

B. Terms of Reference

UNICEF Evaluation of the Child Rights Monitoring System in Montenegro

Companies applying for this assignment should have a team of experts consisting of:

1. Team Leader - international,
2. International team member – Child Rights Expert, or
3. National team member – evaluation assistant.

Companies applying for this assignment are encouraged to identify a national consultant who will form part of the team. However, if that is not possible, UNICEF Country Office in Montenegro will conduct a separate recruitment process to identify a high quality national consultant.

Terms of Reference for the position and P11/ Supplier Profile Form can be found on the website www.unicef.org/montenegro or picked up at UNICEF Montenegro office.

Request for proposal for services no. LRPS-2016-9129301 Annex I - Terms of Reference for the position and the Supplier Profile Form can be found on the website www.unicef.org/montenegro.

Please apply with:

1. REQUEST FOR PROPOSAL FOR SERVICES FORM (page 3 of LRPS- 2016-9129301)
2. Supplier Profile Form
3. Technical Proposal
 - a) Agency Profile
 - b) CV of key experts
 - c) Narrative proposal (addressing all aspects and criteria outlines in the ToR)
4. Price proposal (financial offer consisting of fee for the services to be provided, travel and subsistence costs)

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Closing date for applications is 26 December 2016.

Only short listed candidates will be contacted for interview.

TERMS OF REFERENCE

UNICEF Evaluation of the Child Rights Monitoring System in Montenegro

1. BACKGROUND AND CONTEXT OF THE EVALUATION

Montenegro has an upper-middle-income economy and is a candidate for accession to the European Union (EU), having opened formal accession negotiations in 2012. This process is a national priority and a major driver of reforms for human and children's rights.

The past two decades in Montenegro are characterized by political stability, social and political reform and a transition from steady to uneven economic growth. After a period of booming economic development, the lingering effects of the global financial crisis starkly affected the economic performance of the country. In 2013, the economic growth was positive reaching 3.3% of real GDP growth, while in 2014 it was merely 1.8% and in 2015 3.2% of the real GDP. Modest economic growth resulted in poverty decline from 8.6% in 2013 to 7.5% in 2014. Regional poverty disparities remain with nearly half of the poor (47%) living in the central region, 31% in the northern and 22% in the southern region.¹ Every tenth child in Montenegro is poor and most affected are the youngest, up to 5 years, children living in single parent or in large families, and those that live in the north of the country and in rural areas.² In 2015, unemployment rate remained high (18%), particularly affecting young people age 15-24 years (38%).³

As a functional multi-ethnic, politically stable country, with a national agenda that gives due weight to children's rights, Montenegro is in a good position to facilitate equitable outcomes for all children. Much of the country's legislative framework is now aligned with international human rights instruments. Further efforts are required to translate these reforms into working, implemented instruments to benefit equally all children, particularly those affected by poverty, adversity⁴ and exclusion. Montenegro has made impressive development gains over the past ten years and managed to achieve most of its Millennium Development Goals targets by 2015, except in relation to poverty reduction, gender equality and environmental sustainability. However, not all children have benefitted equally and although the government has committed to honour most international human rights treaties, there are still significant regional and urban/rural inequalities to be addressed, as well as divergences between socioeconomic quintiles, and deprivations based on discrimination.

The family is a core unit of Montenegrin society, perceived as being primarily responsible for ensuring a protective environment and for upbringing and socialization of children. However, children are not widely recognized as rights holders. Traditional family roles help to guarantee the stability of the Montenegrin

¹ Statistical Office of Montenegro (MONSTAT), 2015

² UNICEF, 2012, Child Poverty in Montenegro

³ Statistical Office of Montenegro (MONSTAT), 2016

⁴ The term 'adversity' relates to the concept of adverse childhood experiences – such as abuse, neglect, domestic violence and parental separation, substance use, mental illness or incarceration.

family; however, those very roles in some instances perpetuate gender inequality, and sometimes violence, affecting children and their families.⁵

Family poverty is probably the largest factor contributing to inequity and child vulnerability in Montenegro and UNICEF's own research indicates that **at least 10% of children are living below the poverty line**. The current welfare system is inadequate to meet the needs of families in poverty. Poor coverage and targeting, combined with low rates of benefit, means only 26% of households with children living below the poverty line receive welfare and other benefits and 55% of poor families with children found that their monthly income was not sufficient for all their monthly needs⁶. While there have been significant reform efforts directed towards improving the administration of cash transfer schemes and expanding the non-cash transfer services available to families, there appears to have been very little focus on the adequacy of benefits to ensure the child's rights to survival, health and development or to developing a social protection system that strengthens resilience, promotes equity and accelerates human and economic development⁷.

Child poverty disproportionately affects children living in rural areas and children in the north. Namely, three quarters of poor children live in rural areas and over a half of poor children live in the north. The poorest children are the least connected, most distant from health services and least likely to benefit from education.⁸ From the poorest quintile, 7 per cent of children attend early childhood education (ECE) and 82 per cent attend secondary school, compared to 66 per cent and 98 per cent, respectively, from the wealthiest quintile.⁹ Preschool enrolment in Montenegro is rather low and currently at the national level of about 50%¹⁰ for children 3 – 6 years of age. Regional and wealth related discrepancies are huge and range from 94% in Budva (in the south of the country) to as low as 10% in Rožaje (one of the poorest municipalities in the North of Montenegro). The new Strategy for Early and Preschool Education (2016 – 2020) aims at increasing the coverage of children by preschool education in line with international standards, to enhance the quality and equity of the system and to increase investment in early childhood education.

Roma children are the most vulnerable and excluded population of children in Montenegro and the gap between them and the non-Roma population is significant. 2013 Montenegro MICS shows that 19% of Roma and Egyptian (R&E) children aged 36-59 months attend preschool education (16% boys and 21% girls), in comparison to 40% of children from the general population (39% boys and 42% girls). Also, while overall school attendance in Montenegro is at 98% and 93% for primary and upper secondary school (no difference between boys and girls), with the Roma and Egyptian community it is 58% (59% boys, 56% girls) and 6% (7% boys and 4% girls) respectively. The most alarming data points to a high drop-out rate among Roma and Egyptian children with less than a third of children of primary completion age actually completing the last grade of compulsory education (30% Roma boys and 29% Roma girls). The determinant analysis conducted in the Study on Obstacles to Roma Education (UNICEF, 2013) shows that the causes for such situation lie in a number of interrelated problems, such as social norms (stigma and discrimination), inadequate implementation of existing legislation and policies in the area of education, lack of infrastructure and qualified teaching staff, poverty of R&E families, unemployment, poor housing, distance from schools and preschool institutions, language barriers, cultural practices (early marriages – 18.2% of Roma girls enter into marriage before age 15), lack of birth registration, etc. There is a general consensus that improving access to

⁵ Government of Montenegro and UNICEF, 2014 Midterm Review (MTR) of the Country Programme of Cooperation 2012–2016.

⁶ Ibid.

⁷ Ibid.

⁸ UNICEF, Child Poverty in Montenegro, 2012.

⁹ MONSTAT and UNICEF, 2013 MICS, 2014.

¹⁰ Study on Investing in Early Childhood Education in Montenegro, 2014

education and providing quality pedagogical service are the most effective strategies for breaking the cycle of poverty and exclusion for R&E.

Support to inclusion of children with disability has improved dramatically through relevant programmatic reforms and the public advocacy campaign “It’s about Ability”, which was carried out in the previous 5 year period. The opposition to disability inclusion amongst citizens who find it unacceptable that a child with disability goes to the same class with their child dropped from 69% in 2010 to 20% in 2013. The percentage of citizens who find it acceptable for a child with disability to attend the same class with theirs increased from 35 per cent in 2010 to 78 per cent in January 2015. Similarly, the percentage of Montenegrin citizens who find it acceptable for a child with disability to be the best friend of their child increased from 22 per cent in 2010 before the campaign, to 60 per cent in January 2015. The number of children with disabilities attending mainstream education today is almost five times as much as the number in 2009.

During the same period there has been an increase from 2 to 10 in the number of municipalities with Day Care Centres for children with disability-with more on the way. However, initial assessment after delivery, data systems and lingering stigma, particularly in rural areas, drives persistent disability exclusion, particularly for families additionally affected by poverty.

However, there is undoubtedly a significant number of children with disabilities outside the formal school system and care and it is most likely that they are being cared for at home. Stigma, gender stereotyping, and traditional mistrust of outside agencies, undoubtedly contribute to this situation but the determining factor is also the absence of appropriate local services. In addition to this, the quality of the pedagogical service provided to children with disabilities in mainstream education needs to be improved in order to ensure that they learn and progress to their full potential. It is essential that the basic data about children with disability, and their families’ situation, is established so that appropriate services can be developed in line with the government’s commitments associated with their ratification of the United Nations Convention on the Rights of Persons with Disabilities (CPRD).

Children living in large-scale institutions are one of the most vulnerable groups of children in the society. Global research and evidence in various scientific fields shows that growing up deprived of a caring family environment has strikingly negative and damaging impacts on a child’s physical, emotional and social development. Children that grow up in large-scale residential institutions are more likely to suffer from equity issues throughout the entire lifecycle, particularly those who enter state care under the age of three. To counter detrimental impacts of institutionalisation and ensure that every child grows up in a family environment, UNICEF promotes family-based alternatives (such as fostering) and community-based services (such as day care centres for children with disabilities) to large-scale institutional care.

Montenegro has achieved important results in aligning policy and legal framework with respective international instruments by enforcing specialized legislation in Juvenile Justice (2012), adopting the new Law on Social and Child Protection (2013), adopting the National Strategy on the Development of Fostering in Montenegro (2012-2016), amending Family Law (2016), adopting the new National Strategy on Protection from Family Violence (2016-2020), Strategy for Early and Preschool Education (2016 – 2020), Strategy for Inclusive Education (2014 – 2018), Strategy for the reform of Judiciary (2014-2018) and initiating the process of developing the Strategy on Prevention of Violence Against Children (2017-2021).

Being one of the pivotal principles of UN Convention on Child Rights (CRC) and respective European regulations, consideration of the best interest of the child and respect for the right of children to freely express their opinions are fully embedded in the newly adopted policy and legal framework in Montenegro.

By implementing the Justice for Children Reform, Montenegro made considerable and sustained progress in the alignment of its legislation and practice in the area of juvenile justice and mainstream criminal

proceedings with relevant UN and EU instruments. One of the major achievements of the reform process is the adoption of a specialized legislation, Act on the Treatment of Juveniles in Criminal Proceedings, in 2011 that increased understanding, knowledge and capacities of juvenile justice professionals on international standards in work with children in conflict with the law, but also children victims and witnesses of crime.

However, the child in Montenegro is still largely not recognized as a rights holder. Traditional family roles, which do not give due weight to the voice and opinion of the child in family and societal life, are still prevalent. The right of the child to participate, express opinion and to be heard in all matters that affects him/her (judicial, administrative, etc.), are largely not valued and not given due importance by the professional community. The findings of the UNICEF Multi-country Evaluation finds that children and families know little about their rights and where to seek redress; children's access to justice is highly dependent on adults' (age limitations, financial aspects, etc.); and access to justice is negatively affected by social and cultural beliefs (e.g. violence as a 'fact of life' and purely family issue).¹¹ This is another example where legal reform is insufficient, as for it to be fully implemented social norms need to be changed.

Through the Law on Amendments to the Family Law (2016), Montenegro's legislator provided the child with full standing capacity in all proceedings affecting the child. It introduced the institute of Support Person to the child, provided better guarantees for children's voices to be heard and opinions considered throughout the entire court proceeding, introduced provisions to facilitate Child Rights (CR) professionals in the process of the best interest determination, and generally provided better substantial and procedural guarantees for the rights of the child to be adequately addressed and protected throughout the entire court proceeding and more opportunities for addressing child rights violations. The Law on Amendments to the Family Law explicitly prohibits all forms of violence against children, including corporal punishment, in all settings (Art. 9a) More efforts will need be invested to support effective implementation of the new legislation and broader access to justice agenda, which proved to be aligned with Government's priorities within the EU accession process.

In parallel with justice sector reform, the Parliament, Ombudsperson's Office and civil society organisations (CSOs) are seen as crucial partners that could improve accountability of duty bearers in the child rights monitoring system.

The capacities of Ombudsperson's Office have been gradually strengthened and efforts invested in increasing the influence and importance of the Child Rights Council as a main high level coordination body which informs child rights policy and strategic thinking in the country. However, the infrastructure for child rights monitoring needs to be further strengthened, particularly through the more intensive work with Council on Child Rights, the Parliament, Ombudsperson's Office, civil society and academia.

Civil society in the area of child rights is rather weak in Montenegro and additional efforts are needed to increase their capacity to advocate, research and influence legislative, policy and practice development, provide cost-effective and innovative services, and watch over quality and equity.

This needs to go hand in hand with further development of consolidated systems for comprehensive collection and analysis of data that should inform policy and developmental thinking. Both government and civil society may need assistance to develop their capacity to produce and use child-focused analyses that push forward a child-rights agenda within wider national development discourse, and that can facilitate and enable programme and service planning.

¹¹ Study on Children's Equitable Access to Justice, (conducted in four countries of CEE/CIS region, including Montenegro), UNICEF Office for CEE/CIS, May 2015.

2. OBJECT OF THE EVALUATION

The object of the evaluation is the functioning of the Child Rights Monitoring (CRM) System in Montenegro, which has been gradually developing over the past ten years, with the support of UNICEF and other partners. For the purpose of this evaluation, the Child Rights Monitoring System in Montenegro is consisted of the Government of Montenegro, particularly these line ministries: Ministry of Human and Minority Rights (MoHMR), Ministry of Health, Ministry of Labour and Social Welfare, Ministry of Interior, Ministry of Justice, Ministry of Finance; the Council on Child Rights; the Parliament (Parliamentary Committee on Human Rights and Freedoms, Parliamentary Committee on Health, Labour and Social Welfare, and Parliamentary Committee on Education, Science, Arts and Sports); Ombudsperson's Office; local self-government, civil society and academia. The child rights monitoring mechanisms that are the object of the evaluation are the following: State party reports to the CRC and Convention on elimination of discrimination against women (CEDAW) Committee, CSOs shadow reports to the CRC and CEDAW Committee, Ombudsperson office's shadow reports to the CRC and CEDAW Committee, Annual report of the MoHMR, reports of the Council on child rights, Annual reports on the implementation of the National plan of action for children 2013-2017, the reports of the relevant Parliamentary committees (regular sessions and public hearings), Ombudsperson's Annual reports, national Universal periodical review (UPR) reports, and individual complaints for violation of child rights submitted to Ombudsperson's Office. The evaluation should also look at the processes, operating procedures and the functioning of these CRM mechanisms. **More specifically, this programme-informing evaluation should cover the period 2014-2016 and produce knowledge, insights and recommendations to inform future UNICEF support, in the context of the recently approved Country Programme Document covering the period 2017-2021.** The geographical scope of this evaluation is national. Funding allocated for these programme interventions in the period under evaluation amounts to \$1,774,676.18.

Ideally, child rights monitoring system should be able to foster an environment in which both state and non-state actors are able to 1) generate and collect quality data, 2) analyse and utilize the data for policy development and monitor trends in child rights, 3) promote and enhance accountability by institutions of Montenegro for the realization of child rights through the evidence generated, 4) promote and increase high level inter-sectorial cooperation for better child right outcomes, 5) support national human rights institutions (relevant ministries, parliamentary committees and Ombudsperson's Office) and CSOs in effective promotion and monitoring of child rights realization, and 6) support an environment in which children are recognized as rights holders.

Therefore, the logic model behind this evaluation can be summed up as follows:

By working towards improvements in the functioning of the system for child rights monitoring (supply), and raising awareness on the importance of realization of child rights (demand), the programme implemented by UNICEF will contribute to creating an enabling environment in which the quality of child rights monitoring is improved, a child is recognized as a rights holder, and children's rights are effectively fulfilled and protected.

UNICEF Country Office in Montenegro has supported and engaged with a number of institutions over the past programme cycle to strengthen child rights monitoring mechanisms. UNICEF has provided support to Montenegro's institutions to establish mechanisms for monitoring child rights as follows:

- Council for Child Rights - UNICEF Country Office in Montenegro provided technical assistance to the Government in drafting the National Action Plan for children (2013-2017) and supported participation by children and CSOs, as well as wide national public consultations. The aim of this initiative was to establish a functional national structure for the implementation of CRC recommendations and other children related policy priorities. However, a mechanism to ensure strategic streamlining of child rights-related policy, planning, monitoring and implementation still does not exist at country level;
- Child Rights monitoring through Ombudsperson's office – Collaboration with the Ombudsperson addressed two main priorities: increasing accessibility of Ombudsperson's office for children and

strengthening the oversight function of the Ombudsperson. The interventions included: support to the Ombudsperson to investigate violations of child rights; building the demand side through “Children write to the Ombudsperson” campaign; support in conducting the Analyses on respect of the rights of the child in civil and administrative proceedings;

- Social Welfare Information System (SWIS) - UNICEF Country Office in Montenegro advocated that nationally-established child protection data (statistics and indicators) is fully integrated into SWIS. This requires further monitoring;
- Judicial Information System - From 2012- 2014 UNICEF has continuously provided technical support to the Judicial Council, Office of the State Prosecutor and Police for development and application of a set of gender-based and gender-disaggregated indicators in Juvenile Justice, developed on the basis of UNODC/UNICEF criteria. In 2014 the indicators and methodology for data collection and analysis were integrated into the existing Judicial Information System and contributed to the country’s efforts to further advance policy and practice in the area of juvenile justice using a gender-based approach;
- Focal Points in the Statistical Office of Montenegro (MONSTAT) - A strategic partnership was built with the MONSTAT through implementation of the 2013 Montenegro Multiple Indicators Cluster Survey (MICS); capacities at this lead national statistics institution were strengthened through the process. From 2001 onwards, UNICEF has been supporting comprehensive reforms in the area of health, education, child and social protection and justice sectors in order to bring them in compliance with relevant international standards and best model practices on child rights. Important results have been achieved so far.

More specifically, UNICEF Montenegro supported numerous initiatives in the area of justice sector reform which are aligned with Access to Justice Agenda for Children, meaning comprehensive juvenile justice system reform, amendments to the Family Law of Montenegro, capacity building of justice and social welfare’s sector professionals, etc.

The role of UNICEF was acting as a knowledge broker, raising awareness and building capacity in relation to improved accountability for child rights realization, better data collection, and improved quality of data and enhanced use of data for policy making and service design and delivery.

UNICEF has supported up to date the following related initiatives:

- Comparative analysis of work of high-level inter-ministerial bodies in other countries to support functioning of the Council on Child Rights;
- Analysis of compliance of national legislation with the Convention on the Rights of the Child that was translated in the Handbook for Parliamentarians on Child Rights;
- Awareness raising, policy advocacy and programme interventions to help ensure the education system is inclusive and provides quality pedagogical service to all children, particularly those affected by adversity, poverty and exclusion;
- Awareness raising, policy advocacy and programme interventions to strengthen the capacity of child protection system to provide immediate and efficient response to child rights violations, and bring the system closer to respective international standards capable to provide immediate and efficient prevention and social work interventions;
- Evidence generation that helped develop evidence based policies, such as the Strategy for Early and Preschool Education (2016 – 2020);
- Assessment of the quality of the hospital care for mothers and new-borns in Montenegro (2012 and 2016);
- Other.

Thus, UNICEF supports strengthening of the Montenegro's institutional capacity in collecting, organizing and reporting on data relevant to child rights monitoring. UNICEF also offers technical assistance to surveys and assessments. The support is offered to enhance availability of credible data and improve of the quality of analysis of these data. Furthermore, the support assists decision makers in increasing their demand for and use of these data, and to accountability frameworks being in place, which then may lead to an increased capacity of the Montenegro's Institutions and other stakeholders to identify and define responses to issues regarding child rights, gender equality and social exclusion.

The below listed stakeholders will be an important source of information for the evaluation team.

Stakeholder	Role in CRM
General / governance	
Office of the Prime Minister	Leading different CR related initiatives, creating and approving Government policy in the area of CR, leading awareness raising campaigns on child rights promotion and protection and dealing with the most challenging CR related issues to be systematically addressed.
Ministry of Foreign Affairs and European Integrations	The Ministry leads and coordinates the national Universal Periodical Review (UPR) reporting process.
Ministry for Human and Minority Rights	Mainly dealing with the issues related to anti-discrimination and protection of minority groups (R&E, people with disabilities, LGBT, etc.)
Parliamentary Committee on Human Rights and Freedoms	Parliamentary Committee overseeing overall human rights implementation in the country, incorporation of human rights into legislation and policies, including child rights related international standards. Deliberates on legislative proposals, involved in harmonizing the national legislation with relevant EU and international standards.
Parliamentary Committee on Health, Labour and Social Welfare	Committee on Health, Labour and Social Welfare considers proposals for laws, other regulations and general acts relating to the following: health care and health insurance; founding and organizing health institutions; labour relations; employment; safety at work; protection of disabled persons, mothers and children; pension and disabled insurance; social care and all forms of social welfare; marriage and family.
Parliamentary Committee on Education, Science, Arts and Sports	Committee on Education, Science, Arts and Sports considers proposals for laws and other regulations related to reforms in relevant areas. It oversees the implementation of policies, strategies and interventions in areas of education and science.
Child Rights Council	Coordinating State policy in relation to child rights; overseeing reporting on CR to international committees and bodies; coordinating inter-sectorial initiatives in the domain of CR; coordinating implementation of policy, strategy and legislation pertaining to CR. Governance of the children's rights situation. Monitoring of the implementation of provisions from the CRC.
Inter- sectoral working group for	Cooperation between governmental bodies and non-

monitoring of the Implementation of the national Strategy on Protection from Family Violence	governmental sector in implementation and monitoring of the implementation of the national Strategy on Protection from Family Violence
National Council for People with Disabilities	Monitoring implementation of the UN Convention on the Rights of People with Disabilities
Ombudsperson's Office	Deputy Ombudsperson for CR and two independent advisors providing recommendations to institutions on human rights and child rights issues; has a role in protection and promotion of children's rights
NGO Association of youth with disabilities of Montenegro	Involved in shadow reporting on the implementation of the CRPD.
NGO Centre for Women's Rights	Involved in shadow reporting on the implementation of CEDAW.
NGO SOS Niksic	Commissioned by the Ministry of Labour and Social Welfare in Montenegro to serve as the national SOS phone line for victims of violence since 2015. They run a shelter for victims of violence.
NGO SOS Podgorica	Run a local SOS line for victims of violence, predominantly women.
NGO Centre for Roma Initiatives	The first NGO established for enhancing social, economic and educational status of Roma and Egyptians in Montenegro
NGO Human Rights Action	Empowers civil society to better monitor the realization of children's rights, to promote inclusive and innovative services, increase public support for the protection of children from violence and social inclusion of children with disabilities and contribute to the overall response.
NGO Montenegrin Women's Lobby	Empowers civil society to better monitor the realization of women's children's rights, specifically protection from violence.
NGO Juventas	Focuses on enhancing social cohesion through promotion of youth participation, advocacy and influencing public policies, innovative and sustainable services for vulnerable groups and empowering all actors to better monitor the realization of children's and human rights.
NGO Roditelji	Parents' association, focusing on protection and realization of the rights of children and parents in Montenegro.
NGO Nasa Inicijativa	Association of parents of children and youth with disabilities, works towards the protection of rights of children with disabilities, formal and non-formal education, as well as enhancing their social protection, health care and employability.
NGO Nardos	Advocates a holistic model of disability. The Association advocates the position that children and young people with disabilities should be given equal chance to grow up as other children, so that when they grow up, they can be equally included in social, political, economic and other spheres of

	life.
Montenegro's National Statistical Office	Agency officially responsible for collecting, collating and analysing data from all sectors. Creates evidence based resources for decision making and policy formulation by the Montenegro's institutions.
University of Montenegro and relevant faculties	The leading university in the country with wide range of faculty programmes. Several faculty programmes cover human rights in their curriculum.
Access to Justice	
Ministry of Justice	Coordinating the state policy in the area of justice, development of legislation and policies and its harmonization with international instruments and standards, coordinating the processes of fulfilling the state obligations in relation to the Chapters 23 and 24 of the <i>Acquis communautaire</i> , monitoring of the implementation of the national Strategy on Judiciary Reform, in charge for overall Access to Justice Agenda in the country
Judicial Training Centre	Independent institution responsible for continuous education of judges and prosecutors on their role in newly adopted legislation, international standards and practices.
Judicial Council	Monitors implementation of the Judicial Information System (PRIS) which consists 20 indicators on juvenile justice and children, victims and witnesses of crime
Ministry of Interior	Responsibility in Juvenile Justice, implementation of the Law on Protection from Family Violence, issues pertaining to refugee and migrant children
Social Welfare	
Ministry of Labour and Social Welfare (MLSW)	Coordinating the work of the Child Rights Council, national policy in the area of social welfare and child care, including implementation of the Law on Social and Child Protection. Monitoring of social protection policies (including child benefits) and strategies and universal access to social protection schemes including for children without parental care
Institute for Social and Child Protection	Main research and resource body feeding the evidence-based policy in the area of social welfare and child care and supporting capacity building of social work workforce
Centres for Social Work	Implementing agency of MLSW responsible for monitoring and offering of services and allowances related to child care and social protection
Health	
Ministry of Health (MoH)	Monitoring health related policies and strategies and universal access to health care
National Institute of Public Health	Collecting, collating and integrating data on use and quality of and universal access to health services
Health Institutes / hospitals	Collecting data and providing to MoH on use of and universal access to health care at primary, secondary and other levels

Education	
Ministry of Education	Development, implementation and monitoring of education strategies, policies and budgets; collection of data through the Montenegrin Education Information System (MEIS) on the number of children with special educational needs in the education system.
Bureau for Education	Central educational institution responsible for implementation of reforms, policies and interventions; in-service training of teachers; analysis and research in education; monitoring and quality assurance.
NGO Pedagogical Centre of Montenegro	Service provider – teacher training for preschool and primary education. Involved in programs aimed at improving the education of Roma children.
Finance	
Ministry of Finance	Budget allocation to education, health, juvenile justice and social welfare sector targeting children
NGO Institut Alternativa	Active in the area of public finance management, regularly produces think pieces and policy papers on various aspects of public finance management.
International agencies and donors	
UNHCR	Support to and monitoring of IDP, refugee and returnee families and their children
UNFPA	Data collection on reproductive health rights and child marriage
UNWOMEN	Supporting and monitoring of girls rights
UNDP	Supporting different initiatives in the area of sustainable development, rule of law, good governance and social inclusion
European Union	European Union to Montenegro is responsible for analysing and reporting on political, economic and trade developments, promoting reform progress, for implementing and managing an EU financial assistance portfolio and improving visibility and communication of the EU in Montenegro. EU Delegation monitors and support progress towards European integration by provision of substantial financial aid.
Gesellschaft für Internationale Zusammenarbeit (GIZ)	Supporting the government's economic and structural reform efforts to help the country gain EU membership.
World Bank	The overarching objective of the new Country Partnership Framework covering the period 2016–2020 is to support Montenegro on a path of more sustainable and inclusive growth. The World Bank Group's will selectively support Montenegro's development agenda, with a particular focus on creating employment and economic opportunities and restoring fiscal balance.

Council of Europe	The Council of Europe carries out monitoring by conducting country visits to member states and by requiring governments to report on the reform measures they have taken. The principal role of monitoring is to ensure that member states are complying in both law and practice with the Council of Europe's human rights standards and obligations. When member states have difficulty in meeting their obligations the monitoring bodies will offer advice and assistance on possible reforms.
Organisation for Security and Cooperation in Europe (OSCE)	Legislative reform and institution-building; the fight against corruption and organized crime; reform of the judiciary and police and the prison system; strengthening human and minority rights; security sector reform; building media professionalism and establishing independent public broadcasting and also the promotion of economic development and environmental protection.

3. RATIONALE

This programme-informing evaluation will:

- Serve to take stock of the current CRM system and functioning of its mechanisms and provide much needed insights, knowledge and data to inform future UNICEF Country Office in Montenegro programme, as per the recently adopted Country Programme Document (CPD) 2017-2021. Therefore, this programme-informing evaluation is being conducted at the very start of the new programme cycle
- assess the relevance, effectiveness, efficiency, sustainability and impact of UNICEF's support to date to Child Rights Monitoring System and its mechanisms in Montenegro;
- Provide learn lessons about factors affecting UNICEF's performance in the area of support to Child Rights Monitoring in Montenegro.

The evaluation findings should be evidence-based to the largest extent possible, since programme partners are supposed to use the findings on the basis of lessons learned to influence decision-making and formulation of programme interventions. The evidence and recommendations provided by the evaluation will be used for improving UNICEF's organizational accountability, policy and management decisions, and technical guidance.

The evaluation findings will be used primarily by UNICEF and its national partners:

- the Council for Child Rights – to understand the current barriers for the realization of child rights and influence the national policies so as to remove them;
- Ministry of Human and Minority Rights, Ministry of Labour and Social Welfare, Ministry of Justice, Ministry of Interior, Ministry of Education, and other line ministries – to gain insights into the steps which need to be taken to improve the realization and protection of children's rights, including through better collection and use of data. This is relevant since the Mid-Term Review (MTR) findings indicate that there are issues with availability of data, especially disaggregated, and a weak understanding of the type of data and analysis required to inform policy in all areas relevant for the realization of child's rights;
- Parliamentary Committees – to enhance the child rights' monitoring capacities of relevant parliamentary committees and to give more attention to child rights in their regular work;

- Ombudsperson’s Office – to further strengthen child rights monitoring and oversight function of the Office, including its advocacy role;
- CSOs - to further strengthen the competencies and child rights monitoring capacity of the civil sector organisations in order to be able to influence child related policies and programmes;
- Academia – to generate more interest in child rights of relevant faculty programmes, more research on child rights in the country and to lead scientifically-informed public debate on child rights in the country;
- UNICEF Country Office in Montenegro – to design programmatic interventions for the Child Rights Monitoring and Access to Justice programme component of the Country Programme Document 2017-2021.

4. OBJECTIVE

The overall objective of the evaluation is:

- to assess the situation pertaining to Child Rights Monitoring system and mechanisms in Montenegro and effectiveness of ongoing interventions/programmes/system response and provide recommendations/inputs which will inform/feed UNICEF programming in the area of Child Rights Monitoring for the period 2017-2021, within the framework proposed by the new Country Programme for Montenegro (2017-2021).

The Evaluation is expected to produce recommendations which will feed/operationalize/provide substance to already defined structure of the CPD “Child Rights Monitoring and Access to Justice”, that is as follows:

Outcomes UNICEF will contribute to	Key progress indicators, baselines and targets	Means of verification	Indicative country programme outputs	Major partners, partnership frameworks
Girls and boys progressively utilize well-governed and accountable child rights coordination and monitoring systems and have equitable access to justice, by 2021	<p>Degree of congruence among the Government, autonomous bodies and civil society organizations (CSOs) on the comprehensiveness and acceptability of Child Rights Monitoring (CRM) reports</p> <p><u>Baseline</u> (2016): Medium</p> <p><u>Target</u> (2021): Very high</p> <p>Proportion of complaints made by children or their representatives to</p>	<p>Government reports, Committee on the Rights of the Child Concluding Observations (“Concluding Observations”) to be issued for Montenegro, Reports on realization of measures from Action Plan for Negotiation Chapters 23 and 24,</p> <p>Reports and statistics of the Office of the Human Rights Protector of Montenegro, EU Progress Reports, Concluding</p>	<p>1) Major duty bearers, including independent National Human Rights Institutions (NHRI) and CSOs, have the requisite capacity and accountability mechanism for monitoring and reporting on child rights</p> <p>2) National sectoral information systems have access to and capacity for incorporating disaggregated data on issues pertaining to child rights in the country</p> <p>3) Children, adults and professionals in related sectors have an enhanced awareness and understanding of children as rights holders and of</p>	<p>Builds on the reforms in juvenile justice, while also aspiring to achieve a coordinated, responsive system of child rights monitoring. Responds to a critical requirement of enhancing national monitoring system. Key partners are Ministry of Justice, Ministry of Labour and Social Welfare and National Human Rights Institutions (NHRI). Participating UN agencies: UNICEF, UNDP</p>

	<p>the Ombudsperson's Office officially investigated and for which a remedial action was taken within 6 months</p> <p><u>Baseline</u> (2015): 160</p> <p><u>Target</u> (2021): 300</p> <p>Percentage of specialized professionals who apply child friendly justice proceedings in working with children</p> <p><u>Baseline</u> (2015): 30%</p> <p><u>Target</u> (2021): 100%</p> <p>Percentage of children directed to application of diversion measures over the number of children prosecuted</p> <p><u>Baseline</u> (2015): 48%</p> <p><u>Target</u> (2021): 65%</p>	<p>Observations to be issued for MNE</p> <p>Judicial Training Centre reports, Supreme Court and Supreme State Prosecutor's reports, Police Academy statistics, Bar Chamber statistics, Institute for Social and Child Protection reports</p> <p>Supreme State Prosecutor's reports</p>	<p>mechanisms for realizing their rights, with special focus on children belonging to minority groups and children with disabilities</p> <p>4) Judicial staff and other professionals are qualified to promote and apply child-friendly and gender-responsive justice for all children, including restorative justice principles for girls and boys in conflict with the law</p>	
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The specific objectives are:

To suggest the extent to which UNICEF may contribute to improving the child rights monitoring systems and its outcomes in Montenegro towards:

- Increased accountability of institutions for the realization of child rights;
- Strengthening the quality and effectiveness of child rights monitoring functions in Montenegro's public administration, Parliament, civil society and other development actors;

- Strengthening accountability function of main duty bearers in CRM, data collection, analysis, public reporting and child rights mainstreaming across policies and programmes to realize child rights inclusive budgeting;
- Improved high level inter-sectorial cooperation (including assessing the results and impact of work of the Child Rights Council and other inter-sectoral bodies);
- Improved generation and collection of quality data and better analysing/utilizing the data for policy development and monitoring trends in child rights;
- Improved impact of work of national human rights institutions and CSOs for effective promotion and monitoring of child rights realization,
- Improved capacities and system performance related to child rights budgeting;
- Improved evidence-based research and influencing decision-making and policy formulation as well as implementation relevant to children's rights, including improved understanding of equity gaps and bottlenecks by using evidence;
- Increased impact of work of various mechanisms for monitoring child rights are bringing about improvement in children rights particularly for the most excluded children;
- Enhanced awareness and understanding of children as rights holders and of mechanisms for realizing their rights, with special focus on vulnerable children (children from poor families, children living in rural areas, Roma children, children in institutional care, children with disabilities).

According to the UNICEF foundational normative principles of Human Rights Based Approach to Development, and matching the implementation strategies of the 2014-2017 Strategic Plan, one of the core roles of UNICEF relevant to this evaluation is focused on monitoring and evaluation, data collection and assessing the functioning of the systems that monitor child rights, and the progressive realisation of the child rights and equity gaps reduction.

The evaluation thus serves the dual objectives of accountability and learning. As such it will:

- Assess and report on the performance of UNICEF and the results regarding its support to child rights monitoring in Montenegro against the objectives, the UNICEF mandate and the needs of the children of Montenegro.
- Determine the reasons for observed success/failure and produce evidence-based findings to allow UNICEF to make informed strategic decisions to further improve its support to child rights monitoring in order to achieve the optimum result in Montenegro.

5. SCOPE

The evaluation will cover all CRM functions across all relevant sectors, including the inclusion of marginal and vulnerable groups such as children of Roma and Egyptian communities, disabled children, girls and children of poor families in general. The evaluation will cover the period 2014-2016 and will have a national geographical coverage.

Limitations to the evaluation are expected related to the extent of data and information gathering. Especially on the side of Montenegro's institutions, during the Mid-Term Review of the 2012-2016 Country Programme it has been found that the ability of the system to generate reliable, disaggregated data and use it for evidence-informed policies are areas of concern. Though multiple and on-going capacity strengthening efforts have been made, the capacity seems to increase only at a very slow pace. UNICEF will do its utmost to facilitate access to the appropriate interviewees and sources of information during the evaluation mission.

The absence of a dedicated budget for the support to Child Rights Monitoring will make it difficult for the evaluation team to assess efficiency in terms of financial resources.

Lastly, UNICEF possess solid database of information for the upcoming evaluation, to be expanded at a later stage in as far as possible responding to the needs of the evaluation team. UNICEF Country Office in Montenegro` will designate a focal point with sufficient time to be responsible for guiding the evaluation team and making information available.

6. EVALUATION FRAMEWORK

The evaluation framework is shaped along the lines of the DAC¹² criteria. In the inception phase, the evaluation team is expected to come up with a full evaluation matrix, showing how each of these criteria will be addressed, providing details on what information sources and what methods will be used and what limitations are to be expected.

Impact (long-term and/or intermediate results)

- How to ensure that the system of child rights monitoring leads to improvements in the situation of children, particularly the most vulnerable?
- What are the key results to which UNICEF and its partners may contribute with regard to the quality of the child rights monitoring system and mechanisms?
- To what extent UNICEF and its partners may contribute to the achievement of intended intermediate and long-term results, especially in the field of data production and collection, data use and demand for data as presented in the CPD 2017-2021?
- How to ensure that the most disadvantaged children and families are benefiting from an effective CRM system?
- How UNICEF may best improve accountability of key duty bearers of the CRM system, as a result of its interventions?

Relevance / Appropriateness

- How can future UNICEF's interventions be linked to policies and strategies of the Montenegro's institutions regarding child rights and monitoring of child rights?
- How relevant and responsive are the current UNICEF and national partners' interventions targeting child rights monitoring to the needs of the children in Montenegro?
- To what degree may the child rights monitoring interventions build on existing systems and mechanisms?

Effectiveness

- What are the key measures required to improve the quality and outcome of the child rights monitoring system and mechanisms?
- How best to strategize UNICEF's interventions towards strengthening capacities (of institutions, civil society and other stakeholders) for child rights monitoring at central and local levels?
- How best may UNICEF engage systematically with relevant Montenegro's institutions and other stakeholders to enhance multi-sectoral cooperation towards strengthening child rights?
- How to make UNICEF's support effective? What are the main factors that may contribute to success and/or gaps?

¹² Development Assistance Committee, Paris 1991. Principles for evaluation of development assistance.

Efficiency

- How to best organize UNICEF technical assistance, so that it meets expected quality standards? What factors contribute to meeting those standards and what constraints might occur?
- Is planned UNICEF's and key national CRM actors' funding sufficient? How to organize adequate funding allocation and disbursement? How to best utilize funds across various parts of the intervention and activities to lead to planned outcomes?
- How to ensure the best "value for money" of improving child rights monitoring in Montenegro?
- How to best use available human resources?
- How to best use innovations to contribute to the work on child rights monitoring? Can examples be provided on using these innovations or the approach in general in similar contexts?

Sustainability

- How to systematically and effectively mobilize human resources, engage in sustainable partnerships with institutions and other stakeholders and build their capacity in the long run?
- How to support interventions which will increase the demand for child rights monitoring and thus help create a system which is not dependent on donor or support from international organisations?
- What are the proposed strategies for expansion or extension, exit or increasing ownership by the Montenegro's institutions with regard to child rights monitoring?

Coordination

- What would be the optimum modality for improved inter-sectoral coordination and the best way for UNICEF to support coordination between Montenegro's Institutions and local and international development partners on the issue of child rights monitoring?
- How may UNICEF most effectively coordinate the intervention between the sectors of education, health, social welfare and juvenile justice and the crosscutting good governance?
- How may UNICEF best support the establishment of new and strengthening of the existing inter-sectoral mechanisms/bodies for children, including its function of CRM?

Crosscutting issues

- How to effectively mainstream gender equality and the empowerment of girls and women into UNICEF future interventions in Montenegro? More specifically:
 - How to best identify and address the distinct needs, vulnerabilities and capacities of girls and boys (including adolescents) in the design of the support towards improved child rights monitoring?
 - To what extent sex and age-disaggregated data should be collected, monitored, and analysed under the child rights monitoring system?
 - How best to address equity issue and the distinct impact of lack of inclusion of boys, girls, men and women into the design and implementation of improving child rights monitoring?
 - How to improve equity considerations and ensure vulnerable groups are reached and their needs properly addressed in the support to child right monitoring system?

7. METHODOLOGY

The evaluation process needs to achieve a balanced analysis and reconcile perspectives of different stakeholders through the use of different sources and methods. In order to enlarge the evidence base to the maximum extent possible, triangulation between sources of information as well as among team members will be used to enhance the validity of the findings. References will be cited in relation to documentation used from both UNICEF as well as information from external sources.

As this evaluation does not concern a clearly delineated intervention, there is no UNICEF log frame available for comparison of findings against existing indicators. UNICEF will make annual reports for the years 2014-2016 available, and assist with reconstructing the baseline data to clearly reflect the existing situation in 2014. The evaluation team will have to make an effort to find proxy indicators from strategies and action plans of the Montenegrin Institutions and other existing UNICEF interventions to make comparison and evaluation over time.

Though an effort will be made to include quantitative data as much as possible, the evaluation will have mainly a qualitative character. Information will be gathered from secondary sources, including but not limited to reports and analyses from UNICEF Country Office in Montenegro (among others progress reports, studies, assessments, position papers, annual plans, annual reports, and evaluation reports) as well as UNICEF global policies and strategies. Furthermore, reports, strategies, policies and action plans from Montenegrin institutions will be studied to obtain information. Documents from other development actors in Montenegro and the region will be used as far as they are relevant to child rights monitoring and the related progress in the past five years.

To obtain primary information, interviews will be conducted with UNICEF staff and with the main stakeholders that are listed in Section 2. Key Informant Interviews will be conducted in Podgorica as well as in selected municipalities. Focus group discussions are not planned, since even though this intervention does affect the grass roots beneficiaries, their level of knowledge of the child rights monitoring system may be limited at this point in time. Field observation will be conducted during the visits to the field, which are planned in the inception phase and the main phase of the evaluation.

The UNICEF Regional Office has commissioned five independent thematic multi-country evaluations in the CEE/CIS region, and Montenegro has participated in two of them¹³. The findings from these evaluations will be taken into account in this evaluation, since they also provide valuable insight into the UNICEF engagement in Montenegro in general and with regard to monitoring children's rights in particular.

The evaluation team will consist of three members: an international team leader, who coordinates the activities and is responsible for submitting a good quality end product, a national technical expert and an expert in child rights.

The evaluation will be conducted in two phases. The Team Leader will conduct the inception phase; the national team member will join to support the Team Leader with his/her knowledge of the context and the language. The inception mission will involve:

- A desk review of secondary information.
- Interviews with selected UNICEF staff and a core group of other stakeholders in Podgorica selected from the list in Section 2 and taking into account recommendations from the UNICEF Country Office in Montenegro.
- A visit to Podgorica.
- A more detailed assessment into the evaluability of the intervention.

¹³ 2015 CEE/CIS: Independent Evaluation of Results Area 1 -- A Child's Right to a Supportive and Caring Family Environment and 2015 CEE/CIS: Multi-country evaluation of the impact of juvenile justice reforms on children in conflict with the law.

- Raising awareness of stakeholders, to enable them to be prepared at the time of the actual mission.
- A distribution of tasks and detailed task descriptions for all team members relevant to the observations of the Team Leader and in consultation with UNICEF’s Office of Evaluation.
- Development of an evaluation matrix and questionnaires for specific categories of stakeholders on the basis of this matrix.
- A detailed inception report the end of the inception phase, that presents the final evaluation scope and methods based on information gathered during the inception phase. This report will be prepared and submitted before the main mission takes place.

The second phase (main evaluation mission) will involve:

- An additional desk review based on gaps identified in the inception phase and additional document requests.
- Meetings and in-depth interviews, including focus groups, with stakeholders in Podgorica listed in Section 2 including but not limited to UNICEF staff, policy and decision makers, service providers and civil society.
- Field visits to field locations, as suggested in the inception report.
- Triangulation of findings between the team members.
- Debriefing UNICEF staff in the Country Office and stakeholders (to be decided in consultation with UNICEF) to share the preliminary findings and collect the first feedback in order to validate preliminary recommendations.

The reporting phase will follow immediately after the main field phase. The Team Leader will coordinate this process, with important contributions from the international and national team members, and according to the existing task distribution. Upon completion, the draft report will be shared with UNICEF Country Office in Montenegro, Regional Office in Geneva, and national stakeholders to obtain feedback, suggestions and comments. After a period of three weeks, UNICEF will collect the comments and the Team Leader will incorporate these in the report and provide feedback in a comments table. A description of the expected content of both the Inception Report and the Evaluation Report has been incorporated in Section 8.

UNICEF evaluation report standards can be found online¹⁴ and guidelines regarding evaluation and quality and good practices can be found on UNICEF’s website focused on evaluation and good practices¹⁵.

8. WORKPLAN AND EVALUATION MANAGEMENT

Management Arrangements

UNICEF Country Office in Montenegro will manage the evaluation as an independent evaluation under the leadership of the Programme Specialist as chair of the Researches/Studies/Evaluations

¹⁴ http://www.unicef.org/evaluation/files/UNICEF_Evaluation_Report_Standards.pdf 28 November 2014

¹⁵ http://www.unicef.org/evaluation/index_60830.html 28 November 2014

Steering Committee and with support from the Regional M&E Advisor. As the main counterpart, UNICEF Country Office in Montenegro will also be responsible for timely contributions and support to the evaluation, including information sharing, meetings, logistics and interview arrangements. The day to day administrative arrangements will be the responsibility of the Child Protection Officer, with the support of Social Policy Officer (M&E focal point).

Taking into account the complexity of this evaluation, an Evaluation Steering Committee of relevant experts may be put in place to guide the team, to take decisions regarding unexpected or difficult problems and to provide comments on the key findings, conclusion and recommendations arising from the draft evaluation paper. An independent external review facility will quality assure all main deliverables (ToR, inception report, and evaluation report).

Establishment of a Reference Group, and its composition, will be considered after the inception phase.

Timing and deliverables

The table below outlines the expected timing, working days and deliverables of the evaluation mission.

Activity	Responsible	Timing	Working days		
			Team Leader	Int'l Team Member	National Team Member
Preparatory phase:					
Development of the ToR	UNICEF	November 2016			
Selection/contracting of evaluators	UNICEF	December 2016			
Evaluation:					
Desk review of the existing documents	Evaluator(s)	March/April 2017	6	4	4
Inception mission	Evaluator(s)	May 2017	6		5
Development of the Inception report (work plan with the methodology & approach, including evaluation instruments)	Evaluator(s)	End July 2017	4	1	1
Logistics (arranging meetings/interviews)	National team member	July/August 2017			
Main mission of the team in Montenegro	Evaluator(s) with the support of	Sept–Oct 2017	21	21	19

	UNICEF				
De-briefing meeting with UNICEF	Evaluator(s)	Sept–Oct 2017			
Reporting:					
Development of the draft evaluation report, including a presentation of key findings and preliminary recommendations to selected national counterparts (for validation)	Evaluator(s)	Mid-Oct – Mid-Nov 2017	17	8	3
Feedback on the draft report from UNICEF and key national partners	UNICEF	End of November 2017			
Development of the final report incl. comments and suggestions & executive summary	Evaluator(s)	11 Dec 2017	4	2	
Use of evaluation findings:					
Dissemination of the final report to all partners and stakeholders	UNICEF	February 2018			
Agreement reached with key stakeholders on how to translate key findings into activities and integrate them into further activities / programming	UNICEF	March 2018			
Total			58	36	32

The inception report (20-25 pages) at a minimum should contain the following:

- A concise description of the country context focusing on child right monitoring issues,
- A description of the parts of UNICEF’s programme relevant in terms of timing and subject,
- A stakeholder analysis and a description of the prospect users,
- The approach and methodology,
- The data collection methods,
- An elaborated evaluation framework and related questionnaires for various categories of stakeholders,
- A description of the task distribution between the team leader and team members,
- Proposed layout of the evaluation report,
- Risks and assumptions.

The final evaluation report (50-60 pages without annexes) at the minimum should contain the following

- Executive summary;

- Evaluation features including approach and methods as well as evaluation purpose and goals;
- Description of context and situation analysis of Montenegro including relevant regional aspects;
- Structural presentation of UNICEF's interventions in child rights monitoring in Montenegro in the period under consideration;
- Evaluation findings structured along the lines of the DAC criteria;
- Evaluation findings on cross cutting issues such as gender, equity and coordination;
- A Theory of Change regarding child rights monitoring in Montenegro, for the period 2017-2021;
- Conclusions logically derived from the body of the findings;
- Good practices and lessons learned;
- Recommendations that are feasible and practical to the maximum extent possible and targeted and tailored towards UNICEF and/or its partners.

Further details may be found at UNICEF's web page on evaluation report standards¹⁴.

The evaluation report to be produced must be compliant with the UNICEF Evaluation report standards available here:



UNEG_UNICEF Eval
Report Standards.pdf

The evaluation report will be assessed and rated against the following assessment tool available here:



GEROS rating
template.xlsx

Special measures will be put in place to ensure that the evaluation process is ethical and that the participants in the evaluation process can openly express their opinion. The sources of information will be protected, and known only to the evaluator(s). The Evaluation Team will ensure that the evaluation process is in line with UNEG Ethical Guidelines, i.e. ensuring ethical conduct in data generation will be imperative. Specific attention should be paid to issues specifically relating to:

- Harm and benefits;
- Informed consent;
- Privacy and confidentiality; and
- Conflict of interest of the evaluation informants.

Consequently, the Team Leader has to ensure that it is clear to all subjects that their participation in the evaluation is voluntary. All participants should be informed or advised of the context and purpose of the evaluation, as well as the privacy and confidentiality of the discussions.

EVALUATION TEAM

The team will consist of an international team leader, international team member and a national team member who is conversant on the local situation, has knowledge of child protection issues and speaks both English and Montenegrin.

The team leader must have a significant evaluation background with UNICEF or another UN agency. The Team Leader will be responsible for coordination issues and for submitting quality deliverables. In view of the questions related to gender sensitivity, at least one member of the team is expected to be a woman. Further to the requirements mentioned above, qualifications and experience required are as follows:

Team Leader (international):

- Advanced university degree in law, social science, social policy or a related field.
- Extensive monitoring and evaluation expertise and at least 5 years of experience in international development and/or human rights agenda.
- Experience in strategic type evaluations.
- Knowledge of government monitoring systems will be considered an asset.
- Knowledgeable of institutional issues related to development / humanitarian programming (including funding, administration, partnerships, human rights, humanitarian law, and sustainable development issues).
- Expertise and experience in gender mainstreaming and gender sensitive programming.
- Experienced in working with UN organisations and/or UNICEF will be considered an asset.
- Familiarity with child rights in programming or evaluation.
- Proven experience in team leadership and management, possessing interpersonal / communication skills.
- Strong advocacy, analytical, synthesising, report writing and presentation skills.
- Fluency in written and spoken English.
- Excellent writer, able to write concise and comprehensive reports on complex subjects.

Team member (international) – Expert in child rights

- University degree in law, social science, social policy or a related field. Advanced degree would be considered an asset.
- Sound monitoring and evaluation expertise and at least 3 years of experience in human rights agenda.
- Excellent knowledge of government monitoring systems.
- Experienced in working with UN organisations and/or UNICEF will be considered an asset.
- Familiarity with child rights in programming or evaluation.
- Able to work in a team and interpersonal/communication skills.
- Strong advocacy and analytical skills.
- Fluency in written and spoken English.

Team member (national) - Evaluation assistant

- Bachelor's degree in social science, social policy, public administration, law, or a related field.
- Familiarity with the work of UNICEF and UN in Montenegro.
- Experience in working with the Montenegrin institutions; in depth knowledge of national monitoring systems will be considered an asset.
- Sound experience and expertise in monitoring and evaluation.
- Fluency in written and spoken English and Montenegrin.

- Excellent computer skills.

Ethical considerations of respondents will be of utmost priority in determining the most appropriate methods and their implementation, and will be documented and included in all reports. Use will be made of the UNEG Ethical Guidelines for Evaluation¹⁶. Source protection will be guaranteed to respondents and for transparency purpose, in general no UNICEF staff will be present in interviews. Information collection methods, sources and questions will be identified that facilitate a balanced view regarding gender, age and ethnic background of beneficiaries. Use will be made of existing UNEG guidance on incorporating gender and human rights into evaluation¹⁷.

¹⁶ UNEG 21 July 2007. Ethical Guidelines for Evaluation

¹⁷ UNEG 2011. Integrating Human Rights and Gender Equality in Evaluation. Towards UNEG Guidance

C. Theory of Change

UNICEF Montenegro

Theory of Change for Access to justice and child rights monitoring

Background, Recent Developments, National Efforts

- What is the Context? (Mention link to national/agency priorities)

The first ever ***Study on Children's Equitable Access to Justice*** conducted in four countries of CEE/CIS region, including Montenegro, identified significant gaps and weaknesses in the delivery of justice to children, including procedures that are not child-friendly, too few specialized professionals and the lack of a multidisciplinary, holistic approach to providing support and assistance before, during and after legal proceedings.¹⁸

A majority of justice sector professionals in Montenegro (83%) mentioned violence, abuse and neglect within the family as one of the primary reasons for which children become involved in justice processes, issues related to divorce and custody (57%) and adoption and removal of children from the family (63%). In Montenegro, denial of social benefits (67%), exclusion from school (60%) and denial of health services (57%) featured even more prominently than in the other three countries (Albania, Georgia, Kyrgyzstan). Also, perceptions of children's place within the family were considered an important obstacle by justice sector professionals. Many pointed out that culturally, children are used to being obedient, not having a voice, and not expressing themselves within the home.

The research findings revealed that vulnerable groups of children face greater obstacles in accessing justice, including less legal awareness and more informational barriers. Discriminatory attitudes towards certain groups were acknowledged by children and their families as well as by justice sector professionals in all four assessed countries and Montenegro among them.

Broader Access to Justice concept proved to be fully aligned with Government's priorities within the EU accession process, and defined as one of the priority areas in the National Strategy on Judicial Reform (2014-2017) and the Montenegro's Action plan for Chapter 23 (Judiciary and Fundamental Rights).

The Mid-term Review (MTR) of UNICEF and Government of Montenegro Country Programme 2012-2016 (CP) found that UNICEF CP is fully aligned with the EU accession process, particularly in the field of justice for children and social and child care system reform and CP priorities are included in the Government and EU's accession agenda (Country Strategy Paper 2014-2020 and Action Plan for chapters 23 and 24 2013-2017).

MTR findings also suggests that National Human Rights institutions have been supported and the Ombudsman's Office in particular to strengthen its capacity to respond to violations of children's rights, however it emphasizes the need for a stronger, wider constituency of support for children's rights generally and a public culture that openly challenges poor or discriminatory practice. It clearly

¹⁸ UNICEF Office for CEE/CIS, Study on Children's Equitable Access to Justice, UNICEF, May 2015.

referred to Ombudsperson's Office as another crucial partner that could improve accountability of duty bearers which, therefore needs further support to strengthen its capacity and expand its services to children and families.

- What has been done, what achievements have been made?

By implementing comprehensive Juvenile Justice System Reform for more than a decade, Montenegro made considerable and sustained progress in alignment of its legislation and practice in the area of juvenile justice with relevant UN and European instruments.

One of the major achievements of the reform process is the adoption of a specialized legislation in Juvenile Justice which is a major step forward towards harmonizing legislation and practice in this area with respective international standards. The new legislation calls for the respect for children's rights, treatment of juveniles with due care, prohibition of discrimination, respect for the right of juveniles to freely express their opinion and consideration of the best interest of the child as the one of the pivotal principles of UN CRC and respective European regulations.

Strengthening of administrative and implementation capacities was a major focus of the reform and important results have been achieved so far. An analysis of the data from the Office of the Supreme State Prosecutor of Montenegro reveals that the number of criminal offences committed by juveniles is steadily decreasing from 2000, i.e. 22% decrease. Over the last seven years the number of juveniles whose cases were rejected is at significant increase (55%). In the same time, pre-trial procedures instituted against juveniles, as well as the number of juveniles prosecuted has decreased (for 48,4%). The data clearly shows that the numbers have dropped significantly against those for the preceding period, which may be ascribed to the enormous increase in the application of alternative procedures and measures.

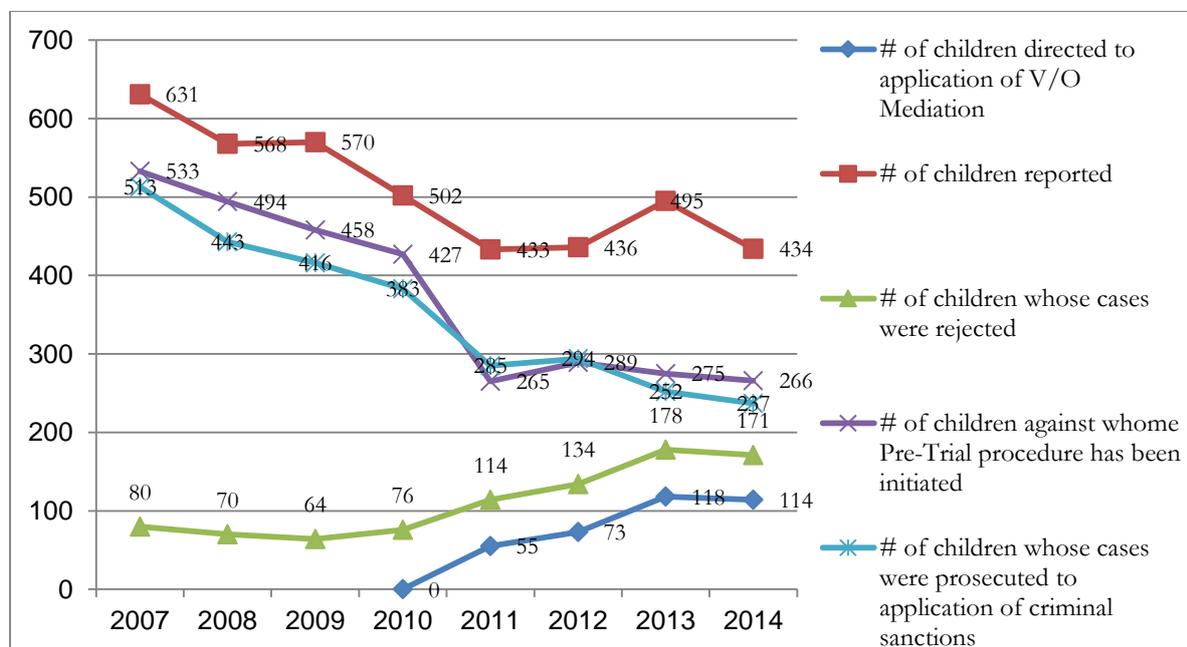


Figure 1: Overall trends in Juvenile Justice for the period 2007-2013

In addition, UNICEF Multi-country Evaluation of the Impact of Juvenile Justice System Reforms on Children in Conflict with the Law (2006-2012) has established that the most significant increases in

application of alternative procedures and measures and diversion schemes are in Montenegro and Georgia (where diversion was not used before 2010).¹⁹

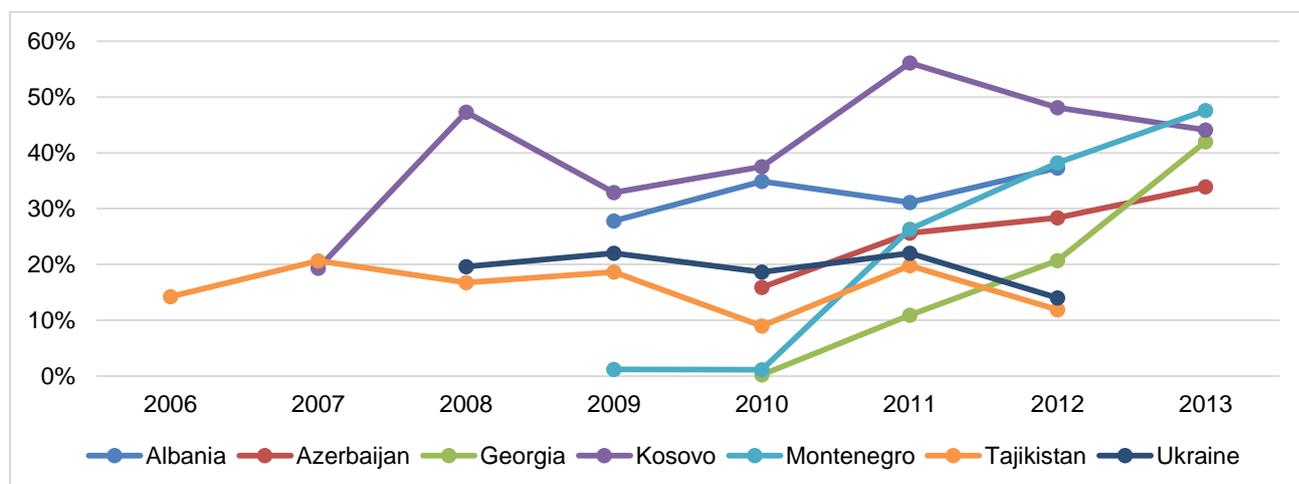


Figure 2: Children who enter a pre-sentence diversion scheme, in comparison with number of children convicted (country trends)

- What is the nature of the problem (child rights violation) or the remaining issue that the policy or programme is intended to address? Provide an equity-focused situation analysis on the nature of inequities and their causes. (Provide evidence)

Throughout the past decade, UNICEF’s work in the justice sector predominantly focused on children in conflict with the law. However, as demonstrated by the UNICEF multi-country evaluation of the impact of juvenile justice reforms on children in conflict with the law (2006-12), in countries where detention rates are low and deprivation of liberty used as a last resort, **would expand the scope to contribute to realizing the rights of all children who participate – or who should participate – in criminal, civil and administrative justice processes in any capacity**²⁰. Thus, the Government of Montenegro has also recognized that the reform focus should be expanded towards broader **children’s access to justice issues** in order to ensure full protection of the rights of all children who participate in **overall, mainstream criminal, civil and administrative justice processes**.

¹⁹ Led by UNICEF Regional Office for CEE/CIS, November 2014, Source: compiled from various sources including Transmonee, UNICEF COs and government agencies. Each country has usable data for four or five of the years examined, except for Kosovo (UNSCR 1244) and Tajikistan which have data for seven years. For Albania, Azerbaijan, Georgia, Montenegro and Tajikistan the graph shows percentage of children diverted as proportion of diverted plus convicted. For Kosovo (1244) and Ukraine percentage figures were provided by UNICEF.

²⁰ Low detention rates of course do not mean that no more juvenile justice reforms are needed – they usually still are needed, especially in terms of improving the quality of the interventions of the juvenile justice system – but they are believed to indicate that reforms are underway and going in the right direction. Progress differs from country to country however and several countries might rightly decide to further advance juvenile justice reforms before expanding to broader access to justice.

This implies introduction of **child-friendly procedures in overall justice system** (criminal, civil and administrative proceedings) and **empowerment of the most vulnerable children and families** to effectively access justice and meaningfully participate in the judicial and administrative proceedings.

Children face tremendous obstacles in accessing justice. Children's Equitable Access to Justice shows that the justice experience for children does not always reflect the legal and policy frameworks in place in a given country. Access to justice for children is largely affected by their age and dependent status, as well as by cultural perceptions of children's place in society and within the family. Children have less knowledge, fewer financial resources and are generally less well equipped to deal with the complexity of the justice system, in all its forms. Also, violence against children is often considered, by adults and children alike, a legitimate child rearing means, and not a rights violation that one would bring to courts.

Findings suggest that while all children experience awareness and informational barriers, and encounter a variety of legal, practical, social and cultural obstacles on their path to justice, such obstacles are exacerbated by vulnerabilities such as poverty, disability or ethnicity, and influenced strongly by social and cultural norms. Particular attention must be paid to the most excluded, the poor and the most difficult to reach, in recognition of the fact that these children often face particular challenges in seeking access to justice. They are entitled to special measures and additional assistance to enjoy their rights on an equal footing with other children. Equitable access to justice means that all children, regardless of their age, gender, ethnicity, nationality, disability, socio-economic background or any other status, can equally avail themselves of protection of their rights and recourse to remedies without discrimination.

MTR findings indicate that there are issues with availability of data, especially disaggregated, and a weak understanding of the type of data and analysis required to inform policy in all areas relevant for the realization of child's rights.

UNICEF's role in this respect will be very much about advocating for the integration of children's specifics into mainstream reforms – e.g. incorporating child-sensitive regulations into mainstream regulations, adding justice for children issues into mainstream capacity building of justice professionals, etc. The main strategy is therefore about identifying and advocating the right points of leverage within so that children are fully taken into account into justice sector reforms. In addition, UNICEF will work towards strengthening national systems for data collection and analysis, so as to enhance effective child rights monitoring.

Impact: Progressive Realization of Child Rights and Equity (MoRES Level 4)

Impact result for children:

- All children are enabled to realize their right to access justice when their rights are violated or entitlements denied (ICCPR, art. 2)
- Children in justice processes are heard in compliance with the UN Guidelines on justice in matters involving child victims and witnesses of crime and decisions are taken in their best interests (CRC, art. 3, 12 and UN Guidelines)
- Children in conflict with the law are treated in line with international standards (CRC, art 37,40.)

Expected system(s) to be established:

- By 2021, Justice system provides equitable access to justice for all children who benefit from effective legal protection and continuous monitoring of child rights violations by NHRI and CSOs

Indicators and benchmarks:

- Percentage of children enabled to realize their right to access justice when their rights are violated or entitlements denied
- Percentage of children’s cases fully handled in compliance with the UN Guidelines on justice in matters involving child victims and witnesses of crime
- Rate of children (aged 16-18) in detention per 100,000 child population

Target population:

- Children participating in civil, criminal and administrative proceedings with special focus on Roma and CWDs;
- Professionals working with children in justice processes (judges, prosecutors, law enforcement officials, social workers, defense counsels, representatives of administrative bodies), Center for Mediation;
- HRNI; NGO;
- General public, children and families

Outputs and Outcomes, and the Associated Indicators

	Outcome	Output
1	<p>By 2021, Justice system provides equitable access to justice for all children who benefit from effective legal protection and continuous monitoring of child rights violations by NHRI and CSOs</p> <p>Indicators:</p> <ul style="list-style-type: none"> • Percentage of specialized professionals who apply child friendly justice proceedings in working with children <p><u>Baseline</u> (2015): 30% professionals specialized for application of child friendly justice proceedings</p> <p><u>Target</u> (2021): 100% professionals working with children apply child friendly justice proceedings</p> <ul style="list-style-type: none"> • Number of prosecutors` offices and municipal courts applying child friendly procedures in line with UN 	<p>1. Increased awareness of citizens and professionals on children as rights holders capable to seek redress for violations of their rights, including violence within the home and on internet</p> <p>Indicator:</p> <ul style="list-style-type: none"> • Percentage of professionals and citizens whose knowledge, attitudes and practices change under the influence of the campaign <p><u>Baseline</u>: TBD (Findings and Results of KAP Study 2016)</p> <p><u>Target</u>: TBD</p> <p>2. National systems for data collection and analysis strengthened</p> <ul style="list-style-type: none"> • Number of child-rights-based indicators incorporated in SWIS • Number of child-rights-based indicators incorporated in PRIS • Existence of a harmonised approach to data collection across health, education, social and justice sector

<p>Guidelines on Justice in Matters Involving Child Victims and Witnesses of Crime is established²¹</p> <p>Baseline: 0</p> <p>Target: 8</p> <ul style="list-style-type: none"> • Number of children benefited from legal aid and legal representation services <u>Baseline:</u> (TBD in 2016) <u>Target:</u> (TBD in 2016) • Percentage of children directed to application of diversion measures over the number of children prosecuted <u>Baseline:</u> 48% (2015) <u>Target:</u> 65% (2021) • Number of complaints made by children or their representatives to the Ombudsperson's Office officially investigated and for which a remedial action 	<p>3. Judicial staff and other professionals are trained to promote and apply child friendly and gender sensitive justice for all children including restorative justice principles for children in conflict with the law</p> <p>Indicator:</p> <ul style="list-style-type: none"> • Percentage of judicial staff working with children who possess specialized knowledge and skills on child rights, child friendly and gender sensitive justice • <u>Baseline:</u> 30% of judicial staff working with children possess specialized knowledge and skills on child rights, child friendly and gender sensitive justice and restorative justice • <u>Target:</u> 100% of judicial staff working with children possess specialized knowledge and skills on child rights, child friendly and gender sensitive justice and restorative justice <p>3. Montenegro's judiciary and administrative bodies have improved capacities and infrastructure for child-friendly hearings and application of restorative justice</p>
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- ²¹ 1. The child and family are informed of his/her/their rights in the justice process and where to seek support
2. Children's cases are prioritized and deadlines and restricted trial timelines applied
3. Direct contact between the child victims and witnesses and the accused is prevented before, during and after hearings (e.g. with live video links, screens to shield the child from the defendant, excluding the defendant from the courtroom during child testimony or allowing children in civil proceedings to be heard at home, or in school or any other appropriate setting)
4. Procedures to set forth the child's right to a best interests' determination at all stages of the proceedings are adequately followed
5. Children receive legal aid and representation in criminal, civil and administrative proceedings at no cost
6. Children are accompanied by a trained support person during the entire justice process
7. Children receive social, psychological, medical and other support as needed
8. Children are not questioned more than twice, and video recordings are admissible as evidence in criminal and civil courts

<p>was taken within 6 months</p> <p><u>Baseline</u> 2015: 160</p> <p><u>Target</u>: 300</p>	<p>Indicators:</p> <ul style="list-style-type: none"> Percentage of support persons to the child²² and professionals in Professional Support Services²³ who are equipped with specialized knowledge necessary to support child friendly proceedings <p>Baseline: 0% professionals</p> <p><u>Target</u>: 100% professionals</p> <ul style="list-style-type: none"> Number of judiciary and administrative bodies with equipment to conduct child friendly proceedings including necessary accommodations, translators, interpreters, communication aids and support for children with disability and children from minority groups <p>Baseline: 14 locations provided with basic audio-visual equipment</p> <p>Target: 15 locations in MNE fully equipped with all necessary audio visual equipment and furniture for child friendly proceedings</p> <p>4. Independent HRI have increased capacity to monitor the implementation of child rights related legal framework and practices and procedural safeguards for children</p> <p>Indicator</p> <ul style="list-style-type: none"> Percentage of HRI professionals working with children who possess specialized knowledge to monitor the implementation of child rights related legal framework and practices and procedural safeguards for children <p><u>Baseline</u>: 30% of HRI professionals</p>
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²² New legal institute established by amendments of the Family Law of Montenegro from 2016:

²³ Newly established services in the Supreme State Prosecutor's Office and two Higher Courts established by Juvenile Justice Law in 2011, expanded mandate to civil law (family related matters) cases through the amendments of the Family Law of Montenegro from 2016.

	<p><u>Target:</u> 100% of HRI professionals</p> <p>5. Tools for informing children on accessing justice and using Free Legal Aid service and NHRI support, with special focus on children belonging to minority groups and children with disabilities, established</p> <p>Indicator</p> <ul style="list-style-type: none"> • Availability of child friendly website and promotional materials, including in the language/form understandable to children belonging to minority groups and children with disabilities <p><u>Baseline:</u> Child friendly website not set up</p> <p><u>Target:</u> Child friendly website set up, including in language/form understandable to children belonging to minority groups and children with disabilities</p> <p>Indicator</p>
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Hypothesis, Core Roles, Assumptions, Risks

- **Hypotheses:** Articulate how **Inputs and core roles lead to Output results that in turn contribute to each Outcome result** and then eventually to the achievement of the **intended impact on children**; “if-then” or “so that” logic

Under the programme component on **Access to Justice and Child Rights Monitoring**, UNICEF aims to support every boy and girl in Montenegro **to have equitable access to justice** when their rights are violated or entitlements denied so that children are able to realize their right to be heard and to participate in child friendly justice proceedings which are guided by the best interest of the child.

The programme component will employ allocated resources and technical expertise of its staff, as well as the core role of convening partnerships, capacity development and modelling to support justice system to provide equitable access to justice for all children who participate in justice proceedings and to benefit from effective legal protection and continuous monitoring of child rights violations by NHRI and CSOs. This will imply introduction of **child-friendly procedures in overall justice system** (criminal, civil and administrative proceedings) and **empowerment of the most vulnerable children and families** to effectively access justice and meaningfully participate in the judicial and administrative proceedings. This impact level result is based on the following hypotheses:

By building on well-established UNICEF position in the country and long term and sustained partnership with the Government in the area of justice for children, the Programme Component will use advocacy, policy dialogue and advice, convening partnerships and leveraging resources for children to ensure **children's equitable access to justice is integrated into national rule of law, access to justice, justice sector reform policies, strategies and legislation and plans** and these policies and strategies are brought into compliance with respective international instruments.

Through advocacy, facilitating national dialogue towards child friendly social norms, leveraging partnership and resources from public and private sectors and capacity development, the component will support conducting targeted public awareness campaign in order to **increase awareness of general public and professionals on children as rights holders** capable to seek redress for violations of their rights, including violence within the home and on internet and in such a way change perceptions of children's place in society and within the family affected by their age and dependent status.

In order to address significant gaps and weaknesses in the delivery of justice to children, including procedures that are not child-friendly, too few specialized professionals and the lack of a multidisciplinary, holistic approach to providing support and assistance before, during and after legal proceedings, the Programme Component will rely on policy dialogue and advice for **continuous specialization of professionals leading towards child friendly justice** and ensuring judges, prosecutors, police, social workers, Professional Support Services (in judiciary), Free Legal Aid Offices and Bar Chamber are equipped with knowledge and information to contribute to child friendly justice and **support the most excluded, victims of violence, children without parental care, children with disabilities, the poor and the most difficult to reach to access justice**. Continuous assistance will also be provided to national counterparts for further **expansion of usage of alternative measures for children in conflict with the law** and ensuring all forms of institutionalization/placement in closed facilities are used as a measure of last resort only. Furthermore, technical assistance will be provided to professionals to fight against online child sexual exploitation and abuse (judges, prosecutors, police, and social workers).

Through capacity development, policy dialogue and advice, and modelling and testing innovations, the programme component will support judiciary and administrative bodies to establish child-friendly infrastructure for child friendly hearing and ensuring children's voices are heard throughout justice processes and additional traumatization and/or stigmatization of the child is avoided. Particular focus will be put on ensuring that children belonging to minority groups and children with disabilities have the same preconditions in place.

Through capacity building, specifically with regard to monitoring and evaluation and conducting independent assessments and analyses, Ombudsperson's Office will be supported to increase its capacity to **monitor the implementation of child rights related legal framework, analyse the realization of child rights and support reduction in equity gaps in child well-being**, and monitor practices and procedural safeguards for children. In parallel, child rights related indicators will be upgraded in Judiciary Information System and

Social Welfare Information System in order to support evidence based decision making and availability of disaggregated data of all children participating in justice processes. Existing national monitoring systems, i.e. of the National Statistical Office, Montenegrin Education Information System and Institute for Public Health will be further enhanced and interlinked.

Through advocacy, policy dialogue and capacity development, and with participation of children with the experience in accessing justice in design of the Programme Component's interventions, **children will be equipped with knowledge and information on how to access justice and use Free Legal Aid service with special focus on children belonging to minority groups and children with disabilities** who face greater obstacles in accessing justice, because of less legal awareness and informational barriers. Children and their families will be provided with information about child rights and where to seek redress.

- **Detail which strategies (core roles) UNICEF intends to play** to address the system level and Core Role (in other words, UNICEF's focus on a particular approach and choosing of a particular Core Role in bringing about the aimed result/change must be fairly justified by evidence – past intervention, research, study, int'l cases – and analysis).
- **(Advocacy)** As determined by the Children's Equitable Access to Justice Study²⁴, prevailing attitude towards children in Montenegro is paternalistic with society's limited understanding of children as right-holders. As a result, public administration and justice system largely have not tailored their services to recognize children's rights and agency, with their own unique experiences, perspectives and ideas. The research highlights that cultural norms and attitudes about children must shift in order to facilitate their access to justice. The major **shift in social norms that should be promoted to support children's equitable access to justice is that every child should be recognized as a rights holder** and the goal will be to raise the awareness of the general public and professionals about children's right and capacity to actively participate in matters affecting them. This will imply design and application of awareness raising and communications campaign in highly participatory manner with state authorities, civil society, community, families and children to foster greater understanding of children as right-holders and in order to sustain the change over time.
- **(Modelling and testing innovations)** The External Evaluation of Justice for Children Reform Initiative (**J4CP**) - an initiative of the Montenegrin Ministry of Justice, Ministry of Labor and Social Welfare, supported by UNICEF Montenegro and with the financial assistance of the European Union under the Instrument for Pre-Accession Assistance 2011 (IPA 2011) stressed that continuous efforts are needed to ensure necessary preconditions are in place to ensure application of child friendly justice proceeding. For those purposes, beside specialized pre and in-service training, additional equipment is required and necessary furniture and arrangements for 15 locations in Montenegro with judiciary units (prosecutors' and courts' offices) to facilitate that child's testimony is given in the best possible (child friendly) environment (given the fact such spaces does not exist in Montenegrin judiciary).²⁵ In

²⁴ UNICEF Office for CEE/CIS, Study on Children's Equitable Access to Justice, UNICEF, May 2015

²⁵ Focus Group Discussions with representatives of the PSSs at the High Court and Supreme State Prosecutor's Office in Podgorica, 14 May 2014

addition, in order to further cultivate multidisciplinary, holistic approach to providing support and assistance before, during and after legal proceedings the initial thinking regarding the establishment of a Children's Houses for hearing of children, victims and witnesses of crime on the basis of USA and Scandinavian experience will be further elaborated. The innovation approach will be also used through development of a mobile and web application that will summarize forms of child online abuse, the way how children protect themselves and how to report the crime, and will present a response in protection of children from online sexual exploitation.

- **(Capacity development)** Specialization of all professionals who deal with children in justice processes is critical to addressing the bottlenecks to children's access to justice, and application of child friendly justice procedures. Although through the implementation of Justice for Children reform initiative (2012-2014) initial training was provided to professionals who deal with children involved in criminal proceedings, the ultimate goal is to ensure that **all professionals** working with children in justice processes (meaning professionals who deal with children not only in criminal but civil, family and administrative matters: judges, prosecutors, law enforcement officials, social workers, defense counsels, representatives of administrative bodies) have received specialized pre and in-service training, which will be certified and accredited by responsible bodies. This will be realized through policy and technical advice for development of training packages and provision of a set of trainings for divergent groups of professionals ranging from judiciary, police, CSWs, Bar Chamber, Administrative Bodies, etc. The staff of Free Legal Aid Offices in fifteen Basic Courts in Montenegro and lawyers dealong with cases involving children from Bar Chamber will be empowered to provide **child-friendly legal aid**. Also, in order to address significant gap in the knowledge and information of children and families on child access to justice children and their families will be equipped with knowledge and information on how to access justice and use Free Legal Aid service with special focus on poor children, children without parental care and children belonging to minority groups and children with disabilities. Following successful results in the **implementation of diversion measures the efforts in this area will continue alongside with provision of** continuous support to Professional Support Services to ensure availability and accessibility of holistic support services (legal, social, psychological, medical) for child victims and witnesses and children of crime.
- **(Policy dialogue and advice)** Even though Montenegro's legislation (criminal, civil and administrative) is to a high extent aligned with relevant CR international instruments and standards, a broad policy dialogue will be maintained and technical advice provided in order to put the guarantees that all relevant rights (as per the regional and international legal framework) to children participating in judicial proceedings are provided. This will imply additional adjustments of Criminal Code, Juvenile Justice Law, Law on Protection from Family Violence and Family Law with relevant CR international instruments.
- **(Knowledge generation and child's right monitoring)** The role of national human rights institutions is key for effective child rights monitoring and one of the most important angles for children's access to justice, especially given the fact that Ombudsperson can act as a systemic interface between children's justice needs, and the services provided by governmental and judicial authorities. Therefore, Ombudsperson's Office will be supported in caring out their duties, including serving as an interface between children's justice needs,

and governmental policy makers and judicial stakeholders, i.e. to gain additional knowledge and information, as well as practical work in the process of submitting lawsuits on behalf of children, intervention in ongoing judicial proceedings as *amicus curiae*, and taking necessary measures to ensure that all public administration bodies respect the rights of the child. In addition, technical assistance that will be provided will also reinforce their capacity to **monitor** children's rights in general and children's access to justice, to **serve as advocates** for systemic improvements, and to **hold government's accountable** to their commitments. The usage of **strategic litigation** as a powerful strategy to obtain landmark decisions susceptible in the longer term to impact on laws and social norms will be also promoted. In addition, within the Justice for Children Reform Initiative 2012-2014, the **Juvenile Justice Data Collection and Information Module** was developed on the basis of methodology consisting internationally agreed Juvenile Justice indicators (UNICEF and UNODC) and integrated into existing **judicial informational system (PRIS)**. Through the proposed programme component, the Judicial Council will be supported in ensuring regular application of the module and for conducting similar action pertaining to children who participate in civil, mainly family related proceedings in which area complete lack of data and information have been registered. In addition, related working sessions with professionals from Judicial Council, MoJ and judiciary will be organized in order to ensure regular application and monitoring of application of developed tools and modules and support generating of the existing data related to children in justice processes. The component will also focus on creating more robust links between the existing national information systems: a) Social Welfare Information System (where child-rights-based indicators will be enhanced), b) Montenegrin Education Information System, and national data collection and monitoring systems: a) National Statistical Office, b) Institute for Public Health, and c) Institute for Social and Child Protection.

- **(Convening partnerships and leveraging resources for children)** The programme component will seek to convey broad partnerships and leverage additional resources alongside with intensive advocacy efforts in order to ensure that national rule of law, justice sector reform policies, strategies and plans (Chapters 23, 24, Strategy on Judiciary Reform) fully incorporate issues pertaining to children's equitable access to justice.
- Articulate on **assumptions and risks** identified by UNICEF which can significantly contribute or impede the achievement of the outcome results. Output results assumptions and risks internal to UNICEF will shape the identification of activities that will be included in work plans. Assumptions can be tested and measured. The **more significant component of risks and assumptions are between outputs and outcomes** – where the maximum uncertainty exists. It would be useful to conceptualize these assumptions in terms of
- Assumption of causality

We assume that:

- Efforts directed to the promotion of child access to justice will enhance political will and readiness to make financial allocations for establishment of necessary preconditions and application of child friendly justice procedures, including designation of appropriate number of professionals from judiciary, police, social sector and others who will deal with children in justice exclusively;

- Efforts directed to enhancing children’s participation in criminal, civil and administrative court proceedings as victims, witnesses or parties will contribute to elimination of legal, practical, social and cultural obstacles on their path to justice.
- Efforts directed to raise awareness among professionals on children’s participations in court proceedings will lead to increased number of court decisions where voice of children are heard.
- Efforts aimed at enhancing the comprehensiveness and interoperability of existing information and monitoring systems will lead to the availability of thorough, disaggregated, reliable information on child’s rights across a range of sectors (justice, social, education, health) and, ultimately, evidence-informed policies.
- Efforts directed to monitoring the situation of children on how/if they access justice will contribute to increased number of children accessing justice, increased capacities of national HRI and enriching policy dialogue with the Government to properly address policies and strategies on children’s rights to access justice.

Assumption of Implementation

We assume that:

- Enhanced capacities of justice, social and other sectors professionals will directly contribute to the realization of rights and needs of children enrolled in justice processes.
- Raising awareness on child access to justice among professionals will enable children to be properly heard and treated by juvenile justice professionals throughout the whole court procedure.
- Putting Infrastructure for child friendly justice in place will directly benefit children victims and witnesses of crime in the sense that will minimize trauma and avoid secondary victimization.
- Enhanced capacities of staff in Free Legal Aid offices and Bar Chamber will facilitate child access to justice especially children belonging to disadvantage groups

- And assumption of external factors

We assume that:

- National rule of law, access to justice, justice sector reform policies, strategies and plans (or equivalent) incorporate issues pertaining to children’s equitable access to justice
- The Government will be committed to enact necessary changes to the system;
- The programme component will be able to mobilize resources required for the delivery of all of its inputs.

Risks:

- Insufficient financial resources allocated for establishment of all necessary preconditions and application of child friendly justice procedures including designation of appropriate number of professionals from judiciary, police, social sector and others who will deal with children in justice exclusively
- Changes of attitudes and practices are a long lasting process and will require full and prolonged commitment on the side of all project partners;
- Personal and organizational changes in the Government of Montenegro;

- Enforcement of adopted strategies/policies/services is lacking;
- The culture of professional accountability is not attained over time;
- Modelling of innovations does not yield the expected results;
- Generated data and evidence are not used for development of policies and reform proposals;
- Conducted advocacy campaigns do not result in changes in behaviours;
- The timeline for implementation of certain activities could present certain risks, in particular with regards to a somewhat demanding and slow governmental administration.

Mention specific expected roles and contributions by other actors/partners based on the stakeholder analysis. What are the policy positions and work of other actors on the matter? What are their capacities and expertise? Vested interest or relevant corporate priorities? Any collaboration? Any cross-sectoral work or innovation?

Under the leadership of the Ministry of Justice (MoJ), considerable progress has been made and strong political commitment was achieved in the reform of the country's judicial system and juvenile justice as an integral component. In line with the priorities of the justice sector reform and broader rule of law agenda in the country, the Ministry of Justice together with justice system in country, i.e. Supreme Court and Supreme State Prosecutor Office, recognized the need to continue juvenile justice reform, however also to expand the focus towards broader children's access to justice agenda which implies introduction of child-friendly procedures in the overall, mainstream criminal, civil and administrative proceedings and empowerment of the most vulnerable children and families to effectively access justice and meaningfully participate in all court and administrative proceedings. Therefore, the shift from juvenile justice reform to a broader access to justice requires raising awareness and strengthening capacities in all sectors, and among all professionals dealing with children who came in contact with justice system.

The programme component will address knowledge gaps among general public, decision makers and professionals on the child perception as a Rights Holders and will seek to empower children and families to claim for their rights and obtain redress (with specific consideration of equity and gender dimension). In addition, the activities will be targeted at strengthening institutional and administrative capacities of the Ministry of Justice, Ministry of Labour and Social Welfare and Ministry of Interior, judicial and NHR institutions (Ombudsperson office) charged with assisting children to access justice in order to ensure that bylaws, procedures, necessary infrastructure and internal mechanisms are in place to ensure accountability for the full implementation of laws, policies and provision of services to all children in accordance with international standards and without discrimination. Integrated approaches that link justice institutions with non-legal institutions will be critical to addressing the bottlenecks to children's access to justice, while also ensuring that remedies are sustainable and responsive to children's long-term developmental needs. Further to this, continuation in supporting institutions and professionals that made significant progress in the past years will continue. That is the case particularly implementation of Diversion Measures. Namely, particularly noteworthy results achieved in application of Victim/Offender Mediation for juveniles in conflict with the law that is seen as one of the most significant results of up to date reform process. Therefore, support of the Center for Mediation and all JJ professionals dealing with juveniles in conflict with the law will continue.

The role of national human rights institutions is crucial, especially when such institutions can initiate proceedings on behalf of children, and more broadly act as a systemic interface between children's justice needs, and the services provided by governmental and judicial authorities. More formalised cooperation modalities among national human rights institutions, NGOs, and community-based service providers have proven useful to improve children's access to justice, and should be explored where not already existing. Therefore, Ombudsperson's Office will be supported in carrying out their duties, including serving as an interface between children's justice needs, and governmental policy makers and judicial stakeholders, i.e. to gain additional knowledge and information, as well as practical work in the process of submitting lawsuits on behalf of children, intervention in ongoing judicial proceedings as *amicus curiae*, and taking necessary measures to ensure that all public administration bodies respect the rights of the child. In addition, technical assistance that will be provided will also reinforce their capacity to monitor children's access to justice, to serve as advocates for systemic improvements, and to hold government's accountable to their commitments.

Finally we expect that UNICEF intervention with the Government will create broad partnership of different stakeholders and organizations and donor interest for the issue.

Explain how UNICEF intends to apply cross-cutting principles of Gender Equality Mainstreaming, Human Rights and Environmental to the RKLA.

Through the children's access to justice approach, attention will be focused on access to justice of girls and boys in all programme component's activities throughout the programme cycle. When it comes to monitoring, reporting and evaluation efforts, particular attention will be paid to the collection of disaggregated data, so that interventions can be fine-tuned during annual reviews. In addition, the most vulnerable children and families will be empowered to effectively access justice, have meaningful participation in administrative and court proceedings and to receive necessary support and assistance to claim and obtain redress, challenge decisions before court, etc.

Enablers/Inputs

No contribution of UNICEF would be possible without the adequate human capacities, financial resources and stewardship and governance. Identify the relevant inputs required to bring the agenda forward and explain how each can be enablers of/for change.

Annex 1. Monitoring Framework

Monitoring Outputs and Demonstrating UNICEF’s Contribution to Outcomes

<p>Expected Impact:</p> <ul style="list-style-type: none"> • _____All children are enabled to realize their right to access justice when their rights are violated or entitlements denied • Children in justice processes are heard in compliance with the UN Guidelines on justice in matters involving child victims and witnesses of crime and decisions are taken in their best interests 			
Expected Outcomes with Indicators and Baselines	Expected Outputs	Output Targets and Indicators	Means of Verification / Baseline Data Collection
<p>1. By 2021 Justice system provides equitable access to justice for all children who benefit from effective legal protection and continuous monitoring of child rights violations by NHRI and CSOs</p> <p><u>1.UNDAF indicator 5.:</u> % of specialized professionals who apply child friendly</p>	<p>1. Increased awareness of general public and professionals on children as rights holders capable to seek redress for violations of their rights, including violence within the home and on internet</p>	<p>Indicator: Percentage of audiences (professionals, children and citizens over 18) whose knowledge, attitudes and practices change under the influence of the campaign</p> <p>Baseline: TBD (Findings and Results of KAP Study 2016)</p> <p>Target: TBD</p>	<p>Findings and Results of KAP Study 2016</p>
	<p>2.Montenegro’s legislation (criminal, civil and administrative) guarantees relevant rights (as per the regional and international legal framework) to children</p>	<p>Indicator: Level of compliance of Criminal Code, Juvenile Justice Law, Law on Protection from Family Violence and Family Law with relevant CR international instruments</p> <p>Baseline: Criminal Code, Juvenile Justice Law, Law on Protection from Family Violence and Family Law to a high extent aligned with relevant CR international instruments</p>	<p>CRC Concluding Observations to be issued for MNE, Reports on realizations of measures from Action Plan for Chapter 23 and 24</p>

<p>justice proceedings in working with children</p> <p><u>Baseline (2015):</u> 30 % professionals</p>	<p>participating in judicial proceedings</p>	<p>Target: Criminal Code, Juvenile Justice Law, Law on Protection from Family Violence and Family Law fully aligned with international CR related instruments</p>	
<p>specialized for application of child friendly justice proceedings</p> <p><u>Target (2021):</u> 100% professionals working with children apply child friendly justice proceedings</p>	<p>3. Specialized professionals with knowledge and skills on child rights and communication with children are handling children's cases</p>	<p>Indicator: Percentage of professionals working with children who possess specialized knowledge and skills on child rights and communication with children</p> <p>Baseline: 30% of professionals working with children possess specialized knowledge and skills on child rights and communication with children</p> <p>Target: 100% of professionals working with children possess specialized knowledge and skills on child rights and communication with children</p>	<p>Judicial Training Centre Reports, Supreme Court and Supreme State Prosecutor's Reports, Police Academy Statistics, Bar Chamber Statistics, Institute for Social and Child Protection Reports,</p>
<p><u>Indicator:</u> number of complaints submitted to Ombudsperson's Office related to children</p> <p>Baseline 2015: 160</p> <p>Target: 300</p>	<p>4. Independent HRI have increased capacity to monitor the implementation of child rights related legal framework and practices and procedural safeguards for children</p>	<p>Indicator:</p> <p>Number of thematic training sessions per year</p> <p>Baseline: 1</p> <p>Target: 3</p>	<p>Reports and statistic of the Office of Human Rights Protector of Montenegro, EU Progress Reports</p>

	<p>5. Professional Support Services in the Supreme State Prosecutor's Office and two Higher Courts are equipped with knowledge and information necessary for their efficient work and functioning</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Number of training sessions provided to PSS staff <p>Baseline: 1 initial training provided</p> <p>Target: 10 training sessions</p>	<p>Supreme Court Reports and Supreme State Prosecutor's Reports</p>
	<p>6. Tools for informing children on accessing justice and using Free Legal Aid service, with special focus on children belonging to minority groups and children with disabilities, established</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • Availability of child friendly webpage on Ministry of Justice website <p>Baseline: Child friendly webpage on Ministry of Justice website is not set up</p> <p>Target: Child friendly webpage on Ministry of Justice website is set up</p> <ul style="list-style-type: none"> • Number of information materials disseminated in schools, CSWs, police, judiciary OR number of children reached with printed information materials <p>Baseline: 0</p>	<p>Ministry of Justice Reports, Supreme Court Reports, Legal Aid Offices Reports</p>

		Target: 1000	
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Annex 2. Summary of Bottlenecks and Barriers for UNICEF to Address

Summarize only the most important bottlenecks/ barriers that UNICEF intends to address. Consider the following elements as a basis for prioritization and selection of areas of intervention: a) Criticality of national challenges/Inequities b) UNICEF mandate: Strategic Plan, alignment with global/ sectoral priorities c) Actors in the same or complementary fields d) Capacities and resources (human, financial, knowledge, technology, partners) e) Lessons learned, knowledge of what works.

Category	Determinant	Bottleneck	UNICEF roles/contribution in overcoming bottleneck and potential interventions	Priority for UNICEF (i.e. subject of UNICEF outputs)
Enabling Environment	Social norms are conducive to children’s equitable access to justice	<p>The child is largely not recognized as a rights holder. Traditional family roles, which don’t give due weight to the voice and opinion of the child in family and societal life, are still prevalent. The right of the child to participate, express opinion and to be heard in all matters that affects him/her (judicial, administrative, etc.), are largely not valued and not given due importance by the professional community. The findings indicate that social and cultural barriers are even more pronounced for children living in vulnerable situations (Roma or Egyptian minority and children with disabilities). The social and cultural barriers highlighted include the fear of negative consequences from the family, the community or justice sector actors.</p> <p>Negative perceptions of and distrust in public authorities, the police and judicial officials also impact on children’s access to justice.</p>	<p>Advocacy (the independent voice); Policy dialogue and advice; Convening partnership and leveraging resources for children; Capacity development of professionals and organizations</p>	<p><input type="checkbox"/></p>

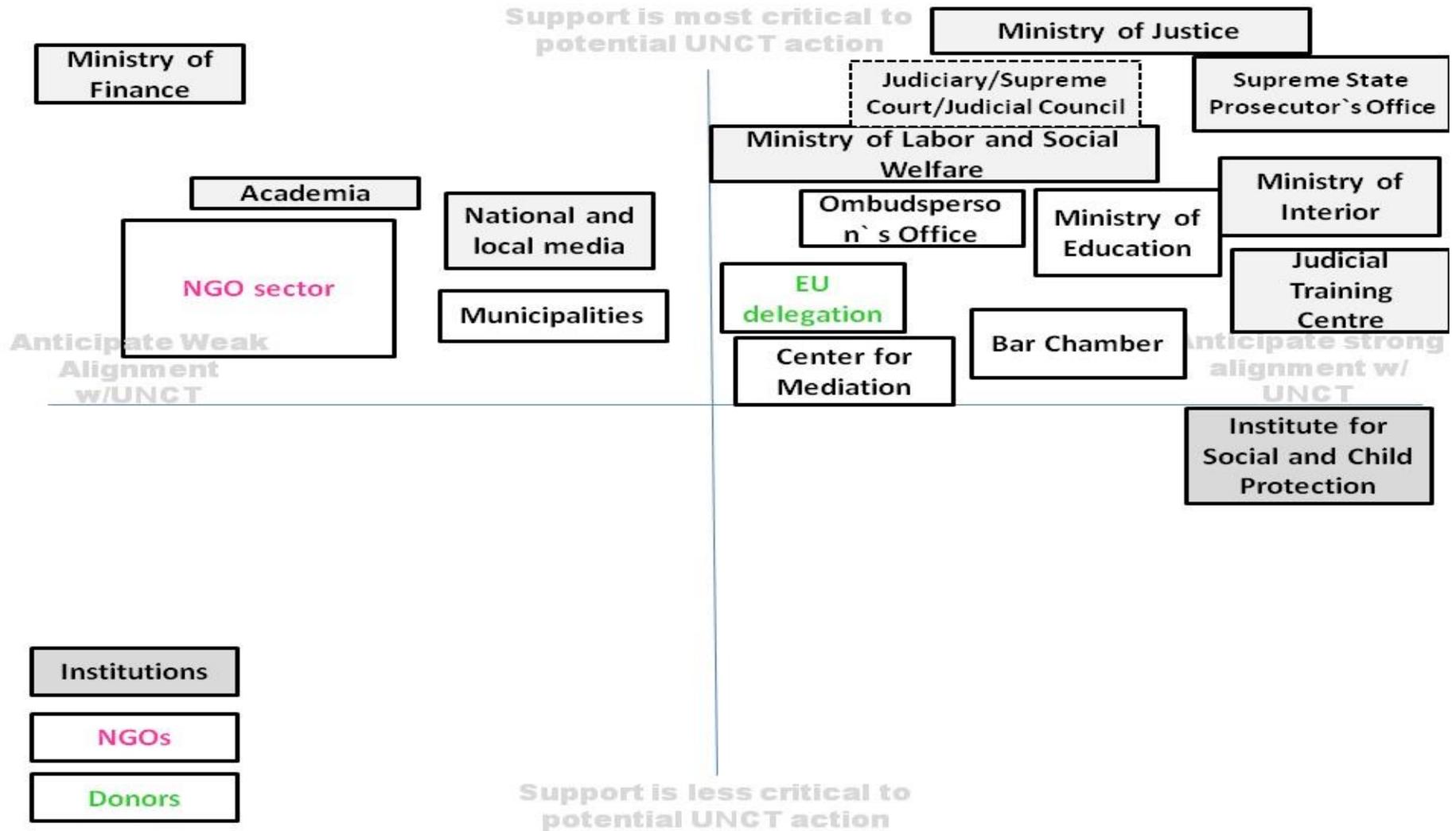
<p>The legal and policy framework regulating children's access to justice at national and sub-national levels is adequate and in line with international standards.</p>	<p>Legislation concerning children's rights to high extent aligned with international standards. However, room for improvement still exist:</p> <ul style="list-style-type: none"> - Overall criminal legislation to be assessed from the perspective of children rights and amended accordingly. To better define definition of a child, position of victims and witnesses of criminal proceedings, juvenile custody term, online child exploitation, etc. - New Strategy on the reform of judiciary does not fully incorporate children's access to justice concept. - Regulatory framework and supporting smooth implementation of the amended Family law is missing. 	<p>Policy dialogue and advice; Capacity development of professionals and organizations Advocacy (the independent voice)</p>	<input type="checkbox"/>
<p>Required resources supporting children's equitable access to justice are allocated & disbursed at national and sub-national levels and efficiently used.</p>	<p>Funds in the state budget that would reflect specific allocations for continuous specialization of all professionals involved in child friendly justice do not exist. Sufficient funds in the state budget that reflect infrastructure for child friendly justice currently do not exist, nor is this the case with allocations for child rights monitoring within Ombudsman office.</p>	<p>Policy dialogue and advice; Modelling and testing innovations</p>	<input type="checkbox"/>
<p>Management and coordination mechanisms are in place to support children's equitable access to justice and provide clarity of roles and accountabilities</p>	<p>Nonsystematic use of multidisciplinary approach and cooperation. Insufficient involvement of the social sector in prevention, follow up and monitoring of court proceeding involving children. The process of data collection and data analyses not systematically applied, existing data base in PRIS underused.</p>	<p>Advocacy (the independent voice) Knowledge generation and child rights monitoring Capacity development of professionals and organizations</p>	<input type="checkbox"/>

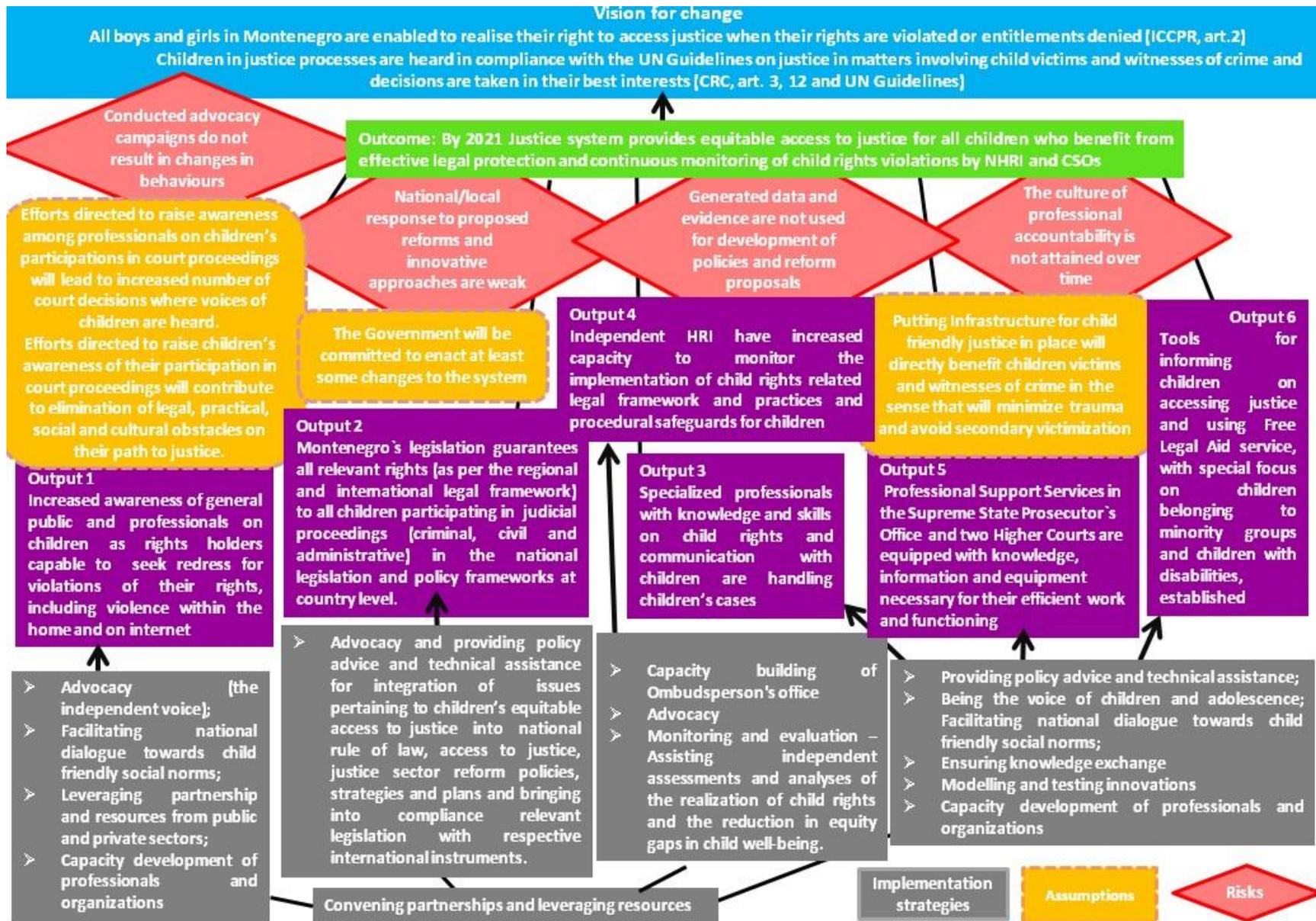
SUPPLY	Essential commodities/inputs required to ensure children's equitable access to justice are in place	Lack of child-friendly infrastructure or settings, including lack of separate or modified room where children are heard, designated and safe waiting areas and separate entrances, as well as equipment. Lack of essential equipment for functioning of Professional Support Services in Supreme State Prosecutor's Office and High Courts.	Modelling and testing innovations Capacity development of professionals and organizations	<input type="checkbox"/>
	Access to adequately staffed services, facilities and information is available for all children	Mechanisms guarantying long term and sustainable specialization of professionals dealing with children need to be strengthened. Free Legal Aid offices not sensitive for work with children and sufficiently utilized by children. Professional Support Services lack of technical capacities and knowledge information to effectively support a child through court proceedings. Limited capacities in Ombudsman office to deal with child rights.	Providing policy dialogue and advice; Capacity development of professionals and organizations Horizontal cooperation beyond-borders	<input type="checkbox"/>
DEMAND	Children and their families are aware of child access to justice rights and can afford the direct and indirect costs of using access to justice services	Lack of awareness of children's rights, among children and families. Information on child access to justice not available in respective institutions and judiciary especially when it comes to minorities and children disabilities. Institute of free legal aid does not available for all children and largely underused.	Modelling and testing innovations Advocacy (the independent voice) Policy dialogue and advice Convening partnership and leveraging resources for children	<input type="checkbox"/>

<p>Individual beliefs and practices of both providers and the population supports children's equitable access to justice</p>	<p>General distrust in the system among general population. Lack of awareness of professionals about children as a right holders and about children rights recognized as such by international standards. Sense of futility, children and families in vulnerable situations believe that they will be treated poorly and discriminated against. Professionals believe that children, especially young ones, are not able to voice their opinion and testify in courts. Children, parents, general population are not aware of the risks and threats of online child sexual exploitation and abuse</p>	<p>Advocacy (the independent voice) Policy dialogue and advice Capacity development of professionals and organizations</p>	<p><input type="checkbox"/></p>
<p>Decisions are enforced and the right to reparation realized in a timely manner</p>	<p>Issues pertaining to enforcement of court decisions exist. The capacities of Ombudsperson's office to monitor child access to justice insufficient. Children's cases are not always expedited and may last very long. NGO sector almost does not exist and does not provide any proper reply when it comes to child right violations; Strategic litigation as a strategy to raise child rights and violations not used at all.</p>	<p>Advocacy (the independent voice) Capacity development of professionals and independent organizations</p>	<p><input type="checkbox"/></p>

<p style="writing-mode: vertical-rl; transform: rotate(180deg);">QUALITY</p>	<p>Procedures and practices in the justice system and related support services adhere to quality standards (i.e. national or international standards)</p>	<p>Procedures are not always adapted to children’s age, maturity and evolving capacity. Non sustainable options for designating professionals dealing with children together with Insufficient numbers of professionals lead to the questionable quality of the work with children.</p>	<p>Knowledge generation and child rights monitoring Convening partnerships and leveraging resources for children Capacity development of professionals and organizations</p>	<p><input type="checkbox"/></p>
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Annex 3. Stakeholder Analysis





D. Object 1 Key Stakeholders and their Contributions

CRM Mechanism	Key Implementing Agencies / Duty Bearers	Contribution / Role of Key Implementing Agencies / Duty Bearers during the Evaluation Period	Corresponding Rights Holders
State party report submitted to the CRC Committee in 2015	<ul style="list-style-type: none"> - Primary duty bearers: Office of the Prime Minister and MoLSW - Secondary duty bearers: other line Ministries 	<ul style="list-style-type: none"> - Office of the Prime Minister provides final approval of the State report - MoLSW: coordinator and lead drafting body for the State report - Other line Ministries contribute to the State report 	Under-18s under Montenegro's jurisdiction
State party report submitted to the CEDAW Committee in 2016	<ul style="list-style-type: none"> - Primary duty bearers: Office of the Prime Minister and MoHMR - Secondary duty bearers: other line Ministries 	<ul style="list-style-type: none"> - Office of the Prime Minister provides final approval of the State report - MoHMR: coordinator and lead drafting body for the State report - Other line Ministries contribute to the State report 	
Shadow reports to the CRC Committee	National implementing agencies: <ul style="list-style-type: none"> - Centre for Children's Rights - Child Helpline International and Children First 	Submission of shadow reports by each of these agencies in 2017	
Shadow reports to the CEDAW Committee	National implementing agencies: <ul style="list-style-type: none"> - NGO, Juventas - Women's Rights Centre - Centre For Roma Initiatives - Women's Safe House - SOS Hotline for Victims of Violence - Nikšić Spektra - Queer Montenegro 	Submission of shadow reports by each of these agencies in 2017	
Shadow report of the Ombudsperson to the CRC Committee	Primary duty bearer: Ombudsperson; and Deputy Ombudsperson for Child Rights	<ul style="list-style-type: none"> - Report by the Ombudsperson's Network of Global Advisors submitted in 2017 - Report by the Ombudsperson submitted in 2017 	

Annual reports of key line Ministries	- Primary duty bearers: MoLSW; MoH; Mol; MoJ; MoE; MoFA; MoHMR	Annual reports of each of these line Ministries from 2014 to 2017	
Annual progress reports on the implementation of the NPAC 2013-2017	Primary duty bearer: CCR (i.e. MoLSW; MoF; MoH; MoE; MoS; MoJ; Mol; Ministry of Culture; a child proposed by the Centre for Children's Rights; Secretariat for Legislation; Institute of Statistics; representative of public and cultural life, proposed by the MoLSW; Union of Associations of Parents of Children and Youth with Disabilities 'Our initiative'; NARDOS; Association of Parents, Children and Youth with Disabilities 'Give Us a Chance'; Association of Parents / Udruzenje Roditelji	CCR's NPAC annual progress reports for 2014-2016	
Reports of Parliamentary Committee regular sessions and public hearings	Primary duty bearers: Parliamentary Committee on Human Rights and Freedoms; Parliamentary Committee on Health, Labour and Social Welfare; and Parliamentary Committee on Education, Science, Arts and Sports	<ol style="list-style-type: none"> 1. Report of the Committee on Education, Science, Culture and Sport 2016 2. Report of the Committee on Education, Science, Culture and Sport 2015 3. Plan of Activities of the Committee on Human Rights and Freedoms in 2017 4. Report on the Activities of the Committee on Human Rights and Freedoms 2017 (January-July 2017) 5. Report on the work of the Committee on Human Rights and Freedoms 2016 6. Report on the work of the Committee on Human Rights and Freedoms 2015 7. Report on the work of the Committee on Human Rights and Freedoms 2014 8. Report on the work of the Committee on Labour and Social Welfare 2014 	
Annual reports of the	Primary duty bearers: Ombudsperson and Deputy	Annual reports for 2014-2016	

Ombudsperson	Ombudsperson for Child Rights		
National reports to the UPR	<ul style="list-style-type: none"> - Primary duty bearers: Office of the Prime Minister; and the MoFA - Secondary duty bearers: other line Ministries 	<ul style="list-style-type: none"> - Mid-Term Report submitted in 2015 - Third cycle State report under progress at the time of writing 	
Individual complaints submitted to the Deputy Ombudsperson for Child Rights	Primary implementing agency: Office of the Ombudsperson - Deputy Ombudsperson for Child Rights	Individual complaints handled by the Deputy Ombudsperson for Child Rights between 2014 and 2017.	

E. Evaluation Matrix

Evaluation questions	Indicators, Standards, Benchmarks	Data source	Data collection methods and tools
1. RELEVANCE: How can UNICEF best align its planned CRM interventions with the needs of boys and girls in Montenegro and the priorities and policies of CRM stakeholders?			
1.1 To what extent are the mandates and activities of the CRM mechanisms consistent with the needs of boys and girls in Montenegro, including those who are particularly marginalised or vulnerable to discrimination?	<ul style="list-style-type: none"> - Key activities of the CRM mechanisms between 2014-2017 identified - The objectives of the CRM mechanisms are consistent with the identified needs of girls and boys in Montenegro, including those who are particularly marginalised or vulnerable to discrimination - The functioning and structure of the Office of the Ombudsperson are in line with the Paris Principles 	Annual/ progress reports and strategies of CRM mechanisms; research reports on the situation of children in MNE; children; CRM stakeholders	Desk review of literature; KII with CRM stakeholders; FGDs with children
1.2 To what extent is the theory of change of UNICEF's planned CRM interventions consistent with the needs of boys and girls in Montenegro, including those who are particularly marginalised or vulnerable to discrimination, and relevant to the Montenegrin context?	<ul style="list-style-type: none"> - The key objectives, outcomes and outputs of UNICEF's planned CRM interventions are consistent with the identified needs of girls and boys in Montenegro, including those who are particularly marginalised or vulnerable to discrimination - The indicators for the planned outcomes and outputs take into account girls and boys who are particularly marginalised or vulnerable to discrimination - The assumptions and risks underlying the theory of change are relevant to the Montenegrin context 	Reports, strategy and programmatic documents relating to UNICEF's planned interventions; research reports on the situation of children in MNE; CRM stakeholders; children	Desk review of literature; KII with CRM stakeholders; FGDs with children
1.3 To what extent can UNICEF's CRM interventions build upon any existing interventions by other key CRM stakeholders?	<ul style="list-style-type: none"> - CRM interventions of other key CRM stakeholders are identified - Objectives of UNICEF's planned CRM initiatives are consistent with the objectives of CRM interventions 	Annual/ progress reports and strategies of CRM mechanisms; Reports, strategy and programmatic documents	Desk review of literature; KII with CRM stakeholders

		relating to UNICEF's planned interventions; CRM stakeholders	
1.2 1.4 How can UNICEF synergise its future CRM interventions with the policies, strategies and approaches of other key CRM stakeholders?	<ul style="list-style-type: none"> - Policies, strategies and approaches (pertaining to CRM) of key CRM stakeholders are identified - UNICEF's policies, strategies and approaches with regard to CRM are identified - Synergies between the strategies, policies and approaches of UNICEF and other key CRM stakeholders are identified 	Annual/ progress reports and strategies of CRM mechanisms; Reports, strategy and programmatic documents relating to UNICEF's planned interventions; key CRM stakeholders	Desk review of literature; KII with CRM stakeholders
<p>2. EFFECTIVENESS: how can UNICEF best support the development of the CRM system at both the central and local levels to ensure that girls and boys in Montenegro, including those who are particularly marginalised and vulnerable to discrimination, have access to an accountable CRM system?</p> <p>*Note that inter-sectoral cooperation is dealt with in more detail under separate evaluation criteria, 'inter-sectoral coordination,' below.</p>			
CRM mechanisms 1, 2, 4, 5, 6 and 8 (i.e. the CRM mechanisms that do not pertain to the Office of the Ombudsperson)			
1.3 2.1 To what extent do CRM stakeholders collect, share and analyse data to monitor trends in the situation of child rights in Montenegro?	<ul style="list-style-type: none"> - CRM stakeholders collect and share accurate quantitative and qualitative data to monitor the realisation of child rights under the CRC and CEDAW - The data is disaggregated by gender, age, ethnicity and disability, and other indicators relevant to girls and boys identified as particularly vulnerable to marginalisation and discrimination - CRM stakeholders analyse and identify trends and inequities in the realisation of the rights of boys and girls - Barriers to CRM stakeholders collecting, sharing and analysing disaggregated data to identify trends and inequities in the situation of children in Montenegro are identified 	Reports of the CRM mechanisms since 2014; extracts from national databases (particularly the Integrated Information System of Social Welfare; MEIS; Judicial Information System; MONSTAT); reports of international CRM and human rights mechanisms; constituent	Desk review of literature; KII with CRM stakeholders

		laws and governing policies and other documents of the national CRM mechanisms; research reports; CRM stakeholders	
2.2 To what extent do CRM stakeholders utilise the data and analysis to develop laws, policies and programmes with a view to improving the realisation of child rights in Montenegro?	<ul style="list-style-type: none"> - CRM stakeholders use the data to inform the development of reports for the CRM mechanisms - CRM stakeholders use the outcomes of the CRM mechanisms to develop initiatives for laws, policies and programmes to address gaps and inequities in the realisation of child rights - CRM stakeholders follow-up and track the progress of the development of the laws, policies and programmes - 	Reports of the CRM mechanisms since 2014; constituent laws and governing policies and other documents of the national CRM mechanisms; reports of international CRM and human rights mechanisms; research reports; CRM stakeholders	Desk review of literature; KII with CRM stakeholders
2.3. To what extent are CRM duty bearers held accountable for shortfalls or inequities in the realisation of child rights in Montenegro based on the evidence generated by the CRM system?	<ul style="list-style-type: none"> - Shortfalls or inequities are communicated clearly to relevant duty bearers - Standards and mechanisms are in place to track and measure the performance of the steps taken by the duty bearers to address the shortfalls or inequities - Duty bearers take steps to address the shortfalls or inequities - Sanctions are in place for non-satisfactory performance by the duty bearers in addressing the shortfalls or inequities 	Reports of the CRM mechanisms since 2014; constituent laws and governing policies and other documents of the national CRM mechanisms; reports of international CRM and human rights mechanisms; research reports; CRM	Desk review of literature; KII with CRM stakeholders; review of individual case files at the Office of the Ombudsman

		stakeholders; individual case files at the Office of the Ombudsman	
Independent CRM mechanism: Office of the Ombudsman (CRM mechanisms 3 and 7)			
2.4 To what extent are girls and boys in Montenegro able to access the individual complaints mechanism at the Ombudsman's Office?	<ul style="list-style-type: none"> - Numbers of individual complaints concerning alleged violations of child rights that are submitted to the Ombudsman's Office in 2014, 2015 and 2016 - Percentage of such complaints submitted to the Ombudsman's Office that are inadmissible v. admissible (for 2014, 2015 and 2016) - Percentage of admissible complaints in relation to which a violation of the rights of the child is found (for 2014, 2015 and 2016) - Children demonstrate awareness of the existence and purpose of the individual complaints mechanism and knowledge of how to access it - Barriers to accessing the individual complaints mechanism highlighted by children and CRM stakeholders 	Annual reports of the Ombudsman; Office of the Ombudsman staff, particularly the Deputy on child rights; children; other CRM stakeholders	Desk review of literature; KII with CRM stakeholders; FGDs with children
2.5 To what extent are the recommendations of the Ombudsman in respect of individual complaints involving a violation of child rights implemented in practice?	<ul style="list-style-type: none"> - Percentage of cases in which a violation has been found for which remedial action was taken within the deadline imposed by the Ombudsman (for 2014, 2015 and, to the extent permissible, 2016) - Barriers and bottlenecks to non-implementation identified - Enablers to implementation are identified 	Annual reports of the Ombudsman; Office of the Ombudsman staff, particularly the Deputy on child rights; individual case files at the Office of the Ombudsman	Desk review of literature; KII with CRM stakeholders; review of individual case files at the Office of the Ombudsman
2.6 How effective are the annual reports of the Ombudsman and	<ul style="list-style-type: none"> - The Ombudsman collects and analyses disaggregated data on the situation of children in Montenegro to identify 	Annual and shadow reports from 2014 to	Desk review of literature; KII with

<p>its shadow reports to the CRC and CEDAW Committees in protecting child rights in Montenegro?</p>	<p>gaps and inequities in the realisation of their rights under the CRC and CEDAW</p> <ul style="list-style-type: none"> - The Ombudsperson develops targeted, evidence-based recommendations to remedy the violations of child rights - The Ombudsperson tracks the progress of the implementation of its recommendations - The Ombudsperson takes steps for unsatisfactory implementation of its recommendations by relevant CRM duty bearers 	<p>present; Office of the Ombudsperson staff, particularly the Deputy on child rights; other CRM stakeholders</p>	<p>CRM stakeholders</p>
<p>2.7 To what extent does the Office of the Ombudsperson raise awareness of child rights and access to the individual complaints mechanism?</p>	<ul style="list-style-type: none"> - Office of the Ombudsperson implements activities to increase public awareness of child rights and access to the individual complaints mechanism - Office of the Ombudsperson assists in the formulation and implementation of programmes for the teaching of, and research into, child rights - CRM stakeholders demonstrate knowledge of the meaning of CRM - Children demonstrate awareness of child rights, identities of key duty bearers, the role of the Office of the Ombudsman, and how to access the individual complaints mechanism 	<p>Annual reports of the Ombudsperson from 2014 to present; Office of the Ombudsperson staff, including the Ombudsperson and Deputy on child rights; other CRM stakeholders; children</p>	<p>Desk review of literature; KII with CRM stakeholders; FGDs with children</p>
<p>Theory of Change for UNICEF's planned interventions</p>			
<p>2.7 To what extent does the theory of change for UNICEF's planned interventions address the barriers or bottlenecks to the utilisation by girls and boys in Montenegro of a well-governed and accountable CRM system? (i)</p>	<ul style="list-style-type: none"> - The planned activities, outputs and outcomes and corresponding indicators in the theory of change address the barriers and bottlenecks to the utilisation by girls and boys in Montenegro of a well-governed and accountable CRM system, as highlighted by the preceding effectiveness analysis - 	<p>Reports, strategy and programmatic documents relating to UNICEF's planned interventions; research reports on the situation of children in MNE; CRM stakeholders; children; individual case</p>	<p>Desk review of literature; KII with CRM stakeholders; FGDs with children; review of individual case files at the Office</p>

		files at the Office of the Ombudsman	of the Ombudsman
3. EFFICIENCY: How can UNICEF support the development of an efficient CRM system?			
3.1 Do the key CRM stakeholders have sufficient financial resources to fund their CRM activities?	<ul style="list-style-type: none"> Budget of each key CRM stakeholder for their respective CRM activity/activities identified for 2014, 2015, 2016 and 2017 The CRM stakeholder reports that the budget was/is sufficient to cover its CRM activities for that year CRM stakeholder reports that it has secured the budget for any planned CRM activities from 2017-2021 	Reports of the CRM mechanisms; Key CRM stakeholders	
3.2 To what extent are the outputs of the CRM mechanisms delivered on time?	<ul style="list-style-type: none"> State reports to the CRC and CEDAW Committees and the UPR are submitted before the deadline imposed by the international mechanism Annual reports of the MoHMR, CCR and Ombudsperson, and on the implementation of the NPAC 2013-2017 are published every 12 months The final decision of the Ombudsperson with regard to individual complaints concerning alleged violations of children's rights is issued without unreasonably delay Key barriers, bottlenecks and enablers to timely delivery are identified 	State reports to the CRC and CEDAW Committees and the UPR; websites of these monitoring mechanisms; preceding reports of the CRC and CEDAW committees and UPR; Annual reports of the MoHMR, CCR and Ombudsperson (2013-2017); Key CRM stakeholders; individual case files at the Office of the Ombudsman	Desk review of literature; KII with key CRM stakeholders; review of individual case files at the Office of the Ombudsman
3.3 Are the human resources allocated to the CRM mechanisms	<ul style="list-style-type: none"> Numbers of members within the key CRM stakeholder bodies who are responsible for the deliverables 	Annual reports of the key CRM stakeholders and mechanisms; Key CRM	Desk review of literature; KII with key CRM

sufficient in quality and quantity?	<p>involved in the CRM mechanism</p> <ul style="list-style-type: none"> • Key CRM stakeholders consider that staff members have requisite capacity to perform CRM functions • Numbers of external technical experts utilised by the key CRM stakeholders to deliver under the CRM mechanism 	stakeholders	stakeholders
<p>4. SUSTAINABILITY: how can UNICEF support the development of a sustainable CRM system?</p> <p>*Note that inter-sectoral cooperation is dealt with in more detail under separate evaluation criteria, 'inter-sectoral coordination,' below.</p>			
4.1. To what extent do the key CRM stakeholders retain the knowledge and skills of their workforce at all levels to continuously perform their CRM functions?	<ul style="list-style-type: none"> - Key CRM stakeholders members with knowledge and skills are retained - Key CRM stakeholder members participate in regular knowledge and capacity-building trainings to enable them to perform their CRM functions - Key CRM stakeholder members do not report any challenges associated with 'brain drain' or a high turnover of staff 	Annual reports of the key CRM stakeholders; constituent and other progress reports pertaining to the work of the key CRM stakeholders; comments and recommendations of international human rights bodies on the activities of the key CRM stakeholders; key CRM stakeholders themselves	Desk review of literature; KII with key CRM stakeholders
4.2. How can UNICEF support national CRM stakeholders at the national and local levels to enable them to continuously build their capacity to perform their CRM functions?	<ul style="list-style-type: none"> - UNICEF's planned CRM interventions are developed taking into account the barriers and enablers hindering and facilitating the ability of key CRM stakeholders in developing and retaining the knowledge and skills of their workforce - 	UNICEF and other CRM stakeholder documentation on the development of the new Country Programme 2017-2021; CRM	Desk review of literature; KII with CRM stakeholders

		stakeholders	
4.3. How sustainable are the awareness-raising initiatives of key CRM stakeholders with regards to child rights and CRM, and the role of the Office of the Ombudsman?	<ul style="list-style-type: none"> - CRM stakeholders consider that they have sufficient human, technological and financial resources to continue the implementation or distribution of awareness-raising activities - Barriers, bottlenecks and enablers to CRM stakeholders raising awareness of child rights, CRM and the role of the Office of the Ombudsman identified 	Research reports or progress reports on the outcomes of awareness-raising initiatives of CRM stakeholders since 2014; CRM stakeholders	Desk review of literature; KII with CRM stakeholders
5. INTER-SECTORAL COORDINATION: how can UNICEF best support the development of effective and sustainable inter-sectoral coordination between CRM stakeholders in the performance of their CRM functions?			
5.1. What changes are required to the overall institutional structure of the CRM system in order to improve inter-sectoral coordination amongst CRM stakeholders at the national and local levels?	<ul style="list-style-type: none"> - Barriers/bottlenecks to inter-sectoral coordination of CRM functions identified - New institutional structure of the CRM system addresses the key barriers/bottlenecks in achieving inter-sectoral coordination of CRM functions - 	Constituent documents of CRM mechanisms; reports pertaining to the functioning of the CRM system, including comments and recommendations of the CRC and CEDAW committees and UPR; CRM stakeholders	Desk review of literature; KII with CRM stakeholders
5.2. What steps or strategies should UNICEF take to support CRM stakeholders in achieving effective and sustainable inter-sectoral coordination in the performance of their CRM functions?	<ul style="list-style-type: none"> - CRM stakeholders are able to coordinate amongst themselves to implement the changes - CRM stakeholders have the technical knowledge, skills and experience to implement the changes required - CRM stakeholders are able to continue effective inter-sectoral coordination after the conclusion of UNICEF's CRM intervention 	Constituent documents of CRM mechanisms; reports pertaining to the functioning of the CRM system, including comments and recommendations of the	Desk review of literature; KII with CRM stakeholders

		CRC and CEDAW committees and UPR; CRM stakeholders	
6. IMPACT: How can UNICEF support the development of a CRM system that contributes towards the progressive realisation of the rights of girls and boys in Montenegro, including children who are particularly marginalised or vulnerable to discrimination?			
6.1. To what extent are the CRM mechanisms likely to lead to improvements in the situation of boys and girls in Montenegro, including those who are particularly marginalised or vulnerable to discrimination?	<ul style="list-style-type: none"> - Quality and comprehensiveness of reports produced by the CRM mechanisms - Key recommendations made by the CRM mechanisms in the areas of child justice, health, education, social welfare, child protection and finance have been or are being implemented - Increase in the number of complaints submitted to the Office of the Ombudsman between 2014 and 2017 concerning alleged violations of child rights - Percentage of recommendations made by the Ombudsperson in respect of violations of children's rights submitted under the individual complaints procedure that are being or have been implemented 	Reports and decisions produced by the CRM mechanisms; progress reports on implementation of recommendations arising from the CRM mechanisms; key CRM stakeholders; individual case files at the Office of the Ombudsman	Desk review of literature; KII with CRM stakeholders; review of individual case files at the Office of the Ombudsman
7. CROSS-CUTTING EQUITY ISSUES: How can UNICEF ensure that gender and other relevant equity-based considerations are mainstreamed in the CRM system and activities of the CRM mechanisms?			
7.1. To what extent are gender and other equity-based considerations relevant to boys and girls in Montenegro mainstreamed in the CRM system?	<ul style="list-style-type: none"> - CRM stakeholders collect, share and analyse accurate disaggregated data on boys and girls of all ages to identify trends and inequities in the realisation of their rights - The data is used to develop laws, policies and practices aimed at addressing the inequities in the realisation of child rights - CRM duty bearers are held to account for inequities in the realisation of child rights through the data produced 	Desk review (particularly reports of CRM mechanisms; CRM stakeholders; FGD with children; individual case files at the Office of the Ombudsman	Desk review; KII with CRM stakeholders; FGDs with children; review of case files of the Ombudsman

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- Montenegro Ministry for Human and Minority Rights, Summary of Action Plan on Gender Equality 2013-2017

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- Protocol on Actions, Prevention of and Protection against Family Violence, Podgorica, November 2011
- SOS Hotline for Women and Children Victims of Violence Podgorica, International Standards for Protection of Women against Gender Based violence and Violence in Family, Podgorica 2017
- Strategy for the Protection from Family Violence 2016-2020

NGO Sector

- Official Gazette of Montenegro, Decision on Establishing the Council between Government and NGOs, No. No. 48/09, Podgorica April 2010
- Analysis of the Effects of Implementation of Development Strategy of NGOs 2014-2015, September 2016
- Report of the Monitoring Team of NGOs: Human Rights Action/Centre for Anti-discrimination "Equista"/Centre for Civic Education/ Women's safe House, Respect for Human Rights of Residents in the Public Institution "Komanski Most" Podgorica 2013
- Report on Work of Council for Development of NGOs 2014-2015, Podgorica June 2016

Key Databases

- Statistical Office of Montenegro, Particularly Statistics on Poverty, Education, Social Protection and Administration of Justice:
- <http://www.monstat.org/eng/page.php?id=295&pageid=75>
- Judicial Information System (PRIS)
- Integrated Information System of Social Welfare
- Montenegrin Education Information System (MEIS)

Miscellaneous

- US Department of State, Human Rights Report on Montenegro 2016
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- Government of Montenegro, Semi-Annual Report on Action Plan July-December 2016, January 2017.
- Cetar Za Prava Djeteta Crne Gore, Powerpoint on Report on Implementation of CRC Committee Recommendations 2010-2014
- NGO Report on Implementation of Convention on the Rights of Child Committee Recommendations 2010-2014
- "Official Gazette of the Republic of Montenegro," no. 42/2003, 28/2004, 75/2005, 13/2006 Law on Self-Government, Podgorica, December 2014

G. Participants

Semi-structured interviews with key CRM stakeholders:

1. Office of the Prime Minister
2. MoFA (CRM focal point, particularly regarding State reports to the UPR)
3. MoLSW (regarding the State Report to the CRC Committee)
4. (Unless already interviewed above) MoLSW (regarding the coordination of and secretariat support to the CCR);
5. MoHMR (regarding annual reports on situation of human rights)
6. (If different to the person above) Department for Gender Equality Affairs, MoHMR (regarding coordination of the Council for Gender Equality)
7. Centre for Children's Rights (regarding the submission of NGO shadow reports to the CRC Committee and UPR)
8. Centre for Women's Rights (regarding the submission of NGO shadow reports to the CEDAW Committee)
9. Association of Youth with Disabilities
10. Parliamentary Committee on Human Rights and Freedoms
11. Parliamentary Committee on Health, Labour and Social Welfare
12. Parliamentary Committee on Education, Science, Arts and Sports
13. Parliamentary Committee on Gender Equality
14. Deputy Ombudsperson for Child Rights, Social Protection and Youth
15. Ombudsperson

Semi-structured interviews with CRM stakeholders from Government or public administration at the **national level**:

1. Bureau for Education
2. Institute for Social and Child Protection
3. Judicial Council
4. Judicial and Prosecutorial Training Centre
5. MoE
6. MoF
7. MoH
8. MoI
9. MoJ
10. (Unless the relevant focal point has been interviewed above) MoLSW (regarding data collection)
11. MONSTAT
12. MoS
13. National Institute of Public Health
14. Office of the Supreme State Prosecutor
15. Professional Support Services of the Office of the Supreme State Prosecutor
16. Police Directorate
17. Secretariat for Legislation of the Government of Montenegro
18. Supreme Court
19. (Unless the relevant focal point has already been interviewed above) Government representative of the Council for the Care of Persons with Disabilities
20. (Unless the relevant focal point has already been interviewed above) Government representative of the Inter-Ministerial Meetings on the Protection of Children from Violence

Semi-structured interviews with CRM stakeholders from civil society and academia:

1. NGO Association of Parents of Children with Disabilities (Bijelo Polje)
2. NGO Association of Parents of Children with Disabilities (Herceg Novi)
3. NGO Human Rights Action
4. NGO Institut Alternativa
5. NGO Juventas
6. NGO Montenegrin's Women's Lobby
7. NGO Nasa Inicijativa
8. NGO Nardos
9. NGO Pedagogical Centre of Montenegro
10. NGO Roditelji
11. NGO SOS Bijelo Polje
12. NGO SOS Podgorica
13. NGO Young Roma (Podgorica)
14. Red Cross of Montenegro (Podgorica)
15. University of Montenegro, Faculty of Law (experts in matters relating to children or human rights in Montenegro)

Semi-structured interviews with international agencies and donors:

1. Council of Europe (note that a reply was received by email stating that CoE do not undertake any work in relation to children/child rights)
2. Delegation of the European Union to Montenegro
3. UN High Commissioner for Refugees in Montenegro (via skype)
4. UNDP in Montenegro (Gender focal point and Social inclusion cluster)
5. Organisation for Security and Cooperation in Europe mission to Montenegro
6. Office of the High Commissioner for Human Rights in Geneva (via skype)
7. World Bank Group in Montenegro

Semi-Structured interviews with CRM stakeholders at the **municipal level**:

1. Mayoral Office
2. High Court (Podgorica)
3. High Court (Bijelo Polje)
4. High Prosecutor's Office (Podgorica)
5. High Prosecutor's Office (Bijelo Polje)
6. Basic Court
7. Basic Prosecutor's Office
8. Department of Finance (focal point regarding municipal budget allocation)
9. Department of Labour and Social Welfare
10. Department of Education
11. Department of Health
12. Department of Sport
13. Police unit
14. Representatives of the Secretariat of the Municipal Assembly
15. Centre for Social Work
16. Council for Gender Equality (Bijelo Polje)
17. Coordinator for Gender Equality (Podgorica, Bijelo Polje, Herceg Novi)
18. Children's Home 'Mladost' (Herceg Novi)
19. Representative of multi-disciplinary team for children in Bijelo Polje
20. Representatives from professional services (High Court) Bijelo Polje

Focus Group Discussions with children:

1. FGDs with boys and girls in age groups 12-14 years and 15-18 years (Podgorica, Bijelo Polje, Herceg Novi)

H. Tools

Semi-Structured Interview Schedule: Office of the Ombudsman

1. GENERAL
Date: Location: Gender of participant: Participant's position/ title: ²⁶ How long the participant has held this position/ title: Brief overview of participants' role and responsibilities:
2. RELEVANCE
a) What is your understanding of the term 'child rights monitoring'? b) What is the role of your office in monitoring child rights? c) Does your office have a child rights monitoring strategy or action plan? a. In developing this strategy/action plan, did you seek the views of children? How? b. What are your areas of focus/ priority areas concerning the protection of children's rights? Why? d) Since 2014, what projects or activities has your office carried out in relation to children? Why did you carry out these particular projects or activities? What is/was their intended goal? e) What activities or projects do you have planned over the next five years in relation to child rights? Why?
3. EFFECTIVENESS AND IMPACT
General a) What were the results and outcomes of the [activities and projects mentioned above]? b) Did you face any challenges in implementing the [activities and projects]? If so, what were they? c) The Global Alliance of National Human Rights Institutions considers that the Office of the Ombudsperson is not fully in compliance with the Paris Principles. What steps is the Office taking to meet the Paris Principles and achieve 'A Status'? Individual complaints mechanism d) Please provide me with a brief description of the process of handing individual complaints regarding alleged violations of child rights. e) How many individual complaints concerning alleged violations of child rights were submitted to the Ombudsperson's Office in 2014? 2015? 2016? So far in 2017? a. What were these individual complaints about? b. What were the profiles of the complainants (e.g. age; gender; domicile; ethnicity; nationality; disability status; socio-economic background)? f) How many of the complaints submitted to the Ombudsperson's Office in (i) 2014 (ii) 2015 and (iii) 2016; and (iv) so far in 2017, were admissible v. inadmissible? a. What were the main reasons for inadmissibility of individual complaints concerning child rights? g) What steps does your office take to investigate individual complaints? In your opinion, are your powers of investigation sufficient? If not, why not? h) How many cases of violations of child rights did you find in (i) 2014; (ii) 2015; (iii) 2016; and (iv) so far in 2017? a. What were these cases about? b. Did the Ombudsman make any recommendations or propose any remedies to address these

²⁶ Please note that to ensure the participant's anonymity, any roles/titles that may enable identification of the participant will not be included in the Evaluation Report.

violations? If so, what were these recommendations/proposals? Was there a deadline for implementation?

- c. In how many of these cases were the Ombudsman's recommendations/proposals implemented on time?
- i) Do you take any steps to follow-up cases that you have dealt with to monitor implementation of your recommendations?
- j) What steps are you able to take against duty bearers who do not implement your recommendations on time? Do you think that these powers are sufficient? If not, why not?
- k) How long does it take to deal with an individual complaint regarding an alleged violation of child rights: (i) from receipt of the complaint to the Ombudsman's decision on admissibility; (ii) from the decision on admissibility to the Ombudsman's final decision on the matter; (iii) from the final decision on the matter to implementation of recommendations?
- l) In your opinion, what are the key factors hindering children's access to the individual complaints mechanism?
- m) In your opinion, what are the key factors hindering implementation of the Ombudsperson's recommendations made following the finding of a violation of a child's rights?

Reporting

- n) Do you collect any (i) quantitative or (ii) qualitative data on the situation of children in Montenegro? If so:
 - a. What data do you collect?
 - b. Is this data disaggregated? [Request a sample of the disaggregated data]
 - c. How do you collect this data?
- o) How do you use this data to monitor child rights?
 - a. How often do you submit your annual report? To whom?
 - b. What steps do you take to follow-up recommendations or suggestions made in your annual report?
 - c. What steps do you take in the event of non-implementation of your recommendations? In your opinion, are these steps effective in holding duty bearers to account? Why/why not?
- p) I understand that the Office of the Ombudsman did not submit a shadow report to the UN Committee on the Elimination of Discrimination against Women in relation to Montenegro's periodic review that took place earlier this year. Why is that?
- q) Does the Office of the Ombudsman plan to submit a shadow report to the (i) UN Committee on the Rights of the Child for Montenegro's periodic review scheduled and (ii) UN Human Rights Council in relation to Montenegro's universal periodic review, both scheduled for 2018? If not, why? If so, what is your methodology in preparing these reports? At what stage in the process are you in developing these reports?
- r) Do you face any challenges in collecting, analysing and using data to monitor children's rights? If so, what are these challenges?

Awareness-raising

- s) What steps is the Office of the Ombudsperson taking to raise awareness of: (i) child rights; and (iii) the mandate of the Ombudsman and how children can access the individual complaints mechanism? In your opinion, have these activities been effective? Why / why not?
- t) Is the Office of the Ombudsperson involved in developing or implementing teaching or research programmes in the area of child rights or the role of the Ombudsman? If so, how?
- u) In your opinion, how can UNICEF support you in implementing your child rights monitoring activities and achieving your goals in this area over the next few years?

4. EFFICIENCY AND SUSTAINABILITY

- a) How is the Office of the Ombudsman funded?
- b) What funding did the Office of the Ombudsman allocate towards children's matters in 2014? 2015? 2016?

2017? What percentage of this funding was provided by international donors? Was this funding sufficient to cover your planned activities for that period?

- c) What funding has the Office of the Ombudsman secured for its activities over the next few years (if possible, up to 2021)? What percentage of this funding is provided by international donors? Do you consider this funding to be sufficient to cover your planned activities concerning children?
- d) Have there been any major delays in the implementation of your projects since 2014? If so, why?
- e) How many staff members are there in your [team/division]?
 - a. How many of these are involved in implementing your child rights monitoring activities?
 - b. Is this number sufficient in your view?
 - c. In your opinion, do the staff members have sufficient knowledge and skills to implement the child rights monitoring activities?
 - d. Do these members receive any training on child rights or human rights monitoring? If so, what type of training do they receive? How often? Who delivers this training? How useful is this training? Why?
 - e. What training do you think staff members need to support them in carrying out the child rights monitoring activities?
 - f. Do you engage external consultants or receive technical expertise from international organisations to fill any capacity gaps in the team? If so, what external expertise do you utilise and for what types of activities?
- f) Do you have a high turnover of staff members? If so, why do you think this is?
- g) How sustainable do you consider your child rights awareness-raising activities to be? Why?
- h) In your opinion, how can UNICEF support the sustainability of your child rights monitoring activities?

5. INTER-SECTORAL COORDINATION

- a) Is the Office of the Ombudsman involved in the development of (i) the annual report of the Ministry of Human and Minority Rights; (ii) reports and activities of the national Council on Child Rights; (iii) monitoring the implementation of the National Plan of Action for Children 2013-2017; and reports, hearings or sessions of Parliamentary committees on the implementation of child rights? How?
- b) In your opinion, is there effective inter-sectoral coordination regarding child rights monitoring at the national level? At the local level? Between the national and local levels? Why/ why not?
- c) Are you a member of any of the following inter-sectoral bodies?
 - a. Council for the Care of Persons with Disabilities
 - b. Ad Hoc Inter-Ministerial Meeting on Protection of Children from Violence
 - c. National Council on Gender EqualityIf so, how effective do you consider these bodies to be in achieving inter-sectoral coordination on human or child rights matters? Why?
- d) Are you involved in any other inter-sectoral bodies or working groups concerning human rights or child rights? If so, what are they? How effective are these bodies in achieving inter-sectoral coordination?
- e) In your opinion, how can UNICEF support stakeholders in strengthening inter-sectoral coordination of child rights monitoring in Montenegro?

6. CROSS-CUTTING EQUITY ISSUES

- a) In performing its activities, does the Office of the Ombudsman pay particular attention to any specific groups of children in Montenegro? Which groups? Why?
- b) How does the Office of the Ombudsman ensure that its activities address the needs of children who are particularly vulnerable to discrimination or marginalisation?
- c) Does the Office face any particular challenges in identifying or monitoring the rights of children who are particularly vulnerable to discrimination or marginalisation? If so, what challenges does it face? How do you think UNICEF can help address these challenges?

Semi-Structured Interview Schedule: Government, Parliament and Public Administration

1. GENERAL
<p>Date:</p> <p>Location:</p> <p>Gender of participant:</p> <p>Stakeholder body:</p> <p>Participant's position/ title:²⁷</p> <p>How long the participant has held this position/ title:</p> <p>Brief overview of the mission and general activities of the stakeholder body:</p> <p>Brief overview of participant's role and responsibilities:</p>
2. RELEVANCE
<p>a) What is your understanding of the term 'child rights monitoring'?</p> <p>b) Are you involved in monitoring child rights in Montenegro? If so, how?</p> <p>c) Does your [Ministry/team/division] have a strategy or action plan relating to children or child rights monitoring? If so:</p> <ol style="list-style-type: none"> a. What is the aim of this strategy/ action plan? b. What are your areas of focus/priority areas concerning children? Why? c. In developing this document, did you seek the views of children? If so, how? <p>d) Are you involved in:</p> <ol style="list-style-type: none"> a. Montenegro's periodic review process before the UN Committee on the Rights of the Child? b. Montenegro's periodic review process before the UN Committee on the Elimination of Discrimination against Women? c. Developing annual reports of the Ministry of Human and Minority Rights? d. The national Council on Child Rights? e. Monitoring the implementation of the National Plan of Action for Children 2013-2017? f. Sessions/meetings or reports of Parliamentary committees concerning issues of human rights? If so, which committees? g. Montenegro's universal periodic review before the UN Human Rights Council? h. The work of the Ombudsman? <p style="padding-left: 40px;">If so, how? What activities have you carried out in relation to these mechanisms since 2014?</p> <p>e) Have you been involved in any other child rights monitoring activities in Montenegro since 2014? If so, what activities? What was the nature of your involvement?</p> <p>f) What child rights monitoring activities or projects do you have planned over the next five years? Why?</p>
3. EFFECTIVENESS AND IMPACT
<p>a) Do you collect any (i) quantitative or (ii) qualitative data on the situation of children in Montenegro? If so:</p> <ol style="list-style-type: none"> a. What data do you collect? b. Is this data disaggregated? [Request a sample of the disaggregated data] c. How do you collect this data? d. Do you face any challenges in (i) collecting or (ii) analysing this data? If so, what

²⁷ Please note that to ensure the participant's anonymity, any roles/titles that may enable identification of the participant will not be included in the Evaluation Report.

challenges do you face?

- b) How do you use this data to monitor children's rights? In particular, do you use this data to:
- Write or contribute to reports on the situation of children's rights? If so, to whom are these reports submitted?
 - Develop draft laws and policies to protect child rights?
 - Other?
- c) Are you involved in monitoring the implementation of:
- The concluding observations of the UN Committee on the Rights of the Child?
 - The concluding observations of the UN Committee on the Elimination of Discrimination against Women?
 - Recommendations of the UN Human Rights Council concerning Montenegro's universal periodic review?
 - Recommendations or guidance issued in the annual reports of the Ministry of Human and Minority Rights?
 - Recommendations or decisions from reports of parliamentary committees concerning child rights?
 - Recommendations from the reports of the national Council on Child Rights?
 - Recommendations from annual reports on the implementation of the National Plan of Action for Children 2013-2017?
 - Recommendations or guidance from the annual reports of the Ombudsman?
 - Decisions of the Ombudsman following the finding of a violation of a child's rights pursuant to the individual complaints mechanism?

If so, how? When / how often? Are you able to take steps or measures against the relevant duty bearers for non-implementation of these recommendations/ decisions? In your opinion, are these steps/measures effective in holding duty bearers to account for child rights violations? Why / why not?

- d) In your opinion, are the above-mentioned child rights monitoring mechanisms effective? Why/ why not?
- e) Do you face any challenges in implementing your child rights monitoring activities? If so, what are they? How do you think they can be addressed?

Awareness-raising

- f) Have you carried out any awareness-raising activities concerning child rights or child rights monitoring mechanisms, such as the Ombudsman? If so, please describe your activities (what; when; how; where; who was your target audience; why)?
- g) What have been the results of these activities? Do you think that these awareness-raising activities have been effective? Why/why not?
- h) In your opinion, how can UNICEF support you in implementing your child rights monitoring activities and achieving your goals in this area over the next five years?

4. EFFICIENCY AND SUSTAINABILITY

- a) Do you have a budget for child rights monitoring activities? If so:
- What is it? What period does this cover? [If participant has this information, what was the stakeholder body's CRM funding for 2014, 2015, 2016 and 2017?]
 - How much of this funding is from international donors v. Government v. other?
 - Is your funding sufficient to cover your child rights monitoring activities?
- b) What funding has your NGO secured for child rights monitoring activities over the next few years (if possible, up to 2021)?

- a. How much of this funding is from international donors v. Government v. other?
- b. Do you consider this funding to be sufficient to cover your planned child rights monitoring activities?
- c) Have there been any major delays in the implementation of your child rights monitoring activities since 2014? If so, why?
- d) How many staff members are there in your [team/division]?
 - a. How many of these are involved in implementing your child rights monitoring activities?
 - b. Is this number sufficient in your view?
 - c. In your opinion, do the staff members have sufficient knowledge and skills to implement the child rights monitoring activities?
 - d. Do these members receive any training on child rights or human rights monitoring? If so, what type of training do they receive? How often? Who delivers this training? How useful is this training? Why?
 - e. What training do you think staff members need to support them in carrying out the child rights monitoring activities?
 - f. Do you engage external consultants or receive technical expertise from international organisations to fill any capacity gaps in the team? If so, what external expertise do you utilise and for what types of activities?
- e) Do you have a high turnover of staff members? If so, why do you think this is?
- f) *(If relevant)* How sustainable do you consider your child rights awareness-raising activities to be? Why?
- g) In your opinion, how can UNICEF support the sustainability of your child rights monitoring activities?

5. INTER-SECTORAL COORDINATION

- a) In your opinion, is there effective inter-sectoral coordination regarding child rights monitoring at the national level? At the local level? Between the national and local levels? Why/ why not?
- b) In your opinion, is there effective inter-sectoral coordination regarding child rights monitoring between Government and non-Government bodies? Why/ why not?
- c) Is the Council for Cooperation between of the Government and NGOs useful in facilitating coordination between NGOs and the Government on children's matters? Why / why not?
- d) Are you a member of any of the following inter-sectoral bodies?
 - a. Council on Child Rights
 - b. Council for the Care of Persons with Disabilities
 - c. Ad Hoc Inter-Ministerial Meeting on Protection of Children from Violence
 - d. National Council on Gender Equality
 - e. Council for Cooperation between of the Government and NGOs
- e) How effective do you consider these bodies to be in achieving inter-sectoral coordination on human or child rights matters? Why?
- f) Are you involved in any other inter-sectoral bodies or working groups concerning human rights? Child rights? If so, what are they? How effective are these bodies in achieving inter-sectoral coordination?

6. CROSS-CUTTING EQUITY ISSUES

- 9. In performing its child rights monitoring activities, do you pay particular attention to any specific groups of children in Montenegro? Which groups? Why?
- 10. How do you ensure that your activities address the needs of children who are particularly vulnerable to discrimination or marginalisation?
- 11. Do you face any particular challenges in identifying, or monitoring the rights of, children who are particularly vulnerable to discrimination or marginalisation? If so, what challenges do you face? In your opinion, how can UNICEF help address these challenges?

Semi-Structured Interview Schedule: Civil Society

1. GENERAL
<p>Date:</p> <p>Location:</p> <p>Gender of participant:</p> <p>Name of NGO:</p> <p>Participant's position/ title:²⁸</p> <p>How long the participant has held this position:</p> <p>Brief overview of the NGO's mission and activities:</p> <p>Brief overview of participant's role and responsibilities within the NGO:</p>
2. RELEVANCE
<p>a) What is your understanding of the term 'child rights monitoring'?</p> <p>b) In your opinion, what is the role of civil society in monitoring child rights?</p> <p>c) What are the NGO's areas of focus/ priority areas concerning children? Why?</p> <p>d) Is the NGO involved in:</p> <ul style="list-style-type: none"> a. Montenegro's periodic review process before the UN Committee on the Rights of the Child? b. Montenegro's periodic review process before the UN Committee on the Elimination of Discrimination against Women? c. Annual reports of the Ministry of Human and Minority Rights? d. Reports and sessions of the Council on Child Rights? e. Monitoring the implementation of the National Plan of Action for Children 2013-2017; f. Sessions/meetings or reports of Parliamentary committees concerning issues of human rights? If so, which committees? g. Montenegro's universal periodic review before the UN Human Rights Council? h. The work of the Ombudsman? <p>If so, how? What activities have you carried out in relation to these mechanisms since 2014?</p> <p>e) Is your NGO involved in any other child rights monitoring activities in Montenegro since 2014? If so, what activities? What has been the nature the NGO's involvement?</p> <p>f) What child rights monitoring activities or projects does the NGO have planned over the next five years? Why?</p>
3. EFFECTIVENESS AND IMPACT
<p>a) Does the NGO collect any (i) quantitative or (ii) qualitative data on the situation of children in Montenegro? If so:</p> <ul style="list-style-type: none"> a. What data does it collect? b. Is this data disaggregated? [Request a sample of the disaggregated data] c. How do you collect this data? d. Do you face any challenges in (i) collecting or (ii) analysing this data? If so, what are they? <p>b) How do you use this data to monitor children's rights? In particular, do you use this data to:</p> <ul style="list-style-type: none"> a. Write reports on the situation of children's rights? If so, to whom are these reports submitted? b. Conduct advocacy for reform? c. Raise awareness of violations of child rights? d. Comment on draft laws and policies to protect child rights?

²⁸ Please note that to ensure the participant's anonymity, any roles/titles that may enable identification of the participant will not be included in the Evaluation Report.

e. Other?

c) Are you involved in monitoring the implementation of:

- a. The concluding observations of the UN Committee on the Rights of the Child?
- b. The concluding observations of the UN Committee on the Elimination of Discrimination against Women?
- c. Recommendations of the UN Human Rights Council concerning Montenegro's universal periodic review?
- d. Recommendations or guidance issued in the annual reports of the Ministry of Human and Minority Rights?
- e. Recommendations or decisions from reports of parliamentary committees concerning child rights?
- f. Recommendations from the reports of the national Council on Child Rights?
- g. Recommendations from annual reports on the implementation of the National Plan of Action for Children 2013-2017?
- h. Recommendations or guidance from the annual reports of the Ombudsman?
- i. Decisions of the Ombudsman following the finding of a violation of a child's rights pursuant to the individual complaints mechanism?

If so, how? When / how often? Are you able to take steps or measures against the relevant duty bearers for non-implementation of these recommendations/ decisions? In your opinion, are these steps/measures effective in holding duty bearers to account for child rights violations? Why / why not?

d) In your opinion, are the above-mentioned child rights monitoring mechanisms effective? Why/ why not?

e) Do you face any challenges in implementing your child rights monitoring activities? If so, what are they? How do you think they can be addressed?

Awareness-raising

f) Have you carried out any awareness-raising activities concerning child rights or child rights monitoring mechanisms, such as the Ombudsman? If so, please describe your activities (what; when; how; where; who was your target audience; why)?

g) What have been the results of these activities? Do you think that these awareness-raising activities have been effective? Why/why not?

h) In your opinion, how can UNICEF support you in implementing your child rights monitoring activities and achieving your goals in this area over the next five years?

4. EFFICIENCY AND SUSTAINABILITY

- a) Do you have a budget for child rights monitoring activities? If so, what is it? What period does this cover? *[If participant has this information, what was the stakeholder body's CRM funding for 2014, 2015, 2016 and 2017?]* How much of this funding was provided by international donors v. Government v. other?
- b) Is your funding sufficient to cover your child rights monitoring activities?
- c) What funding has your NGO secured for child rights monitoring activities over the next few years (if possible, up to 2021)? How much of this funding is provided by international donors v. Government v. other? Do you consider this funding to be sufficient to cover your planned child rights monitoring activities?
- d) Have there been any major delays in the implementation of your child rights monitoring activities since 2014? If so, why?
- e) How many staff members are there in your NGO?
 - a. How many of these work specifically on children's matters?
 - b. Is this number sufficient in your view?
 - c. In your opinion, do NGO staff members have sufficient knowledge and skills to implement child rights monitoring activities?
 - d. Do these members receive any training on child rights or human rights monitoring? If so, what type of training do they receive? How often? Who delivers this training? How useful is this training?
 - e. What training do you think NGO staff members need to support them in carrying out their child rights monitoring activities?
 - f. Do you engage external consultants or receive technical expertise from international organisations to fill any capacity gaps in the team? If so, what external expertise do you utilise and for what types of activities?
- f) Do you have a high turnover of staff members? If so, why do you think this is?
- g) *(If relevant)* How sustainable do you consider your child rights awareness-raising activities to be? Why?
- h) In your opinion, how can UNICEF support the sustainability of your child rights monitoring activities?

5. INTER-SECTORAL COORDINATION

- a) In your opinion, is there effective inter-sectoral coordination regarding child rights monitoring at the national level? At the local level? Between the national and local levels? Why/ why not?
- b) In your opinion, is there effective inter-sectoral coordination regarding child rights monitoring between Government and non-Government bodies? Why/ why not?
- c) Is the Council for Cooperation between of the Government and NGOs useful in facilitating coordination between NGOs and the Government on children's matters? Why / why not?
- d) Are you a member of any of the following inter-sectoral bodies?
 - a. Council on Child Rights
 - b. Council for the Care of Persons with Disabilities
 - c. Ad Hoc Inter-Ministerial Meeting on Protection of Children from Violence
 - d. National Council on Gender Equality
 - e. Council for Cooperation between of the Government and NGOs
- e) How effective do you consider these bodies to be in achieving inter-sectoral coordination on human or child rights matters? Why?
- f) Are you involved in any other inter-sectoral bodies or working groups concerning human rights? Child rights? If so, what are they? How effective are these bodies in achieving inter-sectoral

coordination?

- g) In your opinion, how can UNICEF support stakeholders in strengthening inter-sectoral coordination of child rights monitoring in Montenegro?

6. CROSS-CUTTING EQUITY ISSUES

- a) In performing its child rights monitoring activities, does the NGO pay particular attention to any specific groups of children in Montenegro? Which groups? Why?
- b) How do you ensure that your activities address the needs of children who are particularly vulnerable to discrimination or marginalisation?
- c) Do you face any particular challenges in identifying, or monitoring the rights of, children who are particularly vulnerable to discrimination or marginalisation? If so, what challenges do you face? In your opinion, how can UNICEF help address these challenges?

Semi-Structured Interview Schedule: International Organisations

1. GENERAL
<p>Date:</p> <p>Location:</p> <p>Gender of participant:</p> <p>Stakeholder body:</p> <p>Participant's position/ title:²⁹</p> <p>How long the participant has held this position/ title:</p> <p>Brief overview of the mission and general activities of the stakeholder body:</p> <p>Brief overview of participant's role and responsibilities:</p>
2. RELEVANCE
<p>a) Since 2014, have you implemented any projects that relate to the human or child rights monitoring system in Montenegro? If so, please provide details. We are particularly interested in activities or interventions relating to:</p> <ul style="list-style-type: none"> a. Montenegro's periodic review process before the UN Committee on the Rights of the Child? b. Montenegro's periodic review process before the UN Committee on the Elimination of Discrimination against Women? c. Developing annual reports of the Ministry of Human and Minority Rights? d. The national Council on Child Rights? e. Monitoring the implementation of the National Plan of Action for Children 2013-2017? f. Sessions/meetings or reports of Parliamentary committees concerning issues of human rights? If so, which committees? g. Montenegro's universal periodic review before the UN Human Rights Council? h. The work of the Ombudsman? <p>b) Do you have any projects planned over the next five years that pertain to the human or child rights monitoring system in Montenegro? If so, please provide details. What is the overall aim of these projects?</p>
3. EFFECTIVENESS AND IMPACT
<p>a) In your opinion, how effective are the following mechanisms in protecting children's rights in Montenegro?</p> <ul style="list-style-type: none"> a. Montenegro's periodic review process before the UN Committee on the Rights of the Child? b. Montenegro's periodic review process before the UN Committee on the Elimination of Discrimination against Women? c. Annual reports of the Ministry of Human and Minority Rights? d. Reports of the national Council on Child Rights? e. Annual reports on the implementation of the National Plan of Action for Children 2013-2017? f. Reports of the Parliamentary committees concerning issues of human or child rights? Are there any Parliamentary committees that are particularly active on issues concerning human or child rights? g. Montenegro's universal periodic review before the UN Human Rights Council? h. Annual reports of the Ombudsman?

²⁹ Please note that to ensure the participant's anonymity, any roles/titles that may enable identification of the participant will not be included in the Evaluation Report.

i. Individual complaints mechanism to the Office of the Ombudsman?

Why?

- b) What are the key barriers to ensuring access by children to the individual complaints mechanism of the Ombudsman? In your opinion, how should these challenges be addressed?
- c) In your opinion, to what extent do national stakeholders collect and analyse reliable data concerning the human and child rights situation in the country? What are the key challenges to them doing this? Do they use this data to develop laws and policies to improve human/child rights?
- d) In your opinion, to what extent are duty bearers held accountable for shortfalls or inequities in the realisation of human or child rights in Montenegro? Why?

Awareness-raising

- e) Have you carried out any awareness-raising activities concerning human or child rights, or human or child rights monitoring mechanisms, such as the Ombudsman? If so, please describe your activities (what; when; how; where; who was your target audience; why)?
- f) What have been the results of these activities? Do you think that these awareness-raising activities have been effective? Why/why not?

4. SUSTAINABILITY

- a) In your opinion, do national stakeholders have sufficient knowledge and skills to carry out human and child rights monitoring activities?
 - a. Are there any particular sectors that require knowledge and skills development in these areas?
- b) In your opinion, do national stakeholders have sufficient funding to carry out human and child rights monitoring activities? Are there any sectors that are particularly in need of such funding?

5. INTER-SECTORAL COORDINATION

- a) In your opinion, is there effective inter-sectoral coordination regarding child rights monitoring at the national level? At the local level? Between the national and local levels? Why/ why not?
- b) In your opinion, is there effective inter-sectoral coordination regarding child rights monitoring between Government and non-Government bodies? Why/ why not?
- c) Is the Council for Cooperation between of the Government and NGOs useful in facilitating coordination between NGOs and the Government on human or child rights matters? Why / why not?
- d) How effective do you consider the following bodies to be in achieving inter-sectoral coordination on human or child rights matters? Why?
 - a. Council on Child Rights
 - b. Council for the Care of Persons with Disabilities
 - c. Ad Hoc Inter-Ministerial Meeting on Protection of Children from Violence
 - d. National Council on Gender Equality
 - e. Council for Cooperation between of the Government and NGOs
- e) In your opinion, are any institutional reforms needed to improve inter-sectoral coordination on children's matters? If so, please provide details.

6. CROSS-CUTTING EQUITY ISSUES

- a) In your opinion, are there any particular challenges in identifying, or monitoring the rights of, children who are particularly vulnerable to discrimination or marginalisation in Montenegro? If so, what are these challenges? How do you think they can be addressed?

Ombudsman Individual Complaints Case File Review Template

Date of review:

1. APPLICANT'S PROFILE
Age Gender Ethnicity Nationality Religion Location of residence (town; municipality) Details of the child's living arrangements (at the time of the alleged violation) Details of whether the child was enrolled in and attended school (at the time of the alleged violation)
2. CASE DETAILS
Date individual complaint was submitted to the Ombudsman: Details of the alleged violation (including the date; nature of the violation; identity of the duty bearer; the right(s) allegedly violated, including the relevant legislative provision): Date of admissibility decision: Was the complaint admissible? If no, reasons provided by the Ombudsman: Details of the steps taken by the Ombudsman to investigate the complaint (including interviews; visits; fact-finding missions etc.) Date of the Ombudsman's decision on the matter: Details of the Ombudsman's decision (including whether any rights were violated and, if so, which rights; reasons for the decision; recommendations/ proposed remedies/ next steps and deadlines): Details of implementation of recommendations and next steps (including dates of progress checks; method of monitoring implementation; status of implementation)

FGD: Children

Name of researcher(s):		
Date:		
Location:		
Number of participants:	Males:	Females:
Age range:		

Ideally, focus group discussions should be held with 4-8 children. They should be conducted in a private place, where participants cannot be overheard by anyone.

Introduce yourself and the purpose of the study.

Recap the key points from the consent form, highlighting that the FGD is voluntary, and advise participants about anonymity and how their responses will be used in the research. Advise participants that they should keep what is said during the FGD and the identities of the other children confidential. Only proceed with the express verbal consent of the participants to take part in the FGD.

Ask: 'Have you read the information on the form we gave you? Do you understand the information on the form and what I have said? Do you have any questions on the information on the form or what I have said?'

As we will keep your identity private in the way we have discussed, do you agree to take part in this discussion and let us use the information you share for our research?' [Only proceed with regard to those children who explicitly say yes, and who have submitted a fully signed consent form. Participants should keep the front part of the consent form that contains the information and contact details of the research team.]

General

1. To begin, let's talk a bit about you and your community.
 - a. How old are you?
 - b. Do you go to school? What year are you in?
 - c. Are there different ethnicities living in your community? Which ethnicities?

Relevance

2. What do 'child rights' mean to you?
3. What are the most important child rights *to you*? Why?
4. Do you feel that these rights are respected and protected? Why / why not?
5. Do you feel the some child rights are better protected than others? If so, which ones? Why do you think this is?
6. Do you think that the rights of some children are better protected than others? If so, which children? Why do you think this is?

Effectiveness and Impact

7. Who do you think is responsible for protecting your child rights? Why?
8. If any of your child rights were to be violated, would you report this to anyone? If so:
 - a. To whom? Why?
9. What do you think the consequences would be for you if you reported the violation?
10. What do you think the consequences would be for the person who violated your rights if you reported the violation? Is that satisfactory, in your opinion?
11. Have you heard of the Ombudsman? If so:
 - a. How did you hear about the Ombudsman?
 - b. What do you understand the role of the Ombudsman to be?
 - c. How can the Ombudsman protect your child rights?
 - d. Do you know how to contact the Ombudsman? If so, how would you contact it?
 - e. Are there any difficulties in contacting the Ombudsman? If so, what are they?
12. Do you think that anyone is checking or making sure that child rights are protected in Montenegro? If so, who? How? If not, why do you think this is?
13. Who do you think should be checking or making sure that child rights are protected in Montenegro? Why?
14. What do you think should be done to improve the way in which child rights are checked and looked after in Montenegro?

I. Ethical protocol

Coram International Ethical Guidelines for Field Research with Children

Each research project carried out by Coram International should be ethically reviewed and Guidelines should be developed that are tailored and relevant to each piece of research. The reason for this is that different types of research will raise unique, context-specific ethical issues and it will be necessary to identify and address these issues on a project-specific basis. However, these Guidelines should be applied when carrying out all project-specific ethical reviews.

1. Application of Ethical Guidelines

The Ethical Guidelines will apply to all field research carried out by Coram International and organisations and individuals carrying out research on behalf of Coram International. The Guidelines will not apply to the consideration and selection of research projects. They will apply to: methodology selection and design; the design of data collection tools; the collection, storage, collation and analysis of data; and the publication of research.

2. Ethics review

All research project methodologies and data collection, collation and analysis tools must be approved by the Director, International and Research or the Legal Research and Policy Manager, before they are deployed. The Professional Director or Legal Research and Policy Manager will review the methodologies and tools in light of these Guidelines and best practice, and make revisions accordingly, which will then be incorporated into revised methodologies and tools.

3. Selecting researchers

Coram International will ensure that all external researchers have the necessary experience to carry out the research required. Where necessary, training will be provided to external researchers by Coram International staff on these guidelines and best practice issues for carrying out the relevant research.

4. Guiding principles

All research projects will be subject to the following ethical principles.

4.1 Do no harm and best interests of the child

It is of paramount importance that Researchers protect the physical, social and psychological wellbeing, and the rights, interests and privacy of research participants. The welfare and best interests of the participants will be the primary consideration in methodology design and data collection. All research will be guided by the UN Convention on the Rights of the Child, in particular Article 3.1 which states: "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts or legislative bodies, the best interests of the child shall be a primary consideration."

It is the obligation of the Researcher to identify and avoid harmful effects. If Researchers identify that they are causing harm to a participant/s, the research must be stopped.

Particular care will be taken to ensure that questions are asked sensitively and in a child-friendly, manner that is appropriate to the age, gender, ethnicity and social background of the participants. Clear language will be used which avoids victimisation, blame and judgement. Where it is clear that the interview is having a negative effect on a participant, the interview will be stopped. Any child protection concerns will be identified and dealt with appropriately (see 4.8, below).

Children will be provided with the opportunity to participate in data collection with a trusted adult or friend if this would make them feel more at ease. Researchers should identify staff at institutions (e.g. schools, community groups, detention centre staff) that are available to accompany participants, if requested.

Interviews may cover particularly sensitive or traumatic material, and it is important to ensure that participants feel empowered and not solely like victims. Interviews should finish on a 'positive or empowering note' (e.g. through asking questions about what would improve the situation of children in the relevant study sample). This will help to ensure that children do not leave the interview focusing on past experiences of abuse. Where children reveal past experiences of violence or abuse, researchers will convey empathy, but will not show shock or anger, as this can be harmful to children who have experienced violence.

4.2 Data collection must be necessary

It is important to ensure that unnecessary intrusion into the lives of participants is avoided. Researchers must ensure that the data being collected is necessary to address the research questions specific to each project. Data collection for extraneous purposes must be avoided.

Where possible and appropriate, participants may be provided with material incentives to compensate them for time spent contributing to the research.

4.3 Researchers must not raise participants' expectations

Researchers must carefully explain the nature and purpose of the study to participants, and the role that the data will play in the research project. Participants should also be informed that the purpose of the Researcher's visit is not to offer any direct assistance. This is necessary to avoid raising expectations of participants that the Researcher will be unable to meet.

4.4 Ensuring cultural appropriateness

Researchers must ensure that data collection methods and tools are culturally appropriate to the particular country, ethnic, gender and religious context in which they are used. Researchers should ensure, where possible, that data collection tools are reviewed by a researcher living in the country context in which research is taking place. Where possible, data collection tools should be piloted on a small sample of participants to identify content that lacks cultural appropriateness and adjustments should be made accordingly.

4.5 Voluntary participation

Researchers must ensure that participation in research is on a voluntary basis. Researchers will explain to participants in clear, age-appropriate language that participants are not *required* to participate in the study, and that they may stop participating in the research at any time. Researchers will carefully explain that refusal to participate will not result in any negative consequences. Incentives may be provided; however, researchers must ensure that these would not induce participants to participate where doing so may cause harm.

4.6 Informed consent

At the start of all data collection, research participants will be informed of the purpose and nature of the study, their contribution, and how the data collected from them will be used in the study, through an information and consent form, where possible and where this would be appropriate and not intimidating for young people. The information and consent form should explain, in clear, age appropriate language, the nature of the study, the participant's expected contribution and the fact that participation is entirely voluntary. Researchers should talk participants through the consent form and ensure that they understand it. Where possible and appropriate, parents / carers should also sign an 'information and consent form'. The needs for this will depend on the age and capacity of participants. Where possible, parental consent should be obtained for all children aged under 13 years. For children aged over 13, the decision on whether consent from parents / carers is needed will be made on a case-by-case basis, depending on the nature and context of the research and the age and capacity of participants.

Where it is not possible for the participant to sign an information and consent form (e.g. due to illiteracy), researchers will explain the nature and purpose of the study, the participant's expected contribution, and the way the data they contribute will be used, and request the verbal consent of the participants to conduct research and then record that permission has been granted. Special effort must be made to explain the nature and purpose of the study and the participant's contribution in clear, age-appropriate language. Researchers will request the participant to relay the key information back to them to ensure that they have understood it. Participants will also be advised that the information they provide will be held in strict confidence (see below, 4.6).

Special care must be taken to ensure that especially vulnerable children give informed consent. In this context, vulnerable children may include children with disabilities or children with learning difficulties or mental health issues. Informed consent could be obtained through the use of alternative, tailored communication tools and / or with the help of adults that work with the participants.

4.7 Anonymity and confidentiality

Ensuring confidentiality and anonymity is of the upmost importance. The identity of all research participants will be kept confidential throughout the process of data collection as well as in the analysis and writing up study findings. The following measures will be used to ensure anonymity:

- Interviews will take place in a secure, private location (such as a separate room or corner or outside space) which ensures that the participant's answers are not overheard;
- Researchers will not record the name of participants and will ensure that names are not recorded on any documents containing collected data, including on transcripts of interviews and focus group discussions;
- Researchers will delete electronic records of data from personal, unprotected computers;
- CCLC will store all data on a secure, locked server, to which persons who are not employed by the Centre cannot gain access. All employees of the CCLC, including volunteers and interns, receive a criminal record check before employment commences; and
- Research findings will be presented in such a way so as to ensure that individuals are not able to be identified.

All participants will be informed of their rights to anonymity and confidentiality throughout the research process. Participants should be informed where it is possible that their confidentiality will be compromised. This may occur where, in a particular, named setting, the background information relating to a participant may make it possible for them to be identified even where they are not named.

4.8 Addressing child protection concerns

During the data collection process (e.g. in individual interviews and also possibly group interviews), participants may disclose information that raises child protection concerns (i.e. information indicating that they are currently at risk of or are experiencing violence, exploitation or abuse). Prior to the data collection taking place, researchers should be provided with copies of the child protection policies and procedures of each institution from which participants are recruited (i.e. schools, community groups, detention facilities) and should familiarise themselves with child protection referral mechanisms and child protection focal points.

In the event that the child interviewee reveals that they are at high risk of ongoing or immediate harm, or discloses that other children are at high risk of ongoing or immediate harm, the researcher will prioritise obtaining the child's informed consent to report this information to the appropriate professional as set out in the child protection policy, or, in the absence of such a policy, the person with authority and professional capacity to respond. If the child declines, the researcher should consult with an appropriate designated focal point, as well as the lead researcher and other key persons in the research team (on a need to know basis), concerning the appropriate course of action in line with the child's best interests. If a decision is made to report this information to the designated professional, the child interviewee is carefully informed of this decision and kept informed of any other key stages in the reporting and response process.

In some cases, it will be more likely that child protection concerns may arise. Where this is the case, Researchers should ensure that research is carried out with a social or support worker who is able to give assistance and advice to the participant where necessary.

4.9 Ensuring the physical safety and well-being of researchers and participants

Researchers must ensure that data collection takes place in a safe environment. Participants will always be interviewed with at least two persons present (two researchers; one researcher and one translator; one researcher and a social worker; or one researcher and a note taker).

Researchers will be provided with a Code of Conduct, attached to each contract of employment.

J. Work plan

Activity	Number of Days			Timeline
	Team Leader	International Team Member	National Team Member	
PHASE I - INCEPTION				
Task 1A: Preliminary virtual meeting and desk review	8 (home-based)	4 (home-based)	8	March-April 2017
Task 1B: Inception mission	6 (1 day home-based; 5 days in Podgorica)	-	2	May 2017
Task 1C: Inception report	6 (home-based)	1 (home-based)	1	31 July 2017
PHASE II - IN-COUNTRY DATA COLLECTION AND DEBRIEFING				
Task 2: In-country data collection and debriefing	-	25 (7 in-country days and 1 home-based day for International Researcher 1; ³⁰ 17 days in-country for Researcher 2)	23 (14 days coordination; 9 days research)	Sept-Oct 2017
PHASE III - ANALYSIS AND REPORT-WRITING PHASE				
Task 3A: Data analysis and drafting of report	20 (home-based)	8 (home-based)	4	Oct-Mid Nov 2017
Task 3B: In-country presentation	3 (1 home-based day and 2 days in Podgorica)	2 days	2 days	Nov-Dec 2017
Task 3C: Final report taking in account comments received and including executive summary	4 (home-based)	2 (home-based)	-	11 Dec 2017
TOTAL	47	42	40	

³⁰ To participate in the virtual meeting with the Research Team to consolidate initial impressions of research findings (for the purposes of the data collection debriefing session involving International Researcher 2, National Researcher, UNICEF and other key CRM stakeholders at the conclusion of the in-country mission).

K. Coram International Ethical Review Form

FIELD RESEARCH ETHICAL REVIEW FORM

This document will be used by the Coram International Ethics Review Boards to ensure compliance with the Ethical Guidelines for Field Research.

Please provide the Reviewer with the following documents:

- Methodology;
- Field research plan;
- Data collection tools;
- CVs of any external researchers contributing to the data collection.

Criteria for review: does the project conform to Coram International's Ethical Guidelines?

- 1.** Does the research comply with the 'do no harm' and 'best interests of the child' principles?
- 2.** Is the data collection necessary?
- 3.** Is sufficient action to be taken to ensure participants' expectations are not raised?
- 4.** Are the methodology and tools age-appropriate?
- 5.** Are the methodology and tools gender sensitive?
- 6.** Are the methodology and tools culturally and socially-appropriate?
- 7.** Are measures to be taken to ensure that participation is voluntary (consent forms or explanation)?
- 8.** Are measures to be taken to ensure informed consent (consent forms or explanation)?
- 9.** Will anonymity / confidentiality be guaranteed?
- 10.** Will data be securely recorded and stored?
- 11.** Will child protection concerns be appropriately addressed?
- 12.** Are sufficient safeguards in place to ensure the safety of research participants and researchers?
- 13.** Does the field research comply with Coram International's Ethical Guidelines?

L. FGD Consent Form

CONSENT FORM

Hello, my name is Alexandra Gligorovic and I am working with an organization called Coram International that works to promote and protect children's rights around the world. We are doing a research project for UNICEF to learn about how it can improve the way children's rights are looked after in Montenegro.

We would like to invite you to take part in a discussion called a 'focus group discussion' with other children in your age group to ask you some questions to help us with our research. For example, we might ask you to think about who you would talk to if you were upset about something, or who you would talk to if you wanted to find out information about your rights. There are no right or wrong answers.

The focus group discussion will be held at [address] on [date] at [time].

If you would like to take part in the focus group discussion after you have read this form, there is a space at the end for you and your parent/ legal guardian to complete to say 'yes'.

Why do we want to speak with you?

We want to speak with children like you to find out their views on how well children's rights are looked after in Montenegro and what happens when something goes against child rights. Our aim is that UNICEF and its partners will use the research to improve the way in which children's rights are looked after. It is important for us to listen to the views of children so that we can make sure the results of our research are relevant and take into account children's needs and opinions.

What sorts of questions will we ask you?

During the discussion, we will ask you questions on how well you think child rights are looked after in the country. The questions will explore what 'child rights' mean to you, what rights you think are protected the most and the least in the Montenegro, and why. We also want to learn about what you would do if you have any worries about your rights, like if you think your rights were not being respected, and why. We won't ask personal questions. Instead, the questions will be more general, focusing on your opinions. If you don't know an answer to a question or don't know what to say, that is fine, just tell the researcher that. Remember that there are no right or wrong answers.

Who will attend the focus group discussion? How long will the discussion be?

The focus group discussion will involve around four to eight children from your age group. A researcher from my organisation, Coram International, will ask the research questions. As the researcher only speaks English, there will also be an interpreter who will translate the questions and answers for the group. The focus group discussion will take around 1 hour, but about 15 minutes of this will be taken up with introductions by the researcher and members of the group.

Will your responses be private?

During the discussion, the researcher will take notes so that she can remember later what you talked about. The researcher will **not** write your name on her notes, and will keep the notes safe. The only other person the researcher might show the notes to is someone who is working on this research project. After the focus group discussion, the researcher and I are going to write a report on the research, so we may include some of your responses during focus group

discussion in that report. However, we will never use your name, so no one else will know that you have given us this information. Before starting the focus group discussion, we will also advise the children to keep what is said during the discussion confidential.

Your happiness and safety is the most important thing to us. This means that if you tell me or the researcher something that makes us worry about your safety, we will want to get some help for you. To do this, we might need to give your name and relevant personal details to someone who can help you, but this person would also protect your privacy. We would only do this if it would be in your best interests and we had talked to you about it first.

Is your involvement in the focus group discussion voluntary?

Of course! It is entirely up to you whether or not you take part in the focus group discussion. Also, during the focus group discussion, you don't have to answer any question you don't want to, and you can leave the discussion whenever you want - there will be no negative consequences for you if you do this.

If you have any questions on anything in this form, or about the research, please email me at aleksandragligorovic.mne@gmail.com.

Also, if you do take part in the focus group discussion and you find that, after I have left, you have questions on the research or would like to get some help because something we talked about made you very sad or upset, please email me at the same address.

If you would like to take part in the focus group discussion, please complete the box below, together with your parent/ guardian, and provide it to [].



I confirm that I have read and understand the information above and I have had the opportunity to ask questions and have them answered.

I agree to take part in the focus group discussion and give permission to Coram International to use the information I share during the focus group discussion for their research, provided that they keep my identity private in the way outlined in this form.

Name: _____

Signature: _____

Date: _____

To be completed by your parent/ guardian:

I confirm that I have read and understand the information above and I have had the opportunity to ask questions and have them answered.

I consent to _____ [*enter the name of the child*] taking part in the focus group discussion for the research project explained in this form.

Name: _____

Signature: _____

Date: _____

M. UNICEF ETHICAL REVIEW COMMITTEE CLEARANCE (INCEPTION PHASE)

[See separate enclosure]

UNICEF Montenegro, Ethics Review Panel, Evaluation Form - CRM Evaluation					
Criteria	Reviewer 1	Reviewer 2	Reviewer 3	Comments	Status (Agreed)
Harms and Benefits					
Are there any substantial physical risks (e.g., exercise leading to muscle damage) that could be anticipated for the participants from participation in this research?	No	no	No		
Are there any substantial social risks (e.g., loss of privacy, loss of status, loss of reputation) that could be anticipated for the participants from participation in this research?	No	no	Unlikely		
Are there any substantial psychological or emotional risks (e.g., loss of self-confidence, psychological trauma, etc.) that could be anticipated for the participants from participation in this research?	No	no	Unlikely		
Are there any risks anticipated to the participants, other than specified above? (e.g potential violent recriminations)	No	no	Unlikely		
Are there benefits of the research to the participants, the research community, other stakeholder(s) and society at large that would justify current research?	Yes	yes	Yes		
Will the benefits outweigh the risks?	Yes	yes	Yes	Estimation is that this couldn't happen, i.e. the risks are not significant.	
Research Design					
Is the study designed using accepted research principles, methods and practices?	Yes	yes	Yes		
Do the sample size and statistical techniques have adequate power to produce reliable and valid results using the smallest number of research participants?	Yes	yes	Yes	The FGD guide sheet mentions 4-8 participants, while the inception report mentions 5-10, it would be good to make this uniform.	aiming for 4-8 participants per FGD (amended accordingly in the inception report)
Are the inclusion and/or exclusion criteria for the selection of participants appropriate (i.e does not stigmatize or favor any group) and based purely on the research goal of the activity?	Yes	yes	Yes	Please describe how many children from each cohort, e.g., according to age, gender/ethnicity/religion/disability/school enrolment criteria	4 FGDs in each research site planned, plus 2 additional pilots in Podgorica. In each research site, 1 FGD for boys and 1 FGD for girls for each target age group (12-14; and 15-18) planned. Within these age groups, we are aiming to have
Are there any planned provisions for monitoring and addressing adverse issues when identified throughout data collection (e.g. drug abuse, illness or disease, domestic violence etc.)?	n/a	no	Yes	it is not in ToR, but through the recommendations	
Are the researcher(s) qualifications, competence, and experience suitable to ensure ethical conduct of the research?	Yes	yes	Yes		
Have the researcher(s) obtained permission from the relevant authorities?	N/a	not yet	Yes		
Will be participants able to obtain information/feedback about the results of the research?	Yes	yes	Not specified	Will the report be publicly available? It will be public.	
Should this research be referred to a technical expert or policy maker for additional comments?	no		No		
Research Instruments					
Are the questions for surveys, focus groups or interviews value neutral, culturally and age appropriate and not likely cause the stress to participants?	Yes	yes	No	Questions 12-14 are complex and may not be suited to younger children	Questions 12-14 in the FGD tool simplified. Revised inception report.
Is there provision to ensure privacy of the participants when answering questions in surveys or face-to-face	Yes	yes	N/A		
Informed Consent					
Is informed consent sought from participants?	Yes	yes	Yes		
Is the process for obtaining informed consent appropriate? Does it fully explain the project and what it involves simply?	Yes	yes	Yes	Consider also advising participants of their obligation to keep information confidential in focus group discussions. Consider shortening the consent form text if possible.	Yes – we will be advising children of the need to keep what is said during the FGDs confidential. We have now noted this on the FGD tool for the avoidance of doubt. We have also shortened the consent form – please see the edited form in the attached inception report
Is the written and/or oral information to be shared with research participants to receive their consent complete and understandable?	Yes	yes	Yes	It would be good to write out the exact wording of the verbal consent sought at the beginning of the FGD. Also currently the FGD guide mentions anonymity - however in the FGD only confidentiality (and not full anonymity) can be ensured, given that other children are present. Confidentiality within the group setting can be	Done – verbal consent wording added to the FGD tool

Is the consent of parents or guardians sought if research involves participants who may be unable to give informed consent ? (e.g. children under the age of 16, people with certain disabilities etc.)	Yes	yes	Yes	Is there any planning in place to ensure children with disabilities / vulnerable groups might feel safe?	Yes – such planning is in place. FGDs in Podgorica will be carried out in the
Is there provision for participant’s right to unconditionally withdraw from the research at anytime?	Yes	yes	Yes		
Is there provision for participants to be informed about risks and benefits?	Yes	yes	Yes		
Is it clear to the participants who is leading the research and how to get in contact with them?	Yes	yes	Yes	Please leave a copy of the IC form with the participants or their parent/guardian.	
If the data collection activity involves collection/storage and eventual destruction of biological specimens, does the informed consent address this issue?	N/a	no	N/A	It is not important.	
Privacy and Confidentiality					
Is there provision to ensure confidentiality of personal information, including the identity of participants ?	Yes	yes	Yes	In focus group it is solved by consent	
Is there provision to ensure secure storage of hard data (e.g. paper questionnaires)?	Yes	yes	Yes		
Is there provision to ensure secure storage of soft data (e.g. computer files)?	Yes	yes	Yes		
Is there provision to ensure that data and particularly personally identifiable data is only accessible to a limited number of persons (e.g. members of research team)?	Yes	yes	Yes		
Does the research indicate for how long will the data/samples be kept and when and how it will be disposed of?	No	no	No		
Is there provision to ensure secure storage and disposal of biological specimens, if applies?	N/a	no	N/A	Not important.	
Payment and Compensation					
Will payment or compensation be offered to the participants?	Maybe	not important	No		
Will any payment or compensation offered likely impact on responses?	DK	not important	N/A	Not sure what the payment will be. It says appropriate compensation.	Apart from refreshments for children participating in the FGD, no compensation will be offered.
Will any payment or compensations offered likely raise unrealistic expectations?	No	not important	N/A	Highly unlikely	
Will any payment or compensation likely be misunderstood?	No	not important	N/A	Highly unlikely	
Will any payment or compensation cause any issues or tensions within and between communities (e.g. provision of payments to drug addicts, payments in poor areas etc.)?	No	not important	N/A	Highly unlikely	
Conflict of Interest and Funding					
Will researchers have any (identified or potential) conflicts of interest ?		no	No		

Panel's Decision	Check as appropriate 1st review	Check as appropriate 2nd review
Recommended	xx	xxx
Requires Minor Revisions or the Provision of Additional Information (and resubmission)	x	
Not recommended (significant ethical issues that cannot be addressed within the current proposed approach)		

N. UNICEF ETHICAL REVIEW COMMITTEE CLEARANCE (FINAL REPORT)

[See separate enclosure]

UNICEF CO Montenegro, Ethical Review Committee, Evaluation Form - Revised report: Evaluation of the CRM system in Montenegro					
Criteria	Reviewer 1	Reviewer 2	Reviewer 3	Comments	Status (Agreed)
				<p>R3: While this is not necessarily within the scope of ethical review, I would strongly recommend that ethical considerations of the evaluation are described in a separate sub-chapter rather than as part of the current 5.7.</p> <p>The current text on ethical considerations in chapter 5.7 mentions that "The Evaluation Team acted in accordance with Coram International's Ethical Protocol (...)". Would suggest that adherence to UNICEF's procedure for ethical standards may in this case take precedence over adherence to the implementing agency's own protocol, i.e. that Coram's ethical protocol can be mentioned as a secondary tier.</p>	<p>R2: Agreed. R3: Resolved</p>
Has the final report acknowledged whether there was or wasn't any conflict of interests arising from the program involving staff, contractors or funding bodies?	Yes	Yes	Yes	R2: Adequate.	R2: Agreed.
Has the report noted the potential and actual harms that were identified or occurred and how they were managed?	Yes	Yes	Yes	R1: Mechanisms (for example, where CRM activities within a department were divided between various staff members), though special attention was paid to ensuring that individuals were not grouped with supervisors or others who might inhibit their ability or willingness to speak freely.	R2: Agreed.
Has the report clearly noted the benefits of the evidence generation project?	Yes	Yes	Yes		
Does the report clearly identify how communities were consulted (if relevant?) or engaged?	Yes	Yes	Yes	R3: It would be desirable for Chapter 5.5 on Data sources (research sites) to specify the rationale/context for selection of sites outside Podgorica.	R2: Agreed. R3: Resolved
Has the report included any relevant protection protocols that were adopted as an attachment? If not, were the issues that should have been included in the protocol noted in the ethics section of the report?	Yes	Yes	Yes	<p>R3: While the ethical principles that were adhered to are mentioned in Appendix I, would recommend separating out ethics from gender&human rights in the report itself, to outline the practical application of those principles for the purpose of this specific research, together with a protection protocol.</p> <p>R1: It is stated in the report that they are added as appendix</p>	<p>R2: Agreed. R3: Resolved</p>
Does the report note how informed consent/assent was obtained, from whom and any relevant issues? Does the report include the informed consent/assent template as an attachment?	Yes	Yes	Yes		
Does the report note the measures taken to protect privacy of participants and relevant issues relating to privacy and security of participants and, if relevant, staff?	Yes	Yes	Yes		
Does the report note how data was kept confidential, who had access to the data and in what form? How the data was stored? If the data was shared then with who? How the data was collected and the mechanisms to ensure the confidentiality of data throughout?	No	No	No	R3: This can be mentioned in the sub-chapter on ethics	R2: Agreed. R3: Resolved
Does the report note any payment or compensation provided to participants, the justification and any relevant issues relating to payment and compensation that may have arisen? Or, did it include any means and methods to 'give back' to the participant communities?	No	No	No	R3: This should be mentioned in the sub-chapter on ethics	R2: Agreed. R3: Resolved
Does the report directly or indirectly identify participants? (if yes, the report will need to be redrafted to avoid identification)	No	No	No	R3: While there is no direct identification, indirect identification is possible, since the community is small, added precaution may be required. See below.	R2: Agreed. R3: Resolved
Will the findings of the report potentially stigmatise particular individuals or communities?	No	No	No	R3: See below. (cell F17)	

If the findings of the report could potentially stigmatise particular individuals or communities – will the distribution of the report be limited? Does the report note the measures designed to ensure its confidentiality?	No	No	No	<p>R3: I have marked in aqua and comments within the report instances where the findings could potentially give away the identities of interlocutors or create unnecessary tensions. While they contribute to the evidence base of the report, discretion can be used to ascertain if mentioning the sources may cause harm. They can be reviewed before the report is made available externally.</p> <p>Generally speaking, the location of NGOs, CSWs etc. may not be a detail that adds particular value yet in some instances may contribute to possible tensions, hence would recommend removing it all instances. In the report I have highlighted only those instances that require particular attention.</p>	<p>R2: Agreed. R3: Resolved</p>
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Panel's Decision	Check as appropriate
Recommended	x x x
Requires Minor Revisions or the Provision of Additional Information (and resubmission approach)	

Date of review: January 2018 (1st review), March 2018 (2nd review)