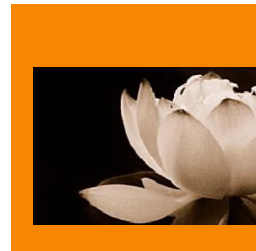




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External Formative Evaluation of the Program: “Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021”

Final report

Prepared for the
Organization of American States

Geneva, August 2021

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List of acronyms and abbreviations

CBA	Cost-benefit analysis
COVID-19	Corona Virus Disease
C-SERMS	Caribbean Sustainable Energy Roadmap and Strategy
D.C.	District of Colombia
DPMO	Department of Procurement Services and Management Oversight (OAS)
GS	General Secretariat
IACHR	Inter-American Commission on Human Rights
IAHRS	Inter-American system for the protection of human rights
ibid.	"Ibidem" (Latin for: "the same")
ICAI	Independent Commission for Aid Impact (of the United Kingdom)
IFI	International Finance Institutions
IOM	International Organization for Migration
M&E	Monitoring and Evaluation
MoU	Memorandum of Understanding
OAS	Organization of American States
OHCHR	United Nations' Office of the High Commissioner for Human Rights
PREA	US Prison Rape Elimination Act
RPPI	Report on Progress of Project Implementation (OAS)
SDG	Sustainable Development Goals
SIMORE	
SMART	Specific, measurable, achievable, relevant and time-bound
SUM	Sum
ToR	Terms of Reference
UK	United Kingdom
UN	United Nations
UNCTAD	United Nations Conference on Trade and Development
UNHCR	United Nations High Commissioner for Refugees
U.S.	United States
USAID	United States Agency for International Development
US\$	United States Dollar
%	Percentage

Figure 1: Legend for color-coding used for results assessment



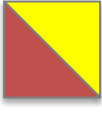

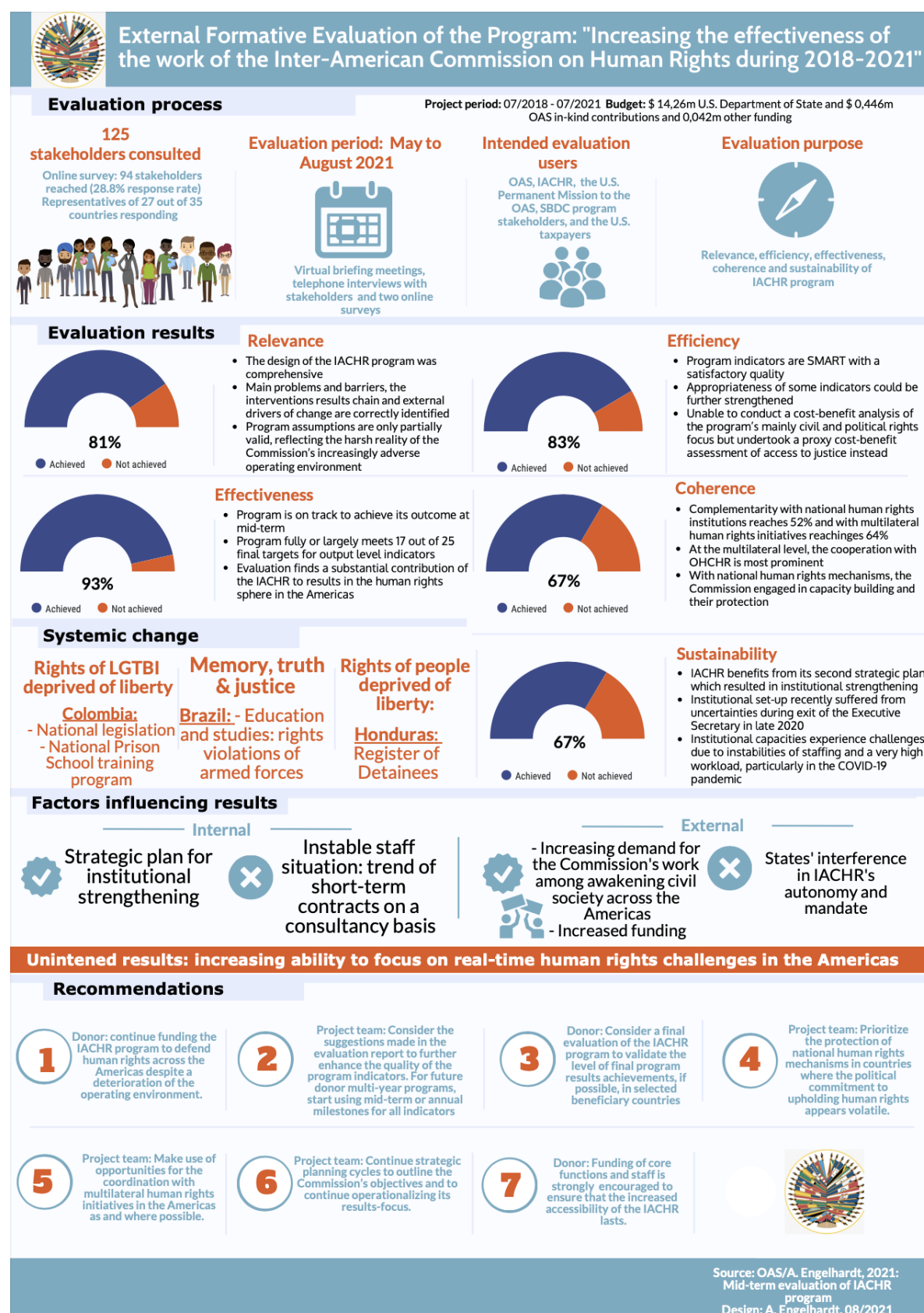
	Green: Strong achievement across the board. Stands out as an area of good practice where OAS is making a significant positive contribution. Score 76 to 100 out of 100
	Green/amber: Satisfactory achievement in most areas, but partial achievement in others. An area where OAS is making a positive contribution but could do more. Score 51 to 75 out of 100
	Amber/red: Unsatisfactory achievement in most areas, with some positive elements. An area where improvements are required for OAS to make a positive contribution. Score 26-50 out of 100
	Red: Poor achievement across most areas, with urgent remedial action required in some. An area where OAS is failing to make a positive contribution. Score: 0-25 out of 100

Figure 2: Infographic: evaluation process and main results



Executive summary

Introduction: This document comprises the final report of External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021".

The Organization of American States (OAS)/ Inter-American Commission on Human Rights (IACHR) implements the program, funded by the United States Department of State. The program implementation period started on 07/01/2018 and is scheduled to end on July 31, 2022, after three amendments, including two cost extensions.

The United States Department of State funds the project with US\$ 14,263,887.8 (96.6% of total funding), complemented with US\$ 446,476.00 OAS in-kind funding and US\$ 42,160.92 other funding. The initial donor funding amounted to US\$ 4,388,888.95 in 2018, which increased to US\$ 9,326,388.89 after the first program amendment before reaching the final amount in the third amendment.

Project background: The Inter-American Commission on Human Rights (IACHR) is a principal organ of the Organization of American States (OAS), and its main function is to promote the observance and defense of human rights in the Americas and serve as a consultative organ of the Organization on this area. It is composed of seven members, who must be individuals of high moral authority and recognized experts in human rights, who are elected in their personal capacity by the OAS General. The Commission is headquartered in Washington, DC. It was created by the OAS in 1959. Together with the Inter-American Court of Human Rights, the Commission is one of the institutions within the inter-American system for the protection of human rights ("IAHRS").

The program "*Increasing the effectiveness of the work of the Inter- American Commission on Human Rights during 2018-2021*" CDH-1802 will support the effectiveness of the work of the IACHR of promoting, defending, and protecting Human Rights in the Americas.

These are its components/ outputs:

- i) An increase in the number of petitions and requests evaluated by IACHR in each stage;
- ii) Improvement of the monitoring of the situation of human rights in the region;
- iii) Improvement of the monitoring of the implementation of the recommendations and decisions issued by the IACHR;
- iv) Implementation of the Action Plan of the Office of the Special Rapporteur for Freedom of Expression; and
- v) Management, following-up, and monitoring of the project¹.

Evaluation background: the objective of the evaluation is to evaluate the relevance, efficiency, coherence, effectiveness, and sustainability of the CDH-1802 program, regarding the effectiveness of the work done by the IACHR. The evaluation will explicitly focus on delivering the main Outputs, and the Immediate and Intermediate Outcomes for the program.

Evaluation process and methodology: the evaluation took place between May and July 2021, with the final report delivery in August 2021. The evaluator invited IACHR stakeholders in all OAS Member States and Cuba to participate in the evaluation, with stakeholders of 27 out of




¹ Secretary-General of the Organization of American States, 2021: Terms of Reference. External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021". Pages 2 - 4.

35 countries responding. The latter constitutes a high coverage. Thirty-one stakeholders participated in telephone interviews² And 94 out of 326 stakeholders completed an online survey (28,8% response rate). In total, the evaluator managed to consult 125 stakeholders.



For this evaluation, the Lotus M&E Group used a theory-based evaluation methodology to address the time-lag between the program activities and outputs on the one hand and any changes in human rights practices. The approach was successfully used in recent evaluations for international organizations, including OAS. The evaluation was guided by a rights-based approach, addressing both duty bearers like government officials and, to the extent possible, rights holders and their representatives during the evaluation. United Nations Evaluation Group evaluation ethics informed to what extent rights holders could be directly engaged in the evaluation. The evaluation estimated the cost-benefit of access to justice for the population in countries where otherwise no access to an impartial justice system defending their human rights would be possible without the IACHR.

Figure 3 presents the main evaluation findings by evaluation criteria.

Figure 3: Dashboard of key findings by evaluation criteria and main evaluation questions

Criteria	Assessment	Rationale
Relevance		<p>Key findings: the IACHR program is doing the right thing, based on a valid theory of change</p> <ul style="list-style-type: none"> The design of the IACHR program was comprehensive, as shown in the assessment of the validity of all main components of the program's reconstructed theory of change; Main problems and barriers, the interventions results chain and external drivers of change are correctly identified; However, the program assumptions are only partially valid, reflecting the harsh reality of the Commission's increasingly adverse operating environment due to a deterioration of the human rights situation across many countries of the Americas.
Efficiency		<p>Key findings: The program used resources appropriately and applied results-based management principles</p> <ul style="list-style-type: none"> Overall, program indicators are SMART with satisfactory quality. However, the appropriateness of some indicators could be further strengthened. RPPIs track output and purpose level indicators but not goal level ones; The evaluation could not conduct a cost-benefit analysis of the program's mainly civil and political rights focus but undertook a cost-efficiency analysis of access to justice instead. The U.S. invested about US\$ 0.31 per person benefitting from access to justice for the total populations of Cuba, Nicaragua, and Venezuela in 2018-2021, otherwise without access to impartial national justice systems..
Effectiveness		<p>Key findings: The IACHR program achieved many of the planned final results at mid-term and shows good effectiveness.</p> <ul style="list-style-type: none"> The program is on track to achieve its outcome at mid-term, with targets for all seven indicators either fully achieved (two indicators: 1.2 and 1.6) or with an achievement rate above 72.9% (35 months of program execution under evaluation out of the 48 months program cycle); Critical outcome level results comprise i) 16 countries responding positively accepting commitments to comply with the IACHR

², including the project manager and her team. The quantitative ratings provided by the project manager were not included in the data analysis to avoid any bias.

		<p>recommendations and decisions; ii) States implementing 60% of precautionary measures to protect the rights to life and integrity; iii) Argentina, Trinidad and Tobago, Mexico, Colombia, and Peru adopting judicial decisions towards protecting freedom of expression and access to information</p> <ul style="list-style-type: none"> • The IACHR program fully or largely meets 17 out of 25 final targets for output level indicators at mid-term. As foreseen in the program's chronogram, the program still is due to deliver several reports, including two country reports regarding the on-site visits, two thematic reports (COVID-19 and rights of religious freedom) and one report on national mechanisms in the Americas for the implementation of recommendation; • The evaluation finds a substantial contribution of the IACHR to results in the human rights sphere in the Americas. Merit reports, precautionary measures, and friendly settlements are directly related to the Commission's work over many years and even decades; • The evaluation managed to identify several cases where either a group of people benefitted from the Commission's work, or where the Commission's works resulted in forms of systemic change beyond the well-being of an individual. Cases include: Rights of LGTBI deprived of liberty (Colombia), child rights (Chile), rights of people deprived of liberty (Honduras), commemoration, truth, and justice (Brazil and Panama) and torture (Mexico); • One of the unplanned program results is the Commission's increasing ability to focus on real-time human rights challenges in the Americas, causing, however, discomfort among many administrations, as they feel held accountable for their human rights records.
Coherence		<p>Key findings: IACHR complements national and other multilateral human rights initiatives and bridges gaps in countries where the human rights system is dysfunctional.</p> <ul style="list-style-type: none"> • The evaluation survey showed that the complementarity with national human rights institutions reaches 52% and with multilateral human rights initiatives reaches 64%; • At the multilateral level, the cooperation with the United Nations' Office of the High Commissioner for Human Rights (OHCHR) is most prominent and cooperation also with other United Nations agencies emerges, for example, around migration; • With national human rights mechanisms, the Commission engaged in capacity building and their protection.
Sustainability		<p>Key findings: The evaluation finds some challenges in the sustaining of IACHR program results</p> <ul style="list-style-type: none"> • IACHR benefits from its second strategic plan which resulted in institutional strengthening and a clear vision with a strong drive to comply with the objectives of its strategic plan; • The institutional set-up recently suffered from uncertainties, a sense of crisis and a reputational risk for the IACHR following the much-debated process leading to the exit of the Executive Secretary in late 2020; • Institutional capacities experience challenges due to instabilities of staffing and a very high workload, particularly in the COVID-19 pandemic.

The evaluation reaches the following **main conclusions**:

- The IACHR is fulfilling its mission in an increasingly hostile operating environment, which jeopardizes program delivery.
- The IACHR program appears as value for money to the U.S. taxpayer with investment, for example, of about US\$ 0.31 per person benefitting from access to justice for the total populations of Cuba, Nicaragua, and Venezuela in 2018-2021, where no independent justice systems are in place.
- At mid-term, the IACHR is on track to achieve the final program results, with a significant contribution to uphold human rights across the Americas.
- The coordination with multilateral human rights initiatives is strong, for example, with UN agencies around migration but shows room for improvement in other topics.
- Despite growing human resources capacities, the IACHR still suffers from capacity shortcomings, particularly in the COVID-19 context, where its accessibility significantly increased.

Based on the key findings and conclusions presented above, the evaluation makes the following targeted, prioritized, and time-bound **recommendations**:

Relevance

R1: Donor: Continue funding the IACHR program to defend human rights across the Americas despite a deterioration of the operating environment.

Prioritization: very high. Next 3 months

Efficiency

R2: Project team: Consider the suggestions made in the evaluation report to enhance the quality of the program indicators further. For future donor multi-year programs, start using mid-term or annual milestones for all indicators.

Prioritization: very high. Next 3 months

Effectiveness

R3: Donor: Consider a final evaluation of the IACHR program to validate the level of final program results achievements, if possible, in selected beneficiary countries (which was not possible during the mid-term evaluation due to the COVID-19 travel restrictions).

Prioritization: high. Next 6 to 9 months

Coherence

R 4: Project team: Prioritize the protection of national human rights mechanisms in countries where the political commitment to upholding human rights appears volatile.

Prioritization: very high. Next 3 months

R5: Project team: Make use of opportunities to coordinate multilateral human rights initiatives in the Americas as and where possible.

Prioritization: very high. Next 3 months

Sustainability

R6: Project team: Continue strategic planning cycles to outline the Commission's objectives and continue operationalizing its results-focus.

Prioritization: high. Next 6 to 9 months

R7: Donor: Funding of core functions and staff is strongly encouraged to ensure that the increased accessibility of the IACHR lasts.

Prioritization: very high. Next 3 months

Section I: Introduction

This document comprises the final report of External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021".

The Organization of American States (OAS)/ Inter-American Commission on Human Rights (IACHR) implements the program, funded by the United States Department of State. The program implementation period started on 07/01/2018 and is scheduled to end on July 31, 2022, after three amendments, including two cost extensions.

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1.1 Project background

The Terms of Reference (ToR) outline the program background as follows³:

"The Inter-American Commission on Human Rights (IACHR) is a principal organ of the Organization of American States (OAS), and its main function is to promote the observance and defense of human rights in the Americas and serve as a consultative organ of the Organization on this area. It is composed of seven members, who must be individuals of high moral authority and recognized experts in human rights, who are elected in their personal capacity by the OAS General. The Commission is headquartered in Washington, DC. It was created by the OAS in 1959. Together with the Inter-American Court of Human Rights, the Commission is one of the institutions within the inter-American system for the protection of human rights ("IAHRS").

The mandate of the IACHR was established in the American Convention on Human Rights (the Pact of San José), later adopted on November 22, 1969 and entered into force on July 18, 1978.

Among the main functions and mandates of the IACHR are to: Promote the observance and defense of human rights in the Americas; formulate recommendations to States and promote due respect for rights; prepare studies and reports; request information from States; provide advice and technical assistance to States; conduct visits and observations in loco to observe the situation of human rights; act on individual cases and petitions, friendly settlements, and precautionary measures; appear before the Inter-American Court of Human Rights in cases and other matters; submit proposals to the OAS for additional protocols or amendments to the American Convention on Human Rights; hold ordinary and extraordinary Periods of Sessions and; convoke public hearings on the situation of human rights in the region.

The Inter-American Commission⁴ has advocated for justice and defended freedom throughout the region for over five decades. Presently, the predominance of freely elected governments establishes the bases for the effective exercise of human rights, with respect for those rights

³ Secretary-General of the Organization of American States, 1081: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021". Project document.

⁴ The Special Rapporteurship for Freedom of Expression complements those endeavors.

being a vital element of democracy. However, the region continues to face profound challenges. Impunity, violations of due process, limits on judicial independence, police abuse, discrimination, criminalization of the right to freedom of expression on matters of public interest are just some of the problems that threaten the effectiveness of human rights and weaken the rule of law.

Despite the progress made on various fronts, situations persist that present challenges for human rights at the global level and in the Americas. The OAS Member States continue to be affected by human rights violations. Some of the major problems include, among others: difficulties in access to justice, the fragility of institutions, impunity, corruption, structural discrimination and violence against individuals, groups, and communities at risk in the Americas, and the situation of citizen insecurity that affects indigenous peoples, women, children, human rights defenders, persons living with disabilities, persons deprived of liberty, migrants, refugees and the displaced, among others. National protection mechanisms for human rights defenders in the Americas are weak. There are problems related to the situation of persons deprived of liberty, including the excessive use of pretrial detention in the majority of states in the region, situations of overcrowding, overpopulation, and conditions of incarceration that fail to guarantee the lives and personal integrity of the inmates. Furthermore, there are still challenges in implementing the obligation to consult with indigenous and tribal peoples in a prior, free, and informed manner, and to guarantee their participation in all decisions related to any intervention that would have repercussions on their territories and the natural resources therein, including the execution of development and extractive projects. Finally, undue restrictions on the right to freedom of expression persist in some countries exacerbated by expressions of violence against journalists and authoritarian practices from some governments.

The IACHR has issued numerous recommendations aimed at overcoming these challenges. However, one stands above the rest, as the IACHR seeks to improve its effectiveness in promoting, defending, and protecting victims of human rights violations. The IACHR considers that there are essentially four major factors that affect the effectiveness of its work: 1) the delay in processing petitions and cases; 2) fragmentation and a lack of integration of the thematic and geographic monitoring of the situation of human rights in the hemisphere; 3) the difficulties in monitoring of the compliance of the recommendations issued by the IACHR and 4) the deterioration of the protection and guarantee of the right to freedom of expression throughout the hemisphere.

In this context, the program *"Increasing the effectiveness of the work of the Inter- American Commission on Human Rights during 2018-2021"* CDH-1802 will support the effectiveness of the work of the IACHR of promoting, defending, and protecting Human Rights in the Americas.

These are its components/ outputs:

- i) An increase in the number of petitions and requests evaluated by IACHR in each stage;
- ii) Improvement of the monitoring of the situation of human rights in the region;
- iii) Improvement of the monitoring of the implementation of the recommendations and decisions issued by the IACHR;

iv) Implementation of the Action Plan of the Office of the Special Rapporteur for Freedom of Expression; and

v) Management, following-up, and monitoring of the project⁵.

1.2 Evaluation background and objective

The evaluation Terms of Reference (ToR)⁶ outline the objective of this external mid-term evaluation as follows:

"The objective of the Consultancy is to evaluate the relevance, efficiency, coherence, effectiveness, and sustainability of the CDH-1802 program, regarding the effectiveness of the work done by the IACHR. The evaluation will explicitly focus on delivering the main Outputs, and the Immediate and Intermediate Outcomes for the program".

The evaluation contains the following scope⁷:

- Conduct a formative evaluation in order to identify the main achievements and results of the program.
- Determine the efficiency and effectiveness of the program as best reflected in the available results to date.
- Critically analyze the formulation, design, implementation, and management of the program and make recommendations as needed.
- Assess the institutional and financial sustainability of the interventions financed by the program.
- Document lessons learned related to the formulation, design, implementation, management, and sustainability.
- Make recommendations, as appropriate, to improve the formulation, design, and implementation for future similar interventions.
- Assess if and how the program addressed the crosscutting issue of a gender perspective and to what results.
- Conduct a proper cost-benefit analysis (CBA).
- Assess the results of the training supported by the program using Kirkpatrick's training evaluation model.

The evaluation questions are based on international criteria, comprising relevance, efficiency, coherence, effectiveness, and sustainability. The evaluation questions are as follows:

1. Was the program's implicit Theory of Change effective?
2. Were the programs objectives achieved (include a matrix to establish

⁵ Secretary-General of the Organization of American States, 2021: Terms of Reference. External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021". Pages 2 - 4.

⁶ Ibid, page 4

⁷ Ibid. pages 4-5

achievement and justification)?

3. Were the identified outcome indicators appropriate to measure success?
4. Are the programs' achievements sustainable institutionally and financially?
5. Are the programs' indicators SMART?
6. Did the program team apply results-based management principles from inception to conclusion? Please describe which ones and how.
7. Was the monitoring mechanism used as an efficient and effective tool to follow up on the progress of the program's actions and compliance with the agreement?
8. Were there any unforeseeable/not planned results or outcomes? Please document.

The Lotus M&E Group added "why" questions for each of the main questions listed above to document the rationale for results achievement, including behavior change.

Expected users of this evaluation are the OAS, including the Inter-American Commission on Human Rights, the United States Mission to the OAS, Member States, local and national counterparts, and program beneficiaries.

The evaluation took place between May and July 2021, with the delivery of the final report scheduled for August 2021. The evaluator invited IACHR stakeholders in all OAS Member States and Cuba to participate in the evaluation, with stakeholders of 27 out of 35 countries responding. The latter constitutes a high coverage. Thirty-one stakeholders participated in telephone interviews⁸, and 94 out of 326 stakeholders completed an online survey (28,8% response rate). In total, the evaluator managed to consult 125 stakeholders.

Figure 4 shows those participating Member States in dark blue, including Grenada, Saint Lucia, and Trinidad and Tobago, less visible on the map.

The OAS contracted an external evaluation specialist to undertake this evaluation and selected the Lotus M&E Group with Dr. Achim Engelhardt as the team leader in a competitive tendering process with Professor Diego Rodriguez-Pinzon from

the American University in Washington as the quality assurance advisor. The team was neither involved in the design nor implementation of the IACHR program (2018-21).

Figure 4: Map of the Americas with stakeholders participating in the IACHR evaluation



Design: A. Engelhardt, 07/2021

⁸, including the project manager and her team. The quantitative ratings provided by the project manager were not included in the data analysis to avoid any bias.

1.3 Evaluation methodology and approach

For this evaluation, the Lotus M&E Group used a **theory-based evaluation methodology** to address the time-lag between the program activities and outputs on the one hand and any changes in human rights practices. The approach was successfully used in recent evaluations for international organizations, including OAS.

A theory-based evaluation specifies the intervention logic, also called the "theory of change," tested in the evaluation process, as shown in the figure below, based on a concept developed by the University of Wisconsin.

The theory of change is built on a set of assumptions around how the project designers think a change will happen. Logically it is linked to the project logframe.

The added value of theory-based evaluation is that it further elaborates on the project's assumptions and linkages between outputs, outcomes, and impact. Besides, the approach highlights stakeholder needs as part of a situation analysis. The situation analysis also identifies barriers to reducing abusive practices and violations of human rights. The approach includes analyzing the projects' response (activities and outputs) to the problem followed by a results analysis.



Logically the Theory of Change is linked to the logframe of the IACHR program (2018 -2021).

The document review shows that the IACHR program benefits from a logframe with five iterations. While the assumptions section at the outcome level is rather generic, the IACHR logframe contains specific, measurable, and time-bound indicators. For the output indicators, baselines, targets, and results are available, as contained in 11 Reports on Progress of Project Implementation (RPPI).

The assessment of progress against those log frame indicators will be the basis for evaluating the IACHR program's effectiveness.

1.4 Rights-based and consultative evaluation approach

The evaluation was guided by a rights-based approach, addressing both duty bearers like government officials and, to the extent possible, rights holders and their representatives during the evaluation. United Nations Evaluation Group evaluation ethics informed to what extent rights holders could be directly engaged in the evaluation. In many cases, the document review showed that the whereabouts of presumed victims of human rights violations are not given, that presumed victims and their nuclear families are threatened,

harassed, or persecuted. In those live threatening circumstances, the "do no harm" approach of each evaluation applied, and the Lotus M&E Group refrained from contacting presumed victims of human rights violations.

The team leader undertook the evaluation in a consultative manner. Following the document review, the team leader undertook a briefing meeting with the project team and the Department of Procurement Services and Management Oversight (DPMO).

This consultative approach is scheduled to be further followed during the remote presentation of the mid-term report to the project team before delivering the final evaluation report. The team leader will also present the final report to the project team, the donor, and the DPMO, COVID-19 travel restrictions allowing, in person in the OAS Secretariat.

The team leader undertook several evaluation steps, using a mixed-methods approach and specific samples. The sampling approach was developed during the inception phase of the evaluation.

1.5 Cost-benefit analysis

The OAS is at the forefront of using cost-benefit analysis among international organizations, following good practices in International Finance Institutions (IFIs). The team leader would aim to calculate the program's social and economic benefits overall or for specific project countries. Those would subsequently be put in relation to the program costs.

The team leader successfully applied cost-benefit analysis for OAS evaluations in 2017, 2018, and 2019 on behalf of the OAS in sectors such as energy, business development, and climate change.

In the specific IACHR program context, change to the effectiveness of the IACHR can influence the human rights situation in Member States, addressing issues such as displacement, deportation, arbitrary deprivation of liberty, forced disappearance, lack of protection against threats to life, torture, and execution and as such, upholding civil and political rights are one of the main benefits of the IACHR to presumed victims of human rights violations.

However, putting a monetary value to changes in Member States' civil and political rights situation seems highly challenging, also raising critical ethical questions.

The literature review showed that examples of cost-benefit analysis of social and economic rights are given, as in the cases of large-scale infrastructure projects (United Nations' Office of the High Commissioner for Human Rights (OHCHR), 2018⁹, OHCHR, 2017¹⁰, Vickerman, 2007)¹¹. However, the literature review also revealed that information on cost-benefit in civil and political rights interventions is exceptionally scarce. Aceves/California Western School of Law (2018) is one of the very few exceptions. In St. John's Law Review, Aceves/California Western School of Law call cost-benefit analysis of human rights an "intriguing and provocative opportunity."¹²

The Aceves/California Western School of Law paper provides insights into evaluation questions to identify cost-benefit, for example, for calculating the costs and benefits of the US Prison Rape Elimination Act (PREA), which seems at the very borderlines of ethical considerations, if not crossing ethical red lines.

⁹ OHCHR and Heinrich Böll Stiftung (2018): The Other Infrastructure Gap: Sustainability. Human Rights and Environmental Perspectives.

¹⁰ OHCHR, 2017: Baseline Study on the Human Rights Impacts and Implications of Mega-Infrastructure Investment.

¹¹ Cost-benefit analysis and large-scale infrastructure projects: state of the art and challenges. In: Environment and Planning B Planning and Design 34(4):598-610

¹² Aceves, W.J./California Western School of Law (2018): Cost-Benefit Analysis and Human Rights. In: 95 St. John's Law Review 431 (2018), page 436.

Hence, this evaluation took a different approach to mitigate this shortcoming. The evaluation focused on estimating the cost-efficiency of **access to justice** for the population in countries where otherwise no access to an impartial justice system defending their human rights would be possible without the IACHR¹³. This approach constitutes a cost-efficiency analysis rather than a fully-fledged cost-benefit analysis. However, given the donor's interest in the degree of the program's value for money for the U.S. taxpayer, this approach is defensible.

1.6 Evaluating capacity building

For beneficiaries of training events related to the online monitoring tool SIMORE¹⁴ which tracks IACHR recommendations, the team leader used the Kirkpatrick approach to evaluate the effects of capacity development.¹⁵ As such, the evaluation captured changes in knowledge, awareness, and practice. This approach was successfully used in evaluations for international organizations, most recently in evaluating the Organization of American States' Cyber Security Program¹⁶. In the meantime, the team leader successfully undertook the Kirkpatrick Bronze level certification in January 2021.

Kirkpatrick's model was presented in 1975 (Kirkpatrick, 1975)¹⁷ and remains the most widely used model for evaluating training (Kotvojs, 2009),¹⁸ which seems particularly relevant for the program due to its use of capacity building. The four levels assessed in the model are as follows, with the evaluation focusing on levels two to four:

1. Reaction - what the participants thought and felt about the training.
2. Learning - the resulting increase in knowledge or skills or changes in attitude.
3. Behavior - the extent of on-the-job behavior change by the participant due to the training and capability improvement and implementation/ application.
4. Results - the effects on the business or environment resulting from the participant's performance. This is the impact of the training on the participant's organization and their clients. (e.g., whether an organizational change was generalized to whether the output was used to address other problems or issues).

1.7 Sampling

The evaluation used a purposeful sampling approach to review and document specific cases which had effects beyond the individual addressed, mostly related to systemic change. The

¹³ In situations where there was denial of justice in a particular case brought to the Commission, which can happen in any OAS country, the Commission contributes to close the gap of access to justice in such cases. However, those numbers are not considered in the Cost-Efficiency Analysis, as the reach of cases can go well beyond individuals, as further shown in this evaluation, which makes estimate uncertain.

¹⁴ The goals of the new system, known as the Inter-American SIMORE, are to facilitate State compliance and promote accountability and transparency, by improving access to information on the IACHR's recommendations and their implementation

¹⁵ Kirkpatrick, Donald L. (1975). Techniques for Evaluating Programs. Parts 1, 2, 3, and 4. Evaluating Training Programs. ASTD.

¹⁶ OAS/Engelhardt, A.: 2020: External Evaluation of the effectiveness of the Strengthening Cybersecurity Capabilities in the Americas – SMS1505

¹⁷ Kirkpatrick, Donald L. (1975). Techniques for Evaluating Programs. Parts 1, 2, 3, and 4. Evaluating Training Programs. ASTD.

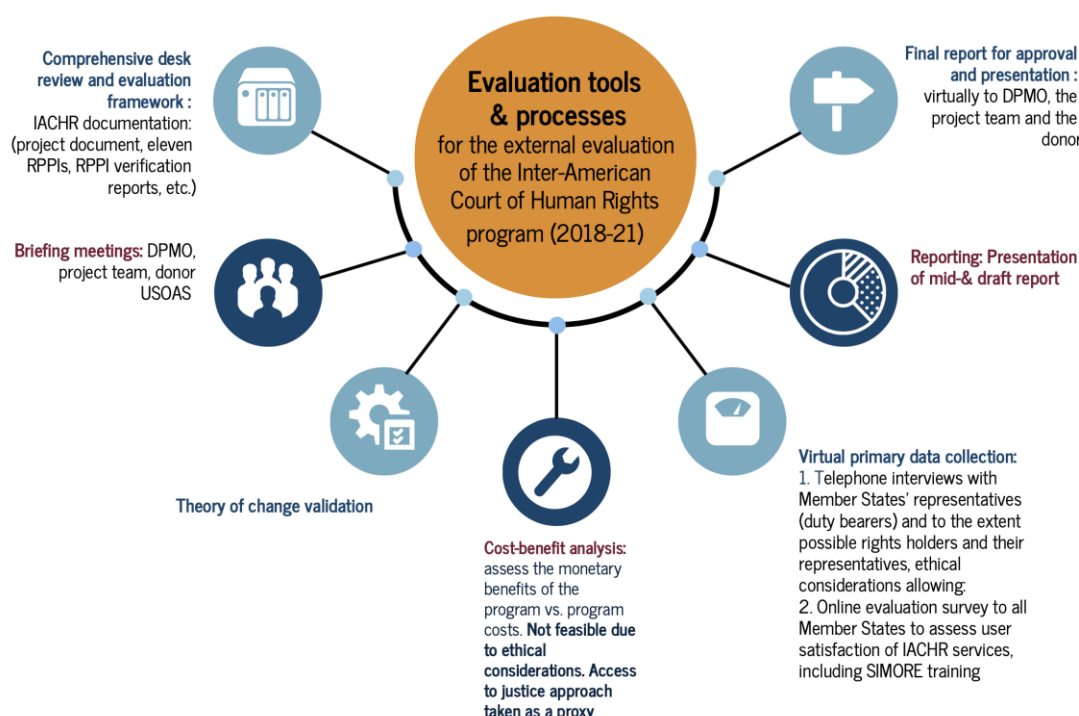
¹⁸ Kotvojs, F., 2009: Development of Framework for Evaluating Capacity Development Initiatives in International Development.
<https://www.aes.asn.au/images/stories/files/conferences/2009/Papers/Kotvojs,%20Fiona.pdf>

document review, inputs from the quality assurance team member, Professor Diego Rodriguez-Pinzon from the American University in Washington, the project team, and other interviewees guided the team leader in this process.

1.8 Evaluation tools and processes

The following evaluation tools and processes summarized in Figure 5 were used for this evaluation:

Figure 5: IACHR evaluation – evaluation tools and processes



Source: Engelhardt, A. 05/2021, updated 08/2021

In detail, the evaluation tools and processes comprise:

1. Document review, including on literature of models and approaches to determine the feasibility of a **cost-benefit of human rights programs** and related data requirements;
2. **Scoping calls** with the Department of Planning and Evaluation, the project team implementing the program in the OAS and with the representative of the US Permanent Mission to the OAS;
3. **Theory of Change validation** based on the document and literature review;
4. **Estimating cost and benefits** for the program's contribution to enabling access to justice in countries where otherwise no access to an independent justice system is available. A fully-fledged cost-benefit analysis was not possible, as explained in the following limitations section.

5. **Telephone interviews** with the program team and IACHR Commissioners. The evaluator also reached the representatives of rights holders or their associations such as associations of academics, ethical and security considerations allowing, within the strictest application of ethical evaluation norms. DPMO guided the team leader before reaching out to the representatives of rights holders or their associations.
6. **Online evaluation survey in English and Spanish to Member States** to assess user satisfaction of IACHR services across all OAS Member States and Cuba, including duty bearers (government representatives) and rights holders benefitting from SIMORE training;
7. Scheduled presentation of the midterm report to OAS via Skype conference call, following data analysis;
8. Finalizing evaluation report and virtual presentation to DPMO, the project team in the IACHR - OAS, and the US Department of State.

1.9 Limitations and mitigation measures

The evaluation did not encounter significant limitations, given the good availability of documentation and seamless cooperation with the project team.

However, it would have been helpful to undertake field visits to meet IACHR stakeholders face-to-face. The latter was not possible due to the COVID-19-related travel restrictions. Hence the team leader used zoom interviews to consult stakeholders remotely.

The evaluation also notes an underrepresentation of government stakeholders in the program's stakeholder contact list. As a mitigation measure, the team leader selected SIMORE training events under output 3 as a program component for further review due to a higher number of state representatives participating in those events.

Given the scarcity of information on cost-benefit in civil and political rights interventions, as revealed in the literature review, the evaluation team mitigated this shortcoming estimating the cost-efficiency of **access to justice** for the population in countries where otherwise no access to an impartial justice system defending their human rights would be possible without the IACHR.

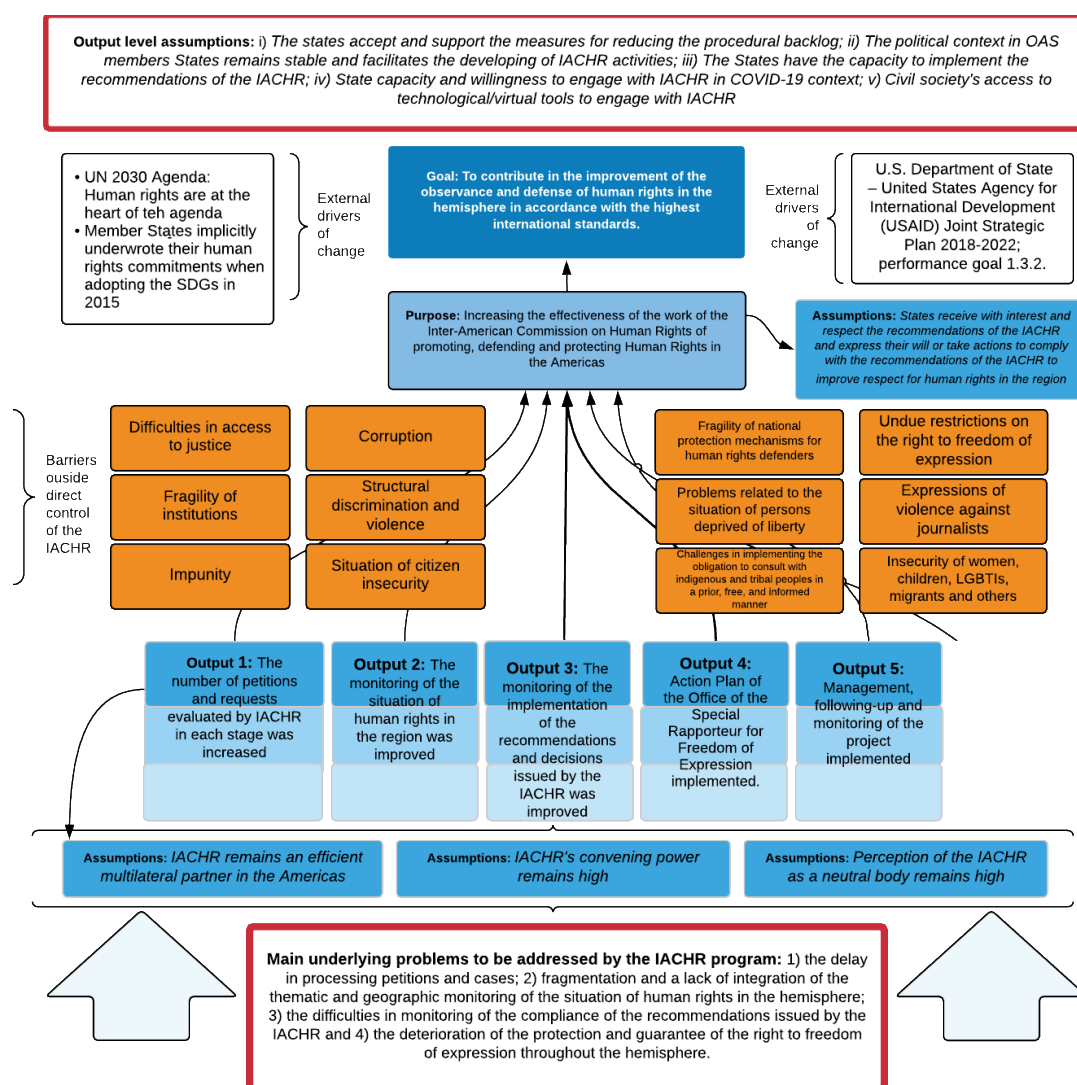
While this measure does not holistically reflect the cost-benefit of the program, and certainly underestimates the overall cost-efficiency, it seems the closest assessment of putting a monetary value to the program concerning cost-benefit, which was explicitly demanded in the evaluation's Terms of Reference.

The program indicators did not contain intermediate targets, but for one output indicator (2.1). While there seems to be some need for awareness raising about the use such intermediary targets, for this evaluation the team leader took the pragmatic approach to calculate the expected results achievement after 35 months (30 April, date of the 11 RPPI) of the 48 months program. As such, the intermediary target for each indicator represents 72.9% of the final targets ($35/48 \times 100$).

1.10 Reconstructed Theory of Change of the IACHR program

Figure 6 presents the reconstructed theory of change of the IACHR program based on the project documents and its logframe as the primary data sources.

Figure 6: Reconstruction of the Theory of Change for IACHR program 2018-2021



Source: A. Engelhardt 07/2021

The reconstructed Theory of Change of the project contains the following elements:

- Formulation of the main problems
- Outputs (short-term results) and related assumptions
- Barriers to moving from outputs to outcomes (medium-term results)
- Outcomes
- Impact statement (long-term results)
- Linkages to external drivers of change catalyzing the achievement of the impact
- Main assumptions

Section 2.1 provides a fully-fledged assessment of the validity of the Theory of Change.

Section II: Findings

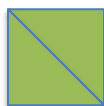
2. Relevance: is the IACHR doing the right thing in the Western Hemisphere?

This section addresses the evaluation criteria of relevance. The sub-criteria used include the following: i) validity of the reconstructed theory of change, ii) outcome level assumptions (purpose), iii) output level assumptions; iv) Intervention logic; v) external drivers of change; vi) consideration of gender in program design

The principal source of evidence for this section was the document review.

Key findings: the IACHR program is doing the right thing, based on a valid theory of change

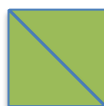
- The design of the IACHR program was comprehensive, as shown in the assessment of the validity of all main components of the program's reconstructed theory of change;
- Main problems and barriers, the interventions results chain and external drivers of change are correctly identified;
- However, the program assumptions are only partially valid, reflecting the harsh reality of the Commission's increasingly adverse operating environment due to a deterioration of the human rights situation across many countries of the Americas, including the resistance by certain states to the Commission's supervision.



This final evaluation finds that the relevance of the IACHR program is very high. Based on the evaluations' scoring methodology¹⁹, the relevance score is "green" (81 out of 100²⁰).

2.1 Validity of the Theory of Change

The evaluation finds that the design of the IACHR program was comprehensive, as shown in the assessment of the validity of all main components of the programs' theory of change. The evaluator's assessment uses the reconstructed Theory of Change of the IACHR program because using a theory of change in the project document was not mandatory in the OAS at the time of the program's design.



Main barriers

The project document correctly identified the main barriers that justified the IACHR program from 2018 to 2021. Human rights violations continue to affect OAS Member States, including:

- Difficulties in access to justice,
- Fragility of institutions,

¹⁹ applied by the UK's Independent Commission for Aid Impact, see for example <http://icai.independent.gov.uk/wp-content/uploads/ICAI-Review-UK-aids-contribution-to-tackling-tax-avoidance-and-evasion.pdf>

²⁰ Scores by sub-criteria: green: 3, green/amber: 2, amber/red: 1; red: 0 ; 2.1 = 3 (main barriers), 3 (main problems), 1 (outcome level assumptions), 1 (output level assumptions), 3 (results chain), 3 external drivers of change; 2.1 gender = 3. Total = 17 out of a maximum of 21. Overall performance = SUM (17/21*100) (80,95%).

- Impunity,
- Corruption,
- Structural discrimination and violence against individuals, groups, and communities at risk in the Americas,
- Situation of citizen insecurity that affects indigenous peoples, women, children, LGBTIs individuals and groups, human rights defenders, persons living with disabilities, persons deprived of liberty, migrants, refugees and the displaced, among others,
- Fragility of national protection mechanisms for human rights defenders,
- Problems related to the situation of persons deprived of liberty (excessive use of pretrial detention, overcrowding, overpopulation, and conditions of incarceration that fail to guarantee the lives and personal integrity of the inmates),
- Challenges in implementing the obligation to consult with indigenous and tribal peoples in a prior, free, and informed manner, and to guarantee their participation in all decisions related to any intervention that would have repercussions on their territories and the natural resources therein,
- Undue restrictions on the right to freedom of expression by expressions of violence against journalists and authoritarian practices from some governments.
- Torture and ill-treatment, as well as arbitrary executions

The Inter-American Commission on Human Rights (IACHR), created as a principal, autonomous organ of the Organization of American States (OAS), has the mandate to promote and protect human rights in the American hemisphere.



Main problems

To increase its effectiveness and contribute to overcoming the barriers listed above, the Commission faces the following main problems listed below. The IACHR considers that there are essentially four major factors that affect the effectiveness in promoting, defending, and protecting victims of human rights violations: 1) the delay in processing petitions and cases; 2) fragmentation and a lack of integration of the thematic and geographic monitoring of the situation of human rights in the hemisphere; 3) the difficulties in monitoring of the compliance of the recommendations issued by the IACHR and 4) the deterioration of the protection and guarantee of the right to freedom of expression throughout the hemisphere.

The real-time relevance of the IACHR affects the human rights situation in the Americas, including action to address structural causes of human rights violations and failures of domestic judicial systems in the hemisphere.

The document review and interviews with IACHR stakeholders showed that the problems were correctly identified. Moreover, the situation to upholding human rights in the Americas has further deteriorated since the development of the IACHR project document in 2018.

The only problem cluster excluded in the project document comprises the reproductive rights of women. The latter was excluded from the program due to other donor priorities.

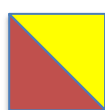
Main assumptions

The project document lists four main explicit assumptions of the IACHR. In RPPIs, two additional assumptions appear in the COVID-19 context during the program's implementation.

Besides, the evaluation identified three implicit assumptions. The evaluator tested all assumptions in telephone interviews and the online survey, with interesting results.

Overall, the explicit assumptions for the IACHR to effectively operate as a human rights body in the Western Hemisphere did largely not hold, i.e., the IACHR operated a political environment that deteriorated and adversely affected its work since 2018, for example, with governments questioning the Commission's mandate during periods of social unrest, particularly in Latin America. The detailed interview data analysis by country shows that this preoccupying situation shows in practically all 26 countries of the Western Hemisphere that the evaluation reached. While for the data collection on assumptions mainly civil society members and representatives of petitioners participated, the IACHR annual reports (2019 and 2020) and the OHCHR annual report 2020 also indicated a deterioration of the enabling environment for human rights in the Americas.

This important finding means that it has become more difficult for the Commission to accomplish its objectives than expected during the program design in 2017/2018.

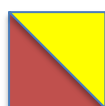


Outcome level assumption (purpose)

1. *"The States receive with interest and respect the recommendations of the IACHR and express their will or take actions to comply with the recommendations of the IACHR to improve respect for human rights in the region."*

The evaluation finds that the overall validity for this purpose level assumption reaches 33.1% only. While governments still receive IACHR recommendations with interest in some countries, stakeholders detected a deterioration of respect. Action taking or compliance is less given, resulting in even lower ratings.

For most technical projects of the OAS (and other international organizations), to show such a low validity of its prime assumption would mean that it was set up to fail. For the IACHR, it reflects the harsh reality of its increasingly adverse operating environment due to a deterioration of the human rights situation across many countries of the Americas.



Output level assumptions

The eight output level assumptions, five explicit ones, and three implicit ones show a validity ranging from 27% to close to 70%, with a median of 52%. The highest ratings show for implicit assumptions which are partly under the control of the Commission, such as its efficiency as a partner, convening power, or neutrality. Lower ratings appear for assumptions directly related to the States' political buy-in to the work of the Commission and the political stability in the Americas.

As for the outcome level assumptions, those results reflect the challenging working environment of the IACHR.

2. *"The states accept and support the measures for reducing the procedural backlog."*

While this assumption is directed at the IACHR and its internal efficiency, stakeholders assessed the validity of the assumptions at only 39.9%. At first sight, the assumption appears related to internal mechanisms. However, interviews revealed that for many states, and their number increasing, an IACHR plagued with procedural backlog means a Commission that is restricted in its operations, less effective, and less engaged in the region. Such a low validity of this internal assumption seems to indicate a perceived lack of States' political buy-in to the work of the Commission.

3. "The political context in OAS members States remains stable and facilitates the developing of IACHR activities."

The evaluation finds that this important output-level assumption is not holding, reaching validity ratings of barely 27.1%. Instability across most countries in Latin America, including former "beacons of relative stability", negatively affected developing IACHR activities from 2018 to 2021.

"Over the last four years, we noted lots of changes in governments having a very negative impact on compliance. Some States simply do not recognize the obligations assumed by previous governments".

Source: IACHR staff

4. "The States have the capacity to implement the recommendations of the IACHR."

The perceived state capacity to implement IACHR recommendations reaches 42,3%, the highest rating for the original assumptions in the IACHR project document. Stakeholders from many countries detected de facto the existence of structures and mechanisms for States to implement recommendations, except a few countries like Haiti. However, even some countries with a longer democratic tradition in Latin America that experienced public unrest from 2018 to 2021 showed hesitance in implementing IACHR recommendations. The latter reflects a lack of political will rather than a lack of technical and procedural capacities.

The box below summarizes well the political context in which the IACHR operates, based on Central America's example.

"In general, we have observed democratic setbacks in many countries of the (Central-American) region, leaders' authoritarian discourse and anti-rights positions of these, which has generated situations of non-compliance, indifference or discomfort regarding the recommendations of the IACHR.

However, it seems to me that states in general relate to and respond to the IACHR with respect and have the capacity to comply with recommendations, although many times they do not have the political will to do so".

Source: IACHR stakeholder, representing a faith-based organization

Interviews revealed fascinating insights into the changes in some States' capacities to implement IACHR recommendations. Those insights included deep-rooted distrust towards human rights in general among senior officials of security forces and the work of the IACHR in particular. Also, the systematic weakening of human rights structures in some countries due to reducing or ceasing operational budgets shows a silent deterioration in state capacities, while in other countries, human rights structures get bluntly dismantled. However, the evaluation also detected cases where the human rights capacities experienced strengthening following political change. The latter shows the restorative power of democracy and sends a signal of hope in this overall challenging context for the IACHR.

5. "State capacity and willingness to engage with IACHR in COVID-19 context"

During the COVID-19 pandemic, the program added two assumptions, as reflected in the RPPIs.

Stakeholders rated the state capacity and willingness to engage with IACHR in the COVID-19 context at 44%. This low rating again reflects a primarily political hesitance in many countries which COVID-19 did not change.

However, exceptions show in countries experiencing either less recent public unrest or a recent change in government. In one country, the IACHR catalyzed government's action on recommendations to safeguard vulnerable populations from COVID-19, including Indigenous populations.

In another country, the government engaged with the IACHR and acted upon recommendations concerning COVID-19, though without ensuing the required funding due to budgetary challenges.

6. "Civil society's access to technological/virtual tools to engage with IACHR."

This is the second assumption added to the program following the outbreak of COVID-19, showing a validity of 66,3%.

In most countries, stakeholders experienced a larger and more frequent engagement of civil society members with the IACHR. Also, examples emerge from the Eastern Caribbean with highly positive feedback. Tools or technology to facilitate access did not constitute major challenges, particularly in urban centers across the Americas, as highlighted in the testimonials below.

"We assisted in several meetings with the Commission, also with commissioner in charge for Mexico. Virtual engagement with the Commission reduced the distance for civil society organizations with Washington, D.C. By now we had four virtual meetings, which are now an accepted format of engagement".

"I participated in hearings, together with so many members of other organizations. Before, it would have been impossible to travel to Washington, D.C. for such a hearing, even for a friction of us".

"With the onset of the pandemic, the rhythm of the IACHR's work increased. We experienced a sense of availability, as less travel was required and availability to engage the Commission beyond the regular meetings. We felt a limitation of time rather than tools."

Source: IACHR stakeholders

However, a significant minority experienced some shortcomings. The evaluation detected those voices in the following countries: Cuba, Honduras, Nicaragua, the United States of America, and Venezuela. In the case of ethnic minorities in the United States of America, COVID-19 resulted in a digital divide, as shown in many developed countries^{21 22}. The World Economic Forum, quoting the Federal Communications Commission, finds, for example, that

²¹ United Kingdom Parliament, 2020: COVID-19 and the digital divide <https://post.parliament.uk/covid-19-and-the-digital-divide/>

²² World Economic Forum, 2021 : COVID-19 exposed the digital divide. Here is what we can do. <https://www.weforum.org/agenda/2021/01/covid-digital-divide-learning-education/>

in tribal lands in the United States of America, only 60% of the population have access to high-speed Internet²³.

In some of the above countries like Nicaragua or Venezuela, the limitations in access to electrical power and the weak internet connectivity reduce reliable access to the Commission.

The digital divide affected access to the IACHR. The evaluation coincides with the following reasons for limited access found in the document review²⁴:

- Lack of the required infrastructure, particularly in rural communities
- Lack of skills
- Socio economic status
- Disability status

"We find no accessible formats for people with disabilities to access the Commission through virtual means."

Source : IACHR stakeholder from Venezuela

In Least Developed countries, such as Haiti, the United Nations (2020) found that only one in five people use the Internet²⁵. The evaluation finds that afro-descendant communities and indigenous communities across the region are among the populations having less access to technology and tool to connect with the IACHR.

Implicit assumptions: the evaluation identified three implicit assumptions that need to hold for the IACHR to increase its effectiveness. Those implicit assumptions are listed and analyzed below:

7. *"IACHR remains an efficient multilateral partner in the Americas."*

The efficiency of the IACHR as a multilateral partner in the Americas reaches 68%, among the highest ratings for the program assumptions. Stakeholders still note a certain back lock in cases and processes, which at times seem very lengthy and bureaucratic for human rights defenders' needs, when urgent action for their petitioners is required. However, the Commission's swift reaction to the COVID-19 pandemic was appreciated. Civil society stakeholders with good internet connectivity especially lauded the broader reach of the Commission and more frequent remote engagement.

"We have noted new special mechanisms for countries in crisis, for example for real time assessments. That's really interesting. But for us as a civil society organization, it is increasingly difficult to maintain the overview and understand which of those new mechanisms to use."

Source : IACHR stakeholder

²³ World Economic Forum, 2021 : COVID-19 exposed the digital divide. Here is what we can do. <https://www.weforum.org/agenda/2021/01/covid-digital-divide-learning-education/>

²⁴ United Kingdom Parliament, 2020: COVID-19 and the digital divide <https://post.parliament.uk/covid-19-and-the-digital-divide/>

²⁵ UNCTAD, 2020: Coronavirus reveals need to bridge the digital divide <https://unctad.org/news/coronavirus-reveals-need-bridge-digital-divide>

8. "IACHR convening power remains high."

The IACHR gets the highest rating for the assumption that its convening power remains high (69,7%). Despite the general deterioration of the human rights situation, particularly in Latin America, governments of most countries still cooperate with the Commission and enable, for example, in-loco visits, such as in Colombia (2021) or Brazil (2018). Media attention to those events was reportedly very high, showing public interest, while the number of civil society organizations wishing to meet the IACHR mission tends to be beyond the missions' meeting schedules. For example, in the case of the in-loco visit to Colombia, the IACHR had received 2908 requests for testimony and managed to collect 302 individual or collective ones, listening to more than 500 people²⁶.

In the case of the in-loco visit to Venezuela, the IACHR's convening power showed as members of the Venezuelan Civil Society and others even traveled to the Colombian border to meet the mission, as the missions' visit to Caracas was not possible²⁷.

The evaluation revealed that even training events of the IACHR catch the media's attention in Caribbean Small Island States and show a specific convening power in this part of the Americas.

9. "Perception of the IACHR as a neutral body remains high."

This assumption received the lowest rating for the implicit assumptions, reaching 59,1%. Some stakeholders detected a certain disconnect in the political discourse of the OAS, being a political organization, with the rights-based statements of the IACHR, which affected the neutrality of the Commission. For some stakeholders, also the roles of the OAS and the IACHR get mixed and confused.

"For some governments the IACHR is the fifth column of leftist juntas, for others the indoctrination of neo-liberalism. This shows that the Commission seems to be somewhere in the middle, showing some level of neutrality."

Source : IACHR stakeholder

The evaluation revealed that the neutrality of the IACHR was particularly highly perceived in moments of national reconciliation and memory, which often predate the Commission's work between 2018 and 2021, indicating a shift in the perception of the IACHR's neutrality. The same applies, for example, for the defense of fundamental rights of indigenous populations suffering during military dictatorships, as in the case of Suriname.

26 OAS, 2021 : IACHR Completes Working Visit to Colombia and Issues Observations and Recommendations
http://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/media_center/PReleases/2021/167.asp

27 OAS, 2020: IACHR regrets denied entry into Venezuela and announces that will meet with victims and organizations on the Colombian border
http://www.oas.org/en/iachr/media_center/PReleases/2020/020.asp

Figure 7 summarizes the validity of IACHR program assumptions.

Figure 7: Validity of IACHR assumptions

IACHR assumptions	Score	Comment
<i>1. The States receive with interest and respect the recommendations of the IACHR and express their will or take actions to comply with the recommendations of the IACHR to improve respect for human rights in the region</i>	33,1%	The score reflects the harsh reality of its increasingly adverse operating environment due to a deterioration of the human rights situation across many countries in the Americas.
<i>2. The states accept and support the measures for reducing the procedural backlog</i>	39.9%.	The score reflects a perceived lack of States' political buy-in to the work of the Commission.
<i>3. The political context in OAS members States remains stable and facilitates the developing of IACHR activities</i>	27.1%.	The score reflects instability across most countries in Latin America.
<i>4. The States have the capacity to implement the recommendations of the IACHR</i>	42,3%	The score reflects the existence of structures and mechanisms for States to implement recommendations but an increasing lack of political will.
<i>5. State capacity and willingness to engage with IACHR in COVID-19 context</i>	44%	The score reflects political hesitance in many countries, which COVID-19 did not change. COVID-19 did not significantly affect the political will to engage with the Commission.
<i>6. Civil society's access to technological/ virtual tools to engage with IACHR</i>	66,3%	Stakeholders experienced a larger and more frequent engagement of civil society members with the IACHR. Easy access with stable Internet showed, mainly in urban centers.
<i>7. IACHR remains an efficient multilateral partner in the</i>	68%	The score reflects a perception of lengthy and bureaucratic procedures. Nevertheless, the swift reaction to the COVID-19 pandemic was appreciated.
<i>8. IACHR convening power remains high</i>	69,7%	Despite the general deterioration of the human rights situation, particularly in Latin America, governments of most countries still cooperate with the IACHR to varying degrees, while civil societies' engagement is strong.
<i>9. Perception of the IACHR as a neutral body remains high</i>	59,1%	Certain disconnect in the political discourse of the OAS, being a political organization, with the rights-based statements of the IACHR shows, which affected the neutrality of the Commission

Source: own data analysis, 2021



Intervention results chain from outputs to goal

The evaluation finds that the intervention logic for the IACHR program is valid.

The program goal is as follows:

"To contribute in the improvement of the observance and defense of human rights in the hemisphere in accordance with the highest international standards".

The evaluation finds that the program's goal is aligned to the IACHR's mission outlined in its Strategic Plan 2017-2021 "To stimulate awareness and promote the observance and defense of human rights in each and every one of the States of the Americas in accordance with the highest international standards in order to safeguard the dignity of all people and consolidate the rule of law and democracy"²⁸.

The program is also aligned with the OAS Strategic Plan 2016-2020, the pillar on human rights and democracy,²⁹ including performance indicators.

Goal level indicator 1. By 2025, at least ten OAS Member States have adopted legislation, public policies and practices harmonized with inter-American human rights standards which are aimed at providing protection of human rights of their population. This program goal level indicator relates to objective 4.4 in the OAS' Strategic Plan 2016-2020³⁰.

Goal level indicator 2. By 2025, at least ten OAS Member States have adopted recommendations issued by the IACHR in its country reports, thematic or reports of cases for the protection, defense and guarantee of the human rights of the population to eradicate the structural causes of human rights violations and failures of domestic judicial systems which lead to the presentation of petitions and to remove the obstacles faced by persons and groups in situations of vulnerability in the enjoyment of their rights. This program goal level indicator is aligned to objective 1.3., indicator 2, in the OAS' Strategic Plan 2016-2020³¹, though the indicator refers more generally to legal reform.

Goal level indicator 3. By 2025, at least 15 OAS Member States have adopted legislation, public policies and practices harmonized with inter-American human rights standards which are aimed to increase freedom of expression and access to information. The evaluation finds that this goal level indicator relates to the OAS's Strategic Plan Objective 2.2, while specifying freedom of expression and access to information. The Strategic Plan of the OAS lists "freedoms" more generally³².

The program's purpose contributes to its goal. Enhancing the IACHR's effectiveness contributes to the improvement of the observance and defense of human rights in the hemisphere.

The IACHR is **the** OAS' principal organ to promote the observance and defense of human rights in the Americas. Hence its effectiveness influences the observance and defense of human rights in the Americas.

The UN High Commissioner for Human Rights stated in 2020: "The Inter-American Commission is a most effective and widely trusted impartial body, whose work is held in highest regard. It has provided vital recourse for victims of human rights violations in the Americas, and has played an important role in advocating the rights of vulnerable groups."

²⁸ OAS, 2017: IACHR Strategic Plan 2017-2021

<https://www.oas.org/en/iachr/mandate/StrategicPlan2017/docs/StrategicPlan2017-2021.pdf>

²⁹ OAS, 2016: Strategic Plan 2016-2020

³⁰ Objective 4.4.: Provide assistance in developing and implementing national human rights plans, as requested, and provide assistance to States **in adopting or adapting legislation, regulations, and policies to protect human rights and equality**, as well as the elimination of discrimination and violence.

³¹ Objective 1.3, indicator 2.: Number of countries that accept recommendations on legal reforms that emphasize and promote a human rights approach in the region.

³² 2.2. Contribute to the development of inter-American law related to human rights with the aim to progressively include other rights and freedoms in the system of protection.

"Its robust role, and that of the Inter-American Court of Human Rights, have made them both unpopular with certain governments at various points in their history. This is to some extent inevitable if they take their role seriously and remain truly independent and autonomous, including from the OAS itself – as mandated by the Commission's status under the OAS Charter, the American Convention on Human Rights and the Statute of the Inter-American Commission"³³.

The U.S.-based International Justice Resource Centre (IJRC)³⁴ finds "significant opportunities that the Inter-American System (including the IACHR) provides for achieving greater recognition, protection, and enforcement of human rights," underscoring the Commissions' outstanding role in defense of human rights in the Americas. The IJRC considers the Inter-American System (including the IACHR) a "complementary advocacy tool where local efforts to change government policies or practices have proven ineffective or insufficient, or where domestic law is less protective of rights than the Inter-American norms."³⁵

The five program outputs contribute to the IACHR's purpose.

Output 1: In 2017, the IACHR received more than 2,500 petitions annually, and this number is steadily increasing. However, at the time, this increase has not been proportional to the operational capacity of the IACHR's Executive Secretariat responsible for processing these complaints. Hence, addressing the delays and backlog in the petition and case system directly contributes to the purpose of the progress, increasing the IACHR's effectiveness.

Outputs 2 and 3: Human rights monitoring is a crucial function for human rights organizations and enables the Commission to increase its effectiveness. Human rights monitoring fulfills functions such as³⁶:

1. to assist governments in applying international standards;
2. to be able to pressure governments into adopting and implementing international standards;
3. to be able to undertake domestic legal actions like taking cases to court;
4. to be able to undertake other actions like denunciations and publicity campaigns, to bear pressure on the government, and/or to enhance public awareness
5. to be able to help particular victims; and
6. to be able to provide early warning in potential conflict areas.

Concerning output two, transiting from a partial coverage of the Americas from 22 countries in 2018 to cover all 35 countries by 2021 closes a critical gap in human rights monitoring.

Output 3 addresses a shortcoming that emerged in many evaluation interviews: monitoring the implementation of IACHR recommendations. A new methodology, compliance reports, an online database, and related capacity building for rights holders and duty bearers are complementary measures to strengthen this monitoring function.

Output 4 engages in one of the specific thematic priorities of the IACHR's strategic plan and strengthens freedom of expression.

³³<https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=26188&LangID=E>

³⁴ A non-profit human rights organization

³⁵ Ibid, pages 1 and 2

³⁶ Human Rights Information and Documentation Systems, International – HURIDOCs, 2003: Human rights monitoring and documentation series; vol. 1, page 14



External drivers of change

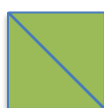
The evaluation finds that external drivers of change are valid. Human rights are at the heart of the 2030 Agenda of the United Nations, as shown below.

"The 2030 Agenda envisages a world of universal respect for human rights and human dignity, the rule of law, justice, equality, and non-discrimination; of respect for race, sex, ethnicity and cultural diversity; and of equal opportunity permitting the full realization of human potential and contributing to shared prosperity; a just, equitable, tolerant, open and socially inclusive world in which the needs of the most vulnerable are met³⁷".

While the Sustainable Development Goals (SDGs) do not specifically address human rights, OHCHR undertook a detailed analysis to show linkages of all SDGs with economic, social, and cultural rights³⁸. As such, all United Nations Member States implicitly underwrote their human rights commitments when adopting the SDGs in 2015.

Also, from a donor perspective, the US Department of State – United States Agency for International Development (USAID) Joint Strategic Plan 2018-2022 refers to human rights and the rule of law under Goal 1: Protect America's security at home and abroad, performance goal 1.3.2. "By 2022, contribute to strengthened democratic governance through targeted assistance to improve citizen engagement, strengthen civil society, increase transparency, and protect human rights"³⁹.

The joint commitment of the US State Department and USAID, particularly engaging civil society and NGOs,⁴⁰ shows the commitment of the US administration beyond the U.S. Mission to the OAS and functions as another external drive of change.



2.2 Considerations of gender in program design

Due to donor priorities at the time of agreeing on the program funding in 2017, the program excluded any activities for women's reproductive rights. **The evaluation verified in the document review, including the amendments to the project document and through interviews, that the IACHR did not use any US funding for the reproductive rights of women during the funding period 2018 to 2021.**

This specific donor priority guided gender considerations in the project design, focusing instead on women's social and economic rights. In fact, women are one of the strategic themes the IACHR focuses on in its Strategic Plan 2017 to 2021, positively influencing gender considerations in the program design.

³⁷ Permanent Mission of Denmark to the United Nations Office in Geneva, Permanent Mission of Chile to the United Nations Office at Geneva, the Danish Institute for Human Rights and Universal Rights Group, 2017: Human Rights and the SDGs: Pursuing synergies.

³⁸ OHCHR, undated. Sustainable Development Goals related rights.
https://www.ohchr.org/Documents/Issues/MDGs/Post2015/SDG_HR_Table.pdf

³⁹ U.S. Department of State, USAID, 2018: U.S. Department of State – USAID Joint Strategic Plan FY 2018-2022,

⁴⁰ U.S. Department of State – USAID Joint Strategic Plan FY 2018-2022, page 48.

3. Efficiency: were resources used appropriately to achieve IACHR results?

This section analyses the efficiency of the IACHR program based on the following set of sub-criteria suggested in the ToR: i) the quality of program indicators; ii) the appropriateness of indicators, and; iii) cost-benefit of the program.

The evaluation used the document review as the primary source of evidence for this section.

Key findings: The program used resources appropriately and applied results-based management principles

- Overall, program indicators are SMART with a satisfactory quality;
- However, the appropriateness of some indicators could be further strengthened. RPPI format allows tracking output and purpose level indicators but not goal level ones;
- The evaluation was unable to conduct a cost-benefit analysis of the program's mainly civil and political rights focus but undertook a cost-efficiency analysis of access to justice instead. The U.S. invested about US\$ 0.31 per person benefitting from access to justice for the total populations of Cuba, Nicaragua, and Venezuela in 2018-2021.

The evaluation finds that the efficiency of the IACHR program was very high, with a "green" score (83 out of 100)⁴¹.

3.1 Quality of program indicators

The evaluation finds that the IACHR program indicators are largely SMART (specific, measurable, achievable, relevant, and time-bound). The indicators' quality is satisfactory, but for indicators 2.6, 3.4, and 3.6. where the time component is missing. Besides, the utility of some indicators could be further strengthened.

Figure 8 summarizes the current program indicators and suggestions on strengthening the results-focus of those indicators.

⁴¹ Ratings by sub/criteria are as follows on the 0 to 3 scale: 3.1 quality of program indicators = 2, 3.2 appropriateness of indicators = 3; 3.3 cost-benefit: no rating. Total: 5 out of 6 (83,3%).

Figure 8: Suggestions on how to strengthen the results focus of IACHR program indicators

Narrative Summary of Objectives and Activities	Indicators IACHR	Suggestion of enhancing the results-based focus of indicators (in bold italics)
<p>GOAL</p> <p>To contribute in the improvement of the observance and defense of human rights in the hemisphere in accordance with the highest international standards.</p>	<p>1. By 2025, at least ten OAS Member States have adopted legislation, public policies and practices harmonized with inter-American human rights standards which are aimed at providing protection of human rights of their population</p> <p>2. By 2025, at least ten OAS Member States have adopted recommendations issued by the IACHR in its country reports, thematic or reports of cases for the protection, defense and guarantee of the human rights of the population to eradicate the structural causes of human rights violations and failures of domestic judicial systems which lead to the presentation of petitions and to remove the obstacles faced by persons and groups in situations of vulnerability in the enjoyment of their rights.</p> <p>3. By 2025, at least 15 OAS Member States have adopted legislation, public policies and practices harmonized with inter-American human rights standards which are aimed to increase freedom of expression and access to information.</p>	<p><i>1. At least five cases documented where merit reports or reports on friendly settlements resulted in systemic change in States' legal systems or procedures</i></p>
<p>PURPOSE</p> <p>Increasing the effectiveness of the work of the Inter-American Commission on Human Rights of promoting, defending and protecting Human Rights in the Americas</p>	<p>1. At least 50% annual increase compared to 2017 in the number of requests (Initial review, Admissibility, Merit and Precautionary Measure decisions) responded by the IACHR regarding alleged violations to human rights in the region at the end of the project</p> <p>2. At the end of the project, at least 16 OAS Member States which have participated in the activities of the IACHR have responded positively, accepting commitments to comply with the IACHR recommendations and decisions issued in its reports</p> <p>3. The states informed actions taken to comply with recommendations to protect the rights to life and integrity in at least 70% of the total number of Precautionary Measures followed up during each year</p> <p>4. At the end of the project, at least 47 inter-American standards were developed to approach each of the following issues related to the right to Freedom of Expression and Access to Public Information to incorporate them in the national OAS Member state practices towards the guarantee and protection of these rights: 1) access to information and national security; 2) violence against women journalists; 3) national framework for freedom of expression in Cuba; 4) human rights in the context of protest, or disinformation and; 5) Freedom of Expression in electoral contexts. 6) Access to Environmental Information, 7) Access to Information and National Security, 8) Freedom of Expression and Children's Rights 9) Digital Rights. e) Online Disinformation and the Pandemic. (35 standards have been developed in the four thematic reports)</p> <p>5. At the end of the project 40 new Friendly Settlements were signed between the parties</p> <p>6. At least 5 States take positive measures (a public policy, a legal decision, regulation, bill) towards protecting freedom of</p>	<p>No recommendation, good results focus.</p> <p>To shorten indicator 4, the specific rights could be listed in the comments column of the framework or in a footnote.</p>

	expression and access to information, citing inter-American standards by the end of the project	
	7. By the end of the Project, at least 7 new standards are created in the petition and cases system.	
<p>OUTPUTS</p> <p>1. The number of petitions and requests evaluated by IACHR in each stage was increased</p>	<p>1.1 At least 401 draft admissibility reports prepared for the IACHR approval at the end of the project,</p> <p>1.2 At least 135 draft Merit reports prepared for the IACHR approval at the end of the project.</p> <p>1.3 At least 100 Memos on cases in transition stage granting extension for compliance with recommendations by the end of the project</p> <p>1.4 By the end of the project, at least 40 working meetings facilitated at the transition stage of merit reports by the IACHR to monitor compliance of IACHR recommendations and decisions issued</p> <p>1.5 At least 82 cases submitted to the Inter-American Court on Human Rights at the end of the project. (20 the first year)</p> <p>1.6 At least 60 new friendly settlements processes are initiated at the end of the project. (15 each year)</p> <p>1.7 At least 180 working meetings facilitated by the IACHR to promote friendly settlements at the end of the project</p> <p>1.8 At least 4000 requests for precautionary measures evaluated at the end of the project (1000 each year)</p>	No recommendation, good results focus.
<p>2. The monitoring of the situation of human rights in the region was improved</p>	<p>2.1 At least 22 countries by 2018; 24 by 2019; 26 by 2020 , 28 by 2021, and 35 by 2022 covered by monitoring actions of the IACHR</p> <p>2.2 Civil Society organizations and government officials from at least 14 countries from the Caribbean participating in dialogues and meetings conducted by the IACHR at the end of the project</p> <p>2.3 At least 30 recommendations were issued in each country by the IACHR due to in loco Visits by the end of the project. (99 recommendations were issued from the first two visits (Honduras and Brazil).</p> <p>2.4 At least 5 out of seven country reports were published regarding the on-site visits to Venezuela, Nicaragua, Cuba, Brazil, and Honduras with specific recommendations to overcome the situation observed.</p> <p>2.5 At least 1 thematic report with recommendations drafted by the end of 2021 and published by the end of the project regarding the COVID-19 pandemic and Human rights and in the region, specifically about the limitations to civil and political rights in pandemics and the protection of the most vulnerable subjects</p> <p>2.6 At least 1 Report produced by the Inter-American System on the right of religious freedom in the hemisphere</p>	<p>2.2 Civil Society organizations and government officials from at least 14 countries from the Caribbean participating in dialogues and meetings conducted by the IACHR at the end of the project with a satisfaction rate about the training of at least 70 % (based on new end-of meeting evaluation survey)</p> <p>2.6: add time component (date)</p>

<p>3. The monitoring of the implementation of the recommendations and decisions issued by the IACHR was improved</p>	<p>3.1 New methodology for the follow up on the compliance of recommendations issued by the IACHR in Merit Reports, designed by the end of the first year and implemented by the end of the project</p> <p>3.2 Four reports were presented to the IACHR on the status of States' compliance of the recommendations issued by the IACHR through merit reports based on the new methodology by the end of project execution.</p> <p>3.3 At least 90% increase in the number of working meetings with the parties by year to follow up on the compliance of recommendations issued in merit reports at the end of the project.</p> <p>3.4 An online database as a tool to monitor the recommendations of the IACHR (Inter-American SIMORE) installed and working</p> <p>3.5 At least 175 of State officers and CSO representatives participate in the five trainings on the use of SIMORE during the execution of the project</p> <p>3.6 At least one report on national mechanisms in the Americas for the implementation of recommendations issued by the IACHR prepared</p>	<p>3.4 An online database as a tool to monitor the recommendations of the IACHR (Inter-American SIMORE) installed and working by (add date) with a satisfaction rate about its utility of at least 70 % (based on new annual user survey)</p> <p>3.5 At least 175 of State officers and CSO representatives participate in the five training events on the use of SIMORE during the execution of the project with a satisfaction rate about the training of at least 70 % (based on new end-of meeting evaluation survey)</p> <p>3.6: add time component (date)</p>
<p>4. Action Plan of the Office of the Special Rapporteur for Freedom of Expression implemented</p>	<p>4.1 At least 6 thematic, country reports or Guides containing recommendations related to Freedom of Expression issues in the region submitted for IACHR approval at the end of the project. Topics: a) Access to Environmental Information, b) Access to Information and National Security, c) Freedom of Expression and Children's Rights d) Digital Rights. e) Online Disinformation and the Pandemic.</p> <p>4.2 At least 21 petitions or cases related to Freedom of Expression processed within the Inter-American System of Human Rights at the end of the project. (5 at the end of the first year)</p> <p>4.3 At least 5 statements with another international organization on freedom of expression issued by the end of the project.</p>	<p>New 4.1.1 User satisfaction about the utility and timeliness of the reports or guides reaching at least 70% based on new human rights practitioners' survey</p>
<p>5. Management, following-up, and monitoring of the project implemented</p>	<p>5.1 One Progress Report every 3 months, one Final Report at the end of Project execution submitted to the DPE for donor approval</p> <p>5.2 At least 30 recommendations from the external evaluation or verification reports incorporated by the end of the project</p>	<p>5.2 At least 75% of recommendations from the external evaluation or verification reports incorporated by the end of the project</p>



3.2 Appropriateness of indicators

Overall, the use of results-based management principles in the IACHR program is satisfactory with an appropriate use of indicators. The program uses a logframe included in the project document, which was regularly updated to reflect changes to the external environment and DPE (now DPMO) comments.

The project team used the OAS reporting templates such as the RPPI containing for each indicator baselines, targets, and a column on the status of actual achievements and followed the processes duly. Over the project implementation period between 2018 and 2021 (March), the project team prepared eleven RPPIs.

Issues flagged in RPPIs on indicators and targets were followed-up, for example, comments on the targets, which were subsequently increased in new versions of the logframe.

The goal level indicators are aligned to the IACHR Strategic Plan 2017-2021 and the OAS Strategic Plan 2016-2020, as stated in section 2.1. The appropriateness is given, however, the RPPI format does not track changes at the goal level.

The evaluation finds that indicators at the purpose level (outcome) are an appropriate measure to assess progress concerning the effectiveness of the IACHR. In fact, the Commission assesses very comprehensively its progress towards purpose level achievements using seven complementary indicators.

Progress on some indicators is partly under the control of the Commission. Those indicators include i) the increase in response rate to requests (Initial review, Admissibility, Merit and Precautionary Measure decisions), ii) development of inter-American standards related to the right to Freedom of Expression and Access to Public Information; or iii) new standards are created in the petition and cases system.

Other indicators are primarily outside the direct control of the Commission. Examples include i) States' positive response accepting commitments to comply with the IACHR recommendations; ii) States informed actions taken to comply with recommendations to protect the rights to life and integrity in several Precautionary Measures, iii) signature of new Friendly Settlements; or iv) States taking positive measures (a public policy, a legal decision, regulation, bill) towards protecting freedom of expression and access to information.

The evaluation noted the cautious target setting for the purpose level indicators and DPE's (now DPMO) 's comments in RPPI verification reports. In fact, when comparing the first version of the logframe with the current fifth one, targets for practically all indicators were increased, at times significantly.

However, the evaluation finds that mainly for the purpose level indicators mainly outside the direct control of the Commission, caution is appropriate due to the Commissions' adverse operating environment, which has deteriorated between 2018 and 2021 and is likely to affect program performance.



3.3 Cost-benefit of the IACHR program

As stated in the methodology section, the evaluation finds that cost-benefit analysis of programs working mainly on civil and political rights is very rare due to ethical considerations.

Monetizing the loss, or avoided loss, of physical or mental health, for example, is at the borderlines of evaluation practice. The one example found in the literature concerning research about the benefits of the US Prison Rape Elimination Act (PREA)⁴² seems inappropriate, given ethically highly questionable research questions which psychologically undermine the "do no harm" principle. For any evaluation practice, this approach seems highly inappropriate.

The literature review found interesting examples of cost-benefit analysis of social and economic rights, as in the cases of large-scale infrastructure projects (OHCHR, 2018⁴³, OHCHR, 2017⁴⁴, Vickerman, 2007)⁴⁵. However, those examples are not relevant to the work of the IACHR.

The Federal Reserve Bank of New York released an intriguing study on lifetime earning inequalities⁴⁶, which could be applied to changes in access to the job market or earnings enabled due to release from prison or lives saved. However, the evaluation finds challenges in estimating the costs for specific cases, which often take many years or even decades, and to subsequently compare them to the benefits revealed in the Federal Reserve Bank study.

Hence, the evaluation estimates the cost efficiency of the IACHR's work through the **access to justice** provided to the population of countries where otherwise human rights are not defensible through the national justice system. While this does not constitute a fully-fledged cost-benefit analysis, it provides a valuable alternative measure. The estimate is conservative, as it does not include the cases in other countries where the national legal systems show deficiencies in their capacities to defend human rights. However, such a detailed analysis would require significant research, which is beyond the scope, timeframe, and budget for this evaluation.

Figure 9 summarizes the cost benefit of the program providing access to justice for the populations of Cuba, Nicaragua, and Venezuela, where the IACHR's annual reports detected the absence of judicial independence or a context which limits the free exercise of human rights in a country and, in turn, prevents the full restoration of the rule of law⁴⁷.

Figure 9: Cost- benefit of the IACHR program for providing access to justice to otherwise unserved populations

Country	Population (2019) ⁴⁸	Cost of the U.S. program funding 2018 -21 (US\$)	Cost benefit (US\$ per person benefitting)
Cuba	11,333,483	14,263,887.80	0,307 ⁴⁹
Nicaragua	6,545,502		
Venezuela	28,515,829		
Total	46,394,814		

⁴² Aceves, W.J./California Western School of Law (2018): Cost-Benefit Analysis and Human Rights. In: 95 St. John's Law Review 431 (2018)

⁴³ OHCHR and Heinrich Böll Stiftung (2018): The Other Infrastructure Gap: Sustainability. Human Rights and Environmental Perspectives.

⁴⁴ OHCHR, 2017: Baseline Study on the Human Rights Impacts and Implications of Mega-Infrastructure Investment.

⁴⁵ Cost-benefit analysis and large-scale infrastructure projects: state of the art and challenges. In: Environment and Planning B Planning and Design 34(4):598-610

⁴⁶ Federal Reserve Bank of New York, 2019: Anatomy of Lifetime Earnings Inequality: Heterogeneity in Job Ladder Risk vs. Human Capital. Staff Report No .908

⁴⁷ Inter-American Commission on Human Rights. Annual Report 2019.

⁴⁸ Source : UNDESA, 2020 : World Population Prospects, 2019 revision.

⁴⁹ US\$ 14,263,887.8 : 46,394,814

Based on the U.S. investment of US\$ 14,263,887.80 in the IACHR program 2018-2021 and the access to justice through the Commissions work for the otherwise unserved populations of Cuba, Nicaragua, and Venezuela (total population size of 46,394,814, (UN, 2019)), the evaluation calculated a cost of about US\$ 0,31 per person benefitting from access to justice in those countries.

The evaluation struggled to find comparator data in the literature review. A cost-benefit analysis of Legal Aid Organizations in Alabama, facilitating access to justice, found a return of US\$8.84 for every dollar in funding invested in legal aid services in 2014⁵⁰. Savings related to savings to governments, courts and communities on housing, family, employment, public benefits and consumer protection issues.

In the case of legal aid services, again facilitating access to justice, provided in 2013 by the Justice & Diversity Center of the San Francisco Bar Association, for every dollar invested in the Justice & Diversity Legal Services there was a US\$4.95 return on investment⁵¹. The latter was due to more efficient use of court time which led to savings for the justice system and savings on emergency housing and family assistance.

However, the evaluation was unable to calculate the return on investment for the IACHR program, as presented in the cases of the Legal Aid Organizations in Alabama and the Justice & Diversity Center of the San Francisco Bar Association. Hence, this criterion is not scored.

⁵⁰ John Byrnes, 2014: *Alabama Legal Aid Organizations: Social Return on Investment Summary* (Community Services Analysis LLC, 2014), online: Alabama Civil Justice Foundation
http://www.acjf.org/uploadedFiles/SROI_Report__Alabama_Civil_Legal_Aid_2014.pdf

⁵¹ John Byrnes 2013; *Justice & Diversity Center of the Bar Association of San Francisco Social Return on Investment Summary* (Community Services Analysis LLC, 2013), online: Community Services Analysis LLC
<http://www.csaco.org/files/103641543.pdf>

4. Effectiveness: were project results achieved, and how?

The following section analyses the achievement of IACHR program results under the evaluation criterion of effectiveness. The sub-criteria follow the evaluation TOR and are based on the agreed evaluation matrix and work plan. Those effectiveness sub-criteria comprise: i) the achievement of program objectives using the logframe indicators at the purpose level (outcome) (7 indicators), and output level (5 indicators); ii) contribution of program results; and iv) unplanned program results. In total, the evaluation rated 14 sub-criteria.

The data sources used as the evidence base for the effectiveness section are the document review, interviews, and the online survey.

Key findings: The IACHR program achieved many of the planned final results at mid-term and shows good effectiveness.

- The program is on track to achieve its outcome at mid-term, with targets for all seven indicators either fully achieved (two indicators: 1.2 and 1.6) or with an achievement rate above 72.9% (35 months of program execution under evaluation out of the 48 months program cycle);
- Critical outcome level results comprise i) 16 countries responding positively accepting commitments to comply with the IACHR recommendations and decisions; ii) States implementing 60% of precautionary measures to protect the rights to life and integrity; iii) Argentina, Trinidad, and Tobago, Mexico, Colombia, and Peru adopting judicial decisions towards protecting freedom of expression and access to information;
- The IACHR program fully or largely meets 17 out of 25 final targets for output level indicators at mid-term. As foreseen in the program's chronogram, the program still is due to deliver a couple of reports, including two country reports regarding the on-site visits outstanding, two thematic reports (COVID-19 and rights of religious freedom) and one report on national mechanisms in the Americas for the implementation of recommendation;
- The evaluation finds a substantial contribution of the IACHR to results in the human rights sphere in the Americas. Merit reports, precautionary measures, and friendly settlements are directly related to the Commission's work over many years and even decades;
- The evaluation managed to identify several cases where either a group of people benefitted from the Commission's work, or where Commission's works resulted in forms of systemic change beyond the well-being of an individual. Cases include: Rights of LGTBI deprived of liberty (Colombia), child rights (Chile), rights of people deprived of liberty (Honduras), memory, truth and justice (Brazil and Panama) and torture (Mexico);
- One of the unplanned program results is the Commission's increasing ability to focus on real-time human rights challenges in the Americas, causing discomfort among many administrations.



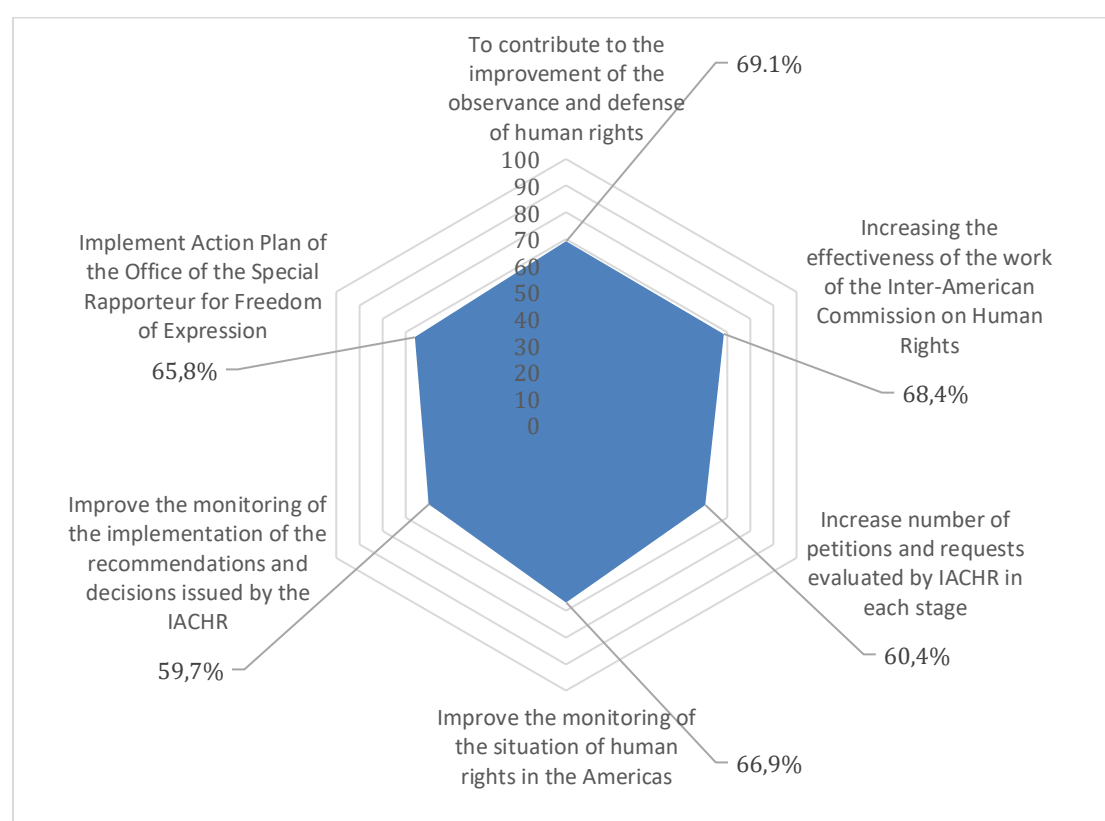
The evaluation finds a very high effectiveness of the IACHR program, with a score of 93 out of 100 ("green")⁵².

The evaluation finds that the performance of the IACHR program is strong. The results reporting in the eleven RPPIs show that most targets are achieved or closely achieved, based on the logframe indicators.

The perception of program's results achievement (goal, purpose and outputs) by right holders, mainly representatives of civil society organizations and human rights defenders, shows a slightly more critical picture (see Figure 10).

The following sections analyze both sources in more detail and provides an overview.

Figure 10: IACHR program results achievement at purpose and output level based on stakeholder feedback



Source: evaluation surveys

4.1 Achievement of program objectives

GOAL

"To contribute to the improvement of the observance and defense of human rights in the hemisphere in accordance with the highest international standards."

⁵² The ratings are as follows : 4.1 = 3, 3,3,3,3,3,3, and 3 at the purpose level and 2, 2, 2, 3,and 3 at the output level; 4.2 = 3; 4.3 = no rating; 4.4 = 3. Total score of 39 out of a maximum score of 42 (14*3). Overall performance =SUM(39/42)*100 (92,86%)

The OAS included mandatory goal level indicators in project logframes at the time of the IACHR program design. As such, the program logframe contains goal level indicators with targets set for 2025. Figure 8 in section 3.1 lists the three goal level indicators. However, while the RPPIs systematically assess progress against purpose and output level indicators, this is not the case for goal level indicators due to the RPPI reporting format.

Hence the evaluation is unable to rate this criterion based on program monitoring data. Stakeholder perception about IACHR's progress in achieving its goal at mid-term reaches 69,1%, as presented in Figure 10.

Besides, the evaluation systematically reviewed the U.S. Department of State's 2020 edition of country reports on human rights practices⁵³, published for the U.S. Congress, to identify the level of references to the work of the Commission. The latter serves as a proxy measure for the Commission's contribution to the improvement and defense of human rights, given the report's importance for Congress' appropriation exercise and decision making.

Figure 11 summarizes the references to the IACHR in the U.S. Department of State's 2020 edition of country reports on human rights practices, showing frequent mention of the IACHR.

Figure 11: References of the U.S. Department of State's 2020 edition of country reports on human rights practices to the IACHR

Country	Rights	Issue
Bolivia	Respect for the Integrity of the Person	Arbitrary deprivation of life and other unlawful or politically motivated killings
	Respect for the Integrity of the Person	Freedom of expression, including for the press
	Discrimination, Societal Abuses, and Trafficking in Persons	Indigenous people
Cuba	Respect for the Integrity of the Person	Prison and detention center conditions
Ecuador	Respect for Civil Liberties	Freedom of peaceful assembly
	Respect for the Integrity of the Person	Arrest procedures and treatment of detainees
	Respect for the Integrity of the Person	Torture and other cruel, inhuman, or degrading treatment or punishment
Honduras	Discrimination, Societal Abuses, and Trafficking in Persons	Indigenous people
	Respect for Civil Liberties	Freedom of peaceful assembly
	Respect for the Integrity of the Person	Arbitrary arrest or detention
Mexico	Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights	
	Respect for the Integrity of the Person	Arrest procedures and treatment of detainees
Nicaragua	Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights	
	Respect for the Integrity of the Person	Civil judicial procedures and remedies
Peru	Respect for the Integrity of the Person	Torture and other cruel, inhuman, or degrading treatment or punishment
		Arrest procedures and treatment of detainees
Suriname	Discrimination, Societal Abuses, and Trafficking in Persons	Indigenous people
Venezuela	Respect for the Integrity of the Person	Denial of fair public trial Trial procedures
	Respect for Civil Liberties	Freedom of expression, including for the press






⁵³ US State Department, 2020: 2020 Country Reports on Human Rights Practices




Program purpose (outcome):

"Increasing the effectiveness of the work of the Inter-American Commission on Human Rights of promoting, defending and protecting Human Rights in the Americas."

The evaluation finds that the program is on track to achieve its outcome at mid-term, with targets for all seven indicators either fully achieved (two indicators: 1.2 and 1.6) or with an achievement rate above 72.9% (five indicators: 1.1, 1.3, 1.4, 1.5, and 1.7), based on the eleventh RPPI dated March 2021. Figure 12 provides a summary of the assessment. As stated in the methodology section, the 72.9% threshold corresponds to the 35 months of program execution under evaluation out of the 48 months of the program cycle ($35/48 \times 100 = 72.9\%$).

Figure 12: Achievement of IACHR outcome level indicator targets at mid-term

Program outcome (purpose)	Target	Achievement at mid-term
 Outcome 1. Increasing the effectiveness of the work of the Inter-American Commission on Human Rights of promoting, defending and protecting Human Rights in the Americas	7 out of 7 targets fully achieved or >72,9% achievement	
 Indicator 1.1 At least 50% annual increase compared to 2017 in the number of requests (Initial review, Admissibility, Merit and Precautionary Measure decisions) responded by the IACHR regarding alleged violations to human rights in the region at the end of the project	14230	13153 (92%)
 Indicator 1.2 At the end of the project, at least 16 OAS Member States which have participated in the activities of the IACHR have responded positively accepting commitments to comply with the IACHR recommendations and decisions issued in its reports	16	16 (100%)
 Indicator 1.3 The states informed actions taken to comply with recommendations to protect the rights to life and integrity in at least 70% of the total number of Precautionary Measures followed up during each year	70	57 (81%)
 Indicator 1.4 At the end of the project, at least 47 inter-American standards were developed to approach each of the following issues related to the right to Freedom of Expression and Access to Public Information to incorporate them in the national OAS	39	47 (83%)

Member state practices towards the guarantee and protection of ten rights		
 Indicator 1.5 At the end of the project 40 new Friendly Settlements were signed between the parties	32	40 (80%)
 Indicator 1.6 At least 5 States take positive measures (a public policy, a legal decision, regulation, bill) towards protecting freedom of expression and access to information, citing inter-American standards by the end of the project	5	5 (100%)
 Indicator 1.7 By the end of the Project, at least 7 new standards are created in the petition and cases system.	6	7 (86%)

Key results for the program purpose include the following:

Indicator 1.2: *At the end of the project at least 16 OAS Member States which have participated in the activities of the IACHR have responded positively accepting commitments to comply with the IACHR recommendations and decisions issued in its reports*

Since the beginning of the program, a total of **16** states has committed progress in implementing recommendations: Argentina, Belize, Brazil, Canada, Chile, Colombia, Ecuador, El Salvador, Guatemala, Mexico, Nicaragua, Paraguay, Peru, Trinidad and Tobago, United States, and Uruguay.

The IACHR held one working meeting with Peru during its 179 Period of Sessions, held in Mach 2021. Both the State and the victims attended such meeting and agreed on different measures to be adopted to promote compliance with recommendations; as follow:

- **Commitment 1:** The parties undertake to hold bi-monthly meetings before the IACHR, without prejudice to the internal meetings held between them.
- **Commitment 2:** The State commits to send, between 15 and 20 days, its proposed schedule and its observations regarding the proposed schedule sent by the representatives of the States

Indicator 1.3: *The states informed actions taken to comply with recommendations to protect the rights to life and integrity in at least 70% of the total number of Precautionary Measures followed up during each year*

By implementing Resolution 2/2020, the Commission has followed up with States on 73 precautionary measures in force, either by receiving the information requested or through virtual working meetings. From these, on the present reporting period, States indicated implementation of measures to protect the rights to life and integrity on 44 of them, reaching a percentage of 60.27% (January to March 2021).

For the overall program, the average percentage is 57.63%. The percentage is calculated based on the total number of precautionary measures that are followed-up versus the responses the IACHR received informing action as a result.

Indicator 1.6: *At least 5 States take positive measures (a public policy, a legal decision, regulation, bill) towards protecting freedom of expression and access to information, citing inter-American standards by the end of the project.*

So far, Argentina, Trinidad, and Tobago, Mexico, Colombia, and Peru have adopted judicial decisions towards protecting freedom of expression and access to information, citing inter-American standards produced by IACHR.

Insights into the protection of freedom of expression in the Caribbean



"On January 13, 2021, Justice Frank Seepersad from **Trinidad and Tobago**, ruled that the two search warrants obtained by the police for Trinidad Express newspaper in search of information which could lead them to a journalist's source were "plainly irregular", unlawful and unconstitutional, as they disproportionately infringed on the media house's rights to freedom of the press.

According to the judge, "The decision to issue the warrants failed to strike the required balance between the interest to investigate the summary offence of 'tipping off' on the one hand, and the right to press freedom as well as the right of the journalist who authored the articles to protect the confidentiality of her source on the other."

Previously, on March 11, 2020, the Trinidad and Tobago Police Service (TTPS) raided the offices of the Trinidad Express newspaper for three hours, seizing various electronic devices. According to the available information, the officers were looking for information about an alleged journalistic source that the media had consulted for an article where they reported that the acting Police Commissioner, XXX (name deleted by the evaluator), had been singled out by some banks premises for alleged suspicious transactions of about 2 million Trinidadian dollars".






Source: 11th RPPI, page 43

Outputs

The IACHR program fully or largely meets 17 out of 25 final targets for output level indicators at mid-term. The program is on track to achieve the targets by the end of the funding cycle. Figure 13 summarizes the output level results.

The targets not achieved by at least 72,9%⁵⁴ mainly relate to special products, such as country or thematic reports, with timeframes specified in program's chronogram, beyond the time scope of mid-term evaluation. This aspect is reflected for the related outputs in Figure 13. The evaluation notes that some indicators, for example under output 2 and 3, were added during the program implementation.

Figure 13: Achievement of IACHR output level indicator targets at mid-term

Program outputs	Logframe indicator final target achievement at mid-term	Comments at mid-term
 Output 1. "The number of petitions and requests evaluated by IACHR in each stage was increased"	6 out of 8 targets fully achieved or >72,9% achievement	Overall good progress but for working meetings facilitated at the transition stage of merit reports by the IACHR to monitor compliance of IACHR recommendations and decisions issued (indicator 1.4)
 Output 2. "The monitoring of the situation of human rights in the region was improved."	3 out of 4 targets fully achieved or >72,9% achievement. 2 targets for special reports set for end of 2021/end of the project according to the program's chronogram, beyond the time scope for the mid-term evaluation	Overall good progress. Till the end of the program two country reports regarding the on-site visits expected and two thematic reports (COVID-19 and rights of religious freedom).
 Output 3. "The monitoring of the implementation of the recommendations and decisions issued by the IACHR was improved."	4 out of 5 targets fully achieved or >72,9% achievement. 1 target for a special report set for end of the project according to the program's chronogram, beyond the time scope for the mid-term evaluation	Overall good progress. i) till the end of the program, one report expected on national mechanisms in the Americas for the implementation of recommendation; and ii) number of State officers and CSO representatives participate in the five trainings on the use of SIMORE lower than expected
 Output 4. "Action Plan of the Office of the Special Rapporteur for Freedom of Expression implemented."	3 out of 3 targets achieved or >72,9% achievement	Very good progress.
 Output 5 "Management, following-up and monitoring of the project implemented."	2 out of 2 targets achieved or >72,9% achievement	Indicator 5.1: 73%, Indicator 5.2: 77% The quality of the eleven RPPIs is very high, which, however, is not captured in the quantitative indicators. Program is working with DPMO on monitoring.

⁵⁴ 35 months of program execution under evaluation out of the 48 months of the program cycle (35/48*100=72,9%).

The evaluation focuses on highlighting results for the development and training in SIMORE, an online database as a tool to monitor the recommendations of the IACHR, under output 3. The rationale for this purposeful sampling is to mitigate the limitations of capturing government representatives' views in the evaluation, as the latter are a minority on the IACHR stakeholder list. However, for SIMORE training results, the evaluation managed to get views from 43,5% government staff, 37% civil society representatives, 4,3% layers and 15,2% other beneficiaries (46 beneficiaries in total, 65% female, 33% male, 2% sex not specified).

What is SIMORE?

The goals of the new system, known as the Inter-American SIMORE, are to facilitate State compliance and promote accountability and transparency, by improving access to information on the IACHR's recommendations and their implementation⁵⁵.

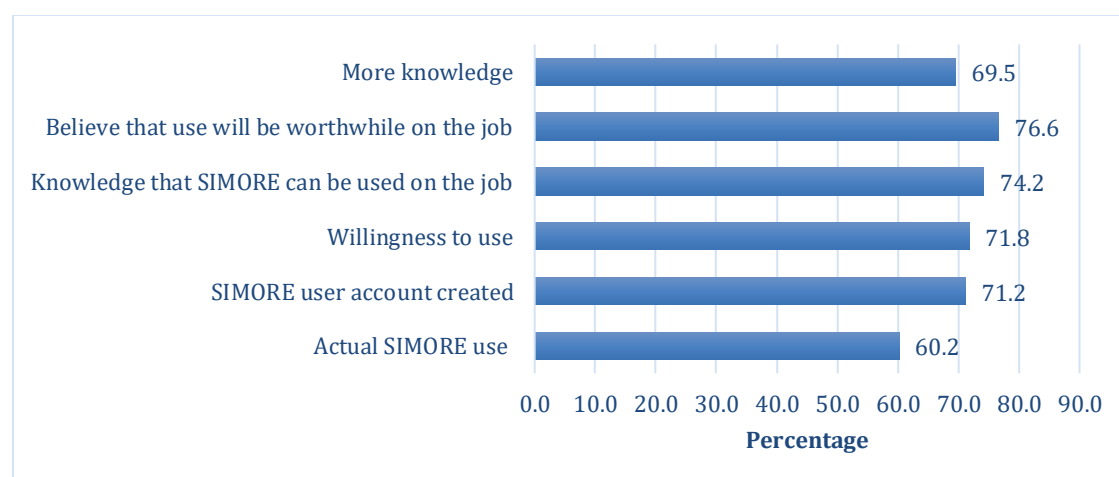
Why SIMORE?

The Inter-American SIMORE is the IACHR's first searchable database of its decisions and other outputs, and it is unique among human rights bodies in that it also serves as a channel for receiving information from many stakeholders on the status of (some) recommendations. States and civil society members may register on the platform to submit information on implementation⁵⁶.

The evaluation finds that for beneficiaries of SIMORE training, the development and launch of the database shows a high timeliness, reaching 70%.

Figure 14 summarizes the results of SIMORE training. The evaluation applied the levels of the Kirkpatrick training evaluation model to assess trainees' changes in knowledge, awareness and practice or behavior, showing satisfactory results.

Figure 14: Results of SIMORE training



Source: Mid-term evaluation, online survey, n=32

Concerning changes in knowledge, ratings achieve 69,5%. Indicators for a change in awareness include the believe that the use of SIMORE will be worthwhile (76,6%), and knowledge that SIMORE can be used on the job (74,2%). Changes in behavior comprise a willingness to use

⁵⁵ International Justice Resource Centre, 2020: IACHR launches searchable database of recommendations, to track implementation

<https://ijrcenter.org/2020/06/17/iachr-launches-searchable-database-of-recommendations-to-track-implementation/>

⁵⁶ Ibid.

SIMORE (71,8%) and the creation of a SIMORE user account (71,2%). The actual use of SIMORE (60,2%) indicates a change of practice.

Trainees appreciate the systematization of data in an easily accessible centralized database, as a means for accountability and dialogue.

However, the analysis of the evaluation survey found that perceived utility of SIMORE reaches only 54%. Trainees use SIMORE for the following purposes (with the utilization rates in brackets): i) conduct of research and the analysis of progress and challenges for the protection of human rights in the region (59.8%), ii) supervision of measures adopted by the States (58,3%); iii) participation in the recommendations follow-up processes (58%); and iv) to monitor compliance with international obligations.

Trainees identifies a couple of weaknesses, including insufficient outreach to civil society organizations and the general public who are often unaware of this important monitoring tool.



4.2 Contribution of program to results

The evaluation finds a substantial contribution of the IACHR to results in the human rights sphere in the Americas.

Merit reports, precautionary measures, and friendly settlements are directly related to the Commission's work over many years and even decades.

Besides, the work of special rapporteurs with thematic and country reports such as for Freedom of Expression has high visibility and with use by human rights defenders and academics.

The evaluation finds that the Commission's work through the above mechanisms benefits the human rights of individuals, particularly in the case of merit reports, precautionary measures, and friendly. However, the team leader, with the support of the quality assurance advisor from the American University in Washington and interviewees, managed to identify several cases where either a group of people benefitted from the Commission's work, beyond an individual, or where Commission's works resulted in forms of systemic change beyond the well-being of an individual.

The following paragraphs summarize and highlight six exemplary cases covering the following areas of the Commissions work: torture, rights of lesbian, gay, bisexual, and transgender (LGTBI), child rights, rights of people deprived of liberty, memory, truth, and justice.

Torture

Friendly settlement Report No. 106/19 CASE 12.986 (2019)

Friendly Settlement José Antonio Bolaños Juárez Mexico

Background

In May 4, 2004, the Inter-American Commission on Human Rights received a petition submitted by José Antonio Bolaños Juárez. In this petition, it was alleged the international responsibility of the Republic of Mexico for presumed violations of rights enshrined in the American Convention on Human Rights **derived from the illegal detention, torture, and violation of the judicial guarantees of José Antonio Bolaños Juárez, by agents of the Mexican State.**

Conclusions of importance beyond the individual petitioner concerning training:

"The Attorney General's Office" will hold a 5-day training workshop on combating torture for officials of the institution, in which a practical case will be studied with elements similar to those of the present case, without making reference to José Antonio Bolaños Juárez, since he expressly requested it.

Rights of LGBTI deprived of liberty

Merit report No. 122/18 CASE 11.656 Marta Lucía Álvarez Giraldo Colombia (2018)

Background

On May 31, 1996, the Inter-American Commission on Human Rights received a petition presented by Marta Lucía Álvarez Giraldo in which she alleged that the Republic of Colombia was responsible for violations that she claimed Colombian prison and judicial authorities had committed against her while she was deprived of liberty. **She alleges that her request for an intimate visit [*visita íntima*] was denied because of discrimination based on her sexual orientation.**

Conclusions of importance beyond the individual petitioner included recognition, documentation, and dissemination, a change in regulations and training

1. Recognition, documentation, and dissemination

- State of Colombia: Ceremony of Recognition of Responsibility and Public Apology
- Ministry of Justice and Law included a page with favorable judicial decisions on the LGBTI population deprived of liberty, with special emphasis on decisions regarding intimate visits

2. Regulations

- General Regulation of National Prison Establishments was issued, whose sections on the rights of LGBTI persons was crafted jointly between the State and the victim's representatives, with technical input from the IACHR.
- Working Group for follow-up on internal regulations of National Penitentiary Establishment had reviewed and discussed 57 internal regulations and approved 43.

3. Training

- Training content and methodology has been designed for a pilot project. Marta Lucía Álvarez took part in some sessions, while her representatives took part in others.
- Results of the pilot project will be the basis for implementation of the continued training program of the National Prison School.

Child rights

Precautionary measures No. 975-17: IACHR resolution 21/2018

Children and adolescents in the "Center of Specialized Repair of Direct Administration (CREAD), Playa Ancha", Chile

Background

On December 18, 2017, the Inter-American Commission on Human Rights received a request for precautionary measures presented by (...) of the NGO Corporación La Matriz urging the Commission to require the State of Chile to adopt the necessary measures to protect the rights of the children and adolescents of CREAD of Playa Ancha, Valparaíso, of the National Service for Minors of Chile.

Decision

1. Adopt the necessary measures to protect the life and personal integrity of the children and adolescents who are in the CREAD of Playa Ancha in accordance with international standards on the matter and oriented according to their best interests;
2. Adopt the necessary measures to ensure that the conditions in which children and adolescents find themselves conform to the applicable international standards, while the State undertakes effective measures to promote the reintegration of children through an individualized plan to their families, whenever possible and compatible with their best interests, or, identify care alternatives that are more protective, and taking into account the special protection that derives from the status of children of the beneficiaries.

Rights of people deprived of liberty

Friendly settlement Report No. 40/21 CASE 11.562 (2021)

Friendly Settlement Dixie Miguel Urbina Rosales Honduras

Background

On November 17, 1995, the Inter-American Commission on Human Rights received a petition presented by the Committee of The Family Members of Disappeared Detainees in Honduras "COFADEH" in which the international responsibility of the Republic of Honduras was alleged for the **forced disappearance up to this date of Dixie Miguel Urbina Rosales, who** was allegedly arrested on October 22, 1995, by a patrol of the Public Security Force (FUSEP). The petitioners have not been able to find his whereabouts and those responsible for these actions so they could be identified, tried, and punished.

Conclusions of importance beyond the individual petitioner relate to a change in regulations and recognition.

1. Regulations: Implementation of a registry of detainees

- The State of Honduras undertakes to create and implement a Registry of Detainees or, where appropriate, adapt existing ones
- Detainee Registry must include the identification of the detainees, reason for detention, competent authority, day and time of entry and release, and information on the arrest warrant.

2. Recognition: contribution of the state to the memorial building "home against forgetfulness"

The relatives of the detained and disappeared victims in Honduras, grouped in COFADEH, built a physical space to recover historical memory and reinforce the fight against impunity, which was baptized as "The Home Against Forgetfulness."

Memory, truth, and justice

Friendly settlement Report No. 102/19 CASE 13.017 A (2021)

Friendly Settlement Families of victims of the military dictatorship, October 1968 to December 1989, Panama

Background

On October 23, 2003 the Inter-American Commission on Human Rights received a petition (...) alleging that **in the prevailing climate of violence and abuse of power under the military dictatorship in power Panama from October 11, 1968 until December 20, 1989, 109 people were victims of extrajudicial execution or forced disappearance allegedly attributable to elements of the State security forces.**

Conclusions of importance beyond the individual petitioners related to recognition and change in legislation.

1. Recognition

- **Monument to the Murdered and Disappeared:** The State, through the Ministry of Foreign Affairs, will take the necessary steps to organize a public tender for the study, design, and construction of the **"Monument to the Murdered and Disappeared"** in memory of all the victims of murder and forced disappearance at the hands of the military dictatorship and will ensure the necessary resources in advance of the tender for that purpose.
- **Public Pronouncement on the Facts:** The State will hold a public act of apology and acknowledgment of international responsibility.

Memory, truth, and justice (continued)

2. Legislation

- **Law Creating the Category of Disappeared Person:** the State, through the Electoral Tribunal, will introduce regulations on the creation of the category of "disappeared person" exclusively for the victims of the military dictatorship (1968-1989) registered in Report on Admissibility No. 68/15 of October 27, 2015, Report No. 34/06 of March 14, 2006, and the judgment of the Inter- American Court of Human Rights adopted on August 12, 2008, so that their death may be registered and the cause of death recorded as forced disappearance.

Friendly settlement Report No. 111/20 CASE 12.674 (2020)

Friendly Settlement Marcio Lapoente Da Silveira Brazil

Background

On December 8, 2004, the Inter-American Commission on Human Rights received a petition (...) concerning the death of Márcio Lapoente da Silveira, cadet of the First Company of the Training Course of the Military Academy of Agulhas Negras of the Brazilian Army **as a consequence of having been subjected to excessive physical abuse by military officials.**

Conclusions of importance beyond the individual petitioner concerning recognition, education, and research.

1. Recognition

- **Symbolic reparation:** a plaque will be installed in tribute to the cadets who died in instructional activities during an Officer Training Course and a tribute to Márcio Lapoente da Silveira, as part of this Agreement. The plaque will be permanently installed in the facilities of the Academia Militar das Agulhas Negras.

2. Education and studies

- **Preventive measures:** The State will carry out studies and procedures with the aim of **improving the legislation and the actions of the common and military courts.**
- The State undertakes **to expand human rights education in the military training curriculum**, in accordance with the National Defense Strategy approved on December 18, 2008 through Decree No. 6,703.
- The State, through the Secretariat for Human Rights, undertakes **to request the Council for the Defense of the Rights of the Human Person (CDDPH) to analyze 23 cases of alleged human rights violations that occurred in the context of the Armed Forces**, of according to the study prepared by the Never Again [*Nunca Mais*] Torture Group (GTNM/RI). The case of Márcio Lapoente da Silveira is one of those cases and will be included in the request to the CDDPH.
- The Brazilian State undertakes to carry out a **study on the possibility of signing a cooperation agreement with the Inter-American Institute of Human Rights**, the objective of which is to ensure, through a training course, that the **training of assistants and officers of the Armed Forces of Brazil abide by international standards for the protection of human rights**

4.3 Internal and external factors influencing program results



Figure 15 presents the internal and external factors affecting project performance, both positively and negatively. As many of those negative factors are beyond the direct control of the Commission, the evaluation does not rate this sub-criterion.

Figure 15: List of internal and external factors affecting the results of IACHR

Internal factors	External factors
Positive <ul style="list-style-type: none"> IACHR's strategic plan as a basis for institutional strengthening and strong leadership till 2020 to drive institutional change Legitimacy and credibility of the Commission as the main HR body in the region, particularly among human rights defenders in civil society 	Positive <ul style="list-style-type: none"> Demand for the Commission's work among awakening civil society across the Americas, as shown in protests in countries like Chile, Colombia or Ecuador Increasing Regular Fund budget, accompanied by growing donor base and donor funding, including for multi-year programs
Negative <ul style="list-style-type: none"> Instable staff situation, a trend of short-term contracts on a consultancy basis Complex project management due to an increasing number of donors with different reporting requirements 	Negative <ul style="list-style-type: none"> States' interference in IACHR's autonomy and mandate Civil Society: lack of awareness about IACHR and how to engage its general and new mechanisms in most interviews held with stakeholders in the Caribbean, for example on SIMORE.

Source: Evaluation interviews and survey

The comment below captures some of the factors influencing the Commission's performance in a politically increasingly adverse context.

"I perceive that today, in 2021 we see a Commission as its maximal capacity, with powerful human resources. However, this increased capability can become a problem. With less back log of cases and more capacities to focus on real-time human right issues, several states start feeling threatened. They don't want to be controlled. Now we see a situation here different political blocks in the Americas, from different political orientations try to destabilize the Commission. Some states even threatened to leave the commission and the OAS".

Source: IACHR stakeholder

The evaluation's SWOT analysis (Strengths, Weaknesses, Opportunities, and Threats) of the IACHR also identified the following opportunities and risks for the IACHR, as presented in Figure 16.

Opportunities comprise the full use of internal capacities and the continuous increase in outreach to civil society and struggling national human rights institutions. Risks relate to external interferences in the work of the Commission, including political accusation, which contributes to the perception of the Commission politicizing and can affect its credibility. Besides, internal stability and staff motivation are under threat and need attention.

Figure 16: Opportunities and threats for the IACHR

<u>Opportunities</u>	<u>Risks</u>
<p>Internal capacities</p> <ul style="list-style-type: none"> • Emphasizing leadership for human rights in the Americas • Continuous and systematic applications of new standards and processes of the IACHR system • Complementarity of the Commission's functions • Catalytic effects of new strategic plan: includes consulting an awakening civil society across the Americas • <p>Outreach</p> <ul style="list-style-type: none"> • Digitalization (digital literacy, education and, e.g., Freedom of Expression) • Engagement with civil society at a broader scale in the Caribbean and other parts of the Americas due to growing civil society demand • Awareness-raising about tools and processes for civil society to reach the Commission • Defense of human rights systems through capacity building • Identification of real problems in society in countries with a democratic vision 	<p>External interferences</p> <ul style="list-style-type: none"> • States' interference in IACHR's autonomy and mandate • Different political blocks in the Americas driving destabilization of the Commission • States do not want to be controlled, threats to stop cooperating with the Commission <p>Neutrality as a cornerstone for credibility</p> <ul style="list-style-type: none"> • Perception by increasing number of governments that IACHR and OAS are politicized jeopardizes engagement and relationship with the States <p>Internal stability and motivation</p> <ul style="list-style-type: none"> • Need to regain trust after reputational damage in 2020 with leadership discussions • Risk of change in staff morale due to overwhelming workload • Question how to sustain human talent in the context of unfavorable short-term consultancy contracts • Effects of reducing OAS budgets on IACHR

4.4 **Unplanned program results**

One of the unplanned program results is the Commission's increasing ability to focus on real-time human rights challenges in the Americas. By expediting the processing of cases the Commission is also able to address in a more timely manner those cases that refer to situations with the current administrations⁵⁷.

This development is rooted in increased donor funding, growing human resources, and a reduction of backlog in cases. The latter change causes discomfort among many administrations, resulting in interferences of five States with the Commission in 2019, joining destabilizing efforts from the States that do not recognize the Commission.

As such, the evaluation finds that the IACHR is increasingly a victim of its own success.

⁵⁷ The Commission usually has to deal with cases from several year back because, among others, the rule of exhaustion of domestic remedies requires that such cases can only be submitted to the Commission once the petitioners have exhausted all available and effective remedies, which can take years. This is the nature of international complaint mechanisms.

5. Coherence: is the IACHR program complementing other human rights initiatives?

This section analyses the coherence of the IACHR program. The sub-criterion used is i) complementarity with other human rights mechanisms.

The evaluator used the document review, interviews, and the online survey as primary data sources.

Key findings: IACHR complements national and other multilateral human rights initiatives and bridges gaps in countries where the human rights system is dysfunctional.

- The evaluation survey showed that the complementarity with national human rights institutions reaches 52% and with multilateral human rights initiatives reaching 64%;
- At the multilateral level, the cooperation with OHCHR is most prominent and cooperation also with other United Nations agencies emerges, for example, around migration;
- With national human rights mechanisms, the Commission engaged in capacity building and their protection.



The evaluation finds that the complementarity of the IACHR with other human rights mechanisms is high, with a score of 67 out of 100 ("amber/green")⁵⁸.

The evaluation managed to get only limited information about this evaluation criterion, as particularly rights holders, including human rights defenders who dominated the IACHR stakeholder list, were often less aware of the Commission's engagement in the broader human rights context. Hence the evaluation applies a slightly more conservative rating from this criterion.

The evaluation survey showed that the complementarity with national human rights institutions reaches 52% (n=38). This moderate rating needs to be interpreted in a context where the Commission is not recognized by governments of countries like Cuba and Venezuela or where the government modified its cooperation with the IACHR, as in the case of Nicaragua. Respondents from those countries provided very low ratings concerning the complementarity with national human rights initiatives.

Based on stakeholder feedback, the evaluation found that in those countries, the IACHR plays a gap-bridging role where national human rights mechanisms are absent or dysfunctional.

In countries recognizing the IACHR but with a deteriorating human rights situation, some stakeholders assessed the perceived Commissions' position at arms-length with national human rights institutions as positive.

The box below highlights some positive and negative experiences concerning the complementarity of the IACHR with national or regional human rights initiatives.

⁵⁸ The ratings for the evaluation sub-criteria by sub-sections: criterion i) = 2. Total score 2 out of a maximum score of 3 (1*3). Overall performance = $\text{SUM}(2/3) \times 100$ (66,6%)

"It has been evident, during the evaluated period, that the Multilateral Human Rights System, including IACHR, complements the Rapporteurship for Memory, Truth and Justice. This is complementary with regional and subregional HR initiatives".

Source: Stakeholder from El Salvador

"I do not see any initiatives to coordinate the IACHR with the national human rights system, or with Mercosur".

Source: Stakeholder from Brazil

"In my country, we have a human rights institute. But it has no budget and not even staff. How should the IACHR engage with them?"

Source: Stakeholder from a CARICOM country

The evaluation survey found that the Commission's complementarity with multilateral human rights initiatives reaches 64% (n=38). Examples most frequently provided comprise the IACHR's cooperation with OHCHR, for example, in the case of joint statements.

Stakeholders identified cooperation in thematic areas such as migration. In the case of Colombia, the cooperation with OHCHR shows in the Committee for Migration. In Peru, the commission complements migration-related work of the International Organization for Migration (IOM) and the United Nations High Commission for Refugees (UNHCR). In the Caribbean, stakeholders witnessed cooperation with the Rapporteurs on migrants of IACHR and OHCHR.

IACHR's strategic plan 2017-2021 intends to strengthen the cooperation with the UN system, including OHCHR. This cooperation included joint missions and periodic meetings.

In the area of Freedom of Expression, for example, concrete cooperation with OHCHR took place in Colombia, Chile, Mexico, Guatemala, where joint activities were delivered.

The evaluation finds that the Commission leverages the country office structure of OHCHR and UNCHR, the latter UN agencies being permanently based on the ground.

With OHCHR, the Commission engaged in protecting national human rights mechanisms, such as Colombia, Honduras, and Mexico, by creating a network for information exchange.

The IACHR also engages national human rights institutions in countries like Guatemala, Honduras, El Salvador to strengthen their capacity and present requests to the Inter-American System.

6. Sustainability: are results lasting?

This section assesses the extent to which IACHR results are lasting. Sub-criteria used are i) institutional setup of the IACHR; and ii) future funding and political buy-in.

The evaluation used interviews and the online survey as principal data sources for this section.

Key findings: The evaluation finds some challenges in the sustaining the IACHR program results

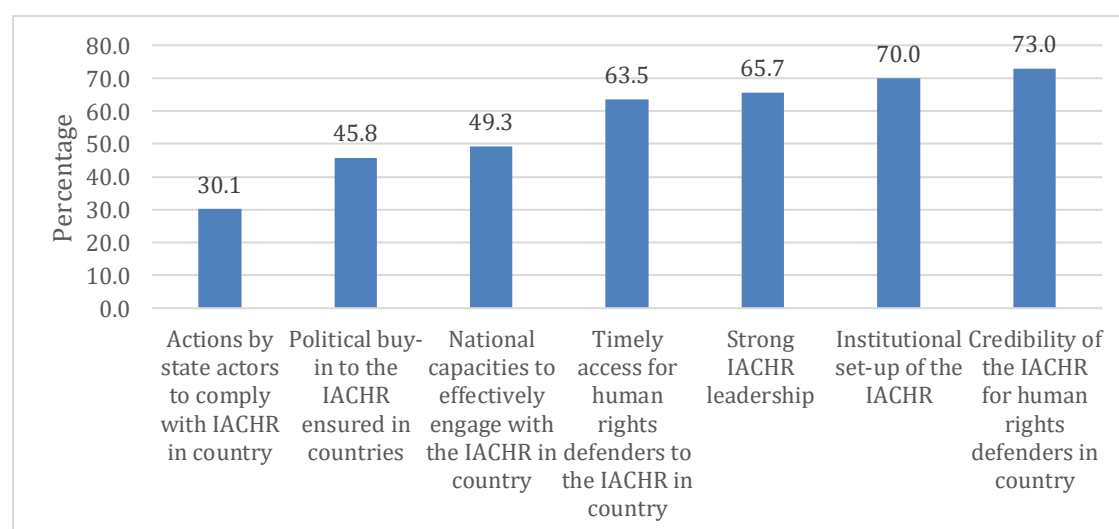
- IACHR benefits from its second strategic plan which resulted in institutional strengthening and a clear vision with a strong drive to comply with the objectives of its strategic plan;
- The institutional set-up recently suffered from uncertainties, a sense of crisis and a reputational risk for the IACHR following the much-debated process leading to the exit of the Executive Secretary in late 2020;
- Institutional capacities experience challenges due to instabilities of staffing and a very high workload, particularly in the COVID-19 pandemic.



The evaluation finds that the sustainability of the IACHR shows partial achievement for the two sub-criteria. The score for sustainability is "amber-green" (67% out of 100%)⁵⁹. Figure 17 summarizes the sustainability ratings of different dimensions of the IACHR and its work based on the online survey.

The areas where the program presents the most robust sustainability from the rights holders' perspectives are the credibility of the Commission for human rights defenders (73%), followed by the strength of the IACHR's institutional setup (70%) and the IACHR's leadership (65,7%). The timely access of human rights defenders to the IACHR also shows high sustainability, reaching 63,5%.

Figure 17: Sustainability of IACHR program results



Source: Evaluation interviews; n=37

⁵⁹ Ratings by sub/criteria are as follows on the 0 to 3 scale: 6.1 institutional set-up = 2; 6.2 future funding and political buy-in = 2; Total: 4 out of 6 (66,7%).

Figure 17 provides an overview of the sustainability of the IACHR program results based on the online survey. The areas where the program presents the most robust sustainability from the rights holders' perspectives are the credibility of the Commission for human rights defenders (73%), followed by the strength of the IACHR's institutional setup (70%) and the IACHR's leadership (65,7%). The timely access of human rights defenders to the IACHR also shows high sustainability, reaching 63,5%.

Rightsholders perceive significantly less strong sustainability for national capacities to engage with the IACHR (49,3%). The sustainability of political buy reaches 45,8% while the sustainability of State actor's action to comply with the IACHR, for example, with recommendations, precautionary measures, or friendly settlements, is rated lowest with 30,1%.

The evaluation noted a deep frustration, at times consternation of human rights defenders in some countries, affecting the sustainability ratings for sub-criteria related to State actors. Some of the comments are reflected below, which ultimately reflect the sustainability of the IACHR program's work.

"The IACHR has been easily accessible for our civil society organization and we view the Commission as having a high degree of influence in human rights issues".

Source: Stakeholder from CARICOM country

"The state is not sensitive to international human rights organizations and criticism from the international community".

Source: Stakeholder from CARICOM country

"I consider the institutional structure of the IACHR as strong and capable of forceful action in the promotion and monitoring of human rights in the region. I believe that my country also has strong institutional capacity, but there is a political option not to use it fully to strengthen the defense of human rights".

Source: Stakeholder from Brazil

"The State not only does not comply with the recommendations, but also systematically tries to discredit the credibility of the IACHR, claiming that it is an interventionist body".

Source: Stakeholder from Central America



6.1 Institutional set up of the IACHR

The IACHR benefits from its second strategic plan, which resulted in institutional strengthening. The introduction of results-based management, a highly professional team, and strong leadership of the Commission since 2015 gives the IACHR a clear vision with a solid drive to comply with the objectives of its strategic plan.

Since 2018, institutional strengthening also included the systematization of the Commission's work and the introduction of new processes and methodologies, which is widely acknowledged by sources close to the Commission.

At the same time, the much-debated process leading to the exit of the Executive Secretary in late 2020 caused internal and external uncertainty, a sense of crisis, and reputational risk for the IACHR. The latter emerged in interviews with stakeholders having frequent engagement with the Commission. The UN High Commissioner for Human Rights found clear words in that context, as shown in the box below.

The mandate of the current IACHR Executive Secretary (...) officially expired on 15 August (2020), after the OAS Secretary-General declined to renew it for a further four years, as requested unanimously by the IACHR's seven Commissioners last January. The UN High Commissioner for Human Rights urged OAS Secretary-General (...) and the Inter-American Commission to act on their stated offers to resolve the issue through dialogue.

"This is a very damaging situation which risks undermining the independence and proven effectiveness of the IACHR," the UN High Commissioner said. "It is also causing damage to the reputation of the OAS, so I hope it can be resolved soon. This should not be about personal reputations, or political allegiances, or loss of face – it should be about working to protect the human rights of hundreds of millions of people all across the Americas during a time of massive crisis."

Source: OHCHR, 2020: : Bachelet urges end to crisis caused by refusal to reappoint head of Inter-American Commission on Human Rights
<https://www.ohchr.org/FR/NewsEvents/Pages/DisplayNews.aspx?NewsID=26188&LangID=E>

The unease reflected above also emerged in evaluation interviews with sources close to the Commission

"The Commission is marked by its own crisis. The departure of the Executive Secretary was traumatic. It hold back the Commission and damaged its public image. Worst of all, the process gave arguments to the critics of the Commission who blamed the Commission to be politicized, not neutral. The communication of the Commission at the time was terrible and we got the perception of internal fights in the Commission.

Source: IACR stakeholder

However, the IACHR was able to react quickly to the non-renewal of the Executive Secretary contract, as well as with the COVID-19 pandemic, adapted its operations, as applicable, and increased delivery of results as stated in the 2020 Annual Report. After an eight-months interim period, the new Executive Secretary took office on 1 June 2021, following the selection process the Commission had initiated.

Evaluation interviews revealed internal resistance to change in the Commission and a high level of stress on staff due to a continuously increasing workload despite staff increases. The COVID-19 pandemic further increased the pressure on staff and affected work conditions for some staff negatively.

The evaluation also found instabilities of staffing in the IACHR due to many contracts on a consultancy basis (see section 6.2). Particularly short-term annual funding of some donors affects stability for longer-term human resources and program planning. The strong increase in the U.S. multi-year funding of the IACHR program and the increase in the Regular Fund budget could have counter-balanced the personnel issues, yet consultants' numbers increased nearly fourfold compared to staff numbers.



6.2 Future funding and political buy-in

The **funding situation** of the Commission is on an increasing trajectory. The IACHR budget grew from US\$7,505,200 in 2018 to US \$9,367,400 in 2019 and US\$10,627,900 in 2020. This represents a budget increase of 41,6% between 2018 and 2020. The IACHR's annual report 2020 states that "the increase in the budget for 2020 marks the culmination of the final phase of the doubling of the regular budget allocated following the Cancún Agreement of 2017 »⁶⁰.

Also, the Commission managed to increase its donor base, with several multi-year projects from Canada, The European Union, the Netherlands, or Switzerland, complementing the US program. The latter complements short-term annual funding of other donors, which is challenging for longer-term planning.

The evaluation also analyzed that growth in human resources accompanied the budget increase. The number of staff increased from 49 to 54 between 2017 and 2020 (+10,2%). In the same period, the number of consultants augmented from 60 to 83 (+38,3%). The number of personnel with other contracts decreased from 14 to ten.

As shown in Figure 17, the perception of the **political buy-in** across the Americas is relatively low (45,8%), as stated by rights holders.

This perception is partly shared by IACHR staff, registering critical voices about the Commission's role also from Argentina, Chile, Colombia, Paraguay, and Ecuador in 2019, apart from the countries not recognizing the IACHR.

Section III: Conclusions, recommendations and lessons learned

Based on the key findings presented at the beginning of the finding section for each evaluation criterion, the evaluation draws conclusions, leading to recommendations, as presented in Figure 18.

The alignment to the evaluation criteria allows to answer all evaluation questions listed in the ToR.

⁶⁰IACHR, 2020: IACHR's annual report 2020

Figure 18: Key findings, conclusions, and recommendations

	Key evaluation findings	Conclusions	Recommendations
Relevance	The design of the IACHR program was comprehensive, as shown in the assessment of the validity of all main components of the program's reconstructed theory of change.	The IACHR is fulfilling its mission in an increasingly hostile operating environment, which jeopardizes program delivery.	R1: Donor: continue funding the IACHR program to defend human rights across the Americas despite a deterioration of the operating environment. Prioritization: very high. Next 3 months
	Main problems and barriers, the interventions results chain and external drivers of change are correctly identified.		
	However, the program assumptions are only partially valid, reflecting the harsh reality of the Commission's increasingly adverse operating environment due to a deterioration of the human rights situation across many countries of the Americas.		
Efficiency	Overall, program indicators are SMART with a satisfactory quality. However, the appropriateness of some indicators could be further strengthened. RPPIs track output and purpose level indicators but not goal level ones	There is room for improvement of the quality of IACHR program logframe indicators and to track goal level indicators.	R2: Project team: Consider the suggestions made in the evaluation report to further enhance the quality of the program indicators. For future donor multi-year programs, start using mid-term or annual milestones for all indicators.
	The evaluation undertook a cost-efficiency analysis of access to justice. The U.S. invested about US\$ 0.31 per person benefitting from access to justice for the total populations of Cuba, Nicaragua, and Venezuela in 2018-2021.	The IACHR program appears as value for money to the U.S. taxpayer.	See R 1
Effectiveness	The program is on track to achieve its outcome at mid-term, with all seven targets either achieved (two targets) or with an achievement rate above 75% (five targets).	At mid-term, the IACHR is on track to achieve the final program results, with an important contribution to uphold human rights across the Americas.	R3: Donor: consider a final evaluation of the IACHR program to validate the level of final program results achievements, if possible, in selected beneficiary countries (which was not possible during the mid-term evaluation due to the COVID-19 travel restrictions). Prioritization: high. Next 6 to 9 months
	The IACHR program fully or largely meets 15 out of 25 final targets for output level indicators at mid-term.		
	The evaluation finds a substantial contribution of the IACHR to results in the human rights sphere in the Americas. Merit reports, precautionary measures, and friendly settlements are directly related to the Commission's work over many years and even decades.		
	The evaluation managed to identify several cases where either a group of people benefitted from the Commission's work, or where Commission's works resulted in forms of systemic change beyond the well-being of an individual		
	One of the unplanned program results is the Commission's increasing ability to focus on real-time human rights challenges in the Americas, causing discomfort among many administrations		
Coherence	With national human rights mechanisms, the Commission engaged in capacity building and their protection.	The evaluation concludes that the program increasingly plays a role in the protection of national human rights mechanisms, while filling a gap in countries where the justice system fails to uphold human rights.	R4: Project team: Prioritize the protection of national human rights mechanisms in countries where the political commitment to upholding human rights appears volatile. Prioritization: very high. Next 3 months

Sustainability	<p>The evaluation survey showed that the complementarity with national human rights institutions reaches 52% and with multilateral human rights initiatives reaching 64%.</p> <p>At the multilateral level, the cooperation with OHCHR is most prominent and cooperation also with other United Nations agencies emerges, for example, around migration.</p>	The coordination with multilateral human rights initiatives is strong but shows room for improvement.	<p>R5: Project team: Make use of opportunities for the coordination with multilateral human rights initiatives in the Americas as and where possible.</p> <p>Prioritization: very high. Next 3 months</p>
	<p>IACHR benefits from its second strategic plan which resulted in institutional strengthening and a clear vision with a strong drive to comply with the objectives of its strategic plan.</p> <p>The institutional set-up recently suffered from uncertainties, a sense of crisis and a reputational risk for the IACHR following the much-debated process leading to the exit of the Executive Secretary in late 2020.</p>		<p>R6: Project team: Continue strategic planning cycles to outline the Commission's objectives and to continue operationalizing its results-focus.</p> <p>Prioritization: high. Next 6 to 9 months</p>
	<p>Institutional capacities experience challenges due to instabilities of staffing and a very high workload, particularly in the COVID-19 pandemic.</p>	Despite growing human resources capacities, the IACHR still suffers from capacity shortcomings, particularly in the COVID-19 context where its accessibility significantly increased.	<p>R7: Donor: Funding of core functions and staff is strongly encouraged to ensure that the increased accessibility of the IACHR lasts.</p> <p>Prioritization: very high. Next 3 months</p>

7. Conclusions

Based on the key findings listed in Figure 18, the evaluation draws the following conclusions, grouped by evaluation criteria.

Relevance

The IACHR is fulfilling its mission in an increasingly hostile operating environment, which jeopardizes program delivery.

Efficiency

There is room for improvement of the quality of IACHR program logframe indicators.

The IACHR program appears as value for money to the U.S. taxpayer with an investment of about US\$ 0.31 per person benefitting from access to justice for the total populations of Cuba, Nicaragua, and Venezuela in 2018-2021 where no independent justice systems are in place.

Effectiveness

At mid-term, the IACHR is on track to achieve the final program results, with an important contribution to uphold human rights across the Americas.

Coherence

The evaluation concludes that the program increasingly plays a role in the protection of national human rights mechanisms, while filling a gap in countries where the justice system fails to uphold human rights.

The coordination with multilateral human rights initiatives is strong, for example, with UN agencies around migration but shows room for improvement in other topics.

Sustainability

The second strategic plan drives the IACHR, despite the temporary uncertainties related to the Commission's leadership in 2020.

Despite growing human resources capacities, the IACHR still suffers from capacity shortcomings, particularly in the COVID-19 context where its accessibility significantly increased.

8. Recommendations

The key findings and the conclusions lead to the following recommendations.

Relevance

R1: Donor: Continue funding the IACHR program to defend human rights across the Americas despite a deterioration of the operating environment.

Prioritization: very high. Next 3 months

Efficiency

R2: Project team: Consider the suggestions made in the evaluation report to further enhance the quality of the program indicators. For future donor multi-year programs, start using mid-term or annual milestones for all indicators.

Prioritization: very high. Next 3 months

Effectiveness

R3: Donor: Consider a final evaluation of the IACHR program to validate the level of final program results achievements, if possible, in selected beneficiary countries (which was not possible during the mid-term evaluation due to the COVID-19 travel restrictions).

Prioritization: high. Next 6 to 9 months

Coherence

R 4: Project team: Prioritize the protection of national human rights mechanisms in countries where the political commitment to upholding human rights appears volatile.

Prioritization: very high. Next 3 months

R5: Project team: Make use of opportunities for the coordination with multilateral human rights initiatives in the Americas as and where possible.

Prioritization: very high. Next 3 months

Sustainability

R6: Project team: Continue strategic planning cycles to outline the Commission's objectives and to continue operationalizing its results-focus.

Prioritization: high. Next 6 to 9 months

R7: Donor: Funding of core functions and staff is strongly encouraged to ensure that the increased accessibility of the IACHR lasts.

Prioritization: very high. Next 3 months

9. Lessons learned

The evaluation identified one main lesson learned with relevance for the IACHR and broader OAS programming.

The human rights situation in the Americas is deteriorating since 2018. In this challenging context and considering the IACHR's dependence on States' cooperation to achieve the objectives of its work, the Commission's engagement with multilateral actors served as one mitigation factor.

In the area of migration, for example, stakeholders noted an increased visibility of the IACHR and a perception of a stronger engagement due to collaboration with UN and International organization such as the OHCHR, UNHCR and IOM.

This cooperation is particularly important where civil society is closely related to UN and international organizations, for example due to the presence of country or provincial offices. Even in countries where the Commission does not lead on specific human rights issues such as migration in Peru and Mexico, the multilateral cooperation strengthens the Commissions visibility and ultimately reach.

Annex 1: Terms of reference

To be inserted

Annex 2: Documents reviewed

The evaluation reviewed the program's level RPPIs and the corresponding RPPI verification reports. Besides, the evaluation reviewed program deliverables such as thematic reports and cases related to Precautionary Measures, friendly settlements, and merit reports. Other documentation used for this evaluation includes:

Aceves, W.J./California Western School of Law (2018): Cost-Benefit Analysis and Human Rights. In: 95 St. John's Law Review 431 (2018)

Cost-benefit analysis and large-scale infrastructure projects: state of the art and challenges. In: Environment and Planning B Planning and Design 34(4):598-610

Federal Reserve Bank of New York, 2019: Anatomy of Lifetime Earnings Inequality: Heterogeneity in Job Ladder Risk vs. Human Capital. Staff Report No .908

IACHR, 2019: Inter-American Commission on Human Rights. Annual Report 2019

IACHR, 2020: Inter-American Commission on Human Rights. Annual Report 2020

International Justice Resource Centre, 2020: IACHR launches searchable database of recommendations, to track implementation

John Byrnes, 2014: *Alabama Legal Aid Organizations: Social Return on Investment Summary* (Community Services Analysis LLC, 2014), online: Alabama Civil Justice Foundation

John Byrnes 2013:, *Justice & Diversity Center of the Bar Association of San Francisco Social Return on Investment Summary* (Community Services Analysis LLC, 2013), online: Community Services Analysis LLC

Kirkpatrick, Donald L. (1975). Techniques for Evaluating Programs. Parts 1, 2, 3, and 4. Evaluating Training Programs. ASTD.

Kotvojs, F., 2009: Development of Framework for Evaluating Capacity Development Initiatives in International Development.

OAS/Engelhardt, A.: 2020: External Evaluation of the effectiveness of the Strengthening Cybersecurity Capabilities in the Americas – SMS1505

OAS, 2021 : IACHR Completes Working Visit to Colombia and Issues Observations and Recommendations

OAS, 2020: IACHR regrets denied entry into Venezuela and announces that will meet with victims and organizations on the Colombian border

OAS, 2017: IACHR Strategic Plan 2017-2021

OAS, 2016: Strategic Plan 2016-2020

OHCHR, 2017: Baseline Study on the Human Rights Impacts and Implications of Mega-Infrastructure Investment

OHCHR, undated. Sustainable Development Goals related rights.

OHCHR and Heinrich Böll Stiftung (2018): The Other Infrastructure Gap: Sustainability. Human Rights and Environmental Perspectives.

Permanent Mission of Denmark to the United Nations Office in Geneva, Permanent Mission of Chile to the United Nations Office at Geneva, the Danish Institute for Human Rights and Universal Rights Group, 2017: Human Rights and the SDGs: Pursuing synergies.

Secretary-General of the Organization of American States, 2021: Terms of Reference. External Formative Evaluation of the Program: "Increasing the effectiveness of the work of the Inter-American Commission on Human Rights during 2018-2021".

United Kingdom Parliament, 2020: COVID-19 and the digital divide

UNCTAD, 2020: Coronavirus reveals need to bridge the digital divide

UNDESA, 2020 : World Population Prospects, 2019 revision

US State Department, 2020: 2020 Country Reports on Human Rights Practices

U.S. Department of State, USAID, 2018: U.S. Department of State – USAID Joint Strategic Plan FY 2018-2022

World Economic Forum, 2021 : COVID-19 exposed the digital divide. Here is what we can do.

Annex 3: Stakeholders interviewed

This evaluation report does not contain a list of stakeholders interviewed, as agreed with DPMO.

94 stakeholders participated anonymously in two on-line surveys, one general one and the other survey focused on SIMORE. Besides, the evaluator interviewed 31 stakeholders representing 27 out of the 35 program countries and the project team. Due to the small number of stakeholders per program country, sharing the names of interviewees would allow to trace back respondents by country. Hence the decision was taken not to publish the list of stakeholders interviewed. This approach is in line with United Nation Evaluation Group's evaluation ethics concerning the anonymity of evaluation stakeholders.

Annex 4: Evaluation matrix

	Evaluation questions	Proposed evaluation tools	Data source
Relevance			
	Is the project's implicit Theory of Change valid? <ul style="list-style-type: none"> Do the main assumptions still hold, <i>particularly in the context of the COVID-19 pandemic</i>? 	ToC validation meeting with OAS project team Document review	Project profile and other documents; project stakeholders; commented by expert opinion
	To what extent did the IACHR program consider gender in its design and implementation?		
Efficiency			
	Are program indicators S.M.A.R.T.?	Document review	Project profile, monitoring reports, and other documents; clients; commented by expert opinion
	Were the identified outcome indicators appropriate to measure success?	Document review	
	What is the cost-benefit of the IACHR program since its inception?	Review of available data Follow-up telephone interviews with IACHR clients	
Effectiveness			
	To what extent were program outputs and outcomes achieved?	Document review, Online survey, telephone interviews	Monitoring reports; project team: clients; logframe, RPPI, commented by expert opinion
	Are the results achieved to date attributable to the actions of the operation?		
	What are the major internal and external factors that influenced the program 's implementation ?		

	Evaluation questions	Proposed evaluation tools	Data source
	Were there any unforeseeable/not planned results? If affirmative, why?		
Coherence			
	To what extent is the IACHR program complementing other human rights initiatives?	Document review, Online survey, telephone interviews	Project team, project clients, commented by expert opinion
Sustainability			
	To what extent does the institutional set-up of the IACHR program influence its performance and sustainability?	Telephone interviews	Project team, SBDC teams, commented by expert opinion
	To what extent is the political buy-in and future funding of the IACHR program ensured?		