



THE GOVERNMENT OF MONTENEGRO

The General Secretariat – the Office for cooperation with NGOs

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NGOs PARTITIPATION

IN POLITICAL DECISION MAKING PROCESSES IN MONTENEGRO

Council of Europe

Conference of International NGOs

Panel discussion on NGO participation

in political decision making processes: *A reality or still a challenge to be met?*

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1- INTRODUCTION

- **Montenegro has about 650.000 citizens and 2000 NGOs.**
- **about 20% of total number are active, well-ordered with human resources and they can be partners to the state in PDMP**
- **small number of coalitions of NGOs, but**
- **very active and strong coalition named "Through cooperation to the aim" which is „responsible“ for a lot of progress made in field of cooperation with the state, and PDMP in last six years**



2 - LEGISLATIVE FRAMEWORK

The Constitution of Montenegro (2007.) guarantee freedom of political, labour and other forms of association and work, without permission, with registering in official states' body. (Article 53)

The Law on NGOs (1999. and 2011.) regulates issues regarding registration, prerequisites and forms of gathering of the citizens in Montenegro, define prerequisites for utility functioning of NGOs, and it identifies two sorts of organisations: associations and foundations.

The Law on State Administration (2003..... 2011.) stipulates that ministries and other authorities of the state have to ensure cooperation with NGOs that will be exercised particularly in: procedures of drafting laws- developing laws which will regulate forms of practising freedom and human rights; participation of NGOs in work of working teams for issues of joint interests and their legislative settlement; organising joint public debates and other joint activities and exchanging information on program of activities and reporting on activities of state administration



3 - STRATEGY FRAMEWORK

STRATEGY OF COOPERATION OF THE GOVERNMENT OF MONTENEGRO AND NON-GOVERNMENTAL ORGANIZATIONS WITH ACTION PLAN (2009) define aims, principles and forms of the cooperation.

Aims of the cooperation:

- **Building of democratic, open society** and cooperation in order to develop European integration process and process of Euro Atlantic integrations of Montenegro;
- **Developing cooperation**, preserving independence and improving transparency and importance of the role of NGOs;
- **Creating partnership** relations between NGOs and public institutions;
- **Accomplishing and further improving of complementary and interaction, in order to achieve efficient social development;**
- **Creating different institutional mechanisms** for improving and further developing of cooperation and mutual communication;
- **Improving working conditions for NGOs.**



4 – PRINCIPLES AND FORMS OF THE COOPERATION

Principles of the cooperation:

- PARTNERSHIP
- TRANSPARENCY
- RESPONSIBILITY
- MUTUAL INFORMING
- INDEPENDENCE OF NGOs

Forms of the cooperation:

- CONSULTING
- ADVISING
- JOINT ACTIVITIES
- DEVELOPING NORMATIVE PRECONDITIONS
FOR FUNCTIONING OF NGOs



5 - INSTITUTIONAL MECHANISM - OFFICE

- **Office for cooperation with NGOs** within the General Secretariat of the Government is established as an institutional mechanism for cooperation (2007.) with low/weak competence, small staff and without own budget
- **Office is channel for INFORMING, COORDINATING AND COOPERATION - BRIDGE BETWEEN ADMINISTRATION AND NGOs**
(role of the policemen on the bridge, to regulated traffic in both directions).
- **Office coordinated process of the preparing Strategy** of cooperation of the Government of Montenegro and non-governmental organizations with Action plan (2009).
- Specific task - **COORDINATION AND COOPERATION WITH CONTACT PERSONS**
- civil servants in charge for cooperation with NGOs and take care about their **EDUCATION, TRAINING AND NETWORKING**



6 - INSTITUTIONAL MECHANISM - COUNCIL

Council for Cooperation of the Government of Montenegro and NGOs

have been established in 2010.

(Official Gazette of Montenegro, no 28/10; April 2010, www.gov.me/biblioteka/odluke).

The Council (structure):

- **Chairman (a Government representative),**
- **12 representatives of state institutions and**
- **12 NGO representatives.**

The Office conducted the nomination procedure for NGO candidates for Council members (2 public calls were published both in the daily Pobjeda and on the web page www.gov.me/biblioteka/oglasj)

At the constitutional session of the Council, based on the proposal of the Council Chairman (a Government representative), the **Deputy Chairman was appointed from the representatives of NGOs in Council.**

Office is “secretariat” of the Council.

7 - SPECIFIC INSTITUTIONAL/PERSONAL MECHANISM – CONTACTS



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Network of contact persons for cooperation with NGOs

in ministries and other state institutions (from May 2006, 53 persons were appointed).

In 2007. and 2008. for those persons, NGO CRNVO created an joint activity-project named “Capacity building of civil servants for cooperation with NGOs” which has been implemented in cooperation with The Office.

The project aimed to:

- a) educate contact persons for cooperation with NGOs,**
- b) enhance level of cooperation among The Government and NGOs,**
- c) link civil servants engaged in cooperation with NGOs.**

In last three years Office in cooperation with TACSO office in Montenegro organized few seminars for this category of civil servants.

The Office organized consultative meetings with contact persons and prepare Guidebook on reporting about cooperations with NGOs.



8 - IMPROVEMENT OF THE CONSULTATIONS AND PARTICIPATION OF NGOs IN POLICY-MAKING PROCESS

Law amending the state administration Law (July 2011), by which the legal basis for bringing 2 bylaw acts was fortified.

1. The Decree on the modalities and procedure for exercising cooperation between state administration bodies and nongovernmental organizations (Official Gazette of Montenegro, no. 5/12)
2. The Decree on the procedure and modalities for conducting public debates on draft Laws (Official Gazette of Montenegro, no. 12/12)

The preparation of decrees was organized through CRNVO project “Active participation of civil society in the creation and implementation of public policies”, in which Ministry of Interior and the Office for cooperation with NGOs participated as collaborators and members of the working group; Ministry of Interior had in formal legal terms “repacked” them into the drafts (propositions), submitted them to the Council which supported them (decisions), whereupon the Government adopted the first one in December 2011 and the second one in January 2012.



9 - IMPLEMENTATION OF THE DECREES (9 MONTHS)

The CRNVO research for the first nine months shows that the decrees are being implemented, but unevenly:

- the annual work programs released 14, but 16 state bodies did not;
- for the Report on their work released 22 and 29 did not;
- data on contact persons for cooperation with NGOs, 15 bodies released and 36 did not;
- three ministries issued the list of Laws on which the public discussion will be conducted, and 13 did not
- 30 working groups were organized with a total of 38 representatives of NGOs in them;
- 57 calls were published to NGOs



10 - IMPLEMENTATION OF THE DECREES (12 MONTHS)

Decree on public discussion in preparing laws (it is obligatory only for ministries, not all state bodies)

- Still, only 3 out of 16 ministries within Montenegrin government publish the list of laws that consider organization of public discussion in their preparation
- 6 out of 16 ministries publish call for consultation of general public during the first phase in preparing laws (in preparation of drafts)
- 9 out of 16 ministries organize public discussion on drafts of laws
- During the 2012 only 5 reports on public discussion were published

Decree of cooperation between state bodies and CSOs

- the consultation of NGOs in drafting laws in their annual work programs, was provided by 7 out of 32 of the state administration, which issued 15 invitations for CSOs to participate in the consultation.
- 16 state bodies publish their working programs
- 83 NGO representatives participate in working groups set up by these bodies in the 2012th year
- Reports on their work was published by 19 out of 32 state bodies
- 30 of the 53 state authorities announced the name of the contact person for the cooperation with NGOs

11 - COOPERATION AND PARTITIPATION IN EU INTEGRATION PROCESS



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In 18 working groups for 18 negotiation chapters MVPEI and the Office of the chief negotiator, on the basis of the **general public call, which is constantly open**, and a several specific calls for the chapters for which the screening has been scheduled, involved **108 civil society representatives**, out of which **28 NGOs representatives**, and **the others were representatives of trade unions, academic community, media, employers etc.** The form for proposing was published on the web page of MVPEI www.mip.gov.me

MVPEI published, a public call to NGOs for candidate nomination for member of **Joint consultative council between Montenegro and European Economic and Social Committee**, in both daily Pobjeda and on the web page www.mip.gov.me and after conducted procedure chose 2 members, while the trade unions and employer's associations chose two of its representatives with the remark that in this body there are no representatives of state institutions.

Draft of AP for negotiation chapter 23- part about civil society, have been prepared by NGO representative in working group for chapter 23 in cooperation and consultations with the Office for cooperation with NGOs.



12 - GENERAL COOPERATION

- In three Reports on cooperation of ministries/public state bodies with NGOs in 2010, 2011, and in 2012. was indicated the problem of weaker implementation, that is to say weaker monitoring implementation, as a result the Government set a task to state bodies to focus on this area and to include more the representatives of NGOs in monitoring bodies.
- The reports have been preparing for the Council (Office have collected the data), submitted to the Government which adopted them with the specific conclusions for increased cooperation with NGOs
- The Office for cooperation with NGOs is with the various bylaw acts and according to the procedures and criteria from the Decision on the Council, in charge of conducting the nomination procedure for NGOs representatives for advisory bodies of the Government (for example on October 26, 2012 public call to NGOs for candidate nomination for member of National Council for employment and development of human resources was published both in daily Pobjeda and on the web page www.gsv.gov.me/biblioteka/oglasii). Out of 56 nominations, 54 were in accordance with the public call, and the form for nominating was published on the web page www.gsv.gov.me/biblioteka/obraci. The right to propose had NGOs whose activity fields were: the promotion of employment and technical training, education and lifelong learning, health and social welfare and care for persons with disabilities.



13 - PREPARATION OF THE NEW STRATEGY

The Report on Action plan implementation of the realization of Strategy of cooperation of the Government of Montenegro and non-governmental organizations, at the proposal of the Council for cooperation of the Government of Montenegro and NGOs, the Government adopted in July, 2012 and decided to approach the preparation of a new strategic document which would regulate the issue of creating a supportive/enabling environment for development of NGOs.

- Public call for participation in consultations on new Strategy, published on the Ministry of Interior's web page www.mup.gov.me on October 5 to November 20 with request to deliver their initiatives, suggestions and propositions, in written and/or electronic form to Ministry.
- Two representatives from NGOs were elected for members of working group in accordance with the public call of Ministry of Interior.
- Cross-sectoral working group established by the Ministry of Interior (8 members) prepared working version of the new strategy and in this moment we are waiting for the Draft of the document and public discussion about it on the base of the Decree
- According to the Montenegrin Government work program for 2013, the adoption of the new Strategy is planned for the IV quarter.



14 - REGIONAL COOPERATION OF GOVERNMENTS

- **The Government of Montenegro started with the initiative for signing the Memorandum of Cooperation between the Governments of the Western Balkans and Turkey with CSO (in oktobar 2012.).**
- **MVPEI informed Council that the support was given from every country, and that the memorandum text was finalized (March 2013.).**
- **The Government of Montenegro in this month processing Draft of Memorandum towards Governments - future signatories of document.**
- **Signing of Memorandum is expected until the end of Septembar.**



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THANK YOU!

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