

Evaluation of the *OHCHR Ethiopia Country Programme*

Evaluation Report

External consultants have prepared this report. The views expressed herein are those of the Consultant and therefore do not necessarily reflect the official opinion of OHCHR.

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TABLE OF ACRONYMS

AU	African Union
AWP/CP	Annual Work and Cost Plan
CB/TA	Capacity Building / Technical Assistance
CCA	Common Country Assessment
CP	Child Protection
CSO	Civil Society Organisation
DKK	Danish Kroner
D/P	Director/Professional staff category
DexRel	Donor and External Relations Section
EARO	OHCHR Regional Office for East Africa
EHF	Ethiopia Humanitarian Fund
EHRC	Ethiopian Human Rights Commission
ENRAP	Ethiopia National Human Rights Action Plan
ESCR	Economic, Social and Cultural Rights
EYR	End-of-Year Review
FDRE	Federal Democratic Republic of Ethiopia
FOTCD	Field Operations and Technical Cooperation Division
FTE	Full-Time Equivalent
HDI	Human Development Index
GoE	Federal Government of Ethiopia
GS	General Service staff category
HR	Human Rights
HRO	Human Rights Officer
HRBA	Human-Rights Based Approach
HRM	Human Resource Management
HRPP	Human Rights Priorities Programme
HQ	Headquarters
IDP	Internally Displaced Person
IT	Information Technology
JI	Joint Investigation
JPO	Junior Professional Officer
KII	Key Informant Interview
LGBTI	Lesbian, Gay, Bisexual, Transgender and Intersex
METS	Methodology, Education and Training Section
MRA	Monitoring, Reporting and Advocacy
NHRI	National Human Rights Institution
NO	National Officer staff category
OCHA	United Nations Office for the Coordination of Humanitarian Affairs

OECD-DAC	Organisation for Economic Cooperation and Development – Development Assistance Committee
OHCHR	Office of the High Commissioner for Human Rights
OMP	OHCHR Management Plan
PMS	Performance Monitoring System
PPMES	OHCHR Policy, Planning, Monitoring and Evaluation Service
PSEA	Prevention of Sexual Exploitation and Abuse
RB	Regular Budget
SDG	Sustainable Development Goals
SEK	Swedish Kroner
SGBV	Sexual Gender Based Violence
S.M.A.R.T.	Specific, Measurable, Attributable, Realistic, Timely
SNNPR	Southern Nations, Nationalities and Peoples’ Region
TESPRDD	Thematic Engagement, Special Procedures and Right to Development Division
TOR	Terms of Reference
TPLF	Tigrayan People’s Liberation Front
UN	United Nations
UNCT	United Nations Country Team
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNDS	United Nations Development system
UNEG	United Nations Evaluation Group
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children Fund
UNODC	United Nations Office on Drugs and Crime
UNSDCF	United Nations Sustainable Development Cooperation Framework
UN-RCO	United Nations Resident Coordinator’s Office
UN-SWAP	United Nations System-Wide Action Plan
UNV	United Nations Volunteers
UPR	Universal Periodic Review
USD	United States Dollar
WHRD	Women Human Rights Defender

EXECUTIVE SUMMARY

Background

This evaluation was conducted at a time of increased turmoil in Ethiopia: an escalation of violence and the declaration of a national state of emergency, with no end to instability in sight. It reflected on a period of profound change in Ethiopia (2019-2021), promising at first but soon afterwards marred by the devastating effects of the pandemic, instability, and violent conflict. The findings, lessons learned, and preliminary conclusions must be considered within this broader context, whilst the evaluation's recommendations are contingent on de-escalation and a reasonable level of stability and political 'normalcy'.

OHCHR has been present in Ethiopia since 2002 when it opened its Regional Office for East Africa (EARO). Lacking a clear monitoring mandate for Ethiopia itself, EARO's main tasks were to monitor the human rights situation in Djibouti, Eritrea, Ethiopia and Tanzania, provide technical assistance to these countries and support the African Union and other regional bodies, and contribute to the mainstreaming of a human rights-based approach by other members of the United Nations system based in Addis Ababa.

Ethiopia has a long history of systemic human rights violations. Following the nomination of Abiy Ahmed as prime minister in 2018, the federal government initiated several far-reaching political and economic reforms, including the opening up of civic and democratic space. Seizing on this window of opportunity, in April 2018, the UN High Commissioner for Human Rights and Ethiopia's Minister of Foreign Affairs signed a new Host Country Agreement to formally host the EARO in Addis Ababa. Although the reform agenda was welcomed by many Ethiopians and the international community, it also created an opportunity for some to use Ethiopia's federal structure framed along ethnic lines to claim specific group rights, including the right to self-determination. This aggravated ethnic tensions, giving rise to further polarisation and outbreaks of violence, and subsequent mass displacement and human rights violations. The negative backlash prompted a need for the protection of vulnerable, affected communities, including internally displaced persons (IDPs). As a member of the UN Humanitarian Protection Cluster, from 2018 onwards, OHCHR became involved in what eventually became 5 OCHA-funded protection monitoring, reporting and advocacy (MRA) projects in several affected regions¹.

At the time, national stakeholders' institutional capacity to address human rights concerns, was low. Its Host Country Agreement allowed OHCHR to broaden and deepen its engagement with Ethiopian counterparts, including the Government, civil society organisations, and the Ethiopian Human Rights Commission (EHRC) in furtherance of substantive work, including technical assistance and capacity building. Seizing this new window of opportunity, Norway

¹ Amhara, Oromia, Somali, SNNPR, Tigray, Benishangul-Gumuz

raised its OHCHR country allocation for Ethiopia. Shortly thereafter, negotiations between Sweden and OHCHR led to the signing, in October 2019, of a comprehensive 2-year programme to support Ethiopian Human Rights priorities, mostly through technical assistance and capacity building initiatives.

Just as the new programme was about to kick off, the COVID-19 pandemic struck. Hampered by an already weak health system, the pandemic had devastating effects on the living conditions of rights-holders. As the needs for assistance grew, the strict policies and measures implemented by the Government and by the UN itself disrupted OHCHR's ability to implement foreseen activities. Although several creative ways were found to continue at least some of the planned activities remotely, on the whole, implementation rates were – understandably – lower than foreseen.

In November 2020, violent conflict broke out in the Tigray region. The situation rapidly escalated and expanded into adjacent regions in July 2021. The conflict triggered allegations of widespread human rights violations and abuses and forced displacement of tens of thousands of people. In response, the international community, including OHCHR, called for an immediate cease-fire and the need for an independent investigation. This led to the establishment of the Joint Investigation (JI) by OHCHR and the EHRC, following the latter's request. Highly relevant but also politically sensitive and operationally challenging, the JI was overfunded but at the same time not adequately staffed. Preparation and implementation soon absorbed a very large part of EARO's attention. Staff working on other on-going projects were temporarily reallocated to the JI. Despite efforts to keep all programmes up and running whilst simultaneously supporting the delivery of a new UNSDCF in which human rights feature prominently, implementation of the Swedish-funded Human Rights Priorities Programme (HRPP) and to a lesser extent the OCHA-funded Monitoring, Reporting and Accountability (MRA) projects were affected, although the JI outcome did contribute considerably to Goal 7 of the HRPP.

Scope

The scope of the evaluation covers the portfolio of projects implemented during the period 2019-2021: (1) Five Ethiopia Humanitarian Fund (EHF)/OCHA funded "Protection Monitoring in Areas of Displacement and Return" projects (MRA), which were implemented in 2019, 2020 and 2021; (2) The Swedish funded "Comprehensive Support Programme to Realize Ethiopia's Human Rights Priorities 2019-2021" (HRPP) which commenced in December 2019; and (3) The Tigray Joint Investigation project (JI), initiated in March 2021 and concluded in November 2021 with the launch of the investigation report on 3 November.

Purpose and objectives

This evaluation was conducted between September and December 2021 by a team of two independent external consultants. The stated purpose of the evaluation was to assess

OHCHR's work in Ethiopia between 2019 and 2021 against 5 evaluation criteria and produce recommendations for ways to improve future programming.

The objectives of the evaluation were to:

1. Identify areas of strength and areas of weakness in the planning and achievement of results – including in the area of gender and human rights integration.
2. Produce useful lessons learned and good practices that illustrate successful and unsuccessful strategies in the achievement of results.
3. Examine the current programme's response and posture in light of the COVID-19 pandemic as well as the political and security dynamics, including conflicts that have increased over the past months, and
4. Produce clear and actionable recommendations identifying concrete actions and responsibilities for OHCHR to undertake towards these ends.

Methodology

The inception phase consisted of a review of 81 documents, scoping interviews with 14 interviewees and submission of an inception report in September. Based on an evaluability assessment, adjustments were made to the evaluation criteria and questions. The criteria addressed were Relevance, Effectiveness, Efficiency, Gender and Human Rights (disability inclusion) Integration, and Impact Orientation/Direction of Travel.

Working under COVID-19 restrictions, the evaluation team used a mixed-methods approach, using both quantitative and qualitative methods. Primary data was collected through confidential, semi-structured, tailored key informant interviews (KIIs). In total, 42 interviews were held with 32 interlocutors, including national beneficiary partners, UN partners (OCHA, UNODC, UNDP and UN-RCO), donor (Sweden) and OHCHR staff based in Addis Ababa, Sudan and Geneva. No beneficiary-level interviews or focus groups discussions were conducted, due to scheduling constraints (see Annex II: list of stakeholders interviewed).

Secondary evidence was collected from OHCHR, partners and open sources. These included corporate and EARO-level policies, strategies, plans, and reports; project-level plans, agreements, work plans, results frameworks, budgets, and reports; Government of Ethiopia's National Development Plans; National Human Rights Action Plans and reports; UNSDCF; country strategies and programmes of relevant agencies (e.g., UNDP, Sweden); and finally, open source analyses and reports on the political, security and human rights situation in Ethiopia. In total, 127 documents were analysed and evidence extracted (see Annex III: list of documents).

Main Findings

Relevance

OHCHR's Ethiopia portfolio covers a broad range of strategic goals, priorities and geographical coverage. In practice, OHCHR operates at the national and all regional levels. All three components of the Ethiopia portfolio are considered highly relevant by the stakeholders involved.

The Ethiopia portfolio is fully aligned with OHCHR's priorities as defined in the 2018-2021 OHCHR Management Plan (OMP), recently extended to 2023. The launch of the Prime Minister's reform agenda enlarged OHCHR's room to manoeuvre and increased demand for technical assistance and capacity building from several stakeholders: government, civil society and the EHRC. The Ethiopia portfolio draws on OHCHR's decades-long experience of human rights monitoring and reporting and on its ongoing consultations with national partners and UN system partners. These are reflected in EARO's internal OMP strategy documents and annual workplans, documentation prepared for human rights mechanisms.

EARO played an important, proactive role in the development of the Common Country Assessment and United Nations Sustainable Development Cooperation Framework 2020-2025 (UNSDCF). The UNSDCF puts OHCHR in a strong position within the UN development system in Ethiopia to support UN partners in operationalising the high-level outcomes and outputs, and in doing so, incorporate an HRBA within their programming. For that to happen, OHCHR will not only need to deliver on its 18 reporting requirements listed in the UNSDCF, but also take on a more active role in parts of the UNDS governance structure, notably the programme planning & performance group and the Issue Groups.

OHCHR has demonstrated adaptability to radically changing circumstances, albeit in a mixed manner. In response to COVID-19, many of the foreseen HRPP's activities had to be restructured to accommodate the changed circumstances and/or were delayed, postponed or cancelled. Another major disruption to the work came with the Tigray conflict and the subsequent decision to conduct the joint investigation. By reallocating EARO staff capacity from the EHF projects and the HRPP to the JI team, OHCHR demonstrated an ability to adapt to a new and urgent priority. But this decision also came at the expense of implementation of the other activities in the HRPP under Goals 1-6, many of which had already been delayed due to the pandemic.

Effectiveness

Since 2018, Ethiopia has experienced extraordinarily turbulent times. These developments affected the two pillars of the Ethiopia portfolio (Capacity Strengthening/Technical Assistance (CB/TA) and Monitoring, Reporting and Advocacy (MRA)) differently. OHCHR's most significant achievements during the 2019-2021 period can be found in the MRA pillar. As the

security situation in large parts of the country worsened and more people fled the violence, the MRA pillar grew, first with EHF-funded monitoring projects, followed by the Joint Investigation in 2021.

Documentary evidence shows that, to a greater or lesser extent, the 4 completed EHF-funded monitoring projects achieved and, in some cases, exceeded the intended results at output level, while expenses were kept well within the budget. The overall objective of these projects is to ensure that the “protection needs of IDPs and other vulnerable groups are identified, recognised and addressed by government, humanitarian and development actors. Gradually, the scope expanded from monitoring and reporting only, to awareness building and training, advocacy and capacity building.

Progress narrative reports systematically capture activities and results at output level, consistent with the project proposal documents. Further evidence from interviews suggests that partners are positive about these projects, in terms of the collaboration with national partners, the quality of the monitors in the field and the oversight provided by EARO staff. All stakeholders expressed concern about the delays caused by the heavy bureaucracy on the side of UNDP. Also, concern was raised about the perceived inability of EARO to meet the expectations raised among the rights holders as a result of the monitoring missions, by providing the necessary follow up.

Without a doubt, the Joint Investigation (JI), conducted by the EHRC and OHCHR, was EARO’s main activity in 2021, and justifiably so. The JI was a strategic, high-profile, complex and politically sensitive project. The joint conduct demonstrates the importance of the relationship between the two parties and shows how OHCHR’s consistent investments in establishing and nurturing that relationship have borne fruit. Whilst the JI was mentioned in the first Results Framework for 2021, it was not foreseen that it would absorb so many of EARO’s staff resources. At the same time, OHCHR considers the JI as a key contributor to the achievement of results under Goal 7 of the HRPP.

Although the JI was meant to be carried out by a full team of additional staff, in practice, EARO had to reassign staff internally to conduct and oversee the JI. As a consequence, the JI consumed a very large amount of attention and energy of the existing EARO team and FOTCD in Geneva. Anecdotal evidence from interviews suggests that most key staff engaged in the implementation of the Ethiopia portfolio dedicated between 50 and 80 percent of their time to the JI. Consequently, this affected the implementation of other projects, especially activities under Goals 1 to 6 of the Swedish-funded Ethiopia Human Rights Priorities Programme (HRPP), but also OHCHR’s involvement in UNCT activities related to the UNSDCF.

The Ethiopia Human Rights Priorities Programme (HRPP) is an ambitious and wide-ranging programme, covering 7 Goals, across the country. Set within the context of 2018-19, the HRPP

was relevant and timely, seizing the opportunities that the reform agenda presented. That said, the programme's design is more an expression of aspirational intent, than a "S.M.A.R.T." realistic strategy with concrete outputs and intermediate outcomes. While its objectives are clearly in line with country needs, they lack concrete attainable targets and indicators. Resources – mostly personnel related - are not tied to specific goals or results, whilst the programme logic (a coherent set of goals, outcomes, outputs and activities) is at times inconsistent. Consequently, the programme was set up in a way that would make it difficult to measure progress and demonstrate OHCHR's contribution to the anticipated results. When the programme was designed, the assumption was that EARO would have the necessary capabilities in place to carry out these activities. This assumption proved improbable, largely because of the disrupting effects of COVID-19, but also because of OHCHR's slow recruitment processes and the ensuing need to reassign staff to the JI. Ensuring adequate levels of staffing for HRPP remains a challenge to this day.

Thus far, the HRPP has made a very positive contribution to the institutional capabilities and independent status of the Ethiopian Human Rights Commission. Other achievements include the support provided to the Office of the Attorney General, and awareness raising and capacity building of the burgeoning human rights CSOs and networks, including women human rights defenders.

Nevertheless, for the stated reasons, the HRPP has not been able to achieve the majority of the originally intended results. At the time of writing, less than half of the intended activities had been implemented². By the end of December 2021, after corrections for cost-recovery, HRPP is expected to underspend by approximately 50%. Many of these activities were one-off ad hoc events, such as conferences or trainings, rather than a coherent string of related activities aimed at contributing to a given output and outcome. Documentary evidence such as progress reports are incomplete and explanations for deviation from the results frameworks are largely absent. Meanwhile, interviewees were appreciative of the support they received from OHCHR in the context of the HRPP, for instance training, awareness raising, and technical advice, although it was still premature to identify tangible outputs and outcomes, other than the number of people trained or funds generated.

Efficiency

The Ethiopia portfolio is funded through different sources including Sweden, Norway, EHF/OCHA Ethiopia, Germany, Canada, Denmark and the International Coalition of Sites of Conscience. Except for the Norwegian grant, funds are project-earmarked. All projects experienced a net excess of income over expenditures; altogether, expenditure has been

² The evaluation assessed actual performance against annual plans from 1 January 2020 – 30 September 2021. Commenting on the draft reports, OHCHR stated that performance in the 4th quarter of 2021 had accelerated to such an extent that by the end of December 2021, more than half of the intended activities had been implemented. The evaluation team could not corroborate this information.

around 50 percent of income received. From an efficiency perspective, in terms of resources, staffing rather than funding has been the main impediment to implementation.

The EARO has grown from 22 staff on 31.12.2019 to 27 staff (including 2 UNV) and 5 vacancies on 30 September 2021. In the second half of 2020, in the middle of the COVID-19 pandemic, EARO experienced a leadership gap that lasted 4 months. During the past two years, the number of staff at P3-4 and National Officer levels remained stable, whereas senior management (P5 and D1-level posts) and GS support staff had increased (from 1 to 3, and from 3 to 5, respectively). Between 2019 and the early 2021, staff were assigned different roles and responsibilities, spread across EARO's overall portfolio. No staff member 'belonged' to the Ethiopia portfolio or to the Regional portfolio, which led to a lack of focus, direction, accountability, and oversight. This changed in 2021, when a new framework to guide the delivery of the mandate and improve accountability, effectiveness, and delivery was established. Nevertheless, there is an imbalance within the Ethiopia country programme pillar between the MRA workstream and the capacity building/technical assistance workstream. On 1 October 2021, only one (vacant) post was assigned to CB/TA, despite the HRPP primarily being a CB/TA programme.

Although some synergies between the various components of the Ethiopia portfolio were found (see the section on effectiveness), synergies between the Ethiopia portfolio and other parts of the EARO programme were less evident. Broadly speaking, OHCHR's engagement with national, UN and donor stakeholders has been positive.

EARO must comply with extensive, time-consuming planning and reporting requirements of donors and OHCHR itself. OHCHR does not apply results-based budgeting methods, nor does it report on cost-effectiveness. Because the narrative reports do not describe which resources were allocated to which desired output or outcome, the efficient use of financial resources to achieve targeted results could not be accurately assessed.

Gender, Human Rights and Leave No One Behind

An explicit gender and human rights-based approach was introduced in 2018. In terms of intent, all portfolio components aim to apply a human rights-based approach (HRBA) that is gender sensitive, targets women and girls and people with disabilities, and builds awareness and capacity among beneficiaries and partners. In terms of actual performance and delivery, there is limited evidence of the adoption of HRBA, gender equality mainstreaming, and targeted attention for people with disabilities in the MRA projects. Lack of disaggregated data meant that achievements in these areas could not be determined.

Impact orientation / Direction of travel

Without a doubt, OHCHR's most significant achievement has been its contribution to the improved quality and independent status of the EHRC, culminating in the well-received joint

investigation report on the basis of which new accountability measures have been announced by the Federal government. In addition, and starting from a low base, OHCHR was able to facilitate orientation and grounding of Ethiopian CSOs into human rights work.

Noting that OHCHR has only recently become actively involved in Ethiopia and recognising the volatility of the country context during the 2019-2021 period as well as its present unpredictability, it is still too early to assess the extent by which the portfolio is contributing to longer-term enjoyment of rights. Moreover, because results were not systematically and comprehensively captured due to weaknesses in the planning, monitoring and reporting processes, there is only limited – mostly anecdotal - evidence of achieved outputs.

The Office has recently embarked on a strategy for its engagement in Ethiopia, building on past experiences and most notably the formidable work on the JI. It has also recently streamlined and better aligned its substantive work and organisational structures and business processes. Increasingly, the ingredients for a constructive and impactful programme are now in place. Much will depend on how Ethiopia's political and security context unfolds in the coming months and years. In a positive case scenario, national stakeholders would be more likely than before to take action to live up to their commitments. Other scenarios may involve the opposite, with more violations of human rights and less space to advocate for protection.

Main Lessons

The past 3 years have been a steep learning curve for OHCHR's presence in Ethiopia. It has experienced some of the usual 'growing pains' of an expanding office. It has performed well in some areas under very challenging conditions, while at the same time been hampered by external disruptions and internal shortcomings. Some important lessons include:

1. Political will at the highest political levels of the Ethiopian federal government is the single-most critical enabler of OHCHR's performance. The political environment has fluctuated considerably over the years, from hostile to favourable and now unpredictable, thus complicating OHCHR's own strategising.
2. Even with just a few dedicated resources and people, OHCHR has proven it can 'punch above its weight' and deliver an outstanding, high profile joint investigation report, developed under high pressure and immense scrutiny. Still, and despite the constraints posed by the COVID pandemic, it should have done more to mitigate the negative consequences this effort had on other (parts of) programmes and honour its obligations more broadly.

3. A key lesson has been that, to be strategic, one must be pro-active, focused and realistic. OHCHR saw opportunities to build a meaningful portfolio in Ethiopia and seized these, but without sufficiently considering their implications in terms of matching resources, organisational setup and business processes. The JI was a strategic priority, but as more challenging work was added to the already heavy workload, the gap grew larger. Initially, OHCHR's response addressed symptoms while leaving the more challenging systemic problems untouched. The internal reform agenda was deliberately designed to address these, but will to a large extent rely on systemic improvements at HQ level in terms of a more agile and responsive human resource management and the development of programme cycle management capabilities.
4. Not only should ambitions be matched by appropriate capabilities and processes, but it is also essential to preserve institutional memory by managing staff turnover more effectively, especially among international P-staff.
5. Communication – with national stakeholders, UN partners and donors – is key, especially when expectations OHCHR itself helped to raise are not (always) being met. A more regular, open dialogue with its partners about the implementation challenges would go a long way in establishing trust, accountability and joint solutions to these.
6. EARO's challenges reflect more systemic shortcomings within OHCHR as a whole: recruiting and deploying people with the appropriate skillsets, background and experience at the right time and ensuring sound programme planning and delivery. In particular, programme management capabilities are insufficient. Current practices harm implementation and risk damaging OHCHR's reputation, especially when, in the case of Ethiopia, interviewees noted that other UN agencies acted with greater agility and a stronger sense of urgency.
7. OHCHR's reliance on UNDP as a service provider is problematic, and merits taking a fresh look at its arrangements with UNDP and – alone or collectively – demand improvements and/or consider alternative options.

Good Practices

1. OHCHR has managed to establish good working relationships with a multitude of stakeholders in a relatively short time, under extraordinarily challenging conditions and with few staff, many of whom were working remotely for a long period of time. The EARO team, supplemented by short-term UNV staff and JPOs, put in a tremendous effort that has been well-appreciated by its counterparts.

2. While small in size, OHCHR has demonstrated that it can ‘punch above its weight’, through influencing and collaboration with other members of the UN system in Ethiopia. OHCHR has developed and nurtured its relationship with the EHRC, based on a clear vision of its potential role in Ethiopian society, and responding well to its needs. In a relatively short period, the EHRC-OHCHR relationship has deepened and broadened to the extent that it was able to conduct the highly complex and sensitive Joint Investigation in 2021. The institutional relationship has matured during the period under review and can be brought to the next level, engaging more closely on aligned or even joint strategizing, planning, implementation, accountability and learning, as both parties reflect on their follow-up actions to the JI recommendations.
3. In the protection cluster, OHCHR is a respected partner with well-developed capabilities, both in EARO’s MRA team and in the field, through its contracted monitors. OHCHR’s training activities are of a high quality, and the monitoring missions conducted by EARO staff and monitors are seen as successful.
4. Following the COVID-19 outbreak, OHCHR showed agility by developing creative ways to conduct some of the envisaged activities remotely, by adjusting scheduled activities and/or supporting new activities that responded to the effects of the pandemic on rights holders. Often, because of the restrictions on travel and social distancing requirements, these activities were realised at reduced costs.
5. The initiative to rationalise EARO’s internal office structure and align it with the main results areas in the Regional Programme pillar and Ethiopia Programme pillar and the two workstreams within the latter, is a positive development. While many of the expected efficiency and effectiveness gains will depend on OHCHR’s ability to fully resource the Office with the right people and skillsets, the reforms already appear to have bolstered staff morale and build a shared vision and sense of purpose.

Conclusions

1. Ethiopia is rapidly becoming an increasingly complex working environment for the UN to work in. For a relatively small and normative office like OHCHR, the situation is especially challenging: how to position itself as an independent and impartial entity with a mandate to protect and promote the human rights of vulnerable people, at a time when conditions are deteriorating, human rights are being violated on an increasingly large scale, and stakeholders – national and international – are becoming increasingly polarised?
2. It is premature to make any definitive judgment about the relevance, effectiveness, efficiency, adoption of the human rights-based approach, and direction of travel of the OHCHR country portfolio, given the short period under review, data gaps encountered

during the evaluation, and the disruptive external conditions (COVID-19, violent ethnic and political conflict) that are likely to affect OHCHR's engagement for years to come. Nevertheless, we can draw several provisional conclusions at this stage.

3. Starting from a low base and constrained by a limited mandate and complex working environment, initially the Ethiopia portfolio evolved in reaction to circumstances, rather than being driven by a pro-active, orchestrated effort on the side of OHCHR. Except for the partnership with the EHRC, which constitutes a strategic pillar of human rights protection and promotion in Ethiopia, programmatic synergies between the various portfolio components tend to be more coincidental than deliberate.
4. OHCHR's Ethiopia portfolio is unmistakably relevant. OHCHR has succeeded in establishing itself as a trusted and respected centre of excellence, and has, within the limitations of its Host Country Agreement, aligned and expanded its actions to the needs of several stakeholders, at various levels. It has also succeeded in giving human rights a prominent place in the UNSDCF in Ethiopia. In doing so, OHCHR has shown flexibility and adaptability to the fragile and volatile external context of Ethiopia.
5. The effectiveness of the Ethiopia portfolio, on the other hand, shows mixed results. Despite COVID-19 related delays, the monitoring, reporting and advocacy projects performed relatively well, with tangible results that were aligned with the original objectives. The politically strategic Joint Investigation took centre stage in 2021 and was successfully completed in accordance with the envisaged timeline, in part thanks to a deliberate management decision taken by EARO leadership to reassign staff from HRPP and EHF-projects. The portfolio helped to strengthen the capacity of the EHRC, bolster the importance of human rights politically and the mandate of OHCHR in this regard, and raise awareness and understanding on human rights among CSOs, duty bearers and rights holders.
6. In contrast, with the exception of Goal 7, HRPP's effectiveness has been less than hoped for. 18 months into the programme, the HRPP has not been able to achieve most of the originally intended results. Less than half of the planned activities were implemented, due to a combination of pandemic-related restrictions, safety concerns, reprioritisation and related staffing constraints on the one hand, and an overly ambitious programme design on the other. There is considerable room for improvement in the two-way communication between OHCHR and Sweden. OHCHR and the Swedish Embassy are advised to take stock of what is feasible within today's highly unpredictable context and redefine the programme's results logic, priorities and activities, partnerships and staffing, as well as its monitoring, reporting and oversight.

7. Efficiency, too, has been mixed. The JI and MRA were conducted well within budget and reputational and operational risks were adequately assessed and managed. The HRPP had ample financial resources at its disposal, but lacked the necessary human resources and management tools to match expectations at the project and partnership level. Though the pandemic undeniably disrupted implementation and oversight, OHCHR's own centralised and inefficient recruitment processes, combined with inadequate organisational structures and processes in EARO itself during the period 2019 – first semester 2021 also contributed to the observed shortcomings. There were and still are too few staff to implement a portfolio of projects in what is arguably an increasingly complex working environment.
8. Despite expressions of intent, the extent to which OHCHR has successfully mainstreamed gender could not be determined. The HRPP's approach has been opportunistic, with the aim of 'getting things done' to draw attention to several themes and pandemic-related issues, rather than a more narrow, sustained focus on a few priority subjects.
9. Given its relatively small size, OHCHR's ability to influence other stakeholders and address the full scale and complexity of the human rights challenges in Ethiopia, is understandably limited. Still, by prioritising partnership with the EHRC and civil society organisations and by co-developing the UNSDCF, the Office has positioned itself strategically.
10. OHCHR Ethiopia's current team is strong on monitoring, reporting and advocacy, but weak in terms of capacity building/technical assistance and programme management capabilities. While some initial positive steps have been made in the context of the internal office reforms, more effort is needed in order to achieve CB/TA objectives.
11. EARO's recently introduced internal reform package constitutes a promising set of measures to address many of the aforementioned challenges. Nonetheless, EARO relies on the willingness and ability of OHCHR headquarters to improve the efficiency and agility of its human resource and financial management, and strengthen its programme cycle management capabilities.

Recommendations

The first few years of OHCHR's programmatic activity in Ethiopia have been a steep learning curve. OHCHR has been able to demonstrate its added value in several areas and roles. OHCHR's monitoring, reporting and advocacy engagements have helped elevate the importance of human rights in the national discourse. From a technical and institutional perspective, the Joint Investigation has been very successful, attracting a lot of national and international attention and highlighting OHCHR's independent investigative role. OHCHR's investments in the CCA and UNSDCF process have helped strengthen the UN's collective

commitment to a stronger focus on human rights and the onus has now shifted to implementation.

However, building awareness raises expectations, and with it comes a need and a responsibility to support the delivery of tangible results that improve the conditions of rights owners. OHCHR's mandate includes the provision of technical assistance and capacity building of various national institutions as well as supporting the UN system to integrate a HRBA in their policies and actions. This is where OHCHR needs to improve its field-level capabilities and seek a better balance between its two distinct but nevertheless interrelated roles.

Managing these two roles well, while staying sufficiently agile and adaptable to fast changing circumstances and risk, will not be easy. Considering the current circumstances, a concerted effort will be needed to develop a country programme strategy that is grounded in realism, focused, builds on OHCHR's added value, and is appropriately resourced.

While OHCHR recognises the need to partner with others (Federal Government, EHRC, CSOs, and the UN system), it has not yet decided to add greater focus to its engagements in Ethiopia by limiting its thematic and/or geographic scope. We recommend doing so, as this would encourage a more strategic approach and greater visibility, in partnership with others.

Taking the current volatile context into consideration, such a country programme strategy should elaborate 3 distinct scenarios, rather than one: (1) continued escalation; (2) stalemate; and (3) improvement. For each scenario, OHCHR should choose what its main roles can be, how these can be operationalised, and which resources it will require. The recommendations below are based on scenarios 2 and 3; the first (worst-case) scenario is likely to reduce OHCHR's operational space to such an extent that it may not be able to conduct activities other than (remote) human rights monitoring.

Short-term (0-6 months)

1. First and foremost, OHCHR must redouble its efforts to overcome existing shortfalls in staff resources by (a) fast-tracking internal recruitment processes; (b) temporarily deploying staff from other parts of the Office; and (c) urging UNDP to accelerate its HRM service provision – and, if necessary, escalate matters to the RC Office and UNDP NY (Action: OHCHR HQ).
2. Building on the JI report's recommendations, in close collaboration with the EHRC, national authorities and the international community, determine a Joint Investigation follow-up action plan and, depending on its content, resource it adequately (Action: OHCHR HQ and EARO).

3. OHCHR must work closely with the Swedish Embassy to thoroughly redesign the HRPP for the coming 3 years, based on a clearly defined, coherent theory of change and realistic assumptions, and enabled by clear programme management arrangements to enhance mutual accountability and learning. In this regard, we recommend to fully align the HRPP with OHCHR's OMP and EARO's forthcoming Ethiopia country strategy, with harmonised language, priorities, results frameworks and resources, using a results-based budgeting approach (Action: EARO, with support from OHCHR HQ, Swedish Embassy and a strategic planning specialist).
4. Implement EARO internal organisational reforms, while guarding the necessary balance between the front office capabilities on the one hand, and technical/operational capabilities on the other. In doing so, EARO must strike a better balance between the two Ethiopia programme pillars' needs and capabilities by prioritising capacity building / technical assistance planning, monitoring and reporting capabilities (Action: EARO).
5. Enhance external communication at the national level with:
 - National partners: to clarify positions, obtain feedback and better identify gaps and needs
 - Donors: to discuss collaboration, communication, accountability and evidence-based learning
 - UN-RCO: to align and harmonise UN-system wide efforts and messages (Action: EARO)
6. Strengthen internal two-way collaboration between EARO and OHCHR HQ by (i) sharing information with HQ (FOTCD, DexRel) about all portfolio components; (ii) better aligning available financial resources with operational needs; (iii) providing programmatic assistance to support EARO in the development of its country programme strategy; and (iv) improving evidence-based planning, reporting and learning (Action: EARO and OHCHR HQ).

Medium – term (6-12 months)

7. Recognising the breadth and depth of the human rights challenges in such a large and complex country like Ethiopia, OHCHR's forthcoming country strategy should be based on clear choices regarding priority themes, regions and partners. In doing so, OHCHR should build stronger synergies between programme components and ensure a better balance between monitoring and reporting human rights violations and capacity building of government, civil society and the EHRC, as well as opportunities to better

prioritise and mainstream human rights across the entire UN system (Action: EARO with support from OHCHR HQ and strategic planning specialist).

8. Equally important, OHCHR should match its ambitions with relevant resources, which could (eventually) also include one or more satellite office(s) in priority regions, similar to OHCHR presence in other countries (Action: OHCHR HQ).
9. OHCHR should position itself more strategically and pro-actively within the UNCT and UNSDCF governance structure in order to help translate the UNSDCF's intent into coherent programmes and encourage the adoption of a human rights-based approach by other UN agencies, funds and programmes (Action: EARO).
10. At the same time, OHCHR must keep an eye on the fragile and unpredictable conditions in Ethiopia. While the strategic choices are being made, EARO should continue to monitor the political-security context closely and develop multiple scenarios to strengthen EARO's agility and responsiveness, should conditions once again change (Action: EARO and OHCHR HQ, with input from UN RCO).
11. Because EARO relies in the first instance on HQ decisions, systems and processes, OHCHR Geneva should take decisive action to overcome systemic shortcomings in its programme management capabilities; human resource management; financial management; and the harmonisation of resource mobilisation with execution (Action: OHCHR HQ).

INTRODUCTION

Country context

The Federal Democratic Republic of Ethiopia (FDRE) was established in 1991. The country's ethnic-based federal system has ten semi-autonomous regional states, largely based on homogeneous ethnic groups; and two so-called chartered cities (Addis Ababa and Dire Dawa). The regional states include Afar; Amhara; Benishangul-Gumuz; Gambela; Harari; Oromia; Sidama; Somali; Southern Nations, Nationalities and Peoples' Region (SNNPR); and Tigray.

Ethiopia is a multilingual society with over 80 ethnic groups, the two largest being the Oromo and the Amhara. The population is an estimated 110 million people, making it Africa's second most populous country. The annual population growth rate is 2.5 percent; close to 80 per cent of the population live in rural areas. Ethiopia is landlocked and surrounded by several fragile and conflict-affected states. Ethiopia hosts the fifth largest refugee population in the world, and is the second largest host of refugees in Africa (after Uganda).³

According to the UN's 2020-25 Sustainable Development Cooperation Framework, there has been "a high level of economic growth, sustained over a generation, that has lifted 15 million people out of poverty and was accompanied by significant improvements in social indicators". Despite having one of the fastest-growing economies in the world, with an index of 0.485 in 2019, Ethiopia ranked 173 on the Global Human Development Index ranking, putting it in the low human development category. Marred by deep levels of corruption, nepotism, and inequalities along ethnic lines, the country is facing important development challenges: a slow pace of structural economic transformation; rapid population growth; high levels of multidimensional poverty; significant un- and underemployment; ethnic tensions and social unrest; gender inequalities and violence against women and children rooted in systemic factors; inadequate law enforcement; and growing environmental pressure exacerbated by the impact of climate change.

Ethiopia has a long history of systemic human rights violations. Following the nomination of Abiy Ahmed as prime minister in 2018, a 27-year period of Tigrayan dominance ended. At the time, the overall situation was one of political stalemate, disorder, and distrust.⁴ The newly sworn-in federal government initiated several far-reaching political and economic reforms, including the opening up of civic and democratic space, following decades of repression. The "joint declaration of peace and friendship", signed by Ethiopia and Eritrea in 2018, was another landmark event, putting an end to a 20 year old 'frozen conflict'. Although the reform agenda was welcomed by many Ethiopians and the international community, it also created an opportunity for some to use Ethiopia's federal structure framed along ethnic lines to claim

³ World Bank, Country Partnership Framework for the Federal Democratic Republic of Ethiopia for the Period FY18–FY22 (2018, p. 6).

⁴ Bertelsmann Institute: Bertelsmann Transformation Index Ethiopia 2020, p. 3 (2020)

specific group rights, including the right to self-determination. However, these changes also aggravated pre-existing and deeply rooted tensions between ethnic groups in the country, giving rise to further polarisation and outbreaks of violence, and subsequent mass displacement and human rights violations, including extra-judicial killings, sexual and gender-based violence against women, mob justice and destruction of properties.

To make matters worse, in November 2020, a conflict broke out in the Tigray region between the Tigray People's Liberation Front (TPLF) and the Federal Government, following 2 years of bitter divisions over power sharing and the dismantling of TPLF's disproportionate political influence in Ethiopia. One year onwards, the situation is dire: according to the Humanitarian Coordinator for Ethiopia, an estimated 5.2 million people, or 90 percent of the population across the Tigray region, urgently need humanitarian assistance, including 400,000 people already facing famine-like conditions, to avert the world's worst famine situation in decades.⁵ Thousands are reported to have died, and many more injured. In May 2021, IOM had registered almost 2 million internally displaced persons. Despite international demands to end the conflict, a belligerent mood prevails, making a political settlement in the near future unlikely.

The conflict in Tigray and clashes in other parts of the country including Oromia, Benishangul and Afar, led to widespread deterioration in human rights conditions and serious violations of international human rights law, international humanitarian law, and international refugee law. There have been numerous, credible reports of ethnic profiling and discrimination, mass extrajudicial killings of civilians, widespread looting and increased sexual and gender-based violence, notably in the Tigray region. Meanwhile, reports show a crackdown on journalists and a deterioration of freedom of expression in other parts of the country.

Despite the country enjoying a relatively strong position at the onset of the COVID-19 crisis when compared with other Sub-Saharan countries, it also faced some major vulnerabilities, including a weak health system and social unrest. According to the UN's assessment of the projected socio-economic impact of COVID-19 in Ethiopia⁶, the impact was likely to be wide-ranging and serious. By September 2021, there had been 312,348 confirmed cases of COVID-19, with close to 5,000 reported deaths⁷. Although the exact impact of the pandemic is yet to be determined, projections in May 2020 showed a likely drop in real GDP to 2.8 percent; a rise in food price inflation could rise to 40 percent or higher; job losses ranging anywhere from 700,000 to as high as 4 million; close to a quarter of the total population in need of humanitarian assistance; 26 million children, mostly in primary school, are not attending

⁵ Statement by Acting Humanitarian Coordinator for Ethiopia, Grant Leaity, on the operational constraints and *de facto* humanitarian blockade of Tigray, 2 September 2021.

⁶ UN Socio-Economic Impact of Covid-19 in Ethiopia (May 2020)

⁷ WHO Coronavirus Dashboard 6 September

school; involuntary return of Ethiopian migrants from the Gulf and wider Middle East; with women likely to bear the brunt of the pandemic.⁸

The pandemic, in combination with adverse global conditions and geopolitical competition in the Horn of Africa and the Tigray conflict, continue to give rise to increased uncertainty and volatility, marked by heightened risks.”⁹

OHCHR Programme background

The OHCHR Regional Office for East Africa (EARO) was founded in 2002 to serve as a liaison with African regional bodies and mechanisms, notably the African Union, from its base in Addis Ababa. In addition, the office works as a regional hub for East Africa, monitoring the human rights situations in Djibouti, Eritrea, Ethiopia and Tanzania. The Regional Office also provides thematic expertise and training on women's rights and gender equality and on human rights treaty body commitments.

Lacking a formal bilateral agreement with the Federal Government of Ethiopia (GoE), until mid-2018, OHCHR EARO's focus was mostly on the African Union. Direct collaboration with the GoE was effectively absent, whereas engagement with non-governmental Ethiopian counterparts was relatively modest, both in size and scope. EARO's subregional programme 2018-2021, drafted in 2017/18 as part of the OHCHR's overall 2018-2021 Office Management Programme (OMP) shows that activities in Ethiopia were limited to:

- Engagement with the Ethiopian Human Rights Commission to support the integration of HR principles in policies and manuals of national protection mechanisms;
- Advocating for the implementation of recommendations of human rights mechanisms and the boosting of CSO capacity to monitor the government's implementation of the recommendations;
- Engagement with CSOs, human rights defenders and others to enhance their participation in decision-making processes; and
- Working with other UN entities to integrate human rights in development policies and programmes, including the UNDAF.

EARO's situation changed considerably after the appointment of Abiy Ahmed as the new Ethiopian prime minister in 2018. The new government set out on an ambitious reform agenda, including the opening up of space for meaningful human rights improvements. Consequently, in April 2018, the UN High Commissioner for Human Rights and Ethiopia's Minister of Foreign Affairs signed a new Host Country Agreement to formally host the EARO in Addis Ababa. The agreement also allowed OHCHR to broaden and deepen its engagement

⁸ UN Sustainable Development Cooperation Framework Ethiopia 2020-2025, p. 3-4

⁹ UNSDCF 2020-25, p. ix (2020)

with Ethiopian governmental ministries and the Ethiopian judiciary. Since then, OHCHR has intensified its partnership with the Ethiopian Human Rights Commission, civil society organizations and other relevant stakeholders, in furtherance of technical assistance and capacity building.

Seizing upon this new window of opportunity, Norway committed a larger share of its overall support to OHCHR to expand its work in Ethiopia, whereas Sweden offered new funding opportunities to do the same. Consultations between Sweden and OHCHR began in 2018, and resulted in a 3-year programme proposal submitted to Sweden in October 2019; In December 2019, Sweden approved the programme for a 2 year period.

OHCHR's Ethiopia portfolio consists of 3 components: (1) Five Ethiopia Humanitarian Fund (EHF)/OCHA funded "protection monitoring in areas of displacement and return" projects (MRA), which were implemented in 2019, 2020 and 2021; (2) The Swedish funded "Comprehensive Support Programme to Realize Ethiopia's Human Rights Priorities 2019-2021" (HRPP) which commenced in December 2019; and (3) The Tigray Joint Investigation project (JI), initiated in March 2021 and concluded in November 2021 with the launch of the investigation report on 3 November.

There are differences and similarities between the components. The protection monitoring projects and the joint investigation project are both relatively straightforward projects with a clear start and end date, within clearly defined parameters and geographical areas. The HRPP, on the other hand, is a comprehensive development programme, aimed at awareness raising, capacity building and technical assistance across a broad set of themes, with aspirational goals and objectives and covering the entire country. The HRPP does overlap with the MRA when it comes to conflict prevention and recovery.

[OHCHR monitoring on general protection/human rights in areas of displacement and return and newly affected areas with fresh conflicts in Ethiopia](#)

In 2018, OHCHR, UNHCR, UNFPA and UNICEF as members of the Protection Cluster developed an inter-agency project on 'protection monitoring and capacity development for displacement affected communities in West Guji zone, Oromia region'.¹⁰ From December 2018-November 2019, OHCHR deployed four human rights monitors to Bule Hora, who undertook various protection and human rights monitoring, advocacy, referral and intervention works in the project areas. Since then, similar projects have been replicated in other parts of the country, notably in IDP-affected zones in Oromia, Benishangul Gumuz, Somali, Amhara, SNNPR and Tigray regions have been conducted. The overall objective of these projects is to ensure that the "protection needs of IDPs and other vulnerable groups are

¹⁰ OCHA Project code: ETH-18/DDA-3379/RAI/P/UN/10791. OHCHR project code: SB-011667

identified, recognised and addressed by government, humanitarian and development actors. Gradually, the scope expanded from monitoring and reporting only, to awareness raising and training of IDPs/returnees on their understanding of their basic rights, and advocacy efforts by OHCHR for accountability for human rights violations, capacity building of local authorities, EHRC and humanitarian partners, and advocacy for the centrality of human rights in peace building and conflict resolution efforts.

In total, between December 2018 and October 2021, OHCHR signed five protection monitoring project agreements with OCHA, for a total of USD 1,327,945. These are:

- West-Guji zone, Oromia region (December 2018 - November 2019)
- West Guji and Wollega zones in Oromia region, Gondar in Amhara region, Gedeo in SNNPR and Somali region (July 2019 – July 2020)
- East and West Wollega in Oromia region, Kamashi zone in Benishangul Gumuz region, Nekemte in Oromia region, and Central Gondar in Amhara region; Fafan and Sitti zone and Jigjiga in Somali region (March 2020 - June 2020)
- East and West Wollega in Oromia region, Kamashi zone in Benishangul Gumuz region, Fafan and Sitti zones in Somali region; Central Gondar in Amhara region; Dire Dawa urban, Guji, West Hararghe and Liben zones, Oromia region (September 2020-September 2021)
- 7 zones in Tigray, Kamashi in Benishangul Gumuz region, and Central and North Gondar in Amhara region (August 2021 – May 2022). This project complements the Joint Investigation project.

Comprehensive Support Programme to Realize Ethiopia's Human Rights Priorities (HRPP)

In December 2019, OHCHR signed a funding agreement with the Government of Sweden to support its first-ever Ethiopia-focused programme and the first national programme managed out of a Regional Office. The programme is based on OHCHR's 2018-2021 Office Management Plan and was initially designed for a 3-year period, with a budget of USD 4.5m. This was then brought back to a 2-year programme (2020-2021) that started in earnest in March 2020, when the first instalment was transferred from UNHCR HQ to EARO. It is expected to end by 30 June 2022, following a budget-neutral extension of 6 months.

The programme is centered around 7 Goals¹¹:

¹¹ OHCHR – Comprehensive Support Programme to Realize Ethiopia's Human Rights Priorities – Funding submission to the government of Sweden, p. 2 (Oct 2019). The 7 Goals overlap to a large extent with the OMP's 6 Pillars: (1) Increasing implementation of the outcomes of the international human rights mechanisms; (2) Advancing sustainable development through human rights; (3) Preventing violations and strengthening protection of human rights, including in situations of conflict and insecurity; (4) Enhancing equality and countering discrimination; (5) Strengthening the rule of law and accountability for human rights violations; and (6) enhancing participation and protecting civic space.

1. Support human rights-based reforms in Ethiopia, focusing on legislative and policy reforms in the areas of civic and democratic space, the security and rule of law sectors, and women's participation in decision-making.
2. Protect and expand civic space in Ethiopia by promoting meaningful participation of human rights defenders and other civil society members, furthering respect of the rights to free assembly and expression, and enhancing the role of independent national human rights institutions.
3. Increase implementation of the outcomes of human rights mechanisms, including the recommendations of UN treaty bodies, Special Procedures of the Human Rights Council and the Universal Periodic Review addressed to Ethiopia.
4. Address inequalities and discrimination in Ethiopia affecting women, persons with disabilities, minorities and other specific groups.
5. Support the inclusion of human rights-based approaches to conflict prevention and humanitarian response efforts, in view of large-scale internal displacements in Ethiopia and ongoing refugee and migration concerns in the sub-region, through human rights and protection monitoring, participation in UN joint responses, and capacity building of governmental and civil society partners.
6. Promote sustainable and inclusive development in Ethiopia, with a commitment to leave no one behind, through support for national policies and joint UN actions based on international human rights standards.
7. Strengthen the rule of law and accountability for human rights violations in Ethiopia by supporting the capacity and independence of the judiciary, improving access to justice, promoting responsible use of force, and supporting transitional justice processes.

The vast majority of activities involve awareness raising, dialogues, sensitisation, capacity building, training (e.g., on human rights standards), technical assistance (e.g., in support of drafting of laws and national action plans), workshops and studies, as well as (joint) field monitoring missions. The programme workplan's results framework, which serves as an annual workplan, has been updated twice since October 2019. OHCHR is required to issue biannual narrative progress reports to the Swedish Embassy; in practice, it has issued 3 reports thus far, the first for the October 2019-March 2020 period, a second for October 2019-December 2020, and a third for January-June 2021.

Joint investigation into human rights violations and abuses committed in the context of the Tigray conflict

In March 2021, the EHRC requested OHCHR to participate in a joint investigation (JI) into all allegations of human rights and international humanitarian law violations committed by all parties in the context of the conflict in Tigray.¹² The specific objectives of the JI to:

- Provide a comprehensive, faithful and accurate account of human rights and humanitarian law abuses and violations in Tigray, including, among others, sexual and gender-based violence and its impact on women, men, girls and boys;
- Identify atrocity crimes and other serious violations committed in the context of the conflict and provide guidance on the necessary measures to provide redress for victims and prevent recurrence.
- Provide clear, actionable and gender-sensitive recommendations to relevant actors to address human rights and humanitarian concerns
- Assist in furthering the accountability process where violations are found and advocating for effective remedies for victims.

The investigation team was designed to comprise 29 investigators, specialised experts, 8 interpreters and 1 Administrative Assistant. The overall budget was estimated at USD1,292,811, excluding the non-monetarised contributions from EHRC and OHCHR, with OHCHR contributing technical support and covering operational and logistical costs, and EHRC contributing staff time and administrative support. The joint investigation commenced in March 2021 with field work starting in May 2021. The final report was released on 3 November 2021.

Evaluation Background

Purpose, objectives, scope

In 2019, the Government of Sweden agreed to provide financial support to EARO to implement its new, 2019-2021 Ethiopia Human Rights Priorities Programme. As per article 12.2 of its funding agreement with Sweden, OHCHR was requested to carry out an independent external evaluation of the Office's programme in Ethiopia in 2021, with the final report shared with Sweden no later than March 2022. OHCHR commissioned two independent external evaluators to undertake the evaluation.

¹² Concept Note – Summarized Terms of Reference Joint Mission of the Ethiopian Human Rights Commission and the Office of the United Nations High Commissioner for Human Rights to Investigate Human Rights Violations Committed in the Context of the Tigray Conflict, p. 2 (2021).

The stated purpose of the evaluation is to assess OHCHR's entire portfolio in Ethiopia between 2019 and 2021 against 5 evaluation criteria and produce recommendations for ways to improve future programming. Thus, the evaluation is both summative and formative.

The objectives of the evaluation are to:

- Identify areas of strength and areas of weakness in the planning and achievement of results – including in the area of gender and human rights integration.
- Produce useful lessons learned and good practices that illustrate successful and unsuccessful strategies in the achievement of results.
- Examine the current programme's response and posture in light of the COVID-19 pandemic as well as the political and security dynamics, including conflicts that have increased over the past months, and
- Produce clear and actionable recommendations identifying concrete actions and responsibilities for OHCHR to undertake towards these ends.

The evaluation's scope covers OHCHR's work in Ethiopia between 2019 and October 2021, including the programming cycle 2018-2021.

The main stakeholders of the evaluation include Sweden and other partners supporting OHCHR's Ethiopia portfolio, OHCHR itself, the Government of Ethiopia, and other national partners.

Evaluation criteria and questions

During the inception phase, based on the evaluability assessment, several adjustments were made to the initial set of evaluation criteria and questions. The evaluation criteria addressed were Relevance, Effectiveness, Efficiency, Gender and Human Rights (disability inclusion) Integration, and Impact Orientation.

Methodology and Approach

Working under COVID-19 restrictions, the evaluation team used a mixed-methods approach, using both quantitative and qualitative methods. Primary data was collected through confidential, semi-structured, tailored key informant interviews (KIIs) with sampled stakeholders. In total, 42 interviews were held with 32 interlocutors, including national beneficiary partners, UN partners (OCHA, UNODC, UNDP and UN-RCO), donor (Sweden) and OHCHR staff based in Addis Ababa, Sudan and Geneva. No beneficiary-level interviews or focus groups discussions were conducted, due to scheduling constraints (see Annex II: list of stakeholders interviewed).

Secondary (documentary) evidence was collected from OHCHR, partners and open sources. These included corporate and EARO-level policies, strategies, plans, and reports; project-level plans, agreements, work plans, results frameworks, budgets, and reports; Government of

Ethiopia's National Development Plans; National Human Rights Action Plans and reports; UNSDCF; country strategies and programmes of relevant agencies (e.g., UNDP, UN Women); and finally, analyses and reports on the political, security and human rights situation in Ethiopia. In total, 121 documents were analysed and evidence extracted.

Evidence templates structured in line with the evaluation matrix were used to populate and triangulate the empirical evidence. In synthesising the evidence to reach a judgement, the evaluators included "strength of evidence" ratings to accompany its key findings.

Evaluation management

OHCHR's Policy, Planning, Monitoring and Evaluation Section (PPMES) is in charge of managing the evaluation through an Evaluation Manager, Ms. Aditi Bhola, with the support of Mr. Sabas Monroy. Throughout the inception and data collection phases, the evaluation manager and evaluation team leader discussed progress challenges and practical measures to overcome these on a regular basis.

A Reference Group was created for this evaluation to serve in an advisory capacity to help strengthen the evaluation's substantive grounding and its relevance to the Office. The Reference Group is chaired by PPMES, and includes representatives of FOTCD, EARO and DexRel. The Reference Group provided feedback on the inception report and is expected to comment on the draft and final reports. FOTCD (Ms. Harriet Hirst) and EARO (Ms. Tsidu Asrat and Ms. Kibework Ashenafi) also assisted in the scheduling of key informant interviews. The evaluation manager participated in 5 interviews.

Limitations

The evaluation faced several challenges. First and foremost, the limited availability of documented performance data meant that the evaluation team had to rely in large part on qualitative information obtained through KIIs. Lacking a robust planning, monitoring and reporting capability at EARO-level, there was no systematic, comprehensive and detailed overview of data showing planned versus actual performance, achievements against intended results at the output and outcome levels, and explanations for observed deviations. Nor was there documented evidence to connect intended/actual performance with budgets and expenditures, making it particularly challenging to assess the cost-efficiency and effectiveness of the programme. Documented evidence regarding the disruptive effects of COVID-19, the hostilities in Tigray and elsewhere, and the internal organisational design on the Ethiopia portfolio, proved mostly anecdotal and incomplete. To the extent that performance data had been collected and documented, this was seldom disaggregated, making an assessment of the integration of Gender and the Human Rights Based Approach and achievement of results that contributed to gender equality and disability difficult.

A second challenge involved the delays incurred in the scheduling of interviews and the partial delivery of additional documentation. As a result, not all envisaged stakeholders were consulted, meaning no data was obtained from rights-holders directly, whereas data collected from national partners was less than foreseen.

MAIN FINDINGS

This section presents the main findings against the five evaluation criteria and 23 evaluation questions.

Relevance

- *To what extent does the Ethiopia programme align with the Office's mandate, OHCHR's Management Plan and the Sustainable Development Goals?*
- *To what extent is the Ethiopia programme based on a comprehensive context analysis, including an assessment of underlying causes and risks to affected populations?*
- *To what extent is the Ethiopia programme relevant to the priority needs of rights holders and duty bearers in the country?*
- *To what extent does the Ethiopia programme align with and support national plans, programmes and priorities of national stakeholders on those issues that should be considered as human rights priorities, taking into account OHCHR's comparative advantages?*
- *To what extent does the OHCHR Ethiopia programme complement and strengthen UN-system wide engagement and programming in Ethiopia? Has the programme been successful in integrating human rights into the UN Country Team programmes and activities?*
- *How flexible or adaptive has the programme been to respond to the rapidly evolving socio-economic, political and human rights situation in Ethiopia?*

The Ethiopia portfolio is fully aligned with OHCHR's priorities as defined in the 2018-2021 Organisational Management Plan (OMP), recently extended to 2023. The OMP identifies six thematic pillars¹³, four major "shifts" to OHCHR's approach¹⁴, and specific targeting of 'spotlight' populations (women, young people and people with disabilities). As such, the OMP's priorities are broad and open-ended, offering a menu of options for field presences to choose from, depending on their context.

¹³ The six pillars are: (1) Support to the United Nations human rights system; Mainstreaming human rights in the United Nations' other pillars: (2) development and (3) peace and security; Advancing the core human rights principles of (4) non-discrimination, (5) accountability, and (6) participation. Source: OHCHR OMP 2018-21, p. 6 (2018).

¹⁴ The four major 'shifts' to be made across the 6 pillars are: (1) Support prevention of conflict, violence and insecurity; (2) Protect and expand civic space; (3) Support and further develop the global constituency for human rights; and (4) Deliver human rights in the context of emerging global concerns ('frontier issues'). Source: OHCHR OMP 2018-21, p. 6 (2018)

Lacking a host country agreement with the Government until 2018, OHCHR's engagement in Ethiopia was necessarily limited in scale and scope. In its 2018-2021 OMP – i.e., an operationalisation of the corporate OMP at the regional level - EARO opted for a broad approach, covering all six thematic pillars across the four countries. The 2018-21 EARO OMP was in many ways a continuation of ongoing initiatives within OHCHR's existing mandate. In the case of Ethiopia, the priority areas in the OMP aligned to a large extent with those in the Ethiopian National Human Rights Action Plan (ENRAP), issued in 2016 and covering a wide array of civil-political, economic, and social rights.

The launch of the Prime Minister's reform agenda offered new opportunities. Following decades of purposeful neglect, quite unexpectedly, human rights became an important pillar of Government policy. This U-turn substantially enlarged OHCHR's room to manoeuvre and increased demand for technical assistance and capacity strengthening from several stakeholders: government, civil society and the Ethiopian National Human Rights Commission. These developments also helped raise the profile of OHCHR within the UNCT and its contribution to the preparation of the country context analysis and the 2020-25 UN Sustainable Development Cooperation Framework.

OHCHR's Ethiopia portfolio encompasses a broad range of strategic goals, priorities and geographical coverage. In practice, OHCHR operates at the national and regional levels, without excluding any given region. OHCHR does not have any local presence outside its Office in Addis Ababa, so any activities outside the capital are managed remotely.

The Ethiopia portfolio draws on OHCHR's comparative advantages, including its decades-long experience of human rights monitoring and reporting and on its ongoing consultations with national partners and UN system partners. These are reflected in EARO's internal OMP strategy documents and annual workplans, documentation prepared for human rights mechanisms, including the Universal Periodic Review and UN human rights treaty bodies, as well as in the CCA and the UNSDCF 2020-2025. It can be argued that the monitoring and reporting projects, including the Joint Investigation, are themselves efforts to collect and analyse relevant data and report on the causes and risks to affected populations. Regarding the HRPP, apart from brief general descriptions of the human rights situation in Ethiopia in the project proposal and progress reports, there was no evidence of any bespoke comprehensive context analyses, nor of any analyses of underlying causes and risks to affected populations, on which basis the HRPP was developed.

All three components of the Ethiopia portfolio in the period under review (2019-2021) are considered highly¹⁵ relevant by the stakeholders involved¹⁵. The priority areas identified in the

¹⁵ As stated during key informant interviews

HRPP, whilst very broad, align well with both OHCHR's OMP and the priorities of the national authorities, civil society and the EHRC. For instance, the Government of Ethiopia considers human rights as a high national priority and has actively sought OHCHR's support to raise awareness among its employees about laws and standards, to improve national laws, policies and practices, to integrate human rights principles in legislative frameworks, engage better with international human rights mechanisms, and adopt a HRBA to development in its national development plan. Civil society organisations, who until 2018 had been systematically repressed, have been lacking capacity in all relevant areas (knowledge, skills, organisation, network, outreach etc) yet are a key stakeholder in protection and promotion of human rights. The EHRC, previously regarded as an extension of the Government, has increasingly succeeded in positioning itself as a critical, independent voice, but still has considerable institutional needs. Finally, monitoring, investigating and reporting on human rights violations is seen as a highly relevant intervention to ensure justice is served and people's voices are heard. The EHF monitoring and reporting projects as well as the JI respond to urgent needs of affected populations, the EHRC and the broader international community.

EARO played an important, proactive role in the development of the CCA and UNSDCF 2020-2025. The UNSDCF is a concise, high-level, comprehensive and coherent document. Based on a decent analysis of the country context and the UN's own past performance, its Theory of Change identifies 4 interconnected outcomes and 17 outputs that are aligned with the Federal Government's 10-year perspective plan 2020-2030 and the SDGs. Consistent with the government's reform agenda, most outputs are now human rights specific or at least human rights sensitive and overlap with OHCHR's own priorities. This puts OHCHR in a strong position within the UN development system in Ethiopia to support UN partners in operationalising the high-level outcomes and outputs, and in doing so, influence their programming by incorporating a human rights based approach. For that to happen, OHCHR will not only need to deliver on its 18 reporting requirements listed in the SDCF, but also take on a more active and visible role in parts of the UNDS governance structure, notably the programme planning & performance group and the Issue Groups.

There is evidence of interlinkages between the three components of the Ethiopia portfolio. Both the JI and the EHF monitoring and reporting projects include awareness raising and capacity building elements. In both cases, OHCHR collaborated very closely with the EHRC as its primary national counterpart. In doing so, the Office was able to deepen the existing partnership, transfer knowledge and skills, co-develop policies and procedures, and in most cases, follow-up on the findings of the projects jointly. Simultaneously, activities carried out as part of the HRPP (e.g., to strengthen the capacity of CSOs to advance human rights at the federal and local levels and the Office of the Attorney General and the judiciary to act on incidences), resulted in enhanced capacity in the regions where monitoring and investigations took place.

OHCHR has demonstrated adaptability to radically changing circumstances, albeit in a mixed manner. The COVID-19 pandemic struck shortly after the Agreement with Sweden was signed. With much of the work carried out virtually by staff working remotely, including outside Ethiopia, many of the foreseen HRPP's activities had to be restructured to accommodate the changed circumstances and/or were delayed, postponed or cancelled. Detailed information on the programme's implementation is provided in the next section on Effectiveness.

Another major disruption to the work came with the Tigray conflict and the subsequent decision to conduct the joint investigation. By reallocating EARO staff capacity from the EHF projects and within the HRPP to the JI team, OHCHR demonstrated an ability to adapt to a new and urgent priority. But it also demonstrated a lack of agility; although Sweden was willing to top up its HRPP contribution with USD 843,475 to frontload funding for the JI budget (most of which involved personnel-related expenses for technical experts and consultants) as away to expedite recruitment for the JI, OHCHR HQ the recruitment and deployment of investigators and specialised experts was delayed, and an experienced Team Leader could not be found within OHCHR. Instead, OHCHR had to fall back on its existing EARO team, some of whom had only just arrived in Ethiopia for very different tasks, including the HRPP. This decision came at the expense of implementation of Goals 1 to 6 of the HRPP, a large part of which had already been delayed because of COVID.

Effectiveness

- *What have been the main achievements (at output and - where possible – outcome level) in each of the areas of the Ethiopia programme? How do these compare to the stated objectives and results in the initial proposal(s)?*
- *How effectively has the programme built national ownership and necessary capacity?*
- *Where positive results of the programme were found, what were the enabling factors and processes?*
- *In which areas, and to what extent, has the Ethiopia programme underperformed? How do these compare to the stated objectives and results in the initial proposal(s)?*
- *What prevented the Ethiopia programme from achieving results in those areas?*

During the past four years (2018-2021), Ethiopia has experienced extraordinarily turbulent times. The combination of profound political change, the COVID-19 pandemic, and an increasingly hostile security context in Tigray and elsewhere, have had a profound impact on the living conditions of the population, with the most vulnerable being hit the hardest.

These developments affected the two pillars of the Ethiopia portfolio (Capacity Building, and Monitoring, Reporting and Advocacy) differently. Although COVID-19 had similar effects on all interventions in terms of restrictions on movement and access (which were mitigated by working remotely) and implementation delays (in part due to logistical and administrative

challenges), the MRA-pillar portfolio continued to function. In fact, as the security situation in large parts of the country worsened and more people fled the violence, the MRA pillar grew, first with EHF-funded monitoring projects, followed by the Joint Investigation in 2021.

EHF protection monitoring, reporting and advocacy

OHCHR's most significant achievements during the 2019-2021 period can be found in the MRA pillar. In the absence of an agreed upon mandate to actively monitor human rights conditions (including violations) in the country, the protection cluster was used as an appropriate channel instead. As member of the UN protection cluster, OHCHR was able to both monitor and invest in awareness raising and capacity building activities.

The objectives, outputs and outcomes of the EHF-funded MRA projects are relatively straightforward and at an attributable level, compared to those of the HRPP. Their overall objective is derived from the Protection Cluster's overarching objective: "The protection needs of IDPs, IDP returnees, host communities and other groups with specific needs are identified, recognized and addressed by Government, humanitarian and development actors." OHCHR states that it will "monitor and identify human rights cases and refer them to service providers; advocate for accountability for human rights violations and promote rights and need based humanitarian response; promote human rights and build the capacity of local authorities, EHRC, CSOs, and humanitarian partners; and advocate and underline the centrality of human rights in peace building and conflict resolution efforts."¹⁶ As part of its monitoring, advocacy and intervention tasks, "OHCHR works on cross-cutting protection and human rights issues including on access to justice, peace and security, housing land and property issues, child protection and sexual and gender based violence issues, issues of vulnerable groups including children, older persons, people with disability and chronic illnesses. OHCHR's presence will significantly contribute to the achievement of objectives set and impact created by the protection cluster."¹⁷

Documentary evidence shows that, to a greater or lesser extent, the 4 completed EHF-funded monitoring projects achieved and, in some cases, exceeded the intended results at output level, while expenses were kept well within the budget. The projects are managed and overseen by EARO, but the actual monitoring, training and reporting activities are carried out mainly by local consultants, hired on a temporary contract. All 4 projects incurred delays because of the pandemic and security-related restrictions, as well as administrative, procurement and logistical challenges (for which UNDP is primarily responsible), which necessitated budget-neutral extensions. Justification is well-documented.

¹⁶ Progress Narrative Report ETH-20/DDA-3379/SAI/P/UN/15774, p. 3 (2021)

¹⁷ Grant Agreement ETH-20/DDA-3379/SAI/P/UN/15774, p. 7 (2020)

Progress narrative reports systematically capture activities and results at output level, consistent with the project proposal documents. Outputs are described in terms of technical support provided, trainings given, vulnerable IDPs and returnees (including women, children, older persons and persons with disabilities) identified and given appropriate protection services, and cases identified, referred and addressed, using quantitative performance indicators, e.g., number of people referred, trained etc. Outcomes are described in terms of enhanced capacity of local communities and government bodies to identify and respond to protection issues. However, the narrative reports do not include outcome-level indicators, nor do they demonstrate tangible progress against outcomes.

Further evidence from interviews suggests that partners are positive about these projects, in terms of the joint conduct (OHCHR – EHRC partnership), the quality of the monitors in the field (consultants hired by OHCHR for the duration of the project) and the oversight provided by EARO staff (which is not included in the project budget). All stakeholders complain about the delays caused by the heavy bureaucracy on the side of UNDP, which has meant that consultants were not recruited in time, payments were overdue, etc. Also, concern was raised about the apparent inability of EARO to meet the expectations raised among the rights holders as a result of the monitoring missions, by providing the necessary follow up.

Joint Investigation

The Joint Investigation (JI), conducted by the EHRC and OHCHR, demonstrates the importance of the relationship between the two parties and serves as an illustration of how on-going investments by OHCHR in establishing and nurturing that relationship have borne fruit.

Since 2018, the EHRC has become an increasingly important stakeholder and partner for OHCHR's engagement in Ethiopia, across all six pillars of its OMP. Interviews and documentary evidence underscore the importance of the EHRC as an independent national human rights institution. Interviewees recognize OHCHR's substantial contribution in advocating for the independence of the EHRC and supporting it with technical assistance (including a secondment of a permanent staff member and consultants), training (e.g., on ESCR, human rights investigation and monitoring, human rights standards in the context of elections, human rights education and awareness), institutional capacity building (e.g., advice on developing a UPR implementation plan), and joint field monitoring activities. Many of these activities are part of the HRPP and the EHF-projects.

The JI itself was a high-profile, complex and politically sensitive project. It was also the first investigation into allegations of human rights violations that OHCHR had conducted jointly with a national human rights institution at this scale, which meant that everything of relevance had to be developed for the first time. Consultations between OHCHR and EHRC began in February 2021 and resulted in an agreement in March 2021, at which time a JI team

was established. The Office supported the team through training and development of materials, including investigation methodology, the Terms of Reference, the desk review on available information on violations in Tigray, the Methods of Work, the Media Strategy, as well as the many information collection plans. With the support of OHCHR's Geneva-based Methodology, Education and Training Section and OHCHR's IT Service section, a SharePoint to secure the data from the JI was developed and the joint team trained on how to use the database.

The JI was conducted between 16 May to the end of August 2021, covering Mekelle and its environs: Southern Tigray, Western Tigray and in Addis Ababa, Bahar Dar and Gondar. The missions to East and Central Tigray could not be undertaken due to security and logistical challenges. In line with the agreed substantive scope, the team investigated various violations committed by all parties including extra-judicial killings, torture, inhuman and degrading treatment and punishment and arbitrary detention; attacks on civilians and civilian objects; sexual and gender-based violence committed by all parties. In addition to the OHCHR-EHRC joint investigation, joint human rights monitoring missions were conducted by the two organizations and the outcome is being used to advocate with regional and national authorities to strengthen compliance of human rights, hold accountable perpetrators of human rights violations and foster redress of harm suffered by victims.

Without a doubt, the JI, conducted by the EHRC and OHCHR, was EARO's main activity in 2021, and justifiably so. To ensure its completion, EARO reassigned staff internally to conduct and oversee the JI. In the original JI plan, the OHCHR contribution would comprise 14 additional posts, 7 of which were international posts and 7 were national, i.e., a forensic advisor, a military advisor, a security advisor, 4 human rights officers, a local administrative support staff and 6 drivers. The project (and corresponding budget) did not include a team leader. Of the 7 international posts, 6 were eventually recruited, with the first starting mid-May and the last on 29 June. To speed up recruitment, project staff were recruited on a 3-month contract basis only; meaning their contracts could not be extended because of procedural constraints. Consequently, EARO had to reallocate existing staff capacity within the HRPP and from MRA projects to the JI during all phases of the investigation, from inception to preparation, implementation and conclusion. Although exact figures were not available, anecdotal evidence from interviews suggests that most key staff engaged in the implementation of the Ethiopia portfolio dedicated between 50 and 80 percent of their time to the JI. For instance, a week after the newly appointed P5 Senior HRO arrived in Addis Ababa to lead the Ethiopia portfolio – a post funded out of the Human Rights Priorities Programme - he was put in charge of the JI and remained there until the JI report was published in November 2021.

Whilst the JI was mentioned in the first Results Framework for 2021, it was not foreseen that it would absorb so many of EARO's staff resources, with the burden falling mostly on the existing EARO team and FOTCD in Geneva. Whereas OHCHR HQ did provide back-office

political, technical and administrative support to the JI and temporarily deployed a staff member for 1 month, it was unable to deploy a teamleader to lead the JI team, nor did it supplement EARO staff that had been reassigned to conduct the JI. The logistics of the JI, including the procurement of equipment, security considerations – were extremely challenging and time-consuming. Without belittling its significance, in practice the JI unsettled the implementation of other projects, especially Goals 1 to 6 of the HRPP, but also OHCHR's involvement in UNCT activities related to the human rights centric UNSDCF. At the same time, OHCHR considers the JI as a key contributor to the achievement of results under Goal 7 of the HRPP (as per the second 2021 Results Framework, submitted in June 2021).

Ethiopia Human Rights Priorities Programme

Designed in a period of optimism and hope, the Ethiopian Human Rights Priorities Programme (HRPP) is an ambitious and wide-ranging programme. Meant to bolster and contribute to the Government's Reform Agenda, the programme is set at the national level, and includes 7 thematic areas or Goals which overlap fully with all six thematic pillars of OHCHR's OMP 2018-21.

Set within the context of 2018-19, the HRPP is aspirational, relevant and timely. That said, the programme is more an expression of overall intent, than a focused and realistic S.M.A.R.T. strategy with concrete outputs and attainable intermediate outcomes. From a programmatic perspective, because both the goals and the results framework lack specific baselines, targets and measurable indicators, and because a concrete work plan is not included, its utility as a basis for planning and allocating scarce resources is limited. Resources – mostly personnel related - are not tied to specific goals or results, whilst the programme logic (a coherent set of goals, outcomes, outputs and activities) is at times inconsistent.

The absence of baselines, combined with a lack of clarity on core concepts and any meaningful monitoring and reporting system, meant that the programme was set up in a way that would make it difficult to measure progress and demonstrate OHCHR's contribution to results. The vast majority of HRPP activities were designed to be face-to-face interventions, involving awareness raising, dialogues, sensitisation, capacity building, training (e.g., on human rights standards), technical assistance (e.g., in support of drafting of laws and national action plans), workshops and studies, as well as (joint) field monitoring missions. However, a thorough assessment of the needs and gaps of the main actors – i.e., government, EHRC, CSOs, UN Country Team members – had not been carried out.

Thus far, the HRPP has made a very positive contribution to the institutional capabilities and independent status of the Ethiopia Human Rights Commission. Other achievements include the support provided to the Office of the Attorney General, and awareness raising and capacity strengthening of the burgeoning human rights CSOs and networks, including

women's human rights defenders. Interviewees were appreciative of the support they received from OHCHR in the context of the HRPP, for instance training, awareness raising, and technical advice, although it was still premature to identify tangible outputs and outcomes, other than the number of people trained or funds generated.

Compared with the work plan, the programme has underperformed. The 2020 Results Framework (= the de facto work plan) included 7 outcomes (or Goals), 21 outputs and 67 activities. Based on the 2020 progress report, it would appear that only 17 out of the foreseen 67 activities were in fact implemented, often adapted to the changed circumstances. 1 activity was postponed entirely, while 12 new, unplanned activities were added, notably in Goal 3 – integration of women's rights in national frameworks, systems and policies. Other than some general remarks about the disruptive effects of the pandemic, the 2020 annual progress report does not explain why certain activities were added, nor why 50 of the 67 foreseen activities were not implemented. On the contrary; the report states that “with a few exceptions, the Office was able to continue to work towards its planned outputs”¹⁸, without backing this up with evidence.

The 2021 Results Frameworks followed the same logic as the one for 2020 and demonstrated the same shortcomings as their predecessor. Although the 7 Goals remained the same, many outputs and activities for each Goal were defined differently this time. This demonstrates flexibility, but also a lack of continuity in the pursuit of the 7 Goals, all of which are long-term outcomes. Almost half of the planned activities in 2020 - many of which were not implemented - do not reappear in the 2021. This suggests that many activities in the 2020 Results Framework were effectively one-off activities.

In 2021, two results frameworks were developed. The first – issued in March – did not include the Joint Investigation; the second, issued in June, did. The June version identified no less than 47 activities, including the Joint Investigation (Goal 7, outcome 7.2.) and joint OHCHR-EHRC monitoring, reporting and advocacy activities which seem to overlap with the EHF-funded projects. By September 2021, 14 out of the 47 activities had been conducted. Also, 6 new activities were added, mostly one-off events such as conferences and attendance of meetings.

In June 2021, OHCHR issued a revised 2021 results framework and budget, incorporating the JI efforts under Goal 7 of HRPP, following a request from Sweden after it had offered to frontload funding for the Joint Investigation through the HRPP. Although at the time all stakeholders involved recognised that the HRPP had justifiably underperformed during the first semester and that the JI would continue to affect implementation of activities during the

¹⁸ First Annual Report to the Government of Sweden, 01-10-2019 to 31-12-2020, p. 3

second semester also, no corrections were made to the results framework's other goals and budgets.

When the programme was being designed, the assumption was that EARO would have the necessary capabilities in place to carry out these activities. This assumption was unrealistic. The programme budget or cost plan for 2020 totalled USD1,275,697 of which 70 percent was for staff and other personnel costs, 13 percent for overhead costs, and less than 10 percent for activities and operating costs. Based on budget data received from OHCHR, the EARO staff deployment plan for the HRPP shows that already in 2020, 8 staff were projected to be working on the programme, for a total of 72 months (= 6 fte equivalent, 4.5 of which were P-staff and 1.5 national officers), starting in February. The Agreement between Sweden and OHCHR had been signed in December 2019; however, OHCHR policy makes the actual starting date of the programme contingent on the disbursement of funds. In this case, the receipt of funds was needed to activate the recruitment process for the new international staff posts (1 P5, 1 P4 and 4 P3).

Even in normal times, the recruitment process would have taken considerably longer than the staff deployment plan had forecast. But these were not normal times. By the time the first Swedish instalment was transferred to EARO's account in March 2020, the pandemic struck, disrupting EARO's ability to carry out activities, and slowing down the recruitment process of new staff for the programme. In reality, the P4 and P5 staff members didn't arrive until 9 months after the predicted starting date. Instead of the projected 72 months' worth of staff time for the project in 2020, in practice, only 28 months were used.

Ensuring adequate levels of staffing for HRPP remained an issue in 2021; vacancies continued, and the way and the rush in which the joint investigation was conducted, necessitated the reassignment of HRPP capacity. Although some staff vacancies had by now been resolved, gaps remained and continued to weaken programme implementation. By 30 September 2021, 4 out of a total of 11 posts that were to be funded through the HRPP, had not yet been filled. Meanwhile, during the first quarter of 2021, EARO got involved in negotiations and technical preparations for what became the Joint Investigation; once the JI agreement was reached, the JI absorbed more than half of the already stretched Ethiopia portfolio staff capacity. While the EHF-funded projects could mitigate this challenge through the recruitment of national monitors (consultants), the HRPP had less flexibility to do so.

Unsurprisingly, HRPP implementation continued to falter. The narrative report for January-June 2021 confirms this by stating that the JI was the main activity of the Office during the reporting period, in addition to the (EHF-funded) monitoring of inter-ethnic clashes in other parts of the country¹⁹. Of the 14 planned activities that were implemented during the first

¹⁹ Third narrative report to the government of Sweden, January-June 2021 progress report, p. 1

semester, 7 were tied to the EHF-funded monitoring, reporting and advocacy projects and to the JI. A revised Results Framework, issued to Sweden in June 2021 to accommodate the additional resources for the JI that Sweden had frontloaded, did not include any adjustments for the anticipated results for Goals 1-6, although these were already pertinent at the time.

By the end of December 2021, HRPP is expected to underspend by approximately 50%. The financial statement for HRPP shows that on 30 September 2021, USD 1.26m had been charged to the HRPP, of which 76 percent were for staff and personnel-related expenses. Although this is more than twice the amount spent in 2020, they include 13 percent overhead charges (USD 150,000) and grants to implementing partners (USD 93,000). More importantly, given that many HRPP-funded staff were reassigned to the JI, a large portion of these costs (in the range of USD 400,000) should be recovered from the JI funds.

In the absence of basic monitoring data, gender-disaggregated data and documented evidence in progress reports, the evaluation relied on interviews to assess in qualitative terms the extent to which activities carried out under the HRPP contributed to achievement of the desired results. Overall, respondents were unable to identify concrete achievements, other than the number of people trained or funds generated.

Despite prolonged understaffing and the disruptive effects of the pandemic and insecurity in large parts of Ethiopia, OHCHR remains optimistic. In its January-June 2021 progress report, OHCHR predicted that it would accelerate implementation during the second semester. This was reiterated by EARO staff during interviews.²⁰

The evaluation also looked at what was not reported on, and identified three key omissions. First, we note a lack of results reporting. Lacking the tools, skills and dedicated staff resources, EARO did not systematically monitor programme implementation and assess progress against projected results. All HRPP progress reports include descriptions of activities carried out, but do not systematically link these to outputs and outcomes. It is unclear how and to what extent these activities contributed to the realisation of the outputs and outcomes the programme had set out to achieve. Second, OHCHR did not report on the aforementioned staffing gaps, which demonstrably reduced its ability to deliver what it had set out to do across Goals 1 to 6. And third, it did not provide an explanation for the significant underspending, even though actual expenses amounted to only 60% of what had been budgeted for – a figure that will decrease once cost recovery adjustments are made (see the section on efficiency for further detail). These deviations are quite significant and would have merited a more detailed explanation.

²⁰ At the time of writing, based on the financial data for the 3rd quarter of 2021, the effects of the escalating conflict (including a state of emergency) and the continued workload involved in the finalization of the Joint investigation (until November 2021), the evaluation team was less convinced.

In sum, the HRPP itself is an aspirational declaration of intent rather than a coherent programme. Its objectives are unrealistic and lack a proper baseline with concrete, attainable targets and indicators as well as a clear logic between activities, outputs and outcomes. Thus far, the HRPP has not achieved the majority of the intended results, because of pandemic-related restrictions and staff shortages. As a result, less than half of the intended activities have been implemented. Many of these activities were one-off ad hoc events, such as conferences or trainings, rather than a coherent string of related activities aimed at contributing to a given output and goal. There is a clear gap between activities, outputs and outcomes. Progress reports do not report systematically on what was implemented in relation to what was planned. Explanations for deviation from the results frameworks are largely absent and those that are given, are not necessarily accurate.

Efficiency

- *How efficient has the programme been in using the human, financial and intellectual resources at its disposal to achieve its targeted outcomes within the planned time frame?*
- *To what extent have organizational arrangements within the Regional Office been adequate to the programme context, priorities and stakeholders?*
- *To what extent did the Ethiopia programme receive timely and tailored support from Headquarters units for programmatic, financial and administrative issues?*
- *To what extent has the Ethiopia programme successfully collaborated with local stakeholders, donors, partners and UN Country Team?*
- *To what extent have synergies been established between the Ethiopia programme and other interventions of the East Africa Regional Office, including regional interventions and the programmes with the African Union?*

Funding

The Ethiopia portfolio is funded through different sources including Sweden, Norway, EHF/OCHA Ethiopia, Germany, Canada, the International Coalition of Sites of Conscience. Denmark pledged a contribution.

The Norwegian contribution is part of a four-year Grant Agreement between Norway and OHCHR. It includes an unearmarked contribution as well as a series of thematic and geographic earmarked contributions. The funding is meant to cover OHCHR's core expenses (= "minimum requirements") such as salaries, office rent, overhead etc. as well as regional or national programmes, but not specific projects or programmes. Each year, OHCHR and Norway determine jointly how the Norwegian grant will be divided, based on the budgets and availability of earmarked funds received from other donors. Allocations for the EARO Office for 2019 and 2020 were USD 639,222 and USD 607,612, respectively.

The EHF/OCHA funding is 100 percent earmarked and mobilised locally. Although the funds do not cover the expenses incurred for EARO Human Rights Officers' substantive engagement (e.g., field visits, training and reporting), they do include a 7 percent charge for project support costs (as opposed to 13 percent for the JI and HRPP).

The Joint Investigation cost plan covers the period between 10 May and 9 August 2021 and totals USD 1,292,811. In practice, costs were charged to the JI until the end of 2021. Funding has been generous, almost twice the initial budget. Funds were given by Sweden, which provided a top up to its programme but earmarked specifically for the joint investigation to the tune of USD 845,713. Other contributions came from the USA-based International Coalition of Sites of Conscience (USD 500,000); the Germany (USD 181,598), and the Canadian Government (USD 496,502). Denmark pledged USD 320,831. Altogether, USD 2,344.634 were made available.

The Swedish contribution to EARO is an earmarked contribution for the Ethiopia portfolio only, i.e., the regional portfolio (e.g., support to the AU, monitoring of human rights in Djibouti and Tanzania and others) is covered through other means. The Agreement between Sweden and OHCHR was signed in December 2019, with a total amount of SEK 27 million (or USD 3,043,093) for the HRPP. In June 2021, an amendment to the Agreement was signed which made it possible to channel an additional SEK 7 million (or USD 845,713) through the project for the Joint Investigation.

All projects experienced a net excess of income over expenditures. The data in table 1 demonstrates an increase in income and expenditures over the 2019-2021 period, illustrating the growth of the Ethiopia portfolio. Of the 7 projects, 4 had been completed by 30 September 2021; one (SB-017408) is yet to start, and two are still on-going. The JI has spent less than one third of its total income (including pledges), and HRPP less than 60 percent of the available budget. At the end of 2021, following the necessary cost-recovery adjustments for staff expenses (i.e., all EARO staff time that has been spent on the JI, but charged to HRPP), HRPP will only see a modest increase in expenses, whereas the JI will show a significant increase.

Table 1: Ethiopia project portfolio income & expenditure 01/01/2019 – 30/09/2021

Project Code	2019		2020		2021		Total 2019-2021		Net Excess	Pledged	Balance
	Income	Exp.	Income	Exp.	Income	Exp.	Income	Exp.			
SB-014060 (Sweden)	1275697	0		511720	1785397	1263278	3061094	1774998	1286096		1286096
SB-011667 (EHF/OCHA)	167958	163816	0	-42991	0	11988	167958	132813	35145	0	35145
SB-013139 (EHF/OCHA)	209988	94487	0	94698	0	-11522	209988	177663	32325	0	32325
SB-015154 (EHF/OCHA)	0	0	250000	87157	0	162537	250000	249694	306	0	306
SB-016204 (EHF/OCHA)	0	0	250000	0	0	160277	250000	160277	89723	0	89723
SB-017408 (EHF/OCHA)	0	0	0	0	449999	0	449999	0	449999	0	449999
SB-017396 (Tigray)	0	0	0	0	2023813	763719	2023813	763719	1260094	320821	1589015
Total:	1653643	258303	500000	650584	4259209	2350277	6412852	3259164	3153688	320821	3474509

EARO must comply with extensive, time-consuming planning and reporting requirements. Alongside project level funding and reporting, OHCHR uses an elaborate corporate planning, monitoring and reporting system, whereby each department and field office prepares a 4-year programme, annual work and cost plans, and mid-year and end of year reports. In the case of EARO, there is a subregional programme and country strategies that are updated periodically.

Despite considerable overlap between Ethiopia portfolio planning, monitoring and reporting to donors, and the internal Office-wide planning, monitoring and reporting, the two reporting systems do not align. In practice, EARO staff are required to produce separate plans and reports. Substantive project level information, often written in accordance with donor-required templates, is then imported manually into the performance monitoring system (PMS) that OHCHR uses to capture plans and reports. The PMS was designed for substantive purposes only. As a consequence, it does not systematically include updated budget and spending data, nor does it interface with OHCHR's centralised financial data systems, which are administered exclusively by OHCHR's Programme Support and Management Service department in Geneva. Although the PMS is used to aggregate results at the corporate level, it does not contain data on cost-efficiency and cost-effectiveness.²¹

OHCHR does not apply results-based budgeting methods, nor does it report on cost-effectiveness. For each project, OHCHR HQ provides separate financial statements and narrative reports to its donors, whereby the financial reports are compiled based on the UN-wide cost categories (such as staff costs, general operating expenses, Project support costs),

²¹ Independent Evaluation of the Implementation of Results-Based Management at the United Nations Office of the high Commissioner for Human Rights – 2019, P. 23

rather than the expenses incurred for each result area. The HRPP results frameworks do not allocate resources to a specific planned goal/objective, as opposed to the EHF-projects. Because the narrative reports do not describe which resources were allocated to which desired output or outcome, the efficient use of financial resources to achieve targeted results could not be assessed.

Staffing

The EARO has grown from 22 staff on 31.12. 2019 to 27 staff (including 2 UNV) and 5 vacancies on 30 September 2021. According to OHCHR's data, in September 2021, of the 32 posts, 20 were funded out of unearmarked voluntary contributions, 11 out of the earmarked Swedish grant, and 1 out of OHCHR's regular budget. By the time the funding for the HRPP was received, COVID struck, causing considerable disruptions to planning and recruitment. Of the 5 outstanding vacancies, 4 are funded out of the HRPP (2xP3, 2 NO). The staffing composition for the three years under review is as follows:

Table 2 – EARO Staffing tables 31.12.2019 - 30.09.2021

Grade	31.12.2019	31.12.2020	30.09.2021
D1	-	-	1
P5	1	1	2
P4	3	3	3
P3	6	6	8
JPO	1	1	-
UNV	2	1	2
NO	6	6	6
GS	3	4	5
Total	22	22	27
Vacancies	-	2	5
Grand total	22	24	32

In the second half of 2020, EARO experienced a leadership gap that lasted 4 months, when the post of Regional Representative had become vacant and a replacement had to be found. During that period, the Regional Gender Advisor and another Human Rights Officer served temporarily as officers in charge, alongside their other roles. In addition, a P5 Senior HRO was also temporarily deployed (November-December 2020).

Between 2019 and the early 2021, under the previous Office leadership, staff were assigned different roles and responsibilities, spread across EARO's overall portfolio. No staff member 'belonged' to the Ethiopia portfolio or to the Regional portfolio, which led to a lack of focus, direction and oversight. Similarly, the Office had not developed clear lines of accountability, monitoring and reporting. This changed in 2021, when the newly appointed Regional

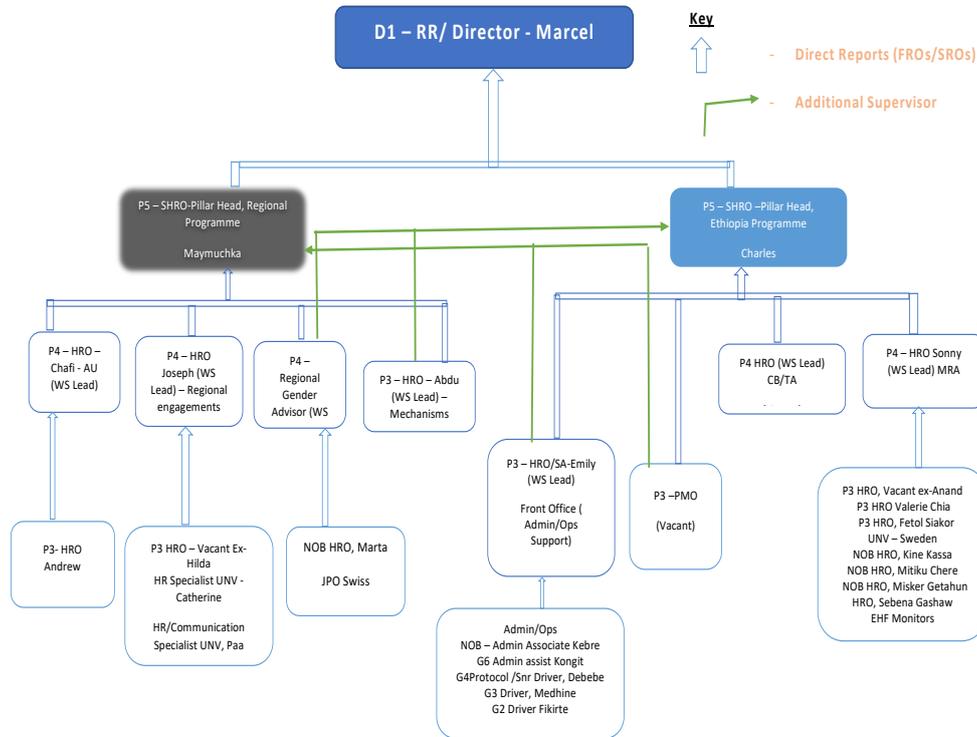
Representative launched an internal organisational reform process to address internal programme management challenges and better align the office to the expanding Ethiopia portfolio. During an 8-month period, the office established a new framework to guide the delivery of the mandate and improve accountability, effectiveness, and delivery. Changes were made to (1) office management, including the creation of a front office responsible for programme management, administration and operations, and the designation of one Human Rights Officer as a Special Assistant to the Regional Representative²²; and (2) substantive mandate delivery, with the establishment of 2 pillars: one for the regional programme, the other for the Ethiopia country programme. Within the latter, 2 workstreams were created: one for Monitoring, Reporting and Advocacy (MRA), and another for Capacity Building and Technical Cooperation (CB/TA). The staff assigned to these two workstreams are involved in the implementation of several projects simultaneously. The reforms were finalized in October 2021. The EARO organigram (see next page) was adjusted to reflect these changes.

A closer look at the staffing table and the organigram shows an imbalance within the Ethiopia country programme pillar between the MRA workstream and the capacity building/technical assistance workstream. On 1 October 2021, there was only one (vacant) post assigned to CB/TA, despite the HRPP primarily being a CB/TA programme.

The Ethiopia portfolio received adequate and timely support for the joint investigation from the department of field operations (FOTCD), the methodology, education and training section (METS) and OHCHR's IT Service section. The High Commissioner and DexRel played important roles at the political and donor engagement levels, particularly with the signing of the Host Country Agreement and the mobilisation of donor funding for the HRPP and the joint investigation. EARO received insufficient support from the Human Resources Department.

²² It should be noted that the Front Office services the entire office, not just the Ethiopia country programme pillar. The P3 head of the Front Office is also Special Assistant to the Resident Representative, while the P3 PMO function is responsible for the coordination of planning, monitoring and evaluation of all EARO interventions, both regional and in Ethiopia.

OHCHR-EARO Staff Reporting Lines



Broadly speaking, OHCHR’s engagement with national, UN and donor stakeholders has been positive. Interviewees appreciate the current leadership’s active outreach, especially concerning the joint investigation. At the same time, interviewees added that they would welcome more regular engagement at the programmatic level and within the UNCT and UNSDCF governance structures. The EHRC expressed its appreciation for the collaboration and support received, while stressing the need for a more mature, balanced and comprehensive partnership. CSOs signalled strong appreciation for OHCHR’s substantive and financial support as well as its advocacy efforts to expand civic space in Ethiopia.

Although some synergies between the various components of the Ethiopia portfolio were found (see the section on effectiveness), synergies between the Ethiopia portfolio and other parts of the EARO programme were less evident. Based on the available evidence, the synergies within the Ethiopia portfolio seem to be coincidental rather than the product of deliberate design. Synergies between the regional and the Ethiopia portfolio are yet to be further explored. The recently introduced internal reforms state that “the [Regional Programme] pillar will have strategic linkages with the Ethiopia Country Programme pillar

regarding development, human rights mechanisms, Gender and other thematic areas”²³, without going into any further detail. Now that EARO is developing an Ethiopia programme strategy, it would be useful to explore these notions in greater detail and determine how synergies may best be developed.

Gender, Human Rights and Leave No One Behind

- *To what extent has a Gender and Human Rights Based Approach²⁴ (principles of non-discrimination, participation, transparency, accountability) been mainstreamed in the planning and implementation of the Ethiopia programme?*
- *To what extent has the Ethiopia programme monitoring data been disaggregated by sex and disability?*
- *To what extent did the Ethiopia programme achieve results in the areas of gender equality, women’s rights and disability inclusion?*
- *To what extent did the benefits of the programme accrue equally to women and persons with disabilities?*

An explicit gender and human rights-based approach wasn’t introduced until in 2018. Until then, OHCHR was not mandated to work directly with Ethiopian stakeholders on gender mainstreaming nor on the encouragement of a human rights-based approach. At the time, the Office was involved in protection work only, whereas the regional gender advisor’s scope was on Tanzania, Djibouti, Somalia, the AU and Treaty Bodies workstreams in Kenya. Gradually, under the umbrella of the humanitarian protection cluster, initial engagement with (women’s) CSOs took place, resulting in basic awareness raising/capacity building activities. After the host country agreement was signed, more space was created to engage more directly and overtly.

In terms of intent, all portfolio components aim to apply a human rights-based approach (HRBA) that is gender sensitive, targets women and girls and people with disabilities, and builds awareness and capacity among beneficiaries and partners. Looking at the MRA projects, the SB-15774 project agreement states that “OHCHR advocates for human rights-based approach in mainstreaming human rights in humanitarian response, which includes, participatory, community-based, age-gender and diversity sensitive approach to ensure the needs of all parts of the affected population are taken into consideration during planning and implementation.” It goes on to say that “The project is designed to contribute significantly to gender equality.” As part of its monitoring, advocacy and intervention tasks, OHCHR works on cross-cutting protection and human right issues including on....sexual and gender-based violence issues, issues of vulnerable groups including ...people with disability...[T]he project

²³ OHCHR EARO - Office Substantive Structure and Management Reform, September 2021, p. 2

²⁴ <https://www.sida.se/English/partners/methods-materials/human-rights-based-approaches-at-sida/>

will also ensure gender equality, the mainstreaming of SGBV gaps and response....OHCHR's presence will significantly contribute to the achievement of objectives set and impact created by the protection cluster."²⁵

In terms of actual performance and delivery, there is limited evidence of the adoption by the MRA projects of HRBA, gender equality mainstreaming, and targeted attention for people with disabilities. MRA narrative reports include disaggregated data in terms of number of women, men, girls and boys that were reached; only one project described how it had mainstreamed gender in its methodologies and activities. The MRA reports did not narrate on its stated outputs and outcomes regarding gender, although in one case it did raise the concern that the "limited number of women in local government structures and their limited involvement on protection issues has inhibited the mainstreaming of gender in humanitarian and protection response."²⁶ The same report claimed that it had had a positive impact on people with disabilities: "The activities enabled affected population to build their confidence in raising their voice to mainstream human rights in humanitarian response by the humanitarian partners and the government."

The HRPP explicitly references the HRBA in two of its seven Goals: "Sustainable development challenges address inequalities and are informed by HRBA" (Goal 5) and "[S]upport the inclusion of HRBA to conflict prevention and humanitarian response efforts" (Goal 6). It also includes a separate goal on Gender equality: "Gender equality is enhanced, and discrimination is addressed" (Goal 3). As regards persons with disabilities, the proposal states that these will be "targeted primarily through the integration of human rights in national and regional strategies on humanitarian response and development. Particular attention will also be given to lesbian, gay, bisexual, transgender and intersex (LGBTI) people."²⁷

In terms of actual implementation and measurement of success in terms of achievements, it is impossible to say with certainty what the effects have been. The absence of a sufficiently robust planning, monitoring and reporting system meant that relevant disaggregated data was not collected on a regular basis. The narrative reports list several activities under different HRPP Goals, but as was observed in previous sections, they do not demonstrate how or to what extent these activities contributed to the achievement of the stated outcomes and outputs. Instead, they provide an overview of activities only ((see table 3). Interview evidence is anecdotal, but too few and too weak in quality to draw any conclusions from. Thus, while the Office had clearly articulated its intent to apply a HBRA, promote Gender Equality and improve the human rights conditions of people with disabilities, its achievements in these areas could not be determined.

²⁵ ETH-20/DDA-3379/SAI/P/UN/15774, July 2020

²⁶ ETH-18/DDA-3379/RAI/P/UN/10791 Narrative Report, October 2019, p. 38

²⁷ HRPP proposal, p. 7 (2019)

Table 3: HRPP Gender Mainstreaming and HRBA Progress

Goal	2020 Narrative Report	2021 Narrative Report
<p>GOAL 3: The progressive integration of women’s rights in national frameworks, systems and policies to address sexual violence and harmful practices, and the availability and usage of adequate remedies for gender-related violations affecting women and girls and other groups.</p>	<p>Monitored and reported on the human rights implications of COVID-19 in humanitarian settings. Conducted a rapid gender assessment in Ethiopia, focusing on the impact of COVID-19 on women developed and translated key COVID-19 messages into local languages for prisoners, homeless persons and persons with disability</p> <p>Supported the establishment of the Coalition of WHRDs in Ethiopia as a national chapter of the East Africa WHRDs Network</p> <p>Contributed gender expertise to the Ethiopia Protection from Sexual Exploitation and Abuse (PSEA) Working Group and the Working Group on SGBV and Child Protection</p> <p>Strengthened the capacity of young women social movements to monitor and advocate on gender-related issues through the WHRD network.</p> <p>Organized a webinar on Criminal Justice Response to Violence Against Women and Girls during the COVID-19 Pandemic and in the Recovery process. Provided technical and financial support to the Ethiopian National Association of the Blind to conduct research on the impact of COVID-19 on Persons with Disabilities.</p> <p>Over 120 people attended a virtual training on digital security for WHRDs focusing on practical tools and skills to minimize digital risks and build on coping mechanisms.</p> <p>Six online capacity-building activities were organized for WHRDs on different topics such as mental health, digital security, sexual and reproductive health and rights and response to gender-based violence.</p>	<p>Capacity-building workshop on human rights, including gender-sensitive reporting, monitoring and reporting on human rights issues in the context of conflict and election.</p> <p>Half-day conference to commemorate international women’s day</p> <p>Organized a conference that brought together different women from diverse fields to celebrate the achievement of women leaders in a COVID-19 world to mark the closing of the International Women’s Day events</p> <p>Supported establishment of the Ethiopian Women Human Right Defenders Network as a national chapter of the East Africa WHRDs Network and continued to provide support to the network and its members.</p> <p>Participated in monthly meetings of the Ethiopia Protection from Sexual Exploitation and Abuse (PSEA) network and Working Group on SGBV and Child Protection (CP) and contributed to key documents.</p>

<p>GOAL 5: Enhanced understanding and application of human rights-based approaches to development among national authorities, civil society groups and UN system partners; inclusion of human rights-based approaches in plans, strategies and approaches to implement the Sustainable Development Goals.</p>	<p>Participated in UNCT Retreats and monthly UNCT meetings and also provided technical support to the UNCT in Ethiopia to mainstream human rights in the CCA and the UNSDCF.</p> <p>During the drafting process, the Human Rights Office chaired two working groups and successfully argued for ‘Leaving No One Behind and Human Rights for the 2030 Agenda’ as one of the seven focus areas for the country in 2021</p> <p>Committed to lead the development of a system-wide strategy to advance human rights in accordance with the SG’s Call to Action for Human Rights (2020), supporting the expansion of national reporting on SDG Indicator 16.10.1</p> <p>Issued an infographic tool on relevant HRM recommendations aligned with SDGs.</p>	<p>Provided technical support to the UNCT in Ethiopia to mainstream human rights in the implementation of the UNSDCF and in key documents such as the UN Ethiopia strategy and relevant reports. OHCHR is currently a co-convenor of the UNSDCF Issue Group on Governance which coordinates the coherent implementation of governance and human rights-related priorities of the UNCT. The Office is also an active member of other Issue Groups including the ones on Early Recovery in Tigray and Social protection and Livelihoods.</p>
<p>GOAL 6: National and UN conflict prevention and humanitarian response strategies are increasingly informed by human rights-based approaches.</p>	<p>Conducted workshops, meetings, dialogues and sensitization (radio programmes for justice sector officials), as well as webinars which resulted in increased knowledge and understanding of human rights.</p> <p>Strengthened partnership with the Office of the Attorney General and the CSO Agency, including facilitating their participation in the Office’s activities involving CSOs.</p> <p>Deployed a surge team to provide much-needed support to the Office in its response to the conflict in Tigray. The team supported the Office to document patterns of violations and abuses of human rights and international humanitarian law committed since the start of the conflict in Tigray.</p> <p>Contributed to the development of a Tigray humanitarian preparedness response, including on early recovery.</p>	<p>Delivered about eight internal reports to inform advocacy and engagement with authorities</p> <p>Conducted human rights training activities for civil society actors and authorities</p> <p>Contributed to the design of the UN strategy and plan of action on Hate speech 2020</p>

Impact orientation / direction of travel

- *To what extent is the Ethiopia programme contributing to longer-term enjoyment of rights?*
- *Are the results, achievements and benefits of the programme likely to be durable?*
- *What changes to the Ethiopia programme and corresponding organizational arrangements of the programme could be made to strengthen OHCHR's contribution to the improvement of the human rights of right-holders and the capacity of duty bearers to protect and improve these?*

Noting that OHCHR has only recently become actively involved in Ethiopia and recognising the volatility of the country context during the 2019-02021 period as well as its present unpredictability, it is still too early to assess the extent by which the portfolio is contributing to longer-term enjoyment of rights. Moreover, because results were not systematically and comprehensively captured due to weaknesses in the planning, monitoring and reporting processes, there is only limited – mostly anecdotal - evidence of achieved outputs.

Based on the available evidence, OHCHR's most significant achievement seems to have been its contribution to the improved quality and independent status of the EHRC, culminating in the joint investigation report. By committing to work with the EHRC since 2018, through technical assistance, training, as well as on-the-job advice during joint activities in the MRA sphere, OHCHR has demonstrably strengthened the Commission's independence and standing vis-à-vis national stakeholders and the international community, with the JI as the most recent expression thereof. Both parties have benefited from the partnership. The outcome of and subsequent follow-up to the Joint Investigation, in combination with the nature of the response from Ethiopian authorities, will be critically important to OHCHR's future engagement in Ethiopia.

Other areas of work that OHCHR has contributed to and that could potentially have a lasting effect, include the legislative and policy reforms in the areas of civic and democratic space and the security and rule of law sectors, the CB/TA work with CSOs, the UPR implementation action plan, harmonizing national standards with international standards, and the drafting of the UNSDCF. MRA pillar activities are allowing the Office to open new frontiers in human rights, raising issues that would otherwise not be detected, helping to sensitize the duty bearers and rights holders by creating a culture of respect for human rights and due process. MRA is also helping to create an earlier warning mechanism and preventive diplomacy through advocacy to engage the population. By helping to lay the necessary policy foundations and reinforcing stakeholder commitment, there is now a greater likelihood than before that stakeholders will take action to meet their commitments.

The Office is embarking on a new vision for the engagement in Ethiopia. Judging by the draft that was put together during the summer, once again, its level of ambition is high, but it is not clear how this can be achieved with existing level of resources and programme management capabilities.

LESSONS LEARNED

The past 3 years have been a steep learning curve for OHCHR's presence in Ethiopia. It has experienced some of the usual 'growing pains' of an expanding office, performed well in some areas under very challenging conditions, and at the same time has been hampered by external disruptions and internal shortcomings. Some important lessons include:

Political will at the highest political levels of the Ethiopian federal government is the single-most critical enabler of OHCHR's performance. It is reflected in the terms and conditions of the Host Country Agreement and determines OHCHR's strategic and operational room to manoeuvre and institutional capacity. The political environment has fluctuated considerably over the years, from hostile to favourable and now unpredictable, thus complicating OHCHR's own strategising.

Even with limited resources, OHCHR has proven it can 'punch above its weight' and deliver an outstanding, high profile Joint Investigation report, developed under high pressure and immense scrutiny. Still, and despite the constraints posed by the COVID pandemic, it should have done more to avoid the damaging consequences this effort had on other programmes and honour its obligations more broadly.

To be strategic, one must be pro-active, focused and realistic. This means recognising your strengths and building on them, while systematically addressing all areas for improvement. OHCHR saw opportunities to build a meaningful portfolio in Ethiopia and seized these, but without sufficiently considering their implications in terms of matching resources, organisational setup and business processes. The JI was a strategic priority, but as more challenging work was added to the already heavy workload, the gap between what OHCHR said it would do, and what it was realistically capable of delivering grew larger. Initially, OHCHR's response addressed symptoms while leaving the more challenging systemic problems untouched. The internal reform agenda was deliberately designed to address these, but its success also relies on systemic improvements at HQ level, notably a more agile and responsive human resource management, and the development of programme cycle management capabilities.

Not only should ambitions be matched by appropriate capabilities and processes, but it is also essential to preserve institutional memory by effectively managing staff turnover, especially

among international P-staff. Staff turnover among international staff in EARO has been high throughout the 2019-2021 period. The leadership vacuum in 2020 occurred at a particularly difficult time and interrupted the functioning of the Office even further.

Communication – with national stakeholders, UN partners and donors – is key, especially when expectations OHCHR itself helped to raise are not (always) being met, more regular, open dialogue with its partners about implementation challenges would go a long way in establishing trust, accountability and joint solutions to these.

EARO's challenges are symptomatic for more systemic challenges for OHCHR: recruiting and deploying the right people with the right background and experience at the right time and ensuring sound programme planning and delivery. The policy to first mobilise funds and raise expectations among donors and partners, and then to wait for recruitment until the funds are received, causes considerable delays. These are then compounded by slow recruitment practices, the unwillingness or inability to develop and mobilise surge capacity, and by a lack of programme cycle management skills and experience. These practices harm implementation and risk damaging OHCHR's reputation, especially when, in the case of Ethiopia, interviewees noted that other UN agencies acted with greater agility and a stronger sense of urgency.

OHCHR's reliance on UNDP as a service provider is problematic; slow recruitment processes and frustration among local consultants and partners about operational matters such as per diem payments, logistics and equipment delayed implementation and added to the administrative workload. These problems are common to other UN agencies reliant on UNDP's service delivery, and even UNDP technical staff complain about the poor quality and inefficiency. OHCHR should take a fresh look at its arrangements with UNDP and – alone or collectively – demand improvements and/or consider alternative options.

GOOD PRACTICES

OHCHR has managed to establish good working relationships with a multitude of stakeholders in a relatively short time, under extraordinarily challenging conditions and with few staff, many of whom were working remotely for a long period of time. The EARO team, supplemented by short-term UNV staff and JPOs, put in a tremendous effort that has been well-appreciated by its counterparts.

Though small in size, OHCHR has demonstrated that it can 'punch above its weight', through influencing and collaboration, with other members of the UN system in Ethiopia. Building on the governmental reforms, compared to its predecessor, the UNSDCF 2020-2025 considers

human rights as a main objective, and a human rights-based approach to development as a key pillar of its strategy.

OHCHR has developed and nurtured its relationship with the EHRC, based on a clear vision on its potential role in Ethiopian society, and responding well to its needs. In a relatively short period, the EHRC-OHCHR relationship has deepened and broadened to the extent that it was able to conduct the Joint Investigation in 2021. The institutional relationship has matured during the period under review and can be brought to the next level, engaging more closely on aligned or even joint strategising, planning, implementation, accountability and learning, as both parties reflect on their follow-up actions to the JI recommendations.

In the protection cluster, OHCHR is a respected partner with well-developed capabilities, both in EARO's MRA team and in the field, through its contracted monitors. OHCHR's training activities are of a high quality, and the monitoring missions conducted by EARO staff and monitors are seen as successful.

Following the COVID-19 outbreak, OHCHR showed agility by developing creative ways to conduct activities remotely, but also by adjusting scheduled activities and/or supporting new activities that responded to the effects of the pandemic on the rights holders. Often, because of the restrictions on travel and social distancing requirements, these activities were realised at reduced costs.

The initiative to rationalise EARO's internal office structure and align it with the main results areas in the Regional Programme pillar and Ethiopia Programme pillar and the two workstreams within the latter, is a positive development. While many of the expected efficiency and effectiveness gains will depend on OHCHR's ability to fully resource the Office with the right people and skillsets, the reforms already appear to have bolstered staff morale and build a shared vision and sense of purpose.

CONCLUSIONS

Ethiopia is rapidly becoming an increasingly complex working environment for the UN to work in. For a relatively small and normative office like OHCHR, the situation is especially challenging: how to position itself as an independent and impartial entity with a mandate to protect and promote the human rights of vulnerable people, at a time when conditions are deteriorating, human rights are being violated on an increasingly large scale, and stakeholders – national and international – are becoming increasingly polarised?

It is premature to make any definitive judgment on the relevance, effectiveness, efficiency, adoption of the human rights-based approach, and direction of travel of the OHCHR country

portfolio, given the short period under review, data gaps encountered during the evaluation, and the disruptive external conditions (COVID-19, ethnic conflict) that are likely to affect OHCHR's engagement for years to come. Nevertheless, we can draw several provisional conclusions at this stage.

EARO aspires to contribute to the long-term enjoyment of human rights in Ethiopia. Starting from a low base and constrained by a limited mandate and complex working environment, exacerbated by the COVID-19 pandemic, ethnic conflict and violence, OHCHR has managed to develop a portfolio of projects and activities across a wide array of themes and issues and in doing so, increase its visibility and expand its footprint. Its project portfolio evolved incrementally, in reaction to events in the country: the displacement of vulnerable persons fleeing violence and ethnic clashes, and new opportunities to engage, following a change of government and the subsequent launch of unprecedented policy reforms.

OHCHR's portfolio evolved in reaction to circumstances, rather than being driven by a proactive, orchestrated effort on the side of OHCHR. Except for the partnership with the EHRC, which constitutes a strategic pillar of human rights protection and promotion in Ethiopia, programmatic synergies between the various portfolio components tend to be more coincidental than deliberate.

OHCHR's Ethiopia portfolio is unmistakably relevant. After decades of human rights violations, the political turnaround in 2018 has finally created space for the promotion and protection of human rights. The needs among duty bearers and rights holders for more knowledge, awareness and capacity is tremendous, as is the need for a nascent civil society to grow and develop and take on its role in the political, economic and social fabric of society. OHCHR has succeeded in establishing itself as a trusted and respected centre of excellence, and has, within the limitations of its Host Country Agreement, aligned and expanded its actions to the needs of several stakeholders, at various levels. It has also succeeded in giving human rights a prominent place in the UNSDCF in Ethiopia. In doing so, OHCHR has shown flexibility and adaptability to the fragile and volatile external context of Ethiopia.

The effectiveness of the Ethiopia portfolio, on the other hand, shows mixed results. Despite COVID-19 related delays, the monitoring, reporting and advocacy projects performed relatively well, with tangible results that were aligned with the original objectives. Interview respondents were positive about the performance. Justifiably, the joint investigation took centre stage in 2021 and was successfully completed in accordance with the envisaged timeline, in part thanks to a deliberate management decision taken by EARO leadership to reassign staff from HRPP and EHF-projects. The portfolio helped to further build the capacity of the EHRC and raise awareness and understanding on human rights among CSOs, duty bearers and rights holders.

In contrast, with the exception of Goal 7, HRPP's effectiveness has been considerably less than hoped for. 18 months into the programme, the HRPP has not been able to achieve the majority of its intended results, partly because of pandemic-related restrictions, but also because the programme itself was overly ambitious, poorly conceived, not grounded in robust analysis, paralysed due to predictable staff shortages, and lacking sound project management and oversight processes. The programme overpromised and underdelivered, and requires a thorough reconsideration in terms of its programme logic, priorities and activities, partnerships, resourcing and overall management. Two-way communication between Sweden and OHCHR about the HRPP was irregular and intermittent, and at times confusing; there is considerable room for improvement.

Efficiency, too, has been mixed. The JI and MRA were conducted well within budget and reputational and operational risks were adequately assessed and managed. While EARO had ample financial resources at its disposal, it lacked the necessary human resources and management tools to match expectations at the project and partnership level. Whereas the pandemic undeniably disrupted implementation and oversight, OHCHR's own centralised and inefficient recruitment processes and inadequate organisational structures and processes also contributed to the observed shortcomings. There were and still are too few staff to implement a portfolio of projects in what is arguably an increasingly complex working environment.

From the moment the HRPP and JI projects were launched, OHCHR's and UNDP's human resource management has been slow, reactive, and bureaucratic. Although negotiations had been taking place for many months and funds were known to be forthcoming, by the time the two projects were meant to start, OHCHR HQ had failed to mobilise and/or recruit international staff in time. In the case of HRPP, although by mid-2020 it was known that the HRPP would underspend and underperform, no corrective measures were taken to speed up the recruitment process. International posts were filled at least 9 months after the project had started, with two posts still vacant in October 2021, 21 months after the project had started. Furthermore, OHCHR failed to accelerate recruitment for HRPP after it had reassigned staff from HRPP to the JI. All this happened at a time of leadership turmoil and gaps which impacted negatively on business continuity and staff morale. The newly introduced organisational arrangements are an important step in the right direction, but will need to be complemented by other measures to address staff shortages, portfolio management skills and tools, and imbalances between parts of portfolios.

Despite expressions of intent, the extent to which OHCHR has successfully mainstreamed gender could not be determined. The HRPP had set itself several ambitious goals but had not conducted an analysis of the challenges, nor had it established baselines against which to assess progress. The absence of a sufficiently robust planning, monitoring and reporting system meant that relevant disaggregated data was not collected on a regular basis. The

approach taken has been opportunistic, with the aim of ‘getting things done’ to draw attention to several themes and pandemic-related issues, rather than a more narrow, sustained focus on a few priority subjects.

In terms of impact orientation / direction of travel, it would be premature to draw any definitive conclusions, especially given Ethiopia’s increased instability and unpredictability. Nonetheless, what does stand out thus far is the importance of partnerships for a relatively small Office like OHCHR. As no single institution can address all HR concerns, thematic and geographic prioritisation and establishing robust partnerships with key stakeholders – CSOs, government and NHRIs - are key. By prioritising partnership with the EHRC and civil society organisations and by co-developing the UNSDCF, the Office has managed to position itself strategically, offering potential to ‘punch above its weight’.

While OHCHR recognises the need to partner with national partners and the UN system, it has not yet decided to add greater focus to its engagements in Ethiopia by limiting its thematic and/or geographic scope. Since 2019, the Office aspires to cover as much ground as possible, in all parts of the country. The EARO OMP and especially the HRPP both address all OHCHR pillars, shifts and spotlight populations – in recognition of the poor human rights conditions among rights holders in the region and country.

Even if OHCHR were to tackle all these challenges through partnerships with others, it would still require a different set of skills and competencies than it currently possesses. Strengthening partnerships requires TA/CB experience, something EARO was lacking from the moment it embarked on the HRPP, while the human resources that were needed to conduct the joint investigation, were also not readily available. Having enough capable staff, rather than a shortage of funding, has been the greatest challenge.

EARO’s recently introduced internal reform package constitutes a promising set of measures to address many of the aforementioned challenges. Nonetheless, EARO relies on the willingness and ability of OHCHR headquarters to improve the efficiency and agility of its human resource and financial management, and strengthen its programme cycle management capabilities.

RECOMMENDATIONS

The first few years of OHCHR’s programmatic activity in Ethiopia have been a steep learning curve. OHCHR has been able to demonstrate its added value in several areas and roles. OHCHR’s monitoring, reporting and advocacy engagements have helped elevate the importance of human rights in the national discourse. From a technical and institutional perspective, the Joint Investigation has been successful, attracting a lot of attention and

highlighting OHCHR's independent investigative role. OHCHR's investments in the CCA and UNSDCF process have helped strengthen the UN's collective commitment to a stronger focus on human rights.

However, building awareness raises expectations, and with it comes a need and a responsibility to support the delivery of tangible results. OHCHR's mandate includes the provision of technical assistance and capacity building of various national institutions as well as supporting the UN system to integrate a HRBA in their policies and actions. This is where OHCHR needs to improve its field-level capabilities and seek a better balance between its two distinct but nevertheless interrelated roles. Managing these two roles well, while staying sufficiently agile and adaptable to fast changing circumstances and risk, will not be easy.

In view of the current circumstances, a concerted effort will be needed to develop a country programme strategy that is grounded in realism, focused, builds on OHCHR's added value, and is appropriately resourced. Such a country programme strategy should consider three distinct scenarios: (1) continued escalation; (2) stalemate; and (3) improvement. For each scenario, OHCHR should choose what its main roles can be, how these can be operationalised, and which resources it will need for each. The recommendations below are based on scenarios 2 and 3; the first (worst-case) scenario is likely to reduce OHCHR's operational space to such an extent that it may not be able to conduct activities other than (remote) human rights monitoring.

Short-term (0-6 months)

1. First and foremost, OHCHR must redouble its efforts to overcome existing shortfalls in staff resources by (a) fast-tracking internal recruitment processes; (b) temporarily deploying staff from other parts of the Office; and (c) urging UNDP to accelerate its HRM service provision – and, if necessary, escalate matters to the RC Office and UNDP NY (Action: OHCHR HQ).
2. Building on the JI report's recommendations, in close collaboration with the EHRC, national authorities and the international community, determine a Joint Investigation follow-up action plan and, depending on its content, resource it adequately (Action: OHCHR HQ and EARO).
3. OHCHR must work closely with the Swedish Embassy to thoroughly redesign the HRPP for the coming 3 years, based on a clearly defined, coherent theory of change and realistic assumptions, and enabled by clear programme management arrangements to enhance mutual accountability and learning. In this regard, we recommend to fully align the HRPP with OHCHR's OMP and EARO's forthcoming Ethiopia country strategy, with harmonised language, priorities, results frameworks and resources, using a results-based budgeting

approach (Action: EARO, with support from OHCHR HQ, Swedish Embassy and a strategic planning specialist).

4. Implement EARO internal organisational reforms, while guarding the necessary balance between the front office capabilities on the one hand, and technical/operational capabilities on the other. In doing so, EARO must strike a better balance between the two Ethiopia programme pillars' needs and capabilities by prioritising capacity building / technical assistance planning, monitoring and reporting capabilities (Action: EARO).
5. Enhance external communication at the national level with
 - National partners: to clarify positions, obtain feedback and better identify gaps and needs
 - Donors: to discuss collaboration, communication, accountability and evidence-based learning
 - UN-RCO: to align and harmonise UN-system wide efforts and messages (Action: EARO)
6. Strengthen internal two-way collaboration between EARO and OHCHR HQ by (i) sharing information with HQ (FOTCD, DexRel) about all portfolio components; (ii) better aligning available financial resources with operational needs; (iii) providing programmatic assistance to support EARO in the development of its country programme strategy; and (iv) improving evidence-based planning, reporting and learning (Action: EARO and OHCHR HQ).

Medium – term (6-12 months)

7. Recognising the breadth and depth of the human rights challenges in such a large and complex country like Ethiopia, OHCHR forthcoming country strategy should be based on clear choices regarding priority themes, regions and partners. In doing so, OHCHR should build stronger synergies between programme components and ensure a better balance between monitoring and reporting human rights violations and capacity building of government, civil society and the EHRC, as well as opportunities to better prioritise and mainstream human rights across the entire UN system (Action: EARO with support from OHCHR HQ and strategic planning specialist).
8. Equally important, OHCHR should match its ambitions with relevant resources, which could (eventually) also include one or more satellite office(s) in priority regions, similar to OHCHR presence in other countries (Action: OHCHR HQ).
9. OHCHR should increasingly position itself more strategically and pro-actively within the UNCT and UNSDCF governance structure in order to help translate the UNSDCF's intent

into coherent programmes and encourage the adoption of a human rights-based approach by other UN agencies, funds and programmes (Action: EARO).

10. At the same time, OHCHR must keep an eye on the fragile and unpredictable conditions in Ethiopia. While the strategic choices are being made, EARO should continue to monitor the political-security context closely and develop multiple scenarios to strengthen EARO's agility and responsiveness, should conditions once again change (Action: EARO and OHCHR HQ, with input from UN RCO).
11. Because EARO relies in the first instance on HQ decisions, systems and processes, OHCHR Geneva should take decisive action to overcome systemic shortcomings in its programme management capabilities; human resource management; financial management; and the harmonisation of resource mobilisation with execution (Action: OHCHR HQ).

Overall comments on evaluation recommendations

OHCHR notes with appreciation the evaluation report, its findings and recommendations. We thank the consultants for conducting this evaluation, given the complex country context at that time coupled with having to undertake this evaluation remotely due to COVID-19. We consider the recommendations pertinent, even though **many** reflect issues which have already been fully addressed or are in the process of being addressed, based on our own earlier assessment of the situation. It is in that context that OHCHR accepts all of the recommendations made and is pleased to state that for nine of the eleven recommendations, work to address them is already completed or well underway.

OHCHR would like to provide the following overall comments in order for the evaluation, its findings and recommendations to be understood in the broader context under which OHCHR has been operating in Ethiopia and which impacted the implementation of the HRPP.

The implementation of the project started in December 2019, and a first tranche of funding was disbursed that same month to OHCHR. In March 2020, barely two months after this, the onset of the COVID-19 pandemic led to the cancellation of and/or changes to EARO's programmes and activities to adjust to the new realities. The majority of activities had to be changed/adapted to the evolving situation on the ground, taking into consideration travel bans, movement restrictions and lockdowns among others. In addition, EARO had to adapt its work and activities to reflect the impact of COVID-19 substantively on a range of human rights issues, notably in Ethiopia. Furthermore, in early November 2020, the conflict in the Tigray region of Ethiopia erupted, yet again requiring EARO to adapt to the fast-evolving security and operational context by ensuring human rights were integrated in the UN's response to the crisis. The conflict is still ongoing to this day.

Amidst these rapidly evolving situations on the ground which required continuous adaptation of EARO's activities and focus areas to remain relevant and to be able to provide the necessary human rights support to national partners whilst continuing to monitor and assess the human rights situation, EARO also experienced a long leadership transition period. The former Regional Representative departed in the first half of 2020, with the current Regional Representative taking office in January 2021, followed by the Deputy Representative in charge of the Ethiopia Programme in March 2021 and the Deputy Regional Representative arriving in mid-2021.

Regarding the joint OHCHR-Ethiopian Human Rights Commission investigation (EHRC), while it was not specifically foreseen in the HRPP – given the HRPP was conceived well before the conflict in Tigray erupted, the HRPP's general outputs and envisaged indicators resonate fully with the expected impact and response to a crisis like the one in Tigray.

OHCHR appreciates the report's finding that the OHCHR-EHRC investigation contributed significantly to Goal 7 of the Human Rights Priorities Programme (HRPP). However, beyond its contribution to Goal 7, the joint investigation contributed to the envisaged outcomes of the HRPP under other goals, especially Goal 1 on reinforcing reforms and strengthening national protection systems, which is demonstrated by the

current accountability work of the Inter-Ministerial Taskforce set up after the release of the report to oversee redress and accountability measures in response to human rights violations committed in the context of the Tigray conflict. The joint investigation was also a very good example of practically and effectively building the capacity of a national human rights institution - in this case the EHRC²⁸, which is a key component of OHCHR's mandate and to which the HRPP made a huge contribution. Other goals towards which the joint investigation contributed are Goal 3 on Gender Equality, through the work on accountability measures for sexual and gender-based violence committed during the conflict which continues, and Goal 6 on conflict prevention and early warning where OHCHR and the UNCT leverage the joint investigation findings to institute preventive measures and early warning and implement some of the recommendations around prevention. Therefore, the outcome of the joint OHCHR-Ethiopian Human Rights Commission investigation fully corresponds to the expected outcomes envisaged more generally under the HRPP and can be seen as an integral part of OHCHR's Ethiopia programme.

The robust response to the Tigray conflict, whilst continuing in parallel to reform the office and implement the HRPP amid a major crisis, can be seen as a good practice in terms of OHCHR's agility to adapt and respond to serious emerging human rights issues through using available staff and leveraging partnerships, as well as its relevance in crisis response. We would also like to highlight that while the joint investigation contributed to the intended outcomes of the HRPP, its ground-breaking impact continues to-date and is widely and publicly appreciated both in Ethiopia and internationally.

Additionally, it is important to recognise that changes in human rights are often long-term investments and some of the results the Office aims to achieve may be considered more long-term aspirations towards this end. While our Results Framework contains specific outputs, indicators, targets as well as timelines, which are aligned with the OHCHR Management Plan, we aim at a clearer identification of short-term and medium-term goals in future planning cycles.

Keeping all these contextual elements in mind, in 2022, key results have been achieved since the evaluation's cut-off date for data collection in September 2021. Implementation in the last half of the project cycle was indeed accelerated considerably, as has been highlighted in the 2021 annual progress report. Since the data collection phase of the evaluation, OHCHR has also finalised staff recruitment, with all staff now fully on board. We are therefore confident that, despite the challenges of the COVID-19 pandemic and the conflict, EARO is in a position to successfully complete the project's implementation by the end of June 2022.

²⁸ The EHRC is a defining element of Ethiopia's national human rights and protection system and the role it is playing after the joint investigation including the enhanced quality of its products and approaches is attributed to the joint investigation and the OHCHR's capacity building efforts before, during and after the joint investigation.

Management response to the evaluation recommendations		
Evaluation Report Title: Evaluation of the OHCHR Ethiopia Country Programme		
Recommendation 1: First and foremost, OHCHR must redouble its efforts to overcome existing shortfalls in staff resources by (a) fast-tracking internal recruitment processes; (b) temporarily deploying staff from other parts of the Office; and (c) urging UNDP to accelerate its HRM service provision – and, if necessary, escalate matters to the RC Office and UNDP NY (Action: OHCHR HQ).		
Management position on recommendation: Accepted		
Management comment: Internal recruitment processes have been fast-tracked and all the staff have now been recruited and are fully on board. An institutional discussion at HQ level between OHCHR and UNDP is ongoing regarding the partnership and UNDP support to OHCHR’s field presences more broadly. This recommendation has already largely been implemented.		
Key Actions	Responsibility	Timeframe
1. Ensure that new vacant positions are filled in a timely manner.	EARO with the support of OHCHR HQ	Done. And as the need arises in future.
Recommendation 2: Building on the joint investigation report’s recommendations, in close collaboration with the EHRC, national authorities and the international community, determine a Joint Investigation follow-up action plan and, depending on its content, resource it adequately (Action: OHCHR HQ and EARO).		
Management position on recommendation: Accepted		
Management comment: In early January 2022, OHCHR and the EHRC developed a strategy and action plan to follow-up on the recommendations of the joint investigation, including on how to support national efforts through our work with the Inter-Ministerial Taskforce. A major stakeholders’ consultation forum, held on 3 February 2022, identified priority actions, mapped the relevant actors to implement or support the implementation as well as the coordination mechanisms in support of the Inter-Ministerial Taskforce. In line with the strategy and requests from the Government of Ethiopia (GoE), initial activities to support implementation of the recommendations including technical training on criminal investigations have been conducted. Consultations were also held with the aim of developing and implementing a national strategy on transitional justice to foster accountability. The Office has already taken appropriate measures to ensure implementation of this recommendation.		
Key Actions	Responsibility	Time-frame

1. Continue to support the implementation of the joint investigation recommendations based on the agreed strategy and action plan with the EHRC and national institutions.	EARO with the support of OHCHR HQ	Ongoing - By 2022 and beyond depending on the GoE's pace.
2. Secure funding from donors to resource the implementation of the joint investigation recommendations and related work with national institutions.	EARO with the support of OHCHR HQ	Ongoing
<p>Recommendation 3: OHCHR must work closely with the Swedish Embassy to thoroughly redesign the HRPP for the coming 3 years, based on a clearly defined, coherent theory of change and realistic assumptions, and enabled by clear programme management arrangements to enhance mutual accountability and learning. In this regard, we recommend to fully align the HRPP with OHCHR's Management Plan and EARO's forthcoming Ethiopia country strategy, with harmonised language, priorities, results frameworks and resources, using a results-based budgeting approach (Action: EARO, with support from OHCHR HQ, Swedish Embassy and a strategic planning specialist).</p>		
<p>Management position on recommendation: Accepted</p>		
<p>Management comment: The current HRPP is already fully aligned with the OMP and subsequent country AWP. It is coming to an end in June 2022. EARO is in discussions with the Swedish Embassy to seek a new funding agreement which will consider all the lessons learnt from this first experience and will ensure the new project document remains aligned with the OMP, the country AWP, but also reflects the new EARO's Ethiopia Country Strategy finalized in October 2021.</p>		
<p style="text-align: center;">Key Action</p>	<p style="text-align: center;">Responsibility</p>	<p style="text-align: center;">Timeframe</p>
1. Finalise a new funding agreement with Sweden for the next three years, taking into account the challenges and opportunities identified in this evaluation.	EARO with the support from OHCHR HQ	Ongoing – by October 2022
2. Finalise a new funding proposal (re-designed HRPP) with revised Results Framework and Budget aligned with the current OMP and changed context	EARO with the support from OHCHR HQ	By October 2022
<p>Recommendation 4: Implement EARO internal organisational reforms, while guarding the necessary balance between the front office capabilities on the one hand, and technical/operational capabilities on the other. In doing so, EARO must strike a better balance between the two Ethiopia programme pillars' needs and capabilities by prioritising capacity building / technical assistance planning, monitoring and reporting capabilities (Action: EARO).</p>		
<p>Management position on recommendation: Accepted</p>		

Management comment: Following the September 2021 internal Office retreat, internal reforms instituted by OHCHR to respond to issues such as lack of clarity on staff distribution of roles, clarity of structures and performance benchmarks were ratified. New accountability measures have also been instituted to improve performance. The Capacity-Building/Technical Cooperation pillar, as well as Programme Management capacity with Monitoring and Evaluation portfolio have been established and are now fully staffed. As a result, there has been enhanced delivery evident in the 2021 progress report. The fact that a solid programme and staff management system is now in place and that these positions are now fully staffed, will continue to help prevent any imbalances between the Monitoring, Reporting and Advocacy pillar and the Capacity-Building/Technical Cooperation pillar, which are all new mechanisms and tools created by the new Office reform. This recommendation is in line with several steps already taken by the Office.

Key Action	Responsibility	Time-frame
1. Continued operationalisation and reviews of the reforms including the revised structures, and accountability measures.	EARO	Ongoing
2. Maintain and strengthen synergies and complementarities between the Capacity-Building/Technical Cooperation and the Monitoring and Reporting workstreams while refining the operational modalities for effective delivery	EARO	Ongoing

Recommendation 5: Enhance external communication at the national level with:

- National partners: to clarify positions, obtain feedback and better identify gaps and needs
- Donors: to discuss collaboration, communication, accountability and evidence-based learning
- UN-RCO: to align and harmonise UN-system wide efforts and messages (Action: EARO)

Management position on recommendation: Accepted

Management comment: At country level, OHCHR-EARO has regularly engaged with international partners and national authorities, including on the OHCHR-EHRC joint investigation. This continues with key institutions especially the EHRC, Ministry of Justice, Ministry of Foreign Affairs, Ministry of Peace, the Ministry of Women, and others. Regular strategic engagement has also continued with key development partners such as the European Union, Sweden, Ireland, Luxemburg, Canada, France, Germany, Norway, the Netherlands, Japan, USA, and Denmark, both in country and in Geneva/New York. Within the UN, OHCHR has established its place as a key player in the UNCT and in the revitalised coordination mechanisms of the UNSDCF, being a co-convenor of the Governance and Peacebuilding Group, as well as an active participant in the UNCT, the Programme Management Team (PMT) and other UN coordination mechanisms and with the RCO. In this regard, for example, OHCHR has ensured that the UN wide support to national justice and accountability processes is harmonised, integrated and coordinated through the UNCT Governance Action Group. The external communication measures envisaged by the Office that have been recently strengthened contribute to the full implementation of this recommendation.

Key Actions	Responsibility	Time-frame
1. Continue to hold regular meetings with national partners and donors to discuss collaboration.	EARO	Ongoing – no end date
2. Continue to actively participate in the UNCT, PMT, and UNSDCF coordination mechanisms and continue regular engagements with the RC to align, harmonise and integrate human rights in the UN-system wide efforts, programmes and messages.	EARO	Ongoing – no end date
<p>Recommendation 6: Strengthen internal two-way collaboration between EARO and OHCHR HQ by (i) sharing information with HQ (FOTCD, DexRel) about all portfolio components; (ii) better aligning available financial resources with operational needs; (iii) providing programmatic assistance to support EARO in the development of its country programme strategy; and (iv) improving evidence-based planning, reporting and learning (Action: EARO and OHCHR HQ).</p>		
<p>Management position on recommendation: Accepted</p>		
<p>Management comment: Since the beginning of 2021, significant processes have been put in place to strengthen internal two-way collaboration between EARO and OHCHR HQ (including FOTCD and DEXREL) on all portfolio components. One good example was the collaboration between HQ (FOTCD, DEXREL, and thematic sections including RoLDS, METS and WHRGS) and EARO during the joint investigation with the EHRC, on substantive matters and programmatic issues, including fundraising. The first country programme strategy was developed and finalized in October 2021 through robust collaboration between EARO and OHCHR HQ and benefitted from useful review and comments by PPMES, Africa Branch, FOTCD Director’s Office, CTMD and TESPRRD.</p>		
Key Actions	Responsibility	Time-frame
1. EARO and OHCHR different divisions/units to continue to share relevant information on substantive and programmatic issues. HQ to also continue sharing relevant information with EARO, for information and feedback.	EARO and OHCHR HQ	Ongoing – no end date
2. Regular strategy reviews and planning based on emerging issues to enhance programme relevance, delivery and alignment of programme implementation with OHCHR overall strategy (OMP)	EARO and OHCHR HQ	Ongoing
<p>Recommendation 7: Recognising the breadth and depth of the human rights challenges in such a large and complex country like Ethiopia, OHCHR’s forthcoming country strategy should be based on clear choices regarding priority themes, regions and partners. In doing so, OHCHR should build stronger synergies between programme components and ensure a better balance between monitoring and reporting human rights violations</p>		

and capacity building of government, civil society and the EHRC, as well as opportunities to better prioritise and mainstream human rights across the entire UN system (Action: EARO with support from OHCHR HQ and strategic planning specialist).

Management position on recommendation: Accepted

Management comment: The country strategy was developed and finalized based on clear choices regarding priority themes and partners and was appropriately consulted. It is worth noting that strong synergies between different programme components have been built in 2021 as part of the reforms. For instance, the protection work undertaken through the Ethiopian Humanitarian Fund contributed to laying the foundation for the success of the joint investigation, benefiting from its field work and information provided for the desk review. As mentioned above, the Capacity-Building/Technical Cooperation & Monitoring, Reporting and Advocacy workstreams, as well as Programme Management capacity are all new sections created under the reform and are now fully staffed and moving the programme forward. Complementarities and synergies between different pillars/ workstreams have been the main rationale of the completed reform and its actualisation currently informs the Office's programme implementation as evidenced by the mutually reinforcing relations between the Capacity Building/Technical Cooperation and the Monitoring and Reporting workstreams. All the Capacity Building/Technical Cooperation workstream's activities currently underway, as well as those completed by the end of 2021, have been informed by the Monitoring, Reporting and Advocacy reports. The fact that the positions in these streams are now fully staffed, as per the recommendation, will help ensure the continued critical balance between the Monitoring, Reporting and Advocacy and the Capacity-Building/Technical Cooperation workstreams.

Key Action	Responsibility	Time-frame
1. Continued operationalisation of the reforms which emphasise synergies and strategic linkages between the various workstreams.	EARO	Ongoing
2. Increase inter-workstream/unit communication including through the established coordination mechanisms and enhanced functionality of the Programme Management Unit which provides the link.	EARO	Ongoing

Recommendation 8: Equally important, OHCHR should match its ambitions with relevant resources, which could (eventually) also include one or more satellite office(s) in priority regions, similar to OHCHR presence in other countries (Action: OHCHR HQ).

Management position on recommendation: Accepted

Management comment: OHCHR, through the Ethiopian Humanitarian Fund, has monitoring presence and capacity building work in six regions of the country. OHCHR needs to hold discussions internally to decide whether the establishment of more permanent sub-regional offices is strategic and sustainable.

Key Action	Responsibility	Timeframe
1. Hold internal consultations on the possibility to establish sub-offices in priority regions.	EARO with the support of OHCHR HQ	By end of 2022
2. [Only if the decision is taken to open sub-offices in priority regions: discuss with other UN agencies with a protection mandate the possibility to formally collocate with them]	EARO	By end of 2022
<p>Recommendation 9: OHCHR should position itself more strategically and pro-actively within the UNCT and UNSDCF governance structure in order to help translate the UNSDCF's intent into coherent programmes and encourage the adoption of a human rights-based approach by other UN agencies, funds and programmes (Action: EARO).</p>		
<p>Management position on recommendation: Accepted</p>		
<p>Management comment: OHCHR's role and positioning in the UNCT and UNSDCF governance structure has been strengthened in the current coordination arrangements with more focus to the Governance and Peacebuilding pillars as well as its mainstreaming/crosscutting roles. OHCHR, through its increased advocacy efforts, is now a key member of the UNCT and the PMT which is composed of deputies of all UN Agencies, and which discusses technical implementation and monitoring of the UNSDCF. OHCHR-EARO is the convenor and leading agency of the Governance and Peacebuilding Action Group under the UNSDCF governance structure, which further demonstrates the added value of OHCHR in these UN coordination structures.</p>		
Key Actions	Responsibility	Time-frame
1. Leverage UNCT, PMT and its convening role for the Governance and Peacebuilding Action Group to influence human rights mainstreaming and human rights-based approach in the UNSDCF as envisaged under the framework.	EARO	Ongoing
2. Build capacity of the relevant UN actors of the UNSDCF on human rights-based approaches to ensure robust application of human rights-based approach in the UNSDCF implementation	EARO with support from OHCHR HQ	By the end of 2022
<p>Recommendation 10: At the same time, OHCHR must keep an eye on the fragile and unpredictable conditions in Ethiopia. While the strategic choices are being made, EARO should continue to monitor the political-security context closely and develop multiple scenarios to strengthen EARO's agility and responsiveness, should conditions once again change (Action: EARO and OHCHR HQ, with input from UN RCO).</p>		
<p>Management position on recommendation: Accepted</p>		
<p>Management comment: EARO has been constantly monitoring and assessing the security and political environment as it relates to the implementation of the HRPP, with</p>		

a view to being as agile and responsive as possible to new/emerging situations. As stressed by the evaluation report, EARO has well demonstrated its ability to respond to the Tigray conflict in 2021 and the lessons from this experience have underscored the importance of constant assessment of the security situation.

Key Actions	Responsibility	Timeframe
1. Continue to monitor closely the political and security environment in Ethiopia with a view to responding with agility and responsiveness in terms of programme implementation.	EARO and OHCHR HQ	Ongoing – no end date
<p>Recommendation II: Because EARO relies in the first instance on HQ decisions, systems and processes, OHCHR Geneva should take decisive action to overcome systemic shortcomings in its programme management capabilities; human resource management; financial management; and the harmonisation of resource mobilisation with execution (Action: OHCHR HQ).</p>		
<p>Management position on recommendation: Accepted</p>		
<p>Management comment: Aligned to its strategy on regional strengthening, OHCHR has already begun to strengthen its resource mobilization support at the country level with the establishment of a dedicated capacity development officer position which is supporting a one-office, harmonized, coherent and coordinated approach to resource mobilization. In addition, OHCHR has deployed donor and external relations officers in some of its regional offices, at this point in the Regional Office for South Africa (ROSA) and the South-East Asia Regional Office (SEARO). Additional resource mobilization capacity will also be deployed in Panama by the end of 2022. OHCHR has developed a comprehensive Results Based Management guide which will be launched in the second quarter of 2022</p>		
Key Action	Responsibility	Time-frame
1. Continue to actively communicate/engage on resource mobilization needs and plans.	EARO and OHCHR HQ (including DEXREL)	Ongoing
2. Launch of OHCHR’s RBM manual	PPMES	Second quarter 2022