



## Terms of Reference

Preparing the Future:

**Assessment of CO Capacity Development Needs  
for Management and Implementation of the  
Governance Programme 2007 - 2011**

Kinshasa, October 2006

**Mission Dates:**

- Preparation: 29 January – 3 February 2007
- **Mission in Kinshasa: 5 – 17 February 2007**
- Submission of draft report: 3 March 2007
- Finalization of Report: 19 February – 11 March 2007

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## Context

In view of the end of political transition and the establishment of the newly elected Government expected in December 2006, the DRC Country Office of the United Nations Development Programme (UNDP), in partnership with international partners and especially DFID, is currently in the process of developing its future Country Programme in the framework of the UNDAF and the CAF (Country Assistance Framework). Main areas of support will be Poverty Reduction and Democratic Governance at the central, provincial and local levels.

UNDP is seeking to prepare for the future through the strengthening of Country Office's operational and programmatic capacities for the management and implementation of a comprehensive Governance programme with a portfolio between USD 150 and 250 million for a 5 year period. In this context, UNDP in partnership with DFID is organizing an assessment of capacity development needs at the programme and operations level.

The main expected result of this mission is a detailed proposal on how to prepare the office for efficient management and implementation of the 2007 - 2011 Governance programme.

### **1. DRC Country Context**

Situated in Central Africa, the Democratic Republic of Congo has a surface area of 2,345,000 square kilometres. Currently subdivided into 11 provinces, it has common borders with nine countries in the region (Angola, Burundi, Central African Republic, Republic of Congo, Rwanda, Sudan, Tanzania, Uganda and Zambia). Its population is estimated at approximately 60 million inhabitants.

Despite its enormous endowment of natural resources, the DRC is among the poorest countries of the world. This situation can be described by the following facts: average life expectancy is below 47 years; the school enrolment rate is below 52 %; child mortality is over 125 child deaths per 1,000 births and maternal mortality sits at over 1,285 per 100,000; less than 23% of the population has access to drinking water. In addition, the country has been seriously affected by subsequent wars producing over 4 million deaths, between 3 to 4 million internally displaced persons and between 5 and 10 thousand child soldiers.

While the provinces most affected by the war are located in the east of the country, poverty is a general phenomenon with the overwhelming part of the population living below the poverty line of 1 US dollar per day. For example, the average income per person per day is 0,85 US dollars and 1,15 US dollars in Kinshasa and Matadi (capital of the Bas Congo province) respectively.

Territorial integrity has gradually been restored, but rule of law remains weak. State presence is limited to those larger areas, less affected by years of neglect and armed conflict. A centrally overblown and dysfunctional public administration has resulted in the dilapidation of public resources and the near total absence of social service delivery. Local and regional warlords, still powerful in some areas, control resources and systematically subject the population to serious human rights abuses.

### **2. Political Developments**

Following the conclusion of the Sun City agreements in December 2002 that put an end to the two wars of 1996-1997 and 1998-2002, the DRC has been engaged in a political transition process. During this process, initially foreseen to last for two years and subsequently twice extended for six months each time, a new constitution was developed and adopted. In December 2005, this constitution was approved by a referendum; in which over 60% of the 25 million registered voters participated.

The constitution is founded on a semi-presidential system with a prime minister elected by parliament. It assures the future independence of the justice system, and sets out a process of decentralization that will transfer significant governance competencies to the provinces, and includes a transition over 3 years to a new territorial administrative structure of 26 provinces.

On 30 July 2006 for the first time in over 40 years, presidential and parliamentary elections were held in DRC. The second round of presidential elections and provincial elections took place on 29 October 2006. Therefore, the way is now open for the instalment of a new and democratically elected government in December 2006 and January 2007. This moment in the DRC's history not only marks the end of political transition but also constitutes a unique opportunity for the country, the region and the international community as a whole to stabilize sustainable both the country and the region.

### **3. UNDP Programme Priorities**

UNDP plans to align its interventions to support the PRSP, focusing on two main areas for the next five years: democratic governance and poverty reduction. This implies a gradual phasing out of Crisis Prevention and Recovery activities, which will be repackaged as local development support directed to conflict-affected areas on the one hand and support to security sector reform on the other.

In the field of **Poverty Reduction**, UNDP will further assist the PRSP process by establishing a poverty observatory that will ensure monitoring and evaluation of the PRSP. The CO will support the government in preparing and implementing a local and community driven development decentralization and recovery package that will both fulfil the constitutional provisions towards a decentralized state and boost service delivery at the local level, including local participation and engagement. The CO will continue its support to community-based development (CBO capacity-building, access to basic social services, and income-generating opportunities including micro-credit); environmental and natural resources management (conservation of biodiversity and rural micro hydroelectricity); and fight against HIV/AIDS, besides engaging more forcefully on conflict prevention and reconciliation.

The UNDP **Governance** programme will support the establishment of the new political system with new institutions at all levels and will seek to address institutional weaknesses in macro-economic and administrative management; the lack of physical state infrastructure; and the lack of public natural resources management capacity, potentially including support activity to the consolidation of the state budget.

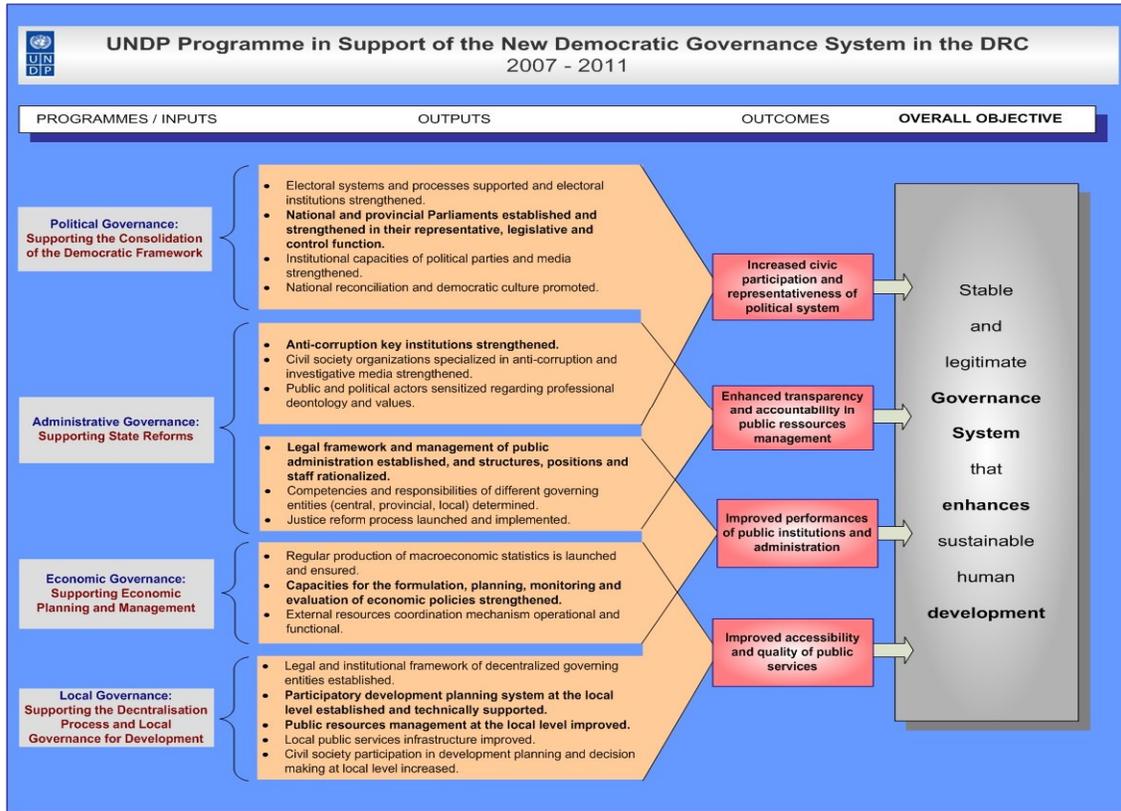
Rather than providing classic technical and capacity building support, the Governance programme should provide a comprehensive framework to instil and foster good governance in the DRC. It should also be a basis for more efficient coordination of donor interventions in this area, thus ensuring a coherent international approach to support governance in the DRC. The structure and details of the programme are still under development in close collaboration with national and international partners. Funded through donor and UNDP funds, the total anticipated amount of resources to be managed through UNDP will range between USD 150 and 250 million for a period of 5 years.

According to previous UNDP analysis,<sup>1</sup> core components of the programme could be (a) Support to the Establishment and Capacity Building of National and Provincial Parliaments, (b) Support to the Decentralization Process, and (c) Support to Public Administration Reform. The gender component will be mainstreamed into all programme components through a detailed gender programming review process. In addition, specific elements of the Security Sector Process (i.e. Police and Army Reform) that are currently part of the portfolio of the Post-Conflict Unit could be integrated into the Governance programme.<sup>2</sup> The following figure provides an overview of the potential structure and areas of intervention of this programme (subject to changes during the Governance formulation mission).

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<sup>1</sup> Concept Note on Good Governance in the DRC (UNDP, December 2005), UNDP Governance Programme Strategy (March 2006).

<sup>2</sup> The Governance Programme 2007 – 2011 is currently under development and will be finalized through a mission from 15 January to 5 February.



## 4. UNDP Country Office Background

Anticipating the considerable programme management challenges of the next 5 years, UNDP has decided to strengthen its CO. However, the office in the Democratic Republic of Congo has already undergone important changes during the last three years. These elements of change need to be taken into consideration when developing a strategy for further strengthening of the office.

The changes are partly due to an annual portfolio increase from US\$ 66 million in 2004 to over US\$ 290 million in 2005. In procurement terms, the CO approved 2,237 purchase orders in 2005 totalling USD 192 million, i.e. a 1,187% increase compared to the total value of 2004 purchases. In addition, 200 contracts were signed, and 13 Long Term Agreements (LTAs) were finalized.

Therefore, additional core and non-core staff positions have been created and filled at both, programmatic and operational levels. A Business Centre was established in 2005 that manages the procurement and recruitment of projects directly executed by UNDP. In addition, the CO has established 3 Provincial Offices (Goma, Bunia, Kisangani) and will open additional 3 Provincial Offices (Mbandaka, Mbuji-Mai, Lubumbashi) beginning of 2007.

In fact, the CO staff doubled in number from 2004 to 2005. UNDP DRC core team is currently made up of 33 staff holding Local 100 series contracts and 22 International staff holding a combination of 100, 200 and 300 series contracts. The CO projects have also recruited 998 individuals since 2005, who work on either Special Service Agreements or Service Contracts.

In terms of **management tools and procedures**, the internet-based ATLAS financial management system was introduced globally in 2004. This system allows for real-time financial management and reporting. Following the introduction of this system and the establishment of the Business Centre, the Business Processes of the Country Office have been reviewed and streamlined, and staff systematically trained.

The programmatic management capacities were strengthened with the introduction of the UNDP Results Management Guide, based on the Prince2 programme management methodology. CO programme staff is currently undergoing targeted Prince2 training and will be certified by the end of 2006.

## The Mission

The assessment of capacity development needs for programme management and implementation will be organized and coordinated by the UNDP DRC country office. It will be executed through a joint mission composed of two UNDP staff members and two independent management consultants.

### 1. Overall objectives

In order to allow the UNDP Country Office in DRC to prepare for the successful management and implementation of its Governance programme 2007 - 2011, the overall objectives of the mission are to:

1. Review UNDP DRC CO **project management experience** during the last three years. The focus will be on best practices in terms of execution, structures and processes.
2. Determine the **needs** in terms of programmatic and operational structures (see details below) for the execution of a comprehensive Governance programme.
3. Evaluate the **current programme and operational capacities** of the UNDP country office (Governance unit, Operations department, Service centre) against lessons learned and identified needs.

4. Develop a detailed **proposal for structural change** appropriate for the management and execution of the planned governance programme.

## **2. Expected Outputs and Methodology**

The main expected output of the mission is a detailed report composed of the elements specified below. The mission report will be produced on the basis of an analysis of documents and reports provided and meetings with programme, operations and project staff as well as with national and international key partners.

Elements to be assessed are programming and management capacities of the Governance unit, the operations department and the Service Centre; programme and operational management systems as well as business processes in place; and access to additional resources (regional and HQ support services). In addition, common management tools and best practices as well as tools specifically developed by UNDP HQ (New CO Typology, Change Management Tool kit) should be used.

### **2.1 Structure of the Report**

The mission will develop a report that is composed of 4 sections:

#### **A. Country Office Programme Management Experiences**

This section will provide a review and analysis of experiences in terms of structures and processes at the project, programme, operations and service centre levels. Capturing best practices of the CO in terms of execution structures and processes, this section should particularly consider the experiences of the Global Fund, APEC, SPECS, AIT, "Contentieux", and MRR projects. Specific lessons learned from past practices and experience that proved less successful will also be highlighted to gain an overall understanding of what did and did not work, and why.

#### **B. Programmatic and Structural Needs**

On the basis of the draft governance programme document and the lessons learned section as well as experiences from other countries, the mission should determine needs in terms of staffing and structures at the project, programme, operations and business centre levels to execute such a programme successfully. Expected workloads will specifically be considered, and taken into account as part of this needs determination. The mission will also consider the new UNDP CO Typology developed by the UNDP Bureau of Management / MCT.

#### **C. UNDP CO Capacities**

In this section, the mission should provide a detailed analysis of the existing structures and staffing of the Governance Unit, the operations department and the service centre, and evaluate current capacities for the management and implementation of the Governance programme 2007 - 2011. It should take into consideration the current business processes as revised by the Country office in 2006. For assessment details, see point 2.2.

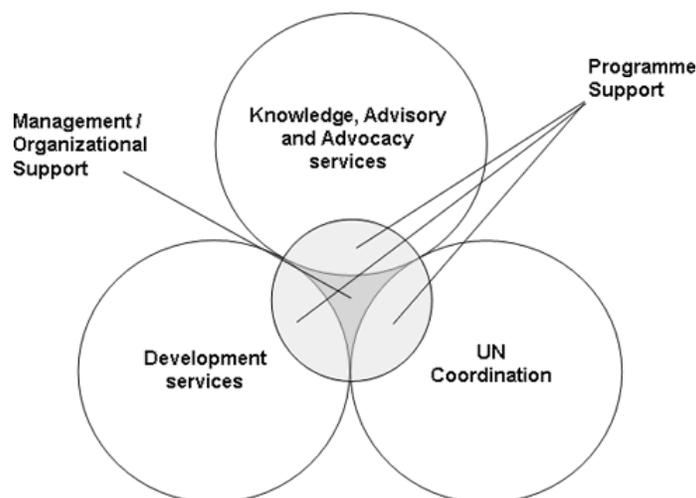
#### **D. Proposal for structural change and staffing**

In its final section, the report should propose detailed structures and staffing for the UNDP Governance Unit, the operations department, the service centre and the programme management team. **This proposal needs to be realistic in terms of funding and timing:** the *initial* phases of any proposed changes will need to be in place by the end of May 2007 at the latest, and funded through project resources, specific donor contributions and the country office's extra-budgetary funds (XB income). The mission should take into consideration the

UNDP Change Management Toolkit and the UNDP Resource Mobilisation user guide, and should develop a comprehensive strategy for recruitment, training and timing of key programme activities. The establishment of a specific “structural change project” should be considered and discussed.

## 2.2 Aspects to be assessed

The assessment of capacity development needs (section c of report) and the proposal for structural change and staffing (section d of report) should be developed on the basis of the UNDP business model that determines the different roles a UNDP Country Office plays in executing comprehensive programmes:



- **Knowledge, Advisory and Advocacy Services** relate to UNDP’s substantive contribution to the development dialogue in respective fields and UNDP’s conceptual capacities in particular.
- **Development Services** relate to UNDP’s capacities aimed at building national capacities
- **UN Coordination** is linked to UNDP’s support to the Resident Coordinator’s office and the UN Country Team. In the context of programme execution, it refers to its capacity to coordinate the interventions of international and national partners.
- **Programme Support** encompasses support to the delivery of the above services, especially in project execution (procurement of goods and services, and contract management). Programme support services also include assistance in project identification and formulation, and project monitoring and evaluation.
- **Management / Organizational Support** refers to the administrative and management support internal to UNDP.

Structural considerations should be based on the “*Prince2*” **programme management methodology**.

The following capacities of the Country Office should be assessed:

### A. On the Programme side (Governance Unit):

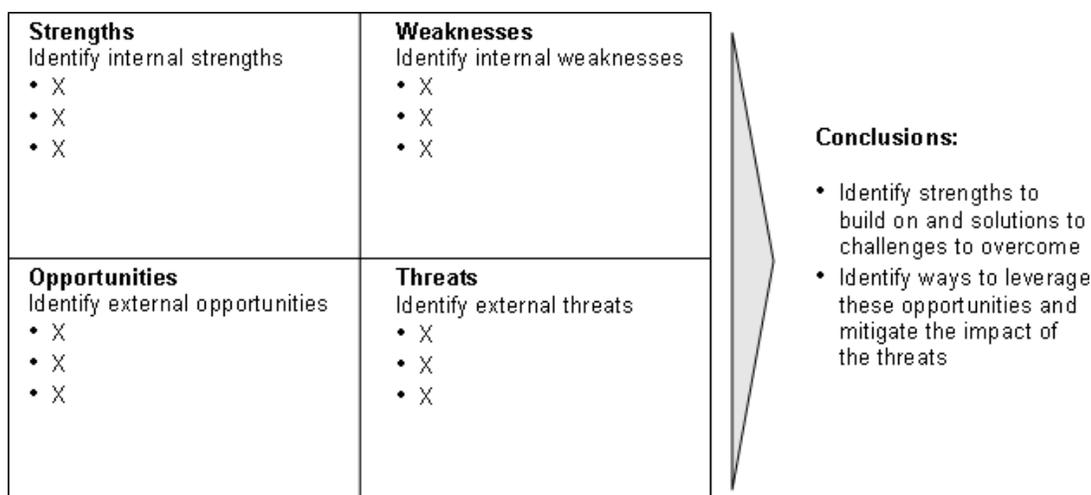
- Ability to identify, design, formulate and set-up high-quality programmes;
- Ability to guide and lead on the technical aspects of the programme/project;
- Ability to plan, monitor and coordinate activities in order to ensure the achievement of quality results;

- Ability to coordinate interventions of partners ;
- Ability to provide training and access to international knowledge and experiences;
- Ability to produce programme/project budgets;

B. On the Operations and Service Centre Side:

- Ability to procure goods, services and works on a transparent, competitive and **timely** basis according to project needs;
- Ability to prepare, authorize and adjust commitments and expenditures on a **timely** basis according to project needs;
- Ability to manage and maintain equipment;
- Ability to recruit and manage the best qualified personnel on a transparent, competitive and **timely** basis according to project needs;
- Ability to disburse funds in a timely and effective manner;
- Ability to ensure financial recording and reporting.

The evaluation should clearly state the strengths of the CO and identify areas where capacity development is necessary in view of anticipated challenges. Therefore, the mission should produce a detailed analysis of strengths and weaknesses of the CO for each of the above areas. The SWOT analysis tool could be used to this end:



When assessing the CO capacities in relevant areas, the following elements could be considered:

1. Review the CO staffing list of relevant area.
2. Review the PEM (Practice Experience Map) data of relevant CO staff.
3. Evaluation of each unit's skills levels in the required areas.
4. Evaluation of each unit's learning capacity in these same areas, and an estimation of the time needed to fulfil the learning process.
5. Identification of gaps between each unit's capacity strengths and the competencies needed to successfully fulfilling respective roles in the management and implementation of the Governance Programme.
6. An evaluation of capacity gaps to resolve and strengths on which to capitalize.

### **3. Composition, Phases and Timing**

The mission will be carried out from **29 January – 3 March 2007** (one week preparatory phase, two week mission in Kinshasa, two week report drafting) and will be composed of the following 4 mission members:

- 1. 2 UNDP staff (of which one is the mission coordinator)**
- 2. 2 Independent Management Consultants**

Prior to the mission, the UNDP CO Kinshasa will prepare comprehensive documentation on operational and programmatic structures and procedures.

In their **one-week preparatory phase** (29 January – 3 February), the members of the mission will study this documentation. Before arrival in Kinshasa, the head of mission in consultation with the mission members (email, conference call, video conference) will also review and further develop the proposed methodology and prepare a more detailed mission plan. At the end of this week (3 February), the head of mission will submit a mission proposal to the UNDP CO, explaining in detail the mission methodology and suggesting additional resources to be used.

The **two weeks of mission in Kinshasa** (5 – 17 February) will consist of briefings and discussions with the CO management, the Governance Unit, the Operations Department and the Service centre staff as well as with international key partners in Kinshasa and UNDP project teams. The second week will end with a briefing of the UNDP country office management.

In addition, the first day of the mission in Kinshasa should be used to hold an **introductory workshop** (5 February) with the mission members, and representatives of UNDP and DFID Kinshasa offices. The purpose of this workshop will be to discuss together and share each office's expectations for the mission, as well as potential mission risks and fears. At the end of the workshop, all participants should have a common view of the objectives, methodology and process of the mission.

**During the two-week final phase** (17 February – 3 March), the mission members will draft respective sections of the mission report and consolidate their inputs. The head of mission will submit the finalised and consolidated draft report that consists of the elements specified in the "expected outputs" section of the present ToRs to the UNDP DRC country director for fact-checking and comments on the 3<sup>rd</sup> of March, and finalise the report 4 days after receipt of UNDP comments. The UNDP CO will then distribute and share the report with partners.

(→ See table below for detailed mission plan)

### **4. Equipment and Facilitation**

The mission members are expected to bring and use their own laptops. 2 Mobile phones, an office with internet access and printers and other office equipment will be provided. The mission can also use one of the UNDP meeting rooms. To facilitate transport, two cars will be rented during the two weeks in Kinshasa.

**Table 1: Mission Plan**

Phase	Step	Dates	Products	Responsibility
Phase 1: Preparation.	Preparation of Documentation	15. - 28.01.07	Comprehensive Documentation on CO Projects, Structures, UNDP management toolkits and the DRC context.	UNDP DRC
	Analysis of Documents	29.01 - 02.02.07	Mission members comprehensively briefed.	Mission members
	Submission of detailed Mission Proposal	03.02.07	Mission proposal explaining in detail methodology and suggesting additional resources.	Head of Mission
Phase 2: Mission in Kinshasa	Arrival in Kinshasa	04.02.07	Mission ready to begin.	Mission members
	Briefing and workshop	05.02.07	One day workshop on expectations and challenges, risks and opportunities of the Mission	Mission members, UNDP and DFID Kinshasa
	Meetings with Governance Unit staff	06.02.07	Analysis of Programme Structure and lessons learned	Mission members
	Meetings with Operations staff	07.02.07	Analysis of Operations structure and lessons learned	Mission members
	Meetings with Service Centre staff	08.02.07	Analysis of Service Centre Structure and Lessons Learned	Mission members
	Meetings with project staff	09.02.07	Analysis of Best Practices for project management structures and staffing	Mission members
	Capturing of Ideas	10.02.07	First written paragraphs on lessons learned, needs, existing structures and proposal for change.	Mission members
	Briefing of UNDP Office focal points	12.02.07	UNDP Focal Points informed; additional meetings scheduled.	Mission members, office focal points
	Additional meetings and section drafting	12. - 15.02.07	First draft of the four sections	Mission members
	Mission member coordination	16.02.07	Finalisation of sections coordinated and content discussed.	Mission members
	Debriefing of CO management	17.02.07	First comments from CO Management received for inclusion in Report	CO management, Focal points, mission members
Phase 3: Finalization and Adoption	Drafting and consolidation of draft report	19.02 - 2.03.07	Comprehensive Draft report with four sections and executive summary	Mission members
	Submission of Draft report	03.03.07	Comprehensive Final Draft report with four sections and executive summary	Head of mission
	Comments from UNDP	07.03.07	Comments and checking of facts from UNDP CO	CO focal points
	Submission of Final Report	11.03.07	Final Report.	Head of Mission

## 5. Mission Cost Estimation

Indicative Budget - Assessment of CO Capacity Development needs						
#	Item	Unit Costs	days	numbers	total costs	details
<b>II Int'l Transport</b>						
1	Flight tickets, MCT	5000	1	2	10,000.00	Estimation of Flight tickets NY - KIN (Business Class)
2	Terminal expenses	60	4	2	480.00	NY and KIN terminal
<b>III DSA</b>						
1	MCT Mission Members	256	15	2	7,680.00	Kinshasa Daily Substance allowance
<b>IV Mission Costs</b>						
1	Car rental	70	15	2	2,100.00	two rental cars during 14 days
2	Mobile Phones	64	1	2	128.00	2 standard mobile phones and SIM card
3	Communication	10	15	4	600.00	10 dollars per mission day and member
4	Office supplies	1000	1	1	1,000.00	lump sum for paper, toners, etc.
5	Printing Costs	0.12	1000	6	720.00	10 documents of 50 pages for each mission member
<b>TOTAL GENERAL</b>					<b>22,708.00</b>	

*Note: The mission costs for the two independent consultants will be covered by DFID.*

### Annex:

#### List of Key Documents

#### List of Key Partners