

NORWEGIAN REFUGEE COUNCIL

EVALUATION REPORT

▶ ▶ Evaluation of the NRC Colombia Program 2008 - 2010

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NORWEGIAN
REFUGEE COUNCIL

CONTENTS

Acknowledgements and Executive summary 2-3

1. Introduction 4

 1.1 Contextual Background..... 4

 1.2 Background on the NRC Colombia Program 4

 1.3 Colombian Context – Strong State, Strong Civil Society, NRC's Role 4

 1.4. Purpose of the Evaluation..... 5

 1.5 Structure of the Evaluation Report..... 5

2. User-Focus, Methodology, and Activities 6

 2.1 Evaluation Users and their Needs: NRC Oslo, NRC Colombia and SIDA 6

 2.2 Methodology – Participatory Methodology, Case Study Approach 7

3. Evaluation Findings 10

 3.1 NRC Colombia Funders and Funding..... 10

 3.1.1. NRC Colombia's Program and Budgets 11

 3.2 Highlights and Results Identified from Case Studies on ICLA, Education and APP 13

 3.2.1 Information, Legal Counseling and Assistance (ICLA) 14

 3.2.2 Education 22

 3.2.3 Advocacy and Public Policy 27

4. Implications of Findings for NRC Colombia Program Overall 37

 4.1 Value-added and Good Practices as a Basis for Future Strategy 37

 4.2 Some Lessons learned..... 39

 4.3 Cross-cutting Issues for NRC's Colombia program 39

 4.4 Organisational Issues 44

5. NRC COLOMBIA's Current and Future Strategy 47

6. Conclusions in Terms of OECD-DAC's Criteria for Evaluating Humanitarian Assistance in Complex Emergencies..... 49

 6.1 Relevance 49

 6.2 Connectedness..... 49

 6.3 Coherence 50

 6.4 Coverage 50

 6.5 Efficiency 51

 6.6 Effectiveness 51

 6.7 Sustainability 51

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EXECUTIVE SUMMARY

NRC Colombia has been actively engaged in one of the key processes that is enabling a transformation of the discourse and practice around the promotion and protection of the rights of IDPs in Colombia. The 2004 T-025 Ruling by the Constitutional Court, which found the Government of Colombia in a state of unconstitutionality for its lack of response to the problems of forced displacement, followed thereafter by a number of Court Orders (Autos) instructing the government and its various branches and functions as to how they must respond, have changed the debate on forced internal displacement. NRC has been an important part of this transformation.

With the Court Orders, the dynamics have changed from polarisation between state and civil society actors, and denial by the government of the reality of forced displacement, towards a common search for technical solutions to the problems IDPs face, requiring collaboration between IDP organisations, the State and NGOs. These "results" that NRC has helped to generate at the national level, and that donors like SIDA should also take credit for, are and should continue to be pursued and integrated into a more coherent strategy for NRC's future.

While the evaluation notes weaknesses in terms of the lack of in-depth reporting and a clear results-based management system within NRC, these are in part related to donors' own lack of demand for such. Humanitarian donors, such as NMFA and SDIA, request and require only very limited, short-term reporting on activities, rather than results and outcomes.

Chapter 2 reviews the key concerns of evaluation user – the methodology, timeframe and some limitations of the evaluation. The evaluation began formally on January 17th, 2011, and field work was carried out between February 22 and March 5, followed by a period of follow-up interviews and analysis. The evaluation methodology has comprised interviews and focus groups with key beneficiaries and NRC partners (see Annex 2) and a case study approach that allowed the evaluation team to gain in-depth information on the results and processes within NRC Colombia's main programs: ICLA, Education and Advocacy and Public Policy.

Chapter 3 provides highlights of key findings: overall NRC has performed extremely well in terms of achieving expected results and outputs, and donors should be satisfied with results achieved at all levels. However, NRC Colombia's many successes are not being systematically tracked and reflected in project reporting. An examination of NRC's project proposals and reporting for the years 2008-2010 shows that: NRC is not currently using a results-based management system, with the exception of the CIDA-funded education project. NRC is not measuring project or program performance over longer periods, beyond the brief lifespan of its project submissions. NRC does not systematically refer to any baselines by which to measure change. NRC Colombia's proposals and reports generally provide only output-level indicators, rather than indicators that measure more substantive quantitative or qualitative changes over time.

NRC appears not to be systematically monitoring or evaluating its performance beyond the completion of specific activities. It should be noted that lack of donor demand for such reporting and performance

measurement has not facilitated the adoption of these practices by NRC. Nonetheless, all these factors should be addressed at the Headquarters level as well as in Colombia.

Good practices identified in Chapter 4 suggest that NRC's most effective activities are those that are 'system strengthening' and contribute to enhancing the capacity of those institutions and processes that are tasked by the Government to ensure that IDPs are able to access and enjoy their rights. Key areas in which NRC has made highly-valued and system-strengthening contributions are:

- **Information and analysis:** This is a key contribution by NRC Colombia since IDPs often cannot effectively advocate for their own rights. Government and IDP organisations cannot access resources without detailed information about the scale and nature of the problems IDPs are facing. Both parties often lack the funding required to get the information that is needed, so NRC's contribution, in terms of funds and consultants is very significant.
- **Capacity building:** Providing timely training and travel funds so that all parties understand, in simple terms, the content of Colombian law and administration, as well as how these can be implemented in favor of IDP rights.
- **Accompaniment and technical support:** Through a regular field presence in priority municipalities, the implementation of existing laws and new Constitutional Court Orders can be promoted.

The evaluation finds that NRC has generally selected appropriate partners in line with the strategies that it has pursued during the period 2008-2010. It is also relevant to highlight that NRC is highly respected by partners for its ability to combine key actions to improve respect for IDPs' rights at field level with a strong advocacy role at the national level. However, NRC may want to reconsider its relationship to so many contracted or "implementing" partners – on which it relies for project delivery – and concentrate rather more on defining its activities based on the strong skills and capacities of its own technical staff. It will further want to ensure that this staff has a sound understanding of the principles and practice of gender analysis and mainstreaming, in line with NRC's 2007 Gender Policy.

Chapter 5 discusses implications of the evaluation findings for NRC's current and future strategy in Colombia. The strategy of NRC has been twofold, with direct service provision as well as work on public policy, the former often used strategically to reach results in the latter. The evaluation finds that NRC's past statement of its strategy in Colombia was heavily oriented towards the delivery of direct education and legal/support services to IDPs, through contracted partners. NRC's strategy during this period meant that there would be little possibility of an eventual exit strategy, because protection needs and gaps would take decades more to address using a direct-delivery approach. The evaluation finds that the balance between direct service provision and strengthening of state institutions should be adjusted for the coming two- to four-year period.

It could be considered that every development and humanitarian organisation should be working towards creating the conditions in which its services and support are no longer necessary, i.e. its exit strategy. Today, due in large part to the effectiveness of NRC's own efforts and its "public policy approach", there is a positive sense that with the scaling-up of some of NRC's more strategic interventions, as well as those of the state and its development of humanitarian actors in Colombia, the eventual development of a meaningful exit strategy is becoming a real possibility.

Chapter 6 provides a review of conclusions in relation to the OECD-DAC's Criteria for Evaluating Humanitarian Assistance in Complex Emergencies.

1. INTRODUCTION

1.1 CONTEXTUAL BACKGROUND

Colombia is affected by a five-decade-long armed conflict that continues to result in gross human rights violations, including: extrajudicial executions, forced disappearances, forced displacement, forced evictions, land dispossession, recruitment of children, arbitrary detentions, and torture and other cruel and inhumane or degrading treatment, such as sexual violence. All parties to the conflict, including guerrilla and illegal criminal groups, narco-trafficking mafias, and State security forces, are responsible to different degrees for human rights abuses and breaches of international humanitarian law.

The situation of forced displacement in Colombia is, in terms of scale, among the most significant in the world. According to the Government, more than 3.2 million people have been displaced since the mid-1990s. In 2009, official sources put the figure at 126,000 displaced, and reliable non-governmental sources have also observed a decrease but put the numbers at 286,389. The current and accumulated displacement figures are close to 4.9 million.

1.2 NRC'S MISSION AND BACKGROUND ON THE NRC COLOMBIA PROGRAM

NRC's mission is "to promote and protect the rights of all people who have been forced to flee their countries, or their homes within their countries, regardless of their race, religion, nationality or political convictions. This will be achieved by acting as an independent and courageous spokesman for refugee rights nationally and internationally, by providing humanitarian assistance in emergency situations, and by strengthening the capacity of the UN organizations to offer and coordinate international aid and protection. NRC shall in all ways seek to provide viable, durable solutions with regard to both its spokesman activities and its emergency relief efforts."

The Norwegian Refugee Council started working in Colombia in 1991. Until 2004, NRC was part of the international consortium called Project Counseling Service (PCS). In November 2004, NRC withdrew from PCS and established its own national program with independent regional offices in Cucuta covering the Department of Norte de Santander, in Pasto covering the Department of Nariño, in Santa Marta covering the Departments of Magdalena and Cesar, as well as a national office in Bogotá. This continues to be the national office structure as of today, with the addition of a new local office in Tumaco. In addition to the national program, NRC also maintains a broader regional program that includes NRC activities in neighboring countries that addresses issues facing Colombian refugees and other persons in need of international protection in Panama, Ecuador and Venezuela. This evaluation is limited in scope to the NRC Colombia's national program that works within the borders of Colombia.

1.3 COLOMBIAN CONTEXT - STRONG STATE, STRONG CIVIL SOCIETY, NRC'S ROLE

Colombia differs from other countries facing complex emergency situations in the existence of a sophisticated legal and policy framework that aims at providing formal protection for the victims of the armed conflict, including the rights of the internally displaced. In Colombia there exists an advanced institutional and public framework within the State to fulfill its national and international obligations. However, the rich institutional framework suffers from serious gaps in implementation of public policy, and enforcement of existing laws at the Departmental and Municipal levels. This means that many victims cannot enjoy the full exercise of their rights, despite the fact that they are formally recognized, and State institutions have the mandate to protect them. The limited capacity of the State – at various levels – to provide protection for its citizens has also been noted by several oversight bodies of the State. Among these are included the Inspector General's Office, the Human Rights Ombudsman's Office and the Constitutional Court, which has in recent years, through its

rigorous and continuous monitoring and ruling on the state of unconstitutionality (based on the State's failure to respect and fulfill the rights of IDPs), quite forcefully provided this protection to citizens.

Another important characteristic of the Colombian context is that victims of the armed conflict are accompanied by a strong civil society; national non-governmental organizations have a strong technical and advocacy capacity and are highly mobilized to work with and build the capacities of rights-holders among these IDPs and their organizations. As will be further described below, NRC is vying, along with others, to create a specific profile and value-added for its contribution within a complex and sophisticated web of national institutions and capacities. How well its programs complement and support, but do not duplicate, the role of national actors is a critical measure of the success of its Colombia Program.

1.4. PURPOSE OF THE EVALUATION

The main purpose of the evaluation is to assess the relevance of the NRC Colombia Country Program across its three programmatic areas: 1) Information, counseling and legal assistance (ICLA), 2) Education and 3) Advocacy and Public Policy, given the context of an internal armed conflict, significant humanitarian needs and a strong State that nonetheless fails to systematically meet its national and international obligations.

Of particular interest to the evaluation are activities funded by the Swedish International Development Agency (SIDA), which has financed the main part of the evaluation. The evaluation will therefore bring a particular focus to the results of NRC activities that have been funded by SIDA, in both the ICLA and Advocacy and Public Policy programs. It is understood that the results of this evaluation will be used to inform both NRC's strategy regarding the Colombia program, as well as the Framework agreement between SIDA and NRC for the coming period.

1.5 STRUCTURE OF THE EVALUATION REPORT

The following chapters will provide the methodology, findings, conclusions and recommendations of the evaluations:

- Chapter 2 reviews the key concerns of evaluation users, the methodology, timeframe and some limitations of the evaluation.
- Chapter 3 provides highlights of key findings and results from each of the case studies of NRC Colombia's programs.
- Chapter 4 raises some of the broader themes implications of results for an evaluation of the NRC Colombia program as a whole, including issues of partnerships, gender analysis and mainstreaming and effectiveness of IASC Cluster coordination.
- Chapter 5 discusses implications of the evaluation findings for NRC's current and future strategy in Colombia.
- Chapter 6 provides a review of conclusions in relation to the OECD-DAC's Criteria for Evaluating Humanitarian Assistance in Complex Emergencies.

2. USER-FOCUS, METHODOLOGY, AND ACTIVITIES

The evaluation of the NRC's Colombia Country Program for the years 2008-2010 was carried out between January 17th and April 15th, 2011, undertaken by a three-person team from Canada, Brazil and Colombia: Virginia Thomas was the Evaluation Team leader, accompanied by Ilona Szabo (Brazil) and Veronica Hinestroza (Colombia) as evaluation consultants. Activities began on January 17th with a meeting in Oslo, and the field work was carried out from February 22 to March 5th, 2011 with follow-up interviews carried out in Bogota over the following two weeks. Its methodology and key research questions have been developed in line with an analysis of the needs of the evaluation users and the Terms of Reference (see Annex 1) and are described at more length in the Inception Report.

2.1 EVALUATION USERS AND THEIR NEEDS: NRC OSLO, NRC COLOMBIA AND SIDA

In order to better understand the needs of NRC from this evaluation, and the uses to which it would be put, the evaluation team leader met with the NRC Headquarters Staff in Oslo on January 17, 2011, and the team was then provided with a number of background documents. These included key policy documents, project proposals, budgets and reports. The main evaluation users identified are NRC Headquarters in Oslo, NRC's Colombia Office and SIDA, which are expected, among other things, to use the information contained in this report to finalize the Humanitarian Framework Agreement between SIDA and NRC for the coming period.

NRC Headquarters and Colombia Office:

- Headquarters staff emphasized the relevance and appropriateness of the NRC Country Program and the need for an overarching strategic review focusing on whether NRC has made sound choices regarding thematic and programmatic approaches and implementing partners.
- The NRC Gender Advisor in Oslo specifically requested information on the extent to which gender is being effectively mainstreamed into the NRC Colombia Country Program.
- Key evaluation questions from the Country Office concern how to undertake humanitarian action in the context of strong States, such as Colombia. What is the influence on humanitarian space of strong States? What are the limitations and opportunities associated with a strong and vibrant civil society? What are the gaps that International NGOs such as NRC could/should fill?

SIDA's Focus:

- SIDA's focus is on results, specifically of the SIDA-funded activities. The organization would like to have documentation of results relating to the main objectives as stated in the project documents – results at all levels, top-down and bottom-up, pertaining to:
- Coordination and/or joint advocacy strategies with other initiatives in the field;
- The area of support to policy formulation at municipality and departmental levels.
- Results for the beneficiaries; i.e. what difference have NRC's activities made for the lives of individual IDPs and their families?

Since NRC is interested in a strategic review of its Colombia Program and strategy, SIDA added some questions regarding NRC's strategic focus. Swedish humanitarian policy is increasingly focusing on the humanitarian response system, as well as on humanitarian reform. Two key issues are: accountability for results and strengthened operative cluster coordination.

It should also be noted that throughout the evaluation field mission, numerous other donors and partners, including CIDA, UNHCR, NMFA, expressed interest in the results of the evaluation and hope that it would be made available to all evaluation participants.

2.2 METHODOLOGY - PARTICIPATORY METHODOLOGY, CASE STUDY APPROACH

2.2.1 PARTICIPATION AND SURVEY METHODS

The evaluation team has endeavored to use, to the greatest extent possible, a participatory approach. This is accomplished by including representatives of all key stakeholders, including beneficiaries of both sexes and all ages, from school-aged boys and girls to older IDPs. The findings in this report reflect closely the issues, concerns, strengths and weaknesses of NRC related to NRC's work, as pointed out by evaluation participants and compiled by the evaluation team.

The evaluation data has been gathered by an extensive document review, personal interviews and focus groups with different beneficiaries and partners of NRC's programs and projects. While a survey instrument was initially designed by the evaluation team in an effort to get standardized responses to a number of questions, it was found in practice that evaluation respondents came from such different backgrounds, and were involved with NRC in such a wide range of different ways, that getting a standard set of responses was impossible. Therefore, interviews and focus groups needed to be much more open-ended and focusing on a number of themes:

- Their perceptions of NRC Colombia as a partner working on the rights of IDPs.
- The results, at various levels, that the joint activities had or had not achieved and why. In this context, "results" refers to both the results that NRC Colombia has planned and created indicators for, as well as the broader-level results and effects of activities undertaken, in terms of positive or negative effects of NRC Colombia's activities (enjoyment of rights by beneficiaries, security of partners, or other changes in the situation facing IDPs).
- The relevance and priority given to the activities and strategies of NRC Colombia.
- Perceptions about NRC Colombia's overall profile, investments, strategy, and value added.

2.2.2 CASE STUDY APPROACH

With the large number of projects, donors and beneficiaries covered by NRC's Colombia country program and the time and budget for the evaluation, it is not possible to study in depth all aspects of NRC Colombia's activities. Therefore, it was proposed that the evaluation be conducted using a case study methodology which would allow the team to follow up in some detail on the results of a set of specific activities, providing an evidence base, with examples and insights, to feed into an overall assessment of NRC Country Program strategy and its implementation. Three specific NRC projects were selected to be studied in detail and to be representative of NRC Colombia's project investments, to capture examples, lessons and good practices as a basis for an evaluation of NRC Country Program as a whole. They were selected also because they generally, albeit imperfectly, cover and correspond to NRC Colombia's three core programs: ICLA, Education and Advocacy and Public Policy.

Case Study 1: Focus on "Integral Assistance and Access to Justice for Displaced Populations" – NMFA-funded COFL0801-1001, and part of SIDA -funded COFL0904-1004

The first case study covers many of the core ICLA activities, involving various forms of direct support by NRC, and through its partners, IDP individuals and organisations in need of legal information, support and assistance. This project includes partnership with UNHCR and 14 Universities in the Law and Displacement Network providing free legal services to IDPs. Network coordination and some training were provided by ILSA. The ICLA programme includes efforts to strengthen the government services called UAOs, which provide free legal counseling and registration of IDPS, especially on SGBV cases. It also includes NRC's support for lawyer groups, such as CAJAR and the *Comisión Colombiana de Juristas* in their prosecution of emblematic cases, as well as land restitution mechanisms for IDPs and their organisations. ICLA also involves support for the prosecution of forced displacement as a crime, as the Colombian government has recently created a unit to

pursue such cases. As ICLA is a national programme, this case study involved visits to field offices and partners in Bogotá, Nariño, Magdalena and Norte de Santander.

Case Study 2: Focus on Education Project in Nariño – CIDA-funded COFT0803

Since NRC Colombia's Education programme makes up about half its annual budget, it was important to include an example of an education project. The evaluation team chose the CIDA-funded project *Aprendiendo Crecemos* in Nariño, because it uses the same approach of Flexible Learning Models for out-of-school children and youth as does NRC's NORAD-funded Education project, but covers a smaller territory. It also has a well-developed Performance Measurement Framework against which expected and actual results can be measured. Thus lessons learned from this CIDA-funded project would have broader implications for NRC's Education Program as a whole. An assessment should be provided of the achievements of the project in terms of its stated educational objectives, but also the sustainability, relevance and connectedness of this work within NRC's broader strategy and partnerships.

This case study focuses on the students, schools, educational authorities and communities in Nariño, specifically in the municipalities of Pasto and Tumaco, where project activities have taken place, as well as Bogota-based institutions such as the Ministry of Education, Save the Children Canada (SCC), UNICEF, and the NGOs who have worked with NRC to design and implement the educational models.

Case Study 3. Focus on NRC's approach to Supporting IDP Public Policy – SIDA-funded COFL9004 and COFL1004

Given that the costs of this external evaluation are significantly funded by SIDA, whose main interest is to evaluate activities which they fund, the idea of a set of case studies that includes a focused review of the SIDA-funded projects COFL9004 and COFL1004 of 2009 and 2010 will comprise one of the case examples to be evaluated. The two project numbers really constitute one two-year project focused on both support for public policy in favor of IDP rights and legal aid regarding land protection, reparation and restitution and forced displacement. The case study permitted a detailed assessment of NRC's work, results and partnerships in the new program area of Advocacy and Public Policy. The evaluation has examined the outcomes and results of the SIDA-funded project in line with proposed and actual activities carried out. It has also applied OECD-DAC criteria to these two related projects. These include: follow-up with the Autos of the Constitutional Court and compliance with these, regarding Afro-Colombian communities, Indigenous communities, persons with disabilities and women's land rights (in other words, pushing public policy in terms of an age, gender and diversity approach); technical support for inclusion of IDPs in public plans, budgets and policies at the territorial level (support for IDP input into the PIUs and local development plans); facilitating the implementation of land registration and reparation mechanisms. As this project operates at a national level, the evaluation team visited all three NRC's field offices, as well as the Country Office in Bogota.

In addition to the three detailed case studies proposed, the evaluation considered NRC's overall activities and partners' perceptions at a national level. In Bogota, the evaluation team met with:

- NRC Country Office staff
- Relevant IASC Cluster partners, including UNHCR, UNICEF, OCHA, OXFAM and SC
- Representatives of the Constitutional Court
- The NGO network DIAL
- Relevant government ministries, NGO partners, donors and implementing partners based in Bogotá

For a full list of persons and institutions interviewed and focus groups held, see Annex 2.

Limitations

It should be noted that due to limitations of time and resources, there are some gaps in the data gathering and analysis process. For example, while we have spoken with representatives of almost all key NRC partners, IDP leaders, government, civil society, as well as donors, the evaluation team has not been able to speak with as many ordinary IDPs whose lives would be affected by NRC's programs and activities. Also, the timing of the

evaluation has been so close to the end of the timeframe, that many of the projects for 2010 that are part of this evaluation had not been formally closed or reported on. Since formal reporting for 2010 had not yet been completed, it was challenging for the evaluation team to put together a comprehensive and detailed picture of all results and achievements for the final year of the period. It is difficult to say anything definitive in terms of results about activities that were terminated just a couple of months before. However, the proximity in time of the evaluation to the end of project activities brought the advantage that events, activities and their consequences were still fresh in the minds of NRC staff, beneficiaries and partners.

3. EVALUATION FINDINGS

3.1 NRC COLOMBIA FUNDERS AND FUNDING

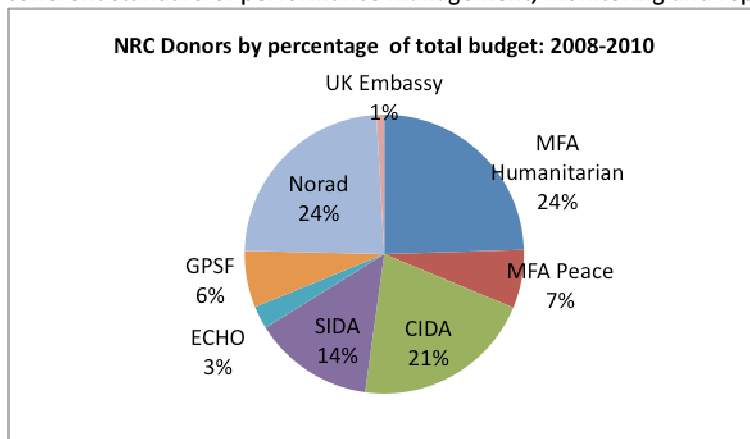
The NRC Colombia program has held steadily at around the \$6 million USD mark in programme expenses for the period under review. In 2008 the program turnover was valued at USD 5 965 000, USD 6 506 000 in 2009, and up to USD 7 370 000 in 2010. NRC's key donors have remained steady: six donors in 2008 (Norad, Norwegian Ministry of Foreign Affairs (MFA), CIDA, SIDA, ECHO and the UK Embassy); seven donors in 2009 (Norad, NMFA, CIDA, SIDA, ECHO, UK Embassy and the Canadian Global Peace and Security Fund (GPSF)); and six donors in 2010 (Norad, NMFA, CIDA, SIDA, UK Embassy and GPSF). The pie chart below, however, shows that four donors are more significant than the others over the period 2008-2010. MFA's Humanitarian Section has been the largest and most consistent donor over this period, followed by SIDA through its Humanitarian Framework Agreement with NRC that covers NRC operations in 13 different countries, including Colombia. These funding sources together comprise 38% of NRC Colombia's budget, and almost its entire budget for ICLA and APP programs.

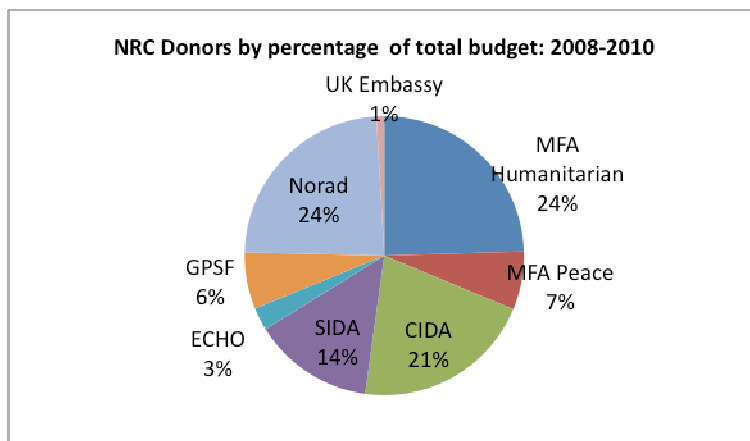
Funding from humanitarian sources tends to be short-term (projects of not more than one or two years), with short-term "results" identified and few requirements in terms of baseline data collection, longer-term performance measurement and detailed reporting. NRC's funding mechanisms are designed for an "emergency" response modality, whereas NRC is in reality engaged in a much longer-term strategic role in Colombia that goes beyond direct humanitarian relief.

The evaluation notes that many of the weaknesses that have been identified by some donors (see below), in terms of the lack of in-depth reporting and a clear results-based management system within NRC, are in part related to their own lack of demand for such. As humanitarian donors they request and require only very limited, and very short-term reporting. In particular, local SIDA staff at the Embassy are unsatisfied by the low level of NRC reporting which conveys little of the substance of progress being made year to year, on various issues of concern to donors.

The pie chart below also demonstrates that only two donors, Norad and CIDA, are responsible for the entire Education budget over the three-year period under review, which itself is nearly 50% of NRC Colombia's entire budget. As we will explore in greater detail below, despite concerns about the longer-term viability and sustainability of the Flexible Educational Models being funded by donors, NRC Colombia and donors have significant resources bound up in the continuation of the current approach. The evaluation team recommends an overall review of the current approach.

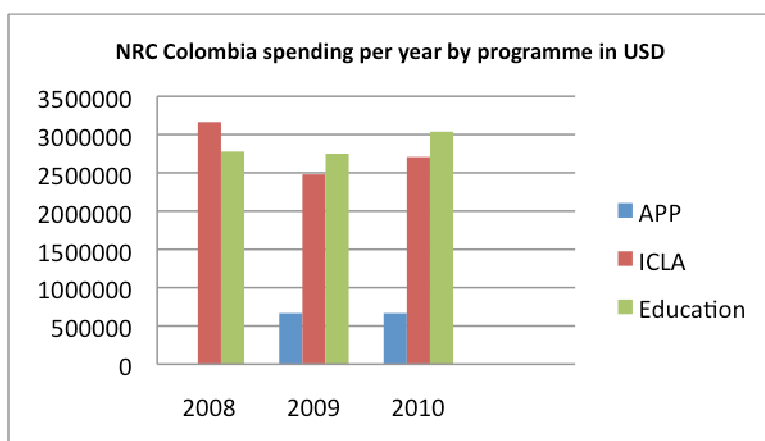
It could be in the future strategic interest of NRC Colombia to both engage with more donors and to participate increasingly in non-humanitarian funding modalities, such as peace-building, reconciliation, and even development modalities. These should effectively push NRC Colombia to adopt a more robust and coherent standard of performance management, monitoring and reporting.





3.1.1. NRC COLOMBIA'S PROGRAM AND BUDGETS

As described in the methodology section above, the evaluation has examined all three NRC Colombia programs. The first two, Information, Counselling and Legal Assistance (ICLA) and Education, are both part of NRC's five Core Programs at the global level. They were the two pillars of NRC's Colombia program until 2008, when a new program area called "Advocacy and Public Policy" was introduced. The table below shows the levels of spending, in USD, for each program over the three-year period.

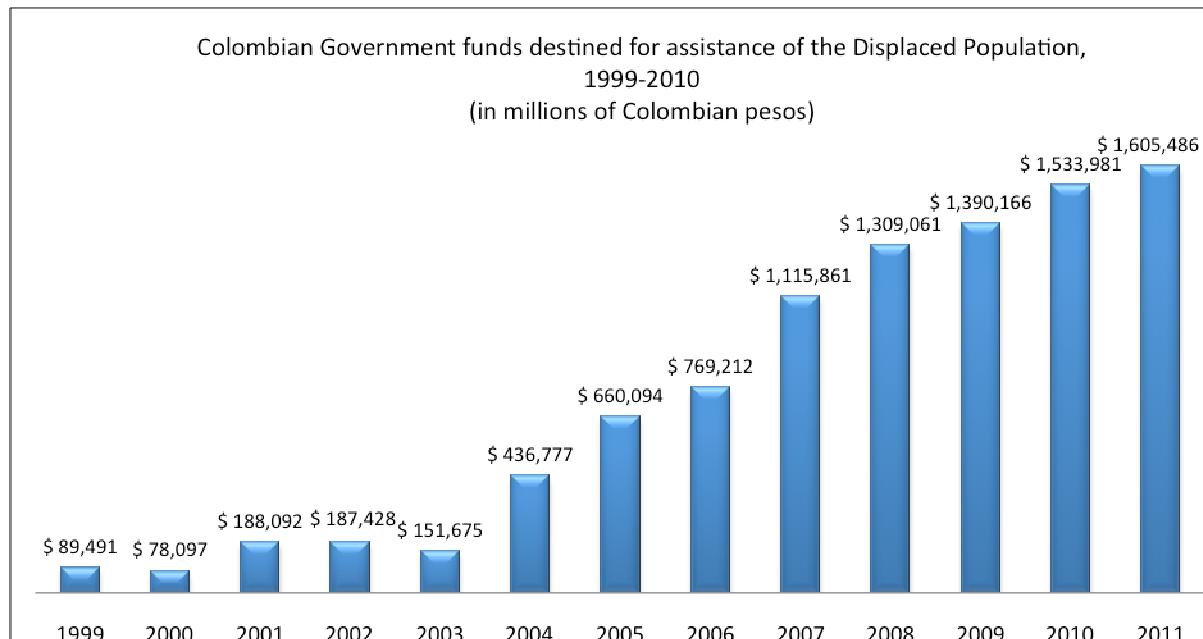


While the case studies focus on results for specific projects, this exercise also permits an assessment of the programs in general, based on: the shared perceptions of participants and comparisons of the results achieved; the effectiveness of strategies utilised; and program cost, in relation to benefits identified. In the analysis, it is important to note that ICLA and Education utilise somewhat different approaches from the new program APP. ICLA and Education both involve NRC in providing, through a number of implementing partners, services to IDPs and other at-risk populations.

APP on the other hand is currently being directly delivered by NRC staff, which provides technical support and assistance to various local actors, including IDP leaders and organisations and government officials, among others. It also coordinates work within IASC and does advocacy work with the Constitutional Court. In the context of the evaluation, as will be described in greater detail below, NRC partners and donors at times questioned the value-added of NRC in cases where it appeared heavily reliant on implementing partners or hired consultants. In this sense, the APP approach of relying only on NRC staff to implement programme activities allows NRC to clearly demonstrate its own value-added within the Colombian context. This appears to be greatly respected.

Colombia's National Government Allocations for Humanitarian Assistance to IDPs

As can be seen from the table below, some of the changes in the Colombian state's consideration of displacement issues are reflected in the significant increases in the government's budgets for attention to IDPs, starting in about 2007 and continuing until today. Indeed, it should be considered as a first (and most significant) result of NRC Colombia's efforts, combined with a large number of other actors, that through sustained and intensifying pressures brought to bear by the Constitutional Court, UN and NGOs advocating for the rights of internally displaced populations, the Colombian government has responded by significantly increasing resource allocations toward the assistance of this population. While many gaps and problems remain, the trend of increased allocations towards humanitarian assistance for IDPs by the Government itself needs to be recognised and encouraged by INGOs.



Since 2008 and even before (as will be argued below), NRC Colombia has been actively engaged in one of the key processes that is enabling a transformation of the discourse and practice around promotion and protection of the rights of IDPs in Colombia. The 2004 T-025 Ruling by the Constitutional Court found the Government of Colombia in a state of unconstitutionality due to its lack of response to the massive problem of forced displacement; this was followed by a growing number of Court Orders (Autos) instructing the government and its various branches and functions as to how they must respond. These landmarks have helped changed the debate on forced internal displacement.

NRC has been a part of this transformation by working to support the Constitutional Court with information and analysis gathered from its field activities with affected populations. As a result of the Court Orders, the dynamics have changed from polarisation between State and civil society actors, and denial by the government of the reality of forced displacement, towards a common search for realistic technical solutions to the massive problems IDPs face. It is now given that government, IDP organisations and NGOs all need to collaborate. In the graph above, the period of 2005 onwards, and more evidently 2007 onwards, corresponds with this period of heightened activity by the Constitutional Court, UNHCR, NRC, CODHES and the Commission developed to monitor and follow up on the T-025 ruling.

The fundamental changes and "results" that NRC has helped to generate at the national level, and that donors like SIDA should also take credit for, are already being and should continue to be pursued and integrated into a more complete and coherent NRC Colombia strategy. This strategy should be built around peace building, truth and reparations for the coming period.

3.2 HIGHLIGHTS AND RESULTS IDENTIFIED FROM CASE STUDIES ON ICLA, EDUCATION AND APP

This section describes some of the highlights of the "results" of the program and of project activities for the period 2008-2010.

Issue of Attribution

The question of attribution was raised many times during the evaluation, both by NRC itself, as well as by donors and NRC partners. Given the complexity of the processes in which NRC is involved, both in terms of advocacy and implementation of activities that also involve a large number of other State, UN and civil society actors, it is a challenge to say what exactly NRC can and should be given credit for. At times, in NRC Colombia's reporting, it seems to be taking too much credit for processes that involve a large group of actors, but not identifying explicitly the roles played by others, either in terms of financial or technical input. Some partners expressed the same sentiment. On the other hand, according to the NRC Country Programme Director, NRC has been reluctant to invest in developing a more coherent results framework out of fear of "taking too much credit". In the context of this evaluation, it is clear that NRC is never working on its own, and should share in, but avoid taking full credit for projects that it funds and, in the spirit of partnership, should ensure that all contributors to NRC projects, activities and their outcomes are duly recognised. Here, credit is given to NRC based on clear and demonstrable linkages between activities, outputs and outcomes, demonstrated efforts of NRC staff and the perception and valuation given by partners and participants in NRC activities and trainings.

NRC's Performance Management Systems - Outputs versus Results

Any discussion of NRC's results should be placed in the context that NRC projects are generally defined as one or two-year initiatives at most, the exception being the CIDA-funded Education project that extends, unusually, over a five-year period.

Results, within a results-based management system, are normally identified for the short, medium and longer-term, with performance indicators identified to measure change at various points in time. This allows the organization itself, as well as others, to understand whether planned results are being achieved, and to adjust inputs and activities as necessary. In a results-based management model, changes or results are to be measured against a baseline, so that they can be quantified and/or qualified.

An examination of NRC's project proposals and reporting for the years 2008-2010 shows that:

- NRC is not currently using a results-based management system, with the exception of the CIDA funded education project.
- NRC is not measuring project or program performance over longer periods, beyond the brief life span of its project submissions.
- NRC does not systematically refer to any baselines by which to measure change.
- NRC Colombia's proposals and reports generally provide only output-level indicators, rather than indicators that measure more substantive quantitative or qualitative changes over time.
- NRC appears not to be systematically monitoring or evaluating its performance beyond the completion of specific activities.

In the absence of a RBM framework at the level of project and overall, therefore, it is extremely difficult to show the cumulative, multi-year impact of NRC's work, giving the impression that no meaningful results have been achieved overtime. These factors detract from the many positive results and outcomes, at various levels, that are being achieved by NRC's Colombia program. Indeed the evaluation team is impressed at the number of significant results, which over a short time period are being achieved by NRC Colombia. In some cases the positive results achieved by small strategic interventions appear to be well beyond what might be anticipated. Some of these cases will be identified as "good practices" in Chapter 4 below. In other cases, particular activities have not had or do not appear to be likely to have significant positive results, or positive results that can be achieved efficiently or sustainably. These cases we also describe in Chapter 4.

3.2.1 INFORMATION, LEGAL COUNSELING AND ASSISTANCE (ICLA)

This overview of the ICLA program in Colombia draws out the results of projects mainly funded by SIDA (COFL1004) and Norwegian MFA (COFL 0801-1001), between 2008 and 2010, in order to respond to the program's strategic sub-objectives¹. The SIDA funded project COFL 1004 continued and enhanced activities developed by NRC in 2008 with SIDA's support in coordination with NMFA related projects. Its Objective 6 covered a new initiative that was developed by ICLA since 2009: "Promote knowledge and follow-up mechanisms to fight impunity of acts of forced displacement in the framework of the Justice and Peace process". Here, the report only reviews the highlights on the ICLA activities, but details of the full case study are contained in Annex 3.

Main Targets and Outputs

The evaluation finds that in general, key outputs have been achieved, well in line with donor agreements and expectations. Workshops and trainings have been implemented with the key beneficiary groups identified. In terms of strengthening the UAOs, more have been supported by NRC than planned. One exception in terms of outputs is the Law and Displacement Network (LDN) and related legal counseling services that have not met the targets set since 2008 although results are satisfactory given the complex environment within which they have been implemented. For example, in 2008 the LDN was to provide legal and psychological aid to 10,000 IDPs and 1,000 indigenous and Afro-Colombian people at risk, but the number of people assisted during this period was 7,739, 2,261 less than expected. For 2009 the target for legal counselling and assistance was 12,000 cases. By the end of the year 8,129 cases were attended to through the work of the Law and Displacement Network; 942 were taken in the municipalities of Ciénaga y Fundación and in the Legal Aid Center of the indigenous community Kankuamo. The total of cases was 2,929 below the target. According to NRC the target was set unrealistically high but the late start of some of the legal centers due to late confirmation of funding (June 2009) contributed also to the difficulties in reaching it.

Results by ICLA Objective

A. Promote access to the rights of the displaced population as foreseen by the SNAIPD through its protection framework

Immediate Results of Capacity building of the UAOs: The UAOs or *Unidades de Atención y Orientación a Población Desplazada* (Units for the Assistance and Orientation of Displaced Population), are the front line resource and service centers for IDPs provided by the government, whereas the State entities of the SNAIPD come together on behalf of displaced populations. In the UAOs, people give statements before the authorities regarding their displacement in order to be officially registered as IDPs². The UAOs, like the one in Cúcuta that was visited by the evaluation team, can also provide information regarding education for children, training and working opportunities for adults and land and restitution issues.

In order to improve the quality of services to the IDPs using the UAOs of Pasto, Cúcuta and Ocaña, NARC has, with the support of NMFA, worked through 2008-2010 with the local authorities, advocating for the strengthening of the UAOs, training the staff on their obligations, the rights of the displaced, and the importance of adopting a differential (age, gender and diversity) approach when working with IDPs. The ICLA Program has advocated for attention to cases of gender-based violence and created awareness regarding the topic among the UAO staff. Finally, NRC has provided some small economic support for the improvement of their facilities (including sanitation facilities and recreational areas for children) and the production of training and orientation materials on IDP rights and road maps for assistance to the displaced.

¹ NRC Colombia, presentation given to the evaluation team on 22 February 2011.

² By law, *Acción Social* must reply to the IDP's statement within 15 days, although this is rarely the case in practice. If the statement was accepted the family is registered in the RUP and should get a package of humanitarian aid and becomes affiliated to a health system.

Most evaluation respondents agreed that the strengthening of the UAOs has contributed to meeting the overall objective by improving the quality of front line service centers to IDPs in line with the SNAIPD framework. From the evaluation field visits it can be stated that the UAO of Pasto is an example of good practice with regard to the inclusion of a play area (or “ludoteca”) for children to play and learn while their parents are in the UAO. NRC has worked with the UAO in Pasto on the development of an internal route for psychological services and legal assistance in cases of gender-based violence, for orienting women on the types of gender-based violence and the assistance roadmap. Another case visited is the UAO of Cucuta, where the variety and quality of services provided has been widened.

By supporting the UAOs, NRC is both investing in immediate responses for the displaced population and its needs and rights, and strengthening the capacity for service provision by these government-funded centers. Among many other rights issues, the UAOs appear to be appropriate spaces for creating awareness among both authorities and victims on the topic of gender-based violence in the context of forced displacement and the urgency of addressing it with both psychological and legal support.

At the same time, while NRC is effectively enhancing the capacity of six UAOs to address the rights of IDPs, there is still a long way to go. IDP leaders interviewed continue to see many challenges for IDPs to access emergency assistance. Waiting periods for official registration as IDPs are too long. There are also many more UAOs in the country that could benefit from the skills acquired and good practices put in place within the NRC-supported centers. As will be discussed below in the Strategy section, NRC should now increasingly be seeking ways to communicate and disseminate its good practices so that other municipalities or partners, in other regions, may take on similar initiatives. Finally, the ultimate sustainability of NRC's support for the UAOs depends on the long-term commitment of the local authorities to the service and its quality. NRC plays an important role in lobbying for overall continuity, but decisions in these matters are out of its control.

Recommendation: Medium-term and longer-term results of this activity can only be judged when NRC support stops and it can then be determined whether the quality of service of the centers is maintained. NRC should develop a monitoring and evaluation framework that will permit it to draw some conclusions regarding the longer-term results of its field activities.

Some Results of NRC's Legal Aid Clinics and the Law and Displacement Network (LDN)

Through a number of channels, NRC Colombia has been promoting access to free legal counseling for IDPs in order to be aware of and, it is hoped, gain access to their rights. NRC first provided this service directly through hired lawyers in its own offices in 2005, and further developed an internship program in agreement with several universities in 2006-2007. In 2008, NRC, together with UNHCR, initiated the *Red de Derecho y Desplazamiento* (Law and Displacement Network-LDN), made up of universities that agreed to open a space within their free legal clinics, where final-year law students work on cases brought to them by IDPs.

As part of the agreement, 14 universities committed to insert key information regarding each case in a database. NRC and UNHCR together provide half the funds each to contract an implementing partner, pay one coordinator per university and support the universities in adapting the facilities of the legal clinics. Law students provide information to the displaced population on their rights and routes of access; moreover they help them with the drafting of legal resources, mainly regarding their right to be registered in the RUDP (IDP registry).

In 2008 the *Instituto Latinoamericano de Servicios Legales Alternativos* (ILSA) was contracted to coordinate the network's activities in 13 locations around the country and to: provide orientation and legal advice to coordinators and the students working in the clinics; analyze the information gathered through the database; and produce monthly updated reports with the list of beneficiaries of the project³. Although it is not specified

³ See Cooperation Agreement ILSA-NRC 2010.

in the agreement, the NRC staff says that ILSA was also responsible for: providing specialized training to the 14 associated universities on relevant issues regarding displacement; organizing an annual national seminar; and supporting the students and their coordinators on the legal development of special cases. In 2010, the decision was taken by UNHCR and NRC to replace ILSA as an implementing partner and to hire Opción Legal to take over its role. For 2010, the cost of the LDN was of 154,000 USD.

According to reports received from some of NRC's field offices and interviews carried out in the regions, the work of the students and their coordinators has been relevant for the displaced population; by 2009 NRC reports that LDN provided free legal advice to 8,129 individuals on forced displacement⁴, on average 580 cases per university per year. Evaluation interviews and discussions with evaluation participants highlighted the following issues:

- Legal assistance to displaced populations to ensure that they are registered as IDPs and gain access to humanitarian aid is one of the most direct and relevant activities for promoting and protecting IDP rights. However, neither NRC nor the evaluation have sufficient information about the actual outcome of the cases to be able to either confirm the effectiveness of the counseling received or the extent to which this has ultimately led to IDPs being officially registered within the government registry.
- Some of the Universities, like the Universidad Francisco de Paula in Cúcuta and the Universidad de Nariño in Pasto, divide the working time of their students between the UAO and the Clinic. Also, universities like the Universidad del Magdalena, in the department of Magdalena, have participated in decentralized mobile journeys in territories nearby (Ciénaga and Fundación). These activities can be highlighted as good practices in the sense that they take the services out of the universities and locate them where IDPs are living. An approach of systematically linking the universities with the UAOs could provide the means for NRC to achieve two objectives at once – strengthening the capacity of the UAOs, while ensuring free legal counseling to IDPs – and could be a model for scaling up to other regions.
- On the other hand, most of the universities have not been very effective in following up on the positive or negative results of the cases on which they advise. Nor has NRC or its past implementing partner ILSA provided follow-up. One evaluation participant in Fundación raised concerns about the quality of the counseling provided by the students, who often lack practical experience and do not always know what questions to ask people about their cases prior to giving them advice.

According to NRC, there are a large number of benefits that justify the creation of the LDN quite apart from the legal counseling delivered. It gives law students the opportunity to become more aware and interested in the phenomenon of displacement. It is possible that the experience in the clinics may lead students to choose professional paths that allow them to continue to work on the issue. The evaluators consider that while this is not the main objective of the project or of NRC itself, it is a relevant and important result to increase the number of lawyers devoted to IDP rights in the country. However, no data on this trend currently exists.

It appears that some universities have, as a result of the project, established an elective course on displacement. NRC's new implementing partner for LDN, Opción Legal will also be developing a course curriculum on Forced Displacement. This is a positive result, in terms of improved teaching on Forced Displacement in Colombia.

Recommendation: a recommendation of this evaluation would be that if NRC continues with the LDN, it would be important to make such a course mandatory for those law students volunteering to give legal advice to IDPs. Having a professor at each university to ensure teaching on displacement would contribute to the longer-term sustainability of the LDN.

⁴ NRC Colombia Annual Report 2010

In institutional terms, the LDN has failed to function as a meaningful network and to ensure sustainability. According to NRC's staff and interviews with university representatives, coordination and training provided by the implementing partner were poor, resulting in extra responsibilities for the NRC regional staff. These included being in permanent contact with the universities and the coordinators, as well as offering solutions to the problems they were facing. The universities do not feel represented on the project's management committee and they claimed not to have any incentive to function as a network: meaning, for example, having exchanges of professors, working on emblematic cases together, or organizing conferences on forced-displacement related topics. Finally, while the database of cases created and used by ILSA has been of some use to NRC-UNHCR as a source of information for advocacy on the nature of the cases and problems for which IDPs have sought legal assistance and humanitarian aid⁵, universities do not themselves feel they benefit from the database they feed because they only have access to the information they upload, rather than information from the whole network.

The evaluators did not have access to the database because, according to NRC's staff, the former implementing partner did not want to turn the information over to them. This type of struggle with partners over intellectual property is also seen in the case of the Education Programme described below. These difficulties prevented the evaluation team from understanding the type of information gathered and the relevance of investing in the database. As a result, the following questions prevail: Is it possible to better monitor the quality of legal advice received by IDPs through the LDN and the results in terms of accessing their rights? Is the information gathered significantly improving NRC's interventions and advocacy? Are there alternative ways to get this information or provide this service more effectively or efficiently, for example through an expanded support for legal services offered by the UAOs?

In Tumaco, Nariño, where there are no University Legal Clinics, NRC has contracted the Pastoral Social (PS), the humanitarian agency of the Catholic Church, to provide the counseling service. PS has been successful in providing free legal assistance to an important number of beneficiaries. PS is a trusted and respected resource within the community and its legal counseling is valued. A somewhat negative factor is that the service is offered only in the offices of the Pastoral and not within the UAO. This may create some confusion among IDPs, who may not understand who provides which services and where to go first.

A similar initiative is the indigenous Legal Aid Center of Valledupar-Cesar. In May 2010 NRC, with the support of MFA/NORAD/NAL, signed an agreement⁶ with the Resguardo Indígena Kankuamo in order to strengthen the cultural identity of this indigenous community and recognition of this community's ancestral territory, as well as the guarantee of their right, as a community, to restitution. In order to fulfill these objectives, the agreement supports the work of a Legal Aid Center specialized in indigenous legal issues and directed by the Kankuamo community itself. The evaluation finds this an important step in the protection and empowerment of indigenous people that have suffered displacement or are at risk of being displaced.

If the various ways in which NRC Colombia supports the delivery of legal counseling for IDPs have been considered in some detail, it is in order to explore questions of **effectiveness, efficiency and coherence**. ICLA is currently providing similar services through a number of delivery channels that are each relevant and valid in their own right, but which could be streamlined. A more coherent approach could involve systematically linking the universities with the UAOs to achieve two objectives at once – strengthening the capacity of the UAOs, while ensuring free legal counseling to IDPs – and could be a model for scaling up to other regions. The LDN, while perhaps bringing to NRC and UNHCR greater coverage and a certain prestige, has led to a number of problems with the implementing partner, as well as some dissatisfaction among the participating universities and additional work for NRC field staff to support and monitor the process. On the other hand, the fact that neither NRC Colombia nor the evaluation can produce compelling evidence for the benefits, apart

⁵ See NRC (2010) "Proyecto de seguimiento a registro y ayuda humanitaria en Santa Marta, Ciénaga y Fundación".
⁶ COFL1001/COFT1001/COFL0909-48-3

from the numbers of persons attended, suggests that, at the very least, an effective monitoring and quality control system should be developed.

Particularly valid, in terms of efficiency, coherence and connectedness to the government's own structures and strategies, is the delivery of free legal services through the UAOs or the municipalities or through mobile clinics as necessary – be it through well-supervised law students or more experienced legal staff or both.

Recommendation: It is recommended that NRC in the future advocate for and facilitate increased provision of legal advice and services via the key entry points to the state system, which the UAOs or the municipality should provide.

B. Promote the goal that IDPs have access to the judicial and administrative system to make their rights effective in terms of enforcement of land rights and property restitution.

Some results of the Ombudsman's Office cases and resolutions on collective land rights

This activity was originally proposed to NMFA under the COFL0901, but as funding was insufficient, it was later funded by the United Kingdom Embassy in Colombia. In 2009, NRC agreed to document, together with the Human Rights Ombudsman's office, cases on land usurpation and land protection with the aim of issuing a report to inform civil society and call the attention of the authorities to the situations that lead to displacement. The main objective of the agreement was to follow-up the report with a resolution setting out the views and concerns of the Ombudsman in a particular case, as well as recommendations to the various State institutions and authorities with a role in protecting the affected population⁷. The initial strategy aimed at covering four cases, but only two were finally undertaken: the case of the Afro-Colombian community of Alto Mira y Frontera in Nariño, and the case of the indigenous community of Motilón Barí in Norte de Santander.

To date, NRC has submitted the product of its two consultancies on the situation of the communities; the office of the Ombudsman has issued a report per case, followed by two resolutions. NRC has monitored the whole process and has guided the communities in the understanding of the content of the resolutions and the recommendations included by the Ombudsman. The evaluation team had the opportunity to be present at a meeting in Tumaco between the Office of the Ombudsman, representatives from the Community Council of Alto Mira y Frontera and NRC. The meeting had the objective of informing the community about the content of the resolution, which was going to be publicized the following day, and of listening to the community and their concerns.

This case of land usurpation by African palm growers would clearly never have been pursued without NRC's support and documentation. Addressing and documenting cases of land usurpation is a sound basis for the prevention of displacement and represents an important means to fight impunity of those who steal land from vulnerable groups. The support of NRC has been critical to the community's pursuance of the case and their resulting confidence in their understanding of the procedures undertaken for the restitution of their land. It has also served as a bridge between the doubts of the community and the work of the office of the Ombudsman and the other institutions involved. The Ombudsman's office confirms that without NRC's support, it would not have been able to undertake this and numerous other cases, due to inadequate information, personnel and resources. The community is pleased with NRC's work and appreciates the fact that their case has gained visibility. Their only remaining concern is security, and while they know that NRC cannot guarantee their safety, they would like to count on its help in finding alternatives for those that get threats and are forced to leave the territory while the case is being considered.

The evaluation team also met with the Ombudsman of Nariño and the Ombudsman of Santander, as well as counterparts at the national level, in order to discuss their joint activities with NRC. A common concern was

⁷ Defensoría del Pueblo (2010) "Informes y resoluciones defensoriales" in http://www.defensoria.org.co/red/?_item=0204&_secc=02&_ts=1> viewed March 12, 2011.

the fact that agreements were made in Bogotá (NRC-National Ombudsmen), and regional offices were not involved in the decision-making. They were not included in the hiring of the consultant nor informed of the progress of the projects. While these concerns reflect internal weakness in coordination within the Ombudsman's office itself, it was felt that NRC could do more to help support coordination between partners at the national and the local level. It was also felt that working more closely with the local offices could improve joint initiatives. Overall, key NRC partners such as the Human Rights Ombudsman's office and the Inspector General have systematically requested better help with coordination from NRC, as they recognize this as a systemic weakness of their own. They have also requested better coordination between NRC, UNHCR and their offices, as will be discussed below.

Despite the difficulties, the evaluation finds this type of work on land usurpation a good practice for NRC Colombia, as it documents, exposes and addresses a fundamental cause of displacement in Colombia, which is the stealing of land for economic gain, often with the assistance of corrupt government officials, and the more general problem of impunity. The use of NRC resources to assist State officials, such as the Human Rights Ombudsman's Office, in performing their functions is strengthening confidence between IDPs and their own State institutions.

Some results of NRC Support for Land Restitution Cases

In 2009 NRC contracted the "Corporación Nuevo Arco Iris" to carry out a study of land restitution cases that could be addressed in the framework of the Restitution Plan that was being debated at that time in the country under the lead of the National Commission on Reparation and Reconciliation. The study documented 79 cases of all types, but the government finally did not approve the Restitution Plan. An important lesson to be learned from this exercise is that the legislative process should not be taken for granted, and therefore NRC should not engage in projects that create expectations among victims that the organization cannot fulfill when crucial legislation is not passed. According to evaluation participants, victims who gave copies of their property rights to Arco Iris are still calling to find out if something has been done with regard to their cases. In Colombia, laws are passed and overturned every day. A project should not be developed based only on the assumption that a particular law will be passed; contingency plans are needed to avoid unnecessarily raising expectations.

NRC continued to work on the identification of restitution cases but focused on collective ones. For the final selection of the cases, a consultant was hired by NRC to apply a test assessing both the opportunities for successful administrative and judicial strategies to be applied and, together with NRC, security risks that they implied for the population. As a result, one case was identified in Norte de Santander and two in Magdalena.

The two cases of Magdalena are very similar to each other, and the communities involved are neighbors. The two communities of displaced populations received land from INCODER in 2002, in order for them to work on it for three years and gain its ownership. Both communities were displaced once again in 2004 by paramilitary groups which, after their demobilization, gave the ownership rights to another group. In 2010, one of the communities, San Carlos y La Paz, was authorized, in the framework of the Peace and Justice Law, to provisionally return to the land while reparation measures were being granted. NRC played a key role in lobbying for the decision and it continues to work closely with the community, the Office of the Prosecutor and Acción Social in the process of return. The administrative and judicial processes of the community of La Sevillana are yet to be solved; NRC is supporting its leaders legally and logistically.

The evaluation mission visited the community of San Carlos y La Paz and asked them about NRC's support. According to the population, if NRC were not with them, the institutions involved would take longer to comply with their duties. They feel insecure because there are no security forces around. They have not received their humanitarian aid, and they do not have electricity or drinking water. NRC provides them with information on the procedures in relation to the Peace and Justice Law and plays an important role in lobbying for their case. Ultimately, however, they are on their own facing difficult living conditions and security concerns.

The evaluation team recognizes the importance of achieving a decision for provisional return. This is an important achievement for both NRC and the community, one that must be recognized as a small step in a larger movement toward return for IDPs. Yet ensuring safe, secure and appropriate conditions for the population in their return has proved to be difficult; national institutions have not responded in a timely manner to the requirements of their protocol for return operations and require more advocacy work from NRC.

NRC's work is relevant for the communities. The fact that its activities are implemented in close collaboration with the State institutions (such as *Acción Social* and the Office of the Prosecutor) has the potential of positively impacting the capacity of the system for dealing with future cases. Nonetheless, the topic of restitution is one of the most complex ones at the moment in Colombia; leaders are constantly being threatened and killed. In this regard, some of NRC's staff and partners in Magdalena expressed their concern about the risks that the communities and NRC face in terms of becoming a target of the illegal armed groups whose goal is to keep control of the lands they once possessed. While the security test applied before selecting a case can be considered a good practice, it does not, according to NRC staff, regularly or sufficiently review the security situation as it changes and evolves quite quickly.

Recommendations: The evaluation recommends that NRC introduce more regular monitoring and assessment of the security risks associated with land restitution cases. While it is important that NRC Colombia continue to support the three land restitution cases until they are resolved, the evaluation suggests that NRC Colombia intensify advocacy for the State institutions involved in restitution cases to be the ones directly dealing with the communities. This is an important duty of the State, but it seems that it generally prefers the international community to take on this role. It is the State that needs to gain the trust of the communities, listen to their needs and ensure their return to dignity and security. If State institutions do not start taking responsibility for the restitution process now, they may not do it without the continued collaboration of international organizations. Thus, large-scale restitution efforts will not be sustainable. NRC's staff will reduce its risks if it intensifies its work in support of State institutions, pushing such cases to the forefront.

Some Results of the Land and Gender Pilot Project

In 2006 NRC, together with ACNUR and OCHA, worked with the division *Tierra y Patrimonio* (Land and Property) of *Acción Social* in identifying the most frequently asked questions of the displaced population. One of the first issues was that of land and property. It was decided to create a pilot project based on the information gathered by *Acción Social* regarding populations at risk of displacement and its findings on the informality of the tenure of land, and the reality that most landowners are men. After assessment, Ocaña was selected for the pilot. NRC Public Policy Program, with the support of SIDA, then took the lead in the project and worked on supporting the Constitutional Court with the Court Order 092 on land ownership rights for women.

In 2010, the project was returned to the ICLA program, but methodology and approach remained the same. A psychologist and a lawyer had been hired in 2009 as consultants to run a project aimed at creating awareness among the targeted communities on the importance of holding title to their land and understanding that without the appropriate documentation they are not really "owners". In case of displacement they would not be able to claim their rights over their property. The project was also designed to promote the access of women and men equally to the property rights of their land. The methodology of the project proved to be didactic and highly relevant for the community. It included games and activities that motivated the curiosity of the participants and captured their interest in being part of the project until the end. Aside from the training, NRC's team worked on teaching the community how to get title to their property and supported some of its members in obtaining their titles. In terms of sustainability, the Land and Property Division of the Ministry of Agriculture took over the initiative, and it is now working on implementing it in 12 departments of Colombia.

To date 10 titles have been given to their owners, men and women equally, and to four children. After interviewing members of the community and the consultants, as well as having seen the methodology that the project developed, the evaluators see this as a highly relevant, efficient, connected and sustainable initiative in the Colombian context, as it:

- Creates awareness of the importance of having land titles as a form of economic protection against forced displacement.
- Promotes and facilitates actual legalization of titles.
- Sensitizes on the subject of the equal rights of men and women to property ownership, which is an important basis for other forms of gender equality.

After the pilot phase, Acción Social and Ministry of Agriculture have already committed to scaling up the investment made by NRC and SIDA to 12 Departments, which will significantly increase the coverage

Recommendation: A recommendation given by the pilot community itself, which is not predominantly made up of IDPs, is that they would like to know more about displacement and about the route to follow in case they are forced to leave. As they live with persons that have been previously displaced, they believe that a better understanding of the phenomena will allow them to comprehend their situation better and find ways to make IDPs feel part of the community.

C. Promote access to criminal/transitional justice for victims of crimes of forced displacement and for crimes of sexual gender-based violence

Forced Displacement as Crime

NRC, with the support of SIDA, has engaged in a campaign to promote the understanding of forced displacement as a crime within the justice system and to improve the litigation strategies for related cases of its partners. In the case of the latter, NRC has supported the recommendation of the Constitutional Court for the creation of a special unit within the Office of the Prosecutor for the crimes of forced disappearances and displacement. Now that the unit is in place, NRC has signed agreements with the Office of the Prosecutor to train the staff of the Unit on international criminal law and the international technical and legal standards to prosecute a case of displacement. When interviewed, the Director of the unit highlighted the importance of the trainings, of which they had already received one, but pointed out that without the police knowing the techniques for collecting the appropriate evidence to support the cases, and without the rest of the judicial operators understanding the topic, many cases will fail. Alongside this work, NRC has published and translated material on the judicialization of the crime of displacement. NRC has also signed agreements to support the litigation of cases of forced displacement as crime. Its legal partners recognize the impact of its support for their engagement on emblematic cases of displacement.

One of the legal partners pointed out that when NRC lacks long-term commitment and cuts the number of cases that it supports, they face financial problems as they struggle to continue their legal work. Moreover, as much as it is recognized that NRC has the capacity to make visible the undertaken cases, partners stated that they are uncomfortable with NRC's attempts to get involved with or direct their litigation strategies, as that is not NRC's specialization.

While the opportunity to prosecute forced displacement as a crime or a war crime is highly relevant to the long-term protection of IDPs and, it may be hoped, future prevention of forced displacement, partners consider that NRC should clarify where its commitment lies and what is its value-added on the topic. It is important that NRC review whether it should continue to invest in supporting the litigation of cases that can take a minimum of five years to be solved (if ever), given that the organization is uncertain about the period of time that it will be needed in the country. At the same time, some partners consider that NRC, as an

International NGO with significant experience from the Balkans and other cases, should be bringing expertise and examples of good practice and lessons learned on transitional justice from outside to inform and enrich the Colombian experience. Therefore, NRC may be able to make a more significant impact through capacity building based on comparative international experience and efforts to train prosecutors and police investigative units.

Recommendation: Based on these considerations, the evaluation finds that while it is important for the country and the rights of the IDPs to develop jurisprudence on the crime of displacement, this in itself will not likely have a significant impact without complementary capacity building efforts. In the case of NRC's legal partners, it is important for NRC to take into account the consequences for both partners and beneficiaries should NRC decide to abandon the cases midway.

3.2.2 EDUCATION

The CIDA-funded Education project COFT0803 implemented in Nariño only, also known by the project name *Aprendiendo Crecemos (Learning We Grow)*, has been a challenging but fruitful learning experience for NRC Colombia. Developed as a joint project of SCC and NRC, *Aprendiendo Crecemos* is an extension of NRC Colombia's Education program. It consists of the development and provision of educational services to out-of-school children and youth, through several informal flexible education models (FEMs).⁸ These models are designed to increase levels of access, permanence, quality and inclusiveness in the education of vulnerable and conflict-affected children, young people, and adults (Afro-Colombian, rural and receptor communities) in five municipalities of Nariño.

While in a formal partnership with SCC, the two organisations' activities and partners are quite separate. NRC focuses primarily on the issues of "access to education" through supporting a group of implementing partners in developing, improving and delivering educational models for out-of-school children and youth, most of whom are IDPs. There is also a large group of children who are out of school for a wide variety of reasons, mainly due to social or economic circumstances. It is important to note that NRC in Norte de Santander and Magdalena, funded by NORAD, also implements the FEMs. Many of the issues faced by the Education Program in Nariño also apply to the other regions where the program is implemented.

Challenges of Project Management

This project is an exception to the very short-term planning horizon generally employed by NRC. It is funded not as a humanitarian intervention, at least in the view of the donor, but under the more rigorous terms of a bilateral aid initiative, in partnership with SCC, designed to have a more lasting impact on the Colombian educational system. It appears that NRC was not well-prepared to negotiate appropriate terms either with SCC or with the donor, CIDA: it allowed itself to be pushed into an unworkable project management arrangement. Thus, it has faced numerous problems in terms of implementation, managing contracted partners, navigating the contractual requirements of a new donor, and working within the demands of a "development" rather than a humanitarian funding approach.

Key stakeholders (CIDA, SCC and NRC) agree that the initial project management arrangements, now known as the "forced marriage" between SCC and NRC, and which require joint decision-making on all aspects of what were really two quite separate projects, were not manageable. However, it was not until two years into the project that the project received a much-needed overhaul. A new structure was introduced to give SCC and NRC the autonomy to implement their parts of the project with a needed degree of independence.

Performance Management Framework

Unlike in other NRC projects, and due to the requirements of CIDA as a funding body, the expected results and indicators for *Aprendiendo Crecemos* are set out clearly in a Performance Management Framework (PMF), and have been reviewed and revised over time. CIDA staff have expressed that this project required a significant

⁸ By contrast, Save the Children is responsible for improving the quality of formal education.

investment of time and effort on the agency's part. This included hiring an independent project monitor in order to get the project implementers (NRC and SCC) first to resolve management problems and then to focus on the results that they had agreed to work towards. The current PMF, revised with great effort by all parties in 2010, appears to be an effective tool for management of the remainder of the project and for tracking both the basic outputs and, eventually, the results.

Due to a number of these changes to the PMF, it has not been possible for the evaluation to track progress year-by-year since the program's inception in 2008, because new targets and indicators have since been established. Our analysis is based on the information from a revised PMF, which includes partial baseline data from October 2009 only.⁹

A general review indicates that targets for the period since 2009 were achieved or are in the process of being achieved. NRC should be congratulated for this. At the same time, it is clear that important activities that should have taken place since 2008 are only now being implemented or are still pending. Among other things, and despite the requirements of CIDA, the program did not establish a baseline for all indicators since its inception. With the encouragement of CIDA staff, NRC has begun to identify and implement ways of closing the information gaps about the actual numbers of out-of-school children and youth, which are the target population of the project. These information gaps appear to have been neglected by NRC for several years, until CIDA stressed the need to address them in 2010. Now NRC is developing an effective 'census' methodology that is being applied in six municipalities both within and outside the project area.

As will be discussed below, there are some critical gaps in the project management. Two of the most important project outputs – an integrated monitoring and evaluation system operated by local partners and an information system on out-of-school children for the secretariats of education – have yet to be developed. Such delays have jeopardized project monitoring and evaluation, just as the project now enters its final two years. The elaboration of an information system is a key feature for the (anticipated) successful transfer of the project to the government by the end of 2012. Data collection and compilation exists, including the number of beneficiaries and their profile by age and gender, but disaggregated data is only available from 2010 onwards.

Mid-term Results

As the project has not been completed yet, it is only appropriate to discuss mid-term results which are as follows:

Access for Out-of-School Learners: The project anticipates that it will be successful in providing access to education for the planned number of out-of-school population, which is a total of 2,660 students in five Flexible Education Models (FEMs). Until December 2010 1,835 students have been educated in one of the flexible models, which is above the 1,830 target for the period. It is a positive finding that NRC's coverage is on target, although the evaluation finds that the target population is rather small, given the budgets and efforts involved in generating the FEMs.

The geographic coverage of the project, however, is currently limited to just two municipalities – Pasto and Tumaco – out of the five proposed (see Table 2).¹⁰ A census is currently being led by NRC in the municipality of Policarpa in order to help define the target population of out-of-school children and youth before implementing the project there. The late production of baseline data suggests a failing in the inception period, but also an important contribution by the current project management team to addressing this important information gap.

⁹ It should be noted that the data is not complete or comprehensive across all indicators. The evaluation therefore relies on partial information produced in narrative reports

¹⁰ The other three municipalities include Samaniego, Policarpa and Ricaurte.

Table 2 – Number of beneficiaries by FEM, by city, 2008-2010.¹¹

FEM	Sex	Months			Average age	Drop out rate
		Pasto	Tumaco	Total		
Peace Culture High School	F	207	293	500	22.2	22%
	M	179	95	274	20.2	27%
Subtotal		386	388	774	21.5	24%
Rural High School for Afro-Colombians	F		142	142	31.1	20%
	M		70	70	33.6	17%
Subtotal		0	212	212	31.9	19%
Learning Circles	F	8	119	127	9.5	6%
	M	13	157	170	9.8	6%
Subtotal		21	276	297	9.6	6%
Follow up on Children from Learning Circles	F		109	109	10.1	30%
	M		117	117	9.8	30%
Subtotal		0	226	226	9.9	30%
Adult Education	F	116	107	223	39.7	9%
	M	46	57	103	39.2	11%
Subtotal		162	164	326	39.6	10%
TOTAL		569	1,266	1,835	22.6	19%

Impact on Drop-out Rates: With respect to “school abandonment”, Table 2 shows that the program’s drop-out rate is heterogeneous across the various FEMs. The learning circles and adult education flexible models are within the expected drop-out rate set by the program. However, drop-out rates are higher amongst participants in the High School, the Ethno-High School and the follow-up program with children from the Learning Circles. NRC regional staff mentioned that an effort is being made to

determine the reasons for the increase in the drop-out rate for the high school models. It is worth recalling that in the formal educational system, the drop-out rate for adolescents and youth is also high. However, given the added investment of time and resources that donors and NRC are making in designing special programs specifically designed to address the needs of an out-of-school children and youth, including covering many costs that learners would otherwise have to pay themselves, the evaluation team considers that the drop-out rates for the High School and Follow-up of the Learning Circles models are rather high.

Quality Education of the FEMs: In assessing the quality of FEMs through the existing government standard tests – *ICFES and Pruebas SABER*¹² – it appears that the high school FEMs need to improve the teaching methodology and materials for the core disciplines.¹³ The NRC models score well below the national average grades for core disciplines, and this presents a problem for those students seeking to continue their education. Although not an objective of the programme, most students expressed the desire to go on to higher education. However, with their current grades, most students will not be accepted into a university if they do not enter a pre-university course, which is unaffordable for the majority. This was mentioned to be a source of frustration among some students during the evaluation interviews and by NRC regional staff in Nariño. Conversely, the students participating in these same FEMs score higher in citizenship-related competencies.¹⁴ This reveals to some extent the strength of the Pedagogy of Peace (*pacicultor*), which was the focus of the models to begin with.

Learner Satisfaction: An indicator of this result in the PMF is the level of students’ satisfaction with their experience and perceived increase in citizenship awareness as a result of having studied in one of the FEMs. The annual student’s perception surveys (planned by NRC) have yet to be implemented to measure the level of satisfaction and relevance of FEMs to their lives. This is also the case when it comes to measuring students’ knowledge and capacity to demand the fulfillment of their rights. Despite the absence of these surveys or other quantitative measurement mechanisms, it is possible to make a preliminary assessment of the level of student learning.

The evaluation team conducted focus groups with students from the two high school FEMs (both Ethno and Pacicultor), as well as with students participating in the Integrated Adult Education model in Tumaco and Pasto. Through these focus groups it was possible to understand the importance they give to these educational models for improving their lives and wider community and social relations. The testimonies elicited during the focus groups attribute positive changes that the FEM brought to their lives and their gratitude to NRC and its supporters.

A distillation of some testimonials from Pasto and Tumaco is revealing:

- *“I was a rebel guy. This project changed my life. I’m a better person now.”*
- *“This opportunity has changed my way of learning and living, they ask what we want to learn.”*
- *“We want other people to have the same opportunity, there is a lot of demand, but unfortunately they say there are no more places.”*

¹¹ Presentation from regional staff in Nariño.

¹² ICFES stands for the Instituto Colombiano para la Evaluacion de la Educacion.

¹³ Specifically, language, natural sciences, mathematics and social sciences.

¹⁴ In Colombia, these skills include attitudes; confidence; actions; empathy; anger management; and interpretation of intentions.

(Students from High School for Peace model, Pasto)

- *"I was blind, this opportunity changed my world view."*
- *"Today I'm proud of myself, my kids are proud of me, I can even help them in their homework."*

(Students from Adult Education in Pasto)

- *"I want to look forward, won't stop studying after my graduation."*
- *"I wanted to be an example to my children, I'm 62 and I feel very good in this class, they treat me as a person."*

- *"It was very important to learn that I also can contribute to the development of my community."*

(Students from Ethno High School in Tumaco)

These positive statements show the appreciation that learners have of their opportunity to learn and benefit from the flexible models, which otherwise they would not likely have had. Especially for adults, who may never have had the opportunity to study as children or youth, there is great satisfaction in finally being able to get an education, in helping their children with their homework, and in feeling the success of earning their high-school diploma.

Improvement of Pedagogical Materials: Despite the satisfaction expressed above, there is still a long way to go in terms of improvement and systematization of the pedagogical materials for the FEMs as foreseen in the project. In December 2010, a proposal for improving pedagogical material of the Learning Circles was submitted by the NRC to the Ministry of Education and is under review. The pedagogical material for the High-High School for Peace model has yet to be improved and systematized following the recommendations of the Ministry of Education. Likewise, materials for the Ethno High School and the Integrated Adult Education Models have yet to be approved and consolidated. Moreover, NRC staff clearly stated that they are not satisfied with the quality of the products developed by their implementing partners, the *Universidad Nacional Abierta y a Distancia* (UNAD) for these two models so far.

Participation of Government: As noted above, the project should have established baseline indicators and information and monitoring mechanisms from its inception. As these key activities were not developed until later in the project, there is no unified information management system being used by either NRC and its local partners or the government. As a result, all parties have a very limited understanding and awareness of the numbers or distribution of out-of-school IDP populations in different areas. This means that many IDPs may be unassisted in terms of access to FEMs. The absence of hard evidence in terms of numbers of out-of-school children and youth also undermines NRC's advocacy work since it is unable to convincingly negotiate the adoption of the FEMs for a wider population without solid data to back its claims.

In 2010, as a lesson learned, NRC started to administer a census in key areas of the municipalities covered by the project to close the information gap and advance NRC's wider agenda. It will be of critical importance to ensure that the results from the census serve as the basis of the construction of a standardized information system that can be managed and updated by government authorities. This system could also serve as a pilot for a national information system that should be consolidated by the Ministry of Education. Already we know that, based on the Nariño project, NRC's field office in Norte de Santander has invested in a similar census of out-of-school children in key displacement-affected municipalities.

Owing to the decentralized nature of the Colombian educational system and critical information gaps on out-of-school IDPs' populations, progress in the approval and adoption of FEMs by Secretariats of Education and their integration into the PEIs is moving more slowly than expected. Even so, the project has made progress in obtaining the approval of the Municipal Secretariat of Education of Tumaco for the Learning Circles and High School for Peace models. The former is already integrated into the PEIs of five schools, and the latter was accepted and is in the PEI of one school in Tumaco. The Integrated Adult Education model is also integrated to the PEI of one school. The evaluation considers these to be important positive results.

Certification: Other important results relate to certification. Without certification, the value of the initiative would be much more limited, both for learners and donors. All students of the flexible models have received certification from an educational institution. This allows students to continue their studies or to obtain a better position in the labor market.

Results in Terms of Longer-term Sustainability of the FEMs: NRC has worked to ensure that the program is both politically and financially sustainable. For example, NRC has signed memorandums of understanding on a yearly basis with the Ministry of Education since 2006.¹⁵ Promisingly, the National Ministry of Education started to finance the FEM in regions where NRC has not operated since 2008. In 2008 the Learning Circles started to be financed, and in 2009 the government financed over 11,000 students in this model. In 2010 this number decreased to slightly less than 5,000 students.¹⁶

The NRC has generated a number of positive outcomes with respect to mainstreaming the FEMs into government programming. The High School for Peace model was validated in 2009 by the Ministry of Education. Since 2010, a group of 500 young women from nine cities started the program with their costs covered by the government. The Ministry of Education – as its response to the Constitutional Court sentence T-025 and the Court Order 092 on the protection and education of women IDPs – selected this model. However, apart from the Learning Circles and High School for Peace models, the three other FEMs have yet to be validated by the Ministry of Education, since the pedagogical materials are under development and are being consolidated and improved.

The political and financial sustainability of the FEMs requires permanent engagement by NRC not only at the national level but also in the municipal and departmental Secretariats of Education. As governments change or secretaries and ministers are replaced, the advocacy and relationship building work needs to begin all over again.

Recommendation: It is recommended that future advocacy work as part of NRC's education program focus on a process of scaling-up, in order to ensure that a broader set of Secretaries of Education will be sensitized to adopt the FEMs in order to guarantee that the investment made by NRC to date is understood, validated and widely applied. Otherwise, gains made could be lost. It will be critical to compel the Ministry of Education to continue financing these programs, since the departmental and municipal governments today claim that they are unable to finance the models on their own, as these are seen as costly in relation to current educational budgets.

A most critical concern for NRC is the financial sustainability of the FEMs in Colombia. When an implementing partner of NRC in the High School model was asked whether the fixed rate that the government pays for each student was sufficient to sustain key activities and the quality of the FEM, the answer was a definite “no”. The partner cannot adequately implement the model with the amount provided by the Ministry of Education or the Secretaries of Education in regions where NRC is not present. Indeed, other complimentary activities are required to sustain these educational models, such as capacity building for teachers. The high level of teacher availability to students, the pedagogical and home visits are poorly resourced, if at all, requiring a high degree of idealism and "voluntarism" of teachers that would not likely be maintained at a larger scale.

In an evaluation administered by CODESOCIAL of two high school models, including the High School for Peace, the cost of a two-year cycle was estimated at de \$COP 3.856.000 or \$COP 1.628.000 per year. The cost for a student of the formal high school system is \$COP 850.000 per year. These costs do not take into account the cost of developing and piloting the FEMs and also does not reflect NRC staff time. The Secretariats of Education of Tumaco and Pasto today state that the models are too costly for them to finance directly. As a result, they have to rely on supplementary financing from the Ministry of Education.

Without intensive advocacy work on the part of NRC and others who believe in the importance of the flexible educational models as a main solution for IDP and out-of-school children to increase funding specifically for this population, the evaluation considers that this model in its current format will not be sustained after the withdrawal of NRC and donor support.

¹⁵ Memorando de Entendimiento entre el Ministerio de Educación de Colombia y el Consejo Noruego para Refugiados en Colombia. Bogota, May 2006.

¹⁶ It appears that owing to an election year, financing for the program may have declined (Interviews with the Ministry of Education.)

Results in terms of Capacity Building: An important expected result of the project was to increase the capacity of teaching institutions to implement the FEMs. One indicator of this result is the absolute number of teachers that were trained to work with the FEMs. At the time of this evaluation in 2011 a total number of 160 out of the target of 180 (to be achieved by 2012) have been trained. However it is important to stress that the annual NRC-led evaluation of the quality of the education provided has yet to be carried out. More importantly, it must be acknowledged that unless these teachers can be absorbed into the state educational system – which will pay for the program and the additional time and effort involved for teachers working with the FEMs – the models will not be sustainable.

3.2.3 ADVOCACY AND PUBLIC POLICY

Background

The emergence of the area "Advocacy and Public Policy" within the NRC Colombia program is new, having been developed only in 2008 for activities in 2009, with funding from SIDA and NMFA for the years 2009 and 2010.

As will be discussed in this case study, some confusion remains about the conceptualization and terminology of this programmatic area, sometimes referred to as "Advocacy and Public Policy" and sometimes as "Protection and Advocacy". In reality, the activities of this new programmatic area reflect a somewhat different approach from that used in the past, and might be termed "Law, Public Policy and its Implementation". Its focus is really on the inter-relationship between the development of public policy based on existing legislation and its implementation at the grassroots level. This is in recognition of the fact that it is the implementation of laws and the addressing of gaps in public policy that are historically problematic in Colombia, rather than the absence of legislation per se.

As discussed above, this program area arose out of a unique set of opportunities opened by the landmark ruling of the Colombian Constitutional Court, judgment T-025 of 2004 which declared the Government of Colombia to be in a state of unconstitutionality. This was judged to be due to the on-going violations of the rights by IDPs and the lack of comprehensive protection and response by the state for all IDPs, but in particular those afforded special protection under the Colombian Constitution: women, children, persons with disabilities, Afro-Colombian and Indigenous communities, among others. Subsequent monitoring by the Court, with input from NRC, UNHCR and civil society, determined that government was still not addressing IDP's rights and humanitarian needs. This led to a series of additional Orders, called *Autos*, in which the Constitutional Court has provided more and more specific requirements for government action.

Through the Advocacy and Public Policy Program (APP) NRC, along with UNHCR Colombia and other civil society organisations, such as CODHES and other members of *Comite de Seguimiento* (monitoring committee for the Sentencia T-025), has been an important source in supplying the Constitutional Court with information and analysis as part of the Court's monitoring process. The powerful role played by the Court, with the support of NRC, UNHCR, CODHES, the universities and others, in demanding the implementation of measures to address the rights and protection of IDPs in Colombia, has led to a significant change in the dynamic between civil society actors and the State. With the Court playing such a decisive role in defining the content of government obligations and responses to internal displacement, the role of civil society has also shifted to one of providing support to government to help it comply with the orders of the Constitutional Court.

In this new context, NGOs, including NRC, are being asked to help define technical solutions, facilitate information flow between the central government and local IDP communities, and develop and disseminate pilot projects that permit the effective enjoyment of rights by IDPs. The evaluation finds the APP to be a highly appropriate programmatic approach and response to the current context, one which has placed NRC Colombia in a very strategic place. According to evaluation participants from the Constitutional Court, from the Ministry

of the Interior, from the Inspector General and other state partners, NRC is playing a critical role in filling information gaps at the national level and helping to define technical solutions that they need in order to do their jobs on behalf of IDPs.

APP is also a highly cost-effective response: the cost has been about \$666,000 USD, including \$322,000 USD per year in direct activities, of which SIDA has contributed approximately \$232,000 USD per year and NMFA the balance. One of the reasons for its efficiency is that the costs are mainly those of staff salaries, with small amounts to cover project inputs, travel, workshops, trainings and regular field visits by NRC's staff. There are no implementing partners associated with the delivery of the program.

Results of the Public Policy and Advocacy Program (as per SIDA project COFL0904-1004)

APP Objective 1 - Strengthening of local and international protection monitoring (with specific reference to the response capacity in the Eastern Plains and border zone in Vichada)

This objective was originally identified by the IASC Protection Cluster, as a priority for 2009 and 2010. In 2009, in close coordination with UNHCR and the Ombudsman Office, NRC participated at five field missions that took place in Vichada in 2009 to assess the humanitarian situation and assess protection needs among the Sicuani indigenous communities. Three reports to IASC and the Early Warning System of the Ombudsman's Office were developed by NRC based on information collected during field missions on the humanitarian situation in the department of Vichada.

According to both NRC staff and other stakeholders interviewed, the results of this activity have not been as hoped. As acknowledged by NRC, the results of this work and follow-up have been limited due to the fact that NRC has no office or longer-term presence in the area. Neither NRC nor UNHCR had the experience of working there, nor did other important national stakeholders such as the Ombudsman's office and Pastoral Social. Thus it was extremely difficult for NRC and partners to gain access to key municipalities such as Cumaribo. According to all stakeholders interviewed, the activities initiated have had limited success.

Swedish Embassy staff members who have followed the projects' development have been critical of NRC's foray into Vichada for a number of reasons. First, NRC's role and value-added in these field missions has not been clear. What is NRC's value-added in the protection monitoring missions beyond what UNHCR would do? Why do both organisations need to spend valuable resources on this? Swedish Embassy staff raised concerns regarding perceptions that NRC may at times be duplicating efforts of UNHCR, or that its value-added is not always clear. The issues of the potential overlap and the need to clarify the difference between UNHCR and NRC's role and value-added were later raised by a number of interviewees.

In NRC and UNHCR's view, these were cost-effective investments, and NRC acted on its responsibilities as co-leader in the Protection Cluster to take action on a protection concern identified by the Cluster itself. There have also been a number of positive results of the experience, including:

Information collected during the field missions in the first year of the project which was used to inform the IASC Protection Cluster Working Group in which United Nations Agencies, NGOs, Pastoral Social and the Ombudsman's Office participate. In the Department of Vichada, information has been shared with the Ombudsman's Early Warning System. This is intended to provide risk analysis of the protection system and initiate follow-up actions to protect the population. Finally, a connection made with the Mission of San Luis permitted contact with a number of indigenous communities. These last two points may have implications for improving the protection situation at some later point in time.

The Evaluation Team did not travel to Vichada to validate any additional results with persons affected in the field, but we note that the experience with Protection Monitoring activities raised a number of important lessons, themes and issues that recur elsewhere.

As we will explore further, NRC appears to be functioning at its best where it has an established field presence and has time to build relationships with local authorities and communities. This has not been the case in Vichada. Furthermore, it would be appropriate, given the close partnership and collaboration that exists, for NRC to ensure better articulation and coordination, and define its value-added in relation to UNHCR's work plan and to more clearly define for itself and partners its particular and distinct role and approach.

APP Objective 2- Protection gaps identified by the Constitutional Court regarding subjects with special constitutional protection have been attended to by NRC through specific actions:

In Colombia, as noted above, subjects with special constitutional protection include women, children, Afro and Indigenous communities, and persons with disabilities, among others. As noted elsewhere, it is considered a significant result that NRC Colombia, over the years under review, has played a significant role in the content of two Court Orders related to IDPs subject to special constitutional protection: Court Order 005 of 2009 on Afro Communities, and Court Order 006 of 2009 on Persons with Disabilities. NRC has also contributed to a large number of other Court Orders. In the follow-up and monitoring process, NRC has also been actively seeking to facilitate dissemination and implementation of the court orders by a variety of activities, as seen below. The evaluation finds this inter-related process of informing and contributing to IDP policy at the national level, and working for its implementation at the local level, which can then contribute to policy reformulation at the national level, to be a highly relevant, coherent, effective, efficient and ultimately sustainable approach and strategy, as described below.

Support for Afro Communities Protection Plans: The evaluation team travelled to Tumaco to review NRC's "Afro Strategy" and meet with representatives of the Community Councils, IDP groups and Territorial Planning Councils, as well as members of the adult students in the *Etno-Bachillerato* (Ethnic High School Diploma) program who were benefiting from the "organizational capacity building" supported by NRC. Of the Afro-Colombian Community Councils, the evaluation team was able to hold discussions with representatives of RECOMPAS only, due to the fact that RECOMPAS has a local office in Tumaco, although at least two other community councils have participated in activities with NRC. NRC in Tumaco is implementing an Afro Strategy, which involves communications and training on the content of the Court Order 005, organisational strengthening for the Community Councils and IDP organisations, the development of Prevention, Protection and Assistance Plans for Afro Communities.

Key results identified by the evaluation team are as follows:

The evaluation team finds that NRC's presence and new office in Tumaco is highly valued by partners and important to the prevention, protection and assistance of IDPs. In past years, UNHCR and OCHA both maintained a presence in the town, which is a gateway to many Afro-Colombian coastal communities that have protection risks. Due to budget cutbacks, however, NRC is currently the only international organisation with an office and permanent presence there. All local partners insisted that NRC's role and presence in Tumaco is very important to advancing the rights of Afro-Colombian communities in relation to displacement.

NRC's presence and activities are in line with NRC's role and mission, have a clear value-added, and allow NRC to bring relevant information and good practices both to its advocacy work with the Constitutional Court and state institutions in Bogotá and to its role as co-lead of the IASC Protection Cluster.

Based on NRC's field presence, it was able to invite the Constitutional Court representatives in 2008 to visit the Pacific coast and hear directly from IDPs about their situation, as a lead-up to the Court Order 005 of 2009.

NRC has been working effectively to disseminate to the Afro-Colombian communities in Nariño the content of Court Order 005, which directly relates to their protection and humanitarian assistance. "Moving information" between national and local levels is found to be a key role of NRC, adding special value to its work in the field.

Due to the geographic isolation of the coastal Afro-Colombian communities and the protection problems they face, NRC is playing a protection role that no other actor is currently able to replace.

NRC, with funding from SIDA and NMFA, in coordination with OCHA, UNHCR, and the Ombudsman Office, organized in 2009 a number of workshops on the content of the Court Order 005 and on the responsibilities of the government in the municipalities of Mosquera, Policarpa, Barbacoas and for the Community Council of *River Gualajo*. Participation included 163 representatives from the organizations *Asocoetnar*, *Recompas y Copdicon*. As mentioned above, Afro-Colombian communities and their leadership have seen this as a key contribution from NRC. According to one community representative: *"Thanks to NRC, people in my community are starting to know their rights and to articulate them. In these places along the coast there are no entities, the people are very cut off. To hear them talking that there is a Court Order of the Constitutional Court for their protection, that they know what it is and what it means, is a big change and we need to keep going, informing and educating them."*

NRC's role in disseminating the contents of the Court Orders (Autos) is found to be particularly valuable and important, and a niche that few, if any other partners, can fill. Not only in Nariño, but also in all field offices, the evaluation finds that NRC staff appears to be good at translating the Autos into ordinary language that is accessible to communities and IDP groups. The evaluation team validated with representatives of RECOMPAS that the communication strategy on Auto 005 has been effective. This strategy utilizes posters, poetry, a handbook and 27 radio spots explaining and giving information about the Court Order and its implications in simple terminology. All the radio spots have been broadcast over community radio stations and have reached the populations in question. NRC's participation in facilitating through mass media the messages of the Court Order 005 has been seen as having positive effects in the communities where people would otherwise have no idea about the obligations and responsibilities of the government towards their safety and humanitarian assistance in case of displacement.

Recommendation: Based on pedagogical models developed with NRC support, NRC could have an important role in helping to disseminate the content of this information well beyond the borders of Nariño, to other affected Afro-Colombian populations along the Pacific Coast in Cauca and Choco. NRC could be looking in the coming period to scaling up its good practices and pilot initiatives to have a broader impact, beyond the Afro-Colombian communities in Nariño alone.

Strengthening the relationship/dialogue between Afro-Colombian Communities and the Government for 'Prior Consultation': As instructed by Constitutional Court Order 005 of 2009, the government needs to design and implement a specific plan for attention to Afro-Colombian communities as subjects of special constitutional protection. This should be done with community participation and in respect of their locally constituted authorities, represented by the Community Councils. However, the government has not started a process of consultation with the communities at the Pacific coast of Nariño for the development of such plans, partly because the Afro-Colombian communities believe that it is their role to initiate these consultations, and the government believes it is its role to initiate them.

The current stand-off has not been helpful in moving forward direct talks between the government and the Afro-Colombian communities as envisaged by the Autos. For the time being, NRC is acting somewhat as an intermediary. While this role is important to move things forward and towards direct talks between the parties, NRC should overcome the impasse as quickly as possible. According to one spokesperson for Afro-Colombian communities: *"Right now, NRC is working with the Embassies and other levels of the government to move things forward. They are the only ones working for us in this way. NRC continues to be the only one in dialogue with the government on our behalf. But eventually, the discussion has to be directly between the government and the rural and urban Afro-Colombian communities. NRC's should be increasingly working to push the parties to work directly together."*

Design of Community Prevention and Protection Plans: Partners value NRC for its technical support in the development and design of the Self-Protection Plans called for in the Court Order 005. The evaluation finds this form of support to be a highly relevant and valuable contribution by NRC, in line with its mission. A point clarified with spokespersons for RECOMPAS is that NRC is not working the full "*Planes de Vida*" with the communities, but rather on a more limited "*Planes de Prevención, Protección y Asistencia*" which are specific to the mission of NRC in the context.

Organisational Strengthening of Afro-Colombian Community Councils and IDP Organisations: NRC's approach has been to strengthen the Community Councils and IDP organizations through direct technical assistance, support, and training carried out by NRC staff, as well as the provision of a more formal education in the form of the Etno-Bachillerato described below. Of these two approaches, NRC appears to be more effective and relevant in the former than the latter.

The evaluation visited the weekend school of the Etno-Bachillerato where some 200 adult learners were studying to get their secondary diploma, with the support of a new Afro curriculum being developed by RECOMPAS and UNAD (*Universidad Nacional a Distancia*). This participation overlaps with the initiative of NRC Colombia's Education Program, funded by CIDA, to develop an Afro-centered Education Model to provide a culturally appropriate alternative education for Afro-Colombian communities. This was an important activity, from the point of view of project participants and the Community Councils, both to safeguard their culture and to help adult learners return to school and get their secondary diploma, and to do so in an environment that values and reflects their own culture.

While this was seen as a valuable initiative, apart from the fact that NRC was contractually obliged to implement this initiative under the CIDA-funded education project, it was hard for the evaluation team to understand how this initiative reflected either the objectives of the Public Policy Program, nor the objectives of NRC's Education Program on behalf of IDP children and youth. Beneficiaries were neither children/youth, nor IDPs. While giving community leaders a chance to get their high school diploma could be seen as a form of organisational strengthening, it seemed to be taking NRC rather far from its mandate. Overall, the evaluation team strongly questions the relevance of NRC's involvement in the Etno-Bachillerato program.

NRC Colombia's work with Indigenous Communities of the Awa in Nariño and the Chimila in Magdalena: In 2010, in line with the Court Order 004 in support of indigenous communities, NRC Nariño and Magdalena offices began a process of working with Indigenous communities extremely vulnerable to the effects of the armed conflict and at risk of displacement either within or outside their territories. The stated objective has been "to participate in the design of a *Planes de Salvaguarda*" (Safeguard Plans) which encompasses a mechanism to prevent displacement and to protect and assist communities affected by forced displacement". The evaluation finds that it would be more appropriate and correct to simply say that NRC would provide technical support and facilitation of a community's prevention and protection plans, since the overall *Planes de Salvaguarda* are an internal community affair that are ultimately the responsibility of Indigenous communities and leadership.

The evaluation team was not able to visit the Awa community outside of Pasto, fortunately or unfortunately, as this community appears to be somewhat over-visited. The Awa, caught in the territorial struggles of the FARC, ELN, Armed Forces, local police and paramilitary groups have been facing serious protection problems. Our understanding from NRC staff is that the scope for NRC's assistance among the Awa has been limited, due to the fact that there are so many other agencies trying to assist and accompany this population, based on the same Court Order.

As many of the UN agencies and IASC members are present in Pasto, IASC has called for a coordinated effort to protect the Awa. But many organisations all trying to find their place and work with fragile traditional organisational structures may not be the best strategy for ensuring longer term protection of an indigenous

people on the brink of extinction. It will be advisable for NRC, with time, to monitor the comparative results of its work and determine whether its resources are best used where everyone else is, or where no one else is. At the very least, it appears to be an odd interpretation of the concept of inter-agency "coordination" to have numerous agencies working with one indigenous population, when there are no organisations working with other similar populations also at risk.

On the other hand, NRC's Magdalena office has been working with the Chimila indigenous people, a population of some 1500 persons or 220 families, in four dispersed communities in two Departments (Magdalena and Cesar), in an area in which no other NGOs are active. The Chimila have also been affected by the armed conflict and displacement, but to a lesser extent than the Awa in Nariño. In December 2009, a joint mission with the Early Warning System of the Ombudsman's office led to the Chimila leaders asking NRC for assistance to develop a Safeguard Plan for their people, in line with the Constitutional Court Order 004.

The work has been on-going and involves efforts to strengthen their weak organisation and to assist them to do their own protection diagnostic, covering costs of transport for community members to visit all four settlements, and food and technical assistance. NRC supported five assemblies to discuss: self-government, education and health, cultural identity, displacement and political participation mechanisms related to displacement. Out of this accompaniment, NRC was asked to continue work on behalf of the Chimila on the issue of "prior consultation" with the government, advocacy with the authorities on their behalf, as well as an educational plan to develop and introduce a special Chimila educational curriculum.

The Chimila authorities met with during the evaluation mission expressed that NRC brought the help that they had been needing, that the NRC Consultant working with them should not be taken away, but continue to work with them and accompany them, as she has become a member of their family and community. It was evident to the evaluators that without NRC support through its Public Policy Program, it would be difficult for the Chimila to get access to the information, training and organisational support needed to effectively advocate for their rights and understand how their needs might eventually be addressed through the existing mechanisms of the state. It appears appropriate, relevant, effective and efficient for NRC to maximize protection coverage by working in support of underserved indigenous populations, like the Chimila, of which there are many examples in Colombia.

Towards a new Public Policy Approach to the Education Sector: The needs, hopes and expectations of the Chimila from NRC are high, and most probably not in line with resources that NRC has at its disposal. The risk of creating dependency on NRC itself is also present. On the issue of indigenous education alone, the NRC could, as in the past, spend a lot of money to hire consultants and organisations to develop some special curriculum for the Chimila. On the other hand, NRC could follow the logic of the Public Policy approach that is so timely in Colombia, and has the advantage of connecting ethnic groups and IDPs with the relevant State institutions, thereby counteracting dependency. A Public Policy Approach for doing something in Education for the Chimila would look very different from how NRC has been working in the sector and would involve introducing relevant government partners (local, departmental and national education authorities) from the outset, facilitating and assisting Colombian authorities to apply their own laws, with the occasional small but relevant material contribution by NRC Colombia, as well as technical support from staff.

Recommendation: The evaluation recommends increasingly applying the Public Policy approach to the education sector overall in NRC's programming, starting with the Chimila community as a pilot case. The objective would be to facilitate and accompany joint Chimila and government leadership grounded in Court Order 004 on Indigenous Peoples, rather than creating a parallel project and service structure.

"Access to Land Entitlements for Women" related to Constitutional Court in Court Order 092 of 2008: As discussed in the ICLA section above, the pilot project on Land and Gender was initially planned to be part of NRC's Public Policy program, but in 2009 was transferred from Public Policy to ICLA. However, the evaluation

finds that the Public Policy approach remains highly relevant to the issue of property protection on the one hand and restitution on the other, as this issue is too broad and far-reaching to be effectively addressed through a casework approach alone.

This is the only case that demonstrates within NRC Colombia a sound understanding of the concept of "gender". Overall, NRC staff and consultants tend to view gender as being exclusively, or mainly, about women, thus ignoring boys and men as victims of the armed conflict with specific needs regarding protection and humanitarian assistance. The gender approach taken in the Land and Gender project is balanced and appropriate, focusing on the fact that both women and men are at risk when they do not have title to their land and home. While women are less likely than men to have land and property registered in their names, many men also do not enjoy full legal protection of their property.

Recommendation: In NRC Colombia, but also generally in Colombia, the concept of gender is not well understood. As will be further discussed below, NRC could, with proper training and conceptual work, be a resource at the national level as to how to conceptualize and analyze gender and its relationship to forced displacement in Colombia. Based on the experience with the Land and Gender Pilot Project, NRC should give clear feedback to the Constitutional Court that it would be appropriate for the Court, given its extensive order 092 on IDP women, to introduce an element of balance by analyzing also the specific risks, vulnerabilities and rights violations faced by male IDPs.

Recommendation: Given the scale of the problem of forced displacement in Colombia, it is recommended that NRC make the potential for scaling-up a clear criterion for any pilot project it might take on, identifying and involving appropriate government partners from the outset of the pilot, and building their sense of responsibility for and ownership of the results. In this sense, the "Public Policy approach" needs to be effectively reflected in all NRC Colombia project planning, to ensure the ultimate sustainability and mainstreaming of the pilot initiatives, tools, materials and trainings it develops. Short, medium and longer-term results indicators should be developed in the future to explicitly identify government participation, uptake and scaling-up as indicators of the longer-term success and sustainability of NRC initiatives.

Follow-up on the implementation of Court Order 006/2009 on persons with disabilities: NRC should receive due credit, among others who provided information and analysis, for its contributions to this Court Order on IDPs with Disabilities, which again is part of reshaping the debate around how the state should meet its obligations to different segments of the IDP population, especially one that is exceedingly vulnerable and most often overlooked. According to a spokesperson for the Constitutional Court, NRC has made key contributions to the development and monitoring of the Court Order 006 of 2009 on Persons with Disabilities:

- In 2008, NRC, along with *Acción Social*, University of the Andes (Grupo PAIS) and CODHES, requested and helped a technical session with the Constitutional Court to make visible the problems faced by disabled IDPs in Colombia.
- Then, in the lead-up to this court order, a number of workshops were held in different cities of the country, as well as in-depth interviews with different actors, and 15 representative cases of IDPs with disabilities were selected so that they could present their testimonies before the Constitutional Court at a hearing held 1st of April, 2008.
- NRC was also part of the presentation of a written report document that collected information included in a report the Constitutional Court.
- On January 6th of 2009, the Constitutional Court, based on information provided by PAIS and NRC among others, promulgated the Court Order 006, which identified the additional or distinct risks faced by the displaced population with disabilities and gave orders to the Government to provide solutions to the special needs of disabled IDPs, including improvements to the information systems and the creation of a special program on displacement and disability to respond to their specific problems.

- A year-and-a-half after the Constitutional Court issued its Order 006, NRC and partners found that little action had been taken by the government. In 2010 and 2011, NRC and partners carried out a number of workshops, meetings and interviews to help monitor the impact of the Court Order and to raise awareness of its contents: NRC, PAIIS and CODHES signed a cooperation agreement with the intention to spread at a regional level the content of the Court Order 006.
- The project that took shape had the following objectives: 1. to make a diagnosis of the impact of the Court Order 006 of 2009; 2) to disseminate the content of the Court Order 006 and its implications for disabled IDPs; and 3) to enable disabled IDPs to make use of legal instruments available for the effective guarantee of their rights. To achieve this, a Consultant was hired to make trips to Cali, Tumaco, Barrancabermeja and Cartagena, during which interviews with local civil servants and NGOs were carried out, as well as workshops on the content and implications of Court Order 006 with disabled IDPs and their families, providing them information to take action in line with their rights.
- Three written monitoring reports have been presented to the Court on Order 006.
- NRC has also been invited by the Government to participate in various technical meetings to present its recommendations regarding government compliance, one of which is the issue of the IDP registry.

Working in support of IDPs with disabilities is a complex and challenging field, NRC does not currently have the capacity or the experience to undertake projects directly with populations of IDPs with disabilities. Bearing in mind the current limitations, it remains an important achievement that NRC is among the very few organisations which have ensured that the issue of 'ability/disability' not be forgotten in considerations of assistance and services to IDPs in Colombia. Overall the evaluation finds the results have been positive with potentially far-reaching implications, although much more needs to be done for IDPs with disabilities.

APP Objective 3: The inclusion of IDPs in public territorial policies and increased and effective enjoyment of rights

Impressive opportunities have been opened up for NRC's ongoing role, based on its contributions and efforts to implement the contents of the Orders being issued by the Constitutional Court. An evaluation of NRC's Public Policy program, approach and activities should not be limited only to the discrete results and indicators described in the SIDA funding application, but in a more holistic way, to the manner in which NRC's activities are internally and externally coherent, and the extent to which they address the root causes of many of the problems facing IDPs in Colombia and the lack of enjoyment of their rights.

Work within the priority municipalities and at the departmental level to strengthen local policy and administration of resources in favor of IDP rights represents a significant investment of time and effort by NRC Public Policy staff, travelling between isolated municipalities to meet with local IDP groups and government officials in order to improve the understanding and capacity to plan and budget for appropriate assistance to IDPs within their territories. In 2010, some 582 public servants responsible for the formulation and implementation of public IDP policy were trained and received technical support in 21 municipalities of Nariño, Norte de Santander and Magdalena.

Recommendation: As is highlighted in several places within these case studies, NRC Colombia's results statements and indicators generally do not do justice to the real significance of the work carried out, particularly with reference to the work on territorial policies and administration. In general, NRC's indicators should be revised to better measure the changes that have taken place for the different actors and processes that NRC is trying to affect.

NRC's Contribution to Court Order 383 on the role of Territorial Entities: In 2010, based on several years of information and careful analysis provided by NRC field offices and Bogota, as well as contributions by other actors, the Constitutional Court issued Court Order 383 dealing with the roles and responsibilities of territorial entities – i.e., municipalities, departments and national government – in addressing the rights of IDPs. NRC is directly mentioned and its reports directly quoted in the Court Order, thus signifying that the Court views NRC as an important and relevant information source on these issues, as confirmed by a spokesperson for the Court itself.

Transferring information on the content of the Court Order and building capacity at the local and departmental level for more effective planning and budgeting including the needs/rights of IDPs: The evaluation team can confirm that NRC staff has carried out hundreds of workshops, meetings and trainings. Some of these are informal and some more formal, but all address the pressing challenge to IDPs and authorities alike on how to effectively support and implement the rights of IDPs and the relevant Court Orders within the current planning framework and budgetary constraints.

The evaluation met in each regional office with a significant number of participants from IDP organisations, municipal administrations and territorial planning council members at various levels who have been involved in training provided by NRC. Unanimously, all felt that the contribution of NRC to building understanding of the government planning process, of the budgeting process at various levels, of the needs of IDPs within this process and the resources that are available at several levels to help meet these needs, represented a most significant contribution. Indeed, according to most participants, not only had the technical support and training received from NRC staff opened their eyes about the reality of planning and content of government budgets, which they had not known before, but opened up a whole new potential for participatory budgeting.

Many people who had been members of their Territorial Planning Councils for years, with the role and responsibility of being informed about the process and content of the budgets, said that before NRC had become involved, they did not understand the planning and budgeting process at all. Similarly, IDP leaders said that they had been trying to do advocacy with local governments for their constituents, but without the tools: *"We never knew enough before about the planning process to engage effectively and to make our voices heard in an informed way. Thanks to the training that we received, we understand better how to make a helpful contribution to the discussion, based on our rights and the planning mechanism that already exist"*.

NRC staff working in the Public Policy Program and providing the technical support to both IDP groups and local authorities is quite clear that, in order to be effective, its role must remain neutral. According to one staff member, *"Our role is not to take sides. It is only with the IDP organisations. We can be helpful if we base our work on roles, rights and responsibilities. If we bring clear, transparent information, then we are respected by both IDPs and the government and both turn to us to help find solutions"*. It is this role of NRC in providing clear, transparent information and technical support at the local level, based on an intimate understanding of the planning process, legal framework and the new Court Orders being issued at the national level, that is a very solid basis for NRC's work now and in the future.

Recognising this, NRC has made a sound strategic choice in its Public Policy Program to focus on assisting priority municipalities and departments, those most affected by forced displacement, in order to build their capacity to integrate appropriate plans (PIUs) and develop appropriate budgets to address IDP needs. This has been a gap that has been present, but not directly addressed by other NGOs in Colombia, for many years. Such measures, over the longer term, represent an important contribution to democratic governance, public access to information and ultimately to peace building, one that donors should consider a priority in Colombia.

Results in terms of improvements of tangible changes for IDPs: The results are becoming evident, and in the municipalities where NRC is working, budgets for attention to IDPs are gradually starting to increase. While the amounts are not yet sufficient, and NRC alone cannot take full responsibility for all the changes, the evaluation nonetheless finds this to be a quantitative result that should be recognized: in six priority municipalities in Nariño, for example, where NRC has been working, local budgets identified for assistance to IDP have increased by 26% overall.

The figures for Norte de Santander and Magdalena are not so optimistic yet, as in those two regions the work on the territorial budgets started only in 2010, and in Magdalena, the indebtedness of the municipalities poses serious obstacles to increased budgets. Still, in six municipalities in these two departments in which NRC started working in 2010, the 2011 budgets are higher for IDP assistance in 2011 than in 2010. Furthermore, since many municipalities do not actually spend the budgets allocated for assistance to IDPs, NRC is gradually making progress to ensure that funds allocated are effectively spent on the needs and priorities of IDP populations.

When IDP leaders were asked in the course of the evaluation to identify some of the changes they saw as a result of the increases in local budget allocations, various examples were given: in Fundación (Magdalena), IDPs mentioned the renovation of a transition house for IDPs, resources that had been allocated to small enterprise development, and new housing that was being constructed for them. In Ocaña, the mayor had used the municipal budget and government land for the construction of 100 new permanent homes for IDPs. In Tumaco, funds had been identified that had been used to facilitate access to education and health for IDP families. In brief, there were a number of examples provided that indicate that by focusing on strengthening the local planning and budgeting process and the inclusion of IDPs in this process, there were significant longer-term benefits to be gained for IDP access to and enjoyment of their rights.

4. IMPLICATIONS OF FINDINGS FOR THE NRC COLOMBIA PROGRAM OVERALL

4.1 VALUE-ADDED AND GOOD PRACTICES AS A BASIS FOR FUTURE STRATEGY

What emerges from the analysis above is that NRC's most impactful activities are those that **are 'system strengthening'** and contribute towards enhancing the capacity of those institutions and processes that are tasked by the Government to ensure that IDPs are able to access and enjoy their rights. Key areas in which NRC has made highly valued system-strengthening contributions are:

- **Information and analysis:** is a key contribution by NRC Colombia, as often IDPs cannot effectively advocate for their own rights. Moreover, government partners cannot access resources without detailed information about the scale and nature of the problems IDPs are facing. Both parties often lack the funding required to get the information that is needed, so NRC's contribution, in terms of funds and consultants is very significant.
- **Capacity building:** providing timely trainings and travel funds for all parties to understand, in simple terms, the content of the Colombian law and administration, as well as how this can be implemented in favor of IDP rights.
- **Accompanying,** though its regular field presence in priority municipalities, the implementation of existing laws and new Constitutional Court Orders.

It is hoped that this overview will inform the readers' understanding of the following sections of the report:

1. The evaluation finds that the introduction of the **Advocacy and Public Policy Program** in NRC Colombia has been a good practice. While NRC has always done advocacy work on various issues related to displacement, the APP presents an advance on past approaches, beyond what is often called in Colombia "assistencialism", towards a more rigorous understanding of state planning mechanisms, budgeting, what is required and not working within the government's implementation of its own laws and structures, and technical solutions as to how to address these gaps.

2. The interactive relationship created between contributing to the formulation of, monitoring of and development of pilot projects to address the content of Constitutional Court Orders is a good practice in 1) helping to shape the quality of public policy, based on NRC's field experience, and 2) ensuring that there may be a reality-check on national level public policy, and that it can be adjusted and corrected, based on practical efforts to implement it.

3. By focusing on the local municipal or departmental plans and budgets as an entry point for addressing IDPs' rights at the local level, NRC has opened doors to working with key partners, like the Inspector General's office and the Ministry of Finance who have a role to play at the national level in ensuring that all departments and municipalities in Colombia are submitting appropriate planning and budget documents.

4. By training and bringing ordinary members of the territorial planning councils to speak at the National Territorial Planning council meetings, it is helping to disseminate the experience to other municipalities. The development of a training module for public administrators with the *Escuela Superior de Administración Pública - ESAP* on Displacement issues, which was delivered in Nariño, is another good practice that speaks to finding new ways to reach future public administrators. However, NRC itself appears to have already forgotten its own successes, and has not maximized the investment in this module, or endeavored to ensure its

continuity beyond the trainings already given. In Norte de Santander, another field office contracted a local university to give a similar training, without giving continuity to the initiative with ESAP in Nariño.

5. Development and implementation of **communications, training and pilot projects to ensure that IDP subjects of special constitutional protection are aware** of the content of the Court Orders that concern them and are assisted to participate effectively in the next steps identified in the Court Orders themselves. One example is the training of isolated communities on the Pacific Coast with specific regard to the content of Court Order 005 on Afro Communities. The evaluation finds that, having developed these materials and a communication strategy, NRC Colombia should seek out partners in other Afro communities outside Nariño who can use existing materials to expand coverage and share the information.

6. NRC's role in strengthening the UAOs and the capacity of the government to offer high quality front-line services to IDPs: the evaluation finds that in terms of relevance, efficiency, cost-effectiveness, sustainability and coherence within the system established by the Colombian government for providing a first response to IDPs, NRC's work in favour of strengthening the technical capacity and services of this front-line response center is a good practice. While many municipalities do not have UAOs, they do have officers with responsibilities to provide a first response to IDPs. Although the evaluation lacks evidence to draw conclusions about the Law and Displacement Network, joint activities with the universities that strengthen the UAOs appear as good practices in cases where law students offer free legal services in the UAO or mobile legal clinics offer services in municipalities that have no UAO.

7. NRC's support, in the form of **information and analysis** furnished through a local consultant to the Ombudsman's office to permit a Resolution on the **case of land usurpation in Alto Mira Frontera**, is an example of good practice. So too are other small but significant expenses to help the Ombudsman from Bogotá to come to deliver the resolution in Tumaco. The work on cases of land usurpation is cost-effective: it exposes and addresses a fundamental cause of displacement in Colombia, which is the stealing of land. It also assists State officials, such as the Ombudsman's Office to perform their function vis-à-vis IDPs.

8. NRC's support **for capacity building of prosecutors on forced displacement as a crime** is a first step on the way towards a good practice. NRC Colombia could effectively expand and diversify the group involved in training on this theme. Bringing international expertise on the topic of forced displacement as a war crime would greatly enhance NRC's contribution to the current level of understanding in Colombia.

9. The Land and Gender project is a good practice as a pilot for its ability **to raise awareness of gender and gender inequalities** while also addressing the phenomenon of not having the land registered. It is also an excellent example of scaling-up. A pilot should not be undertaken for its own sake, and is really only meaningful once other institutions decide to replicate the model on a larger scale.

10. In terms of Education, the evaluation finds that NRC's efforts at integrating the flexible models developed to date into the Educational Plans of existing schools are good practices that need to be sustained, for example.

11. The progress made in six municipalities (Policarpa, Tumaco, Cúcuta, Ocaña y Santa Marta) to run the census of out-of-school children is a very good practice. It provides vital baseline data on this population, without which their situation and rights are easily denied. The piloting has been undertaken in very close cooperation and technical hand-over with the Education Secretariats. This kind of data also provides key input to advocacy efforts undertaken at local and national levels to include out-of-school children in education plans. This is the type of role that represents a clear value-added for NRC, which will ultimately permit better advocacy and a linking of existing/additional educational resources with identified under-served populations.

4.2 SOME LESSONS LEARNED

NRC Colombia's less impactful activities are the opposite side of the coin from its good practices. These are generally initiatives that have not been adequately planned and coordinated with State processes, personnel and institutions that can ensure results and sustainability beyond the pilot or exploratory phase. Included would be activities that are wasteful of NRC's scarce resources and credibility, or that may raise false expectations among beneficiaries about what NRC can do to help them. As noted above, the following represent lessons learned as identified by NRC staff and/or partners:

- The 2009 initiative to contract “Cooperación Nuevo Arco Iris” to carry out a study of land restitution cases that could be addressed in the framework of the National Restitution Plan was premature, as this Plan was only just being debated and had not been – and ultimately was not – approved. An important lesson from this exercise is that NRC Colombia should not engage in projects that create expectations among victims that the organization cannot fulfill. Projects should not be launched on the assumption that a particular law will pass.
- According to NRC staff, NRC could draw on its lessons learned from land restitution cases and returnee situations to firm up its security protocols for both NRC staff and returnees themselves.
- Regarding the CIDA education project, it appears that NRC was not well prepared to negotiate appropriate terms with CIDA when it negotiated a multi-year funding agreement with a management structure that was not appropriate for achieving the objectives; nor was it fully aware of the requirements and procedures for cost recovery and as a result, NRC funds were put in jeopardy; nor was NRC, it seems, fully cognizant of the expectations of the donor regarding work steps and deliverables, such as baseline data, a gender analysis and strategy and a rigorous application of a results-based management approach. An important lesson learned through the experience with CIDA is that most donors, especially when funds come from ODA rather than Humanitarian funds, are not as accepting as MNA and SIDA have been. If NRC wants to continue to take on projects with donors like CIDA, it will need to tighten up its project management and administrative systems.
- In terms of the Advocacy and Public Policy program, an underlying problem and root cause of several protection concerns is the National Registration System (RUDP – Registro Unico de Poblacion Desplazada). During the latter part of 2010, NRC undertook a study of the actual observance of the rights to be registered as an IDP and the corresponding entitlement to emergency humanitarian assistance. Conducted in the three regions where NRC has direct field presence (Magdalena, Norte de Santander and Nariño), the study has identified challenges with the inclusion of IDPs in the RUPD and it shows that “non-inclusion” is significant. However, approaches taken by the Advocacy and Public Policy program to date, namely to train the municipal “*personeros*” or human rights officers, who are the front-line officers who take the statements of IDPs and often do so poorly, have not been seen as successful. In 2009, training sessions held with the human rights officers demonstrated lack of awareness of basic human rights and humanitarian law concepts, lack of knowledge on norms and recent jurisprudence in the field of IDPs, and lack of respect for the rights and dignity of IDPs. They also presented difficulties in mobilizing and engaging this group. While further capacity-building regarding norms and jurisprudence and efforts to sensitize Human Rights Officers on the humanitarian aspect of forced displacement are still required, NRC needs to find new strategies for reaching this important group of public officers.

4.3 CROSS-CUTTING ISSUES FOR NRC'S COLOMBIA PROGRAM

4.3.1 PARTNERSHIPS

As we have seen from the sections above, NRC, across programs, is working with a wide range of partners. Some of these are “implementing partners” as they are contracted by NRC to perform certain services. Others are partners in the sense that they are engaged in certain common activities and advocacy initiatives together

– for example, government partners. The evaluation notes a series of themes and challenges for the NRC Colombia program having to do with perceptions of NRC by its partners.

Positive aspects of partnerships: The majority of NRC's key partners, including UNHCR, CODHES, and government partners are well-chosen, strong, effective and necessary to ensure the quality and sustainability of the work being carried out. In turn, partnership with NRC was considered by most partners interviewed to be a positive experience. Almost all partners, both representatives of the State and civil society, consider one of NRC's strengths to be its ability to carry out effective advocacy at the highest level of the Colombian government – with Embassies, Donors, the UN and other representatives of the international community – while maintaining a solid field presence in at least three departments strongly affected by forced displacement. Much of NRC's credibility is based on having sound information and experience in the field, based on its presence in remote and often isolated areas. It has been highlighted, for example, that this is a significant contribution to NRC's work within the Humanitarian Country Team.

NRC's presence is all the more valued when its staff is seen to be making a substantive contribution on critical issues around forced displacement. When asked whether NRCs had correctly identified priority issues on which to be working in favor of IDP rights, all partners felt that this was the case. Nonetheless, partners identified a number of issues where they felt there could be some improvement in the relationship with NRC.

Issues around Attribution and Recognition: NRC has been working for a number of years with some partners that feel free to approach NRC with a range of different proposals, based on their own experiences and expertise in working on different topics. In the course of the evaluation, the team frequently asked partners to describe how they began working with NRC. In many cases, partners saw it as their initiative to seek out NRC as a potential funder with specific project proposals, proposals which were then somehow absorbed into NRC's own program. Some partners felt that NRC could give more credit and show more transparency in identifying where the ideas and impetus for some initiatives originated.

Improving Coordination between Key Partners: Some partners are particularly crucial to NRC Colombia's current work program, such as the Human Rights Ombudsman's Office and the Inspector General's office. These supervisory institutions of the state in turn work closely with each other and with UNHCR on all issues related to forced displacement. Both highlighted frustration at the national level and also at the local level, at the lack of coordination between themselves, NRC and UNHCR. Several cases were mentioned in which there were too many trainings on similar subjects, in that NRC would offer a workshop on the same day or in the same week as a similar workshop offered by UNHCR. Due to the lack of coordination, some workshops and meetings were more poorly attended than they would otherwise have been. In other cases, the Ombudsman's staff was not aware of relevant trainings and meetings that NRC was carrying out with the Inspector General's office.

Recommendation: It was recommended that NRC seek resources to help facilitate quarterly coordination meetings between itself, the Ombudsman's office, the Inspector General's office and UNHCR to develop and maintain joint work plans so that resources are not wasted, trainings are not duplicated and NRC, UNHCR and other key partners are able to work more effectively with these key state agencies. However, it would be dangerous for NRC to overextend its coordination role unless specific donor funds can be identified for this purpose.

Enhancing NRC's Institutional Profile: As mentioned above, in interviews, discussions and focus groups, it became clear that many NRC partners did not have a clear sense of NRC's mission and role. In the eyes of some, NRC and UNHCR were interchangeable. In one conversation with IDP leaders, it appears that they believed that they were participating in an evaluation of UNHCR, rather than NRC. In another meeting with a government representative, when asked about how they saw NRC, it was stated that the difference between

UNHCR and NRC is that: "UNHCR works more with communities, and NRC is the one that organizes the trainings". NRC's partners frequently confuse the two organisations, or see their roles as duplicating and/or overlapping in some way. While NRC's close partnership with UNHCR leads to many positive aspects and efficiencies, it would also be good for NRC to explore ways of effectively communicating the differences and similarities between the two organisations.

Capacity Building with Partners: Over the three-year period under review, NRC has faced a number of challenges in managing and building the internal capacity of the implementing partners it engages. Particularly in the Education program, NRC has elected to contract a number of implementing partners who demand a high degree of capacity building and support in management capacity. According to NRC staff, when NRC takes on new projects and partnerships, it does not sufficiently factor-in the time needed from NRC staff to orient and support, in administrative, financial and other ways, new partners. At the same time, NRC staff considers that the strategy of developing multiple partners is less "risky" than concentrating efforts amongst a smaller more stable number of partners. But the reality seems more complex. Between 2008 and 2010, NRC has had to strengthen the management and general institutional capacity of most, if not all, its implementing partners in the education sector. Indeed, today there are problems in the reporting system of some of them, which sometimes affects the good operation of the very projects they were contracted to implement. In one meeting with teachers contracted by *Observatorio para la Paz*, it appeared that they had not been paid for the past two months by NRC's implementing partner, despite the fact that NRC confirmed that *Observatorio* had already received the funds from NRC. This type of managerial problem can seriously hamper the sound implementation of NRC's activities, and put its own credibility on the line vis-à-vis its own donors.

Issues of ownership: NRC has also faced problems with partners over issues of the ownership of intellectual property that may affect the long-term viability and sustainability of the activities it undertakes. In two cases, one with *Observatorio para la Paz* and the other with *ILSA* there are some issues regarding ownership of the products, a pedagogical model and IDP database respectively, of activities funded by NRC which are now being sorted out.

Recommendation: The evaluation finds that NRC should review the composition and profile of its own staff and determine whether it has, or wants to have, the capacities required to manage a large number of implementing partners in the future. Most NRC staff members are strong technical officers, but few of those encountered are trained project managers with the specific profile in contracting, managing and capacity building with NGOs. As will be described below, for this and other reasons, NRC may want to reconsider its relationship to so many different implementing partners in terms of project delivery, and concentrate more on defining the deliverables of its activities based on the skills and capacities that it has developed in-house.

4.3.2 GENDER ANALYSIS AND MAINSTREAMING

The evaluation finds that while NRC staff members believe themselves to be gender-aware and able to conduct sound gender analysis as a basis for mainstreaming gender into NRC programs and activities, this is not yet the case. Not only in NRC, but also in many of its partner institutions, there is a strong tendency to take a "women-focused" approach as opposed to a gender-focused approach. Staff feels legitimate in this, since women are more frequently to be found among the living victims of the conflict. According to one NRC staff person, "You can see for yourself - 80% of victims asking for Reparations in relation to the Peace and Justice Law are women". While this statistic can be true, as is the fact that historically there has been a lack of attention to women's specific forms of victimization in Colombia's armed conflict that needs to be corrected, a real gender analysis should consider both women's and men's specific forms of victimization and seek protection for both. The reason why 80% of the victims before the Peace and Justice Law are women is that their men have been killed or disappeared, implying a prior lack of protection for their rights. For now, in

Colombia, for NRC and others, like the Constitutional Court, men are totally absent from discourse and analysis. This is something that NRC should seek to correct.

NRC's Gender Policy of June 2007 provides a sound basis for an NRC Colombia gender policy. Under its Approach section it clarifies that: "*A gender perspective can help to better identify, monitor and advocate the protection needs of vulnerable groups, including women and men, boys and girls, elderly women and men. A gender perspective is not equivalent to addressing the needs of women only. Neither does it mean setting up individual projects for women only. The integration of a gender perspective is a step towards improving the effectiveness of NRC's programs and advocacy on behalf of IDPs...*"

An exception, pointed out several times above, is the Land and Gender pilot project that has approached the concept of gender as being about both women and men, and deepening the analysis by participants of their own gender biases. It points out that women and men both suffer when they do not have legal title to their land, and can both be dispossessed. It also encourages participants to examine their own attitudes and see that real protection, for women and for men, is to have both recognized as property owners.

On the other hand, in the CIDA-funded Education Project, which should have mainstreamed gender analysis in all aspects of the project from the outset, it is only currently being built into the pedagogical materials of the FEMs by a special gender expert hired by NRC and SCC, and this, according to CIDA, only at the insistence of CIDA itself. Interestingly, NRC has recently signed an agreement with the Sub-program for Women and Gender of the Secretariat of Government of the Department of Nariño to develop teacher training and a module on gender, with a relational focus, which includes boys' and girls' perspectives, for the flexible education models, but the evaluation finds that before teaching others about a gender mainstreaming approach, NRC Colombia needs to become better trained itself.

Recommendation: The evaluation highly recommends the gender approach taken in the Land and Gender project, and encourages NRC Colombia to invest in gender training for all its staff that focuses on gender analysis at the project inception phase (including participation of both men and women); of monitoring project participation and performance using gender disaggregated data, and of challenging partners, including the Constitutional Court, to take a more gender-balanced approach to analysis. The Colombia country program should review NRC's Gender policy, and in particular its Action Points, and ensure that its practice is in line with these. NRC could be providing more meaningful leadership among other institutions in Colombia on how to do effective analysis and mainstreaming on issues of gender and displacement.

4.3.3 COORDINATION WITHIN IASC

According to all sources interviewed, NRC Colombia is an exemplary, committed and hardworking member of the Humanitarian Country Team (HCT). As co-lead of the Protection Cluster and the Education Cluster, NRC is valued and respected by its partners. NRC Colombia is a key contributor to cluster coordination in those clusters in which it is involved, and has served as a bridge for assisting other INGOs, through its membership in DIAL, to become more active HCT participants. Unfortunately, no mechanism currently exists for evaluation of the performance of cluster lead and cluster partners, as well as of their contribution to the overall coordination performance. Accountability of cluster leads and partners would be an issue for which NRC could be advocating, although it is clearly a UN responsibility to deliver on this obligation.

However, from interviews carried out with OCHA, UNHCR, NRC staff as well as Colombian state partners, the HCT in Colombia is somewhat dysfunctional and still unable to ensure its basic function which is establishing agreement on common strategic issues related to humanitarian action in-country, setting common humanitarian objectives and priorities, and developing strategic and action plans. Despite NRC's efforts, it is neither responsible for nor in a position to address the dysfunctions that exist, which appear to stem more from the deficiencies of the Humanitarian Coordination itself. Evaluation participants involved with the

HCT generally considered that it was not performing its coordination function, and that in terms of the protection cluster at least, most meetings remain only at the level of information sharing, and have not yet graduated to the level of actual coordination and joint planning. This means that despite the significant time and effort spent in meetings, humanitarian coordination is happening directly between agencies and in other spaces, leading to a significant duplication of effort and waste of time. As we have seen in the discussion on Partnerships above, NRC partners like the Ombudsman's and Inspector General's Offices consistently said that, given the significance of their relationships with NRC and UNHCR and the reality and potential for overlap, there is an ongoing need to ensure their own coordination and action planning, distinct from the HCT and Protection Cluster.

According to a report of the Inter-Cluster Mission to Colombia carried out in June, 2010, there is still no common humanitarian framework which reflects the HCT collective understanding of needs and priorities. This is something of a shame, since the Inter-Cluster Mission made the same recommendations regarding a shared humanitarian framework during its 2006 mission. As a result of the lack of any shared framework to guide action:

"[...]humanitarian response has been fragmented and, at times, mutually unresponsive. The 2006 implementation of the cluster approach model designed for sudden onset crises does not reflect the needs of the Colombia context and has resulted in poor articulation between needs and response. In addition, there is a weak fragmented coordination framework with state institutions and civil society."¹⁷

The mission also noted, among other things:

- "[...] A fragmented Humanitarian Country team, with reported ad hoc participation of heads of agencies and NGOs in meetings. Some of the HCT members clearly questioned the value-added of the humanitarian coordination space. Further to this, the processes for discussion and decision-making rely on the presence of the HC who seems overstretched. There are no accountability mechanisms in place within the HCT but also vis-à-vis the field/regional HC.
- There were ambiguities about the role of the clusters and the value-added of humanitarian reform.
- Information management and support for this is generally weak across the entire Colombia response. Communication mechanisms between the HCT, the clusters, field Working Groups/roundtables and Government structures are not systematic.
- On Gender: Capacity and knowledge on gender in humanitarian action is weak. Although there is a strong will to integrate gender issues, there is little knowledge within the IASC on how to do it. The national Gender Roundtable is not formally integrated in the IASC structure, and has little focus on humanitarian action. Most interventions are implemented without a coordinated approach, and they are in the majority either targeted actions for women's empowerment or on sexual violence against women. This in turn is a result of a lack of implementation of basic prerequisite activities, such as the collection of sex- and age-disaggregated data in needs assessments...¹⁸

Specifically in reference to the Protection Cluster and therefore of concern to NRC, the Mission called for an overarching protection framework to be put in place to guide the implementation of humanitarian activities in the country, protection and non-protection alike. Due to the vast protection issues present in Colombia, protection related activities extend well beyond the realm of the humanitarian arena and that of the Protection Cluster, which is manifest by the number of assistance activities with protection objectives that are being implemented by non-protection actors. This implies a significant commitment of time and effort for NRC, among others, to ensure that such an overarching Protection Framework be developed and put in place.

¹⁷ IASC Inter-Cluster Mission to Colombia, July 2010. p.9

¹⁸ Ibid, p. 9-11

While many donors support – in principle – NRC’s role and leadership in HCT coordination, this is a time-consuming task. In practice, they do not agree to support this type of activity within the context of specific project funding. For example, CIDA made it clear to NRC that the resources provided under the education project it was funding were to be used to achieve project objectives only, and not to pay for NRC’s attendance and participation at numerous Cluster meetings. NRC cannot afford to self-fund the considerable level of time and effort borne in HCT coordination.

Hence while HCT coordination remains quite weak, a further doubt is whether greater cluster coordination would result in better humanitarian response, unless practical guidelines on the nature of coordination are provided. Two examples from SIDA-funded COFL0904-1004 would lead us to question this hypothesis: one is the experience of NRC’s protection monitoring in Vichada, which it appears was embarked on at the request of the Protection Cluster, but has borne few tangible results according to all stakeholders. The other is the case of the Protection Cluster’s engagement with the indigenous Awa community in Nariño where it seems that the concept of "coordination" is that all agencies present should all be working in support of the same population.

Recommendation: The evaluation supports the other findings and recommendations calling for the need to create a unified Humanitarian Framework and recommends NRC’s engagement, to the extent of its available resources, with UNHCR, in helping to develop and strengthen an overall protection framework for humanitarian work in Colombia, and to provide greater clarity to all actors on approaches to ensure protection, coordination and effective prioritization. However, once again, this work would need to be done with specific donor funds, since currently NRC does not have the resources to engage in such a large undertaking.

4.4 ORGANISATIONAL ISSUES

4.4.1 HUMAN RESOURCES, STAFF TRAINING AND RETENTION

The evaluation has been very impressed with the quality, technical abilities and commitment of NRC staff, in all its field offices, as well as in Bogota. It is an important moment for NRC Colombia to examine what is needed to ensure staff retention, as the period under review has seen staff turn-over and the arrival of new management.

There is more work needed to provide NRC Colombia management with the training and tools to ensure that they have comprehensive performance management systems linked also to project spending, that will allow them to easily monitor progress and results over time.

The year 2009 and into 2010 saw a high turn-over. According to the 2009 NRC Colombia Annual report, and validated in the field, *"2009 saw high turn-over of national staff in all regional offices, with the office of Magdalena most affected after the entire team either renounced/or did not renew their contracts in the latter part of the year. To replace departing staff members, a relatively high level of resources in the recruitment processes has been invested and an aim for the coming year is to ensure staff retention."*¹⁹ When the evaluation visited the Magdalena office, it was confirmed that the only staff that were not new to the operation were the driver and the housekeeper, and staff were anxious about answering questions about projects activities from only 2008 or 2009 that they had no knowledge or experience of. Such levels of staff turnover must be recognized as a serious cost to the organization in terms of knowledge, capacity and management time required for training and orienting a new team. It should be noted that the situation is improving and staff retention since January 2010 is stable and high.

¹⁹ NRC Colombia Annual Report 2009.

Recommendation: The evaluation recommends that after such a period of high staff turnover, it is time for NRC Colombia to do everything possible to ensure staff retention. Interviews with staff suggest that achieving this will have to do with:

- Building a common sense of identity and experience as NRC Staff: some staff interviewed felt that they had little knowledge and understanding of the organizational culture of NRC beyond their regional office or the country program and would like to know more about this organization as whole, and what is happening beyond their borders. NRC Colombia should communicate to staff, for example, about successful experiences and strategies that have been tried in other country operations so that as an INGO, NRC Colombia can project a more "international" experience and image.
- Staff feels that they continually have to learn on the job about complex legal and technical issues related to the work and would benefit from more staff training. While NRC does not have any significant training budget, the evaluation suggests strengthening co-training by other staff members and consultants, many of whom have a high degree of expertise and skill in specific technical areas. Some areas for staff training would include: higher-level English, even for those who have some English; Gender Analysis and Mainstreaming; Results-based Management and Project management overall, where NRC skills are weak, and technical trainings as new laws and Court Orders come out.
- Staff would like to have more knowledge and feedback from higher levels, both from NRC Colombia management and NRC Oslo, about the information and reports they send.
- Field staff, while appreciating the role of NRC Colombia management and decision-making, would like to contribute more towards the development of operational strategies and projects, based on their knowledge and experience.

4.4.2 PERFORMANCE MANAGEMENT SYSTEM

As highlighted above, the evaluation finds that NRC's current performance management system is not adequate or appropriate for the scale, number and complexity of the projects, programs and processes that it is trying to manage. As described above, there appears to be no coherent, long-term tracking of results over time, and each year's activities appear as if NRC has just arrived on the scene. In an initial meeting in Oslo it was commented by Headquarters' staff that the Colombia program seems very confusing to those who are not directly working in it. This is true, but is not the result of anything inherent in the program, but rather the lack of an appropriately structured management framework and the inadequate provision of tools by NRC for defining and measuring clear objectives, results and performance measures.

Recommendation: It is a strong recommendation of this evaluation that NRC at Headquarters level adopts a results-based management system as a means of supporting its country programmes and guiding staff and monitoring results in all programs, processes and activities that NRC undertakes.

4.4.3 MONITORING AND EVALUATION

Monitoring and evaluation is obviously a subset of the overall Performance Management System. The evaluation finds that across programs, the monitoring system is chaotic and fragmented, and the indicators that are being used from monitoring are generally only at the output level and are not at all helpful for identifying longer-term outcomes and impacts of NRC's activities. No reference is made to any kind of baseline for the purposes of later evaluation of progress being made.

In the case of the Education Program, the monitoring and evaluation tools used by NRC's local partners clearly require improvement. A consolidated system must eventually be handed over to the local secretaries of education, as well as to the Ministry of Education. Any monitoring and evaluation system in this program

should be integrated with the government's database of the targeted population, also pending development. The management of information on out-of-school IDP populations and the monitoring of the quality of the FEMs are ultimately key features to the sustainability of the overall FEM approach.

4.4.4 FINANCIAL MANAGEMENT, REPORTING AND ADMINISTRATION

While not a strong focus of this evaluation, an observation related to the discussion on partnerships and management here is that NRC has faced a number of challenges during the period under review, particularly in understanding and applying the financial rules, procedures and restrictions of a wide range of donors. In particular, we note that NRC Colombia has learned an expensive lesson in dealing with Canadian donors over the restrictions and requirements for funding that can be charged to the various funding agreements. NRC Colombia lost some \$50,000 USD due to lack of understanding of the financial rules and regulations. NRC Management and staff have drawn lessons from such experiences: *"We must always sit down with donors and go over the fine print to make sure we understand everything before we sign the agreement!"*

A lesson learned from the CIDA-funded Education Project is that most local partners have yet to exhibit effective and efficient management capacities that don't require a great deal of NRC support. The poor management abilities of some local partners generate higher administrative demands on NRC and divert personnel time from core program activities. These local partner inefficiencies have consequences on program effectiveness.

5. NRC COLOMBIA'S CURRENT AND FUTURE STRATEGIES

At a strategic level, NRC has, over the period 2008-2010, combined a strategy of direct project implementation aimed at addressing protection gaps, complemented by a set of advocacy and local public policy efforts intended to promote a change in policy and practice in compliance with Colombia's own national human rights standards, laws and administrative requirements. As it is appropriately based on the changing context, NRC Colombia's Operational strategy appears to be in a healthy transition that this evaluation strongly supports.

NRC Colombia Strategy 2007-2009

A brief review of NRC's Country Strategy from 2007-2009 suggested that NRC's past approach has been heavily oriented to NRC's role in closing protection gaps. To quote from that document, the strategy on Education focused on the *"Construction of flexible and innovative educational models (learning methodologies) for IDP populations is a strategic priority for NRC Colombia as long as such models are under-explored both in Colombia and elsewhere and not adapted (and scaled up) by Colombian authorities. The implementation will feed into and generate improvements in the models. NRC will provide access to quality education for displaced children and adolescents who are out of school and ensure their integration into the formal educational system."*²⁰

The strategy identified for ICLA at that time was: *"NRC will provide legal capacity-building for IDPs, win emblematic criminal cases asserting the IDPs' rights to material and moral reparation and carry out information and advocacy work to promote adjustments to government policies where needed, and encourage implementation of these policies and regulations. This is achieved through A) NRC teams providing legal and psychosocial assistance in urban centers with large-scale influxes of IDPs and through lending support to the government's Attention and Orientation Units (UAO) and offices run by the Catholic Church's Pastoral Social, and local IDP associations and B) NRC and strategic partners' (ACNUR, Procuraduría General de la Nación, Sisma Mujer, CCIJ, Codhes, Pastoral Social, Universidad Nacional) complementary and coordinated actions."*²¹

The evaluation finds that NRC's past statement of its strategy was more oriented towards the delivery of direct education and legal/support services to IDPs, through contracted partners, in the hope that in a very small way it would be in a position to help close existing protection gaps. Indeed, NRC's conception of its role at that time meant that there would be little realistic hope of an eventual exit strategy, because protection needs and gaps on such a massive scale would take decades more to address.

NRC Colombia's current and future strategy

Today, there is a more positive sense that through its own most strategic interventions and the adoption of the "public policy approach", NRC Colombia's efforts, combined with those of other actors and especially the state, could, in the foreseeable future lead to a great leap forward for the realization of the rights of IDPs. The evaluation has highlighted some possible avenues for NRC to increase the likelihood of its own effective exit strategy within the next five to ten years.

- Gradually reduce direct services to IDPs and make the support for public policy and its implementation a guiding strategy of NRC Colombia's ICLA and Educational programs, focused on capacity building, long-term institutional sustainability and mainstreaming piloted initiatives within the government's own practices and procedures. When NRC Colombia asks the question of how to undertake humanitarian action in the context of strong States, the answer is simply "work with the State", not in parallel or substituting for it.

²⁰ NRC Colombia Strategy 2007-2009, p. 5

²¹ Ibid, p. 6

- NRC Colombia could focus on fewer projects and invest more in multiplying and scaling-up of identified good practices. Understanding that NRC highly depends on donor agreements, the team considers that NRC has gained recognition in some key areas and that this recognition can allow it to start directing the destination of the funding to comply with its strategy, rather than directing its strategy to the available funding.
- Based on the development of its strong technical staff, NRC could redefine its projects in terms of the provision of technical support, accompaniment, and sound information and analysis. This would mean a reduction in implementing partners.
- NRC's decision to work closely with State institutions over the past two years has granted it growing credibility as an organization that can bring sound technical solutions, rather than hollow rhetoric. ICLA has succeeded in adapting itself to the particularities of the Colombian context, mainly its strong legal and political institutions. Moreover, NRC's presence in the field has helped it develop a relationship of trust with both government partners and beneficiaries.
- As elaborated in the previous sections, some of the projects would benefit from a revision based on their lack of relevance, strategic coherence, sustainability and/or security risks. With regards to relevance, the database does not seem to be an essential asset for ICLA itself or its beneficiaries. Restitution cases, as they are being addressed, imply unnecessary exposure of NRC's staff, and given the current context the involved leaders are by definition at risk. The support to drawn-out legal cases might not be sustainable for NRC in the long term.
- In terms of the Education Program, while NRC can be congratulated for having supported NGO partners and universities in the development of a range of needed Flexible Education Models that may be better adapted to out-of-school children and youth than more traditional educational models, the reality is that NRC's total investment of CIDA and NORAD funds over several years amounts to a relatively small number of learners who have benefited from these programs - really, a drop in the bucket when compared to the scale of the problems facing the educational system all across Colombia. A key challenge for a future strategy relates to whether it is possible to maintain the flexibility and quality of the model through a process of mainstreaming within the government-funded educational services and "scaling-up" to more municipalities and departments.
- Related, there are outstanding questions as to whether the Colombian government will be able and willing to pay more than the \$COP 1.6 million per student per year.²² These questions are critical in shaping NRC efforts in the coming years. One possible solution is to assist the government in the creation of a virtual component of the model, through the development of distance learning modules for teachers and students. While there are many questions related to local capacities and distance learning infrastructure, such an approach could diminish the operating costs of the FEM and also the number of hours required of individual teachers.
- While there is no doubt that education for IDP children and youth is important both as a right and as an immediate protection measure, the real question for NRC is how to have a meaningful impact, beyond a small number of learners, in terms that are embedded and sustainable within the educational system of a middle-income country with a great tradition of educational innovation and the existing content of Court Orders instructing the educational system to take specific actions on behalf of IDP children and youth. While it is beyond the scope of this evaluation to answer these questions for NRC Colombia, it is certain that if these questions were openly debated and questioned by NRC staff and partners, clearer, more effective, efficient and sustainable solutions could be developed.
- Looking forward, and bearing in mind that NRC still has another two years to complete the project and its agreements with CIDA and SCC, the NRC should plan for a hand-over of FEMs to the Colombian government as soon as the project is completed. NRC's role should be to advocate, inform and monitor implementation. NRC has an important role to play in generating both information required for good advocacy on the needs of IDP children and youth, and in high-level policy engagement. NRC

²² When asked whether there might be an economy of scale generated from expanding the model, it appears that this is not likely. Personnel from the *Observatorio para la Paz* insisted that \$COP 1.6 million was already less than the minimum required to cover the costs of all components of a student's participation (including transportation allowances, meals, teacher logistics, etc).

could also do advocacy for the development of more focused FEMs for early intervention in emergency situations.

6. CONCLUSIONS IN TERMS OF OECD-DAC'S CRITERIA FOR EVALUATING HUMANITARIAN ASSISTANCE IN COMPLEX EMERGENCIES

6.1 RELEVANCE

Overall, the evaluation finds that the themes and issues identified by NRC Colombia as part of its work program for the protection and promotion of IDP rights are highly relevant to the Colombian context. All evaluation participants highlighted the importance of issues of IDP access to legal advice, education, land restitution, public policy and administration, etc. There is hardly an issue that the evaluation team could identify that did not appear to be in line with the priority themes and issues of forced displacement. Further, NRC's field presence and regular contact with IDPs permit a sound level of analysis of the issues; where information is lacking NRC Colombia should be congratulated for going out, getting it, and making it available to others, such as policy makers, who need it for decision-making. NRC has produced high-quality reports and documents that have been seen as useful to multiple actors, but perhaps most importantly the Constitutional Court.

If there are questions that have been raised in this evaluation, they concern the approach of NRC to addressing difficult issues, for example, education for IDP children and youth, or the need for free/accessible legal services, from the point of view that it is NRC itself that should be delivering or contracting for the delivery of these. While NRC comes with an institutional culture of direct delivery of humanitarian assistance, of shelter, education, food and other basic needs in countries where poverty and disorganization prevents the state from assuming its role and responsibility for its own citizens, the Colombian context is richer in terms of resources and capacity to deliver improving levels of assistance, once the right institutions have put in place appropriate guidelines and measures, and these are understood and implemented at the community level. Therefore, where NRC is providing technical support, monitoring, accompanying, informing and educating both IDP organizations and state authorities, it is playing its most relevant role.

6.2 CONNECTEDNESS

NRC Colombia has contributed to strengthening the protection of the rights of the individuals and collectivities through its intervention and has been able to further build capacities to protect the target groups (indigenous, Afro-Colombian, women, children, persons with disabilities, etc.) where such capacities have been weak or absent. The NRC Colombia programs are generally aligned with both normative and programmatic needs, as identified, for example in Constitutional Court Orders addressing the rights and needs of IDPs, including women, children and minority groups. Moreover, it responds to articulated needs set out by federal, departmental and municipal public authorities. However, in the case of the Education Program, it appears that work to-date is not sufficiently connected to the realities of educational administration and its financing in Colombia, and that certain partners are currently unable or unwilling to assume financial obligations to sustain the existence and scaling up of the models that NRC has developed to cater to out-of-school youth. Less "connected" too is the Law and Displacement Network of the ICLA program. This could be re-examined in favor of more support for legal services via the UAOs, which are the front-line service center for IDPs to receive advice and assistance.

6.3 COHERENCE

The evaluation finds that the three core programs of NRC Colombia vary in their degree of internal and external coherence. APP and ICLA projects that work with and in support of national and territorial institutions, IDP organizations and the national legal and public policy framework, have helped NRC to gain the trust of beneficiaries, partners and institutions, all of whom consider that NRC is bringing a high level of technical capacity to addressing difficult practical questions that the State needs to be able to address if the vast majority of IDPs are to gain effective enjoyment of their rights.

On the other hand, the evaluation has raised questions and concerns about the internal and external coherence of the NRC's approach to IDP Education. The NRC has undertaken this on the basis of widespread consultations with partner institutions. They are co-leaders of the education cluster within IASC (together with the Ministry of Education and UNICEF). On the basis of an identified "gap", NRC launched the program in cooperation with local partners. However, there are a growing number of actors engaged in formal and informal education provision for IDPs (including RET), and future interventions will need to remain cognizant of these activities. The coherence of NRC's interventions should be increasingly judged within an overall approach to promote and support the role of government in assuming its obligations towards IDPs in Colombia, and not providing parallel services.

Recommendation: To be coherent with this logic, NRC's role in education would shift from direct provision of services to beneficiaries towards providing information, analysis, advocacy and technical support and solutions to the state. An accompaniment in the development and implementation of sound public policy on behalf of IDPs, be it in the field of education or in any other field, appears a sound and coherent strategic approach for NRC for the coming years.

6.4 COVERAGE

Coverage by NRC is necessarily limited by the challenges imposed by Colombian geography, the security situation, and of course by donor resources available to the operation. The evaluation finds that NRC field and regional offices are covering a significant amount of territory and many municipalities given the small staff size. NRC's regional offices and priority municipalities are well chosen, in line with priorities, municipalities, and the percentage of displacement-affected populations identified by the Ministry of Interior. In some field offices, staff feels that they are covering too wide an area, and are not able to do justice to the work or monitor the results adequately.

Recommendation: Ultimately, it is a recommendation of this evaluation that NRC seeks to reduce and streamline the wide number of initiatives if it hopes to achieve better staff retention.

In terms of NRC's Education program, since baseline assessments of out-of-school IDP children and youth are only partially undertaken, there is still no basis for saying what proportion of IDP children and youth are covered by the program. Overall, however, we know that coverage, which will likely not exceed some few thousand over several years, is minute in relation to the scale of the problem.

The evaluation finds that NRC's coverage could be significantly expanded by considering systematically how its pilot initiatives and good practices can effectively be taken up by state and other actors and replicated in more settings. This would represent a much better/more impactful use of NRC's resources in the long term than trying to do direct delivery to more IDPs in more municipalities.

Recommendation: If the concept of a "pilot" project has any meaning it is only because it tests a method that can later be replicated and adopted by others. If there is not a possibility of widespread adoption and

replication, then such an activity has little meaning and NRC should use these criteria as a guide to its initiatives at the grassroots level.

6.5 EFFICIENCY

From a cost-benefit analysis, NRC Colombia's Public Policy program is very strong. Using the model of direct delivery of services and inputs by NRC staff itself, the main cost factor is staff salaries, travel and some small costs to facilitate the participation of various actors in structured activities. NRC's role is to invest in highly competent staff and provide on-going training. Since there are no implementing partners, this program saves staff time that would otherwise be devoted to administrative complexities and management of other NGOs. Relative to the costs of operating the ICLA and Education programs, Public Policy gives generally good value for money.

By comparison, NRC Colombia's Education program relies extensively on a wide range of partners to implement its interventions – ranging from government to local organizations and universities. There continues to be some debate internally as to whether a wide or narrow spread of partnerships is most appropriate. It is difficult to establish with certainty the cost-benefit of the Education Program, owing to a lack of baseline data.

6.6 EFFECTIVENESS

As described extensively in Chapter 3 and 4 above, NRC Colombia has achieved a comparatively high level of effectiveness, in terms of meeting stated targets and results. Only a few initiatives undertaken, as described above, have not been effective or have had potentially negative consequences. NRC staff is working in many cases in unpredictable, difficult and dangerous conditions, hence the high level of achievement of planned activities and results is all the more to the credit of the organization.

6.7 SUSTAINABILITY

The Public Policy Program, with its focus on providing training, technical support and accompaniment to Colombian authorities and populations affected, is the most sustainable program approach applied by NRC Colombia. With the exception of the need to repeat certain trainings as municipal officials change or IDP or new leaders become active, the capacities and policies that are gradually being adopted and implemented will not likely disappear or be lost. Furthermore, as the level of understanding, transparency and information grows at the grassroots level about basic public administrative processes, such as planning and budgeting, and as ordinary Colombians see that they can have an effect on public policy and resource allocation at the local level, it will be increasingly difficult for other actors, armed or not, to undermine or set aside such processes. While NRC appears never before to have taken seriously the idea of a solid and realistic exit strategy, the evaluation believes that its Advocacy and Public Policy approach holds the key to a meaningful exit strategy, via support for sound, transparent, informed and well-implemented public policy in favor of IDP rights, that will do immense credit to NRC's work in Colombia.

On the other hand, the sustainability of some of the activities of ICLA and Education are not so clear. The lack of an exit strategy for some of NRC's activities has led to the engagement in open-ended agreements, which negatively affects the appropriation of the projects by partner organizations. Sustainability is also affected when ICLA and Education activities fail to fulfill the expectations of beneficiaries, consequently generating frustration.

ANNEX 1. TERMS OF REFERENCE

ANNEX 2. LIST OF PERSONS/ORGANISATIONS INTERVIEWED

TERMS OF REFERENCE

Evaluation

of NRC's country programme in Colombia

Annex 1

Project/Program:	COFY1001
Country:	NRC Country Programme Colombia
Period:	January – March 2011
Date last draft TOR:	30.09.2010

A. Programme background

1. CONTEXTUAL BACKGROUND

Colombia continues to be affected by a four-decade-long armed conflict that results in forced displacement and human suffering. Extrajudicial executions, forced disappearances, forced displacement, forced evictions, land dispossession, forced recruitment of children, arbitrary detentions, torture and other cruel and inhumane or degrading treatment, like sexual violence, are occurring in the country. All parties to the conflict, including guerrilla groups and organized armed groups, new and emerging illegal armed groups and state security forces, are responsible to different degrees for forced displacement, human rights abuses and violations and breaches of international humanitarian law (e.g. forced recruitment of minors, general and systematized practice of sexual violence, attacks on civil and medical targets, indiscriminate use of land mines etc.).

The situation of forced displacement in Colombia is among the most serious in the world. According to the Government, since the mid-1990s, more than 3.2 million people have been displaced. On average, in the years between 2000 and 2009 more than 300,000 persons were forcibly displaced. In 2009, official sources have put the figure at 126.000 displaced and reliable non-governmental sources have also observed a decrease, but put the numbers at 286.389 and the current and accumulated displacement figures to be close to 4.9 million.

The humanitarian crisis and the phenomenon of forced displacement have continued in 2010, and in particular in those parts of the country where organized and other armed groups fight for control over territory and populations and where state security forces have continued their offensives against the insurgency and other illegal armed groups. Military offensives and the entry of state security forces into areas controlled by organized armed groups, put civilians at risk, either directly or because of the response of the insurgency.

2. THE NRC COLOMBIA COUNTRY PROGRAM

The Norwegian Refugee Council started working in Colombia in 1991. Until 2004, NRC formed part of the international consortium Project Counseling Service (PCS). In November 2004, NRC withdrew formally from PCS and established independent programmes in Cucuta (Norte de Santander), Pasto (Nariño), Santa Marta (Magdalena) and a country office in Bogotá. This is also the office structure as of today in addition to offices in Ciudad de Panamá (Panama), Quito (Ecuador) and San Cristobal (Venezuela).

Colombia differs from other countries facing a complex emergency situation given the existence of a legal and policy framework formally protecting the victims of the armed conflict as well as the rights of individuals in situations of internal displacement. There is also institutional and public capacity within the State to fulfill its national and international obligations, but the framework suffers from gaps in its implementation. This means that the civilian population and /or victims of the armed conflict continue to suffer from violations and breaches of international law and many cannot enjoy the full exercise of their rights. The limited capacity of the State to provide protection for its citizens and habitual residents has also been noted by the overseeing bodies of the State (e.g. the Constitutional Court).

Another important characteristic of the Colombia situation is that victims of the armed conflict can benefit from a strong civil society and the existence of national non-governmental organizations that have the technical capacity and the will to strengthen the capacities of rights-holders to defend and claim their rights as well as the capacity and leverage to advocate for their respect and fulfillment with duty-bearers.

Thus, at a strategic level all of NRC's activities in Colombia have aimed at promoting and protecting the rights of the displaced population and the rights of other individuals of concern, regardless of their age, gender or social, ethnic, national, religious or other background. NRC has combined a strategy of project implementation addressing protection gaps coupled with a set of advocacy efforts intended to promote a change in policy, practice or law in compliance with international and national human rights standards. An operational NRC practice has been to further the capacity of rights holders to claim their rights and the capacity of duty-bearers to protect them through working directly with the affected population and through partnership activities with national and local partners (including institutions of the State and local authorities). Specific activities have been implemented within three programmatic areas: 1) Information, counseling and legal assistance (ICLA), 2) Education and 3) Advocacy and Public Policy.

NRC Colombia is also implementing a separate, small regional refugee program seeking to address the specific protection needs of Colombian refugees and persons in need of international protection residing in Venezuela, Ecuador and Panama, applying the same operational practice.

B. Purpose of the evaluation and intended use

The main purpose of the evaluation is to assess the relevance of NRC Colombia Country Programme (in all programmatic areas²³) given the context of an internal armed conflict, significant humanitarian needs and a State that fails to meet its national and international obligations.

²³ The NRC Colombia regional program is not subject to this evaluation since it represents a relatively small part of the overall Colombia programme

The costs of this external evaluation is significantly funded by the Swedish International Development Agency (SIDA) whose main interest is to evaluate activities which they fund and to that end the evaluation will have a specific and separate focus on the results of NRC activities that have been funded by SIDA. The scope of this part of the evaluation will depart from and be determined by the logical framework that has been proposed by NRC and approved for this project (Logical Framework attached).

The evaluation will depart from the OECD DAC's Guidance for Evaluating Humanitarian Assistance in Complex Emergencies, with a focus on the following criteria :

- **Relevance;** should first and foremost be measured against the actual human rights situation and the protection needs of the affected population. An important question to ask is how needs were assessed and whether objectives were formulated based on observed and/or perceived needs and whether the objectives are still valid. A corollary of this is to ask whether the method chosen in a given situation (for example implementation with a partner or institutional strengthening of the State) or activities were the most appropriate given the objective of the intervention (how and if the intervention further the realization of the rights of IDPs and were the right partners chosen?).

The evaluation team should also identify good as well as less good practice for the purpose of institutional learning and to inform future operations of other such projects.

- **Connectedness;** In the context of humanitarian action applying a human-rights based approach, the NRC program should be reviewed in the light of Colombia's Constitutional human rights protection for all individuals within the jurisdiction of national authorities and in relation to the specific constitutional protection afforded to certain categories of individuals (e.g. internally displaced persons and women) and certain population groups (e.g. indigenous groups). An important aspect to assess is whether NRC Colombia has contributed to strengthen the protection of the rights of the individuals subject to its intervention and whether it has been able to further install capacities to protect the target group where such capacities have been weak or absent? The evaluation should also ask whether NRC has been in a position to influence and support the implementation of rights-based public policies and whether such efforts have been coherent and coordinated with duty-bearers, overseeing bodies and other agencies.
- **Coherence.** To what extent has the NRC Colombia policy supplemented the protection efforts by other actors working towards the same goals? What role does NRC play in IASC and what is its specific contribution? Is the program complementary or contradictory to the other actors involved? NRC's activities should also be assessed regarding its coherence with national public-policies, in particular those related to internally displaced persons.
- **Coverage** is a demanding criterion in a country with enormous and significant unmet humanitarian needs. However, within NRC's areas of operation, are the program priorities based on comprehensive analytical exercises in order to cover unmet needs and reach those with most protection needs? How has the target group been able to participate in the formulation of NRC's goals and strategies? Likewise are the area of advocacy efforts and partners selected and prioritized according to the most significant protection needs?
- **Efficiency;** the evaluator is furthermore asked to look at how costs have been managed in relation to inputs, taking into account the organizational and geographic set-up and approaches and methodologies chosen. In a situation of significant humanitarian needs and competing priorities, it will be important to assess whether costs have been managed rationally or whether other and more cost-efficient approaches are available and to be preferred (while maintaining the technical quality of the interventions). The relatively extensive use of implementing partners and use of consultancies should be assessed and evaluated against this parameter.
- **Effectiveness;** the study will look at the country program's achievements; to which extent has the country strategy been adhered to and the yearly goals and objectives been achieved.

- **Impact/Outcome**, with due respect to a complex and multifaceted environment and an unknown number of underlying factors, it is almost impossible to isolate the impact of a single NGO program. A more appropriate measurement is therefore the outcome level. The evaluation shall examine outcomes measured towards goals set and benchmarks made, both in a qualitative as well as quantitative manner, and by consulting relevant stakeholders, including beneficiaries. To document unintended outcomes and impacts of the programme will be equally important.

Material Scope

A sample of emblematic interventions and activities (to be determined by the evaluators) should be assessed and evaluated according to their results and outcome. The evaluation team should develop specific evaluation questions to that end to be included in the inception report. Such an exercise includes a technical and methodological review of the intervention as well as assessment of actual practice (i.e. the use of participatory approaches; age, gender and diversity mainstreaming and a community based approach). The sustainability of interventions should also be looked into. To the extent that results and outcomes have not been reached as originally envisaged, the evaluators will be asked to document for such discrepancy.

C. Scope of work and methods

Scope:

The evaluation should target the existing NRC Colombia activities and interventions as they have been operating since 2008 and focus on NRC's core activities education and ICLA as well as NRC Colombia Advocacy and Public Policy programme. Whether other programmatic activities (NRC core or not) would have been relevant in a given situation should be addressed and explored under the section on relevancy (see above).

The methodology will include:

- **Desk studies.** As a general background, the evaluation team shall study relevant material, such as governing documents of NRC, relevant country information, previous evaluations (NMFA/NORAD 2006), the NRC country strategy for Colombia, Core Activity policies, NRC Gender Policy and handbooks, Country action plans, project applications, agreements, relevant reports, M&E data, Code of Conduct, security reports and relevant correspondences.
- **A 2,5 week field mission** to Colombia. The mission should include consultations (see next point) with target groups, NRC staff, and representatives of national and local government, national and international NGOs, donors and other partner organisations (including cluster partners).
- **Interviews with relevant partners and affected populations.** Consultations by phone, email and in the field will be held with beneficiaries (women, men, girls and boys), host communities, NRC staff (program and support staff), and representatives of national and local government, NGOs (international and national), donors and other partner organisations (including UN partners)

Evaluation principles:

The evaluation will be guided by the following ethical considerations:

- Openness – of information given, to the highest possible degree to all parties.
- Publicity/public access – to the results when there are not special considerations against this.
- Broad participation – the interested parties should be involved when relevant / possible.
- Reliability and independence – the evaluation should be conducted so that findings and conclusions are correct and trustworthy.

D. Issues to be covered

Based on the overall research questions and the purpose of the evaluation as stated above, more specific questions and indications of further issues to be covered should be developed by the evaluation teams in its inception report.

Throughout the evaluation process, focus shall be put on the following areas and cross cutting themes:

- Management and human resources
- Constancy: the level of constancy/doing what we planned to do (within time and budgets)
- Adaptability: the level of ability to adapt to changing external circumstances (sudden displacement etc) and other (changes in financial/donor relations etc)
- Gender sensitivity: mainstreaming procedures and resources available, to what extent are the special needs of women, men, girls and boys taken into account?
- Protection mainstreaming: procedures and resources
- Perception: how do the beneficiaries view the value, quality and quantity of the programmes?
- Involvement: to what degree and how are beneficiaries involved throughout the programme cycle?
- Do no Harm: is this captured through the project cycle? Does the set-up allow for the establishment of mitigation measures?

E. Evaluation team

The evaluation team will be composed of two international and one national consultant. All team members should have strong language skills in English and Spanish, both written and verbal.

The team leader will lead the work of the team through the evaluation and be responsible for completing the report.

The team should have solid and proven experiences from

- Knowledge of forced displacement, preferably from the region
- Evaluations of rights based advocacy and humanitarian assistance programmes
- Knowledge of gender sensitivity and gender mainstreaming approach
- Proven analytical skills
- Fluent Spanish skills

A Steering Committee has been established with the following members:

- Atle Solberg: Country Director NRC Colombia
- Berit Faye- Petersen: Programme Coordinator for Latin America, Caucasus
- Gry Ballestad: Acting Head of Section, Latin America, Caucasus and Middle East
- Andrea Naletto: Programme Director NRC Colombia
- Elisabeth Kvassheim: Director Human Resources
Lisbeth Pilegaard, Head of Technical Section
- Marcus Danbolt, Financial Controller
- Oddhild Günther: Senior Adviser, Evaluations
- SIDA

The main function of the Steering Committee is to select the external evaluators, review preliminary findings and recommendations and establishing a dissemination and utilization strategy.

Practical arrangements:

In regards to international travel and visas, the consultants will normally make their own travel arrangements. In some cases due to particular circumstances, the consultants are assisted by the Programme Coordinator/Programme Assistant. For travels within Colombia, NRC Colombia will provide necessary assistance linked to transport, security measures, accommodation etc.

F. Timeframe and budget considerations

The evaluation should be carried out during January – March 2011.

The evaluation team should start its work preferably by end of January. Field visits should take place shortly thereafter.

In the event of serious problems or delays, the team leader should inform the Steering Committee immediately. Any significant changes to evaluation timetable shall be approved by the Steering Committee in advance.

An inception report should cover a draft work plan with details on key questions of the evaluation and primary information needs, the methodology to be used and the work plan/schedule and roles/responsibilities of NRC and the consultant. The inception report will be shared with the Steering Committee before the consultants travel to Colombia.

The Evaluation Team will prepare a draft work plan/inception report to guide the assignment. The draft work plan/inception report will give details on, but not limited to: key questions of the evaluation/primary information needs, the methodology to be used, the budget required, and the work plan/work schedule of roles and responsibilities of NRC and that of the team as agreed upon by the two parties. With respect to the methodology, the Team will provide an initial indication of the following: how data will be collected, data sources, and drafts of suggested tools such as questionnaires and interview guides. The work plan/inception report will act as an agreement between the Team and NRC as to how the analysis is to be conducted and the deliverables expected.

The evaluation should be shared by the consultant with Sida and NRC at the same point in time. Both NRC and Sida can then provide respective feedback for finalization of the evaluation.

Expressions of interest should be forwarded to Oddhild Günther no later than 20.12.2010. A maximum of 5 pages summary of evaluation plan should be submitted with appendices of team member CVs and an indication of availability. NRC may wish to see substantive pieces of work and to check the references of short-listed candidates.

For further information, please contact Norwegian Refugee Council, Oddhild Günther, oddhild.gunther@nrc.no, telephone +4790744093.

Total budget frame:

NOK 400,000,-

The Swedish International Development Agency (SIDA) covers most of the evaluation costs.

G. Reporting

A draft report should be submitted according to an agreed timeline. The completion date for the Final Evaluation report will be April 10, 2011.

The size of the report should be approximately 40 pages (excluding annexes), clearly written in English, using Arial 11 font.

The evaluation report should consist of:

- Executive summary and recommendations not more than five pages
- Main text, to include index, emergency context, NRC mandate, evaluation methodology, commentary and analysis addressing evaluation purpose and outputs to include a section dedicated to the issue of particular lessons-learning focus, conclusions (not more than 35 pages)
- Appendices, to include evaluation terms of reference, maps, sample framework and bibliography
- All material collected in the undertaking of the evaluation process should be lodged with the evaluation manager prior to the termination of the contract.

Potential differences in opinion between team members regarding conclusions/ recommendations should be reflected in the report.

H. Follow up

The final evaluation report will form the basis for a management response. An action plan aiming at following up the recommendations provided by the evaluation team will be developed.

The main responsible for the follow up of CO level management response elements shall be the Country Director for Colombia. At HO level, the Head of Section for Latin America, Caucasus and Middle East is to ensure that the realisations of these plans are implemented, monitored and documented. The nature of the report will require responses and follow up from both field and HO – and this should be reflected in the management response plan.

Annex 2.

Interviews and Meetings Held During and after evaluation field mission - February 22-March 5 and afterwards

1. Mr. Atle Solberg (Country Director) and Mr. Andrea Naletto (Program Director)
2. NRC Program Management Team
3. Meeting with Ms Emma Nilenfors and Camila Moreno (SIDA)
4. CAJAR
5. Yngvild Berggrav (NOREMB).
6. Mr. Oscar Julian Guerrero, NRC Consultant
7. Mr. Raul Hernandez, Director "Opcion Legal."
8. Mr. Marco Romero, Director CODHES
9. Meeting with Andres Celis (UNHCR Protection)
10. Mr. Joshua Tabah, Counsellor (Head of Aid) and team (CIDA and Canadian Embassy)
11. Mr. Pete La Raus, Save the Children
12. Ms. Viviana Ferro, Ministerio de Interior
13. Jose Luis Barrero, OXFAM
14. Ms Maria Christina Umbarila, DIAL
15. Ms Claudia Toro, Vice-Rectora UNAD, *NRC Office*
16. Ms Rosario Ricardo, Education Officer, UNICEF and Ms Claudia Camacho, Secretaria Ejecutiva de la Mesa de Educacion,
17. Hernando Toro, Ombudsman Office, Unit for Forced Displacement
18. Natalia Jaramillo, MINEDUC
19. Ms Clara Elena Reales (Magistrada Auxiliar - Constitucional Court).
20. Ms. Elsa Maria Moyano, Head of Forced Displacement Unit, Office of the Attorney General.
21. Ms. Maria Jose Torres, Head of OCHA
22. Mario Gonzalez Vargas, Head of Displacement Unit, Procuraduría
23. Corporación Infancia y Desarrollo, Ms Julia Elsa Solano
24. Mr. Jorge Calero, Ombudsman/SAT
25. Ms Vera Grave, Observatorio por la Paz
26. Meetings with NRC Team in Pasto
27. Meeting with Ombudsman of Nariño (Raul Vallejo) and procurador regional (Juan Carlos Lagos) and procurador provincial (Jose Francisco Benavidez)
28. UAO, Meeting with member institutions of the UAO of Pasto and IDPs Leaders. (Ana Obando, Carmen Guacez, María Isabel Muñoz)
29. Meeting with Leaders of consejo territorial de planeación de Pasto, President of Consejo departamental de planeación, and Municipality of Pasto representative. (Mary Figueroa, Santiago Cortez, and Carolina Lara)
30. Meeting with Sub-secretaria de cobertura –Secretaria de Educación Departamental
31. Visit with UNAD
32. Visit to Bachillerato Pacicultor.
33. Meeting with the Secretary of Government of Tumaco and UAO Coordinator (Amanda Castillo, Claudia Gil)
34. Visit to Etno bachillerato (San Luis Robles)
35. Meeting with Tumaco NRC Team
36. Meeting with Pastoral Social (Tomas Valencia, Hermana Margarita Velez)
37. Meeting with RECOMPAS and Leaders of Afro Community Councils. (Jairo Ruben Quiñones, Alberto Gutierrez, Hilson Montayo)
38. Meeting With leaders of CTP of Tumaco (Mireya Oviedo, Leeder Rodríguez, Miller Angulo)
39. Resolution ombudsmen presentation content (funded by UK)
40. Meeting with leaders of mesa municipal de fortalecimiento a población desplazada de Tumaco (Elsy ferrin, Jader Chillambo, Marco Vergara, Miriam Valencia)
41. Meeting with secretaria de Educación de Tumaco, Sr. Keila Mendoza
42. Meeting with all program staff NRC Regional Office in Norte de Santander, Cucuta

43. Defensoría del Pueblo (Ombudsman Office, Norte de Santander)
44. Visit to UAO in Cucuta
45. Legal Aid University in Cucuta
46. Meeting with Project participants of the Tierra y Genero project
47. Teorema: Meeting with 4 OPDs, CTP, 1 Concejal and *Enlace*.
48. Dinner with Mayor and Secretary of Government and the UAO in Ocaña.
49. Meeting with female participants land project Zulia.
50. Meeting with Families from San Carlos and La Paz case and Head of INCODER (to be determined)
51. Meeting with IDP Leaders (Mesa de Fortalecimiento de OPD Fundación)
52. Meeting with Mariela Mejía, Acción Social link at the municipality of Fundación
53. Mr. Jacob Gutierrez (Analyst Ombudsman Office's Early Warning System unit - SAT) and Ms Sandra Moreno (Prevention, emergencies and Return - Acción Social).
54. Meeting with IDPs Leaders (Mesa Departamental de Fortalecimiento de OPD in Santa Martha)
55. Meeting with Traditional authorities and leaders of the Chimila Indigenous People
56. Gloria Calvo - Universidad Pedagógica Nacional. Colciencias e Instituto para la Investigación Educativa
57. Sergio Roldan, Consultant on Land Restituution.
58. Ana Lucía Maya Aguirre, Investigadora Instituto Latinoamericano para una Sociedad y un Derecho Alternativos - ILSA
59. Natalia Hernandez y Miguel Piaggio, abogados Comisión Colombiana de Juristas

CASE STUDIES AVAILABLE AT REQUEST

