

## Terms of reference

### Interim external evaluation of the project

### e-RIGHTS: Enhancing Digital Rights in Nigeria



August 2024

Funded by the European Union and Lille Avocats Solidarité:



<b>Full legal name:</b>	AVOCATS SANS FRONTIERES France
<b>Acronym:</b>	ASF France
<b>Legal status:</b>	Non-governmental organization / non-profit making
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<b>Title of the project</b>	e-RIGHTS: Enhancing Digital Rights in Nigeria
<b>Project partners</b>	Space for Change (S4C) Centre for Technology and Development (CITAD)
<b>Total budget</b>	789 414 €
<b>Donors</b>	European Union: 749 943 € (95 %) Lille Avocats Solidarité: 1 000 € (<1 %)
<b>Duration of the project</b>	30 months
<b>Starting and ending dates of the project</b>	1 <sup>st</sup> February 2023 – 31 <sup>st</sup> August 2025
<b>Deadline for applications</b>	8 <sup>th</sup> September 2024

## 1. Introduction

Avocats Sans Frontières France/ Lawyers Without Borders France is an international solidarity association that contributes to the respect of human rights throughout the world. For close to two decades, ASF France has been working at the intersection of human rights and rule of law to improve access to justice and accountability in Nigeria. The Enhancing Digital Rights in Nigeria (e-RIGHTS) project funded by the European Union and Lille Avocats Solidarité, is the latest initiative of ASF France aimed at ensuring the full protection of individuals' rights while engaging online. This project, implemented in partnership with Centre for Technology and Development (CITAD) and Spaces for Change (S4C), directly addresses the needs of Nigerian youths, activists, journalists, online news platforms, bloggers, social media influencers, human rights defenders, and active citizens and other crucial voices in the digital space.

## 2. Project overview

### 2.1. Project objectives

The overall objective of the project is to promote and protect human rights and fundamental freedoms, democracy and the rule of law in Nigeria

The specific objective is to strengthen digital rights in Nigeria for better protection of human rights defenders and population.

The expected results were:

#### Human rights defenders recognise and are able to deal with the digital threats they face

This outcome includes efficient use of the digital platform for activists to report violations, strengthen trust, accountability and transparency (Op1.1). This digital tool allows them to be more efficient in their work and to collaborate with each other. Supported by capacity building on digital rights, protection mechanisms, and online security tools (Op1.2), activists are able to deal with digital threats they face. Finally, to ensure that activists are better recognized, the project strengthens lawyers and judges on international legislation and EU standards in order to implement a free legal assistance program to victims of digital rights violations or threats (Op1.3).

#### An enabling environment for the enjoyment of digital rights is established in Nigeria

This second outcome benefits to all the population in two axes: improving Nigerian legislation on digital rights and raising awareness the population on their rights. To succeed, a long-lasting advocacy dynamic is created to strengthen digital rights in Nigeria (Op2.1) at national and international level. Main actors as national authorities and agencies, researchers, international organizations, representatives of digital companies and activists are involving in these advocacy activities of which the final aim will be to draw up a proposal for reform policy on digital rights. To support these actions, two symbolic cases of strategic litigation will be launched at the regional level (Op2.2) to promote Nigerian jurisprudence and policy change. Finally, communication and raising awareness contents are broadcasting to inform the population on digital rights (Op2.3) targeting mainly young people and women and mobilizing them as actors in their communities. This active participation of the beneficiaries themselves will promote ownership, the appropriation and understanding of the messages by the population.

The project was implemented in 4 states (FCT, Lagos, Imo, Kano).



## 2.2. Project Partners

**Spaces for Change (S4C)** is a non-profit organization working to infuse human rights into social and economic governance processes in Nigeria. Through digital crowdsourcing, research, policy analysis, advocacy, youth engagement, public interest litigation and community action, S4C aims to increase the participation of Nigerian youth, women and communities in the development of social and economic policy, and also help public authorities and corporate entities to put a human rights approach at the heart of their decision-making.

**Centre for Technology and Development (CITAD)** is a non-governmental and non-profit organization that is committed to the use of information and communication technologies for development and promotion of good governance. It sees technology as tool to promote sustainable development, good government and peaceful coexistence. It uses ICT to empower youth and women through access to information, skills and online mentoring opportunities. It utilizes such platforms such as social networking, web-to-text interface and tools such as Google alert to provide information that would promote peaceful coexistence. It uses Google alerts to source information about trends of discussion in various platforms, sites and online discussion lists and sites with a view to understanding trends, attitudes and positions such that it can develop appropriate responses to those that are similarly disseminated to either reinforce positive trends or counter and neutralize negative ones.

## 2.3. Beneficiaries

This project involved direct and indirect beneficiaries:

### Direct beneficiaries:

- Activists
- Lawyers and judges
- Victims of digital violations and threats
- Authorities, experts and digital activists
- Experts on digital rights from national authorities, activists, lawyers, researchers and academia
- Institutions and agencies of government and private sector
- Students
- Social media influencers

### Indirect beneficiaries:

- Members of our partner organisations and Nigerian internet users.

## 2.4. Issues and activities

Implementation of the e-Rights project is proceeding smoothly. As with any project, some activities are exceeding their initial targets, while others are struggling to get off the ground.

In detail, here are the activities initially presented in the response to the project and their implementation up to the interim evaluation of the project:

The following are the activities planned on the project:

### **O1: Human rights defenders recognise and are able to deal with the digital threats they face**

#### A.1.1: Develop the “Closing Civic Spaces” digital platform for activists to report violations, strengthen trust, accountability and transparency in Nigeria

This activity focuses on the development of a digital platform to bring Nigerian activists together and empower them to play their full role in society.

At the time of the interim evaluation, the digital platform and mobile application have been completed.

#### A.1.2: Face-to-face and online capacity building for activists on digital rights, protection mechanisms, and online security tools

The e-rights project aims to build capacity and equip activists in these areas to strengthen them to better recognize and deal with digital threats they face in their work. To achieve this, the project plans:

##### A.1.2.1: Training of activists on digital rights, protection mechanisms, and online security tools.

The main objective is to share knowledge activists could use to secure themselves online and thus be more protected and effective in their actions.

At the time of the interim evaluation, two trainings of activists on digital rights, protection mechanisms, and online security tools had been organized.

##### A.1.2.2: Online training for activists on digital rights, protection mechanisms, and online security tools as a Massive Open Online Course (MOOC)

Following the introduction of a face-to-face training for activists, the project will aim to set up an online training, in the format of a Massive Open Online Course (MOOC). This training will allow more individuals to access the course beyond the project duration.

At the time of the interim evaluation, the online training for activists on digital rights, protection mechanisms, and online security tools as a Massive Open Online Course (MOOC) had been completed.

#### A.1.3: Training for lawyers and Judges on International legislation and EU standards in the online space

The objective of the training is to provide lawyers and judges with a deeper knowledge of digital rights legislation and best practises in respect of HR of individuals and by extension enhance respect for human rights in the online sphere.

At the time of the interim evaluation, the training for lawyers and Judges on International legislation and EU standards in the online space had been completed.

#### A.1.4: Legal assistance for victims of digital rights violations or threats

The objective of the legal assistance will be to enhance access to justice for victims of digital rights violation in Nigeria.

At the time of the interim evaluation, at least one case of legal assistance for victims of digital rights violations or threats had been handled.

## **O2: An enabling environment for the enjoyment of digital rights is established in Nigeria**

### A.2.1: Creating a situation room between authorities, experts and digital activists to strengthen digital rights in Nigeria

The purpose of Situation Room is bringing together national and federal authorities on digital rights to agree on short and long-term strategies to improve respect of digital rights in Nigeria.

At the time of the interim evaluation, at least one situation room between authorities, experts and digital activists to strengthen digital rights in Nigeria had been carried out.

### A.2.2: Establishment of an expert group to draft a digital reform policy guide

#### A.2.2.1 - Training for the technical expert group on international standards and EU norms

This training will provide an opportunity to highlight the gaps in Nigeria's digital rights legislation and to introduce experts to existing international standards that could be used as a basis for reform policy.

At the time of the interim evaluation, the training for the technical expert group on international standards and EU norms had been completed.

#### A.2.2.2 - Organisation of technical working meetings to draft a digital reform policy guide

The expert group will work on the drafting of a digital reform policy guide which will be presented to the authority during the advocacy activity at national level.

At the time of the interim evaluation, at least five technical working meetings to draft a digital reform policy guide had been carried out.

### A.2.3: Advocacy at national and international (ACHPR) level to urge the Nigerian government to strengthen digital rights legislation based on international standards and EU norms

The project includes extensive advocacy to encourage the Nigerian government to act on digital rights.

#### A.2.3.1: National level: Advocacy meetings and national Conference on Digital Rights

In parallel to the work of the technical expert group on a policy guide reform, the project team will meet authorities at national level, to present the progress of the reflections on the digital rights reform in Nigeria. In addition of the advocacy meetings, at the end of the project, a National Conference on Digital rights will be organised in Abuja, to expose the conclusions of the drafted digital reform policy guide.

At the time of the interim evaluation, at least 2 advocacy meetings on Digital Rights had been completed.

#### A.2.3.2: National level: Legislative advocacy

Under this activity, the project will engage with parliamentarians using the policy guide developed by the expert group for legislative reforms on digital rights.

At the time of the interim evaluation, legislative advocacy work has not yet begun.

#### A.2.3.3: International level: Participation to the ACHPR ordinary sessions and organisation of side-events

In addition to the actions carried out at national level, the project also intends to carry out actions at international level and more specifically with the African Commission on Human and Peoples' Rights (ACHPR). This activity will take place as a side event during the ordinary sessions of the ACHPR. The overall aim will be to draw attention to the situation of digital rights in Nigeria and to push for reforms. At the time of the interim evaluation, project members have not attended the ordinary sessions yet.

### A.2.4: Use of strategic litigation on for digital rights violations.

Strategic litigation will involve the identification and handling of symbolic legal cases on digital rights as part of a strategy to promote respect for digital rights in Nigeria.

At the time of the interim evaluation, strategic litigations before the ECOWAS court have not been launched yet.

#### A.2.5: Raising people's awareness on digital rights

In addition to advocacy, the project also aims to raise awareness, inform and mobilise the Nigerian population, and more specifically young people and women.

##### A.2.5.1: Raising awareness of young people and women in schools on digital rights

With a view to support digital rights education in Nigeria, awareness raising sessions will be held at state level in schools.

At the time of the interim evaluation, 30 raising awareness sessions have been held in 15 schools in Lagos, Imo and Kano for young people and women on digital rights.

##### A.2.5.2: Inter-school competition at federal level and at national level to promote digital creativity

The project plans to organize an inter school competition at state and national level to promote youth digital creativity.

At the time of the interim evaluation, the competition has not taken place yet.

##### A.2.5.3: Information videos by Nigerian influencers on cybersecurity, digital education and freedom of expression posted on social media

In order to sensitise the maximum population, actions will also be undertaken using new technologies, of which social media are an integral part. On this activity, influencers will be targeted in order to use their audience to promote digital rights in Nigeria.

At the time of the interim evaluation, at least two information videos created by Nigerian influencers on cybersecurity, digital education and freedom of expression have been posted on social media.

##### A.2.5.4: Online communication campaign and competition to promote digital rights

In order to support the different sensitisation actions planned within the framework of the project, a sensitisation campaign will be carried out continuously by the project communication team.

All of these awareness-raising actions will enable us to educate followers about digital rights and to involve them in our actions as active actors.

At the time of the interim evaluation, ongoing communication about the project is underway.

A.0.1 Project launch ceremony: A half day ceremony will be organised in Abuja to announce and mark the launch of the project. During this event, the objective of the project will be presented to the public with activities planned. The project partners, stakeholders and the media will be invited to this launch.

At the time of the interim evaluation, the launch ceremony took place.

A.0.2 Steering committees: In order to ensure the proper implementation of the project with the different partners involved, a steering committee will be set up to present the results achieved and to define the strategies to be deployed to achieve the objectives. This steering committee will include representatives of each partner structure as well as representatives of donors and other relevant stakeholders identified.

At the time of the interim evaluation, at least 5 steering committees had been held.

A.0.5 ASF France monitoring: 1 field monitoring visits per year (3 in total) will be done by ASF France Program Manager to observe the progress of activities' implementation and to hold working meetings with the local team, partners, donors and stakeholders involved in the project. These meetings will enable us to adjust, give solutions to unexpected events, gather their requests, etc. It's also an opportunity to share information on our project and create links. It will be the same for the financial officer of ASF France who will carry out 1 field monitoring missions per year (3 in total) to ensure the proper use of project funds and procedures.

At the time of the interim evaluation, three follow-up missions took place.

### 3. Organisation of evaluation

#### 3.1. Context

This interim evaluation is contractual and was provided for at the outset of the project. It responds to ASF France's concern to ensure objective information on the proper use of the funds made available by its donors, to analyse the effects and impacts of the project on the beneficiaries, to analyse the project and partnership management methods and to draw relevant lessons for any future intervention by ASF France and its partners.

#### 3.2. Objectives

The overall aim of the mid-project evaluation is to measure as exhaustively as possible the level of results obtained and objectives achieved, both specific and overall, in relation to those initially envisaged by the project.

More specifically, the assessment should:

- Assess the implementation of activities in terms of qualitative and quantitative results. Review the activities implemented, the results achieved, and the progress made.
- Identify any problems relating to planning, implementation, monitoring and the various operational management tools used.
- Analyse the strengths and weaknesses of the intervention strategy.
- Propose and make available to the project team efficient and relevant strategic adjustments to improve the effectiveness and sustainability of actions and their impact on beneficiaries.
- Evaluate relations with project partners.
- Identify any unexpected effects that could undermine the expected results of the project.

#### 3.3. Methodology

##### a) Drawing up an overall assessment of the project evaluated

The consultant will have to draw up a global and objective assessment of the project's actions since its inception. This stage should provide the consultant with precise and detailed knowledge of the project, its development and its context. To this end, the consultant must in particular:

- Gather and consult all the information and documents relating to the project being evaluated and study the logical framework of the intervention (purpose, specific objectives, outputs, monitoring indicators and critical hypotheses) in order to gain a good understanding of it. The documents to be consulted will be available from the project manager.
- Conducting interviews with people who are or have been involved in the design, management and supervision of the project.

##### b) Conducting an evaluative analysis

Based on the findings and information available, the consultant will assess the project's performance according to the following five criteria: relevance, effectiveness, efficiency, impact and sustainability. For each of these criteria, evaluation guidelines are recommended below. It will be up to the consultant to specify them and add to them, bearing in mind that this is an interim evaluation, focusing mainly on the criteria mentioned.

##### ➤ Relevance

Relevance examines the appropriateness of the action taken in the light of the objectives and issues determined at the outset, in relation to the needs and problems identified.

- Are the project's target beneficiaries the actual beneficiaries of the project?
- To what extent have those responsible for managing the project adjusted the project design (including the intervention logic and the structure of objectives) to make it more relevant?
- Are the elements mentioned in the project's intervention logic (logical framework) as currently defined appropriate/relevant? In terms of resources, activities, results, specific objective, overall objective and assumptions?



- To what extent has the project helped to build the capacity of local institutions and partners?
  - Efficiency

Effectiveness assesses the extent to which the project's objectives (technical, financial, institutional) have been achieved, as well as any unexpected effects (positive or negative). The consultant can measure this aspect using the following questions:

- Have the planned activities and services been delivered and received by all beneficiaries?
- Are the beneficiaries of the project using and benefiting from these results and services?
- Have the expected results contributed to achieving the project's specific objectives and in what way? Are the strategies for achieving the results effective and functional? To what extent has the project adapted to changing external conditions (assumptions) so that it can continue to deliver benefits to the target groups?
- How might unplanned results have affected business?
- Were the shortcomings at this level due to problems such as institutional blockages not being taken into account during the implementation of the project?

➤ Efficiency

Efficiency studies the relationship between the resources deployed and their costs, on the one hand, and the results financed, on the other.

The evaluation carried out by the consultant should provide answers to the following questions:

*Availability of means and resources*

- Have budgetary resources been used effectively to achieve results and contribute to project activities?
- Have resources been monitored appropriately enough to enable activities to be organised at the lowest possible cost?
- Did the project achieve the expected results during the course of the project, with the right cost/achievement ratio?

*Carrying out activities*

- Is an activity calendar (or work plan) available and used by the project managers?
- To what extent were the activities carried out as planned?
- Were the activities monitored regularly and satisfactorily, and were corrective measures taken when necessary (i.e. when new activities had to be carried out because of new needs or when activities were cancelled)?

*Obtaining results*

- Have the objectively verifiable indicators (mentioned in the logical framework) been achieved as planned?
- Have all the planned results been achieved?
- What is the quality of the results obtained?
- Have the assumptions and risks been taken into account in the project?

*Partner contribution/participation*

- Has the project partner been able to contribute to the project?
- Is communication between the field coordinator, the partner and head office satisfactory and regular?
- Was the balance of responsibilities between the various project stakeholders appropriate?
- How has the project helped to build the capacity of local, institutional and community players?

➤ Impact

Impact assesses the effects of the action. Here, the consultant will mainly analyse the immediate effects on the stakeholders concerned, and in particular the final beneficiaries, which can reasonably be attributed in whole or in part to the action being evaluated. The consultant will be asked to consider the following questions:

- To what extent have the project's objectives been achieved, and with what impact? What will be the multiplier effects of the different methodologies developed and implemented?

➤ Viability/sustainability

*What is the degree of ownership of the project by the beneficiaries and what will it be once the external aid has ended?*

- To what extent have the relevant target groups and beneficiaries been actively involved in the decision-making process regarding the direction and implementation of the project?
- What is the likelihood that the target groups/beneficiaries will continue to use the services offered once the external aid has ended?

*To what extent is the project helping to build institutional and administrative capacity?*

- Is the project integrated into institutional structures that will continue after the project ends?
- Are the project partners adequately trained to take over the project (technical, financial and administrative)?
- Has an "exit strategy" been defined, and has it been applied effectively?

➤ Cross-cutting issues

*Does the project take socio-cultural aspects into account?*

- Is the project in line with local people's perception of their needs?
- Are there good relations between project managers, beneficiaries and their representatives?

*How does the project take gender equality into account?*

- Do the content and methodology of the project reflect a gender-sensitive approach?

### 3.4. Duration of the assessment

The total time required to carry out this assessment is estimated at 20 working days.

Activities	Working days
Document study	3 days
Data collection and interviews	8 days
Report writing	5 days
Incorporating comments and finalising the report	4 days

ASF France has identified 4 phases for implementing the assessment:

- Methodological framework for the evaluation.
- Reading of project documents (project documents, reports, minutes, mid-term evaluation, monitoring tools), data collection and interviews with beneficiaries, partners, the expertise unit and ASF France.
- Provisional feedback with the ASF France team.
- Final report after validation by ASF France of the final report with the external expert, the expertise unit, the partners, the DUE Nigeria.

The evaluation team may make other proposals, which will be submitted to ASF France for approval. The dates for data collection and interviews will be set in agreement with ASF France head office, in September and October 2024, considering the various public holidays.

### 3.5. Deliverables

- A scoping note including the evaluation strategy/methodology, which will be presented, reviewed and validated by ASF France before the start of the field evaluation.
- A presentation of the initial results of the evaluation at head office level before the final report.
- A provisional final report will be produced at the end of the consultant's work. It will be sent to head office, which will also be able to comment on it. ASF France will send its comments and observations to the consultant within three weeks of receiving the provisional report.
- The final report, incorporating these comments, should be available within 15 days of receipt of the comments. If these comments express differences of assessment not shared by the consultant, these may be appended to the final report and commented on by the consultant. The report must clearly and unambiguously include the changes brought about by the project; the level of achievement of the results in relation to the indicators in the project's logical framework; concrete recommendations, to reinforce the sustainability and impact of the actions carried out, including possible courses of action for a new project proposal.

The provisional and final reports must be submitted in electronic format. The final report will remain the property of ASF France, which will ensure its distribution.

## 4. PRACTICALITIES

### 4.1. Location of the assessment

Preference will be given to consultants based in Nigeria and/or with significant experiences in Nigeria.

### 4.2. The skills required to carry out the assessment

The skills required to carry out this assessment are those of a team of people covering the following areas:

- 5 years' professional experience in monitoring and evaluation, particularly in the cooperation and development sector
- Knowledge and technical expertise in the justice and human rights sector
- Significant project evaluation experience in Nigeria
- Adequate language skills. The report must be written in English.
- Experience in preparing and conducting surveys (qualitative, quantitative, etc.) is essential.
- Experience of project evaluation in the field of digital rights would be an asset.

### 4.3. The evaluation budget

The maximum budget for the evaluation is €15,000 including VAT.

### 4.4. Consultant selection process

Candidates (structures or independent individuals) interested in carrying out this evaluation must provide the following documents by **8<sup>th</sup> September 2024** at the latest to [office.nigeria@avocatssansfrontieres-france.org](mailto:office.nigeria@avocatssansfrontieres-france.org) and [coordination@avocatssansfrontieres-france.org](mailto:coordination@avocatssansfrontieres-france.org)

- A note explaining the terms of reference and presenting the methodology used.
- The consultant's references and experience.
- Detailed CV and copies of the consultant's performance evaluations from the last two years for other similar evaluations.
- Provisional timetable.
- A financial offer including the overall budget (excluding tax and including all taxes) and detailed prices (fees, daily allowances, transport, etc.).

The tenders received in accordance with the above will be analysed according to the following criteria:

The following criteria will be considered:

- Specific experience of the Consultant applicable to the assignment
- Appropriateness of the proposed methodology and work plan to the Terms of Reference
- Qualifications and competence of the Consultant for the assignment.

Table - Allocation of points for the evaluation of Technical Proposals

Assessment criteria	Points
References and specific experience of the firm and consultant(s) applicable to the assignment	30
Appropriateness of the proposed methodology and work plan to the Terms of Reference	50
Qualifications and skills of the Consultant(s)	20
Total	100

The minimum technical qualification score (Nt) required is: 80

The Financial Proposal with the lowest evaluated price (Pm) will be awarded the maximum price score (Np) of 100.

The price score for the other proposals will be calculated using the following formula:

$Np = 100 \times Pm / P$ , where "Np" is the price score, "Pm" is the lowest price, and "P" is the price of the proposal being evaluated.

The weightings attributed respectively to the Technical Proposal (T) and the Financial Proposal (F) are:

T = 75

F = 25

Proposals are ranked according to their combined technical (Nt) and price (Np) scores using weightings (T = the weighting assigned to the Technical Proposal; F = the weighting assigned to the Financial Proposal; T + F = 1) as follows:  $N = Nt \times T\% + Np \times F\%$ .