

**[Name of Fund or Joint Programme]
MPTF OFFICE GENERIC FINAL PROGRAMME¹ NARRATIVE REPORT
REPORTING PERIOD: FROM 15 JANUARY 2012 TO 31 DECEMBER 2013**

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| <p>Programme Title & Project Number</p> <ul style="list-style-type: none"> • Programme Title: Legal Aid • Programme Number (if applicable) • MPTF Office Project Reference Number:³ 80993 | <p>Country, Locality(s), Priority Area(s) / Strategic Results² (if applicable) Country/Region Montenegro</p> |
| <p>Participating Organization(s)</p> <ul style="list-style-type: none"> • Organizations that have received direct funding from the MPTF Office under this programme | <p><i>Priority area/ strategic results</i> Democratic Governance</p> <p>Implementing Partners</p> <ul style="list-style-type: none"> • National counterparts (government, private, NGOs & others) and other International Organizations Ministry of Justice, courts, Judicial Training Center, Bar Chamber, UNHCR, OSCE |
| <p>Programme/Project Cost (US\$)</p> <p>Total approved budget as per project document: MPTF /JP Contribution⁴: USD 90,000</p> <ul style="list-style-type: none"> • by Agency (if applicable) Agency Contribution • by Agency (if applicable) <p>Government Contribution (if applicable)</p> <p>Other Contributions (donors) (if applicable)</p> <p>TOTAL:</p> | <p>Programme Duration</p> <p>Overall Duration (months) Start Date: 15 January 2012</p> <p>Original End Date 31 December 2013 Actual End date 31 December 2013</p> <p>Have agency(ies) operationally closed the Programme in its(their) system? No</p> <p>Expected Financial Closure date⁵: 31 May 2014</p> |
| <p>Programme Assessment/Review/Mid-Term Eval.</p> <p>Evaluation Completed <input type="checkbox"/> Yes <input type="checkbox"/> No Date: dd.mm.yyyy</p> <p>Evaluation Report - Attached <input type="checkbox"/> Yes <input type="checkbox"/> No Date: dd.mm.yyyy</p> | <p>Report Submitted By</p> <ul style="list-style-type: none"> ○ Name: Jelena Djonovic Vukotic ○ Title: Programme Manager ○ Participating Organization (Lead): UNDP ○ Email address: jelena.djonovic@undp.org |

¹ The term “programme” is used for programmes, joint programmes and projects.

² Strategic Results, as formulated in the Strategic UN Planning Framework (e.g. UNDAF) or project document;

³ The MPTF Office Project Reference Number is the same number as the one on the Notification message. It is also referred to as “Project ID” on the project’s factsheet page on the [MPTF Office GATEWAY](#).

⁴ The MPTF/JP Contribution is the amount transferred to the Participating UN Organizations – see [MPTF Office GATEWAY](#)

⁵ Financial Closure requires the return of unspent balances and submission of the [Certified Final Financial Statement and Report](#).

FINAL PROGRAMME REPORT FORMAT

EXECUTIVE SUMMARY

- In ½ to 1 page, summarise the most important achievements of Programme during the reporting period and key elements from your detailed report below. Highlight in the summary, the elements of the main report that you consider to be the most critical to be included in the MPTF Office Consolidated Annual Report.

Following the adoption of the Law on legal aid, the Programme contributed to its successful implementation by means of providing infrastructure through equipping two legal aid offices. In terms of raising the professional capacities of legal aid providers, trainings for court presidents, staff in charge of legal aid services provision and attorneys-at-law were organized, with a special emphasis on the treatment of vulnerable groups, such as refugees and stateless persons. NGOs were included in the process in order to provide their suggestions for the higher quality of the legal aid provision. In the scope of the public awareness campaign, information brochures with the detailed data on the scope of legal aid services and manner of their provision were drafted, printed and distributed to all legal aid offices in the Montenegrin courts. Situation analysis for the establishment of the legal aid database / electronic module in the Judicial Information System (PRIS) was created, based on which the database was created and it is now operational for all 15 Basic courts in the country. The database is in use as of the end of 2013 and the courts are now in position to provide precise quantitative and qualitative data on the provision of the legal aid services.

I. Purpose

- Provide a brief introduction to the programme/ project (*one paragraph*).
- Provide the main objectives and expected outcomes of the programme in relation to the appropriate **Strategic UN Planning Framework (e.g. UNDAF) and project document (if applicable) or Annual Work Plans (AWPs) over the duration of the project.**

II. Assessment of Programme Results

- This section is the **most important in the Report** and particular attention should be given to reporting on **results / and changes** that have taken place rather than on activities. It has three parts to help capture this information in different ways (i. Narrative section; ii. Indicator based performance assessment; iii. Evaluation & Lessons learned; and iv. A specific story).

UNDP Montenegro supported drafting and adoption of the Law on legal aid, whose implementation started in January 2012. The aim of this project is to enable environment for better access to justice, through equipping offices for the provision of legal aid services in all courts in Montenegro. Additionally, legal aid database was created in the scope of the Montenegrin Judicial Information System and it will enable keeping records on the legal aid cases and applicants. The obtained information is used for statistical purposes and monitoring progress in this field in the EU accession process. Finally, the trainings were organized for the presidents of the courts, employees in charge of legal aid provision and attorneys-at-law in order to improve the quality of these services and learn more about providing legal aid to vulnerable groups, such as stateless persons and refugees. The entire process was accompanied by public awareness campaign in the aim of informing potential legal aid beneficiaries on their rights and inciting them to use legal aid services to a possible extent. As per the statistic, the number of the legal aid cases is ever-increasing, which shows a visible improvement by year in terms of the provision of legal aid services and promotion of this institute:

Statistics

| Year | Number of requests | Approved | Rejected or suspended |
|--------------|--------------------|-----------|-----------------------|
| 2012 | 436 | 308 | 127 |
| 2013 | 486 | 388 | 99 |
| TOTAL | 922 | 696 (74%) | 226 |

i) Narrative reporting on results:

From January to December 2012, respond to the guiding questions, indicated below to provide a narrative summary of the results achieved. The aim here is to tell the **story of change** that your Programme has achieved over its entire duration. Make reference to the implementation mechanism utilized and key partnerships.

- **Outcomes:** Outcomes are the strategic, higher level of change that your Programme is aiming to contribute towards. Provide a summary of progress made by the Programme in relation to **planned outcomes from the Project Document / AWP**s, with reference to the relevant indicator(s) in these documents. Describe if final targets were achieved, or explain any variance in achieved versus planned results. Explain the overall contribution of the programme to the Strategy Planning Framework or other strategic documents as relevant, e.g.: MDGs, National Priorities, UNDAF outcomes, etc. Explain who the main beneficiaries were. Highlight any institutional and/ or behavioural changes amongst beneficiaries at the outcome level.
- **Outputs:** Outputs are the more immediate results that your Programme is responsible for achieving. Report on the key outputs achieved over the duration of the Programme, in relation to **planned outputs from the Project Document / AWP**s, with reference to the relevant indicator(s) in these documents. Describe if final targets were achieved, or explain any variance in achieved versus planned results. If possible, include the number of beneficiaries. Report on how achieved outputs have contributed to the achievement of the outcomes and explain any variance in actual versus planned contributions to the outcomes.
- **Qualitative assessment:** Provide a qualitative assessment of the level of overall achievement of the Programme. Highlight key partnerships and explain how such relationships impacted on the achievement of results. Explain cross-cutting issues pertinent to the results being reported on. Has the funding provided by the MPTF/JP to the programme been catalytic in attracting funding or other resources from other donors? If so, please elaborate. For Joint Programmes, highlight how UN coordination has been affected in support of achievement of results.

The project implementation plan, containing the activities, outputs, timeline and budget, was produced at the beginning of 2012 and 2013 and shared with the national stakeholders. The agreement was made with the Ministry of Justice and Supreme court of Montenegro that the UNDP will provide assistance in the Law's implementation through the provision of infrastructure, raising professional capacities of legal aid providers and raising public awareness on the possibilities offered by the legal aid system to the target groups (financially disadvantaged population and vulnerable groups, such as domestic violence victims, persons with disabilities, refugees, etc.).

In line with the mentioned agreement and annual project's implementation plan, the following activities were conducted:

- Infrastructure for the implementation of the Law on legal aid were provided through equipping two legal aid offices in the Basic courts in Niksic and Kotor, in the central and southern part of the country. Both legal aid offices were equipped with the necessary office furniture and IT equipment.
- Regarding the trainings on the provision of the legal aid services intended for the presidents of the courts, legal aid advisors and attorneys-at law, it was agreed with the Ministry of Justice, Judicial Training Center, representatives of courts and Bar chamber that the trainings will be aimed at the resolution of challenges and dilemmas that may occur in the implementation of the Law on legal aid in practice and that special trainings will be realized in cooperation with the UNHCR, dealing with the access to justice for stateless persons, persons seeking asylum and refugees. In line with the initial agreement, three trainings were organized for all the identified beneficiaries, and NGOs were invited to take part in the trainings and give their suggestions for the upgrade of the legal aid system and their contribution in this regard.
- Further, in the scope of the project component dealing with raising public awareness and conducting information campaign, the **Brochure on the provision of legal aid services** was drafted and published in cooperation with USAID. The brochure was distributed to all the legal aid services in all the Basic courts in the country, so that it would be accessible to all the citizens. The legal aid **website www.pravnapomoc.me** is being continuously updated with the information on the project's progress.

- In order to address the need for a systematic handling of legal aid cases and obtain quantitative and qualitative information on the implementation of the Law, the agreement was reached to create a special legal aid database, which will support the work of the legal aid services. This complex and demanding task was undertaken in cooperation with our main national partner in this area, the IT Sector of the Judicial Council of Montenegro. Situation analysis of the current functioning of the Montenegrin courts and legal aid offices in Montenegro, along with the recommendations for improvement, was made which served as a basis for the establishment of the special legal aid database / specific electronic module in the scope of the Judicial Information System (PRIS). This database is now operational and it is serving the legal aid offices in all 15 Montenegrin Basic courts.
- In the course of the implementation of the Law on legal aid, some dilemmas and obstacles were observed in practice. For the purpose of addressing this issue, in the scope of this project, a national consultant was engaged to assist the Ministry of Justice of Montenegro in preparing the Situation analysis report on the implementation of the Law on legal aid in practice. In the scope of this Analysis, recommendations on the instruments for sustainable quality control of the legal aid provision were provided.
- In the aim of providing consistency and sustainability of training in the area of legal aid, training programme for legal aid providers with the aim to provide standard in the interpretation and implementation of the Law on legal aid was drafted, along with the training programme for judges for increasing knowledge on the legal aid application. These training programmes will be used by the Judicial Training Centre and Ministry of Justice for the organization of the regular legal aid trainings in the years to come.

ii) Indicator Based Performance Assessment:

Using the **Programme Results Framework from the Project Document / AWP**s - provide details of the achievement of indicators at both the output and outcome level in the table below. Where it has not been possible to collect data on indicators, clear explanation should be given explaining why.

| | <u>Achieved</u> Indicator Targets | Reasons for Variance with Planned Target (if any) | Source of Verification |
|---|--|---|--|
| <p>Outcome 1⁶ Access to justice to all Montenegrin citizens provided through creating the conditions for the implementation of the Law on legal aid</p> | <p>Indicator: Two additional legal aid offices equipped, professional capacities of 55 legal aid providers raised, 436 legal aid cases processed in 2012 and 486 legal aid cases processed in 2013</p> <p>Baseline: Three legal aid offices, out of the planned 15, in place; no trainings on the legal aid services provision organized; low level awareness on the legal aid system; no available data on the number of legal aid cases.</p> <p>Planned Target: Two additional legal aid offices equipped, 55 legal aid providers trained for the provision of legal aid services, number of legal aid cases increased, possibilities for obtaining the data on the number of legal aid cases created.</p> | | Annual report on the operation of the Montenegrin courts in 2012 and 2013 |
| <p>Output 1.1 Infrastructure for the implementation of the Law on legal aid provided</p> | <p>Indicator 1.1.1 - Two additional legal aid offices in the central and northern part of Montenegro established and fully operational</p> <p>Baseline: Legal aid offices in 3 Basic courts, out of 15 Basic courts in Montenegro, established and operational</p> <p>Planned Target: Two additional legal aid offices established and operational</p> <p>Indicator 1.1.2 – Three trainings on the provision of legal aid services completed, 15 court presidents, 20 legal aid providers and 20</p> | | <p>Annual report on the operation of the Montenegrin courts in 2012 and 2013</p> <p>Annual report of the Judicial Training Center of Montenegro from 2012 on the number of judges and presidents of courts</p> |

⁶ Note: Outcomes, outputs, indicators and targets should be **as outlines in the Project Document** so that you report on your **actual achievements against planned targets**. Add rows as required for Outcome 2, 3 etc.

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| | <p>attorneys-at-law passed the trainings</p> <p>Baseline: No trainings on the legal aid services provision provided, capacities of the legal aid providers low</p> <p>Planned Target: 15 court presidents, 20 legal aid providers and 20 attorneys-at-law trained on the provision of legal aid services</p> | | <p>who passed the trainings and the type of trainings they attended</p> |
| <p>Output 1.2 – Conditions for systematic handling of the legal aid cases provided and awareness on the possibilities offered by the legal aid system raised</p> | <p>Indicator 1.2.1 –Legal aid database established and fully operational by the end of 2013</p> <p>Baseline: No legal aid database in place</p> <p>Planned Target: Legal aid database for all legal aid offices established and fully operational by the end of 2013</p> | | <p>Situation analysis on the provision of the legal aid services in the Montenegrin courts and the situation in the established legal aid offices, containing the recommendations for the improvements and upgrade was created. Based on the Situation analysis, the software for legal aid database was created and hardware purchased. The database was made operational by the end 2013 and now the courts are in position to issue precise data on the processed legal aid cases.</p> |
| | <p>Indicator 1.2.2 Awareness on using the existing legal aid system raised, which is reflected through the report on 486 legal aid cases processed by the legal aid offices in Montenegro in 2013</p> <p>Baseline: Low level of awareness on the legal aid system's possibilities, reflected in a low number of legal aid cases</p> <p>Planned Target: Awareness on using the existing legal aid system raised, number of legal aid cases processed in 2013 increased</p> | | <p>Brochures on the provision of legal aid services, distributed to all 15 Basic courts in Montenegro; official data obtained by the 15 Basic courts in Montenegro on 486 legal aid cases processed in 2013, which is a significant increase in relation to 436 cases processed in 2012, having in mind the size of Montenegro.</p> |

iii) Evaluation, Best Practices and Lessons Learned

- Report on any assessments, evaluations or studies undertaken relating to the programme and how they were used during implementation. Has there been a final project evaluation and what are the key findings? Provide reasons if no programme evaluation have been done yet? – In the scope of the project, Situation analysis on the implementation of the Law on legal aid was made in the end of 2012, since the implementation started in January 2012. This Situation analysis was very useful, because it gave insight into the challenges, problems and dilemmas faced in the first year of implementation, which was very informative in devising the project interventions for the year 2013.
- Explain challenges such as delays in programme implementation, and the nature of the constraints such as management arrangements, human resources etc. What actions were taken to mitigate these challenges? How did such challenges and actions impact on the overall achievement of results? Have any of the risks identified during the project design materialized or were there unidentified risks that came up? – Establishment of the legal aid system from scratch was a great challenge not only for this project, but for the entire country. It was quite an undertaking to draft an applicable Law on legal aid and provide significant resources for its implementation from the state budget, once the donor assistance cease to be provided. However, UNDP project management staff succeeded in gathering a large number of national and international stakeholders in this process and raise awareness on its significance through public campaigns. There were certain delays in the process due to the workload of the judicial authorities, which played crucial role in the process, but there were overcome successfully and the implementation of the Law started in 2012 with an ever-increasing number of legal aid cases per year.
- Report key lessons learned and best practices that would facilitate future programme design and implementation, including issues related to management arrangements, human resources, resources, etc. Please also include experiences of failure, which often are the richest source of lessons learned. – 1. Bringing together the national and international stakeholders, both governmental and non-governmental counterparts in the aim of achieving a common goal brought along successful results and their implementation in practice, which was the approach replicated in other areas later; 2. Raising awareness on the importance of human rights observance for all Montenegrin citizens and the need for consistent work on this issue through the creation of normative and institutional framework resulted in the creation of a fully functional legal aid system with an ever-increasing number of legal aid cases per year.

iv) A Specific Story (Optional)

- This could be a success or human story. It does not have to be a success story – often the most interesting and useful lessons learned are from experiences that have not worked. The point is to highlight a concrete example with a story that has been important to your Programme.

Success story on Legal Aid was published on the global UNDP website, including the announcement on the homepage.

In Montenegro, legal aid services make justice accessible to all

A.S.,* a middle-aged housewife and mother of two in Montenegro, was divorced and on her own. For three years, she received no support from her ex-husband and lacked the means to raise her children. But through a new legal aid program Montenegro rolled out in 2011, she was able to access legal aid, and sue for and eventually obtain the alimony she was due.

She was just one of 97 cases served in 2012 by a legal aid office in the city of Podgorica, one of three pilot projects launched by UNDP as the result of an initiative to make legal counseling affordable and widely available.

In Montenegro, the cost of filing a lawsuit is so prohibitive, pursuing justice without assistance is nearly impossible for the average person. The situation is even more precarious for women victims of domestic violence, who may be afraid of revenge from the perpetrator or be unready to discuss and re-live their experience in front of a court of law.

Today, the legal aid services provided for by the new law are present in all of Montenegro's district courts. The majority of cases where free legal aid is provided are civil litigations, including divorce, child custody, alimony and paternity determination. Inheritance and property-related lawsuits are common as well. In addition to being poor, the majority of legal aid recipients are women and from urban areas.

There are also a number of affordable alternatives to seeking legal aid, including the UNDP-supported Centre for Mediation and the Agency for Peaceful Work-related Conflict Resolution. However, in cases where the plaintiff needs to go to court, legal aid remains the only free option.

Despite a fervent public awareness campaign, many prospective legal aid beneficiaries are still not aware of their options under the new law. As a result, UNDP has started working closely with Montenegro's non-governmental organizations (NGOs) to broaden outreach efforts so they can reach a greater number of people in need of free legal assistance. This partnership also monitors the frequency and efficacy of these new services.

The initiative was supported by the Governments of The Netherlands and Norway. Other partners have included Montenegro's Ministry of Justice, the Judiciary and the Bar Association of Montenegro, the Organization for Security and Cooperation in Europe, the Open Society Foundation and the Council of Europe, as well as several municipal governments and NGOs.

- In ¼ to ½ a page, provide details on a specific achievement or lesson learned of the Programme. Attachment of supporting documents, including photos with captions, news items etc, is strongly encouraged. The MPTF Office will select stories and photos to feature in the Consolidated Annual Report, the GATEWAY and the MPTF Office Newsletter.

Problem / Challenge faced: Describe the specific problem or challenge faced by the subject of your story (this could be a problem experienced by an individual, community or government). – N/A

Programme Interventions: How was the problem or challenged addressed through the Programme interventions? -- N/A

Result (if applicable): Describe the observable *change* that occurred so far as a result of the Programme interventions. For example, how did community lives change or how was the government better able to deal with the initial problem? Montenegrin citizens obtained access to justice, though the provision of legal aid services in the established legal aid offices. This result has brought along an important change in the level of human rights observance, reflected through enhanced access to justice for the financially disadvantaged segment of the Montenegrin population and vulnerable groups, such as stateless persons and refugees. (436 processed cases in 2012 and 486 processed cases in 2013).

Lessons Learned: What did you (and/or other partners) learn from this situation that has helped inform and/or improve Programme (or other) interventions? Bringing together the national and international stakeholders in the aim of creating a functional legal aid system in Montenegro brought along successful results and their implementation in practice, which is the most significant lesson learnt in this project's implementation.