



# The **RIGHT** to **DEFEND** **HUMAN RIGHTS**

The evaluability  
of public policies

## The right to defend human rights. The evaluability of public policies



### Protection International (PI)

Protection International is an international NGO that supports human rights organisations (especially community, rural and women's organisations). Its aim is to contribute to an increase in their agency and collective capacities and enable them to exercise their right to defend human rights, while managing the risks this entails. PI seeks to contribute to the protection of their lives and integrity, as well as their space for action.

It also urges the authorities to fulfil their obligations to protect the right to defend human rights, in accordance with the UN Declaration on Human Rights Defenders\*; and encourages other actors and institutions engaged in protection to maximize their contribution.

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AltaVoz Editores

August de 2021  
Bogotá, Colombia

### ISBN of this publication

978-2-930539-82-9 9782930539829  
978-2-930539-83-6 9782930539836  
978-2-930539-86-7 9782930539867  
978-2-930539-85-0 9782930539850

With the  
support of:



Auswärtiges Amt



FORD  
FOUNDATION

This publication was made possible with the support of the German Federal Foreign Office and the Ford Foundation. The sole responsibility for the content of this publication lies with Protection International and in no way represents the official views of the German Federal Foreign Office or the Ford Foundation.

This publication was developed by Protection International in the framework of the project "Collective Protection of Rural Human Rights Defenders for the Construction of Territorial Peace in a Post-Conflict Scenario in Magdalena Medio and in the departments of Cordoba, Santander, Cauca and Vichada, in Colombia" funded by the German Foreign Office. The project is developed in partnership with Pensamiento y Acción Social (PAS).



Gender-inclusive language is used in the text in order to democratize language and give visibility to the particular conditions faced by women and other gender diversities. As far as possible, generalizations of the masculine are avoided. In this way, it seeks to contribute to the construction of a more egalitarian and equitable society for all people.

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\* Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Human Rights universally recognized fundamental freedoms and liberties. A/RES/53/144 8 March 1999.

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# INTRODUCTION AND PRESENTATION

## of the tools

**Guaranteeing  
the right to  
defend human  
rights in hostile  
contexts.**

Public policies<sup>1</sup> for the protection of human rights defenders (hereafter referred to as HRDs) are examples of complex intervention to address a no less complex problem: guaranteeing the right to defend human rights and protecting those who guarantee this.

The difficulties of protecting the right to defend human rights in Colombia are well described in case studies documented by the organisation Pensamiento y Acción Social (PAS) in its publication *Proteger a los Defensores Colectivos de Derechos Humanos, un desafío para las Políticas Públicas en Colombia* [Protecting

Collective Human Rights Defenders: a challenge for Public Policies in Colombia] (2020), in which the implementation of public policy for protection of HRDs in the local scenario is analysed.

Similarly, a study published by Protection International (PI), *The time is now for effective public policies to protect the right to defend human rights* (2017), concludes that protection mechanisms in Latin America “approach the problem [of guaranteeing the right to defend human rights in hostile contexts] in a reductionist manner, using a restricted focus that is based only on security and risk”.

<sup>1</sup> In this document, this term “policy” will be used interchangeably with others such as “programme” or “mechanism”, in the context of protection.

Although protection policies have been broadened in a number of countries, there is still uncertainty over which actions must be key. To date, there are no examples of evaluations with relevant conclusions about these actions. While there have been some critical studies of protection programmes and policies, such as the special reports *La protección al tablero* [Protection on the blackboard] (Somos Defensores Programme, 2014), and *Protección en Colombia “La amenaza fantasma”* [Protection in Colombia: “The phantom threat”] (2017), the outcomes or impact of existing protection policies have still not been evaluated in a way that reveals both what is missing from their design and the bottlenecks in their implementation, or that makes it possible to learn lessons, improve the quality of processes or make accountability and exchanges between countries or programmes easier.

Within this context, evaluating existing policies becomes a fundamental step to generating knowledge about which strategies or mechanisms are most effective

and efficient in protecting both the right to defend and HRDs themselves. However, evaluation theory posits that not all public policies (in the way that they tend to be formulated) are directly evaluable,

especially if they deal with complex programmes, in the sociological sense of “complexity”<sup>2</sup>, because these policies present the following difficulties:

- // the definition of the problem or part of the problem that the policy aims to address – being a complex problem, it is difficult to reach a single agreement on its description;
- // the determination of the theories of change that are to explain how the activities and outcomes would help to achieve the final impacts anticipated by the policy;
- // accessibility of information on the programme or of the necessary data available; and
- // the usefulness and practical sense in the evaluation, i.e. the benefit that would be gained if the public policy were to be evaluated.

Before evaluating any complex intervention, it is necessary to perform an evaluability assessment, which means determining the “extent to which an activity or a program can be evaluated in a reliable and credible manner” (OCDE DAC, 2010). It is vital to know whether the

programme or policy is evaluable, what necessary conditions there are for conducting the evaluation and, above all, what recommendations might be formulated to improve the public policy design. Assessing the evaluability of the programme therefore allows for the following:

2. Sanmartí Puig, N., Bonil, J., Pujol Villalonga, R. Ma & Tomás, C. (2004). *Un nuevo marco para orientar respuestas a las dinámicas sociales: el paradigma de la complejidad*. <https://idus.us.es/handle/11441/60999>.

- // knowledge about whether a programme or policy is well designed, with the aim of establishing whether the expected outcomes can reasonably be achieved;
- // the provision of recommendations to improve the design and ensure that it is evaluable, which in turn would help to facilitate its implementation; and
- // definition of the ideal moment for evaluation, insofar as it is an essential tool for accountability, learning and improvement.

The authorities that implement the protection programme are very often reluctant to perform impact evaluations because it is not always possible to demonstrate reliable results when dealing with complex problems. In this sense, an evaluability assessment can be an important step that could generate less political resistance, with a lower cost and tangible outcomes to improve on. For example, it could create an opportunity to place and escalate recommendations in order to better the design of the programme or prepare it for evaluation at a given time.

The aim of this document is to provide three practical and relatively simple tools

for use as a first step in analysing and obtaining useful and credible technical

data, the purpose being to improve public policies for protection of the right to defend human rights, considering that the latter is a complex or ‘wicked’<sup>3</sup> problem). These tools will provide an approach for assessing the evaluability of policies and programmes for the protection of both the right to defend human rights and HRDs themselves in Colombia, and are also considered applicable to other countries where these types of mechanism exist.

## Tool 1

Questionnaire for characterising (based on the ‘wicked problems’ approach) the complex problem that the policy or programme is to address – that of the protection both of the right to defend and of HRDs themselves –, which is likely to require complex intervention given all that it implies.

## Tool 2

Questionnaire for performing an evaluability assessment of the public policy for protection, which comprises two parts:

- // the evaluability criteria in relation to the design of a public programme or policy;
- // the evaluability criteria in relation to the evaluation of a public programme or policy.

## Tool 3

Guide to reconstructing and assessing the (explicit or underlying) hypotheses and theories of change of a programme or public policy for the protection of the right to defend human rights.

The next section will discuss the conceptual framework for wicked problems, the definition of evaluability, and methodologies proposed for reconstructing the explicit or underlying theories of change in public policies relating to protection. These topics provide the theoretical basis for the three practical tools presented in the third part of this document.



# CONCEPTUAL FRAMEWORK

## Wicked problems<sup>4</sup>

***Complex thinking has led to a better understanding of public problems.***

Increasingly, the problems that public policies and programmes seek to resolve or deal with are complex and ‘wicked’, and the approach should reflect this. These problems are interdependent, evolve according to non-linear processes of change, and are frequently unpredictable. A diverse spectrum of social stakeholders is involved, often with conflicting interests, and in varied, unique and dynamic contexts.

However, most public problems dealt with by state bodies and institutions have been addressed using positivist approaches that attempt to simplify this deeply complex reality. Tackling complex phenomena from this positivist perspective of the sciences requires accepting general concepts and principles, universal laws and clear objects of knowledge that are not relevant for analysing social phenomena, which are mainly

4. Please refer to the definition of ‘wicked’ problems in the footnote on page 3.



characterised by their particularities and specificities (Palacios Calle, 2018). This approach has habitually resulted in relatively unsuccessful outcomes in terms of understanding the problem and its solution.

In dealing with this type of wicked problem, theoretical conceptions can be identified that, in epistemological terms, have proven more consistent for its treatment than positivist approaches. These conceptions are known as the complexity sciences, which have been conceived from different perspectives as science without boundaries and a departure from the positivist position. The complexity sciences accept the uniqueness and inimitable nature of some of the phenomena currently facing society.

According to Edgar Morin, cited by Yezid Soler<sup>5</sup> in his article *Teorías sobre los sistemas complejos* [Theories of complex systems](2017):

Complex thought must fulfil a great many conditions to be complex:

it must connect the object to the subject and to its environment; it must not consider the subject as an object, but as a system/organisation [...]. It must respect the multidimensionality of beings and things. It must work and dialogue with uncertainty, with the irrational. (p. 54)

Complex thought has made it possible to improve understanding of complex problems. It has provided concepts and ideas incorporating new perceptions and alternative theories that provide greater understanding of social processes, as well as better approaches for addressing these in a strategic manner. One of these theories refers to the “wicked problem”, a term first coined by Rittel and Webber (1973) to describe those situations that appear to be beyond the capacities of government and public policies.

Rittel and Webber (1973) maintain that:

The search for scientific bases for confronting problems of social policy is bound to fail, because of the

nature of these problems. They are “wicked” problems, whereas science has developed to deal with “tame” problems. Policy problems cannot be definitively described.

Moreover, in a pluralistic society there is nothing like the undisputable public good; there is no objective definition of equity; policies that respond to social problems cannot be meaningfully correct or false; and it makes no sense to talk about “optimal solutions” to social problems unless severe qualifications are imposed first. Even worse, there are no “solutions” in the sense of definitive and objective answers. (§ III)

Wicked problems are composed of an interconnected network of problems, with numerous inputs and outputs of information that, ultimately, stand in the way of a definitive solution that improves the initial situation.

5. Quote translated from the original language.

Introducing the wicked problem approach in the field of protection of the right to defend human rights and of HRDs

themselves allows for consideration of at least three assertions of great interest for public policy:

1. The nature and characteristics of the problem are dynamic and changing. A consensus that makes it possible to define a comprehensive description of the problem or an absolute solution does not yet exist, and is difficult to achieve, between the different stakeholders involved.
2. The methods used to confront the problem have to date not been effective in doing so.
3. Any approach to this problem is dependent on opinion and the adoption of a political decision, but also requires solid technical information as a tool for finding satisfactory solutions.

However, the great difficulty of finding definitive solutions for the wicked problem of protection is not sufficient reason for the inaction of the corresponding government, given their legal and moral obligation to protect the right to defend human rights. Where protection is concerned, closer examination of how to

devise adequate responses and policies is vital. Responses or policies should incorporate monitoring and evaluation tools to navigate the problem, assess the implementation of actions as these are deployed, assess the outcomes, and re-plan subsequent steps or design other actions if necessary<sup>6</sup>.

<sup>6</sup> In one of Protection International's current areas of work, the organisation is looking at how to carry out this approach with public policies. The results will be published as soon as the investigation is concluded.

## 2. Evaluability

In discussing evaluability, the widely-accepted definition of the Organisation for Economic Co-operation and Development (OECD, 2010) may be used as a basis. This definition understands evaluability assessment as the tool that makes it possible to determine “whether or not the development intervention is adequately defined and its results verifiable, and if evaluation

is the best way to answer questions posed by policy makers or stakeholders.” (OECD, 2010, pág. 9)

Joseph Wholey (1979), a pioneer in evaluability assessment, identified some of the problems encountered in the evaluation of public policies, and that an evaluability assessment should help to resolve:

- a.** disagreements between decision makers involved in the public policy;
- b.** the underlying design, or theories of change of the policy, which have not been established or described;
- c.** the unrealistic goals of the policy; and
- d.** an absence of agreement on how to measure or evaluate the policy.

Thus, when the policy is in its design phase, the evaluability tool may be used to identify omissions in its formulation and suggest areas for improvement; if it is at a more advanced phase, the tool can help to identify more concrete needs for information, highlighting and prioritising what is evaluable, and facilitating planning of the evaluation.

Evaluations of public policies that attempt to confront wicked problems such as those described above face a series of challenges stemming from the greater diversity and more limited control inherent in these problems. These challenges relate to three areas that are addressed by the evaluability assessment framework proposed by Davies and Payne (2015):

- a. Very complex yet incomplete Theories of Change;
- b. Diverse, incomplete and unknown data;
- c. Numerous and scattered stakeholders.

Evaluability assessment is a systematic process that helps to identify areas for improvement, assessing the weaker elements of the strategy that are likely to be corrected and evidencing the strengths and opportunities in order to perfect the strategy or programme in question. As part of his study, Davies (2013) conducted a review of the literature on evaluability and presented a useful and practical tool for providing firm evidence of improvement throughout the policy design period, and during the course of its implementation.

Based on the understanding that evaluation is a continuous exercise for the

gradual improvement of public policy and not a one-off external opinion, it is relevant for public policy makers or evaluators to have a tool of this type, focused on protection policies and programmes. The same is true for HRDs themselves and collaborating stakeholders.

The purpose of evaluability is to guarantee a policy can be evaluated, thus helping to guarantee its success, make accountability easier and promote learning. For this reason, it should occupy a privileged position in the process of improvement of public action.



## 3. Reconstruction of theories of change

Although the theory of change has been used as a methodological approach by public and private entities for many years, there is no definitive agreement on its definition. For the purposes of this study, the definition provided by José A. Monje<sup>7</sup> will be used as a basis (2019):

The critical theoretical approach is developed from a thought-action perspective, applied in strategic processes of significant social change undertaken in uncertain, complex and/or emerging contexts. Within these contexts, a key characteristic emphasised by the Theory of Change is the analysis and proposal of hypotheses based on power dynamics

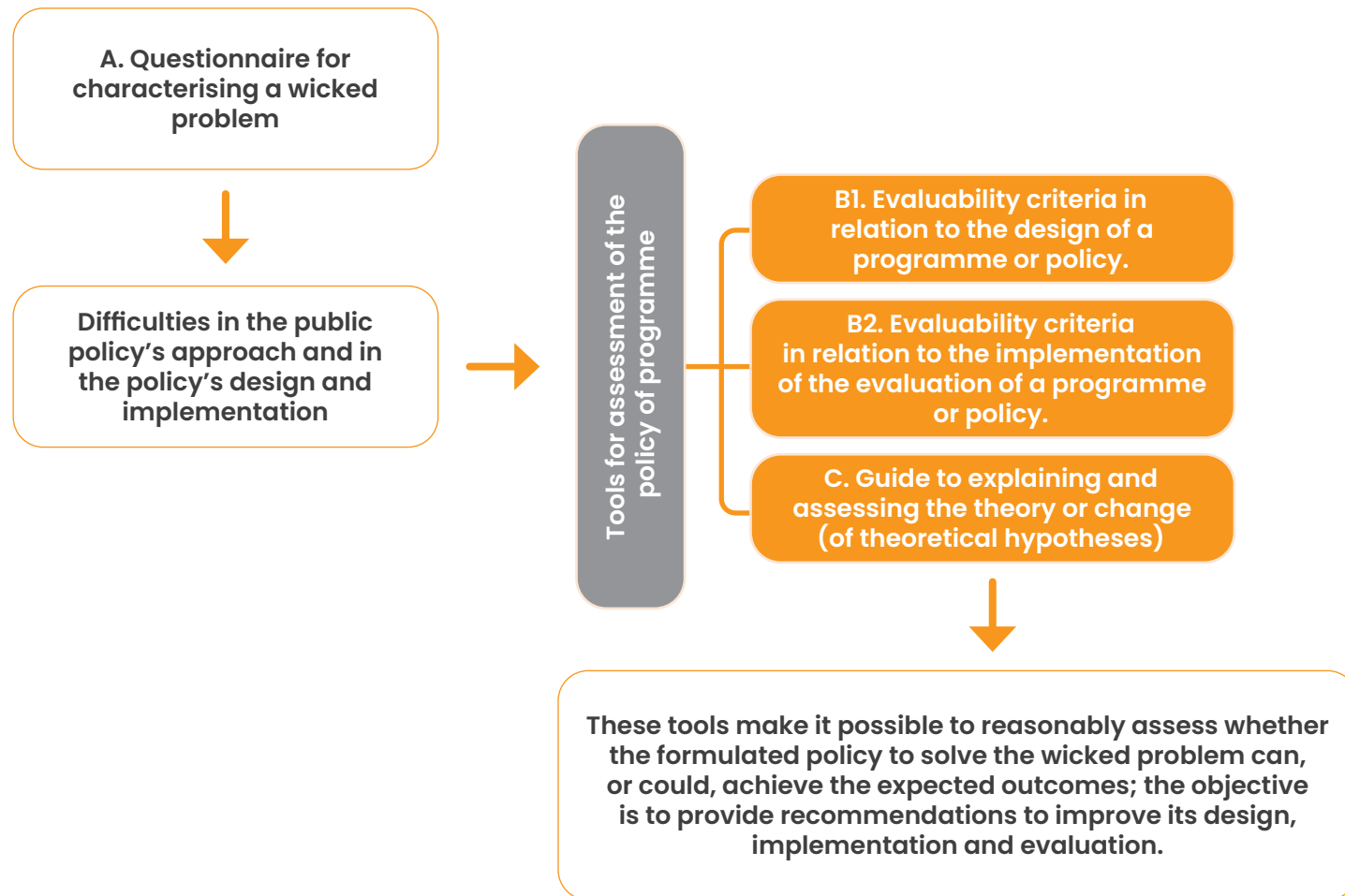
(both at the micro level and macro level) and their distribution between the main groups of interest. In this sense, it not only presents a specific proposal for addressing a problem, [...] but it constructs an authentic integral structure of thought that supports an intervention or set of interventions pursuing the realisation of a Future Vision. (Monje, 2019, § 2.1.)

The theory of change, when it is used to conceive, manage and evaluate public interventions, is often contemplated as the articulated and logical chain of interaction between the activities, products, outcomes, final impacts, involved stakeholders and the context – the

latter characterised as being particular and dynamic. This chain of interactions compels policy makers to undertake a journey of constant, proactive reflection, enabling them to integrate the challenges of complexity and uncertainty into their action.

As a fundamental part of this exercise, reconstruction of the theories and hypotheses upon which the protection policies or programmes are based is proposed. The purpose of this is to assess whether these theories and hypotheses – which should provide theoretical and practical support for interventions – are adequate, complete and possess sufficient evidence, consistency and viability.

7. Quote translated from the original language.

 TOOLS

## A. Questionnaire for characterising a wicked problem

The following questions, developed based on the study by Rittel and Webber (1973), are aimed at policy makers or stakeholders in public policy for the protection of the right to defend human rights, to help in characterising a wicked problem::

1. Are there disagreements between the parties involved about the central problems related to the absence of guarantees for exercising the right to defend human rights?

.....

Indicate the most relevant elements of the design and which actors would be in greatest disagreement:

.....

.....

2. Is it difficult to reach an agreement between the interested parties, including HRDs, on the appropriate goals and actions that should be developed to guarantee the right to defend human rights?

.....

Describe the different proposals and where discrepancies reside:

.....

.....

**3.** In order to address the problem as comprehensively as possible, does there need to be work in collaboration and coordination with a variety of stakeholders or programmes? Or can the objectives be achieved by a single body?

.....

Describe the necessary interactions and most relevant challenges for their relationships. Take into account mandates, capacities and multi-level scenarios (local, regional and national):

.....

.....

**5.** Are the environments in which the intervention is to take place highly particular and dynamic, requiring continuous adaptation of the intervention to the context and situated experience?

.....

Describe some of the details of the local contexts that would require particular attention and cannot be generalised as patterns at the national level:

.....

.....

**4.** Is it difficult to access evaluations, experiences or solid knowledge that provide conclusive evidence on key actions for guaranteeing the right to defend human rights?

.....

Reference existing prior knowledge on the topic, taking into account international regulations and experiences from other programmes or countries:

.....

.....

**6.** Are the external stakeholders or factors that could affect the implementation of the intervention or limit its results sufficiently known and controlled?

.....

Indicate the stakeholders or factors that are outside of the intervention and that could react negatively, for example, by influencing its implementation, increasing the risks for HRDs or increasing barriers to exercising the right to defend. Take into account the local particularities:

.....

.....



## B1. Questionnaire for performing an evaluability assessment in relation to the design of a programme or public policy for guaranteeing the right to defend human rights

This instrument<sup>8</sup> is to be applied while formulating the programme or policy, with the aim of assessing the extent to which the policy design makes its subsequent evaluation possible and developing recommendations to improve this potential evaluation. Two areas of evaluability can be identified:

- // evaluability of the design with respect to diagnosis and assessment of the problem;
- // evaluability of the design with respect to the theory of change, logical framework or narrative of the programme.

<sup>8</sup>. Adapted and edited from Davies, R. (2013). *Planning Evaluability Assessments: A Synthesis of the Literature with Recommendations*. Report of a study commissioned by the Department for International Development. DFID.

## Evaluability with respect to diagnosis of the problem

The diagnosis defines the problem, needs or challenge that the policy or programme seeks to address. If the diagnosis is imprecise, it will be more difficult to establish a link between the designed action and the solution to the problem and, as such, to evaluate the effectiveness of the policy or programme for guaranteeing the right to defend human rights<sup>9</sup>.

<b>Sufficient identification and description of the problem</b>	Is there a diagnosis of the problem or needs that the policy or programme attempts to address, in relation to the absence of guarantees for exercising the right to defend human rights?
	Is the problem, part of the problem or the specific need that it attempts to address clearly identified and described in the diagnosis?
	Does the diagnosis consider the indications of the UN Universal Declaration of Human Rights or reports of specialist international bodies, and of national jurisprudence?
<b>A differential approach to the problem</b>	Does the diagnosis include an assessment of how gender relations and other identities (race, class, etc.) affect the exercise of the right to defend human rights, as well as the safety of HRDs?
<b>Quality of the baseline information</b>	Are the descriptive data sufficient, are they disaggregated differentially and is the information up-to-date?
	Are public entities and national and international civil society considered as sources of information?
<b>Participation of the target population</b>	Is the participation of different stakeholders (including HRDs, among others) in identifying and describing the problem guaranteed? Are the procedures used to consider their input indicated?

## Evaluability with respect to the theory of change, logical framework or narrative of the programme

The theory of change (as described above) is the hypothesised logic behind an intervention, which explains how it is expected to work and how the assigned resources will make it possible to develop activities that will in turn produce results, and finally generate change (outcomes). It thus outlines a logical sequence of the chain of results that should occur if everything goes as planned (Farré Ribas, 2017).

<b>Clarity in the expected outcomes and impacts of the programme or policy</b>	Are the goals, outcomes and impact, or change to be achieved, clearly identified with respect to protection of the right to defend human rights and of HRDs themselves?
	Are these goals consistent with the problems or needs identified in the diagnosis? Are they sufficiently explicit in order to understand the expected change? Are the necessary steps for achieving these outcomes and impacts clearly defined?
	Are the goals defined from the gender perspective, assessing how gender relations might influence the outcomes of actions, and are different actions planned to deal with this situation?
<b>Relevance</b>	Is the programme's goal clearly relevant for addressing the identified problem, taking into consideration international regulations on the right to defend human rights?
	Is there evidence or good practices that have been documented to substantiate that the measures and actions planned under the policy or programme are likely to achieve the goals?

<b>Clearly defined target population</b>	Is the target population clearly defined, i.e. are there clear criteria, based on the <i>Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms</i> , defining who are considered HRDs and, if necessary, establishing specifically which HRDs are the programme's target population?
	Does the description of the population explicitly include the differential element, taking into consideration the social, cultural, economic and inequality factors and the barriers that may be encountered in accessing the actions proposed by the programme or policy?
	Are HRDs and their organisations involved in implementing the programme or policy and is a description given of the way in which they will participate?
<b>Consistency and viability</b>	Is the theory of change described in an explicit and consistent way? In other words, is there a continuous causal chain of activities and outcomes connecting the action of the body leading the programme (and other bodies involved) to the planned outcome and final impact?
	If not described explicitly, it is possible to deduce the theory of change based on the goals and activities, by making assumptions of what the hypotheses are about the causal relationships connecting the actions with the expected outcomes?
	Is it possible to identify which links in the causal chain will be more critical for the success of the project and, as such, should be at the centre of the evaluation questions?
	Are there stakeholders or factors that are key to the outcomes and fall outside of the scope of intervention of the programme? Are there plausible plans for monitoring these or involving them in any practical way?
	Are there legislative or administrative measures that contradict the goals of the public policy for the protection of the right to defend human rights?

<b>Indicators and sources of verification for monitoring and evaluation (M&amp;E)</b>	Are there valid indicators <sup>10</sup> and sources of verification for each of the planned outcomes at different levels <sup>11</sup> , and for the expected impact?
	Are these relevant for the intervention and is it feasible to prove the expected changes have been reached based on the defined indicators?
	Do the indicators incorporate the gender and differential perspective, and are they consistent with the standards of the Declaration?
	Are information sources defined for the indicators? Are the techniques that will be used for their compilation diverse and explicit?
	Is an M&E strategy envisaged as part of the programme?
	Is there the personnel and necessary capacity for carrying out an M&E process?
	Are the sources of verification, responsibilities and schedules for the M&E systems defined and the budget adequate for its development?
	Does the policy consider the participation of HRDs and their collectives in the M&E process?
<b>Complexity</b>	Does the programme take into account the numerous different interactions that are to be expected between the leading organisation and the various entities in its execution, and clearly define the management mechanism for the policy or programme?
<b>Agreement</b>	Does the programme incorporate (or take into account) the variety of – even opposing – perspectives and interests that may be held among the managing/leading organisation and other entities involved in the programme at the national and local levels, as well as stakeholders affected by it (HRDs and other populations)?

10. Specific, Measurable, Attainable, Relevant and Time-bound indicators.

11. Immediate outputs and outcomes of an activity.

## **B2. Questionnaire for performing an evaluability assessment in relation to the implementation of the evaluation of a public programme or policy for guaranteeing the right to defend human rights<sup>12</sup>**

In this phase, the evaluability objectives are as follows: to improve (through technical criteria) decision-making about performing the evaluation; to ensure the allocation of appropriate and sufficient resources; to reduce uncertainty surrounding the decision to evaluate; and to determine the level of priority of the evaluation, instruments and expected uses of the compiled information. This assessment should always be applied to a programme or policy that is already in effect.

The questionnaire considers the knowledge available and assesses whether the technical and institutional conditions are sufficient to carry out the evaluation. Its greatest value is political, strengthening the decision to mobilise resources to evaluate and set the course to take to obtain the best outcomes, promote transparency and foster accountability.

### Practical aspects of performing the evaluation:

<b>Accessibility and availability of stakeholders</b>	If during the evaluation there might be security risks to those involved, are these risks manageable? Can all those involved participate in the evaluation?
<b>Available resources for conducting the evaluation</b>	Is there sufficient time, personnel with adequate knowledge and the necessary funds to carry out the evaluation, both at the national and local levels?
<b>Is it the appropriate time?</b>	<p>Will the evaluation be carried out at the appropriate time? In other words, this involves assessing aspects such as its relevance at a given time (whether it is too early in terms of the programme's execution, or too late). The following should be taken into account:</p> <ul style="list-style-type: none"> <li>/// the possibility that the evaluation may have an influence on the programme or policy; and</li> <li>/// whether the programme has made sufficient progress to be able to take useful lessons from the evaluation.</li> </ul>
<b>Coordination criteria</b>	Is it feasible to determine the donors, state and government departments, civil society or other stakeholders that need or want to participate, and the necessary forms of coordination?

### Usefulness of the evaluation

<b>Who wants the evaluation?</b>	Is whoever is going to use the evaluation clearly identified? Are these users taking part in the definition of the evaluation and perhaps even the evaluation itself?
----------------------------------	---

<b>What do the stakeholders want to know?</b>	Is it established which parts and questions of the evaluation are of interest to who, how each user wants the results to be used, and whether this usage is realistic?
<b>What type of evaluation process do the stakeholders want?</b>	Is it possible to define the type of evaluation those who will use it have expressed interest in? Likewise, is the viability of each type of evaluation and the available resources established for the programme to be evaluated?

**With regard to the participation of HRDs and their organisations in the evaluation:**

<b>Processes of participation of the target population</b>	Are HRDs and their organisations to participate in a direct and active manner at appropriate moments during the evaluation? Do they have sufficient guarantees (in terms of confidentiality, security, etc.) to take part in the evaluation?
<b>Action without causing harm</b>	Both during its design and implementation, the evaluation activities must always be carried out based on the principle of "Do No Harm". Will it be possible to take these principles into account for this evaluation?
<b>Existing ethical questions for the evaluation</b>	Is there an ethical committee that looks at ethical questions relating to the programme in general and each one of the objectives and activities in particular (or are any questions sent to a recognised, independent entity dealing with the subject matter)?
<b>Participation of individuals is conscious, voluntary and informed</b>	Is the participation of HRDs and their organisations to be voluntary? Will there be a formal consent document, following an information session covering the risks that could be generated from taking part in the evaluation (and the risks ensuing from the programme itself)? Will the information provided be used according to the wishes of whoever provided it?



**Availability of necessary information for the evaluation:**

<b>Baseline diagnoses or information, for reference</b>	Are there baseline diagnoses or information? Are there raw (unprocessed) data, or only elements selected as currently relevant, available to carry out assessments of situated risk?
	.....
	If reference data are presented in the form of national or subnational statistics, is the data broken down based on pre-defined parameters, considering the gender, differential and intersectional approaches? If it is possible, are comparisons made with data series from previous years?
.....	If sampling has been carried out, are its specifications clear and consistent with the study's goals?
.....	
<b>Programme documentation</b>	Are the set of documents that describe and guide the programme available, as well as those that set out its outcomes?
.....	
<b>Assessment of the situated risk to HRDs</b>	Are there available data broken down according to pre-defined categories for the assessment of the situated risk to HRDs and their collectives?
.....	
<b>Programme indicators</b>	Have all of the necessary data on all of the programme indicators been collected with sufficient quality, sufficient frequency and using reliable measures?
	.....
.....	Are the real people or communities who are intended to benefit identifiable? Is there a register of who has been involved in which parts of the programme and when (according to the necessary requirements of anonymity for HRDs given refuge by the programme)?
.....	

## C. Guide to reconstructing and assessing the (explicit or underlying) hypotheses and theories of change of a public programme or policy for the protection of the right to defend human rights

This tool was developed on the basis of studies and recommendations conducted by experts that cover different methods of reconstructing theories and

presumptions of public policies (Leeuw, 2003). The tool is directly applicable to public policies for the protection of the right to defend human rights.

### Tool for the reconstruction of theories and hypotheses of a public policy for the protection of the right to defend human rights and of HRDs themselves

Steps	Description
I. Reconstruction of the logical structure of a policy as a whole	Presentation of the declared logic of the policy, based on conditional statements: "If... Then..."
II. Reconstruction of the theoretical hypotheses on which different parts of the policy are based	For each part (outline, goals, etc.): <ul style="list-style-type: none"> <li>/// establish the declared logic (any if-then conditional statements it contains);</li> <li>/// identify the hypotheses<sup>13</sup> supporting the policy, together with their determining factors (headed by the contrasting conjunction "although");</li> <li>/// assess its consistency and level of completion; and</li> <li>/// assess its viability (in terms of its goals).</li> </ul>
III. Assessment of interactions between institutions that are to implement the policy	A list is compiled of the institutions that are to implement the policy, their interactions analysed (using network analysis), and conclusions given on the consistency, level of completion and viability of interactions.
IV. Conclusions	Conclusions are developed on the reconstruction of theories and presentations, and on the evaluability of the policy.
V. Recommendations	Recommendations are provided regarding the design of the public policy.

<sup>13</sup>. A hypothesis is something that is taken as though it were true, when this has not yet been proven. It is the premise used as a basis for logical reasoning. When a hypothesis is regarded as self-evident and does not need to be demonstrated, it becomes an axiom. Hypotheses are possibilities to be considered about how causes lead to effects. Available at: <https://deconceptos.com/general/supuesto> [link in Spanish]

## Recommendations for applying the three tools

1. Each of these questionnaires should be finalised with a technical document on evaluability, which contains the following, as a minimum:
  - a. conclusions on evaluability; and
  - b. suggested improvements.
2. It is preferable to have a multidisciplinary team of at least 2–3 qualified people with the sufficient resources and time to carry out the evaluability assessment.
3. Aside from completing the questionnaire based on the information provided, it is recommended that the team collect data that is not explicit in the documents, especially for the purposes of reconstruction of the theory of change.
4. It is advised that the team corroborate their responses with other key stakeholders, such as representatives from institutions promoting the programme or policy.



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This publication is a result of research that was carried out by Protection International and consists of three interconnected documents:

- The evaluability of public policies to guarantee the right to defend human rights and the protection of defenders
- Case study: Evaluability analysis regarding the design of Decree 2252 of 2017
- Reconstruction of the underlying theories within the “Comprehensive protection policy framework and guarantees for social and community leaders, journalists and human rights defenders”

The objective of this research is to provide practical and simple tools for analyzing and obtaining technical, credible and useful data. This analysis can then be used to improve public policies for the protection of the right to defend human rights.