

Evaluation of the Council of Europe Neighbourhood Partnership with Morocco 2018-2021

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bl & meyer
& sanz



European value(s)

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List of abbreviations

CEPEJ	European Commission for the Efficiency of Justice, Council of Europe
CoE	Council of Europe
Congress	Congress of Local and Regional Authorities, Council of Europe
CSO	Civil Society Organisation
DG I	Directorate General Human Rights and Rule of Law, Council of Europe
DG II	Directorate General Democracy, Council of Europe
ECRI	European Commission against Racism and Intolerance, Council of Europe
EU	European Union
GiZ	German Agency for International Cooperation
GRECO	Group of States against Corruption
HELP	Council of Europe Programme on Human Rights Education for Legal Professionals
IOM	International Organisation for Migration
MA	Morocco
MAE	Council of Europe Major Administrative Entity
NP	Council of Europe Neighbourhood Partnership with Morocco 2018-2021
ODGP	Office of the Directorate General of Programmes
OECD	Organisation for Economic Cooperation and Development
PACE	Parliamentary Assembly of the Council of Europe
SIDA	Swedish International Development Agency
ToR	Terms of Reference
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNODC	United Nations Office on Drugs and Crime

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1. Executive summary

This summary briefly presents the main **findings, conclusions** and **recommendations**.

- I. The Council of Europe (CoE) acting through the Office of the Directorate General of Programmes (ODGP) contracted the firm Blomeyer & Sanz on 23 February 2021 to conduct the independent evaluation of the Council of Europe Neighbourhood Partnership with Morocco 2018-2021 (NP).
- II. According to the Terms of Reference (ToR) the objectives of the evaluation comprised a summative (focus on assessing outcomes) and a formative dimension (lessons learnt and recommendations for the future NP with Morocco for the period 2022-2025).
- III. The evaluation was conducted on the basis of a mostly qualitative, question-based evaluation, focusing on the evaluation criteria of relevance, coherence, effectiveness, added value and sustainability. Data collection focused on seven specific projects, with data collection involving desk research, semi-structured interviews with partners, donors and CoE representatives in Strasbourg and Rabat and a survey.

1.1. Findings

Relevance and design of the NP

- IV. The NP is well aligned with Moroccan needs and priorities. NP support clearly speaks to relevant existing policy, strategy and normative frameworks in Morocco. Needs were also justified by processes of ongoing institutional and / or legal change, and new emerging needs.
- V. CoE projects are fully in line with objectives of the CoE's policy towards neighbouring regions, namely assisting legislative activity, implementing the normative framework and strengthening the institutional framework. The CoE has adopted a 'holistic' approach to project design, generally addressing the three main objectives of the CoE's policy towards neighbouring regions in parallel. Stakeholders also validated the alignment between the projects and relevant donor policies and priorities in Morocco.
- VI. Project implementation evidenced a strong degree of integration of the human rights-based approach and its four principles of 'Participation & Inclusion', 'Equality & Non-Discrimination', 'Accountability', 'Transparency & Access to Information'. At the same time, partner feedback suggested room for further strengthening the partners' understanding of the concept of the human rights-based approach.

VII. There have been strong efforts to involve civil society organisations (CSOs) in project implementation as partners, beneficiaries of project activities, and / or in the delivery of project activities. Effective approaches of ensuring the involvement of CSO actors included involving CSOs in Project Steering Committees, or ensuring that CSOs are part of the institutional set-up of relevant structures. However, partner feedback suggested potential for further exploring the benefits of involving CSOs.

Coherence

VIII. NP projects have demonstrated a strong degree of internal coordination and coherence, with NP projects benefiting from other CoE interventions, but also NP projects feeding into other projects. Projects covering different thematic areas benefited from internal exchanges between project teams on aspects such as gender mainstreaming.

IX. Similarly, the NP projects benefited from strong external coherence, with the CoE and donors such as the European Union (EU) ensuring coordination between 'related' interventions, supported by the EU, international and / or national donors and implementing agencies. However, there appears to be room for further strengthening the role of the partners in terms of assuming a more leading role on coordination.

Effectiveness:

X. Partners, CoE representatives and donors fully validated the achievement of immediate outcomes in line with the theory of change, that is the NP contributed to changes in capacities. Important immediate outcomes included an increased level of confidence of partners in terms of cooperating with an 'external' actor, in this case the CoE; enhanced levels of awareness of partners in the thematic areas covered by the NP and important changes in attitudes, e.g., partners are more willing to engage in exchanges on sensitive themes, and are now also more open to be exposed to experiences from the wider region, most notably from Tunisia. Changes in levels of understanding / knowledge are a further immediate outcome of the NP projects.

XI. In line with the expectations formulated by the theory of change, the NP has also made a strong contribution to first medium-term outcomes. First, looking at NP contributions to the expected outcome of 'Legislation aligned', there have been substantial efforts to assist partners on enhancing the existing normative framework. However, by the time of this evaluation, capacities of relevant stakeholders remained constrained, and these efforts have not yet seen the actual adoption / entry into force of new norms. The findings on the outcome 'Legislation aligned' clearly speak to the need for adequate timeframes for cooperation. In terms of the outcome 'Legislation implemented', understood in the wider sense of giving concrete shape to normative frameworks, partners provided a wealth of feedback on first outcomes. The NP has also made a strong contribution to the outcome 'Institutions strengthened'. Partners noted the enhanced visibility of institutions involved in cooperation with the CoE; institutions have benefited from enhanced internal communication and coordination as an outcome of engagement with the NP. Finally, in terms of NP contributions to

the outcome 'Channels of cooperation consolidated', partners continued to engage with the CoE on Conventions and monitoring mechanisms such as the Group of States against Corruption. However, this outcome is not observed across all Conventions that can be related to support under the NP. Moreover, the NP has strengthened levels of engagement in regional cooperation.

- XII. When discussing the effectiveness of the NP projects, stakeholders pointed to a series of factors supporting effectiveness. This included the expertise of the CoE; the existence of established 'tools', such as the Council of Europe Programme on Human Rights Education for Legal Professionals (HELP), and the 'contextualisation' of the tools to fit Moroccan requirements; the CoE's participatory approach to cooperation; 'ownership' of NP support by the Moroccan partners and counting with 'leaders' on the partners' side that are willing to engage in cooperation; the existence of a wider framework for cooperation in the form of the NP; the strong relationships with partners, often established in the context of earlier NPs (2012-2014 and 2015-2017), implying knowledge of each other's working methods and trust; systematic attention to communication and visibility; and the presence of the CoE in Morocco, via the CoE Office in Rabat.
- XIII. Turning to the factors that have constrained the effectiveness of the NP, these include some extent of political 'volatility' such as changes in political leadership within the partner institutions; partner resource constraints to fully engage in cooperation; partner approaches to cooperation, especially on activities regarded as 'sensitive', (hierarchic / top-down and formal); relevant partner structures or normative frameworks not being operational when the projects were launched.
- XIV. The CoE project teams have systematically promoted gender balance in all project activities, and this was not limited to projects with a primary target on women beneficiaries. However, partner feedback suggested room for further enhancing awareness of the need to ensure contributions to gender equality in all project activities.
- XV. Turning to gender mainstreaming of project activities and outputs, again, evidence of gender mainstreaming were identified for most projects. However, partners provided very limited feedback on questions on gender mainstreaming, at best referring to gender balance in terms of participants in project activities.

Added value

- XVI. There is strong evidence of the CoE added value. This added value is taking different dimensions, including the institution's capability of mobilising experience / expertise from its 47 member States; the 'strategic triangle of standard-setting, monitoring and co-operation', with partner feedback suggesting good knowledge of Morocco's engagement with different CoE conventions / partial agreements and 'institutionalised' arrangements for the sharing of expertise, and this knowledge acting as an anchor for cooperation; the involvement of relevant CoE institutions, thus mobilising political and / or technical support; CoE 'tools' and channels of

communication; and the parallel operation of the NPs with Morocco and Tunisia, allowing for the transfer of experiences between two countries sharing many similarities in terms of normative and institutional development.

Sustainability

XVII. The assessment of sustainability was constrained by the fact that projects were still underway by the time of the evaluation. To some extent, sustainability is supported by project activities designed with a view to sustainability. For some projects sustainability is supported by partner participation in CoE institutionalised arrangements, for example, the 'Partner for Local Democracy' status. A further factor supporting sustainability is the involvement of senior level partner representatives in project activities. However, there was limited evidence of sustainability being supported by partners allocating resources to sustain / develop existing outputs / outcomes or having 'exit strategies' in place, and partners generally referred to needs for additional support in the framework of future NP projects.

1.2. Conclusions and recommendations

XVIII. The NP with Morocco 2018-2021 has performed strongly against the evaluation criteria of relevance, coherence, effectiveness and added value, and to a lesser extent on the criterion of sustainability. This strong performance is testimony to the substantial experience of the CoE in conducting cooperation activities in challenging political contexts and with comparatively modest resources. Moreover, the NP 2018-2021 clearly benefited from the experience accumulated over earlier iterations of the NP (2012-2014 and 2015-2017).

XIX. The main recommendations include a further finetuning of project design and corresponding resource allocations; maximising efficiency by strengthening the CoE Office in Rabat; strengthening the understanding of partners of the concept of the human rights-based approach; exploring the benefits of involving CSOs with the partners; further strengthening the role of the partner institutions in terms of assuming a more leading role on coordination; strengthening communication and visibility, via a more systematic use of popular social media; further enhancing partner awareness of the need to ensure contributions to gender equality in all project activities and gender mainstreaming; systematically including project activities focusing on ensuring the sustainability of outputs and outcomes beyond the end of CoE support.

2. Introduction

1. This section introduces the evaluation report by briefly commenting on the evaluation scope, objectives and intended audience (Section 2.1), the methodology (2.2), constraints experienced in the course of the evaluation (2.3) and the structure of this report (2.4).

2.1. Evaluation scope and objectives

2. The Council of Europe (CoE) acting through the Office of the Directorate General of Programmes (ODGP) contracted the firm Blomeyer & Sanz on 23 February to conduct the independent evaluation of the Neighbourhood Partnership with Morocco 2018-2021 (NP). The intended audience of this evaluation comprises the Council of Europe, the Moroccan partners and the donors.
3. The NP aims *'to support the underway democratic reforms in Morocco, in particular to ensure that Council of Europe standards are taken into account in its legislation, and to bring its institutions and practice further into line with European standards in the areas of human rights, the rule of law and democracy'* (NP, page 9). This is framed in the wider framework of cooperation between the CoE and Morocco, aiming *'to assist Morocco in the process of democratic changes underway by helping the country to tackle challenges related to human rights, the rule of law and democracy'* (NP, page 6). The 'intended' budget of the NP amounted to EUR 11,992,505.¹ At the stage of the publication of the NP in 2018, European Union (EU) funding (with CoE co-funding) amounted to EUR 2,120,000, whilst EUR 9,872,505 remained 'unfunded'. At the time of the evaluation, the estimated budget was revised down to EUR 9.3 million. 60% of the intended budget was allocated to 'rule of law', 25% to human rights, and 15% to democracy.
4. The NP covers 22 areas of cooperation as shown in table 1 below. The NP builds on earlier cooperation such as the NPs for the periods 2012-2014 and 2015-2017 (and earlier cooperation dating back to the 1990s), and is set in the wider context of the CoE's policy towards neighbouring regions (2011) and its main objectives of assisting legislative activity, implementing the normative framework and strengthening the institutional framework. In the context of Morocco, cooperation

¹ On 31 December 2020, the Neighbourhood Partnership had received approximately EUR 8.6 million in funding.

with the CoE mainly speaks to the country's normative and institutional reform efforts following the country's reformed Constitution (2011) and the subsequent establishment of a series of independent bodies.

Table 1 – Cooperation priorities as presented in the NP

	Cooperation activity
Human Rights	National Action Plan on Democracy and Human Rights
	Human Rights Training for Legal Professionals
	Prevention of torture
	Equality and human dignity
	Anti-discrimination
	Campaign against hate speech
	Network of intercultural cities
	Children's rights
Rule of law	Independence and efficiency of justice
	European Commission for Democracy Through Law
	Common policies and standards
	Promoting freedom of expression and media pluralism
	Protection of personal data
	Action against trafficking in human beings
	Combating corruption, money-laundering and terrorism
	Combating drug abuse and illicit trafficking in drugs
	Combating cybercrime
	Combating the counterfeiting of medicinal products
Democracy	Parliamentary Assembly
	Local democracy
	Support for the Citizenship School of Political Studies
	Mediterranean University on Youth and Global Citizenship

5. The Terms of Reference (ToR, see Annex 1) designed an evaluation with a dual summative and formative perspective, referring to the following overall evaluation objectives:

- *to assess the outcomes achieved by the projects implemented in the framework of the Neighbourhood Partnership, and identify to what extent they have helped Morocco to move towards necessary reforms in line with the Council of Europe's standards and to advance on its democratic reforms;*

- *to provide a picture on the way the Council of Europe has implemented the projects (working/implementation methods) in the framework of the Neighbourhood Partnership, as well as on the obstacles faced, if any;*
- *to learn lessons from the way in which the Council of Europe managed the implementation of the projects in the framework of the Neighbourhood Partnership;*
- *to provide recommendations for the development of the upcoming Council of Europe Neighbourhood Partnership 2022-2025 to be based on lessons learnt and best practices;*
- *to assess the impact of the COVID-19 pandemic and the related restriction measures on the implementation of the Neighbourhood Partnership and the progress towards the achievement of its outcomes;*
- *to assess the degree to which gender has been mainstreamed through the implementation of the Neighbourhood Partnership;*
- *to assess the degree to which a human rights-based approach has been integrated in the Neighbourhood Partnership implementation.*

2.2. Methodology

6. The inception report for this evaluation presented details on the methodology, a mostly qualitative question-based evaluation,² focusing on the evaluation criteria of relevance, coherence, effectiveness, sustainability. Moreover, the added value of CoE support was reviewed. Section 3.3.1 presents the theory of change that guided the evaluation and Annex 4 notes the corresponding evaluation questions. Data collection focused on seven specific projects that were selected for in-depth evaluation (see Table 2),³ with data collection involving desk research (project

² Stufflebeam, D. (2002) 'Evaluation models' in *New Directions for Evaluation*, 7-98

³ The ToR suggest that the evaluation '*is based on a sampling of projects*' (ToR, page 4). The dataset used for the selection is the ODGP spreadsheet 'AP Morocco and Tunisia Management Table Board', shared with the evaluator on 9 March 2021 (and updated on 21 March 2021). This includes financial and implementation data for a total 'population' of 23 projects. The following criteria have been considered in the selection process: 'financial progress' measured in terms of funding spent ('Spent with adjusted LS') as percentage of funding available 'Secured budget envelop' and 'financial volume' measured in terms of funding available. Here the volume of funding is considered an indicator of the comparative importance attached to a project. Only projects with a budget over EUR 140,000 were considered. The projects were also reviewed against the following considerations: Coverage of the 'sectors' of human rights, democracy and the rule of law; Presence of different CoE Directorates / Entities (DG 1, DG 2, PACE, Congress); Interview feedback on themes considered to illustrate the cooperation particularly well; potential for comparison with projects funded under the NP with Tunisia 2018-2021.

descriptions and progress reports, see Annex 2) and semi-structured interviews with partners, donors and CoE representatives in Strasbourg and Rabat. The remaining projects were covered by a survey (see Annex 5 for the survey questions). A total of 27 consultations with partners, CoE representatives and donors were conducted between 7 April and 12 May 2021 (see Annex 3). Finally, this report addresses two sets of comments by the CoE on draft versions of the report.⁴

2.3. Limitations

7. The evaluation experienced a series of minor constraints. The collection of contact details of partner representatives proved more time consuming than expected. Moreover, whilst it was initially foreseen to conduct interviews throughout two weeks (5-16 April 2021), the requirement of organising interviews and the survey with the Moroccan partners in close consultation with Morocco's Ministry of Foreign Affairs, and the limited availability of all stakeholders meant that the interviewing period had to be extended by an additional three weeks, thus shortening the time available for analysis and report drafting. Moreover, in more general terms, partner interviewees lacked experience with external independent evaluations. This manifested itself in some level of restraint in exploring possible 'weaknesses' of the NP and / or obstacles to implementation. Whilst remote interviewing proved largely successful, several interviewees demonstrated signs of 'fatigue' with online meetings, e.g., not responding or responding late to requests for interviews, joining a meeting late or simply not joining the meeting. The evaluator addressed these constraints by mobilising additional resources for interviews and flexible (re-) scheduling of meetings. Whilst putting additional pressure on the evaluator, the limitations did not affect the quality of the findings or analysis. Future evaluations might benefit from ensuring that all relevant project documentation and interviewee contact details are readily available from the start of the evaluation and from organising additional inception meetings, e.g., a joint introductory meeting with all CoE project teams. Finally, further limitations specifically affected the evaluation of effectiveness and sustainability. These include the stage of implementation of the NP (many projects still underway); the partners' often limited understanding of evaluation methodology / experience with evaluation; and the limited availability of systematic monitoring data on the NP projects. These three constraints are discussed in detail under section 3.3.1.

⁴ The first draft of the report was submitted on 24 May 2021; CoE comments were received on 11 June 2021. The revised draft was submitted on 24 June 2021; CoE comments were received on 2 September 2021.

2.4. Report structure

8. The report is organised in three main sections, namely:

- this Introduction (section 2), including detail on the evaluation scope and objectives, methodology and report structure;
- the Findings (section 3), presenting findings per evaluation criterion, i.e., relevance, coherence, effectiveness, added value and sustainability;
- the Conclusions, Lessons Learnt and Recommendations (section 4).

3. Findings

9. This section presents the evaluation findings. The presentation of findings is organised by evaluation criterion, i.e.:
- Relevance – or the extent to which the NP addressed needs (section 3.1);
 - Coherence – looking at coordination of NP interventions with other relevant CoE interventions but also with support provided by other actors in Morocco (3.2);
 - Effectiveness – or the extent to which the NP triggered immediate and medium-term changes (3.3);
 - Added value – reviewing potential ‘competitive advantages’ of the CoE providing support (3.4);
 - and Sustainability – or the extent to which outputs and outcomes can be expected to last beyond the end of the project (3.5).

3.1. Relevance

3.1.1. To what extent are the CoE’s projects in line with the needs and priorities of Morocco?

10. The NP is well aligned with Moroccan needs and priorities. NP support clearly speaks to relevant existing policy, strategy and normative frameworks in Morocco, indicated by partners being able to identify relevant documents to substantiate the demand-driven nature of support. For example, in the context of discussing the project ‘Strengthening democratic governance at local and regional level in Morocco’ [referred to as *Local Democracy* in the remaining text], partners referred to the Charter on Decentralisation (2018), and the Reference Framework on Regions (2019). Similarly, for the project ‘Combating violence against women, domestic violence and violence against children in Morocco’ [referred to as *Violence against Women / Children*], stakeholders cited the National Plan on Equality and the National Strategy on combating violence against women.
11. Needs were also justified by noting processes of ongoing institutional and / or legal change. For example, for the project ‘Improving the functioning of justice in Morocco based on the tools developed by the European Commission for the Efficiency of Justice’ [referred to as *Functioning and Efficiency of Justice*],

stakeholders referred to the ongoing development of a judicial supervision system by the Public Prosecution and the need for support on the design of this system.

12. Finally, partners pointed to emerging needs to explain their demand for support, for example, support under the project 'Combating discrimination in Morocco' [referred to as *Combating Discrimination*] was explained with Morocco increasingly being a destination for migrants and this having entailed an increase in hate speech.

3.1.2. To what extent are the CoE's projects in line with the objectives of the Policy of the CoE towards neighbouring regions?

13. CoE projects are fully in line with objectives of the CoE's policy towards neighbouring regions. Indeed, table 2 shows the alignment between the seven projects reviewed in-depth and the main objectives of the CoE's policy towards neighbouring regions, namely assisting legislative activity, implementing the normative framework and strengthening the institutional framework. The table shows that the CoE has adopted a 'holistic' approach to project design, generally addressing the three main objectives of the CoE's policy towards neighbouring regions in parallel. Stakeholder feedback validated this assessment. Stakeholders also validated the alignment between the projects and relevant donor policies and priorities in Morocco. In the case of Norway, the full alignment is indicated by the long-standing tradition of supporting CoE cooperation and by the fact that funding is not tied to specific themes.

Table 2 – Alignment between CoE policy objectives and support under the NP

Specific objective of cooperation as formulated in the NP	Actions at the project level						
	Combating Discrimination	Violence against Women / Children	Cybersouth ⁵	Trafficking	Functioning and Efficiency of Justice	Local Democracy	Rule of law / Democracy
Assisting 'legislative activity': 'to continue the efforts made to facilitate the creation of a common legal area between Europe and Morocco, encouraging the authorities to bring Moroccan legislation into line with European and international standards and to ratify Council of Europe conventions open to non-member States, with due regard for the procedures set out in the relevant conventions'	✓	✓	✓	✓		✓	✓
Implementing the rules: 'to provide support to the effective implementation of new legislation in accordance with European and other international standards'	✓	✓	✓	✓	✓	✓	✓

⁵ CyberSouth – Co-operation on cybercrime in the Southern Neighbourhood Region is a joint regional project of the Council of Europe and the European Union, which supports the setting-up of legislative and institutional frameworks for combating and preventing cybercrime and enhanced capacities of law enforcement agencies and the judiciary in the Southern Mediterranean region, including Morocco

Specific objective of cooperation as formulated in the NP	Actions at the project level						
	Combating Discrimination	Violence against Women / Children	Cybersouth ⁵	Trafficking	Functioning and Efficiency of Justice	Local Democracy	Rule of law / Democracy
Strengthening the institutional framework: 'to provide support to the setting-up and to the effective functioning of human rights institutions and new governance structures; paying particular attention to the independent bodies created by the Constitution of 2011'	✓	✓	✓	✓	✓	✓	✓

3.1.3. To what extent has a human rights-based approach been integrated in the projects' implementation?

14. The CoE approached the integration of the human rights-based approach in implementation by ensuring respect of four principles, namely 'Participation & Inclusion', 'Equality & Non-Discrimination', 'Accountability', 'Transparency & Access to Information'.⁶
15. Project implementation evidenced a strong degree of integration of the human rights-based approach. For example, project implementation has adopted a strong participatory approach, involving relevant stakeholders in all stages of the design and delivery of activities. Section 3.1.4 provides further detail on the involvement of Civil Society Organisations (CSOs) and sections 3.3.4 and 3.3.5 discuss gender considerations. Partners and donors reflected positively on CoE transparency, including on the reporting of progress with project implementation.
16. At the same time, interviews with partners suggested room for further strengthening the partners' understanding of the concept of the human rights-based approach. Partners struggled to answer interview questions on the human rights-based approach, often conflating the concept of the human rights-based approach with contributions to strengthening specific human rights as an outcome of project implementation.

3.1.4. To what extent have Civil Society Organisations been integrated in project implementation?

17. There have been strong efforts to involve CSOs in project implementation. CSOs have been involved as project partners (*Violence against Women / Children, Trafficking*), as direct beneficiaries of project activities (*Combating Discrimination*), and / or in the delivery of project activities (*Local Democracy*). For some projects, such as *Functioning and Efficiency of Justice*, it was argued that the 'technical' nature of the project did not warrant for the involvement of CSOs as partners. A review of project documentation (project proposals / descriptions and progress reports) confirmed the inclusion of CSO actors in all projects except for *Functioning and Efficiency of Justice*.
18. Effective approaches of ensuring the full involvement of CSO actors included involving CSOs in Project Steering Committees, or ensuring that CSOs are part of the institutional set-up of relevant structures. For example, two of the 22 members of the 'National Commission for coordination of measures for fighting and preventing trafficking' (National Anti-Trafficking Commission in the remainder of this text)⁷ are CSOs, and

⁶ See the 'Checklist for implementing projects' in Council of Europe (2020) Human Rights Approach, Practical Guide for Cooperation Projects

⁷ Commission nationale de coordination des mesures de lutte et de prévention contre la traite des êtres humains

these two CSOs have the potential of ensuring outreach towards other CSOs ('Fight against trafficking in human beings in Morocco' referred to as *Trafficking* in the text). Similarly, the project *Violence against Women / Children* has trained CSOs and these will now contribute to disseminate projects outputs and outcomes, e.g., by drawing on project outputs in their exchanges with other CSOs not directly involved in the project, and / or in the context of their advocacy work.

19. Partner interviews suggested potential for further exploring the benefits of involving CSOs with the partners. Indeed, whilst most partners welcomed the involvement of CSOs, some partners did not answer questions on the involvement of CSOs in projects, including for projects where CSOs were involved as partners or direct beneficiaries or where there were plans to involve CSOs in the future. This suggests that partners had limited knowledge of the role of CSOs in general or in the context of the specific projects.

3.2. Coherence

3.2.1. To what extent have the NP projects been internally co-ordinated and internal coherence assured?

20. NP projects have demonstrated a strong degree of internal coordination and coherence. Indeed, stakeholders have shared detail of how NP projects benefited from other CoE interventions, but also of how NP projects fed into other projects.
21. There are many examples of coherence between CoE projects in the same or in related thematic areas. For example, the project *Local Democracy* benefited from exchanges with the NP project 'Inter-parliamentary cooperation' with a specific focus on strengthening the participation of women in politics. *Combating Discrimination* was closely coordinated with CoE work on media freedom with a focus on enhancing journalists' understanding of the borderline between freedom of expression and hate speech; moreover, the project used the methodology of the Programme on Human Rights Education for Legal Professionals (HELP), and vice versa, the project provided inputs on combating hate speech for HELP.
22. However, the CoE Office in Rabat also noted how projects covering different thematic areas benefited from internal exchanges between project teams on transversal aspects such as gender mainstreaming, for example, in the case of projects *Local Democracy* and *Violence against Women / Children*.
23. Finally, in the context of discussing internal coordination, stakeholders emphasised the important role of ODGP, noting that ODGP successfully established linkages between relevant projects.

3.2.2. To what extent have the NP projects been coordinated with other institutions and donors, and how do coordination efforts address duplication?

24. Just as with internal coherence, the NP projects benefited from strong external coherence, with the CoE and donors such as the EU (via the Delegation of the European Union to Morocco) ensuring coordination between 'related' interventions. Indeed, the CoE demonstrated strong awareness of 'related' interventions by other actors. This was achieved by mapping exercises at the outset of designing the projects, by organising / participating in thematic working groups, via Project Steering Committees, via bilateral meetings with other donors, by participating in each other's events, and / or disseminating outputs among relevant actors (donors, implementing partners, embassies, representations / missions to the CoE in Strasbourg). In this context, one donor noted appreciation of exchanges with both CoE headquarters and the CoE Office in Rabat.
25. Partners and the CoE noted synergies between interventions by a wide range of actors, including the Organisation for Economic Cooperation and Development (OECD) (for the project 'Strengthening the Rule of Law and Democracy in Morocco' [*Rule of Law / Democracy*]); the German Agency for International Cooperation (GIZ) (for *Local Democracy*); the EU, United Nations Population Fund (UNFPA), and UN Women for *Violence against Women / Children*, with the EU and the United Nations Development Programme (UNDP) on *Combating Discrimination*, with the International Organisation for Migration (IOM) and the United Nations Office on Drugs and Crime (UNODC) on *Trafficking*, with the EU, UNDP, and the Swedish International Development Agency (SIDA) for *Functioning and Efficiency of Justice*.
26. Some partner institutions noted their strong involvement in coordination and thus avoiding duplication, for example, for the project 'CyberSouth – Co-operation on cybercrime in the Southern Neighbourhood Region' [*Cybersouth*] or for *Violence against Women / Children*. However, there appears to be room for further strengthening the role of the partner institutions in terms of assuming a more leading role on coordination. This need was indicated by the fact that some partners were unable to identify related interventions by other donors. For example, in relation to the project *Local Democracy* some partners were able to note related interventions by other donors whilst other partners claimed that *Local Democracy* was the only project promoting democratic governance at the local level in Morocco. In other cases, partners demonstrated strong awareness of relevant interventions by different actors, but appeared to lack resources to lead coordination. This is the case of the National Anti-Trafficking Commission, with good knowledge of relevant interventions, but the EU leading on coordination. One partner noted its lack of information on the project *Violence against Women / Children*, despite its formal status as a partner. Further strengthening the role of partners in terms of leading coordination could focus on existing inter-ministerial / thematic working groups or the new autonomous bodies, including the various National Commissions established under the Constitution in 2011.

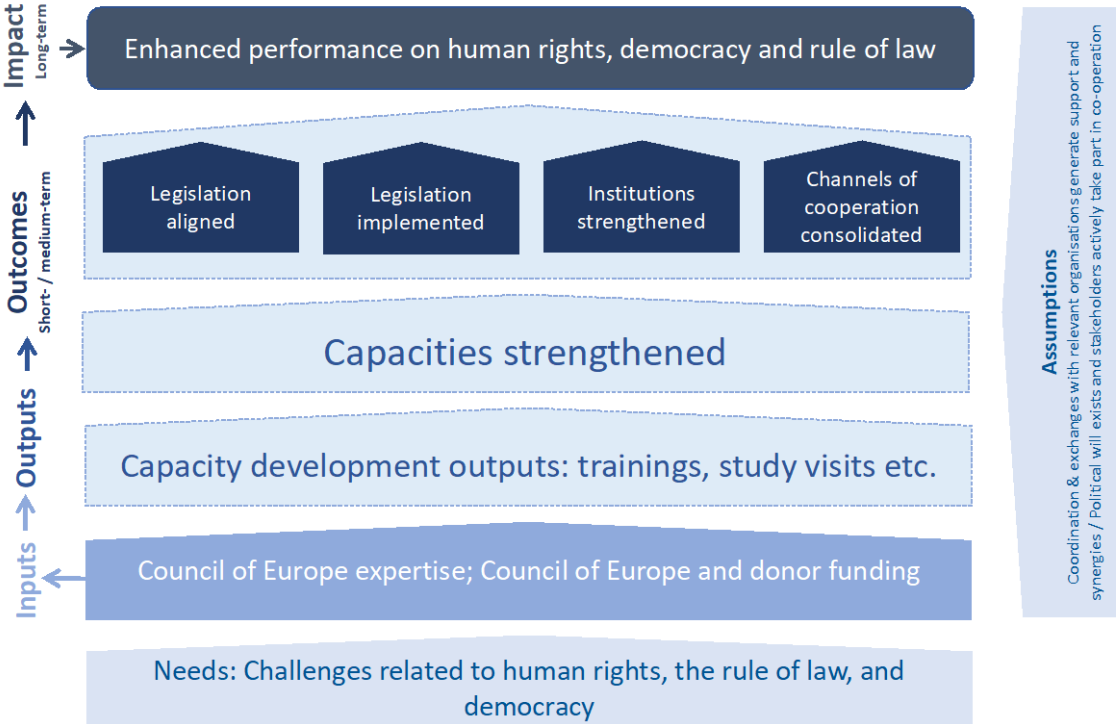
3.3. Effectiveness

3.3.1. Introducing the assessment of effectiveness

27. The evaluation criterion of effectiveness related to the achievement of outcomes, i.e., the extent to which objectives are being met. To set the context for the discussion of effectiveness, we briefly discuss the theory of change underlying this evaluation (as first presented in the inception report and validate by the evaluation).
28. Drawing on the review of the objectives for the wider cooperation with Morocco and the more specific objectives for the NP with Morocco, the following bullet points recount the theory of change for the NP.
- The CoE provides inputs in terms of expertise, and the CoE and different donors provide funding for projects.
 - At the level of output, this allows for the generation of capacity development outputs such as training events, study visits etc.
 - In the short-term, these outputs contribute to immediate outcomes, most notably, enhanced capacities among the partners. This can take the form of enhanced awareness, changes in attitude and / or understanding, or enhanced capability to perform a specific task.
 - In the medium-term this generates a series of further, more profound outcomes, namely, enhanced legislation, legislation implemented, institutions strengthened, and channels of cooperation consolidated.
 - Finally, in the long-term (impact), these outcomes will help the Moroccan partners to enhance their performance with regard to human rights, democracy and the rule of law as indicated by the citizens of Morocco benefiting from an enhanced situation in the three sectors.

The following figure shows the theory of change.

Figure 1 Theory of change



29. Before presenting the findings on effectiveness, three caveats are worth noting:

- Stage of implementation of the NP: This evaluation is interested in the achievement of the NP’s outcomes. However, it is worth noting that this evaluation comes at a somewhat early stage in terms of assessing outcomes. In general terms, the outcomes of capacity development, and most notably medium-term outcomes, can only be assessed some time after the intervention has been completed. However, at the time of writing this report, much of the NP support was still ‘ongoing’. Indeed, most projects reviewed in-depth will only complete their activities towards the end of 2021, and spending as a percentage of available resources varied between 7% (*Functioning and Efficiency of Justice, a project that was only launched end 2020*) and 77% (*Combating Discrimination; this project started on 1 April 2019 with a duration of 33 months*). This framed the ability of stakeholders to reflect on achievements. Moreover, support was affected by COVID-19, with many activities delayed. This means that the full extent of immediate and medium-term effectiveness will only become visible in 2022.
- Understanding of evaluation methodology: At times, partners found it difficult to differentiate between activities / outputs and outcomes. Whilst to some extent this can be explained by the fact that some projects are not yet completed, partner feedback also suggested room for further strengthening partner understanding of the theory of change underlying the NP. In more general terms, partner interviewees lacked experience with external independent evaluations. This

manifested itself in some level of restraint in exploring possible 'weaknesses' of the NP and / or obstacles to implementation.

- Availability of monitoring data: Finally, the assessment of effectiveness is also somewhat constrained by the absence of pre-defined quantified targets for the achievement of outcomes. The project documentation does not systematically quantify the intended outcomes of the different activities, e.g., to what extent (measured in numbers / percentages) will activities contribute to objectives. 'Standard' evaluation practice consists of comparing quantified targets for outputs and outcomes with the actual achievement. However, in the context of this evaluation a qualitative approach was adopted, taking the form of systematic stock taking of outcomes as reported by stakeholders, and validated via triangulation of feedback between different sources (in some cases, stakeholders provided interesting feedback that could not be validated on the basis of triangulation – this is noted in the text when references are made to a single source of feedback).

3.3.2. To what extent have the NP projects achieved their objectives?

30. Partners, CoE representatives and donors fully validated the achievement of immediate outcomes in line with the theory of change, that is the NP contributed to changes in capacities. Important immediate outcomes included:

- The NP brought about an increased level of confidence of partners in terms of cooperating with an 'external' actor, in this case the CoE. For example, for the project *Trafficking*, the National Anti-Trafficking Commission developed the confidence to share internal working documents such as internal rules of procedure with the CoE to allow the CoE to provide advice. Moreover, as an immediate outcome of cooperation with the CoE, topics previously considered 'taboo' can now be addressed more openly, for example the themes of marital rape and marriage of minors or the Istanbul Convention (*Violence against Women / Children*) or 'country-internal' trafficking (*Trafficking*).
- The NP has also enhanced levels of awareness of partners in the thematic areas covered by the NP and brought about important changes in attitudes. For example, following their participation in activities organised by *Violence against Women / Children*, partners have developed awareness of deficiencies in capacities and asked the CoE to provide additional training for judges and to facilitate relevant materials. Similarly, further to participating in *Local Democracy*, partners have developed awareness of deficiencies in the existing normative framework on local and regional democracy and asked the CoE for additional advice. For the project *Trafficking*, partners are more willing to engage in exchanges on sensitive themes, accept the need for further capacity development and the need to reinforce existing structures, for example, a referral mechanism for victims of trafficking. In more general terms, partners acknowledged changes in their perception of the role of CSOs and expressed themselves more positively and openly about the need to involve CSOs

in activities. In relation to changes in attitudes, partners are now also more open to be exposed to experiences from the wider region, most notably from Tunisia. For example, for the project on *Trafficking*, the National Anti-Trafficking Commission recognised the need to learn from the Tunisian experience on referral mechanisms. Changes in mindset can be considered a first stepping stone towards working on 'accession' to a common legal space. Enhanced awareness as an important outcome was fully validated by survey feedback with nearly 80% of respondents considering awareness to have increased strongly or very strongly.

- Changes in levels of understanding / knowledge are a further immediate outcome of the NP projects. Examples include an improved understanding of requirements under the Istanbul Convention among CSO actors and of combating violence against women (*Violence against Women / Children*); understanding of normative frameworks regarding decentralisation and of engaging with CSO actors (*Local Democracy*); understanding of the role of new institutions such as the National Anti-Trafficking Commission (*Trafficking*); understanding of the border line between hate speech and freedom of expression by journalists and young people (*Combating Discrimination*); understanding of approaches to combat cybercrime among police officers and judges (*Cybersouth*); understanding of the 'Principles on the protection and promotion of the Ombudsman Institution' or 'Venice Principles' (*Rule of Law / Democracy*). Survey respondents validated the interview feedback, with 81% of respondents noting strong or very strong performance in terms of enhanced understanding. Moreover, 63% of survey respondents found projects to have made a strong or very strong contribution to technical / professional competences.

31. Again, in line with the expectations formulated by the theory of change, the NP has made a strong contribution to first medium-term outcomes.

- First, looking at NP contributions to the expected outcome of 'Legislation aligned', there have been substantial efforts to assist partners on enhancing the existing normative framework. However, by the time of this evaluation, capacities of relevant stakeholders remained constrained, and these efforts have not yet seen the actual adoption / entry into force of new norms. For example, the project *Combating Discrimination* saw the translation of policy recommendations of the European Commission against Racism and Intolerance (ECRI) into Arabic for the Ministry of Justice. However, at this stage the recommendations remain to be 'transposed' in ongoing revisions of the legal framework on anti-discrimination, e.g., the penal code. Similarly, *Violence against Women / Children* saw the development of an in-depth analysis of alignment between the existing legal framework and the Istanbul Convention. However, whilst this was presented to the National Commission for the protection of women victims of violence, the relevant legal framework remains unchanged (Law 103.13 of 2018 on combating violence against women and the penal code); notwithstanding there have been first changes in policies, practices and in jurisprudence. In the wider framework of legal alignment, donors regretted the country's comparatively more limited progress on engagement

with CoE Conventions (as compared to Tunisia). The findings on the outcome 'Legislation aligned' clearly speak to the need for adequate timeframes for cooperation. Finally, the survey validates the interview feedback. Only 40% of respondents considered projects to have made a strong contribution to the outcome of 'Legislation aligned' (0% note a very strong performance, 27% don't know, 33% limited or very limited contribution to this outcome).

- In terms of the outcome 'Legislation implemented', understood in the wider sense of giving concrete shape to normative frameworks, partners provided a wealth of feedback on first outcomes. For example, giving shape to the normative framework of 'Law 27.14 on trafficking crimes' (2016), the project *Trafficking* allowed partners to prepare new tools on identifying victims of trafficking. Similarly, following up on Constitutional commitments to address discrimination, the project *Combating Discrimination* saw changes in reporting by media, with journalists more sensitive to hate speech further to participating in CoE training. This project can also be considered to have contributed to one dimension of the United Nations Sustainable Development Goal 16B, namely 'Promote and enforce non-discriminatory laws'. Finally, *Cybersouth* saw the development of Standard Operating Principles on addressing cybercrime. For *Violence against Women and Children*, first judgements condemning marital rape were related to CoE training of judges and prosecutors on legislation and jurisprudence on violence against women in December 2019 (including changes in Moroccan legislation). *Local Democracy* saw an enhanced alignment between national- and local-level policies. Turning to the survey responses, 60% of respondents noted a strong contribution to enhanced policies / strategies. However, only 40% noted a strong contribution to enhanced implementation of the normative framework (0% very strong contribution, 27% don't know, 33% limited / very limited contribution).
- The NP has also made a strong contribution to the outcome 'Institutions strengthened'. Partners noted the enhanced visibility of institutions involved in cooperation with the CoE, for example, the National Anti-Trafficking Commission (*Trafficking*) and the National Commission for the Protection of Women Victims of Violence (*Violence against Women / Children*) are now better known on the institutional landscape; the three local authority associations participating in *Local Democracy* feel more recognised as interlocutors by government and have seen their communication skills enhanced, and enhanced engagement is indicated by the country acquiring the status of 'Partner for Local Democracy' (in 2019); the 'Mediterranean Forum for Youth – Morocco' (FOMEJE) feels more recognised by the State Ministry in charge of human rights, the Ombudsperson, and the National Council for Human Rights (*Combating Discrimination*); CSO actors find themselves strengthened as in their daily work they can now refer to concepts set out in the Istanbul Convention. Finally, institutions have benefited from enhanced internal communication and coordination as an outcome of engagement with the NP. For example, *Local Democracy* entailed an intensification of communication between the three associations of local and regional authorities, and between the three

associations and the Ministry of Interior. In more general terms, CoE activities often represented the only forum for relevant stakeholders to meet and coordinate. Survey feedback suggested a moderate contribution to enhanced institutional performance, with 36% of survey respondents finding projects to have made a strong contribution to institutional performance (0% very strong, 36% don't know, 29% limited / very limited). Moreover, 20% of survey respondents noted the establishment of new institutional structures (47% don't know, 33% limited / very limited).

- Finally, in terms of NP contributions to the outcome 'Channels of cooperation consolidated', partners continued to engage with the CoE on Conventions and monitoring mechanisms such as the Group of States against Corruption (GRECO). Taking the example of GRECO, Morocco notified its intention of ratifying the Civil and Criminal Law Conventions and ratification of these conventions implies automatic GRECO membership.⁸ However, this outcome is not observed across all Conventions that can be related to support under the NP, e.g., there has been limited progress on the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (i.e., whilst the Convention and the additional Protocol entered into force on 1 September 2019, Morocco did not sign yet the Protocol amending the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (Convention 108+). Moreover, the NP has strengthened levels of engagement in regional cooperation, e.g. the National Anti-Trafficking Commission is considering the establishment of a partnership with its Tunisian counterpart (*Trafficking*); cooperation on local and regional democracy has facilitated exchanges between relevant stakeholders in the wider region (*Local Democracy*). Survey feedback confirmed the strengthened engagement with CoE Conventions with 60% of respondents suggesting a strong or very strong contribution. Moreover, 67% noted a strong / very strong contribution to strengthened cooperation between relevant Moroccan stakeholders, whilst 40% note strengthened regional cooperation, and 61% note strengthened international cooperation.

⁸ Treaty No.173, Criminal Law Convention on Corruption Article 32.3: '*Any such State, which is not a member of the Group of States against Corruption (GRECO) at the time of ratification, shall automatically become a member on the date the Convention enters into force*'. Treaty No.174, Civil Law Convention on Corruption Article 16.2: '*Any State acceding to this Convention shall automatically become a member of the GRECO, if it is not already a member at the time of accession, on the date the Convention enters into force in its respect*'. This is in conjunction with CM(2013)58-final of 4 July 2013 'Partial and enlarged agreements – Practical modalities governing accessions to and withdrawals from partial and enlarged agreements'.

3.3.3. Which factors have supported and hindered the effectiveness of the projects?

32. When discussing the effectiveness of the NP projects, stakeholders pointed to a series of factors supporting effectiveness:

- The most frequently noted factor was the expertise of the CoE, in many cases referring to legal expertise. 87% of survey respondents validated this finding (agree / strongly agree).
- Related to the expertise of the CoE, the existence of established 'tools' was noted as a further supporting factor. Particularly prominent among these tools is HELP. However, what rendered the tools so effective were CoE efforts of 'contextualising' the tools to fit Moroccan requirements, instead of simply transposing ready-made solutions. These efforts of contextualisation also applied to the transfer of experiences from other countries. This compares with other actors relying on the transfer of existing and more rigid models allowing less scope for adaptation to the Moroccan context, e.g., in the area of trafficking and referring to approaches by the UNODC.
- A further feature associated with NP support and offered as an explanation for effectiveness relates to the CoE's participatory approach to cooperation, via Steering Committees for specific projects or direct bilateral communication between partners and the CoE. Partners specifically emphasised the transparent nature of communication with the CoE.
- On the partners' side, 'ownership' of NP support by the Moroccan partners was a strong supporting factor. This was evidenced by demands for support, and 'enthusiasm' displayed in engagement with the CoE, making the required resources available, and ensuring the participation of senior-level partner representatives in project events. 87% of survey respondents validated this finding (agree / strongly agree).
- Moreover, counting with 'leaders' on the partners' side that are willing to engage in cooperation and that command the required 'political' clout to mobilise relevant administrations / legislators, was considered a strong motivating factor. For example, *Rule of Law / Democracy* benefited from involving one of the authors of the Moroccan Constitution of 2011. *Cybersouth* reported similar experiences.
- Partners and CoE representatives noted the existence of a wider framework for cooperation in the form of the NP as a factor motivating cooperation under specific projects. Partners noted their awareness of other NP projects, and this reinforced their commitment to engage with the CoE. Moreover, the existence of the NP facilitated synergies between different related NP projects in Morocco (*Violence against Women / Children, Local Democracy, Trafficking*), and allowed for liaison with NP projects in Tunisia (*Trafficking, Functioning and Efficiency of Justice*). In this context, partners voiced their appreciation of the term 'partnership' as this was

found to imply dialogue between equal partners rather than a 'superior' partner imposing external models on Morocco. 81% of survey respondents validated this finding (agree / strongly agree).

- Effectiveness has also benefited from strong relationships with partners, often established in the context of earlier NPs (2012-2014 and 2015-2017), implying knowledge of each other's working methods and trust. In this context, reference was also made to firm 'personal' connections between partners / beneficiaries and CoE representatives, often established in the context of previous NPs or other cooperation initiatives. 81% of survey respondents validated this finding (agree / strongly agree).
- Moreover, effectiveness has benefited from systematic attention to communication and visibility. This is all the more noteworthy as the CoE Office in Rabat lacks staff specifically dedicated to communication / visibility. For example, a review of project documentation identified Facebook pages for all projects except *Cybersouth* and *Functioning and Efficiency of Justice*; dedicated websites were identified for all projects except *Violence against Women / Children*, though the latter made use of various social media and produced specific communication outputs, including video spots on the themes of violence against women in the context of COVID-19 or on the risk of violence against children. On the point of social media, there might be room for more systematically making use of popular social media beyond Facebook. 69% of survey respondents validated this finding (agree / strongly agree).
- Finally, partners consistently noted the CoE Office in Rabat as an important factor explaining effectiveness. In this context, partners emphasised the efficiency of cooperation / responsiveness and professionalism of CoE staff. 69% of survey respondents validated this finding (agree / strongly agree).

33. Turning to the factors that have constrained the effectiveness of the NP, these include:

- Cooperation was affected by some extent of political 'volatility'. For example, changes in political leadership within the Ministry of Solidarity, Social Development, Equality and Family led to changes in priorities regarding the protection of children (*Violence against Women / Children*); changes within the National Control Commission for the Protection of Personal Data constrained progress with accession of Convention 108; delays in the nomination of members of the Authority for Parity and the Fight against all Forms of Discrimination undermined progress for *Combating Discrimination*. These uncertainties imply a need for a certain level of flexibility in terms of delivering project activities, however, the project descriptions / timeframes and procedures for amending project descriptions did not always allow to react to changes in political context / needs (*Rule of Law / Democracy, Combating Discrimination*). 37% of survey respondents validated the finding of political volatility (12% don't know, 50% disagree / strongly disagree). 53% of survey respondents validated the finding of limited political will (47% disagree / strongly disagree).

- Moreover, partners experienced resource constraints to fully engage in cooperation. This included staff shortages, staff changes, limited access to local expertise, and limited financial resources. 40% of survey respondents validated the finding of staff changes (7% don't know, 53% disagree / strongly disagree). 40% of survey respondents validated the finding of staff shortages (20% don't know, 40% disagree / strongly disagree).
- Some partners' approaches to cooperation, especially on activities regarded as 'sensitive', could be characterised as hierarchic / top-down and formal, and this slowed down the pace of cooperation, putting pressure on projects with comparatively short time frames. In general terms, generous time frames are required to allow for deploying a truly participatory approach, engendering the establishment of relationships of trust, for example, for projects touching on sensitive topics such as *Trafficking*. *Local Democracy* also noted constraints posed by slow processes in partner institutions.
- Cooperation also faced difficulties in terms of some of the relevant partner structures or normative frameworks not being operational when the projects were launched, thus delaying related interventions or leading to their cancellation. For example, this affected the project *Combating Discrimination*, given that the Authority for Parity and the Fight against all Forms of Discrimination⁹ remains to be operationalised. Similarly, the fact that relevant legal frameworks have only been put in place recently constrained cooperation as there were question marks over how to interpret legal requirements.
- Whilst not constraining the intended activities, some of the partner requests for new activities could not be met because the requested new activities were not covered by the mandate set out by the NP. For example, *Combating Discrimination* was not in a position to follow up on a partner request on enhancing physical access for disabled people to the Ombudsperson offices.
- One donor suggested a continuous reflection on the balance of capacities between CoE headquarters and the CoE Office in Rabat; a different donor suggested considering a strengthening of the scope for project-related decision-making by the CoE Office in Rabat. However, it is understood that this is constrained by CoE-internal decentralisation processes. It was also acknowledged that decentralisation had progressed when comparing with earlier NPs, and that project teams were small with fluid communication between team members in Rabat and Strasbourg. 27% of survey respondents considered staff changes at the CoE Office a constraining factor (13% don't know, 60% disagree / strongly disagree). However, 47% of survey respondents saw CoE administrative procedures as a constraint (13 % don't know, 40% disagree).

⁹ Autorité pour la parité et la lutte contre toutes les formes de discrimination

- One partner recommended deploying, as far as possible, francophone experts / trainers to facilitate direct communication between partners and the experts / trainers.
- Finally, feedback on COVID-19 as a constraining factor was mixed. The general response to COVID-19 was the adoption of 'virtual' formats for most activities, or providing other support, e.g., translation of relevant materials into Arabic for *Combating Discrimination*. The CoE's response to the pandemic was considered fully adequate. Whilst COVID-19 affected all projects, introducing additional complexity and entailing delays, partners reacted in different ways. Most partners' initial response was to postpone all activities in the expectation of the pandemic not lasting more than a few months. Only when it was realised that the restrictions would last longer, there was a move to accepting virtual formats. Some partners then simply required some time to adapt themselves to the use of new technology (*Local Democracy, Violence against Women / Children, Rule of Law / Democracy*). Other partners noted COVID-19 as the most serious obstacle to cooperation, and this was explained with activities not being suitable for virtual formats, for example, exchanges between elected politicians (*Local Democracy*), regional-level events / activities outside the capital (*Combating Discrimination*). All partners noted that remote events did not allow for the same 'quality' of interaction, referring mostly to missing out on informal exchanges on the margins of capacity development, e.g., during coffee breaks. In some cases, the CoE moved from online to presential training (whilst ensuring respect of local and CoE COVID-19 requirements) as this was recognised as more effective. The CoE is also exploring 'hybrid' formats, allowing for remote connections to presential meetings (*Trafficking*). 87% of survey respondents considered COVID-19 to have strongly / very strongly constrained the achievement of objectives. 47% of survey respondents considered the CoE response to be adequate (47% don't know and 7 strongly disagree).

3.3.4. In what way have the projects contributed to gender equality?

34. The CoE project teams have systematically promoted gender balance in all project activities, and this was not limited to projects with a primary target on women beneficiaries such as *Violence against Women / Children* or *Combating Discrimination* (activities on tackling hate speech against migrant women). Indeed, a review of project documentation (project proposals / descriptions and annual progress reports) identified clear references to gender equality in activities under all projects. In this way, the NP has also contributed to the United Nations Sustainable Development Goal 5 'Achieve gender equality and empower all women and girls'.
35. However, partner feedback suggested room for further enhancing awareness of the need to ensure contributions to gender equality in all project activities. Some partners appeared to find it difficult to respond to questions on gender equality. For example, partners noted their perception of gender equality not being relevant to specific projects

(all projects except *Violence against Women / Children*), or answered somewhat evasively by referring to general national-level commitments to gender equality.

36. Finally, 47% of survey respondents noted a strong / very strong contribution to gender equality (47% don't know, 7% very limited).

3.3.5. In what way have the projects integrated gender issues during implementation?

37. Turning to gender mainstreaming of project activities and outputs, again, references to gender mainstreaming were identified in project documentation for all projects, except for *Cybersouth* (however, documentation for this project did refer to gender balance in project activities).

38. Some of the CoE representatives pointed to the possibility of consulting with CoE-internal 'experts' on gender issues at the stage of designing the project, for example a gender expert reviewing the project logframe. However, there appears to be room for more systematically using this internal resource, though it is understood that this might be constrained by limited resources (including comparatively small project budgets such as for *Combating Discrimination*).

39. Partners provided very limited feedback on questions on gender mainstreaming, at best referring to gender balance in terms of participants in project activities.

40. Finally, survey responses suggested a good contribution to gender mainstreaming (56% strong/very strong, 31% don't know, 12% limited / very limited).

3.4. Added value

3.4.1. To what extent has the CoE been able to put its comparative advantage and expertise into action and create inter-linkages between projects and CoE instruments during the implementation of the NP?

41. Section 3.2.1 on internal coherence has already discussed inter-linkages between projects. Beyond this, there is strong evidence of the CoE' added value. This added value is taking different dimensions:

- One of the most prominent features of CoE added value is the institution's capability of mobilising experience / expertise from its 47 member and six observer States. Partners benefited from and greatly appreciated exposure to approaches from a variety of countries, and as discussed in section 3.3.3, with the CoE ensuring contextualisation of different experiences.
- Regarding the 'strategic triangle of standard-setting, monitoring and co-operation', and bearing in mind Morocco's 'status' as a non-member State, partner feedback

suggested good knowledge of Morocco's engagement with different CoE conventions / partial agreements and 'institutionalised' arrangements for the sharing of expertise, and this knowledge acted as an anchor for cooperation. This is of course particularly valid in cases of Morocco being a member or observer, with partners referring, inter alia, to the Mediterranean network for co-operation on drugs and addictions of the Pompidou Group - MedNET (member since 2006), the European Commission for the Efficiency of Justice - CEPEJ (Observer since 2013), the North South Centre (member since 2009) or the Network of inter-cultural cities (2016). Donors confirmed the added value of the strategic triangle.

- Along similar lines, the CoE adds value by implicating relevant CoE institutions, thus mobilising political and / or technical support. For example, partners noted the added value of involving the Congress of Local and Regional Authorities of the Council of Europe.
- CoE 'tools' and channels of communication were a further important feature of CoE added value. For example, stakeholders noted CoE 'ownership' of channels such as the 'Partner for Local Democracy' status; and of tools such as existing guidance materials on hate speech; the European Charter of Local Self-Government; CEPEJ tools; and ECRI materials. The CoE is seen to have 'authored' these tools and channels of communication and is therefore best placed to deliver related capacity development.
- Further added value is represented by the CoE operating the NPs with Morocco and Tunisia in parallel, allowing for the transfer of experiences between two countries sharing many similarities in terms of normative and institutional development.

3.5. Sustainability

3.5.1. To what extent has the CoE contributed to a sustainable implementation of reforms and to capacity development in Morocco?

42. The assessment of sustainability was constrained by the fact that projects were still underway by the time of the evaluation.
43. To some extent, sustainability is supported by project activities designed with a view to sustainability. This is achieved by 'institutionalising' support, for example, the establishment of focal points on cybercrime in courts (*Cybersouth*) or by training of trainers (*Cybersouth*).
44. For some projects sustainability is supported by partner participation in CoE institutionalised arrangements, for example, the 'Partner for Local Democracy' status (*Local Democracy*).

45. A further factor supporting sustainability is the involvement of senior level partner representatives in project activities (*Combating Discrimination, Violence against Women / Children*).
46. However, discussing sustainability with partners, there was limited evidence of sustainability being supported by partners allocating resources to sustain / develop existing outputs / outcomes or having 'exit strategies' in place. Section 3.3.3 has already noted resource constraints as a factor limiting effectiveness, and this also affects sustainability. Feedback suggested that this factor is particularly valid for new institutions, for example the National Anti-Trafficking Commission or the National Commission for the Protection of Women Victims of Violence. Partners generally referred to needs for additional support in the framework of future NP projects. This point is validated by the experience of cooperation in earlier NPs – in the absence of immediate follow-up projects, cooperation and progress find itself suspended (*Functioning and Efficiency of Justice, Local Democracy*).

4. Conclusions, lessons learnt and recommendations

47. This section presents a series of conclusions, lessons learnt and recommendations (all recommendations address the CoE).

4.1. Overall conclusions

48. The NP 2018-2021 has performed strongly against the evaluation criteria of relevance, coherence, effectiveness and added value, and to a lesser extent on the criterion of sustainability. This strong performance is testimony to the substantial experience of the CoE in conducting cooperation activities in challenging political contexts and with comparatively modest resources. Moreover, the NP 2018-2021 clearly benefited from the experience accumulated over earlier iterations of the NP (2012-2014 and 2015-2017).

4.2. Lessons learnt

49. Notwithstanding the strong performance of the NP, the experience with the implementation of the NP allows confirming a few lessons learnt, presented here in the order of the evaluation criteria:

- In terms of further supporting internal coherence and coordination between different CoE projects, the CoE Office in Rabat noted how projects covering different thematic areas benefited from **internal exchanges between project teams on transversal aspects** such as gender mainstreaming.
- Turning to external coherence, this benefited strongly from **systematic mapping exercises at the outset of designing the projects**, and involving consultations with partners and other implementing actors and donors.
- Effectiveness benefited strongly from efforts of '**contextualisation**', e.g., of established 'tools' such as HELP or experiences / approaches from other countries.

- Counting with **'leaders' on the partners' side that are willing to engage in cooperation and that command the required 'political' clout** to mobilise relevant administrations / legislators, was a further important factor supporting effectiveness.
- However, cooperation faced difficulties **when relevant partner structures or normative frameworks were not fully operational when the projects were launched**. Indeed, this delayed related interventions, or led to their cancellation in case of the activity 'depending' on the prior existence of the institutional or normative framework.
- In the context of COVID-19, the CoE is piloting **'hybrid' formats allowing for remote connections to presential meetings**. This format might also prove a cost-effective approach outside the COVID-19 context, e.g., to ensure stronger involvement of actors from across the country.

4.3. Recommendations

50. A further finetuning of project design and corresponding resource allocations

under the NP is recommended. The experience of the NP 2018-2021 suggests possible criteria to consider when designing specific projects, for example, only engaging in cooperation in areas where relevant institutions / normative frameworks are fully operational to allow for cooperation to take place; selecting the most 'sensitive' thematic areas, considering that the CoE has clearly demonstrated its 'competitive edge' to bring about change in these areas; focusing on areas where the country's 'accession' to existing CoE Conventions or cooperation structures is a clear prospect; and building on existing specific CoE thematic expertise in the CoE Office in Rabat..

51. The CoE Office in Rabat was an important factor explaining effectiveness. Whilst there has been progress with decentralisation since earlier NPs, there are still limitations to 'independent' decision making by the CoE Office in Rabat, e.g., with regard to financial issues. Moreover, 47% of survey respondents saw CoE administrative procedures as a constraint. **Further decentralisation is likely to imply efficiency benefits.**

52. Interviews with partners suggested room for **further strengthening the understanding of partners of the concept of the human rights-based approach.**

Partners often conflated the concept with contributions to strengthening specific human rights as an outcome of project implementation. A better understanding of the concept can be expected to generate stronger commitment to important horizontal

considerations such as the involvement of CSOs, gender equality and mainstreaming etc.¹⁰

53. Similarly, interviews suggested potential for **further exploring the benefits of involving CSOs with the partners**. Indeed, whilst most partners welcomed the involvement of CSOs, some partners did not answer questions on the involvement of CSOs in projects, including for projects where CSOs were involved as partners or direct beneficiaries or where there were plans to involve CSOs in the future. Involving CSOs in CoE projects is all the more important as CoE projects are often the only forum for relevant stakeholders, including CSOs, to meet and exchange between each other.
54. There appears to be room for **further strengthening the role of the partner institutions in terms of assuming a more leading role on coordination**. Capacity development on coordination could focus on existing inter-ministerial / thematic working groups or the new autonomous bodies, including the various National Commissions established under the Constitution in 2011.
55. Effectiveness benefited from systematic attention to communication and visibility, including project webpages, a presence on Facebook and other targeted communication activities such as video spots. However, there might be room for a **more systematic use of popular social media** beyond Facebook, particularly for projects targeting the citizens of Morocco in a more direct way, e.g., *Violence against Women / Children, Combating Discrimination*. Projects with a less direct 'relationship' with citizens, e.g., *Functioning and Efficiency of Justice* or Rule of Law/ Democracy could explore the use of social media targeting specific professional groups such as legal professionals.
56. Partner feedback suggested room for **further enhancing awareness of the need to ensure contributions to gender equality in all project activities and gender mainstreaming**. Project design might also benefit from **making systematic use of CoE-internal gender expertise** (e.g., Gender Equality Division) at the stage of project design.
57. There was limited evidence of sustainability being supported by partners allocating resources to sustain and / or develop existing outputs and outcomes or having explicit 'exit strategies' in place. Whilst the CoE cannot address partner-internal resource constraints, partner awareness of the concept of sustainability can be strengthened by **systematically including project activities focusing on 'exit strategies' to cooperation**.
58. The evaluation experienced a series of minor constraints. The collection of contact details of partner representatives proved more time consuming than expected and so did the organisation and conduct of interviews. Future evaluations might benefit from

¹⁰ See the 'Checklist for implementing projects' in Council of Europe (2020) Human Rights Approach, Practical Guide for Cooperation Projects. This refers to the principles of 'Participation & Inclusion', 'Equality & Non-Discrimination', 'Accountability', 'Transparency & Access to Information'.

ensuring that all relevant project documentation and interviewee contact details are readily available from the start of the evaluation and from organising additional inception meetings, e.g., a joint introductory meeting with all CoE project teams.

Annex 1 – Terms of reference

Annex 1 presents the terms of reference for this evaluation.

TERMS OF REFERENCE – Evaluation of the Neighbourhood Partnership with Morocco 2018-2021 Contracting Authority: Council of Europe

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1. CONTEXT

The present terms of reference are for the purpose of an evaluation of the Neighbourhood Partnership with Morocco 2018-2021.

1.1 Background

At its 121st Session on 11 May 2011 in Istanbul, the Committee of Ministers of the Council of Europe endorsed proposals of the Secretary General of the Council of Europe establishing a Council of Europe policy towards neighbouring regions covering the Southern Mediterranean, the Middle East and Central Asia. This policy, which is demand-driven and country-specific, pursues the following three objectives:

- to facilitate democratic political transition in the countries concerned;
- to help promote good governance through the protection of human rights and the rule of law; and
- to reinforce and enlarge Council of Europe regional action in combating transborder and global threats.

In this framework, the Committee of Ministers adopted the Neighbourhood Co-operation Priorities for Morocco 2012-2014 in April 2012 laying down foundations of co-operation with the country. Political dialogue and technical co-operation were further consolidated within the framework of the Neighbourhood Partnership with Morocco 2015-2017. Following up to what has been achieved, the Neighbourhood Partnership with Morocco 2018-2021 was approved by the Committee of Ministers at its 1311th session in March 2018.

The Neighbourhood Partnership with Morocco 2018-2021 is a strategic programming instrument which creates a framework for enhanced political dialogue between the Council of Europe and the relevant Moroccan authorities and set out specific co-operation priorities in the areas of human rights, rule of law and democracy.

The Council of Europe Neighbourhood Partnership with Morocco 2018-2021 had a budget of €12 million at the time of adoption. The revised budget amounts to €9.3 million (following the submission of project proposals and projects extensions). The Neighbourhood Partnership received approximately €8.6 million as of 1st January 2021. The main donors are the European Union and Norway, which support all Neighbourhood Partnerships. Other contributions enabling us to work in Morocco have come from Portugal, the "Aga Khan Development Network" (AKDN), Cyprus, Monaco, Liechtenstein, Spain and Malta.

1.2 Objectives of the Neighbourhood Partnership

The goal of Neighbourhood is to support the democratic reforms underway in Morocco, in particular to ensure that Council of Europe standards are taken into account in its legislation, and to bring its institutions and practice further into line with European standards in the areas of human rights, the rule of law and democracy.

It includes the following sectors of co-operation:

- protecting human rights;
- promoting human rights and dignity;
- reinforcing the rule of law;
- countering threats to the rule of law;
- strengthening democratic governance and fostering innovation and;
- promoting participation and diversity.

The Council of Europe technical assistance programmes form an integral part of the unique strategic triangle of standard-setting, monitoring and co-operation: the development of legally binding standards is linked to their monitoring by independent mechanisms and supplemented by technical co-operation to facilitate their implementation. The Organisation's actions are developed and implemented in areas where the Council of Europe has strong expertise and added value.

In the case of Morocco, as a non-member State of the Council of Europe, monitoring mechanisms do not apply until this country becomes a contracting party to the relevant conventions. However, the methodology of a number of monitoring mechanisms, such as the Group of States against Corruption (GRECO) and the Group of Experts of the Council of Europe on Action against Trafficking in Human Beings (GRETA) has been used to assess the country's situation in key areas and to formulate recommendations in line with European legislation and practices. Other tools, like those developed by the European Commission for the Efficiency of Justice (CEPEJ) with regard to judicial systems, the quality of justice and judicial timeframes and those developed under the European Programme for Human Rights Education for Legal Professionals (HELP) are disseminated and used in Morocco.

1.3 Modalities of implementation

The Office of the Directorate General of Programmes (ODGP) co-ordinates and reports on Council of Europe co-operation activities implemented within the framework of the Neighbourhood Partnership by the Major Administrative Entities of the Council of Europe: PACE, the Congress of Local and Regional Authorities (the Congress), the Council of Europe's Directorate General of Human Rights and Rule of Law (DG1) and the Directorate General of Democracy (DG2). The Council of Europe Office in Morocco plays an active part in co-ordinating implementation of the projects and raising funds for their execution in the field.

In 2016, ODGP launched the new *Council of Europe Project Management Methodology*¹ which comprises a handbook, further guidance on a dedicated website, training and a tailor-made IT tool for the management of development co-operation. It has consolidated competencies and the Council of Europe's position as a significant actor in development co-operation.

2. SPECIFICATIONS OF THE ASSIGNMENT

2.1 Beneficiaries and stakeholders

The primary beneficiary of this evaluation is the Council of Europe (ODGP as well as Major Administrative Entities mentioned above) as the implementer of the Neighbourhood Partnership. The ultimate beneficiaries are the donors of the Neighbourhood Partnership.

2.2 Overall Objective of the evaluation

An evaluation of the Neighbourhood Partnership is foreseen, in order to provide the stakeholders of the Neighbourhood Partnership with an objective assessment of the results that have been achieved through the Organisation's support and partnerships with other key actors. In particular, the results will be used in the framework of the implementation of the Neighbourhood Partnership and for the preparation of the new Neighbourhood Partnership 2022-2025.

Specific objectives of the evaluation are:

¹ Council of Europe, *Project Management Methodology*, available at www.coe.int/en/web/project-management-methodology/home.

- to assess the outcomes achieved by the projects implemented in the framework of the Neighbourhood Partnership, and identify to what extent they have helped Morocco to move towards necessary reforms in line with the Council of Europe's standards and to advance on its democratic reforms;
- to provide a picture on the way the Council of Europe has implemented the projects (working/implementation methods) in the framework of the Neighbourhood Partnership, as well as on the obstacles faced, if any;
- to learn lessons from the way in which the Council of Europe managed the implementation of the projects in the framework of the Neighbourhood Partnership;
- to provide recommendations for the development of the upcoming Council of Europe Neighbourhood Partnership 2022-2025 to be based on lessons learnt and best practices;
- to assess the impact of the COVID-19 pandemic and the related restriction measures on the implementation of the Neighbourhood Partnership and the progress towards the achievement of its outcomes;
- to assess the degree to which gender has been mainstreamed through the implementation of the Neighbourhood Partnership;
- to assess the degree to which a human rights-based approach has been integrated in the Neighbourhood Partnership implementation.

2.3 Scope of the evaluation

In term of timeframe, the evaluation will focus on the action plan as a whole, but it will be based on a sampling of projects.

The evaluation questions² will be based on the six criteria endorsed by the OECD-DAC:³ relevance, coherence, effectiveness, efficiency, impact and sustainability, as well as the Council of Europe's added value.

Relevance: the extent to which an intervention's objectives are **pertinent** to needs, problems and issues to be addressed.

Added value of the Council of Europe's interventions: The criterion is closely related to the principle of subsidiarity and relates to the fact that an activity/operation financed/implemented through the Council of Europe should generate a particular benefit.

There are practical elements that illustrate possible aspects of the criterion:

- the Council of Europe has a particular capacity, for example link between standard setting, monitoring and technical assistance, in comparison with other international partners active in Morocco;
- the Council of Europe prioritises a human rights approach at all levels and stages of its activities. Its *acquis*, including Council of Europe legal instruments, information and institutions, combined with the principles of equality, non-discrimination and balanced participation, brings further added value to Council of Europe activities.

² Definitions of the six OECD-DAC evaluation criteria can be found at the following address: <http://www.oecd.org/dac/evaluationofdevelopmentprogrammes/daccriteriaforevaluatingdevelopmentassistance.htm>

³ Organisation for Economic Co-operation and Development – Development Assistance Committee (OECD-DAC).

The indicative list of the questions is provided below. The evaluation questions will be further refined during the inception phase. The Evaluator may suggest additional sub questions and should indicate success criteria, relevant indicators and the sources for the indicators/methodology for gathering necessary evidence. The sub questions break down the overall questions into more manageable issues, and allow for a structured and logical response to the higher level questions. The Evaluator is expected to elaborate the questions in the Evaluation Matrix.

Indicative evaluation questions:

Relevance and Effectiveness

- To what extent are the Council of Europe's projects in line with the needs and priorities of Morocco and with the objectives of the Policy of the Council of Europe towards neighbouring regions that is demand-driven? To what extent are the Council of Europe's projects closely linked to the core areas of work of the Council of Europe?
- To what extent have the projects implemented in the framework of the Neighbourhood Partnership achieved their objectives? Which factors have supported and hindered the effectiveness of the projects?
- In what way have the projects contributed to gender equality (by mainstreaming gender)?
- To what extent a human rights-based approach has been integrated in the project implementation?
- To what extent Civil Society Organisations have been integrated in the project implementation?
- To what extent the Council of Europe Neighbourhood Partnership has assisted Morocco in its contribution to the United Nations Sustainable Development Goals (SDGs)?
- To what extent have the project teams in the framework of the Neighbourhood Partnership been able to adapt their working methods and approach to the context of the COVID-19 pandemic related restrictions?
- To which extent has the Council of Europe visibility been ensured in the Neighbourhood Partnership implementation; Were citizens, beneficiaries and domestic stakeholders and other target audiences sufficiently updated on the outcomes and benefits of the projects?

Coherence and Added Value

- To what extent have the projects implemented in the framework of the Neighbourhood Partnership been internally co-ordinated and internal coherence assured?
- To what extent have the projects implemented in the framework of the Neighbourhood Partnership been coordinated with other institutions and donors, and how do coordination efforts address duplication?
- To what extent has the Council of Europe been able to put its comparative advantage and expertise into action and create inter-linkages between projects and Council of Europe instruments during the implementation of the Neighbourhood Partnership?

Efficiency

- To what extent are the costs proportionate to outputs and outcomes?
- To what extent did the fact that project was part of the Neighbourhood Partnership contribute to the achievement of project objectives?
- What was the impact of the COVID-19 pandemic related restriction measures on the Neighbourhood Partnership implementation?

- To what extent has the Neighbourhood Partnership been able to adapt its actions to ensure the continuity and suitability of its activities in view of the restrictions related to the COVID-19 pandemic?

Impact and Sustainability

- To what extent has the Council of Europe contributed to a sustainable implementation of reforms and to capacity development in Morocco?
- Have the outcomes built on the results already achieved under the Neighbourhood Co-operation Priorities for Morocco 2012-2014 and the Neighbourhood Partnership with Morocco 2015-2017?
- How could future Neighbourhood Partnerships better contribute to the achievement of the overall objectives in the areas of human rights, the rule of law and democracy?
- What lessons learnt can be drawn to devise the possible upcoming Council of Europe Neighbourhood Partnership with Morocco 2022-2025?

The evaluation process will be guided by the *Evaluation Policy⁴ and Evaluation Guidelines⁵* of the Council of Europe and other relevant instruments, such as the *Council of Europe Gender Equality Strategy 2018-2023⁶*.

2.4 Requested services, methodology and quality control

2.4.1 Requested services

The sampling methodology should either include a mix of activities (from each of the three co-operation sectors of the Neighbourhood Partnership) or focus on a specific sector to which important funding was allocated.

Based on the exchanges with the ODGP and in view of the documentation provided, the evaluators should propose a final list of sample projects in their methodology (between five and eight of the Neighbourhood Partnership projects) in the inception report.

Apart from comparing actual outcomes to initially planned ones, recommendations should be provided for the next programming cycle and the upcoming follow-up of the Neighbourhood Partnership.

2.4.2 Methodology

The evaluation methodology will include a document review and semi-structured interviews with relevant Council of Europe staff in Strasbourg and Morocco, as well as co-operation partners in Morocco and selected donors (having contributed to the funding of the Neighbourhood Partnership). The interviews will be held in person to the extent possible if allowed by the sanitary situation and in line with precautionary measures taken in response to the COVID-19 pandemic. Where the interviews in person are not possible, they will be replaced by online consultations. The consultant can also include anonymous questionnaires, case-studies or SurveyMonkeys.

The evaluation will rely on the information related to the projects implementation, available in the Project Management IT tool of the Council of Europe.

2.4.3 Risks and assumptions

⁴ Council of Europe, *Evaluation Policy*

⁵ CoE *Evaluation Guidelines*

⁶ Council of Europe, *Council of Europe Gender Equality Strategy 2018-2023*, available at <https://rm.coe.int/prems-093618-gbr-gender-equality-strategy-2023-web-a5/16808b47e1>.

Risks and assumptions cannot be listed exhaustively. It is assumed that services within both the Council of Europe and the implementing authorities of the beneficiaries accept the evaluation as an integral part of the project cycle management and are committed to providing the necessary information, and will subsequently act on recommendations and findings, as well as provide the follow-up information to the Council of Europe.

The following are additional relevant assumptions for the above evaluation:

- monitoring data is available on time and provide sufficient and adequate information;
- access to requested documentation and information on the projects is ensured by the Council of Europe and the project beneficiaries;
- the Council of Europe staff and implementing parties are regularly informed on objectives and methods of this evaluation, in order to ensure their full co-operation;
- measures taken by the authorities in response to the COVID-19 pandemic allow for the evaluation to be conducted. In particular, participants of the evaluation, including staff of the Council of Europe in Strasbourg and in Morocco, as well as representatives of the relevant national stakeholders and international partners will be able to use the online meeting tools in case *in situ* visits are not possible due to travel restrictions.

In the event that one or several of the above assumptions prove to be lacking, the evaluators should immediately inform the Co-ordinator for the MENA region in the ODGP Programming Department. The evaluators will also report any limitations to the evaluation due to insufficient collaboration from key stakeholders.

2.5 Required outputs

The evaluator will prepare an inception report including evaluation methodology, proposed questions (i.e. Evaluation Matrix – see template available in appendix 1) and a proposed calendar.

A 20-25 pages draft and final version of the Final Report (excluding annexes) on the implementation of the Neighbourhood Partnership with Morocco will be prepared. A tentative outline of the Final Report should include the following:

- ✓ Introduction:
 - ✓ Description of the objectives of the evaluation;
 - ✓ Purpose of the evaluation;
 - ✓ Evaluation methodology;
 - ✓ Difficulties encountered during the evaluation.
- ✓ Findings:
 - ✓ Findings related to evaluation questions;
 - ✓ Additional relevant findings.
- ✓ Conclusions;
- ✓ Recommendations;
- ✓ Lessons learned;
- ✓ Annexes (including list of interviews/online consultations, questionnaires and documents reviewed, such as reports etc.).

3. EXPERT PROFILE

3.1 Profile and expertise required

One or two experts are requested for this assignment.

The consultant(s) should have the **following qualifications and competencies**:

- advanced university degree, preferably in evaluation, social sciences or a related field;
- minimum of 10 years of relevant professional experience in evaluation, project management, performance audit, monitoring, including at least five years on evaluation;
- advanced knowledge and experience in policies on human rights, the rule of law and democracy;
- excellent oral and writing skills in English and in French;
- knowledge on the countries of the Southern Mediterranean region;
- knowledge on mainstreaming gender in sectoral policies.

The following would be considered as assets:

- sufficient experience in and knowledge of the Council of Europe thematic areas of cooperation (human rights, democracy, rule of law)⁷ and Council of Europe working methods;
- knowledge of Arabic.

The Contractor shall ensure that expert(s) is/are adequately supported and equipped. In particular, sufficient administrative, secretarial and interpreting resources, IT equipment, software and tools needed to perform online activities must be available to enable expert(s) to concentrate on the core evaluation tasks.

3.2 Working language

The main working languages of the assignment are English and French.

3.3 Conflict of interest

The Contractor is responsible for carrying out an independent evaluation. Evaluator(s) must be strictly neutral and not have a conflict of interest. The expert(s) carrying out the evaluation shall have no involvement with the projects subject to this exercise. More specifically, the expert(s) must fulfil the following criterion:

- no previous involvement in programming and/or implementation of Council of Europe interventions which will be subjected to this evaluation.

The offers including one or more experts who are not meeting the above independence criteria will be rejected. The Contracting Authority requests the signed objectivity, confidentiality and conflict of interest declaration to be submitted at the time of submission of the proposal.

4. ORGANISATION, TIMETABLE AND BUDGET

4.1 Organisation

The contract will be managed by the ODGP Programming Department of the Council of Europe (the Co-ordinator for MENA region). The responsibilities of the Co-ordinator will include:

- providing the external evaluator with access to information;
- supporting and monitoring the work of the external evaluator;
- assessing the quality of the reports submitted by the external evaluator, while ensuring that the Contractor's independence is not compromised.

⁷ Council of Europe, *Programme and Budget 2018-2019*, available under <https://rm.coe.int/16807761cd>.

4.2 Visits and meetings

It is expected that the Evaluator pays two visits to Strasbourg, during which (s)he will inter alia participate in two meetings (a kick-off meeting and a meeting to present the draft final report).

For these meetings, PowerPoint presentation summarizing the key issues/findings will be prepared by the Contractor, as well as minutes of the meeting, to be agreed among the participants.

It is expected that the Contractor conducts one field visit to Morocco.

Interviews will be carried out in-person (in Morocco and Strasbourg), provided that the situation with the COVID-19 pandemic allows it. Alternatively, visits can be replaced by online or phone interviews and meetings.

4.3 Timetable and planning

The starting date is **25 February 2021**. The contract will start after both parties have signed it. The Inception report should be presented by **15 March 2021** and the final report should be delivered by **24 June 2021**.

The work plan and indicative timetable are envisaged, as indicated below.

4.3.1 Workplan

The evaluation will feature an inception phase in which the evaluator will collect initial data and prepare an inception report including evaluation methodology, proposed questions and a proposed calendar.

During the data collection phase, the evaluator will carry out data collection in Strasbourg and during the field visit to Morocco, as well as through phone/videoconference interviews.

During the analysis and reporting phases, the evaluator will analyse the collected data and produce a draft final report not longer than 25 pages.

The Council of Europe will have two weeks to comment on the factual accuracy, the relationship between findings, conclusions and recommendations, as well as the relevance, usefulness and implementability of recommendations. The evaluator will then have two weeks to submit the final version of the evaluation report. The comments of the Council of Europe may be integrated into the final version of the reports or presented in the reports as differing views.

The deliverables will be written in English.

4.3.2 Indicative schedule

The estimated duration of the contract is from 25 February 2020 to 24 June 2021. The proposed schedule is as follows:

- 25 February 2021: start of the evaluation
- 26 February 2021 (tentative): intro visit to Strasbourg (2 days)/video-conference to interview staff in the Council of Europe Headquarters and with the Head of Council of Europe office in Morocco;
- 15 March 2021: inception report including evaluation methodology, proposed questions and a proposed calendar is delivered. The Council of Europe feedback is provided within 7 working days after delivery of the report.
- 29 March 2021 - 25 April 2021: phone interviews/video-conference with Strasbourg staff/project teams, national stakeholders and international donors in Morocco, including using anonymous questionnaires or SurveyMonkeys where relevant (based on the methodology chosen by the Evaluator).

- 25 May 2021: presentation of the draft final report (1 day). The Council of Europe feedback is provided within 12 working days after delivery of the report.
- By 24 June 2021: the final report is delivered.

4.4 Location of assignment

The desk research will be performed at the Consultant's office. The field research will take place in Strasbourg and Morocco or via phone/videoconferencing, depending on health risks related travel restrictions.

4.5 Budget

The budget of evaluation is EUR 25,000.00. The allocated evaluation budget will comprise consultancy fees, travel and subsistence for field interviews and data-gathering in Strasbourg (max two missions) and Morocco (one mission). This budget also includes costs related to the IT equipment, software and tools which might be needed to perform online activities in case the COVID-19 restriction measures prevent meetings in person.

5. REPORTING

All the reports and expected outputs shall be produced in well-written English, using the appropriate style and structuring the text in a clear and concise way. All draft reports will be submitted to the Co-ordinator for the MENA region in electronic form by e-mail and in a format compatible with MS Office software. The Council of Europe reserves the right to request the necessary additional revisions of the reports in order to reach an appropriate outcome and quality control requirements.⁸

6. ADMINISTRATIVE INFORMATION

The Contractor will be paid on the basis of deliverables, as follows: one fourth upon reception of the final inception report and the three remaining fourths upon reception of the final report. The Contractor will be required to submit a financial report and invoices, according to the Council of Europe financial rules, for payment.

6.1. Items to foresee under 'Reimbursable'

In the event that the totals for a particular line in the budget will/could be impacted as a result of any circumstances not foreseen in these terms of reference (inter alia implementing modalities agreed with the Council of Europe), the Contractor must alert the Council of Europe Co-ordinator for the MENA region. In any case, should any modification be required to the budget agreed at contract signature, these will have to be properly justified and will be subject to the *ex-ante* written approval in line with the general conditions of the contract.

IMPORTANT REMARKS:

During all contacts with stakeholders, the consultant will clearly identify him/herself as independent consultant and not as an official representative of the Council of Europe.

⁸ Therefore, the final date for delivery of the report may be postponed. The draft report will also be subject to a quality check by the CoE Directorate of Internal Oversight

Attention is drawn to the fact that the Council of Europe reserves the right to have the reports redrafted as many times as necessary, and that financial penalties will be applied if deadlines indicated for the submission of reports (drafts and final, in hard and electronic copy) are not strictly adhered to.

In addition, the contract can be discontinued whenever the quality of the deliverables is insufficient in light of these terms of reference and the quality assessment criteria presented in Annex II, and when the Contractors have not taken the necessary steps to remedy the insufficiencies.

Draft

APPENDICES

Appendix 1. Evaluation Matrix Template

Evaluation Criteria	Evaluation Question	Sub-Question	Measure(s) / Indicator(s)	Data Collection Instrument(s)	Data Source(s)	Data Analysis	Evaluator(s) Responsible

Appendix 2. Council of Europe Code of Conduct for Evaluation



Appendix 3. Quality Assurance Checklist for Evaluation Inception Report



Appendix 4. Quality Assurance Checklist for Evaluation Reports



Annex 2 – Documentation

Annex 2 presents the documentation consulted.

At the level of the **NP**:

- Neighbourhood Partnership with Morocco 2018-2021
- Donors Report 2018
- Donors Report 2019
- Neighbourhood Partnership with Morocco 2015-2017
- Neighbourhood Partnership with Morocco 2012-2024
- 2012-2014 Progress Report
- 2012-2014 Final Report
- 2015-2017 Progress Report
- 2015-2017 Final Report

At the level of the **selected projects**:

- Combating Discrimination: Description of Activities, Annual Report 2019, Annual Report 2020
- Violence against Women / Children: Description of Activities, Annual Report 2019, Annual Report 2020
- Cybersouth: Description of Activities, First Progress Report 2018, Second Progress Report 2019, Third Progress Report 2020
- Trafficking: Description of Activities, Annual Report 2019, Annual Report 2020
- Functioning and Efficiency of Justice: Description of Activities, Final Report of the previous bilateral project with Morocco - 2018
- Local Democracy: Description of Activities, Annual Report 2019, Annual Report 2020
- Rule of law / Democracy: Description of Activities, Annual Report 2019

Annex 3 - Consultations

Annex 2 lists the stakeholders consulted.

SURNAME	NAME	ORGANISATION / POSITION	DATE
MARTIN	Caroline	Head of Unit, Venice Commission, Directorate General for Human Rights and Rule of Law, Council of Europe, Headquarters, Strasbourg, France	6 April 2021
KOUTNETSOV	Serguei	Head of Division, Venice Commission, Directorate General for Human Rights and Rule of Law, Council of Europe, Headquarters, Strasbourg, France	6 April 2021
VALENTI	Stefano	Head of Unit, Directorate General of Democracy, Council of Europe, Headquarters, Strasbourg, France	7 April 2021
HOWSON	Nichola	Project Manager, Directorate General of Democracy, Council of Europe, Headquarters, Strasbourg, France	7 April 2021
ROCA	Maria del Mar	European Union Delegation in Rabat, Morocco	13 April 2021
FERNANDES	Paula Cristina	European Union Delegation in Rabat, Morocco	13 April 2021
BADR EL AHARI	Mohamed	Council of Europe Office in Rabat, Morocco	13 April 2021

SURNAME	NAME	ORGANISATION / POSITION	DATE
MARCHENKOV	Dmitri	Head of Division, Congress of Local and Regional Authorities, Council of Europe, Headquarters, Strasbourg, France	13 April 2021
SPIRIDON	Virgil	Cybercrime Programme Office of the Council of Europe (C-PROC), Bucharest, Romania	14 April 2021
MOUMEN	Zakya	Project officer, Council of Europe Office in Rabat, Morocco	14 April 2021
MEYER	Paul	Project manager, Council of Europe Office in Rabat, Morocco	15 April 2021
REMILI	Mehdi	Head of Unit, Directorate General of Democracy, Council of Europe, Headquarters, Strasbourg, France	19 April 2021 and 21 April 2021
JACOBSEN TAKAHASHI	Julie	Ministry of Foreign Affairs of Norway, Oslo, Norway	19 April 2021
BOUGGAR	Samir	Head of the Cooperation Division, Department for Administration Reform, Ministry of Economy, Finance and Administration Reform, National Coordinator UNIDEM-Med, Morocco	20 April 2021
SMAALI	Malika	Council of Europe Office in Rabat, Morocco	20 April 2021
FALSY	Boutaina	Head of international cooperation and partnership at the Association of Moroccan Regions, Morocco	21 April 2021
LAMTOUNI	Abderrahman	Head of the Division of the Presidency of the Public Prosecutor, National Coordinator of the CyberSouth project, Morocco	21 April 2021

SURNAME	NAME	ORGANISATION / POSITION	DATE
HARROUCHE	Karim	Judge at the Secretariat general of the Ministry of Justice, Morocco	21 April 2021
AMEUR	Mostafa	Secretary of the Moroccan Delegation, Partner for Local Democracy, Ministry of the Interior, Morocco	21 April 2021
NEJJARI	Mohamed	Moroccan Association of Presidents of Municipal Councils, Morocco	22 April 2021
KERRICH	Fatima	Head of the Section for Communication, Cooperation and Training, Ombudsperson, Morocco	22 April 2021
OUKHLIFA	Mohamed	Head of Technical Cooperation, Presidency of the Public Prosecutor, Morocco	22 April 2021
ALHORR	Zhour	President of the National Commission for the protection of women victims of violence, Morocco	22 April 2021
MARTIN	Guillemette	Project officer, Council of Europe Office in Rabat, Morocco	23 April 2021
MEZIANE	Rachid	Head of the Service of Women and Children Affairs, Morocco	23 April 2021
ISBOUIA	Yassine	General Coordinator of the Mediteranean Youth Forum, Morocco	23 April 2021
SKIR	Abdelfattah	Moroccan Association of Presidents of the Councils of Prefectures and Provinces, Morocco	26 April 2021
BARKAN	Fatima	Director of Women Affairs, Ministry of Solidarity, Social Development, Equality and Family, Morocco	28 April 2021

SURNAME	NAME	ORGANISATION / POSITION	DATE
ALAOUI	Khalid	Head of Division of International Cooperation at the General Secretariat of the Ministry of Women Affairs, Solidarity, Social Development, Equality and Family, Morocco	28 April 2021
SLIMANI	Houari	Head of Division of the National Observatory of Women at the Direction of Women, Morocco	28 April 2021
BOYER-DONNARD	Anne	Project manager, Directorate General for Human Rights and Rule of Law, Council of Europe, Headquarters, Strasbourg, France	29 April 2021
JUNCHER	Hanne	Executive Secretary, Secretariat of the Group of States against Corruption (GRECO) , Directorate General for Human Rights and Rule of Law, Council of Europe, Headquarters, Strasbourg, France	29 April 2021
INGLEDOW	Michael	Head of the Council of Europe Office in Rabat, Morocco	12 May 2021

Annex 4 – Evaluation questions

Annex 1 presents the evaluation questions.

Table 3 – Evaluation questions

	Evaluation question	Approach / indicator	Method				
			Desk research	Survey	Interviews		
					Donors	CoE (SXB / MA)	MA (partners, CSOs)
Relevance and design of the NP	(1) To what extent are the CoE's projects in line with the needs and priorities of Morocco?	Stakeholders identify Moroccan policy / strategy documents or other evidence that confirm the alignment between needs / priorities and the themes covered by the selected projects; Stakeholders confirm demand-driven nature of support				X	X
	(2) To what extent are the CoE's projects in line with the objectives of the Policy of the CoE towards neighbouring regions?	Mapping of projects against the objectives of the policy	X				
	(3) To what extent has a human rights-based approach been integrated in the projects' implementation?	Stakeholders identify elements of the human rights-based approach in project implementation (Participation & Inclusion, Equality & Non-Discrimination,				X	X

	Evaluation question	Approach / indicator	Method				
			Desk research	Survey	Interviews		
					Donors	CoE (SXB / MA)	MA (partners, CSOs)
		Accountability, Transparency & Access to Information) ¹¹					
	(4) To what extent have CSOs been integrated in project implementation? ¹²	Stakeholders confirm that opportunities for CSO involvement in implementation have been acted on; CSOs suggest adequate involvement				X	X
Coherence	(5) To what extent have the NP projects been internally co-ordinated and internal coherence assured?	Stakeholders identify synergies between different CoE projects and other interventions				X	
	(6) To what extent have the NP projects been coordinated with other institutions and donors, and how do coordination efforts address duplication?	Stakeholders identify synergies between different projects or confirm the absence of duplication, and involvement of relevant other institutions and donors			X	X	X

¹¹ See the 'Checklist for implementing projects' in Council of Europe (2020) Human Rights Approach, Practical Guide for Cooperation Projects

¹² To some extent, this question is already covered by Evaluation Question 3 on the human rights-based approach. The principle of 'Participation & Inclusion' covers the involvement of CSOs

	Evaluation question	Approach / indicator	Method				
			Desk research	Survey	Interviews		
					Donors	CoE (SXB / MA)	MA (partners, CSOs)
Effectiveness	(7) To what extent have the NP projects achieved their objectives?	Outcome indicators collected by the projects; Stakeholders identifying immediate outcomes (enhanced capacities) and medium-term outcomes (focus on changes in legislation / normative framework, changes in terms of implementation of legislation, enhanced performance of institutions, strengthened channels of cooperation)	X	X	X	X	X
	(8) Which factors have supported and hindered the effectiveness of the projects?	Stakeholders identifying facilitating and constraining factors (including COVID-19 – CoE response and beneficiary assessment thereof, a project being part of the NP, a project building on cooperation in 2012-2017, the CoE being present in MA, the project’s visibility and communication effort)?		X	X	X	X
	(9) In what way have the projects contributed to gender equality?	Gender-mainstreamed outcome indicators collected by the projects	X	X	X	X	X

Evaluation question	Approach / indicator	Method				
		Desk research	Survey	Interviews		
				Donors	CoE (SXB / MA)	MA (partners, CSOs)
(10) In what way have the projects integrated gender issues during implementation?	Stakeholders identifying gender mainstreaming elements in outputs ¹³					

¹³ This will be assessed in line with Council of Europe (2018) Gender Mainstreaming Toolkit for Cooperation Projects

	Evaluation question	Approach / indicator	Method				
			Desk research	Survey	Interviews		
					Donors	CoE (SXB / MA)	MA (partners, CSOs)
Added value	(11) To what extent has the CoE been able to put its comparative advantage and expertise into action and create inter-linkages between projects and CoE instruments during the implementation of the NP?	Stakeholders identify 'categories' of added value, including (a) operationalisation of the dynamic triangle (i.e., synergies between standard setting, monitoring and cooperation), ¹⁴ (b) status in some CoE bodies (e.g.) Partner for Democracy Status, (c) accession to CoE Conventions, (d) 'political neutrality' of the CoE, (e) expertise in the subject matter, (f) methodological approach (g) project linked to core area of work of the CoE, (h) in-country presence of the CoE, (i) understanding of country context via previous cooperation (2012-2017)			X	X	X

¹⁴ Please note that this evaluation question will be addressed in the specific context of Morocco not being a member State of the CoE, i.e., there is more limited scope for operationalising all elements of the dynamic triangle, most notably standard setting and the corresponding monitoring. See however the documents 'Council of Europe Conventions signed by Morocco' and 'List of Partial Agreements with the Participation of Morocco'.

	Evaluation question	Approach / indicator	Method				
			Desk research	Survey	Interviews		
					Donors	CoE (SXB / MA)	MA (partners, CSOs)
Sustainability	(12) To what extent has the CoE contributed to a sustainable implementation of reforms and to capacity development in Morocco?	Stakeholders identify actions aiming at sustaining outcomes, such as integration of training into existing curricula, allocation of resources to maintain outcomes, establishment of new structures and networks, accession to conventions, observer status in CoE structures (e.g. CEPEJ, Partners for democracy and for local democracy status) etc.				X	X

Annex 5 – Survey questions

Annex 3 lists the survey questions.

- 1. Résultats immédiats** : dans quelle mesure le projet a-t-il conduit à un renforcement des capacités? Veuillez évaluer la contribution du projet aux suivants résultats immédiats de 1 (très limitée) à 5 (très forte).
 - **Renforcement de la sensibilisation augmentée** (très limitée, limitée, je ne sais pas, forte, très forte)
 - **Amélioration de la compréhension** (très limitée, limitée, je ne sais pas, forte, très forte)
 - **Compétences techniques / professionnelles renforcées** (très limitées, limitées, ne sais pas, fortes, très fortes)
 - **Texte:** veuillez utiliser cette zone de texte pour noter d'autres résultats immédiats

- 2. Résultats à moyen terme** : dans quelle mesure le projet a-t-il abouti à des résultats à moyen terme? Veuillez noter la contribution du projet aux résultats suivants de 1 (très limité) à 5 (très fort).
 - **Changements dans la législation/ jurisprudence/ cadre normatif** (très limités, limités, je ne sais pas, forts, très forts)
 - **Un engagement plus fort avec les Conventions du Conseil de l'Europe** (très limité, limité, je ne sais pas, fort, très fort)
 - **Changements de politiques / stratégies et similaires** (très limités, limités, je ne sais pas, forts, très forts)
 - **Changements en termes de législation de mise en œuvre** (très limités, limités, je ne sais pas, forts, très forts)
 - **Renforcement de la performance des institutions** (très limité, limité, je ne sais pas, fort, très fort)
 - **Mise en place de nouvelles structures institutionnelles** (très limitée, limitée, je ne sais pas, forte, très forte)

- **Renforcement de la coopération entre les acteurs concernés dans le pays** (très limité, limité, je ne sais pas, fort, très fort)
- **Renforcement de la coopération régionale** (très limité, limité, je ne sais pas, fort, très fort)
- **Renforcement de la coopération internationale** (très limité, limité, je ne sais pas, fort, très fort)
- **Participation plus équilibrée des hommes et des femmes** (très limitée, limitée, ne sait pas, forte, très forte)
- **Renforcement des considérations de genre** (très limité, limité, je ne sais pas, fort, très fort)
- **Renforcement de la participation des organisations de la société civile** (très limitée, limitée, je ne sais pas, forte, très forte)
- **Texte:** veuillez utiliser cette zone de texte pour noter d'autres résultats à moyen terme

3. Qu'est-ce qui explique l'atteinte des résultats ? Veuillez évaluer votre accord avec les affirmations suivantes de 1 (pas du tout d'accord) à 5 (tout à fait d'accord).

- **Les réalisations sont expliquées par le fait que le projet fait partie de Partenariat de Voisinage** (pas du tout d'accord, pas d'accord, ne sais pas, d'accord, fortement d'accord)
- **Les réalisations s'expliquent par une coopération préalable avec le CdE (2012-2014 ou 2015-2017)** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **Les réalisations s'expliquent par la présence du CdE dans le pays (bureaux à Rabat et Tunis)** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **Les réalisations s'expliquent par l'engagement / composition du partenaire** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **Les réalisations s'expliquent par l'expertise du CdE** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **Les réalisations s'expliquent par la visibilité et les efforts de communications** (en désaccord, en désaccord, ne sais pas, d'accord, fortement d'accord)
- **Les réalisations sont expliquées par une réponse adéquate du CdE au COVID-19** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)

- **Texte:** veuillez utiliser cette zone de texte pour noter d'autres facteurs explicatifs

4. Quels obstacles ont entravé l'atteinte des résultats ? Veuillez évaluer votre accord avec les affirmations suivantes de 1 (pas du tout d'accord) à 5 (tout à fait d'accord).

- **Il y a eu des changements de personnel dans les institutions partenaires** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **Il y a eu un manque de personnel dans les institutions partenaires** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **Il y a eu une volonté politique limitée en ce qui concerne les résultats du projet** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **L'instabilité politique a limité les résultats du projet** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **Il y a eu des changements de personnel au bureau du Conseil de l'Europe dans le pays** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **Les procédures administratives du Conseil de l'Europe ont limité la réalisation des résultats** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **Les restrictions du COVID-19 ont limité l'atteinte des résultats** (pas du tout d'accord, pas d'accord, je ne sais pas, d'accord, tout à fait d'accord)
- **Texte:** veuillez utiliser cette zone de texte pour noter d'autres obstacles

5. Avez-vous des recommandations concernant le futur Partenariat de Voisinage à partir de 2022?

- **Texte:** veuillez utiliser cette zone de texte pour noter vos recommandations