ANNEX B

TERMS OF REFERENCE

International Institutional Consultancy Service to Conduct Situation Analysis (SitAn) of Children and Adolescents in Montenegro

1. BACKGROUND AND CONTEXT

The Situation Analysis (SitAn) of the rights of children and adolescents and their wellbeing is a flagship product designed to inform policy dialogue, partnerships and interventions to improve the lives of children. It is an assessment and analysis of the country situation, with respect to children's rights and critical issues affecting their realization. The SitAn is a crucial part of the child rights monitoring (CRM) framework and represents a key UNICEF programmatic output that identifies knowledge gaps related to inequities and child deprivations. By promoting a broad engagement of stakeholders, the SitAn is expected to inform policy dialogue and child-focused policy advocacy to contribute to accelerating the achievement of child-related goals, with a particular focus on equitable outcomes for children and adolescents.

The SitAn is in line with UNICEF’s role to support governments and key stakeholders to use the Convention on the Rights of the Child as a guiding mechanism for legislation, policy making, budgeting and services provision to:

- Develop and monitor a comprehensive national agenda on the rights of the child;
- Develop permanent bodies or mechanisms to promote coordination, monitoring and evaluation of activities throughout all sectors of government;
- Ensure that all legislation is fully compatible with the Convention and, if applicable the Optional Protocols, by incorporating its provisions into domestic law or ensuring that they take precedence in cases of conflict with national legislation;
- Make children and adolescents visible in policy development processes throughout government by introducing child impact assessments;
- Analyse government spending to determine the portion of public funds spent on children and to ensure that these resources are being used effectively;
- Ensure that quality/disaggregated data are collected and used to improve the situation of all children in each area;
- Raise awareness and disseminate information on the Convention and the Optional Protocols by providing training to all those involved in government policy-making and working with or for children;
- Involve civil society – including children themselves – in the process of implementing and raising awareness of child rights.

The SitAn is an integral part of the UNICEF Programme Policy and Procedure and should be commissioned at least once in the course of a programme cycle. The last situation analysis in Montenegro was conducted in 2014 as a part of the Mid-term Review of the UNICEF-Government of Montenegro Programme of Cooperation 2012 - 2016 (report not published). It identified key issues hindering the full realization of children’s rights and, to some extent, their causes. The 2014 MTR report also analysed the overall policy framework for children and capacities of duty bearers for meeting their obligations.

The report pointed to child rights challenges and equity gaps in the country, even though progress in a number of child rights areas was identified. Poverty was recognised as one of key risks for social exclusion as well as psychosocial risks for children and significant horizontal differences between socioeconomic quintiles and deprivations based on discrimination. The report highlighted that full realization of the rights of all children in Montenegro required commitment and further efforts in particular in the areas of: social and child protection, right of the child to live in a family environment, protection against violence, early childhood education and development, quality of teaching and learning outcomes, access to justice and intensified work with adolescents and youth.

Poor implementation of laws and policies due to inadequate resourcing and lack of coordination between sectors and duty bearers at central and local level; limited professional capacities; lack of professional accountability; indifferent public attitudes and weak civil society were identified as major blockages to the full realization of child rights. The
analysis identified limited capacity at national and local level to produce and use quality child focused data which impede adequate and evidence-based policy development and programme planning. Negative social norms and attitudes showed to be still persistent around disability, violence and Roma and concentrated efforts are needed to combat these phenomena.

Taking into account the findings of the 2014 MTR Situation Analysis, as well as recommendations by the Committee on the Rights of the Child (CRC), the Committee on the Rights of Persons with Disabilities (CRPD), and the results of extensive consultations with relevant stakeholders, including children, UNICEF and the Government of Montenegro agreed on a Country Programme for 2017-2021 that centred on a series of complementary programme interventions under three broad components: a) Social and child protection, b) Quality education and adolescent empowerment and c) Child rights monitoring and access to justice.

The first component aims to strengthen public systems to protect boys and girls from the impact of poverty, adversity and exclusion and to provide them with more opportunities to live in a supportive family environment and in inclusive communities, free from all forms of violence, abuse and neglect, including in situations of humanitarian crisis. The second component focuses on helping boys and girls, particularly those affected by poverty, adversity and exclusion, to enjoy their right to quality and inclusive education, starting from an early age through their second decade, and to utilize opportunities for acquiring the knowledge, skills and competences necessary to thrive as adults. The third component aims to strengthen systems to monitor progress and trends in how girls and boys progressively realize their rights in accordance with the CRC and other international child rights instruments, as well as to improve equitable access to justice for children when their rights are violated or entitlements are denied.

As the new Country Programme cycle (2022-2026) approaches, there is a growing need to update the analysis and provide UNICEF and its partners with new, robust evidence on the situation of children and adolescents in the country, particularly the most vulnerable, to inform programme decisions and guide policy advocacy and partnership efforts, as well as to track progress of child rights implementation. UNICEF, its partners and other stakeholders conducted a number of major researches, studies and evaluations that provide new data, information and evidence on the situation of children and adolescents in the country.

In view of the above, UNICEF Montenegro is seeking the services of a team of consultants to develop a Situation Analysis report using available evidence, while giving due consideration to the Sustainable Development Goals (SDG) agenda, UNICEF Strategic Plan 2018-2021, UNICEF Gender Action Plan 2018-2021, and main national and global priorities including:

- National Strategy for Sustainable Development 2030 (NSSD)
- National Action Plan for EU Acquis Chapter 23 – Judiciary and Fundamental Rights¹
- Strategy on Exercising the Rights of the Child 2019–2023³
- Strategy on Social and Child Protection System Development 2018–2022⁴
- Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2016–2020⁵

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¹ Government of Montenegro, The accession negotiations to the EU. [http://www.eu.me/mn/23](http://www.eu.me/mn/23)
² Government of Montenegro, The accession negotiations to the EU. [http://www.eu.me/mn/24](http://www.eu.me/mn/24)
• Strategy on Early and Preschool Education in Montenegro 2016–2020
• Strategy on Inclusive Education of Children in Montenegro 2019–2025
• Strategy on Prevention and Protection of Children from Violence 2017–2021
• Strategy on Protection of Domestic Violence 2016–2020
• Strategy for Integration of Persons with Disabilities in Montenegro 2016–2020
• Strategy for the Protection of Persons with Disabilities and Promotion of Equality 2017–2021
• Strategy on Judiciary Reform in Montenegro 2019–2022
• Strategy for Health care Development in Montenegro 2003–2020
• Master Plan of the Development of the Health System in Montenegro 2015–2020

2. PURPOSE AND OBJECTIVES

The main purpose of this assignment is to conduct a human-rights based and equity-focused Situation Analysis of children and adolescents with respect to the realization of children’s and adolescents’ rights. The analysis should examine the progress, challenges and opportunities for achieving child rights and well-being, and the patterns of deprivation that children and adolescents face. The analysis should be objective and verifiable and is expected to be used by all partners and stakeholders in the country in addressing key challenges preventing children and adolescents, especially the most disadvantaged, from enjoying their rights enshrined in the Convention on the Rights of the Child (CRC) and other international legal instruments to which the country has committed.

The SitAn aims to highlight disparities and vulnerabilities children and adolescents face, thus contributing to identifying areas for accelerating achievement of national and international development goals. It should look critically at the progress that policy and programme interventions have made towards at-scale coverage of all vulnerable groups; the adequacy of policy delivery, particularly in terms of budget; and the resources for leaving no child behind.

The SitAn is expected to present robust evidence and highlight opportunities for socially inclusive development. It should examine the bottlenecks to realization of child rights, as well as the interrelated roles of duty-bearer institutions. It should highlight inequalities between groups, socio-economic characteristics, urban/rural and intra-urban disparities, gender specific inequalities and vulnerabilities, geographic locations and other dimensions. The SitAn should pay special attention to age and sex disaggregated data and unpacking national and/or subnational averages. Besides presenting an analysis of the root causes and determinants of why inequities exist, the SitAn should also add a gender analysis of the key challenges essential to determine the various levels of inequalities and it should also

provide contextualized recommendations on what could be done by key stakeholders to attain/sustain inclusive social development that guarantees equal inclusion and participation of all groups of children and adolescents. The SitAn should be grounded in the country’s political, economic and social realities, review progress towards SDGs, and regional and global issues that affect the rights of children and adolescents and their well-being. The SitAn should primarily focus on national issues, but also explore global and regional issues that affect the national agenda. By having a strong equity focus, the SitAn should shed light on the situation of children and adolescents/young people who are most deprived, left invisible or uncounted for.

The main objectives of a rights-based, equity focused SitAn in Montenegro are the following:

- Develop a deep understanding of the situation of children and adolescents (including relevant groups of young people in particularly vulnerable situations) by analysing the policies and strategies, social and economic trends affecting them through a human rights, equity and gender lens (with data disaggregated by age, sex, urban/rural, ethnicity, socio-economic status and other relevant factors).
- Identify and analyse the barriers and bottlenecks and harmful practices and norms that prevent children and families, especially the most disadvantaged, from benefiting from social services across sectors and enjoying their rights.
- Provide national government partners with comprehensive equity-sensitive and evidence-based analysis on children and adolescents for result-based decision-making.
- Provide essential information to non-government partners (civil society organizations, community-based organizations, civil society, media and business sector) to be used in their planning and interventions to address the most urgent issues affecting children and adolescents.
- Contribute to the (re)formulation of key national strategies to integrate priorities for the most disadvantaged children and adolescents into the socio-economic development agenda.
- Identify critical data gaps and contribute to the generation of evidence that can improve the monitoring of the rights of children and adolescents, especially the most vulnerable groups.
- Assess the current or potential presence of emergency risks (disaster risks and other potential shocks); the likelihood of their occurrence, the underlying vulnerabilities and the capacities and coping mechanisms of families, communities and local and national institutions.
- Analyse to what extent there is an enabling environment for the realization of the rights of all children and adolescents, and analyse if and how evidence-based interventions and services needed to address deprivations are prioritized in national policies, laws, strategies, plans and budgets.
- Capture new or emerging area of concerns regarding children and adolescents, such as environmental issues affecting them, mental health, migration, etc.
- Analyse the extent to which public finance management is conducive to the realization of child and adolescent rights;
- Analyse the role/impact of the business sector on child and adolescent rights fulfilment.

The SitAn is relevant to a wider audience which includes government bodies, development partners (including UNICEF), civil society, ombudspersons, children and adolescents, academia, private sector actors, media and others. The process of developing the Situation Analysis therefore anticipates engagement with the government and key stakeholders, including children and young people. It serves as an opportunity to promote meaningful dialogue between the main child rights actors in the country on children’s and adolescents’ issues.

3. METHODOLOGY AND TECHNICAL APPROACH

The SitAn should adopt the following indicative framework:

Conceptual framework

The overall conceptual framework of the Situation Analysis is the Human Rights-Based Approach to Programming (HRBAP). It should provide an understanding of the existing deprivations and inequities and establish linkages between the underlying causes and barriers to achieving child rights and well-being. The conceptual framework situates the analysis in the country context and clearly recognizes the regional and global issues that are impacting children’s lives. Furthermore, it explores the reasons behind the uneven realization of child rights and inequities in
well-being, and the opportunities for achieving progress for all children, especially those who are left behind or at greatest risk of being left behind.\textsuperscript{15}

In addition to the causality analysis that includes key deprivation, immediate, underlying and structural causes, the following 10 determinants should help categorise critical bottlenecks and barriers:

<table>
<thead>
<tr>
<th>Determinants of bottlenecks and barriers</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Social Norms</td>
<td>Widely followed social rules of behaviour that generate barriers</td>
</tr>
<tr>
<td>Legislation/Policy</td>
<td>Adequacy of laws and policies to reduce/avoid barriers</td>
</tr>
<tr>
<td>Budget/expenditure</td>
<td>Allocation &amp; disbursement of required resources</td>
</tr>
<tr>
<td>Management/Coordination</td>
<td>Roles and Accountability/ Coordination/ Partnership</td>
</tr>
<tr>
<td>Availability of essential commodities/inputs</td>
<td>Essential commodities/ inputs required to deliver a service</td>
</tr>
<tr>
<td>Access to adequate services and information</td>
<td>Physical access (services, facilities/information)</td>
</tr>
<tr>
<td>Financial access</td>
<td>Direct and indirect costs for services/ practices</td>
</tr>
<tr>
<td>Social and cultural practices and beliefs</td>
<td>Individual/community beliefs, behaviours, practices, attitudes</td>
</tr>
<tr>
<td>Continuity of use</td>
<td>Completion/ continuity in service, practice</td>
</tr>
<tr>
<td>Quality</td>
<td>Adherence to quality standards (national or international)</td>
</tr>
</tbody>
</table>

\textbf{CONCEPTUAL FRAMEWORK AND SPECIFIC QUESTIONS}

\textbf{FRAMEWORK QUESTIONS}

<table>
<thead>
<tr>
<th>Country Overview (scene setting)</th>
<th>• What population groups are affected by national/subnational laws; policies including budgets; conflict; and economic, social and environmental factors that lead to inequities?</th>
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<tbody>
<tr>
<td></td>
<td>• How does the broader country context contribute to child rights and the well-being of young people?</td>
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<td></td>
<td>• What macro factors exacerbate inequities? What innovative solutions are accelerating inclusive development?</td>
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<td></td>
<td>• How are institutions – regional, national, subnational, private, public, etc. – systematically achieving their obligations on inclusive services and enabling opportunities for children and adolescents to meet their full potential?</td>
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<td></td>
<td>• Are there systemic funding constraints for national entities that limit capacity to provide social protection, care and support for vulnerable priority populations thereby hindering progress?</td>
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<td></td>
<td>• What factors impede demand for access to services, resources, or opportunities that disproportionately impact women, men, boys and girls or any other gender identity?</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Causes, Challenges and risks</th>
<th>• What specific factors have contributed to the realization of child rights and well-being? What are the main child rights violations in the country?</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• What are the top factors, including risks (prioritization is key here), that prevent the realization of child rights and well-being?</td>
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<tr>
<td></td>
<td>• What are the key factors that drive inequities in the realization of child rights and well-being? How are children and adolescents engaged as active agents in decisions?</td>
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</table>

\textsuperscript{15} For more details on Conceptual framework and how to analyze Children’s rights in the new generation of SitAn please see UNICEF (2019), Core guidance; New Generation Situation Analysis, p 14. (Annex 1) and UNICEF Quality Assurance Checklist for Integrating Gender in SITAN
Do children and adolescents, especially the most vulnerable, enjoy their rights to (available, access, use, adequate and effective) coverage of commodities, services and opportunities?

What social norms, practices, beliefs and behaviors hinder outcomes for adolescent girls?

What are the root causes of the deprivations women and girls are facing within a specific context? What are the key societal beliefs of their value in society? Is there widespread discrimination based upon poverty, ethnic identity, geographic location, disability, and/or fragile and crisis conditions?

Child rights and wellbeing:

Progress and Inequities

- What progress has been made in achieving children’s rights and well-being against all rights and across relevant age groups, such as newborns, children under 5 years, young children, youth and adolescents, as defined within the national context, literature and evidence?
- Has progress been unequal? How large or deep are the deprivations faced by marginalized groups, such as girls and women, those living in poverty, children with disabilities, minorities, refugee children and children affected by migration, among others? Who are the groups left behind, where and why? Who, among the children who are being left behind, face severe and/or intersecting deprivations and disadvantages, or multiple forms of discrimination that make them likely to be the furthest behind? How resilient are children and adolescents to shocks and stressors?
- What kind of policies and legal frameworks are in existence to prevent and/or enforce and address key issues that affect women and girls for instance--gender-based violence laws, inheritance laws, land/asset ownership laws, national, HIV and gender policies etc.)?

Global and Regional Issues

- What are the global and regional issues that impact child rights and well-being? Has there been country progress in addressing the concluding observations of the periodic reports of the United Nations Convention on the Rights of the Child, CEDAW and related human rights treaties? How are cross-border issues and openings (migrations, trafficking, digitalization, etc.) being addressed/harnessed at scale?
- How does the realization of child rights and well-being contribute towards the achievement of the SDGs in the country, and addressing emerging issues?

Methodology

The consultancy will primarily rely on secondary data analysis, while limited primary data collection from major child rights duty-bearers and other key informants may occur. This will specifically include:

- Desk review of existing nationally and internationally available data and evidence on selected topics published in studies, research, evaluation and survey reports.16
- Desk review of data, programme reports and analysis generated by UNICEF, including studies, research and evaluations.
- Desk review and comparative analysis of available legislation, social policy, government strategies and budget allocation and analysis of public expenditure documents.
- Background notes on specific topics for which UNICEF and other actors have limited or no knowledge (e.g. gender analysis of disparities; environmental/climate issues affecting children, mental health, migration etc.).
- Key informants’ interviews and Focus Group Discussions, including with actors who shape and implement public policies, as well as children and adolescents.

16 Important note: Some policy documents, policy analysis reports, and data and research reports are available only in Montenegrin language.
The analysis should fully consider and articulate disparities related to gender, income, geographic location (national/ regional perspectives) and ethnicity, to the extent possible. The analysis should look across all child rights and identify where there are deprivations.

The methodology for data collection and analysis and the process of documentation should enable the periodic update of the situation analysis.

Consultancy is required to propose a more precise methodology within the Inception phase. UNICEF Guidance on conducting the Situation Analysis is requested as a reference for this purpose.

Stages of the situation analysis (exact timeframe to be agreed with consultants):

Within the assignment consultants should be engaged in establishing partnerships with all relevant stakeholders that can contribute to the SitAn development. The SitAn development process, from the inception phase to final report dissemination and follow-up actions, will also involve a national reference group that will act as sounding board for the SitAn and will be consulted at critical times during the process. This entire process of consultations will be supported by the UNICEF CO.

1. Inception phase:
   - Initial desk review to assess availability of data/information
   - Development of a final conceptual framework for the SitAn and specific tools for data collection.
   - Presentation of the conceptual framework and the tools to UNICEF and SitAn reference group to facilitate an in-depth common understanding of the framework
   - Presentation of an inception report, including finalized conceptual framework and methodology.

2. Data collection and analysis:
   - Data collection and in-depth desk-review of existing evidence regarding the situation of children and adolescents in Montenegro. This includes data/information on most disadvantaged and deprived groups of children such as children without adequate parental care, children with disabilities and developmental delays, children in a health care system, children in contact with the justice system, Roma children, refugee and migrant children, children affected by poverty, children from isolated areas, children and their care givers affected by migrations, children in urban settings, and children with mental health issues. Relevant data and information on climate issues, energy and environment, gender equality, public financial management, role of the business sector, and the meaningful children and adolescent’s participation should be collected and analysed.
     - Analysis of relevant national strategies and planning documents, policies and budgets.
     - Interviews and/or focus group discussions
     - Secondary analysis of available data/information.

3. Reporting:
   - Development of draft reports - comprehensive Situation Analysis (to be used by UNICEF, internally) and summary SitAn document17 - for discussion and validation with UNICEF Country Office in Montenegro, SitAn Reference Group and key partners,
   - Development of final, comprehensive report for internal use,
   - Development of a 40-page summary document for public distribution.

4. ACTIVITIES AND TASKS

The team is expected to produce and submit the following deliverables:

   - SitAn inception report, including a slide deck with key information

17 The summary SitAn report represents an Alpha SitAn Report, as per UNICEF guidance on the new generation of situation analysis.
- Preliminary report on key findings and conclusions; up to 30 pages
- Draft SitAn reports
  a) Comprehensive SitAn report – for UNICEF’s internal usage – up to 100 pages
  b) Summary SitAn Report (Alpha SitAn) – cca. 40 pages
  c) Power point presentation of key findings
- Final SitAn reports (Comprehensive and Summary).

In addition, for the purpose of reviewing, discussing and validating submitted materials, consultants will be requested to deliver power point presentations to UNICEF and other partners relevant for conducting the Situation Analysis. Therefore, a total of two presentations are expected (on Inception report and on Draft Report SitAn report/validation presentation).

Inputs on submitted inception and draft reports provided by UNICEF and other stakeholders should be addressed in the process and final documents.

All submissions should be electronic. All materials submitted to UNICEF should be delivered in English, while preliminary report on key findings and conclusions, Summary SitAn Report and PPTs should be submitted in both, English and Montenegrin language.

Based on the UNICEF Core Guidance: New Generation Situation Analysis, a suggested outline for the report includes following elements:

<table>
<thead>
<tr>
<th>HEADING</th>
<th>CONTENT</th>
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<tbody>
<tr>
<td></td>
<td>1. EXECUTIVE SUMMARY</td>
</tr>
<tr>
<td></td>
<td>- Acknowledgments</td>
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<td></td>
<td>- Structural Determinants Analyses (SDA) and Conclusions</td>
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<td></td>
<td>2. INTRODUCTION</td>
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<tr>
<td></td>
<td>- The primary and secondary aims of the analysis should be clearly explained</td>
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<td></td>
<td>- The methodology, limitations and constrains and the ethical issues, provides information on the process explained</td>
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<tr>
<td></td>
<td>- Audience should be explained i.e. who will use the analysis and how they will benefit from it; as well as dissemination and advocacy strategy</td>
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<tr>
<td></td>
<td>3. COUNTRY OVERVIEW</td>
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<tr>
<td>3.1 Demographic profile</td>
<td>- shows country population characteristics</td>
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<td></td>
<td>- provides insights on population trends with special focus on children and young people</td>
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<td></td>
<td>- provides impact analysis of children and young people</td>
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<td></td>
<td>- provides insight on urbanization and characteristics of urban and rural populations.</td>
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<tr>
<td>3.2 Political Economy and Governance:</td>
<td>- describes the context of distribution of power and resources</td>
</tr>
<tr>
<td></td>
<td>- describes the governance structure and levels of decentralization and their impact on child wellbeing</td>
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<td></td>
<td>- describes key political and economic trends: economic growth, structure of formal and non-formal economy</td>
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<tr>
<td></td>
<td>- outlines the excluded populations</td>
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<td></td>
<td>- flags how inclusion of vulnerable population can be taken to scale</td>
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</table>
### 3.3 Poverty
- Provides poverty analysis and poverty profile of the country
- Highlights proportion of children living in monetary and multidimensional poverty, presents proportion of poor households
- Presents analysis of child poverty at the level of the child
- Assesses trends in poverty reduction and analysis of inequalities.
- Presents both monetary and multidimensional poverty
- Identifies which groups of children suffer disproportionately from poverty and experience deprivation

### 3.4 Humanitarian Risk Profile
- Outlines risks and drivers of humanitarian crisis, disasters, unplanned urbanization, extreme weather, emergencies, protracted crisis at national and local level
- Describes mitigation strategies
- Provides analysis of the capacities and readiness of the preparedness of various levels of governments and other stakeholders
- Includes description of risks of transnational nature
- Provides analysis of how identified risks may impact children and young people, families and communities

### 3.5 Gender Profile
- Provides analysis of unequal outcomes for girls and boys;
- Shows gender related barriers, bottlenecks, norms and practices and causes that underpin them
- Includes qualitative analysis of immediate, underlying, and structural causes
- Includes a review of demand and supply of services, the socio-cultural environment, legislative and policy frameworks. Data should be disaggregated, whenever possible.

### 4. The Enabling Environment for Children’s Rights

#### 4.1 Legislation and Policy
- Description and analysis of the legal framework underpinning the realization of child's rights;
- Who is affected by national and sub/national laws, policies and strategies;
- Assessment of institutions and institutional capacity to achieving their obligations on child rights realization.

#### 4.2 Public Finance
- Provides analysis of the financing landscape for children's rights policies and issues
- Presents national budget allocations and spending for social services critical for child well-being
- Provides insight on how finances contribute to child rights implementation.

#### 4.3 Drivers of Inequalities
- Presents a causality analysis of drivers of inequalities that affect children and young people in the country
- Puts special focus on groups of vulnerable children
- Provides analysis of inequalities across age categories

#### 4.4 Stakeholders
- Maps main child rights stakeholders in the country in a broader sense
- Highlights the systems and mechanisms for engagement of children and young people in a meaningful manner,
- Includes analysis of private sector and the business, multilateral financial institutions and regional bodies.

#### 4.5 Business
- Assesses the direct and indirect impact of business on children and families
- looks at the role of private sector as a stakeholder in offering solutions and for decision making in the country
- analyses the business environment from the perspective of child rights focusing on care values, potential and practical contributions to advance social inclusion and scale up results for children and young people

### 4.6 Assessment of Essential Products/Services, Markets and Supply
- provides assessment of the essential commodities and services
- identifies most critical issues that facilitate or hinder access to commodities and services
- assess availability, affordability and accessibility of essential and innovative commodities and services and their cost, speed and quality of delivery
- includes potential strengths of local markets including potential capacity to scale new products/services
- assess public and private sector capacities to produce and deliver commodities and services and potential partnerships for realizing child rights through supply

### 4.7 Knowledge, attitudes and practices
- analysis of knowledge attitudes and practices preventing the realization of child rights.
- assessment of social norms and individual behaviours and the barriers they create for the realization of rights for children

5. **The Rights Of Children (Analysed Dimensions)**

#### 5.1 Right to health and Welfare
- Right to health and health services
- Right to life, survival and development
- Right to social security
- Rights of disabled children

#### 5.2 Right to Education, leisure and cultural activities
- Right to education
- Right to leisure, play and participation in cultural and artistic activities
- Rights of disabled children

#### 5.3 Special Protection, Family Environment and Alternative care
- Administration of juvenile justice
- Rehabilitation and reintegration of victims of violence
- Protection of all forms of violence, sexual exploitation, drug abuse, child labour
- Separation from parents, adoption, children deprived of their family environment, periodic review of placement and treatment; parental guidance; responsibilities and state assistance
- Protection of children belonging to a minority or an indigenous group
- Refugee children; family reunification, illicit transfer and non-return
- Right to adequate standard of living

#### 5.4 Participation – Civil rights and freedoms
- Right to name, nationality and to know and be cared for by parents
- Freedom of association and peaceful assembly
- Freedom of expression
- Freedom of thought, conscience and religion
- Preservation of child's identity and protection of privacy
- Child's access to information, and role of mass media

For all dimensions:

- analysis of progress on achieving rights in the respective areas
5. REPORTING, TIMEFRAME AND DELIVERABLES

The work is expected to be carried out within a period 15/04/2020 - 30/09/2020.

Up to 50 consultancy working days are estimated for this assignment with the following estimated share of days:

- Inception Phase – up to 15 working days
- Data Collection Phase – up to 10 working days
- Analysis and Reporting Phase, including validation presentation – up to 25 working days

The team is expected to produce and submit the following deliverables:

- SitAn inception report, including a slide deck with key information – until 15/05/2020;
- Preliminary report on key findings and conclusions; up to 30 pages – until 30/06/2020;
- Draft SitAn reports – until 15/08/2020;
  d) Comprehensive SitAn report – for UNICEF’s internal usage – up to 100 pages
  e) Summary SitAn Report (Alpha SitAn) – cca. 40 pages
  f) Power point presentation of key findings
- Final SitAn reports (Comprehensive and Summary) – until 30/09/2020.

6. MANAGEMENT AND ORGANISATION

**Management**: The consultants will work in close consultation and under the supervision of UNICEF Montenegro Child Rights Monitoring and Evaluation Specialist.

The evaluation of the contractor(s)’ performance will be based on:

- Quality of produced outputs;
- Compliance with the established timelines;
- Compliance with ethical UNICEF standards related to reporting on children;
- Responsibility and communication.

**Organization**: International consultancy is required for this consultancy. The consultancy assignment is home/office based.

**Schedule**: This assignment will commence by 15\textsuperscript{th} April 2020 and end on 30\textsuperscript{th} September 2020.
**Payment schedule:** The consultant/s will make their own arrangements for the travel. Travel costs (if relevant) should be estimated and included into the proposal (lump sum and break down by budget lines) along with the requested daily fee. Travel costs shall be calculated based on economy class travel; costs for accommodation, meals and incidentals shall not exceed applicable daily subsistence allowance (DSA) rates, as promulgated by the International Civil Service Commission (ICSC).

Three payments are envisaged during this consultancy:
- First instalment: Upon UNICEF’s acceptance of submitted Inception report - 20%
- Second instalment: Upon satisfactory delivery of the draft SitAn reports (comprehensive and summary report) – 40%
- Third instalments: Upon satisfactory delivery of the final SitAn Reports (comprehensive and summary reports) and all planned PPT – 40%

**UNICEF recourse in the case of unsatisfactory performance:** UNICEF reserves the right to withhold all or a portion of payment if performance is unsatisfactory, if work/outputs is incomplete, not delivered or for failure to meet deadlines.

The performance of the contractor will be evaluated against the set of standard indicators such as: whether all goals outlined in the ToR are met, whether deadlines established by ToR are met, technical and professional competence demonstrated, quality/quantity of work and deliverables, demonstrated initiative, responsibility, work relations, and communication.

**7. QUALIFICATIONS AND REQUIREMENTS**

The assignment is expected to be undertaken by an institution/company to produce the expected results. At least one team member should be a national consultant. A total of two or three competent team members are advised.

**UNICEF shall approve all members of the team** (national and international).

*Required background and experience for the international team member:*

<table>
<thead>
<tr>
<th>Background</th>
<th>Recognized institution/researcher with proven experience in public policy, social policy and policy analysis, public finance and child/human rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>Advanced degree in social sciences or related fields relevant for the assignment</td>
</tr>
</tbody>
</table>
| Expertise and skills | • Strong analytical skills – references to previous work or institutions;  
  • Excellent knowledge of statistics, social service systems, development agenda, gender and equity issues;  
  • Previous experience with UNICEF is an advantage;  
  • At least 5 years of relevant experience in development of analytical reports and policy documents related to children and adolescents, preferably experience with preparation of a Situation Analysis of Children Report;  
  • Proven experience in in quantitative and qualitative data analysis, policy (and finance) analysis (including experience in the consistent use of age and sex-disaggregated and gender sensitive data) and report preparation;  
  • Knowledge of human rights-based approach to programming;  
  • Experience in facilitating consultations with government representatives, NGOs, academia, children, adolescents and other stakeholders;  
  • Fluency in English;  
  • Excellent writing and presentation skills. |
**Required background and experience for the national team member:***

<table>
<thead>
<tr>
<th>Background</th>
<th>Researcher with proven experience in statistical and policy analysis, child/human rights</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>Degree in social sciences or related fields relevant for the assignment, advanced university degree would be an asset</td>
</tr>
</tbody>
</table>
| Expertise and skills | • Strong analytical skills – references to previous work;  
• Good knowledge of statistics, social service systems, development agenda, gender and equity issues;  
• Previous experience with UNICEF is an advantage;  
• At least 3 years of relevant experience in development of analytical reports and policy documents related to children and adolescents  
• Proven experience in quantitative and qualitative data analysis, policy (and finance) analysis (including experience in the consistent use of age and sex-disaggregated and gender sensitive data) and report preparation;  
• Knowledge of human rights-based approach to programming;  
• Experience in facilitating consultations with government representatives, NGOs, academia, children, adolescents and other stakeholders;  
• Fluency in English;  
• Fluency in Montenegrin;  
• Excellent writing skills. |

**Ethical considerations**

Consultants are required to clearly identify any potential ethical issue, as well as the processes for ethical review and oversight of the research/data collection process in their proposal. UNICEF Procedure for Ethical Standards in Research, Evaluation, Data Collection and Analysis can be found at: [https://www.unicef.org/supply/files/ATTACHMENT_IV-UNICEF_Procedure_for_Ethical_Standards.PDF](https://www.unicef.org/supply/files/ATTACHMENT_IV-UNICEF_Procedure_for_Ethical_Standards.PDF) and should be consistently applied throughout the research process. The procedure contains the minimum standards and required procedures for research, evaluation and data collection and analysis undertaken or commissioned by UNICEF (including activities undertaken by individual and institutional contractors, and partners) involving human subjects or the analysis of sensitive secondary data.

To ensure quality and accountability in the evidence generation process, especially when it involves children, UNICEF Country Office in Montenegro established an independent Ethical Review Committee in 2016, which reviews and approves research methodologies and final research reports, before their publication. The committee is multidisciplinary and multi-sectoral in composition.

As per the Terms of Reference, functions of the Ethical Review Committee include the following:

1) **Reviewing Relevant Research, Data Collection and Analysis Inception Reports, focusing on a detailed research methodology:** to contribute to respect and protection of dignity, rights, safety and well-being of all children, groups and persons related to the concerned project/programme/activity. This would include participants in the research/evaluation, community at large, researchers, research community and institution/s. Tentatively, the Committee is expected to:

• Provide feedback on the inception report and/or proposed research methodology within 5 working days following the submission;
• Provide feedback on the draft research report no later than 5 working days following the submission;
• Provide feedback on the final research report no later than 5 working days following the submission;

2) Guidelines: Provision of Guidelines with respect to:

• When a full or expedited review is required and the arrangements and timelines for both.
• Where significant ethical issues arise or where significant changes to the methodology or project occurs during the implementation of the project, the Committee should be notified and a decision made as to whether the changes or issues require ethical review.

3) Analysis and Documentation: Ensuring learning at UNICEF Montenegro and targeted capacity building of national partners through training and sessions related to ethics and other relevant issues of social research.

Therefore, ethical considerations of respondents will be of utmost priority in determining the most appropriate methods and their implementation and will be documented and included in all reports. Special measures will be put in place to ensure that the assessment process is ethical and that the participants in the process can openly express their opinion. This will be particularly relevant for the data collection as part of the beneficiary assessment. Specific attention should be paid to issues specifically relating to:

• Harm and benefits: the selected service provider will be expected to avoid constituting a risk to participants in the assessment, as none of the participants will be stigmatised for taking part in the assessment, prevented from benefitting from social protection interventions or enticed to participate by e.g. inadequately high participation fees;
• Informed consent: With regard to child participants, the prior written consent of both the child and their parent/ legal guardian will be required in order to participate in the FGD (if relevant), using the consent form template the selected service provider will need to develop;
• Privacy and confidentiality: The sources of information will be protected and known only to the research team., i.e. ensuring ethical conduct in data generation will be imperative.; and
• Conflict of interest of the research informants: UNICEF expects that any potential or actual conflict of interest will be declared beforehand.

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

8. CONTENT OF PROPOSAL:

The potential contractors are expected to submit a proposal (Technical and Financial) based on these Terms of Reference.

The proposal should consist of:

✓ Technical Proposal including:

a) Portfolio of the organisation/institution/agency with examples of previous work on similar projects and clients in the last 5 years, which should include:
   • Title/Designation of each team member on the project and their CVs
   • Experience in working on similar project and assignment – List all similar projects they worked on and their roles on those projects
   • Project implementation and work plan showing the detailed sequence and timeline for each activity and days necessary for each proposed team member
   • Quality assurance mechanism and risk mitigation measures put in place
b) Detailed description of the methodology and technical approach;

c) Tentative work plan with number of days, timeframe and deadlines for deliverables

d) Evidence about the two to three similar assignments containing the following information:

- Name of Client
- Title of the Project
- Year and duration of the project
- Scope of the Projects/Requirements
- Proposed Solutions and Outcome – include visuals, web-links, etc.
- Team members on each of the project and their specific roles
- Project timelines (start and end date year, and any other information necessary)
- Reference /Contact person details

e) Supplier Profile Form

✓ Financial Proposal (Budget) including:

- Daily fee rates for each team member per deliverable, as well as total cost per professional based on number of working days included in the technical proposal
- Estimated travel costs (all travel must be pre-approved by UNICEF and will be based on most direct and economy class ticket irrespective of the duration of the flight.). Daily subsistence allowance (DSA) will, where applicable, be paid up to a maximum of the official UN rate.
- Other costs if applicable.

The financial proposal shall indicate budget estimated in USD.

9. PROPOSAL EVALUATION

Each proposal will be evaluated against a weight allocation of 70 for the technical proposal and 30 for the commercial (financial) proposal. The total maximum obtainable points is 100.

The proposal will be evaluated as follows:

1. Technical components (total of 70 points)

- Professional profile - 20
- Proposed Methodology and Approach – 15
- Quality of Personnel and Suitability for the assignment - 35

<table>
<thead>
<tr>
<th>Technical Proposal Evaluation Form</th>
<th>Max. Points Obtainable</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Professional profile</td>
<td>20</td>
</tr>
<tr>
<td>1.1 Evidence of experience in similar projects</td>
<td>20</td>
</tr>
<tr>
<td>2 Proposed methodology and Approach</td>
<td>15</td>
</tr>
<tr>
<td>2.1 Quality of presented SitAn approach, methodology and work plan</td>
<td>15</td>
</tr>
<tr>
<td>3.1</td>
<td>Experience in policy and data analysis and writing reports relevant for children and adolescents</td>
</tr>
<tr>
<td>3.2</td>
<td>Technical expertise in the area of child rights, human rights-based approach, gender, equity issues, public policy, public administration and public finance</td>
</tr>
<tr>
<td>3.2</td>
<td>Experience in facilitating consultations with government representatives, NGOs, academia, children, adolescents and other stakeholders relevant for the assignment</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>70 points</strong></td>
</tr>
</tbody>
</table>

2. **Financial component (total of 30 points)**

- Technical proposal evaluation. Proposals passing the minimum technical pass score (49 points-70% of the maximum points obtainable for technical proposal) will continue into the Financial proposal evaluation.
- Financial proposal evaluation. The lowest price proposal will be awarded the full score assigned to the commercial proposal.
- Recommendation. The recommendation for award of contract will be based on best combination of technical and financial score.
- Final award and contracts. Based on verified nominations and final scores, contract negotiations could be initiated with one or more successful Proposers.
- The UNICEF evaluation team will select the Proposal which is of high quality, clear and meets the stated requirements and offers the best combination of technical and financial score.

10. **REMARKS:**

- UNICEF Montenegro Office holds copyrights for all reports. The documents (including raw materials, etc.) may not be reproduced, distributed or published without the written permission from UNICEF.
- All personal data should be accessible to team members, but no one else. The consultants need to set up secure systems (a) to ensure that other staff within their institutions cannot access their data via the shared staff drives, and (b) to ensure secure data transfer between institutions. Cloud based storage with limited sharing rights could be considered in this instance. Different personal data files need to be link-able, they need to be held separately so that they can only be linked purposely, by researchers who are authorised to do so. There is also a need to ensure that data cannot be removed from secure systems in ways that might compromise data security.
- UNICEF Montenegro Office will share with the selected consultants all the relevant materials it has and provide required expertise.
- UNICEF Montenegro Office and the Regional Office expert will review and provide feedback on reports prepared by consultants.
- All information from produced reports cannot be shared with the media without the written approval of UNICEF Montenegro Office.

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18 Financial offer will be reviewed only if Technical proposal meets minimum required quality standards.