

ACCOUNTABLE

CITIZENS

ACCOUNTABLE

GOVERNMENTS

MAPPING MECHANISMS FOR
PARTICIPATORY POLICY MONITORING
IN MONTENEGRO



POST-2015
PHASE 2

PODGORICA, MONTENEGRO

MAY 2014

TABLE OF CONTENTS

1. INTRODUCTION

- 1.1 Montenegro in the Post-2015 national consultations
- 1.2 Participatory monitoring as a tool to reinforce accountability in implementing the Post-2015 agenda

2. GENERAL MECHANISMS FOR PARTICIPATORY MONITORING FOR ACCOUNTABILITY

- 2.1 Freedom of information as a prerequisite for participatory democracy
- 2.2 Public discussion of draft legislation
- 2.3 Formal forms and mechanisms of direct citizen participation at the local level
- 2.4 Consultative hearing
- 2.5 Free seat
- 2.6 Council for Local Self-Government Development and Protection
- 2.7 Citizen Bureaus
- 2.8 Civic office
- 2.9 E-government portal
- 2.10 E-petitions – “Citizens’ Voice“
- 2.11 Ombudsperson
- 2.12 Using media as a citizen monitoring tool. TV production
- 2.13 Using internet and mobile applications for citizens’ monitoring

3. SPECIFIC MECHANISMS FOR PARTICIPATORY MONITORING AND INCREASED ACCOUNTABILITY

- 3.1 *Economy, unemployment and balanced regional development*
 - 3.1.1 Municipal budgets monitoring portal
- 3.2 *Fight against crime, corruption and nepotism*
 - 3.2.1 Directorate for Anti-Corruption Initiative (DACI)
 - 3.2.2 CSO portals for reporting corruption
 - 3.2.3 Open phone line and e-mail account for reporting misuse of official cars
- 3.3 *Health care*
 - 3.3.1 Protector of patients’ rights
 - 3.3.2 Monitoring the work of primary healthcare centres and hospitals
- 3.4 *Equality*
 - 3.4.1 Help-lines for women and children
 - 3.4.2 Internet portal for persons with disabilities – “Disabilityinfo”
 - 3.4.3 Incident report card
 - 3.4.4 Analyses and reports regarding citizens’ views of policy impacts
- 3.5 *Environment*
 - 3.5.1 Aarhus centres
 - 3.5.2 “Clean Green” application
 - 3.5.3 “Ekoskop” - Online service for environmental activism
- 3.6 *Building infrastructure*
 - 3.6.1 Citizen service of the Secretariat for Spatial Development and Environmental Protection
 - 3.6.2 Internet portal for monitoring construction
- 3.7 *Education*
 - 3.7.1 Youth Councils

4. CONCLUSIONS AND RECOMMENDATIONS

5. ANNEXES

- 5.1 Proposed mechanisms for sustainable development by priority areas
- 5.2 Online questionnaire on participatory monitoring for accountability
- 5.3 Focus group questionnaire on participatory monitoring for accountability

IMPRINT

AUTHOR

Lidija BRNOVIĆ

PUBLISHED BY

UN System in Montenegro

EDITED BY

UN System in Montenegro

TRANSLATED BY

Tamara JURLINA

LAYOUT AND DESIGN

Vlatko OTAŠEVIĆ, UN System in Montenegro

The present Report was designed and published with the technical support of the UN System in Montenegro.

“... We acknowledge that democracy, good governance and the rule of law, at the national and international levels, as well as an enabling environment are essential for sustainable development, including sustained and inclusive economic growth, social development, environmental protection and the eradication of poverty and hunger. We reaffirm that to achieve our sustainable development goals, we need institutions at all levels that are effective, transparent, accountable and democratic...”

The Future We Want, Outcome document adopted at Rio+20

I. INTRODUCTION

I.1 MONTENEGRO IN THE POST-2015 PROCESS

Montenegro was one of the countries involved in national consultations on Post-2015 development goals. This process, supported by the UN, included global discussion that has to date included more than two million people in shaping the future development agenda that will build on the Millennium Development Goals (MDG) and be translated into new sustainable development goals.

During the **first phase of consultations**, the UN System in Montenegro, in cooperation with a number of local partners, enabled public discussion during which both the citizens and non-citizens in Montenegro were able to respond to the question “what kind of Montenegro and what kind of world they want to live in”. On the occasion, a broad platform for communication was developed at the local and the national levels with the purpose of collecting people’s ideas for a shared vision of the future, wishing to help world leaders create a new global development agenda for the upcoming period. As a result, information was gathered on main challenges that citizens face, their perception about the solution to those challenges that could lead to better lives for them and their families. The questions were posed so as to elicit future sustainable development goals, but also Montenegro’s efforts on its EU path. The consultations were organised in the period between December 2012 and April 2013 and involved more than 8,000 people of Montenegro, or 1.3% of the population.

People living in Montenegro identified eight themes around which priorities for the future should be set:

- Economic growth, unemployment, income generation and equal regional development
- Fighting crime, corruption and nepotism
- Health
- Equality
- Environmental sustainability
- Infrastructure development
- Education
- Values

People in Montenegro expressed their opinion also as regards what future development agenda should contain. In addition, they clearly expressed their interest into the manner in which the future sustainable development goals are to be implemented. In order to come up with the right solution, 45 UN member states launched the **second phase of consultations** through dialogue at the national level around six global themes: localisation of Post-2015 goals; building capacities and more effective institutions; participatory monitoring for reinforcing accountability of governments; partnership with the civil society; cooperation with the private sector; culture and development.

Montenegro, supported by the UN System, started the second stage of national Post-2015 consultations around the topic of **Participatory Monitoring for Accountability**¹. This stage focused on finding more efficient models of communication between the public and decision-makers, in order to monitor and improve the performance of the central government and local self-governments and strengthen good governance as a prerequisite for attaining sustainable development goals. It will be attained by opening the dialogue at the national level to verify existing participatory monitoring mechanisms which

¹ Public participation in monitoring the fulfillment of government obligations and commitments

function well, and potentially identify new ones to suit the needs of citizens. Moreover, the Government and citizens will be encouraged when defining the best solutions to use the already established channels which may be built upon (e.g. crowd-sourcing web platforms, social media, and so on).

The UN Country Team (UNCT) launched the consultations as a three-step process: research, accountability check and testing.

1. Stocktaking, Research: The first step involved mapping of all formal and informal participatory monitoring for accountability mechanisms, as well as how accountability systems work in the country, rather than within specific institutions. The report was prepared based on the desk research and through consultative meetings with civil society organisations engaged in civic activism and policy monitoring. As a result, an analysis was prepared of all mechanisms linked with participatory monitoring for accountability, with practical examples and the information on the advantages and disadvantages of each individual mechanism based on several criteria (accessibility, human, financial and other resources needed for its implementation, sustainability of solutions regarding possibilities for self-regulation, etc.).

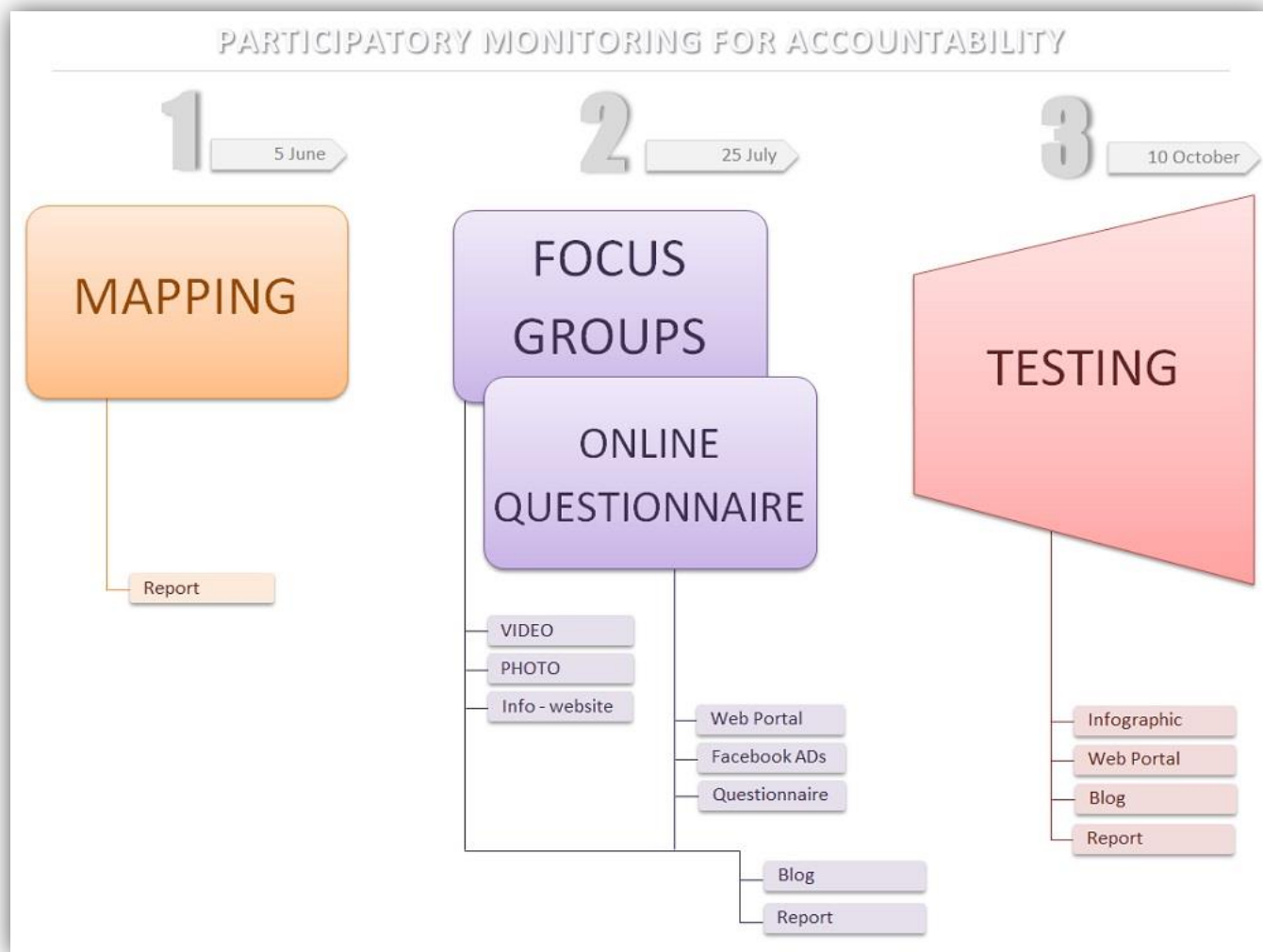
2. Accountability check: Based on the mapping report of existing mechanisms, questionnaires were developed for public consultations to be organised through the online platform www.odrzivabuducnost.me and focus groups in order for citizens themselves to evaluate the efficiency of existing mechanisms and possibly suggest their revision so to make them equally accessible. Focus groups will be organised in all the regions of the country in cooperation with locally-based organisations to ensure participation and give voice to those groups in the society that are, due to various reasons, underrepresented in policy making and monitoring (the poor, the young, those who live in remote or isolated communities, women, people with disabilities, displaced persons, ethnic minorities, etc.). The inputs and recommendations will feed into an analytical report which will be submitted to the UNDG in July 2014.

3. Testing: The UNCT will, in conjunction with the partners, and based on the previous steps, choose one mechanism for participatory policy monitoring to test its functionality within one predetermined thematic area. The thematic area will refer to the priorities identified by the population in the first phase of Post-2015 consultations, and at the same time will involve one of the 3 MDG goals² lagging behind. For the time being the proposals include environment or employment as possible priority thematic areas. The testing will be carried out using social media channels and already developed online platform which was used as a hub for the first phase of the Post-2015 consultations www.odrzivabuducnost.me. There will be a continuous feedback mechanism from the digital engagement to the field outreach activities in order to adjust to any further issues or themes that emerge as the consultations progress.

² MDG 1: Eradicate extreme poverty and hunger. MDG 3: Promote gender equality and empower women. MDG 7: Ensure environmental sustainability.

Following the consultations, the UNCT will identify opportunities for advocacy on the most valuable outcomes from the consultative process, and in collaboration with partner organisations, will review methodology, tools and materials and identify those elements and processes that should be preserved, maintained or streamlined into the regular development agenda and work. The report on all the steps taken will be posted on online portals www.održivabudućnost.me and www.worldwewant2015.org/accountability2015.

Figure I: Process Overview



I.2 PARTICIPATORY MONITORING AS A TOOL TO REINFORCE ACCOUNTABILITY IN IMPLEMENTING THE POST-2015 AGENDA

Although the principles of participatory monitoring, as well as of accountability and transparency of governments, are largely known, the concept of participatory monitoring for accountability falls among the participatory democracy innovations not only in Montenegro, but globally, and since the array of mechanisms available to citizens differs from one country to another, one of the tasks of the participants to Post-2015 consultations is to assess what participatory monitoring for accountability means in their country contexts.

To date Montenegro has not practiced almost any of the “traditional” participatory monitoring mechanisms to boost government accountability recognised by the existing UN and the World Bank literature³. Therefore, the report takes stock of all the existing models which on their own, or in conjunction with other complementary mechanisms and tools, may increase citizens’ participation in monitoring the fulfilment of future sustainable development goals. Due to this primary absence (theoretical inputs and practical implementation of the standard tools), the present Report focuses on different aspects of the existing models which may have a favourable or an adverse impact on the degree of public participation in monitoring activities, wishing thus to contribute to the definition of an optimal model for monitoring progress in attaining the future sustainable development goals.

Almost as a rule, greater accent was placed on opening a participatory process at a policy planning stage, and less on involving people in the implementation and evaluation processes. Certainly, in monitoring the goals of future development agenda, the difference between the two processes is blurred, given that the goal implementation will also imply decision-making at different levels.

Participatory monitoring stems from the idea that citizens, as ultimate clients of public services and primary stakeholders, have the right to be directly involved in monitoring the impact of policy implementation and to inform the responsible authorities of their observations so that, based on their opinions, final conclusions on the effectiveness of the activities undertaken and future development directions for the given community could be made. Unlike traditional monitoring, civic monitoring should take place at the appropriate time when the policy effects are generated in order to act proactively and preventively, thus alleviating the consequences of poor decisions or poorly implemented decisions. Most diverse models of participatory monitoring are possible, and its key principles include:

- Active participation of citizens as primary stakeholders – not only as a source of information;
- Building capacities of local population to analyse, give opinions and take specific actions;
- Joint learning of all participants in policy implementation process at all levels;
- Catalysing commitment of responsible authorities to take corrective actions.⁴

Social accountability a form of accountability which emerges from actions by citizens and civil society organization (CSOs) aimed at holding the state to account, as well as efforts by government and other actors (media, private sector, donors) to support these actions.⁵

To put it simply, participatory monitoring for accountability means the ways in which citizens monitor to what extent governments live up to their promises.

Integrating participatory monitoring for accountability mechanisms in the Post-2015 development agenda will contribute to the following:

- Increase impact of sustainable development goals;
- Reduce inequalities through direct involvement of vulnerable groups in development processes;
- Generate qualitative and quantitative data to monitor and improve indicators, and thus linking local experiences with the globally set goals.⁶

³ Stakeholder survey; citizen report cards; community score cards; social audit; citizen audit, participatory budgeting etc.

⁴ World Bank, *Participatory Monitoring and Evaluation*, 2013

⁵ UNDP, *Fostering social accountability: From principle to practice*, 2010

⁶ World Vision, *Citizen Accountability: key to delivering on development target*, Policy brief no 8, 2014

In the process of drafting the progress reports towards the attainment of Millennium Development Goals (MDGs) so far, the governments around the globe used official data available to responsible authorities. This criterion is important from the point of view of provision of official comparable data and continuity in monitoring certain indicators. Nevertheless, the civil society representatives worldwide insist that such an approach excludes the voice of citizens, particularly the underprivileged ones and the data collected by non-governmental organisations through direct contacts with communities. This has, in turn, led to the situation in which the monitoring process so far was more focused on (quantitatively expressed) short-term goals than on long-term impacts. Following this line of thinking, it is necessary to use participatory policy monitoring mechanisms to ensure that future global sustainable development goals are also embraced locally.

2. GENERAL MECHANISMS FOR PARTICIPATORY MONITORING

2.1 FREE ACCESS TO INFORMATION AS A PREREQUISITE FOR PARTICIPATORY DEMOCRACY

Montenegro's Constitution enshrines freedom of information to foster the possibilities for detecting violation by those authorities bound by the provisions of such laws. In February 2013, the Government of Montenegro adopted the new Free Access to Information Law (FAI Law). This Law sets forth the freedom to seek information for domestic and foreign natural and legal persons, and the duty of authorities to offer the information available⁷ as well as the procedure for exercising this right before the relevant authorities.

With the information made public citizens have the opportunity of getting familiar with their content and monitor the lawfulness and transparency of duty-bearers.

Having access to the information held by public authorities is the right enjoyed by any domestic and foreign natural and legal persons without the obligation of stating the reasons and justifying the interest in seeking information. When publishing information, any public authority is obliged to properly protect personal data to shield privacy and withhold classified information.

The Law envisages a proactive approach to information availability, and gives a list of documents or the types of information that each public authority is obliged to post on their respective web pages.

Figure 2: Proactive access to information

Public authorities are obliged to post on their web pages the following information:

- Free Access to Information Guides;
- Public registers and records;
- Work programmes and plans;
- Activity reports and other documents regarding their responsibilities and the state-of-play in the areas within their remit;
- Drafts, proposals and final texts of strategy papers and the corresponding implementing plans and programmes;
- Drafts of laws and other pieces of legislation and expert opinions of their proposed provisions;
- Individual documents and agreements on public finance and state assets management;
- The list of all civil servants and state employees with their respective titles;
- The list of all public officials and the payroll with their salaries and other income and allowances connected with the exercise of public functions;
- Decisions and other individual documents relevant for the rights, responsibilities and interests of third parties;
- Any information to which the access was granted as per a request.

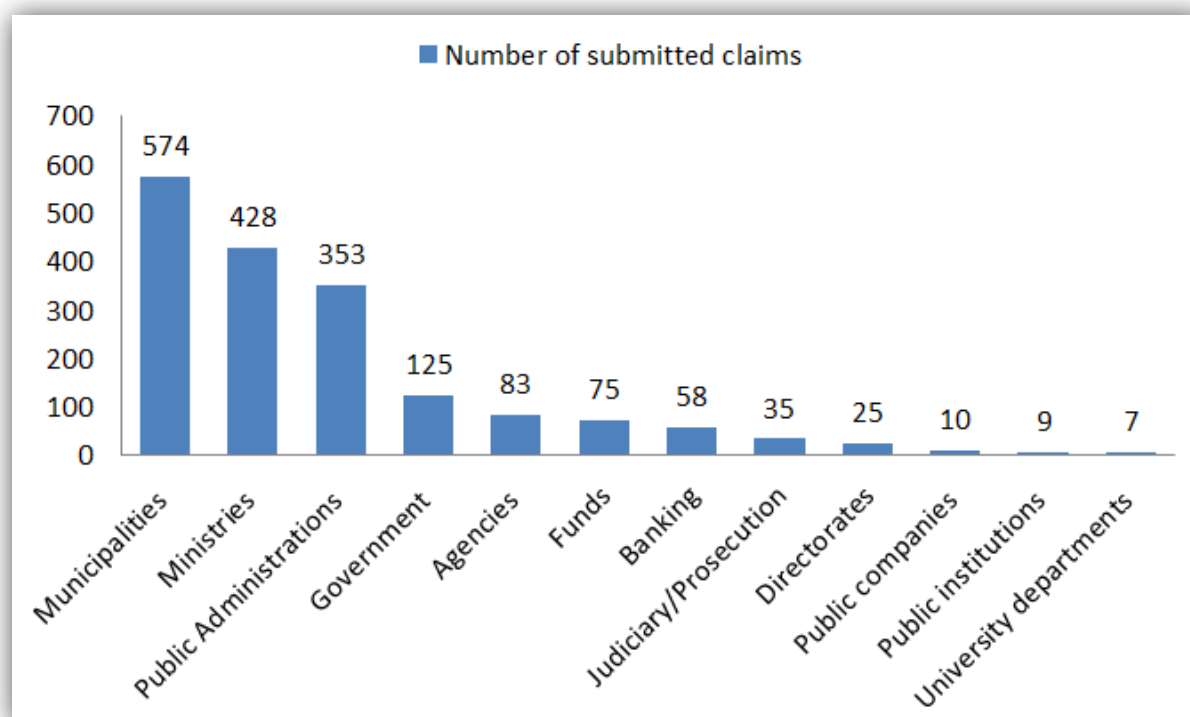
Source: Free Access to Information Law

⁷As well as exemptions, protecting the interests set forth by the Law.

A practical example: PERFORMANCE DURING THE FIRST YEAR OF OPERATION

Between March and December 2013, the total of 754 cases was received. The Agency's Council acted as per each of them, the total of 721 being closed. Out of these, 552 complaints were approved; 67 were rejected; 10 were partly approved. In 92 cases the proceeding was suspended due to the complainant withdrawing from the complaint, given that meanwhile the first instance body provided the information requested. The fact that over 95% of cases were dealt with and closed speaks well in favour of the efficiency of this mechanism.⁸

Figure3: Number of free access to information requests by category of authorities



Source: Agency for Personal Data Protection and Free Access to Information, 2014

ADVANTAGES

Freedom of information is a prerequisite for civic activism and successful citizen participation in the exercise of functions and adoption of decisions in the local self-governments.⁹

The use of this mechanism by individuals and civil society organisations (CSOs) is indicative of increased interest and engagement of individuals and citizen organisations to monitor policy implementation. This is further supported by the fact that over the previous year 90% of requests were filed by individuals and NGOs. The strong interest and civic monitoring of responsible authorities by the citizens, affect the increased accountability and efficiency in conducting duties and responsibilities.

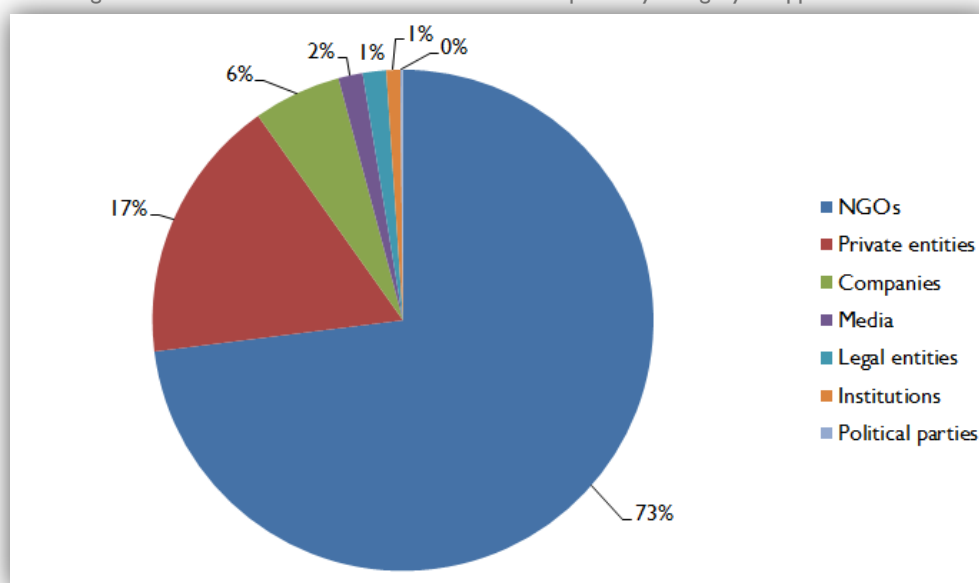
The Ministry of Human and Minority Rights provided the translation of the Free Access to Information Law into the Romani language.

⁸ 2013 Report on Freedom of Information in Montenegro, Agency for Personal Data Protection and Free Access to Information, 2014.

⁹ Group of authors, *Citizen participation and cooperation between the civil society and local self-government in Montenegro and Albania*, CRNVO, Podgorica, 2013

In case an applicant of a free access to information request is a person with disabilities or a socially disadvantaged persons, the costs of providing access to information is borne by the relevant authority, holder of information.

Figure 4: Number of free access to information requests by category of applicants



Source: Agency for Personal Data Protection and Free Access to Information, 2014

DISADVANTAGES

Ministries perform only partly the statutory obligations regarding the proactive principle, thus only 36% of all information envisaged by the FAI Law was proactively published. Although required so by the Law, 70% of ministries failed to post on their respective web pages the list of their staff with titles. Seven ministries failed to publish draft laws and other pieces of legislation. The Free Access to Information Guides has not been updated by some ministries for more than 5 years now, thus containing inaccurate and outdated information online.¹⁰

2.2 PUBLIC DISCUSSION OF DRAFT LEGISLATION

Description: Public discussion is one of the key mechanisms for public involvement in adoption of legislation and other strategy papers and plans. Public discussion means involvement of the interested public (authorities, organisations, associations and individuals) in the initial stage of drafting and discussing legislative proposals. The key steps relevant for citizen involvement in public discussion include:

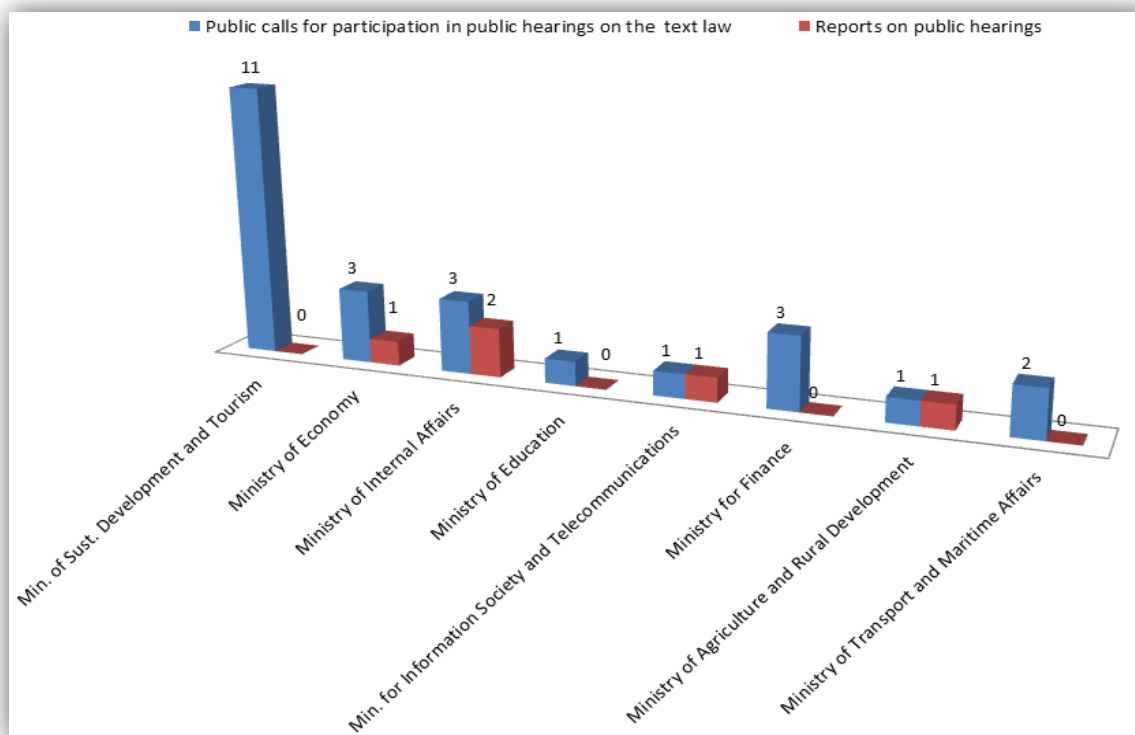
1. *Publish the list of laws* to be put on for public discussion on the relevant ministry web pages and the e-government portal;
2. *Issue a call for taking part in consultations* for the interested public in the initial stage of law drafting, before having its draft version, on the relevant ministry web pages and the e-government portal, and publishing a report on the consultations held;
3. *Post a call for taking part in public discussion* on the draft law on the relevant ministry web pages and the e-government portal;
4. *Post reports from public discussions* on the relevant ministry web pages and the e-government portal.

¹⁰Brkuljan Đorđije, *Non-active Proactive Approach: shortcomings in implementing the proactive information publication principle from the FAI Law in Montenegro*, CDT, 2013.

Practical example: PRACTICAL APPLICATION OF THE KEY STEPS OF THE PUBLIC DISCUSSION PROCESS

The survey conducted by the *Centre for Development of NGOs (CRNVO)* revealed that ministries apply poorly the statutory procedures in conducting public discussions. In 2012, only three out of sixteen ministries in the Government of Montenegro posted a list of legal documents to be put on public discussion. Only half of the ministries enabled consultations of the interested public before drafting the given legal act. Finally, ministries posted on their respective web pages only 5 reports from the public discussions held.¹¹ The monitoring report for the first half of 2013 prepared by the *Centre for Democratic Transition (CDT)* shows no major changes, with the Decree governing the procedure and the method of conducting public discussions of draft legislation still being applied selectively at best.

Figure 5: Information posted on ministries' web pages on public discussions in 2012



Source: CRNVO, 2013

ADVANTAGES

The new Decree governing the procedure and the method of conducting public discussions of draft legislation¹² introduced the notion of “prior consultations”, which implies the duty of conducting consultations before launching the law drafting process. This gives an additional opportunity for citizens and civic organisations to be involved in a timely fashion in the decision-making process. Moreover, the novelty is also that it is now mandatory to have public discussion in drafting laws that affect the rights, responsibilities and legal interests of citizens, which should ensure increased level of citizen participation in implementation and monitoring of the Post-2015 agenda.

¹¹ Centre for Development of NGOs, 2012 Annual Report on the Implementation of the Decree governing the procedure and the method of conducting public discussions of draft legislation, CRNVO, Podgorica, 2013

¹² State Administration Law (Official Gazette of the Republic of Montenegro 38/03 and Official Gazette of Montenegro 22/08 and 42/11)

DISADVANTAGES

Most of the responsible ministries and local authorities fail to carry out all of the above four steps (publication of the public discussion calendar, calls for prior consultations, calls for public discussion of drafts, and reports of discussions held).

2.3 FORMAL FORMS AND MECHANISMS OF DIRECT CITIZEN PARTICIPATION AT THE LOCAL LEVEL

The Law on Local Self-Government sets forth the mechanisms for direct citizen participation in expressing their views and decision-making including: **initiative, civic initiative, citizens' assembly, referendum** (at the community and municipality levels), and other forms of expressing views and decision as defined by municipal charters (**petitions, proposals and complaints**)¹³. The Law furthermore, stipulates that in their respective Charters, municipalities are to elaborate these matters and adopt the local Decision on Citizen Participation in the Exercise of Public Functions. The possible stipulated mechanisms include¹⁴:

- a) information provided to local population using websites, newsletters, the media, bulletins, media plans, surveys, questionnaires, panels, bulletin boards, written or telephone calls, etc;
- b) receiving proposals and opinion from citizens by duty lines, complaint boxes, guest books etc;
- c) training of local civil servants and citizens by organising workshops, having regular or occasional meetings, organising seminars, setting up info centres, bringing visiting lecturers, having round table discussions etc;
- d) engaging volunteers for assistance to people in the state of social need;
- e) ensuring the participation of women and national and ethnic minorities, young people and other societal groups in adoption and consideration of documents and decisions affecting them;
- f) involvement of NGO representatives in **working groups** drafting: legislation, strategy papers (development plans and programmes in specific administrative areas), action plans for implementing strategy papers, and drafting and implementation of other documents from within municipal remits;
- g) involvement of NGO representatives in drafting brochures, guides and other types of publications encouraging citizen participation in decision-making and in the actions taken to that effect by responsible municipal authorities.

Municipal authorities are *obliged to inform citizens* of mechanisms and forms of their participation in decision-making and put in place the assumptions for their actual implementation.

Practical examples: RECORDS OF INSTANCES OF CIVIC PARTICIPATION 2012

In 2012 there were almost no initiatives launched by citizens with relevant local authorities; more precisely, there were only two such initiatives. Citizens' assemblies took place in 9 municipalities only. Local community and municipal referenda were called in two municipalities only. There were no civic complaints, petitions or proposals filed in 2012 in any of Montenegro's municipalities¹⁵.

¹³Local Self-Government Law, Art 100 (Official Gazette of the Republic of Montenegro " 42/03, 28/04, 75/05, 13/06, Official Gazette of Montenegro 88/09, 03/10 and 38/12)

¹⁴For the needs of this study, the term "mechanisms" is understood in a broader sense than the mechanisms set forth in this decision.

¹⁵CRNVO, *Report on adherence to the good governance principle in local self-governments in Montenegro*, 2013.

ADVANTAGES

Theoretically speaking, citizens have available many options for active involvement in policy implementation and monitoring at the local level.

DISADVANTAGES

The existing models and mechanisms set forth by the Law are used only once in a while. Local self-governments are not proactive enough in promoting the existing mechanisms, except in rare occasions when the civil society contributes to policy planning, but not to monitoring the implementation. On the other hand, citizens are largely uninformed of the tools available and are not empowered enough to take initiative, either directly or through their representatives. The lack of civic political culture is linked with the overall lack of trust placed in the system and the opportunity of affecting societal changes through own engagement.

Figure6: Formal civic participation by type and by municipality, 2012

| Municipality | No of citizens' assemblies | No of public discussions | No of civic initiatives | No of initiatives | No of local/municipal referenda | No of complaints, petitions & proposals |
|--------------|----------------------------|--------------------------|-------------------------|-------------------|---------------------------------|---|
| Cetinje | 3 | 12 | 0 | 11 | 0 | 0 |
| Podgorica | / | 4 | 0 | / | / | / |
| Andrijevica | / | 1 | 0 | 0 | 0 | 0 |
| Bar | / | 16 | / | 0 | 0 | 0 |
| Berane | 4 | 12 | 0 | 87 | 1 | / |
| Bijelo Polje | 5 | 4 | 0 | 10 | 0 | / |
| Budva | 2 | 3 | 1 | 3 | 0 | / |
| Danilovgrad | / | 4 | 0 | 14 | 0 | 0 |
| Herceg Novi | / | 14 | 0 | / | 0 | / |
| Kolašin | / | 4 | 0 | 0 | 0 | 0 |
| Kotor | 1 | 17 | / | 0 | 0 | / |
| Mojkovac | 3 | 3 | 0 | 0 | 0 | 0 |
| Nikšić | / | 2 | 0 | / | / | / |
| Plav | / | 4 | 0 | 0 | 1 | 0 |
| Pljevlja | 1 | 3 | / | / | / | / |
| Plužine | / | 2 | 0 | 0 | 0 | 0 |
| Rožaje | / | 4 | 0 | 0 | 0 | 0 |
| Tivat | 1 | 18 | / | 0 | 0 | 0 |
| Ulcinj | 4 | / | 0 | / | / | / |
| Šavnik | / | 3 | 0 | 0 | 0 | 0 |
| Žabljak | / | / | 1 | 0 | 0 | 0 |
| TOTAL | 24 | 126 | 2 | 125 | 2 | 0 |

Source: CRNVO, 2013

2.4 CONSULTATIVE HEARING

Description: Consultative hearing is one of the control mechanisms of Montenegro's Parliament offering the possibility for citizens to be involved in the work of parliamentary committees by invitation or to launch the initiative to hold a hearing.

With a view of exercising the tasks from within its remit (considering draft legislation, drafting legislation or studying certain issues), with a view of obtaining the required information and expert opinion, particularly as regards proposed solutions and other issues of special interest for citizens and the public, a parliamentary committee may, as need be or for a specified period of time, commission scholars and experts in specified fields, representatives of state authorities and NGOs, with no voting powers.¹⁶A committee may set up a special working group composed of scientists and experts. With a view of preparing MPs for voting on nominees for certain offices, the relevant committee may invite the authorised nominating authority, and proposed candidates for a consultative hearing. The report with recommendations and conclusions is forwarded to the Parliament.

Citizens may, through non-governmental organisations, launch initiatives for consultative hearings before parliamentary committees.

Practical example: CONSULTATIVE HEARING, ECONOMY, FINANCE AND BUDGET COMMITTEE

The topic of the 49th sessions of the Economy, Finance and Budget Committee of Montenegro's Parliament held on 24 March 2014 was "Efficient use of energy - current state of play with a view of the Energy Efficiency Law". As invited by the Committee, the hearing involved a large number of players: members of the Ministry of Economy; *German International Cooperation Agency (GIZ)*; *Montenegro's Chamber of Commerce*; *Employer's Association* and the following NGOs: *Civic Alliance* (initiator the consultative hearing), *Montenegro's Energy Efficiency Centre*; *Expeditio*; *Centre for Research and Policy-Making (CRPM)* and NGO *Green Home*. The report and recommendations were forwarded to the Parliament.

ADVANTAGES

Consultative hearings offer an opportunity to citizens to take part in committee discussions relevant for community development. The possibility to include non-partisan individuals and organisations with expertise in the given field is particularly significant. This instrument, moreover, opens the possibility for the members of the affected business sector and citizens to take part in deciding on pertinent policies, which is important for coming up with solutions that meet the actual societal needs.

Most of the initiatives for consultative hearings are accepted by parliamentary committees, the fact that encourages more forceful use of this mechanism.

DISADVANTAGES

There is no clear procedure to identify individuals/organisation to be invited to take part in committees' work. It is not usually done through open calls, although the participating organisations are frequently the ones largely recognised as important players in the field under discussion.

¹⁶Rules of Procedure of Montenegro's Parliament, Art 73

2.5 “FREE SEAT”

Description: This mechanism is used to increase citizen participation in decision-making at the local level, through own representatives. A representative of interested citizens and NGOs, attending local Council sessions, has the right to give proposals or opinions on matters on the agenda, within 10 minutes, without voting powers.¹⁷ In a few municipalities NGOs have the possibility of leaving written proposals and suggestions within clearly stipulated timeframe regarding a certain document which makes part of the package of materials for a session, thus opening the room for deciding as per such proposals at the session if the sponsor includes them in the motion.

Practical example

The online portal of the Municipality of Bar features a separate section under the heading “Free Seat”, where NGOs are informed of planned items on the agenda and invited to apply for using this mechanism. NGOs also receive e-mail invitations for taking part in discussions and consideration of matters for which they are qualified. In this municipality, prospective citizen representatives may apply for individual items on the agenda, meaning that several participants may attend the same session of the local council. In 2007, the Municipality of Bar won the award granted by the Union of Municipalities for introducing the concept of “free seats”, while in 2010 the Best Practice award was granted to the E-Municipality of Bar –an integrated IT system enabling networking of all local authorities and their more efficient and transparent work¹⁸.

ADVANTAGES

This mechanism makes direct involvement of citizens’ representatives in decision-making possible, and the voice of citizens who will ultimately be affected by such decisions to be heard. The “free seat” mechanism enables all local organisations to get involved on topics of their interest and to advocate for the adoption of positive decisions. The good point about of this mechanism is that its participants retain their non-partisan status. The increasing use of the “free seat” option is one of the indicators of active participation of the civil society in decision-making, as well as of the openness and accountability of local governments.

DISADVANTAGES

In a large number of municipalities, the “free seat” option is used in such a way that a prospective candidate is to apply for a specific Council session, regardless of the number of items on the agenda. As a result, this turns out to be a non-representative representative of citizens for most of the items or issues discussed, and having, on the other hand, just a few representatives for the item of the widest societal interest.

Notwithstanding the increased interest for participation by NGOs in some municipalities, others report that within one year they have not received a single request for using this option (Berane, Pljevlja), which is indicative of the need for further promotion of this direct participation channel. As one of the reasons for the lack of interest, it is said that citizens do not believe their involvement would have any impact on the ultimate decisions.

¹⁷Template for Rules of Procedure of the Local Council, Montenegro’s Union of Municipalities, Podgorica, 2011

¹⁸www.barinfo.me

2.6 COUNCIL FOR LOCAL SELF-GOVERNMENT DEVELOPMENT AND PROTECTION

In accordance with the Law on Local Self-Government, the Council for Local Self-Government Development and Protection is established with a view of improving local governance. The Council members are appointed by the Council from among distinguished and renowned local citizens and experts in the fields relevant for local governance. The Council has the right to give proposals to central-level authorities, local authorities and public services proposals to improve and develop local governance, upgrade the quality of public services, protect municipal rights and duties enshrined in the Constitution and laws, and the protection of freedoms and rights of the local population. Local self-government authorities and services are obliged to decide as per Council's proposals in the appropriate timeframe, and not later than 60 days from receiving the motion. Municipal Charter and Council's Articles of Association establish in more detail the rights and duties, the composition and the method of nominating the Council members, the method of its work, and other matters relevant for its operation.¹⁹

ADVANTAGES

The Council is designed as an optimal mechanism that should be accessible and recognisable within the community as a link between citizens and responsible authorities.

DISADVANTAGES

The work of the Council for Local Self-Government Development and Protection lacks visibility. Councils do not have appropriated budgets, and they fail to post their recommendations, demands, initiatives, etc. on municipal web pages.²⁰ Non-partisan Council members do not have enough influence on the adoption of joint recommendations.

2.7 CITIZEN BUREAUS

Description: In 2011, the Government of Montenegro established the Citizen Bureau aimed at helping citizens communicate with state institutions, to mediate with a view of obtaining faster response to citizen requests, accelerating the procedures, obtaining financial support etc. In order to enable easier access to institutions, the Government also gave the suggestion, wherever possible, to introduce Bureaus at other levels of government.²¹ Citizen Bureaus are now operational in majority of Montenegrin municipalities and are mostly dealing with handling administrative matters of citizens.

A practical example: CITIZEN BUREAUS

Citizens may approach the Government's Bureau for Communication with Citizens by filing applications through the Government archives or by sending an e-mail to the Bureau directly. The petitions filed, depending on their contents and nature, are processed in communication with one or several relevant sectors of the government. For instance: in cases of asking for one-off assistance, the Centre for Social Work responsible to assess the justification of such requests is contacted, while an employment case would be referred to the National Employment Office. The same goes for the cases

¹⁹ Local Self-Government Law, Art 145 (Official Gazette of the Republic of Montenegro, 42/03, 28/04, 75/05, 13/06, Official Gazette of Montenegro 88/09, 03/10 and 38/12)

²⁰ CRNVO, *Report on adherence to the good governance principle in local self-governments in Montenegro*, 2013

²¹ Government of Montenegro, *Action Plan for the Open Government Partnership initiative*, December 2010

within the remit of different ministries, local self-governments, administrations, directorates, agencies and the like. While working on the cases the applicants ask about the status of their case through contact phones of the Bureau available on the Government's web portal. The party receives feedback on the final outcome from the relevant department or the Bureau for Communication with Citizens, again depending on the type and the contents of the application.

In 2013, or rather until 20 December 2013, the Prime Minister's office received in total 3,153 petitions from all parts of Montenegro, or almost four times as many as in 2012, when 723 persons addressed Prime Minister Đukanović. Montenegrin citizens most often approach the Prime Minister asking for various forms of one-off financial assistance, tuition fees, sponsorship, money needed for medical treatment, etc. These are followed, in terms of their numbers, by asking for assistance in seeking jobs. These refer to: assistance in internship placements, entering into employment and assistance in signing open-ended employment contracts. Some citizens write to the Prime Minister to offer their views and propose various initiatives (over the last year there were in total 499 petitions of this kind).²²

ADVANTAGES

Citizens may request assistance from "higher instances" when facing insurmountable hurdles in exercising their rights with relevant institutions. This also means that the Prime Minister has direct feedback from citizens on potential bottlenecks, and based on that may act to improve the systemic solutions.

DISADVANTAGES

Although a large number of direct citizen petitions are officially accounted for by the large trust placed with the Prime Minister, it on the other hand sends the message that the institutions lack autonomy and accountability in performing the functions of public interest. This may result in undermining the trust in the work of the institutions.

The contents of the applications filed, and the procedures launched for addressing the problems raised are not publicly available in order to "protect the privacy" of applicants, which has an adverse impact on the transparency of this mechanism.

2.8 CIVIC OFFICE

Description: Unlike Citizen Bureaus, offering mostly administrative public services to citizens, Civic Office enables citizens to be involved in the processes of policy making and. Ideally, Civic Office is set up in partnership of local self-governments and NGOs, at a municipal or a geographic/administrative levels. This tool resembles the Council for Local Self-Government Development and Protection the most.

An example of a good practice: CIVIC OFFICE HERCEG NOVI

The aim of the Civic Office is to support and assist civic activism at all levels (local and national). The Office is the meeting place for NGOs and citizens to share information and offer logistic support to the civil society with a view of building their capacities, particularly in developing project ideas. The Civic Office gives an opportunity to a wider public to be informed of the opportunities and models for citizen participation in local decision-making, thus promoting for over ten years now the idea of and

²² <https://portalanalitika.me>

the practice of civic activism. Apart from numerous public panel discussions on topics relevant for local communities, here civic initiatives are born, such as the campaigns against the construction of a bulk cement silo in Zelenika, marking pedestrian crossings, building children's playgrounds and a public toilet, etc. In cooperation with other NGOs, the Office offered legal aid to refugees and displaced persons, and victims of domestic violence.

The Citizen Office was created within the framework of an USAID/IRD – supported programme, Community Revitalisation through Democratic Action (CRDA). Citizens themselves recognised the problems, chose priorities and, in cooperation with other stakeholders, addressed them. This model was tested in 8 municipalities in Montenegro and proved to be the best way for ensuring citizen participation at the local level. After the external funding dried out, it was only the Municipality of Herceg Novi, in cooperation with a local NGO *Nada* that supported the operation of the local Office. Community Development Committees, established at the time, still represent, although informally, the interests of citizens and table issues of general importance.

ADVANTAGES

It proved that such mechanisms did function well if they were managed by the nongovernmental sector, especially in cases of lower levels of trust placed with local self-governments. The advantage of this Office lies in the fact that provides a safe space for vulnerable groups (displaced persons, women victims of violence, the poor, people who do not use internet). Setting up offices in partnership between governmental and non-governmental bodies help depoliticise state administration.

DISADVANTAGES

Setting up similar offices in other municipalities would require additional resources.

2.9 E-GOVERNMENT PORTAL – “ONE STOP SHOP“

Description: The Government of Montenegro set up an e-government portal to ensure setting up a data management system, but also for citizens and other social and economic entities may communicate with public administration authorities in the exercise of their rights and responsibilities.²³ The portal has also put in place the technical assumptions for active citizen participation in drafting documents and making policies through e-participation. This mechanism improves the business environment and reduces business barriers, both for citizens and businesses.

ADVANTAGES

At the home page of this e-portal, the information are categorised under different sections very similar to the areas the people of Montenegro have defined as priorities during the Post-2015 consultations. In addition, the portal also offers sections relevant for citizen monitoring – **E-participation** and **Reports by citizens**. Improved functionality of these two options is directly linked with building capacities for participatory monitoring and increasing the accountability of decision-makers.

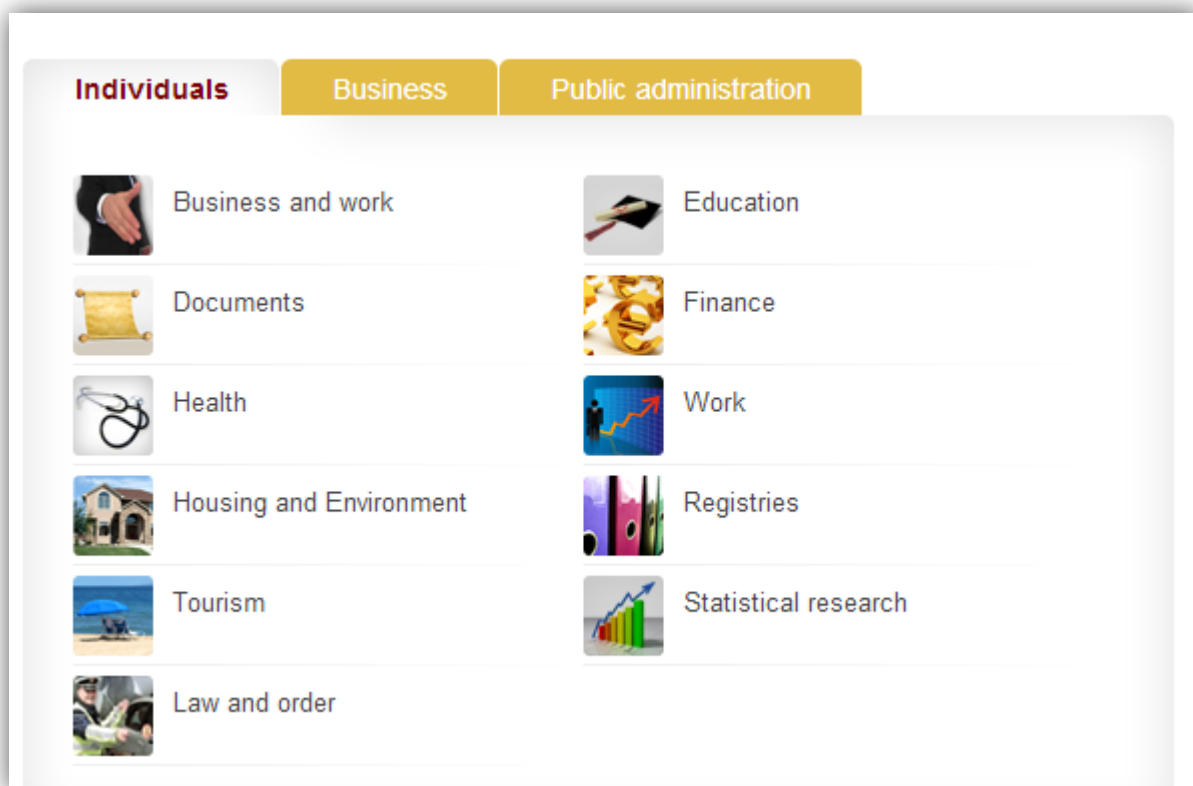
²³ Government of Montenegro, 2011-2016 Public Administration Reform in Montenegro.

This is the only government portal adapted to be used by people with disabilities. Given the difficulty in subsequent technical adaptation of the existing portals of line ministries, this is yet another reason for all individual elements of e-participation to be integrated in the e-government portal. The system enables citizen participation in decision-making through a greatly facilitated procedure where there is no need for a physical presence.

DISADVANTAGES

This portal is manifestly underused both by state authorities (especially as regards regular updates of contents) and by citizens. The e-participation section promotes the participation of citizens and businesses in public discussion, but currently there are no comments available on this section. The subsection Reports by Citizens enables only reporting corruption. This portal lacks the possibility to report irregularities in other fields, at one spot, to facilitate access. Only one additional option may be found, the one to report instances of illegal construction, found under the heading Housing and Environment. The portal does not feature any feedback information form responsible authorities in cases of reporting irregularities, which would be an important component for building public trust in the administration

Figure 7: Areas where different services are offered at the E-government portal



Source: e-uprava.me

2.10 ELECTRONIC PETITIONS – “CITIZENS’ VOICE“

Description: The “Citizens’ Voice” makes it possible for every citizen of Montenegro who is of age and holds a biometric ID card, as well as any foreigner with permanent residence in Montenegro holder of an ID card for foreigners, to file a petition in any field of Government’s responsibility. By nominating a petition through the Citizens’ Voice portal, a user chooses the line ministry responsible to take actions as per his / her petition. If the petition meets the requirements for submission, the responsible ministry accepts it and makes it visible on the portal and open for voting. In case the petition would not meet the set requirements, it is rejected, and the petitioner is notified by e-mail of the reasons behind such a decision. If within 60 days a petition is supported by not fewer than 6,000 citizens, the responsible ministry submits it to the Government for consideration within 20 working days from the day when the voting was closed. The petition is then considered at a Government session and it is the Government to decide whether, and to what extent, it will endorse the requests presented in the petition. In case it endorses the petition, the Government puts responsible ministries in charge of taking relevant actions to meet the demands. At the same time, if it is decided that the petition is not acceptable, the Government notifies the public thereof stating the reasons why the given petition was deemed unacceptable by the Government.

Practical example: E-PETITION OF PARENTS ASSOCIATION FOR DAY CARE CENTRES

The *Parents Association* used this opportunity to file a petition with the Ministry of Education, requesting to consider urgent construction of new and/or extension of the existing pre-schools, primarily in Podgorica and Bar, but also in other municipalities where the current facilities available are not able to meet the demand without breaching the statutory norms regarding the allowable number of children per group. Within the stipulated period of 60 days, on 11 December 2012 this petition received the total of 6,616 votes. In response to this initiative, the Parliament of Montenegro proposed a 100,000 euro increase in budgetary allocations for the coming year for pre-school extension and adaptation, putting the Ministry of Finance in charge of appropriating 10 million euros for construction of several new pre-school buildings. This money was provided as a loan extended by the Council of Europe’s Development Bank, and at the moment preparations are in progress for the construction of 7 new pre-school buildings.

ADVANTAGES

By introducing this mechanism, the Government sends a message that it is open for the opinions and recommendations from local communities. The e-petition, theoretically, offers an opportunity for individuals to launch petitions for solving specific problems. The persons who give their personal data when signing petitions are protected from any misuse of such data, since these are entered directly into the Government’s online portal. All people normally using internet have an easy access and may use this mechanism. The advantage of petitions as a mechanism is that it offers the possibility for specific solutions to come directly from communities. It builds citizens’ capacities to take part in decision-making and monitoring. Finally, even when a petition fails to receive enough votes, it may be of help for responsible authorities in mapping citizens’ views on issues of public interest.

DISADVANTAGES

Given the level of general computer literacy, the degree of civic activism, but also the awareness of its existence mechanism, the 6,000 vote threshold sets the bar too high. Another problem is the participation for vulnerable groups (the poor, rural population, Roma and Egyptians, some of the persons with disabilities...).

This mechanism should be made accessible to representatives of ethnic minorities, translated into Albanian, but also the threshold should be reduced, since it would be difficult for such minorities to be able to mobilise the wider population to support an initiative important for them.

The window of time to collect votes is rather short. If the required number of votes is not received within 60 days, there is no possibility of extending the validity.

Finally, although this mechanism is an important tool for interactions between citizens and the government, the set terms of its use should be adapted to the local context. This is confirmed by the fact that currently there is only one active petition on the portal. Since it was first introduced only two proposals were successful in receiving enough votes. And even in these cases, a great share of supporting signatures were collected at public points in major towns and subsequently entered into the portal.

2.11 OMBUDSPERSON

Montenegro's Protector of Human Rights and Freedoms (Ombudsperson) is an autonomous and independent body which takes actions to protect human rights and freedoms.²⁴In 2011, the Ombudsperson received two new responsibilities, acting now also as the institutional mechanism for protection against all forms of discrimination, and as a National Preventive Mechanism for torture.

Citizens may approach the Ombudsperson when they believe that their rights and freedoms were violated by any act, action or omission on the part of: state authorities (courts, Government, ministries, administrations, agencies); local-self-government authorities (municipal authorities); public services and other holders of public authorities (health care and educational institutions, public companies and other entities exercising public authorities). When it establishes a violation, the Ombudsperson makes a final opinion and gives a recommendation to the relevant authority regarding what is to be taken to remove it. The authority is obliged to inform the Ombudsperson in writing of the actions taken to follow through the recommendation. In case the authority fails to act as per the recommendation, the Ombudsperson may inform thereof: the immediately superior authority, the Parliament, and the public.

Practical examples: OTHER OMBUDSPERSON'S COMPETENCES

The Ombudsperson, acting as per own initiative, based on the information received from citizens, may help improve the overall situation when it comes to respect for human rights and freedoms in the country, by acting in any of the following ways: by initiating amendments to certain pieces of legislation with a view of their harmonisation with international human rights standards; by giving opinions to draft laws, other regulations and general acts, then by filing motions to launch procedures before the Constitutional Court for a constitutional and statutory review of regulations and general acts regarding human rights and freedoms. Ombudsperson gives an independent opinion on how to protect and enhance observance of human rights,²⁵ at the request of the authority deciding as per such rights.

²⁴Constitution of Montenegro, Official Gazette of Montenegro 1/2007

²⁵www.ombudsman.co.me

ADVANTAGES

Citizens may approach the Ombudsperson directly within the Office, by phone or in writing, free of charge, which is illustrative of the wide accessibility of this mechanism, especially for people of poor means.

The Ombudsperson launches initiatives and reports on the implementation of policies which are important for specific target groups, the ones on the societal margins: juvenile offenders in the rehabilitation programmes, people with mental disabilities placed in institutions, persons deprived of their liberty, pensioners, etc. Although its Office is located in Podgorica, people from all regions of Montenegro approach the Ombudsperson.

DISADVANTAGES

Citizens are not fully aware of the vast influence the Ombudsperson may have on policy implementation. The Ombudsperson's capacities need to be built, given the 10 vacant positions in the Office, and the largely extended field of action since the Job Systematisation Rulebook was adopted in the first place. This affects the workload of the existing staff, the unclear division of roles and responsibilities, and lack of specialised staff (e.g. Deputy Ombudsperson for Gender Equality).

2.12 USE OF MEDIA AS A CIVIC MONITORING MECHANISM. TV PRODUCTION

Description: In order for the wider public to monitor policy implementation, an open TV programme may be organised through which citizens send their objections and proposals to improve the implementation and, together with the responsible players, come up with solutions in specific cases. On Montenegro's media stage there are several TV shows monitoring policies and practices and civic initiatives, such as "Otvoreno" with Andrijana Kadija, TVCG, "Među nama" with Duška Pejović, TV Atlas, "Iz mog ugla" with Tina Raičević, TV Vijesti etc. The use of media, television in particular, also reinforces the effects of other mechanisms used for citizen participation. Cooperation with the media, television programmes in particular, is significant to promote other mechanisms. This is well confirmed by the survey conducted by the Directorate for Anticorruption Initiative (DACI) which showed that over 50% of citizens learned through TV about the possibility of reporting corruption²⁶.

An example of good practice: TV SHOW "ROBIN HUD"



"Robin Hud" is a TV show acting as a service to citizens aiming to help build trust between citizens and institutions by efficient handling of their problems. This TV show is a coproduction between the NGO Civic Alliance and the public broadcaster (the author, journalist and editor is Darko Ivanović).

During the five years of its existence "Robin Hud" helped address 540 cases which directly affected some 60,000 citizens, or 70% success rate regarding the total number of cases.

"Robin Hud" is a TV show focusing on daily problems of citizens. Citizens may contact the show by phone, by e-mail or in person. They present the problem, indicate all the legal and other relevant circumstances, present the history and the background to the problem, the most recent development and identify the institution or an

²⁶Ministry of Justice, DACI, *Familiarity with the Work of DACI and Public Views on Corruption*, December 2013, Podgorica, 2014

individual in the public service that “generates” the problem through their failure to act or through improper actions taken.

After that, within a brief period of time (after contacting a network of NGOs and monitors on the ground, and having sought legal advice when needed), journalists go out in the field and meet the people who presented the problem. The field report attempts to identify the causes of the problem and the current situation, as well as what influence this problem has on citizens. Other aspects of the problem, and the solution, are presented in the studio through the show that goes live through a talk between the anchor and the representatives of responsible institutions. All the guests in the studio have a chance to explain what caused the problem, what is possibly unclear about it, and finally propose the ways to address it. Finally, after the field report and the talk live with the responsible institutions, the citizen who reported the problem calls in and has the opportunity to give comments of the solutions offered or the explanations offered by the guest in the studio.²⁷

This show goes on TVCG, which is very important considering its role as a national public broadcaster, supposed to act in the public interest.

ADVANTAGES

The large viewership of TV programmes offers an opportunity to inform and include in monitoring a large number of citizens. Apart from a large viewership, the public broadcaster, but also the private TV stations, has a national coverage, with their programmes available to a wide public, particularly the vulnerable groups. Interestingly, almost all households in Montenegro falling below the poverty line have a TV set²⁸.

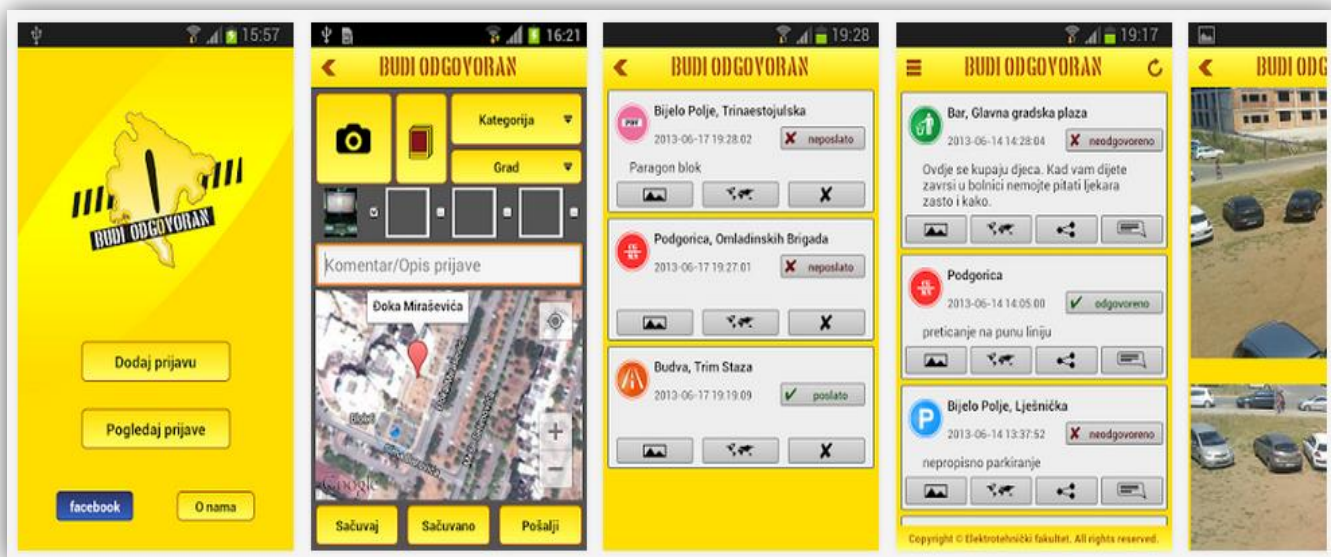
The TV show “Robin Hud” enables several institutions to jointly respond to the issues raised by citizens. This is very important since the problems citizens face are mostly very complex, and it would practically be impossible to address them without a multi-agency approach. Publicly expressed promises to solve the problems affect increased accountability of public officials. In the case at hand, a large number of reports helped the Civil Alliance to identify the areas of poor law implementation, which served as a basis for launching organised monitoring activities focusing on specific institutions through other activities of this NGO.

²⁷ www.gamn.org

²⁸ UNICEF, *Study of Child Poverty in Montenegro*, Podgorica, 2012.

2.13 INTERNET AND MOBILE APPLICATIONS FOR CIVIC MONITORING

Description: There is an upward trend in the use of new technologies for citizen participation in addressing the issues of a local or a wider importance. Some of the existing solutions include all the topics of societal importance, while others are specialised in certain areas (reporting illegal dumps, corruption in courts, etc.).



A web-based / mobile application “Be responsible” was developed to offer the possibility to citizens to report, using modern technologies, cases falling under grey economy, but also other irregularities (misuse of official cars, illegal parking, road pot holes, illegal construction, improper waste disposal and other environmental problems).

The application operates in such a manner that citizens post photos with a brief description and the site where it was observed. In order for responsible authorities to be able to take prompt actions, the “Be responsible” project team established cooperation with the responsible institutions for all issues reported under the headings of “Grey Economy” and “Official Cars”, and other institutions are to be involved in the upcoming period. Half of the money collected by responsible institutions by imposing fines through inspection checks prompted by citizen reports using this application or the call centres of the Inspection Administration (080 555 555) and the Tax Administration (19707) is invested in socially responsible projects nominated by citizens through prior public consultations. The citizens reporting irregularities have the right to vote for the priority projects to receive funding. For the four months of the campaign, over 200,000 euros were collected to support 4 priority projects according to citizen votes.²⁹

ADVANTAGES

For a short period of time, the project mobilised a large number of users (over 1,000 for the first month). The results of such reports generated the interest of a large number of Montenegrin citizens, and developed respect for and trust in the mechanism. The statistics regarding the reported irregularities are also significant: for the time being, the number of reports which remained unaddressed by responsible authorities ranges between 0-1% only.³⁰

²⁹ The “Be responsible. It depends on you. Grey economy 0%” was developed within the framework of the “Citizen Participation in Curbing Grey Economy” project implemented in cooperation among the Government, the Faculty of Electrical Engineering in Podgorica and the UNDP Country Office.

³⁰http://www.mif.gov.me/rubrike/Na_sva_zvona_siva_zona/Utvrdene_nepravilnosti_i_izrecene_kazne

This application served as an instrument for the joint media campaign with responsible inspection services. The information on legal entities, entrepreneurs and natural persons who were subjected to inspection checks are posted on the Ministry of Finance's web pages, as well as the irregularities established in each specific case. This initiative received global acclaim at the annual Open Government Partnership summit held in London in 2013.

DISADVANTAGES

This mechanism is not accessible to people who are not internet users. It is not accessible to all people with disabilities using new technologies, either.

3. SPECIFIC MECHANISMS FOR CITIZEN MONITORING

3.1 ECONOMY, UNEMPLOYMENT AND BALANCED REGIONAL DEVELOPMENT

3.1.1 Participatory budgeting and budget monitoring

Description: Participatory budgeting is a process in which citizens directly participate in various stages of budget definition, approval and monitoring. Decision-makers may develop themselves a model to enable citizens to take part in decision-making and monitoring spending of public money. This tool is particularly important for planning investments in underdeveloped areas and issues relevant for vulnerable groups of population. Gender-sensitive budgeting is in its early stages in Montenegro, and a child-friendly budgeting model was piloted in the Municipality of Ulcinj.

A practical example: PORTAL FOR MONITORING MUNICIPAL BUDGETS IN MONTENEGRO

In order to enable citizens of Montenegro to be involved in the monitoring of local budgets in their municipalities, the NGO *Institut Alternativa* launched a specialised portal www.mojgrad.me.³¹ The portal offers a host of information on financial performance of municipalities: information of revenues collected and funds spent by all local self-governments in Montenegro starting as of 2009; unemployment data; final account statements for all municipalities; audit reports by private auditors for final budget accounts; information on the number of local civil servants and their salaries; debt information (outstanding commitments), etc. It is possible to search data for one town only or compare all local self-governments or regions on a number of criteria. The portal also features interesting articles on local finance. In order to bring finance matters closer to citizens, ne section of the portal gives explanations of key financial terms.

Figure 8: Information available on the website for monitoring local budgets



Source: www.mojgrad.me

²³ MojGrad.me has been developed within the project of NGO Instituta Alternativa supported by the Open Society Fund

ADVANTAGES

Participatory budgeting contributes to budget definition more responsive to actual needs of local communities, and eventually more reasonable spending of the public money. It takes into account particularly the needs of vulnerable groups, thus promoting social inclusion and reduction of poverty. Surveys have shown that participatory budgeting may help directing public money into poor communities, thus increasing the access to services and assets to those groups in population that have traditionally been socially excluded.³²

DISADVANTAGES

Local self-governments still lack capacities to develop this mechanism on their own. Hence, it is important to invest additional efforts in establishing principles and procedures. It is possible for the Government and local self-government bodies not to be interested in involving citizens in budgeting processes, since they might think citizens lack knowledge both in finance and as regards setting development priorities.³³

3.2 FIGHT AGAINST CRIME, CORRUPTION AND NEPOTISM

3.2.1 Directorate for Anti-Corruption Initiative (DACI)

Description: Corruption may be reported to DACI in person, by phone, by e-mail or by filling out an online form. DACI has no investigative powers, but the staff of DACI is tasked with interviewing the ones reporting corruption and making an official report. The next step is for DACI to send the report to the Police Directorate, more specifically the unit tasked with fight against corruption and organised crime, or other competent authorities. The whole process is confidential.³⁴

DACI was set up in 2001 as the first specialised preventative body of the Government of Montenegro in fight against corruption. The organisational units of DACI fall within the Department for Preventive Anticorruption Actions and include: Division for participating in anticorruption strategy development and monitoring, review of anticorruption regulations, integrity and lobbying; Division for education, campaigns and cooperation with citizens, NGOs and businesses, and the Division for initiating, promoting and monitoring the implementation of anticorruption standards.

DACI cooperates with the nongovernmental organisations around the issues of reports by citizens, education of staff in the administration and of citizens, and monitoring and reporting.

ADVANTAGES

DACI carries out a set of activities relevant for systemic approach in addressing corruption at all levels. In their reports, they analyse the actions of other authorities taken to fight corruption, monitor the number of reports, the trends and citizen's views. DACI gives suggestions to the Government and responsible authorities how to improve their actions to achieve better outcomes.

³² World Bank, Social Accountability sourcebook, 2007

³³ CIVICUS, *Participatory Budgeting*, Carmen Malena and Mahi Khallaf, 2012

³⁴<http://antikorupcija.me>

DISADVANTAGES

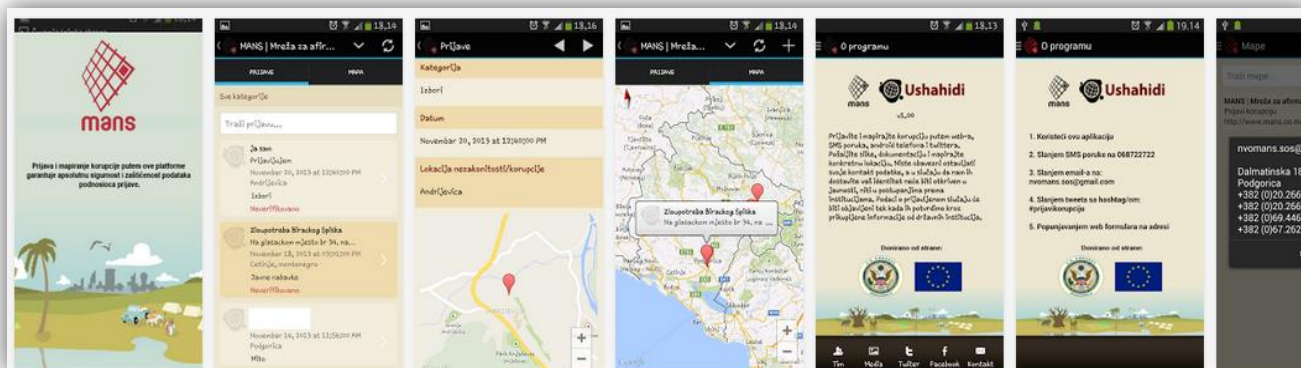
Although there are 12 telephone lines in different institutions for reporting suspicions of corruption, DACI's annual report shows the downward trend in the number of reports. Some authorities have not received a single report as yet, although they deal with the areas designated by citizens in various surveys as highly prone to corruption³⁵. The reasons are varied: DACI reports that competent authorities fail to inform the public widely of the existing tools. According to the most recent DACI survey, over 50% of respondents are not familiar with the tools for reporting corruption.

More than a half of all respondents (54%) say that even if they encountered corruption they would not report it. Interestingly, the respondents who are unwilling to report corruption fall among the vulnerable groups of population (women, people above 45 years of age, people with elementary and secondary school degrees, the unemployed and people employed in the private sector and inhabitants of the northern region). The impression is that they believe by launching the corruption reporting procedure with competent authorities they would put themselves in an even more vulnerable position. As reasons they cite lack of trust that their report would remain anonymous, fear of reprisal, but also doubts of the procedure to determine culprits.³⁶

3.2.2 CSO portals for reporting corruption

Description: Civil Society Organisation (CSOs) dealing with the issues of corruption, set up independent web pages for reporting by citizens or use the already existing channels of communication in cooperation with DACI (the Centre for Civic Education, CEMI etc.).

A practical example: PORTAL AND MOBILE APPLICATION PRIJAVIKORUPCIJU.ME



Reporting corruption using this platform and all the data are fully protected since all information is coded and sent to a special server on a safe location. For the sake of additional protection, the TOR software (safe and anonymous network protecting users from potential internet and communication surveillance) can also be used. Citizens may send reports also via text messages, android phones and twitter, for which the administrator (NGO MANS) does not guarantee absolute safety of data.³⁷The administrator promptly posts the heading of the report online, and the detailed information after hang done necessary search by collecting information from state institutions. Citizens may subscribe to receive regular updates of reports being filed to the portal.

³⁵Ministry of Justice, DACI, *Number of Corruption Reports October-December 2012*, Podgorica 2014

³⁶Ministry of Justice, DACI, *Familiarity with the Work of DCI and Public Views of Corruption*, December 2013, Podgorica, 2014

³⁷www.prijavikorupciju.me

ADVANTAGES

This mechanism is useful for citizens who place more trust with civil society organisations or the specific organisation recognised as one of the key actors in fighting corruption in the country. This is well testified by the number of 500 reports received by MANS in 2013, or more than twice the total number of reports to all state authorities.

DISADVANTAGES

As is the case with state authorities, the nongovernmental organisations which do not deal primarily with corruption issues receives a significantly lesser number of reports

3.2.3 Open phone line and e-mail for reporting misuse of official cars

Description: The Government's PR Bureau set a special phone line and an e-mail account for reporting the misuse of official cars used by state administration authorities. The misuse of official cars may be reported by sending a photograph with visible registration plates of the official car used inappropriately. In order to assess the validity of the report, the report has to state the exact time and the place. The PR Bureau posts all the reports containing the information stated above on the website and refers them to the relevant state authorities for further actions a verifying potential misuse of official cars. The photographs of cars, the names of the state's authorities to which the reports were referred and the *feedback information* received from these authorities are all posted on the web pages³⁸.

Figure 9: Reports of suspicions of misusing official cars, an example

| Report | Competent authority | Response by the authority |
|-----------|---|---|
| PG CG 065 | Ministry of Interior (Mol) Report referred 28 March 2013 | <u>Response by Mol dated 29 March 2013</u> |
| PG CG 256 | Employment Office Report referred 01 April 2013 | <u>Response</u> Employment Office dated 01 April 2013. |
| PG MN 310 | Mol – Police Directorate Report referred 02 April 2013 | <u>Response by Mol dated</u> 16 April 2013 |

Source: www.gov.me/sluzbena_vozila

ADVANTAGES

This model shows what a comprehensive tool for reporting irregularities should look alike. Unlike the others, this portal posts evidence provided by citizens, the information on the responsible authority whose officer used the given car, the response of the responsible authority with the documentation which confirms (in almost all cases) that the cars were properly used.

DISADVANTAGES

Although citizens claim the manifest misuse of official cars, the response of the responsible authorities using the given car almost always use counter-arguments, so that there are only two (out of several hundred reports) cases in which officials were sanctioned. After the response by the competent authority, it is not further examined, but the report, of whatever contents, is posted on the website, and the case is thus closed.³⁹

³⁸http://www.gov.me/sluzbena_vozila

³⁹ Group of authors, *Citizens and the System: A small book of justice in the Montenegrin way*, Civic Alliance, 2014

3.3 HEALTH CARE

3.3.1 Protector of the Rights of Patients

Description: A patient who was denied the right to health care or a patient not satisfied with the service rendered or the actions of health care professionals may file complaints. Complaints are filed directly to the director of the given health care establishment or the authorised person – protector of patients’ rights. The complaints may be expressed verbally or in writing. Upon such complaints, the director or the protector of patients’ rights promptly, and not later than three days from receiving the complaint, establish all the circumstances and essential facts regarding the allegations and inform thereof the complainant. The complaint form may be obtained from healthcare establishment or their web portals.

A practical example: NUMBER AND TYPE OF COMPLAINTS

In late 2010 all public healthcare institutions in Montenegro designated protectors of patients’ rights who started operating in January 2011, and their names, telephone number and e-mail addresses are found on the web page of the Ministry of Health and public healthcare institutions. Directors report regularly, on quarterly and annual basis, to the Minister of Health of all the complaints received. The Ministry of Health reported that in 2013 the total of 710 complaints was filed to protectors of patients’ rights⁴⁰, or twice the figure from the year before.⁴¹ The complaints, for the most part, referred to actions of healthcare professionals, the waiting times, the organisation of work of healthcare services and the quality of healthcare services “.

ADVANTAGES

This mechanism is accessible to the widest groups in society. To that effect, apart from telephone lines and e-mail contacts, an adequate number of persons were designated, now having protectors of patients’ rights available throughout the healthcare sector. Monitoring reports by *Civic Alliance* show that most of the patients are aware of their existence. If unhappy with the response by the relevant institutions, patients are advised to report the case to Health Inspection.

DISADVANTAGES

Although the number of complaints is not negligible, the Ministry of Health states that citizens are still to a certain degree unaware of the venues for exercising their rights. There is no report available at the Ministry of Health’s website to have a better understanding of any feedback information and further actions taken.

3.3.2 Monitoring the work of primary healthcare centres and hospitals

Description: In 2012 and 2013, the NGO *Civic Alliance* monitored and reported on the work of primary health care centres and hospitals. To this purpose, training was delivered to interested citizens, who then periodically made field visits and drafted reports.

⁴⁰<http://www.pobjeda.me/2014/02/10/zastitnicima-prava-pacijenata-prosle-godine-stiglo-710-prituzbi-najvise-zalbi-na-postupanje-zdravstvenih-radnika/#.U33SZmKSzPo>

⁴¹<http://www.pobjeda.me/2012/01/09/ministar-zdravlja-miodrag-radunovic-prioritet-obracun-sa-korupcijom-i-neljubaznim-osobljem/#.U33RsWKSzPo>

ADVANTAGES

The heads of primary healthcare centres expressed respect as regards the efforts of this initiative, since they found the field data helpful in improving the management of their establishments. On the other hand, the very knowledge of the existence of a control mechanism affected the degree of professionalism and improved performance. This mechanism has a positive impact on the citizen alertness and activism, given that the monitors were people from local communities. The monitoring showed that only one half of all the establishment may be physically accessed by persons with disabilities.⁴²

DISADVANTAGES

This type of activities is usually project-based, with little possibility of monitoring progress (by comparison with the new data).

3.4 EQUALITY

Ensuring equality is a cross-cutting theme, and hence the issues of equality should be integrated in all general mechanism for civic monitoring. Interestingly, the persons in “unequal” positions mostly take part in monitoring policies only indirectly, through the CSO representatives. The most information on accountability around these issues is obtained from reports and activities of NGOs, coalitions for protection of human rights and the Ombudsperson.

3.4.1. Help-lines for women and children

Description: Help-lines for women and children victims of violence are set up in order to provide safe space for women to report violence and consider the ways of addressing their situation. The volunteers working with help-lines offer free-of-charge psychological and legal support, referring women to responsible institutions or contact the institutions on their behalf to clarify and accelerate the procedure. Apart from help-lines, as need be, cases may also be monitored by multi-disciplinary teams for domestic violence, thus at the same time setting in motion the mechanism to monitor the work of several institutions (social work centres, health and educational establishments, misdemeanour bodies, courts, prosecution ...).

ADVANTAGES

The persons exposed to discrimination are often disempowered to launch themselves the procedures for the exercise of their rights and monitoring the work of responsible authorities, but are directly affected by the decisions passed by competent institutions. Therefore, their opinion is of the key importance for good quality monitoring of the work of responsible institutions. *The multidisciplinary approach* enables for the systemic addressing of the problem, which is possible only through responsible work of all competent authorities.

Phone lines proved to be the most accessible method of reporting violence (only exceptionally that help centres would be approached by victims of violence by, for instance, e-mails). The advantage of a phone call is that it is the most accessible means of communication for the socially disadvantaged.

⁴² Monitoring of hospitals, May-June 2013, Civic Alliance, 2013

DISADVANTAGES

A substantial number of women want for their cases to be resolved, but for them to remain anonymous (not to make records with responsible authorities), which is not possible.

3.4.2. Internet portal for persons with disabilities – “Disabilityinfo”

Description: In 2011, the *Association of the Youth with Disabilities* launched an initiative to develop a portal for persons with disabilities, the only of the kind in the country, primarily accessible to persons with impaired sight by the use of screen readers, including information from Montenegro, the region and the world which are relevant for persons with disabilities, their organizations and topics pertaining to the functioning of the NGO sector. The portal, among other things, features pieces of legislation pertaining to persons with disabilities, to be available to the interested public on a single spot, within the Resource Corner of the portal⁴³.

Practical examples/notes

The portal was a product of the desire to break away from the articles and writings about persons with disabilities, prevailing both in Montenegro and the whole region, seen through the lenses of compassion, sympathy or heroism, since the Association of the Young with Disabilities believe that such approaches do not contribute to the respect for human rights in the long run. All individuals and organisations/institutions already working on improving and promoting human rights in general and human rights of children / adults with disabilities in particular, as well as those interested in these matters, are invited to take part in the portal development.

ADVANTAGES

The portal is based on a human rights-based model and its aim is to spread the knowledge, educate and promote children / adults with disabilities from this aspect.

The portal offers information to its visitors on the topical issues and opportunities for persons with disabilities in different fields defined during the post-2015 consultations as priorities (human rights – equality, independent living and work, education, employment). This will be significant for improved monitoring of performance indicators, since the decision-makers and the public will have more desegregated data available.

DISADVANTAGES

The information from the portal is not available to persons with disabilities who are not internet users.

3.4.3 Incident report card

Description: The incident report card for incident against LGBT people was developed following the experiences of the *NGO Egale* from Canada. The function of this card, containing relevant telephone contacts in the police and among the LGBT community, is for the person to record as soon as possible, if falling a victim or witnessing violence, the particulars and the details of the incident and to make the necessary contacts with

⁴³ <http://www.disabilityinfo.me>

least trouble.⁴⁴ The Incident Report Card, pocket size, was printed with a view of improving the safety of LGBT persons and increasing the level of registration and reporting of homophobic violence. It is recommended to be carried at all times.

Practical examples/notes: Pocket Incident Card in Montenegro

In late 2013, the NGO *LGBT Forum Progress* printed the pocket-size Incident Report Card, and it will be distributed through its offices, at meeting and socialising places, at the LGBT shelter and the cultural centre, in coffee shops, at universities, but also through social workers, the school network and police officers. In Canada, a similar programme helped increase the number of reports of attacks motivated by sexual orientation and gender identity and to raise awareness and sensitivity of police officers around these issues. In 2010 the International Association of Chiefs of Police acknowledged this programmes as one of the ten best community policing programmes worldwide.⁴⁵



ADVANTAGES

The advantage of using this mechanism is in the fact that it links several services, which has a direct bearing on the engagement of competent authorities and helps in a timely gathering of evidence to instigate legal action. The model may be applied by introducing the report cards for other vulnerable groups of population as well.

DISADVANTAGES

Although there are no relevant data to that effect, some members of the LGBT community may see carrying of incident report cards as some form of “labelling”.

3.4.4 Analyses and reports on citizen views regarding policy impacts

Description: It is a known fact that non-governmental organisations prepare various monitoring reports regarding policy implementation by competent authorities. For the needs of this review, particularly important are the reports whose conclusions are based on the views and opinions of those directly affected by such policies. In addition, proactive involvement of the members of some vulnerable groups in Montenegro is at a minimum level when it comes to monitoring the activities of the Government, since the monitoring tools and mechanisms are largely inaccessible to them, therefore it is particularly important to approach them directly to have their voice heard as well.

Practical examples: SURVEY OF THE VIEWS OF ROMA AND EGYPTIANS AND OTHER COMMUNITIES OF THE ROMA DECADE AND POSITION OF ROMA AND EGYPTIANS IN MONTENEGRO

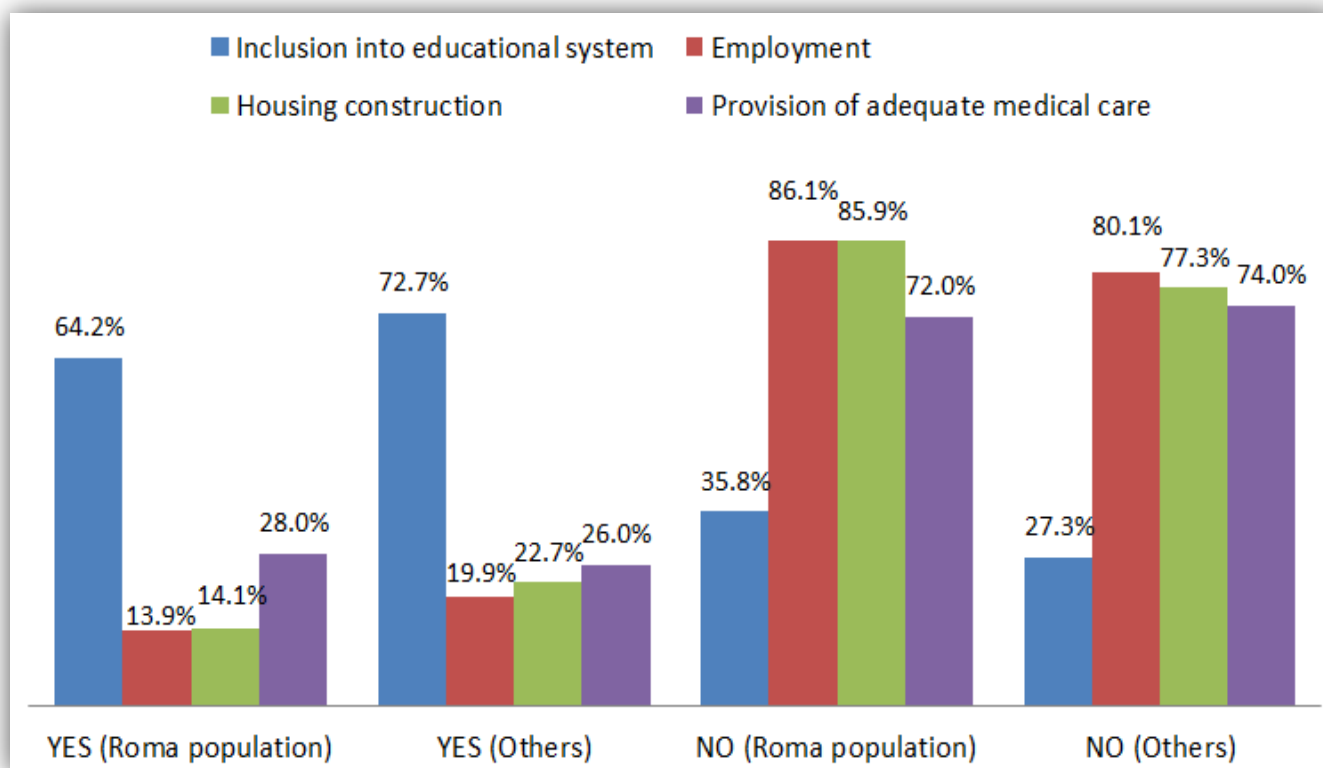
Last year Montenegro chaired the Roma Inclusion Decade, and the Government of Montenegro carried out many activities to improve the position of the Roma and Egyptians in Montenegro. On this occasion, a survey was conducted to investigate into the views of the beneficiaries of these activities. The survey showed that

⁴⁴ <http://lgbtprogres.me/2013/12/publikovana-prva-incidentna-prijavna-karta>

⁴⁵ Ibid

some 20% of respondents were aware of these activities, while the remaining 80% were not informed or certain of having heard about it. Asked whether they were familiar with the measures undertaken by the government in various areas, the respondents said they knew most about the educational measures.

Figure 10: Familiarity of respondents with the antidiscrimination efforts in various areas



Source: Civic Alliance, 2014.

ADVANTAGES

Surveys of citizen views help establish direct communication and convey the information to decision-makers, via CSOs, and provide for more credible measurement of policy impacts. This instrument is particularly useful when other communication tools between governments and citizens are ineffective.

DISADVANTAGES

The surveys and analyses are not a citizen monitoring mechanisms, since they do not require a proactive approach by citizens or their timely response to developments in the society, but through them one may obtain relevant information on the actual state of play and the changes effectuated, if done in continuity.

These are usually project-based activities, without ensuring the possibility for monitoring progress (comparison with the new data).

3.5 ENVIRONMENT

3.5.1 Aarhus centres

Description: The aim of establishing centres is to develop cooperation between the Government, citizens and local self-governments and enable the democratic processes in the area of environment. The centres focus on the implementation of the Aarhus Convention, whose underpinning principles are *access to information*, *public participation* in decision-making and *access to justice*. The Aarhus centres operate as organisational units of the Environmental Protection Agency (EPA) or the partner NGOs. There are four Aarhus centres in Montenegro (Podgorica, Nikšić, Berane and Pljevlja).

Citizens may, free of charge, get from Aarhus centres the premises for organising meetings, round tables, seminars and other events related to the environment, then to have available relevant laws and regulations and the reference literature, but also legal counsel around the environment-related topics. The information on calls for public discussions may be exchanged via internet portals.

A practical example: WEB SITES OF AARHUS CENTRES⁴⁶

The website gives access to most diverse information relevant for public participation: public calls for being involved as members of drafting groups, public calls for public discussion and presentations of final documents, calls for taking part in the adoption of planning documents for Aarhus centres, notifications of the need to perform environmental impact assessments for certain projects and the approvals of EPA studies, as well as other information on environment-related activities and initiatives.

In 2012, the Environmental Protection Agency received 165 free accesses to information requests. *Out of this number: citizens filed 88 requests, compared to only 4 in 2011*, and NGOs 68 requests, the media 7 requests, and 2 requests filed by businesses. The requested data referred mostly to environmental impact assessments.

ADVANTAGES

Regional representation (having 4 regionally based centres) is a huge advantage of this mechanism. Citizens may obtain a host of relevant information at a single spot. Although this is not directly attributable to Aarhus centres, it is presumed they had a substantial impact on the increase in the number of requests for accessing environmental information.

DISADVANTAGES

The web pages are not updated daily, thus some important information has not been published yet.

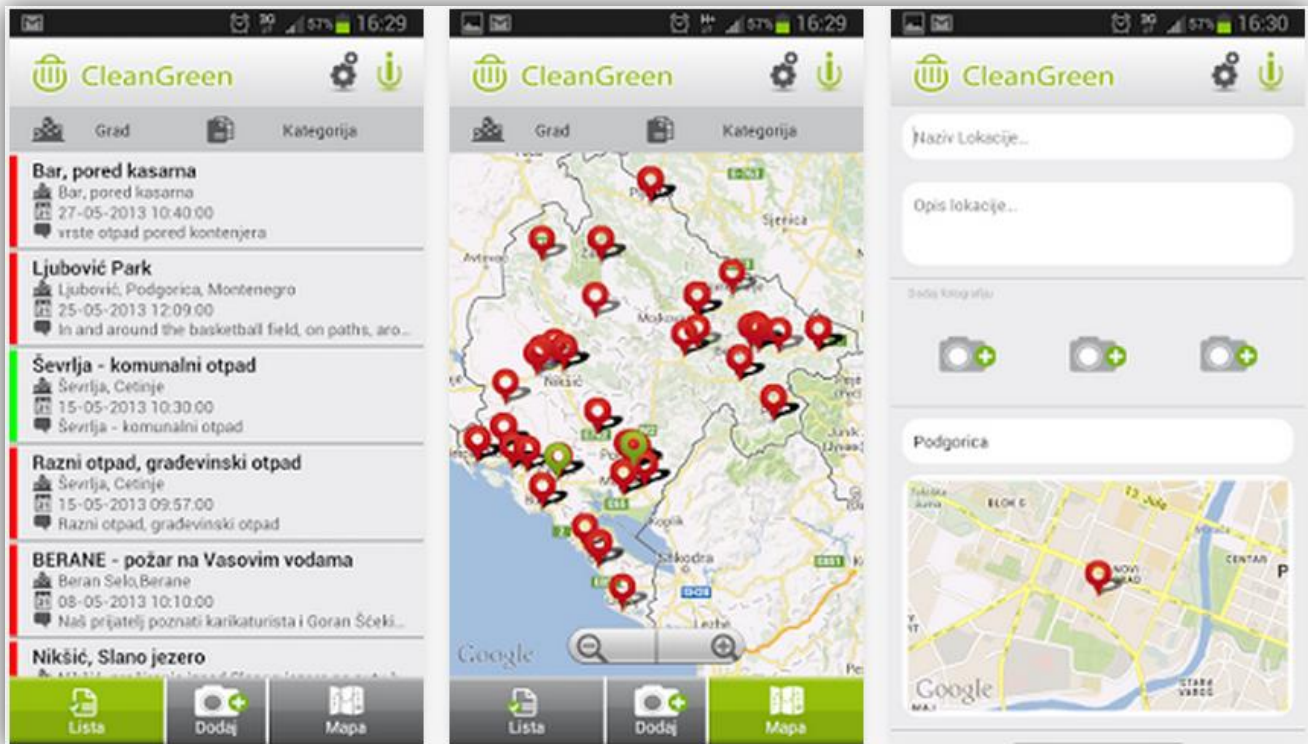
More information of the activities of regional centre should be given. Financial and technical sustainability of local offices has not been secured.

3.5.2 “Clean Green” application

Description: Clean Green is an application for android devices for mapping illegal dumping sites. It was developed in partnership with the NGO *Ozon*, the EPA and the UNDP Country Office. The application enables the citizens to locate and report the existence of dumps in all municipalities in Montenegro by taking and uploading photographs. After doing so, the same person may write a comment and report the problem. The platform records the exact location and the time of taking the photograph which may be later on used for writing reports to responsible officials or municipalities which subsequently take measures to clean the waste.⁴⁷

⁴⁶<http://www.arhuscentri.me>

⁴⁷<http://tehnologija.me/domaca-android-aplikacija-clean-green-aplikacija-za-mapiranje-neuredenih-smetlista-u-crnoj-gori/#sthash.o7Jzx0OD.dpuf>



ADVANTAGES

The institutional support in addressing the reported cases has been provided. The reporting procedure is simple.

DISADVANTAGES

Lack of capacities of Communal Police to take timely actions.

3.5.3 “Ekoskop” - Online service for ecological activism

“Ekoskop” is a simple online service designed to encourage civic environmental activism and increase visibility of local environmental initiatives, particularly the Aarhus centre in Nikšić.⁴⁸ Citizens may use “Ekoskop” to report environmental crimes (unlawful actions regarding the use of natural resources). Reports may involve illegal felling, extraction of river deposits, poaching and illegal sale of protected game to restaurants, trading in protected plants and herbs, illegal release of harmful substances, especially by foreign legal entities, etc. The reports filed through the Ekoskop application deemed to be justified for further actions are posted on the online portal, and the public is kept informed of the outcomes. Ekoskop is posted on the portal of the NGO Ozon, offering additional contacts of the Inspection Administration (contact phone and e-mail address) for those wishing to report irregularities directly.

⁴⁸ EKOSKOP was developed within the framework of the “Support to Civic Activism at the Local Level” project implemented in partnership among the Civic Alliance, Monitoring Group Ulcinj (MogUI) and the Environmental Movement “OZON”, supported by the Charles Stewart Mott Foundation.

3.6 INFRASTRUCTURE CONSTRUCTION

As regards the infrastructure construction, there are no specific mechanisms for that so far. Citizens have all the general mechanisms available, especially those at the local level (in particular initiative, civic initiative and citizens' assembly). In addition, citizens may also report illegal construction via the portals and telephone lines of competent authorities at the central and the local levels, and to NGOs.

3.6.1 Service for citizens of the Secretariat for Spatial Planning and Environmental Protection in Tivat

Description: Within the framework of the “Increasing Accountability and Transparency in the Local Self-Government” project, the Municipality of Tivat opened new channels of communication with citizens for applications filed with the Secretariat for Spatial Development and Environmental Protection: an internet portal and text message notifications.

The web portal is used to monitor the status of a case. The citizens who register to use the portal may, after logging in, see all their pending cases and documents at a certain level of administrative procedure before the local authorities. The information thus obtained includes the status of the case, the relevant local authority and the officer currently in charge of the case, as well as all the changes done on the case to that moment. This makes the need to seek such information via phone or by coming in person redundant.

The text messaging service includes texting notifications to citizens of the status of their requests or of the case being dealt with if citizens register for this service in the IT system. Following the registration, citizens keep receiving information on

- Filing the application at the registry office with the case date and reference number;
- The moment when the acting officer receives the case;
- Any changes in the status of the request (closed, granted, incomplete...);
- Receiving complaints regarding the case;
- Return of the case to the registry office
- Filing of the case.

The registration for using this service is very simple, and it is done by expressing the wish while filing the application at the registry office. After leaving the cell phone number to the registrar, he or she receives within several minutes a text message with the case date and registration number. By the end of the same working day another text message arrives with the data of the user account at the Web portal.

3.6.2 Internet portal for monitoring construction

A practical example: For citizens interested in monitoring the construction of buildings the largest share of information at one spot may be found on the portal of the NGO MANS. It features useful information on the results of monitoring construction and public procurement, with accompanying planning documents, comments to plans and maps. The maps that MANS compiled over many months of monitoring show evident cases of violations by investors who, by building residential and commercial buildings, damage the space and are in

breach of plans. As a part of the monitoring process translated into maps, *MANS* recorded a substantial number of violations of plans and failure of developers to adhere to the terms of the building permits issues, with each map showing where the violation occurred and what actions has *MANS* taken to sanction illegal construction.⁴⁹

3.7 EDUCATION

So far there are no recorded mechanisms used solely to monitor educational policies in the context of the development and Post-2015 agenda, the tendency is not to see education as a separate field, but rather make it an integral part of the planning documents in the fields of employment, inclusion, and youth policies.

3.7.1. Youth Councils

Description: In order set up a mechanism for participation of the young in decision-making at the local level, the Secretariats for Social Matters set up local *Youth Councils*. Such Councils monitor the implementation of Local Youth Action Plans (with one of the key section there being education quality and accessibility), but also other matters relevant for community development.

A practical example: Youth Council in Cetinje

The Council has nine members, selected by the commission set up by the Decision to Establish Youth Council.

The Youth Council's scope of responsibilities includes:

- Matters from within the remit of the Local Council of the Historic Capital of Cetinje which are of interest for young people.
- Propose to the Secretariat for Social Policy and Youth various programmes, other documents and discussions relevant for improving the status of young people.
- Give opinions to the Local Council of the Historic Capital of Cetinje while making decision, adopting measures, programmes and other documents relevant for young people.
- Monitor the implementation of the Local Youth Action Plan of the Historic Capital Cetinje.
- Draft and submit reports to relevant authorities regarding the problems faced by young people and, as need be, proposal and adoption of programmes to address the problems and reinforce the role of the young people.
- Foster cooperation with Youth Councils from other municipalities in Montenegro.
- Foster cooperation and sharing of experiences with relevant entities, institutions and organisations from other countries.
- Inform young people of matters relevant for improving their status.⁵⁰

⁴⁹www.mans.co.me/odrzivi-razvoj/monitoring-gradnje

⁵⁰<http://www.cetinje.me/index.php/me/gradska-uprava/savjet-mladih>

ADVANTAGES

Youth Councils are set up at the local level, thus involving young people in a timely fashion in planning, implementation and monitoring of all matter relevant for community development. The development agenda relies on the “coming generations”, hence it is particularly important for young educated people from underdeveloped regions to stay there and create opportunities for growth and development and for assuaging regional disparities.

DISADVANTAGES

In some regions it is believed that young leaders lack working and life experience, thus underestimating their opinion in decision-making processes.

4. CONCLUSIONS AND RECOMMENDATIONS

The Citizens and the Government of Montenegro have available a wide array of formal and informal mechanisms for policy monitoring, particularly so at the local level. However, most of the existing mechanisms, particularly the local-level ones, are non-functional. The review has shown that each of the mechanisms identified has its substantial advantages, but also the shortcomings, and that it would be best, depending on the goal and specific features of each policy being monitored, to define a model to include several compatible mechanisms.

Several factors affect the mechanism effectiveness: citizens being aware of the existence of a certain mechanism, level of their empowerment and interest for active participation in societal processes, the degree of mechanism accessibility in the sense of the required knowledge and skill, but also physical barriers, and finally the social and political context in their micro communities. Poor use of existing mechanisms is linked with not properly proactive actions of the Government.

The review also showed that the communication strategies adopted by relevant authorities for interactions with citizens are also important for the constructive approach. The best designed models have the poorest performance because of not being properly communicated. The governments, apart from formally setting the mechanisms in place, should also find the way to invite and mobilise citizens to use them, and partnerships with civic associations and the media may be very helpful in that respect.

From citizens' angle, it is particularly important to get the feedback to their proposals and demands. Those mechanisms where the questions and answers of all stakeholders were public had the greatest number of users, and together with successfully (fairly) addressed cases are the best motivators. Timely involvement is also important – if people were involved already at the planning stage, they will show a higher level of responsibility for attaining the planned outcomes during the subsequent implementation and monitoring.

It is noteworthy that the accountability of the central and local governments would be greatly improved with the consistent observance of the citizen participation rule, and the use of informal mechanisms should only give added value. Since it is not the case, it is proposed to build capacities for both approaches in parallel.

In the context of the Post-2015 agenda it is important that competent authorities (particularly the working group for monitoring the MDGs) establish a model to enable setting up of realistic goals and performance indicators, taking into account the local-level data, which do not have to be the official data of relevant institutions, but may also rely on the reports of CSOs and multidisciplinary teams in direct contact with citizens. Unlike the situation so far, the goals should be promoted at the local self-government and community levels, particularly in places with prominent inequalities.

When selecting the lead mechanism, care should be taken of the *capacities of competent* institutions or organisations for their implementation. The lack of staff and adequate knowledge and skills (particularly the use of modern technologies) slows down the functioning of the mechanism.

There is no single mechanism for citizen monitoring in all areas of policies, primarily because of the difference in goals and target audiences of different policies (youth policy, educational policy, healthcare, pension, etc.), and yet again each individual citizen chooses own model that suits him or her best. In addition, citizens prefer different communication channels when dealing with different issues (e.g. illegal dumps or illegally parked cars are reported online, while corruption is most often reported by mail or telephone).

Still, following the analysis, some general mechanisms may be singled out to constitute a cornerstone for participatory monitoring in Montenegro, to contribute, through synergetic effects, to greater accountability of both citizens and decision-makers:

1. Use of new technologies (web-based platforms and mobile applications)
2. Public discussion and other mechanisms set in the Law on Local Self-Government;
3. Participatory budgeting and local budgets monitoring, and
4. Media.

It was evidenced that the first and the last of the four proposed models (web/mobile platforms and media) may over a short period of time mobilise a large number of citizens. On the other hand, although time is needed for successful implementation of other tools to reinforce the civic capacity of citizens and democratic capacity of institutions, the future development of local communities should be built upon them.

In order for the proposed mechanisms to be functioning effectively, partnership should be established among different sectors to link the available resources:

- **Nongovernmental sector**, to provide inputs/entry information, particularly from the local level and from vulnerable groups, and
- **Government**, to provide the outputs/ timely response to questions, comments and demands of citizens and communicate the outcomes directly to citizens or through the media.

As regards the government, it seems that the greatest capacity for monitoring the Post-2015 goals is located within the structure that so far has been in charge of reporting on progress made as per MDGs. This is, primarily, the relevant department for monitoring MDG, the Division for support to the National Sustainable Development Council (Ministry of Sustainable Development and Tourism)⁵¹, together with the network of coordinators to monitor MDGs, composed of 11 representatives of relevant institutions.

NGO representatives should be formal partners in monitoring the attainment of sustainable development goals in order to ensure good contact with citizens, particularly the vulnerable groups who are not normally proactively involved in policy monitoring.

The media, particularly the TV production, have the potential to involve the wider public in promotion and monitoring of set development priorities. The media may play a double role, just to convey information or to be one of the driving forces themselves.

Figure 11: Proposal for implementing agencies in case of launching an online platform for monitoring sustainable development goals



Finally, it should be noted that practicing participatory mechanisms affects future sustainability through self-regulation, through balancing social power, thus substantially increasing the accountability of not only the governments, but also citizens.

⁵¹ The Division supporting the National Sustainable Development Council proposed that the thematic area for testing be Environmental Protection

5. ANEXES

Annex I:

PROPOSED POSSIBLE MECHANISMS BY PRIORITY AREAS FOR SUSTAINABLE DEVELOPMENT

| AREA Linked with sustainable development goals | GENERAL MECHANISMS FOR PARTICIPATORY MONITORING | SPECIFIC MECHANISMS FOR PARTICIPATORY MONITORING |
|--|---|--|
| <i>Economy, unemployment and balanced regional development</i> | Free access to information requests Formal forms and mechanisms for direct citizen participation at the local level (particularly public discussions); Consultative hearing; “Free Seat” Government Bureau for Communication with Citizens E-Government portal Web platforms | Participatory budgeting and Portal for monitoring local budgets “Be Responsible” application to report grey economy DACI |
| <i>Fight against crime, corruption and nepotism</i> | Free access to information requests Consultative hearing Formal forms and mechanisms for direct citizen participation at the local level (particularly public discussions, complaints and petitions) “Free Seat” Council for Local Self-Government Development and Protection E-Government portal Web platforms | DACI CSO portals and phone lines for reporting corruption Open phone line and e-mail for reporting misuse of business cars |
| <i>Health care</i> | Formal forms and mechanisms for direct citizen participation at the local level “Free Seat” Media production E-Government portal Web platforms | Patient Ombudsperson Monitoring of primary health care centres and hospitals DACI |
| <i>Equality</i> | Ombudsperson Formal forms and mechanisms for direct citizen participation at the local level “Free Seat” | Helplines for women and children Web portal for persons with disabilities – “Disabilityinfo” |

| | | |
|--------------------------------|--|--|
| | <p>Citizen Bureaus</p> <p>E-Government portal</p> | <p>Incident report card</p> <p>Analyses and report on policy impacts</p> <p>DACI</p> |
| <i>Environment</i> | <p>Free access to information requests</p> <p>Public discussion</p> <p>E-petitions</p> <p>E-government portal</p> <p>Formal forms and mechanisms for direct citizen participation at the local level</p> <p>“Free Seat”</p> <p>Web platforms</p> | <p>Aarhus centres</p> <p>“Ekoskop” - Online service for environmental activism</p> <p>“Clean Green” application</p> |
| <i>Building infrastructure</i> | <p>Free access to information requests</p> <p>Formal forms and mechanisms for direct citizen participation at the local level</p> <p>Internet and mobile applications</p> <p>E-petitions</p> <p>E-government portal</p> <p>Web platforms</p> | <p>Citizen Service of the Secretariat for Spatial Development and Environmental Protection</p> <p>Web portal for monitoring construction</p> <p>DACI</p> |
| <i>Education</i> | <p>Public discussion</p> <p>Media production</p> <p>E-petitions</p> <p>E-government portal</p> <p>Web platforms</p> | <p>Youth Councils</p> <p>DACI</p> |

ONLINE QUESTIONNAIRE ON PARTICIPATORY MONITORING FOR ACCOUNTABILITY

1. Town

.....

2. Age

Check all that apply.

15-25

25-49

50-65

65+

3. Sex

Mark only one oval.

female

male

4. Education

Mark only one oval.

Elementary

secondary

higher

Other:

5. Are you employed?

Mark only one oval.

Yes

No

Other:

6. If yes, in which sector?

Mark only one oval.

- State administration
- Private sector
- Non-governmental organisation
- Other:

7. 1. Are you aware of the ways through which citizens can express their opinion and attitude to authorities on ongoing affairs and issues?

Mark only one oval.

- Yes
- No
- Not Sure
- Other:

8. Which of the mentioned mechanisms below are you familiar with?

Mark each separately// ****add the answer – Which of the mentioned mechanisms have you used?

Check all that apply.

- Through representative of local community
- Contacting councillor in local self-government
- Through public hearings
- By reporting irregularities, through the internet and mobile apps
- Contacting representative of an NGO
- Address by writing to the competent institutions direct
- Address to the Mayor or Premier
- Address to the Ombudsperson
- Through media
- Through e-petition
- Through comments and complaints, by putting them in a box
- Other:

9. Have you somehow participated in the process of decisions making in your municipality so far?

Mark only one oval.

- Yes
- No
- Other:

10. In which of the mechanisms listed below have you participated?

The Law on Local Self-Government determines models for direct citizen participation in decision-making and deliberating: public hearings, initiatives, citizens' initiative, citizens' referendum (local and municipal), and other forms of expression and decision-making that are determined by the statute of the municipality (petitions, proposals and complaints)

Check all that apply.

- Initiative
- Civic initiative
- Citizens' Assembly
- Petitions
- Public debate...
- Other
- None

11. If not, name the reason/s?

Check all that apply.

- I wasn't informed of procedures
- I wasn't interested
- I don't believe I can change something that way
- Other

12. Do you think that the authorities are able to respond to all the requests of citizens?

Mark only one oval.

- Yes
- No
- Don't know

12. If not, name the reason/s?

Check all that apply.

- Insufficient number of employees;
- Poor organization within the organs;
- Unclear division of responsibilities
- Other

14. Have you used internet platform (e-government portal or website of the competent authority) to communicate with the authorities?

Mark only one oval.

- Yes
- No
- Not sure

15. If you use the internet platform, what were the results?

Check all that apply.

- I got an official response to your request
- I haven't got an official response to your request
- Other:

16. Do you think that your municipality can equally exercise their rights:

Check all that apply.

- Poor
- Women
- Persons with Disabilities
- Roma
- LGBT persons
- Displaced persons
- Minority people
- Persons from rural areas
- Others

17. What form of cooperation between citizens and the government would best suit you personally?

.....

.....

.....

.....

.....

Annex 3:

FOCUS GROUP QUESTIONNAIRE ON PARTICIPATORY MONITORING FOR ACCOUNTABILITY

1. **How familiar are you with some of the ways by which citizens can the authorities to express their views and opinions on current issues and problems? Have you used any of these or other mechanisms? What is your experience?**

Annex I: Accessory list for the participants of the possible mechanisms of participation

- through local community
- addressing through councillors in local government
- through public hearings
- through representatives of non-governmental organizations
- address by writing to the competent institutions
- personal address by the Mayor or the Prime Minister
- recourse to the Ombudsperson
- in the media
- via e-petitions
- through comments and complaints, by putting them in a box
- by irregularity reports, using the internet and mobile applications
- Other

- 1.1 For participants who did use some of the mechanisms:

On what occasion have you participated in the decision-making process, describe how the process went and what was the result of your actions (have you got the answer or solution to that you wished for?)

- 1.2 For participants who gave a negative response:

Why haven't you?

2. The Law on Local Self-Government determines models for direct citizen participation in decision-making and declaring: **public hearings, initiatives, citizens' initiative, citizens' referendum (local and municipal)**, and other forms of expression and decision-making that are determined by the statute of the municipality (**petitions, proposals and complaints**). However, it turned out that, in practice, these models are not practically used. **What do you think, why is the situation? What is your experience? What obstacles / difficulties (for participation by these models) you see on the side of the citizens and what on the side of relevant local authorities?**
3. **To what extent are the authorities, in your opinion, available to vulnerable categories of the population, to what extent are they involved** in expression and decision-making on issues of importance to the development of the community (poor, people living in rural areas, women, persons with disabilities, representatives of minorities, displaced persons , youth, LGBT). What is their specific situation? What do you think would help to improve the situation?
4. **Which ways of communication** with representatives of the authorities are most convenient to you personally in order for you address them most easily (**in person, by phone, by mail, e-mail**)?**How**

are you informed about the activities carried out by the competent authorities? (TV, internet, print media). Are there any local media (radio and / or TV stations, newspapers) and how are they important?

- 5. What would personally (optional) motivate you to engage? How does the ideal model look like for collaboration between citizens and government?**
6. (Would you add anything related to the topic that we haven't asked?)