

INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

MONTENEGRO

Support to the anti-discrimination and gender equality policies



Action summary

The Action will contribute to the protection, promotion and enforcement of human rights and equal opportunities. It addresses the need for a stronger implementation of the anti-discrimination and gender equality policies and standards and also aims at enhancing the system of protection of human rights of persons deprived of liberty.

It is expected from this Action that the Anti-discrimination framework is known, understood, and implemented especially towards Roma, Lesbian, Gay, Bisexual, Transgender and Intersex, Persons with disability, Women and minorities. In addition, an efficient and effective system for accomplishment of gender equality and women's empowerment standards will be established. Finally, the Action will enhance the system of protection of human rights of persons deprived of liberty.

Action Identification	
Action Programme Title	Annual Action Programme for Montenegro (2014)
Action Title	Support to the anti-discrimination and gender equality policies
Action Reference	IPA2014/037-803.8/ME/human rights
Sector Information	
IPA II Sector(s)	Rule of Law and Fundamental Rights
DAC Sector	15160
Budget	
Total cost	EUR 1.728 million
EU contribution	EUR 1.435 million
Management and Implementation	
Method of implementation	Direct management
<i>Direct management:</i> EU Delegation	EU Delegation to Montenegro
Implementation responsibilities	/
Location	
Zone benefiting from the action	Montenegro
Specific implementation area(s)	/
Timeline	
Deadline for conclusion of the Financing Agreement	At the latest by 31 December 2015
Contracting deadline	3 years following the date of conclusion of the Financing Agreement, with the exception of the cases listed under Article 189(2) Financial Regulation
End of operational implementation period	6 years following the date of conclusion of the Financing Agreement

1. RATIONALE

PROBLEM AND STAKEHOLDER ANALYSIS

Even though there is a good institutional and legislative framework for the protection and promotion of human rights and freedom in Montenegro, the practice shows that Roma, LGBTI population, women, persons with disabilities and elderly are still exposed to social marginalization and discrimination. Recently, anti-discrimination legislation has been changed, setting down a more precise mandates of the existing institutions within system of protection from discrimination (Law on Amendments to the Law against Discrimination adopted in 2014; Draft Law against Discrimination of Persons with Disabilities, draft Law on Amendments to the Law on the Protector of Human Rights and Freedoms and the Draft Law on Amendments to the Law on Gender Equality prepared for adoption).

In relation to this changes, there is evident need to further strengthen the capacity of the institutions, in terms of staff, resources etc., in order to be able to provide effective protection from discrimination.

At the same time, marginalized people are both poorly aware of their rights and institutional mechanisms for their protection or have mistrust in institutions. Practice showed that victims of discrimination prefer to address NGOs when they face any kind of discrimination based issues.

According to analyses and research¹, stereotypes, patriarchal way of thinking and lack of openness towards diversity is very strong, and more than a third of the population shows a discriminatory attitude.

Women still face different forms of discrimination in political, social and economic sphere where only 15% of women are MPs in the Parliament, only 8% of women are owners of properties while 9,6% business owners. Finally, domestic violence is widespread, with 33% of women exposed to it. Roma and Egyptians still live on the margins of society and further work is needed in the area of education, health protection, housing and employment. Persons with disabilities are also exposed to multiple discrimination and physical access to institutions remains one of the most evident problems.

The proposed support within the Action would bring a change in the perception of the general public, which perceives these institutions as not enough active in cases relating to the protection of the rights of the vulnerable and marginalized groups. In this way, the Ombudsperson's Office and Courts in Montenegro would be better prepared to implement international standards and national legislation and to cooperate more effectively between each other in protecting the rights of marginalised groups.

In the last few years, penitentiary system has gone through a comprehensive reform, including legislation and institutional changes, as well as capacity building and improvement of the conditions in prisons. Legislation novelties are being introduced in 2014. In July 2014, The Law on execution of suspended sentence and community work sentence was passed by the Parliament, introducing modern solutions in the system of execution of alternative sanctions. Also, it is expected that by the end of 2014. Law on execution of Imprisonment Sentence, a Fine and of Security Measures will be adopted. In 2014, alternative sanctions came to life and community work started for the first time. There is a

¹ "Situation report in the area of judicial reform and human rights, chapter 23 in Montenegro in the period from 10th October 2012 to 1st October 2013", carried out by NGO CEDEM, as well as the reports developed by the same NGO on the topic related to ethnic distances in Montenegro, and "Survey about Attitudes of Women in Politics (2012), Women Entrepreneurship in Montenegro (2012) and Domestic violence and Violence against Women in Montenegro (2011)" carried out by the Gender programme IPA 2010

strong need for modernisation in terms of space, living and working conditions of prisoners. The different units of prisons do not have the same standards in terms of capacities, work and other facilities. Further efforts were needed to improve prison conditions in line with the standards of the *Committee fo (CPT)* and the *case law of the European Court of Human Right* and in conformity with the *UN Standard Minimum Rules for Treatment of Prisoners*. A comprehensive analysis of existing space capacities would support the policy makers in the area of Justice in having a clearer picture of future investments in this area. Additionally, this measure would correspond to the measures 3.3.1.-3.3.27. of the *Action plan for Chapter 23*, which are referring to CPT Reports.

Having in mind the importance of the role of the National preventive mechanism, in accordance with the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), measures are necessary to further strengthen the capacities of Ombudsman to carry out its mandate independently and effectively, in particular given the expanded mandates and powers as the NPM.

Further steps should be taken in terms of reintegration and re-socialisation of offenders. It is important to improve some segments of treatment of sentenced persons while being in prison, and also connect phases of the overall treatment: court, penal and post-penal. Prison administration puts significant efforts to provide to convicted persons labour engagement during the serving of sentence, and this positive trend should be supported and continued in the future – by supporting the development and opening of new labour opportunities and facilities. Investments are also needed for technology and equipment. Cooperation with NGO sector is established primarily in the area of monitoring of human rights of prisoners. In other areas there is still space to upgrade cooperation or joint programs.

RELEVANCE WITH THE IPA II INDICATIVE STRATEGY PAPER (OR MULTI-COUNTRY STRATEGY PAPER) AND OTHER KEY REFERENCES

This Action responds to priorities in the *Indicative Strategy Paper for Montenegro (2014-2020)* (ISP), Part IV – EU Assistance during the period 2014-2020, 2. Rule of law and fundamental rights.

ISP states that the protection of fundamental rights is based on the Constitution which is accompanied with a comprehensive legislative framework on anti-discrimination. However, provisions still need to be aligned with the EU *acquis*, while the institutional framework for the protection of fundamental rights further face limited financial and human capacities. Discrimination is prevalent particularly against the Roma community, LGBTI persons, women and persons with disabilities.

Progress report Montenegro 2014 stresses out the significance of better defining of the Ombudsman as the National Preventive Mechanism which was done by amendments of the Law on Protector of Human Rights and Freedoms of Montenegro, as well as the need to improve the treatment of convicted persons and detainees in accordance with international standards. Report stresses out the importance of results achieved so far - execution of first alternative sanctions, implementation of urgent CPT recommendations, institutional setting for alternative sanctions, cooperation with civil society etc. Still, it emphasizes the lack of adequate infrastructure and programmes for the rehabilitation and re-socialisation of detainees, including drug addicts, needs also to be addressed, notably by providing adequate financial resources. These improvements should also address health protection in prisons.

SECTOR APPROACH ASSESSMENT

Action plan for Negotiating Chapters 23 and 24 defines the activities in the area of justice, and designated authorities sharing the responsibilities. Sector approach in terms of overall goals is necessary – obliging all relevant authorities.

Ministry of Justice is defined as the leading institution, but active participation of all relevant authorities is provided (Ministry of Interior, Ministry of Finance, Ministry of Human and Minority Rights, Supreme court of Montenegro, Supreme State Prosecutor's Office, Parliament of Montenegro, Judicial Training Centre and all the bodies in the composition of the ministries – Anti-discrimination Council, Ombudsman, Administration for Anti-corruption initiative, Administration for Execution of Criminal Sanctions, Police administration, Administration for Prevention of Money Laundering and Financing of Terrorism, Customs administration). Capacities within institutions are substantial, but could be additionally improved. Level of ownership is satisfactory, with highly recognized willingness for further capacity building and creating sustainable structure.

There is no sector budget, allocations are placed in the line ministries budgets. The classification of the Budget is determined by the *Uniform Classification Rulebook and Chart of Accounts*. Budget expenditures are presented through the organizational, program, project, economic and functional (COFOG) classification. The total budget documentation is a legal part of the budget and justification of the budget expenditures.

LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

In the area of anti-discrimination, this Action will take into account results, achievements and lessons learned from other IPA programs, as well as from programs, projects and actions that were previously supported by various international organizations, development agencies and donors (UN agencies, OSCE, HELP, FOSI, etc.), as well as by various NGO projects supported through European Instrument for Human Rights and Democracy (EIDHR) and Civil Society Facility since 2008. In the penitentiary area, the measures and results defined in the Action will complement to the results made through EU assistance projects which were implemented in Montenegro since 2011. For more details please see Annex 2.

2. INTERVENTION LOGIC

LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	
To ensure that fundamental human rights have been protected and promoted in compliance with international standards	Progress made towards meeting accession criteria	EC Progress Report	
SPECIFIC OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	ASSUMPTIONS
To improve legal and institutional framework for protection from discrimination, enhancing the overall protection of human rights and equal opportunities, specifically focusing on the implementation of the anti-discrimination and gender equality policies	<p>% of fulfilled objectives of the strategic frameworks regarding anti-discrimination</p> <p>Change of perceptions on benefits and challenges of diversity within society</p>	<p>EC Progress Report</p> <p>Action Plan for Implementation of the Strategy for Accession of Montenegro to EU, Chapter 23, Judiciary and Fundamental Rights and Freedoms</p>	<p>Efficient implementation of the new legislation related to anti-discrimination</p> <p>Established horizontal coordination between relevant ministries</p> <p>Capacities of the Ministry of Human and Minority Rights enhanced</p> <p>Capacities of Ombudsman enhanced</p>
RESULTS	OBJECTIVELY VERIFIABLE INDICATORS (OVI)	SOURCES OF VERIFICATION	ASSUMPTIONS
<p>Result 1: Anti-discrimination framework is known, understood, and implemented especially towards Roma, LGBTI, Persons with disability, Women and minorities,</p> <p>Result 2: An efficient and effective system for accomplishment of gender equality and women's empowerment standards is established</p>	<p>Change in attitude of the general public and institutional staff with regard to all aspects of discrimination improved</p> <p>Number of discrimination cases processed, number of convictions</p> <p>% of fulfilment of National Action Plan for Gender Equality targeted goals in segments of women's empowerment in economy, decision making and domestic violence</p>	<p>Periodic KAP surveys and monitoring data for media reporting</p> <p>Ombudsman Annual Reports</p> <p>Reports by Montenegrin Government to the EU</p> <p>EC Progress Reports</p> <p>CEDAW Reports</p> <p>State Prosecution reports and Judicial</p>	<p>Created positive trend within relevant institutions and stakeholders regarding implementation of human-rights commitments.</p> <p>Implementation of recommendations from Progress Reports and AP 23 commitments regarding antidiscrimination</p> <p>Full implementation of the AP 23 measures related to the prison system</p>

<p>Result 3: The system of protection of human rights of persons deprived of liberty is enhanced</p>	<p>Unified standard for all units of the prison developed</p> <p>Increased number of abuses to persons deprived of liberty detected and followed up</p>	<p>Council annual reports</p>	
ACTIVITIES	MEANS	OVERALL COST	ASSUMPTIONS
<p>R.1 – A.1: Two perception surveys (one at the beginning and one at the end of the Action, with special focus on qualitative research with focus groups representing the most vulnerable groups) to assess the discriminatory patterns and stereotypes of citizens, the influence of media, as well as the level of awareness of citizens about the legislative and institutional measures for protection from discrimination and their trust in institutions implementing anti-discrimination policies) –UNDP co-financing contribution in amount of EUR 73.000</p> <p>R.1 – A.2: Campaigns aimed to raising awareness of target audiences (identified within the Activity R.1-A.1 as the audiences with the most discriminatory behaviour) with regard to anti-discrimination standards and policies</p> <p>R.1 – A.3: Independent monitoring (by NGOs) of implementation of anti-discrimination policies and standards by institutions</p> <p>R.1 – A.4: Two analyses of media reporting on discrimination cases (one at the beginning and one at the end of the Action) to assess the role of media in changing the discriminatory patterns and stereotypes of citizens (based on findings and recommendations of the perception surveys in Activity R.1-A.1 and inputs from NGOs representing vulnerable/discriminated groups)</p> <p>R.1 – A.5: Capacity building in the Judiciary and Law enforcement authorities, Constitutional court and Ombudsman – provide trainings and study visits for judges and prosecutors, as well as members of the police/Ministry of Interior, in order to implement the national anti-discrimination framework in line with international human rights standards</p> <p>R.1 – A.6: Trainings, study visits and conferences for the Judiciary and Law enforcement authorities on terms of CoE and UN standards, Law on Protect of Human Rights and Freedoms, and the topics of evolution of criminal legislation in Montenegro and hate crime, violence in the family, European Convention on Human Rights, with special attention to right to effective remedy from the art. 13 of the ECHR.</p> <p>R.2 – A.1: Two assessments of the legal and institutional gaps disabling effective and efficient institutional protection from violence against women and violence in family (one at the beginning and one at the end of the action)</p> <p>R.2 – A.2: Capacity development programs/trainings/study visits for professionals (police, prosecutors, judges, social workers, SOS lines) implementing the Law on Protection from</p>	<p>This Action will be implemented in direct management, through parallel co-financing modality, through two direct grants to the international organizations</p>	<p>EUR 1 728 000</p>	<p>Ensured participatory process of all stakeholders in planning and implementation of activities</p> <p>Adoption of all bylaws related to Law on Social and Child Protection</p> <p>Relevant authorities have sufficient staff and adequate budget.</p> <p>All stakeholders jointly work towards full implementation of project outputs and recommendations</p> <p>Active engagement of the Parliamentary Committee for Gender Equality in overseeing the implementation of gender-related policies</p> <p>Strategy for Development of Women's</p>

<p>Violence in Family (based on the main findings and recommendations of the assessment 2.1.)</p> <p>R.2 – A.3: Independent (NGO) monitoring of the institutional response to violence through case studies (based on the assessment 2.1)</p> <p>R.2 – A.4: Programs for economic empowerment of local women from 3 pilot municipalities (trainings, networking, mentorship, support for setting up the start-up businesses)</p> <p>R.2 – A.5: Programs for political empowerment of women (establishment of women’s political network/caucus in Parliament, tailored training programs, mentorship with European Parliament and Western Balkan sister parties and sister Parliamentarian Committees)</p> <p>R.2 – A.6: Awareness raising campaigns aimed at raising understanding of the main problems related to women</p> <p>R.3 – A.1: Assessment of the existing capacities of the prison facilities</p> <p>R.3 – A.2: Develop model of standardization of existing capacities (including security aspects)</p> <p>R.3 – A.3: Capacity building and training of NPM in terms the coordination, monitoring and implementation of international standards regarding prevention of torture. Conference on the topic of NPM. Study visits</p> <p>R.3 – A.4: Campaigns aimed to raising awareness of society with regard to CoE Human Rights standards</p>			<p>Entrepreneurship adopted by the Government; Political parties committed to gender equality and interested in capacity development</p> <p>Media opened for cooperation and interested to join awareness raising campaigns.</p>
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ADDITIONAL DESCRIPTION

This Action document relates to the establishment of the modern and efficient system of protection and promotion of Human Rights, with strong institutional and administrative capacities. This is a key priority of Montenegro in the process of negotiation within the Chapter 23 and 24.

The overall Action will aim to:

- 1) Decrease the level of discrimination in Montenegro through raising awareness of the general population on human rights of marginalized groups, as well as raising the level of information among the discriminated about their rights and instruments for protection, in accordance with the new legislation;
- 2) Raise understanding, knowledge and commitment of civil servants, police, judiciary members and politicians to work in accordance with EU and international human rights standards, and to offer more effective protection and services to people who are victims of any kind of discrimination. Specific activities will be developed to reinforce the capacity building for judiciary and law enforcement on the implementation of the anti-discrimination and ombudsman laws and the newly adopted amendments to the criminal code regarding hate crime;
- 3) Contribute to capacity building of the Ministry for Human and Minority Rights to coordinate activities related to anti-discrimination and gender equality with other relevant national and local institutions – line Ministries, Ombudsman, Parliament and local governments, as well as NGOs and media;
- 4) Contribute to more effective multi-disciplinary and inter-institutional response to discrimination, through strengthening mechanisms for cooperation among institutions in charge of anti-discrimination;
- 5) Empower target groups (Roma, LGBTI, people with disabilities and women) at the local level to participate in political and economic decision-making;
- 6) Strengthen capacities of NGOs to influence anti-discrimination policies through evidence-based monitoring;
- 7) Eliminate harmful practices such as unequal opportunities for women in the spheres of employment, decision making and political participation and domestic violence.
- 8) Provide comprehensive analysis of existing space capacities of prison complex in the light of standards in EU countries, with recommendations
- 9) Support the Ombudsman as the National preventive mechanism in efficient performing of its functions

The proposed Action is set in accordance with a number of strategic documents, on-going initiatives and national priorities. It directly responds to the issues that are identified in *ISP* and the *Montenegro 2013 Progress report*. The overall objective is to achieve compliance with International HR standards, and EU requirements in the field of Chapter 23. Result 1 is based on the *Action Plan for Chapter 23 Judiciary and Fundamental Rights* and it is designed to support the change of public perception and stereotypes related to marginalized groups, as well as to raise awareness of citizens about the legal and institutional framework for protection from discrimination. Also, Result 1 is expected to contribute to harmonization of Montenegrin legislation and practice with international documents and EU and UN

standards and to strengthening of all institutions which are in charge of anti-discrimination, to implement the new *Law on Anti-discrimination*. Activities planned within the Action will support the judiciary in constant upgrading in terms of ECHR standards, as well as in establishing track record of effective legal remedy in line with Article 13 of the European Convention on Human Rights, in line with interim benchmarks for Chapter 23. Result 1.1 would focus on capacity building of Judiciary, Law enforcement authorities, Ombudsman and Constitutional Court to effectively implement Fundamental rights standards. Result 2 also responds to goals of the *Action Plan for Chapter 23 and Gender Equality Strategy 2013-2017* that calls for more effective implementation of gender equality standards by relevant institutions. The special attention within the Result 2 is given to the most problematic areas like violence against women and violence in family, as well as the problem of underrepresentation of women in economy and in political decision-making, and it builds directly on the achievements and lessons learned of IPA 2010 *Gender Programme*, as described previously. Regarding Result 3, Technical assistance that would perform complex analysis of system for execution of criminal sanction should support Montenegro in further policy development that would correspond to EU, CPT, UN standards of prison. Implementation of the measures set out in the Action plan for negotiation Chapter 23 related to prison will improve legislation, train staff for new adopted solutions, implement best practices in prisons, preparing for release, promote alternative sanctions etc. This intervention will focus on providing Study on existing capacities with comparison to EU member states and recommendations to upgrade existing capacity. In the same time, this document should support the policy makers in this area in designing the clear picture of future investments in this area. Action would also support the Ombudsman as NPM to effectively perform his competences.

The final beneficiaries of the Action are the marginalized groups and institutions responsible for implementation of the anti-discrimination policies, particularly gender equality standards and good practices. In a wider sense, given the fact that the Action targets the problem of negative attitude of 39% of citizens towards the marginalized groups, the whole population of Montenegro is seen as the beneficiary of the Action.

3. IMPLEMENTATION ARRANGEMENTS

ROLES AND RESPONSIBILITIES

Ministry for Human and Minority Rights has been mandated to develop legal frameworks and provisions as well as to “ensure practical implementation of non-discrimination” and “practical implementation of gender equality in practice” (*AP 23. 3.6.1, 3.6.2 and 3.6.3*) where increased horizontal coordination with other relevant stakeholders in the Government, local governance, CSOs and other actors is required. In that sense main partners to Ministry for Human and Minority Rights in implementation of this Action will be following institutions: Ministry of Social Welfare and Labour; Ministry of Interior; Police; Ministry of Education; Ministry of Culture; Ministry of Economy and Directorate for Small and Medium Enterprises; Ombudsman, Anti-discrimination Council, Parliament, local self-governances; Media Self-regulatory body, media, NGOs and University. Coordination between the relevant stakeholders will be ensured through Action management structure as well as coordination mechanism used so far through Gender Programme IPA 2010 as good practice. The Steering Committee will gather relevant stakeholders for the implementation of the AP 23 Act 361&362 where the Ministry of Human and Minority Rights, Ministry of Justice, Ministry of Foreign Affairs and EU integrations will take part in overall management. At the same time, an Advisory Team will be established around each component which will gather all relevant actors for the implementation of each component providing forum for dialogue and information smooth flow.

UNDP has a long-term experience in cooperating with the Government in the area of social inclusion and protection of human rights. Also, UNDP successfully performs its role of being the catalyst in building the trust and cooperation among different stakeholders, including the Parliament, Government, judiciary and the civil society. On the other side, UNDP intensively works on

strengthening institutional and human capacities of stakeholders to implement human rights standards. For example, the two IPA projects have been successfully implemented by Ministry for Human and Minority Rights, Ministry of Labour and Social Welfare and UNDP in the period 2011-2014 (Gender Programme and Social Welfare Reform Programme).

Within the EU integration process, the Ministry of Justice has a leading role in relation to Chapter 23 of the *acquis*. Additionally, the area of execution of criminal sanctions is in the competence of the Ministry of Justice. Council of Europe has an extensive experience in the area of promotion and protection of human rights and thus their involvement is an added value to this project.

IMPLEMENTATION METHOD(S) AND TYPE(S) OF FINANCING

This Action will be implemented in direct management, through parallel co-financing modality (UNDP and CoE). Total value of the Action is EUR 1 728 000 while EU contribution is EUR 1 435 000 (EUR 700.000 CoE and EUR 735 000 UNDP). The co-financing from Montenegro will be parallel co-financing of EUR 293 000 (EUR 73 000 UNDP; EUR 70 000 CoE; EUR 150 000 national co-financing of Montenegro) and is separate from the EU contribution.

4. PERFORMANCE MEASUREMENT

METHODOLOGY FOR MONITORING (AND EVALUATION)

Monitoring and evaluation of the implementation of this Action will be conducted in accordance with the rules of direct management and respecting the requirements and provisions of IPA II regulations and those that will be laid down in the Framework Agreement and in respective the Financing Agreement. Achieving of the Action results will be regularly monitored by the EU Delegation to Montenegro and National IPA Coordinator.

Implementation of this Action will be subject of special attention of Sectoral Monitoring Committee and IPA Monitoring Committee which shall measure progress in relation to achieving the objectives of the actions and their expected outputs, results and impact by means of indicators related to a baseline situation, as well as progress with regard to financial execution. The Sectoral Monitoring Committee will report to the IPA Monitoring Committee and will make proposals on any corrective action to ensure the achievement of the objectives of the action and enhance its efficiency, effectiveness, impact and sustainability.

Moreover, in accordance with Article 8 of the Commission Implementing Regulation (EU) No. 447/2014, NIPAC shall take measures to ensure that the objectives set out in the Action are appropriately addressed during the implementation of EU assistance. Procedures for implementing monitoring activities will be set out in the revised Manuals of Procedures aligned with new IPA regulations. Best practices from the monitoring of implementation of previous actions and recommendations given by external monitoring in this sector will be also taken into consideration.

This action shall be subject to evaluations, in accordance with Article 30(4) of Regulation (EU, EURATOM) No. 966/2012 and with Article 22 of the Commission Implementing Regulation (EU) No. 447/2014. The results of evaluations shall be taken into account by the IPA Monitoring Committee and the Sectoral Monitoring Committee.

INDICATOR MEASUREMENT

INDICATOR	DESCRIPTION	BASELINE (2010/2011)	LAST (2013)	MILESTONE 2017	TARGET 2020	SOURCE OF INFORMATION
ACTION OUTCOME INDICATOR 1: STRATEGIC FRAMEWORK	% of Fulfilled objectives of the Strategic frameworks regarding anti-discrimination,	No strategic framework	Majority of strategic documents/laws adopted	30% of objectives defined by strategic frameworks implemented	90% of objectives defined by strategic frameworks implemented	EC Progress Report Action Plan for Implementation of the Strategy for Accession of Montenegro to EU, Chapter 23, Judiciary and Fundamental Rights and Freedoms
ACTION OUTCOME INDICATOR 2: CHANGING OF GENERAL PERCEPTION	Perceptions on benefits and challenges of diversity within society, changed among general population	No perception surveys nor assessments	No perception surveys nor assessments	20% improvement	40% improvement	EC Progress Report Action Plan for Implementation of the Strategy for Accession of Montenegro to EU, Chapter 23, Judiciary and Fundamental Rights and Freedoms
ACTION OUTPUT INDICATOR 1.1: IMPROVEMENTS IN CHANGING ATTITUDE TOWARDS DISCRIMINATION	Change in attitude of the general public and institutional staff with regard to all aspects of discrimination improved	No perception surveys nor assessments	No perception surveys nor assessments	20% improvement	40% improvement	Periodic KAP surveys and monitoring data for media reporting
ACTION OUTPUT INDICATOR 1.2: STATISTICS	Number of discrimination cases processed, number of convictions,	0	59 discrimination cases processed, 86,44% of discrimination cases completed by Ombudsman	Increase of 15% of processed and completed discrimination cases by Ombudsman	Increase of additional 15 % of processed and completed discrimination cases by Ombudsman	Annual Ombudsman's Report State Prosecution reports and Judicial Council annual reports
ACTION OUTPUT INDICATOR 2.1: QUALITY ASSESSMENT	Quality of institutional services assessed by victims and by NGOs	33% of citizens seeking for institutional support	33% of citizens seeking for institutional support	Increase of 10% of citizens seeking institutional support	Increase of additional 10% of citizens seeking for institutional support	Reports by Montenegrin Government to the EU Progress Reports
ACTION OUTPUT INDICATOR 2.2: STATISTICS IN ENTREPRENEURSHIP	Number of women entrepreneurs, politicians and reported cases of domestic violence/ of supported through women entrepreneurship	11% of women in the national Parliament 6% of women entrepreneurs	14,8 % of women in the national Parliament 9,6% of women entrepreneurs	12% of women entrepreneurs 30% of women in the national and local Parliaments	40% of women in the national and local parliaments 20% of women entrepreneurs	Ministry of Labour and Social Welfare CEDAW report National Gender Action Plan monitoring report by Monitoring Commission
ACTION OUTPUT INDICATOR 3.1: UNIFICATION OF PRISON STANDARDS	Unified standard for all units of the prison developed	Justice Reform Strategy 2007-2012, XI Prison system Action plan for Improvement of Prison system (2011)	Adaptation of investigation prison in 2013	Strategy for standardisation of penitentiary facilities developed, with budget allocated and necessary	Construction works	Reports by Montenegrin Government to the EU Statistical reports on prison population (MoJ)

INDICATOR	DESCRIPTION	BASELINE (2010/2011)	LAST (2013)	MILESTONE 2017	TARGET 2020	SOURCE OF INFORMATION
				resources		
ACTION OUTPUT INDICATOR 3.2: PENITENTIARY STATISTICS	Increased number of abuses to persons deprived of liberty detected and followed up	Justice Reform Strategy 2007-2012, XI Prison system Action plan for Improvement of Prison system (2011) Statistics of Ombudsman	Equipping the ambulance and dressing-station in The Administration for Execution of Criminal Sanctions Adaptation of the room for juveniles, room for disabled persons and of the premises for the prison staff	Full implementation of Section 3.3. (3.3.1.-3.3.27) of the Action plan for Chapter 23 (Justice, freedom and Security)	Full compliance with CPT recommendations Number of NPM visits increased	Ministry of Justice report Ombudsman report CPT Report

5. CROSS-CUTTING ISSUES

ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)

This Action will support implementation of MDG3 and will specifically look into gender dimensions of local entrepreneurship development in the context of understanding and determining different vulnerabilities and capacities to deal with environmental degradation and climate change.

In relation to this, the Action will pay special attention to most discriminated groups such as Roma, LGBTI (Lesbian, Gay, Bisexual, Transgender and Intersex), people with disability and women. Experience shows that the resiliency of households and communities depends greatly on the resiliency of women from all social groups. Therefore, information on existing engendered and human rights based environmental policies will be shared through work with women, vulnerable groups, political parties and relevant stakeholders.

ENGAGEMENT WITH CIVIL SOCIETY (AND IF RELEVANT OTHER NON-STATE STAKEHOLDERS)

Due to the Action's complexity, the Action will gather a wide range of experts and activists from civil society in order to meet the strategic demands and maximize the Action impact. Participation of the civil society in design and implementation of the Action will have different forms. One of them is establishment of strategic partnership with NGOs and media, especially within the Action components related to awareness raising campaigns, in order to secure a maximum social impact and coverage of campaigns through synergy of all actors. In some of the Action components related to gender equality, NGOs will be the target group for trainings aimed at raising their capacity and expertise to monitor the work of institutions and to advocate for more effective implementation of standards. Also, in order to secure full legitimacy, as well as the wide participation of diverse social groups in the design and implementation of the Action, Advisory Teams will be established within each of the Action components. These bodies will consist of prominent experts and activists in the field, both from national and local institutions and civil society, who will work on voluntary bases.

Civil society is highly recognised partner in the reform of Penitentiary system therefore it should be involved in the implementation of activities related to Result 3.

EQUAL OPPORTUNITIES AND GENDER MAINSTREAMING

One of the main components of the Project deals precisely with rights of all vulnerable groups to have equal access to rights and Justice. The goal is to remove obstacles in functioning of institutions responsible for anti-discrimination in order to strengthen the principle of equal opportunities for all citizens of Montenegro. The focus of the Action is upgrading of the level of public understanding and support to anti-discrimination, equal opportunities for all and for more effective implementation of policies and standards in this area. It will be done through various activities for empowerment of position of vulnerable groups – Roma and Egyptians, people with disabilities, LGBTI, women, but it will also include leaders and decision-makers from the area of politics, economy, culture, media, civil society, etc. as main supporters of the social change.

MINORITIES AND VULNERABLE GROUPS

The Action directly addresses the discrimination of marginalized social groups - Roma community, LGBTI population, women and persons with disabilities. The Action interventions are designed to raise awareness of citizens about the destructive effects of stereotypes and discrimination and to empower the marginalized groups to stand for their rights. Gender equality is also in focus, given the fact that women are exposed to multiple types of social and institutional discrimination.

6. SUSTAINABILITY

The Action will promote non-discriminatory legal and policy frameworks and institutional capacities aiming to strengthen institutional service delivery and human rights protection by building skills and capacities of professionals and NGOs, affecting public perception and discriminatory patterns by creating an unbiased social environment for years to come, which will provide long-term sustainability well beyond the scope of the project. To sustain process of social change, a critical mass of people is needed to share the same values, pursues the same objectives, and to be equipped with the necessary knowledge and skills. To move in this direction, groups outside the national government need to get more attention, including local level officials, researchers, civil society groups and private sector representative to ensure their continuous contribution towards sustainable development. This Action will employ 3 full time junior consultants for the period of three years investing effort to influence up to 500 primary decision makers at national and local levels and more than additional 500 stakeholders in identified institutions at national and local levels. In addition, awareness raising campaigns and targeted educational activities are expected to reach at least 50% of Montenegrin society where critical mass of population will be tackled in terms of perceptions and values change.

The Action is designed to target disadvantaged population needs but also policymakers and executive institutions, assessing their knowledge and perceptions based on which needs-based policy interventions will be developed in accordance with international commitments and best practices. The Action will look into specific institutional capacities and abilities to convert these policies into services of value for their citizens, fulfilling their functions on a permanent basis with decreasing levels of external support.

7. COMMUNICATION AND VISIBILITY

Communication and visibility will be given high importance during the implementation of the Action.

The implementation of the communication activities shall be the responsibility of the beneficiary, and shall be funded from the amounts allocated to the Action.

All necessary measures will be taken to publicise the fact that the Action has received funding from the EU in line with the Communication and Visibility Manual for EU External Actions.

Visibility and communication actions shall demonstrate how the intervention contributes to the agreed programme objectives and the accession process. Actions shall be aimed at strengthening general public awareness and support of interventions financed and the objectives pursued. The actions shall aim at highlighting to the relevant target audiences the added value and impact of the EU's interventions. Visibility actions should also promote transparency and accountability on the use of funds.

It is the responsibility of the beneficiary to keep the EU Delegation fully informed of the planning and implementation of the specific visibility and communication activities.

The beneficiary shall report on its visibility and communication actions in the report submitted to the IPA monitoring committee and the sectoral monitoring committees.

Antidiscrimination and gender equality action document will provide detailed communication and visibility plans attached to each of the envisaged activity through the following communication tools: press releases, media conferences, media reporting, awareness raising and information sharing campaigns, social media, and promotional material.

LIST OF ANNEXES

- 1. Description of previous financial assistance.**

ANNEX 1

Description of previous financial assistance

With regards to Result 2 – gender equality, this Action will be directly built on achievements and lessons learnt from the Gender Programme IPA 2010 (implementing period March 2011 - December 2014). So far, the main results of this Programme were: support to introduction of 30% quota for women in the Election Law, strengthening of women's political potential through support in establishment of women's political groups, tailored training programs at national and local level that resulted with increased number of women in the Parliament from 11% in 2010 to 16% in 2013. In the sphere of violence, the Programme supported the establishment of multidisciplinary teams for domestic violence and raised capacities of 350 professionals from the police, social centres, judiciary, health institutions and NGOs from 21 municipalities. In the economic sphere, 120 women from 4 pilot municipalities were trained in entrepreneurial skills, 54 developed business plans, 18 established Association of Entrepreneurs and till now 2 have registered their own businesses.

With regards to Result 3, this action would contribute to results made with the support of EU during implementation of Framework contract *Support the reform of the penitentiary system* that was implemented in 2011, and of IPA 2011 Twinning project *Support penitentiary reform in Montenegro* which started on January 2013. Results of the Project were in 3 segments. In the context of upgrading legal and regulatory framework for the execution of criminal sanctions in line with EU standards and best practices (beside support of drafting of crucial laws and secondary legislation, over 40 prosecutors and judges received training on the new legal/regulatory framework. In the context of strengthening the probation and reintegration service, IPA 2011 Twinning project supported establishing of the Probation office in Podgorica, delivered training of probation officers, supported execution of first community service sentences, developing of Code of ethics, Code of Conduct and the Handbook for probation officers etc. In terms of improving the prison management system, 17 training courses on prison management were delivered to over 70 prison officers, Handbook for measuring Prison Administration's progress was prepared and adopted, the Guidebook for convicted persons containing information about relevant services was prepared, etc.

Also, the Project should complement to the results of the EU/CoE joint project *Support to the Ombudsman Office and the Constitutional Court of Montenegro in applying European human rights standards (SOCCER)* which started on 14 August 2014.