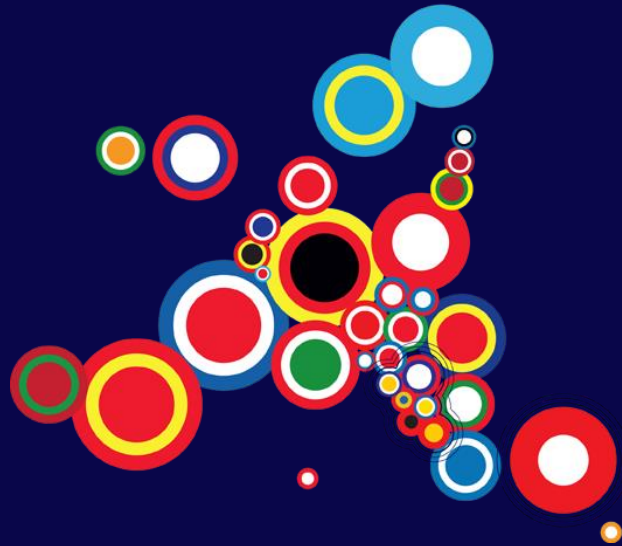




INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

MONTENEGRO

Civil Society Facility and Media Programme 2016- 2017



Action summary

This programme will improve the level and quality of participation of civil society organisations throughout the Montenegrin policy-making processes.

This will be achieved through the promotion of an enabling environment that is conducive to civil society activities and building their capacity to be credible, effective, accountable and independent actors.

The action shall contribute to strengthening civil society organisations' long-term strategic development and fund-raising abilities outside the framework of EU accession funding.

The intervention will also improve the cooperation and dialogue between the civil society and the government, as well as reinforce civic participation in public policy processes. It will also give incentives toward fostering stable and transparent procedures in the area of decentralised management and give rise to improved conducive financial environment in the area of public funding.

These achievements will benefit Montenegrin citizens first, but also the civil society and the government on their European path as all are key stakeholders of the European integration process.

Action Identification	
Action Programme Title	Civil Society Facility and Media 2016-2017
Action Title	Civil Society Facility and Media, Action for Montenegro 2016-2017
Action ID	IPA 2016/038-960.06/CSF & Media/Montenegro IPA 2017/038-961.06/CSF & Media/Montenegro
Sector Information	
IPA II Sector	Good governance and democracy – sub-sector civil society
DAC Sector	15150 – Democratic participation and civil society 15153 – Media and free flow of information
Budget	
Total cost	2016: EUR 2.75 million 2017: EUR 1.6 million
EU contribution	2016: EUR 2.5 million 2017: EUR 1.5 million
Budget line(s)	22.020401
Management and Implementation	
Management mode	<i>Direct</i>
<i>Direct management:</i>	<i>Delegation of the European Union to Montenegro</i>
Implementation responsibilities	<i>N/A</i>
Location	
Zone benefiting from the action	<i>Montenegro</i>
Specific implementation area(s)	<i>N/A</i>
Timeline	
Final date for concluding Financing Agreement(s) with IPA II beneficiary	<i>N/A</i>
Final date for concluding delegation agreements under indirect management	<i>N/A</i>
Final date for concluding procurement and grant contracts	IPA 2016: 31 December 2017 IPA 2017: 31 December 2018
Final date for operational implementation	IPA 2016: 31 December 2021 IPA 2017: 31 December 2022

Final date for implementing the Financing Agreement (date by which this programme should be de-committed and closed)	N/A		
Policy objectives / Markers (DAC form)			
General policy objective	Not targeted	Significant objective	Main objective
Participation development/good governance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aid to environment	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender equality (including Women In Development)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trade Development	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Reproductive, Maternal, New born and child health	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RIO Convention markers	Not targeted	Significant objective	Main objective
Biological diversity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Combat desertification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change mitigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Climate change adaptation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

1. RATIONALE

PROBLEM AND STAKEHOLDER ANALYSIS

The EU provides the bulk of its financial and technical assistance to the Montenegrin civil society through the Civil Society Facility (thereafter CSF). Other sources of funding, which are used by a variety of local civil society organisations, include the cross-border cooperation IPA component.¹ In its various strategic and policy documents, the European Commission has continued to underline the importance of the role civil society actors can play in a participatory liberal democracy and particularly the added-value it brings to IPA beneficiaries. The development of a thriving civil society remains a key dimension of pre-accession assistance, as civil society organisations (thereafter CSOs) continuously require support to strengthen their capacities, improve their professionalism and expand their networks within and beyond the Montenegrin borders. The number one priority is therefore to continue to support the establishment of a sustainable conducive environment that promotes CSO operations, in line with the "Guidelines for EU support to civil society in enlargement countries, 2014-2020" as well as the "Guidelines for EU support to media freedom and media integrity in the enlargement countries, 2014-2020".

At the time of drafting this document, the previous CSF programme (2014-2015) is to a large extent being implemented with technical assistance to the development of institutional mechanisms of cooperation between the government and the CSO, as well as a Call for proposals to provide financial support to a wide spectrum of Montenegrin CSOs, covering a variety of sectors, with a particular focus on capacity building of smaller CSOs including through increased implementation of re-granting schemes in remote areas of the country.

The Law on NGOs that was adopted in 2011, is currently being amended. In particular, the government aims to enhance the public funding legal framework, which failed to bring about the expected impact with the previously proposed mechanisms. Civil society representatives have also been lobbying for an increase of public funds available to CSOs, based on a fixed percentage prescribed by the law, as well as for more transparent procedures regarding the award of grants by state authorities. Regrettably, the Council for Development of NGOs failed to take a decisive and more active role in the entire process, and this may be partially explained by the fact that the Council still lacks the necessary technical capacity to be a powerful actor on the civil society stage (*see Sector Approach Assessment for more details*).

It is not possible to estimate the exact number of active NGOs, but it is agreed by most stakeholders that only a fraction of the number of formally registered organisations regularly implement activities and lead relevant professional projects. As of April 2015, 3589 non-governmental organisations (NGOs) were registered² in Montenegro, of which 3376 non-governmental associations, 114 foundations and 99 representative foreign NGO offices. Most of these are inactive, as illustrated by the fact that only 968 NGOs submitted obligatory financial reports to the Tax Administration in 2012³. Moreover, there are still no available statistics with regard to employees and volunteers in the civil society sector. The Ministry of Interior continues to be in charge of the formal registration of NGOs and keeping the NGO registry up to date, which can be accessed online⁴.

The EU Delegation to Montenegro regularly upholds contacts and consultations with a broad array of Montenegrin CSOs. There is a significant diversity of organisations going from prominent, semi-

¹ Additional funding on an annual basis is also provided through the European Instrument for Democracy and Human Rights.

² http://www.mup.gov.me/rubrike/Registracija_NVO/148409/U-Crnoj-Gori-registrovano.html

³ Cf. TACSO Needs Assessment 2014, p. 38.

⁴ <http://www.dokumenta.me/nvo/>

institution, mature, Podgorica-based professional organisations to much smaller, community-based⁵, volunteering associations struggling with a chronic lack of financial and human resources³.

Networking amongst Montenegrin NGOs and operational partnerships are not yet a norm in the field. Previous IPA programmes have aimed at developing networking as an accepted model of collaboration, encouraging influential organisations to provide know-how and capacity building to smaller, community based organisations. The stakeholders that participate in the tripartite social dialogue are the two trade unions in Montenegro – the Union of trade unions of Montenegro (SSCG) and the Union of free trade unions of Montenegro (USSCG), and the Union of Employers of Montenegro (UPCG) is a prime formal example. But, the coalition “By cooperation towards a goal” gathers over 100 NGOs. The “Natura2000” network gathers NGOs from the environmental sector, and “Our Initiative” gathers disability CSOs are other worthy examples. There is also a regional platform for culture called “Kooperativa” which includes a Montenegrin partners CSO, which has initiated networking among local NGOs in the area of culture and modern arts.

Montenegro is often cited as a pioneer when it comes to the participation of civil society in the negotiation process. Civil society representatives have been selected as members of the working groups for each of the chapters under negotiation. Furthermore, the Decrees on the procedures for cooperation and conducting public debates between public administration bodies and NGOs determine the manner of consultation and cooperation between the government authorities and CSOs. The government has clearly recognised the importance of CSOs in the accession process and the role they can play to enhance political accountability, deepen understanding and support for accession related reforms. This holds particularly true for Montenegrin CSOs that monitor developments in areas such as the rule of law and respect for fundamental rights. These formal recognitions are regularly praised and encouraged although practise has not always followed.

Funding remains a vital challenge for Montenegrin CSOs as they are largely dependent on a diminishing number of external donors. Following the relatively sudden exit of most international donors, the Montenegrin civil society now relies largely on either public funding or EU support as institutional funding sources. The effectiveness of the public funding procedures for support to NGOs (central and municipal level⁵) is contested and considered controversial by most concerned actors. Moreover, the size of the corresponding envelope has been drastically reduced for various consecutive years⁴, and a number of government-non-government collaborations were not subject to public transparent competitive processes⁶

As a result, the EU has recently become the single most important source of international funding for CSOs and it is often incorrectly perceived as an alternative funding source, filling the public funding deficit. As such, genuine alternatives, such as Corporate Social Responsibility, Philanthropy, volunteerism, tax breaks, social entrepreneurship, membership fees are all key dimensions of a sustainable civil society that urgently need to be established and developed. In this respect, TACSO initiatives will be of key importance, as events on social entrepreneurship and volunteering are part of TACSO’s 2015 Work Plan This will bring Montenegro nearer other Western liberal democracies as well as address the over-dependence on public and external funding.

⁵ It should be noted that the Law on NGOs does not formally recognise the concept of "community based organisation" or "grass-root organisation", nor any other type of non-formal citizens' association.

OUTLINE OF IPA II ASSISTANCE

This Action is designed based on the "*EU Guidelines for support to civil society in enlargement countries, 2014-2020*" and the "*EU Guidelines for support to media freedom and media integrity in enlargement countries, 2014-2020*". It also takes into account the Indicative Strategy Paper for Montenegro 2014-2020, the most recent Report for Montenegro and the needs assessment conducted by TACSO. These documents identify the need for strengthening the structured cooperation between public institutions and civil society in Montenegro and building capacities for engagement of civil society in policy reform at central as well as municipal level, including strengthening of grass-root organisations.

The "*EU Guidelines for support to civil society in enlargement countries, 2014-2020*" directly address the need for continued political and financial engagement with civil society in the EU agenda for enlargement. The guidelines specify that: "Support to civil society within the enlargement policy should be focused on enabling and stimulating participatory democracy. This should be reflected in two main goals: achieving an environment that is conducive to civil society activities and building the capacity of CSOs to be effective and accountable independent actors."

However, the 2015 European Commission Report finds a mixed picture: "Some progress was made in improving cooperation between the government and civil society organisations, especially concerning the latter's participation in the accession process, where civil society continued to play an active role. However, more transparency is needed in government procedures for cooperation with and consultation of civil society organisations (CSOs). It is a matter of concern that some civil society activists have been targeted on a personal basis by local media. Conditions conducive to voluntary work, civic activism and social entrepreneurship need to be created".

Under the Civil Society Facility and Media programme 2016-2017 for Montenegro financial support is provided to CSOs covering all priority sectors identified in the Country Indicative Strategy Paper (CISP), with a particular focus on building capacities of smaller CSOs active in remote areas of the country via a re-granting scheme. Moreover, support to local CSOs will also be extended through the award of operating grants aiming at funding the implementation of their core activities and not just a specific project proposal. The Resource Centre will provide capacity building activities to CSOs, including grass-root organisations, as well as support to public authorities for an improved cooperation with civil society.

RELEVANCE WITH THE IPA II STRATEGY PAPER AND OTHER KEY REFERENCES

Strengthening civil society and enhancing freedom of expression are core parts of the Political Criteria for accession. On the background of the 2012 European Commission communication "The roots of democracy and sustainable development: Europe's engagement with Civil Society in external relations" proposing an enhanced and more strategic approach with civil society organisations (CSOs), the enlargement strategy and the Speak-up 2011, 2013 and 2015 conferences advocating for media freedom and integrity of media represent the starting points for the EU assistance to civil society and media.

In the IPA II Country Indicative Strategy Paper (CISP) for Montenegro, Civil Society is referred to as a crosscutting intervention, which constitutes part of all the sectors supported by IPA. The strategy states that in a participatory democracy, "an effective public administration needs to be complemented by well-developed and active CSO, as well as an independent and professional media". The aid strategy foresees that they are supported in a "flexible, transparent, cost-effective and results focused manner across the sectors of the CISP". In order to reach this objective, the programme in subject will improve "the level of participation of CSOs in the policy-making process". This will be achieved through promoting an environment that is conducive to civil society and media activities and building their capacity to be effective and accountable independent actors. Another objective will be the improvement of the dialogue

between civil society and the government, a more professional and independent media as well as more effective civic participation in public policy processes.

The Enlargement Strategy 2015-2016 states that "a stronger role for civil society organisations and a much more supportive and enabling environment to foster their development is needed in the enlargement countries". In addition, the Strategy notes that it is "necessary to enhance political accountability and promote deeper understanding of accession related reforms." In particular, when it comes to promoting for good governance, the European Commission concluded that "there is a need to work even more closely with local civil society actors to anchor reforms across society." In line with the previous Enlargement Strategy, it was once again stressed that "an empowered civil society is a crucial component of any democratic system. It enhances political accountability and social cohesion, deepening understanding and inclusiveness of accession-related reforms".

Concrete recommendations in the 2015 Report on Montenegro state that "some progress was made in improving cooperation between the government and civil society organisations, especially concerning the latter's participation in the accession process, where civil society continued to play an active role. However, more transparency is needed in government procedures for cooperation with and consultation of civil society organisations (CSOs)."

Most importantly, the report emphasises that "Montenegro needs to establish a sustainable system of public funding for CSOs and an appropriate institutional framework." The progress report directly targets the controversial law on games of chance, which is currently "the only source of public financing for CSOs," and which is "not being implemented properly and the amount allocated to CSOs' projects is decreasing".

Another key policy document is the "*EU Guidelines for support to civil society in enlargement countries, 2014-2020*". It stipulates that support to civil society should be all-encompassing and "focused on enabling and stimulating participatory democracy". It proposes to achieve this objective through an improved environment for CSO operation as well as supporting their capacity development. Most importantly, the document includes a detailed set of results and indicators, which will provide a measurement of progress achieved at country level.

In terms of the media, it is necessary to acknowledge the fact that Montenegro is a small market with a population of approximately 620,000 people. The country has a very large number of media outlets. According to the Agency for Electronic Media, there are 15 commercial TV stations, 37 commercial radio stations, as well as a national public broadcaster with three channels and 17 local public service broadcasters (3 TV and 14 radio stations). There are 12 cable TV operators.

There are also four daily newspapers (*Vijesti*, *Dan*, *Dnevne Novine* and *Pobjeda*) registered in Montenegro, one weekly political magazine (*Monitor*) and one news agency (*MINA*). There are also four widely-read internet news portals (*Vijesti*, *Café del Montenegro*, *RTCG* and *Portal Analitika*). In March 2014 another newspaper appeared on the Montenegrin media landscape, called *Informer*.

The Montenegrin media scene remains severely polarised and politicised. The dividing line is the editorial policy perceived as either pro-government or anti ruling party. Strong hostility exists among media, especially their editors and owners. Mutual accusations of working either for the government or for the opposition, and the lack of trust and willingness to sit together to overcome common problems, contribute to the deterioration in professional standards of reporting. The lack of independence of the main public broadcaster is an area of concern.

The overall level of professionalism in the media landscape needs to be improved. In depth knowledge on EU accession related issues in the field of the rule of law, human rights, economics and public administration reform are not very strongly developed.

Rules governing the transparency of media ownership, including media concentration, are set out in the law on electronic media. There are concerns about transparency and non-discrimination in state advertising.

Some major private media outlets are at risk of failure due to high tax debts. The precarious economic situation of journalists puts them at risk of editorial interference and possible self-censorship. The fact that many media outlets are not financially sustainable has a negative impact on the quality of reporting and professionalism.

LESSONS LEARNED AND LINK TO PREVIOUS FINANCIAL ASSISTANCE

A key lesson learned from the previous 2-year period, and as acknowledged by recent studies (cf. TACSO 2014 Needs Assessment) that EU funding has now become the most important international source for financial support to Montenegrin CSOs. At the same time, the quality and quantity of visible CSO achievements, as well as submitted project proposals, has significantly increased over the years, which has made a competitive process even more demanding for potential applicants. Local media receive very little funding. In contrast to the 1990s when the international donor community supported media across the Western Balkans it has become increasingly difficult for local media to get international funding.

With regards to EU funding to CSOs, a reported challenge is the shared concern about the prescribed co-financing, which is becoming increasingly difficult for CSOs to ensure. It is to be expected that the new draft amendments to the Law on NGOs might tackle this issue – at least on paper – with the adoption of the relevant by-law specifically addressing co-financing requirements under EU calls for proposals, and ways to provide state support for fund matching. In addition, EU funding instruments have proved difficult for small, community-based organisations to benefit from, as required procedures favour institutionally mature organisations. That is one of the main lessons learned and a reason why operational grants are to be introduced for the first time under a national programme. The possibility to introduce operational grant schemes has been already thoroughly consulted with local CSOs in 2014 and due attention will have to be paid to the programming of the Guidelines for Applicants once this stage has been reached.

In the recent past, IPA financial assistance has reflected an increased interest for the role of civil society in Montenegro. The IPA 2007 Programme (EUR 1 million) encouraged the networking of Montenegrin CSOs with EU counterparts and with local authorities in the areas of policy development and service delivery. The IPA 2009 Civil Society Development programme (EUR 2.2 million) aimed at enhancing the contribution of CSOs to the social, economic and political development of Montenegro and included sub-granting schemes. The IPA 2011 Civil Society Facility Programme (EUR 1.8 million) addressed the priority areas of relevance to Montenegro's accession process. IPA 2013 Civil Society Facility Programme (EUR 1 million) continued to focus on capacity building measures and strengthening service delivery. At the time of drafting this action document the IPA 2014 was merged with IPA 2015 to launch a Call for Proposal (EUR 2.5 million) to support networking, advocacy, service development and capacity building.

The Technical Assistance to Civil Society Organisations (TACSO), a regional project managed by Headquarters, has contributed to CSO and institutional capacity building as well as promoted improved Government-non-Government dialogue. It is foreseen that its role would be gradually transferred to a Montenegrin CSO to work as a resources centre for other interested organisations. At the time of drafting, the EUD is selecting a contractor to implement an additional technical cooperation programme (national level, EUR 0.5 million) with the objective of strengthening support to institutional development.

Possibly most importantly, the consolidation of instruments to contribute to financial sustainability of civil society through transparent and effective public funds support must be ensured. With regards to CSOs' capacity and ability to contribute to public decision-making processes, including public policy monitoring and policy analysis, it is necessary to constantly work on their internal human resources development and strategic planning. Although improvements are evident, a number of CSOs need to further strengthen their professionalism and credibility in order to actively and effectively lobby or advocate for certain societal issues.

The programme in subject will address these needs so that Montenegrin policies and standards are better observed and lobbied throughout the country. In parallel, initiatives, which aim to strengthen the role of

civil society at local level, will also be supported as the added value of community-based associations is paramount in developmental processes and not sufficiently recognised by the Government. The programme will therefore be divided into components to address each of the needs developed above. This will ensure that the CSF will support a wide spectrum of Montenegrin civil society in its diversity and therefore better contribute to achieve some of the chapter 23 and guidelines objectives.

Chapter 23 and 24 will also be at the core of the support for the local media. Both in the sense of supporting quality reporting on these issues as well as in the sense of supporting human rights organisations which provide legal aid to journalists who are undergoing threats or court cases. In line with this approach, future funding of the EU will further enhance reporting on vital EU integration matters such as fighting corruption, organised crime, elections, public administration reform, economic reform, and environmental issues in order to have informed citizens in Montenegro who receive well and unbiased information about these vital issues. At the time of drafting this document no grant has been contracted yet to the local media in Montenegro; it is thus difficult to draw on previous experiences.

2. INTERVENTION LOGIC

LOGICAL FRAMEWORK MATRIX

OVERALL OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	
To strengthen participatory democracies and the EU integration process in Montenegro by empowering civil society to actively take part in decision making and by stimulating an enabling legal and financial environment for civil society and pluralistic media.	Quality assessment of existing legislation and policy framework Quality of structures and mechanisms in place for cooperation between CSOs/media and public Institutions	Credible independent assessments and Progress reports	
SPECIFIC OBJECTIVE	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	ASSUMPTIONS
To build the capacity of CSOs, media and media regulators to be professional, credible, effective and accountable independent actors. To contribute to the establishment of an enabling financial environment, supportive of institutional sustainability of CSOs. To support free legal aid for journalists undergoing threats and court cases Improved quality and independence of information delivered by traditional and social media. Increased trust and cooperation between national authorities and media;	Number of CSOs participating in common initiatives Number of CSOs participating in national and local coalitions Number of members of CSOs increased Number, size and duration of public grants to CSOs across all sectors	TACSO, BCSDN, progress report, TA reports, Government reports, EUD monitoring findings, Resource Centre, Report on the implementation of measures from the government's NGO Strategy;	Government, line ministries and municipalities treat the civil society sector with respect, trust, in a spirit of mutually benefiting cooperation.
RESULTS	OBJECTIVELY VERIFIABLE INDICATORS (*)	SOURCES OF VERIFICATION	ASSUMPTIONS
<p>Result 1: CSOs and media are recognised by the government and citizens as reliable partners in improving good governance, rule of law, human rights, environmental affairs policy-making procedures and social service implementation.</p> <p>Result 2: CSOs strengthened their strategic organisational development, as well as their long-term financial and institutional sustainability, including increased fund-raising ability; CSOs' capacities strengthened to participate in decision-making processes, deliver professional transparent and cost-effective services as well as able to communicate effectively their activities to the public and mobilise citizens to become engaged in their initiatives.</p> <p>Result 3: Sufficient public funding to CSOs is available and provided in a regular, transparent, accountable, fair and non-discriminatory manner. Legal and institutional framework stimulate the promotion of alternative sources of funding (tax, CSR, social entrepreneurship, volunteering, etc..)</p> <p>Result 4: A foundation-like entity is established to administer the decentralised management of the CSF.</p> <p>Result 5: Support of free legal aid is provided for journalists undergoing threats and court cases while authorities and media have established a more constructive culture of dialogue..</p>	<p>1. External perception of importance and impact of CSO activities.</p> <p>2. Percentage of laws/bylaws, strategies and policy reforms effectively consulted with CSOs.</p> <p>2.1 Quality of structures and mechanisms in place for dialogue and cooperation between CSOs and public institutions. 2.2. Percentage of NGOs that confirm their ability to raise funds in accordance with the strategic planning;</p> <p>3.1 Ratio of amount sought vs. amount approved/disbursed annually through public funding to CSOs.</p> <p>3.2 Volume of funds that CSO channelled from sources other than public or donor resources.</p> <p>3.3 Assessment of effective implementation of NGO law and by-laws governing public funding; Quality of state funding frameworks for CSOs</p> <p>4.0 Platform-like entity is established and operational.</p> <p>5.1. Quality of media articles; Cooperation between national authorities and media.</p>	Same as above	<p>All stakeholders remain committed to fulfilling their obligations stemming from relevant laws, regulations, agreements and strategies.</p> <p>Civil society continues to effectively contribute to the democratisation process of the country and promoting EU values.</p>

(*) All indicators should be formulated as measurement, without specifying targets in the Logical Framework Matrix. The targets should be included in the performance measurement table in section 4. More detailed guidance on indicators is provided in Section 4 on performance measurement.

(**) Relevant activities have to be included only in the following sub-section.

DESCRIPTION OF ACTIVITIES

Activity 1: Action grants for a total amount of 2.0 M € will be awarded through a Call for Proposals covering all areas across the CISP sectors (i.e. the 7 standard sectors), following a thorough consultation process with all relevant stakeholders. This component should give to grant contracts in various sectors reflecting the diversity of actors and interests in the country. Sub-granting will be encouraged so that this modality is used to support smaller organisations that cannot compete on equal footing with larger institutionalised ones.

Activity 2: Operating grants for a total amount of 1.0 M € will be awarded through a Call for Proposals in order to diversify and broaden the types of support provided to local CSOs, make optimal use of possible aid modalities and fine-tune EU's role in the Montenegrin civil society development. In line with the *guidelines*⁶, as well as repeated local demands at consultations, this will provide support for the functioning of CSOs so they carry out their core activities against an agreed work plan in a number of pre-defined sectors. This support will be linked to sectors of intervention and professional capacity, not centered on a time-limited specific project proposal. This represents a natural evolution of the CSF as a tool that is aligned to the EU's strategic re-orientation to move away from project-focused support to long-term dialogue based on a mutually benefiting relationship of trust and cooperation. Themes and detailed eligibility criteria will be carefully designed after a thorough consultation process with all involved stakeholders.

Activity 3: The development of grass root organisation and other CSOs capacity will be ensured through a Resource Centre. This support will include activities related to capacity building, information dissemination, networking, mentoring, etc. This component will need to ensure effective outreach to concerned public bodies so that effectively improved state and civil society relations are also supported. As such, the exact contents of this component will be adapted in function of the results achieved through the on-going technical cooperation intervention (funded under CSF 2014-2015). The beneficiary will be selected through an open Call for Proposals and be awarded an action grant. The budget of € 0.5 M will be allocated and a multi-annual agreement will be envisaged.

Activity 4: Action grants to support free media will be continued and the proposed budget remains at 0.5 M €. The details of the CfP will build on lessons learnt for the first round and as outlined above. One important reference for these grants are also the overall "EU Guidelines for support to media freedom and media integrity in the enlargement countries, 2014-2020".

RISKS

One of the main goals to be achieved in the area of civil society development, as stated in the EU Guidelines as well as in the Strategy for development of NGOs, is to create an enabling environment for CSOs to operate. This requires explicit will and interest from a number of stakeholders as well as decision makers in various sectors of the public administration. A vital risk to this programme is a lack of pro-active collaboration and passive behaviour amongst the sector stakeholders, which would inevitably lead to partial or complete failure of envisaged capacity development gains. Both at central and municipality level, government authorities have the power to either intervene excessively in local CSO operations or, inversely, not sufficiently support local CSO initiatives. The consequences are similar in both cases, with hindered creativity and missed opportunities on the benefits of network governance, social contracting, citizen representation, civic activism and volunteering etc.

⁶ http://ec.europa.eu/enlargement/pdf/civil_society/doc_guidelines_cs_support.pdf

With regards to supporting CSO operations, the inherent risk is related to the maintenance of an environment where these organisations can operate. This means they are not subject to government intervention and intimidation. As the 2015 Progress Report points out, *“relations between CSOs and the government have occasionally been overly adversarial and characterised by distrust, especially on the political situation, the rule of law and fundamental rights. Instances of government bodies undertaking unlawful surveillance of CSOs and using administrative intimidation and legal threats have been reported and proven with court verdicts. It is a matter of concern that some civil society activists have been repeatedly targeted on a personal basis by local media through smear campaigns.”*

It also implies that Montenegrin CSOs continually strengthen their capacity to remain competitive in the context of demanding tendering procedures. A significant risk is therefore that the current CSO landscape continues to operate without a reflective approach about their own capacity gaps and ability needs. A regular observation is that CSO representatives are critical towards the Government laissez-faire attitude, and yet they rarely consider their responsibility for the current limited government-non-government cooperation. The overall risk is therefore the continued absence of frank and objective dialogue on civil society development where all stakeholders’ capacity, ability and responsibility are addressed, free of bias and activism.

Reporting in the local media will most likely continue to be as polarised as it is now. The funding of the EU will not change the editorial policies completely. However the level of quality of articles on EU integration vital issues and an additional layer of checks and balances in the overall political setup can still be improved through the action grants foreseen.

CONDITIONS FOR IMPLEMENTATION

The conditions that need to be fulfilled for the successful implementation of the programme relate to the risks identified in the previous section. With regards to Government authorities, this implies continued political will and progress on the various related strategies and policies. With regards to civil society organisation, this implies continued will to strengthen capacities in the various sectors of intervention. Collectively, all stakeholders need to establish, within their own policy fields and sectors, a spirit of cooperation where they recognise the advantages of mutually benefiting relationships. The programme in subject is about achieving this objective and although all envisaged activities will support the process, proactive efforts from all stakeholders are vital to a successful implementation. There is already the example of how inefficient and insufficient implementation of vital legislation, such as the NGO law in the area of public funding, may lead to stagnation, worsening relations between the state and civil society, as well as limit CSO operations due to significant decrease in public funding. This experience should be treated as a serious lesson learned for all actors involved, especially considering the currently fragile dialogue (see Council for development of NGOs, for instance) and lack of trust between government and non-government representatives.

3. IMPLEMENTATION ARRANGEMENTS

ROLES AND RESPONSIBILITIES

The main institutional stakeholder involved in the management and implementation process of the Action is the Delegation of the European Union to Montenegro as the Contracting Authority. The Delegation will carry out the consultations, prepare the guidelines for the call for proposals and the Terms of Reference for the technical assistance contract, and carry out the procurement. The support of the local TACSO office will include the provision of short-term expertise as required for specific technical issues (legal, institutional, thematic, etc.). CSOs and the government office for cooperation with NGOs will be involved throughout the process on the details of the proposed activities and priority areas for support. During implementation, the EU Delegation will seek to associate civil society organisations and national authorities to the preparation and the implementation of the Action, with a view to pave the way for later indirect management of future

civil society support actions by Montenegro. In doing so, the EU Delegation will seek a balanced participation of stakeholders that is conducive to building trust and cooperation between them.

Participation of local authorities in selecting media grant beneficiaries is not foreseen.

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

The implementation method is direct centralised management. There will be 1 call for proposals for the action grants, 1 call for proposals for the operational grants, 1 call for proposals for the grants to the media organisations, as well as 1 open call for proposal for the resource centre. A minimal co-financing will remain a pre-condition for all applicants unless a specific situation justifies otherwise.

4. PERFORMANCE MEASUREMENT

METHODOLOGY FOR MONITORING (AND EVALUATION)

Monitoring will be carried out by the Delegation of the European Union to Montenegro, possibly with the support of external consultants performing regular monitoring visits. The EU Delegation staff or assigned monitors will hold regular contacts and carry out monitoring visits to all grant beneficiaries.

Measuring results and impact will also be ensured through the system developed in the EU civil society and media guidelines as a set of common indicators has been developed to benefit from the possibility of regional comparison and references. The monitoring and evaluation will include regular, yearly, regional meetings including CSO representatives, in order to analyse the state of play and advancement towards the set targets. These findings shall also feed into the preparation of the yearly progress reports.

In addition, the European Commission may carry out a mid-term, a final or an ex-post evaluation for this Action or its components via independent consultants, through a joint mission or via an implementing partner. In case a mid-term or final evaluation is not foreseen, the European Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner. The evaluations will be carried out as prescribed by the DG NEAR guidelines for evaluations. In addition, the Action might be subject to external monitoring in line with the European Commission rules and procedures set in the Financing Agreement.

INDICATOR MEASUREMENT

Indicator	Baseline (value + year) (2)	Target 2020 (3)	Final Target 2022 (4)	Source of information
EU guidelines indicators (impact/outcome) (1)				
<i>Outcome linked to specific objective</i> Number, size and duration of public grants to CSOs across all sectors	4.7 million EUR, 2010	90% of Government legal commitment to CSO funding	100% of legal commitment	Civil Society Resource Centre of Montenegro (future reference entity for CSO capacity building, as part of TACSO exit strategy)
<i>Outcome linked to result 1</i> External perception of importance of CSO activities	13% of citizens believe NGOs to a large extent, 2012	30% increase on baseline	50% increase on baseline	TACSO survey, Resource Centre survey
<i>Outcome linked to result 2</i> Quality of structures and mechanisms in place for dialogue and cooperation between CSOs and public institutions	Government decrees adopted Council development of NGOs operational	Government decrees implemented and respected Council provides quality recommendations to government	Dialogue and cooperation between CSOs and public authorities well-functioning	Resource Centre, Government office for cooperation with NGOs
<i>Outcome linked to result 3</i> Assessment of effective implementation of NGO law and by-laws governing public funding;	Public funding controversial, insufficient and with lack of transparent procedures	Public funding is regulated by the law and implemented in fair and transparent manner	Clear procedures for CSO participation in all phases of public funding	Resource Centre,
<i>Outcome linked to result 4</i> Platform-like entity is established and operational	CSF directly managed by the EU Delegation	Structures for indirect management of CSF established	Indirect management of CSF funds successfully operating	Progress report
<i>Output linked to specific objective</i> Cumulative amount of public funds to CSOs (including financial supports from central and	4.7 million EUR	Achieve previous amount of 2010	Increase amount in line with inflation at least	Resource Centre

municipality public entites)				
<i>Output linked to result 2</i> Percentage of NGOs that confirm their ability to raise funds in accordance with the strategic planning	21% of NGOs raised funds from private donors, 2013	30% increase	50% increase	survey
<i>Action process indicator for grants</i> CfPs launched and subsequently grant contracts signed	-	Grants implemented		EU Delegation reprts

(1) This is the related indicator as included in the Indicative Strategy Paper (for reference only)

(2) The agreed baseline year is 2010 (to be inserted in brackets in the top row). If for the chosen indicator, there are no available data for 2010, it is advisable to refer to the following years – 2011, 2012. The year of reference may not be the same either for all indicators selected due to a lack of data availability; in this case, the year should then be inserted in each cell in brackets. The baseline value may be "0" (i.e. no reference values are available as the Action represents a novelty for the beneficiary) but cannot be left empty or include references such as "N/A" or "will be determined later".

(3) The target year may not be modified.

(4) This will be a useful reference to continue measuring the outcome of IPA II support beyond the 2014-2020 multi-annual financial period. If the Action is completed before 2020 (year for the performance reward), this value and that in the 2020 target column must be the same.

5. SECTOR APPROACH ASSESSMENT

The prominent role of Montenegrin civil society has been instrumental in recent achievements related to democratisation, active citizenship, power redistribution, government accountability and other needs set out in chapter 23. These accomplishments are largely the result of the CSF and this instrument is pivotal in consolidating the recent gains in the sector.

In order to nurture an enabling environment for the development and flourishing of civil society as well as a partnership with the government that is based on trust, it will be necessary to strengthen the institutional mechanisms for network governance. The Office for Cooperation between NGOs and the government, as well as the Council for development of NGOs, as the two current pillars of state and non-state collaboration, needs enhanced capacities to steer the process of improving the legal, financial and institutional framework related to network governance and social contracting. Government and CSO stakeholders need to establish a permanent dialogue, based on transparent and structured communication, which presupposes a strengthening of the knowledge and the capacities of both camps on how this dialogue can be fruitful.

The government's "Strategy for the Development of NGOs in Montenegro 2014-2016" is currently under implementation, but it has been reported that the implementation of measures from the Action Plan is not satisfactory across all relevant sectors. Financial sustainability of NGOs, together with creating a conducive environment for them to operate, as well as the focus on the development of volunteering and the necessity for creating reliable statistics and data on CSOs, are still issues that need to be tackled successfully. The Indicative Strategy Paper outlines the relevance of a thriving civil society, acknowledging that "Montenegro faces a range of challenges, especially in fields such as the rule of law, corruption, organised crime, the economy and social cohesion. Civil Society actors and organisations can make a substantial contribution to addressing many of these through their lobbying, advocacy and oversight activities at national and local level in every sector."

The process of drafting amendments to the Law on NGOs has shown that the capacities of the Office need to be further strengthened. Moreover, the Council has not yet managed to develop its role as the main authority in the arena of government-civil society-relations. It is expected that the technical assistance contract will bring new incentives in this area, since it foresees capacity building measures and identification of best modalities for ensuring successful coordination between government institutions and civil society stakeholders, including international donors and the European Commission.

The Commission has noted in the 2015 Progress Report that "some progress was made in improving cooperation between the government and civil society organisations, especially concerning the latter's participation in the accession process, where civil society continued to play an active role. Conditions conducive to voluntary work, civic activism and social entrepreneurship need to be created." Concretely, the report says that "this involves not only legislation but also bringing about an overall change of society's approach to volunteerism and civic activism." In view of these institutional and legislative challenges, the government should aim to improve the relevant bodies capacities and move towards a sector approach, if considerable and tangible support is to be achieved in the realm of civil society. The proposed activities under this programme will therefore aim to provide the necessary technical assistance, financial support and guidance to achieve these goals.

The Commission has also noted in its 2015 Report on Montenegro that the country should pay particular attention to solving older cases of violence against media, including a 2004 murder case, identifying not only the material perpetrators but also those behind the attacks and implementing recommendations issued by the ad hoc media commission set up to monitor attacks. It also recommends ensuring the independence of the public service broadcaster RTCG. Finally, it suggests providing guidance to the judiciary on aligning decisions with European Court of Human Rights case law on freedom of expression.

6. CROSS-CUTTING ISSUES

GENDER MAINSTREAMING

In Montenegro, there is an inherent lack of women's participation in political life, as well as in entrepreneurship. Unfortunately, women are a minority in Parliament and underrepresented in the government; similarly, only a small percentage of business owners are women. On the other hand, the civil society sector has shown to be a key area for women's leadership. It is a striking example that women lead many of the most influential and most developed CSOs in the country. This phenomenon clearly shows that civil society in Montenegro has a great potential to incite women to become active participants in the area of policy-making and advocacy, if they are given the opportunity to develop their capacities and engage in civic activism.

EQUAL OPPORTUNITIES

Equality between men and women is one of the fundamental principles of a democratic society. However in Montenegro, women and men do not enjoy the same rights (women earn 85% of men's salary on average and own less than 20 % of cars and houses in the country). The criteria published in the Call for Proposals and the subsequent selection of CSO projects will take specific account of the need for gender mainstreaming and the promotion of gender equality as well as the needs of disadvantaged and marginalised groups. Since poverty among women is the result of many forms of gender inequalities, for example in the workplace and in families, these inequalities need to be tackled across a wide range of areas through the proposed projects. Special efforts will be made to ensure that both women and men are fully included in the project activities and benefit from the project results.

MINORITIES AND VULNERABLE GROUPS

The various activities under the programme but particularly the Call for Proposals will encourage the submission of project ideas that aim at strengthening the capacities of CSOs that advocate for minority rights and increase the participation of vulnerable groups in the Montenegrin social and economic system. Although the CSF has always been open to all EU integration related areas of CSO intervention, including minorities and vulnerable groups, it has been noticed over the years that LGBTI, Roma and women's rights CSOs are more likely to apply for grants awarded under the European Instrument for Democracy and Human Rights, rather than the CSF. The main reason for this circumstance is most probably the lower threshold for minimum grants and the less rigid co-financing requirements (5% instead of 10%). In order to mitigate the risk of minorities being excluded entirely from the CSF, re-granting will remain a possibility for smaller CSOs to benefit from EU funding.

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

This is the core of the action. Civil society representatives are systematically consulted when it comes to designing EU policy of direct and indirect relevance to the civil society sector. This includes the Country Strategy Paper, calls for proposals and modalities of decentralised management of EU funds, as well as all political reporting exercises. Specifically related to this programme, strategic decision will be consulted with CSO partners.

ENVIRONMENT AND CLIMATE CHANGE (AND IF RELEVANT DISASTER RESILIENCE)

Environmental considerations will be taken into account during the implementation of projects activities. All grant beneficiaries and contractors will be strongly encouraged to act in line with best practice and make responsible use of office materials, travel arrangements and energy efficient principles. In addition, action and operational grants targeting environmental protection organisations will be proposed and encouraged through the implementation of the various activities.

7. SUSTAINABILITY

The sustainability of the action will result from the successful implementation of the grant contracts as well as the technical assistance, since its main objective will be the strengthening of the CSO capacity to become financially sustainable, especially through their own fund-raising abilities, as well as through an established mechanism for transparent public funding and entrustment of management of EU funds to national authorities.

8. COMMUNICATION AND VISIBILITY

Communication and visibility will be given high importance during the implementation of the Action. The bulk of the communication activities 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. Additional Visibility Guidelines developed by the European Commission (DG NEAR) will have to be followed.

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 and will 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.

Communication and visibility in line with common practice will be ensured through encouraging the establishment of partnerships between CSOs and media outlets, with a strong focus on online media targeting the younger population. All grant beneficiaries and contractors will be asked to design detailed visibility action plans at the beginning of their interventions. The Contracting Authority will encourage the beneficiaries to move away from stereotypical, formally prescribed media events, towards a more creative, flexible approach, which will raise awareness and attract the attention of the final beneficiaries, i.e. citizens of Montenegro.