



# Terms of Reference

For conducting Gender Programmatic Review of Croatia Country Office Programme in the Area of Gender Sensitive Justice<sup>1</sup>

September 2018

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<sup>1</sup> **Important note:** For the purpose of this assignment, justice system is considered as wider child protection/justice system that deals with children with behavioural problems, children in conflict with law and children victims and witnesses.

## 1. Background

UNICEF's Gender Action Plan (GAP) 2018-2021 guides the organization's promotion of gender equality throughout its work. The GAP elaborates the gender dimensions of programmatic results across the five goal areas of the Strategic Plan, as well as the steps to strengthen gender across change strategies and institutional system and processes. Eight results focus on integrating gender across sectoral programming, under two themes: gender equality in outcomes for boys and girls and in care and support for women and children. The full GAP can be found here: [https://www.unicef.org/gender/files/2018-2021-Gender\\_Action\\_Plan-Rev.1.pdf](https://www.unicef.org/gender/files/2018-2021-Gender_Action_Plan-Rev.1.pdf)

The promotion of gender equality and the empowerment of women and girls is central to UNICEF's mandate and its focus on equity. In order to achieve the results for children that UNICEF sets forth in pursuing its mandate and to realize the rights of every child, especially the disadvantaged, it is essential to address one of the most fundamental inequalities that exist in all societies – gender inequality. A broad range of evidence shows that gender, poverty and geographic residence are three of the strongest factors determining disparities in child well-being and rights. As the only United Nations agency with the rights of children at the heart of its mandate, UNICEF is in a position to foster gender-equitable child outcomes as a catalyst to a more equitable world not only today, but also in the long term, by redefining gender roles and power relations for the men and women of tomorrow.

The Gender Programmatic Review process includes four main steps.

1. The first step is an *analysis* of gender results in the GAP within the national context, in order to identify a subset that can potentially be addressed in the country programme, for further analysis. The expected outcome of a GPR is the adoption or strengthening of at least one GAP programming priority the Country Office (CO) can address with quality programming.
2. Next, COs identify the root causes of the selected gender issues, and develop *programmatic solutions* to address those barriers in line with the GAP principles, including in light of *opportunities and facilitating factors* in the national context.
3. Finally, the guidance supports COs to articulate *results* and specify *indicators* to track progress.
4. The findings of the GPR are *documented* in a way that facilitates eventual integration of key agreements and conclusions into UNICEF country programme documents.

In the case of the Croatia CO, above-mentioned step one that refers to identification of programme area(s) to be in focus of the in-depth GPR, was completed in 2017. Based on the (i) documentation review process, (ii) review of the available information/data, (iii) internal discussions held with relevant programme/communication team members and (iv) meetings held with national stakeholders relevant for the issue, UNICEF CO, together with UNICEF Regional Gender Advisor, identified gender sensitive justice (gender differences related to prevention, early detection, programming and treatment for children and youth in particular) as a key focus area for the rest of the in-depth GPR process.

One should note that gender sensitive justice is being directly addressed through the following CP 2017-2021 Output: *Professionals involved in child protection and justice have strengthened capacities for effective implementation and monitoring of child-friendly and gender-sensitive justice*, while other outputs might contribute to this effort as well. The theme of gender sensitive justice is particularly relevant given the 2014 concluding observations of the Committee on the Rights of the Child which

noted that “the awareness of justice professionals about gender-sensitivity and equity was very limited”. In addition, the Committee emphasised that: “the protection system for child victims and witnesses is not fully adequate for children, and their parents or guardians generally lack information on their rights and on available services”. While there have been trainings for justice professionals covered sexual violence, gender bias and equity issues for child victims and witnesses by incorporating them into case examples, small group exercises and discussions, there is room to further develop the area of gender-responsive justice.

In addition, gender-responsive mitigation strategies may be available. Community Centre services are available for boys and girls 14 years old and older. There might be opportunities to support these centres to increase awareness of the challenges and risks that adolescents face and to strengthen and standardize assessment process for children at risk or with behavioural challenges.

Finally, access to justice and awareness of rule of law processes for the most marginalized populations can be enhanced. According to the Social Institutions and Gender Index (SIGI), Croatia scores low on the scale related to Family Code (<http://www.genderindex.org/country/croatia>).

As approaching to the middle of the current Country Programme cycle (2017 – 2021), the Croatia CO is committed to conduct a Gender Programmatic Review which should highlight how a CP can further strengthen gender programming/implementation/monitoring in alignment with the GAP and Strategic Plan 2018-2021. Because the concept of Access to Justice is an evolving area of work, this consultancy analysis of gender-responsive, child-friendly justice promises to provide insights for other ECARO countries and UNICEF programming world-wide.

## **2. Purpose of the Consultancy Service**

The purpose of this consultancy service is to lead and support the undertaking of a GPR in a UNICEF Croatia CO in order to: (i) shape and refine country programme planning alignment with the UNICEF GAP 2018-2021 relevant for the area of justice, (ii) conduct in depth context/gender analysis to identify the root causes of the selected gender issues, and (iii) identify potential UNICEF programmatic and institutional responses, and the means to track results. Furthermore, the GPR process is expected to increase overall knowledge and understanding of the gender sensitive justice concept within the Croatian context.

## **3. Objectives**

**Objective 1: Conducting an in-depth gender analysis to identify causes and drivers of gender inequalities (including stereotypes and biases) in child related justice system, and providing description of gender sensitive justice concept in Croatia**

Gender analysis should identify and describe:

- a) overall country context in respect to justice,
- b) the scope of gender biases, barriers and bottlenecks within child related justice system (particularly regarding the prevention, early detection, programming and treatment for children and youth)

- c) the key gaps in terms of national responses (policy, access/use of services, social norms etc. - determinant analysis),

The analysis and description of gender sensitive justice concept in Croatia should provide detailed explanation of this concept within the Croatian context.

**Objective 2: Providing recommendations for enhancing Croatian Country Programme in the field of gender sensitive justice:**

- a) Identification of all CP results that are relevant to the country programme context and for addressing gender sensitive justice
- b) Identification of gender bottlenecks and barriers that prevent the achievement of selected CP results
- c) Analysis of current output activities and how do they address (if at all) gender bottlenecks/barriers related to output activities
- d) Formulation of needed programmatic responses to address gender bottlenecks and barriers that prevent the achievement of selected gender related CP results
- e) Identification and modification of relevant indicators to measure progress for gender related programme interventions within selected CP results (including reflection on RAM indicators, as relevant)
- f) Identification and specification of required resources (staffing, knowledge, budget) and partners to achieve selected results

**4. Proposed Methodology:**

- **Desk Review** of the relevant documents and reports regarding gender sensitive justice, UNICEF CO CPD 2017-2021, relevant UNICEF CO's programme documents, UNICEF Strategic Plan and GAP, as well as guides and instructions for conducting GPR (see recommended literature).
- **Consultations and Interviews** with relevant audiences (relevant UNICEF's staff, CSO representatives, relevant ministries' representatives, Ombudspersons and other relevant stakeholders, including academia experts, if needed)

Main findings from the information collected from the documents can be cross checked during the interviews.

**5. Duration:**

23 working days within two months period; from October 15<sup>th</sup> to December 15<sup>th</sup>, 2018.

**6. Management and Supervision**

The consultant will be directly supervised by the Deputy Head of Office and UNICEF M&E Officer/Gender Focal Point and will work in close cooperation with Head of Office, Child Protection Officer, Regional Gender Advisor and Regional Child Protection Advisor.

**7. Deliverables and Tentative Timeframe:**

Consultant is expected to deliver following final products:

- 1. Country Analysis Report** on identified gender related issues as well as causes and drivers of gender inequalities in child related justice system, with detailed explanation on gender sensitive justice concept in Croatian context.

The report should be written in English language and no longer than 20 pages.

The report should include an executive summary (3 pages) highlighting the review process, the main findings and recommendations.

- 2. Gender Programmatic Review Report**

The Report should be written in English language and no longer than 20 pages.

The report should incorporate information from Country Analysis Report

Detailed information on suggested GPR Report Outline is provided in the GPR Management and Operational Guide

Table below shows a preliminary GPR schedule with required deliverables that may be subject to change during the process in agreement with UNICEF.

<b>Suggested Procedures with Required Deliverables</b>	<b>Responsible person(s)</b>	<b>Consultant's WDs</b>	<b>Deadline</b>
1. Desk review and analysis of available information and data regarding gender sensitive justice issue in Croatia; interviews with relevant stakeholders (if required)	Consultant	7	
2. Developing Draft Country Analysis Report	Consultant	4	7/11/2018
3. Reviewing Draft Country Analysis Report	<i>HoO, Deputy HoO, CP Officer, CO's GFP, Regional gender advisor, Regional CP advisor (remote)</i>		15/11/2018
<b>4. Developing Final Country Analysis Report</b>	Consultant	1	22/11/2018
5. Desk review of relevant UNICEF's documents	Consultant	2	
6. In-depth discussions and interviews with relevant audiences	Consultant	2	
7. Preparing content and methodology for the validation meeting	Consultant	1	
8. Meeting with relevant UNICEF's team members and UNICEF's regional advisors (key partners might be invited if deemed necessary) – validation of initial GPR findings and recommendations; discussion on management response	Consultant <i>(relevant UNICEF's team members and UNICEF's regional advisors – on site)</i>	1	13/11/2018  TBC

8. Developing Draft GPR Report	Consultant	3	22/11/2018
9. Reviewing Draft GPR Report	<i>HoO, Deputy HoO, CP Officer, CO's GFP, Regional gender advisor, Regional CP advisor</i>		7/12/2018
10. Developing Final GPR Report and preparing webinar presentation for RO and interested CO staff	Consultant	2	15/12/2018
<b>Total:</b>		<b>23</b>	

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### **8. Ethical considerations**

UNICEF Procedure for Ethical Standards in Research, Evaluation, Data Collection and Analysis should be consistently applied throughout the process can be found at:

[https://www.unicef.org/supply/files/ATTACHMENT\\_IV-NICEF\\_Procedure\\_for\\_Ethical\\_Standards.PDF](https://www.unicef.org/supply/files/ATTACHMENT_IV-NICEF_Procedure_for_Ethical_Standards.PDF)

### **9. Key competencies, technical background, and experience required:**

- Advanced university degree in social sciences, international law or international development.
- At least 5 years of strong technical skills in gender and justice/child protection, research and ability to support countries especially on gender and justice programming assessments or reviews.
- Substantive and programmatic experience in Justice (justice for children preferred), Gender and Child Rights.
- Demonstrated experience in using the evidence base on gender in shaping and implementing programmes.
- Good understanding of Croatian child protection and justice system.
- Strong analytical skills in gender programme design and assessment, especially as it relates to access to justice.
- Excellent written and verbal communication skills, with strong interpersonal and presentation skills.
- Fluency in English and Croatian is required.
- Some prior experience with UNICEF or UN agency programme planning is advantage.

### **10. Proposed Literature**

- Bloom, B.E., Covington, S.S. (1998.) Gender-Specific Programming for Female Offenders: What is it and Why is it Important?, Paper presented at the 50th Annual Meeting of the American Society of Criminology, November 11-14, 1998, Washington, D.C. (<http://prisonyoga.org/wp-content/uploads/2013/01/Gender-Specific-Programming-for-Female-Offenders.pdf>)
- Bloom, B.E., Covington, S.S. (2001.) Effective Gender-Responsive Interventions in Juvenile Justice: Addressing The Lives of Delinquent Girls, Paper presented at the 2001 Annual Meeting

- of the American Society of Criminology Atlanta, Georgia, November 7-10, 2001 (<http://www.centerforgenderandjustice.org/assets/files/7.pdf>)
- Children's Equitable Access to Justice: Central and Eastern Europe and Central Asia (2015) - UNICEF and IDLO (<https://www.unicef.org/eca/reports/children%E2%80%99s-equitable-access-justice-central-and-eastern-europe-and-central-asia>)
  - Gender Action Plan 2014-2017 ([https://www.unicef.org/esaro/UNICEF\\_Gender\\_Action\\_Plan\\_2014-2017.pdf](https://www.unicef.org/esaro/UNICEF_Gender_Action_Plan_2014-2017.pdf))
  - Gender Action Plan 2018-2021 ([https://www.unicef.org/gender/files/2018-2021-Gender\\_Action\\_Plan-Rev.1.pdf](https://www.unicef.org/gender/files/2018-2021-Gender_Action_Plan-Rev.1.pdf))
  - Gender Programmatic Review Toolkit (2018.), to Support Gender-Responsive Programming in UNICEF Country Offices in Alignment With UNICEF's Gender Action Plan And Strategic Plan, 2018-2021 ([https://unicef.sharepoint.com/teams/PD/GAP/Resources/Gender%20Programmatic%20Review%20Toolkit\\_April%2016%202018.pdf](https://unicef.sharepoint.com/teams/PD/GAP/Resources/Gender%20Programmatic%20Review%20Toolkit_April%2016%202018.pdf))
  - Jeđud Borić, I., (2013.) Rodna osjetljivost prilikom procjene rizika i potreba te programiranja intervencija za djevojke s problemima u ponašanju, Ljetopis Socijalnog Rada, Vol.19 No.2 (<https://hrcak.srce.hr/95517>)
  - Kamenov, Ź., Galić, B. (2011.) Rodna ravnopravnost i diskriminacija u Hrvatskoj: istraživanje "Percepcija, iskustva i stavovi o rodnoj diskriminaciji u Republici Hrvatskoj", Vlada Republike Hrvatske, Ured za ravnopravnost spolova, Zagreb, (<http://idiprints.knjiznica.idi.hr/131/1/rodna%20ravnopravnost%20i%20diskriminacija%20u%20hrvatskoj.pdf>)
  - Leskoviku, M., Prenc M. (2015) Access to Justice for Children, An Evolving Concept, Mediterranean Journal of Social Sciences (<http://www.mcser.org/journal/index.php/mjss/article/view/6221>)
  - Lokas, M., Bouillet, D. (2006.) Rodne razlike u manifestiranju rizičnih ponašanja učenika zagrebačkih osnovnih škola: procjene razrednika, Kriminologija & socijalna integracija: časopis za kriminologiju, penologiju i poremećaje u ponašanju, Vol.14 No.2 (<https://hrcak.srce.hr/99059>)
  - Peters, S.R., (1998.), Guiding Principles for Promising Female Programming: An Inventory of Best Practices, What Does Gender-Specific Programming Look Like in Practice? ([https://www.ojjdp.gov/pubs/principles/ch2\\_6.html](https://www.ojjdp.gov/pubs/principles/ch2_6.html), <https://www.ojjdp.gov/pubs/principles/contents.html>)
  - Prioritising access to justice for all children (2014) – UNICEF (<https://www.unicef.org/eca/reports/prioritising-access-justice-all-children>)
  - Vladović, S. ur., (2012.) Zaštita prava i interesa djece s problemima u ponašanju – Zbornik, (<http://dijete.hr/download/zastita-prava-i-interesa-djece-s-problemima-u-ponasanju/>)

## 11. Travel

If UNICEF determines that the Consultant needs to travel in order to perform his or her assignment, that travel shall be specified in the contract and the Contractor's travel costs shall be set out in the contract. For the purpose of covering travel expenses, consultants will receive reimbursement from UNICEF, according to the UNICEF policy and procedures.

## 12. Payment Conditions:

Payment will be made in two allotments. First upon the submission and acceptance of the final Country Analysis Report; second after the finalization of the GPR process and submission of final GPR report.

## 13. 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. This ToR is an integral part of the contract (SSA) signed with the consultant.

Zagreb, September 24<sup>th</sup>, 2018

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