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# Gender Mainstreaming in the EU Accession Process

Country Assessment Report

Montenegro

2022

Partner Organisation



WOMEN'S RIGHTS CENTER  
CENTAR ZA ŽENSKA PRAVA



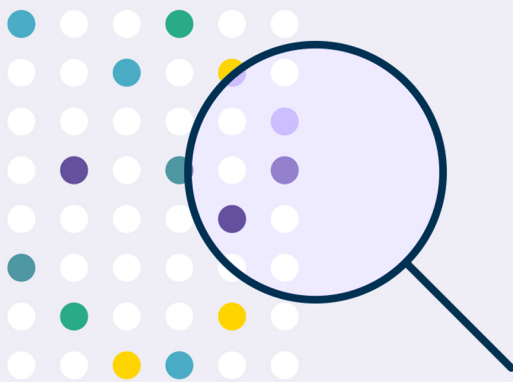


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## COUNTRY ASSESSMENT REPORT

Country: Montenegro

Organisation compiling the report: Women's Rights Centre

Year: 2022, covering the period of **1 January 2021 - 31 December 2021**

### INTRODUCTION

Montenegro started negotiations with EU in June 2012. At this moment, three out of 33 Chapters are provisionally closed (Chapters 25, 26 and 30), while the rest remain open. In May 2020, Montenegro adopted the New Methodology of Negotiations<sup>1</sup>, which places a stronger focus on fundamental reforms, starting with the rule of law and the functioning of democratic institutions.<sup>2</sup> Besides solid national legal framework in the domain of human rights, its weak implementation and insufficient institutional capacities as well as inadequate public accountability mechanisms<sup>3</sup> remain burning problems with negative effects on the pace of EU integration. Insufficient coordination among institutions in charge of gender equality<sup>4</sup> and internal weakness of gender mechanisms delay the visible results especially in meeting EU recommendations in the field of fundamental rights.

Although the Office for EU integration, the leading institution responsible for EU integration process, headed by the Chief Negotiator (who is also National IPA Coordinator) shows considerable understanding of gender equality issues, there is space for improving the Office's position and overall influence on the process. The work of the EU Delegation in Montenegro, as the second key actor in charge of the EU processes, became more visible in the field of furthering gender equality in recent years, but there are still some challenges.

The purpose of this report is to assess the level of gender-mainstreaming in the EU integration processes led by the relevant government bodies and supported by the EU Delegation in Montenegro. Based on the findings of the monitoring exercise, conducted by Women's Rights Centre (WRC), the Report aims to provide government bodies responsible for EU integration and EU officials with recommendations on how to further strengthen gender-mainstreaming in the processes leading up to EU membership. The Report is based on the joint methodology developed for this specific purpose by partner organisations of the *Furthering Gender Equality through the EU Accession Process (EQUAPRO) Coalition*, which includes 45 indicators designed in accordance

<sup>1</sup>[https://ec.europa.eu/neighbourhood-enlargement/enhancing-accession-process-credible-eu-perspective-western-balkans\\_en](https://ec.europa.eu/neighbourhood-enlargement/enhancing-accession-process-credible-eu-perspective-western-balkans_en)

<sup>2</sup>Gender Equality In Public Administration In Montenegro, WRC, January 2022, pp 4, at: <https://womensrightscenter.org/wp-content/uploads/2022/03/Public-Administration-in-Montenegro-Gender-Analysis.pdf>

<sup>3</sup>Commission Staff Working Document Montenegro 2021 Report *Accompanying the document* Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2021 Communication on EU Enlargement Policy (EC CR MNE 2020), pp 38

<sup>4</sup> Section for Gender Equality, under the auspices of the Directorate General for Human Rights of the Ministry of Justice, Human and Minority Rights (previously Directorate for Gender Equality but after 2020 elections it was downgraded to three employees); Committee for Gender Equality of the Parliament of Montenegro, National Council for Gender Equality; Gender Focal Points, The Protector of Human Rights and Freedoms.

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with EU Gender Action Plan III (GAP III) and the revised methodology for EU enlargement. The methodology used to compile the report included both primary and secondary data sources. In particular, interviews with key informants were carried out as well as content analysis, review of publicly available documents, and one network meeting with national human rights CSOs.

## FINDINGS

### CRITERION A. COUNTRY REPORTS ARE GENDER-MAINSTREAMED

1. Number of times gender is mentioned in the Country Report	<b>19</b>
2. Number of times women/girls are mentioned in the Country Report	Women - <b>38</b> Girls - <b>4</b>
3. Number of times boys/men are mentioned in the Country Report	Men - <b>6</b> Boys - <b>3</b>
4. % of Chapters gender-mainstreamed <sup>5</sup>	<b>6,06%</b> <sup>6</sup>
5. Number of official recommendations on gender equality included in the Country Report	<b>3</b>
6. Number of other recommendations with a gender perspective included in the narrative of Chapters	<b>5</b>
7. Extent to which Country Report uses sufficiently sex-disaggregated data	Moderately
8. Extent to which issues recommended by women's organisations are included in the Country Report, based on your knowledge	Extensively

There is a continuous improvement in gender mainstreaming of the EC Country Report for Montenegro and evident efforts to integrate a gender perspective in more chapters, as well as to add additional information and concerns related to the position of women in society and gender equality issues. However, the majority of chapters (31 out of 33) remain gender blind and further improvement in that respect would be beneficial. The 2021 Country Report indicates insufficient progress in relation to a significant number of issues concerning women, children and marginalized social groups, mapped also in the previous Report stating that last year's recommendations remain largely valid. It underlines the obligation of due attention in fulfilling the recommendations of the European Commission and international organizations, as the key criteria for Montenegro's membership in the European Union.

In the 2021 Country Report, the EU issued three official recommendations on gender equality to the Government of Montenegro:

- Parliament should strengthen the professional and expert capacity of its administrative staff and improve women's political representation<sup>7</sup>;
- improve the legal and institutional framework in order to ensure better access to justice, procedural rights and free legal aid for victims of human rights violations and crimes, in particular children, women, minorities, including Roma and Egyptians, and persons with disabilities<sup>8</sup>.

<sup>5</sup> For a chapter to be gender-mainstreamed it would need to include gender analysis, meaning specific reference to the situation and needs of diverse women and girls, men and boys in a particular sector. It should also, ideally, include an analysis of key barriers preventing progress in a specific sector/domain such as, for example, lack of housing, land and property rights for women's access to economic rights, etc.

<sup>6</sup> Two chapters out of 33 in total.

<sup>7</sup> Detailed analysis about political participation of women can be found in WRC Gender Analysis of the Parliamentary Elections 2020<sup>7</sup>. Full recommendation in EC Country Report 2021, p.10

<sup>8</sup> EC Country Report 2021, p.29

- continue the implementation of the labour law and develop quality employment measures targeting young people, women, people with disabilities, minorities and vulnerable persons impacted by the pandemic<sup>9</sup>.

Other recommendations in the narrative of the Report refer to the need for:

- further alignment of the legislation with the Istanbul Convention and the GREVIO recommendations in order to adopt adequate definitions of gender-based violence and domestic violence, while the Report points out that sexual harassment isn't criminalized yet<sup>10</sup>;
- investing necessary resources in establishing victim support services in the health and social sector and family support and outreach services<sup>11</sup>;
- raising the minimum age for entering marriage as the practice of arranged child marriages among the Roma and Egyptian communities that remains a matter of concern<sup>12</sup>;
- improving capacity to detect largescale trafficking networks, in particular for sexual exploitation<sup>13</sup>;
- putting in place legislative and non-legislative measures focused on work-life balance<sup>14</sup>.

The 2021's Report offers improved account of gender-based violence and domestic violence and recognises many challenges, ranging from monitoring of existing legal and strategical framework and policies to victim-focused support, access to justice for victims, lack of systemic approach regarding physical protection of victims, lack of legal qualification of acts of domestic violence, followed by lenient sanctions. There are also ongoing concerns over limited political participation of women, the lack of women among the political party leaders and very few in the parties' leadership. When it comes to women's participation in the labour market, the report offers a detailed overview and illustrates how the existing structure of the social benefits discourages women, as the financial return required to work (i.e. reservation wage) tends to increase with the number of children. In this regard the Report provided quite useful recommendation to adopt measures focused on work-life balance. It also includes data reflecting higher inactivity and lower employment rates of women compared to men. Obstacles women are facing in labour market, such as gender gap and sexual harassment in the workplace are also noted. It negatively assesses measures addressing unpaid work. It mentions the negative effects of COVID-19. It should have further mentioned how the pandemic impacted on the work of social care institutions and their lack of proactive approach towards GBV victims.

While the Report already refers to different forms of gender-based violence including forced marriages, trafficking, sexual harassment in the workplace, reference to other types of gender-based violence such as rape and stalking as well as femicides would also be important. Cumbersome licensing procedure<sup>15</sup> affects the independence of WCSOs providing specialized services to victims of violence so the next Report should expand the recommendations in this regard as well.

Overall, there is space to further gender mainstream Country Report by including sex-disaggregated data<sup>16</sup>, for example in the Chapter 18 - Statistics, particularly with the view on the

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<sup>9</sup> EC Country Report 2021, p.88

<sup>10</sup> Ibid, p.35

<sup>11</sup> Ibid, p.36

<sup>12</sup> Ibid.

<sup>13</sup> Ibid, p.46

<sup>14</sup> Ibid,p.90

<sup>15</sup> The Law on Social and Child Protection ("Official Gazette of Montenegro" no.27/13...31/17) at: <https://www.paragraf.me/propisi-crnegore/zakon-o-socijalnoj-i-djecjoj-zastiti.html>

<sup>16</sup> Apart for Chapters 23 and 19, that provide overview of the status of women, other chapters are mostly gender blind. Some of them include sex-disaggregated data in sections such as on women in judicial system

upcoming census. Brief reference to the low number of women in science, women in academic positions and in the membership of the Montenegrin Academy of Science<sup>17</sup>, or data regarding women participation in culture etc. could be also included in future reporting. More quantified and regionally comparable assessments of the European Commission could help in measuring real progress of the country, instead of predominantly using qualitative ratings<sup>18</sup>.

According to the obtained information<sup>19</sup> and Women’s Rights Center’s (WRC) experience, the EU Delegation is generally open towards CSOs inputs. WRC provided inputs to the 2021 Country Report which were adopted to a large extent. Report included recommendations by WRC about the need to: strengthen importance of promoting anti-discrimination mechanisms; implement measures to counter stereotypes and discriminatory practices; implement measures to increase women's political participation; ensure effective protection of children from domestic violence, intensify activities aimed at combating child marriages in the Roma community; amend the Law on Prohibition of Discrimination to introduce the definition and scope of discrimination based on sex; introduce sexual harassment in a Criminal Code of Montenegro; continue education and training for judges in the implementation of applicable international instruments especially EU regulations with regards to GBD at work; improve electronic processing of cases, and others<sup>20</sup>.

**CRITERION B. STABILISATION AND ASSOCIATION COMMITTEE MEETINGS INCLUDE GENDER ISSUES**

9. % of SAA Committee meetings with gender equality issues on the agenda	N/A
10. % of Sub-Committee meetings with gender equality issues on the agenda	Cannot be concluded
11. Extent to which women’s organisations were consulted by the EU ahead of the sub-committee meetings	Moderately
12. Extent to which SAA committee and sub-committee meetings conclusions attend to gender equality issues	Cannot be concluded

For the purpose of the monitoring exercise WRC requested the above information to the EU Delegation to Montenegro (MNE). SAA Sub-Committees met regularly during 2021<sup>21</sup> but their

(as judges and prosecutors), women asylum seekers, women accommodated in the country’s reception centres, data on female prisoners, women victims of human trafficking, Roma and Egyptian pupils, asylum seekers, women accommodated in the country’s reception centres, women in labour market and employment rate ect.

<sup>17</sup> For more details see: <http://www.canu.me/clanovi>

<sup>18</sup> For more information see: *The Enlargement Impasse and the Necessity for its Transformation*, at: <http://media.institut-alternativa.org/2021/07/TEN-CEPS-The-Enlargement-Impasse-and-the-Necessity-for-its-Transformation.pdf>, Also: <https://institut-alternativa.org/en/the-report-of-european-commission-on-montenegro/>

<sup>19</sup> Interview with the Gender Focal Point in the EU Delegation, conducted on 10 February 2022.

<sup>20</sup> Women’s Rights Centre Contribution to the EC Country Report, *Women’s Rights in Montenegro*, 2020

<sup>21</sup> EU-Montenegro Subcommittee on Justice, Freedom and Security (videoconference, 17-18 March 2021); EU-Montenegro Subcommittee on Transport, Energy, Environment, Climate Change and Regional Policy ( videoconference, 8-9 June 2021); EU-Montenegro Subcommittee on Internal Market and Competition (videoconference, 10 June 2021); ); EU-Montenegro Subcommittee on Trade, Industry, Customs and Taxation (videoconference, 5 October 2021); EU-Montenegro Subcommittee on Agriculture and Fisheries (videoconference, 7 October 2021); EU-Montenegro Sub-Committee Meeting on Innovation, Human Resources, Information, Society, Social Policy (videoconference, 8 October 2021); EU-Montenegro Special Group on Public administration Reform (videoconference, 18 October 2021); EU – Montenegro SAA Subcommittee on Economic, Financial Issues and Statistics (videoconference, 21 October 2021). See following links: <https://data.consilium.europa.eu/doc/document/ST-5075-2022-INIT/en/pdf>; [https://www.parlament.gv.at/PAKT/EU/XXVII/EU/07/51/EU\\_75148/imfname\\_11096096.pdf](https://www.parlament.gv.at/PAKT/EU/XXVII/EU/07/51/EU_75148/imfname_11096096.pdf); <https://data.consilium.europa.eu/doc/document/ST-11058-2021-INIT/en/pdf>; [https://www.parlament.gv.at/PAKT/EU/XXVII/EU/05/95/EU\\_59567/imfname\\_11063065.pdf](https://www.parlament.gv.at/PAKT/EU/XXVII/EU/05/95/EU_59567/imfname_11063065.pdf).



agendas are generally not publicly available. The EU Delegation to Montenegro shared some basic agendas of some Sub-Committee meetings, which are analysed below:

1. 10<sup>th</sup> Meeting of the Sub-Committee on Justice, Freedom and Security - on-line meeting, 17 -18 March 2021; Gender equality issues are clearly highlighted on the agenda in the item 3.6.: Non-discrimination and gender equality. Women’s Rights Centre attended a preparatory meeting with representatives of DG NEAR in the run up to the Subcommittee meeting, the most important stock taking meeting between the EU and Montenegro on rule of law issues touching upon Montenegro’s fulfillment of commitments under Chapters 23 and 24.
2. 11<sup>th</sup> EU-Montenegro Sub-Committee Meeting on Innovation, Human Resources, Information, Society, Social Policy - video conference, 8 October 2021; - Gender equality issues are clearly highlighted on the agenda in the item 4.7: “Steps taken to address non-discrimination and equality between women and men in employment and social policy (alignment with *acquis* and policy developments)”.

Agendas and conclusions from SAA Committee and Sub-Committee’s meetings are not publicly available and could not be accessed, as a result, it cannot be concluded whether gender equality issues were included.

According to the information available online, SAA Committee did not meet during 2021. The Montenegrin Ministry of Capital Investments published brief information about 11<sup>th</sup> SAA Committee<sup>22</sup> meeting, which was held virtually on January 26<sup>th</sup>, 2022, in video format, but without reference on the whole agenda.

**CRITERION C. EU STRATEGIC ENGAGEMENT AT COUNTRY-LEVEL ON GENDER EQUALITY IS IN PLACE**

13. Country-level Implementation Plan for GAP III agreed and transmitted to HQ (Brussels) (indicator 5.1 GAP III)	Yes
14. Gender Country Profile conducted / updated	Yes
15. Fully-fledged gender analysis conducted / updated	No
16. Number of sector-specific gender analyses for the priority areas under the programming cycle 2021-2027 developed and transmitted to HQ (Brussels) (indicator 5.2)	1
17. Extent to which EU Delegation engages in dialogue on gender equality with governments, national gender equality mechanisms, parliaments and other institutional actors (indicator 7.1)	Extensively
18. Extent to which EU Delegation consulted civil society including women’s organisations for the development of the Country-level Implementation Plan	Extensively
19. Extent to which EU Delegation engages in dialogue on gender equality with civil society including women’s organisations (indicator 7.2)	Extensively
20. Extent to which EU Delegation engages in dialogue with civil society on women, peace and security issues in partner countries (indicator 7.2)	Not at all

CLIP for GAP III was adopted in July 2021 by the EU Delegation to Montenegro<sup>23</sup>. It is based on

<sup>22</sup> More information at: <https://www.gov.me/clanak/xi-sastanak-odbora-za-stabilizaciju-i-pridruzivanje>

<sup>23</sup> Based on the feedback from GFP in EU Delegation, it is planned to be updated every other year, but the next update is already expected during this year.

a series of on-line consultations undertaken by the EU Delegation with EU members states, international organizations and national CSOs. Although the EU Delegation contacted about 40 national CSOs asking for suggestions over CLIP, it received very limited feedback (4-5 CSOs responded). Among WCSOs, only Women's Rights Center responded with comments which were afterwards largely included in the official version of CLIP. For example, WRCs recommendation to include mentioning of CEDAW convention as a benchmark for further development of the national legal framework was adopted by EU Delegation. Also, reference on several important regional EU funded actions was additionally included. Traditionally, joint meetings between the EUD and CSOs provide for an efficient model of communication and desirable method for active inclusion of local CSOs in the work of the EU Delegation<sup>24</sup>. Potentially more clarity can be brought in the next CLIP about the methods on how the EU intends to bring forward this dialogue, what was also a suggestion delivered to the EU Delegation by WRC.

Gender Equality Profile (GEP)<sup>25</sup>, which was published in 2021 as a support for CLIP preparation, touches upon different areas including: 1) The Rule of Law, 2) Education and Science, 3) Employment and Social Protection, 4) Health care, 5) Agriculture, 6) Competitiveness and Innovation, 7) Energy, transport and Climate Change, 8) Security and Defense. Special segment of the GEP represent reference to ongoing projects on gender equality and women's empowerment. Although it consists of a short overview of gender equality status in different sectoral policies, it misses to explain the vital role and contribution of WCSO's including in relation to political participation, trafficking in women, employment and social protection, in bringing Montenegro closer to the EU standards and *Acquis*. Also, it does not include reference to all ongoing CSOs projects on gender equality and women's empowerment funded by the EU<sup>26</sup>. The section on Security and Defense particularly lacks information on the role of WCSOs in opposing violence, ethno-nationalism as well as promoting reconciliation.

In terms of comprehensive sector-specific analyses supported by the EU, there is one: *Gender Analyses of the Public Administration Reform* (developed by Women's Right Centre)<sup>27</sup>, which was underway in 2021, and is published at the beginning of 2022. The EU Delegation is committed to work on developing more gender analyses, which would be as well beneficial for the country in designing future public policies.

The EU Delegation appears to be largely engaged in dialogue on gender equality. Meetings with Embassies, government officials and WCSOs are organized on regular basis (approx. twice a month)<sup>28</sup>. With the arrival of the new EU Ambassador, who also participated at the panel about

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<sup>24</sup> "Another question is how logistically these meetings can be improved since they often include representatives from diverse CSO's in Montenegro, where women voice couldn't always be heard in a way it deserves": participant form the national networking meeting held with 10 CSOs that deal with women and human rights. National networking meeting place on 25<sup>th</sup> of February, in hotel CUE, Podgorica. The meeting was attended by 10 representatives of prominent CSOs working in the field of gender equality and human rights: Association Spectra, QUEER MNE, Association for Youth of Disabilities, Women's Alliance for Development, Institute Alternative, Union of the Blind, SOS Niksić, Human Rights Action, NGO Stana, NGO Juventas. Number of common topics were discussed and experience in relation to joint advocacy initiatives was shared among the participants. Through this networking meeting, organizations got familiar with the work of the Commission for monitoring the implementation of the Strategy of gender equality 2021-2025, recommendations from EC Country Report for Montenegro 2021 and got to actively suggest their own comments to presented documents. Overall outcome of the meeting was better understanding of key legislative in the field of gender equality and strengthen cooperation for future joint advocacy efforts.

<sup>25</sup> UNDP, Ministry of Justice, Human and Minority Rights and EU, *Gender Equality Profile*, from July 2021.

<sup>26</sup> It is quite appalling that only those CSOs that implement UN funded projects are mentioned in the GEP.

<sup>27</sup> Women's Right Center, *Gender Equality in Public Administration In Montenegro*, January 2022.

<sup>28</sup> Information obtained from the interview with Gender Focal Point in the Delegation of EU to Montenegro, organized on 10 February 2022.

Women in Leadership<sup>29</sup>, gender equality was raised as a higher political priority<sup>30</sup>. Cooperation with Parliament was also improved by establishing Women's Parliament<sup>31</sup>, while Mrs Ambassador of the EU to MNE participated in its 13<sup>th</sup> session via zoom. Enhancing cooperation with the Gender Equality Parliamentary Board is also recommended and would strengthen its visibility and role in monitoring and influencing future contents of laws and provisions.

What should be improved is the gender equality dialogue with local municipalities<sup>32</sup>, as well as better networking with gender focal points and other gender mechanisms in the country.<sup>33</sup> More visible results of mutual cooperation between diverse WCSO's and EU Delegation are also expected, and they can be reached by structuring mutual dialogue i.e. organise regular meetings exclusively dedicated to gender equality issues. Such focused briefings could contribute to raising awareness about actual state of play of gender equality in Montenegro. Gender issues need to be raised in the occasion of regular meetings with the Ambassadors.

During the Networking meeting on gender mainstreaming with attention to EU accession process<sup>34</sup>, it became apparent that WCSO's dealing with rights of women with disabilities sometimes feel excluded from the gender equality leading events, such as *16 days of activism against gender-based violence*<sup>35</sup> or have insufficient communication with EU Delegation. In the forthcoming period, the EU Delegation should put additional attention on the intersectional discrimination against women and girls with disabilities so that their needs are reflected in recommendations and priorities for actions in more detailed way.

Dialogue with civil society on women, peace and security between the EU Delegation and WCSOs is not taking place. The EU Delegation is aware of the need to raise visibility and importance of these issues<sup>36</sup>.

#### CRITERION D. EU MAINSTREAMS GENDER IN ALL ACTIONS AND TARGETED ACTIONS

21. Number and % of new actions that are gender responsive / targeted (GM1 + GM2) at country level (indicator 1.1 GAP III)	100%
22. Number and % of new gender targeted action (GM2) implemented from national allocation (indicator 1.2 GAP III)	4
23. Total funding in support of gender equality at country level (GM1 + GM2) (indicator 1.3 GAP III)	Approx. 33 517 million EUR
24. Amount of funding directed towards women's organisations and movements at country level (indicator 1.4 GAP III)	Cannot be concluded

<sup>29</sup> Organized by WRC, 18 March 2022

<sup>30</sup> On the occasion of 8 March she addressed all stakeholders to take concrete actions to help women and girls in Montenegro lead safer, healthier and more prosperous lives.

<sup>31</sup> More about Women's Parliament work at: <https://www.skupstina.me/me/kategorije/zenski-parlament>

<sup>32</sup> Positive example represents ReLOad initiative aiming to empower young and women across the country, and in cooperation with local municipalities. More info at: [https://www.eeas.europa.eu/node/94084\\_en](https://www.eeas.europa.eu/node/94084_en)

<sup>33</sup> Information about session at: <https://www.skupstina.me/me/sjednice-radnih-tijela/odbor-za-rodnu-ravnopravnost>

<sup>34</sup> Women's Rights Center organized two-day workshop on 24-25 February during which participants (national human rights CSO's) got familiar with gender mainstreaming processes and country's obligations in the framework of EU integration and particularly GAP III.

<sup>35</sup> More info about event at: <https://www.osce.org/mission-to-montenegro/506068>, <https://podgorica.me/vijesti/1926>, <https://www.standard.co.me/drustvo/video-pometi-nasilje-16-dana-aktivizma-protiv-nasilja-nad-zenama/>.

<sup>36</sup> Information from the interview with Gender Focal Point realised during the fieldwork activities behind this Report.

25. % of new actions supporting public finance management reforms that include a gender budgeting component (indicator 3.1 GAP III)	N/A
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There is in total five Action Documents<sup>37</sup> for IPA III (2021-2027), which are marked as GM1, so having Gender equality and Women's and Girl's Empowerment as a significant objective. However, a detailed analysis shows that they do not comply with the minimum OECD DAC requirements to be marked GM1 (lack of gender analysis, lack of sex-disaggregated data and lack of inclusion of relevant indicators for measuring progress towards gender equality) and should therefore be marked with GM0. Total sum of all five ADs is 33 517 352.94EUR, but in reality this funds will not go in total to gender equality. The inconsistencies with the gender marking system and the incorrect marking of Action Documents indicates that gender responsive budgeting is not designed and the real amount of allocation towards actions empowering women cannot be foreseen. Also, the amount of funding directed towards women's organisations and movements in the country cannot be measured as the gender marker methodology does not allow to differentiate per beneficiaries. Detailed information on Action Documents is included in the ANNEX 2 of this Report.

Each of the document has foreseen engagement of WCSOs in order to be consulted and involved in the future steps for the implementation processes. A representative from the national gender equality machinery is also to be invited to attend meetings in cases where this will bring added value to discussion and help bring a gender perspective to the specific sector.

During 2021 EU Delegation has signed four contracts with GM2:

1. **“Communicating gender equality”**, implemented by UNDP, duration from 1 February 2021 to 1 August 2022; budget 200,000 EUR. *Overall Objective* – contribute to gender equal Montenegro, where women and men, girls and boys, in all their diversity, are enjoying equal opportunities. *Specific Objective* – enhanced capacities to promote and integrate gender equality in governing, culture, media and human rights institutions to encourage and indorse culture of tolerance and gender equality in public discourse. *Result 1*: Created an enabling environment for public discourse that enables reduction in structural inequality between women and men; *Result 2*: Created awareness about discriminatory practices through reinforced horizontal cooperation among human rights, culture and media institutions and organizations on gender equality concerns
2. Three GM2 sub-grants inside of the 3 mil EUR project were signed with the Centre for Civic Education:
  - 2.1. **“Empowerment and support for women with experience of violence”**. *Lead applicant*: SOS Hotline for Women and Children Victims Bijelo Polje. *Associates*: Ministry of the Interior (MI), Government of Montenegro – a regional unit of the Police administration of Bijelo Polje; Basic state prosecution office; Regional body for misdemeanours; and the Basic Court of Bijelo Polje. *Overall goal* of the project is to contribute to improving the protection of women victims of violence and empowering them to break the cycle of violence. *The specific goals* are to improve the support services for women that had experienced violence and to contribute to improving the efficiency of competent institutions at the local level (MI, Centre for Social Work, Health, Prosecution Offices, courts, local government). The expected project results are strengthening the quality of available support and self-support services for women victims of violence, enhanced action and cooperation of competent institutions and civil society in the prevention and prosecution of cases of violence. The project duration is 9 months, and the total approved budget is 11,128.00 EUR.

<sup>37</sup> European Integration Facility; EU for Environment and Climate Action; EU for Connectivity and Green Agenda; EU for the Agriculture Sector; EU Reform Facility, at: [https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/montenegro-financial-assistance-under-ipa-ii\\_en](https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/montenegro-financial-assistance-under-ipa-ii_en)

**2.2. “TRUCE – Work of judiciary bodies in cases of domestic violence in coastal municipalities”.** *Lead applicant:* NGO Ksena. *Overall goal* of the project is to contribute to the protection of human rights and freedoms in Montenegro, with a focus on the rights of marginalized groups. *The specific goal* is to contribute to the fight against domestic violence, promotion of women’s rights and gender equality, and the strengthening of victim support services provided by CSOs to women and children victims of violence in the coastal region of Montenegro. The results of the project will be an analysis of the procedures of the judiciary in cases of domestic violence in four coastal municipalities of Montenegro (Herceg Novi, Budva, Tivat and Kotor), strengthened capacities of CSOs to provide adequate and sustainable support to women and children who are victims of domestic violence from Kotor and Budva and raising the awareness of the authorities and citizens in targeted municipalities on the importance of violence prevention. The project duration is 12 months, and the total approved budget is 17, 077.20 EUR

**2.3. “Multi-sectoral Cooperation as a condition for prevention and protection against gender-based violence”.** *Lead applicant:* SOS Hotline for Women and Children Victims Podgorica. *Partners:* SOS Hotline for Women and Children Victims Podgorica Ulcinj. *Associates:* Centre for Social Work for the Municipality of Bijelo Polje; The Institute for Social and Child Protection; and High Misdemeanour Court of Montenegro. *Overall goal* of the project is to contribute to the effective protection and support for women that experienced gender-based violence in accordance with international standards and national regulations. *The specific goal* is to improve the policies and practice of state bodies and civil society organizations and to strengthen independent control mechanisms in the field of protection against domestic violence in Montenegro. The project duration is 12 months, and the total approved budget is 48,616.00 EUR.

The EU doesn’t have internal mechanism for tracking exact amount of funding allocated in support of gender equality objectives in GM1 activities.

#### CRITERION E. THE EU LEADS BY EXAMPLE

26. Number and % of women in senior and middle management positions in the EU Delegation/Office (indicator 10.1 GAP III)	57%
27. % of management trained on gender equality and GAP III in EU Delegation and CSDP mission (indicator 10.2)	14% <sup>38</sup>
28. % of management trained on women, peace and security in EU Delegation and CSDP mission (indicator 10.2)	Not at all
29. Number of Gender Adviser / Gender Focal Points in the EU Delegation and CSDP mission	2

Four senior positions are held by women in the EU Delegation: Head of Delegation, Deputy Head of Political Section, Deputy Head of Cooperation and Head of Administration, out of 7 managerial positions or 57%.

The position of Gender Focal Point (GFP) in the EU Delegation is not accompanied by a formal job description and is not a full-time job. One staff member oversees gender issues in the *Cooperation Section* and works in the field of projects and financial support and one staff member in the *Political Section* oversees gender issues from the political and reporting aspects. Gender Focal Points are usually double hatted as they cover both gender and human rights equally. Limited financial resources in supporting gender mainstreaming and gender equality objectives could be another issue of concern for efficient work of Gender Focal Points.

Generally, there is space for improving knowledge on gender equality among EU Delegation employees as well as among senior-management staff. Sporadically, trainings are organised for

<sup>38</sup> One out of seven. Same source of information.

this targeted groups, in cooperation with UNDP MNE. In addition, it must be noted that none of the management is trained on women, peace and security issues, nor is there a staff member in charge for related tasks.

**CRITERION F. GOVERNMENT ADOPTS LEGISLATION IN LINE WITH THE EU ACQUIS COMMUNAUTAIRE ON GENDER EQUALITY AND CONSULTS WOMEN'S ORGANISATIONS**

30. Extent to which gender equality is addressed in the National Programme for the Adoption of the Acquis (NPAA)	Minimally
31. Extent to which key laws on gender equality and EU Accession are open for public consultation	Fully
32. Extent to which inputs on Laws / amendments / policies by women's organisations in line with the EU Acquis on gender equality are taken on board	Moderately
33. Extent to which new sectoral strategies are publicly available	Fully <a href="https://javnepolitike.me">https://javnepolitike.me</a>
34. Extent to which new sectoral strategies mainstream gender equality	Minimally
35. % of sector working groups (or the like) with women's rights organisations included/represented	14% <sup>39</sup>

The proposed Draft version of the Montenegro's Program for the Accession to the European Union 2021-2023 (MPAEU 2021-2023)<sup>40</sup> addresses gender equality to a minimal extent. Following strategies, laws and provisions were included in the Draft:

1. The adoption of the *National Strategy for Gender Equality 2021-2025* with the Action Plan 2021-2022 and the Final Report on the Implementation of the Action Plan for Achieving Gender Equality 2017-2021, planned for II quarter of 2021;
2. the adoption of the Action Plan for the implementation of the *Strategy for the protection of the persons with disabilities from discrimination and promotion of equality for the period 2017-2021*, for 2021, with the Report on implementation of the Action Plan for 2019 and 2020 – II quarter of 2021;
3. the adoption of the Action Plan for the Implementation of the *Strategy for improvement of the quality of life of LGBTI persons in Montenegro for the period 2019-2023*, for 2021, with the Report on the implementation of the Action Plan for 2020 – II quarter of 2021;
4. the adoption of the *Law Amending the Law on Prohibition of Discrimination*, originally planned for the IV quarter of 2021, but was postponed to the I quarter of 2022.
5. the adoption of the *National document for the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence*, originally planned for the II quarter of 2021;
6. *the adoption of the Strategy for development of Women Entrepreneurship 2021-2024*, with Action plan for 2021 and 2022– II quarter of 2021.

The National Office for European Integration organized a public debate on the occasion of drafting the MPAEU 2021-2023 starting from 30<sup>th</sup> December 2021, but according to the Report from the public debate there were no interested parties in the process of public consultation, i.e. no initiatives, proposals, suggestions or comments were sent to the Office, in writing or

<sup>39</sup> 2 out of 33, more detail about structure of working groups for negotiating chapters see at: <https://www.eu.me/>

<sup>40</sup> Integral document is at: [https://www.eu.me/wpfd\\_file/montenegros-programme-of-accession-to-the-european-union-2022-2023/](https://www.eu.me/wpfd_file/montenegros-programme-of-accession-to-the-european-union-2022-2023/)

electronically, within the set deadline<sup>41</sup>. Afterwards, CSOs were invited to an on-line consultation meeting <sup>42</sup>, WRC which took an active role in formulating clear recommendations on drafting MPAEU 2021-2023. Following these consultations, the initial version of the MPAEU 2021-2023 was transformed into final document MPAEU 2022-2023<sup>43</sup>.

In the official press release on adopting MPAEU 2022-2023 it is stated that “useful inputs are also obtained from representatives of the civil sector at online consultations”<sup>44</sup>. However, the report from the online consultations with CSOs is not publicly available. The final MPAEU 2022-2023 includes gender equality references as follows:

1. the adoption of the *Action Plan for the Implementation of the National Strategy for Gender Equality for the period 2023-2024* – I quarter 2022;
2. the adoption of the new *Strategy for protection of the disabled persons from discrimination and promotion of equality 2022-2027* with Action plan for 2022-2023 – I quarter 2022;
3. the adoption of the Action Plan for the Implementation of the *Strategy for improvement of the quality of life of LGBTI persons in Montenegro for the period 2019-2023*, for 2022, with the Report on the implementation of the Action Plan for 2021 – I quarter of 2022; and the Action Plan for the Implementation of the *Strategy for improvement of the quality of life of LGBTI persons in Montenegro for the period 2019-2023*, for 2023, with the Report on the implementation of the Action Plan for 2022 – I quarter of 2023;
4. the adoption of the new *Law on Prohibition of Discrimination* planned for II quarter of 2022;
5. the adoption of the *National Document for the Implementation of the Council of Europe Convention on Combating Violence against Women and Domestic Violence* (Istanbul Convention), postponed to the I quarter of 2022;
6. the adoption of the Action plan for *Strategy for development of Women Entrepreneurship 2021-2024*, for 2023-2024 ;
7. and the adoption of the *Law on legal recognition of the gender based upon self-determination*, planned for IV quarter of 2023.

Other strategies, provisions and laws, foreseen to be adopted<sup>45</sup>, would have to horizontally include a gender component, as they indirectly reflect and determine the women’s position on multiple levels, but the extent to which they are going to be gender-mainstreamed remains unclear. Direct references to gender equality are excluded from the other chapters, which means that among more than 400 provisions, strategies and laws foreseen to be adopted by MPAEU 2022-2023, only seven above mentioned can be considered to directly influence gender equality issues.

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<sup>41</sup> Full Report <https://www.gov.me/dokumenta/1dde0a85-f9d5-4b47-ac9c-4b75436c44d4>

<sup>42</sup>Information about meeting: <https://www.eu.me/novi-program-pristupanja-cg-eu-kljucni-orijentir-za-implementaciju-evropske-agende-crne-gore/>

<sup>43</sup> The Government adopted most of the planned documents (excluding National Document for the Implementation of Istanbul Convention and Law Amending the Law on Prohibition of Discrimination) during the 2021 so they were removed from the final version of the MPAEU 2022-2023.

<sup>44</sup> Ibid.

<sup>45</sup> Such as: *Media Strategy 2022-2026; Agriculture and Rural Development Strategy 2022-2028. Micro, Small and Medium Enterprises Development Strategy 2023-2027; Tourism Development Strategy of Montenegro 2022-2026 with the Action Plan; Higher Education Development Strategy 2022-2026 with Action Plan; Youth strategy; Sports development strategy; Cultural Development Program 2022-2026, with the Action Plan for 2023 and many others.*

New sectoral strategies are publicly available. Latest adoption of the Public Administration Reform Strategy 2022-2026<sup>46</sup> represents a solid example<sup>47</sup> of how relevant stakeholders can be involved in the developing process of sectoral strategies and provide recommendations for a higher quality document aiming to efficiently contribute to the improvement of public administration work<sup>48</sup>. Still, recommendations provided by WRC in the Gender Analysis of PAR<sup>49</sup>, in particular in relation to the inclusion of gender expertise in the PAR Council, were not taken into account. In general, CSOs influence on the overall strategic planning must be improved, requiring higher sensibility of the Government to implement grounded recommendation when such are provided, or give solid explanation in a case they are rejected<sup>50</sup>.

Regarding the extent to which all active sectoral strategies mainstream gender, according to the assessments results<sup>51</sup>: 51 out of 63 valid strategic documents in 2021, are completely gender blind, 5 mostly gender blind, 3 mostly gender mainstreamed and 4 completely gender

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<sup>46</sup> Ministry of Public Administration, Digital Society and Media, *Public Administration Reform Strategy 2022-2026*, February 2022 at: <https://www.gov.me/en/documents/0aaa040b-0413-46b6-a8c7-5b2c10cdc9dc>

<sup>47</sup> PAR Strategy 2022 – 2026 is developed according to the national Methodology. Public consultation process has been organized for both strategic and operation inputs, and in addition survey on prioritized strategic goals is conducted for more inclusive approach. Apart from the open call for the participation of CSO in the development of the strategy, specific interviews with selected business associations and companies are conducted. Strategy is prepared through consultative and participative processes including wide range of stakeholders (meetings of the WGs, organized focus groups and interviews, SIGMA involvement, coordination with GSG's strategic coordination unit) and in its final phase underwent through public debate before adoption. Monitoring and reporting mechanisms have been defined and will be operationalized through accompanying Action plan 2022 – 2024. At the Government level, several mechanisms are established for the overall coordination of the Public Administration Reform, out of which the key one is the PAR Council (Prime minister is the president of the Council and members are from MPADSM, MoFSW, Chief negotiator, HRMA, UoM and CSOs). Operational group at the Ministry level is formed – core team is established for the implementation of the PAR Strategy with key contacts points from all relevant institution.

<sup>48</sup> The strategic planning system in Montenegro is based on the *Law on State Administration* (Official Gazette of Montenegro, no. 78/18, 70/21, 52/22 - at: <https://me.propisi.net/zakon-o-drzavnoj-upravi/>) and the supporting by-law *Decree on methodology and procedure for drafting, aligning and monitoring of the implementation of strategy documents* (Official Gazette of Montenegro, no. 54/18) - at: <https://javnepolitike.me/wp-content/uploads/2020/11/Methodology-for-policy-development-drafting-and-monitoring-of-strategic-documents-2018.pdf>. The process of designing strategies is participatory involving: state actors (inter-ministerial consultations), non-state actors and, where appropriate, international actors. The participation of citizens and non-governmental organizations in the decision-making process and in the process of drafting strategies is regulated by the *Decree on the Election of CSO Representatives to the Working Bodies of the State Administration Bodies and Conducting Consultation in Preparation of Laws and Strategies* (Official Gazette of Montenegro, no. 41/18). According, all sectoral strategies have to be prepared following these regulations. Additionally, due to the conclusions of the PAR special group, the Ministry of public administration, digital society and media (MPADSM) is given a mandate to conduct quality control of public consultations/debates on state level - See also Draft version of IPA III Strategic Response for Montenegro on <https://www.gov.me/dokumenta/fd797b2b-a3d3-4f9e-b148-e792cf2ce089>.

<sup>49</sup> Women's Right Center, *Gender in Public Administration - gender analysis of public administration in Montenegro*, January 2022, at: <https://womensrightscenter.org/wp-content/uploads/2022/03/Public-Administration-in-Montenegro-Gender-Analysis.pdf>

<sup>50</sup> Unlike the previous praxis, policy makers started publishing reports from public debates through one can follow accepted and incorporated suggestions from CSO's. Even though these reports are more available than before, there are still sometimes lack of explanations as to why some suggestions have not been adopted.

<sup>51</sup> Komar, Olivera, Elezović, Sanja (authors), designed on behalf of the Ministry of Justice, Human and Minority Rights, with support of the OSCE Mission to MNE, and for the purpose of Secretariat-General of the Government, *Instrument/standardized guidelines/ for assessing the level of gender mainstreaming in strategies and laws with the gender analyses of 27 valid strategies in 2021*, delivered to Women's Right Centre for acquaintance on January 2022.



mainstreamed. If we add up the number of those who are mostly gender mainstreamed or fully gender mainstreamed, we get 7, which is a total of 11.1% of all implementing strategies.

During 2021 public consultations were regularly conducted for adopting new sectoral strategies. Working group for the *Strategy on the development of female entrepreneurship 2021-2024* included gender expertise - representatives of WCSOs working in the field of economy and business sector<sup>52</sup>. Gender expertise fully participated in the design of *National Strategy for Gender Equality 2021-2025* as well. Although *Public Administration Reform Strategy 2022-2026* was designed in the comprehensive process of consultations with diverse CSOs, and includes gender equality issues horizontally, representatives from WCSOs did not participate in the process<sup>53</sup>. No gender expertise was consulted during the design of the *Strategy for Social Inclusion of Roma and Egyptians in Montenegro 2021-2025*<sup>54</sup>, *National Brand Development Strategy 2022-2026*, or *Strategy of Digital Transformation 2022-2026*. There is no publicly available information about the structure of working groups for the *Strategy on air quality 2021-2029*, *Cyber security strategy of Montenegro 2022-2026*, *Strategy for Digitalization of the Educational System 2022-2027*, *National Employment Strategy 2021-2025*, *Tourism Development Strategy in Montenegro until 2025*, *Economic Development Programme of Montenegro 2022-2024*, *Lifelong Career Guidance and Counseling Program 2021 – 2023*. Since report from the public debate has not been published yet, it is also not clear if Government adopted WRCs recommendation delivered on *Medium-Term Government Work Program 2022-2024*. In total and based on the available information, only two sectoral strategies working groups included gender expertise in designing strategies conducted during the 2021, representing 14% of total WGs (2 out of 14).

Working groups for negotiating chapters may be also an efficient platform to open and discuss gender equality, especially in chapters where these issues are not in the foreground. When it comes to the structure of working groups, although total number of women in the negotiating structure is relatively high (439 women or 65.5%)<sup>55</sup>, this doesn't necessarily mean that gender issues are raised. Also, only two representatives from WCSO's<sup>56</sup> are members of two WG's (6% out of total number of WGs members<sup>57</sup>).

#### CRITERION G. GOVERNMENT IMPLEMENTS RECOMMENDATIONS ON GENDER EQUALITY INCLUDED IN THE COUNTRY REPORT

36. Extent to which recommendations on gender equality included in the Country Report have been implemented by the government/institutions	Moderately
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Government took some positive steps in 2021 in order to implement key recommendations on gender equality issues from the 2020 Country Report. For example, it:

- Adopted the National Gender Equality Strategy 2021-2025 as well as the corresponding accompanying reports and action documents;
- Established the Commission for Monitoring, Implementation and Reporting on the National Gender Equality Strategy;
- Issued the Third Report on the Implementation of the CEDAW<sup>58</sup>;

<sup>52</sup> More info about the structure of WG at <http://eusluge.euprava.me/eParticipacija/Item/?Id=409>

<sup>53</sup> Report from the focus groups meetings at <https://wapi.gov.me/download-preview/ec924896-5446-48f7-9551-df6461c6fffa?version=1.0>.

<sup>54</sup> More at <http://eusluge.euprava.me/eParticipacija/Docs/?Id=480>

<sup>55</sup> Data obtained from the NIPAC during the interview.

<sup>56</sup> Maja Raičević from WRC in the WG 23, and Sandra Milićević from SCO "First multicultural women's organization in Montenegro – dialogue for unity" in the WG 7. For detailed structure of WG's see following link: <https://www.eu.me/en/home-3/>

<sup>57</sup> More detail about structure of working groups see at: <https://www.eu.me/>

<sup>58</sup> At: <https://www.gov.me/dokumenta/bafcb884-0b88-4de7-9562-71bf1f768b07>

- Cooperated with the Council of Europe Office in Montenegro on campaign for promoting free legal aid;
- Drafted the Report of the GREVIO Committee of the Council of Europe;
- Adopted a Strategy for development of Women Entrepreneurship 2021-2024.

Still, further alignment of the national legislation with the Istanbul Convention and the GREVIO recommendations in order to adopt adequate definitions of gender-based and domestic violence is yet to be achieved through amending Criminal Code, Criminal Procedure Code, Law on Free Legal Aid and the Law on Protection from Family Violence, particularly by criminalisation of sexual harassment<sup>59</sup> and other forms of gender-based violence that were not covered by aforementioned laws. There is an evident lack of systematic approach regarding physical protection of victims and prosecution of registered cases, as well as overly lenient sanctions<sup>60</sup>. Issue of great concern is the proportion between misdemeanour and criminal cases, which suggests lenient sanctioning of gender-based violence cases.<sup>61</sup> In addition, nothing has been done yet to follow-up on the UN monitoring bodies recommendation to raise the minimum age for entering marriage, as the practice of arranged child marriages among the Roma and Egyptian communities remains a matter of concern<sup>62</sup>.

In order to meet official recommendation by developing quality employment measures targeting women<sup>63</sup> the Government:

- adopted a *Strategy for development of Women Entrepreneurship 2021-2024*, with follow up action plans.
- The *Economic Recovery Platform for Montenegro 2021-2023* horizontally includes some gender-specific objectives as well but lacks further evaluation on how proposed measures can contribute to economic improvement of women.
- The same applies to the *Program for improving the competitiveness of the economy for 2021* which pays special attention to encouraging the development of entrepreneurship of young people and women but was not developed on the basis of sex-disaggregated data and does not contain specific actions or gender sensitive budgeting in order to overcome inequalities.

#### CRITERION H. PROGRAMMING OF IPA III AT NATIONAL LEVEL PRIORITISES GENDER EQUALITY

37. Extent to which responsible government bodies consulted women's organisations for the development of the Multi-annual Indicative Programmes [IPA III Strategic Response]	Moderately
38. Extent to which Multi-annual indicative Programme [IPA III Strategic Response] includes gender equality objectives	Minimally
39. Extent to which annual Indicative Programs or Action Documents contain a gender perspective	Fully

<sup>59</sup>EC CR MNE 2020, p. 37-38.

<sup>60</sup>Ibid.

<sup>61</sup>The report clearly evaluates that: "gender-based violence, especially domestic violence, remains a serious and permanent criminal, social and public health issue. In 2020, 265 cases of domestic violence (2019: 281) was registered as a criminal offense, and further 2,133 (2019: 1 819) by misdemeanour courts, while specialized CSO's recorded an increase of about 30% of cases in 2020 in relation to the previous year. It is estimated that most gender-based violence cases remain unclaimed " p. 35.

<sup>62</sup> EC CR MNE 2020, p. 39.

<sup>63</sup> Ibid, p. 98

IPA III Strategic Response was subject of a public debate at the end of 2021<sup>64</sup>. National Office for EU Integration announced public call for submitting remarks and suggestions in writing with a precise deadline until 5<sup>th</sup> February. According to the Report from public debate, four participants delivered comments on the document<sup>65</sup>, among them only one CSO (WRC). In the Report it is stated that most of the recommendations on Window 1: Rule of Law and Fundamental Rights will be considered in future when designing particular projects<sup>66</sup>. Only those referring to gender-based violence protection system are adopted and will be incorporated in the final version of IPA III Strategic Response<sup>67</sup>. WRC recommendations on Window 2: Good Governance related to PAR were mostly rejected with the explanation that PAR Strategy has already included gender perspective on a horizontal level<sup>68</sup>. Proposals by WRC concerning data collection improvement of National Statistical Office (MONSTAT) were rejected with the recommendation that they should be directly delivered to MONSTAT to feed into the process of preparation for the new National Statistic Office Programme 2024-2028, to be launched at the beginning of 2023.

Gender equality objectives are minimally included in the Draft version of IPA III Strategic Response<sup>69</sup>, because, according to the Public Debate Report, specific sectoral strategies elaborate in detail gender equality issues. It should be noticed that the percentage of allocation of funds for gender equality within the Thematic Priority 5: Fundamental Rights, amounts to only 1.31% out of total budget and is estimated to be implemented starting from 2023. Final version of IPA III Strategic Response is not available yet.

Detailed information on IPA III Action Documents is in ANNEX of this Report. Analysis of the Action Documents under indicator 39. was provided in detail under Criterion D. of this report.

#### CRITERION I. SEX-DISAGGREGATED DATA IS COLLECTED BY NATIONAL STATISTICAL OFFICES

40. The Country has an updated Gender Equality Index (GEI) at national level	No
41. Whether National Statistical Offices publish a report with easily accessible sex-disaggregated data that is sufficient for the public's use (based on Women & Men publication)	Moderately

Fist **GEI** for Montenegro was published in 2019, with an overall score of 55, while for the EU-28 average is 67.4<sup>70</sup>. Every two years the National Statistical Office (MONSTAT) publishes the edition Women and Men<sup>71</sup>. The latest 2020 edition contains data, tables and graphs without additional statistical and sociological analysis. Data presented refers to: population, vital events, education, justice, employment and pensioners, politics and domestic violence. This data is not fully sufficient for public use, since some statistics are missing. For example, neither data about

<sup>64</sup> More information at: <http://eusluge.euprava.me/eParticipacija/Item/DefaultMobile.aspx?Id=706>

<sup>65</sup> List of comments and more information at: <file:///C:/Users/Korisnik/Downloads/Izvie%C5%A1taj%20sa%20javne%20rasprave.pdf>

<sup>66</sup> From Public Debate Report, *ibid*.

<sup>67</sup> In the Women's Rights Centre comprehensive list of comments to the IPA III Strategic Response, it warns of complete exclusion of planned strategic activities for the prevention and combatting violence against women and domestic violence, even though these issues are continuously recognized in the EC CR MNE as those of serious concern.

<sup>68</sup> Although PAR Strategy includes gender perspective, Gender analysis of PAR done by WRC showed list of deficiencies and limitations that reduce much needed pace of gender mainstreaming in this sector. For detailed analysis consult Women's Right Center, *Gender in Public Administration - gender analysis of public administration in Montenegro*, January 2022, at: <https://womensrightscenter.org/wp-content/uploads/2022/03/Public-Administration-in-Montenegro-Gender-Analysis.pdf>

<sup>69</sup> Draft version of IPA III Strategic Response for Montenegro on <https://www.gov.me/dokumenta/fd797b2b-a3d3-4f9e-b148-e792cf2ce089>

<sup>70</sup> Komar, Olivera, UNDP, Gender Equality Index 2019, available at:

<https://www.undp.org/montenegro/publications/gender-equality-index-2019>

<sup>71</sup> Also see [https://www.monstat.org/cg/publikacije\\_page.php?id=213&pageid=142](https://www.monstat.org/cg/publikacije_page.php?id=213&pageid=142)

average salaries is collected, nor are there statistics regarding pension payments. Data on unpaid work and care is also not available. Data on public administration employees is included only in the case of Police Department and Ministry of Defence but the publication lacks statistics about employees in all other state institutions. There is some level of discrepancy among same data collected by the CSOs working with women with disabilities and MONSTAT, mainly because of the inconsistent definitions of disability<sup>72</sup>.

#### CRITERION J. NATIONAL BODIES RESPONSIBLE FOR EU INTEGRATION INCLUDE STAFF WITH GENDER EXPERTISE

42. Extent to which gender expertise exists in the government body responsible for EU integration	Minimally
43. % of staff trained on gender equality in the national body responsible for EU integration	Minimally
44. Extent to which Gender Focal Points are consulted in the IPA programming	Minimally
45. Extent to which gender equality expertise exists in national statistical offices	Cannot be concluded

The body responsible for the EU integration is the Office for European Integration led by the Chief Negotiator who is also National IPA Coordinator. The Office itself does not seem to have dedicated gender expertise or staff acting as Gender Focal Points. Still, some staff members are very experienced in gender issues and have undergone gender equality trainings, even though their primary duties concern different domains of action. There is an overall understanding about the importance of both, Office for EU Integration as well as NIPAC staff having appropriate expertise related to gender equality so that EU processes can be better gender mainstreamed: "I think it is up to us to be more actively involved in the promotion of this topic, that our employees acquire higher level of knowledge, so that they can communicate with other departments"<sup>73</sup>.

There is no relevant track record about the level of engagement of gender expertise in the IPA programming and the general opinion is that the GFP network among ministries could be more functional<sup>74</sup>. Officials and employees included in the EU integration processes are aware that each Action Document should contain gender equality at least as a significant policy objective in line with GAP III requirements, but further understanding on how to gender mainstream IPA AD's is lacking.

#### CONCLUSION

During 2021, the Government took steps to meet the requirements from the EU Country Report, and at the same time adopted several strategic documents trying to address the main recommendations issued by the EU. However, gender mainstreaming of adopted strategic documents remains on a low level. More systematic approach and effective coordination of internal gender mechanisms is still missing, thus resulting in the slow reforming process in the country. The fact that Office for EU Integration does not have formally appointed full-time GFP among its staff results in insufficient gender mainstreaming of both: monitoring of national harmonization with *Acquis* as well as overall state-led process towards EU integration. Consultations with experienced WCSOs may contribute to the better gender mainstreaming of

<sup>72</sup> WRC correspondence with CSO's, February 2022.

<sup>73</sup> From the interview with Chief Negotiator for the EU, January 2022.

<sup>74</sup> Ibid. Since November 2016, 106 gender focal points and 13 contact persons in the media have been appointed at the national and local level. The Ministry of Justice, Human and Minority Rights is in charge of communicating with contact persons and coordinating their work in the field of gender equality. From the National Strategy for Gender Equality 2021-2025, at: <https://www.gov.me/en/documents/33985332-d431-4c25-9643-e9a15d76e548>, p.25

these processes and could also improve gender mainstreaming in revision of the IPA III Action Documents, with aim to ensure full alignment with the OECD DAC criteria. However, this still doesn't account for necessary arrangements in order to raise capacities of relevant institutions in terms of gender expertise.

Few positive actions, on the other side, have also emerged through the monitoring exercise: gender analyses of relevant strategies resulted in the starting value of 11.1%<sup>75</sup> against which all future evaluations will potentially show the level of progress in gender-mainstreaming. The praxis of conducting public consultations on sectoral strategies including on the IPA III Strategic Response, with the obligatory participation of the civil society sector, are positive signs of the adoption of an inclusive and transparent approach, as is the publishing of reports from public debates both of which should continue in the future.

However, there is still space for improvement. Public consultations could be more inclusive and better structured with the use of specific questionnaires, designed upon the relevant statistics and data to elicit useful responses. The National Statistical Office should also expand the collection and use of sex-disaggregated data in its publications in order to provide a clear and informed picture of the status of gender equality in the society. The Gender Equality Index as well as Gender Equality Profile (linked to the CLIP) contain useful information in this regard, but the GEP is still missing information on the vital role of WCSOs in areas related to political participation, trafficking in women, employment and social protection, including the reference to all ongoing CSO projects on gender equality and women's empowerment funded by the EU.

The EU Delegation to Montenegro, continues to show attention to gender issues. With the arrival of the new EU Ambassador, gender equality advocacy was raised on a higher political level<sup>76</sup>. During 2021, the EU Delegation has been actively engaged in promoting a proactive approach towards combating GBV, economic empowerment of women, furthering Roma and Egyptian integration into society, promoting positive examples of successful young women, women in science, supporting LGBTQI events, empowering girls rights, staying against misogyny and hate speech towards women<sup>77</sup>. During March 2021 the EU Delegation organized series of workshops in Montenegrin high schools, dedicated to women in activism<sup>78</sup>. In 2021 the CLIP for the implementation of GAP III was adopted by the EU Delegation. In the future, the CLIP implementation process can benefit from the establishment of a regular dialogue with WCSOs to ensure greater coordination and cooperation on gender equality issues.

Better inclusion of and consultation with CSOs by EU Delegation should be also considered in the context of preparing the SAA Committee and relevant sub-committee meetings. The praxis of regular joint meetings, suspended for a while during the pandemic, has proved to be positive and effective and should be continued. In order to make the work of EU Delegation even more influential, continuous gender training programs for EU Delegation staff should be organized.

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<sup>75</sup> Komar, Olivera, Elezović, Sanja (authors), designed on behalf of the Ministry of Justice, Human and Minority Rights, with support of the OSCE Mission to MNE, and for the purpose of Secretariat-General of the Government, *Instrument/standardized guidelines/ for assessing the level of gender mainstreaming in strategies and laws with the gender analyses of 27 valid strategies in 2021*, delivered to Women's Right Centre for acquaintance in January 2022.

<sup>76</sup> On the occasion of 8 March she addressed all stakeholders to take concrete actions to help women and girls in Montenegro lead safer, healthier and more prosperous lives.

<sup>77</sup> For example: 16 Days of Activism; Briefing with diplomatic missions and WCSO organized by the Embassy of Czech Republic and Slovenian Embassy, 7 December 2021; ROMAATED programme promotion, supported by the Council of Europe Programme Office in Podgorica, 18 November 2021; Representatives from the EU Delegation participated at the Pride, 16 October 2021; Promotion of the International Girls Day, 11 October 2021; As part of the Reporting Diversity Network 2.0 project implemented by Media Diversity Institute Western Balkans in collaboration with Centre for Investigative Journalism in Montenegro funded by the EU, they spoke to people who have been exposed to attacks, 9 July 2022.

<sup>78</sup> Full information at: [https://www.eeas.europa.eu/node/95392\\_en](https://www.eeas.europa.eu/node/95392_en)

Also, the Gender Focal Point should be a full-time position with clearly defined tasks and an appropriate access to decision-making and resources.

The findings of the monitoring exercise show that the key stakeholders in charge of EU integration processes in Montenegro are moderately prepared to efficiently and in coordination fulfil EU and national strategic obligations to achieve gender equality standards. The research indicates the presence of staff both in all government structures, especially in the National Office for EU Integration, and in the EU Delegation, with expertise on and commitment to the gender equality portfolio. However, without a comprehensive and systematic approach, sufficient human and financial resources, an active network of internal gender focal points (GFPs) and visible influence of WCSOs, it will be difficult to achieve the ambitious objectives of alignment with the EU Acquis on gender equality and those selected under GAP III.

## RECOMMENDATIONS

FOR EU:

- 1) Gender mainstream all chapters of the future Country Reports, in accordance with EU commitments;
- 2) Further expand EC's recommendations including issues about licencing, funding and overall status of women CSOs specialised service providers, as well as more detailed analysis of COVID-19 negative and disproportioned effect on women;
- 3) Exert pressure on the Government to review licencing and financing process of CSOs, in order to eliminate the possibility to provide license and funding to organizations whose management and staff have criminal records ;
- 4) Use sex-disaggregated data throughout the Country Report and provide recommendations on how to expand sex-disaggregated data and statistics, particularly in the upcoming Census;
- 5) Provide information on women participating in peacekeeping missions and on the implementation of UNSCR 1325 action plans.
- 6) Raise awareness about the importance of UN Resolution 1325 and provide space for dialogue on women, peace and security between CSOs and EU Delegation staff members in the context of the GAP III implementation.
- 7) Promote dialogue and inclusion of women's organisations ahead of the sub-committee meetings. Consider delivering SAA committee and sub-committee meetings conclusions on gender equality issues. Insist on the praxis of regular meetings with CSO's, which can also be supportive for the better coordination among local CSO's working in the same field.
- 8) Ensure an inclusive and participatory reporting system throughout the GAP III implementation by stimulating participation of WCSOs.
- 9) Comprehensively include all WCSO's projects funded by the EU and in cooperation with UNDP in the future Gender Equality Profile editions.
- 10) Increase cooperation with CSOs working on the rights of women with disabilities and rural women. Make sure that their representatives are invited in consultations organized by the EU Delegation;
- 11) Improve cooperation with local municipalities aiming to raise visibility of gender equality activities on local level;
- 12) Continue cooperation with Parliament in order to strengthen the importance of Women's Parliament work, including promoting the Gender Equality Parliamentary Board to strengthen its visibility and role in monitoring and influencing future laws and provisions;
- 13) Organize regular trainings for EU Delegation staff members about gender equality issues including GAP III obligations related to gender-mainstreaming;
- 14) Consider establishing a full-time position for Gender Focal Point in the EUD with a standard job description including expertise required for the position, access to decision-

making within the EUD, resources available and responsibilities in both programming as well as policy dialogue on gender equality issues.

- 15) Continue the good practice of developing more sector-specific gender analyses in order to actively inform EU programmes and domestic programmes/policies in more gendered way;
- 16) Use gender-sensitive language in the official announcements on social networks in Montenegrin language.

#### FOR THE GOVERNMENT:

- 1) Include representatives of WCSOs, and particularly those working with women with disabilities, self-care mothers, elderly women and rural women in consultation processes taken before final decision making. Good step forward would be by appointing representative from the WCSO's in the Council for PAR, which is not predicted, at least for now;
- 2) Stimulate public debate and participation of civil society in designing strategies and laws by regularly reporting on the public debate outcome including evaluation of denied suggestions. Focused consultations, questionnaires and providing gendered data in specific sector could be helpful in this regard;
- 3) Office for EU integration should be more intensively involved in processes of monitoring strategies and law in accordance with *Acquis*, for example, through the development of specific gender-mainstreaming strategy checklist;
- 4) Promote debate on gender issues into specific sectors within the work of WGs and raise awareness about importance of including WCSOs into their work;
- 5) Improve gender expertise among employees of the Office for EU integration and provide that all NIPAC staff acquire basic knowledge on gender equality. Consider institutionalising a full-time position for Gender Focal Point in the National Office for EU Integration;
- 6) Establish and support the Gender Focal Point network among ministries which is crucial for long-standing systematic achievements;
- 7) Ensure gender experts are consulted for the programming activities of IPA III, particularly in the design of all actions;
- 8) Ensure that adequate funding is allocated to gender equality objectives (GM2 and GM1) in the framework of IPA III Strategic Response and monitor efficiency in the realization of foreseen objectives;
- 9) Aiming to improve attention to gender equality in IPA action documents and ensure the correct use of the OECD gender marker, consider consulting experienced WCSOs;
- 10) Ensure that the future laws/provisions/strategies according to MPAEU 2022-2023 are better gender-mainstreamed, and improve efficiency in adoption of foreseen gender related documents;
- 11) Improve gender mainstreaming in future sectoral strategies;
- 12) Expand the data in future edition of Women and Man publication in relation to all employees in public administration, gender gap in pensions payments, data about average salaries, unpaid work etc.;
- 13) Comprehensively meet recommendations from EU Country Report without delaying adoption of vital provisions concerning women's rights, and in particular of those concerning gender-based and domestic violence;
- 14) Develop dialogue and institutionalize cooperation with CSOs ensuring there is adequate space for meaningful consultation on EU accession related reforms including those aiming at fostering gender equality in integration processes.

## ANNEX 1. DATA SOURCES

**LITERATURE:**

- Commission Staff Working Document Montenegro 2021 Report *Accompanying the document* Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2020 Communication on EU Enlargement Policy;
- Commission Staff Working Document Montenegro 2021 Report *Accompanying the document* Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2021 Communication on EU Enlargement Policy;
- Institute Alternative, *The Enlargement Impasse and the Necessity for its Transformation*, 2021 at
- Komar, Olivera, Elezović, Sanja, designed on behalf of the Ministry of Justice, Human and Minority Rights, with support of the OSCE Mission to MNE, and for the purpose of Secretariat-General of the Government, *Instrument/standardized guidelines/ for assessing the level of gender mainstreaming in strategies and laws with the gender analyses of 27 valid strategies in 2021*;
- Komar, Olivera, UNDP, *Gender Equality Index*, 2019;
- UNDP, Ministry of Justice, Human and Minority Rights and EU, *Gender Equality Profile 2021*.
- Women's Rights Centre Contribution to the EC Country Report, *Women's Rights in Montenegro*, 2020;
- Women's Right Center, *Gender Equality In Public Administration In Montenegro*, 2022;

**LAWS AND PROVISIONS:**

- The Law on Social and Child Protection ("Official Gazette of Montenegro" no.27/13...31/17) at: <https://www.paragraf.me/propisi-crnegore/zakon-o-socijalnoj-i-djecjoj-zastiti.html>
- Law on State Administration (Official Gazette of Montenegro, no. 78/18, 70/21, 52/22) at: <https://me.propisi.net/zakon-o-drzavnoj-upravi/>

**STRATEGIC DOCUMENTS:**

- Ministry of Justice, Human and Minority Rights, National Strategy for Gender Equality 2021-2025, at: <https://www.gov.me/en/documents/33985332-d431-4c25-9643-e9a15d76e548>
- Methodology for Policy Development, Drafting and Monitoring of Strategic Planning Documents at: <https://javnepolitike.me/wp-content/uploads/2020/11/Methodology-for-policy-development-drafting-and-monitoring-of-strategic-documents-2018.pdf>
- Ministry of Public Administration, Digital Society and Media, *Public Administration Reform Strategy 2022-2026*, 2022 at: <https://www.gov.me/en/documents/0aaa040b-0413-46b6-a8c7-5b2c10cdc9dc>
- Draft version of IPA III Strategic Response for Montenegro on <https://www.gov.me/dokumenta/fd797b2b-a3d3-4f9e-b148-e792cf2ce089>

**ON LINE SOURCES:**

- [www.womensrightscenter.org](http://www.womensrightscenter.org)



- [www.dokumenta.me](http://www.dokumenta.me)
- [www.pobjeda.me](http://www.pobjeda.me)
- [www.canu.me](http://www.canu.me)
- [www.gov.me](http://www.gov.me)
- [www.data.consilium.europa.eu](http://www.data.consilium.europa.eu)
- [www.parlament.gv.at](http://www.parlament.gv.at)
- [www.ec.europa.eu](http://www.ec.europa.eu)
- [www.statista.com](http://www.statista.com)
- [www.osce.org](http://www.osce.org)
- [www.podgorica.me](http://www.podgorica.me)
- [www.standard.co.me](http://www.standard.co.me)
- [www.eu.me](http://www.eu.me)
- [www.eusluge.euprava.me](http://www.eusluge.euprava.me)
- [www.undp.org](http://www.undp.org)
- [www.monstat.org](http://www.monstat.org)
- [www.skupstina.me](http://www.skupstina.me)

LIST OF INTERVIEWS:

- Interview with Chief Negotiator for EU and NIPAC, 28 January 2022
- Interview with the Gender Focal Point in the EU Delegation, 10 February 2022
- National networking meeting, 25 February 2022 with 10 representatives of prominent CSOs working in the field of gender equality and human rights: Association Spectra, QUEER MNE, Association for Youth of Disabilities, Women's Alliance for Development, Institute Alternative, Union of the Blind, SOS Niksic, Human Rights Action, NGO Stana, NGO Juventas.

## ANNEX 2. ANALYSIS OF IPA III ACTION DOCUMENTS

There is in total FIVE Action Documents for IPA III (2021-2027), with Gender equality and Women's and Girl's Empowerment as a significant objective, but due to the internal inconsistencies of the documents (lack of gender analysis, lack of sex-dissaggregated data and exclusion of relevant indicators for measuring progress towards gender equality) all of them are marked with GM0.

1. European Integration Facility: information related to gender perspective is only the part of the mainstreaming chapter: "Action will specifically contribute to the enhancement of the capacities of staff in all line ministries contributing towards the achievement of gender-related UN, EU, CoE and OSCE requirements for gender sensitive policies, legislation and programming as well as gender balanced representation in relevant operational structures, participation in capacity building interventions, etc. Finally, the concept of gender mainstreaming will be taken into account in all stages of the projects implementation so as to enable and encourage participation of women in all areas of policy development that this Action will help formulate and support". Context analysis doesn't include gender assessments. Areas for further improvement are recognized in the linkage between strategic plans and budget resources; medium-term perspective in planning and budgeting; management of public investments, assets, and fiscal risks; and meaningful performance measurement and evaluation, without recognizing the need for improvement in gender sensitive public budgeting, which is in direct linkage with successful PFM implementation. Also, when analysing the complementarity of areas of support with national strategic documents no single remark is made on the need to improve gender representation in the managerial and high-ranking positions in the public administration, even though administrative capacity building is recognized as one of the key priorities. Although gender equality and women's and girl's empowerment are marked as a significant objective, document itself does not provide sex-dissaggregated data, nor does it provide any detailed context analysis upon which this objective would rely on. In the Logical Framework for Project Modality, one of two indicators for the Outcome 1: Accession negotiations, transposition of the acquis and implementation of EU policies supported, is: *Score provided by ROM reports in relation to OECD DAC evaluation criteria*. Still, the outputs are completely gender blind.
2. EU for Environment and Climate Action – information related to gender perspective is the part of the mainstreaming chapter: "This Action will contribute to the Objective No. 4 of the EU gender equality strategy 2020-2025: Gender mainstreaming and an intersectional perspective in EU policies, putting equal opportunities between men and women as an integral part of its design, implementation, monitoring and evaluation"<sup>79</sup>. This general remark stays away below minimum standards of gender mainstreaming in green policies. The document doesn't include almost any of GAP III actions that should contribute to, for example: promoting girls' and women's participation and leadership in order to ensure gender-responsive strategies to climate mitigation and adaptation, disaster risk reduction, and the inclusive and sustainable management of natural resources; supporting women networks in green transition sectors such as sustainable forest management, agriculture and energy; supporting women's entrepreneurship and employment in the green, blue and circular economy, including clean cooking and sustainable energy, sustainable fishing activities, by promoting a gender-transformative

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<sup>79</sup> ANNEX II to the Commission Implementing Decision on the financing of the annual action plan in favour of Montenegro for 2021 ACTION DOCUMENT "EU FOR ENVIRONMENTAL AND CLIMATE ACTION POLICIES IN MONTENEGRO" p.17, at: [https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/montenegro-financial-assistance-under-ipa-ii\\_en](https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/montenegro-financial-assistance-under-ipa-ii_en)

approach to agriculture, fishing and aquaculture and food systems, based on capacity building for rural women ect. Improving data collection or capacity building measures of the Action document are not designed in a way to improve or at least monitor inclusion and participation of women in processes. No single gender based indicator nor sex-dissagregated data is included in the document, even though there were plenty of space to do so, especially in the measuring number of trained staff for each outcome. It can be noticed that indicators measuring efficiency of gender mainstreaming mechanisms (mentioned in the General remarks) are absolutely missing.

3. EU for Connectivity and Green Agenda – information related to gender perspective is the part of the mainstreaming chapter. This AD will also contribute to the Objective 4 of the EU gender equality strategy 2020-2025. It is said that gender mainstreaming strategy will include adequate accountability mechanisms for monitoring (such as specific predefined indicators) and initial identification of gender differences and disparities across all areas of activity. Document provides that gender analysis should always be carried out, in particular with broaden women's equitable participation at all levels of decision-making during the consultation process. However, without designing concrete actions, real commitment in reaching gender mainstreaming of transport policies stays unclear. No reference has been made to data suggesting more women using public transport or more women in energy poverty. Safety of transport is *per se* gender issue but wasn't tackled as such. AD misses to include gender related issues even though these must be prioritised in the parts of the document concerning design of high-risk road section study, which envisages social and environmental, but not gender impact assessments. General remark: "By promoting environmentally friendly transport actions and measures to promote performance and efficiency for the transport network contributing to a better safety and security for the population, this AD will contribute to reduce inequalities which lie at the heart of development problems and consequently adhere with Rights Based Approach."<sup>80</sup> stays quite alone without being linked to precise objectives and gender indicators. No single gender-based objective or sex-dissagregated indicator is included in the document. It can as well be noticed that indicators measuring efficiency of gender mainstreaming mechanisms (mentioned in the General remarks) are absolutely missing.
4. EU for the Agriculture Sector – information related to gender perspective is the part of the mainstreaming chapter: "The obligations in the area of agriculture and rural development outlined in the APAGE 2017 – 2021 are as follows: (i) Introduce tax incentives for self-employed women, women entrepreneurs and women employed in agriculture (in cooperation with the Ministry of Finance), (ii) Support the promotion of activities by associations in agriculture and/or crafts that are led by women (in cooperation with the Ministry of Sustainable Development and Tourism, Direction for the Development of Small and Medium Enterprises) and; (iii) Providing support with regards to evaluating projects for investments on households owned by women (in cooperation with the Ministry of Economy and Investment Development Fund). Ministry of Agriculture (MAFWM) takes the responsibilities of implementing the abovementioned activities while paying attention to achieving the defined set of indicators. With regards to this particular action, MAFWM will ensure that gender mainstreaming is applied in design of new policies and programmes. Special attention shall be paid with regards to equal participation of women in training activities, informing farmers and agricultural producers on cross-compliance activities, shall be implemented with due diligence

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<sup>80</sup> ANNEX III to the Commission Implementing Decision on the financing of the annual action plan in favour of the Republic of Montenegro for 2021 ACTION DOCUMENT "EU FOR CONNECTIVITY AND GREEN AGENDA", p.57, at: [https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/montenegro-financial-assistance-under-ipa-ii\\_en](https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/montenegro-financial-assistance-under-ipa-ii_en)

towards involvement of producers from harder-to-reach areas, particularly women. All contractors shall be requested to provide a monitoring plan for collecting data recording the participation of men and women during the implementation phase. (...) The principle of equality is taken into account in the preparation of the action, in accordance with the provisions arising from the Constitution, where the basic freedoms and rights cannot be discriminated against on grounds of sex, race, colour, language, religion, national or social origin, material or social status. All activities will respect the principles of equal treatment and opportunities. Equal opportunities shall be safeguarded in a way that all targets are equally reached by necessary information and that the dissemination of such information is designed to be accessible by all and to cover the entire territory.(...)The outcomes of actions will focus on being beneficial to all citizens', especially national minority and underprivileged social groups, having in mind that these groups often live in areas where solving problems is one of the top priorities."<sup>81</sup> Gender equality and women's and girl's empowerment are marked as a significant objective, while there is only one indicator: *Number of staff trained and operational, with the starting value 0, and expected value 13 out of which 9 are women*, concerning Output 9: Administrative and inspection capacities of the Directorate for Fisheries for policy development and implementation are improved, related to outcome 2: Legislative framework with a significant level of harmonization with the EU acquis in the area of Fisheries is adopted and capacities for full implementation of the Common Fisheries Policy (CFP) upon the date of its accession to the EU are significantly improved. With a slight effort in order to include sex-dissaggregated data in the context analysis and make better linkage of the indicators and objectives from the aspects of targeting women, this document could be marked with GM1. However, context analysis *does not include gender aspect*. Upgrading existing statistics about agricultural holdings and employees in commercial marine fisheries in gendered or more detailed explanation of challenges beneficiaries are facing with, developed from the aspect of women participating in the sector, could additionally mainstream the document.

5. EU Reform Facility – information related to gender perspective is the part of the mainstreaming chapter: “This Action will specifically contribute to the enhancement of the capacities of staff in all line ministries contributing towards the achievement of gender-related UN, EU, Council of Europe and Organisation for Security and Cooperation in Europe requirements for gender sensitive policies, legislation and programming as well as gender balanced representation in relevant operational structures, participation in capacity building interventions, etc. Finally, the concept of gender mainstreaming will be taken into account in all stages of the projects implementation so as to enable and encourage participation of women in all areas of policy development that this Action will help formulate and support”<sup>82</sup>. Context analysis includes, still very modestly, gender perspective related to negative impact of COVID-19. “It is noted that women have often borne the brunt of these new social and economic challenges.”<sup>83</sup> In order for AD to be better mainstreamed, gender perspective together with relevant data should have been used in further analysing inclusion of women in job creation in accordance with S3, private sector dynamics, digital transformation of SME, % of women members of managing boards of SoE, gender sensitive budgeting in PAR etc. Women related aims are

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<sup>81</sup> ANNEX IV to the Commission Implementing Decision on the financing of the annual action plan in favour of Montenegro for 2021, Action Document “EU Support to the Agriculture Sector in Montenegro”, p.16 at: [https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/montenegro-financial-assistance-under-ipa-ii\\_en](https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/montenegro-financial-assistance-under-ipa-ii_en)

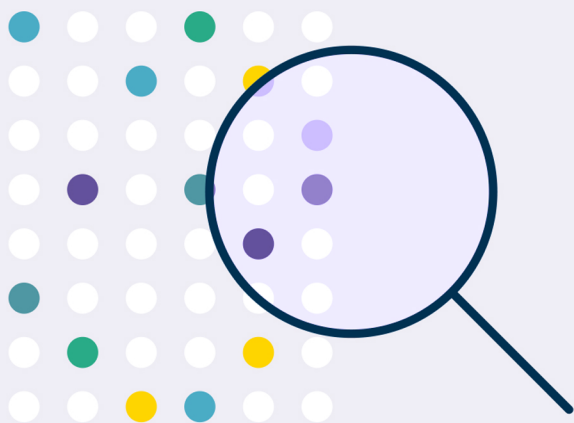
<sup>82</sup> ANNEX V to the Commission Implementing Decision on the financing of the annual action plan in favour of Montenegro for 2021 ACTION DOCUMENT “EU REFORM FACILITY”, p.17. at: [https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/montenegro-financial-assistance-under-ipa-ii\\_en](https://ec.europa.eu/neighbourhood-enlargement/enlargement-policy/overview-instrument-pre-accession-assistance/montenegro-financial-assistance-under-ipa-ii_en)

<sup>83</sup> Ibid, p.7

always additional result of the main action. There are 3 gender indicators: 1. Indicators of outputs related to outcome 1: Examples of more effective delivery of public services (including those impacting on vulnerable people, women and girls), customer/end user support and feedback, greater economic and financial stability; 2. Indicators of outputs related to outcome 3: a) Increase in the number of government supported innovation grants, with additional emphasis on those run by women and b) Number of SMEs supported in introducing digitalization and green praxis in their production increased, including those run by women. Document doesn't include sex-dissagregated data. As in the previous case, with slight effort in better gender mainstreaming of the AD, it could be marked with GM1, since the gender equality and women's and girl's empowerment are marked as a significant objective.







# Gender Mainstreaming in the EU Accession Process

Country Assessment Report

Montenegro

2022

Partner Organisation



WOMEN'S RIGHTS CENTER  
CENTAR ZA ŽENSKA PRAVA