AZERBAIJAN

Summative Evaluation of the Project “Promoting Access to Justice for Children in Azerbaijan through national capacity building for State and non-State Actors”

Evaluation Report (vol.1)

8 December 2017

ACKNOWLEDGEMENTS

The International Consultant acknowledges the valuable guidance and support provided by the management and staff of UNICEF Country Office in Azerbaijan throughout the entire evaluation process. The evaluation has greatly benefitted from the support of the National Consultant of the Country Office on access of children to justice.

The International Consultant acknowledges the information, data and feedback generously provided by the National Preventive Group of the Office of the Commissioner for Human Rights, Ministry of Justice, Ministry of Internal Affairs, Ministry of Labour and Social Protection of the Population, Academy of Justice, Academy of Police, Delegation of the European Union to the Republic of Azerbaijan and World Bank Country Office in Azerbaijan, civil society organizations, professionals, parents and children during interviews, focus groups and site visits, which were used as part of the analysis.

The International Consultant is grateful for the assistance received from the branches of Youth Education Centre in Shirvan and Aghjabedy in the organisation of site visits and interviews with parents and children.

The contents of this evaluation report is the sole responsibility of the contractor and can in no way be taken to reflect the views of UNICEF.
Title: Summative Evaluation of the Project “Promoting Access to Justice for Children in Azerbaijan through national capacity building for State and non-State Actors”

Timeframe of the object evaluated: November 2014 – February 2017 (extended until August 2017)

Timeframe of the evaluation: July – December 2017

Date of the report: 8 December 2017

Country: Azerbaijan

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<td>ASAN</td>
<td>Azerbaijan Service and Assessment Network</td>
</tr>
<tr>
<td>AZN</td>
<td>Manat <em>(currency of Azerbaijan)</em></td>
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<tr>
<td>CAT</td>
<td>Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment</td>
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<td>CEDAW</td>
<td>Convention on the Elimination of all Forms of Discrimination against Women</td>
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<td>CEE/CIS</td>
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<td>CO</td>
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<td>Community-Based Organisation</td>
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<td>CSO</td>
<td>Civil Society Organisation</td>
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<td>DAC</td>
<td>Development Assistance Committee <em>(of OECD)</em></td>
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<td>GDP</td>
<td>Gross Domestic Product</td>
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<td>HDI</td>
<td>Human Development Index</td>
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<td>HRBA</td>
<td>Human Rights-Based Approach</td>
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<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<tr>
<td>IDP</td>
<td>Internally-Displaced Persons</td>
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<td>JJTF</td>
<td>Juvenile Justice Task Force</td>
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<tr>
<td>KAP</td>
<td>Knowledge, Attitudes, Practices</td>
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<tr>
<td>MDG</td>
<td>Millennium Development Goals</td>
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<tr>
<td>M&amp;E</td>
<td>Monitoring and Evaluation</td>
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<tr>
<td>MIS</td>
<td>Management Information System</td>
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<td>NGO</td>
<td>Non-Governmental Organisation</td>
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<td>NPG</td>
<td>National Preventive Group</td>
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<td>OECD</td>
<td>Organization for Economic Cooperation and Development</td>
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<td>OP</td>
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<td>Results-Based Management</td>
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**EXECUTIVE SUMMARY**

This document represents the Evaluation Report of the project “Promoting Access to Justice for Children in Azerbaijan through national capacity building for State and non-State Actors” (hereinafter referred to as “The Project”). The Project is the result of a successful application of UNICEF Azerbaijan Country Office (CO) to a Call for Proposals launched by the EU Delegation early 2014 under the European Instrument for Democracy and Human Rights and Neighbourhood Civil Society Facility. The evaluation was conducted between July and December 2017.

**Purpose and Objectives of the Evaluation**

The purpose of this summative evaluation was two-fold: a) to improve accountability for the achievement of results and use of resources; b) to support the improvement of children’s access to justice, including juvenile justice reforms in the country through recommendations for further enhancement of the Project results.

The main objective of the evaluation was to assess the final (end) results of the Project in relation to its objectives and the logical model of change. More specifically, the evaluation was aimed to:

1. Assess the relevance, effectiveness, efficiency, impact and sustainability of the Project;
2. Provide recommendations to strengthen access to justice for children system in Azerbaijan;
3. Inform the scaling-up of Project approaches at national level, based on documentation of good practices and lessons learnt in the delivery of legal aid and legal representation services at local level.

The intended main beneficiaries of the evaluation were UNICEF CO, EU Delegation, Ministry of Justice, Ministry of Labour and Social Protection of the Population, Ombudsman and its National Preventive Group (NPG).

**Evaluation Object**

The object of the evaluation was the project “Promoting Access to Justice for Children in Azerbaijan through national capacity building for State and non-State Actors”. The Project aimed to strengthen the protection of human rights of children at risk in contact with the justice system in line with EU and international principles, by achieving three outcomes: enabling framework for improved access of children at risk to child-friendly justice mechanisms; enhanced access of children in contact with the justice system to services in line with their best interest; and improved societal attitudes and perceptions about children at risk in general society.

The target groups of the Project included: Ombudsman, its regional offices and NPG members; line ministries (justice, interior, labour and social protection); regional non-governmental organisations (NGOs) working in target districts; professionals from justice and child protection sectors; and the general public. The final beneficiaries were vulnerable children and families (rights-holders) accessing child-friendly justice mechanisms and legal support services.

The Project was implemented by UNICEF CO in partnership with World of Law Legal Propaganda NGO and Youth Education Centre (co-applicants). It had an initial duration of 28 months (November 2014-February 2017) which was extended with six additional months until August 2017. The Project had a budget of € 402,990, of which € 300,000 (74%) secured from a grant provided by the EU and € 102,990 (26%) representing matching funds from UNICEF CO.

**Evaluation Methodology**

The evaluation applied a mixed-method approach, including: stakeholder mapping; mapping of situation and contextual analyses, barriers and bottlenecks; in-depth documentary review and structured desk analysis of Project design, implementation approaches, documenting of results and processes; structured desk analysis of policy documents and legislative frameworks; analysis and testing of the reconstructed logical model (Theory of Change - ToC); analysis of results from monitoring and evaluation (M&E) systems and data at national and district level; aggregation and analysis of data collected via the mapping templates; contribution analysis to determine factors which promoted or impeded the progress against intended results and attribution analysis to the extent possible; systems analysis of management, monitoring, quality control and assurance strategies; mapping of risks analyses and mitigation measures; financial analysis; analysis of sustainability strategies and systemic barriers to sustainability; in-depth interviews and focus group; participant observation during site visits to sample districts.

The evaluation was carried out in three phases. In the Inception Phase, review of key documentation and development of data collection, analysis and evaluation tools were done. The Data Review and Collection Phase
was mainly devoted to the collection of primary data from key stakeholders at central and district levels during an in-country visit. In the Synthesis Phase, the evaluation applied the standard evaluation criteria analysis (relevance, efficiency, effectiveness, impact and sustainability) in combination with Human Rights-Based Approach and Results-Based Management in order to assess the achievement of results, draw informed conclusions and provide recommendations for validation by key stakeholders during a workshop planned for 14 December 2017.

Main Findings and Conclusions

The Project has managed to increase the access of 3,351 vulnerable children to free legal aid and legal representation services, covering a major gap in terms of availability and affordability of quality services in the districts where it operated: Shirvan, Mingechevir, Gabala, Aghjabedy and Shamkir and neighbouring districts.

The rights of 3,500 children living in closed facilities are better monitored and they are more likely to get redress in case of rights violation.

The contribution of the Project to the improvement of the juvenile justice legislation and capacities of professionals as well as the awareness raising and communication activities addressed to local authorities and the general public have resulted in an enabling framework for improved access of children and parents at risk to more child-friendly justice mechanisms.

More specific findings and conclusions for each evaluation criteria are presented below.

Relevance

- The Project was fully in line with the national priorities in the area of access of children to justice as well as with the European and international human rights commitments of the country. The legal aid and legal representation services designed and implemented by the Project proved to be highly relevant for the needs of vulnerable children and parents (poor, with disability, IDPs).
- A better needs-based selection of target districts and timing of awareness raising activities would have increased the outreach in rural and remote areas where the access to justice of vulnerable children and parents is most challenging.
- The Project remained relevant in time, as demonstrated by various sector assessments and concluding observations of human rights bodies which were released during its lifetime as well as by the persistently high demand of children and parents for free legal support services.

Effectiveness

- Implementation of the Project has delivered valuable results, i.e.: a) NPG capacity developed to strategize on priority areas of concern, identify complex cases of violence against children and understand the root causes for children’s placement in detention or alternative care; b) new legislative proposals related to access of children to justice developed and lobbied for adoption in partnership with the Juvenile Justice Task Force (JJTF), EU Delegation and the World Bank; c) knowledge of law enforcement professionals on approaching children in contact with the law and related issues improved; d) number of NGO legal support centres outside Baku, with functional services for children and families in need, increased; e) attitudes and perceptions of professionals and society on children at risk and of their rights improved (to a certain extent).
- The factors which contributed to Project effectiveness were the blended implementation strategies at national and district level which were used in concert to influence the determinants of low access of vulnerable children and families to justice. Other enabling factors included the use of the potential of JJTF to discuss and advocate for changes in the legal framework and the mobilisation of top level national and international expertise for capacity development.
- The effectiveness level of the Project would have been higher in case of better timing of several activities, tailoring of learning opportunities to the absorption capacity of district child protection commissions and a better understanding by justice and social welfare officials and professionals of their complementary functions in the justice for children. With these few exceptions, the overall effectiveness level of the Project was found to be adequate and close to what was planned by its designers.

Efficiency

- The Project has been implemented in a professional, efficient and culturally-sensitive manner. The funds were allocated and spent according to the approved budget, in an accountable and cost-effective
way. UNICEF CO used an efficient results-based monitoring approach, which improved the district-level activities of the Project from the perspective of outreach and take-up rate of legal aid and legal representation services. The quality of legal support was primarily monitored based on the satisfaction level of beneficiary children and families which were interviewed ad hoc. Efficiency of monitoring at the Project level has been impeded to a certain extent by the lack of baselines and targets in the case of several indicators.

- The delays caused by the changes in the legislation on contracting NGOs have been recovered and the Project was the only one within the democracy and human rights stream of the EU call for proposals in 2014 which managed to be finally implemented, based on a contractual solution proposed by UNICEF and agreed with the EU Delegation. Nevertheless, the conclusion of individual contracts with consultants rather than institutional agreements with regional NGOs had some effectiveness, efficiency and sustainability costs.
- The Project built upon the existing partnerships and cooperation mechanisms with the Government and Ombudsman, and experience of working at community level. The main fora for debate and cooperation was the JJTF where UNICEF CO played an active role. The Project has been coherent with similar initiatives financed by the EU and the World Bank; the two donors and development partners joined UNICEF CO to advocate for changes in the juvenile justice legislation.

**Impact**

- At a higher-level results in the logical model (ToC), a quantitative assessment of the Project contribution to outcomes for children could not be done due to several evaluation constraints. Nevertheless, parents and professionals noted the improvement of the living standard of the family through opening the access to various services and social benefits; removal of the risk of pre-trial detention of children which would have had serious emotional impact on their future development; and changes in the attitudes of children who prevented them from committing further crimes. The professionals have also noted improvements in the justice proceedings from the perspective of children rights.
- The results in terms of outcomes for children and parents were affected by some changes in the legislation which occurred during Project implementation and the insufficient social services at local level for referral of vulnerable children. The provision of a package of services, including legal aid, psychological, social assistance, etc. by a multi-disciplinary team of specialists could have more efficiently addressed the needs of vulnerable children and families.
- Overall, the Project had a positive contribution to the progressive realisation of the rights of children in contact and conflict with the law in the target districts.

**Sustainability**

- There are important prerequisites which were developed by the Project to ensure the sustainability of its results, notably the amendments of the legal and strategic framework in the area of access of children to justice and the development of new knowledge and skills of law enforcement, child protection and other professionals which were internalised in their everyday work routine.
- As far as legal support services are concerned, one month after the end of the Project (October 2017) they were still functioning in four out of five districts (80%), but at a much lower capacity, with a weak outreach and under significant financial risk. While the need for providing free of charge legal aid and legal representation services to vulnerable children and families seems to be widely acknowledged, there is no shared vision among stakeholders on how to ensure their sustainability, especially in the light of their scaling up at national level.
- The implementation of these services was instrumental in highlighting what could be done (how and with what impact) by investing an average amount of AZN 64/child (around US$ 37). Expansion of services to other districts would require a smaller investment since there will be no need to redevelop training curricula, working methodologies, file management forms and data collection and reporting tools, as these are already available. An upscaling plan would be required, with equity and quality at the heart of the rolling out process at national level.

**Recommendations**

The evaluation provides a number of strategic and programmatic recommendations (SP) and operational (O) recommendations in line with the ToR and the need to engage all major stakeholders in a concerted effort for the improvement of access of vulnerable children and parents to justice in Azerbaijan.
Strategic and Programmatic Recommendations (SR)

SP1: Ensure the prerequisites for the sustainable expansion of legal aid and legal representation services for vulnerable children and families at national level – Addressed to: Ministry of Justice with the support of UNICEF CO and in partnership with JJTF, relevant line ministries (social protection, education, health), Parliament and training providers (Academy of Justice, Police Academy).

SP2: Adopt a systems building approach to justice for children that mutually strengthens the justice and social welfare systems, and national rights bodies, to comprehensively prevent and respond to children in conflict with the law, child victims and child witnesses – Addressed to: Ministry of Justice, Ministry of Labour and Social Protection of the Population with the support of JJTF and UNICEF CO

SP3: Strengthen the capacity of local NGOs to become strong partners of local government and UNICEF in pursuing the access of children to justice and overall child rights agenda at district level – Addressed to: UNICEF CO, EU Delegation and other interested development partners

SP 4: Empower rights holders (children and parents) in contact with the justice system to claim their rights and seek redress – Addressed to: Regional justice departments and NPG (Ombudsman) in partnership with UNICEF CO and NGOs

Operational Recommendations (O)

O1: Carry out a quick quality and financial sustainability assessment of services in the target districts supported by UNICEF four-six months after the end of the Project - Addressed to: UNICEF CO, regional justice departments

O2: Improve the results architecture, evaluability and risks mitigation of future UNICEF initiatives - Addressed to: UNICEF CO

Lessons Leant

Several key lessons emerged from the findings of this evaluation, as follows:

1) Improved access of vulnerable children to justice requires not only the provision of free of charge, quality legal aid services, but also awareness raising and communication for development which can give voice to children, their families and communities to promote child protection. The Project demonstrated that the outcomes for vulnerable children would have been better if implementation of awareness raising and communication activities were done in concert with the delivery of legal aid and legal representation services. Communication for development can support social mobilisation, advocacy, and behaviour and social change in order to obtain stronger outcomes for children and policy change to tangibly benefit children in contact with the law.

2) Strategies to ensure effective access of children to justice should target both children and the adults that are responsible for their care. The Project has provided legal aid and legal representation services to children and their parents; it has thus avoided the gap usually arising from the legal and social status of children who, on the one hand, have rights as individuals but, on the other, lack full autonomy and are dependent on adults. Apart from supporting parents for getting access to various services, of utmost importance is to also develop their parenting skills so as to strengthen the supervision of children who are prone to criminal acts, according to the feedback of a large number of professionals who were interviewed for the purpose of the evaluation.

3) In establishing access to justice mechanism (e.g. a legal aid service) for children in contact with the law, quantitative measurement of success is insufficient. As far as the evaluated Project is concerned, UNICEF CO strived to employ a results-based monitoring system by requesting the regional consultants to report on successfully completed cases. As detailed in the Effectiveness section, the respective quantitative indicator was unable to fully measure the performance of the districts. The quality of the legal aid service is very important and quality standards and indicators should be developed and used as well as monitoring of beneficiaries after referral to social protection, health and education services.
1. **Context of the Evaluation**

### Key features of the country context

#### Geographic location and demography
Azerbaijan is a former Soviet Union country situated in the South Caucasus region, which proclaimed its independence in 1991. It has a population of 9,810,000 people in 2017, of whom 53% live in urban settlements. The most densely populated is the capital of Azerbaijan, Baku, where about 23% of the entire population is living. There are 2,607,000 children (0-17 years), of whom 1,393,900 boys and 1,213,800 girls. Over the last ten years, the number of children had a decreasing trend.

#### Political membership and agreements
Azerbaijan is a member state of the United Nations (UN) since March 1992 and a member state of the Council of Europe since January 2001. A Partnership and Cooperation Agreement with the European Union (EU) has been signed in 1996 (in force since 1999), providing for wide-ranging cooperation in the areas of political dialogue, trade, investment, economic matters, legislation and culture. Since 2004, Azerbaijan has been in the European Neighbourhood Policy and also in the Eastern Partnership initiative since its inception in 2009. A new agreement is currently negotiated to offer a renewed basis for political dialogue and mutually beneficial cooperation.

#### Economy and labour
Azerbaijan is an upper-middle-income country which has redefined itself over the past two decades from a struggling newly independent state to a major regional energy player due to high revenue from oil and gas production. On average, the economy grew by 15.3% per year in real terms during this period. The Gross Domestic Product (GDP) in 2015 was US$ 5,561.5. Declining oil prices caused a contraction of 3.8% in GDP in 2016, accompanied by higher inflation and a weakened banking sector in the aftermath of the two sharp currency devaluations in 2015. Other major obstacles impeding Azerbaijan’s economic progress included the insufficient investment in the non-energy sector and the continuing conflict with Armenia over the Nagorno-Karabakh region, forcing around 700,000 people, including children, to leave their land as refugees or Internally Displaced Persons (IDPs). The unemployment rate was on decline, reaching 5.1% in 2016 compared to 11.8% in 2000. Nevertheless, the proportion of the employed among the workable population has been decreasing. Given Azerbaijan’s ‘youth bulge’ and large influx of youth into the labour market, it is expected that the country will face some challenges regarding future job creation for young people in the next decades.

#### Human development, poverty and inequality
Azerbaijan’s Human Development Index (HDI) for 2015 was 0.759, positioning the country at 77 out of 188 countries and territories and placing it among the countries with a high human development. Poverty in Azerbaijan fell sharply, from 49% in 2001 to 29.3% in 2005 and to 4.9% in 2016 (measured at the national poverty line); yet, it increased to 5.9% in 2016 (Figure 1). Disparities remain acute in the country. Poverty rates are higher for the people

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outside of Baku. Many people living in small towns are unemployed or trapped in low-paid jobs. Over 51 per cent of the poor live in rural areas. Another group at high risk of poverty are the IDPs whose poverty rate is around 18% (almost three times higher than the overall population). They are more likely to have worse living conditions, and are less likely to be employed or economically active, the government assistance being their major source of income.

Economic and social challenges for children. Poverty rates are the highest among families with many children, in particular among those living in remote areas, as well as upland or mountainous areas. Birth registration among rural children and children in the poorest quintile is particularly low (in both cases 8% of under-fives are unregistered). Children who are not registered at birth encounter major difficulties in getting access to services and thus realisation of their rights, including the right to education, health, justice and a family environment, protection from abuse and neglect. Families with low income are eligible for Targeted Social Assistance (TSA), a means-tested benefit introduced in 2006. According to a recent assessment, only 17 poorest households out of 100 households in need benefit from TSA, suggesting that the programme needs to be improved to cover most of the poor, including households with children.

According to the official statistics, the disability prevalence is 26 per 1000 children (2015). There are 67,081 children with disabilities who were registered as recipients of pensions and benefits, representing 2.6% of the child population. Despite policy and legislation achievements, there are still gaps in service delivery. The inadequacy of services provided to children with disabilities, and the insufficient availability of inclusive education opportunities make such children frequently precluded from attending school, hinder progress in social attitudes towards persons with disabilities and exacerbate the stigmatisation that they frequently face. However, initiatives are currently underway that seek to promote the social integration of persons with disabilities.

As far as child care reform is concerned, a Master Plan for Transformation of Child Care Institutions has been adopted in 2008. Data provided by State Statistics show that a sharp decrease in the overall number of children cared for by institutions, from 14,389 children in 2008 to 9,886 children in 2016.


19 Committee on the Rights of the Child (2012), "Concluding Observations: Azerbaijan", CRC/C/AZE/CO/3-4
20 e.g. draft National Programme to Promote the Rights of Persons with Disabilities, draft State Programme for the Development of Inclusive Education, etc.
The decrease in the number of children permanently living in institutions was rather modest (from 4,055 children to 3,292 children)\textsuperscript{22}. In 2017, 639 orphans and children without parental care were placed in public institutions.\textsuperscript{23} Efforts to close institutions have not been always accompanied by the development of community-based alternative services to support families and children at risk of neglect and abuse, and children with disabilities. In 2013 there were still over 1,500 children with disabilities living in institutions, the majority of whom were not orphans,\textsuperscript{24} while additional 1,500 children came to institutions for educational purposes. There has also been a lack of social workers able to provide social services to prevent the inflow of children to institutions and facilitate their placement in foster care or in adoption\textsuperscript{25}.

Children and the justice system

The number of offences committed by juveniles over the last decade has been relatively low and generally in decline, from 631 in 1998 to 395 in 2016.\textsuperscript{26} A similar descending trend was registered by the number of juveniles aged 14-18 years who committed a criminal offence (Table 1).

Table 1. Crime among children aged 14-18 years old in Azerbaijan, 2012-2016

<table>
<thead>
<tr>
<th>Number of children aged 14-18 who committed a crime</th>
<th>2012</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of children per 10,000 children</td>
<td>8.1</td>
<td>8.9</td>
<td>8.7</td>
<td>8.9</td>
<td>8.5</td>
</tr>
<tr>
<td>Number of children aged 14-18 convicted</td>
<td>235</td>
<td>272</td>
<td>280</td>
<td>286</td>
<td>261</td>
</tr>
<tr>
<td>Number of children aged 14-18 imprisoned</td>
<td>76</td>
<td>68</td>
<td>72</td>
<td>95</td>
<td>79</td>
</tr>
</tbody>
</table>


The absolute number of children who were charged with a criminal offence has decreased since 2012 from 490 to 442 children in 2016, while the rate of child offending as a proportion of the total child population has remained relatively constant. The children who were convicted as a proportion of those charged with committing a criminal offence increased significantly, from 47.9% in 2012 to 59% in 2016. The rate of imprisonment of convicted children has fluctuated considerably over the past five years, decreasing from 32% in 2012 to 25% in 2013 and increasing back to 30.2% in 2016.

The age of criminal responsibility in Azerbaijan is 16, or 14 for specified serious crimes.\textsuperscript{27} Persons under the age of 18 can be sentenced to detention for periods of up to 10 years. The conditions of detention are often poor and inadequate. Recovery, assistance and reintegration services for persons under the age of 18 in conflict with the law are insufficient.\textsuperscript{28} The situation of child victims of crime is unknown.

Many of the children who offend are noted to be those from disadvantaged backgrounds: from poorer and less well educated families, and those affected by separation and divorce.\textsuperscript{29}

The transition processes after independence from the Soviet Union have brought large-scale legal and judicial reforms in Azerbaijan. As part of UNICEF’s regional agenda, juvenile justice reform has been initiated in Azerbaijan in 2007, which resulted in significant improvements for the protection of the rights of juveniles in conflict with law. Nevertheless, there are still a number of challenges and gaps in ensuring an effective access to justice for children which have to be addressed in order to meet the needs of children and families in risks and comply with the international human rights commitments of the country.

These key challenges are the following:

\textsuperscript{22} UNICEF (2017), “Assessment of the situation of children and women in Azerbaijan” (draft)
\textsuperscript{24} UNICEF (2017), “Assessment of the situation of children and women in Azerbaijan” (draft)
\textsuperscript{26} State Statistical Committee (2017), “Crime and Offence in Azerbaijan”, Baku
\textsuperscript{27} Criminal Code of the Republic of Azerbaijan, Article 20.
\textsuperscript{28} Committee on the Rights of the Child (2012), “Concluding Observations: Azerbaijan”, CRC/C/AZE/CO/3-4
\textsuperscript{29} Hamilton, C., Yarrow, E., Anderson, K. (2016). “ASSESSMENT OF THE JUSTICE SYSTEM IN AZERBAIJAN AS IT RELATES TO CHILDREN IN CONFLICT WITH THE LAW”, Coram International at Coram Children’s Legal Centre
- Legislative gaps impeding a better access to justice for children

Child protection and juvenile justice systems are rather new in the country, and there are gaps in the regulatory framework which raise significant implementation difficulties of legal provisions. The main gap identified in the domestic legislation is the absence of a juvenile justice law or comprehensive provisions within existing laws relating to juvenile justice. The Law on the Rights of the Child is lacking detailed provisions on children in conflict with the law. The specific provisions applicable to juveniles in the Criminal Code and the Code of Criminal Procedure are insufficient to ensure full compliance with the UN Convention on the Rights of the Child (CRC). To accelerate progress in juvenile justice, a “justice for children” approach in the national legal system should be adopted and fully implemented.

- Insufficient capacity of state authorities to effectively monitor and report on violations of the rights of children in contact and conflict with law

The National Preventive Group (NPG) on Ill-treatment and Torture of the Human Rights Commissioner (Ombudsman) has proved a useful tool in the protection of rights of most vulnerable groups. However, it encountered some challenges in terms of effectively preventing alleged cases of serious human rights violations in police detention centres and child care institutions, in particular related to children with delinquent behaviour (education/correctional schools) and children with mental health issues living in long-term residential facilities. These challenges have been mainly related to its limited capacity to strategize on priority areas of concern, expertise gaps in identifying psychological or emotional violence committed against children as well as in data collection and analysis, and insufficient ability to undertake frequent visits to specific detention centres/facilities with high number of complaints.

- Limited capacity of law enforcement and justice professionals to ensure adequate access of children to justice

There are no juvenile units in the law-enforcement and justice systems and many professionals (police officers, prosecutor officials, justice workers) lack the necessary knowledge and skills to deal with children going through the justice system. Provisions on the necessary specialisation and experience for personnel working on juvenile cases are missing. Few mandatory training sessions on juvenile justice are provided for professionals who work with juveniles, and comprehensive training on juvenile justice is not included in pre-service training for relevant professionals. The specialised training modules that exist are mostly voluntary and do not appear to provide in-depth sessions on juvenile justice. Staff members working at the districts have to travel to Baku to attend trainings at the national institutions.

- Poor capacity of Civil Society Organisations (CSOs) to use legal aid and judicial procedures to attain protection of the rights of children

Few steps have been taken since the last CRC Committee Concluding Observations in 2012 to address the need of children to be provided with quality legal advice and representation. There is no effective, quality legal aid system of the Government providing legal advice and representation for children in conflict with the law. Although there are many Non-Governmental Organisations (NGOs) in Azerbaijan working for children, very few of them specialise in providing legal aid and legal representation for children. There is only one NGO with necessary knowledge and skills in child rights programming that focuses on access to justice, based in Baku, while regional NGOs lack the capacity to address many challenges faced by children, especially by those living in remote villages, where public transport is a

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serious impediment to accessing services. Two-thirds of the country’s population live outside of Baku and that over 50% of rural population don’t have access to regularly functioning public transportation\textsuperscript{36}.

- **Challenges in the effective functioning of child protection system to support access to justice for children at risk**

Azerbaijan’s child protection system lacks the role of social work in the identification and management of vulnerability risks for children. The Law on Social Services has defined the role of social workers in the social protection system, but specific guidelines are missing. Due to this gap, social work is not recognized in health, education, social protection and justice systems and consequently, there are no social workers in the public administration system which is a key barrier to the effective delivery of social services to the most deprived children and families\textsuperscript{37}. Many children who offend are living in fragile and fractured families, affected by poverty, low enrolment or attendance of school, unemployment, mental health problems, absent fathers and loss\textsuperscript{38}. These children would benefit from family support from child protection services. Currently, only NGOs employ social workers in their Projects and projects.

A similar gap in the justice system has wider implications. The current law-enforcement system in Azerbaijan does not employ social workers. There are currently no child specialist investigator units in the police and similarly no child specialists in the Prosecutors Office. Therefore the police are charged with undertaking family assessment, without having specific knowledge and skills to fulfil this task. Similarly, because no social worker is available in court, children going through the justice system, and their families face unnecessary burden, their needs are not adequately met, which result in violation of the rights of children. Most often this leads to violations of the EU and UN standards and principles on procedures involving children in conflict with law, child victims and witnesses of crimes.

- **Challenges in the functioning of child rights commissions at district level**

There is a Commission on Minors’ Rights and Affairs in each district in Azerbaijan, which is headed by the first deputy of the district administrator (Executive Committee). The members of the commission are heads of key district offices, such as police, education, health, social protection, etc. Additionally, in each district, there are Commission on Adoption and Guardianship and Medico-Psychological Commission, which also deal with specific child rights issues. According to existing laws, these commissions have far reaching authority and powers in protecting the rights of children, but due to under-staffing and under-financing, they are not performing sufficiently well.

- **Negative societal attitudes and perceptions about children at risk**

The situation analysis of women and children in Azerbaijan identified a great need for a change of attitude on issues related to the image of the child at risk in society, including of children in contact and conflict with the law, children with disabilities, street children, children victims of violence, etc. The majority of population and some key decision makers see these issues in a way that perpetuates the neglect and violation of the fundamental rights of these children. The situation analysis has also shown an increasing number of rights holders (children and young people, parents/caregivers) with reduced knowledge and capacity to claim their rights, and of duty bearers (service providers, decision makers, civil servants, etc.) with knowledge, attitudes, practices (skills) and behaviours which impede the desired changes for improving the child protection system, including justice for children in Azerbaijan. According to an assessment of UNICEF Country Office (CO) of social change communication capacity among government partners and NGOs (2011), the capacity to plan, design, implement, monitor and evaluate strategic communication for behaviour and social change projects was rather weak.

**Legal framework**

The major pieces of legislation covering access of children to justice, and in particular juvenile justice, in Azerbaijan are the **Criminal Code 1999 and the Criminal Procedure Code 2000**, which sets out due process guarantees afforded to persons (including children) who are in conflict with the law. As already mentioned above, there is no specific juvenile justice law. Related laws include the Azerbaijani

\begin{footnotesize}
\textsuperscript{36} Grant Contract signed by UNICEF with the donor, Annex A Description of Action
\textsuperscript{37} UNICEF Azerbaijan Country Project Action Plan 2016-2020
\end{footnotesize}
Constitution 1995; the Law on the Rights of the Child 1998; and the Law on Juvenile Homelessness and Delinquency Prevention 2005, which set out rights protections to which children are entitled.\(^\text{39}\)

The Law on Social Services 2012 is also relevant, as it sets out the rights and entitlements of children and families to social services, and sets out a framework for the implementation of social services to the population. This Law is particularly relevant in the context of prevention – responding to the social protection needs of vulnerable children and families with children who may be at risk of offending. Persons in hardship are defined as children who have experienced the loss of parents / parental care; children who have health problems; children who are neglected or are ‘living in socially dangerous conditions’; victims of human trafficking or domestic violence; persons who are homeless; and persons facing social deprivation.\(^\text{40}\)

The Constitutional Law on Human Rights Commissioner (Ombudsman) expands on the Ombudsman’s structure and role. Although the Ombudsman is not specifically dedicated to children, children are included within its jurisdiction in so far as they are detained in institutions. The Ombudsman has the right to receive complaints on violations of human rights from all persons in Azerbaijan, take decisions in regards to complaints, investigate complaints and take actions as a result of a complaint.\(^\text{41}\)

**International human rights commitments**

Azerbaijan is a party to the CRC\(^\text{42}\), the International Covenant on Civil and Political Rights (ICCPR)\(^\text{43}\) and the CAT.\(^\text{44}\) In addition, it is a party to the European Convention on Human Rights\(^\text{45}\) and a range of other regional instruments.

While all of these instruments are relevant to access of children to justice, the most important instrument is the CRC supplemented and supported by the UN Minimum Standards and Norms in Juvenile Justice\(^\text{46}\) and General Comment No. 10 (2007) of the UN Committee on the Rights of the Child. In its Concluding Observations (March 2012)\(^\text{47}\), the Committee on the Rights of the Child expressed concern on the lack of law enforcement personnel specialized in child-related investigations and in interrogation of children in conflict with the law; and on the fact that children are often held in pre-trial detention for long periods and are not always detained separately from adults, particularly in the case of female detainees. The Committee has thus urged Azerbaijani State party to strengthen its efforts to ensure that the principle of the best interest of the child is appropriately integrated and consistently applied in all legislative, administrative and judicial proceedings; ensure the training of all its legal, penitentiary and law enforcement professionals on the Convention; ensure that persons under the age of 18 are deprived of liberty only as a last resort and for the shortest appropriate period of time, in particular by developing and implementing alternatives to custodial sentences.

As a member of the Council of Europe, the Government of Azerbaijan has also agreed to comply with the Guidelines of the Committee of Ministers of the Council of Europe on Child Friendly Justice 2010 (‘Child Friendly Justice Guidelines’). The Guidelines set out the needs, rights and entitlements of children who are involved in judicial proceedings and criminal justice.

The country has also ratified the Convention for the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1995. In its latest Concluding Observations\(^\text{48}\), the CEDAW Committee calls for action towards supporting IDPs, the majority of whom are women and girls, through: the allocation of adequate resources to meet the needs of IDP displaced women, concerning in particular their access to adequate income-generating and education opportunities for themselves and their

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\(^{40}\) Ibid.

\(^{41}\) Ibid.

\(^{42}\) Acceded to on 13 August 1992 without reservation

\(^{43}\) Acceded to on 13 August 1992 with no specific reservation relating to criminal justice

\(^{44}\) Ratified on 15 September 1996

\(^{45}\) Ratified on 15 April 2002


children; and ensuring that IDP women and girls have adequate access to health-care services, education and freedom of movement.

**Institutional Framework**

The relevant actors in the justice system are the judiciary, the Judicial-Legal Council, the prosecution, the Ministry of Justice, the Ministry of Interior and the Justice Academy.

**The Ministry of Justice** plays an important role in the administration of justice. Its main responsibilities include strategic planning and evaluation of the justice sector; participation in the selection of judicial personnel; drafting, adoption and implementation of bylaws and regulations; coordination of law-drafting activities of the Government and legal review of the quality of draft laws; and rendering administrative regulations and performing other administrative functions relevant to the judiciary. The Ministry is responsible for legal aid, oversight of the work of the notary system, registration of legal entities and real property, and enforcement of judicial decisions.

The **key institutional actors in the area of juvenile justice** and with a role of increasing the access of children to justice are the following:

- **The Police** (operating under the Ministry of Internal Affairs in each district): most common first point of contact for children in conflict with the law, and also for children who are victims or witnesses of crime; staffed by two child inspectors dedicated exclusively to issues concerning prevention of child offending; investigation is carried out by generalist police investigators.

- **The Prosecution**: In general, two separate prosecutors are assigned to work on each case. One prosecutor conducts the investigation and submit an indictment and a second prosecutor presents the case in court. There are no prosecutors who specialise in, or whose work focuses on, cases involving children and it is not clear if a critical mass of prosecutors have received specialised training on prosecuting children or on ensuring that a child is able to understand and participate in judicial proceedings.

- **Courts with jurisdiction over juvenile cases**: district and city courts, the Court of Appeal of the Republic of Azerbaijan and the Supreme Court of the Republic of Azerbaijan. The Criminal Procedure Code does not provide for a separate juvenile court and makes it clear that the conduct of proceedings concerning minors shall be the same as for adults. Despite these provisions, there is currently one juvenile court operating on a pilot basis, which is situated in the Baku Grave Crimes Court. Some judges received a limited amount of training on juvenile justice on an ad hoc basis.

- **Legal Aid Institutions**: legal aid clinics operational in nine districts of Azerbaijan, which provide legal aid services to ensure access to justice in regions where courts are established.

- **Azerbaijan Bar Association**: members of the Association provide legal assistance to citizens and organizations in criminal cases and civil cases— including cases involving children. Every lawyer in Azerbaijan must be registered at the Bar Association in order to practice. The Bar Association do not have a specialist children’s group.

- **Commission on Minors’ Rights and Affairs and Local Commissions**: The Commission on Minors was established in 2002 with the stated mandate of having an educational influence on minors, protecting their rights and legal interest and controlling their behaviour. The local Commissions are tasked with protecting the rights and legal interests of minors, coordinating the work of all the bodies and institutions carrying out activities focused on prevention of offences of minors, involvement with the police in juvenile justice issues, and providing an opinion on the appropriate care solutions for children deprived of parental care.

- **Ministry of Labour and Social Protection of Population**: The Ministry’s work is not particularly relevant to juvenile justice. However, recent reforms may result in the Ministry becoming more involved with children who offend.

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• **The Ombudsman**: while the Ombudsman is not a specialised institution dedicated to child rights, it does carry out investigations relating to violations of child rights and publishes special reports on children. The Ombudsman gathers information on children from a variety of sources which include child hotlines, visits to detention centres, institutions and IDP settlements.

• **State Committee on Family, Women and Children Affairs**: central executive body, with the primary mandate of monitoring implementation of state policy on family, women and children’s issues. It also runs 11 centres offering social and legal support to women and children. The Committee experts may also be called to attend a criminal trial of a child, and may attend at will in civil cases involving children.

• **Other**: Detention Facilities/ Penitentiaries, Diversion and Rehabilitation Institutions

The Human Rights Commissioner (Ombudsman) was set up to restore the human rights and freedoms enshrined in the Constitution of the country and in the international treaties to which the Republic of Azerbaijan is a party. As mentioned above, the Ombudsman fulfils the functions of the national preventive mechanism in accordance with the Optional Protocol to CAT. With the purpose of preventing torture and other cruel, inhuman and degrading treatment or punishment, the NPG of the Ombudsman’s Office visits, on regular basis or in the circumstances deemed necessary, closed facilities, including those where children are detained.

**Role of international organisations**

In the area of access of children to justice, UNICEF is a strategic partner supporting the Government of Azerbaijan in the design and implementation of key reforms, on the basis of a five-year Country Programme Action Plan and in the framework of work plans signed with the Ministry of Justice and other relevant line ministries and national partners. UNICEF also works towards capacity development of key actors, testing new services and achieving social change through effective use of communication. Together with partners at policy level and local community level, including civil society, UNICEF has implemented several projects focused on increasing the access of children to justice, financed by EU and World Bank. It has also initiated a Juvenile Justice Task Force Group whose membership includes key national stakeholders and civil society representatives with the aim of discussing and advocating for changes in the legal and administrative framework for improved access of children to justice.

The World Bank is a major player in the justice sector and its Judicial Modernization Project (ended in 2015) was the largest externally financed project supporting key justice sector reforms. The project piloted two Legal Information Centres in Baku and Guba district which provided free legal aid to 4,380 users and enabled the Ministry of Justice to test cost-effective approaches to legal aid for the vulnerable. The Judicial Services and Smart Infrastructure Project constitutes a second phase of World Bank support for Azerbaijan to improve the performance of its justice sector and strengthen access to justice, especially for the vulnerable. According to project document[50], special attention has been paid to selected poverty, gender and social inclusion issues and policies as they relate to the justice system and access to justice for IDPs, refugees, women, juveniles and unserved populations in remote areas.

The European Union is another major player in the area of justice sector reform within the European Neighbourhood Policy. Justice sector reform is a top priority for EU support to Azerbaijan since 2006 and continues to be (Single Support Framework for 2014-2017) for both developmental reasons and as a key area for promoting EU values. Through its European Instrument for Democracy and Human Rights and Neighbourhood Civil Society Facility, the EU has financed several grant projects for improving the access of children to justice, two of them being implemented by UNICEF CO.

There are other international development partners and donors that contribute to reforming the justice system, and indirectly the juvenile justice, most notably USAID, the German International Cooperation Enterprise for Sustainable Development (GiZ) and the American Bar Association.

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2. OBJECT OF THE EVALUATION

The object of this evaluation is the project “Promoting Access to Justice for Children in Azerbaijan through national capacity building for State and non-State Actors” (hereinafter referred to as “The Project”).

The Project, triggered by the results of several juvenile justice assessments, is the result of a successful application of UNICEF CO to a Call for Proposals launched by the Delegation of the European Union to the Republic of Azerbaijan (EU Delegation) early 2014 under the European Instrument for Democracy and Human Rights and Neighbourhood Civil Society Facility.

The Terms of Reference (ToR) (Annex 1), the Description of Action (DoA) and the Logical Framework provide a good overview of the Project to be evaluated. Nevertheless, the progression from implementation to results and the links in the results chain are unclear. The Logical Framework include an ‘overall objective’, three ‘specific objectives’ and six ‘results’, but there is no clear distinction between the different types of results (outputs, outcomes, impact). This is not necessarily a matter of different terminology used in the Logical Framework, but of an unclear hierarchy of change that the Project was supposed to bring about.

In order to facilitate a results-based approach to analysis of evaluation findings and better conceptualise the intended change processes starting with inputs towards impact-level contribution, the International Consultant has reconstructed the logical model in the form of a Theory of Change (ToC) with some inputs from UNICEF CO. The ToC explains the logical links between needs and bottlenecks on one side, and UNICEF interventions on the other side, and link this work with the higher level results in the hierarchy of change (Figure 2). Its results and activities at various levels are referenced against the ones in the Logical Framework so as to show the link with the original logical model.

The main features, logic and changes foreseen to be brought about by the evaluated Project are presented below.

Overall objective (Impact statement)

The overall objective of the Project was to strengthen the protection of human rights of children at risk in contact with the justice system in line with EU and international principles.

Outcomes

Based on the reconstructed logical model above (ToC), the Project aimed to reach its overall objective by achieving three outcomes:

1. Enabling framework for improved access of children at risk to child-friendly justice mechanisms
2. Enhanced access of children in contact with the justice system to services in line with their best interest
3. Improved societal attitudes and perceptions about children at risk in general society

Outputs

In line with the intervention logic, the ToC further develops the overarching outcomes into several expected outputs, as follows:

Related to Outcome 1

1.1 Legislative and administrative framework related to access of children to justice developed
1.2 Ombudsman and relevant state authorities have increased capacity to effectively monitor and report on violations of rights of children in contact and conflict with the law
1.3 Law enforcement professionals are better informed and trained on juvenile justice and children’s rights

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51 The TOR make reference to two key reports i.e. evaluation report of the UNICEF-led Project on legal aid in Azerbaijan and UNICEF and EU report “Juvenile Justice in the CEE/CIS Region: Progress, Challenges, Obstacles, And Opportunities”, 2013
52 This is appended as Annex I to the Grant Contract concluded between UNICEF CO and the donor i.e. European Union
53 SO = specific objective; R = result; A = activity (abbreviations in Figure 2)
**Figure 2. Theory of Change**

<table>
<thead>
<tr>
<th>BOTTLENECKS</th>
<th>INPUTS</th>
<th>MAIN ACTIVITIES</th>
<th>OUTPUTS</th>
<th>OUTCOMES</th>
<th>IMPACT</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Lack of a juvenile justice law or comprehensive provisions in existing juvenile justice laws</td>
<td>Finance (EU, UNICEF), staff, situation analysis and evaluations revealing the obstacles that hamper the protection of children in contact and conflict with the law</td>
<td>• Revision to the legislative and administrative framework based on lessons learned from results of the activities (prepare new legislative acts, organise advocacy events) ( (A7) )</td>
<td>1.1. Legislative and administrative framework related to access of children to justice developed ( (R6) )</td>
<td>1. Enabling framework for improved access of children at risk to child-friendly justice mechanisms ( (OO, R4) )</td>
<td>Strengthened protection of human rights of children at risk in contact with the justice system in line with EU and international principles ( (OO) )</td>
</tr>
<tr>
<td>• “Substandard conditions” in pre-trial detention, ill-treatment and torture of children</td>
<td></td>
<td>• Capacity building and technical assistance to the National Preventive Group (NPG) on ill-treatment and Torture of Ombudsman to better monitor violations of rights of children in justice, social care and school systems (develop capacity building module, develop Management Information System (MIS), develop 3-year strategy of NPG and support implementation, support strategic monitoring of children’s rights in closed state facilities) ( (A1) )</td>
<td>1.2. Ombudsman and relevant state authorities have increased capacity to effectively monitor and report on violations of rights of children in contact and conflict with the law ( (R1, SO2) )</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Low capacity of state authorities to monitor and report on violations of rights of children in contact/conflict with law in line with human rights standards</td>
<td></td>
<td>• Capacity-building of the law-enforcement personnel working with children in contact with the law, including those allegedly in conflict with it (organise dedicated trainings) ( (A6) )</td>
<td>1.3 Law enforcement professionals are better informed and trained on juvenile justice and children’s rights ( (R5) )</td>
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<tr>
<td>• Limited knowledge/skills of law enforcement and justice professionals to deal with children going through the justice system; no training opportunities for staff outside Baku</td>
<td></td>
<td>• Capacity building of at least five local/regional NGOs on the concepts and main principles of access to justice for children (assess capacity, sign agreements with NGOs, develop training modules, organise trainings) ( (A2) )</td>
<td>2.1. CSOs have the knowledge, abilities and functional support Projects to use legal aid and judicial procedures to attain protection of the rights of children ( (R2, SO1) )</td>
<td>2. Enhanced access of children in contact with the justice system to services in line with their best interest ( (R2) )</td>
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<tr>
<td>• No quality legal aid system of the Government or experienced NGOs to serve children in conflict with the law;</td>
<td></td>
<td>• Technical support to selected regional NGOs on designing and delivering community-based support mechanisms targeting children and families in need to access to justice services (contract NGOs, provide funding for service provision, monitoring) ( (A3) )</td>
<td>2.2. The child protection system is better staffed with social workers able to assist families and children in contact and conflict with the law using improved practices ( (R4, R5) )</td>
<td></td>
<td></td>
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<tr>
<td>• Low capacity of regional NGOs to address challenges faced by children</td>
<td></td>
<td>• Supporting efforts to bring social work to the justice system (develop guidelines on social work, hire social workers by the child protection system, train staff) ( (A5) )</td>
<td>3.1 Communication capacity of CSOs to improve perceptions and attitudes about children at risk in general society is strengthened ( (R3) )</td>
<td>3. Improved societal attitudes and perceptions about children at risk in general society ( (SO3) )</td>
<td></td>
</tr>
<tr>
<td>• Lack of employed social workers in the law enforcement and child protection system</td>
<td></td>
<td>• Change public perceptions through Communication for Development tools (organise trainings, develop communication plans, provide small grants to implement the plans, develop and print communication materials/publications, monitoring) ( (A4) )</td>
<td>3.2 Awareness of the public and professionals on the rights of children at risk is increased ( (R3) )</td>
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<tr>
<td>• Underperforming child rights commissions at district level</td>
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<td>• Negative societal attitudes and perceptions about children at risk</td>
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</tbody>
</table>

*Summative Evaluation of the Project “Promoting Access to Justice for Children in Azerbaijan” Evaluation Report, 8 December 2017*
Related to Outcome 2

2.1 CSOs have the knowledge, abilities and functional support Projects to use legal aid and judicial procedures to attain protection of the rights of children

2.2 The child protection system is better staffed with social workers able to assist families and children in contact and conflict with the law using improved practices

Related to Outcome 3

3.1 Communication capacity of CSOs to improve perceptions and attitudes about children at risk in general society is strengthened

3.2 Awareness of the public and professionals on the rights of children at risk is increased

Project Activities

For the achievement of Project expected outputs and outcomes, a rich set of activities has been planned, which included: carrying out capacity building actions and providing technical assistance to the NPG on ill-treatment and Torture of the Ombudsman to better monitor violations of rights of children in justice, social care and school systems; implementing capacity building activities for five regional NGOs on the concepts and main principles of access to justice for children; providing technical support to regional NGOs on the design and delivery of community-based support mechanisms targeting children and families in need to access to justice services (in particular legal aid and legal representation services); change public perceptions through Communication for Development tools; support efforts to bring social work to the justice system, including training of child protection officials and development of social work guidelines; carrying out capacity building activities targeting the law-enforcement personnel working with children in contact with the law, including those allegedly in conflict with it; revision of the legislative and administrative framework based on lessons learned from results of the activities. A more detailed list of activities grouped per level of intervention is provided in Figure 2.

Risks and assumptions

The Logical Framework indicates several assumptions and risks significant for the implementation of the Project, including54:

- **Assumptions:** a stable political and economic context; continued political readiness/support for justice reforms; commitment of the Government to implement the law on social services and of relevant line ministries to reform the juvenile justice and child protection system; continued support to CSOs and willingness of the government to work with them; independence of the Ombudsman Office and NPG; continued interest of the Ombudsman Office for reforms; supportive local authorities of the interventions; interest of professionals in Project activities;

- **Risks:** outburst of the armed conflict in Nagorno-Karabakh55; resistance of professionals to change their working practices; change in the major policy line of the Government.

Target Groups and Final Beneficiaries

The **Target Groups**56 of the Project (primarily duty-bearers) included: a) Ombudsman of the Republic of Azerbaijan, including its regional offices; b) members of the NPG; c) line ministries (justice, interior, labour and social protection); d) regional NGOs working in target districts (Shirvan, Mingechevir, Gabala, Aghjabedy and Shamkir); e) professionals working in justice and child protection sectors (law-enforcement personnel, judges, social workers, members of district-level Commissions on Minors’ Rights and Affairs, local government staff, etc.); and f) the general public.

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54 Some of the assumptions and risks in the Logical Framework are not external to the Project and its implementing partners (e.g. “commitment of the partners”), and were therefore not included in the list above.


56 The DoA does not explicitly define the target groups. A list appears only in the interim progress report (submitted after two years from project start) which does not entirely correspond to the definition of a target group as it includes stakeholders which were not directly addressed and affected by the Project activities, such as parliamentarians or penitentiary service facilities; instead, an important ‘group’ was left out, i.e. the general public, which was specifically targeted by the behaviour change interventions of the regional NGOs in the five districts. The list has been amended accordingly.
The Final Beneficiaries\textsuperscript{57} of the Project were 2,000 vulnerable children and families (rights-holders) per year to access child-friendly justice mechanisms, including legal aid and legal representation services and other services provided by NGOs and state authorities.

There is no state-alone definition of ‘vulnerability’ in the DoA, but it is the understanding of the International Consultant based on the review of Project documents and interviews with UNICEF CO and other key informants that it refers to: children in conflict with the law; children with disabilities; children in socially-disadvantaged situations or in need of extra support; child victims or witnesses of crimes; children held in correctional/educational institutions; children with mental health issues in long-term residential facilities; and children held in detention (pre / post-trial).

\textbf{Strategic Approach}

The review of the DoE, Logical Framework and the ToR of this evaluation indicates that the Project used a mix of strategic interventions to reach the intended results. In practice, the following core roles of UNICEF CO have been employed:

- \textit{Policy advice and advocacy}: through assistance provided for the improvement of legal and administrative framework as well as development of strategic documents (e.g. NPG three-year strategy), followed by advocacy for the adoption of new/revised legislation and strategies to ensure better access to justice for children.

- \textit{Capacity development of the key duty-bearers}: through technical assistance, training courses/workshops, development of working guidelines and management information system, etc. for the development and efficient delivery of new child-friendly legal/support services as well as for improved monitoring and reporting on violations of the rights of children in contact and conflict with the law. In particular, the Project focused on increasing the capacity of consultants of regional NGOs to be effective actors in resolving local child rights issues; and of the NPG of the Ombudsman Office to improve the protection of the rights of children in the justice system.

- \textit{Independent voice for the most vulnerable rights-holders, i.e. children and families}: working in partnership with NGOs to challenge social norms and improve perceptions and attitudes about children at risk through behaviour change methods, assisting the NGOs in the target districts to develop and implement communication action plans and communication for development tools.

- \textit{Partnership convening}: partnering with line ministries, the Ombudsman and NGOs for the implementation of Project activities; using UNICEF’s leveraging position with the central and local government authorities and standing with presidential administration for getting the necessary support and endorsement of Project activities in the target districts.

\textbf{Period of implementation and Financing}

The initial duration of the Project was fixed for 28 months (November 2014 – February 2017), but it has been extended for another six months until 31 August 2017. As a result, the overall duration of the Project was 34 months.

The Project had a budget of € 402,990, of which € 300,000 (74.44\%) secured from a grant provided by the EU and € 102,990 (25.56\%) representing matching funds from UNICEF\textsuperscript{58}.

\textbf{Implementation mechanism and partners}

The Project was implemented by UNICEF CO (main applicant in the EU call for proposals referred above) in partnership with World of Law Legal Propaganda NGO and Youth Education Centre (co-applicants).

\textsuperscript{57} As in the case of target groups, a list of final beneficiaries is included only in the interim progress report. The International Consultant streamlined the list, based on review and corroboration of various Project documents and in line with the reconstructed logical model (ToC). It has also highlighted the ‘vulnerability’ dimension of the final beneficiaries to also support the evaluation of human rights and equity aspects of the Project to the extent possible.

\textsuperscript{58} According to the Grant Contract, article 3, concluded between the Delegation of the EU to the Republic of Azerbaijan and UNICEF CO on 28.10.2014.
The role of UNICEF CO in the Project was two-fold: to ensure the technical and financial management of the Project, while also bringing in the technical expertise and policy advocacy leverage for the attainment of envisaged outcomes.

According to the DoA, the role of the two co-applicant NGOs was planned to be the following:

- **World of Law Legal Propaganda NGO**: implementation of the capacity building activities for regional NGOs and Ombudsman Office jointly with UNICEF CO; advocacy for legislative revisions and changes to the child protection system.
- **Youth Education Centre**: undertaking of behaviour change activities, based on their hands on experience in working with communities and young leaders; implementation of capacity building activities targeting the Ombudsman Office, using their experience in the field; advocacy for legal and administrative changes, jointly with UNICEF CO and the other co-applicant NGO.

The interim progress report confirms that the two NGOs were also involved in the selection of trainees, NPG needs assessment and training of law enforcement officials and local government representatives.

According to information shared with the International Consultant and documented in two internal notes and in the interim progress report, there have been some legal challenges which have not allowed UNICEF to transfer funds to its NGO partners. It was therefore agreed with EU Delegation to rather conclude an individual service contract with the director of World of Law Legal Propaganda NGO to ensure some funding transfers, as an interim solution, until a more sustainable one is worked out with the Government. As far as Youth Education Centre was concerned and given its regional presence in the country, the service contracts were signed with the head of office and one staff member of each of the local offices of the Youth Education Centre in Mingachevir and Aghjabedy. This contractual approach made possible the transferring of the small grants for legal aid services and communication/social change activities59 in the two target districts. The same approach has been used for the other regional participating NGOs (Training and Resources Centres) active in the other target districts, i.e. Gabala, Shirvan and Shamkir.

The overall coordination and guidance of the Project was planned to be ensured by a Project Steering Group composed of UNICEF CO staff and project officers from each co-applicant partner NGO. The Group intended to meet every three months to discuss and take decisions.

UNICEF CO and World of Law Legal Propaganda NGO are also members of the Juvenile Justice Task Force (JJTF) of the National Commission on Minors’ Rights and Affairs and Rights of Azerbaijan, established by the Deputy Prime Minister in July 2014 at the initiative of UNICEF, along with representatives of line ministries (justice, interior, education, labour and social protection, health), General Prosecutor’s Office, State Committee on Family, Women and Children Affairs, Ombudsman’s Office and Baku City administration. The JJTF meetings were used to inform the government partners on the progress of the Project and advocate for legislative and administrative changes for improved access of children to justice.

The framework for assistance and cooperation with Ombudsman’s Office and government partners was represented by the Rolling Work Plans (RWPs) signed by UNICEF and Ombudsman, respectively line ministers of Ministry of Internal Affairs, Ministry of Justice and Ministry of Labour and Social Protection of the Population.

The implementation of the Project has also engaged other partners, as follows:

- **NPG of the Ombudsman’s Office** has been a key beneficiary of the Project, but at the same time directly involved in developing and delivering the capacity building activities for law enforcement personnel working with children in contact with the law.
- **Academy of Justice** of the Ministry of Justice and **Police Academy** of the Ministry of Internal Affairs have been also closely involved in the delivery of trainings for the law enforcement and justice professionals, as well as for the child protection officials in the target districts.
- **Regional participating NGOs** (three Training and Resource Centres and two local offices of Youth Education Centre) which, following the capacity building activities of the Project, established and delivered new legal/support services to enable access to justice for children in

59 Representing budget items 6.1 and 6.2 as per Grant Contract concluded with the EU Delegation.
the target districts; and implemented communication action plans to change societal attitudes and perceptions on children in contact and conflict with the law.

- District Commissions on Minors’ Rights and Affairs, Commissions on Adoption and Guardianship and Medico-Psychological-Pedagogical Commissions worked with regional NGOs to address protection and promotion of the child rights matters as well as relevant problems of children and families requesting their help. They have also benefitted of training organised through the Project to increase effectiveness of its operations and better protect the child rights.

The role of EU Delegation (Donor) was to provide the funds for the implementation of the Project, participate in various public events organised by the Project team and monitor the implementation of the Grant contract.
3. Objectives, Purpose and Scope of the Evaluation

The main objective of this summative evaluation was to assess the final results of the Project in relation to its objectives and the logical model of change. More specifically, the evaluation was aimed to:

1. Assess the relevance, effectiveness, efficiency, impact and sustainability of the Project;
2. Provide recommendations to strengthen access to justice for children system in Azerbaijan;
3. Inform the scaling-up of Project approaches at national level, based on documentation of good practices and lessons learnt in the delivery of legal support services at local level.

The purpose of the evaluation was two-fold: a) to improve the accountability for the achievement of results and use of resources; b) to support the improvement of children’s access to justice, including juvenile justice reforms in the country through recommendations for further enhancement of the Project results. The evaluation meets the UN and EU statutory requirement for evaluation of development assistance at least once in its cycle. The Project has ended in August 2017 and the evaluation was scheduled to start in the last month of its implementation, having an explicit summative nature.

Beneficiaries of the evaluation. The primary audience of the evaluation consists of: UNICEF CO and EU Delegation which will use the findings and recommendations for programming their future support in the area of justice for children; Ministry of Justice, which will take benefit of the evaluation results to further promote the reform of juvenile justice in Azerbaijan and scale up the legal aid and legal representation services tested by the Project at national level; Ministry of Labour and Social Protection of the Population which will use the findings and recommendations of the evaluation to advance the efforts of bringing social work to the justice system; and Ombudsman and its NPG which will benefit of evaluation results to further improve the efficiency of their monitoring activities and oversight of human rights observance. According to the ToR, the secondary audience of the evaluation is composed of the implementing partner NGOs which will use the findings and recommendations of the evaluation in their advocacy work and promotion of best practices in service delivery at local level.

The Scope of evaluation mentioned in the ToR was clarified and slightly amended based on the kick-off discussion with UNICEF CO and further correspondence. It is defined by the following elements:

- Project implementation period to be covered: 28 October 2014 – 31 August 2017;
- Focus on the examination of all interrelated outcomes and contribution of Project activities to their achievement;
- Geographic coverage:
  a) regional level: five target districts\(^{60}\) of Azerbaijan and assigned neighbouring districts i.e. Mingechevir (City) and Yevlakh; Aghjabedy and Barda; Shirvan (City) and Sabirabad; Shamkir and Tovuz; and Gabala and Oghuz, where particular Project interventions have been conducted (capacity building, service delivery, awareness raising, etc.);
  b) national level: capacity development for the NPG; interventions aimed at bringing social work to the justice system; and contributions towards revising the legislative and administrative framework.

The main Units of Analysis for this evaluation are the following:

- Ministries of Justice and Internal Affairs (key duty-bearers), which partnered with UNICEF to implement various components of the Project (e.g. through academies of justice and police) and advocate for changes in the regulatory framework;
- Ombudsman’s office, in particular NPG, as beneficiaries of capacity building support and technical assistance, but also partners in delivering district level trainings (NPG);
- regional NGOs, as recipients of capacity building support, providers of new services to children and families in need, and activists for changing public perceptions and attitudes towards children at risk;

\(^{60}\) The ToR and most Project documents refer to ‘five target districts’ and so will they be referred in this evaluation to avoid confusion. Nevertheless, it is to be mentioned that: two of them (Shirvan and Mingechevir) are cities; and that each of the five target districts were assigned a neighbouring district for the provision of services.
- professionals working in the justice and child protection sectors, who benefitted of trainings in the target districts and awareness raising activities;
- children and parents (especially the vulnerable ones), as rights-holders and final beneficiaries of child-friendly justice mechanisms and services tailored to their needs.

Other line ministries and international development partners were also consulted during the Data Review and Collection Phase in relation to their role in the implementation of the Project and/or of the overall reform of the juvenile justice system, but not as main units of analysis.
4. METHODOLOGY

4.1 Evaluation Phases

The evaluation was carried out in three consecutive phases, as shown in the figure below.

- **Inception Phase - 24 July to 9 September 2017**
- **Data Review and Collection Phase - 18 September to 3 November 2017**
- **Synthesis Phase - 16 October to 22 December 2017**

I. Inception Phase

**Kick-off discussion.** In anticipation of the kick-off discussion, the UNICEF CO provided key Project documentation. The kick-off discussion (skype conference call), attended by the International Consultant and UNICEF CO (Child Rights Systems Monitoring Specialist, Child Protection Specialist – partial attendance and National consultant on juvenile justice) took place on 27 July 2017. It was used to understand the client's expectations and ensure that the evaluator is fully aware of the nature of the desired end-product; to clarify some Project-related aspects (e.g. type of impact evaluation to be performed, etc.); to discuss the scope of the site visits during the in-country mission (sample of districts and sampling criteria); to learn about the key actors and interlocutors for the evaluation; to agree procedures in order to have access to all needed documents, information and key informants throughout the evaluation (including organization of focus groups); to agree the timing of the in-country mission for primary data collection and some related logistics. During the skype discussion, the need for additional information was discussed and agreed to be provided by the CO.

**Preliminary Desk Review of Secondary Sources of Information.** The International Consultant continued the preliminary review of the Project documents received from UNICEF CO (grant contract, DoA, Logical Framework, progress reports, field monitoring reports, RWPs, training reports, various Project deliverables). She has also reviewed several situation analyses, relevant legislation, reports of related projects, statistics, the results of the Knowledge, Attitudes and Practices (KAP) survey (2014) and UNICEF annual reports. In addition, she reviewed the international commitments of Azerbaijan, in particular those deriving from the Concluding Observations of CRC (2012), CAT (2016) and CEDAW (2015), as well as EU progress reports on European Neighbourhood Policy in Azerbaijan. The review continued during the next phase of the evaluation when more systematic and structured review of key documentation related to the work of UNICEF and its partners in the target districts was done.

**Evaluability Assessment.** An important element of the Inception Phase was to undertake an evaluability assessment of the scope of work planned, based on resources available. Within the scope of the current assignment, the evaluability assessment considered the Evaluation Questions (EQs), intervention logic and the associated indicators (descriptors) to determine the type of information that could be sourced from secondary sources and the areas which require primary data collection. Apart from some constraints (also underlined in section 4.4), the evaluability assessment indicated that there was a satisfactory level of information to answer most of the EQs able to be processed in a concise and useful form, and that additional required information could be obtained within the existing resource constraints. A full evaluability assessment was provided in the Inception Report.

**Development of Methods and Tools for Primary Data Collection and Evaluation.** Primary data collection methods and tools were designed to cover the identified information needs and ensure the required level of information needed to answer the EQs in relation to the various units of analysis. The data collection methods are presented in Annex 2, while the reasoning for their selection is explained below in the section 4.2 related to evaluation design. The following primary data collection tools have been developed during the Inception Phase:
- Guides for in-depth interviews and focus groups (Annex 3);
- Mapping templates to be used for collecting information on Project achievements and beneficiaries (Annex 3);
- Template with Project indicators based on the reconstructed logical model (ToC), assigned along the hierarchy of results, to be used for mapping and analysing progress against set targets (completed version presented in the Effectiveness chapter).

The main evaluation tool which was designed during the Inception Phase was the Evaluation Matrix, grouping the evaluation questions under the evaluation criteria (Annex 4). A Sample of target districts to be visited on site for in-depth analysis has been also constructed (Annex 5).

The Inception Phase ended with the drafting of an Inception Report, which included the methodology, a detailed work plan, the full set of the proposed data collection and evaluation tools, sample, proposed roles and responsibilities of parties in the evaluation process as well as an annotated outline of the final report. This Phase lasted from 27 July to 10 September 2017.

II. Data Review and Collection Phase

This phase consisted of an in-depth documentary review to gather secondary quantitative and qualitative data as well as field work to collect primary data from key stakeholders at national and district levels, based on the data collection tools developed in the Inception Phase. It included a 2-week in-country mission of the International Consultant which took place in the period 2-13 October 2017.

During the in-depth documentary review, the International Consultant reviewed the remaining Project-related documents and deliverables provided by UNICEF CO and implementing partners, additional situation analyses and statistics, reports of international development partners, etc. The documents consulted for this evaluation are presented in Annex 6. This review helped the consultant to appraise the external operating context in order to understand the contextual thinking behind the planning and design process of the Project and familiarise with the contextual factors affecting the processes and results at national and in target districts. It also helped to inform the field work.

Field data collection was carried out in order to respond to several overarching evaluation questions which required consultation of key stakeholders, deepening the analysis in the target districts and understanding the operations at that level. In-depth interviews and focus groups with a representative number of key stakeholders were carried out in Baku and in the sample districts. Stakeholders (professionals) from the other target districts were contacted in writing and asked to respond by e-mail to a questionnaire (see Annex 3).

The Data Review and Collection Phase lasted from 18 September 2017 until 3 November 2017 (when the last e-mail responses from stakeholders were received). It included a debriefing session with UNICEF on the preliminary findings of the evaluation (13 October 2017).

III. Synthesis Phase

Information and facts collected during the first two phases were analysed and integrated in the Draft Evaluation Report, in line with UNICEF reporting standards. The analysis was based on the reconstructed logical model (ToC) and the Evaluation Matrix developed during the Inception Phase of the evaluation process.

All standard OECD/DAC evaluation criteria, set in the ToR, were endorsed by the International Consultant for the following reasons:
- they are sufficient to provide a sound assessment of the quality, value and significance of the aid intervention, are all necessary and equally important;
- they are fully appropriate for the evaluation purpose, after careful examination of the Project strategies;
- they are in line with internationally recognised best practice for a summative evaluation of a Project and also consistent with recommended methodologies for a final evaluation of external assistance.

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The standard evaluation criteria were approached as follows:

a) **Relevance:** alignment of the Project to Azerbaijan's priorities, international commitments and needs of target groups and final beneficiaries (rights-holders). The assessment of the relevance was based on the analysis of the country context and the challenges faced in the realisation of children's rights to justice at national and district level. The relevance of the Project interventions was analysed in relation to country strategies and policies, rule of law and justice sector reform agenda, international human rights commitments of Azerbaijan and, most notably, in relation to the needs and priorities of various stakeholders and beneficiaries, in particular of the most vulnerable. The evaluation also examined to what extent the Project remained relevant in time.

b) **Effectiveness:** the extent to which the Project attained planned objectives and results. Using the reconstructed logical model (ToC), the evaluation analysed to what extent the outputs and outcomes obtained following the implementation of the Project have contributed to: addressing bottlenecks and barriers impeding children's access to justice; improved legal and policy framework; increased capacity of the NPG, law-enforcement personnel and child protection staff and service providers (regional NGOs); and changed public perceptions on children at risk. The evaluation has also assessed if results achieved were similar in all target districts and explained the differences in performance. Using evidence collected, the report explains the factors that contributed or hampered the achievement of results and any indirect effects (positive or negative). Evaluation of effectiveness paid special attention to the demonstration of/collecting strong evidence on the causal link between UNICEF intervention and the observed changes in the existing operating space of Azerbaijan.

c) **Efficiency:** the extent to which the management of the Project ensured timeliness and an efficient utilization of resources to achieve its objectives. The report analyses how well UNICEF CO organized itself in delivering its work with regard to managerial, monitoring and budget efficiency of interventions at national and district level. Analysis of efficiency was based on the assessment of outputs in relation to Project inputs, costs and planned timelines. The report also incorporates a discussion of issues related to the assessment of cost-effectiveness of services developed by the Project, using as far as possible benchmarking with similar services in the country. Partnerships, cross-sector cooperation, coordination and coherence with other relevant interventions of other development partners and donors were reviewed as well.

d) **Impact:** long-term effects produced by the Project interventions upon the vulnerable children and progressive realisation of children's rights. The impact evaluation practice defines two types of impact evaluation: theory-based and counterfactual. The latter is particularly challenging in the absence of baseline data at district level (ToR, page 9). It was therefore agreed with UNICEF CO during the kick-off discussion to use a theory-based approach, as a realistic methodological modality towards assessing the impact. Nevertheless, the interviews with vulnerable parents and children as well as the video-recorded materials documenting the views and perceptions of final beneficiaries provided useful insights on the value-added of the Project in target districts. The assessment of the impact in terms of outcomes for children was primarily done from a qualitative perspective due to the limitations detailed in section 4.4 below.

e) **Sustainability:** extent to which the benefits (results) achieved by the Project are sustainable (are likely to continue beyond the intervention cycle). The evaluation assessed to what extent the outcomes and benefits generated by the Project continue to exist without or with a lower level of external support. It also assessed the extent to which prerequisites for sustainability have been put in place and the concrete measures undertaken to date to ensure sustainability of results. Sustainability was analysed from various perspectives: legal/policy, institutional, capacity building, financial. The report highlights the factors that facilitated or hindered the sustainability of the results for children and their families.

The additional evaluation areas i.e. cross-cutting issues, coverage, coordination and coherence specified in the ToR were integrated into the evaluation criteria above, as per Inception Report.

The Synthesis Phase started on 16 October 2017 and will end with the submission of the Final Report due for 19 December 2017. The findings, conclusions and preliminary recommendations of this Draft Evaluation Report will be presented to the reference group, project partners, national stakeholders and
international development partners during a joint UNICEF-EU validation workshop planned for 14 December 2017 in Baku. The feedback from stakeholders and external UNICEF reviewer will be used to draft the Final Evaluation Report.

4.2 Evaluation Design

The design of the evaluation was based on a careful selection of data sources, data collection methods and data analysis methods, as detailed below.

Data sources

For each EQ in the Evaluation Matrix, specific data sources were identified and included in the Evaluation Matrix (see Annex 4, last column). Their selection was based on the following considerations:

- They were relevant for informing the analysis of relevance, effectiveness, efficiency, impact and sustainability;
- Used in a combined manner, they were able to increase the accuracy of information and mitigate the information gaps and limitations (see also Table 1 on limitations and mitigation approaches);
- They were appropriate for embedding a diversity of perspectives in the analysis: planners, implementers and final beneficiaries; policy makers at central, regional and municipality level; external evaluators and reviewers; international development partners; civil society.

Data collection methods

The methodology designed for this evaluation aimed to utilize the best mix of data gathering tools to yield the most reliable and valid answers to the EQs and generate maximum learning within the limits of resources and availability of data. In order to serve its purpose, the evaluation applied a mixed-method approach\(^{62}\), including: stakeholder mapping; mapping of situation analyses, barriers and bottlenecks; in-depth documentary review and structured desk analysis of Project design, implementation approaches, results and processes; structured desk analysis of policy documents and legislative frameworks; testing of the reconstructed logical model (ToC); analysis of results from M&E systems and data at national and district level; aggregation and analysis of data collected via the mapping templates; contribution analysis to determine factors which promoted or impeded the progress against intended results and attribution analysis to the extent possible; systems analysis of management, monitoring and quality assurance strategies; mapping of risks analyses and mitigation measures; financial analysis; analysis of sustainability strategies and systemic barriers to sustainability; in-depth interviews and focus group; participant observation during site visits to sample districts.

Specific data collection methods have been assigned to each EQ in the Evaluation Matrix. These methods were selected because of the following reasons:

- They were appropriate for the Project strategy and intervention-level inquiry in districts.
- They were feasible and sensible, following the preliminary data review in the Inception Phase.
- They formed a relatively effective means of triangulation if used in a combined manner.
- Use of interviews, focus group and participant observation in the field increased the breath of perspectives and data that could be secured; relying only on secondary data would have been insufficient; thus the field study was essential to ensure a degree of validity, as follows:
  - In-depth interviews with key informants at national and district level were used to collect qualitative data and capture various perspectives on the way the Project addressed the complexity of issues in juvenile justice, how the Project worked and how could have worked better for informing policy-making and better service provision for children and families in need;
  - The evaluation had to be informed by feedback from as many key stakeholders as possible, but it was not feasible to conduct individual interviews with all key informants given the resource constraints. Therefore, the evaluation used a focus group with representatives of regional NGOs in Baku and e-mail based interviews with key law-enforcement and child protection professionals from all target districts;
  - Contact with final beneficiaries was crucial for the evaluation. Given the timeframe and available resources of this evaluation, it was not feasible to conduct a survey among beneficiary parents and children (as rights-holders). UNICEF CO informed the evaluation that

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\(^{62}\) It combines various methods as a way to overcome limitations and highlight strengths - see Stern et al (2012), "Broadening the range of designs and methods for impact evaluations", DFID, Working Paper 38.
a focus would not be feasible either\textsuperscript{63}. Instead, the evaluation used individual interviews with a selected number of vulnerable parents and children in sample districts to collect vital impressions on the relevance, accessibility, quality and impact of provided services on relevant issues for this evaluation. Participant observation of beneficiary children was also used during the site visits to sample districts. In addition, the International Consultant has analysed the views and perceptions of parents from all target districts who were video-recorded in a documentary movie produced by UNICEF CO.

- Disaggregated data on results obtained by the target districts were needed to inform the assessment of relevance, effectiveness and impact; given some data gaps, additional disaggregated data were collected during the in-country visit via the mapping templates referred above.

- A representative sample of two districts (Shirvan and Aghjabedy) for site visits has been constructed for the purpose of conducting in-depth interviews with key informants and getting factual evidence through participant observation. The sampling criteria are detailed in Annex 5.

**Data analysis**

The evaluation was designed to assess the relevance, efficiency, effectiveness, impact and sustainability of the Project based on the grant contract, DoE, reconstructed logical model (ToC), RWPs, service contracts with consultants and indicators that the Project used for monitoring performance and attainment of estimated results.

The ToR defines a large number of EQs related to various evaluation criteria. Based on this, a comprehensive Evaluation Matrix has been developed (Annex 4), as the main analytical framework against which data was gathered and analysed. All EQs – formulated as in the ToR or reformulated, regrouped and streamlined and allocated to the appropriate evaluation criteria on the basis of the reconstructed logical model reflected by the ToC - have been assigned to a specific evaluation criterion \textit{i.e. relevance, effectiveness, efficiency, impact and sustainability}. New EQs have been introduced to capture important analysis dimensions and fuel the recommendations and lessons learnt\textsuperscript{64}, while a number of EQs have been either removed if redundant, or absorbed/bundled in broader questions.

The additional EQs in the ToR related to the \textit{cross-cutting issues, coverage, coordination and coherence} have been incorporated in the relevance and efficiency EQs and corresponding indicators/descriptors (EQ3, EQ11 and EQ12). As a result, 16 EQs have been introduced in the Evaluation Matrix. For each EQ, related indicators/descriptors, data collection methods and sources of information have been specified in the Matrix. The indicators and methods were based on the documentary review conducted during the Inception Phase, experience from similar evaluations and a review of available data. Methods were set out per question, and the forms of triangulation between them made clear. An overview of the grouping of questions around the main evaluation criteria was presented in the Inception Report. The questions in the Evaluation Matrix have been to the extent possible framed based on the units of analysis, indicating their relative importance and the relative emphasis on the different target groups and beneficiaries.

The analysis took place against the analytical framework in the following ways: across the analytical fields, which were drawn from the Evaluation Matrix; common trends, contradictions and differences were sought out and explored; b) the different pathways of contribution at different levels of results were tracked, identified and triangulated; explanatory factors related to the operating space, internal environment, design of the Project approach and implementation of related interventions at district level were assessed; gaps in information available were identified and reported.

**Validity and reliability** of analysis was ensured through triangulation, complementarity and interrogation\textsuperscript{65}. Impartiality and lack of bias were safeguarded by the evaluation methodology which relied on a cross-section of information sources and used a blended methodological approach.

\textsuperscript{63} The International Consultant has envisaged a focus group with parents from all target districts to be organised in Baku (see Inception Report). However, UNICEF CO explained that long distance from home place to Baku in case of parents from several districts and difficulty of leaving children unattended at home alone would impede parents to participate.

\textsuperscript{64} \textit{i.e.} bottlenecks and barriers in access of vulnerable children to justice (effectiveness); additional/unplanned effect (effectiveness); management, monitoring and reporting (efficiency)

\textsuperscript{65} Triangulation to confirm and corroborate results reached by different methods, complementarity to explain and understand findings obtained by one method by applying second and interrogation where diverging results emerge from the application of different methods.
(quantitative, qualitative and participatory) to ensure triangulation of information through a variety of means.

The design of the evaluation methodology combined a **Results-Based Management** with a **Human Rights-Based Approach** (HRBA) to programming and evaluation i.e. achievement of planned results through morally-acceptable processes to realise human rights, in particular children’s rights. The HRBA applied by the evaluation was guided by five core principles: normativity, participation, non-discrimination, accountability and transparency, and by the Common Understanding on HRBA to Development Cooperation and Programming (United Nations Development Group, 2003):

- All Projects of development cooperation, policies and technical assistance should further the realization of human rights as laid down in the Universal Declaration of Human Rights and other international human rights instruments.
- Human rights standards contained in, and principles derived from, the Universal Declaration of Human Rights and other international human rights instruments guide all development cooperation and programming in all sectors and in all phases of the programming process.
- Development cooperation contributes to the development of the capacities of ‘duty bearers’ to meet their obligations and/or of ‘rights-holders’ to claim their rights.

This evaluation identifies the “**rights holders**” of the Project the vulnerable children and their parents, as described above under ‘final beneficiaries’.

Attention was given to the evaluation of the **gender equality and mainstreaming** issues reflected by the Project, in line with Azerbaijan’s international commitments, most notably CEDAW and UNICEF Gender Policy (2010)\(^66\) which states that UNICEF aims to work with partners to pursue gender equality and the equal rights of girls and boys “to contribute to poverty reduction and the achievement of the Millennium Development Goals (MDGs) through results-oriented, effective and coordinated action that achieves the protection, survival and development of girls and boys on an equal basis.” The evaluation assessed the extent to which the achieved Project results contributed to the progressive realisation of children’s rights, equity and gender equality. In this respect, the Evaluation Matrix included specific EQs and indicators/descriptors i.e. EQs 3 and 13. The evaluation used to the extent possible disaggregated data by gender and vulnerability profile.

**Ethical aspects**

During data collection, attention was paid to ensuring that the evaluation process was ethical and that participants in the process could openly express their opinions, protecting the confidentiality of their answers. Overall, UNEG Code of Conduct for Evaluation in the UN System (March, 2008) and UNICEF Procedure for Ethical Standards in Research, Evaluation and Data Collection and Analysis\(^67\) (2015) were strictly respected, notably independence of judgement, impartiality, honesty and integrity, accountability, respect and protection of the rights and welfare of human subjects and communities, confidentiality, avoidance of risks, harm to and burdens on those participating in the evaluation, accuracy, completeness and reliability of report, transparency. The International Consultant was sensitive to beliefs, manners and customs and acted with integrity and honesty in her relationships with all stakeholders, ensured that contacts with individuals were characterized by respect, protect the anonymity and confidentiality of individual information.

The process of recruiting stakeholders from different institutional levels followed a standard procedure in order to ensure an informed consent to participate in the evaluation (letter of introduction from UNICEF CO presenting the evaluation process, protection of privacy and information confidentiality, followed up by written/verbal communication regarding the interview/focus group/site visit details). Potential participants in the interviews were made aware of the voluntary nature of their participation. The decision whether to participate, including dissent or unwillingness to participate, has been fully respected. Participants were also informed that they can withdraw at any point without any negative consequences. Participation in the evaluation was thus voluntary and opinions are presented in the report in an anonymous manner.


\(^{67}\) [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), accessed on 10 September 2017.
Selection of parents (as final beneficiaries, unit of analysis) for interviews was done in cooperation with the regional participating NGOs working in the sample districts, based on specific recruitment criteria. Parents (both mothers and fathers) were informed about the scope of the interview and its main discussion topics. Parents’ consent to participate was secured. Vulnerable parents were approached in a culturally-sensitive manner, based on UN Ethical Guidelines and UNICEF Procedure for Ethical Standards in Research, Evaluation, Data Collection and Analysis (2015). They were offered the opportunity to be interviewed individually or together with their partner, at the premises of the regional NGO, at home or another location.

The participation of children (final beneficiaries and rights-holders), including vulnerable children, in the data collection process was also ensured through the regional NGOs and based on the prior consent of parents. Children were informed about the scope and themes of the discussion. Before starting the interview, the International Consultant explained again the purpose of the discussion, the way their opinion was going to be processed ensuring the confidentiality. Children were also asked to confirm their assent to participate in the interview. They were informed that they can withdraw anytime during the interview without any obligation to explain the reasons.

UNEG Norms and Standards, including Guidance on Human Rights and Gender Equality in Evaluation, were fully applied throughout the evaluation.

### 4.3 Stakeholders’ participation in evaluation

Involvement of stakeholders in the evaluation was of utmost importance for the collection of vital data and critical insights, but also for validating findings and conclusions as well as checking the feasibility of recommendations while ensuring buy-in. In gathering data and views from stakeholders, the evaluation considered a cross-section of stakeholders with potentially diverse views to ensure that the evaluation findings are as impartial and representative as possible (see Annexes 2 and 7). The evaluation was highly participative. In total, a number of people have been involved during the evaluation, representing key stakeholders of the Project: parents, children, professionals, public authorities, service providers (staff and consultants of regional NGOs), UNICEF and international development partners.

The evaluation was so designed to ensure the involvement of stakeholders at three levels: **information, participation and consultation**, depending on the nature of each stakeholder and engagement in the implementation of the Project. Interviews and focus group were used for:

1) **Informing the evaluation**: primary data collection to cover gaps and add multiple informant perspectives;

2) **Enabling participation of stakeholders in the evaluation**: collection of qualitative, critical insights from stakeholders; direct participation of stakeholders in the validation of the reconstructed logical model and results indicators as well as in the analysis and evaluation of the results and impact, also via self-evaluation;

3) **Engaging stakeholders in consultation on future priorities and reforms**: checking the perceived priorities for the continuation of the reforms in improving the access of children to justice as well as the role each of them could play in the future. In this respect, specific questions have been included in the guides for interviews and focus group (Annex 3) to capture the various perspectives of a large range of stakeholders.

This was very useful for informing the recommendations of the evaluation based on an open and participatory process started during the Data Review and Collection Phase and which will continue on the occasion of the validation workshop when draft findings, conclusions and recommendations will be presented, discussed and validated by the national stakeholders, and embedded in the Final Evaluation Report.

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68 Recruitment criteria: beneficiaries of Project services and/or whose children benefitted of such services and/or were involved in justice proceedings; various vulnerability profiles (disability, low education level, unemployed, single-parent family, many children in the family, etc.); gender balance (both mothers and fathers)


70 Recruitment criteria: beneficiaries of various Project services and/or were involved in justice proceedings; both boys and girls; age: 12-18 years old; children whose parents’ consent was obtained prior to the discussion.


72 47 interviews, 1 focus group, 2 site visits. The number will be higher as the validation workshop will include additional stakeholders.
4.4 Evaluation Limitations

The ToR specify several limitations for this evaluation. The evaluation confirmed and identified additional ones, which are presented in Table 2 together with corresponding mitigation approaches.

### Table 2. Limitations to the Evaluation and Mitigation Approaches

<table>
<thead>
<tr>
<th>Potential Limitations/Constraints</th>
<th>Mitigation approaches</th>
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<tbody>
<tr>
<td><strong>Lack of clear baseline data for several indicators, i.e. increase in the knowledge of law enforcement officials on the rights of children in pre-trial detention, change in knowledge and attitude among target groups as a result of awareness raising activities</strong> (identified by the International Consultant) – these data gaps might have hindered the robustness of the assessment, in particular of capacities built and changes in societal attitudes and perceptions about children at risk.</td>
<td>The baselines were supposed to be made available by the KAP survey results from 2014, as per Logical Framework. However, the survey does not provide clear and usable baselines for the respective indicators. It was therefore agreed with UNICEF CO to use some proxy indicators to the extent possible. For the first indicator, the only quantitative proxy available was the increase in knowledge following training, measured by entry-exit tests. For the second indicator, a qualitative assessment was done. Triangulation was used extensively.</td>
</tr>
<tr>
<td><strong>No Project monitoring data available on the number of vulnerable children and families who had access to child-friendly justice mechanisms as a result of the Project</strong> (identified by the International Consultant) – raised difficulties in assessing the level of achievement of outcome 1 of the Project.</td>
<td>Based on agreement with UNICEF CO, the evaluation used as proxy the number of children who benefited of legal aid and legal representation services in the target districts and of those living in closed institutions which were visited by the NPG after it was trained by the Project. The skills and methods acquired during the trainings allowed the NPG to reveal cases of violence in institutions and report back to Ombudsman for further action with relevant authorities. Hence access of children to justice has been improved.</td>
</tr>
<tr>
<td><strong>Challenges in assessing the impact of the Project on the realisation of children’s rights and their lives</strong> (identified by the International Consultant) – The Logical Framework includes one indicator at the level of overall objective which is rather an outcome indicator related to the access of children to justice services, limiting the evaluability of the impact. No quantitative data have not been collected or are available in relation to impact of Project services upon the lives of beneficiary children.</td>
<td>The evaluation has reconstructed some proxy qualitative impact indicators with targets which were presented in the Inception Report and approved by UNICEF CO. As retroactive reconstruction of targets might induce bias in assessment, the evaluation strived to reduce it to the extent possible by asking the national stakeholders to recollect past decisions and desiderata, and by systematically applying triangulation to validate the reconstructed targets for all relevant indicators.</td>
</tr>
<tr>
<td><strong>Unavailability of key informants</strong> (staff turnover in the project teams of two districts and in UNICEF CO, impossibility of parents to come to Baku for focus group, etc.) (identified by the ToR and International Consultant)</td>
<td>The evaluation mapped the key informants and organised, in close cooperation with UNICEF CO, interviews with people that left the respective institutional stakeholder, if information obtained from the existing technical staff was insufficient; interviews were face-to-face or by Skype. The only impossible interview was with the director of World of Law Legal Propaganda (one of the two partner</td>
</tr>
</tbody>
</table>

73 The KAP provides information on the awareness of professionals concerning the rights of children in conflict with the law disaggregated by various rights e.g. right to a lawyer (44%), right the interested parties to be present during the interrogation (11%); right to instantly inform the parents about the detention (6%), right to the light sentence (7%), right to be kept separate from adults in the detention facility (9%), etc. In addition, the KAP survey covered 32 administrative districts located in urban areas, while the districts where the Project operated are primarily rural, where the situation is different as explained in various sections of this report; therefore, the baselines provided by the survey would have not been entirely usable for checking the progress achieved. See UNICEF Azerbaijan (2014)“Knowledge, Attitude and Practice Study among Local Government and Justice/Law Enforcement Professionals about the Access to Justice for Children Reforms in Azerbaijan”, Baku
<table>
<thead>
<tr>
<th>Potential Limitations/Constraints</th>
<th>Mitigation approaches</th>
</tr>
</thead>
<tbody>
<tr>
<td>NGOs who passed away during the implementation of the Project; as the evaluation was informed that no other representative of the respective NGO would be relevant for interview, the analysis of its contribution to the Project had to rely on documentary review and feedback from stakeholders. As a survey or focus group with vulnerable parents were not possible for the reasons explained in section 4.2, in-depth interviews with such parents were organised during the site visits to sample districts. In addition, feedback of parents from other target districts were analysed based on the video-recorded materials provided by UNICEF CO.</td>
<td></td>
</tr>
<tr>
<td>Validity and reliability of interview data, particularly in an environment where national sensitivities exist on multiple issues, and where local political conditions shape interaction with international consultants <em>(identified by the International Consultant)</em></td>
<td>Strict application of UNEG Ethical Guidelines and Code of Conduct, and UNICEF Procedure for Ethical Standards in Research, Evaluation and Data Collection and Analysis, ensuring interviewees of confidentiality and anonymity at the start of interview. Recognising the likely limitations of interview data from some sources, and placing major efforts on triangulation.</td>
</tr>
</tbody>
</table>
The role of UNICEF CO and partners in delivering support to Azerbaijan has been significantly mediated by the specific contextual features of the operating landscape in the country:

- Centralised governance system, meaning that the scope for influencing change at district level, beyond the implementation of specific interventions, has been rather restricted (for instance employment of social workers in the child protection system at district level);
- Sometimes opaque national decision-making, meaning that policy may rapidly shift direction or without warning (e.g. change in the legislation on NGOs and grant registration in Azerbaijan) which require district authorities, international actors and their national partners to adapt their planned interventions and objectives in a context of sudden change, with some loss of efficiency;
- Political sensitivity on certain rights-based issues promoted by UNICEF in the area of juvenile justice (e.g. related to data on child rights violations in closed institutions) and ingrained social norms (e.g. related to diversion), limiting the scope for dialogue and slowing down the rhythm of advancing change in the legal and institutional framework.

The scope and timeframe to generate results in Azerbaijan has therefore been highly conditioned by the operating space available. Accordingly, the evaluation analysed the relevance, effectiveness, efficiency, impact and sustainability of the Project by considering the extent to which this made best use of the available operating space to achieve the planned results.

5.1 Relevance

Evaluation of relevance was based on the following evaluation questions:

- To what extent was the Project aligned with the country policies, strategies and priorities? Has it preserved its relevance in time?
- Has the Project been relevant in terms of internationally agreed goals and commitments of the country? Was it aligned to UNICEF country programme in Azerbaijan?
- Has the Project addressed the underlying causes of exclusion and vulnerability of children in contact and conflict with the law? Has it responded to the needs of children and their families, especially of the most vulnerable?

Alignment with country’s policies, strategies and priorities

The evaluation has found evidence through desk research and consultation with key informants that there is alignment of the Project design and its objectives with the needs and priorities of Azerbaijan in the area of access of children to justice. It is acknowledged by decision-makers as the ability to obtain a just and timely remedy for violations of rights and as such reflected in the Law on the Rights of the Child from 1998.

The Project is in line with the country strategies, policy papers and programmes in the area of economic and social development, justice and human rights. According to the Development Concept "Azerbaijan 2020: Look into the Future", which was in place when the Project was designed, the activities of the law-enforcement agencies were aimed to be brought in line with modern requirements, based on the principles of transparency and openness, the citizens’ right to justice and their legal awareness (especially for those living in regions). The State Programme on Poverty Reduction and Economic Development 2008-2015 identified judicial and legal reform as critical to reducing poverty and improving access to legal institutions and legal assistance, especially for the poor and vulnerable. It specified that the network of regional legal advisory centres will be expanded so that the poor can be informed about civil rights and have access to free legal services. It has also mentioned that the skills of lawyers (advocates) dealing with juvenile cases will have to be improved, and "a model of Juvenile Justice system introduced in pilot districts". The Project has
addressed these strategic aims by strengthening the capacity of law enforcement professionals working in the area of juvenile justice and by delivering free legal aid and legal representation services to vulnerable children and families living outside Baku in selected districts and neighbouring areas. It has also been designed to improve people awareness and knowledge about their rights, how to claim rights and how to get redress.

The "National Programme for Action to Raise Effectiveness of the Protection of Human Rights and Freedoms" approved by the President of Azerbaijan in 2011 includes specific measures aimed to investigate the violations of law and human rights during pre-trial and at places of detention, ensure effective fulfilment of the functions of the national preventive mechanism in accordance with the Optional Protocol to CAT and increase the knowledge of staff of the Commissioner for Human Rights (Ombudsman), including of regional centres, and of members of municipalities concerning the international instruments on human rights. In this respect, the Project has implemented a range of capacity building activities for the members of the NPG within the Ombudsman office, including trainings based on a thorough needs assessment, but also support for the development of a 3-year strategy and action plan, and for the setting up of the Management Information System (MIS). Apart from NPG, the regional offices of Ombudsman have also benefited of the Project capacity strengthening assistance. The NPG teamed up with UNICEF CO in carrying out monitoring visits to closed facilities for children in order to ensure that their rights are respected. The Project has also delivered training courses to members of the Commissions on Minors’ Rights and Affairs functioning in each district at the level of Executive Committee (jointly with law enforcement professionals).

Relevance for the internationally agreed goals and commitments

The Project is consistent with the European goals and commitments of Azerbaijan. It is aligned with the European Neighbourhood Policy and EU-Azerbaijan Action Plan, which includes Priority area 3 on strengthening the protection of human rights and of fundamental freedoms and the rule of law, as well as specific actions to improve the organisation of the judiciary, implement the Optional Protocol to CAT and promote the growth of civil society and its organised forms.

The Project is fully in line with the international human rights standards ratified by Azerbaijan, in particular the CRC and CAT. The Project has addressed several needs identified in the Concluding Observations of the CRC Committee (2012)\(^\text{74}\), for:

- training of all legal, penitentiary and law enforcement professionals on the Convention (point 76a), also reported in the Universal Periodic Review process in 2013, through: the delivery of training to law enforcement professionals from five target districts on CRC and other international instruments in the area of justice for children;
- ensuring that persons under the age of 18 are deprived of liberty only as a last resort and for the shortest appropriate period of time, in particular by developing and implementing alternatives to custodial sentences, including the establishment of diversion centres and/or legal clinics for children in conflict with the law (point 76c), through: the development of recommendations for changes in the criminal justice legislation related to diversion, provision of legal aid services to vulnerable children in conflict with the law to avoid unnecessary pre-trial detention and training of law enforcement professionals and child protection officials on diversion and referral as well as the use of arrest as a last possible measure;
- improving the conditions of detention of persons under the age of 18, and bringing them into full conformity with international standards (point 76e), through: the strengthening of NPG capacity to monitor the rights of children in closed facilities and formulate recommendations to responsible institutions with the aim of improving the detention conditions;
- undertake awareness-raising campaigns on eliminating discrimination against children with disabilities (point 57a), through: awareness raising campaigns on the rights of children at risk, including children with disability, carried out in the districts targeted by the Project and which included round table discussions, community gatherings, school events, etc.

The Project has also addressed the needs formulated by the Committee against Torture in its Concluding Observations from 2009\(^\text{75}\), such as the need for compiling information on complaints, investigations, prosecutions and convictions of cases of torture and ill-treatment, detention conditions

\(^{74}\) Committee on the Rights of the Child (2012), "Concluding observations: Azerbaijan", Fifty-ninth session, CRC/C/AZE/CO/3-4

\(^{75}\) Committee against Torture (2009), "Concluding Observations Azerbaijan", Forty-third session, CAT/C/AZE/CO/3

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and outcomes of all such complaints and cases (point 7). It has done so by supporting the NPG of the Ombudsman to set up a functioning MIS which is used on a routine basis for the independent monitoring and investigation of complaints of torture and other human rights violations in closed institutions and places of detention for children. The implementation of the Strategic Plan 2016-2019 of the National Preventive Mechanism developed with the support of the Project has further strengthened the independent monitoring of places of detention by the NPG based on unannounced visits (as per point 6 of the Concluding Observations).

In addition to CRC and CAT, the stakeholders interviewed for the purpose of the evaluation confirmed that the Project was fully aligned with Riyadh guidelines (United Nations Guidelines for the Prevention of Juvenile Delinquency), in particular point 58 on training of law enforcement and other relevant personnel to respond to the special needs of young persons and should be familiar with and use, to the maximum extent possible, programmes and referral possibilities for the diversion of young persons from the justice system; and with Beijing Rules (United Nations Standard Minimum Rules for the Administration of Juvenile Justice), in particular points 8.1 on juvenile's right to privacy, 11 on diversion, 13 on detention pending trial and 15.1 on the right of the juvenile to be represented by a legal adviser or to apply for free legal aid.

The Project is relevant for the priorities of UNICEF in Azerbaijan, as addressed in the Country Programme Action Plan 2016-2020 (outcome 1 – Quality and equitable social services, output 1.4 – Juvenile justice).

The Project remained relevant in time, as demonstrated by the conclusions of several sector assessments carried out during its lifetime, such as the “Analysis of the legislation of Azerbaijan in respect of access to justice for children”76 and the “Assessment of the Justice System in Azerbaijan as it relates to children in conflict with the law”77. Of particular importance are the latest Concluding Observations of the Committee against Torture from 201678 which call for improving the performance of NPG (one of the main target groups of the Project) in terms of independently, effectively and regularly monitoring and inspecting all places of detention without prior notice, reporting publicly on its findings, and raising with the authorities situations which could lead to torture or ill-treatment.

Azerbaijan signed off on the 2015-2030 global sustainable development agenda at the September 2015 Sustainable Development Summit in New York. The country is in the process of nationalising the Sustainable Development Goals (SDG) after participating in 2016 in the first round of the Voluntary National Reviews. The Project is most relevant for SDG 16, target 16.3 "Promote the rule of law at the national and international levels and ensure equal access to justice for all".

Relevance to needs of vulnerable children in contact with the law and of their families

Azerbaijan legislation provides for legal representation of all accused persons in criminal cases and at all stages of criminal proceedings, including pre-trial investigation. The Bar Association is responsible for providing the lawyers. However, hourly rates offered for state-funded legal aid are low and unattractive to professionals – only 2 AZN (around US$ 1) per hour for defence counsel. Even so, provision of legal aid is concentrated in Baku. Between 2009 and 2011, 46-74% defendants in criminal cases in other regions did not have access to legal aid compared to 19-35% in Baku (Figure 3). More recently, the “Mapping and Assessment of Social Services Needs Study” (UNICEF, 2014) indicated that children and adolescents from outside Baku are in great need of legal aid services79. The stakeholders consulted for the purpose of evaluation – ministries, NPG (Ombudsman), professionals, academia, CSOs, donors, parents - have also confirmed the great need for legal aid and legal representation services for vulnerable children and families living outside Baku, i.e. where the Project was implemented.

In addition, there is no provision of state legal aid to eligible persons in non-criminal cases. As a result, vulnerable litigants (low income families with children, single mothers, IDPs, families with children with disabilities, etc.) are often not able to secure legal advice or representation in non-criminal cases, as

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76 EU and UNICEF (2015)
informed by the focus group with regional NGOs and interviews with professionals and parents. There are few several child legal aid clinics run by NGOs which were set up with foreign support (World Bank, EU/UNICEF), but they cover only Baku and other few districts (Guba, Ganja).\(^{80}\)

**Figure 3. Lack of legal aid - Baku vs. Elsewhere, 2009-2011 (% of defendants in criminal cases)**

![Figure 3. Lack of legal aid - Baku vs. Elsewhere, 2009-2011 (% of defendants in criminal cases)](image)


Based on documentary review of available situation analyses and according to interviewed parents, the social network appears to be the most important source of advice, followed by NGOs, when a legal problem arises. However the prevalence of problems relating to identity documents, land/house ownership and access to social benefits implies a high unmet demand for professional legal advice.

In addition, there is no provision of state legal aid to eligible persons in non-criminal cases. As a result, vulnerable litigants (low income families with children, single mothers, IDPs, families with children with disabilities, etc.) are often not able to secure legal advice or representation in non-criminal cases, as informed by the focus group with regional NGOs and interviews with professionals and parents. There are few several child legal aid clinics run by NGOs which were set up with foreign support (World Bank, EU/UNICEF), but they cover only Baku and other few districts (Guba, Ganja).\(^{81}\) Based on documentary review of available situation and contextual analyses and according to interviewed parents, the social network appears to be the most important source of advice, followed by NGOs, when a legal problem arises. However the prevalence of problems relating to identity documents, land/house ownership and access to social benefits implies a high unmet demand for professional legal advice.

In the light of the above, the Project had a major value-added in the districts where it operated, covering a big need of vulnerable children and parents. The latter were explicitly targeted by the regional NGOs that worked in the districts and clearly identifiable in the ToR of the consultants (coordinators and lawyers): “The consultancy services will target marginalized and vulnerable children, particularly child victims or witnesses of crimes, children in conflict with law, with disabilities, in socially disadvantaged situations or in need of legal support” (section “Activities and Tasks/Work Relationship”).

According to Project data (Table 3), almost one third of children who benefitted of legal aid and legal representation services provided by the Project were poor, reflected by the large number of applications received from parents for TSA (761, representing 36% of total applications). Two of 10 beneficiary children were living in single-parent families and eight of 10 applicant parents were unemployed. The beneficiaries also included children with disability and IDPs. According to documentary review and interviews with professionals and donors, the latter face big difficulties in securing administrative legal services such as IDP certification, birth certificates and civil status issues, especially if they live in remoter areas. Given the high concentration of IDPs in several target districts

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\(^{80}\) Azerbaijan has 59 districts (rayons), 11 cities and 1 autonomous republic (including 7 districts and 1 city), Source: [https://en.wikipedia.org/wiki/Administrative_divisions_of_Azerbaijan](https://en.wikipedia.org/wiki/Administrative_divisions_of_Azerbaijan), accessed 12 October 2017

\(^{81}\) Azerbaijan has 59 districts (rayons), 11 cities and 1 autonomous republic (including 7 districts and 1 city), Source: [https://en.wikipedia.org/wiki/Administrative_divisions_of_Azerbaijan](https://en.wikipedia.org/wiki/Administrative_divisions_of_Azerbaijan), accessed 12 October 2017
where the Project operated (Mingechevir, Aghjabedy), the number of beneficiary IDPs seems to be rather modest.

Table 3. Beneficiary children of legal aid and legal representation services (31 August 2017)

<table>
<thead>
<tr>
<th>Gender</th>
<th>Residence</th>
<th>Vulnerability</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total*</td>
<td></td>
<td></td>
</tr>
<tr>
<td>girls</td>
<td>boys</td>
<td>urban</td>
</tr>
<tr>
<td>3,351</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1,551</td>
<td>1,790</td>
<td>2,032</td>
</tr>
</tbody>
</table>

* Children living in the target and assigned neighbouring districts

Data indicate that the Project has mainly reached vulnerable children and families from urban areas, although rural child population is predominant in the districts where the services were delivered (62% compared to 38%) and although the evaluation was informed by stakeholders that the most vulnerable in terms of access to such services are the children living in rural and remote areas. UNICEF CO and the regional partner NGOs have made significant efforts to ensure an optimal coverage of rural child population through outreach services, 968 families receiving legal advice during the field visits (33% of applications); nevertheless, the late start of communication and awareness raising activities (see Effectiveness and Efficiency sections of this report) seems to have impeded a broader coverage of rural children and families, as confirmed by the results of the focus group with professionals from regional NGOs. At the same time, the selection of the target districts was another reason for lower take up of services in the rural areas, since it was not explicitly based on a needs assessment but rather supply driven i.e. existence and feasibility of NGO partners to operate in the regions, physical accessibility of services by potential beneficiaries, commitment of local authorities to cooperate, support and participate in Project activities, etc. As a result, two out of five target districts are predominant urban i.e. Shirvan and Mingechevir.

The Project has been guided by the HRBA to programming. The overarching human rights principles of non-discrimination, equality, rule of law and use of maximum available resources were implicit in the implementation and monitoring of the Project. With few exceptions mentioned above, the Project has integrated an equity-based approach into the design and implementation of its interventions. The participation principle was well represented at the level of justice authorities, NPG, NGOs and professionals, in their capacity of duty-bearers, by engaging them in various Project activities (NPG strategy design, development of legal amendments, trainings, service provision, awareness raising activities). The empowerment principle worked well at the level of duty-bearers, notably the NPG and law-enforcement professionals as well as at the level of rights-holders, in particular the parents who were made aware and assisted to claim their rights and find redress. The low attendance rate of trainings by the child protection officials (see Effectiveness section) seems to be a lost opportunity for empowering the child protection commissions in target districts. Given its profound CRC-oriented nature, the budget of the Project was fully rights-based.

Although gender equality was not an explicit strategy pursued by the Project, there was a rather good gender balance among the beneficiary children, but less among professionals. The DoA does not include any reference to gender issues. The formulation of target groups, final beneficiaries and indicators in the Logical Framework is gender-blind. The monthly reports of coordinators and lawyers from regional NGOs simply report on the number of boys and girls involved in received cases, without containing specific discussion on any possible gender issues raised during the implementation of the Project. The Project Interim Report submitted to the donor in October 2016 includes a gender disaggregation of applicants. According to data made available by UNICEF CO, boys were better represented among the final beneficiaries of the Project (54% boys compared to 46% girls), possibly due to their overrepresentation in the overall population of children committing criminal offences. The Project data regarding the professionals who benefitted of training courses show that 90% were men, reflecting the male-dominated justice and internal affairs sectors rather than a result of a specific gender-sensitive strategy employed by the Project.

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* According to DoA, over 50% of rural population do not have access to regularly functioning public transportation.

* In 2015, 504 children out of 514 (98%) were boys, see Hamilton, C., Yarrow, E., Anderson, K. (2016), “ASSESSMENT OF THE JUSTICE SYSTEM IN AZERBAIJAN AS IT RELATES TO CHILDREN IN CONFLICT WITH THE LAW”, Coram International at Coram Children’s Legal Centre.
5.2 Effectiveness

Evaluation of effectiveness considered the following evaluation questions:

What is the achievement level of planned results (quantitative and qualitative) compared to stated objectives?

To what extent did the Project interventions contribute to increasing access of children in contact and conflict with the law and reducing bottlenecks and barriers in the access of children to child-friendly justice mechanisms, especially of the most vulnerable ones?

Are results achieved similar in all districts?

What were the main factors which contributed or hindered the achievement of the intended Project outcomes?

Has the implementation of the Project produced any additional, unplanned effect (positive or negative)?

Main Project achievements at outcome and output levels

As mentioned above, the scope and timeframe to generate results through Project implementation has been conditioned by the operating space available in Azerbaijan. It varied across Project intervention areas and planned results. In areas such as legal aid and legal representation services, conditions have been largely conducive to generating results in the short to medium term due to a shared vision on needs between the Government and UNICEF, open space for dialogue and available national and local partners with whom to work. In other intervention areas (e.g. social work, reporting on child rights in pre-trial and post-trial detention, capacity building for Commissions on Minors’ Rights and Affairs, changing some social norms) or related to implementation modalities (grants contracts with NGOs), the operating space has been partly conducive to generating the estimated results. In these cases, the platform of an agreed evidence base, shared understanding, a common discourse and national capacities were rather weak. Therefore, the analysis considered the results which could have been generated relative to the existing operating space.

According to the reconstructed logical model (ToC), the Project envisaged to achieve three outcomes and seven outputs. Their achievement level at the end of the Project (31 August 2017) is assessed below.

► **Outcome 1 and its related outputs have been generally achieved (Table 4)**

<table>
<thead>
<tr>
<th>Table 4. Achievement of Outcome 1-related indicators</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planned Results</td>
</tr>
<tr>
<td>-----------------</td>
</tr>
<tr>
<td>Outcome 1: Enabling framework for improved access of children at risk to</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

85 e.g. the right of a child who committed a crime to legal aid and protection, rights of victims of crime, etc.
86 The DoA and its Logical Framework do not indicate an overall number of vulnerable beneficiaries for this indicator. The evaluation estimated that access to child-friendly justice mechanisms was improved once the services in the districts started to be delivered (month 10 of the Project, according to the action plan in the DoA) and the training of NPG was completed and monitoring visits to closed institutions commenced (month 11 of the Project). The evaluation has thus considered 25 months of actual support to vulnerable children and families, leading to an overall number of beneficiaries (125/month x 25 months)
87 The figure includes the number of children who benefited of Project services in the target and neighbouring districts and those living in closed institutions which were visited by the NPG after it was trained by the Project. The achieved level for this indicator is much higher as families are not included in the respective figure. UNICEF CO has provided data only on beneficiary children.
<table>
<thead>
<tr>
<th>Planned Results</th>
<th>Indicators</th>
<th>Baseline/Target</th>
<th>Status at 31.08.2017</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>child-friendly justice mechanisms (OO, R4)</td>
<td>trial and post-trial detention</td>
<td>(2012)/15% of children report violence</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output 1.1: Legislative and administrative framework related to access of children to justice developed (R6)</td>
<td>New legislation acts have been prepared within the Project life time</td>
<td>No / Yes Yes</td>
<td>Achieved</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Advocacy events organised to lobby for the adoption of the documents</td>
<td>0 / 6 national events 6 national events</td>
<td>Achieved</td>
<td></td>
</tr>
<tr>
<td>Output 1.2: Ombudsman and relevant state authorities have increased capacity to effectively monitor and report on violations of rights of children in contact and conflict with the law (R1, SO2)</td>
<td>Three-year strategy on child rights monitoring of the Ombudsman’s NPG is put into action</td>
<td>No / Yes Yes</td>
<td>Achieved</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Capacity needs assessment report of NPG available</td>
<td>No / Yes Yes</td>
<td>Achieved</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Training programme and module for NPG</td>
<td>0 / approved training module at least 10 training events approved training module 10 training sessions</td>
<td>Achieved</td>
<td></td>
</tr>
<tr>
<td></td>
<td>NPG’s Management Information System ready and used</td>
<td>No / Yes Yes</td>
<td>Achieved</td>
<td></td>
</tr>
<tr>
<td>Output 1.3: Law enforcement professionals are better informed and trained on juvenile justice and children’s rights (R5)</td>
<td>Number of staff members of Ombudsman Regional offices having the necessary skills and expertise to support the NPG in monitoring of child rights violations in all types of detention facilities</td>
<td>0 / at least 12 regional staff members trained through at least five training sessions 12 regional staff members trained through 5 training sessions</td>
<td>Achieved</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Number of professionals in each target district trained on access to justice and juvenile justice</td>
<td>0 / 160 professionals in 10 districts 91 professionals in 10 districts</td>
<td>Partially achieved</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Increase in knowledge of law enforcement officials on the rights of children in pre-trial detention (and start effectively using the knowledge)</td>
<td>n.a.27% 25%</td>
<td>Overly achieved</td>
<td></td>
</tr>
</tbody>
</table>

The Project has contributed to the development of an enabling framework which improved the access of 6,851 children at risk to more child-friendly justice mechanisms. It did so through the provision of legal assistance at local level (see more details below) and through ensuring a better protection and respect of children’s rights in closed facilities monitored through scheduled and ad-hoc site visits by the NPG as a result of:

- successful capacity building of its members, based on a thorough capacity needs assessment; during the interviews, the NPG representatives particularly noted the relevance of the training sessions on age appropriate and participatory techniques (focus group discussions, structured observation) for data collection; and the MIS developed with the support of the Project;  
- developed knowledge and skills of staff of Ombudsman Regional offices to support the NPG in monitoring of child rights violations in detention facilities;  
- implementation of strategic actions with the support of the Project, following the adoption of a three-year strategy and action plan (see Figure 4), which introduce a new performance reporting structure for the National Prevention Mechanism that is results-oriented.

As a result, the NPG has become more able to strategize on priority areas of concern, to identify more complex cases of violence against children and to understand the root causes for children’s placement in detention or alternative care. It was thus better equipped to inform the recommendations for redress to be issued by the Ombudsman. The evaluation was also informed by the NPG that according to data in the Management Information System, there has been no case of

88 The training was attended by 50 professionals from Baku sub-districts as well, but they are not counted in this figure since the indicator strictly refers to 10 districts, i.e. target and neighbouring districts.
89 The Logical Framework of the Project indicate: “Will be inserted when the KAP survey results will be ready in 2014”. See section 4.4 on limitations of the evaluation.
90 According to NPG, there are 3,500 children in closed facilities managed and organized under the Ministry of Education, Labour and Social Protection, Ministry of Health, Ministry of Justice and Ministry of Interior. Children are those who have come in contact with the law and children who for whatever reason are deprived of parental care.
violation of rights reported by children in pre-trial and post-trial detention in 2017. Nevertheless, since there is no other official evidence for triangulation, the status of this outcome indicator is unknown\textsuperscript{92}.

**Figure 4. Strategic approaches of NPG for an efficient National Prevention Mechanism**

![Strategic approaches of NPG for an efficient National Prevention Mechanism](source)

**Source:** National Preventive Mechanism on Torture under the Human Rights Commissioner of Azerbaijan, "Strategic Plan 2016-2019"

Improved access to more child-friendly mechanisms was also the result of new legislative proposals related to access of children to justice which were developed by UNICEF CO jointly with the Juvenile Justice Task Force (JJTF), submitted to relevant duty-bearers (Ministry of Justice, Ombudsman, State Committee on Family, Women and Children Affairs, etc.) and lobbied for their adoption in partnership with the EU Delegation and the World Bank (such as the public hearing in the Parliament in April 2016 on the proposals submitted by the JJTF). As a result, the law on media has been amended concerning the right to privacy of child offenders, victims and witnesses of crimes. In addition, the introduction of probation services (function and staff) and other amendments to the Criminal Code proposed by UNICEF CO and JJTF were in the Parliament for debate at the time of the evaluation. These positive developments were also facilitated by the Presidential Decree on “Humanisation of sanctions and alternative measures to detention in the Criminal Code” (February 2017). Meanwhile, according to recent UNICEF CO updates, the probation service has been finally set up within the Ministry of Justice with a planned staffing of 65 people. Other positive result is the possibility of the juveniles to be released after serving one fourth of the sentence, according to the changes operated in the Criminal Code.

Another contribution to developing an enabling environment for improved access of children to child-friendly mechanisms was brought about by the increased knowledge of law enforcement professionals who participated in the 2-day trainings organised by the Project in the target districts. In total 91 prosecutors, judges, court staff and justice department officers, bailiff officers, police officers and juvenile justice inspectors, members of Commissions on Minors’ Rights and Affairs at district level and other professionals have attended the trainings which included justice for children international standards, diversion and referral, alternative sanctions to imprisonment, child offenders, best interest of the child, etc. among the training topics.

According to the DoA, the trainings should have been also attended by officials from Social Protection Agency, Education Department and Health Department (page 11); nevertheless, they were not among the trainees. UNICEF CO and national consultant confirmed that there was an over-estimation of the number of professionals who could feasibly attend these trainings, hence a partial achievement of the planned target for the respective indicator (see Table 4 above). Given the fact that in some districts

\textsuperscript{92} The source of information for the baseline is also unknown. UNICEF former child protection specialist, who was involved in the design of the Project, including its Logframe, mentioned the Ombudsman report from 2012. There is however no information in the respective report concerning the number of children who reported violence.
(Shirvan, Mingechevir), the number of participants is almost two to three times lower than in the other districts, it seems that there might have been other factors which contributed to lower attendance. In this respect, the feedback received from UNICEF CO, the focus group with regional NGOs and interviews in sample districts confirmed that commitment and cooperation of former consultants with local authorities was not always optimal. An invitation letter jointly signed by Executive Committee and UNICEF was suggested by professionals to be used in the future, rather than a letter from UNICEF only. The sex disaggregation of trainees indicates that 90% were males, which shows the male-dominated professions in the law enforcement area.

The professionals who were interviewed during the in-country mission confirmed an increase of their knowledge as a result of the training, a fact which is also confirmed by the training report i.e. approximately 27%. A significant increase was noted concerning the use of the CRC in daily activity (from 21% at the beginning of the training to 43% at the end of it) and application of alternative measures instead of detention (from 32% to 63%). Professionals consulted on-line were also able to provide concrete examples of new knowledge and skills acquired and used following trainings, such as: ‘different approaches and methods towards children’, ‘became more sensitive in dealing with children’, ‘organised more efficiently the work with children and parents’, ‘improved cooperation of Executive Committee with other state departments’ (e.g. police department), ‘better communication with citizens’, ‘learning about inter-regional and international experience’, etc. They were also satisfied with the opportunity provided by the training to meet their peers in the region and improve cooperation among professionals in the future. Trainings were appreciated for their informative curriculum and interactive learning methods used by the trainers, including from the Academy of Justice, Police Academy and NPG. According to feedback received from the Ministry of Justice and Justice Academy, the decisions of judges who participated in the trainings were, as result, better informed and referenced by international human rights standards and conventions (e.g. Riyadh guidelines, Beijing rules).

➤ **Outcome 2 and its related outputs have been partially achieved (Table 5)**

<table>
<thead>
<tr>
<th>Table 5. Achievement of Outcome 2-related indicators</th>
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</thead>
<tbody>
<tr>
<td><strong>Planned Results</strong></td>
</tr>
<tr>
<td><strong>Outcome 2: Enhanced access of children in contact with the justice system to services in line with their best interest (R2)</strong></td>
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<tr>
<td></td>
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<td></td>
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<tr>
<td><strong>Outcome 2.1: CSOs have the knowledge, abilities and functional support programme to use legal aid and judicial procedures to attain protection of the rights of children (R2, SO1)</strong></td>
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</tbody>
</table>

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93 According to DoA, the services were planned to be delivered for 14 months. It means a total of 1,750 beneficiaries (125/month x 14 months)

94 The achieved level for this indicator is much higher as families are not included in the respective figure. UNICEF CO has provided data only on beneficiary children. The formulation of the indicator is unclear, including actually two indicators i.e. one on the number of children and another one on the number of families. There are other indicators in the same situation.
The Project enhanced the access of 3,351 vulnerable children (rights-holders) from 10 districts (target and neighbouring) to free of charge legal aid and legal representation services (Table 5). Parents, professionals and local authorities interviewed for the purpose of this evaluation confirmed that the Project covered a major gap in terms of affordability and availability of services in their community. As put it by key informants from sample districts: “The Services were very useful, while solutions were practical”, “Excellent legal support. Highly successful Project”.

The aggregation and analysis of data collected via mapping templates indicate that the planned number of beneficiary children was exceeded by almost two times, indicating the big demand for such services, a fact which was confirmed by parents, professionals and local authorities who were interviewed during the site visits. Out of the total number of beneficiaries, 1,319 were rural vulnerable children. For them, the services provided by the Project (including mobile and phone-based services for 84% of rural children) were of particular importance given the chronic lack of access to such services in rural and remote areas, as explained in the Relevance section of this report. The lack of data concerning the number of beneficiaries (children and families) who received services by state authorities made difficult a precise assessment of the extent to which the Project met the planned level of rural beneficiaries. If we would add the parents and state authorities, the indicator seems to have been achieved.

The Project exceeded the planned number of beneficiary children in four out of five target districts (and neighbouring districts) (Table 6).

**Table 6. Beneficiary children of Project services, by target districts (31 August 2017)**

<table>
<thead>
<tr>
<th>Target District/Neighbouring District</th>
<th>Children (total)</th>
<th>Planned*</th>
<th>Achieved</th>
<th>% Urban</th>
<th>Rural</th>
<th>Girls</th>
<th>Boys</th>
<th>Poverty</th>
<th>Disability</th>
<th>Internally-displaced</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gabala Oghuz</td>
<td>350</td>
<td>584</td>
<td>162%</td>
<td>350</td>
<td>234</td>
<td>328</td>
<td>256</td>
<td>968</td>
<td>5</td>
<td>47</td>
</tr>
<tr>
<td>Aghjabed Barda</td>
<td>350</td>
<td>1,029</td>
<td>286%</td>
<td>684</td>
<td>345</td>
<td>463</td>
<td>566</td>
<td>105</td>
<td>39</td>
<td>0</td>
</tr>
<tr>
<td>Shamkir Tovuz</td>
<td>350</td>
<td>214</td>
<td>59%</td>
<td>75</td>
<td>139</td>
<td>94</td>
<td>120</td>
<td>968</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Shirvan Sabirabad</td>
<td>350</td>
<td>408</td>
<td>113%</td>
<td>247</td>
<td>161</td>
<td>225</td>
<td>183</td>
<td>21</td>
<td>12</td>
<td>0</td>
</tr>
<tr>
<td>Mingechevir Yevlakh</td>
<td>350</td>
<td>1,116</td>
<td>310%</td>
<td>676</td>
<td>440</td>
<td>441</td>
<td>665</td>
<td>10</td>
<td>34</td>
<td>0</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,750</td>
<td>3,351</td>
<td></td>
<td>2,032</td>
<td>1,319</td>
<td>1,551</td>
<td>1,790</td>
<td>146</td>
<td>(4.3%)</td>
<td>132 (3.9%)</td>
</tr>
</tbody>
</table>

* Calculated by the evaluation based on DoA

The lowest progress was achieved in Shamkir due to the underperformance of both consultants from the regional NGO (Training and Resource Centre) and their late replacement (four months after the...
termination of the contract with former consultants. Shirvan and Gabala, also ‘served’ by the Training and Resource Centres, went through a similar process, but the lawyers (the main providers of services) have been retained, while the district project coordinators were employed 2.5 months after the termination of the contract with the former ones. Such disruption of activity might have been avoided in case institutional grant contracts were concluded by UNICEF with the regional NGOs (as initially planned, according to the DoA) rather than service contracts with individual consultants. As explained in section 2 of this report as well as in the Efficiency section, this contractual arrangement was not possible due to changes in national legislation which occurred during the implementation of the Project.

Although Shamkir was lagging behind concerning the total number of beneficiary children, it was the only district where services were primarily provided to rural children, i.e. the most disadvantaged in terms of access to justice. As explained in the Relevance section of the report, this was due to the supply-driven selection of target districts (which resulted in the inclusion of two cities) and late start of communication and awareness raising activities at local level.

As far as vulnerability is concerned, there are no district disaggregated data of poor children, but rather overall figures on the number of applications for TSA and number of children living in the families which applied for such support (assimilated to poor children, using TSA application as a proxy). Children with disability were particularly served in Aghjabedy where the regional NGO was also running an inclusive education centre and which already had a ‘captivating’ audience. Most IDPs benefitted of support in three out of five districts (and neighbouring districts) i.e. those with a high concentration of IDPs: Gabala, Mingechevir and Aghjabedy.

UNICEF CO has introduced an internal performance indicator in an attempt to better monitor the results and performance of each district, i.e. “successfully solved or completed cases”. The evaluation made some calculations based on data provided by UNICEF CO (see Annex 8) and corroborated the findings with the feedback received from the focus group with regional NGOs and interviews with key informants, including local authorities. The conclusion is that 548 cases were successfully solved/completed (26%), involving 799 children (24%). The indicator is however unable to provide an accurate picture of the district level performance for the following reasons:

- uneven understanding of the meaning of ‘successfully solved cases’, hence reporting of data which varies a lot across districts;
- complexity of provided services: there are districts which reported less solved cases than other districts, but these cases were more complex, more difficult to solve and more time consuming (for instance support for getting the alimony compared to support in for settling the child guardianship, getting survivor’s pension, getting disability allowance, ensuring access to health care and psychological counselling; or getting alimony compared to successful representation of criminal cases in the Court); hence comparing the total numbers of ‘successfully solved cases’ was misleading in terms of district performance as it disadvantaged the districts which managed to solve very difficult and complex cases;
- no information available on the quality of delivered services, apart from random feedback from beneficiaries;
- uneven availability of services and specialists (e.g. for children with disability) in the districts for referral by the Project lawyers, which was a major factor influencing the successful resolution of applications but which was out the control of the regional NGOs.

In order to ensure a relevant and good quality provision of services in the districts, a week-long training has been delivered to consultants from regional participating NGOs. 60% of trainees were males, while 40% of them were females, indicating an attempt of UNICEF CO to keep the gender balance in professions dominated by males. The training topics included the principles and concepts of legal aid and access of children to justice, legal aid provision techniques, sensitive approaches to child offenders, challenges faced by children going through the justice system, major violations of rights and how to address them using the judicial and legal mechanisms. The training was provided by an international consultant with a view to supporting the consultants from regional NGOs to gain exposure to best international experience in provision of legal aid and legal representation services. According to the interim Project report, at the post-training stage 88% of test questions were answered correctly.

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95 According to the Interim Report, the contracts of consultants working in Shamkir and Shirvan were terminated on 4 September 2016. The new coordinator in Shirvan was contracted on 21 November 2016, while both consultants in Shamkir were contracted only on 1 January 2017.
compared to only 52% at the pre-training stage. The training was evaluated 'excellent' and 'very good' by 83% of participants. The feedback from the focus group reconfirmed this level of satisfaction. Participants mentioned that they acquired new knowledge and skills concerning, e.g. the best interest of the child; international human rights standards; Family Code, as they used to work more with the Civil Code; how to cooperate with state bodies and local authorities, including schools; sensitive approaches on violence; how to reach low income families; and how to use communication to solve problems.

As a result of the capacity building activities, the consultants of regional NGOs acquired the knowledge and abilities to run legal aid and use judicial procedures to attain protection of the rights of children. The number of NGO legal support centres outside Baku, having functional services for children and families in need, has increased to 4 NGOs in five locations. The aim of the Project, which was achieved, was to use the resources and potential of these NGOs to increase access to justice services, by providing a platform for citizens and children in need of legal support where they could learn about their rights and seek protection of these rights using the justice system. The sustainability of these platforms is however under risk, as explained in section 5.5.

The Project was less successful in developing the social work within the justice and child protection system, and in increasing the capacity of district-level Commissions on Minors’ Rights and Affairs. Progress was slower than in other intervention areas. The Law on Social Services has laid the legal foundation for regulating the social work and the Project has assisted in developing Guidelines on Social Work for Families and Children in Justice System and Guidelines on Social Work for Families and Children in Child Protection System. The first were presented in a meeting of the JJTF in November 2017, while the second were shared with the Ministry of Labour and Social Protection for discussion, finalisation and adoption. The guidelines include useful definitions and clarifications as to the roles and responsibilities of the social worker in the justice system and in different stages of the judicial process. They also contain the minimum requirements for staffing of the social work at different level/ladders, including the standards on qualification and specifications. In addition, the guidelines contain minimum quality standards of the services, and related indicators. Finally, ethical considerations of social work with families and children in child protection system are also included. The guidelines were aimed to inform the work of the district Commissions on Minors’ Rights and Affairs, and be used by the social workers who were envisaged to be hired by the child protection system. Nevertheless, no social worker has been hired during the Project lifetime, but plans were rather made to use the existing staff of social protection authorities who was trained by UNICEF within a different project to take up this new role as from 2018.

The Project also aimed to develop the capacity of the Commissions on Minors’ Rights and Affairs in the target districts to increase effectiveness of their operations and better protect the child rights. In this respect, it planned to deliver trainings at district level specifically targeting these commissions’ staff and child protection officials, i.e. 50, respectively 100 people. However, the attendance rate was very low of only 10 people, who actually took part in another training together with law enforcement professionals (see outcome 1). The trainees who were consulted for the purpose of this evaluation (face-to-face or e-mail based interview) mentioned several acquisitions resulting from the participation in the trainings, such as: understanding the effects of child separation from family on his/her further development; communication with parents and children, sharing experience with their peers from other regions.

The evaluation was informed that the commissions have only two permanent employees able to come to trainings (the secretary and the psychologist) and thus the targets included in the Project documents were to a large extent unrealistic. If that’s the case, it seems that the design of the Project has not been grounded in a solid assessment of needs and commitment of the target group to take the training before targets were set. According to the feedback of local authorities, other factors seem to have been contributed to this low attendance, such as communication deficiencies in sending clear messages, explaining the rationale and the expected benefits of the training. It seems that the role of social welfare professionals in justice for children has not been sufficiently well understood by the planned target audience of the training courses. This was a lost opportunity for the commissions and its institutional members to increase their performance and become more rights-oriented, all the more since most of the applications from vulnerable parents received by regional NGOs were related to the restoration of rights in the area of social protection, health and education (around 60%) rather than juvenile justice or other areas.

★ Outcome 3 and its related outputs have been partially achieved (Table 7)
The Project strived to improve attitudes and perceptions of the professionals and society on children at risk and of their rights, with moderate success. A large range of awareness raising events have been organised as soon as the regional participating NGOs have been trained on communication for development and as soon as the communication strategies have been finalised for each target district. According to the training report and the feedback from the focus group, the training was informative and practical, supporting the regional NGOs to transpose the needs for change in useful messages and implement numerous awareness raising activities. UNICEF CO informed the evaluation that a total of 77 round tables were organised, which attended by 1,235 people, and 92 field trips were undertaken for the dissemination of information, education and communication (IEC) materials. There have been 90 local officials and law-enforcement professionals who participated in some round-tables and community events, but no targeted seminars or workshops have been organised. There is insufficient information to assess the change in knowledge and attitudes among target groups. Firstly, the baseline is unclear as explained in the section on limitations of evaluation. Secondly, no “rapid KAP survey” has been carried out to measure progress, as indicated in the Logical Framework, column on Sources and Means of verification. UNICEF report “Implementation of the communication strategy”, submitted to the evaluation on 13 October 2017 claims that the IEC materials supported the change of knowledge and attitudes of law enforcement officials whose “understanding and knowledge on the rights of children in pre-trial detention increased from baseline study” (page 2). Nevertheless, no evidence has been provided to the evaluation. The training of the NGOs included a topic on “Evaluation of communication campaign’, in line with the DoA which reads: “The overall objective is to equip and enable duty bearers or relevant staff of CSO/CBOs to plan, implement, monitor and evaluate strategic communication for behaviour and social change programmes to reach desired changes to improve child protection system, including justice for children in Azerbaijan” (page 8). Out of four district communication strategies which were made available to the evaluation, three of them include a section on monitoring and evaluation (M&E) 97, but the indicators are either unclear or miss targets. All strategies include surveys and final evaluations, but there is no evidence to what extent these have been done apart from reporting back on the number of events and attendance of several events (round tables, field visits, community events, etc.). It is also unclear to what extent the consultant who provided the training and online consultancy has also supported the regional NGOs in monitoring and assessing the progress during his monitoring visits in the districts.

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96 The Logical Framework of the Project indicate: “Will be known in 2014”. See section 4.4 on limitations of the evaluation.
97 In the fourth strategy, this section consists of recommendations of the consultant on the possible content of monitoring and evaluation activities.
Nevertheless, the review of various Project reports and the feedback received from local authorities during the site visits and from the participants in the focus group confirm that there have been some positive changes in the knowledge and attitudes at local level. The following have been more frequently mentioned:

- related to local authorities: improved understanding of their role in the fulfilment of children’s rights at a local level; improved reporting on drop-outs by local schools; increased referral of complex cases\(^{98}\) to legal aid and legal representation services provided by the Project, resulting in increased take-up rate; causes of some social issues revealed (e.g. domestic violence);
- related to children: reduced drug use; confidence built to share problems and speak out;
- related to parents: children prone to criminal acts better supervised; increased awareness of their rights (as acknowledged by the Courts) and confidence to seek advice; awareness on the need for birth registration in rural areas; improved social norms.

The local events also provided an opportunity for law enforcement professionals, child protection officials, children, parents, teachers, community and religious leaders to discuss issues affecting children lives and address negative social norms, such as those related to children with disability or domestic violence. As summarised by a key informant:

“If an international organisation like UNICEF is concerned about the rights of our children, we, the citizens of Azerbaijan, should be equally concerned and care the most” (focus group participant).

Factors promoting or hindering effectiveness

The factors which increased the effectiveness of the Project were the following:

- **blended implementation strategies at national and district level** which were used in concert to influence the determinants of low access of vulnerable children and families to justice, i.e. advocacy for legal amendments, capacity building of professionals, local delivery of services to children and families, awareness raising for social change, challenging social norms;

- **top level national and international expertise** which was mobilised to provide high quality capacity development support, based on thorough needs assessment and blended learning methodologies. The latter combined classroom training with online consultancy and site monitoring (Strategic Communication for Behaviour and Social Change); lectures, case studies, interactive debates, exercises, role plays and site visits to develop technical knowledge in parallel with soft skills, such as communication and interviewing skills, while at the same time challenging social norms of professionals\(^{99}\) (training of NPG and of law enforcement professionals);

- **use the potential of JJTF to discuss and advocate for changes in the legal framework of the juvenile justice sector.** As a result, several important amendments have been discussed in the Parliament and adopted, as detailed in the analysis of outcome 1.

At the same time, there were several factors which hindered the effectiveness of the Project, as noted in the achievement level of certain planned results, as follows:

- **sub-optimal planning of activities**: the timing of the service provision was not sufficiently well correlated with the awareness raising activities; if better synchronised, the latter could have had a better contribution to increased take-up of legal support services by vulnerable children and families living in rural areas, as demonstrated during the period when community events and dissemination of IEC materials were carried out;

- **insufficient tailoring of capacity building methods to the commitment and absorption capacity of the Commissions on Minors’ Rights and Affairs**: while needs for capacity building are acknowledged, the low attendance of trainings by members of district-level commissions seems to indicate: a) an uneven understanding of the complementary role of justice and social welfare professionals in ensuring access of children to justice; and b) insufficient attention paid to checking the level of commitment and feasibility for their participation in training courses; the round tables and community debates seem to have

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\(^{98}\) During the site visit in Aghjabedy, the evaluation was informed that the increase in the number of complex cases was very high, from three-four cases before the awareness raising activities to 20 cases afterwards.

\(^{99}\) e.g. related to equality before law and the issue of capacity for ‘unusual children’ (children with disability, children with so-called ‘socially-unacceptable behaviour’, tendency to unnecessarily refer such children to the psychologist, etc.).
attracted them more easily and there might have been other learning opportunities worth exploring to raise their motivation.

Unplanned results and their implications

There is evidence of some additional, unplanned results of the Project identified during the interviews with key informants and focus group with professionals. Examples of such results and their implications (effects) include the following:

- provision of legal aid and legal representation services in an additional district, Hajigabul, triggered by the Project; *effect: apart from the Project beneficiary children, an additional number of vulnerable children and families benefited of legal assistance provided by Shirvan consultants as a result of 28 applications;*
- provision of Project-related services of vocational training and inclusive education in two districts; *effect: apart from the legal aid and legal representation services provided by the Project, vulnerable children from Mingechevir and Aghjabedy benefitted of more complex and sustainable approach of their needs due to the expertise of the partner regional NGOs which operated in the respective districts;*
- training of professionals from Baku sub-districts, as part of the training provided to law-enforcement officials in the target districts; *effect: capacity building developed for 50 additional professionals who joined their colleagues from the target districts; efficient use of training curriculum and materials;*
- revealing violence against adults in closed facilities during NPG monitoring visits; *effect: knowledge, methods and skills developed by the Project at the level of NPG used to identify violence against adults living in closed facilities, apart from those against children; cases of violence reported and recommendations made to alleviate the distress of adult victims.*

5.3 Efficiency

Evaluation of efficiency was based on the following evaluation questions:

- How well has the implementation of the Project been managed? What monitoring and reporting systems and tools have been used and how did they contribute to the Project management process?
- Were financial resources used appropriately? Were funds managed in a cost-effective manner to achieve expected results? Could the same results have been achieved with fewer resources?
- Did the Project ensure coherence with other relevant interventions supported by different agencies to encourage synergy and avoid overlaps? What were the areas and ways of cooperation with other agencies concerning the development of services for vulnerable children?
- To what extent has the Project promoted partnerships in justice for children and strengthen cross-sectoral cooperation? What was the role of line ministries, NGOs and communities in the coordination and implementation of Project activities?

Project management and monitoring

Following the system analysis of management, monitoring, quality control and assurance approaches, the evaluation concludes that the Project has been managed in a professional, efficient and culturally-sensitive manner. The Project management was ensured by UNICEF CO (child protection section) under the overall supervision of the Deputy Representative and in partnership with applicant NGOs, NPG, line ministries and regional implementing NGOs.
The framework for assistance and cooperation with the NPG and line ministries was represented by the RWPs signed by UNICEF with Ombudsman, respectively line ministers of Ministry of Internal Affairs, Ministry of Justice and Ministry of Labour and Social Protection of the Population.

As mentioned in section 2, the overall coordination and guidance of the Project was planned to be ensured by a Project Steering Group composed of UNICEF CO staff and project officers from each co-applicant partner NGO. According to the DoA, the Group had to meet every three months to discuss and take decisions. UNICEF CO and national consultants confirmed during interviews that, in reality, it has been coming together on a needs basis. The work of the Project Steering Group is however not documented. The JJTF was used as an organised form of multi-stakeholder engagement in strategic decision-making and strategic orientation of the Project, in particular in relation to the activities related to outcome 1, i.e. development of proposals for the improvement of the legal framework and advocacy for the adoption of proposed amendments.

The two co-applicant NGOs were World of Law Legal Propaganda NGO and Youth Education Centre, whose role in the Project has been detailed in section 2. They were selected based on their experience of implementing support programmes for marginalized children and adolescents as well track record of successful cooperation with local government authorities. In addition, UNICEF identified regional NGOs to work in the target districts i.e. regional branches of Youth Education Centre in Aghjabedy and Mingechevir and Training and Resource Centres in Shamkir, Shirvan and Gabala. UNICEF has planned to conclude institutional agreements with the two partner NGOs and with regional NGOs, but this proved to be very difficult due to changes in the legislation which took place after the grant application was submitted and agreement with the EU Delegation signed. These facts have been also confirmed by the European Commission in its 2015 progress report:

"On 17 October 2014 the Milli Majlis adopted amendments to the laws on non-governmental organisations (public associations and foundations) and on grants. These were approved by President Aliyev on 19 November 2014. The absence of clear implementing rules recreated a legal vacuum and forced some civil organisations to temporarily scale down their activities. “These also created obstacles to receiving EU financial assistance.” “In 2014 the EU completed procedures to support civil society through grants of more than EUR 3 million to 14 projects. The projects on democracy and human rights were mostly implemented by foreign NGOs in partnership with local organisations. As was the case for all new NGO grants awarded in the second half of 2014, registration of these new EU-funded grants was deferred by the Ministry of Justice in anticipation of a new legislative framework. This prevented most EU-funded NGOs from starting their activities.”

However, the Government has not developed a new legislative framework and as of October 2015, there have been significant difficulties in official registration of any grant or cooperation agreements between local NGOs and international organizations. Without official registration of a grant/partnership agreement by a competent government authority, NGOs were not able to access their funds in the bank accounts. This situation was discussed within UNICEF (CO and Headquarters) and a temporary solution has been agreed with the EU Delegation i.e. to engage with individual lawyers and NGO leaders from regional Youth Education Centre branches and regional Training and Resources Centres on the basis of individual consultancy agreements to start November 2015 (Terms of Reference, page 1). As a result, individual consultancy agreements were concluded with 10 regional consultants (a district Project coordinator and a lawyer in each target district) following a transparent selection procedure of UNICEF CO. In addition, the director of the World of Law Legal Propaganda NGO has been engaged using the same contractual arrangement.

According to the EU Delegation, this was the only project within the democracy and human rights stream of the call for proposals in 2014 which managed to be finally implemented, the rest being unable to start their operation. While this is highly commendable, the conclusion of individual rather than institutional agreements has not come without any effectiveness, efficiency and sustainability costs. Institutional agreements might have speeded up the replacement of under-performing staff of the respective NGOs without too much disruption of service provision in the districts (see the Effectiveness section) and might have increased the prospects of having more sustainable NGO-based platforms for citizens and children in need of legal support.

UNICEF CO was in charge of the technical and financial management, monitoring and quality assurance of the Project as well as reporting to the donor. The feedback from stakeholders confirms that the management of the Project was conducted professionally and in an efficient and culturally-sensitive manner. The Project stakeholders depict UNICEF as a professional, respected and reliable partner, best placed to support the country in the area of access of children to justice and able to bring important value-added through its interventions. Indeed, UNICEF CO partnered with NPG in regular monitoring visits to the closed facilities, with the Government in pushing forward the improvement of the legal framework, via the JJTF, and with local authorities in improving their work for the benefit of children via the district-level Project work. It brought about value-added in terms of covering an important gap in the provision of legal aid and legal representation (especially in the rural and remote areas), which it did free-of-charge and at a high quality level, according to professionals, but also children and parents who are deeply grateful for the support received so far. The system used by UNICEF CO and its implementing partners to monitor the Project is presented in the Box 1.

Box 1. Project monitoring

The overall Project has been monitored by the child protection section of UNICEF CO. The M&E team has provided valuable guidance and oversight for ensuring that the Project moves forward as planned and meets the requirements of the donor and UNICEF. The monitoring work has greatly benefitted from the support of two national consultants who provided the regional NGOs with information packs, file management forms as well as guidance to get started, implement the services and awareness raising activities to the expected quality level, input the database and report on achievements and challenges.

Monitoring has been done on the basis of the following:

- a) DoA, Logical Framework (including indicators with baselines and targets), plan of activities and budget;
- b) Interim progress report to the donor;
- c) Consultancy agreements concluded with regional, national and international consultants;
- d) Monthly technical and financial reports submitted by the national and regional consultants;
- e) Trip reports of UNICEF CO staff and national consultant to target districts and closed facilities;
- f) Online database with applicants (vulnerable families) filled in by regional consultants.

UNICEF CO used an efficient results-based monitoring approach, which helped putting the district-level activities of the Project on the right track, especially in terms of outreach and take-up of service provision. The Project faced particular implementation challenges in the target districts 'served' by the Training and Resources Centres (Shirvan, Gabala and Shamkir) where under-performance and mis-reporting has been identified on the occasion of spot-checks (including also telephone calls to randomly selected beneficiaries) and site monitoring visits. This led to the termination of contracts with four out of six consultants and their replacement. It shows that the selection of the respective regional NGOs was not sufficiently well done (despite justification in the DoA10) or a de-motivation occurred once the institutional agreements were unable to be concluded (as explained above). The analysis of monthly reports and applications registered in the database were also used to check and improve the outreach and take-up of legal aid and legal representation services, especially in the rural and remote areas. The quality of provided services has been primarily checked based on the satisfaction level of randomly selected beneficiaries, without using more standardised quality indicators.

The interim progress report of UNICEF CO follows the template provided by the donor. It is well structured and informative, providing useful information about the implemented activities, obtained results and utilised budget; it includes disaggregated data (by sex and family status of the applicants for legal support services) to a certain extent. The only identified weakness is the lack of an updated Logical Framework, with completed baselines (which became available, e.g. from KAP) and more realistic targets (e.g. number of trainees from district Commissions on Minors’ Rights and Affairs).

Based on the analysis of a sample of reports, the evaluation found out that the monthly reports submitted by regional consultants were also well structured and informative (including indicators, description of cases, of cooperation with state authorities and of activities planned for the next reporting period), but less analytical in terms of underlying constraints for a successful resolution of cases and ways how they were overcome. Apart from monthly reports, day-to-day communication and regular meetings between UNICEF CO and regional consultants (documented in brief trip reports) were used to monitor the progress of the Project.

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10 DoA (page 6): “The Project is planning to target Regional NGO Training and Resource Centres (RNGOTRC), which have necessary resources and greater potential for sustainable functioning beyond the life of this Project. These Centres have been established in the early 2000s as a result of a UN-funded project and have proved strong civil society organizations with many programmes implemented in the districts that each of them cover. All of these centres have office premises, conference room facilities and qualified programme and admin staff. The Centres are also known in the community, as they serve as resource organizations and regularly interact with the surrounding community and local NGOs. Moreover, the Centres are also supported by the government NGO support fund, which allow greater sustainability of the activities of these organizations”.

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Joint monitoring visits of NPG and UNICEF CO were also paid to closed facilities, providing a further opportunity for NPG to UNICEF to check if they followed children in institutions.

**Human rights principles** of non-discrimination, equality, rule of law, accountability and use of maximum available resources were embedded in the monitoring work. The participation and empowerment principles were also given attention, particularly in relation to duty-bearers’ capacity building and engagement in Project activities, respectively to parents (rights holders) in understanding and claiming their rights for them and their children. Ensuring equity in the provision of services in target districts was at the heart of the overall Project monitoring. UNICEF CO striving to make sure that the most vulnerable children and families are given priority and that outreach strategies cover rural population as best as possible.

There have been some delays in the implementation of the Project due to changes in the legislation on NGOs, staff turnover within UNICEF CO team coordinating the Project and some planning issues, which affected the timely start of services in the target districts (December 2015 instead of August 2015)\(^{102}\), but especially of the awareness raising activities (June 2017 instead of September 2015\(^{103}\)). Actually, the district level services of legal aid and legal representation have functioned one year and a half without the support of communication for development and awareness raising. According to the DoA, the public awareness raising activities were aimed to “tackle mis-perceptions about children in disadvantaged situations and change behaviour among the target groups” and “result in better outcomes for children because of changed behaviour of both authorities and community members towards children from marginalised groups” (page 9). As explained in the Effectiveness section, these activities have improved the take-up of legal support services in the target districts, including in the rural areas where most vulnerable children and families are living. If better planned, they could have worked in concert with the services for a longer period, with much better impact on the access of children to justice.

A six-month no-cost extension was granted by EU Delegation that allowed the finalisation of all activities in good condition and settling issues caused by delays. Most outputs are of good quality and accessible to relevant stakeholders, and the immediate impact and results of the Project are significant as confirmed by the stakeholders consulted for this evaluation.

**Financial management and cost-effectiveness**

Financial monitoring was based on regular financial reports (of UNICEF CO to donor and of national and regional consultants to UNICEF CO), spot checks on utilization of funds and site monitoring visits. The reported financial data indicate that there was straightforward spending as per approved budget by EU, with funds spent in an accountable and cost-effective manner. Most EU grant funds were allocated to the setting up and running of legal support services in the target districts as well as capacity building for NPG and law enforcement professionals (over 71%\(^{104}\), while UNICEF own contribution was representing UNICEF staff time. The costs with human resources (staff, local consultants) were in line with the usual salary levels and market prices for the respective levels of qualification, experience and responsibility in an international Project. The indirect costs of the Project represented 5.7% of the total budget of its planned interventions, below the threshold of 7% allowed by the donor. All implementing partners have strictly followed UNICEF requirements for budget reporting and breakdown. According to the final financial report, the amount that was spent until the end of the Project was € 399,366 (Annex 9), representing 99% of the total budget.

As far as **cost-effectiveness of human resources** is concerned, local experts and trainers were hired to the extent possible, leading to important cost savings for fees and translation costs.

The financial analysis done by the evaluation found out that the unit cost/child was around AZN 60\(^{105}\) (AZN 64, if we add the training costs). A similar project implemented in Azerbaijan by World Bank\(^{106}\) set up two legal information centres in Baku and Guba to provide free legal aid to 4,380 citizens, covering areas such as civil and family law, in particular disputes involving alimony, property and inheritance issues. It spent US$ 70\(^{107}\) per beneficiary (around AZN 119) and, from this perspective, the services

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\(^{102}\) See DoA, Action Plan (pages 16-17) and Interim Progress Report (page 12).

\(^{103}\) See DoA, Action Plan (pages 16-17) and Interim Progress Report (page 12). According to the latter, preparations started in April 2016, but the actual implementation of awareness raising activities was launched in June 2017, as confirmed by UNICEF CO and regional consultants during interviews.

\(^{104}\) Calculated based on Final Financial Report of the Project provided by UNICEF CO.

\(^{105}\) Calculated based on consultant fees (lawyer and coordinator) and number of beneficiary children.

\(^{106}\) Judicial Modernization Project (2006-2014)

\(^{107}\) Calculated based on cost of lawyer salaries.
that were supported by the Project in the target districts seem to have been more cost-efficient. The evaluation strived to identify other benchmarks, however with no usable information was available. As put it by a recent justice system assessment: “According to the Ministry of Justice, there are currently legal aid clinics operational in nine districts of Azerbaijan. The purpose of these clinics is to provide legal aid services to ensure access to justice in regions where courts are established. The Ministry of Justice were not able to provide information on the number of cases taken by the clinics, nor on the nature of the services offered.”

It is also worth mentioning that the Project assisted vulnerable children and youth to avoid pre-trial detention and use instead diversion and other alternatives which can often be cheaper than formal court processes and detention.

Additional efficiency features of the Project consisted of the use of training premises provided by the Executive Committees and regional NGOs, involvement of volunteers in the dissemination of awareness raising materials and centralised procurement of awareness raising materials for all target districts in order to minimise the costs, ensure unitary provision of materials and permit as far as possible coordinated implementation schedules at local level. Centralised procurement by UNICEF was also efficient time wise – if the regional NGOs or local authorities were to do it using public tender procedures, it could have taken much more time and created delays in Project implementation. The procurement process was transparent and guided by the value-for-money principle.

Coherence, synergy and cooperation with donor agencies

The Project was coherent with other relevant interventions supported by international development partners and donors, in particular the EU and the World Bank. UNICEF CO has managed to develop successful partnerships in the justice sector with these two important organisations, enabling efficient advocacy and a more “ holistic approach to an issue that too often is approached in a siloed manner”.

The Project built on the results of a former EU project implemented by UNICEF CO (ENPI/2013/330/519), which had similar target groups and which set up a child legal aid clinic in Ganja whose experience was used to inform the setting up of similar services in the target districts. It has also mobilised its staff to provide peer support and stimulate learning among the regional consultants through participation in training courses and exchange of practical skills on the child rights legal services. According to information provided by NPG, the Project has leveraged additional resources for children in contact with the law through an EU twinning support (Greece, Poland, Germany) which will support the implementation of the NPG strategy developed with the assistance of the Project. Another area of cooperation with the EU Delegation is within the framework of the Justice Budget Support Programme, which touch upon development of services for vulnerable children.

According to feedback from key informants, UNICEF CO has managed to develop a successful partnership with the World Bank as far as juvenile justice is concerned and make sure that there is a synergy and coordination between the various programmes in the country on the topics and themes addressed in the DoA. The Project benefitted from the participation of the Academy of Justice, as local trainer of law enforcement professionals, after its capacity has been improved through the World Bank "Judicial Modernization Project" (2006-2014). It has been also informed by the justice system assessment from 2016 which the Bank contracted UNICEF to carry it out. The current "Judicial Services and Smart Infrastructure Project" constitutes a second and more nuanced phase of World Bank support for Azerbaijan’s process to improve the performance of its justice sector and strengthen access to justice. As in the past, juvenile justice remains an area where UNICEF CO is the key partner able to ensure synergy with its own projects and avoidance of overlaps.

UNICEF has been working and partnering with other agencies, such as Council of Europe, Office of the UN High Commissioner for Human Rights, UNFPA and other entities to exchange knowledge and information within the framework of the Project. The framework for cooperation was the UN Thematic Group on Human Rights, where several activities have been coordinated, but also some resources/strategies have been leveraged.

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110 UNICEF Azerbaijan Annual Report 2016, page 1
111 UNICEF Interim Report to the donor, October 2016

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Partnerships, cooperation and coordination with national and local stakeholders

The Government and NPG regards UNICEF as an important partner in supporting its juvenile justice sector reforms and overall access of children to justice. Through the Project, UNICEF has been able to provide global knowledge and good practices relevant for Azerbaijan through its technical support, peer-to-peer networking and learning services. The evaluation found out that the Project built on the existing policy and legal environment, formal partnerships and cooperation mechanisms with the Government and Ombudsman, and experience of working at community level.

Cooperation of UNICEF with central authorities, in particular with the NPG and Ministry of Justice, but also with other relevant line ministries (labour and social protection, internal affairs) went very well. The main fora for debate, cooperation and partnership was the JJTF. Interviews with key informants confirmed that the Project greatly benefitted from the work of JJTF which managed to move forward important pieces of legislation for amendment and adoption.

At local level, cooperation of UNICEF CO, regional consultants and local authorities (Executive Committee, Commission on Minors’ Rights and Affairs, police departments, schools, etc.) went also very well and there have been no particular issues reported to the evaluation team. The districts trainings and awareness raising events (community debates, school events, meetings with authorities) strengthened cross-sectoral cooperation at local level among professionals which is key to ensuring the realisation of children’s rights and in particular of the most vulnerable. There were extensive consultations with the local communities for the development of key messages for the awareness raising activities. Cooperation was two-way as far as referral of vulnerable children and families was concerned i.e. regional consultants referred applicants to existing education, health and social protection services to get their statutory rights, but local authorities have also referred children and families to legal support services provided by the Project. It demonstrated that the services got a good reputation at local level and local authorities were appreciating their relevance, as also confirmed during interviews in the sample districts: “excellent legal support”, “project highly useful”, “they are a great help for me to do my work properly with mobile outreach”, “we invited them to carry out joint meetings with us in the schools” are just few of the numerous positive feedbacks received by the evaluation from consulted local authorities.

5.4 Impact

Evaluation of impact considered the following evaluation questions:

To what extent has the Project contributed to strengthening the protection of human rights of children at risk (in contact and conflict with the law) in justice proceedings and improved their lives?

To what extent have achievements in the target districts fed into national level policy dialogue and supported the environment for implementation of child rights?

Impact on realisation of rights of children at risk in contact with the justice system

As explained in section 4.4 on limitations of evaluation, the assessment of the Project impact was challenging and the evaluation had to use some proxy indicators to highlight to the extent possible the effects of the Project on children’s lives, as requested in the ToR and embedded in the evaluation matrix. Since monitoring of beneficiary children after referral to different services was not included in the ToR of regional consultants and was thus sporadically done, quantitative information is insufficient for a more precise measurement. The evaluation has thus sought to assign plausible qualitative contributions of the Project to higher level results using the available Project data, triangulated with feedback from

112 According to Project data, there have been 328 meetings with local authorities throughout the lifetime of the Project.

113 According to Project data, 276 children (8.2% of the total number of beneficiary children) were referred to the legal support services by local authorities. If more timely, the awareness raising activities might have increased this number.
interviews with parents, direct observation of children during site visits and expert opinion of selected key informants, including professionals and regional NGOs.

According to reconstructed logical model (ToC), the Project aimed to contribute to strengthening the protection of human rights of children at risk who are in contact with the justice system, in line with EU and international principles. Three indicators were used:

- *Indicator: Satisfaction level of parents concerning the available support services and treatment of their children in justice proceedings (low/moderate/high)*

The evaluation assesses the satisfaction level of parents to be high. Parents, in their capacity of both duty-bearers and rights-holders, are grateful for the support provided to their children and family by the legal aid and legal representation services set up with the support of the Project. “I like him a lot”, “He wants only the best for me”, “He is very kind and caring” are only few of the many positive feedback remarks of children interviewed during the site visits in the sample districts.

The review of the monthly reports of regional consultants and the feedback of the parents who were interviewed by the International Consultant during the visits in the sample districts as well as of the parents from other target districts who were interviewed for the purpose of the Project documentary movie, highlighted the intervention areas and effects which were most appreciated (Figure 5).

**Figure 5. Effects of the Project on beneficiary children (parents’ perspective)**

<table>
<thead>
<tr>
<th>Detention</th>
<th>Living standard</th>
<th>Attitudes</th>
</tr>
</thead>
<tbody>
<tr>
<td>avoided the pre-trial detention of children who committed crimes and which would have had serious emotional impact on their future development</td>
<td>improved the living standard of children and their families by getting access to alimony, housing, disability allowance, survivor’s pension, recovery of money lost due to cheating, etc.</td>
<td>changed the attitudes of children and prevented them from committing further crimes (e.g. consumption of drugs, violent behaviour against peers, threft, etc.)</td>
</tr>
</tbody>
</table>

As demonstrated by a large body of specialised literature\(^\text{114}\), the emotional, social and economic costs of incarcerating the children and youth, especially of the vulnerable ones, is very high and detention should be avoided as much as possible, in line with international rules and guidelines (see also Relevance section). In this respect, the Project has done a great job for which parents and children are deeply grateful (see Box 2). Pre-trial detention might have been prevented in even more cases if all regional lawyers had experience in penal law and were members of the Bar Association. In Aghjabedy, for instance, there have been no assisted criminal cases compared to 21 in Shirvan and 92 in Gabala. This is not because there was no need for assistance in the respective district, but mainly because the police department did not refer the cases to the Project lawyer knowing that he cannot be of assistance.

**Box 2. Legal representation services: the story of a school boy**

A school boy living in one of the target districts was accused under the Criminal Code for causing severe head injury to a classmate.

The Project lawyer defended the juvenile’s rights at Police Department and pre-trial detention was thus avoided. It was understood that the school boy committed the respective criminal act as a result of unfortunate circumstances rather than by purpose. He was deeply sorry and regretted his behaviour. Right after the incident, he assisted the injured classmate and informed the teachers and medical staff of the school. During the court hearing, the lawyer assisted the boy to reconcile with his schoolmate and submit a petition to the court. Following the court decision, the boy was relieved of criminal responsibility.

When interviewing him, he informed the evaluation that “I would have not been able to talk to you now if he (i.e. the lawyer) did not help me in the court. I would have now been in prison. I will never, but never repeat such mistake in my entire life.”

Concerns of parents were mainly raised in relation to several difficulties connected to getting the TSA, specialised psychological support, lack of inclusive education opportunities in the community as well as missing, insufficient or unaffordable rehabilitation services for children with disability. These factors were out of the control of the regional consultants to settle. Indeed, despite high quality legal aid services provided by the consultants of the regional NGOs, many applications were not able to be successfully solved in terms of end-result for the vulnerable children and parents. There have been changes in legislation on TSA and on property rights during the Project implementation and many initially successful applications have been rejected at a later stage with little feedback (e.g. from the TSA e-system) and opportunity for redress. In other cases, the beneficiaries were unable to provide the requested documents for comply with eligibility requirements. At the same time, the uneven availability of social services in the target districts made difficult the referral of vulnerable children to appropriate statutory support (particularly in the case of children with disability).

Nevertheless, the legal support services were somehow disconnected from other related services, which proved to be working well elsewhere if provided in concert (see the case described in Box 3).

**Box 3. Complexity of legal support services**

A woman living in a village of a target district submitted an application for support in relation to the guardianship of her three grandchildren. The applicant informed the Project lawyer that the mother of those children was living an indecent life and her husband (father of children) requested her to stop. Woman’s uncle, who was present at the respective discussion, killed the father in front of his children. Immediately after, the mother took the youngest child away and left the other two children behind. According to their grandmother, the children suffered from serious health and psychological damage. She wanted the two grandchildren to be officially placed under her guardianship (kinship care).

The grandmother was given legal advice and relevant authorities were approached by the Project lawyer and his colleague. As a result, children are now under formal kinship care of their grandmother. They are also getting the statutory survivor’s allowance following the death of their father. Children underwent examination and were provided psychological assistance. In addition, one of the children was granted the disability benefit due to intellectual impairment who was identified and assessed by a Baku medical commission.

During the interviews, the regional consultants who successfully assisted this case mentioned that the support would have been more efficient in case they had a psychologist and a social worker in their team. They recalled Ganja centre where a package of services is available to vulnerable beneficiaries.

- **Indicator: Professionals in contact with children at risk from target districts are able to provide at least three examples of justice proceedings which respected the human rights of children but did not before the Project (yes/no/partially)**

The evaluation was informed by professionals who were consulted during interviews and focus group discussions that, as a result of the Project investment in capacity building and awareness raising activities, improved justice proceedings involving vulnerable children in contact with the law were noted in the target districts. Most frequently mentioned examples that were mentioned the following:

- decisions of judges informed by international human rights standards, in particular the CRC, Riyadh guidelines (United Nations Guidelines for the Prevention of Juvenile Delinquency), and Beijing Rules (United Nations Standard Minimum Rules for the Administration of Juvenile Justice); decisions specifically referenced these standards compared to past decisions;
- following divorce of parents, the decision to give the child in the care of one of the parents only after getting the consent of the child or an opinion of Commission on Minors’ Rights and Affairs;
- free of charge execution of all court proceedings in all cases (divorce, alimony, proof of birth, identification of fatherhood, property and housing rights, adoption, etc.);
- more efficient restoration of rights of children in conflict with the law in case of violation in close
facilities;
⇒ decision on the length of criminal responsibility of children who committed a criminal offence shortened from 10 years to 4-5 years as a result of a better understanding of the ‘best interest of the child’;
⇒ more efficient settling of cases in the court due to parents who became more aware of their rights, able to speak out in the Court and claim their rights, so taken more seriously into account by the law enforcement officials.

- Indicator: Level of Project contribution to the progressive realisation of children’s rights in contact and conflict with the law in target districts (none/modest/good/significant)

The Project had a significant contribution to the implementation of the principle of progressive realisation of children’s rights in Azerbaijan which was part of the monitoring of human rights principles in general. According to the feedback from key stakeholders during the in-country mission and review of Project documentation, it did so through:

⇒ contributing to the improvement of the juvenile justice legal framework;
⇒ increasing the capacity of NPG for more efficient monitoring of children in closed institutions and revealing cases of child rights violation and mistreatment;
⇒ opening up the access of vulnerable children and families to legal support in the target (and neighbouring) districts;
⇒ developing the understanding of professionals, as duty-bearers, on relevant human rights instruments and of their role in ensuring access of children to justice;
⇒ improving the well-being of vulnerable children through better parental care, more family incomes, better living conditions, health rehabilitation, psychological counselling, etc.;
⇒ building confidence of vulnerable parents in their capacity to claim their rights and of children to file a complaint if exposed to violence;
⇒ raising the awareness of community on the rights of children at risk.

Contribution of achievements in target districts to national level policy dialogue

Compared to national level interventions which informed the amendment of legal framework in the area of juvenile justice, as detailed in the Effectiveness section, there is no evidence of new policy documents or changes in existing strategies, legislation or political discourse informed by the Project achievements in the target (and neighbouring) districts. It seems that this was not a specific aim of the Project to be systematically pursued by UNICEF CO and its partners at national and district level. Hence no targeted activities have been envisaged to enable the results and lessons learnt in the target (and neighbouring) districts to feed into national level policy dialogue.

Nevertheless, the Project has a significant potential to influence positive changes in decision-making processes and policies targeting vulnerable children and families as far as access to justice is concerned, primarily through providing results-based evidence from 10 cities and districts where 3,351 children have benefitted of legal support. It requires however well-documented evidence, cost-effectiveness arguments and a well-planned advocacy agenda, which could possibly start on the occasion of the workshop planned for 14 December 2017 when the evaluation conclusions will be validated and draft recommendations will be presented to key stakeholders, including decision-makers.

5.5 Sustainability

Evaluation of sustainability considered the following evaluation questions:
Current functioning of services in target districts and scaling-up

Three months after the end of the Project, the legal aid services have been still functioning in four out of five target districts, i.e. 80% (see Table 8). The Project created a high level of demand in the districts for legal aid and legal representation services and applications are still being received from vulnerable families. The feedback from the regional consultants during the focus group discussion as well as from the stakeholders consulted on the occasion of the site visits to sample districts showed that the services are nevertheless functioning at a much lower capacity, with a weak outreach and under significant financial risk. The regional NGOs have managed to ensure free of charge premises where services could be delivered, but the lack of financial resources for salaries and transportation impedes their optimal functioning. Except one district, the regional NGOs still collaborate with the former Project lawyers, but rather on an ad hoc basis and primarily for finalising the pending cases or for the provision of basic legal advice. Retainment of lawyers seems to be a big challenge in the future. Visits to rural, remote areas, where most vulnerable people are living, are rather an exception. The DoA has not identified any risks to the sustainability of services to be addressed during the Project lifetime, while the Project exit strategy is unclear and with a rather limited value for action planning.

Table 8. Functioning of legal support services after the end of the Project (November 2017)

<table>
<thead>
<tr>
<th>District</th>
<th>Services still functioning</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aghjabedy</td>
<td>x  yes</td>
<td>20 applications received since the end of the Project. Only basic legal advice. No outreach services. The lawyer still collaborates with the regional NGO, but on an ad hoc basis. The services are provided in the premises of the NGO.</td>
</tr>
<tr>
<td>Mingechevir</td>
<td>x  yes</td>
<td>People are still applying and services are still delivered, but at a much lower scale compared to those during the Project lifetime. The regional NGO providing the services is hosted by the Youth House; it expects the state to take over the salaries of staff, but until the time of the evaluation that was not the case.</td>
</tr>
<tr>
<td>Shirvan</td>
<td>x  yes</td>
<td>The number of applications decreased, i.e. 6 applications received one month after the end of the Project. The regional NGO operates in the Youth House for free. The lawyer still collaborates with the regional NGO, but on an ad hoc basis and for simple cases.</td>
</tr>
<tr>
<td>Shamkir</td>
<td>x  no</td>
<td>The lawyer apparently provides some services in the Aliyev Centre, but it is unclear for what beneficiaries and what kind of services.</td>
</tr>
<tr>
<td>Gabala</td>
<td>x  yes</td>
<td>Completion of the pending cases primarily.</td>
</tr>
</tbody>
</table>

Source: Focus group with regional consultants, interviews in target districts, e-mail based interviews with professionals

The evaluation has not found any evidence of advocacy of UNICEF CO and its NGO partners at national and regional level for government resources, as it was planned to be done: “Each NGO will be expected to ensure continuation of the service provision after the Project ends. In order to achieve this goal,
UNICEF and partner NGOs will work with the State NGO Support Fund and Youth Fund to advocate for continued funding from these two national donors, once the EU/UNICEF funding will end.” (DoA, page 14). “The activities to be funded by the Project that will require further funding beyond the life of project, will be channeled through the government funding as UNICEF will advocate with the State NGO Support Fund, Youth Fund and Ministry of Labour and Social Protection to finance these programmes once UNICEF intervention will end” (DoA, page 19).

According to the DoA, the legal support services were expected to be “replicated elsewhere in the country by other NGOs and government agencies as the Project will demonstrate the effectiveness of such services” (page 19). The services have a great potential for replication to other districts given the high level of unmet needs and a relatively moderate cost compared to similar services functioning in the country as detailed in the Efficiency section. However, there is no evidence that an upscaling plan was discussed and agreed with Government stakeholders or that other NGOs have used the Project model to provide similar services.

During the debriefing session which took place at the end of the in-country visit, the evaluation was informed that the UNICEF CO is nevertheless fully committed to start its advocacy work, based on the results of this external evaluation. It has already done so on 2 November 2017 during the JJTF meeting. The validation workshop, planned for 14 December 2017, will constitute another excellent opportunity to discuss and agree the best options all the more since there is no shared vision among stakeholders on how to ensure the replication and sustainability of legal aid and legal representation services at local level.

Indeed, while there is consensus in the society that such services are very much needed for vulnerable children and parents, the views on ensuring their sustainable operation are very diverse, as follows:

- the inclusion of such services in a state-guaranteed minimum package of services for children as part of the future social services strategy (currently under preparation by the Ministry of Labour and Social Protection with the support of UNICEF);
- the provision of legal aid services by Azerbaijan Service and Assessment Network (ASAN), a state agency for government services to citizens of Azerbaijan;
- the development of a partnership between the Regional Justice Divisions of the Ministry of Justice and NGOs whereby the first increase the awareness of people on their rights, while the second is actually providing legal aid support;
- financing through various grants mechanisms, such as the ones run by the Ministry of Labour and Social Protection, Youth Fund or NGO Support Fund which provide grants to NGOs on a competitive basis;
- engagement of Women Resource Centres set up by different donors in partnership with the State Committee for Family, Women and Children Affairs (http://scfwca.gov.az/en/page/about-the-committee);
- delivery by Youth Houses and Youth Centres functioning in six districts and six cities of the country under the Ministry of Youth and Sports, respectively district Executive Committees.

The high demand for legal aid and legal representation services for vulnerable children and their families in practically all rayons of the country is in any event likely to act as a lever for resource mobilisation in the future.

**Measures put in place to ensure sustainability of Project results**

| Changes in policy and strategic framework sustaining Project results |

As mentioned in the Effectiveness section, the JJTF has been efficiently used by UNICEF CO and its Government partners, in particular the Ministry of Justice, to push for important improvement of the juvenile justice legislation, most notably the Criminal Code (e.g. introduction of probation services, shorter sentences for juveniles), but also for related legislation, such as the media law (e.g. right to privacy of child offenders, victims and witnesses of crimes). At the same time, the implementation of the Project-supported strategy on child rights monitoring by the Ombudsman’s NPG has contributed at its turn to building important pillars for more sustainable child-friendly justice mechanisms in Azerbaijan.
Capacity of law enforcement, child protection and other professionals

Investment of the Project in human capital was aimed to build the capacity of NPG for better protection of the rights of children in detention centres and closed facilities, as well to familiarise the professionals involved in access of children to justice with international human rights standards, diversion and referral, alternative sanctions to imprisonment and many other topics related to children in contact with the law. According to the findings of the evaluation, professionals who benefitted of these learning opportunities reported positive experience from the trainings in terms of knowledge acquisition and skills development.

During the interviews, professionals were able to give practical examples to illustrate their statements and highlight specific areas concerning access of children to justice that they would like to improve in their work. Most professionals have embedded the acquired knowledge and skills in their usual work routine. The Project has been however less successful in developing the capacity of the Commissions on Minors’ Rights and Affairs in the target districts due to the relatively low attendance of the training courses by the members of these commissions for the reasons explained in the Effectiveness section.

The Project has built the capacity of consultants of regional NGOs to deliver highly professional legal aid services. Retaining of these professionals would be however challenging unless urgent measures are taken to address the financial risks and ensure sustainability of these services at district level. In addition, given the fact that not all consultants are staff or permanent collaborators of regional NGOs and that that investment has been primarily directed towards individual rather than institutional capacity building (due to the contractual difficulties explained in the previous sections of the report), the aim of the Project to transform these NGOs into hubs of child rights discussion platforms for local civil society and community seems to have been achieved only for a short duration, during the Project lifetime.

There are several Project outputs which seems to have a good sustainability level. The training curricula developed with the support of the Project are available to be used for new rounds of trainings in the future, whenever deemed necessary. There is a pronounced ownership of the Project results within the Ombudsman’s NPG, notably the 3-year strategy, monitoring methodologies and MIS. The latter is regularly used by the NPG in planning their monitoring work, but also in the analysis of root causes which put the children in detention centres or other closed facilities. The Guidelines on Social Work are going to be used as from next year by the newly-trained social workers.

Financial resources

The 3-year NPG strategy has been operationalised in an action plan which has been taken over for financing in the RWP of the Ombudsman agreed with UNICEF CO. In addition, the evaluation was informed that several actions in the plan will be also supported by other donors based on EU twinning arrangements with Greece, Poland and Germany, as mentioned in the Effectiveness section.

The challenges related to the financial sustainability of district level services have been already discussed above.
6. CONCLUSIONS AND RECOMMENDATIONS

6.1 Conclusions

- The Project has managed to increase the access of 3,351 vulnerable children to free legal aid and legal representation services, covering a major gap in terms of availability and affordability of quality services in the districts where it operated. The rights of 3,500 children living in closed facilities have been also better monitored in order to get redress in case of violation. In addition, the contribution of the Project to the improvement of the juvenile justice legislation and capacities of professionals as well as the awareness raising and communication activities addressed to local authorities and the general public have all resulted in an enabling framework for improved access of children and parents at risk to more child-friendly justice mechanisms.

- The Project was fully in line with the national priorities in the area of access of children to justice as well as with the European and international human rights commitments of the country. The legal aid and legal representation services designed and implemented by the Project proved to be highly relevant for the needs of vulnerable children and parents (poor, with disability, IDPs). A better needs-based selection of target districts and timing of awareness raising activities would have increased the outreach in rural and remote areas where the access to justice of vulnerable children and parents is most challenging. The Project remained relevant in time, as demonstrated by sector assessments and concluding observations of human rights bodies which were released during its lifetime as well as by the persistently high demand of children and parents for free legal support.

- Implementation of the Project has delivered valuable results, as follows: a) capacity of NPG developed to strategize on priority areas of concern, identify complex cases of violence against children and understand the root causes for children’s placement in detention or alternative care; b) new legislative proposals related to access of children to justice developed and lobbied for adoption in partnership with the JJTF, EU Delegation and the World Bank; c) knowledge of law enforcement professionals on approaching children in contact with the law and related issues improved; d) number of NGO legal support centres outside Baku, with functional services for children and families in need, increased; e) attitudes and perceptions of professionals and society on children at risk and of their rights improved (to a certain extent).

- These positive results have been made possible due to blended implementation strategies at national and district level which were used in concert to influence the determinants of low access of vulnerable children and families to justice. Other enabling factors included the use of the potential of JJTF to discuss and advocate for changes in the legal framework and the mobilisation of top level national and international expertise for capacity development. The effectiveness level of the Project would have been higher in case of better timing of several activities, tailoring of learning opportunities to the absorption capacity of district child protection commissions and a better understanding of justice and social welfare officials and professionals of their complementary functions in the justice for children. With these few exceptions, the overall effectiveness level of the Project was found to be adequate and close to what was planned by its designers.

- At a higher-level results in the logical model (ToC), a quantitative assessment of the Project contribution to outcomes for children could not be done due to several constraints explained in the section on limitations of the evaluation. Nevertheless, parents and professionals noted the improvement of the living standard of the family through opening the access to various services and social benefits; removal of the risk of pre-trial detention of children which would have had serious emotional impact on their future development; and changes in the attitudes of children who prevented them from committing further crimes. The professionals have also noted improvements in the justice proceedings from the perspective of children rights. The results in terms of outcomes for children and parents were affected by some changes in the legislation which occurred during Project implementation and the insufficient social services at local level for referral of vulnerable children. The provision of a package of services, including legal aid, psychological, social assistance, etc. by a multi-disciplinary team of specialists could have more efficiently addressed the needs of vulnerable children and families. Overall, the Project had a positive contribution to the progressive realisation of the rights of children in contact with the law in the target districts.
The Project has been implemented in a professional, efficient and culturally-sensitive manner. The funds were allocated and spent according to the approved budget, in an accountable and cost-effective way. UNICEF CO used an efficient results-based monitoring approach, which improved the district-level activities of the Project from the perspective of outreach and take-up rate of legal aid and legal representation services. The quality of legal support was primarily monitored based on the satisfaction level of beneficiary children and families which were interviewed ad hoc. Efficiency of monitoring at the Project level has been impeded to a certain extent by the lack of baselines and targets in the case of several indicators.

The delays caused by the changes in the legislation on contracting NGOs have been recovered and the Project was the only one within the democracy and human rights stream of the EU call for proposals in 2014 which managed to be finally implemented, based on a contractual solution proposed by UNICEF and agreed with the EU Delegation. Nevertheless, the conclusion of individual contracts with consultants rather than institutional agreements with regional NGOs had some effectiveness, efficiency and sustainability costs.

The Project built upon the existing partnerships and cooperation mechanisms with the Government and Ombudsman, and experience of working at community level. The main fora for debate and cooperation was the JJTF where UNICEF CO played an active role. The Project has been coherent with similar initiatives financed by the EU and the World Bank; the two donors and development partners joined UNICEF CO to advocate for changes in the juvenile justice legislation.

There are important prerequisites which were developed by the Project to ensure the sustainability of its results, notably the amendments of the legal and strategic framework in the area of access of children to justice and the development of new knowledge and skills of law enforcement, child protection and other professionals which were internalised in their everyday work routine.

As far as legal support services are concerned, one month after the end of the Project (October 2017) they were still functioning in four out of five districts (80%), but at a much lower capacity, with a weak outreach and under significant financial risk. While the need for providing free of charge legal aid and legal representation services to vulnerable children and families seems to be widely acknowledged, there is no shared vision among stakeholders on how to ensure their sustainability, especially in the light of their scaling up at national level.

The implementation of these services was instrumental in highlighting what could be done (how and with what impact) by investing an average amount of AZN 64/child (around US$ 37). Expansion of services to other districts would require a smaller investment since there will be no need to redevelop training curricula, working methodologies, file management forms and data collection and reporting tools, as these are already available. An upscaling plan would be required, with equity and quality at the heart of the rolling out process at national level.

6.2 Recommendations

The recommendations presented in Table 9 below are based on the findings and conclusions of the evaluation as well as on consultation with key stakeholders that were interviewed during the in-country mission. Each interview and the focus group have checked the perceptions of various stakeholders (UNICEF, ministries, NPG, local authorities, NGOs, professionals, development partners, parents, children, consultants, training providers, etc.) concerning the top priorities for improving the access of children to justice in Azerbaijan that need to be addressed in the coming years and consequently the role each of these stakeholders should play (see Guides in Annex 3).

Validation of recommendations detailed below is planned to be done in two phases: 1) by UNICEF CO and evaluation reference group, following submission of the draft report; and 2) by national stakeholders, donor and development partners, through written feedback and during the validation workshop on 14 December 2017 when evaluation findings, conclusions and preliminary recommendations will be presented and discussed. The feedback from key stakeholders will be incorporated in the Final Evaluation Report.

The recommendations are addressed to the Government of Azerbaijan, NPG (Ombudsman), UNICEF CO, donors, international development partners, training providers, NGOs and other stakeholders at
national and local levels, in line with the ToR and the need to engage all major stakeholders in a concerted effort for the continuation of reforms on the advancement of child rights in Azerbaijan.

Recommendations are divided in two categories, as follows:

SP - Strategic and Programmatic recommendations

O - Operational recommendations

Recommendations are prioritised, have a timeframe and indicate an addressee. Each recommendation includes references to findings of the evaluation to substantiate the proposed course of action.
### Table 9. List of Recommendations

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<tr>
<th>No</th>
<th>Recommendations</th>
<th>Priority</th>
<th>Timeframe</th>
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<tbody>
<tr>
<td><strong>Strategic and Programmatic Recommendations (SP)</strong></td>
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<tr>
<td><strong>SP1</strong></td>
<td>Ensure the prerequisites for the sustainable expansion of legal aid and legal representation services for vulnerable children and families at national level</td>
<td>High</td>
<td>Short to Medium-Term (2018-2020)</td>
<td>Ministry of Justice in partnership with UNICEF CO, Parliament with lobby from UNICEF CO and JJTF</td>
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<tr>
<td><strong>Description:</strong></td>
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<td>The expansion of the services implemented by the Project at national level would require strong evidence of demand for services and a record of positive results originated from the Project, an enabling legal environment, available resources for initial investment and running costs based on a robust costing analysis and financial estimate, agreed delivery mechanisms, qualified staff, equity safeguards and quality assurance procedures. Some of these prerequisites are already met.</td>
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<td>It is recommended that UNICEF in partnership with the Ministry of Justice develops a <strong>Policy Brief</strong> by putting together the <strong>evidence of demand and results</strong> generated by the Project for children and families (including the results of this evaluation); a <strong>financial estimate</strong> for rolling out these type of services country-wide (including the initial investment in the training of staff, office equipment, etc. and operational costs); potential <strong>delivery mechanisms and financing sources</strong> (see O1 below); and a <strong>roadmap</strong> including clear milestones and prioritised phases (in case resources do not allow a full implementation from start). The Policy Brief would be presented to decision-makers in order to get their commitment for implementation. As far as other key prerequisites are concerned:</td>
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<td><strong>Legal framework:</strong> There are some legal obstacles which impedes the full access to affordable and quality legal support services to all children and families in need. The recent EU-UNICEF analysis of the legislation of Azerbaijan (2015) provides some useful recommendations for the removal of these obstacles and which could inform the required legal amendments.</td>
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<td><strong>Equity safeguards:</strong> Equity should be at the core of rolling out strategy, acknowledging that priority must be given to the most vulnerable children, in particular the poor, children with disability, IDPs and rural children. While lawyers are the key professionals in the provision of legal aid and legal representation support, access to justice in its large meaning and outreach policies and systems would require various professional practices to identify, assess, refer and support children at risk. In this respect, the lawyers will need to team up with professionals from the education, health care and social assistance sectors, possibly in multi-disciplinary teams, as mentioned in Impact section, in order to advance the realisation of children’s rights.</td>
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<td><strong>Qualified staff:</strong> Capacity building is key to ensuring a successful replication of the services nationally. Attracting, training and retaining suitably qualified lawyers is a challenge, as pointed out in the Relevance and Sustainability sections of the report. The training curricula and</td>
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### Recommendations

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|    | working methodologies and tools tested during the implementation of the Project could be put of good use to ensure the development of a ‘critical mass’ of trained lawyers throughout the country, able to efficiently work with children and their parents as well as to master the relevant international human rights standards. The same is applicable to social workers and child protection staff dealing with children in contact with the law. Monitoring of learning outcomes and continuous improvement of knowledge and skills should be a priority. UNICEF can play a key role in promoting high quality professional development of lawyers and other professionals working with children and families at risk to improve their access to justice.  
  • **Quality assurance**: specific quality assurance procedures should be put in place from the very beginning to ensure that services comply with minimum quality standards (a need identified in the Effectiveness and Efficiency sections) and the outcomes for children and their parents are compliant with needs. Monitoring of children after referral to education, social protection, health etc. services is also recommended to check if their rights are observed and if they get redress. UNICEF can play a key role in developing jointly with the Ministry of Justice quality standards to ensure the provision of relevant, timely and good quality services. | High     | Short to Medium-Term (2018-2020) | Ministry of Justice in partnership with UNICEF CO | UNICEF and its partners in the JJTF are suggested to intensify advocacy activities to promote the justice for children concept, strengthen the capacity building for key justice and social welfare professionals and change their attitudes and behaviours towards children in conflict with the law as children in need of care and protection, and in particular in need of support and services. The Government is recommended to make sure that all children are protected by a child-friendly justice system with clear linkages to the social welfare system and Ombudsman and other national human rights bodies, whether the children are victims, witnesses, in conflict with the law or if they require care and custody or protection. This approach would recognise the interdependence of child protection concerns and hence the need for an integrated solution. It will not be sufficient for all children in conflict with the law to be monitored. Many children will require a higher level of support or services at local level to prevent their re-offending and ensure their rehabilitation, encouraging the use of diversion measures. | High     | Short to Medium-Term (2018-2020) | Ministry of Justice, Ministry of Labour and Social Protection of the Population with the support of JJTF and UNICEF CO | Ministry of Justice in partnership with UNICEF CO |
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| SP3| **Strengthen the capacity of local NGOs to become strong partners of local government and UNICEF in pursuing the access of children to justice and overall child rights agenda at district level**  
*Description:*  
In countries with centralised governance structures such as Azerbaijan, support for civil society plays a valuable role in supporting accountability for child rights, including monitoring and reporting, advocacy and policy formulation, awareness raising of key issues and challenges of vulnerable children in today's Azerbaijani society. At the same time, NGOs could be efficient providers of services for children and families in need. The Project has strived to strengthen the capacity of regional NGOs delivering legal support services with moderate success. These efforts should therefore continue in order to increase the number of NGOs outside Baku that could provide quality services in rural and remote areas where the needs are most acute and become sustainable platforms for discussing and advocating for children rights to child-friendly justice mechanisms. | Medium   | Short to Medium-Term (2018-2020) | UNICEF CO, EU Delegation and other interested development partners |
| SP4| **Empower rights holders (children and parents) in contact with the justice system to claim their rights and seek redress**  
*Description:*  
As detailed in the Relevance and Impact sections of this evaluation, the Project has managed to increase the knowledge and empower vulnerable parents to claim their rights for them and their children and seek redress. Transformation of the Azerbaijani society will be conditional upon the capacities of children and youth, too, to seek their entitlements and hold the Government accountable as well as to be active actors in the juvenile justice reform.  
UNICEF Azerbaijan and its partner NGOs are well placed to work directly with children and parents, as end-users of legal aid and legal representation services, to facilitate the interaction with the justice system and other state institutions and mobilize communities for child rights (e.g. through production of training materials and methodological tool to support empowerment activities, promotion of the integration of children's testimony into the activity of justice bodies, encouraging the NPG to systematically gather qualitative information through participatory focus group discussions with children in closed institutions, engagement of children and parents in the identification of solutions to their problems and in the monitoring and evaluation of efficiency of the respective solutions, etc.). This would be one of the most sustainable approaches towards a better access of rights holders to justice and in particular of the most vulnerable children and parents. | High     | Short-term (2018)                  | Regional justice departments and NPG (Ombudsman) in partnership with UNICEF CO and NGOs |

**Operational Recommendations (O)**
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<tr>
<td>O1</td>
<td>Carry out a quick quality and financial sustainability assessment of services in the target districts supported by UNICEF</td>
<td>High</td>
<td>Short-Term (February-April 2018)</td>
<td>UNICEF CO, regional justice departments</td>
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<td>Description: As mentioned in the Findings chapter of the report, the evaluation identified several quality and financial sustainability issues related to the take-up, outreach, staffing and financial risks. UNICEF CO is recommended to carry out a quick assessment of the situation four-six months after the end of the Project, possibly in cooperation with the regional justice departments serving the respective districts. The findings will be presented to the JJTF and other relevant national stakeholders in order to discuss possible solutions for prevent closure and loss of skills as well as to reach a common vision on the most appropriate delivery mechanisms (see several options in the Sustainability section) and sources of financing for future scaling up of services at the national level. If NGOs are the preferred service delivery option, their selection should be given utmost attention (to avoid under-performance to the extent possible) and accountability made clear.</td>
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<td>O2</td>
<td>Improve the results architecture, evaluability and risks mitigation of UNICEF initiatives</td>
<td>Medium</td>
<td>Whenever programming new initiatives</td>
<td>UNICEF CO</td>
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<td>Description: The DoA included a Logical Framework but the progression from implementation to results and the links in the results chain were unclear. In order to facilitate a results-based approach to implementation and correct assignment of indicators to each planned result level (impact, outcome, output), UNICEF will need to make sure that the logical model (ToC) explains the logical links between needs and bottlenecks on one side, and intended interventions on the other side, and connects this work with the higher level results in the hierarchy of change. Several indicators in the Logical Framework missed baselines and targets (see Effectiveness section) and disaggregation. Other indicators were unclear. Future initiatives should be designed to ensure their evaluability and accountability, with clear baselines and targets of each indicator, disaggregated by gender, residence, age, disability, etc., as appropriate. Monitoring and reporting should be based on disaggregated indicators to the extent possible. In order to develop capacities and ownership, the evaluation suggests UNICEF CO to carry out site monitoring visits jointly with Azerbaijani counterparts, e.g. regional justice departments and child protection commissions. A risk mitigation strategy needs to be designed during the programming phase and regularly reviewed and updated, to inform UNICEF and its partners about risks and constraints of the operating space which could affect the estimated results and their sustainability, and guide the prevention and remedial actions, as needed.</td>
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6.3 Lessons Learnt

Several key lessons emerge from the issues highlighted in this evaluation:

1) **Improved access of vulnerable children to justice requires not only the provision of free of charge, quality legal aid services, but also awareness raising and communication for development** which can give voice to children, their families and communities to promote child protection. The Project demonstrated that the outcomes for vulnerable children would have been better if implementation of awareness raising and communication activities were done in concert with the delivery of legal aid and legal representation services. Communication for development can support social mobilisation, advocacy, and behaviour and social change in order to obtain stronger outcomes for children and policy change to tangibly benefit children in contact with the law.

2) **Strategies to ensure effective access of children to justice should target both children and the adults that are responsible for their care.** The Project has provided legal aid and legal representation services to children and their parents; it has thus avoided the gap usually arising from the legal and social status of children who, on the one hand, have rights as individuals but, on the other, lack full autonomy and are dependent on adults. Apart from supporting parents for getting access to various services, of utmost importance is to also develop their parenting skills so as to strengthen the supervision of children who are prone to criminal acts, according to the feedback of a large number of professionals who were interviewed for the purpose of the evaluation.

3) **In establishing access to justice mechanism (e.g. a legal aid service) for children in contact with the law, quantitative measurement of success is insufficient.** As far as the evaluated Project is concerned, UNICEF CO strived to employ a results-based monitoring system by requesting the regional consultants to report on successfully completed cases. As detailed in the Effectiveness section, the respective quantitative indicator was unable to measure the performance of the districts. The quality of the legal aid service is very important and quality standards and indicators should be developed and used as well as monitoring of beneficiaries after referral to social protection, health and education services.