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Sida Decentralised Evaluation

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Evaluation of the Project “Protection of Children at Risk and Children in Contact with the Justice System in Bosnia and Herzegovina”

Final Report

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July 2012**

**Vera Devine
Selma Osmanagić-Agović**

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The views and interpretations expressed in this report are the authors' and do not necessarily reflect those of the Swedish International Development Cooperation Agency, Sida.

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Table of contents

Table of contents	2
Abbreviations and Acronyms	3
Preface.....	5
Executive Summary.....	6
1 Background and Context	14
1.1 Purpose and Objectives of the Evaluation	14
1.2 Executing Modalities of the Project.....	14
2 Methodology	17
2.1 How the Evaluation was Conducted	17
2.2 Limitations to the Evaluation.....	18
3 Observations and Analysis.....	19
3.1 Relevance of the Project	19
3.2 Implementation Modalities	19
3.3 Project Outcomes, Objectives, Results, and Outputs	21
3.4 Management Arrangements and Constraints	34
3.5 Outcomes and Sustainability	36
4 Conclusions and Recommendations	37
4.1 Conclusions.....	37
4.2 Recommendations.....	39
Annex A - Terms of Reference.....	45
Annex B – Inception Report.....	57
Annex C - Field Visit Schedule and List of Interviewees	61
Annex D - Reference Documents	65

Abbreviations and Acronyms

BD	Brčko District
BiH	Bosnia and Herzegovina
CEST	Centar za Edukaciju Sudija i Tužila (Centre for the Education of Judges and Prosecutors)
CoE	Council of Europe
CPAP	Country Programme Action Plan
CSW	Centre for Social Work
DCT	Direct Cash Transfers
EC	European Commission
EUD	Delegation of the European Union
FBiH	Federation of Bosnia and Herzegovina
HJPC	High Judicial and Prosecutorial Council
HRBA	Human Rights Based Approach
HRBAP	Human Rights Based Approach to Programming
HRO	Human Rights Office Tuzla
HQ	Headquarters
IAJJWG	Inter-Agency Juvenile Justice Working Group
IHRN	International Human Rights Network
IR	Inception Report
JJ	Juvenile Justice
JJCB	Juvenile Justice Coordination Board
JSRS	Justice Sector Reform Strategy
LFA	Logical Framework Approach
MJJAP	Municipal Juvenile Justice Action Plan
MoHRR	Ministry of Human Rights and Refugees
MoJ	Ministry of Justice
MWG	Municipal Working Groups
OSCE	Organisation for Security and Cooperation in Europe
PCA	Project Cooperation Agreement
PCM	Project Cycle Management
PMT	Project Management Team
PO	Project Officer
PSB	Project Steering Board
RS	Republika Srpska
SDC	Swiss Development Cooperation
Sida	Swedish International Development Cooperation Agency

SPIS	Social Protection and Inclusion System
TC	Tuzla Canton
ToR	Terms of Reference
UNCRC	United Nations Convention on the Rights of the Child
UNDAF	United Nations Development Assistance Framework
UNICEF	United Nations Children's Fund
USAID	United States Agency for International Development
WG	Working Group
WP	Work Plan
ZDS	Zdravo Da Ste

Preface

This Evaluation of the Project “Protection of Children at Risk and Children in Contact with the Justice System in Bosnia and Herzegovina” was requested by the Swedish International Development Cooperation (Sida), the Swiss Agency for Development Cooperation (SDC) and UNICEF in Bosnia and Herzegovina. The Embassy of Sweden in Bosnia contracted Indevelop to lead the evaluation, through Sida’s Framework Agreement for Reviews, Evaluations and Advisory Services on Results Framework. UNICEF contracted the national team member which was financed by SDC.

The evaluation team undertook field work in July 2012 and the evaluation was finalized in August. Indevelop provided active support in planning and execution of the evaluation as well as quality assurance of all reports produced.

The evaluation was conducted by Vera Devine who is an evaluation specialist with extensive experience from working in Bosnia, and Selma Osmanagić-Agović with experience both in the justice sector as well as evaluation.

Executive Summary

This report presents the findings of an external evaluation conducted in July 2012 of the Swedish International Development Cooperation Agency (Sida)/the Swiss Agency for Development Cooperation (SDC), co-funded, UNICEF-implemented project for the “Protection of Children at Risk and Children in Contact with the Justice System in Bosnia and Herzegovina (BiH)” by a team of two experts.

The objective of the evaluation was to assess the achievement of project results and to issue forward-looking advice for a continuation of interventions beyond mid-2013, when the current project is anticipated to end.

A look forward needs to be informed by evidence and data from the ongoing project. The lack of baseline data and a rigorous measurement of progress of the project against its own indicators has constituted a central challenge to achieving the strategic recommendations sought by the three organisations for this exercise.

The main evaluation findings

Design: The project worked on four inter-related objectives, adopting an integrated, multi-disciplinary approach of work with duty-bearers and rights-holders, at state and entity-levels, as well as at the level of nine selected municipalities. Activities also targeted institutions for children in conflict with the law, as well as raising the general level of awareness on juvenile justice (JJ) issues among the population of BiH. The project was accompanied by advocacy work by UNICEF, in close partnership with Sida and SDC, with key national decision-makers and the international community in BiH. There is a continued need to work on all four components, with alternative measures featuring highest among the perceived needs of stakeholders and institutions.

Relevance: The project has been highly relevant for the context of BiH; and the choice of objectives, results and outputs, as well as implementing modalities reflect this. The project’s objectives and outcomes are consistent with and supportive of government policies and sectoral priorities, and have shaped the EU accession agenda; these objectives are to a large extent still valid for BiH. By adapting its approach to the needs of partners and stakeholders as they emerged, this project has demonstrated relevance and flexibility.

Effectiveness: Overall effectiveness has been affected by delays on some project components. In part, this is a function of the highly complex and unstable political environment characterising BiH, which strongly affects policy decisions regardless of the actual issue at hand (in the case of this project, the state-level Juvenile Justice Strategy 2010-2014), and which is clearly outside of the control of UNICEF.

In part, the objectives and the related outputs to achieve the objectives have been too ambitious for a project with a lifetime of 36 months. Making an assessment on effectiveness is challenging, as the project's indicators to measure progress have proven difficult to apply: the initial baseline data was not available from the onset; but also, data was not systematically collected during the project implementation.

The project has not achieved all of its objectives. It can, however, show results in all of the four components, albeit assessing several activities under planned outputs, such as the public awareness raising campaign, or the prevention of violence in schools efforts is difficult, as important components of these activities have yet to be implemented.

Outcomes: At the outcome level, the evaluators identify a contribution to the authorities' approaching JJ through a holistic, integrated and multi-sector approach, involving policy-makers at central and local levels, as well as those at the frontline of work with juveniles. Stakeholders at the local level have been empowered, through the project's facilitation of inter-institutional dialogue, to identify and strategise on JJ issues in their municipalities. The state-level "Commission for the Monitoring of Penitentiaries and Correctional Facilities" has produced a comprehensive assessment of, and is committed to the implementation of rectifying measures in, juvenile justice institutions. The assessment report, in conjunction with advocacy work conducted through the project in close partnership between UNICEF, Sida, and SDC, as well as OSCE, has resulted in reporting that the authorities undertook immediate measures to improve existing conditions in Tuzla and Zenica prisons; advocacy work of UNICEF, SDC, and Sida has also resulted in JJ becoming part of the Structured Dialogue between the EU and BiH; the partnership approach between the agencies and OSCE has also added urgency, and reconfirmed commitment by the authorities of the Federation of BiH (FBiH) to the construction of a juvenile detention facility in Orašje, which should result in the closure of the JJ section of Tuzla prison.

Efficiency: Project implementation modalities are pragmatic and reflect current capacity and resource constraints in BiH. Two domestic non-governmental organisations (NGOs) have been contracted through Project Cooperation Agreements (PCAs) to facilitate a substantial portion of the activities at the municipal level. Direct Cash Transfer is used to enable line ministries and institutions to work on specific activities, part of which means the mainstreaming of JJ into institutional practice (such as training modules for police, judges and prosecutors). In the short term, there is no viable alternative to using third parties as service providers, if what the evaluators consider a successful model for working at the local level is to be replicated elsewhere in the country. In the medium to long term, the objective remains for the authorities to acknowledge the importance of a multi-disciplinary approach to JJ issues, and to lead these processes without outside impetus or assistance. A UNICEF project management team is overseeing the implementation of the project, supported by support from the UNICEF CO BiH senior management. All interviewed stakeholders have highly appreciated UNICEF project management in the framework of this exercise. Given the multitude of activities, and the complexity of the topic of JJ, the

evaluators assess that more resources at the project management level should be considered. The capacities of the NGOs, through which the project has delivered many of its activities, has been uneven, with the Human Rights Office (HRO) Tuzla having grown as a partner and ally for UNICEF through this project. Future projects should explore the potential for further cooperation between UNICEF and HRO, even if the implementing modalities need to be adjusted to account for the need of a greater role of the local authorities. Some municipalities that were included in the project have a less pronounced JJ problem.

Sustainability: Sustainability is difficult to assess during a project's lifetime. However, some key outputs, such as the training modules for prosecutors, and judges will be used after the project has been completed as they become part of the training and further education curricula of the Republika Srpska (RS) Centre for Education of Judges and Prosecutors (CEST). We also assess the capacity built through the municipal-level working groups to be sustainable; this is also the case for some of the working groups, which we expect to operate beyond the project intervention. Nevertheless, the sustainability of results of the project depends largely on the ongoing commitment to JJ by government counterparts, which will, to some extent, be a result of continuing advocacy work by the international community, including UNICEF. The adoption of municipal-level Action Plans, or the establishment, at the FBiH-level of an inter-ministerial Working Group to follow-up on recommendations on the assessment report of juvenile detention facilities have the *potential* of creating sustainable improvements in these institutions.

Impact: Impact is difficult to assess at this point of project execution; the challenge is exacerbated by a lack of baseline data and indicators to systematically capture and analyse progress. Institutions at the entity and municipal levels that participated in the project reported the greatest impact from the promotion, and facilitation of an integrated approach to JJ issues. There has been limited impact on advancing the implementation of alternative measures; this is a key focus of the project, due to a combination of a weak level of understanding about the concept (at local and central levels), and, linked to that, a lack of financial resources to advance alternative measures. There are, however, signs in some of the municipalities (especially in Zenica), that the municipal authorities have linked their annual calls for proposals for CSO funding to objectives set out in the Action Plans.

Ownership: The projects interventions respond to national and sub-national policies and identify the needs of stakeholders and beneficiaries. The national and entity authorities have fully participated in programme design and implementation from the beginning, thus ensuring local ownership over the processes and project interventions. The authorities at the municipal level did not participate in the design phase of the programme, but have been engaged in, and supportive of, the project since the beginning of its implementation. The programme also proactively involves civil society organisations. The evaluation has not been able to verify to what extent the implementing modalities have influenced the level of ownership of the project. UNICEF felt very strongly that DCT, in particular, should not be part of this evaluation.

General Recommendations

Based on the findings of the evaluation, and with the challenges in mind that were posed by the lack of data, the evaluators recommend that:

There should be a follow up project because the legislative framework in BiH at the state-level, as well as at the entity level is incomplete, thus providing a justification for work to continue to advance it. Further justification is provided by the assessment report of the situation in juvenile detention institutions (produced in the framework of the project), which points to the need and areas for further work to be done to improve the situation in the institutions. Work on the implementation of Action Plans in the municipalities is at an early stage; there are some municipalities (we identify Tuzla, Zenica, and Bijeljina) where ownership of the municipal-level working groups is such that they have the potential to improve the situation on the ground.

A future project should focus on the achievable, and set more modest objectives. The project under evaluation has been too ambitious. The initial project proposal identified juvenile offending as an urgent issue that needs to be addressed in a systematic and comprehensive manner. This is still the case, and having in mind that this project has just started tackling the issue of juvenile offending, the evaluators find that the project should continue to focus on juvenile offending. In terms of broader justice for children issues, there is significant advocacy work to be done to achieve more budgetary allocations to children's issues. This has to be first pursued through high-level advocacy work, which UNICEF is well placed to pursue.

Substantial parts of activities under two of the four components have yet to be implemented. This concerns the public outreach on JJ issues, with emission of TV shows to start in September, and indicators devised to measure progress will be used after the airing of the shows. It also concerns the school prevention of violence networks, which is commencing with the beginning of the implementation of school Action Plans in the new school year. UNICEF has experience with implementing similar efforts in other countries, the evaluators have not seen qualitative indicators based on which predictions can be made on what can be expected from these activities. A future project should either furnish convincing evidence of the medium-to long-term impact of this type of undertaking (if possible, supported by data gathered in the ongoing project), or consider downgrading or discontinuing this cluster of activities. We also conclude that working with journalists should be down-graded, and possibly discontinued. In terms of other activities, such as the by-laws and secondary legislation in the RS, it has been difficult to establish the actual nature and extent of the contribution made through the project. Having such evidence has to be the basis for a judgement on whether assistance to the development of secondary legislation is an important part of a future project, or whether by-and-large, the expertise among Bosnian specialists is sufficient to draft secondary legislation in accordance with international standards.

With regards to the potential for gradual country-wide expansion driven by domestic stakeholders with support of the project, the evaluators judge that *at this stage*, it not likely that this model will catch on, driven by domestic stakeholders. Stakeholders unequivocally stated that outside support both on facilitation and on subject area expertise are needed that do not exist at the local level. The evaluators do not think that training or capacity-building can be done between municipalities.

With regards to a scaling up of the municipal approach, the evaluators have seen **potential for impact** of the MWG in a number of the visited municipalities (Zenica, Tuzla, Bijeljina); on the basis of those observations, and with limited available information in mind, the evaluators recommend replicating this model in other BiH municipalities, but with a clear focus where there is an identified juvenile justice issue.

There is need for further support to the current municipalities – the implementation of the Action Plans is not completed. 20 – 25% of the measures in the Action Plans need additional funding; fundraising, together with capacity-building, could be an area for discussion with the MWG.

An increased approach to prevention is a need that has been highlighted by many stakeholders. There is a need to work on prevention, for example through the support of day care centres – but it is questionable whether this can be financially shouldered by a project, as it requires budgetary allocations from the municipal budget to finance the work of existing institutions (more than capacity building of staff). The evaluators do not recommend taking on areas where there is a low likelihood of delivery, or where expectations cannot be met.

The existing legal framework does not fully comply with international standards pertaining to children's rights issues; therefore, work on strategy and policy issues is necessary. A strategy provides the framework for promoting and pursuing an integrated, holistic, multi-disciplinary approach to the issues at hand, as well as legitimacy for the institution that is assigned to coordinate respective measures/responses. In any case, promoting and pushing for the development of a strategy and policy is, to a great extent, advocacy work that might fall under the UNICEF mandate.

There are multiple reasons for incorporating JJ components into a broader justice strategy. First, JJ will be given greater importance, thus facilitating implementation. There are already mechanisms in place to monitor and evaluate the implementation of the current Justice Sector Reform Strategy (JSRS) 2008-2012. Those mechanisms are used by relevant institutions, but also by 5 CSOs who have signed memoranda of understanding with the State Ministry of Justice to monitor the implementation of JSRS. Furthermore, this option will address the issue of the RS authorities' refusal to adopt a stand-alone JJ strategy – general JJ guidelines and principles would be included in a broader state justice strategy, while the concrete operational plans would be implemented by entity authorities. However, the feasibility of this option will very much depend on the political will of the relevant authorities and the general political

climate. Therefore, any project should explore different options and act in accordance with the political will at the time.

There is both potential and need for further support of the five detention centres. The project has produced an assessment report on the situation in the detention centres, accompanied by recommendations for each of them. Any follow up effort should take the assessment report as the starting point for the design of interventions.

Advocacy work has to continue to pressure the entity governments to commit to increased allocations to the institutions, both in terms of operational budget and in terms of human resources (which the assessment report produced in the framework of the report confirmed to be significantly under-resourced). Advocacy does not necessarily need a project – these issues fall within the core mandate of UNICEF. Against the background of strained budgets, advocacy will have to be a continuous focus of attention for the next 3 to 6 years. Based on the assessment report on the situation in the detention centres, any future intervention should include advice to the institutions to develop specific profiles. A technical assistance project can usefully assist in the development of training plans/programmes. The current project has provided much needed, but isolated training. Training-of-trainers remains a more sustainable approach to creating capacities in the institutions. Training programmes and trainers could be developed and trained using expertise from those neighbouring countries that have already passed the trajectory that is ahead of BiH. Croatia has been frequently cited by stakeholders as the example to look at.

Recommendations to UNICEF

The evaluators make two sets of recommendations, a) for the ongoing project to consider until its (likely) conclusion in June 2013 and b) for a potential follow up project beyond that time. For the remainder of the project

- Monitor that the child-friendly rooms at all police stations equipped through the project are used (this is not currently the case), and consider organising specific training for police representatives to increase confidence in using said rooms.
- Discuss with the implementing NGOs Zdravo da Ste (ZDS) and HRO the exit strategies/conclusions of activities in the 9 municipalities by June 2013. As the municipalities are not at the same level of progress with the municipal-level prevention Action Plans, different scenarios are likely to apply; discussions should also focus on municipalities that could be involved in a follow-up project.
- Assess the results of the prevention of the School Safety Networks, a model that, despite having been widely used, including in the evaluated project, has not been subject to systematic capturing of impact and lessons learned.
- Continue advocacy work in partnership with SDC, Sida, and other international organisations with relevant authorities on the need for a state-level approach to JJ, either as a stand-alone strategy, or as part of an overall justice sector reform strategy.

- Continue advocacy work to hold the FBiH authorities accountable to the commitments made to improve juvenile detention centre conditions, and to rigorously support plans for the building of a new centre in Orašje.
- Critically assess the usefulness of quantitative and qualitative indicators employed by the existing project to assess progress against objectives; collect, build up, or fill in lacking baseline data to use in future interventions, and to determine more specifically (as opposed to having rightly identified the general needs) in the specific parts of the system (Centres for Social Welfare; Centres for Mental Health; police; judiciary/prosecution; institutions etc.), and using existing guidance on JJ indicators (such as the UNODC/UNICEF Manual for the Measurement of Juvenile Justice Indicators); put in place a mechanism to monitor impact and sustainability after engagement with the current municipalities finishes.

For a follow-up project

- Adjust time frames to allow for more time to implement municipal- level activities based on experience from the ongoing project; develop, with stakeholders through a human rights-based approach (HRBA; acknowledging that the process through which indicators are gathered is as important as the indicators themselves in terms of legitimacy), realistic qualitative and quantitative indicators (using, *inter alia*, the assessments produced in the ongoing project, but also UNICEF-wide best practices and standards) to measure success based on needs assessments, and medium to long-term visions for the various parts of the system dealing with children at risk and children in conflict with the law. Data might not be readily available on all parts of the system dealing with JJ issues, but any future project needs to start with what has been gathered, or what is gatherable data. In terms of discussing progress, a mid-term external evaluation remains a useful means of taking stock of achievements.
- Consider UNICEF human resource implications based on experience with the ongoing project, potentially to increase the number/time allocation of staff working on implementation, which would allow more resources on aspects that deal with the capacity building of local partners.
- Conduct extensive stakeholder consultations about their needs in a follow-up phase spanning a period from 3–6 years, starting June 2013.
- In terms activity design, consider a more realistic balance between project objectives and the activities required to achieve them.
- Revisit the selection process for municipalities that would most benefit from the model of working through groups at the local level (based on size; scale of the problem; geographic position; prospects of sustainability after project engagement ends, etc.); monitor developments in those municipalities where the project will not continue activities beyond the ongoing project.

- The involvement of third-party organisations to provide expertise as well as the technical capacity to facilitate municipal-level processes is still necessary. The HRO seems a strong partner on both aspects.
- Continue advocacy for a state-level approach to JJ based on the core principle of the need for equal treatment of children throughout BiH; consider a shift from working with the Ministry for Human Rights and Refugees (MHRR) to working with the Ministry of Justice (MoJ), which enjoys a stronger position in the BiH Council of Ministers. The MHRR, as the state-level institution in charge of reporting on the fulfilment of obligations stemming from the CRC, might still remain a counterpart; though the prime choice should be the institution with the greatest likelihood of shaping the reform agenda at the state level.
- Include the cantonal government as counterpart in the Federation, in particular once relevant FBiH legislation is adopted. Institutionalise and mainstream training similar to the activities in RS in the framework of the ongoing project.
- Identify and explore possibilities to reach out to additional stakeholders, for example, the academic community. There is untapped potential for a link between research and the institutions' need for assessment tools and instruments.
- Continue to work on awareness raising on JJ, but apply a medium to long-term perspective, accepting that change is likely to be incremental, in particular in an environment where public opinion is still generally hostile. In addition to outreach through mass media, consider identifying successful, more low-key, long-term public awareness campaigns in BiH as well as successful campaigns conducted by UNICEF itself, and designing similar campaigns. Reconsider the extent of outsourcing of media work and possibly limit this to the strictly technical aspects of production.
- Explore options for increased collaboration with strategic partners within the international community. Specifically, OSCE's field presence and monitoring capacity can be a useful source for UNICEF to understand the levels and quality of applying existing legislation on the ground.

1 Background and Context

1.1 PURPOSE AND OBJECTIVES OF THE EVALUATION

According to the Terms of Reference (ToR; see Annex I of this report), this report presents the findings of the evaluation of the project “Protection of Children at Risk, and Children in Conflict with the Justice System in BiH”.

The specific objectives of the evaluation, according to the ToR, were to:

- 1) Evaluate the project results against planned activities
- 2) Make strategic and forward-looking recommendations for potential future interventions

The evaluation was also to “identify lessons learned and make strategic recommendations and elements for decision-making in the future, informing the design of the project as well as the government reforms in the field of justice for boys and girls. The evaluation [should] assess progress against the project results at the State, entity and municipal level (in the 9 selected project locations).”

During an extensive briefing with UNICEF at the onset of the in-country mission (3 July 2012), as well as during separate briefings with the two donor agencies (Sida and SDC), it was agreed that the emphasis of the assignment should be on the second objective, i.e. making strategic recommendations to guide future project interventions. Therefore, this report provides recommendations for future efforts in relation to each specific output. The project under evaluation will officially end in December 2012, with a no-cost extension for a further 6 months currently being discussed. Strategic recommendations, then, are to inform both the remainder of the current project, and the design of potential follow-up projects.

1.2 EXECUTING MODALITIES OF THE PROJECT

The evaluated project, “Protection of Children at Risk and Children in Contact with the Justice System in BiH” is co-funded by Sida and the SDC. The overall cost shared between the two agencies is US\$ 1,894,633, with a contribution by UNICEF of US\$ 154,800. The project, planned for a period of 36 months, started in December 2009, and will end in December 2012. Currently, UNICEF and SDC are discussing the possibilities of a no-cost extension for a further 6 months, which, if approved, would take the project into June 2013.

The project has been developed in a highly participatory way, and pursues four objectives:

- 1) To support the BiH Government in the development and enforcement of legislation on justice for children, in line with international standards.
- 2) To prevent violence/abuse and conflict with the law, through juvenile justice campaigns, policies and programmes, with an emphasis on the promotion of non-violence in schools.
- 3) To strengthen the justice system for children by promoting an integrated and multi-sectoral approach through the identification of children at risk and children in contact/conflict with the law, referral systems and responses, and the establishment of a continuum of services.
- 4) To support the reform of the institutional treatment of children in line with international standards.

To achieve these objectives, the project works with state and entity-level institutions. It also works in selected municipalities, where it brings together representatives of the local government and the responsible institutions (Centres for Social Welfare; police; judges and prosecutors; representatives of schools and grassroots organisations working with young people). Awareness-raising campaigns are prepared to reach the public on a country-wide scale; the project also specifically targets journalists. Finally, the project is also working with professionals working in juvenile justice institutions (disciplinary centres; educational-correctional institutions prisons with sections for juvenile offenders etc.). The project reflects UNICEF's imperative on a human rights-based approach to programming and implementation, in that it works with both duty-bearers and rights-holders in a participatory and integrated approach on children's rights issues.

A project team of three staff¹ (none of whom are working full-time on the project), with support from the Country Representative and Deputy Representative, as well as other parts of the organisation work on the project at the UNICEF Country Office (CO) BiH. Given the complexity of the topic at hand, as well as the multiple strands of activities, and the need for close, day-to-day cooperation with the implementing partners, a future project might benefit from increased human resources to deal with project management at the UNICEF CO BiH level.

Part of the four components of the project (a cluster of activities in nine municipalities throughout BiH) is contracted, through a Project Cooperation Agreement, to two domestic NGOs: Zdravo Da Ste (ZDS), a Banja Luka-based organisation covering Kozarska Dubica, Prijedor, Bihać, and Trebinje municipalities; the Human Rights

¹ The staff dedicated to the project can be broken down as follows: Child Protection Specialist 60%; Child Protection Officer 90 %; Programme Assistant 65%; Communication for Development Officer 35%; Communication Officer: 20%; M&E Specialist: 20%. In the course of the evaluation, the evaluators received different sets of breakdowns of personnel.

Office (HRO) is a Tuzla-based NGO, which is working in Brčko District, Tuzla, Zenica, Bijelina, and Čapljina municipalities. Due to the relative distance from the NGOs' headquarters, there are ZDS and HRO coordinators in Trebinje and Čapljina, respectively; in Trebinje, the person in charge is staff of the municipal Centre for Social Welfare (CSW), who is working on the project in addition to her day-to-day job; project-related work is estimated to be 40% of a full-time job. UNICEF CO BiH is closely supervising the work of both organisations and offers overall support and guidance. ZDS and HRO were selected after conducting an independent capacity assessment, in accordance with standard UNICEF rules and procedures, of shortlisted NGOs that had answered a 2008 public call for proposals by the MoHRR (one of the key stakeholders in the evaluated project) for activities under the 2006 to 2010 Juvenile Justice Strategy. A substantial portion of activities under the public awareness-raising component is contracted to Mark-IN, a public relations and advertising company. Mark-IN was selected following a public call for proposals during spring 2011. Their services cover the production of audiovisual outputs resulting from the project's communication strategy, as well as the facilitation of training events for journalists. A part-time consultant serves as the go-between for UNICEF and Mark-IN.

Under the various objectives/components, the project works with national and international experts (with an emphasis on experts from neighbouring countries) to deliver many of the outputs.

There are several methods used in the framework to deliver its objectives:

- Assessments and feasibility studies; expertise on existing or planned legislation;
- Methodological material tested and tried through workshops, training, seminars for various stakeholder groups;
- Processes: regular, facilitated meetings of Working Groups;
- Study visits;
- Media campaigns (TV programmes and video clips; posters);
- Material assistance;
- Advocacy work with the government of BiH and within the international community.

The project is governed by a Project Steering Board (PSB) made up of the Ministry for Human Rights and Refugees at the State-level as well as at the entity-level, Ministries of Justice and the Department for Justice and Social Affairs of Brčko District, and the entity Ministries of Social Policy/Welfare, which meets on a regular basis (ca. every quarter) and discusses progress and agrees on adjustments to the project.

2 Methodology

2.1 HOW THE EVALUATION WAS CONDUCTED

The evaluation was carried out from 20 June to 31 July 2012 by a team of two evaluators, supported by Indevelop's evaluation director and manager. The assignment is a conflation of what was initially foreseen as two separate exercises - a mid-term evaluation (originally scheduled for spring 2011) and a pre-end evaluation, to take place 6-7 months prior to the project end. The two evaluators were financed by Sida and SDC, respectively; the Team Leader was recruited through a framework agreement that Sida has with Indevelop, a Swedish consultancy firm. UNICEF, with SDC funds, ran a public call for proposals for the national consultant, the final selection of which was coordinated between all parties involved.

The ToR for the assignment were jointly elaborated by UNICEF, SDC, and Sida. The evaluation followed a fairly standard approach of a combination of desk study review of project, and related, documentation and in-country meetings with direct and indirect stakeholders; the meetings were facilitated and scheduled by UNICEF CO BiH. The selection of people to be interviewed was mainly made by UNICEF, which was also able to accommodate requests by the evaluators (in particular as they concerned the meeting of indirect, third party stakeholders). The field phase took place from 3 July to 12 July 2012. A detailed schedule of meetings is attached as an Annex to this report. To maximise coverage, the evaluators split up for the field visits: one of the evaluators visited 3 HRO municipalities (Zenica, Tuzla, Bijelina), the other Trebinje, which is a municipality covered by ZDS.

The evaluators had a series of meetings with the UNICEF Country Office BiH, both in preparation for meetings in the field, as well as in order to seek clarifications after meetings with stakeholders. Early on in the process, the differences between an evaluation and an audit were discussed and clarified. The evaluation looked at budgetary issues only insofar as these helped to explain the design and delivery of the project, as well as to inform overall assessments of project efficiency. The evaluators had a telephone conference call on 30 July 2012 to discuss UNICEF comments on the first draft report. A further round of feedback and changes were made to the report on 13 August 2012.

The evaluators had agreed at the outset of the field visit that any problematic or critical issues would be flagged to counterparts during the meetings in order to avoid unpleasant surprises; specifically, one of the implementing NGOs, ZDS, has signalled that their project reporting skills were an issue of concern that would be highlighted in the report.

2.2 LIMITATIONS TO THE EVALUATION

A number of limitations were encountered during the assignment.

Overall, the greatest limitation to the evaluation was the way in which the project worked with the indicators that were established at the beginning of the project. The evaluators were, in most cases, unable to use the indicators to assess progress, either because no baseline data was available in the first place, or because data had not been systematically collected. Stakeholder interviews are an important source of information for an evaluation; they cannot, however, substitute (for the systematically collected data) against indicators that the project was responsible for collecting as part of its monitoring system.

In their Inception Report (IR) and during the briefings with UNICEF, Sida, and SDC, the evaluators stressed the difficulty of assessing the **impact** made by the project this early in the process; this challenge was understood by all. It is also difficult to assess, at this point in time, the number of activities which have been in preparation and which await proper ‘roll-out’ after the summer break (Output 3.4, school prevention networks; Output 2.1 emission of TV shows and videos).

The ToR requested that all data collected be gender disaggregated. While the municipal-level assessments have been drafted to disaggregate data according to gender, the project itself has collected little specific data on gender (or, for that matter, vulnerable groups such as Roma) beyond that. Therefore, the little gender-related information provided in the report is approximate and relies on the recollections of stakeholders rather than on documentation.

The ToR-specified progress is to be assessed in all of the nine selected municipalities covered by the project. The IR had flagged a concern as to whether the four municipalities chosen by UNICEF to be visited in the ToR would be representative of all nine locations; this concern persists for the final report.

As a result of the geographical split of locations visited (see previous paragraph), the evaluators cannot compare, first-hand, the relative achievements of the two NGOs. While we trust each other’s assessment, our concern (as will be discussed below) is what turns out to be a significant discrepancy in the capacity of the two organisations to implement project activities. In fairness, particularly to ZDS, we would have wanted to signal this concern to them during the meeting.

Despite repeat efforts by UNICEF, one of the key stakeholders, the MoHRR, had not been available for an interview, raising question marks as to the level of commitment of the MoHRR to the project.

3 Observations and Analysis

3.1 RELEVANCE OF THE PROJECT

Despite the existence of a state-level Strategy against Juvenile Offending for BiH 2006-2010, the issue of juvenile justice has not received consistent attention from either the political authorities in BiH, or international donors in terms of funding for related projects.

In 2008, the issue was brought back into the focus of the authorities, after a number of horrific murders committed by juveniles. This created momentum, through which UNICEF, through the evaluated project, tried to advance key JJ issues. The project design, with its four components, is based on the components of the 2006 – 2010 Juvenile Justice Strategy (which had been developed with UNICEF support) and reflects a cohesive, whole and systematic approach to tackling the issue of juvenile offense.

The relevance of the project is also reflected in the fact that it has demonstrated its flexibility by adapting its approach to the emerging needs of its partners and stakeholders; it implemented certain activities that had not originally been provided for, but subsequently emerged as priorities for the beneficiaries.

At least one of the outputs (4.1), an assessment of the current situation of institutional treatment for juveniles in BiH against international standards, serves as a reminder of the ongoing relevance and urgency of reform in the JJ sector. JJ has also (to a great extent because of the project under evaluation) been included in the Structured Dialogue between the EU and BiH.

3.2 IMPLEMENTATION MODALITIES

The project delivers its activities through **consultancies** (national and international), **local service providers** (NGOs having a cooperation agreement with UNICEF), and through **Direct Cash Transfers** (DCT) to relevant line ministries and specific institutions for specific project activities.

Advocacy: In support of the project objectives, considerable advocacy work is being done by UNICEF (which we find to be under-reflected in the project reports); advocacy efforts have frequently been carried out together with SDC and Sida, as well as with OSCE.

Consultancies: UNICEF selects and recruits local and international consultants for some of the thematic activities themselves. This option allows UNICEF to work with trusted and experienced consultants that ensure the delivery of technical advice at a high level.

Local Service Providers: Activities at the municipal level are implemented through two national NGOs, HRO from Tuzla, and ZDS from Banja Luka. Both NGOs are mainly charged with facilitating the technical aspects of the MWGs in the 9 municipalities; in case of HRO, the respective municipalities have also drawn on its extensive expertise on the issues at stake. The NGOs reported that the budget provided to them for the implementation of activities was appropriate. Members of the MWGs receive, for their attendance of group meetings (which includes preparatory work), a reimbursement of ca. BAM 85 per meeting. There have been diverging views of stakeholders on this issue, and we find it positive that there appears to be a discussion on the incentives created by this practice inside UNICEF. Stakeholders reported that the fee was a strong motivation for Working Group members, as it was a useful way to ensure regular participation in the group. Prior to the establishment of the MWGs, UNICEF did not discuss the ensured incentive; according to some stakeholders, the right people were ‘delegated’ into the groups. Had the reimbursement been announced, different nominations from the municipalities (including the top layers of the municipal government) would have resulted, as opposed to representatives with a specific knowledge or working portfolio including juvenile justice issues. Though concern regarding the creation of perverse incentives for participants was understood even by members of the actual MWGs, it was nonetheless widely endorsed. Stakeholders cited the argument that work in the Working Groups was indeed mainly done in addition to members’ day-to-day jobs. In terms of a future project, stakeholders judged that it would be difficult to commence work in other municipalities without offering the same type of reimbursement for participation in the groups. Word on the reimbursement for Working Group members will have spread by that time, and any follow up project will now face the challenge of ensuring that members represent the necessary expertise, as opposed to finding themselves in the group because of the incentive.

Another local service provider contracted through the project is Mark-IN, the Public Relations Company that implements the majority of communication outputs.

Direct Cash Transfers: This modality has been used to support and facilitate the work of the MHRR and its coordination of the drafting of the new Juvenile Justice Strategy, by a specifically set-up Working Group. DCT has also been used in a similar way with the MoJ of RS to elaborate a training module for representatives from all sectors involved in the implementation of the RS 2011 “Law on the Protection and Treatment of Children and Juveniles in Criminal Proceedings”. This was elaborated in a similar way with the development by the Centre for the Education of Judges and Prosecutors (CEST) of a training module for judges. Although DCT is not a model that is widely used among donors in BiH, it is standard for worldwide UNICEF operations, and UNICEF is for the approach because stakeholder institutions lead and advance their own specific activities. A stakeholder from one of the beneficiary institutions, having received assistance through DCT, stressed the fact that this was a cost and time-efficient approach to delivering outputs compared with other international projects. It has not been a focus of the evaluation to assess the relative merits of DCT as compared with other assistance modalities. As with the issue of incentives for

members of Municipal Working Groups, the question raised by several stakeholders was: what is the exit strategy when donors cover costs that the institutions should bear as part of their regular mandate?

3.3 PROJECT OUTCOMES, OBJECTIVES, RESULTS, AND OUTPUTS

3.3.1 Outcomes and Objectives

The project is in line with Outcomes 1 and 2 of the UN Development Assistance Framework (UNDAF) 2010 – 2014 for BiH.² The overall Objective (in the project proposal this is referred to as the “Project Goal”) of the project is “Support to the Juvenile Justice System in BiH in line with juvenile justice international standards”.

The project document identifies four objectives:

- 1) To support the BiH Government in the development and enforcement of legislation on justice for children, in line with international standards.
- 2) To prevent violence/abuse and conflict with the law, through public juvenile justice campaigns, policies and programmes, with an emphasis on the promotion of non-violence in schools.
- 3) To strengthen the justice system for children by promoting an integrated and multi-sectoral approach through the identification of children at risk and children in contact/conflict with the law, referral systems and responses, and the establishment of a continuum of services.
- 4) To support the reform of the institutional treatment of children in line with international standards.

3.3.2 Outputs and Results

The above four objectives have been broken down into four corresponding project results. A set of outputs has been assigned to achieve each of these results. These are discussed in the following section.

Result 1: *National legislation and policies on justice for children developed, adopted and enforced, in line with international standards*

² Outcome 1: By the end of 2014, Government with participation of civil society implements practices for more transparent and accountable governance and meets the requirements of the EU Accession process. Outcome 2: By 2014, Government develops and implements policies and practices to ensure inclusive and quality health, education, housing, and social protection, and employment services.

This result has been **partly** achieved. One of the outputs³ chosen to achieve this result was to develop a feasibility study on the practical aspects of the implementation of the Juvenile Justice Laws (Output 1.1). This study was intended to assess how the new JJ Laws can be implemented, and to outline major gaps to be addressed, and recommendations for actions in the two entities and in Brčko District (BD), considering the differences in systems and legislation.

However, keeping in mind the timeframe in which the JJ Laws were adopted at different administrative levels (the RS law was adopted in 2010 and came into force in 2011; the BD law was adopted in late 2011, and in the FBiH, adoption is still pending), the Project Steering Board decided not to conduct the planned study. Instead, priority was given to conducting an overall assessment of the BiH JJ system. This study, as well as the results of an evaluation of the implementation of JJ Strategy 2006-2010, provided sufficient information for setting the guidelines for further efforts that ensure proper implementation of JJ legislation.

The project also provided technical support to government institutions at different levels in developing and successfully enforcing relevant JJ legislation in line with international standards (Output 1.2.). In the RS, several by-laws have been developed and adopted, and while attribution is a challenge, the project has contributed to these through the provision of technical support, and an evaluation of the implementation of JJ legislation is taking place. At the BD level, persistent advocacy led to adoption of the JJ Law in late 2011. The project started facilitating information-sharing on the development of by-laws between RS and BD levels, as well as capacity-building for professionals active in this field.

When it comes to adopting JJ legislation at the FBiH level, the process is still held back due to the political situation, and the lack of a clear focus of the FBiH government. As a result of its advocacy efforts, UNICEF, together with other international organisations, managed to put the juvenile justice issue on the agenda of the latest Structured Dialogue in the area of justice between BiH and the European Commission (EC). In its recommendations, the EC has called on the ministries of justice, especially at the FBiH level, to secure the adoption of harmonised legislation on juvenile justice.

In the framework of result 1, the project also provided technical and financial support to the MoHRR and Juvenile Justice Coordinating Body (JJCB) for coordination activities, the finalisation of the Programme for Prevention of Juvenile Offending, an analysis of the Strategy against Juvenile Offending for BiH 2006-2010, and the development of the new strategy for 2010-2014 (Output 1.3.). Due to refusal of RS to

³ The Feasibility Study is both listed as an Output (1.1.) and an Activity (1.1.1) in the project documentation.

support the strategy at the state level (and echoing its rejection of other state-level policies), the adoption is still pending. However, for various reasons, it is essential for a strategic framework document to exist at the state level; the key argument being that of the need for equal treatment and standards throughout the country. Also, BiH as a state is obliged to collect information, monitor, and report on the implementation of the Convention on the Rights of the Child (CRC), and the basic information for that purpose draws from the state-level strategy. A state-level strategy is also needed for the purpose of coordinating activities with the lower levels of authority; based on the strategic framework document at the state level, it would be possible to develop more specific and targeted operational plans for the entity and BD levels.

Overall, technical support to develop legislation in line with international standards has been appreciated by the stakeholders. However, delays in the adoption of the JJ legislation that are beyond UNICEF's control—such as objections, in principle, of the government of the RS to any form of state-level document—have significantly influenced the overall implementation of project activities of this component. While resources have been invested to draft a new JJ Strategy that is effectively not being used, we do consider some capacity to have been built among the members of the working group that dealt with drafting of the strategy, which will not be lost.

Therefore tentative recommendations regarding this result are the following:

- Continue advocacy for the adoption of the state-level JJ strategy, but also consider advocating for JJ issues to be incorporated into the new cycle of the BiH Justice Sector Reform Strategy (JSRS). This would seem a logical step, considering that the juvenile justice issue was included in the last Structured Dialogue for the area of justice, and that juvenile justice will also be discussed at the following Ministerial Conference of the justice sector.
- There are multiple reasons for incorporating JJ components into a broader justice strategy. First, JJ will be given greater importance, which would facilitate implementation. There are already mechanisms in place to monitor and evaluate the implementation of the current Justice Sector Reform Strategy (JSRS) 2008-2012. Those mechanisms are used by relevant institutions, but also by 5 CSOs who have signed memoranda of understanding with the State Ministry of Justice for the monitoring implementation of JSRS. Furthermore, this option will address the issue of the RS authorities' refusal to adopt a stand-alone JJ strategy – general JJ guidelines and principles would be included in a broader state justice strategy, while the concrete operational plans would be implemented by entity authorities. However, the feasibility of this option will very much depend on the political will of relevant authorities and the general political climate. Therefore, any project should explore different options and act in accordance with political will at the time.

1. In a follow-up phase to the current project, selection of the appropriate partner from the state-level is being considered. In fact, resolution of the previous issue, or recommendation, will also lead to a decision regarding which partner the project should cooperate with to ensure adequate and successful project implementation. It is difficult to anticipate this at this stage in a politically unconsolidated environment. However, potentially, and as also suggested by UNICEF, the Ministry of Justice could be a stronger driver of reform than the current partner (MoHRR).

Result 2: *Raised public awareness and enhanced competencies of relevant service providers about the rights of children in contact with law, as well as prevention, disciplinary and re-socialisation measures*

Overall, it is too early to assess the achievement of this result. The raising of public awareness has been rightly assessed as an issue to be addressed by the project. A communications strategy was developed in early 2011, and the implementation was contracted to Mark-IN, a private sector service company. The strategy foresees the production and broadcasting of TV adverts and debates on child rights and juvenile justice issues. Also, 4 workshops for journalists were organised, with the aim of increasing their understanding, and consequently, reporting on juvenile justice issues. Training was organised for judges, prosecutors, and police officials for dealing with the media during crisis situations involving juveniles. Through local roundtables, the raising of awareness was aimed at municipalities where Municipal Working Groups have been established, while simultaneously raising the profile of the Municipal Action Plans.

To assess the achievement of the result, a number of fairly detailed quantitative indicators had been established in the initial project document. These include ‘[a]t least 70% of the participants/attendants of locally organised public debates demonstrates higher level of knowledge about successful mechanisms of rehabilitation of juveniles in line with international standards.’ At the time of the evaluation, no figures were available to judge whether this indicator had actually been systematically used to measure achievement. Other indicators under this result are reported to be used after the completion of the awareness campaign, i.e. post-September 2012. One concern with regards to indicators under this result (as well as other results) is their usability: success of the media campaign will be measured by the ‘number of reactions to the inappropriate media treatment of juveniles (both children victims and children in conflict with the law)’, yet, it is not clear where this information will be collected for the purposes of the project – it is unlikely that these complaints will be made to UNICEF, and the evaluators are unclear how the project would get to the information to verify a trend in figures.

The implementation of the communication strategy faced considerable challenges (resulting in a delay of activities) with the local service provider requiring much closer, day-to-day supervision than was initially envisioned, including on the company's capacity to effectively and efficiently organise training events for professionals and journalists; participation was reported to be very low in one of the events; as a result, UNICEF was involved in the selection of participants, the invitation process, and supervision of Mark-IIN. Concerns also evolved around the company's lack of substantive knowledge on juvenile justice issues, and consequently, the quality of the company's attempts to translate these into public outreach products. At the time of writing the report, 9 TV video clips (working with high-profile BiH personalities/celebrities and role models) had been produced, as well as 5 TV debates, with post-production taking longer than anticipated. Broadcasting of the TV products was anticipated for September 2012; this will be accompanied by a public relations event and indicators (including viewers' numbers; and increased use of the project's Facebook profile) will be assessed after these through a second round of surveys with a (relatively small) control group created for this purpose; therefore, no judgement can be made as to how useful the indicators that have been devised are. Tentative recommendations by the evaluators for future projects are:

- To consider the extent to which public relations activities can be outsourced beyond the essential technical tasks related to the production of outputs, and whether UNICEF should, from the outset, retain tighter control of the process of messaging on JJ, in particular in the environment of BiH where the general public perception of JJ issues is hostile.
- While reaching out to the public through TV, as the most effective way to reach a critical mass of citizens, is addressed by producing TV products, in parallel, we recommend a medium- to long-term approach to raising awareness of juvenile justice issues. UNICEF has engaged in a very successful branding campaign for this project: "Pravda za svako dijete"/"Justice for every child" has been used as shorthand for the project itself (a result of the very complex title of the project) which could offer useful lessons to be learned. Equally, UNICEF has, on other issues, conducted long-term awareness raising campaigns in other countries that might offer ideas and experience that could be transposed to the BiH context. Also, it would be worthwhile to take a closer look at some of the more successful campaigns conducted by the international community, in general in BiH since 1995, and analyse which issues have been successfully tackled, and what the parameters were for such successful campaign (domestic violence issues were mentioned by stakeholders as an example of a successful, long-term awareness raising effort conducted by various international agencies over several years using TV broadcasts, but also more low-key products such as posters, etc.).
- With regards to work (trainings and workshops) with media professionals, this is likely to continue to be an uphill fight. Shallow and unethical reporting by BiH journalists on complex issues has to do with their lack of competence and knowledge; it is also due to structural reasons (media ownership, low profit-margins

that put limits on quality research and investigation etc.) that UNICEF cannot address. In addition, and also beyond UNICEF's control, journalists have been inundated with trainings and workshops over the past decade and a half, and there is certain saturation, if not fatigue, among journalists with such events.⁴ Work with journalists will have to continue, though results might be incremental; there might also be an argument to work in parallel with those in charge of the editorial policies of the newspapers, as well as through journalists associations and self-regulatory bodies. In general, if decisions related to narrowing the scope of the project have to be made, the evaluators would suggest cutting activities related to the training of journalists.

Result 3: *Alternative measures in dealing with children in contact with the justice system developed and applied in selected locations, through a cross-sectoral integrated approach*

Within this component, nine municipalities in BiH had been selected by the Coordination Body to pilot activities at the local level, with possible facilitation by three local NGOs. The initial thinking behind the selection process was to identify nine municipalities clustered in 3 different geographical regions/clusters. An initial selection of municipalities was made, based on a set of criteria as follows:

- Exposure to similar projects; infrastructure as basis for the application of alternative measures;
- Indication of increased rates of juvenile offending;
- Diverse geographical spread between the regions;
- Geographical clusters of municipalities; equal coverage of entities;
- Locations of existing institutions.

On this basis, Mostar was initially chosen as one of the municipalities, a choice that had to be abandoned in early 2010, as a field visit showed that there was insufficient interest in the project.

During the selection process, the project coordinated with other relevant international organisations and projects (in particular with Cooperazione Italiana) in order to avoid an overlapping of activities in certain geographical areas. When it comes to the selection process itself, despite the above criteria being in place, it is not clear why some municipalities were eventually chosen to pilot these activities. This mostly refers to Čapljina and Kozarska Dubica municipalities, where there is no indication of

⁴ A meta-evaluation of assistance to media in the Western Balkans could also serve as a useful source for directions to pursue in relation to work with the media. See http://www.medienhilfe.ch/fileadmin/media/images/dossier/mediasupport_Balkan.pdf

increased rates of juvenile offending. Without underestimating the need for activities related to prevention, the evaluators believe that resources used, and efforts made, could have been used more efficiently if they were implemented in other municipalities where juvenile offending is a burning issue. The evaluators acknowledge the importance and need to ensure support from relevant municipal authorities prior to entering into the implementation phase. However, the recommendation here is to ensure, in future activities, that the established criteria are actually applied consistently.

In addition to that, there were challenges in identifying three NGOs with sufficient capacity and experience in the justice sector, especially in juvenile justice. This ultimately resulted in only two local NGOs (ZDS, Banja Luka and HRO, Tuzla) being selected to assist in mobilising the nine target municipalities and implementing project activities there.

Over the course of the project, the nine selected municipalities have set up working groups that were appointed by municipal mayors and/or councils. On average, the MWG have 8 members, with the majority of members being women (a result of the professions represented in the MWG – there is an overwhelming representation of women among social workers and teachers).⁵ MWG members were provided with training on human-rights based approaches to programming and juvenile justice. These training sessions have been highly appreciated by MWG members, who especially stress the relevance of the selection of topics covered, the methodology and the interactive working models used, as well as the presenters' experience.

The MWGs carried out a situational analysis for the respective municipalities and developed Action Plans (AP) for each of them. The APs reflect actions that can, to a great extent, be carried out without the need for additional resources. On average, ca. 20% - 25% of the measures do require additional funding, with municipalities indicating that mostly, this would have to come from donations. At the same time, the municipalities do not have a precise vision of where these funds could possibly come from.

⁵ The gender breakdown of the MWGs is as follows:

Bijeljina: 6 women; 3 men
 Brčko: 4 women; 5 men
 Čapljina: 6 women; 3 men
 Tuzla: 4 women; 5 men
 Zenica: 5 women; 4 men
 Bihać: 7 women; 1 man
 Kozarska Dubica: 3 women; 4 men
 Prijedor: 4 women; 2 men
 Trebinje: 4 women; 4 men

All APs were developed by applying the same HRBA methodology and following the same structure. The evaluators heard critical views with regard to the usefulness of the methodology by both implementing NGOs and by members of MWGs; stakeholders have not found it entirely relevant to the task at hand. In developing these APs, the MWGs received technical support from experts engaged by the project, and the overall process of drafting the APs was facilitated by the selected NGO. The implementation of the APs' measures is going relatively smoothly, and MWGs do not expect any challenges apart from those cases where substantial financial support is needed for their implementation (e.g. the Disciplinary Centre in Bijeljina, requiring a major capital investment that cannot be financed from the municipal budget). Protocols of cooperation in all 9 municipalities are in the process of being developed and will be signed to stipulate every institution's role and responsibility when dealing with juvenile delinquency cases.

Stakeholders at the central and local levels identified the greatest achievement of this part of the project to be the facilitation of a dialogue between all relevant institutions. The necessity of linking the institution was highlighted by all, as well as the need to continue and expand this process. The role of a facilitator, too, was mentioned as crucial, as these processes were unlikely to be initiated without their input. In this context, the role of UNICEF as the overall coordinating organisation for the project was mentioned by most stakeholders. In terms of sustainability, there are clear signs for this being a real possibility in those municipalities with a high degree of commitment by individual MWG members, as well as of the Mayor, in particular in Zenica and Tuzla; some initiatives for institutionalising MWGs are already under consideration; however, additional facilitation by the NGOs is required in the short to medium-term.

Although it is too early to assess what impact this approach and APs, as such, will have on the local community and its efforts to tackle juvenile offense, there are already some evident benefits for all those involved in the process. Some of them include: municipalities finally recognised juvenile justice as a priority and have started working on it in a systematic and comprehensive manner, channels of communication and easier information flow between institutions dealing with juvenile delinquency have been established, and the coordination of activities and opportunities to explore regional experiences in this matter have been improved.

Although the Action Plans have been designed in a way so as to be mainly implementable through existing resources, one of the key focus areas, i.e. the implementation of alternative measures in the municipalities, is challenging the background of an underfinanced social welfare system throughout most of the country. This lack of overall funding is accompanied by a lack of knowledge on the concept of alternative measures, not only at the local level, but also at the level of line ministries at the entity level. This assessment by the UNICEF project management team has been echoed by most stakeholders who were consulted as part of this exercise. It points to the need to continue advocacy work with the ministries and entity-level institutions on the importance of alternative measures to detention, with the main objective of institutionalising the approach vertically through the various levels of the institutions that have a

role in JJ issues. In Trebinje municipality, representatives of the local police, who had been part of various activities in the project, reported that they had recently issued two police warnings (*policijsko upozorenje*) in accordance with the new RS Law. These are, for the moment, singular cases; however, it became clear during the stakeholder interview that there was a considerable sense of pride that the police had been able to apply such measures, along with the acknowledgment of the novelty of the approach in local police practice. The RS Ministry of Interior also reports a keen interest in keeping track of alternative measures being issued across the entity.

It is difficult at this stage to make clearer predictions on the sustainability of the MWGs beyond the above initial indications received from Tuzla and Zenica, in particular as the implementation of the local APs is still in a relatively early stage.

However, the evaluators consider the approach chosen to represent a **first step towards developing a systematic solution for the juvenile delinquency issue**. Thus, based on information collected during the field visits to the municipalities of Zenica, Tuzla and partly to Bijeljina⁶ as well, it is our assessment that this activity has been successful and we consider that it contributes to a significant degree towards achieving of the desired outputs. These municipalities (Zenica, Tuzla and partly Bijeljina) are characterised as successful by the fact that municipal authorities have prioritised the juvenile offending issue as a problem that needs to be tackled. Actually, the municipalities had already identified JJ as a problem area, and tried to deal with this issue, but lacked knowledge and experience of the approach to take. This model has proved successful because it ensured a systematic approach to juvenile offending and used an inter-sectoral approach involving all relevant institutions engaged in juvenile offending into the working groups. In addition, the fact that working group members are senior officials from relevant institutions, selected based on their expertise in the area of juvenile offending, has also contributed to the success of this model.

In Zenica, the municipal authorities have aligned the objectives of their annual call to propel local NGOs to work towards the implementation of measures set out in the Action Plan, which is an encouraging development. The high level of commitment to the task at hand and political support by municipal authorities are to be particularly stressed as preconditions for the success of this activity. In the end, a good facilitating/implementing partner, in this case the HRO, with appropriate knowledge and expertise in this area, is also considered an essential element in ensuring the success of

⁶ Evaluators have visited 4, out of a total of 9 municipalities where project activities have been implemented; and ZDS is an implementing partner in only one of them. This has to significant extent limited the possibility of making an overall assessment of the successfulness of this model in general; the evaluators were unable to compare implementation in several municipalities with ZDS as an implementing partner. For that reason, the evaluation presented in the assessment above pertains mainly to activities implemented in the municipalities of Zenica, Tuzla and partly Bijeljina. However, we feel the elements incorporated in these municipalities that have ensured the success of this model can be used to further replicate these activities in other municipalities in BiH.

working group activities in these municipalities. Having in mind everything mentioned above, our conclusion is that this model should be replicated in other municipalities of BiH, based on the lessons learned from this project.

UNICEF has worked with municipal-level multi-stakeholder processes in other projects, for example in the various phases of the Social Protection and Inclusion project (SPIS), supported by UNICEF and the EU. Cross-project learning is useful to see what parameters determine the continuation of Working Groups at the local level - the evaluators had diverging views from stakeholders on this (citing experience from the successful continuation of the WGs to such examples where they ceased to exist beyond the project intervention), but lack the insight of other, similar exercises to be more specific regarding the potential of these groups to operate beyond the project. The Action Plans have been adopted and are now official documents of the municipalities. This provides the potential for sustainability; it is, however, not a guarantee in and of itself.

As part of this result (Output 3.3), trainings were held for service providers to be “better able to plan, manage, coordinate and deliver services, with an emphasis on application of alternative measures, for children at risk and children in conflict with the Law”. The target figure for the training was 90, again raising the question of how numbers have been calculated to determine needs. In a future project, it would be important to establish what the precise needs are of the various institutions at the municipal level: we do not know if 10 per municipality (which is presumably the breakdown) covers all professionals that deal with JJ issues, or whether this is a fraction of the target group. Establishing such a picture would also potentially enable the design of training interventions in a more rational way – if the target audience is too big to be covered through individual training, this might argue for a training-of-trainers approach, which, in turn, would require a different approach. The training was relevant, as confirmed by all stakeholders, although all also confirmed that more is needed to firmly establish newly acquired knowledge and to translate it into institutional practice. Some stakeholders raised a concern about the legitimacy of an NGO facilitating training that involves representatives of the police, the prosecution, and the judiciary.

Areas for further capacity building needs were mediation techniques; communication; the application of alternative measures and the re-integration of juvenile offenders.

The project also set up child-friendly rooms equipped with audio and visual equipment in nine police stations, in accordance with professional standards, as such rooms have been proved to be less invasive and traumatic for children. There has been anecdotal evidence of resistance, by male members of police staff, to the setting-up of such a room, which was successfully overcome by the female police officers in that station, who managed to convince their colleagues. This was explained by stakeholders as female police staff having a greater sense of empathy, in particular with female victims of violence and sexual abuse. However, the usage of these rooms is uneven, which is due to several evaluator-identified reasons: first, police officers were reported to lack confidence because of insufficient or non-existent communica-

tion and soft skills in questioning children; second, in the FBiH, the use of the equipment is not, yet, mandatory by law (however, the Tuzla police station does use the room despite that existing legal framework does not make such a requirement). Also in the framework of result 3 (Output 3.2), the RS **Ministry of Justice** developed, in the framework of its educational programme, training modules on the RS JJ legislation that were used in training with representatives of those professional groups that are concerned with JJ issues by law (social workers, police, judges, and prosecutors). The project supported the development, in 2010, of the training module for the first (of three) cycles of education, as well as the development of modules for the second and third cycles, which are expected to be held in the second half of 2012. The content of the training was developed by domestic experts (there was consensus among stakeholders that there is sufficient domestic legal expertise to advise the professionals on the implications of the existing legal framework), with overall quality control of the material ensured by UNICEF CO BiH. One of the outputs in this context was the development, by the RS MoJ, of a compilation of legal and international provisions, are reported by OSCE to be in constant use by judges and prosecutors dealing with JJ cases, as well as with representatives from international organisations, and thus, appears to have become a useful reference tool on a day-to-day basis.

The project also provided support to the RS Centre for Education and Training of Judges and Prosecutors (CEST) to develop a training manual on the new JJ legislation, which will, as of the second half of 2012, form part of the CEST curriculum; a separate training was organised for judges and prosecutors in early 2012. However, some beneficiaries reported poor quality of those trainings. Working with the respective training institutions and structures is beyond doubt a successful approach to institutionalising and mainstreaming, and one that should be replicated in the FBiH once the JJ law is adopted; UNICEF has already undertaken steps to prepare for this, by making contact with the FBiH CEST, as well as being in contact with the BiH High Judicial and Prosecutorial Council (HJPC), which is in charge of the oversight of the training of judges and prosecutors. Areas highlighted for further training needs are on those provisions in the law where police, prosecution, or judges have **discretion** over the application of alternative measures.

Result 3 set out to work on a wide spectrum of issues, with several vectors through which to reach stakeholders directly dealing with juvenile justice. It is also the thematic cluster that deals most explicitly with the **prevention** of children getting into conflict with the law.

As noted in the previous paragraphs, an overall concern relates to the **indicators** established, and used – or not – , to measure the achievement of result 3. First, this relates to the **quantitative** indicators that were established to define progress, and how useful these have been when monitoring progress during the project. For example, one of the indicators for the success of interventions at the local level in the 9 municipalities is the ‘decrease of [the] recidivism rate for juveniles exposed to alternative measures’, which is arguably an indicator that can be useful over the long-term, since recidivism lends itself to data collection and monitoring over time; but the applicability over the lifetime of this project has to be questioned. However, there is a lack of a baseline to measure the ‘decrease’ against. We also find that in many cases, these

indicators have not actually been systematically used – at the time of the writing of the evaluation, an assessment against the indicators was either deferred, or project documents stated that data is in general not available. Similar discussions could be had on most of the other indicators.

The evaluators also find room for improvement in terms of **qualitative** indicators. The project is engaging, at the municipal level, in the establishment of School Safety Networks on Non-Violence. The approach has been tested by UNICEF in previous projects, including in the region. This would suggest that more information should be available to establish qualitative indicators, and to not limit indicators to the physical production of school action plans. On the School Safety Networks, the evaluators solicited a very wide spectrum of views on the usefulness of the approach, ranging from positive assessments; relative disinterest/mechanical approach by the schools to the activities; to outright rejection of this being a legitimate approach to addressing peer violence in the absence of, or as a substitute for a pervasive attitude in schools in both entities to take an interest in the issue as part of their normal duty of care. Many of these concerns are echoed in the Municipal Action Plan of Brčko District, which, in its assessment portion, discusses the uptake of training (offered through previous programmes) on issues including juvenile justice, peer violence, and children's rights by representatives of the teaching profession and school management of schools in the District.⁷

Recommendations by the evaluators for the remainder of the project and future projects are:

- Conduct needs assessments, and review the process for selecting the municipalities to work with in a follow-up phase of the project.
- Replicate this model in other municipalities, with a focus on selecting influential, committed, highly ranked and experienced MWG members; but also municipalities where there is an actual issue with juvenile offending (border municipalities, urban areas, etc.). A potential model for facilitating the work of the MWGs is either to cooperate with some of the already-implementing partner NGOs or to use in-house staff and experience, or a dedicated consultant and work directly with selected municipalities on the implementation of those projects activities.
- Include the cantonal governments as counterparts in FBiH, in particular covering those Cantons where the project has already implemented activities at the municipal level.
- Monitor the use of equipment of child-friendly rooms at all police stations that have received a donation through the project and consider organising specific training on communication and soft skills for police officers and top management of police departments to their increase confidence in using it.

⁷ See Akcioni Plan Prevencije Maloljetničkog Prestupništva i Primjene Alternativnih Mjera u Brčko Distriktu", p. 7.

Assess the results of the prevention of the School Safety Networks and translate those into indicators to measure success/progress.

Result 4: *Developed capacities to change policies and practices in the existing institutions in BiH and support the overall reform of institutional treatment of children*

The biggest obstacles to assessing the achievement of this result are the unrealistic indicators⁸ set by the project itself, and the slight mismatch between the outputs pursued and those indicators. Furthermore, similar to what has been discussed in other results above, the project seems to not have established baseline data against which progress should be assessed. If judged by these indicators, the result has **not** been achieved. However, this conclusion would fail to acknowledge the achievements that have been made.

The project produced (Output 4.1) an assessment report, “Monitoring of Institutions for the Placement of Children and Adolescents in Conflict with the Law”. The evaluators heard critical views on the methodology used, and how this influenced the actual picture presented in the report. However, UNICEF rightly stresses the importance of ownership of the report, which was authored by the State Commission for the Monitoring of Penitentiaries and Correctional Facilities, as well as the fact that while the current situation in the institutions might be more problematic than presented in the report, that the recommendations for improvement are detailed, concise, and reflect a roadmap for improvement in the medium- and long-term. The recommendations are also a logical entry point to discuss follow-up assistance to these institutions through projects or interventions, as well as the basis for establishing more plausible indicators to measure progress.

The project also organised two training events for expert and support staff in existing institutions in the FBiH (Output 4.2). The FBiH MoJ and staff of the institutions that participated in the training confirmed these to be very useful, and also confirmed them to be the first events of this type ever organised for staff. Participants pointed out that the discussion during the training events brought the extent of the challenges the institutions face – beyond what is contained in the monitoring report – to the fore. While the need for training was well identified, expectations regarding the achievement of results by conducting 2 workshops have been unrealistic.

advocacy work has been carried out under this component, including inter-agency joint advocacy between UNICEF, SDC, Sida, and OSCE. This has resulted in imme-

⁸ For example, “Recidivism rate for juveniles exposed to the improved institutional treatment programme drops per at least 30% within first year upon their release from the institution, in comparison to the statistics available for the previous period/cases.”

mediate measures being taken to improve the situation in Tuzla prison following reports of appalling conditions in 2011. As a result of the assessment report, as well as of advocacy work, immediate measures were also taken in Zenica prison (the separation of juveniles from adults). An intra-ministerial Working Group in the FBiH has been established, under the Prime Minister, which has developed an Action Plan to follow up on the situation of juveniles in detention. Furthermore, FBiH authorities have committed to the opening of a new correctional facility in Orašje, which would allow for the closure of the juvenile section of Tuzla prison. These developments suggest progress, but broader implementation is likely to require a sustained advocacy effort on behalf of the international community.

Stakeholders pointed out the lack, in BiH, of engagement by the academic community to support the work of professionals in institutions. Specifically, the experience of Croatia was highlighted as an example where there was a strong link with research on juvenile offending that resulted in practical assessment tools and instruments for institutions that deal with these issues.

Recommendations by the evaluators for the remainder of the project and future projects are:

- There is clearly a need for further capacity building, the basic directions for which are contained in the assessment report, which would seem an excellent starting point for future assistance, but can be taken further by stakeholder consultations with the staff of concerned institutions.
- Stakeholders suggested that a follow up project could usefully facilitate the dialogue between academia and professionals, and create incentives for collaboration.
- Inter-agency advocacy efforts should continue so that the authorities continue working towards the commitments that have been entered into.

3.4 MANAGEMENT ARRANGEMENTS AND CONSTRAINTS

3.4.1 Management arrangements

Substantial parts of the implementation of activities under component 3 of the project are delivered through two NGOs: ZDS and the HRO. The HRO has, additionally, taken on the facilitation and organisation of one capacity building event (Output 4.2) under result 4, responding to the inability of the FBiH to directly administer funds. The Project Steering Board has discussed and approved working through NGOs. It bridges the lack of resources to carry out this type of work by the local authorities

themselves, while also circumventing restrictions on authorities (or unwillingness/inertia) to receive and/or administer donor funds for specific activities⁹. The stakeholders generally understood the role of the NGOs as being primarily in charge of the **technical** aspects of work at the municipal level. UNICEF CO BiH oversees the work of ZDS and HRO, and intervenes, when and if necessary, at the municipal level, including through UNICEF CO BiH senior management (for example, the Country Representative intervened at a critical junction of the municipal-level activities in Tuzla).

Mark-IN, a PR company, was also hired to deliver public awareness to raise outputs (see above for a more detailed discussion and recommendations).

Overall, UNICEF CO BiH is in charge of steering and guiding the project activities on a day-to-day basis. This ensures that activities and outputs are of high quality and are aligned with international standards and treaties.

3.4.2 Management constraints

A number of issues arose regarding NGOs as the technical implementers of activities in the framework of the project.

First, particularly in the RS, there was a sense from stakeholders that ZDS was an implementing partner because this arrangement was a pragmatic, though ‘second best’ way around the constraints at the level of the local authorities to administer donor funding. Other stakeholders pointed out that there should be a clearer delineation of where an NGO can intervene, and where it encroaches on the mandate and responsibilities of the judiciary or the police; this has been issued in connection with the multi-disciplinary training events that were organised for the 9 municipalities.

Second, and most important to the discussion of the project are the different capacity levels of the two NGOs. From the point of view of the evaluators, the detail and analytical quality of reporting is a strong indicator of these capacities; and there are substantial differences between the two implementers. While there is a substantial level of detail and analysis in the regular reports from HRO, the same cannot be said about ZDS reports, which, in itself, would be insufficient to understand what is actually being done by the project. Differences also concern the way in which both organisations have made the issue of JJ “their own”. The HRO seems to have further developed their organisational capacity through working with UNICEF, and has developed a vision on how to advance JJ in BiH. In contrast, ZDS seemed more passive and has,

⁹ For example in the case of the Federation Ministry of Justice, which nominally had the lead in organising the above mentioned capacity building events for experts and support staff in institutions working with juveniles

more accurately, assumed the role of a service provider. This was echoed in meetings with stakeholders and it would seem from this that HRO has been the stronger partner, and ally, for UNICEF within the framework of this project.

Our recommendation is to continue working with both organisations within the framework of the ongoing project. Strategies for the exit from the current municipalities or the scope of the continuation of activities in these municipalities beyond June 2013 should be discussed with both NGOs. Activities should steer clear of those that would fall under the mandate of law enforcement or the judiciary, which these institutions feel to lack legitimacy. UNICEF itself has suggested, as a possible scenario, an open call for proposals to municipalities – the evaluators have not looked at such experience to compare the relative merits of these options, but the suggestion would seem a good opportunity to compare parameters of success across projects.

3.5 OUTCOMES AND SUSTAINABILITY

At the level of **outcomes**, we identify the following:

- The project has contributed to the relevant authorities at state, entity, and local levels approaching JJ through a holistic, integrated, and multi-sectoral approach, where it is understood that work on legislation and policies at the top level has to be linked with work with duty bearers and rights-holders at the front line of directly addressing problems at the local level.
- Representatives of the relevant institutions at the local level have been empowered to identify, formulate, and shape decision-making processes on JJ issues; the potential of inter-institutional dialogue at the local level has been demonstrated to the involved municipalities. In at least one of the municipalities, the authorities have made adjustments that will result in the implementation by civil society of Action Plan measures.
- State-level institutions have produced and committed to the implementation of rectifying measures in juvenile justice institutions.
- The assessment report on conditions in juvenile detention facilities, along with advocacy through joint efforts between UNICEF, Sida, SDC, and OSCE has resulted in the immediate improvement of conditions in Zenica and Tuzla prisons.
- Advocacy work by UNICEF, SDC, and Sida, in cooperation with other international organisations has also resulted in JJ becoming part of the Structured Dialogue between the EU and BiH

Given the difficulty of assessing **sustainability** during the lifetime of a project, we find that:

- Training for judges, prosecutors, and police has been institutionalised in the RS.
- There are prospects for the MWG to become sustainable in some of the municipalities.
- Capacities have been built on an individual level among participants of Working Groups, and trainings.

4 Conclusions and Recommendations

4.1 CONCLUSIONS

Against the DAC criteria, the evaluation concludes the following:

Design: The project worked on four inter-related objectives, adopting an integrated, multi-disciplinary approach of work with duty-bearers and rights-holders, at state and entity-levels, as well as at the level of nine selected municipalities. Activities also targeted institutions for children in conflict with the law, while also raising the general level of awareness on juvenile justice (JJ) issues among the population of BiH. The project was accompanied by advocacy work by UNICEF, in close partnership with Sida and SDC, with key national decision-makers and the international community in BiH. There is a continued need to work on all four components, with alternative measures featuring highest in the perceived needs of stakeholders and institutions.

Relevance: The project has been highly relevant for the context of BiH; and the choice of objectives, results and outputs, as well as implementing modalities reflects this. The project's objectives and outcomes are consistent with and supportive of government policies and sectoral priorities, and have shaped the EU accession agenda; these objectives are to a large extent still valid for BiH. The relevance of the project is also reflected in the fact that it has demonstrated flexibility by adapting its approach to the needs of partners and stakeholders as they emerged.

Effectiveness: The overall effectiveness was affected by delays on some project components. In part, this is a function of the highly complex and unstable political environment characterising BiH, which strongly affects policy decisions regardless of the issue at hand (in the case of this project, the state-level Juvenile Justice Strategy 2010-2014), and which is clearly outside of the control of UNICEF. In part, the objectives and the related outputs to achieve the objectives have been too ambitious for a project with a lifetime of 36 months. Making an assessment on effectiveness is challenging, as the project's indicators to measure progress have proven to be difficult to apply: the initial baseline data was not available from the onset, but also, data was not systematically collected during project implementation. The project has not achieved all of its objectives. It can, however, show results in all of the four components; albeit assessing several activities according to planned outputs, such as the public awareness raising campaign, or the prevention of violence in schools efforts, is difficult, as important components of these activities have yet to be implemented.

Outcomes: At the outcome level, the evaluators identify a contribution to the authorities' approach of JJ through a holistic, integrated and multi-sectoral approach, involving policy-makers at central and local levels, as well as those at the frontline of work

with juveniles. Stakeholders at the local level have been empowered, through the project's facilitation of inter-institutional dialogue, to identify and strategise on JJ issues in their municipalities. The state-level "Commission for the Monitoring of Penitentiaries and Correctional Facilities" has produced a comprehensive assessment of juvenile justice institutions, and is committed to the implementation of rectifying measures. The assessment report, in conjunction with advocacy work conducted through the project in close partnership with UNICEF, Sida, and SDC, as well as OSCE, has resulted in the project reporting that the authorities undertook immediate measures to improve existing conditions in Tuzla and Zenica prisons; the advocacy work of UNICEF, SDC, and Sida has also resulted in JJ becoming part of the Structured Dialogue between the EU and BiH; the partnership approach between the agencies and OSCE has also added urgency, and reconfirmed the commitment of the authorities of the FBiH to the construction of a juvenile detention facility in Orašje, which should result in the closure of the JJ section of Tuzla prison.

Efficiency: Project implementation modalities are pragmatic and reflect current capacity and resource constraints in BiH. Two domestic NGOs have been contracted through Project Cooperation Agreements (PCAs) to facilitate a substantial portion of the activities at the municipal level. Direct Cash Transfer is used to enable line ministries and institutions to work on specific activities, part of which means the mainstreaming of JJ into institutional practice (such as training modules for police, judges and prosecutors). In the short term, there is no viable alternative to using third parties as service providers, if what the evaluators consider a successful model for working at the local level is to be replicated elsewhere in the country. In the medium- to long term, the objective remains for the authorities to acknowledge the importance of a multi-disciplinary approach to JJ issues, and to lead these processes without outside impetus or assistance. A UNICEF project management team is overseeing the implementation of the project, with support from UNICEF CO BiH senior management. UNICEF project management has been highly appreciated by all stakeholders interviewed in the framework of this exercise. Given the multitude of activities and the complexity of the topic of JJ, the evaluators assess that more resources should be considered at the project management level. The capacity of the NGOs through which the project has delivered many of its activities has been uneven, with HRO Tuzla having grown as a partner and ally for UNICEF through this project. Future projects should explore the potential of further cooperation between UNICEF and HRO, even if the implementing modalities need to be adjusted to account for the need of a greater role for local authorities. Some municipalities being included in the project have a less pronounced JJ problem.

Sustainability: Sustainability is difficult to assess during a project's lifetime. However, some key outputs, such as the training modules for prosecutors, and judges will be used beyond project completion, as they become part of the training and further education curricula of the RS Centre for Education of Judges and Prosecutors. We also assess capacity built through the municipal-level working groups to be sustainable, along with at least some of the working groups, which we expect to operate beyond the project intervention. Nevertheless, the sustainability of results of the project

depends largely on the ongoing commitment to JJ by government counterparts, which will, to some extent, be a result of continuing advocacy work by the international community, including UNICEF. The adoption of municipal-level Action Plans, or the establishment, at the FBiH-level of an inter-ministerial Working Group to follow up on the recommendations of the assessment report on juvenile detention facilities have the *potential* to create sustainable improvements in these institutions.

Impact: Impact, too, is difficult to assess at this point of project execution, a challenge exacerbated by the lack of baseline data, and indicators to systematically capture and analyse progress. Institutions at entity and municipal levels that participated in the project reported the greatest impact from the project to be the promotion, and facilitation, of an integrated approach to JJ issues. There has been limited impact on advancing the implementation of alternative measures, a key focus of the project, due to a combination of a weak level of understanding about the concept (at local and central levels), and, linked to that, the lack of financial resources to advance alternative measures. There are, however, signs in some of the municipalities (especially in Zenica), that the municipal authorities have linked their annual calls for proposals for CSO funding to the objectives set out in the Action Plans.

Ownership: The projects interventions responded to national and sub-national policies and identified the needs of stakeholders and beneficiaries. The national and entity authorities have fully participated in programme design and implementation from the beginning, thus ensuring local ownership over the processes and project interventions. The authorities at the municipal level did not participate in the design phase of the programme, but have been engaged and supportive of the project since the beginning of its implementation. The programme also proactively involves civil society organisations. The evaluation has not been able to clarify to what extent the implementing modalities have influenced the level of ownership of the project. UNICEF felt very strongly that DCT, in particular, should not be part of this evaluation.

4.2 RECOMMENDATIONS

4.2.1 General Recommendations:

Based on the findings of the evaluation, and keeping in mind the challenges that were posed by a lack of data, the evaluators recommend that:

- There should be a follow-up project because the legislative framework in BiH at the state-level, as well as at the entity level is incomplete, providing a justification for work to continue to advance it. Further justification is provided by the assessment report of the situation in juvenile detention institutions (produced in the framework of the project), which points to the needs and areas for further work to be done to improve the situation in the institutions. Work on implementation of the Action Plans in the municipalities is at an early stage; there are some municipalities (we identify Tuzla, Zenica, and Bijeljina) where

ownership of the municipal-level working groups is such that they have the potential to improve the situation on the ground.

- A future project should focus on the achievable, and set more modest objectives. The project under evaluation has been too ambitious. The initial project proposal identified juvenile offending as an urgent issue that needs to be addressed in a systematic and comprehensive manner. This is still the case, and having in mind that this project has just started tackling the issue of juvenile offending, the evaluators find that the project should continue focusing on juvenile offending. In terms of broader justice for children's issues, there is significant advocacy work to be done to achieve more budgetary allocations for children's issues. This has to be first pursued through high-level advocacy work, which UNICEF is well placed to pursue.
- Substantial portions of activities, with regard to two of the four components, have yet to be implemented. This concerns the public outreach on JJ issues, with TV shows to begin broadcasting in September, and indicators devised to measure progress, which will be used after the airing of the shows. It also concerns the school prevention of violence networks, which will commence with the beginning of the implementation of school Action Plans during the new school year. UNICEF has experience with implementing similar efforts in other countries; the evaluators have not seen qualitative indicators based on which predictions can be made on what to expect from these activities. A future project should either furnish convincing evidence of the medium-to long-term impact of this type of undertaking (if possible, supported by data gathered in the ongoing project), or consider downgrading or discontinuing this cluster of activities. We also conclude that working with journalists should be downgraded, and possibly discontinued. In terms of other activities, such as the by-laws and secondary legislation in the RS, it has been difficult to establish the nature and extent of the contribution made through the project. Having such evidence has to be the basis for a judgement on whether assistance to the development of secondary legislation is an important part of a future project, or whether by-and-large, the expertise among Bosnian specialists is sufficient to draft secondary legislation in accordance with international standards.
- With regard to the potential for gradual countrywide expansion of the project, driven by support from domestic stakeholders, the evaluators judge that *at this stage*, it not likely that this model will catch on, as driven by domestic stakeholders. Stakeholders unequivocally stated that outside support on both facilitation and on subject area expertise is needed; and that it does not exist at the local level. The evaluators do not think that training or capacity building can be done between municipalities.
- With regard to scaling up of the municipal approach, the evaluators have seen **potential for impact** of the MWG in a number of the municipalities visited

(Zenica, Tuzla, Bijeljina); on the basis of those observations, and keeping limited available information in mind, the evaluators recommend replicating this model in other BiH municipalities, but with a clear focus on those municipalities where there is an identified juvenile justice issue.

- There is need for further support to the current municipalities – the implementation of the Action Plans is not completed. 20 – 25% of the measures in the Action Plans need additional funding; fundraising, together with capacity building, could be an area for discussion with the MWG.
- Many stakeholders have highlighted the need for an increased approach to prevention. There is a need to do work on prevention, for example through the support of day care centres – but it is questionable whether this can be financially shouldered by a project, as it would require budgetary allocations from the municipal budget to finance the work of existing institutions (more than capacity building of staff). The evaluators do not recommend taking on areas where there is a low likelihood of delivery, or where expectations cannot be met.
- The existing legal framework does not fully comply with international standards pertaining to children's rights issues; therefore, work on strategy and policy issues is necessary. A strategy provides the framework to promote and pursue an integrated, holistic, multi-disciplinary approach to the issues at hand, as well as legitimacy for the institution assigned to coordinate the respective measures/responses. In any case, promoting and pushing for the development of a strategy and policy is, to a great extent, advocacy work that might fall under the UNICEF mandate.
- There are multiple reasons for incorporating JJ components into a broader justice strategy. First, JJ will be given greater importance, which would facilitate implementation. There are already mechanisms in place to monitor and evaluate the implementation of the current Justice Sector Reform Strategy (JSRS) 2008- 2012. Those mechanisms are used by relevant institutions, but also by 5 CSOs who have signed memoranda of understanding with the State Ministry of Justice for monitoring the implementation of JSRS. Furthermore, this option will address the issue of the RS authorities' refusal to adopt a stand-alone JJ strategy – general JJ guidelines and principles would be included in a broader state justice strategy, while the concrete operational plans would be implemented by entity authorities. However, the feasibility of this option will very much depend on the political will of the relevant authorities and the general political climate. Therefore, any project should explore different options and act in accordance with the political will at the time.
- There is both the potential and a need for further support of the five detention centres. The project has produced an assessment report on the situation in the detention centres, accompanied by recommendations for each of them. Any

follow-up effort should take the assessment report as a starting point for the design of interventions.

- Advocacy work has to continue to pressure the entity governments to commit to increased allocations to the institutions, both in terms of an operational budget and in terms of human resources (which the assessment report, produced in the framework of the report, confirmed to be significantly under-resourced). Advocacy does not necessarily need a project – these issues fall within the core mandate of UNICEF. Against the background of strained budgets, advocacy will have to be a continuous focus of attention for the next 3 to 6 years. Based on the assessment report on the situation in the detention centres, any future intervention should include advice to the institutions to develop specific profiles. A technical assistance project can usefully assist in the development of training plans/programmes. The current project has provided much needed, but isolated training. Training-of-trainers remains a more sustainable approach to creating capacities in the institutions. Training programmes and trainers could be developed and trained using expertise from those neighbouring countries that have already passed a trajectory that is ahead of BiH. Croatia has been frequently cited by stakeholders as the example to look at.

4.2.2 Recommendations to UNICEF

We make two sets of recommendations, 1) for the ongoing project to consider until its (likely) conclusion in June 2013 and 2) for a potential follow-up project beyond that time.

For the remainder of the project:

- Monitor that the child-friendly rooms at police stations equipped through the project are used, and consider organising specific training for police representatives to increase their confidence in using it.
- Discuss the exit strategies/conclusions of activities in the 9 municipalities with the implementing NGOs Zdravo da Ste (ZDS) and HRO by June 2013. As the municipalities are not at the same level of progress with the municipal-level prevention Action Plans, different scenarios are likely to apply; discussions should also focus on municipalities that could be involved in a follow-up project.
- Assess the results of the prevention of the School Safety Networks, a model that, despite having been widely used, including in the evaluated project, has not been subject to a systematic capturing of impact or of lessons learned.
- Continue advocacy work in partnership with SDC, Sida, and other international organisations with the relevant authorities on the need for a state-level approach to JJ, either as a stand-alone strategy, or as part of an overall justice sector reform strategy.

- Continue advocacy work to hold the FBiH authorities accountable to the commitments made to improve the conditions in juvenile detention centres, and to rigorously support plans for the building of a new centre in Orašje.
- Conduct extensive stakeholder consultations about their needs during a follow-up phase spanning a period from 3 – 6 years from June 2013.
- Critically assess the usefulness of quantitative and qualitative indicators employed by the existing project to assess progress against objectives; collect, build up, or fill in lacking baseline data to use in future interventions, and determine more specifically (as opposed to having correctly identified general needs) specific parts of the system (Centres for Social Welfare; Centres for Mental Health; police; judiciary/prosecution; institutions etc.), using existing guidance on JJ indicators (such as the UNODC/UNICEF Manual for the Measurement of Juvenile Justice Indicators), and put in place a mechanism to monitor the impact and sustainability that the current municipalities will finish with after the engagement ends.

For a follow-up project:

- Adjust time frames to allow more time for the implementation of municipal-level activities based on experience from the ongoing project; develop, with stakeholders through a human rights-based approach (HRBA; acknowledging that the legitimacy of the process through which indicators are gathered is as important as the indicators themselves), realistic qualitative and quantitative indicators (using, *inter alia*, the assessments produced in the ongoing project, but also UNICEF-wide best practices and standards) to measure success based on needs assessments and medium- to long-term visions on the various parts of the system dealing with children at risk and children in conflict within the law. Data might not be readily available on all of the parts of the system dealing with JJ issues, but any future project needs to start with what has been gathered, or what is gatherable data. In terms of discussing progress, a mid-term external evaluation remains a useful means for taking stock of achievements.
- Consider UNICEF human resource implications based on experience with the ongoing project, potentially to increase the number/time allocation of staff working on implementation, which would allow more resources on those aspects that deal with the capacity building of local partners.
- In terms of the design of activities, consider a more realistic balance between the project objectives and the activities required to achieve them.
- Revisit the selection process for municipalities that would benefit most from the model of working through working groups at the local level (based on size; scale of the problem; geographic position; prospects of sustainability after project engagement ends etc.); monitor developments in those municipalities where the project does not continue activities beyond the ongoing project.

- It is still necessary to involve third-party organisations to provide expertise and technical capacity to facilitate municipal-level processes. The HRO seems a strong partner on both aspects. However, the choice of the implementing partner in the municipalities might be influenced by other considerations outside of UNICEF's choice, and fallback options should be discussed.
- Continue advocacy for a state-level approach to JJ based on the core principle of the need for equal treatment of children throughout BiH; consider a shift from working with the Ministry for Human Rights and Refugees (MHRR) to working with the Ministry of Justice (MoJ), which enjoys a stronger position in the BiH Council of Ministers. As the state-level institution in charge of reporting on the fulfilment of obligations stemming from the CRC, the MHRR might still remain a counterpart; though the prime choice should be the institution with the greatest likelihood to shape the reform agenda at the state level.
- Include the cantonal government as a counterpart in the Federation, in particular once relevant FBiH legislation is adopted. Institutionalise and mainstream training similar to the activities in RS within the framework of the ongoing project.
- Identify and explore possibilities to reach out to additional stakeholders, for example, the academic community. There is untapped potential for a link between research and the institutions' need for assessment tools and instruments.
- Continue to work on awareness raising on JJ, but apply a medium- to long-term perspective, accepting that change is likely to be incremental, in particular in an environment where public opinion is still generally hostile. In addition to outreach through mass media, consider identifying successful, more low-key, long-term public awareness campaigns in BiH as well as successful campaigns conducted by UNICEF itself; and design similar campaigns. Reconsider the extent of the outsourcing of media work, and possibly limit this to strictly technical aspects of production.
- Explore options for increased collaboration with strategic partners within the international community. Specifically, OSCE's field presence and monitoring capacity can be a useful source for UNICEF to understand the levels and quality of applying existing legislation on the ground.

Annex A - Terms of Reference

UNICEF BiH

TERMS OF REFERENCE FOR INDIVIDUAL INTERNATIONAL CONSULTANT

Evaluation of Project “Protection of Children at Risk and Children in Contact with the Justice System in Bosnia and Herzegovina (BiH)”

Timeframe for the consultancy: 15 working days (tentatively between 14 May and 13 July 2012)

Programme: UNICEF BiH - Integrated and Inclusive Systems for Children

Section: Inclusive Protection of Children and Families

Project: Protection of Children at Risk and Children in Contact with the Justice System in Bosnia and Herzegovina

Requested by: Swedish International Development Cooperation Agency (SIDA), the Swiss Agency for Development and Cooperation (SDC) and UNICEF BiH.

• Evaluation Purpose

As per the signed Memorandum and Agreements between SDC, SIDA, UNICEF and the Government of Bosnia and Herzegovina, a mid-term evaluation of the project on justice for children in BiH will be undertaken early 2012.

The purpose of the evaluation will be to:

- 1) Evaluate the project results against the planned activities
- 2) Make strategic and forward-looking recommendations for potential future interventions

Therefore, the evaluation will identify lessons learned and make strategic recommendations and elements for decision-making in the future, informing the design of the project as well as the government reforms in the field of justice for boys and girls.

The evaluation will assess progress against the project results at the State, entity and municipal level (in the 9 selected project locations).

The intended users of the evaluation will be key State and entity ministries since this will ensure that their priorities will be taken into account for any future cooperation related to juvenile justice. In addition, the users of the evaluation will also be the Project staff, as well as the Project Steering Board, donors, and project implementing partners and beneficiaries, since it is expected from the evaluation to recommend such changes which will further improve the project implementation. The evaluation process will be informed by the UNEG (United Nations Evaluation Group) Norms and Standards for Evaluation in the UN System¹⁰.

¹⁰ UNEG Norms and Standards for Evaluation -

• **Intervention Background**

With the support from the Swedish International Development Agency (SIDA) and the Swiss Agency for Development and Cooperation (SDC), UNICEF launched in 2010 the project “Protection of Children at Risk and Children in Contact with the Justice System in BiH” supporting the Juvenile Justice System Reform and reinforcing juvenile justice in Bosnia and Herzegovina, in accordance with the international standards.

The project was developed in close consultation with the Juvenile Justice Coordination Board (JJCB), a State Body responsible to steer, monitor and ensure the implementation of the Juvenile Justice (JJ) Strategy for 2006-2010, and relevant line Ministries at the State and Entity levels, as well as the Inter-Agency Juvenile Justice Working Group (IAJJWG). The outline of the project was also prepared with guidance from the SDC and SIDA. The Project will take into account and, to the extent possible, will complement actions of other donors present in BiH, such as the OSCE, and the Italian Cooperation.

The project design and implementation focused on four mayor components and related results.

Within the first component related to policy and legal component of the project, which corresponds to project’s result 1 – “National legislation and policies on justice for children developed, adopted and enforced, in line with international standards” had obtained major achievements such as implementation of the law in RS and adoption of the BD’s one, however due to the complex political situation the FBiH law has not been adopted yet and the state’s strategy has not been fully supported by all ministries involved so far. Under this project component technical support has been provided, training material and activities developed and successfully implemented, and the project has contributed into generating more interest within major players in the overall justice sector reform around juvenile justice. This has prepared the ground for the issues related to justice for children to have a higher priority and been taken more into account by international and national key stakeholders in the justice system.

Project’s result 2 – “Raised public awareness and enhanced competencies of relevant service providers about the rights of children in contact with the law as well as prevention, disciplinary and re-socialization measures” with a thorough preparatory phase related activities focused on launch of the campaign, small scale KAP survey, TV and radio dialogue shows, training on crisis management and training for journalists aiming at sensitizing the media reporting were implemented.

As for project result 3 – “Alternative measures in dealing with children in contact with the justice system developed and applied in selected locations, through a cross-sectorial integrated approach” – is the one which has been the major focus of the project throughout the reporting period. Many achievements have been reached as per creating cooperation among the professionals working with children and juveniles at local level, developing nine and approving eight locally owned action plans, nine police stations equipped

with child-friendly rooms, strengthening prevention of violence in 27 selected schools, improving capacities and understanding of justice for children in 9 municipalities.

The project result 4 – “Developed capacities to change policies and practices in existing institutions in BiH and support the overall reform of institutional treatment of children” has prepared the ground for institutional changes in the future through a locally led assessment of the institutions which has generated attention within policy makers and professionals. As a result of the assessment some immediate actions were taken in Tuzla and Zenica prisons, preparations for opening the new Orasje facility scaled up, while under the auspices of the FBiH Prime Minister, a working group of independent experts and representatives of the FBiH Moj, FBiH MoLSP, MoHRR, prosecutors, judges and independent experts and UNICEF was created.

While the project faced some delays during the start-up phase, significant progress was made during the reporting period, especially at municipal level. The very complex political context and fragmented administrative structure in the country were the main challenges during the project implementation. Despite elections held in October 2010, the BiH Governments and Council of Ministers were not formed in December 2011 yet (although at the end of 2011 an agreement was reached among major political players). As mentioned above, the State strategy has not been accepted and the juvenile justice law was not adopted by the FBiH. To mitigate risks and address these constraints, the Project consulted SDC and SIDA during coordination meetings and intensified its advocacy efforts to identify possible solutions that would suit all Ministries involved.

• **Stakeholders' Involvement**

UNICEF builds on the positive momentum resulting from the BiH Government authorities taking a more proactive role in addressing child offending, and works to ensure that children's rights and protection issues are mainstreamed into the existing reform process. UNICEF has been working closely with the State Ministry of Human Rights and Refugees, on the State level, and other line ministries on the entity levels. The most proactive cooperation is established with BiH municipalities, since the project component three is implemented on the local level. The adoption of the new juvenile justice legislation in RS has also resulted in increased cooperation with the RS entity authorities.

The project main stakeholders are:

Government:

- *State level:* State Ministry of Human Rights and Refugees
- *Entity level:* RS Ministry of Justice
- FBiH Ministry of Justice
- RS Ministry of Health and Social Welfare
- FBiH Ministry of Labour and Social Policy
- *District level:* Brcko District Department for Social Affairs
- *Municipal level:* 9 municipalities

Non-government:

- NGOs: “Human Rights Office” Tuzla (implementing project activities in Brcko, Tuzla, Bijeljina, Capljina, and Zenica municipalities) and “Zdravo da ste” from Banja Luka implementing project activities in Prijedor, Trebinje, Kozarska Dubica, and Bihac, municipalities.

Since 2006, UNICEF BiH has been chairing the Inter-Agency Juvenile Justice Working Group (IAJJWG). The European Commission, the OSCE, the Council of Europe, the EU Police Mission, Save the Children UK and SOROS Open Society Fund have also been members of the group. These agencies have gathered on several occasions to coordinate efforts and the use of resources in this area. A few actors were involved in the JJ Reform process and all of them were committed to support the implementation of the JJ Strategy. The main roles of the IAJJWG are to discuss JJ issues, to advocate with the JJCB and relevant Ministries, to monitor progress, to coordinate interventions of the international community in the area of justice for children and ensure synergies.

• Evaluation Questions

The evaluation will identify and assess a number of elements to determine the project's achievements and constraints, performance, results, impact, relevance and sustainability. The evaluation will also make strategic and forward-looking recommendations for potential intervention fields and project follow up (next project phase). The proposed questions below are meant to 'guide' the consultant(s) and should be adapted to the programme's needs. They should not be understood as a definite set of evaluation questions. The Consultant will propose other questions, as appropriate. Gender should be understood as a cross-cutting component of all questions and all data gathered should be gender disaggregated.

Suggested evaluation questions:

Relevance and Design: *The extent to which the objectives of a development intervention address the real problems and the needs and interest of its target groups, country priorities, associated national policies and donor priorities.*

Relevance:

- Are the Justice for Children programme's objectives and outcomes consistent and supportive of government policies, sectoral priorities and EU accession agenda? To what extent were the project inputs timely and relevant for development, adoption and enforcement of national legislation and policies on justice for boys and girls?
- Does the programme respond to the needs of identified target groups/ beneficiaries?
- To what extent are the objectives of the programme still valid?
- To what extent have the country's national/entity/local stakeholders been taken into consideration, participated, or have become involved, at the design stage of the development intervention?
- Are the problems and their respective causes clear under the Justice for Children programme?

Design:

- Was the design of the Justice for Children programme appropriate for reaching its results and outcomes?
- Was the country context (e.g. political setting) duly and realistically taken into consideration? Were the negative public perceptions and sensitivities realistically assessed and well addressed?
- Were changes made to the programme design during the implementation? If yes, did they lead to significant design improvements?

- Were coordination, management and financing arrangements clearly defined and did they support institutional strengthening and local ownership?
- The programme was designed with four pillars: 1) Policy and legislation, 2) Public awareness, 3) Application of alternative measures at selected locations, and 4) Capacity development for institutional treatment. Were these components and related activities well identified and designed? How do the different components of the programme interrelate? Should these components be amended as part of potential further programming? If so, how? Should a future programme focus more on certain aspects (e.g. child witnesses and victims, reintegration of juvenile offenders) rather than others?

Programme Efficiency (processes): *Extent to which resources/inputs (funds, time, etc.) have been turned into results and what is their quality.*

- To what extent does the Justice for Children programme's management model (i.e. instruments; economic, human and technical resources; monitoring tools; organizational structure; information flows; decision-making in management) contributed to obtaining the envisaged outputs and results?
- To what extent the Justice for Children programme has been led by the government and coordinated with civil society? To what extent have the target population and participants made the programme their own, taking an active role in it? What modes of participation have taken place?
- What has been the role of local NGOs in supporting the implementation? How efficient have they been?
- To what extent were activities implemented as scheduled and with the planned financial resources?
- Is there a duplication of efforts? Or is the programme particularly important because Justice for Children is not addressed by other actors/partners?
- To what extent has the Ministry of Human Rights and Refugees efficiently communicated and coordinated with key actors involved in the project? What are the lessons learned and alternatives in the future?

Programme Effectiveness (results): *Extent to which the objectives of the development intervention have been achieved or are expected to be achieved, bearing in mind their relative importance. How well programme's results contribute to the achievement of programme's objectives?*

- To what extent were the key programme results achieved (per pillar)?
- What factors contributed to progress or delay in the achievement of products and results?
- What good practices or successful experiences or transferable examples have been identified?
- What is the quality of interventions and results achieved on local / municipality level?

Programme Impact: *The effect of the programme on its environment - the positive and negative changes produced by the Programme (directly or indirectly, intended or unintended).*

- a) In which areas did the programme have a significant impact?
- b) How is the programme contributing to the overall reform?
- c) Which target groups and institutions benefit from the programme?

- d) Were cross-cutting issues, such as gender, taken into account?
- e) How did the programme contribute to the promotion of international standards?
- f) What factors favourably or adversely affected the programme delivery and approach? Was the programme successful in overcoming external negative factors?
- g) Were there positive spill over effects as a result of the programme implementation?
- h) In relation to alternative measures, how is the lack of provisions at state or entity level having an impact on the application of such measures? (e.g. lack of provisions on mediation or community work).

Programme Sustainability: *Probability of the benefits of the programme continuing in the long term.*

- To what extent will the benefits of a programme continue after activities have ceased?
- How well is the programme embedded in institutional structures (national, entity and local) that will survive beyond the life of the programme?
- Is the Ministry for Human Rights and Refugees showing technical capacity, ownership, leadership, and coordination ability to continue working in the development direction set by programme and to continue using results and applying good practices? What would be the alternatives?
- How has the programme institutionalised training and overall capacity development efforts so far?
- Has an approach / model been developed that can be further disseminated throughout BiH? (e.g. Human rights based approach to programming, Municipal management boards, action plans, principles related to Justice for Children)
- Is the duration of the current programme sufficient to ensure sustainability of the interventions?
- How can the programme further strengthen data collection and analysis systems in BiH, so that trends and progress can continue to be monitored in the long-term?
- Which recommendations can be made to inform future strategies and programming? (e.g. to continue positioning the programme strategically as part of the overall justice reform in BiH, to scale up interventions, to further institutionalise capacity development efforts, to continue providing technical assistance on Justice for Children and facilitating policy dialogue).

Note: In addition to the overall comprehensive approach, the evaluation should **evaluate each pillar** of the project separately, as some project pillars contributed more heavily to the achieved results than others. The **four pillars** are:

1. Policy and legislation (legislation and policies on justice for children developed, adopted and enforced, in line with international standards);
2. Public awareness (raised public awareness and enhanced competencies of relevant service providers about the rights of children in contact with law as well as prevention, disciplinary and re-socialization measures);
3. Application of alternative measures at selected locations (alternatives measures in dealing with children in contact with the justice system developed and applied in nine selected locations, through a cross-sector integrated approach);

4. Capacity development for institutional treatment (developed capacities to change policies and practices in the existing institutions in BiH and support the overall reform of institutional treatment of children).

• Recommendations and Lessons

It is expected that the evaluation will:

- 1) evaluate the project progress against the planned activities/results
- 2) make recommendations and share lessons learnt that will be used for further programming

• Methodology

The consultant will develop the methodology for this evaluation, which could include the following:

- 3) Desk review (the consultant should read the background documentation before arriving in BiH) of relevant documents, including:
 - a. Project document
 - b. The Strategy against Juvenile Offending in BiH 2006 – 2010
 - c. Enforcement of Alternative Measures for Juveniles: Legal, Institutional and Practical Issues (2010 and 2011)
 - d. Analysis of Strategy to Combat Juvenile Delinquency in BiH 2006-2010
 - e. Assessment of Juvenile justice in BiH
- 4) Conduct consultations/face interviews with main stakeholders, and meeting partners/institutions such as:
 - a. State level: Ministry for Human Rights and Refugees, High Judicial Prosecutorial Council, Ministry of Justice
 - b. Entity level: Sarajevo – FBiH Ministry of Labour and Social Policy FBiH Ministry of Justice
 - c. Entity level: Banja Luka – RS Ministry of Health and Social Welfare RS Ministry of Justice
 - d. Municipal level: travel to these proposed municipalities: Zenica, Tuzla, Trebinje and Bijeljina
 - e. Judges, Prosecutors, Police officers, academics, members of Working Groups and other professionals/experts
 - f. Delegation of the European Union, OSCE, Council of Europe, UNDP
 - g. NGOs: Two main implementing partners “Human Rights Office” Tuzla and “Zdravo da ste” Banja Luka
- 5) Conduct focus groups with key beneficiaries (optional and pending on time and availability of both the beneficiaries and the consultant)

The evaluation design will include considerations as to what extent the Human Rights Based Approach to programming and result-based management has been used in the design and implementation of the project.

In line with the Standards for UN Evaluation in the UN System (developed by the UN Evaluation Group), all those engaged in designing, conducting and managing evaluation activities will aspire to conduct high quality and ethical work guided by professional standards and ethical and moral principles.¹¹

The consultant should take into consideration the risks and external factors influencing the project, such as the unstable political situation in the country, the fact that entering the “justice for girls and boys” sector is sensitive, the complexity of the issues (relatively politicised subject), new implementing partners for UNICEF, having to work across sectors (e.g. with the police, justice, social sectors). Furthermore, there has been a delay in implementation of project as it took several months to select the municipalities.

• **Work Plan and Schedule**

The timeframe for this consultancy is 15 working days (tentatively between 14th May and 13 July, 2012).

The consultant time (total of 15 days) will be divided as follows:

- 6) 2 days – reading of the background documents
- 7) 8 days field visits in Bosnia and Herzegovina, preparation of de-briefing meeting and presentation of initial findings (tentatively the first or third week of June 2012),
- 8) 3 days – preparation of the first draft Evaluation Report
- 9) 2 days - finalizing the Report based on the received comments by all stakeholders (with submission before 13 July).

The final version of the Evaluation Report will be submitted no later than 13 July 2012.

It is expected that a consultant will have a briefing and de-briefing meeting with UNICEF, SDC and SIDA in Sarajevo.

• **Reporting**

The Consultant will prepare a draft version of the Evaluation Report upon visits of the project sites in BiH and after reading key background documents. The Consultant will be fully responsible for inserting the recommended changes in the draft version of the document and finalizing the report.

The Final Evaluation Report should address each evaluation question, and should include at least the following sections (the full content of the report will be agreed upon with the donors):

- 10) Executive Summary
- 11) Glossary
- 12) Introduction
- 13) Key Findings
- 14) Lessons Learned
- 15) Recommendations, and

¹¹Standards for Evaluation in the UN System, April 2005, UN Evaluation Group.

16) Conclusion

17) Annexes (e.g. ToR, list of interviewees, list of documents, details on methodology)

• Evaluating Team

This consultancy will be completed by an international and a national consultant who will be hired separately. They will be expected to work closely together to implement the assignment. In order to facilitate coordination, both consultants will report to UNICEF, in close consultation with Sida and SDC.

The senior International Consultant will lead the process. The national consultant will provide technical assistance and will contribute to the implementation of the tasks.

The international consultant should:

- have at least 10 years of professional work experience in evaluation processes
- possess core evaluation competencies
- have relevant educational background, qualification and training in evaluation
- have technical knowledge related to justice for children
- have excellent communication and writing skills in English language
- have excellent analytical skills
- should be familiar with the Balkans region (preferably BiH)
- be sensitive to customs and act with integrity and respect in relationships with stakeholders

The national consultant should:

- have at least 5 years of professional work experience in evaluation processes
- have technical knowledge related to justice for children
- possess core evaluation competencies
- have relevant educational background, qualification and training in evaluation
- have excellent communication and writing skills in English language
- have excellent analytical skills
- be sensitive to customs and act with integrity and respect in relationships with stakeholders

In line with the Standards for UN Evaluation in the UN System (developed by the UN Evaluation Group), all those engaged in designing, conducting and managing evaluation activities should aspire to conduct high quality and ethical work guided by professional standards and ethical and moral principles.¹²

The evaluation will also be conducted respecting the OECD/DAC Quality Standards for Evaluations. The DAC Quality Standards for Development Evaluation identify the key pillars needed for a quality development evaluation process and product. The Standards support evaluations that adhere to the *DAC Principles for the Evaluation of Development Assistance* (1991), including impartiality, independence, credibility and usefulness, and should be read in conjunction with those principles.

¹²Standards for Evaluation in the UN System, April 2005, UN Evaluation Group, page 6.

• Annex

Bosnia and Herzegovina is a middle-income country in transition. Since the end of the war in 1995, BiH has made significant progress in the reconstruction of physical infrastructure. The economy, however, continues to be fragile. The unemployment rate, particularly of youth is high, which contributes in an increase in plunging of many former middle-income families into poverty and low-income families into deeper poverty. BiH has also been affected by the economic crisis in the recent months. The governance structures are under consideration in order to open the country to greater international investment and enable it to join the European Union. However, challenges include inadequate legal standards, a fragmented administration, capacity gaps – including within the judiciary and social welfare systems – and various forms of discrimination and social exclusion. Children are particularly affected¹³ by unstable situations or crisis, and this specific vulnerability has also been acknowledged in BiH.

Justice for children in BiH relies mainly on the remains of the pre-war response model, coupled with shrinking resources in institutions dealing with children in conflict with the law. Post-conflict justice reform left the juvenile justice sector largely untouched. It was only after some horrific offences committed by juveniles in 2008 that the issue of juvenile justice received attention by the BiH Government. Until that time, little was done to implement the BiH Strategy against Juvenile Offending for 2006-2010 (*referred to as the JJ Strategy in this document*), adopted by the Council of Ministers (CoM) in 2006.

In the first half of 2008, the CoM established the BiH Coordination Body for the purpose of steering and monitoring the process of the Juvenile Justice Strategy implementation, without any investments in the existing infrastructure for the implementation of legal arrangements for children in contact with the law. Convicted child offenders continue to be placed in inadequate detention centres, which they share with adult inmates, alternative measures are enforced only occasionally, while the absence of specialised and appropriate rehabilitation and re-integration programmes is at the poorest level of implementation.

Statistical indicators for criminal offenses committed by children in Bosnia and Herzegovina for 2008¹⁴:

- Republika Srpska: 781, out of which the greatest number of criminal offenses relate to crimes against property, followed by crimes against life and limb, crimes classified as general crimes.
- Federation of BiH: 1,592, out of which the greatest number of committed offenses relate to criminal offenses against property, followed by criminal offenses against

¹³Machel study 10-year strategic review: Children and conflict in a changing world

¹⁴Data provided by the Federal Ministry of the Interior – Federal Policy Administration, the Ministry of the Interior of the Republika Srpska and the Primary Court of Brčko District BiH to BiH JJ Coordination Body for 2008.

life and body, criminal offenses against public health, criminal offenses against sexual freedom and morality.

- Brcko District: 36, out of which the greatest number of crimes related to criminal offenses against property, followed by criminal offenses of robbery, aggravated theft.

Unfortunately, the statistical indicators provided by sectoral ministries at entity level did not include data on the age and gender of child offenders; whether criminal cases before competent courts were closed; and what types of criminal penalties were imposed. According to available data on trends in juvenile offending in BiH, there are a few general observations: lowering age level of children who are committing their first offence, increase in number of recidivists and increase in level and types of violence expressed in juvenile offending.

Studies on the situation of children in contact with the law in BiH highlight the inadequate measures in the current justice system for children - the legal framework, practice and services in place to implement them. There are currently no uniform standards to ensure appropriate treatment of children in contact with the justice system. The CRC clearly stipulates the obligations of the Government with regard to the treatment of children in contact with law. However, BiH has not been able to implement key provisions concerning the protection of children in detention. Children are often found detained together with adult prisoners in the same institutional facilities. There is no standard system for alternative measures and forms of rehabilitation for children in conflict with the law. The general public opinion around the issues of child offending has been largely influenced by the media reporting on juvenile offences, often calling for public lynch. Law enforcement authorities still see deprivation of liberty as an easy solution to take punitive action.

The objectives of this project are:

- Support to the BiH authorities in developing and implementing juvenile justice legislation in accordance with international standards.
- To prevent violence among children and children's getting in conflict with the law through public campaigns, policies and programs, with an emphasis on promoting non-violence in schools.
- Strengthening justice for children, by promoting an integrated and multi sectoral approach and identifying children at risk and children in conflict with the law, the establishment of reference models and establishing a continuum of services.
- Support to reform of the institutional treatment of children in accordance with international standards.

The planned results of the project are:

- National legislation and policies on justice for children developed, adopted and enforced, in line with international standards.
- Raised public awareness and enhanced competencies of relevant service providers about the rights of children in contact with law as well as prevention, disciplinary and re-socialization measures.
- Alternatives measures in dealing with children in contact with the justice system developed and applied in selected locations, through a cross-sectoral integrated approach.

- Developed capacities to change policies and practices in the existing institutions in BiH and support the overall reform of institutional treatment of children.

The project is divided into four components:

1. Policy and legislation (legislation and policies on justice for children developed, adopted and enforced, in line with international standards);
2. Public awareness (raised public awareness and enhanced competencies of relevant service providers about the rights of children in contact with law as well as prevention, disciplinary and re-socialization measures);
3. Application of alternative measures at selected locations (alternatives measures in dealing with children in contact with the justice system developed and applied in nine selected locations, through a cross-sector integrated approach);
4. Capacity development for institutional treatment (developed capacities to change policies and practices in the existing institutions in BiH and support the overall reform of institutional treatment of children).

Geographical coverage of the Project:

- Policy interventions and public campaigns – country-wide (*national coverage*)
- Application of alternative measures and community raising awareness - 3 selected regions (*9 municipalities in total*): Bihac, Kozarska Dubica, Prijedor, Zenica, Brcko, Bijeljina, Tuzla, Capljina and Trebinje.
- Institutional treatment – existing institutions in *5 different locations*: Banja Luka, Sarajevo, Tuzla, East Sarajevo, Zenica

Beneficiaries of the Project:

- At least 200 children in contact with the justice system (as alleged offenders, witnesses, victims, in care, custody or for other reasons)
- At least 90 law enforcement authorities, judicial bodies, professionals, paraprofessionals and service providers who deal with children in contact with the justice system in 9 municipalities
- Approx. 50 children in 5 existing institutions in BiH
- At least 4,500 children at risk
- At least 2,700 school children from schools in 9 municipalities, including 180 peer supporters (engaged in activities to prevent violence)
- At least 270 parents involved in Councils of Parents (engaged in activities to prevent violence)
- At least 135 teachers from 9 schools (engaged in activities to prevent violence)
- General public

Project budget:

US\$ 1,894,633 (cost shared between SDC and SIDA)

US\$ 154,800 (UNICEF)

TOTAL: US\$ 2,049,433

Annex B – Inception Report

25 June 2012

1. Introduction

The Project “Protection of Children at Risk and Children in Contact with the Justice System in BiH” was launched in 2010 and will finish in 2013. The project is implemented by UNICEF, and co-funded by Sida and SDC. The project’s overall financial envelope is just over US\$ 2 Million. The overall goal of the Project is ”to support the Juvenile Justice System Reform and strengthen justice for children in BiH, in line with international standards.”

The specific project objectives are as follows:

- a. To support the BiH Government in the development and enforcement of legislation on justice for children, in line with international standards;
- b. To prevent violence/abuse and conflict with the law, through juvenile justice public campaigns, policies and programmes, with emphasis on the promotion of non-violence in schools;
- c. To strengthen the justice system for children by promoting an integrated and multi-sectoral approach, through the identification of children at risk and children in contact/conflict with the law, referral systems and responses, and the establishment of a continuum of services;
- d. To support the reform of institutional treatment of children in line with international standards.

The project works with the relevant authorities and a wide spectrum of stakeholders at state and entity levels; work with these stakeholders is done either through direct technical/expert assistance, or in the form of Direct Cash Transfers (DCT) to institutions to implement activities. At the municipal level, the project works in 9 selected municipalities (Bihać, Bijelina, Brčko, Čapljina, Kozarska Dubica, Prijedor, Trebinje, Tuzla, and Zenica) through a cluster of multi-pronged, integrated activities; these activity clusters are implemented through two NGOs (Human Rights Office Tuzla/HRO and Zdravo Da Ste/ZDS, a Banja Luka-based organisation), with whom UNICEF has timed, consecutive Partnership Cooperation Agreements (PCAs). Both NGOs are also conducting activities (under objective 4 of the project) that aim at strengthening the capacities of Penitentiary Correctional Institutions (PCIs).

2. Assessment of scope of the mid-term evaluation

2.1 Elements of the mid-term evaluation

The project foresees a mid-term evaluation half-way into the project; the purpose of this mid-term evaluation is to:

- 1) Evaluate the project results against the planned activities
- 2) Make strategic and forward-looking recommendations for potential future interventions

The specific objectives of the mid-term evaluation are:

- To identify lessons learned and make strategic recommendations and elements for decision-making in the future, informing the design of the project as well as the government reforms in the field of justice for boys and girls;
- To assess progress against the project results at the State, entity and municipal level (in the 9 selected project locations).

2.2 Feasibility of the Mid-term evaluation: Key Concerns

The ToR emphasise the intended users of the evaluation to be “key State and entity ministries since this will ensure that their priorities will be taken into account for any future cooperation related to juvenile justice.” We would appreciate some clarification on what steps have been taken to ensure active involvement of these key state institutions in the design of the evaluation. We would want to ascertain that the evaluation meets the expectations of these stakeholders and appreciate additional information on how best to ensure this.

The project works at central, entity, and municipal levels, with a wide variety of stakeholders. The evaluators will seek to accommodate as many meetings with such stakeholders as possible. Scheduling of stakeholder meetings will heavily rely on coordination with UNICEF prior to the field phase.

However, a key concern is the need to involve third parties in this exercise, i.e. those that do not have a direct stake in the project, but who have knowledge of the issues and institutions, and who could give an independent assessment about the trajectory of development on children’s rights issues in BiH. We would want to discuss with UNICEF, prior to the in-country visit, how to identify and approach such potential interview partners during the field phase.

The evaluators would like to ascertain the rationale for the proposed geographical coverage for the mid-term evaluation. The ToR ask for progress to be assessed for all 9 municipalities, while field work is foreseen for 4 municipalities – Bijeljina, Zenica, Trebinje, Tuzla; one of the two implementing NGOs, Zdravo Da Ste, is based in Banja Luka, which adds a fifth location to be covered in the field phase. The two evaluators will split up meetings outside Sarajevo according to the below schedule. We would want to reconfirm with UNICEF that having meetings in 4 of the 9 municipalities will yield sufficient information to extrapolate progress for the 5 other municipalities, and that the 4 municipalities will be representative for the entire work done at the municipal level.

Gender: In addition to assessing the collection of gender-disaggregated data by national institutions as supported by UNICEF through the project, we note the requirement, in the Terms of Reference, for gender disaggregation of all data collected during the evaluation.

3. **Proposed approach and methodology**

The sequencing and methodology, as well as the broad outline of questions, will by and large follow the ToR for the project. Given that this is a mid-term evaluation of an intervention that is some 18 months into its implementation (and that, by the evidence from some of the documents reviewed during the desk phase has experienced a number of delays during the inception), we would suggest to adopt a more cautious approach to impact-related questions, as impact might be too early to ascertain at this early a point in time. The team will develop semi-structured evaluation questionnaires, to be used for meetings with specific stakeholders, prior to the field phase (which is planned to begin on 4 July 2012); the two evaluators will also meet prior to the briefing with UNICEF for planning purposes.

Given the complexity of the project both in terms of results pursued and in terms of implementation modalities (direct cash assistance to selected ministries for specific activities, cash assistance to NGOs through project cooperation agreements, consultancy contracts and direct UNICEF technical assistance), the team will, during the field phase, strive to meet as many stakeholders as possible. During the field work, the team will attend meetings in parallel in Sarajevo, and will split up municipalities and entity-levels between themselves to ensure better coverage.

The below proposed schedule is tentative, and we would appreciate early feedback from UNICEF as to whether the proposed timing for the various locations (in particular Tuzla and Banja Luka) is too ambitious. Depending on the feedback, we would then possibly readjust these timings. As mentioned above, it is important to identify interlocutors, who do not have a direct role in the project, but who could give their perspective on the issues covered and thus, allow for a triangulation of evaluation findings; this means that in addition to the project stakeholders, there would have to be time to meet with such ‘external’ interlocutors.

4. **Other issues**

4.1 **Workplan Status**

a) **Desk Review**

UNICEF has forwarded project documents to the evaluation team, and the Team Leader has reviewed most of these, and has drawn up a tentative list of questions and issues to be raised with UNICEF during the initial briefing. The Desk Review is expected to extend into the week starting with 25 June 2012. During that week, the Team Leader will also intensively liaise with UNICEF in order to agree on a relevant and feasible schedule of meetings during the field phase.

b) **Coordination among the Team Members**

The national team member, Mrs Osmanagić-Agović, was confirmed on 18 June 2012. Due to previously entered obligations, Mrs Osmanagić-Agović is unable to work on this evaluation until 28 June 2012 inclusive; UNICEF is aware of this constraint. While the Team Leader and Mrs Osmanagić-Agović have been in touch over the timing of the field phase and the tentative split, among the team, of locations to be visited, the team will have to backload coordination and preparation of the field phase, including agree-

ing on specific evaluation questions, to the period immediately preceding the field phase (i.e. 29 June to 3 July 2012). A semi-structured evaluation questionnaire will be prepared before the field phase. Mrs Osmanagić-Agović will carry out the desk review of documents from 28 June onwards, with view to finish, as specified in the Terms of Reference, before the beginning of the field interviews.

c) Proposed Schedule

The proposed schedule for the field phase of the evaluation is as follows:

Overall duration of the field work 4 July 2012 – 12 July (a.m.) 2012

VD = Vera Devine

SOA = Selma Osmanagić-Agović

	4 July (p.m.)	5 July	6 July	7 July*	9 July	10 July	11 July	12 July (a.m.)
Sarajevo	VD; SOA	VD; SOA						
Tuzla			VD	VD				
Zenica			SOA					
Banja Luka				VD	VD			
Bijelina					SOA			
Trebinje						VD		
Sarajevo							VD; SOA	VD; SOA

*7 July 2012 is a Saturday. The Team Leader would like, if this is possible, to use this day for meetings with Zdravo Da Ste in Banja Luka.

Report-writing: The Team Leader will work on 8 July 2012 to produce an initial draft report based on the findings until that point. The National Expert will spend 10 July 2012 (tbc based on the feedback on travel schedule) to provide first input into the draft report, and together prepare the debriefing on 12 July 2012 a.m.

Submission of draft report: 17 July

Feedback on the draft report: 24 July

Submission of final report: 30 July

Annex C - Field Visit Schedule and List of Interviewees

Evaluation Mission for the Project “Protection of Children at Risk and Children in Contact with the Justice System in BiH”

Vera Devine	Selma Osmanagic-Agovic
<u>Tuesday, 03 July 2012 (Sarajevo)</u> 15:00 – 17:00 UNICEF <u>Wednesday, 4 July 2012 (Sarajevo)</u> 09:00 - 10:00 Miralem Duranović, Inspector, FBiH Ministry of Justice (Valtera Perica 15) 10:00 – 11:30 Dragan Čičić, Director, Mark In (Visegradska 2) 13:00 - 14:30 Jonathan Francis, First Secre- tary, SIDA (Ferhadija 20) 16:00 – 17:30 Nina Brankovic; consultant (UNICEF) <u>Thursday, 5 July 2012 (Sarajevo)</u> 08:30 – 09:30 Silva Španjić, Psychologist, Center for Social Welfare Canton Sarajevo (Gatacka 78) 10:00 – 10:30 Phone Interview with Selver Keleštura – Member of the WG and Secretary of Municipality Zenica (UNICEF) 10:45- 11:45 Samir Suljagić, Director, Disci- plinary center for Juveniles Sa- rajevo (Jukiceva bb) 14:00 Departure to Trebinje (over-	<u>Tuesday, 03 July 2012 (Sarajevo)</u> 15:00 – 17:00 UNICEF <u>Wednesday, 4 July 2012 (Sarajevo)</u> 10:00 – 11:30 Ismet Trumic, Director, Center for Training of Judges and Prosecutors FBiH - CEST FBiH (Halida Nazecica 4 – UNICEF transport) 13:00 - 14:30 Jonathan Francis, First Secre- tary, SIDA (Ferhadija 20 – by taxi) 14:30 – 16:00 Flavia Mi, Justice and Human Rights Associate, UNDP (Mar- sala Tita 48 – by taxi) <u>Thursday, 5 July 2012 (Sarajevo)</u> 09:30 – 11:30 Orsolya Szekely, Deputy Head of Office, Council of Europe (Importanne Center – UNICEF transport) 11:30 - 13:30 Marta Valinas, Legal Ad- viser, OSCE (Fra Andjela Zvizdovica 1 – UNICEF transport) 14:00 – 15:30 Jasmina Kosovic, Judge, Court of BiH (Kraljice Jelene 88 – UNICEF trans- port)

night) Hotel Platani, Cvijetni trg 1, Trebinje <u>Friday, 6 July 2012 (Trebinje)</u> 08.30 – 09:30 Working Group Trebinje, with Assistant Mayor as member of the group (Municipality building; Vuka Karadžića 2) 10:30 – 11:30 Representatives of the Police in Trebinje (Vuka Karadžića 3) 12:00 – 13:00 „Sveti Vasilije Ostroški“ school, mtg. with pedagogue and psychologist (Gorička 19) 14:30 – 15:30 Child Centre , Sjeverni logor bb <u>Saturday, 7 July 2012 (Banja Luka)</u> 08:00 (flexible) Departure to Banja Luka (overnight) <u>Monday, 9 July 2012 (Banja Luka)</u> 09:30 – 12:00 Drago Ševa, Director, Center for Training of Judges and Prosecutors RS and Dragan Uletilović, Judge, Basic Court (Bulevar Stepe Stepanovica 60) 12:30 – 14:00 Nada Grahovac, Ombudsperson, Ombudsmen for Children RS (Bana Milosavljevica 8) 14:30 – 17:00 NGO Zdravo da ste (Sime Matavulja 2)	<u>Friday, 6 July 2012 (Zenica)</u> 07:00 – 08:30 Departure to Zenica 09:00 – 10:00 Husejin Smajlović, Mayor of Zenica and Zijad Softić, Member of working group (Municipality Zenica building Trg BiH 6) 10:00 – 12:00 Members of the Zenica Municipal WG (Municipality Zenica building Trg BiH 6) 12:00 – 13:00 Edina Memišević, Inspector, Police Department Zenica (Safet-bega Bašagića 1) 13:00 – 14:00 Mensur Milak, Primary School “Mak Dizdar” and Mediha Hajdarević-Baručija Primary School “Skender Kulenović” (Čurukovića put 17) 14:00 – 15:00 Alma Skender, NGO of Social Pedagogues (Municipality Zenica building Trg BiH 6) 15:30 – 17:00 Return to Sarajevo <u>Monday, 9 July 2012 (Bijeljina) dep.06:30</u> 10:00 – 11:00 Jevto Vasilčić, Mayor and Dragan Božić, Deputy Mayor (Municipality Bijeljina building; Trg kralja Petra I Karađorđevića) 11:00 – 13:00 Members of Bijeljina Municipal WG (Municipality Bijeljina building; Trg kralja Petra I Karađorđevića) 13:00 – 14:00 Dr. Milan Novaković, Head of Center for Mental Health (Dom zdravlja Bijeljina - Srpske vojske
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<u>Tuesday, 10 July 2012 (Banja Luka)</u> 09:30 - 11:00 Svjetlana Bjelić, Inspector, MoI TBC (MUP RS, Bulevar Desanke Maksimovic 4) 11:00 – 12:30 Ljubo Lepir, Assistant Minister, Ministry of Health and Social Protection RS (Trg Republike Srpske 1) 12:30 – 13:30 Snježana Vuksan, Psychologist, Center for Social Welfare Banja Luka (CSW BL, Gundulićeva 31) 13:45 – 15:00 Aleksandra Marin, IHR Ombudsmen of BiH (Ravnogorska 18) 15:15 – 16:30 Aleksandra Popić, OSCE BL CONFIRMED (Knjaza Milosa 15) 16:30 Return to Sarajevo <u>Wednesday, 11 July 2012 (Sarajevo)</u> 09:00 – 10:15 Ana Bilic, Head of Department for Judiciary Efficiency, High Judicial and Prosecutorial Council of BiH – HJPC (Kraljice Jelene 88)	53) 14:00 - 15:00 Representatives of the police and visit to police station, child friendly room and Sanja Lale, Inspector (Police department Bijeljina: Neznanih junaka bb) 15:00 – 16:00 Representatives of schools, teachers, Radenko Todorović, Aleksandra Milić, Vera Vujić, Srednja tehnička škola Mihajlo Pupin (Srednja tehnička škola building; Račanska bb) 16:00 – 20:00 Departure to Sarajevo <u>Tuesday, 10 July 2012 (Tuzla)</u> 09:30 – 12:00 NGO Biro za ljudska prava (Boric 3) 12:00 – 14:00 Members of Tuzla Municipal WG (Disciplinary Center; Bosne Srebrenice 31) 14:00 – 15:00 Representatives from police and visit to police station child friendly room and Miralem Malkić, Police Department Tuzla (Police department Tuzla; Turaklibegova bb) 15:00 – 16:00 Emina Hodžić and Nermina Halilović, schools' representatives, Primary School „Bukinje“ (V.Milovanovića bb) 16:00 – 17:30 Branka Antić, NGO“Snaga žene“ (Slavinovići, Slanac bb) 17:30 – 20:00 Departure to Sarajevo <u>Wednesday, 11 July 2012 (Sarajevo)</u> Meeting with Minka Smajević TBC
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11:30 – 13:00	Alma Zukorlic, SDC CONFIRMED (Piruša 1)	09:30 – 10:00	Vera Jovanovic, Director, Helsinki Committee (Ante Fijamenga 14b UNICEF transport)
13:30 – 14:30	Lunch	10:30 – 11:30	Darko Datzer, consultant on JJ project (Faculty of Criminology - UNICEF transport)
14:30 – 16:00	Meeting with UNICEF team	13:00 – 14:00	Phone interview Mirza Dzevdetbegović Director of the Disciplinary Center of Juveniles and Member of the working group (UNICEF transport)
<u>Thursday, 12 July 2012 (Sarajevo)</u>		14:30 – 16:00	Meeting with UNICEF team
09:30	Debriefing at UNICEF (SDC, SIDA, UNICEF)	<u>Thursday, 12 July 2012 (Sarajevo)</u>	
		09:30	Debriefing at UNICEF (SDC, SIDA, UNICEF)
		11:30 – 13:00	Miodrag Zotović, FBiH Govt.

Annex D - Reference Documents

- Project Document with Annexes 1 – 5 a+b; 7-8 (*submitted by UNICEF*)
- Joint Agreement between the Ministry of Human Rights and Refugees of BiH, UNICEF/BiH, Sida, and SDC on Implementing the Project Protection of Children at Risk and Children in Contact with the Justice System in BiH (*submitted by UNICEF*)
- October 2010 Annex to the Joint Agreement between the Ministry of Human Rights and Refugees of BiH, UNICEF/BiH, Sida, and SDC on Implementing the Project Protection of Children at Risk and Children in Contact with the Justice System in BiH (*submitted by UNICEF*)
- SDC – UNICEF/BiH Agreement, 14 December 2009 (*submitted by UNICEF*)
- Sida—UNICEF/BiH Agreement, 19 March 2010 (*submitted by UNICEF*)
- Terms of Reference for Consultants and Contractors: Institutional Consultancy – Technical Assistance for Implementation of the Strategic Communications Plan on Justice for Children, no date (*submitted by UNICEF*)
- Strategic Communication Plan "Justice for Every Child", no date (*submitted by UNICEF*)
- Opis Metodologije za Provedbu Predloženih Aktivnosti Komponenta Broj 1 (Description of Methodology for the Implementation of Proposed Activities Component No 1), Mark-IN, no date; in Bosnian (*submitted by UNICEF*)
- Opis Metodologije za Provedbu Predloženih Aktivnosti Komponenta Broj 2 (Description of Methodology for the Implementation of Proposed Activities Component No 2), Mark-IN, no date; in Bosnian (*submitted by UNICEF*)
- Opis Metodologije za Provedbu Predloženih Aktivnosti – Dopuna: Lista tema i učesnika u radio i TV debatnim emisijama, koja se treba usaglasiti sa UNICEF-om (Amendment to the Methodology for the Implementation of Proposed Activities: List of themes and participants of radio and TV debate emissions which will have to be confirmed with UNICEF), in Bosnian, no date (*submitted by UNICEF*)
- Narrative Plan for the Evaluation of the Institutional Treatment of Minors (April 15 – June 15, 2011), 7 April 2011 (*submitted by UNICEF*)
- Project Narrative Drafting of by-laws and the Handbook of advanced training for professionals dealing with juvenile delinquency and protection of children in criminal justice system – preparation for training, no date or author (*submitted by UNICEF*)
- Dodatni Opis Budžeta, Narativni pregled aktivnosti; Naziv Projektnih Aktivnosti:
- Izrada brošure „Maloljetnici u krivičnom postupku“ sa zbirkom propisa iz oblasti maloljetničkog pravosuđa i edukacija zaposlenih u kazneno-popravnim ustanovama za maloljetnike u Republici Srpskoj; period 1 Oktobar – 1 Decembar 2011 god.; no date, in Bosnian (*submitted by UNICEF*)
- Zdravo da Ste Standard Narrative Progress Report to UNICEF, 15 July to 15 October 2010; no date (*submitted by UNICEF*)
- Zdravo da Ste Standard Narrative Progress Report to UNICEF, 15 October to 15 January 2011, no date (*submitted by UNICEF*)
- Zdravo da Ste Standard Narrative Progress Report to UNICEF, 15 January to 15 April 2011, no date (*submitted by UNICEF*)

- Zdravo da Ste Standard Narrative Progress Report to UNICEF, 15 April 2011 to 15 July 2011, no date (*submitted by UNICEF*)
- Zdravo da Ste Standard Narrative Progress Report to UNICEF, 15 July 2011 to 15 October 2011, no date (*submitted by UNICEF*)
- Zdravo da Ste Final Narrative Report to UNICEF, 15 October 2011 to 15 January 2012, no date (*submitted by UNICEF*)
- Human Rights Office Tuzla Standard Narrative Progress Report to UNICEF, 1 May 2011 to 31 July 2011, no date (*submitted by UNICEF*)
- Human Rights Office Tuzla Standard Narrative Progress Report to UNICEF, 1 August to 31 October 2011, no date (*submitted by UNICEF*)
- Pregled Portala 19.02. 2012 - 01.03.2012, in Bosnian (*submitted by UNICEF*)
- Pregled Medijskih Sadržaja, Maloljetničko Pravosuđe; 19.02.2012 – 01.03. 2012, in Bosnian (*submitted by UNICEF*)
- Nezavisne Novine, Article "Termin delinkvent više ne postoji", 27.02.2012, in Bosnian (*submitted by UNICEF*)
- Pregled Medijskih Sadržaja o Radionici u Konjicu Održanoj 24 i 25.2.2012, in Bosnian (*submitted by UNICEF*)
- 2011 Report of the Ombudsman of BiH, at http://www.ombudsmen.gov.ba/materijali/publikacije/GI2011/GI_OmbBiH_2011_bos.pdf (*Bosnian language version*)
- Five Core Principles of Human Rights-Based Evaluation (with reference to the Justice Sector), International Human Rights Network (IHRN), www.ihrnetwork.com
- Working Checklist on Human Rights-Based Approaches for Programme Cycle Management, International Human Rights Network (IHRN), www.ihrnetwork.com
- http://www.unicef.org/evaldatabase/files/2007_BHG_evaluation_of_childfocused.pdf
- DAC Principles for the Evaluation of Development Assistance, <http://www.oecd.org/dataoecd/31/12/2755284.pdf>
- Municipal Action Plans for the "Prevention of Juvenile Offending and the Application of Alternative Measures" of all 9 project municipalities (*in the local languages; submitted by UNICEF*)
- Monitoring Institucija za Smještaj Djece i Maloljetnika u Sukobu sa Zakonom u BiH, Komisija za Monitoring Kazneno-Popravnih Zavoda (Zatvora, Pritvora i Pritvorskih Ustanova za Maloljetnike), Policijskih Stanica i Psihijatrijskih Ustanova u Kojima se Nalaze Osobe Lišene Slobode; Vijeće Ministara BiH; Ministarstvo za Ljudska Prava i Izbjegliche Bosne i Hercegovina, 2011 (*submitted by UNICEF*).
- UNODC/UNICEF Manual for the Measurement of Juvenile Justice Indicators, http://www.unodc.org/pdf/criminal_justice/06-55616_ebook.pdf
- Ten Years of Media Support to the Balkans – An Assessment, at http://www.medienhilfe.ch/fileadmin/media/images/dossier/mediasupport_Balkan.pdf

Websites:

- Human Rights Centre Tuzla <http://www.hrotuzla.org.ba/>
- Zdravo Da Ste <http://www.zdravodaste.org/latn/>
- Facebook page "Pravda za Svako Djete"/("Justice for Every Child", in Bosnian), https://www.facebook.com/pravdazasvakodijete/app_197602066931325

- Facebook page Odlican5plus Multimedijalni projekat prevencije maloljetničke delinkvencije u Bosni i Hercegovini; <http://www.odlican5plus.ba>; <http://www.markin.ba>
- Terapijska Zajednica “Kampus” (Therapeutic Association “Kampus”), Sarajevo: <http://kampus.ba>



Evaluation of the Project “Protection of Children at Risk and Children in Contact with the Justice System in Bosnia and Herzegovina”

This report presents the findings of an external evaluation conducted in July 2012 of the Swedish International Development Cooperation Agency (Sida)/the Swiss Agency for Development Cooperation (SDC), co-funded, UNICEF-implemented project for the “Protection of Children at Risk and Children in Contact with the Justice System in Bosnia and Herzegovina (BiH)”. The objective of the evaluation was to assess the achievement of project results and to issue forward-looking advice for a continuation of interventions beyond mid-2013, when the current project is anticipated to end.

The evaluation finds the project to being relevant for the context of BiH. The main outcome of the project is the contribution to approaching juvenile justice in an integrated, multi-disciplinary approach, working with duty-bearers and rightsholders at central and local levels, and involving all institutions dealing with juvenile justice issues. In terms of impact and sustainability, an assessment is more difficult to make as the project is still ongoing. Future interventions would have to work on the development of meaningful baseline indicators to measure progress.

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