

Policy Brief:

Intersectoral Approach to Protection of Child Rights on Local Level



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Table Of Contents

Background/Introduction	04
Origin of the Multisectoral Approach - International Standards and Practice	04
How to Establish Teams for the Rights of the Child - Domestic Standards and Practice	05
Operability of the Municipal Team for the Child Rights	06
Implementation of the Law on Child Protection and Administrative Instruction in Municipalities in Kosovo (example of good practices)	08
Existing Policy and Regulatory Framework in Target Municipalities	08
Conclusions	10
Policy Recommendations	11
Recommendation to Sectoral Team Members	13

Background/Introduction

The respect, protection and fulfilment of child rights integrates cross-sectoral approach and joint efforts of key stakeholders in the fields of governance (policy and regulations), health care, education, social protection, and rule of law. An effective coordination, productive cooperation, and good communication among service providers are very often critical aspects for creating an environment fit for children, which is conducive for child development and effectively contributes to child wellbeing.

This policy brief is purposed as guidelines for effective protection of child rights on local level for relevant stakeholders in governance, policy planning, policy and programs development and implementation, active in the specific areas important for children and their families. It contains references to international and domestic standards and analyses of best practices that could be adjusted for and utilised in local contexts of municipalities in Kosovo. Specifically, it proposes set of measures and concrete actions for provision of improved access to and quality of services for children in municipalities Zvecan, Zubin Potok and Leposavic, taking in consideration all internal and external factors that may create bottlenecks, but also highlighting potential enablers for improved access and quality of these services for children on the community level. It emphasizes the importance to respect a holistic child development and introduce integrated service provision in coherent manner.

Origin of the Multisectoral Approach - International Standards and Practice

The UN Convention on the Child Rights is living human rights instrument which fully integrates human rights characteristics enshrined in the child rights, defining them as **indivisible, interdependent, and interrelated** entitlements of children. It implies that child rights are intrinsically connected and cannot be considered isolated from each other. These child rights characteristics are in the core of the multisectoral approach to child development.

In its guidance on rights in early childhood, the UN Committee on the Rights of the Child reminds States parties that “the right to survival and development can only be implemented in a holistic manner, through the enforcement of all the other provisions of the Convention, including rights to health, adequate nutrition, social security, an adequate standard of living, a healthy and safe environment, education, and play (Arts. 24, 27, 28, 29 and 31), as well as through respect for the responsibilities of parents and the provision of assistance and quality services (arts. 5 and 18). From an early age, children should themselves be included in activities promoting good nutrition and a healthy and disease-preventing lifestyle”.

In last decades, the concept of integrated child development services delivery is widely promoted and implemented by the international child rights organizations (UNICEF, WHO), NGOs (Save the Children) and governments, specifically for the children 0-6 (early childhood development – ECD). This framework led towards improving access to and provision of range of services in health care and nutrition, education, and social

protection. The approach was initially applied in some of the most developed countries such as USA (1965), but also in the low-income and developing countries such as program launched in 1975 in India¹, or “Oportunidades” designed and initiated in Mexico², in 1997.

In the multisector approach to child development, there could be also one sector to lead, but other sectors contribute to achievements of the lead sector’s outcomes. This reference originates from the World Health Organization’s (WHO) approach which “defines multisector health as a relationship between part of the health sector and another sector designed to achieve health outcomes”.

In the field of child protection, UNICEF developed and implements multisectoral approaches to ending child labour which includes programming across education, social protection, and child protection, based on the analyses of the multifaceted nature of the challenges in this field. Another example of UNICEF includes multi-sectoral approaches to addressing harmful practices affecting girls in Eastern and Southern Africa³, more specifically tackling female genital mutilation and child marriages. The approach involved multidisciplinary stakeholders and collaboration among actors at multiple levels, such as government ministries, international agencies, donors, civil society organisations, religious institutions, and communities, as well as across many different sectors, including education, health, justice, social protection, and others.

How to Establish Teams for the Rights of the Child - Domestic Standards and Practice

The critical breakthrough in Kosovo legal and institutional framework for child protection, was made with adoption of the Law on Child Protection, which defines the establishment of the multisectoral approach to child protection and fulfilment of child rights, both on the central level and local level. The demanding multisectoral approach requires genuine commitment and accountability of all participating stakeholders along with their pro-active involvement and sufficient and sustainable budgeting. The quality multilayer coordination and communication and results-based management of programming are the key pre-conditions for effectiveness of the comprehensive system in place.

In **Chapter III**, under **Article 9**, the Law on Child Protection assigns roles in child protection to diverse institutional stakeholders on central level including the Ombudsperson, relevant ministries, Office of Good Governance, Inter-ministerial Committee on the Rights of the Child, and Council for the Rights of the Child. On the local level, the key responsible institutional structures and mechanisms include municipality, its relevant departments, Centre for Social Work, and the **Team for the Rights of the Child**.

Article 17 of the Law regulates the composition of the Inter-ministerial Committee on the Rights of the Child. The Committee is chaired by the Prime Minister and represented by ministries at ministerial level. Represent-

1 <https://wcd.nic.in/integrated-child-development-services-icds-scheme>

2 <https://www.heart-resources.org/topic/early-childhood-development/#conception>

3 <https://www.unicef.org/esa/media/9101/file/Multisectorial-approaches-ESA-2021.pdf>

ative of the Parliamentary Committee on Human Rights, Gender Equality, Missing Persons and Petitions, the Ombudsperson, two (2) representatives from student councils, Head of the UNICEF Office in Kosovo and a civil society representative, participate in the capacity of observer members.

Article 18-19 define roles and responsibilities of the Council for the Rights of the Child and its composition respectively. The Council has an advisory role to Inter-ministerial Committee on the Rights of the Child with an important task in multisector collaboration. The Council for the Rights of the Child is composed of 21 representatives of different ministries and governmental agencies, with Director of the OGG as Chairperson, and Head of Division of Social Services in the Ministry of Labour and Social Welfare, as Vice-Chairperson.

Operability of the Municipal Team for the Child Rights

The most relevant article of the Law on Child Protection for this policy recommendations is **Article 20**, on the **Team for the Rights of the Child**.

Paragraph 20.1 says that the Team for the Rights of the Child at the political decision-making level shall be established in all municipalities in Kosovo.

Paragraph 20.2 of the article further defines key responsibilities of the Team, which include defining, coordinating and monitoring priority measures and activities to be undertaken by the municipality for improved child protection and child rights as well as coordination and monitoring execution of policies and measures for the implementation of this Law.

Paragraph 20.3 regulates that the Municipality shall create all necessary conditions for the Team for the Rights of the Child to perform activities under paragraph 20.2 of this Article. This is the key provision which sets clear obligations to local authorities to functionalize the Team, secure budgetary resources needed and support its capacity building. The implementation of this article in practice reflects the political will and commitment for fulfilment of child rights and creation of better conditions for child development and wellbeing.

Individual case processing and case management system is in the core of the approach in child protection. This Law in its Article 21 regulates the establishment of **Multidisciplinary Roundtables for Support in Case Management** in all municipalities in Kosovo, at the professional level. The paragraph 21.2 regulates working procedures in multidisciplinary roundtables for assistance in case management. The work on individual cases is led by the case manager, in coordination and interaction with the structures and services responsible for child protection.

The Administrative Instruction (GRK) -NO XX/2022⁴ closely regulates establishment and functioning of the **Team for the Rights of the Child**. The purpose of this administrative instruction is to determine the rules of procedure, composition and functioning of the Team in the implementation of the mandate defined in the Law on Child Protection. The Instruction also defines Multidisciplinary Roundtable for Assistance in Case Management as a multidisciplinary group that includes professionals from relevant child protection institutions and other stakeholders representing a variety of disciplines.

4 <https://konsultimet.rks-gov.net/Storage/Consultations/15-01-02-26012022/3UDHEZ~1.DOC>

Chapter II of this document regulates establishment, responsibility and composition of the Team. **Article 6** specifies a comprehensive Team composition with almost all municipal directorates represented including directorates of health, social welfare, education, youth, culture and sports, and budget and finance. Each Team has delegated members from the Committee for Policy and Finance of the Municipal Assembly, and from Committee for Communities of the Municipal Assembly. Other members include representative of the Municipal Human Rights Unit, Police, Center for Social Work and civil society.

An important provision for functioning of the team is **Article 13**, which defines **Work Plan of the Team**. It indicates that the Team drafts Work Plan for fulfillment of tasks based on its mandate, in accordance with the Municipal Development Plan reflecting the best interests of the child. It is drafted for a three-year period and approved by the Municipal Assembly. In line with AI, the plan should be developed through an evaluation process of policies, legislation, in line with national strategy for the rights of the child, with children groups represented during the drafting process.

Chapter IV of the AI assigns creation of a child-friendly environment as a priority for the Team by listing concrete tasks under its responsibilities. It is assigned with pro-active monitoring of urban and rural planning, monitoring implementation of the construction regulation and standards for construction control from the child rights perspective. Specific attention must be given to enabling access and eliminating obstacles for children with disabilities. It also includes work on protection of the local environment, eliminating factors that contribute to environmental pollution and advocating for increase of green spaces in the areas where children live and attend activities. The team needs to monitor and support provision of public pre-school, primary and secondary education and ensuring that every child is included in quality education. The team also monitors access to services in primary health care and civil registration.

Chapter V further explains procedures and internal decision-making processes. **Article 5** in this chapter specifies that the Team meets at least once in three (3) months, while additional meetings could be organized upon the request of the Chairperson, or one third of the members. The decisions are taken by simple majority of votes of present members. **Article 20** regulates that Team meetings are open to the public, but the Team may decide to address some sensitive issues in closed session. Contacts with the public and the media are made by the Chairperson or Deputy Chairperson.

In **Chapter VI, Article 22** regulates monitoring and reporting aspects in the work of the Team. Monitoring role is assigned to Ministry for Local Governance (MLGA) and the Parliamentary Commission for Human Rights, and the Team reports to them on six months. The report is based on the mandate and work plan and summarizes all achievements, challenges, decisions, conclusions, opinions and recommendations. **Article 23** regulates Budget of the Team, which is defined in the Work Plan for implementation of Team activities. The financial means for the Budget are provided by municipality and government or through support of donors.

Implementation of the Law on Child Protection and Administrative Instruction in Municipalities in Kosovo (example of good practices)

Following the adoption of the Law on Child Protection and supporting sub-legal act which contains detailed terms of references for establishment and functionalization of the Team on the Right of the Child in municipalities, vast majority of municipalities in Kosovo (32 out of 38) have established multisectoral Teams on the Rights of the Child.

The example of the draft work plan developed for the Team in Gjakova/Đakovica (2024-2026), was analyzed for this policy brief. Its goals and objectives are set in areas of health and social welfare, education and early childhood development, culture, youth and sport, environment and green spaces, and responsibilities of the Team (coordination, operation, implementation, reporting and monitoring). Each area is defined as strategic objective, with situation analyses made for each of them based on robust baseline data collected. The working plan matrix defines activities under specific objectives of each strategic goal, timelines, budgetary allocations, indicators with baseline, mid-term, and target values, and expected results/outputs. In principle, this Work Plan could be replicated or adapted for other municipalities, depending on their needs. For target municipalities of this policy recommendations Work Plan should be less comprehensive, and adjusted for their size, population, and available budget.

Existing Policy and Regulatory Framework in Target Municipalities

Even though local administration in Leposavic, Zvecan and Zubin Potok, face many practical and political challenges in functioning, due to pro-active approach and initiatives of individual staff members and support of civil society, there are some policy and regulatory documents that could also be utilized as valuable references for the establishment and functionalization of the multisectoral Team for the Rights of the Child in these municipalities.

In November 2020, NGO Domovik produced policy brief on **Advancing public policies for children based on data collected**, in which it made situation analyses in key sectors for child rights and defined problems and obstacles for child development. According to this document, development of public policies for children is not based on systematic and organized data collection and analysis. The key policy recommendations include improved cooperation between public institutions and civil society organizations, with the aim of exchanging data, knowledge, skills, and other resources, to advance children rights.

Municipality Zubin Potok developed a draft **Rulebook** for realization of children rights, which recalls basic principles of the CRC including non-discrimination, best interest of child, right to life, survival and development, and the right voice of the child to be heard and taken in consideration. **Articles 4, 5, 6, 7 and 8** integrate key elements of the Law on Child Protection and Administrative Instruction and define municipal guarantees for fulfilment of child rights.

Article 5.3 defines the list of responsible parties in the municipality for protection of child rights including Mayor, Municipal Assembly and administration, line ministries police, court, prosecutor's office, municipal coordination mechanisms and human rights units. In addition, they include Center for Social Work, health institutions, schools, clubs and social and sports associations, Institution of the Ombudsperson, local communities, parents' associations and parents' council, civil society organizations, international organizations, and professional associations.

Article 6 defines the role of Coordination Mechanism which should create an enabling environment for drafting of development plans and budget allocations and oversee the implementation of relevant programs.

Article 8.2 further regulates that municipal coordination mechanism define indicators and collect data that are a priority both for municipality and children and their interests. This mechanism obliges the municipality to report periodically on the indicators and to assist in monitoring and assessing progress towards the municipality fit for children.

In principle, municipality Zubin Potok made the most efforts out of all three target municipalities in development of policy and regulatory framework in child rights, as it is also in the process of development of the **municipal child rights strategy for the period 2024-2027**. This local policy document will be valuable resource and guidelines for the future multisectoral Team for the Rights of the Child.

In addition, the **Action Plans 2022-2024** developed by the Family Medicine Centers in Zubin Potok, Zvecan and Leposavic on advancing the health care services for children and parents in the field of community nursing (home visiting) and immunization, contain excellent references for the future Work Plan of the Team on the Right of the Child in the health sector.

Conclusions

The international standards and practice reviewed for this policy brief emphasize the need for integrated service delivery and intersectoral approach to child development and wellbeing. They are also translated in the regulatory framework in Kosovo, more specifically in the Law on Child Protection which defines roles and responsibilities of all relevant stakeholders on central level, with Inter-ministerial Committee on the Rights of the Child in driving seat to communicate and coordinate relevant policies, programs and processes on child rights. Another body, the Council on the Rights of the Child has an advisory role to Inter-ministerial Committee on the Rights of the Child and is responsible to coordinate and monitor the development and execution of relevant policies and measures for implementation of the Law on Child Protection, and the Strategy and national action plan on child rights. Its composition goes beyond the ministries of the government and expands the number and diversity of actors which contribute to the child protection, by assigning the roles to units for social welfare, rule of law institutions, Ombudsperson and others. Both establishments confirm that multisectoral approach is needed for addressing the child rights comprehensively.

The most relevant provisions of the Law on Child Protection refer to establishment of the municipal Team on the Right of the Child, and establishment of Multidisciplinary Roundtables for Support in Case Management in all municipalities in Kosovo, at the professional level. This again clearly emphasize the need for intersectoral cooperation, coordination and communication towards holistic multidisciplinary approach in dealing with child protection on local level.

The Administrative Instruction (GRK) -NO XX/2022 closely, in-depth and in details regulates establishment and functioning of the Team for the Rights of the Child. This document serves to guide all municipalities in establishment and functionalization of this multisectoral team, with defined roles and responsibilities and rules of coordination among comprehensive institutional actors involved in its work. Based on the reviewed example of Gjakova/Djakovica municipality, this plan should cover all critical sectors for child development and wellbeing including health, education, and social protection.

Having in mind multidisciplinary composition of the Team, and its critically important role for the child protection and respect and fulfillment of child rights, it is necessary to assign leading role to relevant institutional stakeholders, and to set up accountability framework for all participating entities. This is specifically important for budget allocations which need to be linked to the activities in the Work Plan, and for identification of sources and sustainability of funding. The experience with multistakeholder involvement shows that in some cases the role of individual actors is not clearly defined, and accountability could be lost in miscommunication and miscoordination. The experience, expertise and resources existing with civil society and international organizations could be an asset in support to municipalities.

Therefore, it is very important to have reinforced efforts of all relevant municipal departments, center for social welfare, schools, health care providers, rule of law institutions and child rights NGOs, in establishment of the multisectoral Team for Child Rights, and further for functionalization and advancing effectiveness of its work.

Policy Recommendations

The pre-condition for serious work on establishment and functionalization of the Team for the Right of the Child in municipalities Zvecan, Zubin Potok and Leposavic, is stable political situation and fully functional municipal administration in all three municipalities. Currently, they work with limited capacity, in expectation of the resolution of political processes and issues deriving from the implementation of Brussels Agreement. These processes are out of control of local stakeholders and need to be resolved on the higher political level. In such circumstances, only a short-term recommendation could be issued to those actors who work with at least some capacity at this stage, including educational institutions, centers for social welfare, health care providers, civil society and international organizations, regional Office of the Ombudsperson Institution, and to the extent possible local police, prosecution, and courts. Before the municipal decisions for establishment of the Team for the Right of the Child are made, a provisional coordination body could be set up for each municipality, with time-limited mandate until the establishment of functional municipal bodies. This body should undertake some initial steps and assist with sectoral situation analyses to serve as baseline for the development of the Work Plan of the future municipal Teams for the Rights of the Child.

Education and health care services function with almost full capacity in these challenging circumstances. In this context, their contribution to the work of the provisional coordination body could be very relevant, as they will continue to operate in the same composition regardless of the outcome of the local elections. Child protection services in municipalities Leposavic, Zubin Potok and Zvecan, are provided based on the applicable Kosovo legislation, while range of additional services are supported through the budgetary allocations of Serbian government. In the best interest of beneficiaries, they can be utilized in complementary manner, providing availability of additional resources in this field.

Local child rights NGOs including Domovik, "Podrzi me", CARITAS, and Santa Marija, as well as international organizations UNICEF and Save the Children are expected to support work of this provisional body with existing human, technical and financial resources.

After the resolution of political stalemate and establishment of functional municipal administrations, there will be a need for advocacy efforts with newly elected authorities to include establishment of the Team for the Rights of the Child among the priorities in the first year of governance. The departments of education, health, social issues, youth, sports and culture, and communities and return will be leading participants along with support of departments of finance and economy, environment, infrastructure, and spatial planning. Other important actors shall include pre-school facilities, primary and secondary schools, local family medicine centers, hospitals, Institute for Public Health, police, judiciary, Ombudsperson, child rights NGOs, UNICEF, and Save the Children. From the legislative part, members from the Committee for Policy and Finance, and from Committee for Communities should be delegated by Municipal Assembly. In the constitutive meeting of the Team called by Mayor, it is necessary to make decision on establishment of the Team Secretariat.

As it is clearly defined in the Law on Child Protection, all participants must be assigned roles and responsibilities in contribution to the work of the Team. In the beginning, each municipal department through cooperation with other responsible entities needs to undertake baseline assessment of the situation of the respective child rights in its sector. This will be very important reference for future reviews and assessments and provide guidelines on where the most efforts and resources are needed to achieve desired standards. It will be also integrated in the Work Plan, which should be the first activity of the Team.

It is very important that each department assigns qualified and competent staff member to the Team, with demonstrated commitment, and adequate working time allocation for contribution to the Team operations. In addition, each department needs to plan in the annual budget financial support to the activities of the Team for the Right of the Child and implementation of activities in the three-year Work Plan under the responsibility of this entity. In this respect, the percentage of the budget needs to be determined on annual basis. This will contribute to sustainable funding of the Team, and enable its more effective planning and programming, monitoring implementation of activities and evaluation of achievements.

Other actors involved in the Team for the Rights of the Child including center for social welfare, schools, health care facilities, rule of law institutions, Ombudsperson, civil society and international organizations shall follow the same approach and designate human resources and budgetary allocations.

Recommendation to Sectoral Team Members

In the health care sector, the key responsible actors include municipal department of health, family medicine centers, Institute for Public Health and hospitals. Their task will be to collect baseline data and information on mother and child health, and to make links with Action Plans developed by the family medicine centers with Work Plan of the future municipal Team for the Rights of the Child. Activities on immunization, functionalization of the community nursing service, introduction of regular systematic health examination with pre-school and schoolchildren should be included in the Work Plan as a priority.

In the education sector, the key role is assigned to municipal department of education, pre-school facilities, primary and secondary schools. The main challenges are insufficient capacities of pre-school facilities to provide access to education for all children in need, specifically in rural areas. Needs assessment on access to early childhood education is the priority to be included in the Work Plan of the Team. The services of personal assistant and pedagogic assistant must be introduced and reinforced in all municipalities. Introduction of contemporary teaching methodologies, advancing technical conditions and school infrastructure along with contemporary teachers training should be included in the Work Plan, as well as improving access to informal education and better quality out of school activities.

The key actors in the Team in the field of social protection services, include municipal department for social services, local centers for social welfare and NGOs active as social protection services providers. The improved access to and quality of services needs to be ensured for children in need and their families, more specifically the efforts are needed for alternative care for children without parental care, daily services in the community, independent living support services, counseling-therapeutic and social-educational services, and others. Justice for children needs to be also integrated among the priorities in the Work Plan of the Team. The key actors include juvenile justice mechanisms in judiciary and child friendly service providers for children in contact with law in close cooperation with police, schools, centers for social welfare, probation service, and correctional facilities.

Effective mechanisms for child participation should be established and functional in schools, with civil society organizations advocating for child rights, and children voice to be heard in all municipal planning and programming processes relevant for their wellbeing.

Municipal departments for environment and spatial planning and sectorial NGOs are responsible to integrate environmental aspects in the Work Plan, before all in ensuring access to children with disabilities to all facilities including buildings, playgrounds, traffic infrastructure, and others.

In line with provisions of the Law on Child Protection, in the field of policies and regulations, the Team is expected to assist municipality in defining priorities and measures for continuous improvement of the situation for children and implementation of respective activities in relevant sectors. The Municipality shall create all the

necessary conditions for the Team for the Rights of the Child to perform activities, as prescribed by the Law on Child Protection.

The establishment of Multidisciplinary Roundtables for Support in Case Management composed of sectorial professional is recommended for all municipalities, in accordance with Article 21 of the Law on Child Protection. They should be led by assigned case manager, in coordination and interaction with representatives of municipal structures and services responsible for child protection.

