to reviewing the vision, mission, organisational objectives and its ways or method of conducting things.

The LHRC constantly makes critical assessment of its own but this is, by any means, not enough. Self reflection may not mirror all the reality about the organisation. A question such as how relevant is the LHRC and the programs it implements are not easy to discern especially during such times when the society's social economic and political landscape is rapidly changing. Through this evaluation, one would want to know how does the community, allies, financial supporters, other organisations and people who are in one way or the other touched by the LHRC's activities perceive it. If the LHRC has a future and if it does what role does or should it have in this changing society? Questions like this cannot be adequately responded to without another eye and ear external to the LHRC. This therefore needs an external evaluation which will be able to make an independent assessment of achievements, strengths and weaknesses, lessons and challenges to the LHRC over the past six years.

2.2 Purpose of External evaluation

The purpose of this evaluation is thus to assess the relevance, effectiveness and efficiency of the program in achieving its intended objectives and use the results to inform the formulation of the LHRC's strategic plan and the subsequent program for the period beginning January 2013. As a holistic evaluation the main inquiry will be on three key issues: Results, strategic choices and organisational development.

2.3 The Objectives of the Evaluation

1. To measure achievements (RESULTS) and challenges of the implementation of the operational plan 2010-2012
2. To ascertain the extent to which the goals and objectives of the six year strategic plan were met, challenges observed and expectations from the beneficiaries and public generally
3. To make recommendations on the way forward for the LHRC next strategic plan

2.4 Evaluation Questions

- (i) What are the main results achieved through the LHRC's programs at outcome and impact levels?
- (ii) What are the gaps, challenges and opportunities observed in the implementation of the LHRC's program?
- (iii) What are the key lessons from the past program which can be used in future plans?

2.5 The Task of the Evaluators

The Evaluators are expected to:

1. Assess the LHRC's Activities/programs undertaken during the operational plan 2010-2012 in the context of the Strategic plan 2007-2012 and identify results at outcome and impact level if any.
2. Examine major achievements which can provide lessons for the LHRC related to strategic priorities and working methods
3. Assess the relevance of the LHRC's interventions to the target groups
4. Consider the adequacy of the management and governance construction of the LHRC as it stands presently and its potential for the coming plan
5. Appraise the staff capacity both in size and ability and how this affect the delivery of the LHRC's Goals

6. Explore the extent to which the LHRC utilised its resources towards the realisation of the set goals
7. Comment on diversification of funding and its challenges
8. Recommend any alternative strategies to add value for the next strategic and operational plans

3. Areas of Focus

1. Program and activities Evaluation (Results: outcome and impact)
2. Intervention Strategies |(Approaches and Methods employed to achieve the program objectives and their relevance and sustainability)
3. Organisational and financial matters including Funding and fundraising

4.1 Methodology

The evaluator will use a methodology that is suitable and acceptable for conducting scientific enquiry. However, this may be discussed and agreed by the evaluator and the LHRC with the aim of ensuring that every possible source of important information is consulted. The source of such information will certainly include but be not limited to: Reading of documents and Meeting and interviewing stakeholders.

4.1.1. Documents

- a) The LHRC policy documents: The Mermats and articles of Association of the LHRC (1995 as amended), the work Place HIV/AIDS Policy, the LHRC Gender Policy
- b) Current strategic and operational plans,(2007-2012) budgets
- c) The LHRC Annual reports 2007-2011
- d) Other publications by the LHRC including: The Annual Human Rights Reports (2007-2011), Training, Manuals, self help kits (Sample of the 40), Newsletters (Samples) Fact finding mission reports.

4.1.2. Stakeholder involvement

The evaluator shall pay visit to the program fields and meet the beneficiaries of the program in their various categories and other stakeholders. In doing so, he/she shall devise participatory methods to gather information useful for his analysis and final assessment. Involvement of stakeholders to include but not limited to:

- a) Legal Aid clients
- b) Paralegals and Human Rights Monitors
- c) Selected Members of Parliament
- d) Selected Government officials (national and Local) including the Police
- e) Selected members of the Judiciary (Judges and Magistrates)
- f) Selected members of Networking organisations / communities and the media
- g) LHRC former and present Funding Partner

4.1.3. Geography coverage

Dar es Salaam, Three of the 17 Districts with Paralegals (Kiteto, Babati and Ludewa) Three Districts with Monitors but nor paralegals (Dodoma, Tabora and Mbeya).

4.2. The preliminary work plan for the evaluation

- i) One day for the preparation/joint planning by the 3 members of the evaluation team
- ii) Two days for document review
- iii) Two days at LHRC offices for meeting, interview with management, Board and staff.(1day Head quarters and Kinondoni office and 1 day Arusha office)
- iv) 12 days consultation and interviews with stakeholders and partners.

- v) One day stakeholders workshop on preliminary findings and conclusion of the evaluation findings
- vi) Five working days for the preparation of the evaluation report 4 days for draft and 2 day for final report.

The total number of consultancy days is 24 per consultant.

5. Timeframe

The evaluator shall accomplish the work within the agreed timeframe of 24 days which includes weekends and public holidays. This will involve travels in various places (at least six districts) the LHRC implemented its program, consult and interview various people and LHRC'S materials, and prepare a report and submit the final report. Before commencing the field work, a brief inception report shall be submitted to and discussed with LHRC. Immediately after completed field work, a stakeholder workshop shall be held to validate the key findings. Thereafter, the first draft of Evaluation report shall be submitted, no later than 20 May 2012.

6. Consultants

To ease the procurement process Sida's evaluation framework agreement will be used. The LHRC expects to have a team of three or two consultants with at least one international and two/one local consultant. The need for the local consultants is due to language as most people speak Swahili but also due to the understanding of the context in which the LHRC operates. In terms of team composition, the consultants are expected to cover the following key qualifications:

The *Lead Consultant* should have the following qualifications:

- Bachelors' degree in Law and a Masters degree in a relevant field;
- Minimum of five years of professional work experience in areas pertaining to access to justice and legal aid service provision;
- Current expert knowledge of access to justice at an international level;
- Expert knowledge on the current efforts to enhance access to justice and human rights in Mainland Tanzania and Zanzibar;
- Excellent research and analytical skills, in both qualitative and quantitative methodologies;
- Excellent writing skills in English; and
- Previous experience of similar assignments is an added advantage.

The Lead Consultant will be expected to work with *one or two local/regional consultants* with expertise in:

- Kiswahili-speaking;
- Legal aid;
- Social Work;
- Law;
- Monitoring and Evaluation;
- Justice and governance sector reforms; and
- Statistics.

Annex 2 - Programme Agenda and Persons Interviewed

LHRC Board Members

Prof. Palamagamba Kabudi
Dr. Sengondo Edmund Mvungi
Athanasia Soka
Francis Stolla, President of Tangayika Law Society

LHRC member

Japhet Makongo

LHRC Management team and staff

Dr. Helen Kijo-Bisimba –Executive Director
Imelda Lulu Urrio
Harold Sungusia
Sylvian M. Sariko
Elibariki Maeda, Arusha
Anna Henga
Rashid Byarushengo
Fulgence Massawe, Legal Counsel in Charge, Kinondoni Legal aid clinic
Doreen Loina, Arusha office
Petrída Muta, Arusha office
Lengai Nelson Meringo, Arusha office

Members of Parliament (MPs)

Hon. Gaudencia Kabaka – MP (CCM) and Minister for Labour and Employment
Hon. Angella Jasmine Kairuki –MP (CCM) and Deputy Minister for Justice and Constitutional Affairs.
Hon. Tundu A.M Lissu – MP (CHADEMA)
Hon. John Mnyika- MP (CHADEMA), Shadow Minister for Energy & Minerals.

Government officials

Mrs. Gaudencia Kabaka – Minister of Labour and Employment
Deputy Commissioner of Police, Issaya J.N Mngulu- Ministry of Home Affairs
Mrs. Mary Mosha, Prevention and Control of Corruption Bureau
Justice Joaquine De-Mello, Commission for Human Rights and Good Governance (CHRGG)
Athanasia Soka, Legal Sector Reform Programme (LSRP)
Mr. Issaya J.N. Mngulu, Deputy Commissioner of Police

Ministry of Community Development , Gender and Children Affairs:

Mrs. Tukae, Director of Children Department,
Charles N. Sule, Principal Community Dev. Officer
Rose Minja, Ass. Director, Family Development
Happy A. Lowasa, Community Dev. Officer

Magdalena O. James, Community Dev. Officer

District Executive Directors (DED)

Mpangalukela Tatale - Geita District

Dr. Leonard Masale - Ukerewe District

Members of the Judiciary

Hon. Lady Judge Munuo, Court of Appeal of Tanzania

Hon. Judge Twaib Fauz, The High Court of Tanzania

Hon. (Mrs). Suzan Kihawa, Resident Magistrate Court, Kinondoni

Hon. Liad Shamshama, Kisumu Resident Magistrate Court

Hon. Aloyce Evarist, Kisumu Resident Magistrate Court

Desdery Kamugisha, Geita District Resident Magistrate

Reuben Mwemezi Luhasha, Ukerewe District Resident Magistrate

Luboroga Yusto - Tarime District Resident Magistrate Incharge

Academics

Prof. Mahalu, The University of Bagamoyo (UB)

Non-Governmental Organisations (NGOs)

Martina Kabisama – Executive Director, SAHRINGON-T

Ananilea Nkya – Executive Director, TAMWA

Irenei Kiria – Executive Director, Sikika

Edward T. Porokwa, Executive director, PINGO's Forum, Arusha

Students Human Rights Associations – Dodoma University College

Daniel S. Matono - Chairperson, 3rd year student.

Sudi Saidi - Vice Chairperson, 2nd year student.

Edson Damian - General Secretary, 2nd year student.

Jipson Hubere - Vice Secretary, 2nd year in social science.

Monica Mbilinyi - Member, 3rd in social science.

Sophia Ngilule - Member, 3rd year in social science.

Human Rights Monitors

Jackson George Gaso- Iringa

Salome - Mbeya

Fatuma - Mbeya

Ana Anderea - Mbeya

Donatira Chengura - Mbeya

Jennifer Mwakyusa - Mbeya

Rev. Alson K. Nswila – Mbeya

Elineema Charles- Geita

Boni Matto- Tarime

Samwel Mwewama- Mugumu, Serengeti

Representative (Ukerewe)

Land Eviction Victims (Dodoma Makulu Village, Njendengwa Ward)

Hon. Ally Issa Biringi (Njedengwa ward officer)

Baraka Thomas Ngumia

Nassoro Shomari Nassoro

Hussein Mohamed Hassan
Mbwana Omari Kilo
Jerome Masaka
Freedom Mshanga
Haji Mrope
Abubakari Hassan Sululu
Godwin Mnyingo
Rajabu Mohamed
Iddy Maumba
Baraka and George (Community police)

Geita, Bombambili Farmers, Kalangalala

Silasi Magot
Thomas Ndenganya
James Lusana
Nurath Athumani
Simony Luswetula
Antonia Andrea
Coletha Samsoni
Abdalah Chuku
Maandamano Ezekiel

Legal aid clients, northern Tanzania

Mary Victor Swai - Ukerewe
Veneranda Majogoro - Ukerewe
Kalekwa IBrahim Kileta - Ukerewe
Nurath Athuman - Geita
Bombambili Farmers - Geita
Manga Buhembwe- Tarime
Maingu Nyalusanga- Tarime
Suzana Timona - Mugumu, Serengeti
Boki Lobi - Mugumu, Serengeti

Paralegals

Iringa

Zakaria Innocent Haule
Sigfried Innocent Mapunda
Jackson George Gaso

Njombe, Makete

Bethania M. Chaula
Joyce Festo Sanga
Almanda Petnal Mahenge
Analia Watondoka Mwinuka
Neema E. Sanga
Agnamaka Kyando
Faines Mahenge
Nebart Sigalla
Juliana Benard
Farida Oswald

Geita, Legal Aid Centre (GELAC)

Julius Titus
Magreth Nzengula.
Simba Sana Reubeni
Edward Sende
Eda Phinias
Veronica George Mathias Masolwa
Christina Gamba
Lameck Swai
Elineema Charles
Mussa Mugaywa
Aida Fadhili
Joyce Seka
Joseph Mwiga
Gaudioza Byabato
Wambura Matiko
Mary Mtalitinya

Ukerewe, Wasaidizi wa Sheria na Haki za Binadamu Ukerewe (WASHABU)

Christine N. Nabigambo
Mzungu P. Mufumi
Veronica Gedion
Bernadetha C. Masini
Juma L. Mazigo
Pudentiana A. Ngereza
Daymond J. Nsite
Lucy Makete
Revocatus Mtami
Musiba Kakulu
Asia O. Ulimwengu
Sikitu N. Matete
Benjamin Mtebe
Alphaxard M. Kapole
Charles Mainda

Tarime, Wasaidizi wa Sheria na Haki za Binadamu

Alexander Mugendi
Bonny Matto
Okedi Mwangwa
Monica Denis
Balton Galinga
Mwita Buhembwe
Antony Mainga

Mugumu, Wasaidizi wa Haki za Kisheria na Haki za Binadamu Serengeti (WASHE-HABISE)

Samwel Mwewama and Others

Private Advocates

Eneles Kitta -Iringa

Francis Kiwanga- Arusha

Media

Dorcas Raymos, Channel 10

Development Partners

John Ulanga, Executive Director, Foundation for Civil Society

Maria van Berlekom, Head of Development Cooperation, Embassy of Sweden, Dar es Salaam

Jennifer Matafu, Programme officer, Embassy of Sweden, Dar es Salaam

Tumsifu Mmari, Programme officer, Embassy of Sweden, Dar es Salaam

Anders Emanuel, Programme officer, Embassy of Sweden, Dar es Salaam

Ulrika Lång, former programme officer at Embassy of Sweden, Dar es Salaam

Kate Dyer, Programme Director, Accountability in Tanzania (AcT)

Michael Ward, Accountability in Tanzania (AcT)

Esther Pendo Msuya, Project officer for gender and governance, Royal Danish Embassy, Dar es Salaam

Esther Pendo Msuya, Project officer for gender and governance, Royal Danish Embassy, Dar es Salaam

Annex 3 - Bibliography

Embassy of Sweden. (2010). *Support to the Legal and Human Rights Centre (LHRC) operational plan 2010-2012 and Strategic Plan 2007-2012*. [Embassy Memo]
Diarienummer:UF2009/15212.
Date Accessed: 2010-04-01

Embassy of Sweden. (2007). *In-depth Assessment for support to the Legal and Human Rights Centre (LHRC) operational plan 2007-2009, Tanzania*. [Embassy Memo]
U11/1.11.3-11.
Date Accessed: 23 May, 2007

Dr. Helen Kijo-Bisimba (2011). *ANNUAL PROGRESS REPORT 2011*.
TANZANIA.[LHRC-Letter] LHRC/B.FUND/VOL.VIII/46.
Date Accessed: 29th of February,2012.

Onesmo Olungurumwa, Pasience Mlowe, Erin Riley (LHRC). (2012). *ANNUAL REPORT*. TANZANIA. Legal and Human Rights Centre (LHRC) & The Zanzibar Legal Services Centre (ZLSC)

Francis Kiwanga, Rashid Byarushengo, Harold Sungusia, Rodrick Maro (LHRC). (2009). *ANNUAL REPORT*. TANZANIA. Legal and Human Rights Centre (LHRC) & The Zanzibar Legal Services Centre (ZLSC)

Francis Kiwanga, Rashid Byarushengo.(LHRC). (2011). *ANNUAL REPORT: 16 YEARS OF HUMAN RIGHTS PROMOTION IN TANZANIA*. TANZANIA. Legal and Human Rights Centre (LHRC) & The Zanzibar Legal Services Centre (ZLSC)

LHRC Constitution-Memorandum and Articles of Association as Amended. THE COMPANIES ORDINANCE (Cap. 212 of the Law of Tanzania)

TECHTOP CONSULT (TANZANIA) LTD. (2009). *EVALUATION OF THE LEGAL AND HUMAN RIGHTS CENTRE: 3-YEAR OPERATIONAL PLAN, 2007-2009-FINAL REPORT*. TECHTOP CONSULT (TANZANIA) LTD.

REPORT. *TECHTOP CONSULT (TANZANIA) LTD*.

LHRC Financial Regulations Manual. (October, 2008). *Financial Regulation Manual*.LHRC

Legal and Human Rights Centre-Human Resource Manual. (March, 2010). *Human Resource Policy*. LHRC

Pasience Mlowe, Onesmo Olungurumwa. (May, 2011).*NORTH MARA FACT FINDING MISSION REPORT: KILLINGS AROUND NORTH MARA GOLD MINE: THE HUMAN COST OF GOLD IN TANZANIA-THE KILLINGS OF THE FIVE*. LHRC

Legal and Human Rights Centre-LHRC. (2010-2012). *Operational Plan 2010-2012*. LHRC

LEGAL AND HUMAN RIGHTS CENTRE. (2007-2009). *THREE YEAR OPERATIONAL PLAN 2007-2009*. LHRC

LEGAL AND HUMAN RIGHTS CENTRE. (2007-2012). *SIX YEAR STRATEGIC PLAN 2007-12*. LHRC

LHRC HRR Reports

Clarence Kipobota, Catherine Lalonde(2007). *Tanzania Human Rights Report 2006: Progress Through Human Rights*. LHRC

Onesmo Olungurumwa, Pasience Mlowe, Kevin O.'Shea. (2011). *Tanzania Human Rights Report 2010: Part One:Tanzania Mainland- LHRC, Part Two: Tanzania Zanzibar-ZLSC*. LHRC & ZLSC

Clarence Kipobota, Andrea Wobick. (2008). *Tanzania Human Rights Report 2007-Incorporating Specific Part on Zanzibar*. LHRC & ZLSC

Clarence Kipobota, Sarah Louw(2009). *Tanzania Human Rights Report 2006: Progress Through Human Rights*. LHRC

Clarence Kipobota(Advocate). (2010). *Tanzania Human Rights Report 2009- Incorporating Specific Part on Zanzibar*. LHRC

Bibliography Prints

Onesmo Olungurumwa, Pasience Mlowe, Erin Riley (LHRC). (2012). *TANZANIA HUMAN RIGHTS REPORT 2011*. LHRC & ZLSC

Clarence Kipobota (Advocate). (2010). *Tanzania Human Rights Report 2009- Incorporating Specific Part on Zanzibar*. LHRC

Clarence Kipobota, Andrea Wobick. (2008). *TANZANIA HUMAN RIGHTS REPORT 2007-Incorporating Specific Part on Zanzibar*. LHRC

President's Office Good Governance Coordination Unit. (2008). *The Enhanced National Anti-Corruption Strategy and Action Plan [NACSAP II]*. Tanzania. State House.

LAW REFORM COMMISSION OF TANZANIA. (1986). *Report No.1 of 1986 On Delays in Disposal of Civil Suits*. Tanzania. The Minister for Justice Attorney-General

Prof. Chris Maina Peter, Mr. Yefred Myenzi, Adv. Clarence Kipobota. LEGAL AND HUMAN RIGHTS CENTRE AND TANZANIA CIVIL SOCIETY CONSORTIUM FOR ELECTION OBSERVATION (TACCEO). (2010). *REPORT ON THE UNITED REPUBLIC OF TANZANIA GENERAL ELECTIONS OF 2010*.LHRC.

Deus Kibamba, Adv. Francis Kiwanga (2009).*MONITORING REPORT 2009- Tanzania Local Government Elections*. LHRC

Newsletters

Legal and Human Rights Centre. (January Issue). [NewsLetter]
 Legal and Human Rights Centre. (February Issue). [NewsLetter]
 Legal and Human Rights Centre. (February, 2009. Issue). [NewsLetter]
 Legal and Human Rights Centre. (July, 2010. Issue). [NewsLetter]
 Legal and Human Rights Centre. (October, 2009. Issue). [NewsLetter]
 Legal and Human Rights Centre. (August, 2010. Issue). [NewsLetter]
 Legal and Human Rights Centre. (February, 2010. Issue). [NewsLetter]

Parliament Watch Annual Report

Marcossy Albanie. (January, 2012). *PARLIAMENT WATCH- ANNUAL REPORT FOR 2011*. Legal and Human Rights Centre (LHRC).

Fact Finding Reports

Flaviana Charles, Adv.(LHRC). (2011). *REPORT ON FACT FINDING MISSION IN NZEGA ON THE RECENT COMMOTION BETWEEN MINING INVESTORS, MEMBER OF PARIAMENT AND THE COMMUNITY. TANZANIA*. Legal and Human Rights Centre (LHRC).

LHRC. (May, 2009). *FACTS FINDING MISSION REPORT ON THE PREVAILING LAND DISPUTE AT NAMWALA VILLAGE IN KILOMBERO DISTRICT, MOROGORO REGION*. Legal and Human Rights Centre (LHRC).

LHRC. (September, 2008). *FACT FINDING MISSION ON LAND EVICTION OF VILLAGERS- KITETO*. Legal and Human Rights Centre (LHRC).

Laetitia Petro. (May-June, 2011). *USINGE POLICE AND CIVILIANS CLASHES FACT- FINDING MISSION REPORT*. Legal and Human Rights Centre (LHRC).

Gloria Mafole, Evans Lazaro. (May, 2011). *FACT FINDING MISSION IN ZANIBAR*. Legal and Human Rights Centre (LHRC).

LHRC. (October, 2011). *NJEDENGWA FACT-FINDING MISSION IN DODOMA REGION*. Legal and Human Rights Centre (LHRC).

LHRC. (February, 2011). *SONGEA FACT- FINDING MISSION ON EXTRA JUDICIAL (POLICE) KILLINGS OF THE THREE PEOPLE*. Legal and Human Rights Centre (LHRC).

LHRC. (April, 2011). *REPORT OF FACT FINDING MISSION IN NZEGA, GEITA ANF LOLIONDO*. Legal and Human Rights Centre (LHRC).

LHRC. (February-March, 2011). *MPWAPWA FACT-FINDING MISSION ON HUMAN RIGHTS VIOLATIONS AT MSAGALI VILLAGE*. Legal and Human Rights Centre (LHRC).

University Students Training Report

Laetitia Petro. (December, 2010). *REPORT OF UNIVERITY STUDENTS TRAINING CONDUCTED IN DAR ES SALAAM AT BLUE PEARL HOTEL*. Legal and Human Rights Centre (LHRC).

Paralegal Festival Report

LHRC. (November, 2011). *PARALEGAL FESTIVAL- AFRICAN DREAM CENTRE AT DODOMA*. Legal and Human Rights Centre (LHRC).

Neema Makando. (August, 2009). *PARALEGAL SYMPOSIUM*. Legal and Human Rights Centre (LHRC).

M&E System

Monitoring and Evaluation Framework-LHRC.

World Human Rights Day-Report

LHRC. (December, 2011). *A Brief Report on World Human Rights Day*. Legal and Human Rights Centre (LHRC).

Francis Kiwanga, Harold Sungusia, Clarence Kipobota. (May, 2009). *ANNUAL HUMAN RIGHTS CONFERENCE REPORT, 2008: Sixty Years of the Universal Declaration of Human Rights*. Legal and Human Rights Centre (LHRC).

Human Rights Monitoring Training Report

LHRC. (July, 2010). *REPORT OF HUMAN RIGHTS MONITORS TRAINING CONDUCTED IN MBEYA*. Legal and Human Rights Centre (LHRC).

Laetitia Petro. (July, 2010). *MONITORS AND JOURNALISTS TRAINING*. Legal and Human Rights Centre (LHRC).

Staff Retreat Report

LHRC. (November, 2007). *REPORT OF THE STAFF RETREAT HELD IN MOROGORO*. Legal and Human Rights Centre (LHRC).

LHRC. (November, 2010). *REPORT OF THE STAFF RETREAT HELD AT DODOMA HOTEL*. Legal and Human Rights Centre (LHRC).

Annex 4 – Evaluation Analytical Matrix

<i>Evaluation Criteria and TOR's Tasks</i>	<i>Key Evaluation Questions Guide</i>	<i>Methods and Sources</i>
Relevance Tasks 2 and 3	- How relevant is LHRC's work in relation to the general human rights situation in Tanzania? Outcome 1: The practices, policies and legislative framework of government and business corporations are improved - How relevant has the LHRC's advocacy work been in influencing and shaping national legal frameworks, legislations and constitutional reforms in relation to international and regional human rights commitments? - How relevant has LHRC's work been in relation to improved access to justice for the poor and marginalised women and men, girls and boys? - To what extent are the LHRC objectives and activities relevant to the needs and empowerment of poor women and men whose rights have been violated? Which women's specific human rights needs have been addressed? - To what extent has the Rights perspective utilised by the centre been able to reflect the perspectives of poor women and men victims of human rights abuses? - How relevant is the work of LHRC compared to other customary systems, compared with other similar organisations?	Document review: Human Rights Reports from LHRC and other UN / NGOS organisations. Focus group discussions: beneficiaries of legal aid clinics at community level (separate discussions with men and women, girls and boys, users and non-users of the legal aid clinics). Semi- structured interviews: key civil society actors, media professionals, community leaders, elders and other NGOs key informants. Meetings and semi-structured interviews: beneficiaries members of parliament, members of the judiciary, government's staff, Com-

- How relevant has LHRC's work been in relation to greater corporate responsibility? Protection of land? Labor rights? Environmental rights?
- How relevant has the LHRC's HIV/AIDS policy been to the needs of the victims? How have girls' and boys' legal aid needs been addressed? Has there been any LGBT rights work?

Outcome 2: the capacity of civil society, media and parliament to address rights violations and monitor decision makers is increased

- How relevant has LHRC's work been in the strengthening the capacity of civil society and independent media to address human rights violations?
- How relevant has the LHRC's strategic work been in building democratic awareness in parliament and government and in strengthening political institutions, transparency and government accountability?
- How relevant has LHRC's work been in relation to enhancing the capacity of human rights monitors?

**Outcome 3 The performance and sustainability of LHRC is improved
(questions under this outcome are under the relevant sections below)**

Though out the questions above the evaluators will use an adapted **SWOT analysis** :

- What were the key strengths? The weaknesses?
- What needs to change in focus or be discontinued? What needs to be possibly carried out in the next strategic plan?

mission for Human Rights and Good Governance.

- **Semi-structured interviews:** with external key informants such as academics, staff of other donors and member of other NGO such as Tanzania Women's Lawyers Associations, other legal aid clinics and Human Rights NGOs.

<i>Evaluation Criteria and TOR's Tasks</i>	<i>Key Evaluation Questions Guide</i>	<i>Methods and Sources</i>
Efficiency Tasks 2 and 6	▪ In terms of cost-effectiveness, what is the correlation between the numbers of paralegals deployed, the number of beneficiaries reached, number of cases dealt with and the total budget? ▪ In terms of cost-effectiveness, what is the correlation between the budget spent on advocacy , strategic work, and the results achieved in terms of legislative and policy reforms/influence? ▪ What are the measures in place to maintain staff and paralegals, human rights monitors within the organisation? ▪ What is the volume of reliance on voluntary work and how sustainable is this option in the long term? ▪ To what extent has LHRC utilised its resources to the realisation of its goals? Though out the questions above the evaluators will use an adapted SWOT analysis: ▪ What were the key strengths? The weaknesses? ▪ What needs to change in focus or be discontinued? What needs to be possibly carried out in the next strategic plan?	▪ Document review: LHRC's financial reports. ▪ Focus groups discussion: Paralegals and volunteers, student trainees (HQ and field) ▪ Semi- structured interviews: LHRC's staff (HQ and field). ▪ Semi-structured interviews: with external key informants such as staff of member of other NGO such as Tanzania Women's Lawyers Associations, other legal aid clinics and Human Rights NGOs.
Effectiveness Tasks	▪ To what extent have the objectives been achieved according to plans? ▪ In this relation, to what extent has the management and governance construction of the LHRC as it presently stands contributed to the effectiveness of the achievement of objectives?	▪ Document review: LHRC's monitoring reports, annual reviews and evaluations. ▪ Focus groups discussion: Parale-

2, 4 and 5	▪ In this connection, to what extent the staff's capacity both in size and ability has contributed to the effective delivery of the LHRC's goals and 3 outputs? Outcome 1: The practices, policies and legislative framework of government and business corporations are improved Outcome 2: the capacity of civil society, media and parliament to address rights violations and monitor decision makers is increased Outcome 3 The performance and sustainability of LHRC is improved Though out the questions above the evaluators will use an adapted SWOT analysis : ▪ What were the key strengths? The weaknesses? ▪ What needs to change in focus or be discontinued? What needs to be possibly carried out in the next strategic plan?	gals and volunteers, student trainees (HQ and field) ▪ Semi- structured interviews: LHRC's staff (HQ and field).
Impact Tasks 1 and 2	▪ Under each LHRC's programmes undertaken between 2010-2012 what has been the impact achieved in relations to each outcomes defined in the Strategic plan 2007-2012? According to which indicators? Outcome 1: The practices, policies and legislative framework of government and business corporations are improved ▪ What are the impacts and changes that can be identified on Tanzania's human rights situation in general and in particular on the following: i) changes in incidences of harmful traditional practices; witchcraft related killings, mob justice, FGM, GBV, child abuse ii) land conflict, grabbing and eviction, women's land rights, iii) Labor rights iv) Environmental rights v) suspension of newspapers and harassment of journalists	▪ Document review: Human Rights Reports from LHRC and other UN / NGOS organisations. ▪ Focus group discussions: beneficiaries of legal aid clinics at community level (separate discussions with men and women, girls and boys, users and non-users of the legal aid clinics). ▪ Semi- structured interviews: community leaders, elders and other NGOs key informants. ▪ Meetings and semi structured interviews: beneficiaries' members of

- vi) misuse of police powers, corruption and transparency
- vii) the rights of ethnic minorities etc.

- What evidence is there of increased legal and Human Rights, Knowledge amongst the targeted beneficiaries?
- What evidence can be identified in increased access to the formal justice system and how can that be measured?
- What evidence is there of changes in the empowerment of poor women and men in claiming their rights?
- What is the evidence of legal and constitutional changes to adapt to multiparty system?
- What evidence of changes can be identified in terms of increased political participation and strengthening of political institutions?
- What evidence is there of changes in the legislature, government and judiciary's capacity to be more accountable and effective in the application of related human rights reforms as a result of LHRC's advocacy, lobbying and networking activities?
- What evidence of changes in the effective application of international and regional human rights instruments can be identified (such as the African Charter and its protocol on women's human rights, CEDAW etc.) as a result of advocacy, lobbying and networking activities?

Outcome 2: the capacity of civil society, media and parliament to address rights violations and monitor decision makers is increased

- Has the capacity of civil society and independent media been strengthened to address human rights violations?
- Has LHRC's strategic work contributed to building democratic awareness in parliament and government and in strengthening political institutions, transparency and government accountability?
- Has the capacity of human rights monitors been enhanced and what are the effects?

parliament, members of the judiciary, government's staff, Commission for Human Rights and Good Governance.

- **Semi-structured interviews:** with external key informants such as academics, staff of other donors and member of other NGO such as Tanzania Women's Lawyers Associations, other legal aid clinics and Human Rights NGOs.
- **Semi- structured interviews:** key civil society actors, media professionals, community leaders, elders and other NGOs key informants.

Outcome 3 The performance and sustainability of LHRC is improved

(questions in the section below)

Though out the questions above the consultants will use an adapted Change Assessment

Scoring Tool (**CAST**):

- **What has been LHRC's contribution in these changes?**
 - Beyond the identification of the kind of changes that has occurred, the consultants will endeavour to assess from the beneficiaries' perspectives whether these changes were in their views very positive, positive, neither, negative or very negative in relation to their needs.

Sustainability**Tasks
2 and 7**

- To what extent has LHRC been able to diversify funding sources and what have been the challenges the organisation has faced in this respect?
- Has the current fundraising strategy been effective and to what extent has it contributed to the diversification of funding?
- What have been the sustainability strategies undertaken so far and have they shown satisfactory results?
- Have any income generating activities taken place and have they been successful?
- To what extent is reliance on voluntary work sustainable?
- Has the organisation been able to capitalise its efforts through networking with like-minded organisation – are there any effects there in terms of sustainability?

Though out the questions above the evaluators will use an adapted **SWOT analysis** :

- What were the key strengths? The weaknesses?

What needs to change in focus or be discontinued? What needs to be possibly carried out in the next strategic plan?

- **Document review:** LHRC's monitoring reports, annual reviews and evaluations.
- **Focus groups discussion:** Paralegals and volunteers, student trainees (HQ and field)
- **Semi- structured interviews:** LHRC's staff (HQ and field).
- **Semi- structured interviews:** LHRC's donors and potential LHRC's donors.

Annex 5 – Inception Report

1. Introduction

This report elaborates on the Proposal previously submitted to the Embassy and LHRC. The proposed evaluation approach is made more precise in relation to additional information gained through a first study of the documentation we have received and other sources. More detailed planning of the fieldwork in Dar es Salaam and in locations upcountry will take place during the first half of June and when the team has convened in Tanzania.

2. Purpose and Scope

The main reason for the evaluation is, according to the ToR, to provide an opportunity for reflection about results achieved so far and about ways ahead for the future. Among core issues is the question of *relevance* of LHRC as an organisation in relation to its objectives and in relation to the rapidly changing "social economic and political landscape" in Tanzania. We appreciate the open minded attitude to the evaluation this indicates and, although it is a large order considering the varied composition of the Tanzanian society, we will make every effort to produce an evaluation report that stimulates critical and constructive thinking about LHRC's work.

We interpret the wording "comprehensive, holistic evaluation" to indicate that the evaluation should cover all aspects of LHRC's work and also, to the extent possible, include a discussion of comparisons to similar work carried out by other organisations and possible alternative ways to achieve the overall objective of LHCR.

The purpose of the evaluation stated in section 2.2 of the ToR is to assess "the relevance, effectiveness and efficiency of the program". In sections 2.4 and 2.5 *outcomes and impacts* are added to the tasks. Of the usual five DAC evaluation criteria the aspect of sustainability is not mentioned. Following the suggestion in the Proposal that *sustainability* be added since the issue will more or less automatically arise both when we assess relevance within a changing society and when examining capacity building of LHRC we will include this aspect.

In relation to the Centre's objectives the concept of sustainability would mean two things. One is the "survival" of the Centre itself and this relates primarily to access to funding and the ability to retain qualified staff. The other meaning is how stable the changes in a positive direction – its *impact* – would be that are attributable to the Centre's work.

We agree in general with the stated purpose and objectives in the ToR of the evaluation but would like to propose two limitations or clarifications. One is about *results*. Our impression from the documentation is that the Centre has already reported extensively on immediate results and outputs and we see no need to duplicate this by collecting the same kind of data. In addition, the 2009 evaluation provides a good presentation of result achieved up to that point in time. We therefore suggest that the evaluation instead tries to verify and corroborate results, in particular those we deem crucial to the first two outcomes.

The other clarification is about organisation development within LHRC itself. We read the ToR to mean that the evaluation should not include a complete, detailed organisational study but rather try to assess the current design of the Centre and its performance in relation to the issues of relevance, effectiveness, efficiency and sustainability. For this we will need to look at LHRC's development as an organisation, both how it has developed internally over the years and how its role in Tanzanian society has grown and perhaps changed as it has attracted support and established itself in the legal and human rights field.

LHRC activities are guided by a six-year strategic plan for 2007-2012. This evaluation is supposed to cover only the most recent two years, 2010-2011, but it seems difficult to ignore previous results both because the latter years obviously build on what has been done before, and because the strategic plan covers the whole period. Presumably implementation is carried in relation to this strategic plan and not in relation to agreement periods with Sida. We propose that the team looks into the previous years as well even if our work will put an emphasis on the last two years.

LHRC covers in principle all mainland Tanzania and it aims at influencing national legal policy. The Centre's outreach activities aim at raising awareness of citizen's rights and directly influence how the police and the courts work at local level. The evaluation needs of course to cover both national and local levels in order to assess the overall objective and planned outcomes. However, the outreach activities cover only a relatively small number of districts – 17 of around 150 – and some of the districts have only recently been added. For this reason the main issues that seem most appropriate to look at district level are lessons to be learned, relevance and effectiveness of the LHRC "model", and replicability, rather than overall impact.

We need to take into account the political context for the LCHR and consider in the analysis that not only does the Centre challenge the entire judicial apparatus in the country, it also openly criticises institutions like the police and (directly or indirectly) the government at national and local levels. The Centre's existence may be contested and its relevance and effectiveness are crucial against this background.

An example of the changing political landscape mentioned in the ToR is the fact that Tanzania is in the process of writing a new constitution. Parliament endorsement

of the Constitutional Review Act that was assented by the President in November, 2011 and a Constitutional Review Commission was set up, demonstrating top leadership's commitment to creating a new constitution. According to the PM, the government expectation is to have the new constitution complete and ready for inauguration on April 26, 2014. The commitment shown is a positive move since the prevailing constitution is perceived to have denied the wider participation of the masses during its making and therefore fails to reflect the political legitimacy of the people.

Among other demands are a change in the law to allow presidential results to be challenged in court, the formation of an independent electoral commission and right to stand as an independent candidate while contesting for leadership in both presidential and parliamentary elections to allow individuals who are not member of any political parties to enjoy their political and civil rights.

One recommendation among others is the need to conduct a comprehensive civic education to the general public and ensure strong civil society demands for better environment that ensure free and fair in upcoming elections.

The experiences from the Centre's activities may have a direct bearing on these changes and the lessons we hope to learn from the evaluation need to have this context in mind.

To summarise additions and limitations in relation to the ToR we propose:

- analysis of results is mainly to verify and corroborate reported results, in particular on outcome level, not primarily to collect new information on outcome achievements;
- the organisation of the Centre is evaluated in relation to its relevance and effectiveness in relation to the objectives and we will not carry out a complete, internal organisation study;
- the evaluability is limited because of lack of distinct benchmarks and the inherent problems of attribution where influencing policy is an objective;
- we will, if possible, assess the Centre's work in relation to other efforts with similar objectives;
- sustainability will be included as an additional evaluation criterion;
- we will try to use a longer time perspective for our assessment than the latest operational plan period.

3. Evaluation questions and evaluability issues

The ToR indicates a number of evaluation questions/tasks and lists categories of stakeholders/sources for interviews and documents that are likely to be used. We consider the list of questions relevant to the evaluation task and reasonably possible to answer. There are, however, three basic problems related to the issue of *evaluability*.

One is that all three outcome objectives use the words "increased" and "improved", which automatically require a description of the situation before the interventions started. In a general way that is provided by the background descriptions in the Strategic Plan and in the annual Human Rights Reports on the situation in the country. Those overall descriptions are of course judgements and not directly quantifiable benchmarks, and the same limitation will eventually apply to our assessment, which will to a large extent be based on interviews. We believe nevertheless that we will be able to obtain a fair overview of the current situation and the direction/extent of changes by carefully selecting the interviewees and comparing different sources. The latest Annual Report by LHRC mentions a baseline study. We have not yet had access to this study and since it was carried out very recently it will probably anyway not be very useful for this evaluation as a basis to establish outcomes and impact. A second common problem regarding "soft" areas like human rights, is the issue of *attribution*: what changes, if any, can be verifiably connected to the activities of LHRC? Again, we will largely have to depend on judgements by the experts and people with special insight that we will interview. For concrete legal and human rights cases we will have access to a rich material through the annual Human Rights Reports, but how directly cases where the Centre was involved have influenced concrete legislations will probably be difficult to determine. They may serve as indicators of a direction of change.

The third problem we would like to mention is the possibility to make comparisons to situations where there is a direct influence by the Centre; what is sometimes referred to as "the counterfactual". Ideally the assessment of impact would make use of information collected in areas that are not yet covered by the Centre's outreach activities. That would constitute the "control groups" in experimental research language, which would serve as a basis for comparison. Time and financial constraints make such an approach impossible. The baseline study mentioned in the latest Annual Report may be used for comparison in the future but we would need to first look at this study more closely to judge whether it is suitable for the purpose.

Regarding task no. 1 in the list in section 2.5 of the ToR about results, we refer to our comment above about limitations, but to identify results at outcome and impact level we consider well in line with the evaluation.

The ToR indicate the following eight tasks for the evaluation:

1. Assess the LHRC's Activities/programs undertaken during the operational plan 2010-2012 in the context of the Strategic plan 2007-2012 and identify results at outcome and impact level if any.
2. Examine major achievements which can provide lessons for the LHRC related to strategic priorities and working methods
3. Assess the relevance of the LHRC's interventions to the target groups
4. Consider the adequacy of the management and governance construction of the LHRC as it stands presently and its potential for the coming plan

5. Appraise the staff capacity both in size and ability and how this affect the delivery of the LHRC's Goals
6. Explore the extent to which the LHRC utilised its resources towards the realisation of the set goals
7. Comment on diversification of funding and its challenges
8. Recommend any alternative strategies to add value for the next strategic and operational plans

The evaluation tasks are elaborated upon and specified in the analytical matrix below. Sources and methods to collect the data are also indicated in the matrix. The evaluation questions should not be taken as definite at this stage and they will be developed further during the preparations of the evaluation.

In the matrix the tasks are organised along the evaluation criteria that will be used by us as indicated above: relevance, efficiency, effectiveness, impact and sustainability.

ANALYTICAL MATRIX		
<i>Evaluation Criteria and TOR's Tasks</i>	<i>Key Evaluation Questions and Analytical Tools</i>	<i>Methods and Sources</i>
Relevance Tasks 2 and 3	▪ How relevant is LHRC's work in relation to the general human rights situation in Tanzania? ▪ To what extent are the LHRC objectives and activities relevant to the needs and empowerment of poor women and men whose rights have been violated? Which women's specific human rights needs have been addressed? How relevant has the LHRC's HIV/AIDS policy been to the needs of the victims? How have girls' and boys' legal aid needs been addressed? ▪ To what extent has the Rights perspective utilised by the centre been able to reflect the perspectives of poor women and men victims of human rights abuses? ▪ How relevant is the work of LHRC compared to other customary systems, compared with other similar organisations? ▪ To what extent are the LHRC objectives and activities relevant to the strengthening of national accountability and capacity building needs in the field of human rights? ▪ How relevant has the LHRC's advocacy	▪ Document review: Human Rights Reports from LHRC and other UN / NGOS organisations. ▪ Focus group discussions: beneficiaries of legal aid clinics at community level (separate discussions with men and women, girls and boys, users and non-users of the legal aid clinics). ▪ Semi- structured interviews: community leaders, elders and other NGOs key informants. ▪ Meetings and semi-structured interviews: beneficiaries members of parliament, members of the judiciary, government's staff, Commission for Human Rights and Good Governance. ▪ Semi-structured interviews: with external key informants such as academics, staff of other donors and member of other NGO such as Tanzania Women's Lawyers Associations, other legal aid clinics and Human Rights NGOs.

	work been in influencing and shaping national legal frameworks, legislations and constitutional reforms in relation to international and regional human rights commitments? Though out the questions above the evaluators will use an adapted SWOT analysis to identify the following data: ▪ What were the key strengths? The weaknesses? ▪ What needs to change in focus or be discontinued? What needs to be possibly carried out in the next strategic plan?	
Efficiency Tasks 2 and 6	▪ In terms of cost-effectiveness, what is the correlation between the numbers of paralegals deployed, the number of beneficiaries reached and the total budget? ▪ In terms of cost-effectiveness, what is the correlation between the budget spent on advocacy and the results achieved in terms of legislative and policy reforms/influence? ▪ What are the measures in place to maintain staff and paralegals within the organisation? ▪ What is the volume of reliance on voluntary work and how sustainable is this option in the long term? ▪ To what extent has LHRC utilised its resources to the realisation of its goals? Though out the questions above the evaluators will use an adapted SWOT analysis to identify the following data: ▪ What were the key strengths? The weaknesses? ▪ What needs to change in focus or be discontinued? What needs to be possibly carried out in the next strategic plan?	▪ Document review: LHRC's financial reports. ▪ Focus groups discussion: Paralegals and volunteers, student trainees (HQ and field) ▪ Semi- structured interviews: LHRC's staff (HQ and field). ▪ Semi-structured interviews: with external key informants such as staff of member of other NGO such as Tanzania Women's Lawyers Associations, other legal aid clinics and Human Rights NGOs.
Effectiveness Tasks 2, 4 and 5	▪ To what extent have the objectives been achieved according to plans? ▪ In this relation, to what extent has the management and governance construction of the LHRC as it presently stands contributed	▪ Document review: LHRC's monitoring reports, annual reviews and evaluations. ▪ Focus groups discussion: Paralegals and volunteers, student trainees (HQ and field) ▪ Semi- structured interviews: LHRC's staff

	to the effectiveness of the achievements of objectives? ▪ In this connection, to what extent the staff's capacity both in size and ability has contributed to the effective delivery of the LHRC's goal? Though out the questions above the evaluators will use an adapted SWOT analysis to identify the following data: ▪ What were the key strengths? The weaknesses? ▪ What needs to change in focus or be discontinued? What needs to be possibly carried out in the next strategic plan?	(HQ and field).
Impact Tasks 1 and 2	▪ Under each LHRC's programmes undertaken between 2010-2012 what has been the impact achieved in relations to the outcomes defined in the Strategic plan 2007-2012? ▪ What are the impacts and changes that can be identified on Tanzania's human rights situation in general and in particular on the following: i) changes in incidences of harmful traditional practices and FGM, ii) land grabbing and women's land rights, iii) misuse of police powers and corruption, iv) the rights of ethnic minorities etc. ▪ What evidence is there of changes in the empowerment of poor women and men in claiming their rights? ▪ What evidence is there of changes in the legislature, government and judiciary's capacity to be more accountable and effective in the application of related human rights reforms as a result of LHRC's advocacy, lobbying and networking activities? ▪ What evidence is there as to changes in the effective application of international and regional human rights instruments (such as the African Charter and its protocol on women's human rights, CEDAW etc.) as a result of advocacy, lobbying and networking activities?	▪ Document review: Human Rights Reports from LHRC and other UN / NGOS organisations. ▪ Focus group discussions: beneficiaries of legal aid clinics at community level (separate discussions with men and women, girls and boys, users and non-users of the legal aid clinics). ▪ Semi- structured interviews: community leaders, elders and other NGOs key informants. ▪ Meetings and semi structured interviews: beneficiaries members of parliament, members of the judiciary, government's staff, Commission for Human Rights and Good Governance. ▪ Semi-structured interviews: with external key informants such as academics, staff of other donors and member of other NGO such as Tanzania Women's Lawyers Associations, other legal aid clinics and Human Rights NGOs.

	Though out the questions above the consultants will use an adapted Change Assessment Scoring Tool (CAST) to identify the following data: ▪ Beyond the identification of the kind of changes that has occurred, the consultants will endeavour to assess from the beneficiaries' perspectives whether these changes were in their views very positive, positive, neither, negative or very negative in relation to their needs.	
Sustain-ability Tasks 2 and 7	▪ To what extent has LHRC been able to diversify funding sources and what have been the challenges the organisation has faced in this respect? ▪ Has the current fundraising strategy been effective and to what extent has it contributed to the diversification of funding? ▪ What have been the sustainability strategies undertaken so far and have they shown satisfactory results? ▪ Have any income generating activities taken place and have they been successful? ▪ To what extent is reliance on voluntary work sustainable? ▪ Has the organisation been able to capitalise its efforts through networking with like-minded organisation – are there any effects there in terms of sustainability? Though out the questions above the evaluators will use an adapted SWOT analysis to identify the following data: ▪ What were the key strengths? The weaknesses? • What needs to change in focus or be discontinued? What needs to be possibly carried out in the next strategic plan?	▪ Document review: LHRC's monitoring reports, annual reviews and evaluations. ▪ Focus groups discussion: Paralegals and volunteers, student trainees (HQ and field) ▪ Semi- structured interviews: LHRC's staff (HQ and field). ▪ Semi- structured interviews: LHRC's donors (Norad, Finnida , UNICEF etc.) and potential LHRC's donors such as Danida, DfID, USAID etc.

4. Approach and Methodology

The main sources of information will be *interviews* with the categories listed in the ToR and already available *documentation*, mainly reports and other material produced by LHRC. A major source of information will be the extensive annual Human Rights Reports published by LHRC since 2006. Due to the short lead time and the deadline for delivery of the evaluation report it will not be possible to undertake any other type of data collection, e.g. surveys or scanning of newspapers and other media. The ToR indicates that the interviews should be carried out in different parts of the country. This seems highly relevant considering the aim of LHRC to reach out to vulnerable groups and to places where legal aid is lacking or difficult to access. For an independent evaluation the selection of sources of information is crucial. We assume that the six up-country locations proposed in the ToR have been selected with good reasons but the team has to know more about those and the possible alternatives before the final decision is made about locations to visit.

Interviews with legal aid clients and persons subject to human rights violations are planned but at the present stage of planning it is difficult to assess the selection process and degree of representativeness for such interviewees. Interviews of general beneficiaries will be undertaken if deemed possible and suitable during the actual fieldwork.

It is also necessary to collect information from policy makers, members of the judiciary and representatives for other civil society organisations, which are mainly based in Dar es Salaam. It is also desirable to have interviews with the police and representatives for the local judiciary at the locations we will visit up-country.

The Centre's staff at the head office and the legal clinics in Dar es Salaam, the outreach people connected to LHRC, i.e. the human rights monitors and paralegals in the locations to be visited as well as staff at the LHRC sub-office in Arusha will be included in the evaluation.

The interviews will follow semi-structured questionnaires in order to guarantee that all relevant issues are covered and that comparable answers are collected from the various categories of respondents. The questionnaires will be developed jointly by the team before the actual field work starts.

For documentary sources the team will largely rely on what will be provided by LHRC (including the website) and the Embassy but will look for complementary information from official and other sources.

Relevance will be assessed against the human rights situation in Tanzania as reported by general sources, by LHRC and by other organisations, against the ways LHRC works as expressed in the strategic plan and other document, and what the evaluation team will observe regarding its implementation effectiveness.

Effectiveness will be assessed by comparing the plans with implementation as documented in reports by LHRC, information from interviews with staff and stakeholders and, time permitting, from media and official publications.

Efficiency or cost-effectiveness, in the sense of proper use of resources in relation to achieved results, will be assessed, to the extent possible, by looking at financial and human resources allocations and spending on different kinds of activities in relation to achieved results. (This is a difficult issue in areas like human rights where the outcomes or even outputs are difficult to measure.)

Outcomes and *impact* assessment have to be realistic, well defined and following the dual track rights-based approach. On the one hand, it should focus on the expected LHRC results in terms of changes in the incidences of harmful traditional practices, sexual, ethnic and political discrimination, increased participation of civil society in public affairs and increased opposition to corruption and misuse of power. Outcomes here may also include relevant changes in the related policy and national legal frameworks notably in the implementation and domestication of international and regional human rights instruments as well as the level of duty-bearers' accountability. On the other hand, with regard to the outreach and legal aid activities, the expected outcomes may be less clear-cut. Whereas sensitization and awareness of members of the public and some specific groups in the society maybe well defined in specific activities, measuring the resulting level of empowerment maybe prove more difficult to empirically assess. The number and types of simple legal cases solved (by LHRC legal aid clinics) might be a key indicator and another would be the increased use of the legal aid clinics by the citizens, especially in matters of direct importance to the poorest and the marginalized such as female genital mutilation (FGM), domestic violence, land rights, corruption practices, the rights of indigenous people, family law, employment law etc.

Sources for assessing *sustainability* in both the meanings discussed above will be interviews with staff and with people directly related to the work of LHRC, documentation related to the use of resources and information about the context in which LHRC works.

5. Use of the Evaluation

The Centre seems to have had a dominating role in the design of the evaluation although the Embassy of Sweden in Tanzania is formally commissioning the study and it is clearly stated that the study will be directly used for the upcoming formulation of a new strategy for LHRC that will cover the next six years. In this way the main stakeholder's interest is safeguarded.

There is no information in the ToR that other stakeholders have been involved in the preparations and in section 4.1.2 they are listed as mainly sources of information. On the other hand, the requirement in the ToR that the evaluation team arrange a stake-

holder workshop at the end of the field work to verify findings will increase the likelihood that the evaluation used by other interested parties than the Centre and the Embassy.

The team has scheduled a debriefing for the LHRC and the Embassy before the team leader leaves Dar es Salaam. No other presentation is indicated in the ToR and is not planned but the team is of course willing to do this if there is an interest.

6. Practical Issues and Time Plan

The timeline accepted by the Embassy and LHRC is the following:

Submission of Inception Report: 1 June

Feedback /no objection on Inception Report: 8 June

Fieldwork: 18 June -6 July

Submission of Draft Report: 13 July

Comments by the Embassy and LHRC on the Draft Report: 18 July

Submission of Final Report: 23 July

The evaluation team's time in Tanzania will be roughly allocated like this:

Week One – Initial team planning; interviews in DSM; collection of documents

Week Two – Field work in the six selected districts.

Week Three – Interviews in Arusha; stakeholder workshop in Dar es Salaam; draft report writing and a short de-briefing meeting with the Embassy and LHRC.

The evaluation team will convene in Dar es Salaam on June 18-19 for preparation and planning. Interviews in Dar es Salaam will start immediately after that. During the period up to meeting in Tanzania the team will, as far as contracted time permits, study the documentation obtained.

For the up-country visits the team will split into two groups and a locally hired interpreter will assist the team during that week.

Practical aspects of selection of persons to be interviewed, transportation, the organisation of the stakeholder workshop, etc. will be discussed with LHRC as soon as the Inception Reports has been approved.



Evaluation of Legal and Human Rights Centre (LHRC) in Tanzania

This evaluation assessed LHRC's current strategic plan and implementation of the operational plan 2010-2012. LHRC largely succeeded in fulfilling its aims. It exposed deficiencies and proposed improvements in policy, law reforms and issues of practice, and it raised awareness, built alliances and empowered the public on legal and human rights.

The evaluation recommends Sida that continues to fund LHRC and that Sida advocates for joint funding with other like-minded donors. Among recommendations to LHRC is that it should develop the next strategic plan in collaboration with other civil society organisations to facilitate cooperation and effective division of labour.

The success of LHRC is related to the combination of credibility and ability to react in a professional yet engaged manner to human rights and legal violations. The main challenge for the LHRC is the increased demand it is facing from all fronts due both to the success and reputation it has gained and to the immensity of the problem at hand.

SWEDISH INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Address: S-105 25 Stockholm, Sweden. Office: Valhallavägen 199, Stockholm

Telephone: +46 (0)8-698 50 00. Telefax: +46 (0)8-20 88 64

Postgiro: 1 56 34-9. VAT. No. SE 202100-478901

E-mail: info@sida.se. Homepage: <http://www.sida.se>

