

ADDENDUM N° 1
TO THE FINANCING AGREEMENT

for

the Annual Action Programme for Montenegro for the year 2018
IPA/2018/040-218 and IPA/2018/040-220

As originally concluded between the European Commission and Montenegro on 2.12.2019, hereinafter referred to as **“the Financing Agreement”**.

The European Commission, hereinafter referred to as **"the Commission"**, acting on behalf of the European Union, hereinafter referred to as **"the Union"**,

of the one part, and

Montenegro, hereinafter referred to as **"IPA II beneficiary"**, represented by the Government of Montenegro, European Integration Office,

of the other part,

jointly hereinafter referred to as **"the Parties"**,

Whereas,

- (1) The Commission adopted on 5.12.2018 a Commission Implementing Decision C(2018)8189 establishing the Annual Action Programme for Montenegro for the year 2018. This Programme is implemented by means of a Financing Agreement concluded between the IPA II beneficiary and the Commission on 2.12.2019.
- (2) An update of Action 2 (EU Integration Facility) of the Annex has been agreed by Exchange of Letter of 01.04.2020 in order to allow an immediate relief support and response in crisis situations.
- (3) The Annual Action Programme for Montenegro for the year 2018 has been modified in order to reflect budget reallocations therein.
- (4) It is therefore necessary to bring the Financing Agreement in line with the amended Programme.

HAVE AGREED ON THE FOLLOWING:

Article 1

Article 1 (2) of the Special Conditions of the Financing Agreement is replaced by the following:

"(2) The total estimated cost of this Programme is EUR 38 247 865 and the maximum Union contribution to this Programme is set at EUR 36 186 977".

This Programme requires financial contributions from both the IPA II beneficiary and the Union. The breakdown of the respective financial contributions is set out in Annex I."

Article 2

Annex I to the Financing Agreement is replaced by Annex I to the present Addendum.

Article 3

All other terms and conditions of the Financing Agreement remain unchanged.

This Addendum shall enter into force on the date on which it is signed by the last party.

Addendum No. 1 to the Financing Agreement is drawn up in duplicate in the English language, one being handed to the Commission and one to the IPA II beneficiary.

For the IPA II beneficiary:



Podgorica, date: 30/11/2020

Mr Aleksandar Drljević
National IPA Coordinator
Chief Negotiator
Government of Montenegro
European Integration Office

For the Commission:



Brussels, date: 16/11/2020

Ms Genoveva Ruiz Calavera
Director D, Western Balkans
European Commission
Directorate – General for Neighbourhood and
Enlargement Negotiations

ANNEX I

to the Annual Action Programme for Montenegro for the year 2018

1 IDENTIFICATION

Beneficiary	<i>Montenegro</i>
CRIS/ABAC Commitment references	2018/040-218 EUR 18 686 977 million 22.020101 2018/040-220 EUR 17 500 000 million 22.020102
Total cost	EUR 38 247 865
EU Contribution	
Budget lines	EUR 36 186 977 22.02 01 01 and 22.02 01 02
Management Mode/ Entrusted entities	<p>Direct management by the European Commission</p> <p>Indirect management with Montenegro: The operating structures responsible for the execution of the actions, are:</p> <p><i>National Fund</i> Action 1 - Participation in Union Programmes – Implementation will consist in the payment of the Instrument for Pre-Accession (IPA II) part of the financial contribution to the programmes by the National Fund</p> <p><i>Public Works Administration:</i> Action 3 - EU for improving access to justice and fundamental rights</p> <ul style="list-style-type: none"> • Result 1 – Increase standards in judiciary through constructed, renovated and adapted justice facilities in Montenegro • Result 3 (only activities concerning works) – Capacities of Law Enforcement Agencies upgraded and additional accommodation capacities for foreigners seeking international protection provided. <p>Action 5 – EU for strengthening the quality and access of health and social services and building resilient and responsive health system towards epidemiological threats.</p>



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	<ul style="list-style-type: none"> • Result 1 – New facility for clinic for infectious diseases and clinic for dermatovenerology. • Result 2 - Reconstruction/ refurbishment and equipping of the selected microbiology laboratories. • Part of the Result 5 - Construction of the building for the Center for Control and Prevention of Infectious Diseases with the Operational Center for Emergency Situations (EOC). • Result 6 - Reconstruction of the Institute of Public Health and its equipping for setting up a Biosafety level 3 laboratory. <p><i>Directorate for Finance and Contracting of the EU Assistance Funds (CFCU)</i></p> <p>Action 3 - EU for improving access to justice and fundamental rights</p> <ul style="list-style-type: none"> • Result 3 (only activities not related to works such as technical assistance, trainings and supplies contracts not linked to works contracts) – Capacities of Law Enforcement Agencies upgraded and additional accommodation capacities for foreigners seeking international protection provided. <p>Indirect management with an international organization:</p> <p>Action 5 - EU for strengthening the quality and access of health and social services and building resilient and responsive health system towards epidemiological threats.</p> <ul style="list-style-type: none"> • Result 3 - Early Childhood Development • Result 4 - Reform of the National Disability Determination System • Part of the Result 5 - Establishment of the Emergency Operating Centre (EOC) • Result 8 and Result 9 - Implementation of the Risk Communication Strategy related to the second phase response to COVID -19 and the second possible outbreak (Result 8) and Strengthening the immunization services and building the resilience of the system in the light of COVID -19 outbreak (Result 9)
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Final date for concluding Financing Agreements with the IPA II beneficiary	At the latest by 31 December 2019
Final date for contracting including conclusion of delegation/contribution agreements	3 years following the date of conclusion of the Financing Agreement,
Indicative operational implementation period	6 years following the date of conclusion of the Financing Agreement.
Final date for implementing the Financing Agreement (date by which this programme should be de-committed and closed)	12 years following the conclusion of the Financing Agreement.
Programming Unit	DG NEAR Unit D.1 Montenegro
Implementing Unit/ EU Delegation	Delegation of the European Union to Montenegro

2 DESCRIPTION OF THE ACTION PROGRAMME

2.1 SECTORS SELECTED UNDER THIS ACTION PROGRAMME

- ***Rationale for the selection of the specific sectors under this programme:***

The Annual Action Programme (AAP) for Montenegro for the year 2014 contributed to the achievement of the objectives identified in the Indicative Strategy Paper 2014-2020 (ISP) of Montenegro¹ and its subsequent revision² through formulating actions covering six of the eight priorities defined in the ISP. The first sectors initially covered by IPA II funds included *democracy and governance, the rule of law and fundamental rights, environment and climate action, transport, competitiveness and innovation, and the Agriculture and rural development sector.*

Following the sector approach the *Annual Action Programme for Montenegro for the year 2015* covered *Democracy and governance* and the *rule of law and fundamental rights* sectors. It also included the first sector budget support programme aimed at supporting the implementation of the integrated border management strategy.

In 2015 Montenegro developed a *Regional Development Operational Programme 2016-2020 (RDOP)* to provide a multiannual framework for IPA programming in *environment, competitiveness and transport* sectors. Three actions have been prepared in parallel, each covering one of the three sectors identified in the RDOP. Two actions, focusing on economic development and growth by providing assistance to the environment and climate action and competitiveness and innovation sectors, were included in the *Action Programme for the year 2016*. A third action aiming at the

¹ C(2014)5771 of 18.08.2014 – Commission Implementing Decision adopting an Indicative Strategy Paper for Montenegro for the period 2014-2020"

² C92018)5026 of 03.08.2018 - Commission Implementing Decision amending Commission Decision C(2014)5771 of 18.8.2014 adopting the Indicative Strategy Paper for Montenegro for the period 2014-2020

improvement and development of the transport sector was included in part 1 of the *Annual Action Programme for Montenegro for the year 2017*.

The *Annual Action Programme for Montenegro for the year 2017* part 2 strengthened and complemented the existing EU support to the democracy and governance sector targeting the area of public administration reform (PAR) as public administration reform is considered to be one of the key priorities of the Enlargement Strategy.

The current *Annual Action Programme for Montenegro for the year 2018 (AAP 2018)* focuses on three sectors: democracy and governance; rule of law and fundamental rights; and education, employment and social policies.

As regards the area of **justice, rule of law and fundamental and human rights**, the activities under this Action target the following results from the revised Indicative Strategy Paper for Montenegro 2014-2020, after the 2018 mid-term review:

- Enhanced independence, efficiency and professionalism of the judiciary and strengthened integrity safeguards;
- Increased efficiency and co-operation between the law enforcement agencies;
- Alignment with EU standards in the area of migration and asylum
- Improved compliance with the European Convention on Human Rights (ECHR) standards on fundamental rights
- Improved promotion of gender equality and anti-discrimination;

Concerning the area of **education, employment and social policies**, the Indicative Strategy Paper (ISP) recently subject to a Mid Term Review, states that *“IPA II will address the reform of social policies (benefits and services), including health policy, so as to improve its efficiency and coverage, as well as the financial sustainability of the respective systems, as well that social and child protection systems and the implementation of the Employment and Social Reform Programme (ESRP). Furthermore, IPA II will support acquis alignment and institutional capacity building for public health”*.

Therefore the proposed action is relevant for the ISP result:

- Improved access to health, education and employment opportunities for all citizens, with a particular focus on socially disadvantaged or marginalised groups.

Finally, the proposed action will support Montenegro in implementing EU accession criteria foreseen in three EU negotiation chapters:

- Chapter 19 - Social policy and employment,
- Chapter 23 - Judiciary and fundamental rights, and
- Chapter 28 - Consumer and health protection.

In terms of accession negotiations, all of these chapters are “open” and substantial improvements still need to be made to ensure compliance with the EU standards, the Action can therefore significantly contribute to progressing towards meeting the accession criteria in the above-mentioned chapters.

In addition, the proposed action will further support Montenegrin health sector to strengthen its resilience and responsiveness towards the epidemiological threats.

In addition to the above mentioned sectors, the AAP 2018 will set up a new EU Integration Facility (EUIF) with EUR 3 100 000 EU contribution and continue



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supporting the participation of Montenegro in Union Programmes under the **democracy and governance sector** with a total EU contribution of EUR 2 070 244. The EU Integration Facility focuses mainly on technical support and capacity building related to the EU accession process, including immediate relief support and response in crisis situations. By ensuring the effectiveness and impact of actions financed through IPA II, the EUIF will also help the preparation for future cohesion and structural funds. Action 2 ensures Montenegro's participation in European Programmes by co-financing the participation fees or entry tickets.

- ***Overview of past and on-going EU, other donors' and/or IPA II beneficiary's actions in the relevant sectors:***

Democracy and governance – justice, rule of law and human and minority rights

Under the AAP 2014 the sector of justice, rule of law and fundamental rights was supported through different actions such as "Support to the implementation of Chapters 23 and 24 Action Plans", "Support to the Customs administration" and "Support to the anti-discrimination and gender equality policies". These actions supported Montenegro to strengthen the efficiency of the judiciary to counter corruption and organised crime, to increase the capacities and IT systems of the Customs Administration of Montenegro to and improve the social and institutional responsiveness towards promotion, protection and enforcement of human rights and equal opportunities.

The AAP 2015 focused on the development of a "Sector Budget Support programme on integrated border management" aimed at improving prevention and detection of irregular migration and cross-border crime, and enhance preservation of national security and the internal security of the EU Member States and on a programme to ensure durable and sustainable solutions for Roma and other vulnerable groups for comprehensive social inclusion in Montenegro.

The action document was designed having in mind the experience gained from the implementation of previous and ongoing interventions. The following lessons were recognized:

- The need to focus on the sectoral approach for actions in the rule of law and fundamental rights sector: given the complexity and diversity of the sector and the number and the variety of stakeholders, the success of any intervention relates to cooperation and exchanging information.
- Communication and coordination with negotiating structures is essential for quality programming and implementation;
- Quality of donor coordination and overview is a precondition for sustainable results;
- Proper analysis of pre-conditions, and adequate planning and sequencing increase the absorption capacity;
- Policies that ensure sustainability of the human resources and investments in new technologies should be carefully planned during the process;
- Sufficient financial framework should be carefully planned and provided in line with strategic prioritization;

- Ensuring stakeholders proactive participation during project implementation.

Having in mind the relevance of donor coordination, the Ministry of Justice organises donor coordination meetings with the participation of relevant international organisations, embassies etc. The donor coordination meetings also encompass relevant national authorities. The Ministry of Justice collects information on project activities of judiciary authorities (Courts, State Prosecution Office), Centre for Education in Courts and State Prosecution Office, and of the Administration for Execution of Criminal Sanctions.

Education, employment and social Policies

Concerning education, employment and social policies IPA I supported this area through its Component IV and under IPA II, the "2015-2017 Multi-annual action programme for Montenegro on employment, education and social policies" aims at supporting Montenegro's Employment and social policy reform programme (ESPRP).

However, when it comes to basic Healthcare, only a limited number of EU projects and/or funds have so far been invested in Montenegro, especially in terms of pre-accession assistance under IPA or IPA II, apart from the equipping of the recently established Blood Transfusion Institute, as well as a number of cross-border and TAIEX initiatives. Otherwise, the health sector has not received significant IPA support, especially regarding infrastructure and access to basic health. This Action is therefore an opportunity for the EU to support one of the most important aspects of citizens' wellbeing, as well as a necessary pre-condition for adequate human capital and economic growth.

When it comes to its response to the COVID-19 outbreak, the EU has taken concrete and quick actions to support Montenegro against the pandemic through a first set of bilateral financial assistance. Along with support in addressing the socio-economic impact of the outbreak, and the procurement of the urgently-needed personal protective equipment and other key medical devices and supplies, as a part of this action Montenegrin health sector will be further supported to strengthen its resilience and responsiveness towards the threatening epidemiological situation in the future.

Nevertheless, the above mentioned previous EU support has already been of crucial value to other aspects of the Action, especially in early childhood development (ECD) and social policy reforms, including services to persons with disabilities, who are key beneficiaries of the overall social policy reform in Montenegro. To that end, previous EU funded UNICEF projects have shown a strong need for improved access to quality, equitable, inclusive and mutually reinforcing systems of health, nutrition, social and child protection.

In addition, the Action builds upon information obtained from the *Multiple Indicator Cluster Survey (2013)*, the *Child Poverty Study (2012)* and a range of other recent studies, such as assessments of the safety and quality of hospital care for mothers and

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new-born³, home visitation system⁴, and evaluations on violence, disability and the social and child protection services. As a result, this Action will address most of the previously identified gaps in the systems of health, nutrition, social and child protection.

The segment of the Action related to reform of the national disability determination system builds upon the successful Social Welfare Reform Project (IPA I) and E-Social Card – Integrated Social Welfare Information System - ISWIS (UNDP implemented) projects that have resulted in substantial, national scale social welfare reform, with visible results recognised in the EU Country Reports. The related activities are fully complementary and build upon previous projects achievements and lessons learned in this area, as it will complete the social sector reform process and expand ISWIS accordingly.

List of Actions foreseen under the selected Sectors/Priorities:

Democracy and governance

INDIRECT MANAGEMENT WITH THE IPA II beneficiary		OTHER IMPLEMENTATION ARRANGEMENTS DIRECT MANAGEMENT	
Action 1 – Support to participation in Union Programmes	EUR 2 070 244		
		Action 2 – EU Integration Facility	EUR 3 100 000
TOTAL	EUR 2 070 244	TOTAL	EUR 3 100 000

Rule of law and fundamental rights

INDIRECT MANAGEMENT WITH THE IPA II beneficiary		OTHER IMPLEMENTATION ARRANGEMENTS DIRECT MANAGEMENT	
Action 3 – EU for improving access to justice and fundamental rights – Results 1,3	EUR 9 688 893	Action 3 – EU for improving access to justice and fundamental rights – Results 2,4,5	EUR 3 827 840
TOTAL	EUR 9 688 893	TOTAL	EUR 3 827 840

³ UNICEF, The assessment of safety and quality of hospital care for mothers and new-borns in Montenegro, 2016.

⁴ UNICEF, Patronage Nurse Services in Montenegro: Situation Analysis and Reform Options, 2017.

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Education, employment and social policies.

INDIRECT MANAGEMENT WITH THE IPA II beneficiary		OTHER IMPLEMENTATION ARRANGEMENTS DIRECT MANAGEMENT/ INDIRECT MANAGEMENT WITH INTERNATIONAL ORGANISATION	
Action 5 –EU for strengthening the quality and access of health and social services and Result 1, Result 2, part of the Result 5 and Result 6.	EUR 12,780,000	Action 5 – EU for strengthening the quality and access of health and social services and Results 3,4, part of Result 5, Result 7, Result 8 and Result 9.	EUR 4,720,000
TOTAL	EUR 12,780,000	TOTAL	EUR 4,720,000



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DESCRIPTION AND IMPLEMENTATION OF THE ACTIONS

The envisaged assistance to Montenegro is deemed to follow the conditions and procedures set out by the restrictive measures adopted pursuant to Article 215 TFEU⁵.

SECTOR	<i>Democracy and governance</i>		<i>EUR 5 170 244</i>
Action 1	<i>Support to participation in Union Programmes</i>	<i>Indirect Management</i>	<i>EUR 2 070 244</i>

(1) Description of the Action, objective, expected results and key performance indicators

Description of the action:

The Union Programmes are a series of integrated measures promoted by the European Union, aimed at strengthening the co-operation among the Member States regarding EU policies for a period of time. Union Programmes are financed from the general budget of the European Union, covering different areas: from environmental protection, research and innovation, energy and transport to the development of entrepreneurship and competitiveness, and they represent significant instruments for defining and conducting internal EU policies. For Montenegro, as candidate country which negotiates accession to the EU, the participation in these programmes represents an opportunity to be better prepared for accession and also to familiarise itself with the EU policies and operating methods.

The objective of the action is to ensure participation of Montenegro in Union Programmes by co-financing the costs of the entry-tickets/participation fees to be paid by Montenegro as set out in the respective international agreements governing the participation to Union programmes or agencies.

The following results are foreseen:

- Enhanced participation of Montenegro in Union Programmes, including increased exchanges with the EU Member States;
- Strengthened ownership and responsibility of Montenegro (including in financial terms) for participation in Union Programmes;
- Improved awareness in the country on the Union Programmes.

The results achieved will be measured by the following indicators:

- Number of programmes for which an International Agreement has been concluded;
- Number of institutions/organisations fully benefiting under EU Programmes and initiatives;
- Montenegro's competent institutions receive reimbursement of entry-tickets in a timely manner;

⁵ https://eeas.europa.eu/headquarters/headquarters-homepage/8442/consolidated-list-sanctions_en

- Level of ownership and commitment of Montenegro, including in financial terms, over participation in Union programmes;
- Level of awareness in the country on the Union programmes (e.g. level of participation and interest in the various programmes);
- Level of engagement and outreach with minority communities, to the extent applicable, for each specific programme in the country.

(2) Assumptions and conditions

- The responsible line ministries ensure the timely payment of the total entry ticket, as well as timely and documented requests for reimbursement;
- Responsible ministries continuously facilitate the support to the applicant's participation in the programmes;
- National Contact Points and line ministries are regularly communicating with beneficiaries and potential EU Programmes applicants.

(3) Implementation arrangements for the action:

This action will be implemented under indirect management by Montenegro,

(3)(a) Entity entrusted with budget implementation tasks

The entity entrusted with budget implementation tasks is the National Fund.

(3)(b) Short description of the tasks entrusted to the entity

Implementation will consist in the payment of the IPA part of the financial contribution to the programmes by the National Fund.

SECTOR	<i>Democracy and governance</i>		<i>EUR 5 170 244</i>
Action 2	<i>EU Integration Facility</i>	<i>Direct management</i>	<i>EUR 3 100 000</i>

(1) Description of the Action, objective, expected results and key performance indicators

Description of the action:

This action provides effective and efficient response to emerging priorities linked to the EU accession process as well as to improve the quality and maturity of planning and programming documents and to support effective implementation of EU assistance. In this context, the action shall also support Montenegro in responding to COVID-19 pandemic outbreak.

This action focuses mainly on technical support and capacity building related to the EU accession process and it should ensure effectiveness and impact of actions financed through IPA II including support in crisis situations. The EU Integration Facility provides flexible support to the national authorities aimed at addressing specific needs identified in

the course of the implementation of IPA II, but it may also be used in ad-hoc circumstances where EU assistance is required and/or suggested.

The **objective** of the EUIF is to successfully conduct the process of EU accession in Montenegro, including compliance with cohesion and structural funds related rules and standards

The **expected results** of this action are:

- Legislative and institutional capacities of Montenegrin administration for transposition and implementation of the acquis and capacities for leading and carrying out the accession negotiations strengthened;
- Capacities and relevant documentation for identification, programming, implementation and evaluation of EU assistance developed.
- Capacities of Montenegro for coping with the COVID-19 pandemic outbreak strengthened

The achievement of the results envisaged by the action will be measured by the following **indicators**:

- Number of projects focusing on capacity building activities under the EUIF;
- Number of Action Programmes adopted by the Commission.
- Number of health and safety measures and standards aimed at to COVID-19 pandemic suppression implemented

(2) Assumptions and conditions

- Continued commitment of government structures to the accession process
- Ensured adequate staff for state administration
- All relevant coordination mechanisms established and functioning
- Availability and commitment of staff for capacity building interventions
- Prompt responsiveness to emerging situations.

(3) Implementation arrangements for the action:

This action will be implemented under direct management by the EU Delegation to Montenegro.

(3)(c) Essential elements of the action (for direct management)

Procurement:

- a) the global budgetary envelope reserved for procurement: EUR 100 000:

b) the indicative number and type of contracts:

The indicative number of contracts will be from 10 to 15.

Type of procurement: service and supply.

c) indicative time frame for launching the procurement procedure:

6 – 28 months after signature of the Financial Agreement

Grant - Direct grant award:

a) Purpose of the grant: This grant contributes to the result "Capacities of Montenegro for coping with the COVID-19 pandemic outbreak strengthened"

Its aim is to support Montenegro, in particular the health sector, in immediately addressing the needs emerging from COVID-19 pandemic outbreak, in terms of curbing its further spread and alleviating the current situation.

The result will be enhanced capacities of Montenegro to tackle the effects of COVID-19 pandemic.

b) Direct grant award:

Art 195(a) of Regulation (EU) No 2018/1046 of the European Parliament and of the Council of 30 July 2018 on the financial rules applicable to the general budget of the Union⁶

The world is faced with Corona virus pandemic, officially declared by the WHO on 12/03/2020, and Montenegro declared epidemic on its territory on 26/03/2020. The disease is spreading progressively and has a high mortality rate. The United Nations (UN) has been involved in crisis management in a comprehensive range of fields and at multiple stages in disaster responses through its principal organizations and subsidiary entities including programs, funds, commissions, and specialized agencies. The UN has a long history of successful delivery of humanitarian and other support actions - immediate relief and responses to save lives - which tackle man-made and natural disasters and which affect the health, safety, and well-being of a community or a country. At the moment we are faced with an unprecedented situation of a pandemic outbreak at a worldwide scale, and the UN, in particular the UNDP, is best placed to provide a comprehensive response to mitigate the effects and prevent further spreading of the pandemic.

Under the responsibility of the Commission's authorising officer responsible, the grant may be awarded without a call for proposals to UNDP.

The recourse to an award of a grant without a call for proposals is justified because of the urgency of the emergency response under the crisis situation (the crisis situation has been declared by the Authorising Officer by Delegation and applies as of 27/03/2020). The application of Article 195 a) FR is therefore justified.

c) Exception to the non-retroactivity of costs:

⁶ OJ L 193, 30.7.2018, p.1.

The Commission authorises that the costs incurred may be recognised as eligible as of 30/03/2020 because of the urgent need to fight the epidemic.

The **global** budgetary envelope reserved for grants: EUR 3,000,000.

(4) Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

SECTOR	Rule of law & fundamental rights		EUR 13 516 733
Action 3	EU for improving access to justice and fundamental rights	Direct / Indirect management	EUR 13 516 733

(1) Description of the Action, objective, expected results and key performance indicators

Description of the action:

The support to this sector is in line with the Commission's commitment to the 'Fundamentals First' approach in the enlargement process. The aim is to ensure further improvement of the Justice and Law enforcement system, to support the efficiency and professionalism of the judiciary and the operational capacities of the Law Enforcement Agencies, the system of enforcement of criminal sanctions, as well as to achieve quality system of promotion and protection of human rights.

The action will contribute to further increasing standards in the judiciary through constructed, renovated and adapted justice facilities. This includes raising efficiency of the justice sector as well as improving the setup for protection and promotion of relevant human rights standards in the system for enforcement of criminal sanctions, enabling

implementation of the latest developments and standards in this area. Important outcome relates to introduction of the new ICT developments in the judiciary that will also result in raising efficiency of institutions and their interoperability, better services delivery to citizens and improved dialogue with the citizens and support to vulnerable groups through boosting institutions efficiency, with the help of technology.

Also, the action is focused on improvement of technical and operational capacities of competent institutions to prevent and combat crime, primarily related to enhancing technical capacities for border security and fight against crime. This action will also result in creating a Migration Centre with the aim to help improve the migration management capacities, including border management systems.

Furthermore, the Action contributes to further improvement of the system for promotion and protection of human rights through capacity building for the governmental and non-governmental sector stakeholders, and will increase service provision to vulnerable groups, particularly to persons with disabilities.

Objective:

The general objective of this action is to enhance the system of Rule of Law by increasing efficiency and effectiveness of the institutions and to bring the system for promotion and protection of human rights in line with the best EU practices.

The action specific objectives are:

- Quality and access to justice improved and capacities of Judiciary for efficient execution of powers enhanced;
- Improved technical and operational capacities of competent institutions for efficient law enforcement;
- Improved capacities of Ministry of Interior (MoI) for handling increased migration flows;
- Improved position and integration of vulnerable groups, minorities and women.

Results:

The following results are foreseen:

- Constructed, renovated and adapted justice facilities;
- Unique Information System of Judiciary applied;
- Capacities of Law Enforcement Agencies (LEA) upgraded and Accommodation capacities in the new Migration Centre provided;
- Improved capacities of the key stakeholders in the area of protection of human and minorities rights;
- Improved accessibility of public buildings.

Key Indicators:

The following indicators are proposed to measure the progress in implementation:

- Number of infrastructural interventions completed;



- Number of institutions that implemented the Judiciary Unique Information System (ISP);
- Number of beds for accommodation in the new Migration Centre;
- Number of relevant policies monitored (number of measures from strategic documents inserted in the system and subject to monitoring);
- Number of public buildings adapted to be more accessible to people with disabilities.

(2) Assumptions and conditions

Assumptions

- To have increased standards in Judiciary by constructed, renovated and adapted facilities (Result 1), it is assumed that the continued maintenance of the infrastructures is ensured.
- It is also assumed that awareness and capacity of staff to use the new technology allow the increased efficiency and accountability of judiciary by means of the unique information system (Result 2).
- The accommodation capacities in the new Migration Centre (Result 3) will be provided assuming that migration flows remain within the foreseen dimension.
- The improvement of key stakeholders' capacities in the area of protection of human and minorities' rights (Result 4) will occur assuming that there will be adequate human resources capacity of the Ministry in charge of monitoring relevant policies.
- For the improved accessibility of public buildings (Result 5) it is assumed that the study about accessibility of Centres for social work has been completed (this is care of the Ministry of Labour and Social Welfare).

Conditions:

Result 1:

- Courts selected for reconstruction / adaptation under this programme will remain as functioning courts and not be effected by any court rationalisation plan that the Government may adopt during the implementation of the programme

Result 3:

- With regards to the adaptation of the former border post Božaj into a migration centre, and taking into account that the requested IPA allocation is insufficient to finance the entire renovation, additional financing should be provided by the Government and made available at the same time of the IPA funds, so that the whole building is renovated at the same time.
- In line with this programme's purchase of two small customs scanners the Government of Montenegro agrees to transfer the large customs scanner currently in Podgorica to the port of Bar. The Government agrees in parallel to ensure that this transferred scanner is fully operational six months after the signature of the Financing Agreement by the European Commission.

Result 4:

- Before procurement activities for the recruitment of the capacity building experts team are completed, the Government must fill the positions in the MMHR in accordance with the organigram, by recruiting qualified staff following a fully open, transparent and merit- based recruitment procedure.

Failure to comply with the requirements set out above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

(3) Implementation arrangements for the action:

Indirect management by the IPA II beneficiary for all activities under Results 1 and 3.

Direct management by the EU Delegation to Montenegro for all activities under Results 2, 4 and 5.

(3)(a) Entity entrusted with budget implementation tasks

This action will be managed under indirect management by the Public Works Administration for all activities concerning works and by the CFCU for all other activities.

(3)(b) Short description of the tasks entrusted to the entity

The entrusted entity shall be responsible for carrying out all the tasks relating to the implementation of the action. In particular, the entrusted entity shall be responsible for the contracting, implementation, information and visibility, monitoring and reporting of IPA II activities, and the evaluation thereof whenever relevant, in accordance with the principle of sound financial management, and for ensuring the legality and regularity of the expenditure incurred in the implementation of the programme.

Public Works Administration

Result 1 - Increase standards in judiciary through constructed, renovated and adapted justice facilities in Montenegro - All activities concerning this result.

Result 3– Capacities of Law Enforcement Agencies upgraded and additional accommodation capacities for foreigners seeking international protection provided – Activities concerning works (and all other contracts related to them – supervision and supplies within the context of a specific work contract).

CFCU

Result 3 – Capacities of Law Enforcement Agencies upgraded and additional accommodation capacities for foreigners seeking international protection provided
Activities concerning provision of services and supplies not related to a specific work contract

(3)(c) Essential elements of the action (for direct management)

Procurement:

- a) the global budgetary envelope reserved for procurement: EUR 3 627 840:
- b) the indicative number and type of contracts:
Type of procurement: service/supply/works.
Indicative number of contracts: 5
- c) indicative time frame for launching the procurement procedure: Q1 2020

Grant - Direct grant award (Strengthening capacities of public administration on gender equality and implementation of the principles of gender equality):

- a) Objectives and foreseen results:

The objective of this direct grant award is to develop an Analysis and Guidelines in the area of implementation of gender equality policies.

As a result gender mainstreaming in public administration is promoted.

- b) Justification for the use of an exception to calls for proposals:

Art 195 (f) FR – The aim of the grant is to integrate gender into public policies in Montenegro. This entails a high degree of coordination between gender issues and PAR.

- c) the name of the beneficiary: UNDP. The UNDP will be awarded a direct grant because, as representative of UNWOMEN in the country, it has developed an undeniable global capacity and know-how to offer expert advice, technical co-operation and operational assistance to the Government in its gender focused work. The granting of the Gold Seal Certificate for gender mainstreaming in 2017 is prove of its technical competence in setting up accountability mechanisms, management systems, regulatory frameworks and policies on gender mainstreaming.

- d) The essential selection criteria are financial and operational capacity of the applicant.

The award criteria are relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.

- e) indicative amount of the grant: EUR 200 000

- f) Maximum rate of EU co-financing:

The maximum possible rate of EU financing may be up to 100% of the total cost of the action in accordance with Article 190§3 of Financial Regulation if full funding is essential for the action to be carried out. The necessity for full EU funding will be justified by the responsible authorising officer in the award decision, in respect of the principles of equal treatment and sound financial management.

- g) Indicative date for signing the grant agreement: Q1 2020

(4) Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.

The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

SECTOR	<i>Education, employment and social policies</i>		<i>EUR 17 500 000</i>
Action 5	<i>EU for strengthening the quality and access of health and social services and building a resilient and responsive health system towards epidemiological threats</i>	<i>Direct / Indirect management</i>	<i>EUR 17 500 000</i>

(1) Description of the Action, objective, expected results and key performance indicators

Description of the action:

When it comes to basic healthcare, only a limited number of EU projects and/or funds have so far been invested in Montenegro, especially in terms of pre-accession assistance under IPA or IPA II, apart from the equipping of the recently established Blood Transfusion Institute, as well as a number of cross-border and TAIEX initiatives. Otherwise, the health sector has not received significant IPA support, especially regarding infrastructure and access to basic health. This action is therefore an opportunity for the EU to support one of the most important aspects of citizens' wellbeing, as well as a necessary pre-condition for adequate human capital and economic growth. As such, the proposed action is based on the 2013 European Centre for Disease Prevention and Control (ECDC) Technical Assessment Report, as well as the Assessment of National Microbiology Laboratories performed by the WHO in 2016.



Furthermore, the needs to improve the system for supervision and response to infectious diseases have become more evident and even pressing in the light of on-going COVID-19 outbreak, and pointed to the necessity for further strengthen Montenegrin health system to be able to readily and efficiently respond to a possible new outbreak. Moreover, there is a need to prepare the Country's response to potentially emerging and high threat pathogens.

This action is therefore an opportunity for EU to provide its support to health sector of Montenegro as a response to COVID-19 outbreak, in addition to already provided support in urgently needed personal protective equipment and other key medical devices and supplies and the support in addressing socio - economic impact of the outbreak.

Objectives:

The action's objective is to support further systematic reform of the national social welfare, child-care and health systems, through the implementation of a new strategic, legal and institutional framework in line with the EU *acquis*.

The specific objective of the action is to improve access to health and social care, as well as education and employment opportunities for all citizens, with a particular focus on socially disadvantaged or marginalised groups (including Roma and people without regularised legal status) and building a resilient and responsive health system towards epidemiological threats.

Results:

The action results are:

- Protection of population against infectious diseases improved through the construction and equipping of a new facility for two clinics (Clinic for Infectious Diseases and Clinic for Dermato-venerology) at the "Clinical Centre" in Podgorica.
- The quality of services of microbiological laboratories enhanced through provision of adequate equipment based on a quantified needs assessment and cost-benefit analysis and through refurbishment of the relevant laboratories to the necessary standard to host new equipment.
- The Early Childhood Development (ECD) system is assessed and an adequate strategic framework developed, including the National ECD Action plan and related rules of procedures.
- National disability determination system reformed in a way to provide persons with disabilities proper access to services and cash transfers, as well as improved quality of life. The capacities of the Institute of Public Health are strengthened in order to respond effectively to public health requirements for all future outbreaks of contagious diseases in the country through the construction and equipping of the Centre for Control and Prevention of Infectious Diseases with the Operational Centre for Emergency Situations (EOC) and by improving IT systems in the field of data collection and management in crisis situations.
- Ensured readiness of the public health system to deal with emerging and high threat pathogens and increased laboratory capacities to deal with COVID-19 in case of a new outbreak, by setting up a biosafety level 3 laboratory within the Institute of Public Health.

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- The country's capacity for novel coronavirus testing is increased through the provision of laboratory equipment for simultaneous analyses of large number of respiratory samples.
- Appropriate behavior in the population promoted in order to increase public health, thus contributing to controlling the COVID-19 epidemic, through coordinated communication, community engagement and guidance to the target audiences.
- Resilience of the health system increased by improving immunization and infection prevention and control through the strengthening of the immunization services, especially for vulnerable groups.

Indicators:

The following indicators are proposed to measure the progress in implementation:

- Two clinics constructed, furnished and fully functional in line with best practice and EU standards, with equal and adequate access provided for different population and/or marginalised groups, including Roma, LGBT, persons with disabilities, etc.
- Solid quantified microbiology needs assessment conducted, using WHO standards and ENLabCap, including a cost-benefit analysis.
- At least 60% of laboratories identified in the needs assessment equipped according to the specifications and results of the assessment reports and staff trained accordingly.
- Number of laboratories, determined by the assessment and by the budget available under this Action, refurbished to the necessary standard to be able host new equipment.
- The ECD policy framework and costing model are developed. (National Strategy for ECD with a budgeted Action Plan).
- Strengthened capacities and competences of relevant stakeholders to continue the multi-sectoral national intervention, addressing various dimensions of ECD (min. 20% stakeholders reached).
- The public is made aware on the importance of proper health, education and social care for adequate childhood development (min. 20 %).
- Enabling legal framework developed and adopted through the new Law and new unified criteria for all the sectors.
- Unique Commission for disability determination established and functional, applying the social model.
- Information system and the E-registry for persons with disabilities operational.
- One Centre for Control and Prevention of Infectious Diseases with the Operational Centre for Emergency Situations (EOC) constructed and equipped in line with the best practises and EU standards.
- Operational Centre for Emergency Situations (EOC) fully functional.
- A new IT system in the field of data collection disaggregated by gender and ethnicity and management in crisis situations built up and fully functional.

- One Biosafety level 3 laboratory set up reconstructing and equipping of the designated space in the Institute of Public Health, in compliance with the specific requirements for biosafety in microbiological and biomedical laboratories.
- One piece of laboratory equipment able to conduct simultaneous analysis of large number of respiratory samples delivered, installed and put in operation.
- COVID-19 epidemic under control.
- Implementation of awareness-communication campaigns on available protection services targeting specifically women from disadvantage groups, in coordination with other initiatives.
- Immunization coverage rates increased, especially for the first dose of measles, mumps and rubella (MMR).
- Outreach to and inclusion of vulnerable and marginalised groups, minorities and non-regularised persons

(2) Assumptions and conditions

Assumptions:

- Timely procurement, continuous and adequate financial means and human resources made available.
- Highly qualified staff trained and retained; regular maintenance of laboratories.
- New legal / policy framework is drafted and implemented to the best possible quality and extent.
- Interest and dedication of all stakeholders involved; who participate effectively and implement all foreseen activities.
- The newly established system is regularly monitored and its success assessed objectively.
- Effective coordination between various institutions involved in the action.
- The epidemiological situation in Montenegro related to COVID-19 is stable and is not hampering the start of works, or extending the execution of works envisaged within this Action.

Disorders in the market of construction materials and laboratory equipment, caused by the epidemiological situation or the economic crisis because of the epidemiological situation, are not affecting the procurement of materials for the performance of works and equipping.

Conditions:

Result 2:

- The choice of the microbiology equipment to be acquired under this action will be informed by a needs assessment that should be conducted prior to undertaking any equipment procurement activities.
- The microbiology laboratories that will receive the equipment must be (re) furnished to the necessary standard and be adequately staffed prior to the delivery of the equipment provided via EU financing.
- The Government shall provide the preliminary designs and other documents necessary to launch the tender including all the necessary permits for the reconstruction of those laboratories that will be reconstructed within this Action.

Result 4:



- The Government shall provide adequate premises and adequate staffing resources for these Commissions that will be created following the adoption of the new system.

Result 5:

- The Government shall provide the main design for the construction of the Centre for Control and Prevention of Infectious Diseases and other documents necessary to launch the tender including all necessary permits related to the construction.
- The Government will provide ToRs and Service Contract Notice for the preparation of the tender dossier related to the development and implementation of the software for Data Warehouse.

Result 6:

- The Government shall provide a preliminary design for the reconstruction of the Institute of Public Health for the purposes of establishing BSL 3 laboratory, and other documents necessary to launch the tender including all the necessary permits related to the reconstruction.

Result 7:

- The Government shall provide the relevant documentation necessary to launch the supply tender for purchasing a device able to conduct simultaneous analysis of large number of respiratory samples (technical specification, market assessment report and supply contract notice).

Result 8:

- The Risk Communication Strategy is prepared and adopted prior to the implementation of the activities related to the communication with public during the second phase response to COVID -19 and during the possible second outbreak.

Failure to comply with the requirements set out above may lead to a recovery of funds under this programme and/or the re-allocation of future funding.

(3) Implementation arrangements for the action:

Indirect management by IPA II beneficiary for all activities under Result 1, Result 2, part of activities under Result 5 and all activities under Result 6.

Indirect management with the international organizations for all activities under Result 3, Result 4, part of activities under Result 5 and all activities under Result 8 and Result 9.

Direct management by the EU Delegation to Montenegro for part of activities related to Result 5 and all activities under Result 7.

(3)(a) Entity entrusted with budget implementation tasks

Indirect management with IPA II beneficiary:

A part of this action will be implemented under indirect management by Montenegro represented by the Office for European Integration, which shall be responsible for carrying out all the tasks relating to the implementation of the action.

- The Operating Structure(s) responsible for the execution of the actions is the **Public Works Administration**

All activities related to:

- Result 1 "New facility for clinic for infectious diseases and clinic for dermatovenerology"
- Result 2: "Microbiological laboratories refurbished and equipped"
- Result 5 (part): "New facility for the Center for Control and Prevention of Infectious Diseases with the Operational Center for Emergency Situations (EOC) built and equipped"
- Result 6: "Biosafety level 3 laboratory set up reconstructing and equipping of the designated space within Institute of Public Health"

Indirect management with international organizations:

➤ UNICEF (result 3)

A part of this action may be implemented in indirect management with the United Nations Children's Fund (UNICEF).

The implementation by this entity entails the activities under Result 3 with the objective to ensure development of a holistic approach in the area of ECD (Early Childhood Development) by linking health, education sector, social protection policies and capacity building activities. As a result, the ECD system is assessed and an adequate strategic framework developed, including the National ECD action plan and related rules of procedures.

The envisaged EU contribution will be EUR 1 000 000.

The envisaged entity is selected using the following criteria:

- United Nations Children's Fund (UNICEF) is an international organisation, positively pillar-assessed by the European Commission with a technical expertise and operational capacity necessary for the project.
- The Government of Montenegro has signed and endorsed the UN Country Programme Document and the Integrated UN Programme. These two framework documents give UNICEF exclusive partnership with the Government on ECD and endorse UNICEF's role as a technical assistance provider to the Government in the development of the respective ECD legislation, strategies and policies that the joint programme with the EUD will try to implement. The UNICEF "exclusive competence" lies in this mix of technical assistance in developing legislation in different areas, policies and models and then assisting the Government in upscaling them.
Indeed, this result demands a holistic approach to the issue of ECD, linking health, education, social protection policies and specific capacity development activities.
- There is currently no local Civil Society Organisation (CSO) that can provide the holistic approach demanded by the project as they only focus on individual sectors. UNICEF has been building up long lasting relations with local organisations in order to develop their skills and gradually improve their capacities in the sector though this process will still take some time.
- There are no other international organisations active in the area of ECD in Montenegro or that have the necessary degree of understanding and insight of the context of the country. For these reasons, UNICEF has been identified as the only possible partner that could implement this action while ensuring coherence and



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complementarities with the current activities undertaken in the country in the area of EDC.

In case the envisaged entity would need to be replaced, the Commission's services may select a replacement entity using the same criteria.

If negotiations with the above-mentioned entrusted entity fail, that part of this action may be implemented in direct management in accordance with the implementation modalities identified in section (3)(c).

➤ **UNDP (result 4)**

A part of this action may be implemented in indirect management with UNDP.

The implementation by this entity entails the activities under Result 4 with the objective to rationalise the way the National Disability Determination System is conducted in Montenegro so to facilitate access to the adequate services to the right users. The foreseen result will be: the National disability determination system is reformed in a way to provide persons with disabilities proper access to services and transfers, as well as improved quality of life.

The envisaged EU contribution will be EUR 1 000 000.

The envisaged entity is selected using the following criteria:

- United Nations Development Programme (UNDP) is an international organisation, positively pillar-assessed by the European Commission with a technical expertise and operational capacity necessary for the project.
- UNDP has an ongoing contract with the Ministry of Montenegro to work on the development and implementation of the social card and ensure the digitalisation and correct linking of different social protection system's registries. The action undertaken by this contribution agreement fits into this overarching action – Social Card – implemented by UNDP.
- This action is designed to fit into and complement the current UNDP programme. It is essential to ensure full technical compatibility with the rest of the components. Given the specific characteristics of the action requiring a particular actor on account of its technical competence, the UNDP is in this case the only organisation that can guarantee the full alignment and linkage of the system developed by this action and all other registries and IT systems developed under the Social Card programme.

In case the envisaged entity would need to be replaced, the Commission's services may select a replacement entity using the same criteria.

If negotiations with the above-mentioned entrusted entity fail, that part of this action may be implemented in direct management in accordance with the implementation modalities identified in section (3)(c).

➤ **WHO (part of result 5)**

A part of this action may be implemented in indirect management with WHO.

The implementation by this entity entails those activities under Result 5 with the objective to establish a fully functional Operational Centre for Emergency Situations

in accordance with the WHO's Framework for the public health emergency operations centres (PHEOCs) and thus meeting the core capacity requirements envisaged under International Health Regulations - IHR (2005). Within this action principles, policies and standards, plans, processes and procedures of PHEOC will be developed, a legal authority for a PHEOC will be created, a policy group, working groups, steering and planning committees will be established. Besides, integration and linkage with humanitarian emergency response will be secured, an emergency operations plan will be developed as well as operational plans and instructions covering functional roles/positions at each level of PHEOC (activation, escalation, de-escalation and deactivation) including incident management system procedures. In addition, the relevant staff of the Institute of Public Health will be trained through various workshops, simulation exercises and study tours.

The envisaged EU contribution will be EUR 400,000.

The envisaged entity is selected using the following criteria:

- The World Health Organization (WHO) is an international organisation, positively pillar-assessed by the European Commission with a technical expertise and operational capacity necessary for the project. In addition, the organization is selected due to the urgency related to the ongoing COVID-19 outbreak, relevance and sustainability of the proposed action.
- Namely, the WHO has an essential role to play in supporting Member States to prepare for, respond to and recover from emergencies with public health consequences. For the health emergencies in particular, WHO provides support to prepare for emergencies by identifying, mitigating and managing risks, also preventing emergencies and supporting development of tools necessary during outbreaks. In addition, it has a role in detecting and responding to acute health emergencies and support delivery of essential health services in fragile settings.
- The WHO is author of the Framework for a Public Health Emergency Operations Centres (PHEOC) that outlines the key concepts and essential requirements for developing and managing a PHEOC. It provides an outline for developing and managing a PHEOC in order to achieve a goal-oriented response to public health emergencies and unity of effort among response agencies. Furthermore, the WHO has established the Public Health Operations Centres Network (EOC-NET) in 2012 to identify and promote best practices and standards for EOCs and to support EOC capacity building in Member States. Having this specific technical expertise in mind, the WHO is selected to implement the part of the activities under Result 5, which are referring to the establishment of a fully functional Operational Center for Emergency Situations in Montenegro.

In case the envisaged entity would need to be replaced, the Commission's services may select a replacement entity using the same criteria.

If negotiations with the above-mentioned entrusted entity fail, that part of this action may be implemented in direct management in accordance with the implementation modalities identified in section (3)(c).

➤ **UNICEF (result 8 and result 9)**

A part of this action may be implemented in indirect management with UNICEF.

The implementation by this entity entails the activities under Result 8 with the objective to ensure appropriate behaviour in the population in order to protect citizen's health, thus contributing to controlling COVID-19 epidemic, through coordinated communication, community engagement and ensuring the uptake of guidance by various target audiences. Within the same contribution agreement, UNICEF will be responsible also for the implementation of the activities under Result 9 related to the strengthening of the immunization services and building resilience of the system in the light of COVID 19. The immunizations are considered as an essential health service that protect susceptible individuals from vaccine-preventable diseases. They are considered as vital part of the early childhood development and postnatal care, but unfortunately are the first in line to be affected by any emergency including natural hazards, political turmoil, outbreaks of other communicable diseases and many other. Current global COVID-19 pandemic is overstressing health systems across the Globe with various essential health services including vaccination being disrupted. Even without COVID-19 Montenegro is facing critically low, declining immunization rates - despite its upper middle-income status and modest economic growth. Immunization coverage rates for first dose of measles, mumps and rubella (MMR) have been decreasing in recent years – from 90% in 2010 to 42.1% in 2018, which is a critically low rate. Impact of COVID-19 has further declined the rates, therefore a strong and imminent action in this field is urgently needed.

The envisaged EU contribution will be EUR 1,120,000.

The envisaged entity is selected using the following criteria:

- United Nations Children's Fund (UNICEF) is an international organisation, positively pillar-assessed by the European Commission with a technical expertise and operational capacity necessary for the project. In addition, the organization is selected due to the urgency related to the ongoing COVID-19 outbreak, relevance and sustainability of the proposed action.
- Namely, UNICEF and its partners support immunization programmes in over 100 countries to help realize children's right to survival and good health. Activities include engaging communities to create vaccine demand, procuring and distributing vaccines and keeping vaccines safe through cold chain logistics. UNICEF also works with partners to strengthen immunization programmes to identify and prioritize children who have missed out on their vaccination. Having in mind this specific technical expertise and because of the urgency related to the ongoing -19 outbreak.COVID-19 outbreak, UNICEF is selected to implement activities related to the strengthening of the immunization services in Montenegro and building resilience of the system in the light of COVID
- One of the immediate measures Montenegro has undertaken as a response to COVID-19 crisis was to launch a national communication campaign on COVID-19 in order to continuously inform citizens about social behaviour, prevention measures, new Government decrees, etc. The campaign was organised and implemented with UNICEF support. It is envisaged that further support is needed in Montenegro in order to facilitate the implementation of communication and community engagement activities in case of a second phase of COVID-19 response and/or in case of a new outbreak. Considering this specific and direct experience in the first phase of the response to COVID-19 outbreak and having in mind the urgency of the matter, UNICEF is selected to implement these activities.



In case the envisaged entity would need to be replaced, the Commission's services may select a replacement entity using the same criteria.

If negotiations with the above-mentioned entrusted entity fail, that part of this action may be implemented in direct management in accordance with the implementation modalities identified in section (3)(c).

(3)(b) Short description of the tasks entrusted to the entity

The entrusted entities shall be responsible for carrying out all the tasks relating to the implementation of the action. In particular, the entrusted entities shall be responsible for the contracting, implementation, information and visibility, monitoring and reporting of IPA II activities, and the evaluation thereof whenever relevant, in accordance with the principle of sound financial management, and for ensuring the legality and regularity of the expenditure incurred in the implementation of the programme.

(3)(c) Essential elements of the action (for direct management)

Procurement:

a) the global budgetary envelope reserved for procurement: EUR 1,200,000

b) the indicative number and type of contracts:

The indicative number of contracts for this action is 3.

The type of procurement will be service and supply contracts (part of the activities under Result 5 and all activities under Result 7).

c) indicative time frame for launching the procurement procedure: Q4 2020

Should the contribution agreements with UNDP, WHO and UNICEF fail, detailed under ***Indirect management with an international organisation***, direct management is to be used as the fall-back option and a procurement procedure will be launched with the same objective, in the amounts of EUR 1,000,000.00 for Result 3, EUR 1,000,000.00 for Result 4, EUR 400,000.00 for part of the Result 5 and 1,120,000.00 for both Result 8 and Result 9. In this case the global budgetary envelope reserved for procurement shall be: EUR 4,720,000.00.

(4) Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply, subject to the following provisions.



The Commission's authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.



3 BUDGET

3.1 INDICATIVE BUDGET TABLE - COUNTRY ACTION PROGRAMME FOR MONTENEGRO

	Indirect Management with the IPA II beneficiary				Other implementation arrangements				MM	Total programme
	where applicable EU Contribution	where applicable IPA II beneficiary Co-financing	Total expenditure		where applicable EU Contribution	where applicable IPA II beneficiary Co-financing	Total expenditure			
Objective 1	1 Democracy and governance			1 Democracy and Governance					Mixed	7 231 130.00
	Action 1 Support to participation in Union Programmes	2 070 244.00	2 060 888.00							4 131 132.00
				Action 2 – EU Integration Facility	3 100 000.00		3 100 000.00		Direct	3 100 000.00
	2 Rule of law and fundamental rights			2 Rule of law and fundamental rights					Mixed	13 516 733.00
	Action 3 – EU for improving access to justice and fundamental rights	9 688 893.00		Action 3 - EU for improving access to justice and fundamental rights	3 827 840.00		3 827 840.00		Direct	13 516 733.00
	TOTAL OBJ 1	11 759 137.00	2 060 888.00		6 927 840.00		6 927 840.00			20 747 865.00

Objective 2	7 Education, employment and social policies				7 Education, employment and social policies					Mixed	17 500 000
	Action 5 – EU for strengthening the quality and access of health and social services and building resilient and responsive health system towards epidemiological threats	12 780 000			Action 5 – EU for strengthening the quality and access of health and social services and building resilient and responsive health system towards epidemiological threats	12 780 000	3 520 000	3 520 000	Indirect with an IO		17 500 000
	TOTAL OBJ 2	12 780 000				12 780 000	4 720 000	4 720 000	Direct		17 500 000
	TOTALS	24 539 137	2 060 888.00			26 600 025	11 647 840	11 647 840			38 247 865

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4 PERFORMANCE MONITORING ARRANGEMENTS

As part of its performance measurement framework, the Commission shall monitor and assess progress towards achievement of the specific objectives set out in the IPA II Regulation on the basis of pre-defined, clear, transparent measurable indicators. The progress reports referred to in Article 4 of the IPA II Regulation shall be taken as a point of reference in the assessment of the results of IPA II assistance.

The Commission will collect performance data (process, output and outcome indicators) from all sources, which will be aggregated and analysed in terms of tracking the progress versus the targets and milestones established for each of the actions of this programme, as well as the Country Strategy Paper.

In the specific context of indirect management by IPA II beneficiaries, National IPA Co-ordinators (NIPACs) will collect information on the performance of the actions and programmes (process, output and outcome indicators) and coordinate the collection and production of indicators coming from national sources.

The overall progress will be monitored through the following means: a) Result Orientated Monitoring (ROM) system; b) IPA II Beneficiaries' own monitoring; c) self-monitoring performed by the EU Delegations; d) joint monitoring by DG Enlargement and the IPA II Beneficiaries, whereby the compliance, coherence, effectiveness, efficiency and coordination in implementation of financial assistance will be regularly monitored by an IPA II Monitoring committee, supported by Sectoral Monitoring committees, which will ensure a monitoring process at sector level.

5 EVALUATION

Having regard to the importance of the action, a final evaluation will be carried out for this action or its components via independent consultants. It will be carried out for accountability and learning purposes at various levels (including for policy revision), taking into account in particular the fact that its findings may inform the preparation of new activities in the same sectors.

The evaluation reports shall be shared with the IPA II beneficiary and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the IPA II beneficiary, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.



