



EVALUATION REPORT

Fighting ill-treatment and impunity and enhancing the application of the ECtHR case- law on national level (FILL)

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ACRONYMS & ABBREVIATIONS

AC MNE	Administrative Court of Montenegro
CC	Constitutional Court
CEPEJ	European Commission for the Efficiency of Justice
CG	Crna Gora (Montenegro)
CoE	Council of Europe
CPT	Committee for the Prevention of Torture
CTJSP	Centre for Training in Judiciary and State Prosecution
EC	European Commission
ECHR	European Convention on Human Rights
ECtHR	European Court of Human Rights
EU	European Union
HF	Horizontal Facility (for the Western Balkans and Turkey)
HRA	Human Rights Action, an NGO
MNE	Montenegro
MoJ	Ministry of Justice
ToT	Training of Trainers

PREFACE

This assessment covers, ex-post - an evaluation of the inputs, activities, outputs, outcomes and sustainability of the the Action entitled “*Fighting ill-treatment and impunity and enhancing the application of European Court of Human Rights case-law on national level in Montenegro*” [hereinafter: ‘FILL’ or the ‘Action’] implemented as a part of the European Union (EU) and Council of Europe (CoE) programmatic framework “Horizontal Facility for the Western Balkans and Turkey” from 1 September 2017 to 23 May 2019.

The objective of the Action was to contribute to the efforts in Montenegro to strengthen the judicial institutions and rule of law, thus ensuring that human rights of the people / population under the jurisdiction of Montenegro are better respected.

The Action contributed to the improvement of judicial dialogue and capacity building of judges, public prosecutors and representatives of other legal professions and was aligned with enforcement of the strategic documents at the national level (2014-2018 Strategy for the Reform of the Judiciary), relied on measures set out in EU strategic documents (Stabilisation and Association Agreement and country-progress reports) and based on the relevant instruments of the Council of Europe (Recommendation CM/Rec(2010)12 and CCJE Opinion N° 20 (2017)).

A significant part of Action’s efforts has focused on reinforcing the uniform application of the law and harmonisation of domestic case law with the case law of the European Court of Human Rights (ECtHR), contributing directly to the implementation of the national 2014-2018 Strategy for the Reform of the Judiciary.

The evaluation was carried out in May 2019. This report was prepared following the completion of the evaluation’s field phase (6-8 May 2019); an in-depth analysis of documents provided by the CoE prior to and during the field phase informed the research in the field.

The evaluator wishes to thank all the people who gave of their time and insights for this evaluation.

EXECUTIVE SUMMARY

The objective of the Action was to contribute to the efforts in Montenegro to strengthen the judicial institutions and rule of law, thus ensuring that human rights of the people / population under the jurisdiction of Montenegro are better respected.

It provided a combination of legislative expertise and capacity building support, paying particular attention to ensuring impact and sustainable results. Based on recommendations provided in the last European Commission's progress report for Montenegro, the Action focused on increasing the overall awareness of the institutions and judiciary of the rights protected by the European Convention on Human Rights ("Convention" or "ECHR"). It played a fundamental role in improving the quality and reasoning of the judicial decisions, including those of the Constitutional Court.

The various types of trainings - paired with handbooks and a commentary - were highly appreciated and the international and Montenegrin experts that the Council of Europe was able to mobilise throughout the project were seen by all interlocutors as the key factor to the success of the Action.

In this respect, support to continued training of the judiciary should remain a priority for the Council of Europe in Montenegro. In the absence of mandatory continued training for lawyers, the need for increased and specific training on appeals procedures and challenges before domestic courts based on ECtHR judgments for lawyers would be beneficial.

Study visits have been identified as particularly useful. First and foremost to the ECtHR but also to countries that have (successfully) undergone similar transformations.

Given the fact that legal reform processes take time and that legal procedures do too, there is a case for continues - albeit in a different form perhaps - support to the judiciary, but it would be beneficial to ensure that the CoE has a mechanism in place for monitoring the outcome of proceedings targeted under this Action.

1 - BACKGROUND AND CONTEXT

FUNDAMENTAL RIGHTS & MONTENEGRO'S PATH TO EU INTEGRATION

As part of the European Union and Council of Europe programm framework “Horizontal Facility for the Western Balkans and Turkey” (Horizontal Facility), the Council of Europe implemented the Action “***Fighting ill-treatment and impunity and enhancing the application of the ECtHR case law on national level (FILL)***” in Montenegro and focused on enhancing the capacities of judges, prosecutors and lawyers to apply human rights standards in their daily work on protection and application of the right to a fair trial (Article 6 of the ECHR) and prohibition of torture and ill-treatment (Article 3 of the ECHR).

Specifically, on the ***prevention of torture and ill-treatment***, “...Montenegro has continued to implement the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment. The national preventive mechanism, whose capacity and independence have been strengthened, continued to work as a separate department under the Ombudsman... The incidents of police brutality reported in early 2018, and shortcomings and delays in investigating and prosecuting cases of alleged violence by law-enforcement officers show the difficulties in eradicating ill-treatment and establishing a record of deterrent sanctions.“ EC (2018)

2 - DESCRIPTION OF THE ASSIGNMENT

EVALUATION OBJECTIVES & SCOPE

The purpose of the assignment was clear from the onset:

- to assess sustainability and the link to domestic reforms and developments
- to assess the cross-cutting dimensions
- to assess how communication and visibility were ensured
- to identify lessons to learn for the Council of Europe, the beneficiaries and the donor

Following an in-depth conversation with the Programme Manager in Strasbourg, Mrs. Gruss, the evaluator also asked each project partner and beneficiaries about possible assistance they believe the HF could provide in the future.

EVALUATION METHODOLOGY

The evaluator reviewed documents (see list in Annex 1) and based on initial observations undertook a field trip to Podgorica, Montenegro. The majority of information was gathered during the field trip through in-depth interviews with key informants: (a) CoE project staff & managers and ; (b) the project's beneficiaries - Ministry of Justice, Supreme Court, Constitutional Court, Appellate Courts, High Courts, Administrative court, Judicial Training Centre, Prosecutor General's' Office, Judicial Council, Bar Association - at various levels and (c) other stakeholders such as the Montenegrin bar association, academia and representatives of the Civil Society Organisations (CSO).

DIFFICULTIES ENCOUNTERED

There were no particular difficulties encountered during the evaluation of this Action - the collaboration with both the Council of Europe staff in Strasbourg and Podgorica and with the beneficiaries was excellent.

The fact that the field visit coincided with the final conference of the Action was an added benefit and allowed the evaluator to discuss the Action with a large number of beneficiaries.

The Brief Narrative Synopsis Reports of the Horizontal Facility were only made available after the field visit; it would have been better had the Council of Europe made them available during the desk phase of the research but overall, this had no impact on the evaluation process.

3 - ASSESSMENT FINDINGS

THE RULE OF LAW: IT WORKS WHEN IT CREATES A CULTURE OF JUSTICE

MAIN CRITERIA

Impact and Sustainability

As to measuring the impact, it is impossible to draw a direct causal relation between the Action and the impact it has on the number of challenges or the success of domestic legislation. Legal reforms - and the outcomes - need to be viewed from the perspective of Montenegro's needs as perceived by the Government, the Assembly, the judiciary and the general public, on the one hand, and its needs as perceived by the CoE and the EU, on the other hand. The latter two entities regard these needs from the perspective of human rights, rule of law and EU integration.

Domestic changes to the law however are not the object of this evaluation.

There is nevertheless unanimity among all key informants that without the support from the Council of Europe the reforms would not have reached the level they are at now and that Montenegro would be a lot further from achieving European integration - which remains a firm goal for the country.

Ms Maja Milosevic - the general secretary of the Centre for Training in Judiciary and State Prosecution (CTJSP) - underscored the importance of the **Training-of-Trainers** during the first year of the Action when international trainers were still prominently used; the skill transfer that took place then ensures that the CTJSP now relies only on domestic trainers for its continuous training of judges and prosecutors.

Continuous training for judges (except from the Constitutional Court) and prosecutors in Montenegro is obligatory and the Centre organises 2-day trainings on Article 3 of the ECHR and according to Ms Milosevic, there is an **increased awareness among the judiciary** of the need for such training.

Overall, during the Action some 800 judges, public prosecutors and legal professionals in Montenegro were familiarised with (recent) ECHR case law and have been trained to use these cases as references in their own proceedings.

Mr Draskovic, the president of the Constitutional Court of Montenegro was firm that more and more judicial decisions **refer to ECtHR judgments**. Precise figures to allow for comparison to earlier periods falls outside the scope of this evaluation, but there is the expectation that the flow of cases to the ECtHR will decrease significantly; domestic decisions do already take the goals of the Action into account.

Furthermore, about 60 percent of all prosecutors and their advisors have received training on **investigating ill-treatment**. Nevertheless, it is too early to assess whether the number of cases that will still be referred to the ECtHR, and Ms Tea Gorjanc Prelević, of the NGO Action for Human Rights maintains that there still are remnants of "... a culture of silence, especially among the police

forces, about ill-treatment, or torture if you like, in (pre-)detention and police custody and that the courts in several instances were more lenient than they should have been...”.

All stakeholders were asked if they believed the reforms and the ensuing processes were **‘robust’ or resilient** enough to withstand pressure for change (for the worse) as a measure of the **sustainability** of the Action. The advisor to the Constitutional Court Ms Biljana Damjanovic as well as Ms Franovic of the Bar Association were adamant that the reforms were permanent, not in the least as the Montenegrin Government as well as the state bodies in general are firmly committed to European integration .

The same interlocutors underlined that although the reforms are the direct result of the ECtHR judgments and reports by the Committee for the Prevention of Torture (CPT), they have brought

enduring change and the correct application of the law is a matter of **training for the judiciary system as a whole.**



Borba protiv zlostavljanja i nekažnjivosti i jačanje primjene sudske prakse Evropskog suda za ljudska prava na nacionalnom nivou "FILL"

Erik Svanidze
Graham Smith



Nevertheless, there is a **generation gap** in understanding of and perhaps the importance attached to human rights-based approaches. Ms Biljana Franovac of the Bar Association (self-identifying as the ‘younger generation’) pointed out that older professionals are not always aware of the mechanisms, precedents and the transposition of international instruments into national law; the work with students at law faculties (see also below) are an important vehicle for a more **enduring culture of human rights** based justice.

The **lawyers**, instrumental in reducing the caseload that is brought before the ECtHR, have put in more requests for training in the second half of the Action, resulting in 45% increase in number of requests accepted for acceleration of control proceedings in 2018.

Together with the various publications (see hereafter), training and seminars/conferences are

the most concrete input provided under this Action.

Two comprehensive assessments provided in the framework of the Action in 2018-2019 have resulted in **political debate over legislative amendments** to strengthen mechanisms for protection of the right to trial within a reasonable time¹ and for enforcement of the Constitutional Court’s decisions at the national level.

¹ Analysis on reasonable time standards and effective remedies for the length of proceedings, 2018

It is the evaluator's impression that all stakeholders are vested in the reforms that have been implemented and that the three pillars of the justice system - the courts, the prosecution and the lawyers - have embraced the reforms.

Mainstreaming

Inclusiveness and gender equality in the Action's implementation have been achieved at the beneficiary level and in the Steering Committee. As in many countries in the Western Balkans, **women are slightly more present in the judiciary** as a whole and are, as the representative of the Montenegro Bar Association Ms Bojana Franovic pointed out, prominently present - as judges, lawyers and prosecutors at all levels of the Judiciary.

Mainstreaming in terms of in addressing gender equality issues was also prominently discussed in several implemented activities (e.g. high-level roundtable on harmonisation of the courts' practices with regard to implementation of the Istanbul Convention).

Nevertheless, there is a lack of gender-disaggregated reporting - not to mention other groups that might require additional protection such as vulnerable people - but the president of the Constitutional Court of Montenegro, Mr Dragoljub Draskovic, stated that the **web-based database of the Court's decisions** that had been developed with the support of the Council of Europe was a step in the right direction.

As per Neimanis A. (2001), one of the goals of gender mainstreaming efforts in the judiciary is *"...to enhance the capacity of the judiciary so that the principles of gender equality can be fully and effectively integrated into legal judgments."* Neimanis also underscores the importance of *"...the systematic and full integration of gender issues into monitoring and reporting mechanisms on all international human rights obligations..."*

The African Development Bank addresses both capacity building of the judiciary and equitable access to justice by women and men to claim their rights to land and property, in particular *"...(the) percentage of women and men accessing justice through the courts... (the) percentage of poor women and men who receive legal aid... and (the) percentage who have confidence in the legal system to treat them fairly"* (ADB, 2013).

The Action has contributed to **collection of data on penal policies** concerning gender-based violence. In cooperation with the NGO "Women's Rights Centre", the Action coordinated a comprehensive analysis of penal policies and sentences imposed by Montenegrin courts when it comes to sanctioning gender-based violence. The analysis provided conclusions and detailed recommendations for legislative and procedural improvements.

Visibility and communication

Visibility and communication goes back to the question whether *"If a tree falls in a forest and no one is around to hear it, does it make a sound?"* - given the importance of the Action to Montenegro's path towards European integration, the forest was not void of people.

The Action constantly strove to raise visibility of the implemented activities and achieved results during the reporting period. Timely and updated information about Action's achievements have been promoted through the Horizontal Facility, Human Rights National Implementation and Council of

Europe Programme Office in Podgorica websites, as well as through the social media accounts of the Horizontal Facility, such as Twitter and Facebook.

New and more interactive forms of communications were largely used to reach a wider audience, including participation in live debates, collecting video testimonials from law students reached through the Action as well as a promotional film about the support provided by the Action.

As to **communication with the beneficiaries and project partners** - there was sufficient evidence that all were aware of the goals of the Action and what could be expected from the Council of Europe.

And although not a visibility tool as such, the evaluator saw that the **training manuals** were prominently available in the offices of the judiciary and that the project partners actively participated in their dissemination.

Events organised under the Action - such as the closing conference attended by the evaluator - were well-attended by the media, resulting in coverage in the press, on the web and on TV, even at a time when a high-visibility process took the fore in Montenegro's media landscape.



MONTENEGRO, May 2019: Conference "Standards of effectiveness of investigations for torture cases in Montenegro" (© Horizontal Facility, 2019)

Visibility items have been distributed, including Action information sheets, brochures, leaflets and promotional items (pens, block notes and folders). All items included the Horizontal Facility logo and title of the Action.

ADDITIONAL CRITERIA

Coherence & Added value

Coherence is the extent to which the Action complemented Montenegro's policies and other interventions - by the EU, the CoE or other development partners.

Overall, the Action is part of the broader Horizontal Facility of the EU and CoE and as such part of a wider approach to general, at several points during the interviews for the evaluation, interlocutors

referred to other EU & CoE initiatives and both the EU Delegation and the CoE in Podgorica continue to underline the regular and efficient cooperation and the information exchange and consultations on specific issues, coordination and involvement in Action's activities.

The continued cooperation with **civil society organisations** effectively contributed to defining challenges and proposing solutions to public authorities' work and national legislation. The Action contributed to establishment of a structured dialogue between society and public authorities at the national level.

Also, the Action actively worked with the law faculties at three Montenegrin universities since 2108 to help students acquire the necessary skills to ensure a better protection of human rights at the national level in the future. The Action successfully introduced **human rights dimension in the regular curriculum** in the 3rd and 4th year of the legal education.

LOGFRAME

The logical framework matrix mentioned two specific objectives:

1. Improve the capacities of the judiciary to apply case-law of the European Court of Human Rights (ECtHR) at the national level
2. Strengthen the capacities of legal professionals to more effectively combat ill-treatment and impunity

Accordingly, the outcomes of the project will be achieved through realisation of the following expected results:

- Strengthened capacities of the Judicial Training Centre to facilitate human rights trainings for legal professionals;
- Enhanced capacities of judges and legal advisors of the national courts to apply European human rights standards in their daily work;
- Enhanced institutional capacities of the Constitutional Court towards better application of the ECtHR case-law;
- Strengthened capacities of the legal professionals (judges, prosecutors and lawyers) and certain civil society organisations to effectively address issues of ill-treatment and impunity in line with the ECHR and ECtHR case-law;
- Enhanced public dialogue on prevention of torture and ill-treatment in places of deprivation of liberty through increased engagement of civil society organisations.

The logical framework matrix provides a set of quantifiable indicators - e.g. the number of people trained - that should be traceable through the project reports. Although the evaluator was not provided with detailed lists of participants in trainings, the **annual reports** provided summary figures that indicate that the Action progressed according to the work plan - with adaptations to professed needs of beneficiaries within a fluctuating national context.

In terms of **capacity building**, all training materials developed with the Action's support have been successfully included into in-service training curriculum of the CTJSP. In addition, the pool of national trainers, qualified with the Action's support, now ensures the sustainability of capacity-building activities at the national level.

In term of **harmonisation of courts' practice**, Action's initiative to unify application of the ECHR and the ECtHR case law at the national level has contributed to the establishment of the **regular inter-judicial dialogue**. This initiative is expected to continue after the Action.

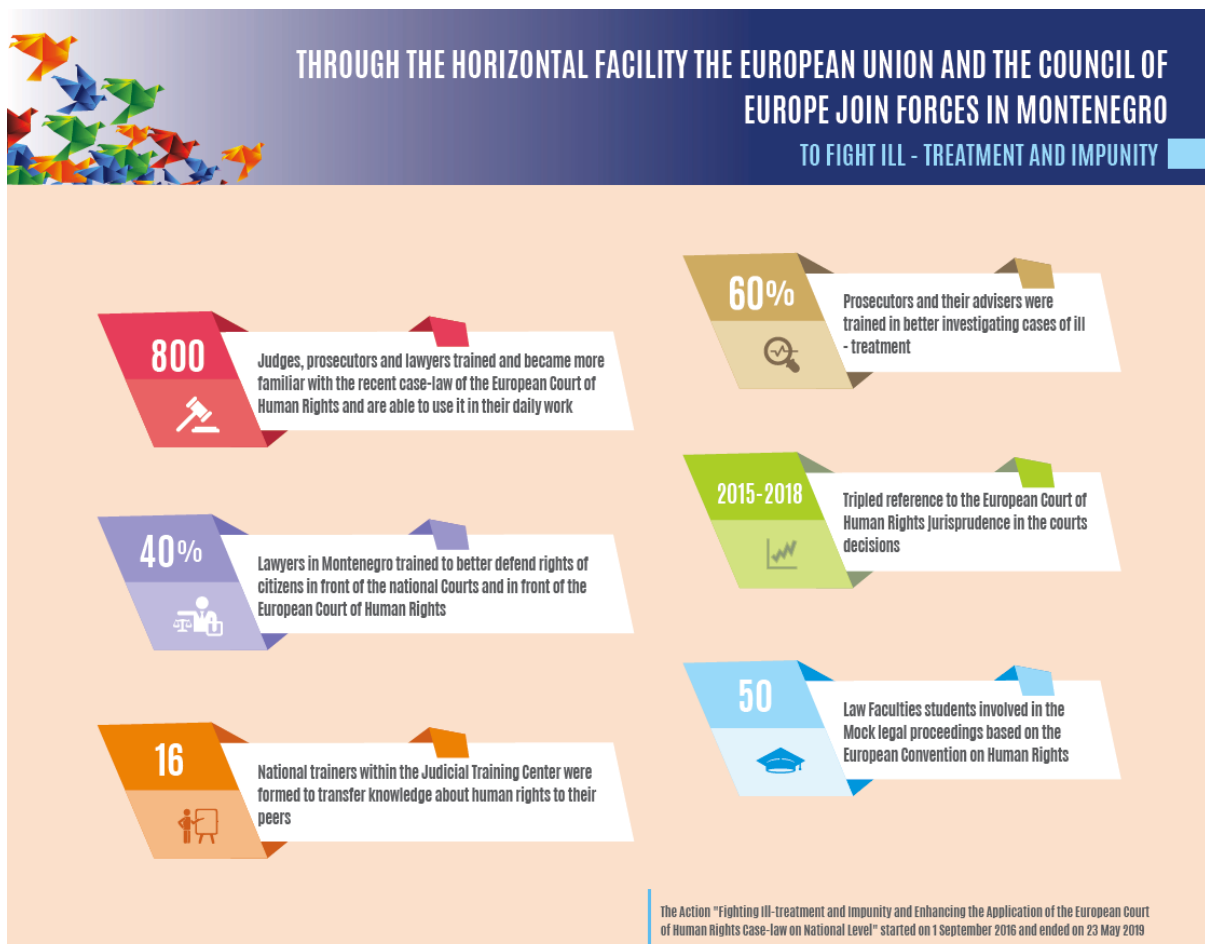
In terms of **improving of the quality courts' decisions**, several steps taken by Action's beneficiaries at their own initiative and as a continuation of cooperation activities carried out with the Action's support, provide a clear proof of sustainability.

Among such steps can be listed: elaboration of the guidelines on application of ECHR at the national level by the Supreme Court of Montenegro and development of the training curriculum for judges and advisers on examination of violations in line with Convention standards by the Constitutional Court of Montenegro.

The Action produced the following publications:

- The right to trial within reasonable time - Handbook on Article 6 of the ECHR
- Prohibition of Torture and Inhuman and Degrading Treatment and Punishment - Manual on Article 3 of the ECHR
- Analysis of the Impact of the Decision of the Constitutional Court of Montenegro on the System of Ordinary Courts with a Particular Focus on the Relationship between the Constitutional Court and the Supreme Court of Montenegro
- Report on application of the ECHR and Fundamental Freedoms in the practice of the Supreme Court of Montenegro
- Analysis of the Constitutional Court Decisions
- Analysis of the Constitutional Court work targeting legal certainty and the right to a final decision

A quick overview of the achievements of the project can be seen in the infographic below.



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www.coe.int/podgorica
ip.horizontal.facility
[CoE Montenegro](#)
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Horizontal Facility for Western Balkans and Turkey

Funded
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Implemented
by the Council of Europe

4 - CONCLUSIONS & RECOMMENDATIONS

CONCLUSIONS

1 - Pertinence: all interlocutors were unanimous that the CoE Action addressed the needs of the Montenegrin judiciary and actually contributed to the goals of the Action

2 - Impact: (A) Although the impact is not quantifiable, there seems to be an increasing **culture of human rights** in the judiciary. Advisors to the courts and the State Prosecution professed that there are more references to ECtHR decisions in domestic judgments and remedies.

(B) The same culture of human rights is also growing through **continued training** of the judiciary and the inclusion of human rights in the curricula for law students

(C) The availability of handbooks is indispensable to ensure coherent interpretation and correct referencing of decisions.

3 - Visibility: Although within the community of practice there is ample awareness of both the Action, its goals and principles and the role of the CoE, there is always, in spite of the good media coverage received of the (public) events under the Action, scope to better inform the public (through the media) of the Action and its results. This however can be best achieved through assisting the project partners and the media rather than through increasing direct communication by the CoE.

RECOMMENDATIONS

The recommendations formulated hereafter are based on both findings during the evaluation and on the question as to what form of support the Council of Europe could best provide in the future.

Sustaining the reform agenda

1 - Continued support: All interlocutors agreed that continued support from the Council of Europe would be beneficial. This continued support should encompass: (a) training on legal issues that have the potential of becoming human rights issues; (b) making domestic and international experts available for Training-of-Trainers and provide cascade training and (c) production of assessments and training manuals and commentaries.

In this respect, in the absence of mandatory continued training for lawyers and the increased demand from the lawyers, the need for increased and specific training on appeals procedures and challenges before domestic courts based on ECtHR judgments for these beneficiaries has been highlighted by several interlocutors.

2 - Study visits have been identified as particularly useful. First and foremost to the ECtHR but also to countries that have (successfully) undergone similar transformations.

3 - Evaluation: Given the fact that legal reform processes take time and that legal procedures do too, the number of cases following decisions taken under the new laws that might end up at higher courts or even at the ECtHR in the future, it would be important to ensure that the CoE has a mechanism in place for monitoring the outcome of proceedings targeted under this Action.

Visibility

1 - **Specific training for media** on ECtHR Decisions and their transposition into national law would be useful. Similarly, training the judiciary in media relations was highlighted as an important issue and would be welcomed.

Mainstreaming

It would be helpful to encourage domestic partners in the Judiciary to maintain and report disaggregated data on the caseload and where possible the impact of decisions. The following indicators should be considered

- the female/male ratio of beneficiaries targeted and reached for the judicial training and capacity building components of the Action;
- The female/male ratio of decisions taken by the domestic institutions;
- The number of vulnerable categories (elderly, handicapped or chronically ill persons, prisoners, minors ...) that made use of the judiciary and the decisions that were taken in cases that involved vulnerable people.

Such data would allow to verify if all Montenegrin citizens have equal access to justice and to assess whether decisions taken by courts do not favour one category over others.

ANNEX 1 - LIST OF DOCUMENTS REVIEWED

- ADB (2013) - Tool Kit on Gender Equality Results and Indicators, Asian Development Bank
- CHINKIN, C. (2001) - Gender Mainstreaming in Legal and Constitutional Affairs, Commonwealth Secretariat
- COE (2016/1) - D-REX Action H8: Brief narrative synopsis report Oct-Dec 2016, Council of Europe
- COE (2017/1) - D-REX Action H8: Brief narrative synopsis report Jan-Mar 2017, Council of Europe
- COE (2017/2) - D-REX Action H8: Brief narrative synopsis report Oct-Dec 2017, Council of Europe
- COE (2017/3) - D-REX Action H8: Brief narrative synopsis report Apr-May 2017, Council of Europe
- COE (2017/4) - D-REX Action H8: Brief narrative synopsis report Jun-Aug 2017, Council of Europe
- COE (2017/5) - D-REX Action H8: Brief narrative synopsis report Sep-Oct 2017, Council of Europe
- COE (2017/6) - D-REX Action H8: Brief narrative synopsis report Oct-Dec 2017, Council of Europe
- COE (2018/1) - D-REX Action H8: Brief narrative synopsis report Jan-Mar 2018, Council of Europe
- COE (2018/2) - D-REX Action H8: Brief narrative synopsis report Oct-Dec 2018, Council of Europe
- COE (2018/3) - D-REX Action H8: Brief narrative synopsis report Apr-May 2018, Council of Europe
- COE (2018/4) - D-REX Action H8: Brief narrative synopsis report Jun-Aug 2018, Council of Europe
- COE (2018/5) - D-REX Action H8: Brief narrative synopsis report Sep-Oct 2018, Council of Europe
- COE (2018/6) - D-REX Action H8: Brief narrative synopsis report Oct-Dec 2018, Council of Europe
- COE (2019/1) - D-REX Action H8: Brief narrative synopsis report Jan-Mar 2019, Council of Europe
- EC (2018) - Montenegro 2018 Report - accompanying the 2018 Communication on EU Enlargement Policy,
- NEIMANIS, A. (2001) - Gender mainstreaming in practice: A handbook, United Nations Development Programme
- OHCHR (2012) - Human Rights Indicators: A Guide to Measurement and Implementation, Office of the High Commissioner for Human Rights

ANNEX 2 - LIST OF PERSONS INTERVIEWED

DRAŠKOVIĆ, Dragoljub (CC of MNE) - Outcomes, Impact, Sustainability

FRANOVIĆ, Bojana (MNE Bar Association) - Outcomes, Impact, Sustainability

GORJANC PRELEVIĆ, Tea (Action for Human Rights) - Outcomes, ECHR

GRUSS, Ksenia (CoE) - Project management

ILIČKOVIĆ, Miodrag (CC of MNE) - Outcomes, ECtHR

LAKOČEVIĆ, Branka (Administrative court) - Outcomes, Impact, Sustainability

LEMMENS, Paul (ECtHR judge elected in respect of Belgium) - Outcomes, ECtHR

LONGO, Angela (CoE Programme Office in Podgorica) - Outcomes, Impact, Sustainability

MILOŠEVIĆ, Maja (CTJSP) - Outcomes, Impact, Sustainability

RADEVIĆ, Vanja (Office of Montenegrin Agent before the European Court of Human Rights) - Outcomes, Impact, Sustainability

SOĆ, Ivo (Office of Montenegrin Agent before the European Court of Human Rights) - Outcomes, Impact, Sustainability

ANNEX 3 - EVALUATION TERMS OF REFERENCE

Basic data on the Action

Theme	Ensuring Justice
Title of the Action	HF 10 - Montenegro – Ill-treatment and application of the ECtHR case law Fighting ill-treatment and impunity and enhancing the application of the ECtHR case-law on national level “FILL”
Geographical focus	Republic of Montenegro
Beneficiaries /Partners	Ministry of Justice, Supreme Court, Constitutional Court, Appellate Courts, High Courts, Administrative court, Judicial Training Centre, Prosecutor Generals’ Office, Judicial Council, Bar Association
Total Budget	1.090.000 EUR
Start - End dates of the Action (including inception)	1 September 2016 – 23 May 2019
Relevance for the EU Action Plan / EU Association Agreement / EU Association Agenda	<p>The Action will contribute to the implementation of the EU Association Agreement to support the efforts of the Republic of Montenegro to strengthen judicial institutions and the rule of law, as laid down in the Article 80.</p> <p>The 2015 EU Montenegrin Progress Report identifies the need for increased reform efforts in the areas the action addresses. Under Chapter 23, the need to strengthen the independence and professionalism of the judiciary is identified. Furthermore, measures to reduce the number of cases pending and the total length of proceedings need to be taken.</p> <p>All actions will be implemented bearing in mind other projects funded by the EU and in close synergy with them..</p>