

EVALUATION OF THE ACTION PLAN FOR ACHIEVING GENDER EQUALITY IN MONTNEGRO 2017-2020

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Many thanks to Ms Aleksandra Crvenica, senior program assistant at the OSCE Mission to Montenegro and expert on gender equality, for her valuable contribution to final shape of this document.

Summary of results

The Action Plan for Achieving Gender Equality 2017-2021 (hereinafter: “APAGE”) is a strategic and development document of Montenegro that aims to contribute to the reduction of key barriers to achieving gender equality. Its evaluation aims to assess whether it is responsive to the needs and problems of its beneficiaries, and the extent to which the implementation of planned activities improved the situation in priority areas: promotion of gender equality and women's human rights; gender sensitive upbringing and education; gender equality in the economy; gender sensitive healthcare; gender-based violence; gender equality in the media, culture and sports; gender equality in the decision-making process in political and public life and institutional mechanisms for the implementation of gender equality policies and international cooperation.

A brief overview of APAGE evaluation results indicates that the greatest number of activities was implemented in the following areas: gender-based violence, gender equality in the economy, institutional mechanisms for the implementation of gender equality policies, and in women's human rights. The areas included in the Plan are in line with the international legal framework. A part of the activities had measurable results and the new document should build upon those achievements. Relevance of the Plan's strategic goals and objectives is relatively pronounced, and relevance is the best rated evaluation criterion, given the context in which the Plan was implemented. The relevance is diminished by the fact that needs of direct and indirect beneficiaries have not been sufficiently examined, so this document's response to such needs is modest. Relatively little was achieved in the areas of healthcare, media, culture and especially sports.

It would be better if the drafting of APAGE 2017-2021 included all its beneficiaries and holders of activities. By doing so, working groups would have been able to define responsibilities of institutions with their prior approval and would have instilled the sense of ownership and care for the implementation of activities in institutions. Furthermore, no analysis of compliance with other strategic documents was conducted before the drafting which resulted in overlaps with other strategies that promote women's empowerment. Moreover, some activities in the APAGE are regular activities of other ministries and as such should not burden this strategic document.

A number of reasons would have significantly contributed to greater efficiency, effectiveness and impact of this document: political will so the gender equality could finally get a place it deserves in the political agenda, bigger budget for activities, better understanding of gender inequalities in institutions that are key factors for the implementation of gender equality policy, better coherence, i.e. harmonization of identified issues with activities that lead to specific results in eliminating gender inequalities, gender-sensitive statistics in all fields, more educated employees in the Department for Gender Equality and better technical equipment. The sustainability of

APAGE is the worst rated criterion, so activities that are key to long-term effects should be intensified.

Recommendations for drafting a new document are specified for the phases of preparation and planning, drafting, monitoring, reporting and evaluation. They are set so as to raise each of the evaluation criteria, insist on effective interdepartmental cooperation, horizontal and vertical harmonization of the document, and on responsibilities for its implementation.

The most important recommendations: to re-standardise the existing document; make a simpler document by drafting the Program for improvement of gender equality with an Action plan for 2-3 years, that would focus on specific and solvable problems for the specified timeframe and include *smaller areas, fewer goals and fewer activities, whose effects can be measured and proven.*

The new document should build on the previous one, in order to enhance sustainability.

It would be necessary to formulate indicators of the initial and desired state, adjust them to the goals and define them in such way so they provide the basis for analytical interpretation of achievements. Define goals as "SMART" and enable their quantification.

1. INTRODUCTION

1.1. Purpose of evaluation

Action Plan for Achieving Gender Equality in Montenegro 2017-2021 (hereinafter: "APAGE") is the third development document for the implementation of gender equality policy in Montenegro. Like the previous two, this document is based on international and domestic legal framework on gender equality.

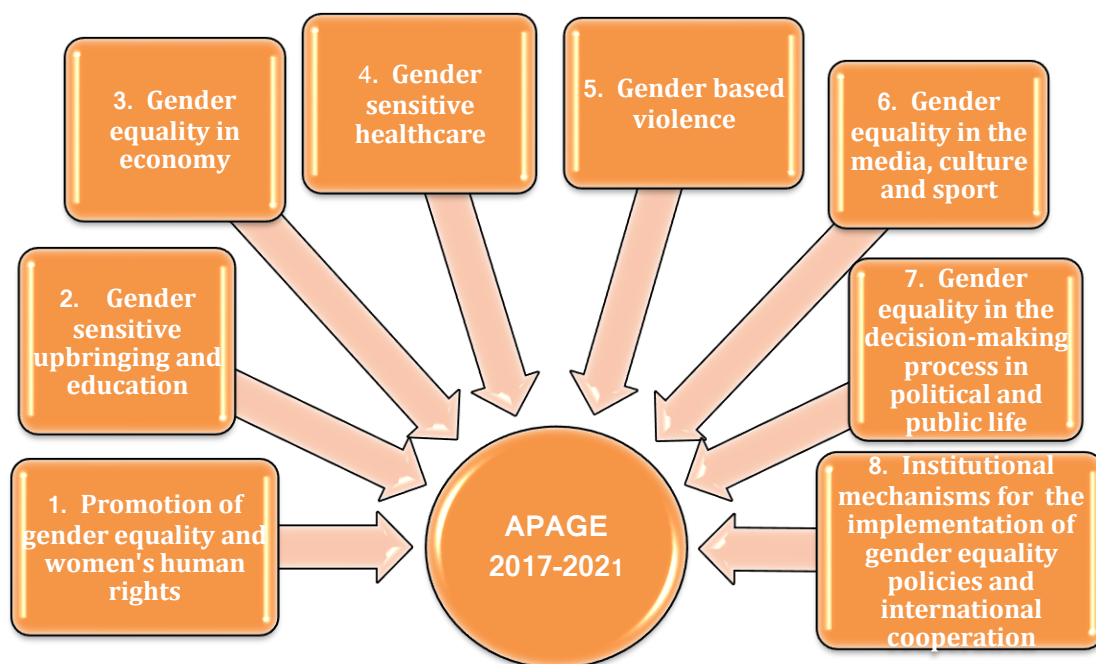
The Law on Gender Equality stipulates that in order to achieve gender equality all government bodies, public administration bodies and local self-government bodies, public institutions, public companies and other legal entities exercising public authority, assess and evaluate the impact of their decisions and activities on the position of women and men in all stages of planning, decision-making and implementation of decisions and taking action within their jurisdiction.

Therefore, APAGE is the document adopted by the Government of Montenegro, but its successful implementation requires the cooperation and coordination between the Ministry for Human and Minority Rights, i.e. the Department for Gender Equality, and all ministries, government bodies, the Parliament of Montenegro, public institutions, local self-government bodies and civil society.¹

Establishing equal opportunities for both sexes and combating gender discrimination is a general goal and an integral part of all European programs and policies, as gender equality is one of the fundamental principles of the EU's legal framework. Montenegro, as a candidate country and future EU member state, has to achieve all goals that reduce gender discrimination, which are set in legislative and strategic documents adopted by the European Commission and the Council of Europe. Equally binding are the UN documents that ensure gender equality. Through its defined indicators and specific activities, the Action Plan for Achieving Gender Equality aimed to guarantee concrete progress in the process of building gender equality, while relying on the international and national legal and strategic framework.

The purpose of this evaluation is to assess the extent to which the Action Plan for Achieving Gender Equality (APAGE 2017-2021) has contributed to improving the general position of women in Montenegro, through the areas identified as priorities in this Plan:

¹From the introduction of the Action Plan for Achieving Gender Equality 2017-2021.



With the goal defined as it is, this evaluation aims to analyse gathered information and data, assess results of activities referred to in the Plan and prepare recommendations for the future Plan for achieving gender equality in Montenegro.

Evaluation of the APAGE 2017-2021 focuses on five common evaluation criteria: relevance, effectiveness, efficiency, impact and sustainability², with special reference to:

- Assessment of capacities of beneficiaries, stakeholders and target groups to support gender equality policies in a high-quality manner;
- Assessment of the extent to which profound gender disparities have been corrected;
- Assessment of the scope to which women and men, as well as girls and boys, have benefited from the APAGE;
- Assessment of aspects of monitoring and evaluation that are included in the Plan.

The final evaluation was implemented during the period 7 May to 14 July 2020.

1.2. Structure of the evaluation report

This report is structured so as to fully achieve the set goal and purpose of the evaluation.

The introduction provides the definition and description of the purpose of evaluation and contents of the report.

²More in Chapter 2 - Methodology

Chapter 2 elaborates on the methodology through three key points: evaluation process, research methods used to achieve the overall goal of the evaluation, and an explanation about all five commonly used evaluation criteria.

The following chapter addresses the normative foundations for the design and implementation of the document and lists key, national and international, legal and strategic documents on which the Action Plan is based. Updated sex-disaggregated statistics that are relevant for this document were essential for understanding the overall socio-economic context for implementation of the APAGE.

Chapter 4 contains an analysis of the Plan and its implementation during the period of 2017-2021.

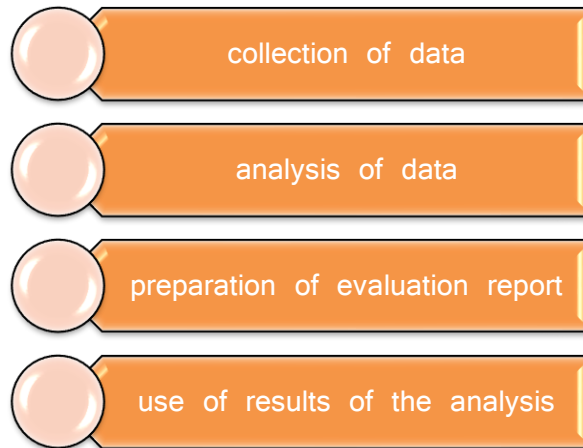
Chapter 5 lists conclusions of the evaluation based on the analysis of different documents and data obtained from relevant state bodies, questionnaires and focus groups. It contains recommendations addressed to the Ministry of Human and Minority Rights too, with the aim to overcome the identified shortcomings in drafting the next Plan for Achieving Gender Equality in Montenegro, whose adoption is planned for the first quarter of 2021.

Chapter 6 provides an overview of best practices from other countries that are relevant for each of the areas in this document. The idea behind that was to improve the effectiveness of this evaluation.

Final chapter provides a list of sources and literature.

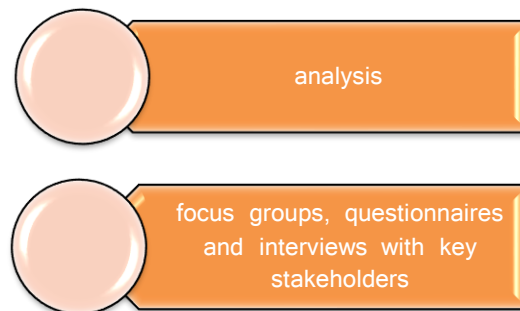
2. METHODOLOGY

2.1. The following steps were taken during the evaluation process:



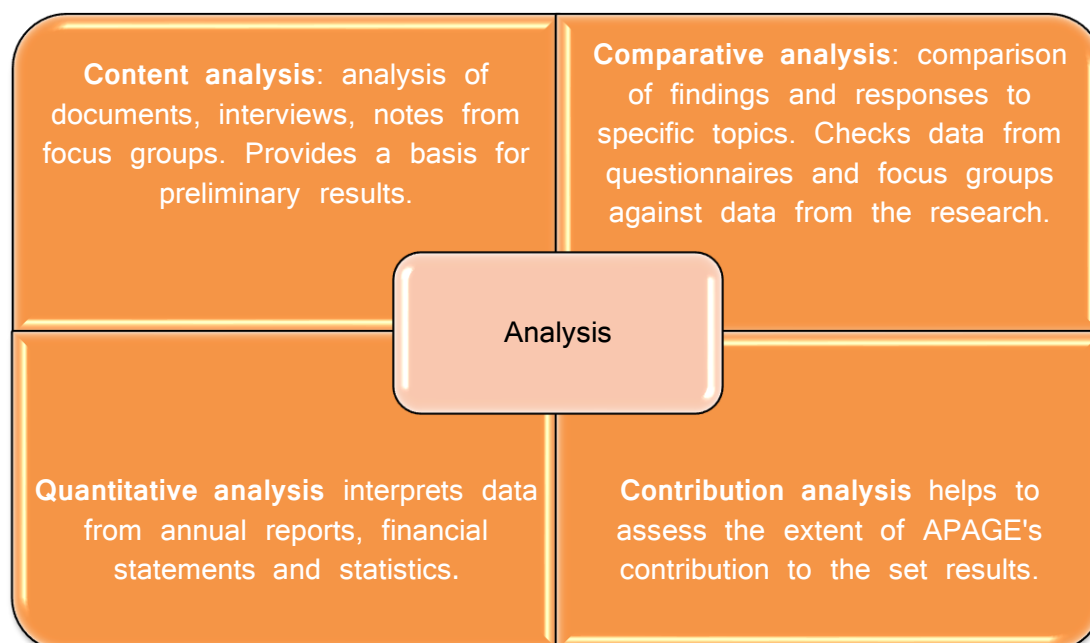
2.2. Evaluation methods

Two complementary evaluation methods suitable for this type of research were used in the evaluation:



Analysis

The table below shows types of analysis used in this evaluation:

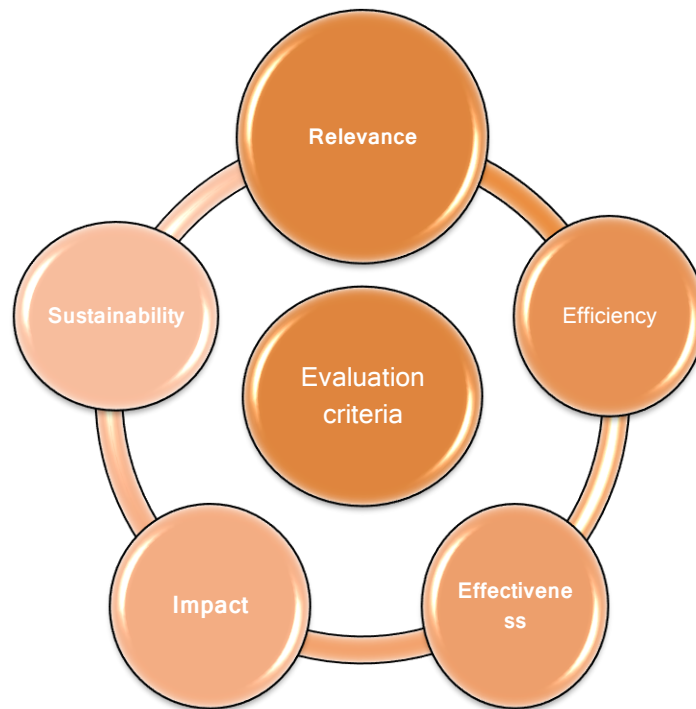


Focus groups and questionnaires are organized and implemented in order to collect information from key participants – the ones involved in the process of drafting the Plan and beneficiaries of its implementation. Six focus groups brought together representatives of ministries of the Government of Montenegro, institutional mechanisms for the implementation of gender equality policies, media editors, experts on gender equality, authors of several researches on gender equality, NGO representatives that work predominantly in the area of gender equality, and representatives of international organizations in Montenegro. This method was accompanied by a questionnaire, due to the COVID-19 constraints. An in-depth interview with Biljana Pejović, Head of the Department for Gender Equality, was conducted too.

For the purpose of this research we used a mix of theoretical and field research. We recommend a similar methodology to be used for the evaluation of any subsequent strategic or program document concerning gender equality. The methodology aligns with the document of the General Secretariat of the Government of Montenegro - *Methodology for policy development, drafting and monitoring of strategic documents implementation*, as well as with the *Decree on the manner and procedure of drafting, harmonizing and monitoring the implementation of strategic documents* (Official Gazette of Montenegro No 54/2018).

2.3. Evaluation criteria

The below criteria are most often used in different types of evaluation:

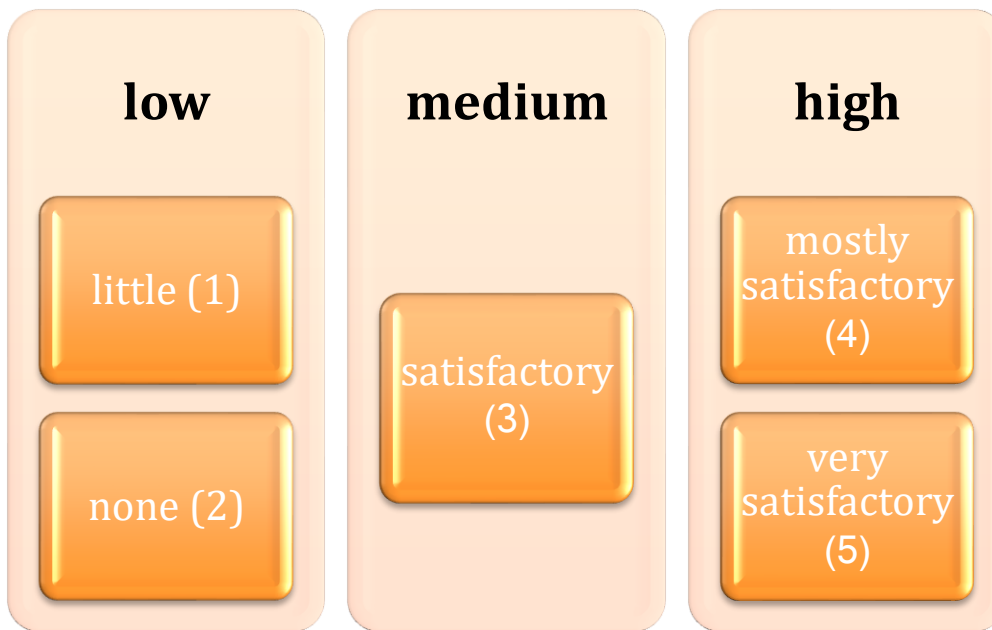


There is a list of questions for each of the criteria that were used depending on the particular topic/participants/beneficiaries/activities.... Each APAGE goal was analysed against each of the criteria and descriptively evaluated as

- low
- medium
- high

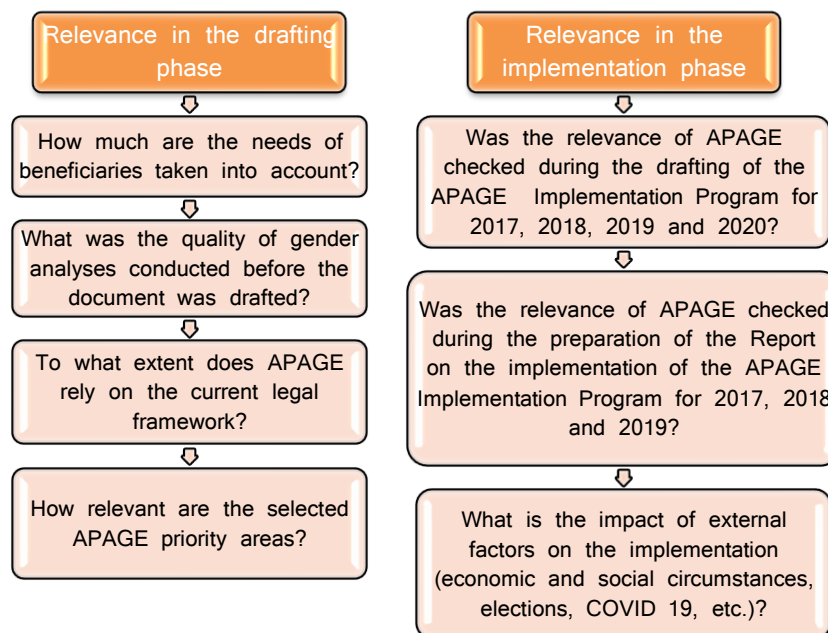
by asking questions that are relevant for the criteria during the evaluation process analysis. That allowed us to provide sound assessments of each of the APAGE's objectives.

The questionnaire and focus groups had the option of descriptive responses or a scoring system for different criterion/situation/state. The graph below shows how the final grades were established



for each of the APAGE evaluation criteria:

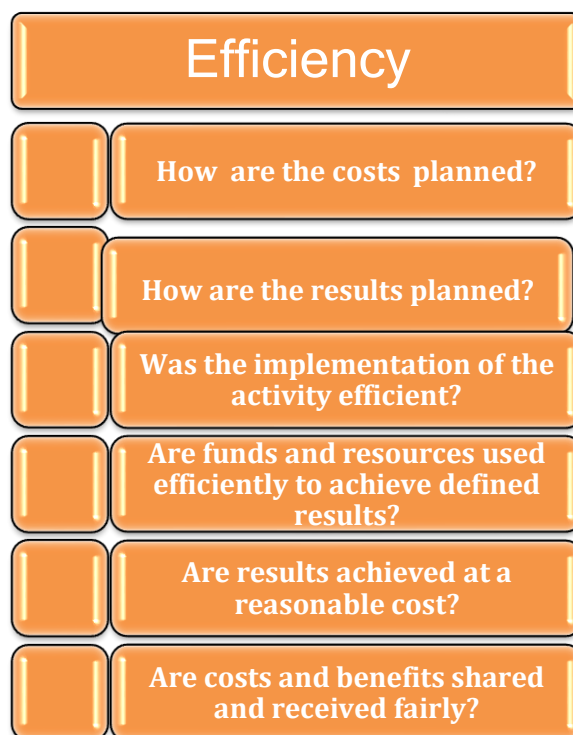
Relevance: a list of questions was used to assess relevance. Did the APAGE effectively contribute to the creation of general favourable conditions for gender equality? Did it respond to the practical and strategic gender needs of women? Did it contribute to the EU's national and political commitments on gender equality? Were the activities during the implementation phase logical and coherent? Were there any adjustments made to respond to external influences during the implementation of the APAGE?



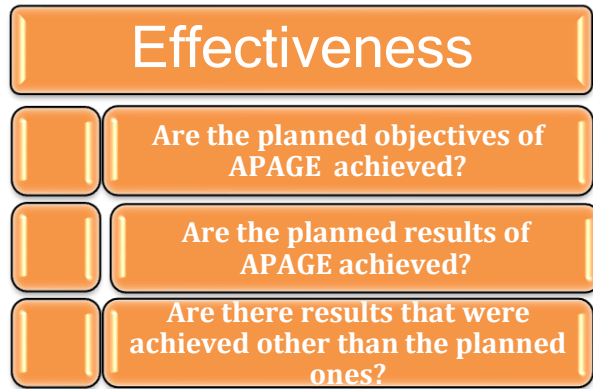
Given the implications of this criterion, it was important to test the relevance both during the APAGE's drafting and implementation phase.

Efficiency

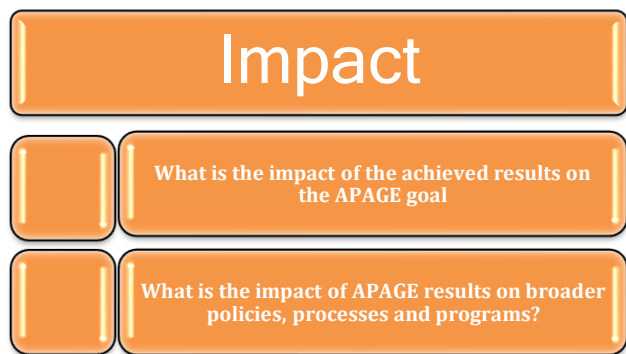
The efficiency of APAGE is defined in context of result measurement - qualitative and quantitative – in relation to inputs. An economic term that shows whether the implemented APAGE activity used the least expensive resources to achieve the desired results.



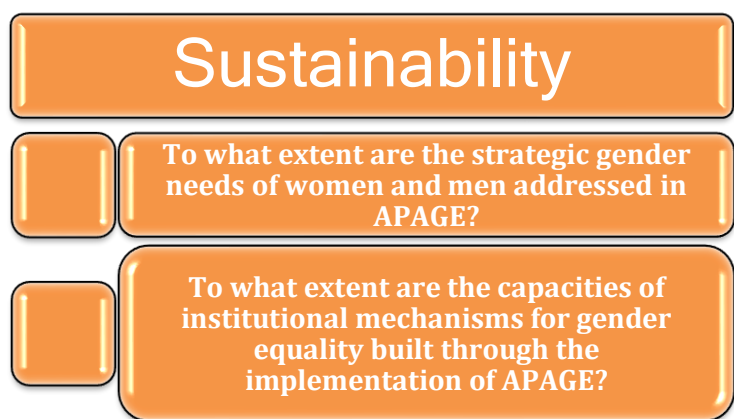
Effectiveness is the degree to which APAGE achieves its planned goals and results.



Impact: All (political, social, economic ...), primary and secondary, and long-term changes that have occurred or will occur as a result of the APAGE implementation, directly or indirectly, intentionally or unintentionally.



Sustainability refers to measuring the likelihood of continuation of the achieved results and benefits of APAGE beyond 2021.



3. FRAMEWORK OF CONDITIONS FOR GENDER EQUALITY IN MONTENEGRO

3.1. Legal and strategic framework

3.1.1. International legal and strategic framework for gender equality

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS (1966), in addition to the verification of the principle that women and men are equal as contained in previous UN acts, this Covenant envisages certain duties of signatories. Each State party to the Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in it, and to adopt such laws or other measures as may be necessary to give effect to the rights recognised in the Covenant and enable all citizens to appeal to competent authorities in cases of violations of proclaimed rights.

CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW) was adopted by the United Nations General Assembly in 1979, and entered into force as an international treaty in 1981. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. Today, it is one of the most broadly endorsed human rights treaties. Among the international human rights treaties, this Convention ensures that all parties to it undertake to incorporate the provisions of the Convention into national legislation, and also to implement such measures and activities that will lead to real equality between men and women. From the aspect of political representation Article 7 of the Convention is particularly important according to which State Parties are required to take all appropriate measures to eliminate discrimination against women in the political and public life of the country, and, in particular, to ensure to women the following three rights:

1. The right to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;
2. The right to participate in the formulation and implementation of government policy and to hold public office and perform all public functions at all levels of government;
3. The right to participate in non-governmental organizations and associations concerned with the public and political life of the country.

In addition, according to Article 8, all countries are required to take all appropriate measures to ensure to women, on equal terms with men, the opportunity to represent their governments at the international level, and to participate in the work of international organizations.

Countries that ratified or acceded to the Convention are required to implement its provisions in practice. At least every four years, the countries are expected to submit a national report to the UN Committee on the Elimination of All Forms of Discrimination against Women, indicating the measures they have adopted to give effect to the provisions of the Convention. NGOs can produce shadow reports.

BEIJING PLATFORM FOR ACTION is a document of the Fourth World Conference on Women (September 1995). It is considered as an agenda for women's empowerment and advancement of women's rights. The action plan consists of six chapters divided into

twelve critical areas of concern. It defines the long-term goals and measures that governments, the international community, NGOs and the private sector will take. Governments must report their achievements every 5 years, and NGOs have the possibility to produce shadow reports.

EU CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION is a fundamental EU human rights document, adopted in 2000 in Nice. Although it does not have a legally binding force until the adoption of the Constitution for Europe, this document is of great importance as it is considered an important source in the interpretation of EU law by the European Court of Justice.

ROADMAP FOR EQUALITY BETWEEN WOMEN AND MEN, European Commission – outlines priority areas and interventions in order to achieve full equality between men and women. This Roadmap lists six priority areas of EU action related to gender equality:

1. Equal economic independence for women and men.
2. Reconciliation of private and business life.
3. Equal representation in decision making.
4. Eradication of all forms of gender-based violence and trafficking in human beings.
5. Elimination of gender stereotypes.
6. Promotion of gender equality in third countries.

GENDER EQUALITY STRATEGY OF THE EUROPEAN UNION is an EU strategic document that defines a policy of active engagement for gender equality and spells out actions under five priority areas defined in the Women's Charter and one area addressing cross-cutting issues.

THE EUROPEAN CHARTER FOR EQUALITY OF WOMEN AND MEN IN LOCAL LIFE - Council of European Municipalities and Regions (CEMR), as an association of local and regional governments from over thirty European countries, adopted the European Charter for Equality of Women and Men in Local Life in 2006. The Charter is addressed to the local and regional governments of Europe, who are invited to sign it and make a formal public commitment to the principle of equality of women and men, and to implement, within their territory, the commitments set out within the Charter.

Considering the need for that balanced participation and representation of women and men in decision-making and in leadership positions, the Charter sets out the following principles as necessary for further activities in the field of gender equality:

Equality of women and men constitutes a fundamental right:

- To ensure the equality of women and men, multiple discrimination and disadvantage must be addressed;
- The balanced participation of women and men in decision making is a prerequisite of a democratic society;
- The elimination of gender stereotypes is fundamental to achieving equality of women and men;
- Integrating the gender perspective into all activities of local and regional government is necessary to advance equality of women and men;

- Properly resourced action plans and programmes are necessary tools to advance equality of women and men

So far, the Charter has been signed by about 256 European local and regional governments. In Montenegro, this Charter was signed by the Municipality of Kotor.

3.1.2. Montenegrin legal and strategic framework for achieving gender equality

In Montenegro, in addition to the **CONSTITUTION OF MONTENEGRO** (Official Gazette 1/2007 and 38/2013), other laws and regulations are relevant sources for gender equality.

The Constitution of Montenegro stipulates that the state shall guarantee the equality of women and men and shall develop the policy of equal opportunities (Article 18), and that direct or indirect discrimination on any grounds shall be prohibited, yet, special measures aimed at creating equal opportunities may be applied. (Article 8).

The Law on Gender Equality (Official Gazette 1/2007 and 38/2015), Law on Prohibition of Discrimination (Official Gazette 41/2010) and the Law on the Protector of Human Rights and Freedoms of Montenegro (Official Gazette 42/2011 and 32/2014) should be singled out among the laws that regulate important matters for achieving gender equality.

THE LAW ON GENDER EQUALITY - This Law regulates the method of providing and implementing rights on the basis of gender equality, as well as measures to eliminate discrimination based on sex and establishment of equal opportunities for women, men, and persons with different gender identities in all fields of social life. Gender equality rights, according to this Law, are provided and exercised in accordance with international agreements and regulations and general rules of international law.

This Law belongs to the group of European laws that were adopted to promote and establish gender equality, define the terms, introduce and describe the measures to be adopted, the obligations of bodies (state bodies, state administration and local self-government bodies, public institutions, public companies and other legal entities) public authorities) and other entities in the private sector (companies, other legal entities and entrepreneurs), as well as the mandate of a state mechanism in charge of gender equality (this Law establishes the state body for gender equality, i.e. the ministry that is competent for protection of human and minority rights). One of key provisions of the Law is Article 3, which defines an explicit obligation of the private sector too to assess and evaluate the impact of those decisions and activities upon the position of women and men, with the aim of achieving gender equality, in all phases of planning, adopting and implementing activities.

Article 4 defines that discrimination based on sex is every legal and de facto, direct or indirect differentiation, privilege, exclusion or restriction based on sex which makes other person being difficult or negated acknowledgement, enjoyment or exercising of rights and freedoms in political, educational, economic, social, cultural, sports, civil and in other fields of public and private life. Usage of words in masculine gender as generic neutral form for masculine and feminine gender, within the meaning of this Law is considered to be discrimination.

This Law, in accordance with the Constitution of Montenegro (Article 8 paragraph 2) and the Convention on the elimination of all Forms of Discrimination against Women (CEDAW) stipulates that general and special measures, adopted or undertaken for elimination or prevention of unequal treatment of women and men, for elimination of consequences of unequal treatment of women and men and promotion of gender equality are not considered as discrimination within the meaning of this law.

The law explicitly prescribes the obligation of state administration bodies, local administration bodies and public enterprises and legal persons with public authority to provide education and professional training to their employees on achieving gender equality, i.e. exercising rights based on gender equality within the program of professional training and advanced training of employees or in another way prescribed by law or other act.

Since the Law on Prohibition of Discrimination and the Law on the Protector of Human Rights and Freedoms of Montenegro fully regulate the protection against discrimination, the provision of Article 6a of the Law on Gender Equality refers to the enforcement of these laws in the case of protection of persons who are discriminated based on sex.

The Law on Gender Equality must be observed in the context of Montenegrin legal system as a whole, as it is designed to initiate the gender mainstreaming of all institutions, instruments (normative and implementation ones) and strategies in all areas. It supports the view that everyone, state administration bodies, legal and natural persons, must be responsible for their respective scopes of work. Furthermore, it does not regulate matters that should be addressed by systemic laws. That is why it is important to point out that a number of different laws contain provisions for achieving gender equality, as well as provisions on the prohibition of sex-based discrimination, among other things (e.g. Law on Protection from Domestic Violence, Law on Free Legal Aid, Law on Labour, Law on Employment and Exercising Rights from Unemployment Insurance, Law on Election of Councillors and Members of Parliament, Law on the Constitutional Court of Montenegro, Law on Judicial Council and Judges, Law on the State Prosecutor's Office, Code of Criminal Procedure, Law on Foreigners, etc.).

LAW ON THE PROTECTOR OF HUMAN RIGHTS AND FREEDOMS prescribes that the Protector is an institutional mechanism for protection against discrimination and that, with the consent of the discriminated person, the Protector acts and takes measures to protect against discrimination, in accordance with this law and a special law on the prohibition of discrimination. In the case of discrimination by public authorities, the Protector may submit to the competent authority the initiative for opening a disciplinary procedure or procedure for the dismissal of the person whose work or failure to act resulted in violation of human rights and freedoms.

LAW ON PROHIBITION OF DISCRIMINATION regulates in detail activities of the Protector of Human Rights and Freedoms and its competences to provide protection against discrimination. Thus, among other things, it prescribes the Protector's competence to act on complaints due to discriminatory conduct of state administration body, a company, other legal entities, entrepreneurs or natural persons, and take measures and actions to eliminate discrimination and protect the rights of discriminated persons, if no court proceedings have been initiated. In addition, the Protector, in a separate part of the

annual report, shall inform the Parliament of Montenegro on observed cases of discrimination and action undertaken and shall give recommendations and propose measures for elimination of discrimination. Anyone who considers to be discriminated against by an act, action or failure to act made by an authority and other legal and natural persons, may address the Protector with a complaint.

The most important strategic plan at the state level is the **ACTIVITY PLAN FOR ACHIEVING GENDER EQUALITY IN MONTENEGRO (APAGE)**, whose establishment was stipulated by the Law on Gender Equality (Article 21). APAGE is adopted by the Government of Montenegro and it is used to determine at the state level: goals and measures for achieving gender equality in political, economic, social, cultural and other areas of life, especially in the field of labour, social and health care, education, protection from violence against women, and the representation of women and men in decision-making processes at all levels and in all areas of social life. The third APAGE 2017-2021 was adopted at a session of the Government of Montenegro on 23 March 2017. Local self-governments and the Union of Municipalities are listed as stakeholders for the implementation of strategic and operational goals set in this document, either as actors among the stakeholders, or as partners in planned activities.

In addition to this document, several other strategic documents adopted in other areas, with a gender dimension, should be mentioned as important for achieving gender equality at the local level. These are, among others:

- **PROGRAMME OF ACCESSION OF MONTENEGRO TO THE EU 2018-2020.**
- **NATIONAL STRATEGY FOR SUSTAINABLE DEVELOPMENT BY 2030.**
- **NATIONAL STRATEGY FOR EMPLOYMENT AND DEVELOPMENT OF HUMAN RESOURCES 2016-2020;**
- **STRATEGY FOR ADULT EDUCATION IN MONTENEGRO 2015-2025;**
- **STRATEGY FOR COMBATING TRAFFICKING IN HUMAN BEINGS 2012-2018.**
- **STRATEGY FOR SOCIAL INCLUSION OF ROMA AND EGYPTIANS IN MONTENEGRO 2016-2020;**
- **STRATEGY FOR PROTECTION OF PERSONS WITH DISABILITIES FROM DISCRIMINATION AND PROMOTION OF EQUALITY FOR THE PERIOD 2017-2021.**
- **STRATEGY FOR IMPROVING THE QUALITY OF LIFE OF LGBT PERSONS 2019-2023.**
- **ACTION PLAN FOR THE IMPLEMENTATION OF UNITED NATIONS SECURITY COUNCIL RESOLUTION 1325 - WOMEN, PEACE AND SECURITY IN MONTENEGRO (2017-2018);**
- **STRATEGY FOR IMPROVEMENT OF REPRODUCTIVE AND SEXUAL HEALTH OF MONTENEGRO 2013-2020.**
- **STRATEGY FOR THE PROMOTION OF WOMEN'S ENTREPRENEURSHIP 2015-2020.**

3.2. Institutional framework

3.2.1. State level

Institutional mechanisms for the implementation of gender equality policy in Montenegro at the national level are:

- **GENDER EQUALITY COMMITTEE OF THE PARLIAMENT OF MONTENEGRO,**

established on 11 July 2001. Its responsibilities are:

- To consider bills, other regulations and general acts relating to achievement of principles of gender equality;
 - To follow-up the exercising of these rights through implementation of the laws and enhancement of principles of gender equality, especially in the field of rights of the child, family relations, employment, economic activity, decision-making process, education, health care system, social policy and information;
 - To participate in preparation, drafting and harmonisation of laws and other acts with the standards of European legislation and European Union programmes relating to gender equality;
 - To affirm signing of international documents dealing with this issue and to follow their implementation;
 - To cooperate with competent working bodies of other parliaments and NGOs from this field;
 - To monitor and evaluate the compliance of the laws of Montenegro with the *acquis communautaire* and, based on the report of the Government, to monitor and evaluate enforcement of laws, especially the EU laws.
- **DEPARTMENT FOR GENDER EQUALITY** within the Ministry of Human and Minority Rights. Responsibilities of this institutional mechanism are as follows:
 - To coordinate activities aimed at establishing gender equality and participate in the preparation and adoption of action plans for the establishment of gender equality at all levels;
 - To monitor the implementation of international documents and conventions as well as the accepted international standards in the field of gender equality, to undertake measures for their implementation in the legal system of Montenegro and to create high-quality monitoring of the compliance with these documents;
 - To prepare Action Plan, propose its adoption and monitor its implementation;
 - To develop programs for implementation of the Action Plan based on the reports of bodies for the areas of their competence;
 - To organize research and analysis on the status of gender equality and analysis necessary for the implementation of Action Plan, and to collect data in the framework of cooperation at the national and international level;
 - To prepare reports on the fulfilment of international commitments by Montenegro in the field of gender equality;
 - To cooperate with local self-governments and provide support to the establishment of mechanisms for the establishment of gender equality at the local level;
 - To establish cooperation with civil society;
 - To undertake and stimulate education activities about gender equality and to organize issuing of appropriate publications aimed at promoting gender equality;
 - To submit annual report to the Government about implementation of the Action Plan.
 - **PROTECTOR OF HUMAN RIGHTS AND FREEDOMS OF MONTENEGRO** was established by the Law on the Protector of Human Rights in 2003. The Protector, individually and

independently undertakes measures, while observing the principles of justice and fairness, to protect human rights and freedoms when they have been violated by an act, action or omission of an action by the public authority bodies, and measures to prevent torture and other forms of inhuman or degrading treatment or punishment and measures of protection against discrimination. The Protector does not have authority over the work of courts, except in cases determined by this Law. The Protector can be addressed by anyone who believes that an act, action or failure to act of the authorities violated his/her rights or freedoms. The Protector submits the Annual Work Report to the Parliament. The annual report includes in particular: general statistical overview of the cases in which the Protector acted, the statistical overview by the areas of work, evaluation of the situation in the area of human rights and freedoms in Montenegro, recommendations and measures proposed by the Protector for improvement of the human rights and elimination of perceived shortcomings, and an assessment of the situation in the field of protection from discrimination. A separate chapter in the Protector's annual report refers to gender equality, and a section from the latest report (for 2019) will be addressed in Chapter 3.3.

- **GENDER EQUALITY COUNCIL** was established in October 2016. Its main tasks are:
 - consideration and application of the rules related to gender equality policies at the national and local level;
 - consideration and application of regulations related to gender equality and evaluation of these regulations and their effect on the position of women and men;

Representatives of relevant institutions and 4 representatives of the non-governmental sector sit in the Council that is chaired by the Minister of Human and Minority Rights. Eight committees are formed within the Council:

 - Committee for greater presence of women in political participation,
 - Committee on economic empowerment and status of women in the labour market,
 - Committee for protection from domestic violence and violence against women,
 - Committee for healthcare and social protection of women,
 - Committee on science, culture, education and sports,
 - Committee for sustainable and rural development,
 - Committee for international cooperation, and
 - Committee for cooperation with local self-governments.
- **COORDINATORS OF ACTIVITIES RELATED TO GENDER EQUALITY** are established in ministries and administrative bodies that take part in the preparation and implementation of APAGE. So far, 106 persons have been appointed at national and local levels.

3.2.2. Local level

Institutional mechanisms are established at the local level, in addition to ones established at the national level.³

Figure 1.

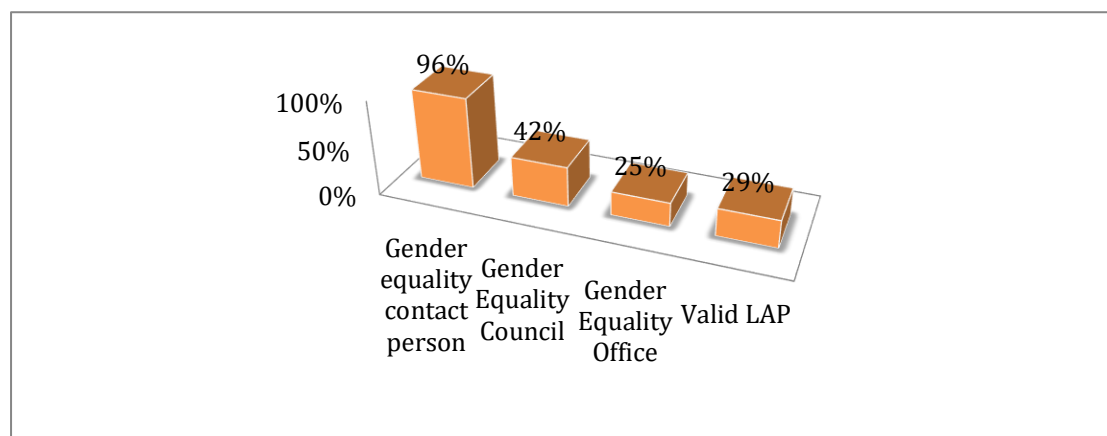


Figure 1 shows that 96% (22 out of 24) of municipalities in Montenegro have a designated gender equality contact person, and 42% have a Council for Gender Equality, while a quarter of municipalities have an Office for Gender Equality. However, the largest decline compared to 2017 is in the number of municipalities that adopted the Local Action Plan (LAP) for achieving gender equality. As of June 2020, less than one third of municipalities have a valid LAP. The OSCE Mission to Montenegro, in cooperation with the Department for Gender Equality, has had continuous trainings for the Network of Local Gender Equality Coordinators over the last eight years (since 2012). The effects of these trainings were significantly diminished by the fact that gender equality contact persons change relatively often, and there is no adequate transfer of knowledge to newcomers. As a rule, that led to a decline in significance of gender equality in some municipalities.

| Municipality | Gender equality contact person | Gender Equality Council | Gender Equality Office | Local Action Plan for Gender Equality |
|--------------|--------------------------------|-------------------------|------------------------|---------------------------------------|
| Mojkovac | Yes | No | No | No |
| Cetinje | Yes | Yes | Yes | No |
| Šavnik | Yes | Yes | No | No |
| Herceg Novi | Yes | Yes | No | No |
| Kotor | Yes | No | Yes | No |
| Plužine | Yes | No | No | No |
| Nikšić | Yes | Yes | No | No |

³Data provided by the Department for Gender Equality of the Ministry of Human and Minority Rights, 23 June 2020.

| | | | | |
|---------------------|------------|------------|------------|------------|
| Budva | No | No | No | No |
| Danilovgrad | Yes | No | No | No |
| Berane | Yes | No | No | Yes |
| Bar | Yes | No | No | No |
| Pljevlja | Yes | Yes | Yes | No |
| Tivat | Yes | Yes | No | Yes |
| Ulcinj | Yes | Yes | No | Yes |
| Bijelo Polje | Yes | Yes | Yes | No |
| Plav | Yes | No | No | Yes |
| Žabljak | Yes | No | No | No |
| Kolasin | Yes | Yes | No | Yes |
| Rožaje | Yes | No | No | No |
| Petnjica | Yes | Yes | Yes | Yes |
| Andrijevica | Yes | No | No | No |
| Podgorica | Yes | No | No | Yes |
| Gusinje | Yes | No | No | No |
| Tuzi | Yes | No | No | No |

Table 1⁴

3.3. Current sex-disaggregated statistics

This chapter provides an overview of sex-disaggregated statistics and other available data, by areas addressed by APAGE 2017-2021. The data used in the development phase of APAGE are irrelevant from this point in time. To illustrate this, data from the 2011 Census in Montenegro and data from documents that are no longer valid were used. The overview of new data and information aims to present the overall socio-economic context in which APAGE activities are implemented. Furthermore, we can clearly see under which circumstances it was prepared, developed and implemented. We gathered and presented fresh data.

3.3.1. Gender equality and human rights of women in Montenegro is the first area of APAGE, set quite generally, and it can be considered that it unites all the remaining one, i.e. it gives a general picture of gender equality in Montenegro.

What do others say about the state of gender equality in Montenegro in 2019?

"The report reveals entrenched inequalities, which are sometimes hidden behind average values. For example, women make majority of employees in the education sector (76.6%), but majority of management positions are held by men (63% of school and kindergarten principals are men). Female employees face a range of discriminatory practices in the workplace, while motherhood continues to be one of the most common barriers to career advancement, retention or employment at all. Researches indicate that women still get asked questions about their marital status in job interviews (64.1% of

⁴Data provided by the Department for Gender Equality of the Ministry of Human and Minority Rights, 23 June 2020

respondents), the number of children they have (45.5%) or even about their plans to have children (35.6%).⁵

The latest two reports of the European Commission's Montenegro Progress Report (2018 and 2019) show that little progress was made regarding equality between women and men during the reporting period. There are ongoing concerns about the impact of relevant legislation and APAGE 2017-2021. The process remains largely dependent on donors, and adequate human, technical and financial resources lack. The gender mechanism does not effectively perform its coordinating and strategic role, and CEDAW recommendations have not been properly followed. Montenegro did not adopt measures to counter stereotypes and discriminatory practices, or the trafficking and exploitation of prostitution. The phenomenon of sex-selective abortions remains an area of concern and requires institutional follow-up.⁶

In its 2019 Montenegro Progress Report, the European Commission emphasizes on page 24 that Montenegro should in particular:

- further strengthen human rights institutions and the Ministry of Human and Minority Rights, and increase their knowledge of international and European human rights standards;
- strengthen the application and protection of human rights, and ensure effective protection of victims of human rights violations, including by providing for effective investigations into ill-treatment by law enforcement, and cases of deaths and physical attacks on individuals, in accordance with ECtHR case-law;
- ensure effective implementation of fundamental rights policies on gender equality, children and Roma rights, and rights of persons with disabilities, by securing sufficient budget allocation for implementation, improving the capacity of relevant institutions as well as inter-institutional coordination.

Regardless of how we view the distribution of the Gender Equality Index in EU member states, Montenegro still lags behind. In 2019, only four countries scored a lower index value than Montenegro - Romania, Slovakia, Hungary and Greece.

By looking at each individual domain within the Index, it is possible to understand the differences more clearly. It would appear that the greatest differences in gender equality between the European Union and Montenegro relate to money (20.7) and to power (16.8). The smallest differences are evident in the areas of health (1, 2) and work (6, 8).⁷

⁵From the information on the publication of the first Gender Equality Index for Montenegro, January 29, 2020. Source: <http://www.mmp.gov.me/vijesti/220061/Izracunat-prvi-Indeks-rodne-ravnopravnosti-za-Crnu-Goru-Da-bi-postigla-rodnu-ravnopravnost-Crna-Gora-treba-cut-to-diskrim.html>

⁶European Commission Report on Montenegro, p. 29 (<http://www.eu.me/mn/press/saopstenja/pregovori-o-pristupanju/item/3844-izvjestaj-evropske-komisije-o-crnoj-gori-za-2019-godinu>)

⁷ Gender Equality Index, Montenegro 2019, Podgorica, January 2020, page 11

It should be noted that Montenegro is the only country in the region that has not initiated gender budgeting, at the state or the local level. Gender budgeting is not yet defined by law. Despite of many years of training on gender budgeting at local levels, for MPs and employees in parliamentary services, no real steps have been taken in that regard. One of the reasons is the lack of lobbying in the political arena, and non-existence of line budgets at local levels. Even today, line budgets are mostly adopted and implemented at local level. The introduction of the AGAPE states that some municipalities have introduced gender budgeting, but that actually refers to funds that some municipalities allocate as a support to women's entrepreneurship. It should be pointed out that gender budgeting is a far broader concept than mere allocation of funds for programs for women beneficiaries.

In 2017, the Women's Political Network was formed within the program "Support to Anti-Discrimination and Gender Equality Policies", which was implemented by UNDP in partnership with the Ministry of Human and Minority Rights and funded by the EU Delegation. The network includes women politicians from 18 parliamentary political parties, prominent leaders and activists. Areas covered by the network are:

- Women in politics: 40% gender quota, ranking on the lists (1 among 3) and funding of women's political groups;
- Women and the media: inclusion of equality in the media, the media space and adequate representation of female politicians;
- Women and entrepreneurship: special financial resources for women as entrepreneurs, measures to support women as entrepreneurs, establishment of a guarantee fund.

UN Population Fund ranked Montenegro among the four countries with the largest imbalance between male and female births due to sex-selective abortions, and this fact can be taken as a good illustration of the overall state of gender equality in Montenegro. Since 2013, the Council of Europe has been consistently warning Montenegro. The forecasts of the Centre for Genetics at the Clinical Centre of Montenegro say that Montenegro will have 8000 fewer women than men in 20 years. This may be an indicator of high discrimination against women, as the activists from the women's NGO sector in Montenegro believe.⁸

Domestic work, leisure time and activities during leisure time are additional indicators of the general state of gender equality in Montenegro. In the domain of time, Montenegro is by 13 index points below the average in EU Member States, according to the Gender Equality Index in Montenegro. The underlying reason for this result is the burden women face from unequal distribution of household chores and the care of/staying with family members (children and/or the elderly), which is just another consequence of the patriarchal model of life.

If we compare the data and information that make a part of the APAGE with information from this document, we may only draw a conclusion that there is still plenty of room to combat gender inequality in Montenegro. This is unequivocally indicated by the overview of statistics for all areas of the document.

⁸<https://voxfeminae.net/pravednost/mizoginija-i-prije-rodenja-selektivni-abortusi-u-crnoj-gori/>

3.3.2. Gender sensitive education and upbringing

In terms of education, the concept of gender equality should be emphasized even during the preschool period. There are several aspects that should be used to analyse this topic:

- gender sensitivity in textbooks;
- gender equality as part of the curriculum;
- gender stereotypes in classroom;
- gender statistics in classrooms, teachers' rooms and in the management of kindergartens and schools.

"It is evident that MONSTAT classifies summary data by gender, such as - the number of students attending secondary schools, the number of students who enrolled/completed primary, postgraduate or doctoral studies. However, data were not disaggregated for secondary schools or faculties which may be essential to draw a conclusion on the number of women in *STEM* areas - science, technology, engineering and mathematics. That is an important and fast growing area with apparently more men than women, with very strong socio-cultural factors of gender stereotypes stemming from the perception that men are more talented in technical sciences than women, who are consequently less likely to enrol in technical studies. Given the high employability of IT professionals, as well as incentive cash benefits in that area, the Protector believes that it is necessary to promote this area to increase women's interest in choosing this type of occupation." ⁹

The analysis of available data:

Table 2.

| Primary/elementary schools: ¹⁰ I- IX grade 2018/2019 | Women | Men |
|---|--------|--------|
| PUPILS | 47.10% | 52.90% |
| TEACHING STAFF | 77.60% | 22.40% |
| DIRECTORS | 33.10% | 66.90% |

Table 3.

| SECONDARY SCHOOLS: I- IV class 2018/2019 | Women | Men |
|--|--------|--------|
| PUPILS | 48.30% | 51.70% |
| TEACHING STAFF | 66.20% | 33.80% |
| DIRECTORS | 34.00% | 66.00% |

⁹Annual Report 2019, Protector of Human Rights and Freedoms, page 196

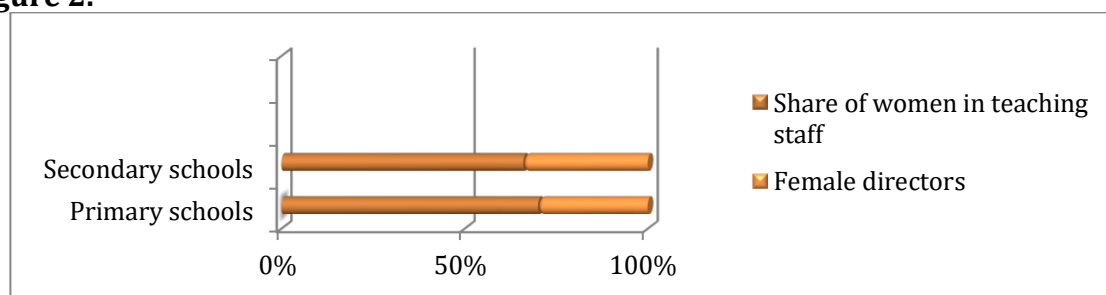
¹⁰www.monstat.org, data downloaded on 21 June 2020.

Table 4.

| Higher education 2018-19 ¹¹ | Women | Men |
|--|--------|--------|
| ENROLLED STUDENTS | 55.30% | 44.70% |
| GRADUATE STUDENTS | 56.30% | 43.70% |
| STUDENTS ENROLLED IN POSTGRADUATE AND DOCTORAL STUDIES | 55.20% | 44.80% |
| SPECIALISTS | 59.20% | 40.80% |
| MASTERS | 64.80% | 35.20% |
| PhD | 40,00% | 60,00% |

It is a common fact that women predominately work in the area of education, and Tables 2 and 3 show the dominance of men in positions of principals in primary and secondary schools. Therefore, women are minority in all decision-making positions in the field of education.

Figure 2.



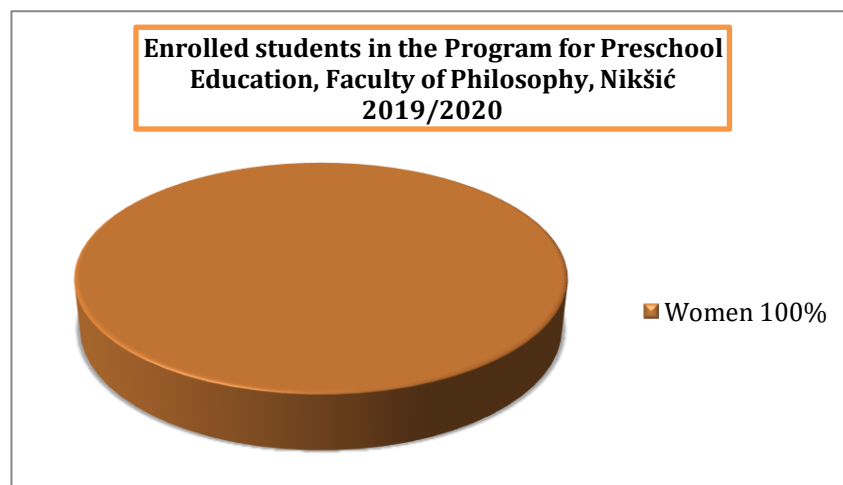
“The CEDAW report (2017) criticised the fact that women do not traditionally enrol on science, technology, engineering or mathematics courses. Although this information seems concerning, the fact that men and women are equally computer-literate and have similar rates of internet use (71.4% of men compared to 71.7% of women had used the internet during the past three months) is very encouraging. Conversely, Montenegro still does not offer Gender Studies at a higher educational level. Efforts in the past to establish such programmes at either state or private universities have not achieved sustainable results.”¹²

For the purposes of this research, a letter was sent out to the Study Program for Preschool Education, at the Faculty of Philosophy in Nikšić, to inquire about the number of male/female students enrolled in the last academic year, i.e. 2019-20. The answer was that 100% of enrolled students were female.

¹¹www.monstat.org, data downloaded on 21 June 2020.

¹²Gender Equality Index 2019, page 23.

Figure 3.



3.3.3. Gender equality in the economy

Let us recall some of the basic facts about economic position of women on a global scale¹³:

- all over the world men tend to earn more than women;
- women are often underrepresented in senior positions within firms;
- women are often overrepresented in low-paying jobs;
- men are more likely to own land;
- men are more likely to control productive assets;
- women often have limited influence over important household decisions, including how their personal earned income is spent.

What are the data for Montenegro?

- No unified database on women's entrepreneurship yet;
- There are no official statistics on the difference in earnings between men and women, since 2014;
- Women make up 58.3% of the total number of the unemployed (last quarter of 2019);¹⁴
- 48% of women do not exercise their right to property;¹⁵
- Only 18% of women are registered as owners of family property.¹⁶

Tables 5 and 6 show the number of women in entrepreneurship changed over the period of nine years (2011-2019). So, during this timeframe, the percentage of women owners of micro, small or medium enterprises increased by 5.54%. However, during the same period, there was a decreasing trend of women in the total number of entrepreneurs by 2.33%, which means that there are fewer women in large enterprises.

¹³ <https://ourworldindata.org/economic-inequality-by-gender>, downloaded on 21 June 2020.

¹⁴ Employment Agency of Montenegro

¹⁵ "Attitudes on property rights of women", NGO Women's Safe House, Podgorica, February 2019.

¹⁶ *ibid*

Table 5: Number of women - owners of MSMEs in relation to the total number of MSMEs in Montenegro - changes 2011 to 2019¹⁷

| | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
|------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|
| No of MSMEs | 18,571 | 19,829 | 21,525 | 23,138 | 24,455 | 25,440 | 26,755 | 29,534 | 32,084 |
| Women owners of MSMEs | 3,021 | 3,281 | 3,595 | 3,925 | 4,599 | 5,233 | 5,820 | 6,460 | 6,996 |
| Women owners % | 16.27 | 16.55 | 16.70 | 16.96 | 18.81 | 20.57 | 21.75 | 21.87 | 21.81 |

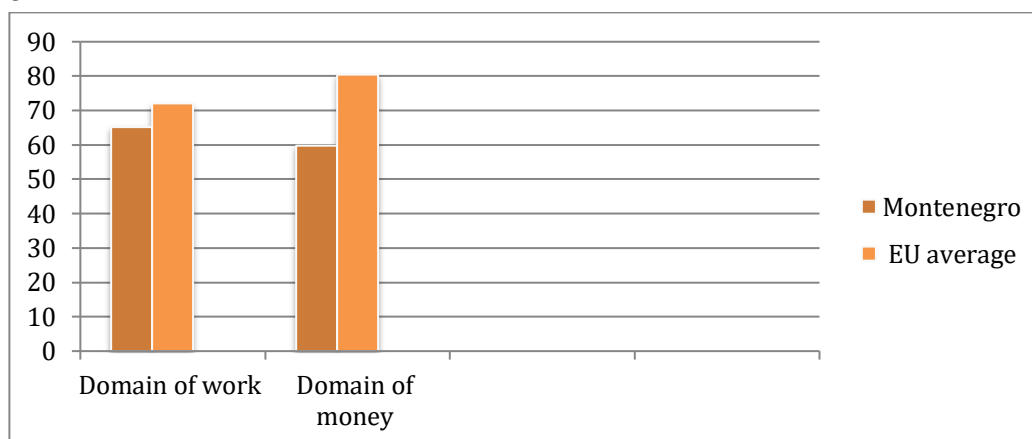
Table 6: Number of women entrepreneurs in relation to the total number of entrepreneurs in Montenegro - changes 2011 to 2019

| | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 |
|------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|
| Total entrepreneurs | 9.602 | 9,519 | 9,580 | 9,652 | 9,579 | 9,521 | 9,391 | 9,335 | 9,104 |
| Women entrepreneurs | 3,179 | 3,072 | 3,106 | 3,127 | 3,072 | 2,980 | 2,865 | 2,673 | 2,802 |
| % women entrepreneurs | 33.11 | 32.27 | 32.42 | 32.40 | 32.07 | 31.30 | 30.51 | 28.63 | 30.78 |

The Gender Equality Index provides data on the economic position of women in Montenegro in two domains: work and money. The domain of work estimates the extent to which women and men can benefit from equal access to employment and good working conditions. In this domain, Montenegro achieves a score of 65.2 and the average in EU Member States is 72. The domain of money measures inequalities regarding the general economic situation and concerning access to financial resources. Here, the difference between Montenegro and the EU average is even more pronounced. Montenegro scored 57.2 and the average in EU Member States in this domain is 80.4.

¹⁷Tax Administration, and the tables are taken from the 1st draft *Strategies for the development of women's entrepreneurship in Montenegro 2021-2024*, whose drafting is in progress.

Figure 4.



The Law on Labour (Official Gazette of Montenegro 74/19) offers stronger protection for women whose fixed-term employment contract expires during pregnancy, the use of temporary incapacity for work on the basis of pregnancy, maternity and parental leave, by prolonging the period of a fixed-term employment contract until the expiration of the use of the right to that leave.

"The causes behind gender stereotypes, as the Protector sees them, can be found both in the economic situation and in the current practice of some employers who inquire about family and marital status in job application forms and at interviews or automatically exclude women due to the assumption of their inability to reconcile the private and marital status and job related obligations."¹⁸

Every other year, the Statistical Office of Montenegro (MONSTAT) publishes the study "Women and Men in Montenegro", in cooperation with the Department for Gender Equality. According to the 2018 data, women mostly work in the fields of education, healthcare and other service-related industries, and very few women work in areas such as construction, mining and quarrying, and transport and storage.

Sets of economic measures aimed to assist the Montenegrin economy during the COVID-19 pandemic, were not very helpful to women, as women make about 30% of workforce in the business sector, and there were no measures aimed at assisting industries that mostly employ women (retail, education, etc.). The analysis that preceded the adoption of each of the sets of measures of economic assistance in Montenegro was not gender based.

3.3.4. Gender sensitive health care

Data on mortality, morbidity and use of health services reveal some important differences in health experiences between women and men. Health systems can make

¹⁸ 2019 Work Report, Protector of Human Rights and Freedoms, Podgorica, March 2020.

important contributions to gender equality which are central to good stewardship of health systems. How can gender equality be achieved in health systems?

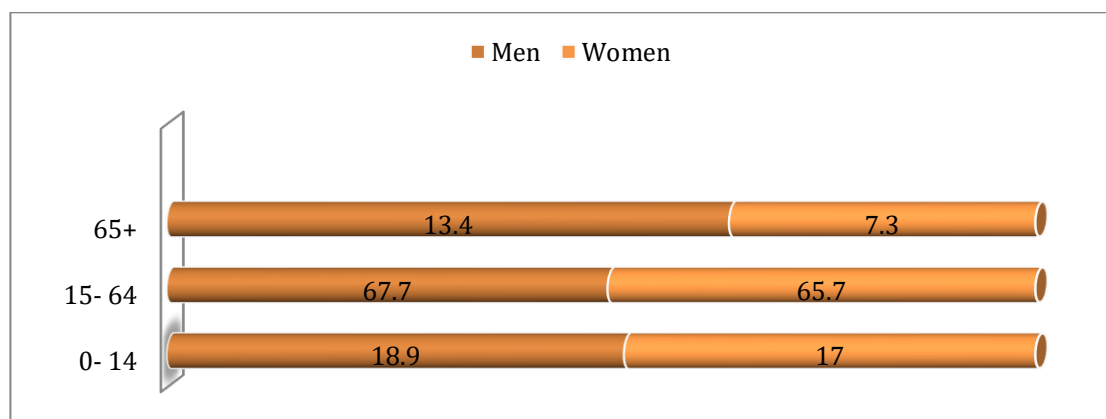
- Through various tools to highlight gender inequalities and pinpoint solutions. Gender budgeting is an organizational approach that focuses on government expenditure and makes the gender impact of budgetary decisions explicit.
- Informational approaches focus on the role of data in providing knowledge about gender inequities. For example, gender-sensitive health indicators are intended to identify key differences between women and men in relation to health and in the social determinants of health, in order to support policy change.¹⁹

The above mentioned publication *Women and men in Montenegro 2019*, offers scarce data about health systems. In addition, MONSTAT website does not mention health as a separate statistical category.

Table 7- Life expectancy of women and men in Montenegro and Europe in 2019. ²⁰

| | Montenegro | EU AVERAGE |
|------------------------|------------|------------|
| Life expectancy- Men | 74.0 | 78,0 |
| Life expectancy- Women | 79.5 | 84 |

Graph 5- Age-sex structure of the population (%), mid-2019



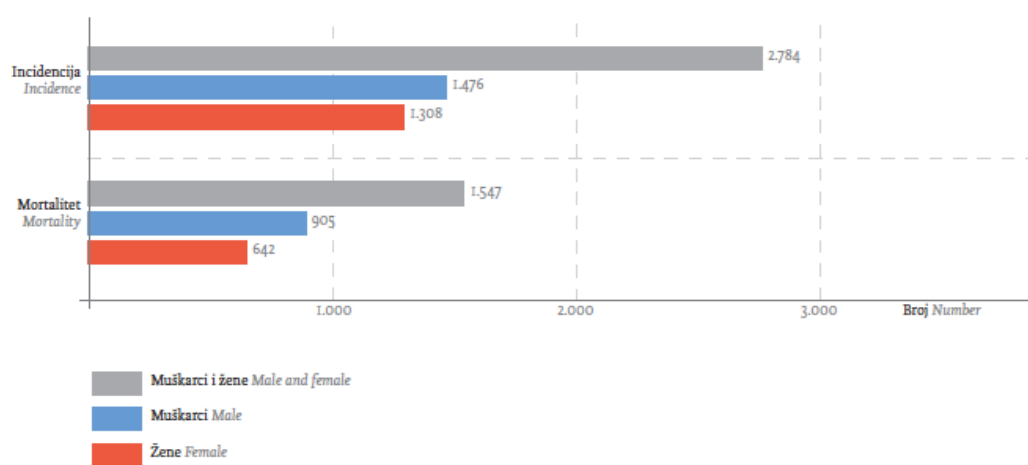
¹⁹https://www.euro.who.int/_data/assets/pdf_file/0006/64941/E92846.pdf

²⁰Population estimate and basic demographic indicators 2019, MONSTAT, Podgorica, May 2020 and <https://eige.europa.eu/gender-equality-index/2019/domain/health>

The Institute of Public Health is one of the generators of statistics.²¹ Documents such as *Situational analysis of health care 2017* and *Situational analysis of health care 2018*, are posted on their website, but these documents do not show sex-disaggregated data. Therefore, the review of the health status of population of Montenegro and the organization of health care (primary, secondary, tertiary and dental) does not contain sex-disaggregated data.

A report *Malignant neoplasms²² in Montenegro 2013*, published by the Institute of Public Health in March 2018²³ shows data for 2013 only. These diseases are the second leading cause of illness and death in Montenegro.

Chart 6- The burden of malignant neoplasms



There is a brochure on the prevention of breast cancer on the website of the Institute of Public Health. Breast cancer is the main cause of all cancer deaths among women in Montenegro.²⁴

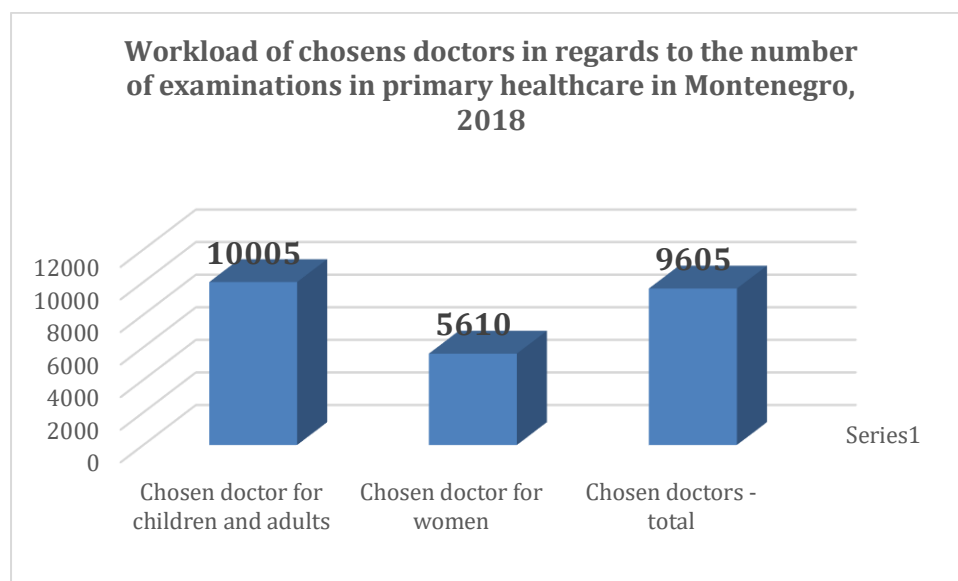
²¹<https://s3.eu-central-1.amazonaws.com/web.repository/ijzcg-media/files/1574198604-situaciona-analiza-zdravstvene-zastite-u-crnoj-gori-za-2017-godinu.pdf> i <https://s3.eu-central-1.amazonaws.com/web.repository/ijzcg-media/files/1589869320-situaciona-analiza-2018.pdf>

²²*Malignant neoplasms* is the choice name, because the official register it named *Register of malignant neoplasms of Montenegro* and neoplasms include not only solid tumors (cancer) but also other types of neoplasia (author's note)

²³<https://s3.eu-central-1.amazonaws.com/web.repository/ijzcg-media/files/1573571155-maligne-neoplazme-u-crnoj-gori-2013.pdf>

²⁴<https://s3.eu-central-1.amazonaws.com/web.repository/ijzcg-media/files/1568629322-karcinom-dojke.pdf>

Chart 8.



As for the number of examinations planned by the Health Care Program in Montenegro for 2018, medical doctors performed an average of 6.34 examinations per insured person, i.e.: chosen doctors for children and adults achieved a plan with an index of 1.66, *chosen doctor for women with an index of 0.73*, i.e. in total, medical doctors implemented the plan in 2018 with an index of 1.56.

On average, there is one gynaecologist for more than 5,000 women in Montenegro, according to data from 2019.²⁵

"Collection, analysis and follow-up of data from the quality management programs and systems (set of mandatory standards and indicators, clinical guidelines and protocols) are important for the outcome of the implementation strategy. Quality indicators and measurement are a necessary tool for continuous quality improvement. The Ministry of Health did not prepare a set of mandatory standards, quality indicators and plans for quality improvement in healthcare institutions. However, the Ministry of Health was aware of the fact that a lack of unified information system makes the implementation of indicators meaningless in case when the crucial part of the health system that has most information i.e. the Clinical Centre of Montenegro is not linked to the system."²⁶

The score that Montenegro achieved in the domain of health showed that this domain has the smallest difference between Montenegro and the EU 28 Member States average. Women in Montenegro live longer but in poorer health, tended to be less physically active and to eat less healthily, and the last CEDAW report criticized the state of maternity wards

²⁵<https://www.vijesti.me/zabava/304020/o-42-000-zena-brine-8-ginekologa>

²⁶ Strategy to improve the quality of healthcare and patients' safety 2019-2023 with Action Plan 2019-2020, Podgorica, June 2019, page 9.

stating that services are hygienically inadequate, that access to pain relief medication is unavailable, that the privacy of the mother and her participation in decision-making is not respected.

Only four cities in Montenegro have gynaecological tables adaptable for women with disabilities.²⁷

As of 30 June 2020, Montenegro has a total of 548 Covid-19 cases, where women make 43.8%.

3.3.5. Gender-based violence

Gender-based violence is violence directed against a person because of their gender and it is a phenomenon deeply rooted in gender inequality, and continues to be one of the most notable human rights violations within all societies. Gender-based violence and violence against women are terms that are often used interchangeably as it has been widely acknowledged that most gender-based violence is inflicted on women and girls, by men. However, using the 'gender-based' aspect is important as it highlights the fact that many forms of violence against women are rooted in power inequalities between women and men. In 2002, domestic violence was defined as a criminal offense. A special piece of legislation that focuses on this phenomenon is the Law on Protection from Domestic Violence that was adopted in 2010. A strong patriarchal society, mild penalty policy, distrust in institutions and inconsistent enforcement of legal framework remain the main causes of this phenomenon in Montenegro.

Publication *Women and men in Montenegro 2018* provides data on domestic violence. Its sources are: the Police Directorate, Centres for Social Welfare and the Supreme Court of Montenegro. The number of registered cases of criminal offence "*domestic violence within the family*" in 2017 is by 5.1% higher than in 2016. In 2017, a total of 1.268 cases of domestic violence were reported to Centres for Social Work, and in 1.043 cases women and children were victims. In 2017, according to the data of the Supreme Court, a total of 148 people were convicted on the grounds of committing domestic violence, of which 143 were men.

The following chart is a summary of results of the OSCE's study on violence against women in Montenegro, *Welfare and safety of women*, 2019.

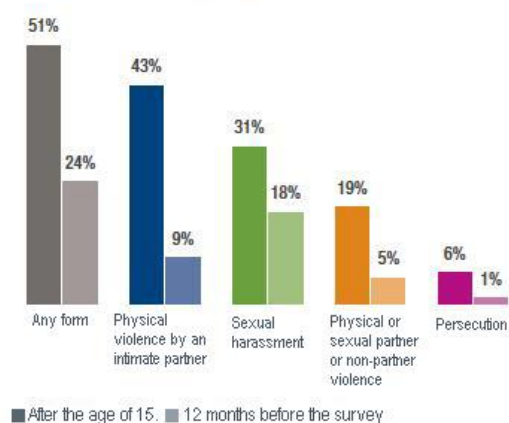
²⁷ From the Draft of sector analysis for year 2021 for gender equality, Ministry of Human and Minority Rights, Podgorica, April 2020.

Graph 9.

Qualitative research based on a representative sample of women between 18 and 74 living in Montenegro. A total of 1227 face-to-face interviews were conducted from April to August 2018. The data are weighted according to the known population profile

HIGH FREQUENCY OF DIFFERENT FORMS OF VIOLENCE AGAINST WOMEN

HIGH FREQUENCY OF DIFFERENT FORMS OF VIOLENCE AGAINST WOMEN



116.000*

Women who have experienced some form of sexual harassment, persecution, partner or non-partner violence, (including mental, physical or sexual violence) after the age of 15

35.000*

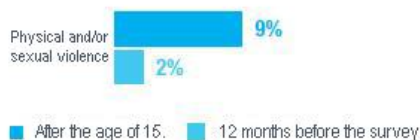
Women who have experienced physical or sexual violence from a spouse

19.000*

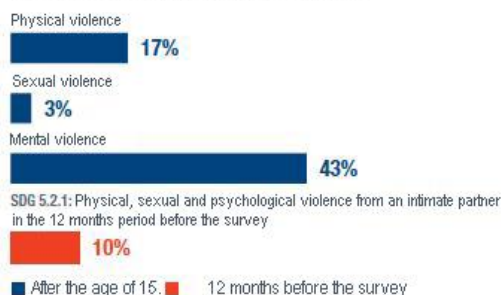
Have experienced physical and / or sexual partner violence

*Average figures

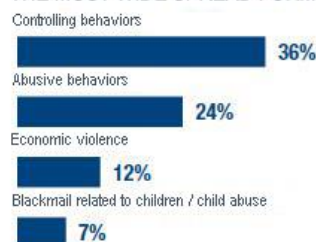
ALMOST ONE OF TEN WOMEN WHO HAVE EXPERIENCED PARTNER PHYSICAL AND/OR SEXUAL VIOLENCE



VIOLENCE BY AN INTIMATE PARTNER



PSYCHOLOGICAL VIOLENCE BY AN INTIMATE PARTNER IS THE MOST WIDE SPREAD FORM OF VIOLENCE



Basis: The frequency of sexual harassment, persecution, partner violence is based on women aged 18 to 74 (1227); intimate partner violence is based on women who have ever had a partner (1117)

Misdemeanour courts had a total of 2.059 cases referred to in the Law on Protection from Domestic Violence in 2019 (1.972 in 2018 and 1.790 in 2017) according to the Annual Report on Misdemeanour Courts on cases. In other words, the Court for misdemeanours in Podgorica had 1.220 cases, followed by the Misdemeanour Court in Budva with 485 cases and the Misdemeanour Court in Bijelo Polje with 354 cases. As many as 1.487 cases were completed (1.563 in 2018 and 1.366 in 2017) or 72.22%, of which 814 in the Misdemeanour Court in Podgorica, Misdemeanour Court in Budva - 417 and Misdemeanour Court in Bijelo Polje - 271 cases. The cases were completed as follows: 534 fines; 121 imprisonments; 238 suspended sentences; 109 warnings; 15 educational measures; in 13 cases the petition was rejected; in 51 cases the proceedings were

suspended; 360 cases ended in an acquittal, while 46 cases were resolved in another way.²⁸

In March 2020, the national SOS line received 256 calls, which makes an increase of 27% compared to February 2020 when there were 184 calls. The COVID-19 pandemic led to an increase in domestic violence cases.

3.3.6. Gender equality in the media, culture and sports

There are two perspectives on gender equality in the media:

- media portrayal of women,
- position of journalists and editors in the media in Montenegro.

There is very little research with a valid methodology on the position of Montenegrin media towards women, which would include at least 30 days of media monitoring, with a minimum of 4 days a week (including one weekend day), and have clearly formulated monitoring parameters, depending on the desired objective. Global Media Monitoring (GMM) has developed a one-day media monitoring methodology for very specific purposes.

A research that tackled the portrayal of women in the media *Gender mirror of the media in Montenegro*²⁹, found that the portrayal of women in Montenegrin media is still stereotypical, and that women get very little media space to talk about their attitudes, thoughts, needs and problems; so, the media produce discrimination against women.

Research *Local anti-discrimination media*³⁰, by the NGO Women's Action from Nikšić analysed the attitude of local media in Nikšić towards local groups that are discriminated in multiple ways: women, people with disabilities, Roma and LGBTQ groups. Vulnerable groups, if they were subject to media reporting, received neutral reporting or faced complete lack of interest of local media for their needs and problems. Furthermore, the research showed that local media are not inclined to encourage or promote policies of equality or to report more about less visible categories of society. The mandatory use of gender-sensitive language in public discourse, according to the Law on Gender Equality, is not satisfactory.

Media coverage in cases of domestic violence often violates the right to privacy, justifies perpetrators (alcoholism and/or addiction), fails to mention protective measures for victims of violence, and the national SOS line is insufficiently promoted in the media.

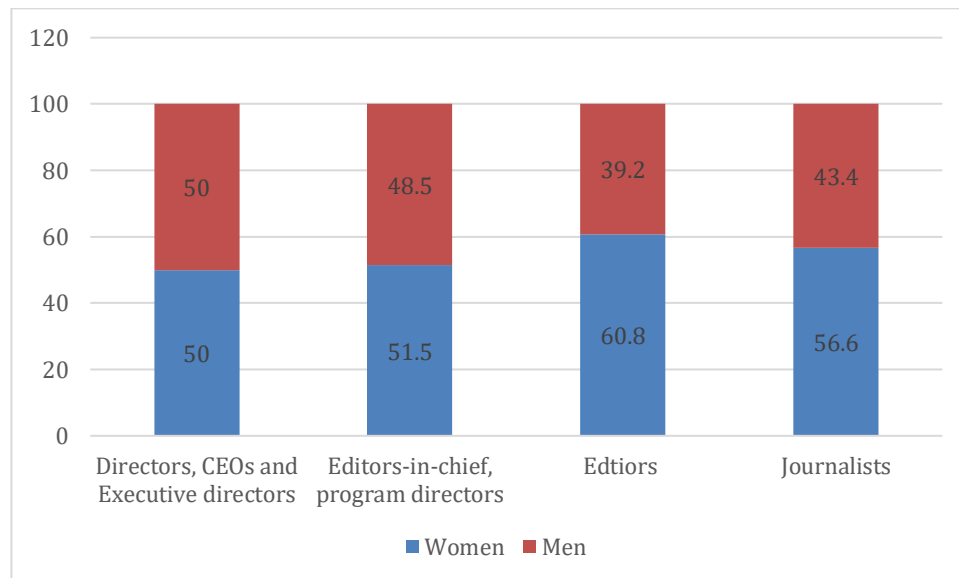
²⁸ 2019 Work Report of the Protector of Human Rights and Freedoms, Podgorica, March 2020, page 171

²⁹The program "Support to Anti-Discrimination and Gender Equality Policies" is funded by the Delegation of the European Union to Montenegro, and implemented by the Office of the United Nations Development Program (UNDP) in Montenegro in cooperation with the Ministry of Human and Minority Rights, Podgorica, 2017.

³⁰Part of the CRNVO program "My community is a strong community", funded by the EU under the IPA program, Nikšić, July 2018.

Research *The position of women journalists in the Montenegrin media*³¹ showed that journalism in Montenegro is mainly women's profession, with an increasing number of woman in leadership positions, in more than half of the monitored media, as shown in the chart below.

Chart 10



Equal participation, access and contribution to the cultural life of women and men are basic human rights and an important dimension for the guaranteed freedom of expression. Gender has an important role in encouraging and expressing creativity. Once the equal expression of the spiritual, intellectual and creative interests of all members of the community is achieved, we will have a strong incentive for inclusive development and socio-economic empowerment. Until then, access to cultural sector will be limited for some parts of society, in which women and girls face complex barriers if they want to participate in cultural life of their communities, in several ways:

- Unequal opportunities for women to share their creativity with audiences;
- 'Glass ceiling' for women to reach management and leadership positions or to participate in decision-making processes in the cultural sector;
- Persistence of dominant views on gender, negative stereotypes;
- Sex-specific challenges related to accessing specialized technical and entrepreneurial training as well as financial resources.

Montenegro has not achieved much in promoting gender equality in the field of culture and art, and those few accomplishments can be attributed to few NGOs that work in this field (most often to promote invisible female cultural creativity). One more research should be noted i.e. *Gender equality in Montenegrin film industry*³².

³¹<https://dpncg.me/aktuelnosti/istrazivanja/416-polozaj-novinarki-u-crnogorskim-medijima>

³²Authors Sanja Jovanovic, Film Center of Montenegro and Jelena Mišeljić, Faculty of Drama, University of Montenegro, presented in Prague, October 11, 2019.

The week of women's cultural creativity is not implemented in continuity as planned in the document that is subject to this analysis.

Gender equality in sports in Montenegro is one of the categories that can be defined as an area with few planned activities and measures, where stakeholders and partners have not done enough to promote women in sports; the media attention that the athletes earned was a result of their achievements only.

Participation of women in sports in Montenegro:

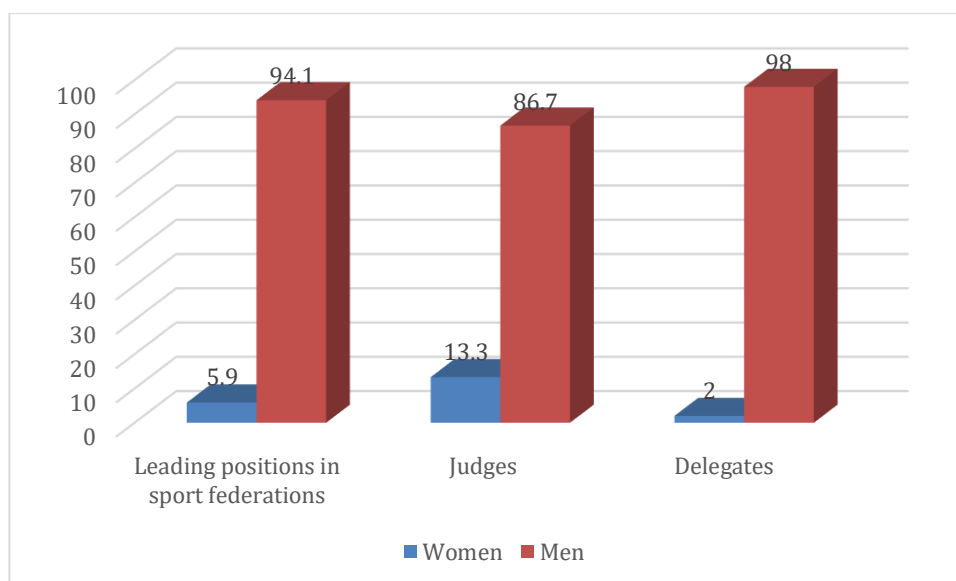
- Women make up only 10% of all individuals in sports at the national level.
- There are few geographical differences in participation rates in sport; the percentage average is 70% men and 30% women in each region.
- The biggest gender imbalance is present in football and basketball, where there are 13% of female athletes and professionals.
- The highest gender equality is present in handball and volleyball, where the percentage of female athletes and professionals is about 45% in handball and 51% in volleyball.
- The largest percentage of female athletes is in handball (58.1%) and volleyball (64.9%).
- Women are underrepresented in sport professions. Only 8.8% of women are in the position of a coach, 12.3% in the position of administrator at the regional level, and 5.9% in the position of administrator at the state level. Women make only 25% of medical staff in sports, and only 13.3% of judges at the state level.³³

"After their professional careers end, female athletes chose to stay involved in sports and become coaches, judges or members of medical staff. However, there are few of them in such positions in Montenegro."³⁴

Chart 11- Gender imbalance in decision-making positions in Montenegrin sports

³³Research "Gender and sport participation in Montenegro", Cooky, Begovic, Sabo, Oglesby, Snyder, November 2014, page 31.

³⁴<https://www.vijesti.me/vijesti/7565/sportske-fotelje-u-crnoj-gori-i-dalje-rezervisane-za-muskarce>



There are only two female members in the Steering Committee of the Montenegrin Olympic Committee (MOC), out of a total of 17 members or 11.8%³⁵, which speaks in favour of profound discrimination against women in Montenegrin sports.

3.3.7. Gender equality in decision-making processes in political and public life

Having equal opportunities for the participation of women and men in political life is essential for the effectiveness of democracy and good governance. Greater participation of women in political life, in addition to strengthening and improving the democratic system, means a fairer society, better living standards, education, healthcare, culture and infrastructure, and reduction in political corruption.

From the restoration of state independence in 2006, when the Parliament of Montenegro parliament had only 8.6% of women MPs, until 2016, Montenegro's ranking was in last position in the wider region. Chart 12 shows a very slow increase of the percentage of women MPs, and the main reason for the shift is the introduction of quotas in electoral legislation for the underrepresented sex, in 2011 and 2014.

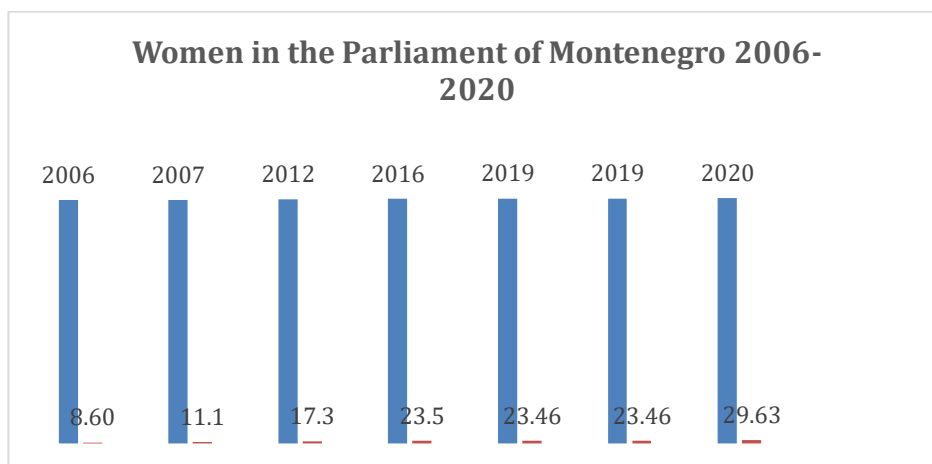
In 2019, the World Economic Forum conducted a study about the global gender gap, and among 153 countries, Montenegro ranked as No 71 in areas such as women in politics, economic power, scientific achievements and health.

Women are underrepresented in senior positions in the Parliament – out of 14 standing parliamentary committees, only three are led by women. It was noted that no women were in the position of leaders of political parties, even though Draginja Vuksanović-Stanković was elected president of the SDP in the meantime. There is only one female mayor in a total of 24 municipalities, and only 26% of female councillors in local parliaments.³⁶

³⁵<http://www.cok.me/o-nama/organi/>

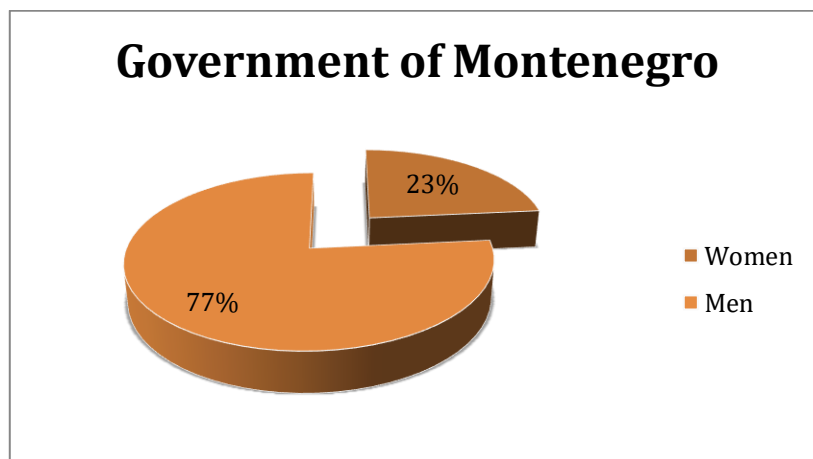
³⁶From 2019 Montenegro Progress Report. In the meantime, the statistics have changed, below are new data.

Chart 12



According to the Gender Equality Index for Montenegro, published in January 2020, it would appear that the greatest differences in gender equality between the European Union and Montenegro relate to the domain of power, and the difference in indices is 16.8 to the detriment of Montenegro. The domain of power is designed to measure gender equality in decision-making in political, economic and social life.

When it comes to the government level, Montenegro has never had a female prime minister, and the current structure of the government is such that all three vice presidents are men. Of a total of 17 ministerial positions, 4 are held by women (23.5% of women³⁷).



Let's reiterate the *Objective 7.1* from the APAGE 2010 and 2019 - Achieved balanced representation of women and men in the legislative and executive authorities at all levels. Indicator of the effect:

- At least 40% of women MPs in the Parliament until 2020.

³⁷http://www.gov.me/organizacija/Sastav_Vlade, data downloaded 01.07.2020.

- At least 50% of the parliamentary parties adopted affirmative measures for political empowerment of women within the party.
- At least 50% of the parties implemented gender mainstreaming campaign, and programs include measures to achieve gender equality.
- At least one activity per year was implemented through the joint action of women from parliamentary parties.
- At least three women's organizations in the parties have a separate annual budget that makes up 10% of the total budget of party income.

It should be noted that activities referred to in this objective were implemented, especially the first three, because 2020 is the election year. Parliamentary elections and local elections in four municipalities (Andrijevica, Budva, Gusinje and Kotor) have already been scheduled for 30 August 2020.

As for the local level, i.e. the participation of women in local parliaments, such data are presented in Table 8, noting that two women are mayors (Gusinje and Danilovgrad). Data were collected from the websites of each municipality.

Table 8:

| State | Number of female councillors | Total councillors | Percentage of female councillors |
|--------------------------|------------------------------|-------------------|----------------------------------|
| 1. Andrijevica | 9 | 31 | 22.0% |
| 2. Bar | 14 | 36 | 38.8% |
| 3. Berane | 11 | 35 | 31.4% |
| 4. Bijelo Polje | 9 | 38 | 23.7% |
| 5. Budva | 12 | 33 | 36.4% |
| 6. Cetinje | 10 | 33 | 30.3% |
| 7. Danilovgrad | 8 | 33 | 24.2% |
| 8. Gusinje | 6 | 30 | 20.0% |
| 9. Herceg Novi | 10 | 34 | 29.4% |
| 10. Kolašin | 11 | 31 | 35.5% |
| 11. Kotor | 13 | 33 | 39.4% |
| 12. Mojkovac | 7 | 31 | 22.5% |
| 13. Nikšić ³⁸ | 21 | 41 | 51.2% |
| 14. Petnjica | 10 | 31 | 32.3% |
| 15. Plav | 9 | 31 | 29.0% |
| 16. Pljevlja | 10 | 35 | 28.6% |
| 17. Plužine | 9 | 30 | 30.0% |
| 18. Podgorica | 25 | 61 | 40.9% |
| 19. Rožaje | 11 | 34 | 32.4% |
| 20. Tivat | 11 | 32 | 34.4% |
| 21. Tuzi | 9 | 32 | 28.1% |
| 22. Ulcinj | 8 | 33 | 24.2% |
| 23. Šavnik | 9 | 30 | 30.0% |
| 24. Žabljak | 8 | 31 | 25.8% |

³⁸Data from the website are not updated

3.3.8. Institutional mechanisms for gender equality policies and international cooperation

Institutional mechanisms for gender equality policies at national and local level are presented in Chapter 3.2 of this report. Based on the Reports on the implementation of the APAGE 2017, 2018 and 2019, it can be concluded that all institutional mechanisms should have a stronger mutual connection and cooperation. Special attention should be paid to the obligation of continuous and effective work of the Council for Gender Equality and the Commission for Monitoring the Implementation of the APAGE. More details on indicators, reporting and on what should be implemented within the scope of international cooperation will be discussed in a special chapter with recommendations.

4. EVALUATION RESULTS PER CRITERIA FOR APAGE AREAS

| | | |
|----------------------------------|---|---|
| | <p>Document analysis</p> | <ul style="list-style-type: none"> - APAGE 2017-2020 - Report on the implementation of the APAGE Implementation Program 2017, 2018 and 2019. - Report on the implementation of CEDAW's urgent recommendations on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (June 2019) - Reports on implemented projects/programs 2017-2018 of NGOs that work on gender equality - Measures from the action plans for EU negotiating chapters 19 and 23 |
| <p>Evaluation process</p> | <p>Analysis of focus groups data</p> | <p>Six focus groups were organized and brought together 41 participants: one female MP, 29 representatives of both sexes from different institutions (8 ministries, Institute of Public Health, General Secretariat of the Government of Montenegro, Supreme State Prosecutor's Office, the Protector of Human Rights and Freedoms, Administration for Inspection Affairs, Employment Agency of Montenegro, Centre for Vocational Education, Investment and Development Fund ...), 6 representatives of NGOs, two female researchers in the field of human rights and gender equality, two female editors (from</p> |

| | |
|--|---|
| | the national television and from a commercial portal) and one female representative of the Union of Employers and the Chamber of Commerce each. |
| Analysis of questionnaires and interviews | 191 questionnaires were sent from the Department for Gender Equality, and 39 completed questionnaires were returned (partially or completely), while 12 respondents said they did not recognize themselves as holders of activities or partners for the APAGE measures. |

The general conclusion from all phases of the evaluation is that a great deal of planned activities have been implemented. Also, the APAGE is well based on international legislation.

On the other hand, major shortcomings in the plan are its lack of focus and a large number of thematic areas, as the document attempts to mirror the commitments from the Beijing Declaration. Still, it lacks the prioritization that is essential for any implementation. To illustrate, it lacks coherence as it does not define outcomes of activities.

Another flaw of this document is that the data it contains do not mention sources or references, which affects its credibility.

It was almost impossible to measure results and benefits of this document because it does not contain indicators of the initial state that were used as basis to plan activities, or the vision. In other words, it does not indicate the initial or desired state. When it comes to the assessment of achieved goals, more attention should be paid to indicators and to the need of their revision and improvement. They are vague, numerical and mainly activities-oriented, it was assessed, and do not provide a basis for an analytical interpretation of what has been achieved.

Implementation reports speak broadly about the activities. There is no clear and concise reporting on measurable indicators of achieved objectives which could make reports analytical. Results and impact are not measured. So, specifically: to be able to have quality measurement of what has been done, the report on the implementation of the program should express the implemented activities in percentages in relation to the planned ones. With the reporting method said, there is no measurement of effects or monitoring of trends. Some goals are not realistically defined (e.g. reduction of the “pay gap” is impossible to achieve in the way envisaged by APAGE). An additional aggravating circumstance is that it is difficult and expensive to do research in specific areas when there is no specialization in the field, and it often lacks, which is why foreign experts should be involved and use the methodology developed by experts in the field of gender equality (Gender Equality Index).

There is no reporting on the use of donor and regular funds; having those two compared would otherwise make it possible to assess the effectiveness of the plan and measure its sustainability. Furthermore, there is no systematic collection of gender-disaggregated statistics, which further complicates the assessment of effectiveness.

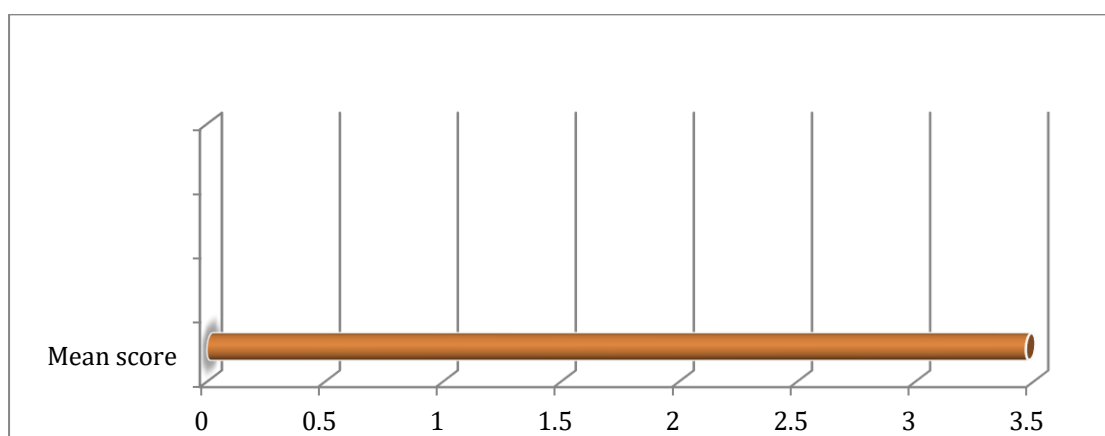
GENERAL RESULTS

- **APAGE has partially contributed to the improvement of gender equality in Montenegro**
- **A large number of activities were implemented**
- **The quantity and quality of what has been implemented cannot be measured as per the current way of reporting**
- **Reach of the Plan is limited for all evaluation criteria, mostly due to: scope, imprecisely set goals and poor indicators**
- **APAGE is a document that is fully in compliance with international law**
- **APAGE is based on insufficiently examined needs and problems of those for whom it is intended**
- **The preparation and planning phase had to be done in a better way and should have taken longer**
- **The follow-up phase should be continuous and require at least one employee to work on it**
- **Format of implementation report is impractical, confusing and almost unfit for the analysis**
- **The Department for Gender Equality does not have sufficient staff; employees lack training in professional, IT skills and continuous training in the field of women's human rights; technical equipment is not sufficient**

- **Most ministries and local self-governments make insufficient efforts to make their staff more sensitive and integrate the gender aspect into all segments of their work and organization**

Specific results:

Does your institution prioritise activities on achievement of gender equality and to what extent, if yes?



The question about the priorities that gender equality had in the focus group participants' institution/organization/ media had an average score of 3.47.

According to participants of focus group from public administration, implementation of APAGE activities is not at the top of their institutions' priorities. Furthermore, measures should be prioritized in order to start systematic and targeted work on eradicating gender inequality. Evidently, there is no good dispersion of measures at local level and they are too general and broad. Furthermore, stakeholders are poorly identified in certain segments and the Plan foresees their involvement in activities that are not included in their mandates, while omitting them in other activities where they should have been included by way of their mandate.

- **In most cases, executive, judicial and legislative authorities** highly valued the importance of gender equality in their work. Majority of participants in focus groups and in questionnaires, pointed out that:

- gender equality matters are not evenly distributed in state administration,
- gender equality is not a part of the overall organizational culture; gender equality is incorporated in directorates/departments/committees that work on the empowerment of women or at place of work of persons for gender equality.

It was apparent that gender equality has higher priority in bodies headed by gender-sensitive persons. It was assessed that the gender sensitivity of leaders is much more effective from the standpoint of employment policy, career advancement and other internal gender-sensitive operational processes, for the development of gender-sensitive services and support systems than the adoption of strategies aimed at improving position of women.

Some ministries emphasised their own accomplishments in the increase of the number of women in "typically male jobs", plans to exceed the achieved percentage in the near future, and to introduce mandatory trainings on gender equality for all new employees. Yet, there is one common tendency in almost all ministries i.e. all gender related matters are addressed to one person only, typically a contact person for gender equality. It was assessed that most ministries make insufficient efforts to make the rest of the staff gender-sensitive and integrate the gender perspective into all segments of work and organization.

Respondents in managing positions pointed out that during their term of office they promoted ideas aimed at changing attitudes, but such ideas were not welcomed by their male colleagues. Special attention was paid to brutal dismissals of women in high positions at the University of Montenegro and to a different approach to dismissal of men from the same or similar positions. It was noted that gender matters are mainly dealt with by women, and the recommendation of most of the respondents was to include men in the fight for gender equality, as gender equality is important for improvement of quality of their lives too.

Few women in some ministries show interest to deal with expert matters and tend to do administrative tasks only. That is an indication of governing bodies' insufficient commitment and capacity to introduce incentives for work in "typically male jobs" and of their declarative will to change the situation. In addition, some employees showed resistance to use gender-sensitive language to describe their positions was noted, which indicates insufficient sensibility, inadequate promotion and clarification of duties by law. It was suggested that more attention should be paid to the promotion of women in management positions in "typically male jobs" and increase their visibility.

Additionally, it was noted that strategic documents are being revised systematically through a methodology that requires the use of gender-disaggregated statistics, gender-sensitive language, indicators, gender analysis, and gender aspect in public debates. In addition, trainings for civil servants on gender mainstreaming have been initiated.

- **Interinstitutional cooperation**

Interinstitutional cooperation on the implementation of APAGE activities is negligible and there is no clear division of competencies between some ministries, e.g. in implementation of the Istanbul Convention, which makes the work more complicated. Cooperation boils down to taking part in working groups and submitting mainly unsystematised data at the time of reporting. Many measures overlapped in similar strategies that imminently affected the quality of reports. On the other hand, some activities were reported to belong to the Department for Gender Equality Affairs, although they were not planned by APAGE, and the Department had to “find them an appropriate position” in annual reports. We expect this situation to improve by unifying reporting in line with the new methodology of the Government.

When it comes to the implementation of APAGE activities, partners are expected to implement their own activities. Many of such activities are the responsibility of other ministries and judiciary including the obligation of annual reporting or when necessary. (E.g. UN Resolution 1325, CEDAW, Istanbul Convention, etc.). All ministries submit their reports at the same period, reporting deadlines are rather short, and in some ministries employees have to follow-up a number of strategies at the same time. This has a negative effect on the quality of implemented activities and monitoring of their impact.

Better work organization, timely planning through the plan of meetings and the plan of activities of the Commission for the implementation of APAGE were proposed, to make sure that all preparations are timely and the focus is on the results.

- **Cooperation with NGOs**

The cooperation with NGOs exists only to the extent prescribed by law. Ministries involve NGOs in the work of working groups through public calls and some of them believe that the comments, data, views provided by NGOs through their dedicated volunteer participation, affect the quality of strategies and their results. The newly introduced licensing process, which introduced standards for specialized services for victims of gender-based violence, is seen as a step forward in cooperation with administrative bodies. NGOs had conflicting opinions - that licensing focuses on wrong things, such as adequate premises for services and it neglects the knowledge and enthusiasm of NGO members who have worked diligently for years. As a result, memory and resources might get lost and it might create animosity among women's organizations.

NGOs reported a better partnership with the Department for Gender Equality. There is an evident difference in the content of shadow reports.

NGOs adjust the goals, results and activities of their projects to the ones stated in the APAGE.

- **University of Montenegro** does not have a specific program on gender equality, there is not enough support for scientists to balance their professional and personal responsibilities, only few girls enrol study programs that train them for jobs of the future, and researches show that re-traditionalization, stagnation and regression are evident among students.

- **National TV/Radio company and commercial/private media** do not perceive gender equality as a priority. Journalists are not sensitized and one suggestion was made to include a training on gender equality as a part of final-year curriculum for journalists, because messages about gender equality should be part of every topic - sports, education, economics, environment, etc. There is no contact person for gender equality in the National TV/Radio company. The suggestion is that the upcoming APAGE should include representatives of the media and the University in working groups.

Public administration body that is in charge of training civil servants faces difficulties in providing an adequate target group and the optimal number of participants, despite the fact that regular training programs on gender equality are held twice a year.

| APAGE's most evident positive facts |
|--|
| • Introduction of accredited trainings |
| • Research on sexual violence |
| • Promotion of dual education |
| • Greater use of gender-sensitive language in the media and government |
| • Adoption of protocols for protection against peer violence |
| • Introduction of a hotline for parents and children victims of peer violence |
| • Interdepartmental teams established in schools |
| • Recognising online sexual harassment and hate speech |
| • Regular trainings on gender equality |
| • Development of a new Strategy for the development of women's entrepreneurship |
| • Improved counselling for women in business |
| • Networking of women entrepreneurs |
| • Licensed shelters for victims of violence |
| • Greater number of women in the police, army and peace corps |
| • Enrolment of girls in studies perceived as traditionally male jobs as part of the "Professional is crucial" campaign |
| • Screening programs for the prevention of breast and cervical cancer |

- | |
|---|
| <ul style="list-style-type: none"> • Existence of local funds for women's entrepreneurship |
| <ul style="list-style-type: none"> • UNDP Program for Acquiring functional Skills in Gender Equality |
| <ul style="list-style-type: none"> • Support of the OSCE Mission to Montenegro and UNDP |

The following are the evaluation findings according to each of the criteria, and according to the methodology explained on page 12.

4.1. Relevance

The relevance of APAGE was examined by asking questions that are described for this evaluation criterion at each stage of the evaluation process.

Speaking of the general context in which APAGE is being implemented, which is described in Chapter 3 of this report, the general conclusion would be that the relevance of the set strategic goals and objectives is generally high, because Montenegro faces many challenges in terms of gender equality. What diminishes the overall assessment of the relevance of objectives is their vague formulation because they are not measurable, achievable or realistic during the APAGE implementation period.

Objective 1.1: The principle of gender equality integrated in drafting and implementation of all national policies (programs and strategies) and actions of state bodies.

This is an illustration of an unrealistic objective because its full implementation is impossible in the foreseen period. Furthermore, it is not specific because it does not explain what the integration of the principle of gender equality into the work of state bodies implies and how to achieve it. The inaccuracy of strategic and operational elements also contributes to the inaccuracy of the objective.

Analysis of the listed documents, opinions of focus groups and answers to questionnaires, show that the needs and thematic units of APAGE are harmonized with international requirements, conventions, resolutions, and national legislation. Also, some institutions that took part in working groups for drafting the documents were guided by the beneficiaries' needs, and they provided data from their own databases and contributed to the identification of problems. However, research and investigation claims on the needs of beneficiaries were not substantiated.

Although most stakeholders recognize the relevance of general (strategic) goals, they often do not understand how goals comply with specific objectives and activities. In some cases they do not understand their own role in the implementation of APAGE. Relevance was assessed as in the table below and only for strategic objectives.

| Thematic area | Strategic goal | Relevance |
|--|---|-----------|
| 1 Promoting gender equality and women's human rights | Establishing a society of equal opportunities and eliminating all forms of discrimination based on sex and gender | medium |
| 2 Gender sensitive upbringing and education | Introduction of gender sensitive education at all levels of education | medium |
| 3 Gender equality in the economy | Increase women's employment and eliminate all forms of discrimination against women at the labour market | High |
| 4 Gender sensitive health care | Improve available gender-sensitive health care | medium |
| 5 Gender-based violence | Combat all forms of gender-based violence, violence against women and domestic violence , and to improve the position and protection of the rights of victims of all forms of gender-based violence. | medium |
| 6. Gender equality in the media, culture and sports | Combat gender stereotypes and introduce gender equality policy in the media, culture and sports. | High |
| 7 Equality in the decision-making process in political and public life | Equal participation of women and men at all levels of decision-making | medium |
| 8 Institutional mechanisms for the implementation of gender equality policies and international cooperation | Creating sustainable mechanisms at the national and local level for achieving gender equality. | High |

4.2. Efficiency

The effectiveness of APAGE is evaluated based on the questions below:

- how are the costs planned;
- how are the results planned;
- are funds and resources used efficiently to achieve planned goals;
- are results achieved at a reasonable cost;
- are costs and benefits shared fairly.

The efficiency of APAGE activities was measured by the ratio of the effects they produced in relation to the funds spent. It was difficult to establish whether sufficient funds have been allocated to achieve the results and outcomes from the APAGE. Also, it was not possible to determine whether the level of funds allocated for activities affected the achievement of these goals, and if yes, to what extent. Furthermore, it was not possible to determine whether the funds were spent in the most efficient way or might have been used in a better way.

In general, the ratio of the investment and achieved results cannot be assessed. It is not possible to measure the overall results achieved by the implementation of APAGE, so the cost-benefit analysis is not possible either.

Nevertheless, one conclusion can be made that *allocated budget funds are insufficient* for the **expected effects**. That is why one of the most important recommendations for any future strategic document is to plan and allocate substantially larger funds and the annual action plans should be based on an assessment of available budget before they are drafted.

| Thematic area | Strategic goal | Objectives | Efficiency |
|--|---|---|------------|
| 1 Promotion of gender equality and women's human rights | Establish society of equal opportunities and elimination of all forms of gender-based discrimination | Objective 1.1: The principle of gender equality integrated in drafting and implementation of all national policies (programs and strategies) and actions of state bodies. | low |
| | | 1.2. Improved human rights of women through a consistent enforcement of international instruments for their protection. | low |
| | | 1.3. Ensuring enforcement of anti-discriminatory legislation with the assessment of performance, quality and level of enforcement of regulations. | medium |
| 2 Gender sensitive upbringing and education | Introduction of gender sensitive education at all levels of education | Objective 2.1. Gender component present in teaching in primary and secondary schools. | medium |
| | | Objective 2.2. Increased level of knowledge of employees in the education system on gender equality. | medium |
| | | Objective 2.3. Achieved gender balance in the choice of professions in secondary schools and higher education institutions. | low |
| | | Objective 2.4 Promoted gender equality in higher education institutions. | low |
| 3. Gender equality in the economy | Increase women's employment and eliminate all forms of discrimination against women at the labour market | Objective 3.1: Increased number of employed women, especially less-employable categories. | low |
| | | Objective 3.2 Encourage female entrepreneurship and self-employment. | medium |
| | | Objective 3.3 Strengthening local institutions and women's capacities to facilitate and encourage the entry into entrepreneurship. | medium |
| | | Objective 3.4 Achieved high degree of harmonization of work and family life of women and men. | low |
| | | Objective 3.5. Ensure effective law enforcement and reduce gender-based discrimination in the labour market. | low |
| | | Objective 3.6. Reduce the differences in earnings of men and women. | medium |
| 4. Gender sensitive healthcare | Improve available gender-sensitive health care | Objective 4.1. Improved prevention and early detection of malignant diseases. | medium |
| | | Objective 4.2. Improved measures to protect reproductive health of all women and girls. | medium |
| | | Objective 4.3. Improved sensibility of health workers about gender-sensitive health care. | low |
| | | Objective 4.4. Improved response of healthcare system in recognizing and responding to cases of domestic violence. | medium |
| | | Objective 5.1. Improved legal framework and technical conditions for the effective enforcement of protective measures and more | medium |

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| 5. Gender-based violence | Prevent all forms of gender-based violence, violence against women and domestic violence, and improve the position and protection of the right of victims from all forms of gender-based violence. | effective sanctioning of perpetrators. | |
| | | Objective 5.2. Established efficient system to follow-up the implementation of measures from the Strategy for Combating Trafficking in Human Beings 2012-2018. | High |
| | | Objective 5.3. Raising public awareness about the occurrence, problems and ways to combat gender-based violence. | medium |
| | | Objective 5.4. Strengthened system of social and other support and protection of all victims of domestic violence. | medium |
| | | Objective 5.5. Raising awareness among citizens, especially civil servants responsible for law enforcement about all forms of discrimination and gender-based violence, and their education. | medium |
| 6. Gender equality in the media, culture and sports | Prevent gender stereotypes and introduce gender equality policy in the media, culture and sports. | Objective 6.1. Increased media visibility of the implementation of gender equality policies. | low |
| | | Objective 6.2. Improved knowledge of employees in the media on gender equality. | low |
| | | Objective 6.3. Promoting gender equality in the field of culture. | medium |
| | | Objective 6.4. Improved media promotion of successful women. | medium |
| 7 Equality in the decision-making process in political and public life | Equal participation of women and men at all levels of decision-making | Objective 7.1. Achieved balanced representation of women and men in state authorities at all levels. | medium |
| | | Objective 7.2. Implementation of UN Security Council Resolution 1325 - Women, Peace and Security. | medium |
| 8 Institutional mechanisms for the implementation of gender | Creating sustainable mechanisms at the national and local level for achieving gender equality. | Objective 8.1. Strengthen mechanisms for the implementation of gender equality at the national level and improvement of their coordinated action and reporting. | Low-Medium |
| | | Objective 8.2. Established new mechanisms and strengthened existing ones for gender equality at the local level. | medium |
| | | Objective 8.3. Strengthened capacities of the Department for Gender Equality for the implementation of gender equality policies. | low |
| | | Objective 8.4. Continuous cooperation with civil society. | medium |

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| equality policies and international cooperation | | Objective 8.5. Introduce gender-sensitive budget management in local self-governments and ministries. | medium |
| | | Objective 8.6. Inclusion of European gender equality standards into national legislation and integration of gender equality in the EU accession negotiation process | medium |
| | | Objective 8.7. Enhanced cooperation with institutional mechanisms in the countries of the region | medium |

4.3. Effectiveness

In assessing the effectiveness of APAGE's goals, we were guided by the answers to the questions on how much and how well the results and goals were achieved. It was important to find out from all the stakeholders whether the effects exceeded the planned ones. The general assessment is that efficiency *should* be better. In that sense, better organization of work, better planning of meetings, timely sharing of information and more frequent meetings were proposed.

The frequency of meetings of the Commission for Monitoring the Implementation of APAGE twice a year was assessed as insufficient, and some participants shared their impression of the Commission's meetings as being pro forma only, where participants were not given sufficient time for preparation, materials were not submitted in timely manner, discussions or exchange of views lacked. The impression is that decisions are formally approved and made without deeper consultations.

A flow of the entire system that should be changed refers to a more frequent and better communication, both written and face-to-face, timely reminders of meetings and delivery of materials, focused discussions aimed at finding the most suitable team approaches and ideas for problem solving.

It was noticed that there is no distribution of responsibilities among employees for follow-up of performance indicators. It is not clear how the goal is achieved or how the positive or negative trends are observed.

Partners should process the data and shape them into information that speak about achievements. However, they do not do so because they have responsibilities to inform about implementation of strategies within their institutions, an activity which they prioritise. As a solution it was proposed to introduce rotation in reporting. To make the analysis of effectiveness possible, results should be precisely defined, indicators of their implementation should be specific and statistics made available, which is not the case in APAGE.

| Thematic area | Strategic goal | Objectives | Effectiveness |
|--|---|---|---------------|
| 1 Promotion of gender equality and women's human rights | Establish society of equal opportunities and elimination of all forms of gender-based discrimination | Objective 1.1. The principle of gender equality integrated in drafting and implementation of all national policies (programs and strategies) and actions of state bodies. | low |
| | | 1.2. Improved women's human rights through a consistent enforcement of international instruments for gender equality and their protection. | medium |
| | | 1.3. Ensuring enforcement of anti-discriminatory legislation with the assessment of performance, quality and level of enforcement of regulations. | low |
| 2 Gender sensitive upbringing and education | Introduction of gender sensitive education at all levels of education | Objective 2.1. Gender component present in teaching in primary and secondary schools. | low |
| | | Objective 2.2. Increased level of knowledge of employees in the education system on gender equality. | medium |
| | | Objective 2.3. Achieved gender balance in the choice of professions in secondary schools and higher education institutions. | low |
| | | Objective 2.4. Promoted gender equality in higher education institutions. | low |
| 3 Gender equality in the economy | Increase women's employment and eliminate all forms of discrimination against women at the labour market | Objective 3.1. Increased number of employed women, especially less-employable categories. | low |
| | | Objective 3.2 Encourage female entrepreneurship and self-employment. | medium |
| | | Objective 3.3 Strengthening local institutions and women's capacities to enable and encourage the entry into entrepreneurship. | Low-Medium |
| | | Objective 3.4 Achieved high degree of harmonization of work and family life of women and men. | low |
| | | Objective 3.5. Ensure effective law enforcement and reduce gender-based discrimination in the labour market. | medium |
| | | Objective 3.6. Reduce the differences in earnings of men and women. | low |
| 4. Gender sensitive healthcare | Improve available gender-sensitive health care | Objective 4.1. Improved prevention and early detection of malignant diseases. | medium |
| | | Objective 4.2. Improved measures to protect reproductive health of all women and girls. | medium |
| | | Objective 4.3. Increased sensibility of health workers about gender-sensitive healthcare. | low |
| | | Objective 4.4. Improved response of healthcare system in recognizing and responding to cases of domestic violence. | medium |
| | | Objective 5.1. Improved legal framework and technical conditions for the effective enforcement of protective measures and more effective sanctioning of perpetrators. | medium |

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| 5. Gender-based violence | Prevent all forms of gender-based violence, violence against women and domestic violence, and improve the position and protection of the right of victims from all forms of gender-based violence. | Objective 5.2. Established efficient system to follow-up the implementation of measures from the Strategy for Combating Trafficking in Human Beings 2012-2018. | medium |
| | | Objective 5.3. Raising public awareness about the occurrence, problems and ways to combat gender-based violence. | medium |
| | | Objective 5.4. Strengthened system of social and other support and protection of all victims of domestic violence. | medium |
| | | Objective 5.5. Raising awareness among citizens, especially civil servants responsible for law enforcement about all forms of discrimination and gender-based violence, and their education. | low |
| 6. Gender equality in the media, culture and sports | Prevent gender stereotypes and introduce gender equality policy in the media, culture and sports. | Objective 6.1. Increased media visibility of the implementation of gender equality policies | low |
| | | Objective 6.2. Improved knowledge of employees in the on gender equality. | low |
| | | Objective 6.3. Promoting gender equality in the field of culture. | low |
| | | Objective 6.4. Improved media promotion of successful women. | medium |
| 7. Equality in the decision-making process in political and public life | Equal participation of women and men at all levels of decision-making. | Objective 7.1. Achieved balanced representation of women and men in state authorities at all levels. | low |
| | | Objective 7.2. Implementation of UN Security Council Resolution 1325 - Women, Peace and Security. | medium |
| 8. Institutional mechanisms for the implementation of gender equality policies and | Creating sustainable mechanisms at the national and local level for achieving gender equality. | Objective 8.1. Strengthen mechanisms for the implementation of gender equality at the national level and improvement of their coordinated action and reporting. | low-medium |
| | | Objective 8.2. Established new mechanisms and strengthened existing ones for gender equality at the local level. | low |
| | | Objective 8.3. Strengthened capacities of the Department for Gender Equality for the implementation of gender equality policy | low |
| | | Objective 8.4. Continuous cooperation with civil society. | medium |
| | | Objective 8.5. Introduce gender sensitive budget management in local self-governments and ministries. | low |

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| international cooperation | | Objective 8.6. Inclusion of European gender equality standards in national legislation and integration of gender equality in the EU accession negotiation process. | medium |
| | | Objective 8.7. Improved cooperation with institutional mechanisms in the region. | low |

4.4. Impact

The impact of APAGE on broader policies was assessed as insufficiently strong, even though it relates exclusively to the domain of gender equality policies. Focus groups made the greatest contribution to the evaluation of this criterion.

The impact assessment should show if the medium or long-term impact of APAGE was achieved. Unfortunately, it is impossible to measure long-term impacts as this document does not have clearly planned long-term impacts.

It is suggested that managers should have mandatory team leadership trainings as their position requires having special skills. This applies to top positions, working groups and to chairpersons of commissions. This, according to interviewed members of the PAGE Monitoring Commission, would unite them as a team and focus on results and goals, on passing on recommendations to their sectors about needs and approaches. Conversely, the practice of focusing exclusively on individual tasks will continue and multidisciplinary work will be lost.

The impact is significantly affected by changes of contact person for gender equality at the state and local levels. Additional efforts should be made to clarify the importance of continuity of the "mandate" of these persons as that is a prerequisite for qualitative sharing of knowledge, information and skills that these persons acquired in specific trainings and which contribute to improving gender equality and quality implementation of the Plan.

| Thematic area | Strategic aim | Objectives | Impact |
|--|--|--|--------|
| 1. Promoting gender equality and women's human rights | Establishing a society of equal opportunities and eliminating all forms of discrimination based on sex and gender | 1.1. The principle of gender equality integrated in the development and implementation of all national policies (programs and strategies) and actions of state bodies. | low |
| | | 1.2. Improved women's human rights through a consistent enforcement of international instruments for their protection. | medium |
| | | 1.3. Ensured enforcement of anti-discriminatory legislation with assessment of the effect, quality and degree of enforcement of legal regulations. | low |
| 2. Gender sensitive upbringing and education | Introduction of gender sensitive education at all levels of education | Objective 2.1. Gender component present in teaching in primary and secondary schools. | low |
| | | Objective 2.2. Increased level of knowledge of employees in the education system on gender equality. | medium |
| | | Objective 2.3. Achieved gender balance in the choice of professions in secondary schools and higher education institutions. | low |
| | | Objective 2.4. Promoted gender equality in higher education institutions. | low |
| 3. Gender equality in the economy | Increase women's employment and eliminate all forms of discrimination against women at the labour market | Objective 3.1. Increased number of employed women, especially hard-to-employ categories. | low |
| | | Objective 3.2. Encourage female entrepreneurship and self-employment. | medium |
| | | Objective 3.3. Strengthening local institutions and women's capacities to facilitate and encourage entrepreneurship. | medium |
| | | Objective 3.4. Achieved high degree of harmonization of work and family life of women and men. | low |
| | | Objective 3.5. Ensure effective law enforcement and reduce gender-based discrimination in the labour market. | low |
| | | Objective 3.6. Reduce the difference in earnings of men and women. | low |
| 4. Gender sensitive health care | Improve available gender-sensitive health care | Objective 4.1. Improved prevention and early detection of malignant diseases. | medium |
| | | Objective 4.2. Improved measures to protect reproductive health of all women and girls. | medium |
| | | Objective 4.3. Improved sensibility of health workers about gender-sensitive healthcare. | medium |
| | | Objective 4.4. Improved response of healthcare system in recognizing and responding to cases of domestic violence. | medium |
| | | Objective 5.1. Improved legal framework and technical conditions for the effective enforcement of protective measures and more efficient sanctioning of perpetrators. | medium |

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| 5. Gender-based violence | Combat all forms of gender-based violence, violence against women and domestic violence , and to improve the position and protection of the rights of victims of all forms of gender-based violence. | Objective 5.2. Established efficient system to follow-up the implementation of measures from the Strategy for Combating Trafficking in Human Beings 2012-2018. | low |
| | | Objective 5.3. Raising public awareness about the occurrence, problems and ways to combat gender-based violence. | medium |
| | | Objective 5.4. Strengthened system of social and other support and protection of all victims of domestic violence. | low |
| | | Objective 5.5. Raising awareness among citizens, especially civil servants responsible for the law enforcement about all forms of discrimination and gender-based violence, and their education. | low |
| 6. Gender equality in the media, culture and sports | Combat gender stereotypes and introduce gender equality policy in the media, culture and sports. | Objective 6.1. Increased media visibility of the implementation of gender equality policies. | low |
| | | Objective 6.2. Improved knowledge of employees in the media about gender equality. | low |
| | | Objective 6.3. Promoting gender equality in the field of culture. | low |
| | | Objective 6.4. Improved media promotion of successful women. | medium |
| 7. Equality in the decision-making process in political and public life | Equal participation of women and men at all levels of decision-making | Objective 7.1. Achieved balanced representation of women and men in state authorities at all levels. | low |
| | | Objective 7.2. Implementation of UN Security Council Resolution 1325 - Women, Peace and Security. | medium |
| 8. Institutional mechanisms for the implementation of gender equality policies and | Creating sustainable mechanisms at the national and local level for achieving gender equality. | Objective 8.1. Strengthen mechanisms for the implementation of gender equality at the national level and improvement of their coordinated action and reporting. | low |
| | | Objective 8.2. Established new mechanisms and strengthened existing ones for gender equality at the local level. | medium |
| | | Objective 8.3. Strengthened capacities of the Department for Gender Equality for the implementation of gender equality policy. | medium |
| | | Objective 8.4. Continuous cooperation with civil society. | medium |
| | | Objective 8.5. Introduce gender sensitive budget management in local self-governments and ministries. | low |

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|----------------------------------|--|--|--------|
| international cooperation | | Objective 8.6. Inclusion of European gender equality standards into national legislation and integration of gender equality in the EU accession negotiation process. | medium |
| | | Objective 8.7. Improved cooperation with institutional mechanisms in the region. | low |

4.5. Sustainability

Overall, this is the worst rated evaluation criterion. To be exact, regulations that we analysed, replies to questionnaire and discussions in focus groups showed that APAGE activities did not solve strategic problems of women and men or built lacking capacities of institutional mechanisms. All this significantly reduces the likelihood that results "will live" long after this document becomes invalid. A shortcoming of state administration was noticed too, namely, there is no adequate transfer of knowledge or institutional memory which gets lost with the termination of employment of employees. This affects sustainability to a great extent.

Ambiguities in terms of the mandate, role and responsibilities of gender equality mechanisms (mainly contact persons in ministries and local self-governments) implies that sustainability of gender equality mechanisms remains jeopardized. The coordinating body for the implementation of APAGE is not established by law. There are ambiguities and overlapping in mandates for some responsibilities (e.g. the fight against gender-based violence), while human and financial resources are weak and there are no clear coordination procedures. Frequent changes in staff who are in charge of gender equality further affect sustainability.

The survey of how susceptible the goals of APAGE are to unforeseen external influences had a significant impact (e.g. impact of the COVID-19 pandemic). While we are still waiting for a reliable research, we know that Montenegro is no exception to the rule on global level - pandemic has a major impact on women's lives and positions in several areas: economic situation and prospects (increased risks of virus infection and additional workload in industries where women make majority of workforce: retail trade, healthcare, catering, increased risk of exploitation and abuse, ...), health (risks to women and girls also increase if health systems divert resources from sexual and reproductive health care to respond to the epidemic), economic stress coupled with restricted movement and social isolation may lead to an extended/continuous stay with the abuser).

Financial (un)sustainability is an important dimension of APAGE, because the funds allocated for its activities, and for NGOs that predominantly work on the promotion of women's rights in Montenegro (through the annual public call of the Ministry of Human and Minority Rights) make about 220,000.00³⁹ euro. In other words, a total of 0.00000035% of the annual state budget was allocated to the improvement of position of more than half of the population in 2019.

³⁹Data were obtained from the Department for Gender Equality, June 2020.

Elements for improvement

Even though state administration bodies have their own timeline of implementation of activities from APAGE, more intense coordination with the Department for Gender Equality is necessary.

Several things should be mentioned in terms of capacities for the implementation of gender policies in institutions:

- trainings need to be regular and continuous,
- organizations and institutions need to exchange their ideas more intensively,
- loss of knowledge and focus has to stop; staff members who work on the implementation of APAGE activities should be retained,
- mechanisms to keep the institutional memory should be established and acquired knowledge should be shared among,
- human resources are a problem, primarily in terms of number of staff members and their insufficient sensitivity.

Commission for the monitoring of APAGE implementation:

- clear criteria for the selection of its members,
- mandatory trainings on gender equality for all members,
- all members have to be aware of their role and job description,
- have less formal meetings, enhance interactivity, develop teamwork and an environment that drives change.

The following elements for improvement, per area, from focus groups, stand out:

Gender sensitive education

- Introduce gender equality in preschool education,
- Include lessons on women's struggle for the three basic rights in history textbooks.

Gender equality in the economy

- It is necessary to introduce grants for women's entrepreneurship - funds at the local level are sufficient for women who want to make a transfer from grey to legal economy,
- Municipalities could give free premises for women to organize trainings on business plans,
- There is no cluster of women's small business,
- There is no support for women to go into production technology, there is no logistics support even before they seek funds to make it easier for them to place their products on the market,
- Women business owners are under-promoted, e.g. in the IT sector or construction,
- Public procurement is not gender sensitive,
- Women are not sufficiently informed about the existing funds, there are no clear criteria for allocation of funds.

Gender sensitive healthcare

- screening program for women's health is insufficient,

- idea that employers should let their female staff members have one day off per year for breast and cervical examinations should be promoted.

Gender-based violence

- There are no activities for work with perpetrators.

5 CONCLUSIONS AND RECOMMENDATIONS

5.1. CONCLUSIONS

| General conclusions |
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| <ul style="list-style-type: none">• APAGE has partially influenced the promotion of gender equality in Montenegro. |
| <ul style="list-style-type: none">• APAGE had shortcomings in participatory approach, and problems of end users are insufficiently articulated. |
| <ul style="list-style-type: none">• Most of the planned activities are implemented, but their effects cannot be measured. |
| <ul style="list-style-type: none">• Too many areas burden the APAGE so that it lacks clear sense of priorities or coherence. |
| <ul style="list-style-type: none">• The document was formulated without prior assessment of available budget. |
| <ul style="list-style-type: none">• Indicators are poorly defined, vague, numerically oriented and cannot be used for the description or analysis of achieved results. |
| <ul style="list-style-type: none">• The report format is confusing and bulky and does not contain sufficient number of useful indicators. |
| <ul style="list-style-type: none">• There is no assignment of responsibility for activities that have not been implemented. |

| Specific conclusions |
|--|
| <ul style="list-style-type: none">• Some stakeholders did not participate in the development of the APAGE, yet, the document defines their responsibilities/duties. |
| <ul style="list-style-type: none">• Most state bodies make insufficient efforts to make their staff more sensitive and integrate a gender perspective into all segments of work and the organizational climate. |
| <ul style="list-style-type: none">• Some objectives are not defined as “SMART” |
| <ul style="list-style-type: none">• Results and effects are almost impossible to measure because the document does not indicate the initial or the desired state.• Partners do not interpret the data into a single information that speaks about the achievement of objectives, due to their work overload they give priority to duties within their own institutions. |
| <ul style="list-style-type: none">• Interinstitutional cooperation on the implementation of APAGE activities is negligible. |

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| <ul style="list-style-type: none"> • The document is in large part based on a situation assessment that contains old and out-of-date data and information. |
| <ul style="list-style-type: none"> • APAGE measures and activities overlap with activities and measures from other strategic documents related to women's empowerment. |
| <ul style="list-style-type: none"> • There is no reporting on the use of donated and regular funds; sex-disaggregated data are not collected in a systematic manner. |
| <ul style="list-style-type: none"> • Some holders of activities and partners from different institutions are not recognized as such. |
| <ul style="list-style-type: none"> • Short deadlines for reporting on the implementation. |
| <ul style="list-style-type: none"> • There is no good dispersion of measures at the local level. |
| <ul style="list-style-type: none"> • Make efforts to increase the sustainability of the document. |
| <ul style="list-style-type: none"> • Maintain gender sensitivity of key factors in the implementation of the plan at the required level. |
| <ul style="list-style-type: none"> • There is an insufficient number of men dealing with gender equality, which makes this topic exclusively female and neglected by almost half of the population. |
| <ul style="list-style-type: none"> • Clearer distribution responsibilities in the gender equality department during all phases of APAGE. |

5.2 RECOMMENDATIONS

| Recommendations for the planning phase and drafting of a new document |
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| <ul style="list-style-type: none"> • Inquire into and define the beneficiaries' needs/problems/interests (direct and indirect). |
| <ul style="list-style-type: none"> • Conduct an analysis of gender needs and consult with beneficiaries in the early stages of a new document drafting. |
| <ul style="list-style-type: none"> • Assess the existing capacities for quality support of gender equality policy. |
| <ul style="list-style-type: none"> • The document's content, goals and activities should be responsive to the identified needs (mitigation/overcoming). |
| <ul style="list-style-type: none"> • Provide current data, information and analysis of the situation. |
| <ul style="list-style-type: none"> • Consult stakeholders and beneficiaries to define the vision and communication plan during the drafting phase. |

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| <ul style="list-style-type: none"> Analyse if priorities and objectives of the new document align with those in strategies and policies dealing with women's empowerment to ensure that there are no overlapping (horizontal alignment). |
| <ul style="list-style-type: none"> Ensure interdepartmental cooperation through regular communication, agreements and clear and timely distribution of responsibilities. |
| <ul style="list-style-type: none"> Take into account country's fiscal reality and harmonize activities with the budget preparation. |
| <ul style="list-style-type: none"> Introduce the principle of efficiency and rational planning in the new document, i.e. take into account the actual human, organizational, financial and material resources that are required for its implementation, follow-up, reporting and evaluation. |
| <ul style="list-style-type: none"> Involve civil society in the initial phase of drafting. |
| <ul style="list-style-type: none"> Develop a manual as a useful tool for participants in the new document. |
| <ul style="list-style-type: none"> Define clear responsibilities for those who implement it. |

Recommendations for the development phase

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| <ul style="list-style-type: none"> Reformulate the existing document and create a simpler one. To be more specific, it should take the form of the Program for improving the position of women with an Action Plan for two to three years, and focus on specific and solvable problems for the given period. It should include <i>smaller areas, fewer goals and fewer activities, but with an effect that can be demonstrated and measured.</i> |
| <ul style="list-style-type: none"> The new document should build up to the previous one, to strengthen sustainability. |
| <ul style="list-style-type: none"> Formulate indicators of the initial and desired state. |
| <ul style="list-style-type: none"> Adjust the indicators to goals and define them so that they can be used for the analytical interpretation of what has been achieved. |
| <ul style="list-style-type: none"> Define goals as "SMART". |
| <ul style="list-style-type: none"> Present the new strategy to all institutions to make sure that they are aware of its importance. |

Recommendations for the document monitoring phase

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| <ul style="list-style-type: none"> Define clear criteria for the selection of members of the Commission for Monitoring the Implementation of APAGE and make sure the gender balance is present. |
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- Develop an adequate Plan for monitoring the implementation of the new document.
- Adapt the document to changes in the context.
- Continuous communication with all key factors.

Recommendations for reporting on the implementation of measures and activities

- Plan reporting on the expenditures of donor and regular funds.
- Create a simple report form, such that each activity holder and partner can effectively adapt to it and use it.
- Initiate continuous and systematic collection of gender-based statistics.
- Assess the extent to which women and men, as well as girls and boys, have benefits from the APAGE;
- Extend the reporting deadline.

Recommendations for the document evaluation phase

- Plan resources and timeline for the evaluation.
- Develop evaluation methodology.
- Ensure wide availability of evaluation reports.

6. EXAMPLES OF INTERNATIONAL GOOD PRACTICE

6.1. Promoting gender equality and women's human rights

WORLD

Since the beginning of the ongoing coronavirus pandemic, there's been a lot of media attention paid to the relationship between female leaders at the helm of various nations and the effectiveness of their handling of the COVID-19 crisis. The actions of female leaders in Denmark, Finland, Germany, Iceland, Norway, Taiwan and New Zealand are cited as supporting evidence that women are managing the crisis better than their male counterparts. Resilience, pragmatism, benevolence, trust in collective common sense, mutual aid and humility are mentioned as common features of the success of these women leaders. It would be easy to conclude outright that women make better leaders than men. What if countries led by women are managing the pandemic more effectively not because they are women, but because the election of women is a reflection of societies where there is a greater presence of women in many positions of power, in all sectors? Greater involvement of women results in a broader perspective on the crisis, and paves the way for the deployment of richer and more complete solutions.

Let's see how this hypothesis holds up, based on the World Economic Forum's study on gender parity among countries that are members of the Organisation for Economic Co-operation and Development (OECD). Gender parity is measured in terms of the participation of men and women in society and the opportunities available to each gender in terms of access to health, education and employment, among others. The World Economic Forum's Global Gender Gap Report 2020 ranks countries in terms of their gender equality performance. Those that have fought the pandemic most effectively and are led by women rank high on the list. The report also shows those same countries rank high when it comes to having women on corporate boards. It therefore leads us to conclude that more egalitarian societies are better managed. Furthermore, a research entitled "Delivering through Diversity,"⁴⁰ by American consulting firm McKinsey, suggests that businesses with a more equitable gender balance perform better financially.

The challenges of the 21st century call for a new type of leadership, different from that based on command and control. These challenges include climate change, health, the environment, the depletion of the Earth's resources, the aging population and the shortage of talent, the virtual management of production and employee contributions and the development of new technologies. This new type of leadership primarily involves resilience, courage, flexibility, listening, empathy, collaboration, caring and recognition of collective contribution. The participation of everyone's intelligence becomes the key to success. These are all characteristics of traditionally feminine management.

⁴⁰https://www.mckinsey.com/%7E/media/McKinsey/Business%20Functions/Organization/Our%20Insights/Delivering%20through%20diversity/Delivering-through-diversity_full-report.ashx

6.2. Gender sensitive education and upbringing

NORWAY

The website of the Norwegian Ministry of Education and Research shows that responsibility for the implementation of gender equality lies in the hands of leaders of educational institutions⁴¹. This top-down approach has proven to be very successful. In addition to the clear distribution of responsibilities, it is important to develop and implement a plan aimed at eliminating discrimination in education for all vulnerable groups. Continuous work with teaching staff is essential for recognizing and eliminating entrenched gender stereotypes and patterns of behaviour. Similar activities on revision of gender equality related materials should follow with the management in educational institutions.

CROATIA

Research on the degree of competencies of teaching staff who teach gender equality within the school subject titled *Civil education*. Curriculum of this school subject was researched on the basis of the following discriminatory grounds: gender, marital status, family status, gender identity, gender expression and sexual orientation. As many as 38% of teachers in primary schools and 52% in secondary schools pointed out that they were not sufficiently prepared for lectures on gender equality, even though they had had professional training.⁴²

As in the case of Norway, it is necessary to train the teaching staff about gender equality at all levels of education.

Gender equality in economics

ICELAND

An example of good practices in economics comes from Iceland, a country with a long history of commitment to gender equality in law and practice. Iceland has a history of strong women's organization that has resulted to the widespread acceptance of feminism in society, shaping progressive government policies in gender discrimination and promotion of women's human rights. It is not a society where full gender equality has been achieved yet, but the social awareness of women's issues in this country is uniquely strong and has created environment for mobilization around feminist analyses of social, political and economic matters. This was especially evident in 2008 when the collapse of Iceland's banking system led to severe financial crisis. In the midst of this crisis, mass anti-government protests resulted in the appointment of a feminist government led by Jóhanna Sigurðardóttir and comprising mostly of women, including positions of ministers of economy and finance. The new administration, elected on a feminist platform that supported the Nordic welfare model, commissioned an analysis of the banking crisis. It was done with a purpose to examine the rationale of feminist criticism that identified masculine cultures of taking unlimited financial risk and neoliberal policies as the causes of the crisis. The analysis confirmed the above mentioned criticisms and highlighted the growing

⁴¹<http://www.regjeringen.no/en/dep/kd/Selected-topics/gender-equality-/gender-equality-in-comprehensive-educati.html?id=571283>

⁴²<http://www.prs.hr/attachments/article/1559/Istraživanje%20o%20eksperimentalnom%20provodenju%20građanskog%20odgoja%20i%20obrazovanja.pdf>

privatization of political power in the predominantly male elite belonging to the private sector whose actions caused the crisis.

This unconventional approach (to some extent) to the economic crisis is based on gender analysis and it focused on maintaining everything that has been achieved in gender equality in the process of economic recovery. The newly elected government combined temporary policies and executive decisions with mechanisms and measures for continuous data collection and monitoring, with the aim of preventing the disproportionate effects of the economic recovery process on women and vulnerable categories. During the period 2009-2013, the Government of Iceland introduced temporary measures to combat the transitional effects of the crisis on women and men. Under the pressure of covering the external debts of national banks and repaying loans to the IMF, the government had to make cuts in budget expenditures, such as health care, education and upbringing, social benefits... However, the budget proceeds were used strategically to ensure a nominal increase in basic unemployment benefits, social security benefits and disability pensions to care for those who were most affected by the cost reduction. The main beneficiaries were older women and women with disabilities. Women made up almost two-thirds of those seeking unemployment benefits. Furthermore, measures to protect low-income households and single-parent households were beneficial for women too, as they made up the majority in both categories.

At the same time, the government maintained its focus on long-term measures to promote gender equality. Some of them included the introduction of a gender budget, the appointment of gender equality experts in all ministries, the adoption of gender quotas on the boards of entrepreneurial companies, the adoption of action plans for gender equality, and measures to tackle gender-based violence. In addition, the government established a mechanism called *Welfare watch*, which initially operated from 2009 to 2013 in the Ministry of Social Welfare. It brought together experts from the government, the labour market, academia, the financial sector, teachers' unions, and civil society. Its role was to make the gender assessment of the most urgent matters of social welfare. The model was recognized as innovative and efficient, so it is now used as a model for the development of regional social security to monitor the welfare and ensure the sustainability of regional systems of social welfare. Even though these measures did not have a uniform effect, according to some estimates, and the question whether gender analysis and access to the crisis have profoundly affected economic recovery remains open, it may be said that the government's gender-sensitive response grew into wellbeing for women's rights that never go hand in hand with austerity measures. In addition, knowledge of the gender dimensions of the crisis and the effectiveness of responses were improved through monitoring and data collection. Policies taken in response to the crisis show not only an uncompromising commitment to gender equality, but also a specific contribution to a healthy and resilient society.

6.4. Gender sensitive health care

KENYA

A case of *160 girls* (2015) is the result of a joint initiative of advocates for human rights and organizations from Kenya, with the aim to protect minors from rape. The greatest reach of this project was to break down rooted opinion that victims of sexual violence do not have access to justice. The case was named after 160 girls who were placed in a safe house in the city of Meru in Kenya, and the whole project is a result of cooperation between the National Human Rights Commission in Kenya, FIDA in Kenya and the company Ripples International. The lawsuit with

160 girls was initiated before the Kenyan High Court at Meru, and was designed to provide access to justice for 160 girls who inspired the case, but also to guarantee legal protection against rape for all 10,000,000 girls in Kenya. The aim was to provide the legal means that will instruct the state to implement existing laws in Kenya, to support the legal provisions on equality from the 2010 Constitution for protection of girls from sexual violence, and to bring to justice not only the perpetrators, but all those who obstructed investigations too, and the detection of rapists.

This constitutional law claim was brought on behalf of eleven girls and the company Ripples International, which pointed to the failure of Kenyan police to conduct prompt, effective, proper and professional investigations into complaints of sexual abuse against the girls (defilement). The petition alleged that the Commissioner of Police/Inspector General of the Police, Director of Public Prosecutions, and Minister for Justice had violated several of the petitioners' rights under the Constitution of Kenya as well as international legal instruments, by failing to properly investigate defilement claims. The petition was filed on the International Day of the Girl Child on 11 October 2012.

The case was particularly strong because it represented the first constitutional petition under the provision of equality and the proceedings and outcome of the case had major implications not only for harassment and rape cases, but also for human rights in Kenya in general. The Court ordered the police to conduct proper investigations into the petitioners' complaints and other forms of sexual violence. The decision was revolutionary in addressing sexual violence and discrimination against girls, particularly because it pointed to the duties of the state. The court ruling still represents a revolutionary and historic breakthrough, and the Kenyan judiciary was praised for its progressive role in this decision and for recognizing and promoting the rights of girls (Equality Effect, 2015).

6.5. Gender-based violence⁴³

SWEDEN

In just five years Sweden has dramatically reduced the number of women in prostitution. In the capital city of Stockholm, the number of women in street prostitution has been reduced by two thirds, and the number of "customer" reduced by 80%. There are other major Swedish cities where street prostitution has all but disappeared. Gone too, for the most part, are the infamous Swedish brothels and massage parlours which proliferated during the last three decades of the twentieth century, when prostitution in Sweden was legal.

In addition, the number of foreign women now being trafficked into Sweden for prostitution is almost nil. The Swedish government estimates that in the last few years only 200 to 400 women and girls have been annually sex trafficked into Sweden, a figure that's negligible compared to the 15,000 to 17,000 females yearly sex trafficked into neighbouring Finland. No other country, nor any other social experiment, has come anywhere near Sweden's promising results.

By what complex formula has Sweden managed this feat? Amazingly, Sweden's strategy isn't complex at all. Its tenets, in fact, seem so simple and so firmly anchored in common sense as to immediately spark the question, "Why hasn't anyone tried this before?"

⁴³<http://www.atina.org.rs/sr/švedsko-rešenje-problema-prostitucije-zašto-niko-ovo-nije-već-pokušao>

In 1999, after years of research and study, Sweden passed legislation that a) criminalizes the buying of sex, and b) decriminalizes the selling of sex. The rationale behind this legislation is clearly stated in the government's literature on the law.

"In Sweden prostitution is regarded as an aspect of male violence against women and children. It is officially acknowledged as a form of exploitation of women and children and constitutes a significant social problem... gender equality will remain unattainable so long as men buy, sell, and exploit women and children by prostituting them."

In addition to the two-pronged legal strategy, a third and essential element of Sweden's prostitution legislation provides for ample and comprehensive social service funds aimed at helping any prostitute who wants to get out, and additional funds to educate the public. As such, Sweden's unique strategy treats prostitution as a form of violence against women in which the men who exploit by buying sex are criminalized, the mostly female prostitutes are treated as victims who need help, and the public is educated in order to counteract the historical male bias that has long stultified thinking on prostitution. To securely anchor their view in firm legal ground, Sweden's prostitution legislation was passed as part and parcel of the country's 1999 omnibus violence against women legislation.

Sweden's law enforcement community has found that the prostitution legislation benefits them in dealing with all sex crimes, particularly in enabling them to virtually wipe out the element of organized crime that plagues other countries where prostitution has been legalized or regulated.

6.6. - Gender equality in the media

SWEDEN

The Swedish Union of Journalists adopted an Action Program whereby the Union should provide an example of focused work towards equality. One of the roads to this goal is that each section, on every level, annually evaluates the impact of its promotion of gender equality and work against discrimination.

For the evaluation not to remain only a good intention, but to become a part of a regular routine, an "equality week" can be declared once a month, in which the media would promote successful women, cover the problems of women with disabilities, initiate women's health topics, etc.

The media union proved to be very important in that aspect, by actively promoting gender balance among elected officials, training journalists in awareness of gender issues and discrimination, providing statistics on wages and working conditions, and monitoring, supporting and providing research on gender equality and gender roles. This task is easily implemented through the design and distribution of a whole range of guidelines/manuals, as useful tools for various topics: guides to achieve gender equality step-by-step, guides on how to produce useful local wage statistics, and examples of how a concrete equality action plan can be designed...

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6.7. - Gender equality in culture

UNESCO RECOMMENDATIONS FOR INCLUDING A GENDER PERSPECTIVE IN THE CULTURAL SECTOR ⁴⁴

- Implementation of international conventions and declarations in the field of culture in line with other human rights instruments and in respect of gender equality and diversity;
- Systematic collection and dissemination by national statistical offices of sex-disaggregated data in all areas of the cultural sector;
- Gender-responsive policies and strategies in culture aiming at empowering all members of society, taking into account both the diversity of groups and individuals and the intersection of gender with other social factors likely to generate inequalities (class, race, disabilities, religion, ethnicity, age, etc.);
- Reinforcement of national institutional capacities to promote equal access to women and men to decision-making processes, financial resources and education in cultural fields;
- Training: leadership and mentoring activities for female creators and heritage professionals + gender balance at senior leadership levels in the cultural and creative sector;
- Campaigns against gender stereotypes and discrimination;
- Strategies promoting gender equality in culture inclusive of all members of society;
- Support interdisciplinary research on the topic which involves groups and communities concerned and considers the complexity and diversity of gender relations and the underlying power structures.

6.8. Equality in decision-making processes in political and public life

Canada

Canadian Prime Minister Justin Trudeau, who was sworn in on November 2015, named a young and ethnically diverse cabinet. Fulfilling his pre-election promise of gender parity, he appointed a ministerial team consisting of 15 women and 15 men. Many of the female ministers were given key roles, such as international trade, public services, international development, environment and climate change.

OSCE region

The introduction of legislated quotas has led to some of the most significant increases in women's political representation in the OSCE region. For example:

- Slovenia introduced a quota in 2005, which was followed by a rise from 12.2 per cent women MPs to 36.4 per cent.
- Albania's 2008 legislated quota saw a rise from 6.4 per cent in 2005 to 20.7 per cent ten years later.

⁴⁴<https://cultureactioneurope.org/files/2016/05/Gender-Inequalities-in-the-Cultural-Sector.pdf>

- Kyrgyzstan increased women's representation from 2 per cent in 2000 to 23 per cent in 2014, following the adoption of a 30 per cent quota for each gender on electoral lists in 2007;
- In 2011 Serbia introduced a 30 per cent party election list quota, followed by increases to 21.6 per cent in 2008, 32.4 per cent in 2012 and 34 per cent in 2014.

There are also (rare) examples, such as Iceland, one of top performing countries, that achieved steady increases, with occasional small setbacks, through the use of voluntary party quotas. Each party sets its own rules, but with all seeking at least 40 per cent of each gender on electoral lists and within party structures. In 1995, 25 per cent of its MPs were women, it reached a high of 43 per cent in 2009 and is now at 40 per cent.⁴⁵

⁴⁵ Compendium of Good Practices for Advancing Women's Political Participation in the OSCE Region, OSCE/ODIHR, Warsaw, 2016

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