



Montenegro  
Ministry of Public Administration

# 2018 Report on Implementation of the Action Plan for the “Strategy for Improving Enabling Environment for the Activities of NGOs 2018-2020”

March 2019

## CONTENTS

I INTRODUCTION.....	3
OVERVIEW OF THE ACTION PLAN IMPLEMENTATION IN 2018.....	3
FUNDS PLANNED AND SPENT.....	6
II KEY ACHIEVEMENTS IN THE IMPLEMENTATION OF ACTIVITIES BY STRATEGY OBJECTIVES.....	6
III RECOMMENDATIONS FOR MORE EFFICIENT IMPLEMENTATION OF THE ACTION PLAN AND SUSTAINABILITY OF THE RESULTS ACHIEVED.....	17
IV TABULAR OVERVIEW OF THE ACTION PLAN IMPLEMENTATION.....	<b>Error! Bookmark not defined.</b>

## I INTRODUCTION

The Government of Montenegro adopted the *Strategy for Improving Enabling Environment for the Activities of Non-Governmental Organizations 2018-2020 with the Action Plan* (hereinafter: “the Strategy”), on 11 January 2018.

The **general objective** of the Strategy is to improve legal and institutional framework for NGO activities and to strengthen cooperation of the public administration and NGOs in the process of creating and implementing public policies, while respecting their different, but complementary roles and responsibilities in this process.

The Strategy is largely consistent with the “Guidelines for EU support to civil society in enlargement countries 2014-2020”. The key aspects remain the creation of an enabling environment for civil society activities, having adequate structures and mechanisms for civil society cooperation with public institutions, and the strengthening of the financial environment in all countries, including Montenegro. To that end, efficient implementation of the measures identified in the Strategy is an important precondition to fulfil the objectives related to Montenegro’s progress under the political criteria for EU membership. Thus, the EC 2019 Report stated that the legal, institutional and financial environment under which the civil society organizations operate in Montenegro improved overall. However, the strengthening of the public consultation process and cooperation with the civil society requires further efforts.

It is reasonable to expect that the desired results in this area can be achieved precisely through the consistent implementation of the measures and activities from the *Strategy for Improving Enabling Environment for the Activities of Non-Governmental Organizations*.

Detailed monitoring and evaluation will show the specific progress made through the implementation of the planned activities, by comparing the activities with the verifiers for their implementation. The monitoring system has been improved through the development of the web platform [www.strategijianvo.nvo.mju.gov.me](http://www.strategijianvo.nvo.mju.gov.me), supported by the EU technical assistance project, administered by the Directorate for Cooperation with NGOs of the Ministry of Public Administration.

The new systematization and organizational structure in the Ministry of Public Administration resulted in the formation of the Directorate for Good Governance and NGO Activities, which includes a Division in charge of proposing regulations in the field of civil society activities.

Monitoring of the implementation of the Strategy and the Action Plan is the task of the advisory body of the Government established under the ***Decision on the Council for Cooperation between State Administration Bodies and Non-Governmental Organizations***<sup>1</sup>.

## OVERVIEW OF THE ACTION PLAN IMPLEMENTATION IN 2018

The key achievements in the first year of implementation of the Action Plan are related to the improved institutional, legal and financial framework for cooperation between state administration bodies and NGOs. The new Council for Cooperation between State Administration Bodies and Non-Governmental Organizations was formed, the ***Decree on the***

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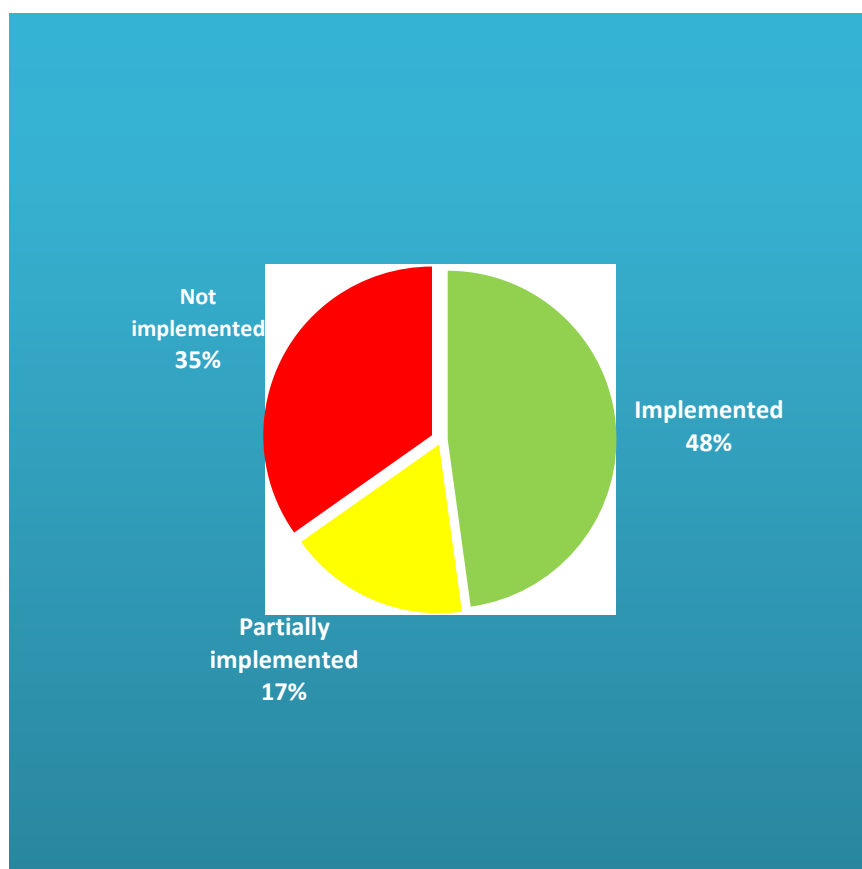
<sup>1</sup> Official Gazette of Montenegro, no. 47/2018)

***election of NGO representatives into the working groups of state administration bodies and the implementation of public discussions in the drafting of laws and strategies*** was adopted, and after the adoption of the legal framework for the financing of NGO projects and programs NVO from the state budget, a manual and guidelines were prepared for better implementation of the established public financing standards<sup>2</sup> .

In 2018, the Council discussed the matters related to the new model of financing NGO projects and programs from the state budget, and the topics also covered, among other, the new methodology of reporting on the public discussions conducted in accordance with the above mentioned Decree.

In order to contribute to the financial sustainability of non-governmental organizations, training sessions have been continuously organized to apply more effectively the new model of financing NGO projects and programs from the state budget, and for the third year in a row, programming of the priority areas and of the amount of funding for NGO projects and programs in these areas has been carried out. This practice is expected to result in a more effective, rational and transparent use of the allocated funds.

**In 2018, it is planned to implement 23 of the 34 activities defined under the Action Plan for implementation of the Strategy in total, i.e. 2/3 of the Action Plan. Of the planned 23 activities, 11 activities were implemented, or 47.82% of the activities, and implementation of four activities, or 17.39% of the activities, has started. There were eight activities not implemented in 2018, or 34.78%.**



<sup>2</sup> Official Gazette of Montenegro, no. 41/18

**The key reasons for the untimely implementation of some of the activities** included untimely amendments to the normative framework and institutional changes, on the basis of which it was expedient to implement them, for the purpose of certain sustainability of the results. The mentioned normative framework included the non-adoption of the *Law on Volunteering*, amendments to the *Law on Accounting*, and the delayed adoption of the *Decree on the election of NGO representatives into the working groups of state administration bodies and the implementation of public discussions in the drafting of laws and strategies, in June 2018*.

Implementation of the activities in the areas of philanthropy, social entrepreneurship and volunteerism remains the key challenge. There is a challenge regarding the adoption of amendments to the Law on Accounting, i.e. it is necessary to amend the existing regulations, or to adopt a bylaw which would define the contents and the format of financial statements specifically for NGOs. The drafting of the Law on Volunteering was initiated in 2019. The 2019 Work Programme of the Government of Montenegro envisages the adoption of this Law in the third quarter of 2019.

Having in mind the existing challenges, it is recommended to intensify the activities under the Action Plan in these areas.

Overview of the Action Plan implementation in 2018 by chapter	
1. Institutional framework for performing affairs significant for cooperation with NGOs	<b>100% implemented (3/3)</b>
2. Participation of NGOs in creation and implementation of public policies	33.4% implemented (2/6) 33.4% not implemented (2/6) 33.4% partially implemented (2/6)
3. Financial sustainability of NGOs	<b>75% implemented (3/4)</b> 25% not implemented (1/4)
4. Role of NGOs in socio-economic development	20% (underway 1/5) <b>80% not implemented (4/5)</b>
5. Role of NGOs in EU accession	<b>66.7% implemented (2/3)</b> 33.4% not implemented (1/3).
6. Monitoring, reporting and evaluation of implementation of the Strategy and the Action Plan:	50% implemented (1/2) 50% not implemented (1/2)

**The largest number of the implemented activities is from Chapter 1 of the Action Plan - Institutional framework for performing affairs significant for cooperation with NGOs and Chapter 3 – Financial sustainability of NGOs. The largest number of the activities not implemented is from Chapter 4 – Role of NGOs in socio-economic development.**

**The number of indicators that were supposed to be achieved in 2018 was 30 (for 23 activities).**

**46% of the indicators (14) were fully achieved, 10% were partially achieved (3), while 44% of the indicators were not achieved (13).**

## FUNDS PLANNED AND SPENT

The amount of the funds planned for the implementation of the activities in 2018 is EUR 36,000 (including the funds for two activities implemented in continuity in 2019). Financial support was provided through the EU project of “Technical assistance for the Development of Institutional Mechanisms for Cooperation between State Administration Bodies and NGOs in Montenegro” (hereinafter: “EU technical assistance project”). A total of €45,000 of the EU technical assistance funds has been invested to implement the activities identified through the Strategy and the Action Plan.

Part of the activities, as planned, was implemented by using regular budget funds.

## II KEY ACHIEVEMENTS IN THE IMPLEMENTATION OF ACTIVITIES BY STRATEGY OBJECTIVES

**Objective: Improving the institutional framework and strengthening the capacity of the state administration to perform activities of importance for cooperation with NGOs**

In the previous period, numerous results and positive effects have been achieved in the area of improving the institutional framework and strengthening the capacity of the state administration in matters relevant for cooperation with NGOs in developing, monitoring and implementation of public policies, and financing of NGO programs and projects from public funds.

**Activity 1.1. Organizing workshops for the Ministry of Public Administration (MPA) staff on the issues relevant for cooperation with NGOs in developing, monitoring and implementation of public policies in this area, as well as financing NGO programs and projects from public funds**

In order to strengthen the capacity of the Ministry of Public Administration to perform the affairs relevant for cooperation with NGOs, the officers of the Ministry attended several training sessions in 2018 in the area of inter-sectoral cooperation on the topics of co-financing of NGO projects and programs supported by EU funds, financing of NGO projects and programs from the state budget, scoring of NGO projects and programs submitted under public calls of state administration bodies and public consultation standards in the process of public policy-making.

75 officers took part in the workshop on the new standards of financing NGO projects and programs, held on 22 and 23 March in cooperation with the Human Resources Management Authority and the EU technical assistance project.

In the period from 26 to 30 March 2018, a study visit was organized for seven MPA officers to Croatian institutions for cooperation with NGOs in order to strengthen their capacity for efficient performance of affairs related to cooperation with NGOs within the competence of the Ministry.

The workshop on the topic of scoring NGO project proposals (for independent evaluators and members of commissions of relevant ministries), held on 6 and 7 June 2018, was attended by 49 officers.

The workshop on the standards of financing NGO projects and programs from public funds held on 4 and 5 July 2018 was attended by 46 officers, and for the first time a representative of the MPA took part in such a workshop as a trainer.

The workshop on the standards of co-financing NGO projects and programs supported by EU funds held on 26 October 2018 was attended by 22 officers of the MPA. **The aim of the**

**workshop** was to strengthen the capacity of the MPA to successfully implement the process of allocating funds for the co-financing of NGO projects and programs supported by EU funds, in accordance with the *Law on Non-Governmental Organizations* and the *Decree on the Procedure and Manner of Co-Financing NGO Projects and Programs Supported by EU funds*<sup>3</sup>.

The workshops under the training program for trainers in the field of public consultation held in October and November 2018 were attended by 3 officers of the MPA, and the training for trainers in the area of public financing of NGO projects and programs held in November 2018 was attended by 2 officers of the MPA.

#### 1.4. Development of NGO data base in Montenegro (nvoinfo.me)

The Ministry of Public Administration, with the support from the EU technical assistance project, developed a **web database of NGOs** - [www.nvoinfo.me](http://www.nvoinfo.me). The database provides insight into the activities of NGOs and contributes to better perception and understanding of their role and importance by the general public in Montenegro, promoting their work and achievements, and improving the communication between state authorities and NGOs. A total of 183 non-governmental organizations keep their profiles active on [www.nvoinfo.me](http://www.nvoinfo.me). NVOinfo database allows easier finding of potential intra-sectoral and inter-sectoral partners for implementation of activities, campaigns and projects, and non-governmental organizations may present their work without intermediaries. Given that, according to the *Law on Non-Governmental Organizations*<sup>4</sup> one of the criteria for allocation of funds for NGO projects and programs is **transparency of the work of the non-governmental organization**, which is, in accordance with the *Decree on the financing of NGO projects and programs in the areas of public interest*<sup>5</sup>, assessed according to the degree of availability of data on the work and financial operations of the non-governmental organization on its own or on a service website, and on social media, the NVOinfo database may be of particular importance to those non-governmental organizations that do not have their own website developed.

#### 1.5. Adopt a new Decision establishing the Council for Cooperation with NGOs

In relation to the institutional framework, the key result is the formation and the start of work of the **Council for Cooperation between State Administration Bodies and Non-Governmental Organizations**. In June 2018, at the proposal of the Ministry of Public Administration, the Government adopted the *Decision on the Council for Cooperation between State Administration Bodies and Non-Governmental Organizations*<sup>6</sup>. The Council had three meetings in 2018. In accordance with the *Decision*, the Council carries out the tasks related to the monitoring of the implementation of the Strategy for Improving Enabling Environment for the Activities of Non-Governmental Organizations 2018-2020, gives opinions on draft regulations, or strategic and other documents related to the work and development of non-governmental organizations in Montenegro, aimed at improving enabling environment for the activities of non-governmental organizations, gives opinions related to the implementation of regulations, or

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<sup>3</sup> Official Gazette of Montenegro, no. 64/2018

<sup>4</sup> Official Gazette of Montenegro, no. 39/11 and 37/1

<sup>5</sup> Official Gazette of Montenegro, no. 13/17

<sup>6</sup> Official Gazette of Montenegro, no. 47/2018

strategic and other documents related to the work and development of non-governmental organizations in Montenegro.

Important conclusions from the previous sessions of the Council related to the implementation of the Law on Non-Governmental Organizations concerning the new model of financing NGO projects and programs from the state budget.

### **Activities not implemented**

**Activity 1.2.** – “Preparation of MPA accreditation for indirect management of IPA II funds for civil society” still has not been implemented, although the activities to strengthen the MPA capacities to carry out the above tasks in the following period started in 2018. It is expected that this activity will be implemented by the end of 2019, in accordance with the deadline set in the Strategy’s Action Plan.

**Activity 1.3.** – “Development of new NGO Register” is planned to be implemented by the end of 2019 (in accordance with the deadline set), and the first preliminary activities necessary for the efficient development of the e-register and its interoperability with other databases relevant for the work of NGOs were completed in 2018.

### **Key challenges in the future period:**

**While there are undeniable positive results in the areas covered by Objective 1 of the Strategy, it is also important to consider the key challenges expected in the upcoming period, primarily related to:**

- Improving the visibility of the work of the Council in order to support increased confidence between NGOs and state administration bodies and better inter-ministerial and inter-sectoral cooperation
- Further strengthening of the Ministry of Public Administration capacities to implement the co-financing of NGO projects and programs supported by EU funds
- Increasing the visibility of the [nvinfos.me](http://nvinfos.me) database and thus increasing the number of registered NGOs with active profiles

**Objective: Enhancing the legal framework for NGO participation in the creation and implementation of public policies, strengthening the capacity of the state administration to effectively apply the legal framework in this area, strengthening the capacity of NGOs to participate in the creation and implementation of public policies**

In fulfilling the obligations related to this objective of the Strategy, some progress has been made in improving the legal framework for the development and implementation of public policies, and strengthening of the state administration capacities for further implementation of the legal framework adopted in this area.

**2.2. Adopt the decree on the manner of and procedure for establishing cooperation between state administration bodies and NGOs and conducting public discussion in law-making**

***The Decree on the election of NGO representatives into the working groups of state administration bodies and conducting public discussions in the drafting of laws and strategies*** was adopted at the 81<sup>st</sup> session of the Government, held on 14 June 2018.

This **Decree** defines:



- The criteria and procedure for the election of NGO representatives into the working groups formed by the state administration bodies in order to consider issues of common interest or to regulate relevant issues in a normative manner, and
- The procedure and manner of conducting public discussion in the drafting of laws and strategies.

The **Decree** also includes forms, the purpose of which is to unify the practice of the administration bodies in the implementation of this document when announcing public calls and composing reports on the public discussions and consultations conducted, and to structure the type of information submitted by the public concerned to the authorities during the public calls.

According to the new Decree, the public concerned takes part in public consultations and public discussions (including NGOs), while representatives of NGOs may participate in working groups. The statistical data related to the participation of NGOs in the implementation of all three of the above forms of participation in public policy-making, are the basis for the development of the methodology of influence in the process of public policy-making.

### 2.3. Organizing training for civil servants on participation of public concerned in the process of development and implementation of public policies

In cooperation with the Ministry of Public Administration as the main beneficiary institution, the Human Resources Management Authority implemented the first training for trainer module in October, while the second module was organized in November 2018.

The aim of this training was to form a team of trainers who will continuously build and further improve the capacity of civil servants regarding the application of standards and good practices of consulting the public concerned in the preparation of laws and other public policies. In order to successfully implement the standards of public consultation which would lead to better public policies, but also to increase the citizens' satisfaction with these public policies, it is not sufficient only to implement the regulations in this area, but additional skills, understanding and commitment of officials at all levels of state administration bodies are also essential. The candidates who successfully completed the training for trainers were included in the list of lecturers of the Human Resources Management Authority and will be hired according to the needs of the implementation of the Program of "Public Consultation Standards".

### 2.4. Preparation of the methodology for monitoring and reporting on implementation of regulations defining the manner of participation of the public concerned in the process of developing and implementing public policies

After the adoption of the **Decree**, the **Methodology for monitoring and reporting on the implementation of regulations governing the participation of the public concerned in the processes of development and implementation of public policies** was also adopted.

The Methodology follows the provisions of the **Decree on the election of NGO representatives into the working groups of state administration bodies and conducting public discussions in the drafting of laws and strategies**, and is based on the need to obtain specific data on the results and influence of civil society involvement in public policy-

making, in order to assess the performance of the investment of EU funds in NGO capacity building.

The Methodology includes templates based on which the **state administration bodies and ministries** will prepare the annual report on the implementation of the Decree, along with the corresponding instructions for **completing the template and preparing the narrative part of the report**. In addition, the Methodology also includes the **structure of the Annual Report on the implementation of the Decree**, to be prepared by the Ministry of Public Administration.

**The implementation indicator** for this activity has been **partially achieved**, because of the delayed adoption of the **Methodology**, and the *Report* on the implementation of the regulation still has not been prepared, as stated above.

## 2.5. Initiating the central portal for public consultations “e-consultations”

In 2018, the Ministry of Public Administration worked on the development of the conceptual design for improving the eParticipation page and defining the technical specifications for that service. Separate platform has not been created since the **improvement of the eParticipation service**, in accordance with the 2018 Public Procurement Plan of the Ministry of Public Administration, is compatible with the implementation of the **activity of “Launching the central portal for public consultations ‘eConsultations’”**. The innovated system of eParticipation aims to contribute to raising citizens’ awareness of the necessity of their participation in the decision-making process, and to implement the mentioned *Decree* in a more efficient manner, as one of the practical and simple mechanisms to achieve these objectives.

The eParticipation service <http://www.euprava.me/eparticipacije> has been active on the eGovernment portal as of 18 March 2019. Through this service, citizens can actively participate in the drafting of laws and other strategic documents, and they can also express their opinions and views in public discussions. This system ensures the proactive participation of citizens in social processes and decision-making that is important for their lives and the life of the community. One of the novelties is the fact that a single publication provides an overview of all relevant documents and the comments for the relevant public discussion.

Activities not implemented:

Since the ***Report on the implementation of the Decree on the election of NGO representatives into the working groups of state administration bodies and conducting public discussions in the drafting of laws and strategies*** for the period from its entry into force until the end of 2018 is being prepared, in accordance with the new **Methodology**, it is expected that the methodology for measuring the impact of NGOs in the creation and implementation of public policies (Activity 2.1.) will be adopted in the first quarter of 2020. **The activity has not been implemented** within the deadline set, because of the delayed adoption of the **Decree**, which also affected the dynamics of implementation of the corresponding activities (2.4. and 2.5), and finally the development of the methodology for measuring the impact of NGOs in public policy-making.

As regards activity 2.6. “Conducting an Impact Assessment of Resource Centres for NGO Development”, it should be noted that there are five NGO resource centres in Montenegro, which have been implementing, in partnership, the EU project of Resource Centre for Civil

Society Organizations in Montenegro as of July 2018, and are working to strengthen the capacity of NGOs to implement the public policy cycle.

After the adoption of the new *Methodology for monitoring and reporting on the implementation of regulations governing the participation of the public concerned* in the processes of development and implementation of public policies and with the planned development of the methodology for measuring the impact of NGOs in the development and implementation of public policies, an evaluation of the impact of resource centres for NGO development on the participation of the public in public policy-making will be conducted.

#### **Key challenges in the future period:**

- In terms of training for civil servants, the risk includes the target group, the insufficient number of applicants, and the number of top management staff among the applicants for the workshops on the public consultation standards.
- A recognized risk regarding the sustainability of e-participation is related to the lack of knowledge of the use of the service and insufficient updating of data and responsiveness of the authorities during the implementation of public calls in accordance with the above *Decree*.
- The deadlines for the implementation of the activities foreseen in the Action Plan under this objective are not realistic, and they need to be adjusted to the current situation.

**Objective: Improving the legal and institutional framework for greater financial sustainability of NGOs and strengthening the capacity of the state administration to effectively apply the legal and institutional framework in this area**

Since the adoption of the new legal and institutional framework for financing NGO projects and programs, continuous progress has been made in strengthening the capacity of state administration bodies to apply the new standards, both in terms of programming and in the implementation of public calls. Compared to 2017, when 12 ministries prepared 23 sectoral analyzes, 38 sectoral analyzes were prepared by 15 ministries in 2018. The decision of the Government of Montenegro on the identification of priority areas of public interest and the amount of funds for the financing of NGO projects and programs in 2018 was published in the Official Gazette of Montenegro No. 80/18. In the past period, a number of activities have been implemented in order to implement the new system of financing NGO programs and projects in a more effective manner.

#### **3.1. Development and promotion of a manual on implementation of the legal framework for financing NGOs from public funds**

**The Manual on the implementation of the legal framework for financing projects/programs of non-governmental organizations from public funds<sup>7</sup>** was published in May 2018 on the Ministry of Public Administration sub-portal.

The purpose of preparing this *Manual* is to better understand and implement the provisions of the *Law on Non-Governmental Organizations, the Decree on the Financing of*

<sup>7</sup> <http://www.mju.gov.me/vijesti/185127/Prirucnik-za-primjenu-pravnog-okvira-za-finansiranje-projekata-programa-nevladinih-organizacija-iz-javnih-izvora.html>

*NGO Projects and Programs in Areas of Public Interest, and the Rulebook on the Contents of Public Calls for Allocation of Funds for Financing Projects and Programs of Non-Governmental Organizations and the form and contents of the public call application*, related to the new model of financial support for projects and programs of non-governmental organizations from public funds.

**The Manual** is intended for state administration bodies, i.e. officials responsible for the preparation and implementation of public calls for the allocation of funds in accordance with the Law on Non-Governmental Organizations and for non-governmental organizations/participants in public calls. The *Manual* contains a number of forms and explanations, which represent logistic support for more efficient implementation of programming, implementation of the public call procedure and reporting on the projects/programs implemented.

Promotion of the *Manual* is an integral part of all information and educational meetings dedicated to the topic of financing NGO projects and programs from the state budget, organized by the Ministry of Public Administration.

### 3.2. Development of Guidelines for independent evaluators of NGO projects submitted under the public calls of state administration bodies

**The Guidelines for Independent Evaluators of NGO Projects and Programs Submitted under the Public Calls of State Administration Bodies<sup>8</sup>** were published in July 2018 on the Ministry of Public Administration sub-portal.

**The aim** of the development of these *Guidelines* was to strengthen the capacity of independent evaluators to score projects submitted under the public calls of the authorities published in accordance with the Law on Non-Governmental Organizations and to contribute to a uniform interpretation of the criteria, and the application of a scoring model according to each of the benchmarks and criteria prescribed. The recommendations for independent evaluators in the *Guidelines* are based on examples of good project evaluation practices in EU countries and complement the national legal framework set up for evaluation of NGO projects and programs in Montenegro and they should serve as a framework for better understanding and implementation of the scoring process.

In 2018, the Ministry of Public Administration and the EU Technical Assistance Project team organized two one-day workshops on the topic of “**Scoring of NGO projects and programs submitted under public calls of state administration bodies**”. The trainings were intended for independent evaluators from the List established by the Ministry of Public Administration for 2018, and they were also attended by the members of the commissions for the allocation of funds from the ministries, to better understand the separate, but complementary roles of evaluators and members of the commissions in the process of making allocation decisions, in accordance with the Law on Non-Governmental Organizations.

### 3.3. Compilation of data on awarded public funds for NGO programs and projects

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<sup>8</sup> <http://www.mju.gov.me/vijesti/189320/Smjernice-za-nezavisne-procjenjivace-projekata-i-programa-NVO-prijavljenih-na-konkurse-organa-drzavne-uprave.html>

As part of this activity, the Ministry of Public Administration and experts from the EU technical assistance project have created a database of NGO projects and programs financed from public funds – [www.finansiranjenvo.me](http://www.finansiranjenvo.me). The aim of this platform is to make available to the general public, through the affirmation and promotion of transparency principles, information on projects and programs of non-governmental organizations financed from budget funds through the institutional framework at the national level from 2009 to the present. The database was created on the basis of publicly available data, i.e. decisions on the allocation of funds by the Minority Fund, the Commission for the Allocation of Part of the Revenues from Games of Chance and the ministries that financed the projects and programs of NGOs in accordance with the Law on Non-Governmental Organizations. The data available are related to the implementing entities, project titles, amounts allocated, implementation period and area of public interest in which the projects are implemented.

In the following period, it is planned to improve the database in terms of its contents and functionality. The portal will be regularly updated with new data, and the database administrator is the Directorate for Cooperation with NGOs.

### 3.5. Training for civil servants for implementation of the new normative framework and methodology for financing NGO programs and projects from the budget

In 2018, four workshops were organized for civil servants on the implementation of the normative framework for the financing of NGO projects/programs from the state budget, as follows:

- On 22 and 23 March on the topic of: “New model of financing NGO projects and programs in 2018” and
- On 4 and 5 July on the following topic: “From sectoral analyses to setting priorities for financing NGO projects and programs from the state budget”.

The workshops were organized with the aim of contributing to a more effective implementation of the Law on Amendments to the Law on Non-Governmental Organizations<sup>9</sup>, i.e. public calls for the allocation of funds for projects and programs of non-governmental organizations in 2018. In addition to civil servants, the workshops in March were attended by representatives of non-governmental organizations elected as members of commissions for the allocation of funds for the financing of NGO projects and programs in 2018. 68 participants attended the training in March, and 36 in July.

Specific objectives of the workshops included:

- Detailed introduction to the normative solutions from the Law on Non-Governmental Organizations and related by-laws,
- Increasing the knowledge and skills of civil servants in programming priorities for financing NGO projects and programs,
- Improving the quality of sectoral analyses and consultations with NGOs on funding priorities and
- Improving the quality of public calls.

The trainees were introduced to the experience of the first year of applying centralized programming, and by combining them with the standards and examples of good practice in the

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<sup>9</sup> Official Gazette of Montenegro, no. 37/17

implementation of the mentioned process, recommendations were given for improving the quality of sectoral analyses, preparation of public calls, making allocation decisions, contracting and monitoring of contracted projects/programs.

Also, a training for trainers on the financing of NGO projects and programs from the state budget was held in Bar from 19 to 22 November 2018, organized by the Human Resources Management Authority and the Ministry of Public Administration, and with the support of the EU technical assistance project. The aim of this training was to form a team of trainers who will continuously build and further improve the capacities of civil servants in relation to the new system of decentralized financing of NGO programs and projects. Candidates who have successfully completed training for trainers were included in the list of lecturers of the Human Resources Management Authority and are hired according to the needs for the implementation of the Program “Financing of NGO projects and programs from the state budget”.

Key challenges in the future period:

- Encourage greater interest of civil servants in continuous training on the implementation of new standards and procedures for financing NGO projects and programs

### **Objective: Improving the legal framework and strengthening the capacity of the state administration to provide greater support to the participation of NGOs in socio-economic development**

Key activities in this area are related to the adoption of a legal framework for volunteering, the development of a manual on social entrepreneurship and activities related to the contents of NGO financial statements.

However, of the five activities that were due for implementation, only one was implemented, and a total of four activities were not implemented, which makes the results in the field of socio-economic development very poor.

#### **4.1. Drafting of the Law on Volunteering**

The 2019 Work Program of the Government of Montenegro envisages the adoption of this Law for the third quarter of 2019, and the Ministry of Labour and Social Welfare has set up a working group to draft the Proposal for the Law on Volunteering. The working group is composed at the tripartite level, with the representatives of the Ministry of Labour and Social Welfare, as well as representatives of employers, trade unions and NGO sector. During the work of the working group, two members of the Ministry of Public Administration were also delegated, since the concept of the law is changed in the part related to the nature of volunteering. Namely, the new law completely abandons the concept of volunteer work with forms of employment, and this law defines volunteerism as a voluntary activity, i.e. as civic activism. The text of the draft, after agreement with the members of the working group, was submitted for public discussion in accordance with the current regulation and a report on the results of the public discussion was published. The proposal for the Law is expected to be submitted for adoption procedure.

Activities not implemented:

4.4. Development of an online manual on the implementation of the new Law on Volunteering

Because of the delay in the process of adoption of the new Law on Volunteering in relation to the deadline originally set, it is necessary to adjust the deadlines for the implementation of this activity in accordance with new circumstances.

#### 4.6. Development of an online manual on social entrepreneurship

The activity related to the development of the Online Manual for Social Entrepreneurship was not implemented according to the submitted data, because it was not included in the Activity Plan of the Ministry of Economy for 2018 and no funds were allocated for its implementation.

#### 4.7. Development of decree on preparation of financial statements of NGOs

With regard to this activity, Article 4 of the Law on Accounting specifies that the preparation of financial statements for NGOs will be laid down in more detail under a by-law of the Government. However, according to the submitted data, this by-law was not adopted, and the NGOs submit the same financial statements (form and content) as companies in accordance with the Law on Accounting and the Rulebook on the Content and Form of the Financial Statements for Companies and Other Legal Entities, and therefore no educational material was published for the preparation and submission of financial statements specifically for NGOs.

Financial statements are submitted exclusively electronically, and the Tax Administration portal provides instructions (written and video instructions) regarding the installation and use of the software for the preparation and submission of financial statements. Considering the above, implementation of the planned activity 4.8. requires amendment of the existing regulations, i.e. adoption of a bylaw defining the contents and the form of financial statements specifically for NGOs.

#### 4.8. Development of an online manual or an online presentation on preparation of financial statements of NGOs (“web tutorial”)

This activity was not implemented because of the delay in the implementation of activity 4.7.

Key challenges in the future period:

- timely adoption and implementation of the new Law on Volunteering
- adoption of an act defining the contents of NGO financial statements
- providing financial support for the development and promotion of a manual on social entrepreneurship

**Objective: Strengthening the role of NGOs in the process of accession of Montenegro to the EU**

#### 5.1. Presentation of annual/multiannual priorities for IPA II programming

The Office for European Integration organized a presentation of the national IPA 2018 program for NGO representatives in Podgorica on 18 October 2018. Actions eligible for funding through the mentioned program were presented at the meeting. In accordance with the

established practice of the Office for European Integration, this activity is implemented on a continuous basis for each of the newly approved IPA programs.

In 2018, within the cross-border and transnational programs in which Montenegro participates, 57 events were organized to present funding opportunities through IPA II cross-border and transnational co-operation programs, attended by representatives of non-governmental organizations.

Activities not implemented:

5.2. Organizing info days, info sessions and fora to find partners for implementation of IPA II cross-border projects, whose beneficiaries are NGOs

Public events in 2019 will be implemented in accordance with the visibility plan for each of the nine cross-border and transnational programs in which Montenegro participates.

5.3. Implementation of training sessions for state administration bodies on efficient involvement of NGOs in European affairs

The activity was not implemented because no annual training plan was developed after the institutional change and division of responsibilities of the former Ministry of European Affairs.

## Monitoring, reporting and evaluation of the implementation of the Strategy and the Action Plan

6.1. Development and promotion of a web platform for monitoring the implementation of the Strategy and the Action Plan

The web platform [www.strategijanvo.nvo.mju.gov.me](http://www.strategijanvo.nvo.mju.gov.me) was developed in early 2018. The Platform contains a tabular and narrative overview of activities by areas of the **Strategy for Improving Enabling Environment for the Activities of NGOs 2018-2020**, and, in addition to search option by area, the Action Plan is searchable by status and timeframe and institutions - implementing entities.

Sources of verification of the implemented activities are presented within the reporting module, and, in separate sections, the relevant documents and announcements related to the **Strategy**.

The aim of this platform is to achieve more transparent monitoring and reporting on the implementation of the Action Plan, in a simple and pragmatic manner, and it is also available in English.

The web platform was promoted for the first time at the consultative meeting on the topic of **“How to Improve the Environment for the Activities of NGOs by 2020 - Challenges and Opportunities for Implementing the Strategy for Improving Enabling Environment for the Activities of NGOs 2018-2020”** held on 5 November 2018 in Podgorica.

6.2. Workshop for the implementing entities for the measures under the Action Plan on efficient reporting on the implementation of the AP measures



For the purpose of drafting the 2018 Report, a special training session was held for the implementing entities in order to report more effectively on the implementation of the Strategy's Action Plan.

Activities not implemented:

### 6.3. External evaluation of the implementation of the Strategy for the purpose of preparation of the new Strategy and Action Plan

This activity was not implemented in 2018, and its implementation was postponed for organizational reasons and organized in the first quarter of 2019, before the preparation of the first report on the implementation of the Action Plan.

## III RECOMMENDATIONS FOR A MORE EFFICIENT IMPLEMENTATION OF THE ACTION PLAN AND SUSTAINABILITY OF THE RESULTS ACHIEVED

- ☑ It is recommended to hold coordination meetings with representatives of ministries at the top level management staff in order to discuss issues relevant for a more efficient implementation of the *Law on NGOs*.
- ☑ It is recommended to the Ministry of Public Administration to organize a second consultative meeting "*How to improve the environment for the activities of NGOs by 2020 - Challenges and opportunities for the implementation of the Strategy for Improving Enabling Environment for the Activities of NGOs 2018-2020*", with representatives of non-governmental organizations.
- ☑ It is recommended to continue education in order to better implement the *Law on Non-Governmental Organizations* and the *Decree on the Election of NGO Representatives into the Working Groups of State Administration Bodies and Conducting Public Discussions in the drafting of laws and strategies*.
- ☑ It is recommended to intensify promotional activities aimed at affirmation of e-participation services, the database on the NGO projects financed from public funds and the NGOinfo platform.
- ☑ It is recommended that the competent ministries-implementing entities take measures to implement activities in the areas of philanthropy, social entrepreneurship and volunteerism in a more effective manner.

## IV TABULAR OVERVIEW OF THE ACTION PLAN IMPLEMENTATION

<b>1. Organizing workshops for MPA staff on the issues relevant for cooperation with NGOs in developing, monitoring and implementation of public policies in this area, as well as financing NGO programs and projects from public funds</b>	
<b>IMPLEMENTING ENTITY</b>	<i>MPA</i>
<b>DEADLINE</b>	<i>2018 Q IV</i>
<b>BUDGET</b>	<i>Funds from the technical assistance project (EUR 5,000)</i>
<b>IMPLEMENTATION INDICATOR</b>	<i>At least one workshop organized per year Number of inter-ministerial coordination meetings held</i>
<b>INDICATOR ACHIEVED</b>	<b>partially</b>
Implementation indicators were partially achieved in correlation with the formulation of the activity related to trainings solely for the MPA officers. One workshop was organized, and special inter-ministerial coordination meetings were not held.	
<b>SOURCE OF VERIFICATION</b>	<i>Annual Report of the MPA, Report on the Technical Assistance Project</i>

<b>1.4. Development of NGO database in Montenegro (nvinfos.me)</b>	
<b>IMPLEMENTING ENTITY</b>	<i>MPA</i>
<b>DEADLINE</b>	<i>2018 Q I</i>
<b>BUDGET</b>	<i>Funds from the technical assistance project (EUR 3,000)</i>
<b>IMPLEMENTATION INDICATOR</b>	<i>Database developed</i>
<b>INDICATOR ACHIEVED</b>	<b>YES</b>
<b>SOURCE OF VERIFICATION</b>	<i>MPA web site, nvinfos.me web portal</i>

<b>1.5. Adoption of a new Decision establishing the Council for Cooperation with NGOs</b>	
<b>IMPLEMENTING ENTITY</b>	<i>MPA</i>
<b>DEADLINE</b>	<i>2018 Q I</i>
<b>BUDGET</b>	<i>Regular budget funds</i>
<b>IMPLEMENTATION INDICATOR</b>	<i>Decision adopted</i>
<b>INDICATOR ACHIEVED</b>	<b>yes</b>
<b>SOURCE OF VERIFICATION</b>	<i>Official Gazette of Montenegro</i>

<b>2.1. Development of methodology for measuring the impact of NGOs in the development and implementation of public policies</b>	
<b>IMPLEMENTING ENTITY</b>	MPA
<b>DEADLINE</b>	2018 Q II
<b>BUDGET</b>	Donor funds (EUR 5,000)
<b>IMPLEMENTATION INDICATOR</b>	Methodology developed
<b>INDICATOR ACHIEVED</b>	<b>no</b>
<b>SOURCE OF VERIFICATION</b>	Methodology adopted by the MPA

<b>2.2. Adopt the Decree on the manner of and procedure for establishing cooperation between state administration bodies and NGOs and conducting public discussions in law-making</b>	
<b>IMPLEMENTING ENTITY</b>	MPA
<b>DEADLINE</b>	2018 Q I
<b>BUDGET</b>	Regular budget funds
<b>IMPLEMENTATION INDICATOR</b>	Decree adopted
<b>INDICATOR ACHIEVED</b>	<b>yes</b>
<b>SOURCE OF VERIFICATION</b>	Official Gazette of Montenegro

<b>2.3 . Organizing training for civil servants on participation of the public concerned in the process of development and implementation of public policies</b>	
<b>IMPLEMENTING ENTITY</b>	Human Resources Management Authority in cooperation with the MPA
<b>DEADLINE</b>	Continuously
<b>BUDGET</b>	Regular budget funds, funds from the EU technical assistance project, EUR 5,000
<b>IMPLEMENTATION INDICATOR</b>	Organizing at least two training sessions per year for various employee structures, including management staff
<b>INDICATOR ACHIEVED</b>	<b>yes</b>
<b>SOURCE OF VERIFICATION</b>	HRMA reports, reports on the EU technical assistance project

<b>2.4. Preparation of the methodology for monitoring and reporting on the implementation of regulations governing the involvement of the public concerned in the public policy-making and implementation processes</b>	
<b>IMPLEMENTING ENTITY</b>	MPA
<b>DEADLINE</b>	2018 Q I
<b>BUDGET</b>	Funds from the technical assistance project (EUR

	2,000)
<b>IMPLEMENTATION INDICATOR</b>	Methodology for monitoring and reporting prepared. Report on implementation of the regulations published and adopted in accordance with the new methodology.
<b>INDICATOR ACHIEVED</b>	<b>partially</b>
<b>SOURCE OF VERIFICATION</b>	MPA website

<b>2.5. Initiating central portal for public consultations “e-consultations”</b>	
<b>IMPLEMENTING ENTITY</b>	MPA
<b>DEADLINE</b>	2018 Q I
<b>BUDGET</b>	Regular budget funds
<b>IMPLEMENTATION INDICATOR</b>	eConsultations portal opened
<b>INDICATOR ACHIEVED</b>	<b>partially</b>
<b>SOURCE OF VERIFICATION</b>	Government website, (separate web platform)

<b>2.6. Conducting external evaluation of influence of resource centres for NGO development on public participation in public policy-making</b>	
<b>IMPLEMENTING ENTITY</b>	MPA
<b>DEADLINE</b>	2018 Q II
<b>BUDGET</b>	EU technical assistance project
<b>IMPLEMENTATION INDICATOR</b>	Evaluation conducted
<b>INDICATOR ACHIEVED</b>	<b>no</b>
<b>SOURCE OF VERIFICATION</b>	Report on technical assistance project

<b>3.1. Development and promotion of the manual on the implementation of the legal framework for financing NGOs from public funds</b>	
<b>IMPLEMENTING ENTITY</b>	MPA, Ministry of Finance
<b>DEADLINE</b>	2018 Q I
<b>BUDGET</b>	EU technical assistance project (EUR 3,000)
<b>IMPLEMENTATION INDICATOR</b>	Manual prepared
<b>INDICATOR ACHIEVED</b>	<b>yes</b>
<b>SOURCE OF VERIFICATION</b>	MPA and MF websites

<b>3.2. Development of the Guidelines for independent evaluators of NGO projects submitted under public calls of the state administration bodies</b>	
<b>IMPLEMENTING ENTITY</b>	MPA
<b>DEADLINE</b>	2018 Q I
<b>BUDGET</b>	EU technical assistance project (EUR 2,000)
<b>IMPLEMENTATION INDICATOR</b>	Guidelines developed
<b>INDICATOR ACHIEVED</b>	<b>Yes</b>
<b>SOURCE OF VERIFICATION</b>	MPA website

<b>3.3. Compilation of data on awarded public funds for programs and projects of NGOs</b>	
<b>IMPLEMENTING ENTITY</b>	Ministry of Finance in cooperation with the Ministry of Public Administration
<b>DEADLINE</b>	2018 Q II
<b>BUDGET</b>	Funds from the EU technical assistance project
<b>IMPLEMENTATION INDICATOR</b>	Database developed Providers of budget funds for NGO programs and projects regularly update the database
<b>INDICATOR ACHIEVED</b>	<b>partially</b>
<b>SOURCE OF VERIFICATION</b>	MF and MPA website

<b>3.5. Training for civil servants on the implementation of the new normative framework and methodology for financing NGO programs and projects from the budget</b>	
<b>IMPLEMENTING ENTITY</b>	Human Resources Management Authority in cooperation with the MPA
<b>DEADLINE</b>	continuously
<b>BUDGET</b>	Regular budget funds; EU technical assistance project funds (EUR 10,000)
<b>IMPLEMENTATION INDICATOR</b>	<ul style="list-style-type: none"> <li>- Annual trainings organized for all ministries providing funds for NGO programs and projects, before or at the beginning of the program budgeting procedure</li> <li>- Consistent implementation of the new normative framework for financing NGO programs and projects from the state budget</li> <li>- Number of sectoral analyses developed, number of staff who attended trainings, adopted annual decision on financing priorities and amounts</li> </ul>
<b>INDICATOR ACHIEVED</b>	<b>yes</b>
<b>SOURCE OF VERIFICATION</b>	HRMA, MPA and MF websites NGO reports

4.1. Drafting of the Law on Volunteering	
IMPLEMENTING ENTITY	Ministry of Labour and Social Welfare
DEADLINE	2018 Q III
BUDGET	regular budget funds, donor funds (EUR 3,000)
IMPLEMENTATION INDICATOR	Proposal for the Law adopted Proposal for the Law in line with good international practice and the recommendations from the Strategy
INDICATOR ACHIEVED	<b>partially</b>
SOURCE OF VERIFICATION	Official Gazette of Montenegro

4.6. Development of an online manual on social entrepreneurship	
IMPLEMENTING ENTITY	Ministry of Economy in cooperation with the MLSW
DEADLINE	2018 Q III
BUDGET	Donor funds (EUR 3,000)
IMPLEMENTATION INDICATOR	Manual developed
INDICATOR ACHIEVED	<b>no</b>
SOURCE OF VERIFICATION	ME website

4.7. Development of a decree on preparation of financial statements	
IMPLEMENTING ENTITY	Ministry of Finance in cooperation with the MPA
DEADLINE	2018 Q I
BUDGET	Regular budget funds
IMPLEMENTATION INDICATOR	Decree adopted
INDICATOR ACHIEVED	<b>no</b>
SOURCE OF VERIFICATION	Official Gazette of Montenegro

4.8. Development of an online manual or an online presentation on preparation of financial statements of NGOs (“web tutorial”)	
IMPLEMENTING ENTITY	Tax Administration with the Institute of Certified Accountants and MPA
DEADLINE	2018 Q II

<b>BUDGET</b>	EUR 3,000
<b>IMPLEMENTATION INDICATOR</b>	Manual developed
<b>INDICATOR ACHIEVED</b>	<b>no</b>
<b>SOURCE OF VERIFICATION</b>	/

<b>Activity 5.1. Presentation of annual/ multiannual priorities for IPA II programming</b>	
<b>IMPLEMENTING ENTITY</b>	Office for European Integration (after the Ministry of European Affairs was discontinued)
<b>DEADLINE</b>	Continuously
<b>BUDGET</b>	Regular budget funds
<b>IMPLEMENTATION INDICATOR</b>	Presentations/ consultation meetings with NGOs organized for the purpose of presenting annual/ multiannual priorities for IPA II programming
<b>INDICATOR ACHIEVED</b>	<b>yes</b>
<b>SOURCE OF VERIFICATION</b>	Websites of the Office for European Integration and the Secretariat General of the Government

<b>5.2. Organizing info days, info sessions and fora to find partners for the implementation of IPA II cross border projects, whose beneficiaries are NGOs</b>	
<b>IMPLEMENTING ENTITY</b>	Office for European Integration (after the Ministry of European Affairs was discontinued)
<b>DEADLINE</b>	Continuously
<b>BUDGET</b>	Regular budget funds
<b>IMPLEMENTATION INDICATOR</b>	Info days, info sessions, and fora to find cross-border partners organized.  Greater participation of NGOs as beneficiaries of IPA II cross border projects
<b>INDICATOR ACHIEVED</b>	<b>yes/partially</b>
<b>SOURCE OF VERIFICATION</b>	Websites of the Office for European Integration and eu.me portal

<b>5.3. Implementation of training sessions for state bodies on efficient involvement of NGOs in European affairs</b>	
<b>IMPLEMENTING ENTITY</b>	HRMA in cooperation with MPA

<b>DEADLINE</b>	Continuously
<b>BUDGET</b>	Regular budget funds, donor funds (EUR 15,000)
<b>IMPLEMENTATION INDICATOR</b>	At least 3 trainings held for all state authorities
<b>INDICATOR ACHIEVED</b>	<b>no</b>
<b>SOURCE OF VERIFICATION</b>	(HRMA and MPA websites)

<b>6.1. Development and promotion of a web platform for monitoring of the implementation of the Strategy and the Action Plan</b>	
<b>IMPLEMENTING ENTITY</b>	MPA
<b>DEADLINE</b>	2018 Q III
<b>BUDGET</b>	Regular budget funds/EU technical assistance project (EUR 3,000)
<b>IMPLEMENTATION INDICATOR</b>	Web platform for monitoring the Strategy and the Action Plan developed
<b>INDICATOR ACHIEVED</b>	<b>yes</b>
<b>SOURCE OF VERIFICATION</b>	MPA website

<b>6.2. Workshop for implementing entities of the Action Plan measures on effective reporting on the implementation of AP measures</b>	
<b>IMPLEMENTING ENTITY</b>	MPA
<b>DEADLINE</b>	2018 Q III
<b>BUDGET</b>	EU technical assistance project (EUR 2,000)
<b>IMPLEMENTATION INDICATOR</b>	At least one Workshop organized. Number of implementing entities of the Action Plan measures who took part in the workshop
<b>INDICATOR ACHIEVED</b>	<b>no</b>
<b>SOURCE OF VERIFICATION</b>	MPA website