

**United Nations Children's Fund**  
Executive Board

## **Revised country programme document**

**Montenegro (2010 – 2011)**

### *Summary*

The draft country programme document (CPD) for Montenegro (E/ICEF/2009/P/L.9) was presented to the Executive Board for discussion and comments at its annual session of 2009 (8-10 June). The Executive Board approved the aggregate indicative budget of \$1,500,000 from regular resources, subject to the availability of funds, and \$1,500,000 from other resources, subject to the availability of specific-purpose contributions, for the period 2010-2011. The revised CPD proposes an amount of \$3,000,000 from other resources.

In accordance with Executive Board decision 2006/19, the present document was revised and posted on the UNICEF web site no later than six weeks after discussion of the CPD at the annual session. The revised CPD will be presented for approval by the Executive Board at its second regular session of 2009.

<i>Basic data<sup>†</sup></i> <i>(2007 unless otherwise stated)</i>	
Child population (millions, under 18 years)	0.1
U5MR (per 1,000 live births 2008)	8.3
Underweight (% , moderate and severe, 2005)	3
Maternal mortality ratio (per 100,000 live births, 2007)	13
Primary school enrolment/attendance (% net, male/female, 2005)	98/97 <sup>a</sup>
Survival rate to last primary grade (% , 2005)	97 <sup>a</sup>
Use of improved drinking water sources (%) 2006	98
Use of improved sanitation facilities (%) 2006	91
Adult HIV prevalence rate (% , 15-49 years)	—
Child labour (% , children 5-14 years old, 2005)	10
GNI per capita (US\$)	4 730
One-year-olds immunized with DPT3 (%)	92
One-year-olds immunized with measles vaccine (%)	90

<sup>†</sup> More comprehensive country data on children and women are available at [www.unicef.org](http://www.unicef.org).

<sup>a</sup> Survey data.

## Summary of the situation of children and women

1. The independence of Montenegro from the State Union of Serbia and Montenegro in 2006, and the subsequent dual processes of nation-building and planned accession to the European Union (EU), continue to have important implications for the situation of women and children. The country has embarked upon an ambitious legal and judicial reform programme.

2. The new Constitution guarantees the primacy of international legal obligations, including the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, both ratified in October 2006. As an upper-middle-income country in the Western Balkans that is multi-ethnic, geo-politically stable and on track to meet most of the Millennium Development Goals, Montenegro is in a strong position to create optimal conditions for human development and security.

3. Disparities still represent an impediment to the fulfilment of child rights: some 11.3 per cent of the population lives in absolute poverty, with the incidence of poverty among Roma households almost five times higher (World Bank, Statistical Office of Montenegro, 2008). The north is three times poorer than the central and southern areas.

4. The Roma population suffers the effects of disparities in several areas. Research conducted by UNICEF and the Office of the United Nations High Commissioner for Refugees (UNHCR) in 2008 highlighted a lack of civil registration among Roma, which jeopardizes their ability to access basic services and fulfil their rights: almost 40 per cent, with almost equal numbers of males and females, do not possess appropriate legal documentation.

5. Widespread illiteracy among Roma, estimated at 80 per cent (Poverty Reduction Strategy Paper, 2003), is the main generator of their social exclusion and marginalization. Under a third of Roma children attend primary school, dropout is high among girls in particular, and fewer than 5 per cent of children have access to pre-schools. While the national under-five mortality rate is 10 deaths per 1,000 live births, it is four times higher for Roma. This situation could render achievement of Goal 4 challenging.

6. Baseline research, funded by Irish Aid, on most-at-risk-adolescents (MARA) from the Roma population displaced from Kosovo has revealed low levels of knowledge on HIV/AIDS; evidence of high-risk behaviour among males; and low levels of formal education, especially among girls (almost half of the girls surveyed had never been enrolled in school).

7. Respect for the protection of minorities and the promotion of gender equality requires significant attention, so that socio-economic development can support the elimination of disparities rather than contribute to their increase.

8. There have been significant steps forward in policies promoting inclusive education, but good parenting and attitudes towards children with disabilities require special focus, as does the development of a comprehensive set of alternative services for children without parental care and children with disabilities. Affecting the health and well-being of all children is the fact that only 19 per cent of mothers exclusively breastfeed for the first six months, with fewer than one in four mothers breastfeeding within one hour of birth (MICS 3).

9. Other child protection issues require attention. The rate of institutionalization of children per capita is among the highest in Europe and Central Asia. According to the third and most recent Multiple Indicator Cluster Survey (MICS 3), conducted in 2007, more than 60 per cent of children (63.5 per cent boys and 58.9 per cent girls) are subject to some form of psychological or physical punishment in the family. And at school, some 48 per cent of children (51 per cent boys and 49 per cent girls) in one survey were victims of bullying (UNICEF, 2006).

10. The Government of Montenegro has embarked upon reform of the judiciary sector. According to official statistics, the number of children in conflict with the law is increasing, testimony to the need for a protective environment for all children.

11. According to the Government's Strategy for Social and Child Welfare Development in Montenegro, 2008–2012, the existing social protection system does not comply in all of its elements with international commitments undertaken by Montenegro. A network of services is not developed, and the system is focused on financial benefits and institutional residence.

12. Gender issues require further emphasis. Domestic violence and attitudes towards gender-based violence in particular are worrying, and act as mirror to a patriarchal society. Almost 11 per cent of women perceive that physical violence towards them is acceptable (MICS 3), while the institutional response to protection of victims of violence is incomplete. A positive development was the Law on Gender Equality, which entered into force in August 2007. This law, for the first time in Montenegro's legislative history, promotes gender equality as a fundamental value of the legal system and stipulates a prohibition against discrimination based on sex. However, the law does not clearly address the principle of equal pay. There

are currently 9 female parliamentarians out of 81, and few notable women in senior leadership positions in the Government.

13. Advancements made in enhancing citizens' participation in decision-making remain fairly limited due to a predominantly centralized state administration and underdeveloped communication channels between central and local levels. Decentralization, as well as its full democratization and system of accountability, remains an ongoing challenge in the future.

14. As Montenegro has been defining its presence regionally and globally as a sovereign State, there has been a proliferation of laws, strategies and policy documents at national and local levels, which have in turn had an impact on the nature and pace of the reform process. Despite steady progress, gaps between frameworks and implementation remain, including in the judicial and social sectors, where accelerated effort is needed. Montenegro still needs time and support to build up its systems, to strengthen national local public administration capacities, and to complete the development of the needed statistical infrastructure to monitor the situation of all girls and boys, particularly the most vulnerable.

## **Key results and lessons learned from previous cooperation, 2007–2009**

### **Key results achieved**

15. The country programme was carried out during a critical period when the country was putting into place the legal foundations of a modern European state. The programme has supported the drafting of a number of legal and policy documents, contributing to an overall legal framework that is increasingly becoming harmonized with international standards. It provided inputs to the draft Constitution, which now guarantees protection of children from psychological, physical, economic and any other exploitation or abuse. The 2007 Family Law, developed with the support of UNICEF and Save the Children UK, is fully in line with the Convention on the Rights of the Child.

16. Strong collaboration with the Secretariat for European Integration and key Ministries of Health, Labour and Social Welfare, facilitated the inclusion of a sub-chapter on children's rights under the section 'Political Criteria' of the National Programme of Integration to the EU, 2008–2012 (NPI) This marked a major breakthrough in the programme's efforts to put children at the heart of the accession process.

17. The publication of MICS 3 in 2007 heralded the start of a move to build a body of evidence on children for rights-based policy-making. This led to important policy and public discussions on a number of issues, including parenting practices, disability, minority rights and violence against children and women. The Government submitted its first report as an independent country to the Committee on the Rights of the Child in November 2008. The country programme provided data and specialized orientation on the process of development of the Government [report](#).

18. One of the key achievements has been the inclusion of juvenile justice system in the overall national legal reform. Building an earlier project funded by Swedish International Development Agency (Sida), 'Children's Chance for Change', the

country programme played a transforming role in attitudes and practice and helped to create momentum for legislative and operational alternatives for children at risk or in conflict with the law. As a result, the first EU grant for Instrument for Pre-Accession Assistance awarded in Montenegro was for children, and supports a partnership among UNICEF, the Ministry of Justice, the Ministry of Health, Labour and Social Welfare and other stakeholders to implement a comprehensive juvenile justice system reform programme.

19. The findings of the baseline research on MARA from the Roma population displaced from Kosovo enabled the Government to integrate MARA into the new national strategy on HIV (2010–2015), and to expedite the introduction of youth-friendly health services (YFHS) standards, focusing on MARA. The process of undertaking the research has itself contributed to strengthening the capacities of officials in the public health sector, and has reaped important lessons on involvement of target populations in discussing findings and generating solutions.

### **Lessons learned**

20. Implementation of the Programme on Policy Reform revealed the importance of approaching the development of the new legal framework through a child-centred lens. This has laid the ground for the programme to play an important accompanying and normative role as Montenegro completes the process of aligning existing and new laws and policies with the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women and the EU *Aquis Communautaire*. Programmatically, an evaluation of the country programme support to juvenile justice, carried out as part of multi-country thematic evaluation initiated by the UNICEF Regional Office for Central and Eastern Europe and the Commonwealth of Independent States and published in April 2007, revealed the importance of a greater focus on prevention and strengthening linkages between social protection and justice. These strategies will be pursued in the new programme.

21. While the existence of laws and strategies is an important first step, sustainable results for children will only materialize if adequate human and financial resources support implementation. The issue of human resources and their ability to implement the ambitious reform agenda has come to the fore, particularly in relation to building a legacy for children. It will be important to invest in capacity development for child rights at the earliest opportunity, in areas such as statistics, social work, teaching, early childhood, child psychology, child psychiatry, child rights, and juvenile law.

22. Piloting in Montenegro has proven to be a successful strategy for the programme. This was documented in the case of the development of the first day care centre for children with disability in one municipality, and its success led to the Government's commitment to scale up the centres across Montenegro, with construction now under way in several municipalities. The new context requires the programme of cooperation to continue facilitating access to good practices, model new approaches, and forge linkages with national and international bodies of expertise. In order to support both the strengthening of national capacities and government reforms, the programme has focused on bringing in high-quality technical expertise, including people and institutions from within the region and those with a knowledge of the region, in a sustained fashion. This has had a positive

bearing on results achieved in juvenile justice reform and on the early stages of de-institutionalization.

## The country programme, 2010–2011

### Summary budget table

<i>Programme</i>	<i>(In thousands of United States dollars)</i>		
	<i>Regular resources</i>	<i>Other resources</i>	<i>Total</i>
Child protection and social inclusion	300	2 000	2 300
Child rights, policies and planning	900	900	1 800
Cross-sectoral costs	300	100	400
<b>Total</b>	<b>1 500</b>	<b>3 000</b>	<b>4 500</b>

### Preparation process

23. Though this country programme covers two years in order to harmonize with the cycle of the United Nations Development Programme (UNDP), its components differ in substance and scope from those of the previous programme. The components are based on the priority areas identified in the midterm review of the previous cooperation, led by the Government. The strategic focus emanates from extensive discussions on the unique contribution that UNICEF can make in light of the country's independence, national priorities and middle-income status. A Strategy Meeting with the Government and United Nations partners was held on 9 February 2009. Widespread consultations also took place with the international community, local stakeholders, and civil society.

### Goals, key results and strategies

24. The overall goal is to support national efforts towards ensuring that children and women, particularly those who are in need of special protection, live in poverty and are socially excluded, enjoy and exercise their rights.

25. Anchored in the principles of the Millennium Declaration, current reforms in the social sectors will be harnessed to create an enduring 'ethos for children' in Montenegro so that all girls and boys grow up healthy, educated, protected and able to develop to their full potential. To this end, the country programme will build partnerships, develop capacities, secure commitment, and facilitate validated solutions that effectively support the Government and civil society in their efforts to improve the status of all boys and girls.

26. The programme will contribute to the following key results: (a) improvement in the ratio of children in institutional versus family or community-based care by at least 10 per cent; (b) increase by 30 per cent in the number of juvenile offenders who are diverted to non-punitive care and protective services; (c) timely reporting of practices harmful to women and children increased; (d) children and women's rights monitored and reported to a high standard, and information on the situation of

children and on disparities and exclusion regularly and widely disseminated; and (e) increased investments for children at risk or socially excluded.

27. The country programme comprises two mutually reinforcing components: **child protection and social inclusion**; and **child rights, policies and planning**. These reflect the unique contribution the programme can make in supporting Government and institutions to complete the child care system reform agenda and implement the legal framework for children at the central and local levels; invest in inclusion and protection of the most vulnerable and marginalized groups; strengthen capacities in planning, child rights monitoring, and budgeting; create a framework for a sustainable legacy for child rights; and facilitate a child rights perspective in the application of Copenhagen Criteria for accession to the European Union.

28. Communication for development will be a key strategy for sustainability across the programme. As Montenegro is an earthquake-prone country, the programme will continue to make preparedness a priority strategy.

#### **Relationship to national priorities and the UNDAF**

29. The priorities of the country programme correspond very closely to the sub-chapter on children's rights in the National Programme of Integration to the European Union, 2008–2012, which covers all laws and strategies developed by the Government. The chapter on children's rights prioritizes justice for children, child and social protection, early childhood development, and monitoring and evaluation. The programme is aligned with many national strategies, including the Judicial Reform strategy, the Strategy for Social and Child Welfare Development 2008-2012, Roma strategies and action plans, and the national strategy on inclusive education and the strategy on persons with disabilities.

30. Montenegro does not have a United Nations Development Assistance Framework (UNDAF) and will develop a strategic framework for United Nations coherence. The programme will contribute to broader United Nations joint programming priorities to tackle gender-based violence and HIV/AIDS, and to promote social inclusion, focusing on the Roma, Ashkalia and Egyptian population groups and building on empirical research on MARA within the Roma population.

#### **Relationship to international priorities**

31. The Millennium Declaration, the Millennium Development Goals and the priorities of the UNICEF medium-term strategic plan 2009–2013 are integrated into the country programme, with a strong focus on child protection, gender equality and social inclusion. Priority populations mirror those highlighted in global compacts, and include children living in poverty, children of minority groups, children without parental care, women and children at risk or subject to harmful practices, and children with disabilities.

32. Efforts to strengthen democracy, human rights and the rule of law in line with international standards and some EU membership criteria provide an opportunity to address persistent inequalities based on gender, background and origin, and to foster active participation and social inclusion of all children and young people.

33. The programme's focus areas, including juvenile justice, child care system reform, social inclusion of Roma and vulnerable children and youth, human resource development and legal reform, are particularly relevant in supporting the

Government to meeting its reporting commitments to Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women. The participation of children and young people in fulfilling the aims and objectives of the programme will strengthen the programme's thrust on environmental sustainability, educational quality, minority and employment rights, gender equality, HIV prevention, and prevention of violence, abuse and neglect.

## **Programme components**

### **Child protection and social inclusion**

34. This programme component aims to address gaps in the completion and implementation of the child care system reform agenda, and to secure greater investment and action in inclusion and protection of the most vulnerable and marginalized boys and girls, including Roma, refugees, children with disability, children living in poverty, children in conflict with the law, children without parental care children at risk and child victims of violence, abuse and neglect.

35. **Child care system reform** includes the following expected results: (a) an increase by at least 25 per cent in the proportion of children and families having access to preventive and inclusive programmes in the social welfare, health and education systems; (b) an increase by at least 10 per cent of both boys and girls having access to family and community-based alternatives to institutionalization; and (c) enhanced support to biological families for prevention of separation and for formal child care in line with international standards. This will be achieved mainly through the transformation of residential institutions and the development of local capacities for provision of gender-sensitive family support and family substitute services.

36. The programme will enable the Government to better monitor the implementation of internationally agreed standards in maternity wards, including for breastfeeding, which will link into an overall strategy on prevention of abandonment and innovations for better parenting, including promoting the role of fathers through creative communication for development strategies.

37. The programme will support revision of the Law on Social Protection; development and implementation of a strategy on fostering children; and, with World Health Organization (WHO) technical support, an updating of the legal framework on mental health and an introduction of a code on breast-milk substitutes. The aim is to provide policy support for alignment with international norms.

38. Pursuing a broad capacity-development strategy, the programme will make available specialized assistance for the development and implementation of standards for family and community-based child and social protection services, and facilitate international knowledge transfer, including lessons learned in child care system reform. In order to complete the links between policy and standards development and implementation, the programme will model new approaches, based on internationally validated best practice, including small group homes for children with disability.

39. The programme will continue to build on achievements in juvenile justice system reform. Key results include: (a) independent and regular monitoring of a

separate system for juvenile justice in line with international standards; (b) an increase by at least 30 per cent in the number of families and children at risk with access to preventive programmes; (c) an increase by at least 30 per cent in the availability of gender-sensitive community-based alternatives for children in conflict with the law.

40. Improved juvenile treatment will be achieved through the adoption of a separate juvenile code and the introduction of standards for work with juveniles in which all processes are directed at promoting and protecting child rights and through reliable independent monitoring and community-based alternatives to incarceration. These standards will be based on proven approaches to supporting boys and girls at risk and in conflict with the law, with a focus on prevention and linked to efforts in de-institutionalization, violence against children and social inclusion.

41. Addressing violence against children and women will include these expected results: (a) additional social programmes are available to address violence against women and children; and (b) gender-appropriate standards for multi-sectoral responses to child abuse, neglect and exploitation are introduced.

42. In order to contribute to such change in attitudes towards violence, the programme will work in partnership with United Nations agencies, the Council of Europe, the Organization for Security and Co-operation in Europe (OSCE) and non-governmental organizations (NGOs) (including women's groups) to gather baseline evidence, raise awareness and improve behaviour regarding harm, abuse and neglect. The programme will leverage the support of Government, EU and other international partners for additional social interventions such as crisis and gender-appropriate counselling centres, and provision of temporary crisis shelters for victims of violence and trafficking. Efforts will include widespread communication for development. UNICEF and UNHCR have supported local-level Operational Multidisciplinary Teams to address violence, abuse and neglect; once these are fully integrated into the system, the programme will provide technical support for standards development.

43. Special attention will also be given to civil and birth registration; and to exposing Roma and refugee children, with a special focus on the girl child, to the rhythm of learning through quality education and to becoming socially included. The following are expected results: (a) policies and budgets preventing and redressing exclusion of children successfully applied at national and local levels; and (b) most at-risk adolescents, especially girls, in and out of school, have correct and gender-sensitive information and relevant skills to reduce their risk and vulnerability to HIV.

44. High-quality inclusive pre-school and primary education will be fostered through providing access to internationally accepted methods that work; technical support to implementation of existing policies on social inclusion; and development of a national policy on early childhood development, including pre-school education. Investments for children at risk or socially excluded will be increased through the provision of sex-disaggregated data and information, including budgetary analysis and tracking. Replication of youth-friendly services and the promotion of healthy lifestyles will be achieved through the promotion of learning opportunities and national adoption of standards.

45. Major counterparts in the programme will be the Ministries of Labour and Social Affairs; Justice, Interior, Education, **Health**, Finance, **European Integration**, and Minority and Human Rights; the Bureau of Educational Services and the Institute of Public Health; municipal authorities; pre-school institutions; social welfare centres; local media; civil society organizations; NGOs; and local associations (such as that for parents of children with disability). International and local partners include United Nations agencies, specifically UNDP, UNHCR and WHO; the EU, OSCE, Council of Europe, and the Foundation Open Society Institute (OSI).

46. Regular resources will be used mainly to make core technical local and international expertise available to the Government and other partners. Other resources will be mobilized to support modelling and innovation, communication for development, and system reform.

### **Child rights, policies and planning**

47. Support to the implementation of the new legislative framework, as well as subsequent monitoring of the fulfilment of rights, is instrumental to the successful development of the country. Institutional capacity to monitor child rights, as well as leadership and coordination on children's issues at the national and municipal levels, require further attention. Adequate statistics and analysis in general, and on children in particular, will have profound impact on planning, decision-making and reform. Strategic investment in human capital is needed, including in adequate school and academic programmes.

48. The following are expected results: (a) legislation is harmonized with the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, and supports European standards, is followed up with implementation; and (b) the Government and Ombudsman's Office collect, analyse and use disaggregated data and monitor the realization of children and women's rights for evidence-based policy development.

49. The programme component will use norms and practices of the Convention on the Rights of the Child to support an approach to the Copenhagen Criteria for EU accession from a child rights perspective. Evidence-based policy making will place children at the heart of the process. The programme will continue to broaden the base of evidence on children through empirical child-centred research, and other forms of knowledge transfer, including access to good practices.

50. Through significant investment in human resource development and a robust child rights infrastructure, the programme component will create a framework for a sustainable legacy for child rights-based planning and for the realization of child rights at national and local levels. It will strengthen the capacities of the Ombudsman's Office through the provision of technical support to the country's first Deputy Ombudsperson for children.

51. It is anticipated that relevant chapters of the *aquis communautaire* will give due weight to children's rights. This will be made possible by assisting Montenegro with accessing international 'know-how' for developing or revising laws and policies, including the National Programme for Integration to the European Union, Montenegro's first National Development Plan and a new National Plan of Action for Children. The programme will support the decentralization process through

technical inputs to the development, revision and implementation of Local Plans of Action for Children, and facilitation of in-country knowledge-exchange and learning. It will also support girls, boys and young people in sharing their ideas and opinions and in understanding their rights.

52. Significant attention will be given to defining the programme's legacy for children and to ensuring that professional capacities in the area of children and women's rights are fully developed. Professional skills in this area, along with enhanced capacities in research, policy development, planning and service delivery, will be developed at central and local levels through international networking of civil servants, academia and civil society.

53. Major counterparts will be the Ministries of Labour and Social Affairs; Justice, Interior, **Health**, Education, and **European Integration**; the Bureau of Educational Services and the Institute of Public Health, the Statistical Office of Montenegro, and the Ombudsman's Office. Strengthened links will be forged with the Human Resource Management Agency and Montenegrin and international universities. Municipal authorities, local media, civil society organizations, NGOs and youth groups will be key partners. International partners include United Nations agencies, the EU, OSCE, Council of Europe, OSI and the World Bank.

54. Regular resources will be devoted to policy development and implementation, participatory monitoring and social mobilization, capacity-building, and local international and national technical expertise. Other resources will be mobilized for specific programmatic interventions.

55. **Cross-sectoral costs** cover salaries of cross-cutting staff; travel, training and equipment, as necessary; and additional operational support to country office management and administration.

### **Major partnerships**

56. In addition to the partners listed under each component, the programme will work with Parliamentarians, the private sector, professional associations and academic institutions, the media local municipal authorities and services, and community-based organizations (especially women's and young people's organizations). International partners will include the United Nations agencies for social inclusion, protection and combating gender-based violence; the European Union on judicial reform, child protection and inclusion; the World Bank on budgeting for children; the Council of Europe on child rights monitoring; OSCE on violence prevention and juvenile justice; bilateral partners on child care system reform; and National Committees for UNICEF and the private sector.

57. Partnership is a priority for the entire programme. As the programme is designed to contribute to a sustainable legacy for children, it is essential to leverage short- and long-term results.

### **Monitoring, evaluation and programme management**

58. The programme will use a number of key indicators that include measuring pre-school enrolment rates; the ratio of children in institutional versus family or community-based care; the introduction of a juvenile justice code; the number and quality of situation and thematic analyses on the realization of children's and

women's rights, based on a human rights and gender analysis framework. Data will be disaggregated by gender, ethnicity and location.

59. A Situation Analysis of Women and Children, and baseline studies on child poverty, juvenile justice, and a benefit-incidence analysis of the education sector will be carried out. DevInfo, which is currently installed in the statistical office and main Ministries, but which is underused, will be revitalized as a standard monitoring tool.

60. Programme activities are coordinated with an integrated monitoring and evaluation plan, supplemented by an increase in field monitoring, following the introduction of the Harmonized Approach to Cash Transfer modality. Joint monitoring and field visits by UNICEF and government counterparts, with the participation of other United Nations agencies where relevant, will take place regularly.

61. The Ministry of Foreign Affairs is the overall coordinating Government partner, and co-chair with UNICEF of the Country Programme Action Team, an inter-sectoral body at Deputy Minister level. An extended Annual Review will take place at the end of the first year of the programme.

62. The UNICEF Montenegro Office will be located in Podgorica and housed in the United Nations 'Eco Premises' from 2011.

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