



## **Terms of Reference End of Programme Evaluation ILAC Syria Programme 2017 - 2019**

**Programme (Evaluation object):** ILAC Syria Programme 2017 - 2019  
**Type of Contract:** Consultancy  
**Timeframe of Evaluation:** 20 January – 10 April 2020  
**Application Deadline:** 2020-01-08

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## **1. Background**

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International Legal Assistance Consortium (ILAC) is a rule of law organisation that helps rebuild justice systems in countries that are in conflict, post-conflict, or in transition. ILAC was established in 2001 and is comprised of more than 50 bar associations and law societies across the world. The Consortium has access to over 3 million legal professionals worldwide, including judges, lawyers, prosecutors and court administrators.

ILAC is a recipient of development funds from the Swedish International Development Cooperation Agency (Sida), and is currently coordinating the implementation of rule of law programmes in Syria, Tunisia, and Libya, in addition to regional initiatives in the Middle East. Moreover, ILAC and its members are conducting rule of law assessments in countries fulfilling the criteria as per the above and where there is a clear demand from national or international actors to gather more systematic information on the rule of law status of a country.

Since 2014, ILAC has supported Syrian legal professionals to perform basic duties, with the purpose of preventing complete collapse of justice sector institutions in conflict affected areas, with a primary focus on supporting lawyers and judges in the opposition-held areas in the north-west and south-west regions of the country, including those residing in Turkey and in other neighbouring countries.

In 2017, ILAC consolidated its support to Syrian justice actors in a SEK 47 million multi-year programme, implemented together with five of its member organisations: American Bar Association's Rule of Law Institute (ABAROLI), the Central and East European Law Initiative (CEELI), International Bar Association's Human Rights Institute (IBAHRI), International Bridges to Justice (IBJ) and the Raoul Wallenberg Institute of Human Rights and Humanitarian Law. The components include technical support and capacity building of Syrian justice sector professionals, inside and outside of Syria, including support to civil documentation services, to prepare for setting standards for the establishment of accountable and inclusive justice sector institutions in a future Syria. The civil documentation component was implemented directly by ILAC and will not be part of the final evaluation of the ILAC Syria programme.

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## **2. Description of Programme**

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The protracted conflict in Syria has had tragic implications on the Syrian people and on society. The conflict has also led to destruction of institutions and made it close to impossible for justice actors to practice and contribute to uphold a minimum level of legal services to Syrians. Throughout the conflict, justice actors' ability to work independently and to uphold the rule of law has been severely compromised. In government areas lawyers are forced to re-registration, which in turn affects their ability to provide legal services to people. Civil society organisations working on legal issues also face significant challenges with registration for different reasons, including national security. Such crackdowns on actors who are trying to address justice needs in a country that is now in its ninth year of conflict, has caused organisations to either work illegally or flee to neighbouring countries, which has in turn decreased people's access to justice.

It is in this context that ILAC and its members have supported legal professionals and justice actors inside and outside of the country to avoid a complete collapse of justice institutions, and to support them to place the rule of law at the forefront in negotiations, policy dialogues at the international level and future transitional justice processes.

In 2017, ILAC expanded its activities to support Syrian legal professionals who have a potential role to be instrumental in restoring the justice system in a post-agreement Syria. ILAC's interventions are multi-faceted and include:

- Support to Syrian justice sector professionals to perform basic duties and maintain their skills and professional knowledge of the judicial profession;
- Establish conditions for the provision of higher legal education to Syrian refugees are in place in neighbouring countries;
- Work with Syrian justice sector professionals to effectively engage with relevant international and national human rights and accountability mechanisms.

The overall goal of the Programme is to ensure that the principles of the rule of law are upheld to avoid a complete collapse of justice sector institutions. The Programme has the following result areas:<sup>1</sup>

<b>Programme Goal:</b> Principles of rule of law are upheld to avoid complete collapse of justice sector institutions in Syria.	
<b>Outcomes</b>	<b>Outputs</b>
<b>Outcome 2:</b> Syrian justice sector professionals are able to sustain their functions and contribute to re-build accountable and inclusive justice sector institutions in future Syria	<b>Output 2.1:</b> Syrian justice sector professionals are supported to perform basic duties and maintain skills and professional knowledge of the judicial profession.
	<b>Output 2.2:</b> Conditions for the provision of higher legal education to Syrian refugees are in place in neighbouring countries.
	<b>Output 2.3:</b> Syrian justice sector professionals have increased capacity and knowledge to effectively engage with relevant international and national human rights and accountability mechanisms.

ILAC's Syria Programme consists of three interlinked components and is implemented through five member organisations, including: the American Bar Association's Rule of Law Initiative (ABA ROLI); Central and East European Law Initiative (CEELI); International Bridges to Justice (IBJ), International Bar Association Human Rights Institute (IBAHRI) and the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI).

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### 3. Purpose of the evaluation

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ILAC coordinates the programme amongst its members, based on recommendations from its own rule of law assessments and/or other needs analyses. Through peer-to-peer based programming, ILAC aims to strengthen the independence and resilience of often fragile and embryonic justice sector institutions, as well as the legal profession. This frequently involves working along normative lines to change attitudes, values and perceptions of key justice sector professionals.

The Programme Document of ILAC's Syria Programme sets forth the overall goal and objectives for this Rule of Law Programme, undertaken during times of conflict in Syria. A Final Evaluation of the Programme will be vital to gathering systematic information on the effectiveness and efficiency of the interventions implemented by ILAC's five members between 2017 and 2019, as well as ILAC's role as a coordinating body and mechanism.

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<sup>1</sup> Result areas relating to the civil documentation component of the ILAC Syria Programme is omitted from this evaluation.

**The main purposes of the final evaluation are the following:**

- **Accountability:** Provide credible and reliable analysis on the results of the programme, including in the areas of programme design, implementation, impact on beneficiaries and partners, and overall results. Provide high quality assessments accessible to a wide range of audiences, including ILAC's donor and foreign governments that have rule of law as a priority, ILAC's member organisations, local actors and programme stakeholders, international rule of law organisations and other actors.
- **Learning:** Identify unique approaches to enhance access to justice and rule of law during conflict. To this end, the evaluation will particularly assess the interventions of member organisations that have implemented activities in Syria to identify particular approaches and methodologies that are effective in meaningfully and tangibly advancing access to justice to justice for people while at the same time enabling justice actors to perform their duties.
- **Improved evidence-based decision-making:** Identify lessons learned from the experience of member organisations in order to influence policy and practice at local, regional and global levels. Inform and strengthen ILAC's planning and programming by providing evidence-based knowledge on what works, why and in what context.

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#### **4. Use of the Evaluation Report**

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- The Evaluation findings will be undertaken in parallel to a scoping study that will identify opportunities and challenges for justice sector support in Syria in the current scenario. The evaluation will feed into this process.
- The report will be also be used by the implementing member organisations and the ILAC-secretariat and its decision-making bodies to make strategic decisions on the future direction and design of the programmes and a new generation of ILAC's Strategic Plan in 2021.
- The evaluator will provide inputs for the Reference Group (see section 7 for more information) to design a complete dissemination plan of the evaluation findings, conclusions and recommendations with the aim of fostering sustainability, scaling-up, or sharing good practices and lessons learnt among ILAC members for actors working to promote rule of law at local, national and international level.

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#### **5. Scope and objective of the Evaluation**

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The evaluation will assess the implementation undertaken by ILAC's five implementing members (see above), as well as ILAC's roles and responsibilities as a coordinator in the Programme. ILAC's members have been implementing activities in the North-West of Syria, in southern Turkey, Jordan, Lebanon and Europe. Needs assessments was undertaken prior and during the implementation, starting in 2017, and the evaluation will capitalize on these products, as well as other guiding documents produced throughout the Programme cycle.

The timeframe of the evaluation will cover from the period of conceptualization and design to the moment when the evaluation is taking place. The substantive scope of the evaluation will be to analyse the *relevance, effectiveness, efficiency, sustainability and impact of the Programme objectives* in terms of results achieved against objectives, change within the area of rule of law and access to justice, ownership of stakeholders, sustainability of the action, both financial and organizational. It should consider the nature of the Programme implementation,

exploring the extent to which it has allowed the Consortium to work in more coordinated manner among the members, but also vis-à-vis external partners, and the efficacy of the model.

## 6. Evaluation Criteria, Questions and Methodological Approach

The evaluation should be answering the following specific questions:

No.	OCED/DAC Criteria	Questions
1.	<b>Relevance</b>	<ul style="list-style-type: none"> <li>• To what extent has the project conformed to the needs and priorities of the beneficiaries – Syrian justice sector actors?</li> <li>• How well were the problems understood, analysed and strategies and actions developed thereby and thought through in the Programme cycle?</li> <li>• In the evolving landscape and sensitive context, what is the significance of this Programme and how do the results meet the overall goal to promote rule of law.</li> <li>• To what extent and in what ways did the Programme contribute to the goals set by ILAC and its members.</li> </ul>
2.	<b>Efficiency</b>	<ul style="list-style-type: none"> <li>• Can the costs for the project be justified by its result - i.e. has the Programme been efficient in achieving results as compared to the investments made?</li> <li>• The Programme has adopted a thematic multi-dimensional approach, spanning across a number of legal areas. Has this impacted the efficiency of the Programme or the overall impact?</li> <li>• Has there been coherence in the various strategies adopted by the Programme? In what ways? What other approaches could have been taken to maximise efficiency?</li> <li>• How adequate were the training initiatives undertaken as part of the Programme?</li> <li>• How does the Programme utilise existing local capacities of right-bearers and duty-holders to achieve its outcomes?</li> </ul>
3.	<b>Effectiveness</b>	<ul style="list-style-type: none"> <li>• To what extent has the Programme contributed to intended delivery towards outcomes? If so, why? If not, why not?</li> <li>• How effective has the approach of focusing on capacity building and training of Syrian justice actors in exile been vis-à-vis training of those justice actors active in Syria been enabling them to uphold rule of law, in the present and going into the future?</li> <li>• To what extent have capacities of duty-bearers and rights-holders been strengthened as a result of the Programme?</li> <li>• How well were the training initiatives and training material tailored, designed, planned to make achievements towards the Programme goals?</li> </ul>
4.	<b>Impact</b>	<ul style="list-style-type: none"> <li>• What is the overall impact of the programme in terms of direct or indirect, negative and positive results? What have been the gaps?</li> </ul>

		<ul style="list-style-type: none"> <li>• Have ILAC and its members contributed to place rule of law at the forefront of international policy dialogues on Rule of Law in Syria? In what ways? What more needs to be done?</li> <li>• What is the impact of the support to ‘duty bearers’<sup>2</sup> – justice actors inside and outside of Syria?<sup>3</sup></li> <li>• What is the impact at the community level in north-west Syria, where de facto authorities have provided legal services?</li> </ul>
5.	<b>Sustainability</b>	<ul style="list-style-type: none"> <li>• Is it likely that the benefits of the Programme are sustainable?</li> <li>• What is the probability of programme continuity at the level of Syrian justice actors inside and outside of the country?</li> <li>• How well are their institutions capacitated to sustain their approach and work beyond the Programme?</li> <li>• What is the probability of the project results sustaining over a period of time?</li> </ul>
6.	<b>Partnership</b>	<ul style="list-style-type: none"> <li>• How well has the partnership between the ILAC secretariat and its implementing member organisations worked in obtaining the results in the Programme?</li> <li>• How well have the partnerships between ILAC’s member organisations and third-party actors/organisations worked in obtaining results in the Programme? Is the partnership likely to continue beyond the Programme period?</li> <li>• What learning can be drawn from the partnerships made in the Programme?</li> </ul>

### ***Additional questions for Evaluators***

#### **External:**

- Has the programme been designed and implemented in a conflict sensitive manner?
- Has the Programme been implemented in accordance with a rights-based perspective: i.e. Have target groups been participating in programme planning, implementation and follow up? Has anyone been discriminated by the programme through its implementation? Has the programme been implemented in a transparent fashion? Are there accountability mechanisms in the programme?
- Has the Programme had any positive or negative effects on gender equality? Could gender mainstreaming have been improved in planning, implementation or follow up?

#### **Internal:**

- How well has the Programme been integrated into ILAC’s and its member organisations’ operational frameworks and implementation modalities?
- How well is the Programme contributing to the overall delivery of result by ILAC as an international legal consortium?
- How well has the Programme capitalised on the legal expertise of the member organisations of ILAC in the programme design, development and implementation?

The evaluation will use methods and techniques as determined by the specific needs of information, the availability of resources and the priorities of the Programme stakeholders. The consultant is expected to identify and utilise a wide range of information sources for data

<sup>2</sup> In the broadest meaning of the term, considering the changing context, political developments and territorial control of non-government coalitions or the government at any one time.

<sup>3</sup> Access might be difficult. To be discussed in more depth between ILAC and Sida.

collection, including: (i) desk review of programme/project documents, filed information, institutional information systems, financial records, monitoring reports and needs assessments; (ii) interviews with key informants, including beneficiaries, staff of the ILAC secretariat and staff of ILAC's implementing member organisations, Sida, Swedish MFA, legal experts, and community groups in Syria and neighbouring countries.

The evaluator is also expected to analyse all relevant information sources and use interviews and, if relevant, focus group discussions, as means to collect relevant data for the evaluation, using a mixed-method approach that can capture qualitative and quantitative dimensions. The methodology and techniques (such as a case study, sample survey, etc.) may be used in the evaluation. This should be described in detail in the inception report and in the final evaluation report and should be linked to each of the evaluation questions listed above.

If applicable, the evaluator may undertake missions to collect information and data with regards to the Programme. The methods used should ensure the involvement of the main stakeholders of the Programme. Beneficiaries should be involved in meetings, focus group discussions and consultations where they would take active part in providing in-depth information about how the Programme was implemented, what has been changed in their status and how the Programme helped bring changes to their functions. The evaluator will develop specific questionnaires pertinent to a specific group of stakeholders and their needs and capacities.

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## **7. Existing Information Sources**

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- Programme documents and project notes
- Progress reports and annual reports
- Reports from training and workshops and other events, including mission reports
- Consultations reports
- Financial reports
- Needs assessments and studies
- Programme documentation
- External communication

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## **8. Methodology**

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The Evaluation is intended to be a systematic learning exercise for ILAC, its member organisations, programme partners and programme staff in ILAC. The exercise is therefore structured to generate and share experiences and practical knowledge gained from the implementation of the Programme activities. To achieve this, the evaluation will take place in a consultative and participatory manner. It is important to emphasise that the final evaluation is not conducted for the purpose of measuring individual or institutional performance but for validating the Programme design, and its effectiveness towards achieving the results as set forth in the Programme Document. Based on the consultation agreed with the Programme stakeholders, the Evaluator will perform the following responsibilities under this assignment:

- An initial meeting between the Consultant and ILAC shall be organised to get a briefing on the Programme, determine the scope and methods and develop a feasible work plan.
- The Evaluator will conduct a desk review of relevant documents to feed into the Inception Report with detailed scope of work and methodology including sampling and data analysis framework with tools. The Inception Report should detail the evaluator's understanding of what is being evaluated and why, contextualise the framework of

evaluation questions listed above, showing how each evaluation question will be answered by way of: proposed methods, proposed sources of data, and data collection procedures. The Inception Report should also include a proposed schedule of tasks, activities and deliverables.

- The Evaluator will suggest and use methods and techniques as determined by the specific needs of information, the availability of resources and the priorities of stakeholders. The Evaluator is expected to identify and utilise a wide range of existing information sources for data collection (See full list above) and will conduct interviews with key informants.
- The Evaluator may use a mixed-method approach that can capture qualitative and quantitative dimensions. The methodology and techniques to be used in the evaluation should be described in detail in the Inception Report and in the final evaluation report and should be linked to each of the evaluation questions (See above).
- The methods used should ensure the involvement of the main stakeholders of the Programme where they would take part actively in providing in-depth information about how the Programme was implemented, what has been changed in their status and how the Programme helped them in their functions. The evaluator will develop specific questionnaires pertinent to specific group of stakeholders of the Programme.
- The Evaluator will collect Case Studies to reflect best practices from the Programme.
- A Reference Group will be set up and be led by ILAC, with the objectives of steering and quality assuring the evaluation process. The Inception Report including the Methodology and Tools will be finalized in consultation with the Reference Group. Based on the finding from the quantitative and qualitative tools, the Evaluator will use the data to validate and triangulate the information to review the impact of the Programme against the Evaluation Framework mentioned above.
- The Evaluator will share the Draft Report and make a presentation on the key findings to the Reference Group.
- Based on the feedback from the Reference Group, the Evaluator will finalise the draft.

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## **9. Management of the Evaluation**

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The Evaluator will be contracted by ILAC, and the evaluation will be managed by a staff member(s) of the ILAC Programme Department. ILAC will select the evaluator(s) through applying a fair, transparent, and competitive process, and will be responsible for ensuring that the evaluation process is conducted as stipulated, promoting and leading the evaluation design, coordinating and monitoring progress. ILAC's Programme Department will head chair meetings with the Reference Group.

The evaluation consultants will be responsible for the implementation of all methodological tools such as surveys and questionnaires.

A Reference Group with selected members of the ILAC secretariat its members will be created to ensure an efficient, participatory and accountable evaluation process and facilitate the participation of stakeholders enhancing the use of the evaluation findings.



The role of the Reference Group will extend to all phases of the evaluation, including:

- Identifying information needs, customising objectives and evaluation questions and delimiting the scope of the evaluation (ToR), based on a review of the Inception Report.
- Facilitating the participation of those involved in the evaluation design.
- Providing input and guidance on the evaluation planning documents.
- Facilitating the consultant's access to all information and documentation relevant to the intervention, as well as to key actors and informants who should participate in interviews or other information-gathering methods.
- Monitoring the quality of the process and the documents and reports that are generated, so as to enrich these with their input and ensure that they address their interests and needs for information about the interventions.
- Receiving key evaluation deliverables such as the Inception Report and Draft Final Report Providing input on these evaluation deliverables as needed
- Developing and implementing a management response according to the evaluation's recommendations.
- Disseminating the results of the evaluation, especially among the organizations and entities within their interest group.

Throughout the evaluation process and upon submission of key deliverables, the ILAC evaluation management will inform Sida and allow the appropriate focal point to provide inputs and comments.

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## 10. Evaluation Deliverables

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The Evaluation Consultant(s) will be expected to commit to a period of twelve weeks, from 20<sup>th</sup> January 2020 until 10<sup>th</sup> April 2020, followed by report follow-up & finalisation. The consultant is responsible for submitting the following deliverables:

Deliverable	Description	Date Due	Payment schedule
<b>Inception Report</b>	<p>The report will be completed after initial desk review of Programme documents. The report will include:</p> <ul style="list-style-type: none"> <li>• Introduction</li> <li>• Background to the evaluation: objectives and overall approach</li> <li>• Identification of evaluation scope</li> <li>• Main substantive and financial achievements of the Programme</li> <li>• Description of evaluation methodology/methodological approach, data collection tools, data analysis methods, key informants, an evaluation questions matrix, work plan and deliverables</li> <li>• Criteria to define the mission agenda, if applicable</li> </ul> <p>The report, should be approx. 10 pages, will be used as an initial point of agreement and understanding between the consultant and ILAC.</p>	31 <sup>st</sup> January 2020 (10 working days)	20%

Consultations with key actors and programme stakeholders	The Consultants would need to speak to key stakeholders involved in the Programme from ILAC and its members (involved in programme design, trainings, coordination and support)	January – February 2020	N/A
Evaluation missions	If deemed critical, the Consultant would need to undertake visits to programme locations. The visits should cover interactions with beneficiaries and local key stakeholders, team members of ILAC and its members based in the field.	February – March 2020	N/A
PowerPoint presentation of preliminary findings	It will be presented after evaluation missions and consultations with stakeholders and actors are completed.	20 <sup>th</sup> March 2020	30%
<b>Final Evaluation Report</b>	<p>The final evaluation report will include the following:</p> <ul style="list-style-type: none"> <li>• Cover Page</li> <li>• Executive summary</li> <li>• Programme description</li> <li>• Evaluation purpose and intended audience</li> <li>• Evaluation methodology (including constraints and limitations on the assessment conducted)</li> <li>• Evaluation criteria and questions</li> <li>• Findings and analysis</li> <li>• Conclusions</li> <li>• Recommendations (prioritised, structured and clear)</li> <li>• Lessons Learnt</li> <li>• Annexes, including interview list (without identifying names for the sake of confidentiality/anonymity) data collection instruments, key documents consulted, ToR, Reference Group members, etc.</li> </ul> <p>The report will be approx. 30 – 35 pages. The executive summary will include a brief description of the programme, its context and current situation, the purpose of the evaluation, its intended audience, its methodology and its main findings, conclusions and recommendations. The executive summary should be a product in itself and will be translated into Arabic to ensure access by all stakeholders if needed. A draft final report will be shared with the evaluation Reference Group for final validation. The final report will be approved by Sida.</p>	<p>Initial draft 10<sup>th</sup> April 2020</p> <p>Final and approved reports by 24<sup>th</sup> April 2020</p>	50% paid after final approval by Sida

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## 11. Evaluation quality and standard

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The evaluation should follow the OECD/DAC's *Quality Standards for Development Evaluation*,<sup>4</sup> and the consultant should use the *OECD/DAC Glossary of Key Terms in Evaluation*.<sup>5</sup>

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## 12. Required qualifications

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The evaluators must be independent from the evaluation object and evaluated activities and have no stake in the outcome of the evaluation. Required qualifications include the following:

- A minimum of 10 years relevant experience undertaking evaluations is required; this must include expertise in undertaking evaluations of rule of law and human rights-based programmes.
- Sound experience and knowledge of justice sector is necessary, preferably in the Middle East and Syria.
- Substantive experience in evaluating similar development projects related to rule of law in conflict, transitional justice processes and post-conflict settings is required.
- Language Requirements: Excellent English writing and communication skills are required. The consultant(s) need to be able to write strategic and concise reports, based on evidence and data.
- A staff complement with master's or higher-level degree in International Development, Law, Political Science or similar fields.

Individual consultants or teams made up of consultant(s) are required to submit a proposal (max 5 pages), which must include the following items:

- Summary of consultant experience and background.
- List of the most relevant previous consulting projects completed, including a description of the projects and contact details for references.
- Brief summary of the proposed methodology for the evaluation, including the involvement of the Reference Group and other stakeholders during each step.
- Proposed process for disseminating the results of the evaluation.
- Team structure, roles and responsibilities and time allocation if applicable.

The following items should be included as attachments (not included in the page limit):

- Detailed work plan.
- CV for consultant, and other team members if applicable.
- At least three sample reports from previous consulting projects (all samples will be kept confidential) or links to website where reports can be retrieved (highly recommended).
- Detailed budget. The budget must include all costs related to the following items:
  - The consultant's time, and the time of any other team members.
  - The daily rate or hourly rate for the consultant and all team members should be clearly specified.
  - Communication costs, office costs, supplies and other materials.

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<sup>4</sup> Available here: <https://www.oecd.org/dac/evaluation/qualitystandards.pdf>

<sup>5</sup> Available here: <https://www.oecd.org/dac/evaluation/2754804.pdf>

ILAC as the commissioner of this evaluation has budgeted for the following:

- Reading of relevant documents such as a project proposal and progress reports.
- Practical arrangements such as booking tickets, hotels, interviews and workshops and travel time to the country, and on field trips in the country.
- Conducting research (such as interviews, observations and surveys).
- Writing of reports and re-writing based on comments from intended users.
- Dissemination activities such as seminars, workshops and evaluation briefs.

The overall budget for the evaluation should not exceed SEK 275 000 (including Valued Added Tax). Note that travel costs will be reimbursed by ILAC to the consultant, in accordance with ILAC's Travel Policy.

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### **13. Submission of Application**

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Interested candidates are invited to submit their applications electronically, together with proposal and relevant annexes and supporting documents to the following address:

- **Patrick Hartwig**  
*Programme Officer*  
ILAC, Stockholm, Sweden  
[patrick.hartwig@ilac.se](mailto:patrick.hartwig@ilac.se)

**The deadline for submitting applications is 8<sup>th</sup> January 2020.**