ADDENDUM No.2

TO THE FINANCING AGREEMENT

for

the Annual Action Programme for Montenegro for the year 2017 Part 2 IPA/2017/040-217

As originally concluded between the European Commission and Montenegro on 16/01/2018 and as modified on 24/02/2020, hereinafter "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 17.11.2017 a Commission Implementing Decision C(2017)7756 establishing the Annual Action Programme for Montenegro for the year 2017 part 2. This Programme is implemented by means of a Financing Agreement concluded between the IPA II beneficiary and the Commission on 16.01.2018;
- (2) The Financing Agreement was amended on 24.02.2020:
- (3) On 1st April 2020 and on 6th May 2020, the National IPA Coordinator requested that the Financing Agreement be amended;
- (4) The Annual Action Programme for Montenegro for the year 2017 part 2 has been modified in order to reflect the requested changes and it is therefore necessary to bring the Financing Agreement in line with the amended Programme.

HAVE AGREED ON THE FOLLOWING:

Article 1

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

"Article 2 - Execution period and operational implementation period

- (1) The execution period of this Financing Agreement as defined in Article 12 of Annex II (General Conditions) is fixed at 13 years, from the entry into force of this Financing Agreement.
- (2) The duration of the operational implementation period as defined in Article 12 of Annex II (General Conditions) is fixed at 7 years, from the entry into force of this Financing Agreement."

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Article 2

- 1) Annex I to the Financing Agreement is replaced by Annex I to the present Addendum.
- 2) Annex IA to the Financing Agreement is replaced by Annex IA 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. 2 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:

Mr Aleksandar Drljević National IPA Coordinator

Chief Negotiator

Government of Montenegro European Integration Office For the Commission:

Brussels, date:

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Ms Genoveva Ruiz Calavera Director, D - Western Balkans

European Commission

Directorate-General for Neighbourhood

and Enlargement Negotiations

ANNEX

to Commission Implementing Decision adopting an Annual Action Programme for Montenegro for the year 2017 Part 2

1 IDENTIFICATION

Beneficiary	Montenegro
CRIS/ABAC Commitment references Total cost EU Contribution Budget lines	IPA/2017/ 040-217 EUR 15 000 000 (22.020101) EUR 15 000 000 EUR 15 000 000 22.020101
Management Mode/ Entrusted entities	Direct management by the European Commission for all activities with the exception of 2 complementary activities: - Support to the elaboration and implementation of a national rightsizing Plan and to upgrade the Single information system for the exchange of data among state registers (SISEDE) and - Digitalization of Public Administration for more accessible services to citizens which will be implemented through indirect management by the United Nations Development Programme (UNDP)
Final date for concluding Financing Agreements with the IPA II beneficiary	At the latest by 31 December 2018
Final date for concluding delegation agreements under indirect management	At the latest by 31 December 2018
Final date for concluding procurement and grant contracts	3 years following the date of conclusion of the Financing Agreement, with the exception of the cases listed under Article 189(2) Financial Regulation
Final date for operational implementation	7 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)	13 years following the conclusion of the Financing Agreement.



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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 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 improvement and development of the Transport sector was included in part 1 of the Annual Action Programme for Montenegro for the year 2017. In addition to the assistance provided to the Transport sector, the IPA allocation of 2017 funds also continued its support to the EU Integration Facility and to the participation of Montenegro in Union Programmes.

The present Annual Action Programme for Montenegro for the year 2017 part 2 (AAP 2017 part 2) will strengthen and complement the existing EU support to the **Democracy** and Governance sector by focusing this time on the area of Public Administration Reform (PAR).

A well-functioning public administration is of fundamental importance for successful political and economic reforms and for implementing EU rules and standards. Therefore, public administration reform is considered to be one of the key priorities of the Enlargement Strategy. Similarly, the 2014-2020 Indicative Country Strategy Paper identifies the reform of the public administration as one of the key sectors to be supported.

The reform of public administration is also in line with the objective of South East Europe Strategy 2020², which recognises that the establishment of a transparent, well-functioning and efficient public administration is a cross-cutting component and a prerequisite for the achievement of any other objective of the strategy.

With a total EU contribution of EUR 15 000 000, the AAP 2017 part 2 will bring added value to Montenegro, as well as to the European Union by supporting the government's efforts to create an efficient, service-oriented and more transparent public administration. The 2017 allocation will help the country to modernise its public administration human

² http://www.rcc.int/pubs/20/

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

resources management, transparency mechanisms and improve service delivery as well as to build the necessary capacities within the national institutions to support the negotiation process and the alignment of the national legislation with the EU Acquis.

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

In the **Democracy and Governance** sector, previous actions under IPA I addressed the reform of the civil service and its legal framework.

The 2014 AAP programme included a number of actions linked to Public Financial Management and *EU acquis* alignment with a total EU contribution of EUR 8.97 million. Moreover, the EU Integration Facility supports IPA II implementation and programming as well as the preparation of the negotiation process with a total of EUR 4.6 million (EUIF 2014), EUR 2.45 million (EUIF 2015) and EUR 2.89 million (EUIF 2017, planned).

The PAR Strategy 2016-2020 was adopted by the Government of Montenegro in July 2016. It is based on the results of the "Analysis of the effects of the implementation of the AURUM" and on the recommendations of the EU-funded programme Support for Improvement in Governance and Management - SIGMA, as put forward in the "Baseline Measurement Report Montenegro 2015". Furthermore, it is consistent with the enlargement objectives and with the priorities described in several national level strategic documents.⁴

This action has been designed taking into consideration the lessons learned and the experience gained during the preparation and implementation of the first Sector Budget Support operation in the Rule of Law sector (Integrated Border Management – IBM programme). The degree of maturity of the sector strategy, the existence of a credible Performance Assessment Framework and the importance of continuous policy dialogue were identified as important factors to ensure the effectiveness of such operations.

Complementarity has been ensured with other cooperation partners' existing or planned activities. In particular, the United Nations Development Programme is working on a Public Administration Reform Programme which focuses on transparency, integrity and accountability in the public administration, as well as on e-services and e-government. The Organisation for Economic Co-operation and Development - OECD, through the EUfunded SIGMA programme, is a key partner in the country for the assessment of public governance systems and for strengthening public administration capacities. The World Bank and the International Monetary Fund play an important role in macroeconomic stability and public finance management, especially in the area of tax administration, debt management and fiscal consolidation. The Westminster Foundation has been working on strengthening parliamentary budgetary oversight and the British Embassy on the quality of Regulatory Impact Assessments and on budget transparency (Open Budget Index).

⁴ Montenegro EU Accession Programme 2016-2018, Montenegro Development Directions 2015-2018, Montenegro Economic Reform Programme 2016-2018, Public Finance Management Programme 2016-2020, Strategy for Information and Communications Technologies.



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³ Public Administration Reform Strategy 2011-2016 (AURUM)

List of Actions foreseen under the selected Sectors/Priorities: Democracy and Governance

INDIRECT MANAGEMENT WITH THE IPA II beneficiary	OTHER IMPLEMENTA ARRANGEMENTS	
	" Action 4- " EU Support to Public Administration Reform in Montenegro	
	Direct Management and Indirect Management	
	TOTAL	15 000 000

2.2 DESCRIPTION AND IMPLEMENTATION OF THE ACTIONS

SECTOR 1	Democracy and Governance		EUR 15 000 000
Action 4	EU Support to Public Administration Reform in Montenegro	Direct Management and Indirect Management	EUR 15 000 000

Sector Budget Support

a) Eligibility for budget support

• Public policy

A Public Administration Reform Strategy 2016-2020 was adopted by the Government of Montenegro in July 2016. It is based on the results of the "Analysis of the effects of the implementation of the AURUM" and on the recommendations of SIGMA, as put forward in the "Baseline Measurement Report Montenegro 2015". Furthermore, it is consistent with the enlargement objectives and with the priorities described in several national level strategic documents. The main objectives of the PAR Strategy are: a) improvement of the competences and organisation of civil servants at all level of the administrative system b) reorganisation of agencies exercising public powers c) improvement of the process of selection of candidates and of the existing performance appraisal system d) delivery of administrative services at the highest possible level e) establishment of a comprehensive system of mid-term policy planning f) more functional and more efficient local self-government units. The Strategy has a detailed action plan for the first two years of implementation (2016-2017), which includes indicators for all specific objectives, with



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baselines and targets. An action plan for the period 2018-2020 will be approved in 2017, including an update of the total cost.

The Ministry of Public Administration will be responsible for monitoring and reporting on the implementation of the Strategy, while the primary responsibility for the achievement of the objectives will stay with the identified lead entities. A Performance Assessment Framework has been put in place, with the first progress report to be produced in May 2017.

On the basis of the available information, it can be concluded that a credible and relevant strategy is in place for intervention in the public administration sector.

• Macroeconomic policy

The current growth model of Montenegro is dominantly based on investments and services, mainly tourism, transport and retail sales. Montenegro experienced modest GDP growth in the period 2014-2016, averaging 2.6%. After a period of weak inflation and decrease of consumer prices, inflation should gradually rise and stabilise around 2% in the period 2016-2018.⁵

The Government pursues fiscal incentives and public infrastructure projects to promote economic development and connectivity. Although the government's growth strategy can bring substantial gains, it also carries sizable risks, notably to the public finances, especially if combined with social allowances and public wage hikes. The IMF projects budget deficit percent to increase to 7.5% of GDP in 2017. High fiscal deficit feeds into increasing general government debt, which is projected to reach 82% of GDP by 2019.

The trade deficit increased in 2016, mostly due to an increase of imports of construction materials and equipment, mainly driven by the infrastructure projects. Employment growth remains modest, despite stronger investment activity, which reflects, inter alia, the non-alignment of education and skills with labour market needs. The banking sector is stable, although low provisioning and weak asset quality remains a concern and could hold back credit growth if not properly dealt with.

Within this framework, the country continues to be vulnerable to fluctuations in external demand and global financial conditions. With shrinking fiscal buffers, and because the economy lacks monetary policy tools, the ability to absorb shocks will depend crucially on the flexibility and competitiveness of the real economy.⁷

The authorities are committed to address vulnerabilities and, with the assistance of the World Bank and the IMF, they are working on a Fiscal Strategy which will complement the Plan for the Correction of the Budget Deficit and Public Debt adopted in December 2016 with medium-term fiscal consolidation measures in order to put public debt on a downward trajectory. The Fiscal Strategy is foreseen to be approved by June 2017. Together with the implementation of the structural reforms as presented in the Economic Reform Programme 2017-2019, it will foster growth, increase resilience and boost competitiveness of the economy.



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⁵ Monstat and Ministry of Finance of Montenegro

⁶ IMF Staff Concluding Statement of the 2017 Article IV mission.

⁷ IMF Staff Concluding Statement of the 2015 Article IV mission, available at: http://www.imf.org/external/pubs/cat/longres.aspx?sk=43772.0

The adoption of a sound Fiscal Strategy together with medium-term consolidation measures is crucial to pursue a credible and relevant stability-oriented macroeconomic policy.

Public financial management

Montenegro adopted a multiannual Public Finance Management Reform Programme (2016-2020) in December 2015 which addresses several key weaknesses of the budget system. The objectives of the strategy are twofold: a) strengthen the capacities to identify, prevent and manage fiscal risks, excessive fiscal deficits and harmful macroeconomic imbalances b) Ensure that public spending is structured in a way that maximizes the development impact on the national economy and ensures better quality of life for the citizens.

Montenegro is progressing according to the schedule for many of the PFM sub-systems reforms, although it is having some difficulties in particularly challenging areas, where technical assistance is needed and stronger efforts are necessary to streamline the reforms. In particular, Montenegro will have to focus on the development of a sustainable fiscal framework and on the creation of an efficient system for public expenditures planning and budgeting. This includes multi-annual sector strategies with reliable recurrent and investment expenditures costing, as well as policy based budgeting.

Despite some delays in the implementation, the overall direction of change of the Montenegrin PFM reform remains positive and the PFM strategy continues to be relevant and credible.

Budget transparency and oversight of the budget

The Government systematically publishes the budget proposal, the enacted budget and the in-year and final budget execution reports. The State Audit Institution reports are also available.

The Executive's budget proposal for 2016 was published on the website of the Government of Montenegro on 14 November 2015. The enacted budget was published on the web site of the Ministry of Finance on 15 January 2016. Therefore, the entry point for the eligibility criterion on budget transparency and oversight can be considered as satisfied.

A transparency roadmap has been integrated in the Public Finance Management Reform programme 2016-2020. Here transparency is organised as a horizontal activity, including the improvement of the presentation and visualisation of the annual budget and of in-year reports (monthly and quarterly) according to the best international practices. Whereas most of the actions are due to start in 2017 and 2018, some progress was shown in the implementation of the activities planned for 2016.

b) Objectives

The general objective of this sector budget support programme is to contribute to sustainable growth and to improve competitiveness through the creation of a more transparent, efficient and service-oriented public administration. This will be done by supporting the implementation of the Public Administration Reform Strategy 2016-2020.

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The programme will support a mix of actions both at policy level and with a clear impact on citizens' life, long-term reforms and quick-win reforms, in order to keep momentum and motivation in the implementation of the reform.

The specific objectives of this sector budget support correspond to the following priorities of the PAR Strategy 2016-2020:

- Optimization of the number of civil servants in the public administration in line with state budget constraints and European integration challenges. This will imply the adoption and implementation of a National Rightsizing Plan and the redistribution and/or reduction of human resources according to the needs of the administration, including meeting the challenges of European integration. In this respect, the update and upgrade of the Central Personnel Records (HRMIS) and its link with the payroll registry will be an essential element, without which any efforts to develop the management and monitoring of public administration are not sustainable. In parallel, it will be necessary to ensure an independent oversight of public administration affairs by strengthening the administrative and technical capacities of the Administrative Inspection Service;
- Enhancement of human resources management, by giving particular attention to the capacity to plan and to manage new recruitments as well as to the capacity to manage civil servants' and other employees' professional development according to the needs of an efficient, service-oriented and more transparent public administration;
- Improvement of the quality and accessibility of public service delivery, with a reduction or simplification of administrative procedures for citizens and business operators. In this respect, the establishment of interoperability among key electronic state registers will be the basis for any further improvement in the provision of services;
- Improvement of the transparency of public services by making the exercise of the right to free access to information more effective, by reducing the number of complaints, in particular for "administrative silence", and by decreasing the number of decisions on information requests annulled by the Administrative Court.

The programme focuses on the most challenging objectives of the strategy, notably the ones where the previous public administration reform (AURUM) did not achieve the expected results and which are of key importance in the enlargement perspective. The programme also reflects the will to improve the life of citizens in terms of service delivery and increased transparency. In both cases, policy dialogue plays a central role and represents the real added value of the European Commission intervention in this sector.

The specific objectives are strictly interlinked, which underlines the sectoral approach of this budget support operation. They are also complementary to the interventions of other donors and will have a structural impact on the Montenegrin public administration system. Moreover, they have been selected in order to ensure sustainability of the results and a positive effect on fiscal consolidation and macroeconomic stability.



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The optimization of human resources, in particular, reflects the need to better respond to the citizens' and business' needs, to reduce the increasing weight of annual wages on current expenditures⁸ and to free more financial resources for economic growth and competitiveness. At the same time, better resource planning and a more skilled workforce will benefit the quality of public administration, by creating the conditions for a smoother European Integration process.

Finally, the quality, transparency and accessibility of public services are crucial determinants for a more business friendly administration and a more competitive economy, especially if they are translated in simplified and swifter public administrative procedures. Greater predictability in terms of quality and timing also creates trust and economic benefits for the end users of the services.

c) Expected results

The expected results of this sector budget support programme are the following:

- Public administration human resources are optimised in line with European Integration needs and state budget constraints.
- Increased accuracy of data on number and career of civil servants.
- Increased capacity to plan and manage new recruitment.
- Improved capacity to manage civil servants professional development according to the needs of an efficient, service oriented and more transparent public administration.
- Simplified and swifter public administrative procedures.
- Improved access to public information.

d) Main sector budget support activities

The main activities to implement the budget support package are policy dialogue, financial transfer, performance assessment, reporting and capacity development.

Engagement in dialogue around conditions and government reform priorities, the verification of conditions and the payment of budget support.

e) Complementary actions

With regard to complementary actions, activities will largely focus upon strengthening the institutional and human resource capacities of the principal stakeholders to drive, coordinate and monitor the implementation of the public administration reform. The proposed actions will develop the beneficiaries' capacities to achieve the expected results. The main recipients will be the Human Resources Management Authority, the Administrative Inspection Service, the E-government Directorate of the Ministry of Public Administration and the Agency for the Protection of Personal Data and Free Access to Information. Technical assistance will be provided also to the Statistical Office of Montenegro (MONSTAT) in order to update the methodology for statistics according to EU regulations and to improve the quality of administrative data sources. Additional support will also be provided to the Ministry of Public Administration to manage external and internal communication, which is considered particularly sensitive and to the General Secretariat of the Government, in order to further reinforcing strategic planning as functional to the elaboration of credible medium term budgetary frameworks. This latter

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⁸ IMF Staff Concluding Statement of the 2017 Article IV mission.

assistance will mitigate one of the identified PFM risks and will increase state budget credibility. Special support will be provided to developing the capacities of civil society in oversight and control as well as to visibility actions.

The complementary actions are planned to be launched with a <u>suspension clause</u> which will allow for the commencement of the activities early after signature of the Financing Agreement.

Essential elements of the Action for direct management:

Procurement:

- a) the **global** budgetary envelope reserved for procurement: EUR 1 000 000
- b) the indicative number and type of contracts: 4 service contracts
- c) Indicative time frame for launching the procurement procedure: procurement procedures are expected to be launched in Q3 2017.

Grant – Call for proposal – Civil society oversight and awareness activities

a) Objectives and foreseen results:

The objective of the grant is to develop the capacity of civil society organisations to perform its oversight role, monitor the evolution and implementation of the reform strategy as well as raise awareness of PAR issues that affect the citizens such as service delivery and accountability of public institutions.

The foreseen result is an increased transparency of the public administration and a strengthened oversight by the civil society of the PAR sector.

- b) The essential eligibility criteria are:
 - be a legal person and
 - be non-profit-making and
 - be a civil society organisation and
 - be a national of Montenegro or registered in Montenegro⁹
- c) The essential selection criteria are financial and operational capacity of the applicant.
- d) The essential award criteria are relevance, effectiveness and feasibility, sustainability and cost-effectiveness of the action.
- e) Maximum rate of EU co-financing

The maximum possible rate of EU co-financing is 90% of the eligible cost of the action.

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⁹ Registered under at least one of the following laws: Law on Non-governmental Organisations (Official Gazette of Montenegro 27/99, 09, 30/02, 39/11), Labour Law (OG of Montenegro 43/03, 79/04, 49/08, 26/08, 88/09, 26/10, 59/11), Law on Representation of Trade Unions (OG of Montenegro 26/2010), the Bylaw on the representation of employers' organisations (OG of Montenegro, 34/05), the Law on the Chamber of Economy of Montenegro (OG of Montenegro, 42/98).

The maximum possible rate of EU financing may be up to 100% of the total cost of the action in accordance with Article 192 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.

- f) Indicative amount of the call: EUR 50 000
- g) Indicative date for launch of the call for proposals: Q 3 2017

Grant – Twinning – Call for proposal: Capacity development for Human Resources Planning, Professional development and Training (TWN 1)

a) Objectives and foreseen results:

Objective: To develop the capacity of the Human Resources Management Agency (HRMA).

Result: The HRMA capacity is strengthened regarding human resource planning, professional development and training.

- b) The maximum possible rate of EU financing may be up to 100% of the total cost of the action in accordance with Article 192 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.
- c) Indicative amount of Twinning contract: EUR 500 000
- d) Indicative date for launching the selection procedure: 2017 Q3

Grant – Twinning – Call for proposal : Capacity Development for the Administrative Inspection Services (TWN 2)

a) Objectives and foreseen results:

Objective: To develop the capacity of the Administrative Inspection Services (IAS).

Result: The IAS capacity is strengthened regarding oversight of the legality of human resources management practice

- b) The maximum possible rate of EU financing may be up to 100% of the total cost of the action in accordance with Article 192 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.
- c) Indicative amount of Twinning contract: EUR 250 000
- d) Indicative date for launching the selection procedure: 2017 Q3

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Grant – Twinning – Call for proposal; Capacity development and awareness for the Agency for the Protection of Personal Data and Free Access to Information (TWN 3)

a) Objectives and foreseen results:

Objective: To develop the capacity of the Agency for the Protection of Personal Data and Free Access to Information

Result: The Agency for the Protection of Personal Data and Dree Access to Information is better prepared to manage administrative silence cases and raise awareness about access to information rights.

- b) The maximum possible rate of EU financing may be up to 100% of the total cost of the action in accordance with Article 192 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.
- c) Indicative amount of Twinning contract: EUR 250 000
- d) Indicative date for launching the selection procedure: 2017 Q3

The essential selection and award criteria for Twinning and Twinning Light:

The essential eligibility criteria: applicants must be EU Member State administrations or mandated bodies.

The essential selection criterion is operational capacity of the applicant.

<u>The essential award criteria</u> are technical expertise of the applicant, and the relevance, methodology and sustainability of the proposed action.

Complementary Activities

The complementary activities with the purpose to Support the elaboration and implementation of a national rightsizing Plan and to upgrade the Single information system for the exchange of data among state registers (SISEDE) and for the Digitalization of Public Administration for more accessible services to citizens will be implemented by indirect management by the UNDP.

Entity entrusted with budget implementation tasks

UNDP has a long-term commitment with the Montenegrin authorities and the European Union Delegation to Montenegro in the area of public administration reform. It has a positive record of working specifically on the local level, in particular by developing a comprehensive functional review of the Human Resources function and management capacities in Montenegrin municipal administrations. Ongoing UNDP projects include a Local Governance programme supporting inter-municipal cooperation and local finance management and the creation of a government service bus for the exchange of data among state registers. The complementary actions foreseen under the present sector budget



support programme would have a leverage effect on cooperation with the beneficiaries, would increase efficiency and reduce transaction costs. They would also benefit from the acquired know-how and the networks already established by the UNDP at local level.

A delegation agreement will ensure a complete alignment with the work already undertaken and strengthen complementarities and synergies among the activities implemented by the development partners in the sector.

Short description of the tasks entrusted to the entity

The UNDP, in close cooperation with the beneficiaries, will implement a functional review of the Human Resources of 25 local self-governments in order to align it to the process that will be carried out at central level. It will also be in charge of the follow up of the implementation of the optimisation plan at local level, of the elaboration of the personnel annual plans as well as the drafting of the strategic planning for the professional development and training of civil servants at local level.

Additionally, the UNDP will further develop the existing Government Service Bus (Single Information System) in order to connect 7 different state electronic registers (Central Population Register; Register of Business Entities; Register of Tax Payers; Register on Number of Children in Educational Institutions; Criminal Records; Employment Records and Cadastre).

Moreover, the UNDP will further strengthen the digital transformation of public administration as a long-term response measure to the Covid-19 pandemic. This will imply the development of IT platforms and complex e-services, the establishment of an efficient and sustainable integrated system of simplified electronic procedures for citizens and businesses, as well as the improvement of data protection and the digital inclusion of public institutions. Simplification and digitalization will ensure effective provision of public services to all citizens, especially those far from the capital city or obliged to confinement, while protecting them from a further spread of the virus.

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 running public procurements, concluding and managing the resulting contracts, implementation (including executing related payments), information and visibility. It will also be in charge of monitoring, reporting and 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.

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3 BUDGET

3.1 INDICATIVE BUDGET TABLE - ANNUAL ACTION PROGRAMME FOR MONTENEGRO FOR THE YEAR 2017 - PART 2

	Indirect !	Indirect Management with the IPA II beneficiary	ith the IPA II	beneficiary	Other i	Other implementation arrangements	ı arrangemen	3		
		where applicable	where applicable			where applicable	where applicable			Total
		EU Contribution	IPA II beneficiary Co- financing	Total expenditure		EU Contribution	IPA II beneficiary Co- financing	Total expenditure	MM	programme
	Sector 1				Sector 1 Democracy and Governance	15 000 000		15 000 000	Mixed	15 000 000
Objective 1	Action				Action 4 – "EU Support to Public Administration Reform in Montenegro"	15 000 000		15 000 000	Direct, IM IO	15 000 000
	TOTALS					15 000 000		15 000 000		15 000 000

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4 IMPLEMENTATION MODALITIES AND GENERAL RULES FOR PROCUREMENT AND GRANT AWARD PROCEDURES

DIRECT MANAGEMENT:

This programme shall be implemented by direct management by Union Delegation to Montenegro in accordance with article 58(1)(a) of the Financial Regulation and the corresponding provisions of its Rules of Application.

Procurement shall follow the provisions of Part Two, Title IV Chapter 3 of the Financial Regulation No 966/2012 and Part Two, Title II, Chapter 3 of its Rules of Application.

Grant award procedures shall follow the provisions of Part Two Title IV Chapter 4 of the Financial Regulation No 966/2012 and Part Two Title II Chapter 4 of its Rules of Application.

Under the Financial Regulation, Parts One and Three of the Financial Regulation and its Rules of Application shall apply to external actions except as otherwise provided in Part Two, Title IV.

The Commission may also use services and supplies under its Framework Contracts concluded following Part One of the Financial Regulation.

Twinning:

Twinning projects shall be set up in the form of a grant agreement, whereby the selected Member State administrations agree to provide the requested public sector expertise against the reimbursement of the expenses thus incurred.

The contract may in particular provide for the long-term secondment of an official assigned to provide full-time advice to the administration of the IPA II beneficiary as resident twinning advisor.

The twinning grant agreement shall be established in accordance with relevant provisions of Part Two Title IV Chapter 4 of the Financial Regulation and Part Two Title II Chapter 4 of its Rules of Application. Parts One and Three of the Financial Regulation and its Rules of Application shall apply to external actions except as otherwise provided in Part Two, Title IV.

INDIRECT MANAGEMENT:

Part of this programme shall be implemented by indirect management with entrusted entities other than the IPA II beneficiary in accordance with Article 58(1)(c) of the Financial Regulation and the corresponding provisions of its Rules of Application.

The general rules for procurement and grant award procedures shall be defined in the Financing Agreement and the relevant delegation agreements between the Commission and the entrusted entity implementing such action.

5 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

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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 Indicative Strategy Paper.

In the specific context of indirect management by IPA II beneficiaries, National IPA Coordinators (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.



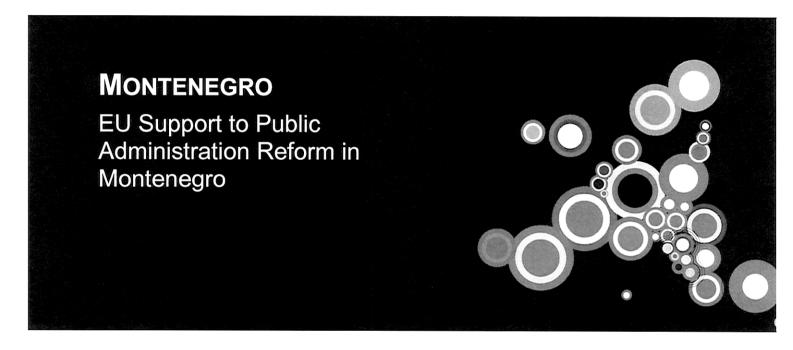


INSTRUMENT FOR PRE-ACCESSION ASSISTANCE (IPA II) 2014-2020

ANNEX IA BUDGET SUPPORT

of the Financing Agreement the Annual Action Programme for Montenegro for the year 2017

Part 2



Action Summary

The general objective of this Sector Budget Support The general objective of this Sector Budget Support programme is to contribute to sustainable growth and to improve competitiveness through the creation of a more transparent, efficient and service-oriented public administration in Montenegro. This will be done by supporting the implementation of the Public Administration Reform Strategy 2016-2020. The specific objectives are the optimization of the number of employees in the public administration, the enhancement of human resources management, the improvement of the quality and accessibility of public service delivery and a more effective right to free access to information. The objectives of the programme are strictly interlinked, which underlines the sectoral approach of this operation and implies an intense policy dialogue in the context of the EU accession process.



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Action Identification					
Action Programme Title	Annual Action Programme for Montenegro for the year 2017 Part 2				
Action Title	EU Support to Public Administration Reform in Montenegro				
Action ID	IPA 2017/040-217.04/AAP Montenegro 2017 Part 2				
	Sector Information				
IPA II Sector	1. Democracy and governance				
DAC Sector	15110 – public sector policy and administrative management				
,	Budget				
Total cost	EUR 15 000 000				
EU contribution	EUR 15 000 000				
	Management and Implementation				
Method of implementation	Direct Management (Sector Budget Support and Complementary activities, except no. 1 and 4)				
	Indirect Management by Delegation Agreement (Complementary activities no. 1 and 4)				
Direct management:	EU Delegation to Montenegro				
EU Delegation					
Indirect management:					
National authority or other implementing body	United Nation Development Programme (Complementary activities 1, 4)				
Implementation responsibilities	Ministry of Public Administration of Montenegro				
	Location				
Zone benefiting from the action	Montenegro				
	Timeline				
Final date for concluding Financing Agreement(s) with IPA II beneficiary	At the latest by 31 December 2018				
Final date for concluding delegation agreements under indirect management	At the latest by 31 December 2018				
Final date for concluding procurement and grant contracts	3 years following the date of conclusion of the Financing Agreement, with the exception of cases listed under Article 189(2) of the Financial Regulation				
Final date for operational implementation	7 years following the conclusion of the Financing Agreement				
Final date for implementing the Financing Agreement (date by which this	13 years following the conclusion of the Financing Agreement				

programme should be de- committed and closed)			
Policy objectives / Market	ers (DAC form)		
General policy objective	Not targeted	Significant objective	Main objective
Participation development/good governance			V
Aid to environment	~		
Gender equality (including Women In Development)	~		
Trade Development	~		
Reproductive, Maternal, New born and child health	✓		
RIO Convention markers	Not targeted	Significant objective	Main objective
Biological diversity	~		
Combat desertification	~		
Climate change mitigation	~		
Climate change adaptation	7		



1. DESCRIPTION OF THE ACTION

1.1. Objectives/results

The general objective of this Sector Budget Support programme is to contribute to sustainable growth and to improve competitiveness through the creation of a more transparent, efficient and service-oriented public administration. This will be done by supporting the implementation of the Public Administration Reform Strategy 2016-2020.

According to the best practices, the programme will support a mix of actions both at policy level and with a clear impact on citizens' life, long-term reforms and quick-win reforms, in order to keep momentum and motivation in the implementation of the reform.

In this way, the programme specific objectives are:

- Optimization of the number of civil servants in the public administration
- Enhancement of human resources management
- Improvement of the quality and accessibility of public service delivery
- Improvement of the transparency of public services

The expected results of the action are:

1) public administration human resources are optimized in line with European Integration needs and state budget constraints 2) increased accuracy of data on number and career of civil servants 3) increased capacity to plan and manage new recruitment 4) improved capacity to manage civil servants professional development according to the needs of an efficient, service oriented and more transparent public administration 5) simplified and swifter public administrative procedures 6) improved access to public information.

The results will be measured by two SIGMA indicators ("Extend to which the institutional set-up enables consistent HRM practices across the public services" and "Extend to which the training system of public servants is in place and applied in practice")¹ and by four PAR Strategy indicators ("Number of civil servants in central level state authorities and in local self-governments", "Percentage of institutions which apply personnel plans in accordance with regulations", "Percentage of key registers which are connected and which perform automatic data exchange" and "Number of complaints due to administrative silence"). Both results and indicators are in line with the PAR Action Plans and their choice underlines the coherence, ownership and the engagement of the authorities in the reform programme.

1.2. Main activities

1.2.1. Budget support

Main activities of the programme include:

- transfer of EUR 15 000 000 over the period 2018-2021
- continued political and policy dialogue with the Government with a particular focus on areas reflected in the programme's objectives;
- a continued effort to reinforce Government's capacities in the area of PFM in the context of existing complementary support programmes;

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SIGMA 2016 Monitoring Methodology

- continued dialogue between the EU Delegation and other donors to coordinate and further align development cooperation with a view to avoiding duplication of activities and relieving the Government of multiple reporting duties;
- regular monitoring of budget support eligibility criteria:
 - o monitoring achievement of the sector's priority objectives will be undertaken on the basis of annual progress reports and other EU or development partners' reviews, supported by regular briefings for, and discussions in, the relevant sector working group;
 - o monitoring macroeconomic developments will be performed in the context of the IMF missions and other relevant assessments;
 - o monitoring PFM eligibility will be done on the basis of the reviews of the government's PFM reform strategy and associated assessments or ad-hoc analysis from the IMF and other technical and financial partners, including sector specific analysis (e.g. through PETS and PERS);
 - monitoring budget transparency will be undertaken through verifying public availability of appropriate documentation.

1.2.2. Complementary support

Complementary support aims to develop the beneficiaries' capacities to achieve the results and specific outcomes of the programme. The main recipients will be the Human Resources Management Authority, the Administrative Inspection Service, the E-government Directorate and the Agency for the Protection of Personal Data and Free Access to Information. Technical assistance will be provided also to the Statistical Office of Montenegro (MONSTAT) in order to update the methodology for statistics according to EU regulations and to improve the quality of administrative data sources. Additional support will also be provided to the Ministry of Public Administration to manage external and internal communication, which is considered particularly sensitive and to the Ministry of European Affairs, in order to further reinforcing strategic planning as functional to the elaboration of credible medium term budgetary frameworks. This latter assistance will mitigate one of the identified PFM risks and will increase state budget credibility.

Complementary support is coordinated with other donors' activities and with SIGMA Action Plan, which in the period 2017-2018 will focus on: accountability of organizations with public powers, merit-based recruitment, policy development and coordination, elaboration of methodology for the optimization of the number of civil servants, internal financial control, public procurement, commitment management.

Additional assistance will be granted to civil society organisations with the aim to monitor the effective, transparent and accountable implementation of the public administration reform and to encourage inclusive policy making and participatory democracy.

An extensive use of TAIEX for short technical assistance, study visits and the organization of workshops will be encouraged.

1.3. Intervention logic

The programme focuses on the most challenging objectives of the strategy, notably the ones where the previous public administration reform (AURUM) did not achieve the expected results and which are of key importance in the enlargement perspective. The programme also reflects the will to improve the life of citizens in terms of service delivery and increased transparency. In both cases, policy dialogue plays a central role and represents the real added value of the European Commission intervention in this sector.

• Optimization of the number of civil servants in the public administration in line with state budget constraints and European integration challenges. This will imply the adoption and implementation of a National Rightsizing Plan and the redistribution and/or reduction of human

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resources according to the needs of the administration, including meeting the challenges of European integration. In this respect, the update and upgrade of the Central Personnel Records (HRMIS) and its link with the payroll registry will be an essential element, without which any efforts to develop the management and monitoring of public administration are not sustainable. In parallel, it will be necessary to ensure an independent oversight of public administration affairs by strengthening the administrative and technical capacities of the Administrative Inspection Service;

- Enhancement of human resources management, by giving particular attention to the capacity to plan and to manage new recruitments as well as to the capacity to manage civil servants' and other employees' professional development according to the needs of an efficient, service-oriented and more transparent public administration;
- Improvement of the quality and accessibility of public service delivery, with a reduction or simplification of administrative procedures for citizens and business operators. In this respect, the establishment of interoperability among key electronic state registers will be the basis for any further improvement in the provision of services;
- Improvement of the transparency of public services by making the exercise of the right to free access to information more effective, by reducing the number of complaints, in particular for "administrative silence", and by decreasing the number of decisions on information requests annulled by the Administrative Court.

The specific objectives are strictly interlinked, which underlines the sectoral approach of this budget support operation. They are also complementary to the interventions of other donors and will have a structural impact on the Montenegrin public administration system. Moreover, they have been selected in order to ensure sustainability of the results and a positive effect on fiscal consolidation.

2. IMPLEMENTATION

2.1. Rationale for the amounts allocated to budget support

The amount allocated for budget support component is EUR 10 100 000, and for complementary support is EUR 4 900 000. These amounts are based on the estimated cost of the PAR Strategy (please see paragraph on "Sector Budget Support Readiness – Public Policy) and of the human resources directly engaged in the implementation of the reform.

Complementary support will be implemented via direct management and indirect management with an International Organisation for complementary activities 1 and 4. This will allow the EU to ensure control on the timing of the assistance and, as a consequence, on the achievement of the results under the budget support component.

2.2. Criteria for disbursement of budget support

- a) The general conditions for disbursement of all tranches are as follows:
 - Satisfactory progress in the implementation of the Public Administration Reform Strategy and continued credibility and relevance thereof;
 - Implementation of a credible stability-oriented macroeconomic policy;
 - Satisfactory progress in the implementation of the multiannual Public Finance Management Reform Programme (2016-2020);
 - Satisfactory progress with regard to the public availability of timely, comprehensive and sound budgetary information.
- b) The specific conditions for disbursement that may be used for variable tranches are the following:
 - Extent to which the institutional set-up enables consistent human resource management practices across the public service;
 - Number of civil servants in central level state authorities (incl. organizations with public powers) and in local self-government units (incl. public services);
 - Percentage of institutions which apply personnel plans in accordance with regulations.

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- Extent to which the training system of public servants is in place and applied in practice;
- Percentage of key registers which are connected and which perform automatic data exchange;
- Number of complaints due to administrative silence.

The chosen performance targets and indicators to be used for disbursements will apply for the duration of the programme. However, in duly justified circumstances, the National IPA Coordinator may submit a request to the Commission for the targets and indicators to be changed. The changes agreed to the targets and indicators may be authorised by exchange of letters between the two parties.

In case of a significant deterioration of fundamental values, budget support disbursements may be formally suspended, temporarily suspended, reduced or cancelled, in accordance with the relevant provisions of the financing agreement.

2.3. Budget support details

Budget support is provided as direct untargeted budget support to the national Treasury. It will be structured in one fixed tranche (4 000 000 EUR) in 2018, upon the signature of the Financing Agreement, and two variable tranches: one in 2019 (2 100 000 EUR) and one in 2021 (4 000 000 EUR), following the fulfilment of the specific conditions.

The payment of a fixed tranche in the first year is justified by the proven country's commitment to public administration reform and by the intention to facilitate Montenegro's budgetary planning. This will also allow for a reasonable amount of time between the agreement on the indicator targets and their evaluation. Two variable tranches, respectively during the second and third year, will keep the focus of the beneficiaries on achieving the agreed specific objectives and will encourage policy dialogue.

The crediting of the euro transfers disbursed into EURO will be undertaken at the appropriate exchange rates in line with the relevant provisions of the Financing Agreement.

2.4. Organisational set-up and responsibilities

The newly created **Ministry of Public Administration** has been officially designated as the institution in charge of the reform of public administration, while the primary responsibility for the achievement of the objectives stays with the lead entities identified in the PAR Strategy. Within the Ministry, the Department for Managing the Process of Public Administration is in charge of managing, monitoring and reporting on the implementation of the strategy.

The Council for Public Administration Reform is in charge of the coordination of the reform. It is composed by the representatives of the key implementing institutions of the public administration reform, the Ministry of Public Administration, the Ministry of Finance, the Ministry of European Affairs, the Ministry of Foreign Affairs, as well as the Union of Municipalities, the Chamber of Economy, the Trade Unions and the civil society. Representatives of relevant institutions (the Parliamentary Committee on Political system, Administration and Judiciary, the State Audit Institution and the Ombudsman) will be invited to participate as observers when relevant issues will be discussed. The EU will participate as observer. The Council meets at least twice a year and it is chaired by the Deputy Prime Minister in charge of political system, foreign and interior policy.

Operational policy dialogue meetings with the representatives of the EU will be organized regularly during the implementation of the Strategy. Strategic dialogue meetings shall be organized ad hoc for the discussion of particular aspects of the reform and shall be led by the EU Delegation and/or by DG NEAR according to the agenda of discussions. High-level policy dialogue is organized in the framework of the EU-Montenegro PAR Special Group, which meets once a year at ministerial level.

During the implementation phase, policy dialogue will focus on the following issues:

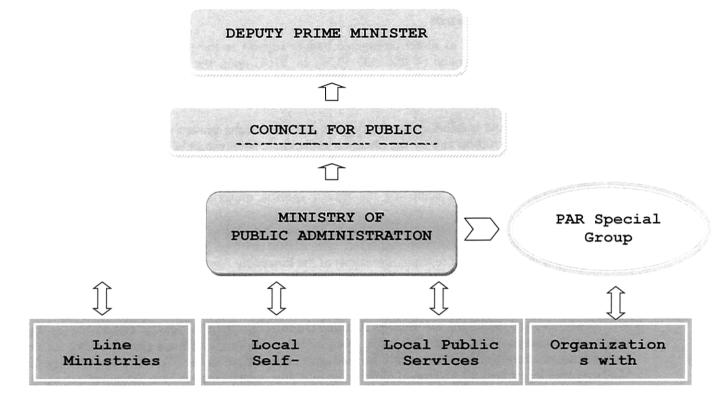
- Progress in the achievement of the reform objectives, including PFM, timing, difficulties in the implementation, coordination of the reform;
- Progress in the implementation of the Fiscal Consolidation Plan;
- Complementary assistance;

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- Follow up of those PAR activities which are not covered by the programme but which are
 critical for its implementation (i.e. merit-based recruitments, performance appraisal reform,
 enforcement of the Law on Salaries of Civil Servants and State Employees and of the Law on
 General Administrative Procedures, accountability of organizations with public powers);
- Institutional capacities of the Ministry of Public Administration;
- External risks which may affect the implementation of the reform;
- Cross-cutting issues;
- Donor coordination.

Minutes of the meetings will be kept by the Delegation to document policy dialogue. A dashboard summarizing the progress on key issues at technical, strategic and political level will be regularly updated and shared between the EU Delegation and DG NEAR.



2.5. Performance monitoring and reporting

The day-to-day technical and financial monitoring of the implementation of this action will be a continuous process and part of the implementing partner's responsibilities. To this aim, the implementing partner shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the list of result indicators. The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Ministry of Public Administration will be responsible for monitoring and reporting on the implementation of the reform on the basis of the existing **PAR Performance Assessment Framework.** Six-monthly reports will be submitted to the Council for the Public Administration Reform. Once a year, in cooperation with all responsible institutions, annual implementation reports will be submitted for approval to the Government by the end of the first quarter of the current year for the previous year.

The annual report shall provide an accurate account of implementation of the PAR Strategy, difficulties encountered, changes introduced, as well as the degree of achievement of its results

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(outputs and direct outcomes) as measured by corresponding indicators, using as reference the list of result indicators. An updated action plan will be attached to the report, as well as a description of the visibility actions realized, in accordance with the visibility plan.

The reports will be published to allow for public scrutiny.

Reviews will be organized in spring each year, after the approval by the Government of the PAR Annual Implementation Report, on the results of the previous year. They will take in due account SIGMA baseline assessments and the results of additional monitoring visits organized by the EU staff or through independent consultants recruited directly by the Commission. The results of the reviews will be used as a basis to assess the achievement of disbursement conditions.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

2.6. Evaluation and audit

Evaluations of the budget support component should be aligned with similar exercises of other budget support providers for accountability and learning purposes at various levels (including for policy revision) and carried out via independent consultants.

For complementary support, the Commission may also carry out external evaluations, as follows:

- (a) a mid-term evaluation mission;
- (b) a final evaluation, at the beginning of the closing phase;
- (c) an ex-post evaluation.

Audits for complementary support actions will depend on the nature of the action:

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

The Commission shall inform the implementing partner at least 2 months in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation/audit reports shall be shared with the partner country 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 partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The financing of the evaluation actions shall be covered by another measure.

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APPENDIX 1: INDICATIVE SELECTION OF RESULT INDICATORS

updated during the implementation of the action without an amendment to the financing decision. The table with the indicative list of result indicators will evolve during the lifetime of the action: new columns will be added for intermediary targets (milestones), when it is relevant and for reporting purpose on the achievement of The inputs, the expected direct and induced outputs and all the indicators, targets and baselines included in the list of result indicators are indicative and may be results as measured by indicators.1

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Sources and means of verification		World Wide Governance Indicators Report (WB)		Global	Competitiveness Report (WEF)	Primary:	PAR Annual
Final Target	Percentile rank (0 to 100)	Government effectiveness: 65.00	Regulatory quality: 65.00		66/138	Ŋ	
Target 2018	Percentile rank (0 to 100)	Government effectiveness: 62.00	Regulatory quality: 62.00		68/138		
Baselines (2015)	Percentile rank (0 to 100 best)	Government effectiveness: 60.10 (Croatia: 71.63)	Regulatory quality: 60.10 (Croatia: 64.90)	Percentile rank (0 best to 138)	69/138	3/5 (2017)	,
Indicators		Composite indicator Government effectiveness (WB), and Regulatory Quality (WB)		Global Competitiveness Index	(Public Sector Pertormance)	Extend to which the institutional set-up enables consistent HRM	practices across the public service**
Intervention logic	. To contribute to sustainable growth and to improve competitiveness through a more transparent, efficient and service-oriented public administration					1. To optimize the number of civil servants in the public administration in line with state	budget constraints and European integration challenges.
		tive: Impact	verall objec	, 0		ctive(s): come(s	otuO
						oritios	

1 It is recommended to use sex-disaggregated data when available.



IPA II Financing Agreement Annual Action Programmes - Annex IA v.1.3

Monitoring Report Secondary: SIGMA Baseline	Assessment and monitoring reports Budget Execution Reports	NGOs reports on the implementation of the PAR Strategy					
-5%	23%	5	95%	3	15%	100%	%08
-3%	25%		20%	2	20%	20%	40%
39 306 (2017)	27%	4/5 (2017)	30%	1	24% (2014)	%0	0% (2014)
No. of civil servants in state authorities (including org. with public powers) and local self-government units (including	Ratio of annual wage bill to current expenditures	Extent to which the training system of public servants is in place and applied in practice**	Percentage of institutions which apply personnel plans in accordance with regulations*	No. of one-stop-shops that provide services for more than three different public institutions**	Share of public information requests refused by the public authorities**	1.1 Degree of implementation of the National rightsizing plan	1.2 Percentage of corrective measures of the Administrative Inspection Service implemented out of the total number of recommendations.
			2. To enhance human resources management	3. To improve the quality and accessibility of public service delivery	4. To improve the transparency of public services by making the exercise of the right to free access to information more effective	I. Human resources in the Public administration optimized according to the ridentified needs I	
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IPA II Financing Agreement Annual Action Programmes - Annex IA v.1.3

Primary: PAR Annual	Monitoring Report Secondary: SIGMA Baseline	н	NGOs imple			
95%	%08	100%	- 10%	20%		
20%	40%	%08	- 5%	%09		
0% (2014)	0% (2014)	%0	950 (2017)	64,22% (2014)		
2.1 Percentage of recruitments in state authorities and public agencies compared to the Annual Personnel Plan	2.2. Degree of implementation of the Strategic Planning for the Professional Development and Training of Public Servants	3. Percentage of key registers which are connected and which perform automatic data exchange*	4.1 Number of complaints due to "administrative silence"*	4.2 Share of Agency's decisions on information requests annulled by the Administrative Court*		
2.1 Human resources recruited according to public administration priorities.	2.2 Civil servants and employees professional development planned according to public administration needs	3. Simplified and swifter public administrative procedures (easier exchange of data)	4. "a 4. Improved access to public information 4 on			



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IPA II Financing Agreement Annual Action Programmes - Annex IA v.1.3

Primary: PAR Annual Monitoring Report Secondary: SIGMA Baseline Assessment and monitoring reports NGOs reports on the implementation of the PAR Strategy								
National rightsizing plan implemented	CPR kept updated, oversight ensured, HRMA regularly	30	Mandatory	Strategic Planning implemented	Single information system fully operational	30%	70%	æ
National rightsizing methodology adopted	CPR updated and linked to the salary registry	20	Mandatory	Strategic Planning adopted	Single information system established	10%	40%	-
No national rightsizing plan	CPR not updated and not linked to the salary registry	0 (2014)	Annual Personnel Plan not mandatory	No strategic planning	SISEDE does not exist	0% (2014)	0% (2014)	0
1.1 National rightsizing plan adopted*	1.2.1 Central personnel record (CPR) consolidated and connected with the salaries records of the MoF*	1.2.2 No. of investigations launched by the Administrative Inspectorate	2.1 Annual Personnel Plan mandatory for all state authorities, public agencies and local self-government authorities*	2.2 Strategic Planning for the Professional Development and Training of Public Servants adopted*	3. Single information system for the exchange of data among state registers (SISEDE) established*	4.1 Share of civil servants directly engaged in free access to information who received training in the last year	4.2 Share of public authorities maintaining websites in line with regulatory requirements*	4.3 No. of citizens' awareness campaigns launched
1.1 Administrative capacity in the public administration optimized	1.2 Increased accuracy of data on number and career of public civil servants and employees		2.1 Increased capacity to plan and manage new recruitments	2.2 Improved capacity to manage civil servants' and other employees' professional development according to the needs of an efficient, service-oriented and more transparent public administration	3. Interoperability among key electronic state registers established and availability of data from registers to users assured	4.1 S enga who who implemented 4.2 S engularisation properly main regularisation from the following main regularisation from the following main regularisation from the following following the following main from the following		



IPA II Financing Agreement Annual Action Programmes - Annex IA v.1.3

• Transfer of 12 MEUR to the beneficiary country state budget (fiscal years 2018, 2019, 2020)	Continued political and policy dialogue with the Government in the area of public administration reform	• Targeted technical assistance provided to the main implementing institutions	• Comprehensive medium-term Fiscal Strategy adopted, including the completion of consolidation measures for the correction of the budget deficit and public debt	
Increased share of external assistance funds made available through the national budget.	Better coordinated policy dialogue and conducive to the implementation of the PAR Strategy	• Improvement of human resources capacities for the achievement of PAR specific objectives	Improved macroeconomic and budget management	
Direct outputs				

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LIST OF ANNEXES

- 1. Performance indicators used for disbursements
- 2. Disbursement arrangements and timetable
- 3. Complementary activities



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ANNEX 1: Performance indicators used for disbursements

Extent to which the institutional set-up enables consistent HRM practices across the public service Public Administration Reform Strategy Indicator 1: Programme:

Optimization of the number of civil servants in the public administration Objective:

Human Resources Management for the purpose of public sector employees optimization Human Resources Management Authority and Ministry of Finance Department responsible: Action:

Description of the Indicator

Quality (impact) indicator Indicator type:

One point for each dimension considered Measurement unit:

Yearly Periodicity of measurement:

3/5 according to 2016 SIGMA Methodology 2017 Last known result:

(last three years if available)

Development and quality of the indicator

SIGMA baseline assessment and monitoring reports Method of data collection:

Departments responsible for collection: Department for Managing the Process of Public Administration, Ministry of Public Administration

1 point: 0% Method of calculation:

2 points: 50%

3 points: 100%

The Central Personnel Record (CPR) does not contain the data of organizations with public powers and of institutions at local level (self-Means of interpretation Known limits and bias:

government units, public services, public enterprises)

Only the data in the CPR (117 state institutions) are considered in the calculation and are in the scope of HRMA monitoring, reporting and evaluating. The payment of the second variable tranche requires that the CPR has been fully updated and upgraded and it is regularly Means of interpretation:

cross-checked with the salary registry

Documentation schedule

Delivery date:

In March each year on the results of the previous year

Number of civil servants in central level state authorities (incl. organizations with public powers) and in local self-government Indicator 2:

units (incl. public services)

Programme:

Objective:

Optimization of the number of civil servants in the public administration Public Administration Reform Strategy

Human Resources Management for the purpose of public sector employees' optimization Human Resources Management Authority, local self-government units Department responsible: Action:

IPA II Financing Agreement Annual Action Programmes - Annex IA v.1.3

Description of the Indicator

Quantitative indicator

Percentage Yearly Periodicity of measurement: Measurement unit: Indicator type:

39 306 employees at central level, including organizations with public powers 2017 Last known result:

12 174 in local self-government units and local public services

(last three years if available):

Development and quality of the indicator

PAR Annual Monitoring Report Method of data collection:

Departments responsible for collection: Department for Managing the Process of Public Administration, Ministry of Public Administration

Method of calculation:

Means of interpretation

It includes organizations with public powers as well as local self-government units, local public services and local public enterprises. Known limits and bias:

All staff is included (CPR and separate databases for organizations with public powers, local self-government units, local public services, Means of interpretation:

and local public enterprises).

Documentation schedule

Delivery date:

In March each year on the results of the previous year

Percentage of institutions which apply personnel plans in accordance with regulations Indicator 3:

Public Administration Reform Strategy Programme:

Objective: Action:

Human Resources Management for the purpose of public sector employees' optimization Enhancement of human resources management

Human Resources Management Authority Department responsible:

Description of the Indicator

Ouantitative indicator Indicator type:

Percentage Measurement unit:

Yearly Periodicity of measurement:

Last known result:

30 %

[last three years if available]:

Development and quality of the indicator

PAR Annual Monitoring Report Method of data collection:

Departments responsible for collection: Department for Managing the Process of Public Administration, Ministry of Public Administration

Method of calculation:

Means of interpretation

Governments (and bylaws related to personnel planning), which make compulsory not only the adoption but also the implementation of According to the existing regulations, it refers only to central level institutions (without organization with public powers). After the approval of the new Law on Local Self-Governments, it will also involve local self-government units. . The accomplishment of this indicator implies the approval of the new Law on Civil Servants and State Employees (LCSSE) and the new Law on Local Self-Local self-government units will be considered in the calculation only after the approval of the new Law on Local Self-Government. The personnel plans. Local public services are not included because covered by the General Labour Law. Means of interpretation: Known limits and bias:

arget for the second variable tranche refers to the results from 2020 only.

Documentation schedule Delivery date:

In March each year on the results of the previous year

Extent to which the training system of public servants is in place and applied in practice Indicator 4:

Public Administration Reform Strategy Programme: Objective:

Enhancement of human resources management

Human Resources Management for the purpose of public sector employees optimization Action:

Human Resources Management Authority Department responsible:

Description of the Indicator

One point for each dimension considered Oualitative indicator Measurement unit: Indicator type:

Yearly Periodicity of measurement:

4/5 according to SIGMA 2016 monitoring methodology 2017 Last known result:

(last three years if available):

Development and quality of the indicator

SIGMA Baseline Assessment and monitoring reports Method of data collection:

Departments responsible for collection: Department for Managing the Process of Public Administration, Ministry of Public Administration

1 point: 0% Method of calculation:

2 points: 50%

3 points: 100%

Means of interpretation

According to the existing regulations, it refers only to central level institutions (without organization with public powers). After the approval of the new Law on Local Self-Government, it will also involve local self-government units. The accomplishment of this Known limits and bias:

indicator implies the approval of the new Law on Civil Servants and State Employees (LCSSE), and the new Law on Local Self-

Governments (and bylaws related to training), which make compulsory not only the adoption but also the implementation of training plans. Local public services are not included because covered by the General Labour Law.

Local self-government units will be considered only after the approval of the new Law on Local Self-Government, the calculation. Means of interpretation:

Documentation schedule Delivery date:

In March each year on the results of the previous year

Percentage of key registers which are connected and which perform automatic data exchange Public Administration Reform Strategy Indicator 5: Programme:

Improvement of public service delivery E-Government Objective: Action:

Directorate for E-Government and IT security Department responsible:

Quantitative indicator Description of the Indicator Indicator type:

%0 Percentage Yearly 2017 Periodicity of measurement: Measurement unit:

(last three years if available): Last known result:

Development and quality of the indicator

PAR Annual Monitoring Report Method of data collection:

Departments responsible for collection: Department for Managing the Process of Public Administration, Ministry of Public Administration

N/A Method of calculation:

Means of interpretation

It refers to the following registers: Central population register, register of business entities, register of tax payers, Ministry of Education Known limits and bias:

register on number of children in educational institutions, criminal records, employment records, cadastre and statistical business register. All the above mentioned registers are considered in the calculation Means of interpretation:

Documentation schedule

In March each year on the results of the previous year Delivery date: Number of complaints due to "administrative silence" Indicator 6: Programme:

A more effective right to free access to information Public Administration Reform Strategy

Right to free access to information Action:

Agency for the Protection of Personal Data and Free Access to Information Department responsible:

Objective:

Description of the Indicator

Indicator type: Quantitative indicator

Measurement unit: Percentage

Periodicity of measurement: Yearly
Last known result: 2017 950 complaints

(last three years if available):

Development and quality of the indicator

Method of data collection: PAR Annual Monitoring Report

Departments responsible for collection: Department for Managing the Process of Public Administration, Ministry of Public Administration

Method of calculation: N/

Means of interpretation

The Agency for the Protection of Personal Data depends on the data provided by all parties (central level institutions and local self Known limits and bias:

governments) involved in the implementation of the Law on Free Access to Information

The Agency for the Protection of Personal Data and Free Access to Information is the ultimate responsible for the data provided. The Means of interpretation:

target for the second variable tranche refers to the number of complaints received in 2020 only.

Documentation schedule

Delivery date:

In March each year on the results of the previous year

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ANNEX 2: Disbursement arrangements and timetable

This appendix covers the following four main areas according to the country/intervention sector context: (1) responsibilities; (2) the indicative disbursement timetable; (3) the general conditions for each disbursement tranche; (4) the specific conditions for each disbursement tranche.

1. Responsibilities

for the disbursement of each tranche in accordance with the timetable specified in Table A below. The request must include: (i) a full analysis and justification for payment of the funds, with the required supporting documents attached; (ii) a financial information form, duly signed, to facilitate the corresponding payment. On the basis of the disbursement conditions stipulated in the Financing Agreement, the National Authorising Officer will send a formal request to the European Commission

2. Indicative disbursement timetable

An indicative timetable is given below:

Table A: Indicative disbursement timetable

Country fiscal year		20	2018			2019	61			2021	21		
Type of tranche	Q1	Q1 Q2	Q3	Q4	01	Q4 Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4	63	Q4	01	92	63	94	Total
Fixed tranche		4 ME											4 M€
Variable tranche						2.1ME					4 ME		6.1 ME
Total		4 ME				2.1ME					4 ME		10.1 ME

3. General conditions for the disbursement of each tranche



The general conditions set out below for the disbursement of each tranche shall apply to the disbursement of all tranches and all tranche release requests must be accompanied by all appropriate information and documents.

Table B: General conditions for the release of tranches

Area	Conditions	Verification source
Public Policy	Satisfactory progress in the implementation of the Public Administration Reform Strategy 2016-2020 and continued credibility and relevance of that or any successor strategy.	Fixed tranche, variable tranche I, variable tranche II: Primary: PAR Annual Monitoring reports; Secondary: SIGMA Baseline Assessment and monitoring reports; Reports of non-governmental
Macroeconomic stability	Implementation of a credible stability-oriented macroeconomic policy.	organizations Fixed tranche, variable tranche I, variable tranche II: Primary: Economic Reform Programme of Montenegro (ERP); Secondary: EC DG ECFIN Assessments; IMF Art. IV Assessments
Public financial management	Satisfactory progress in the implementation of the programme to improve public financial management	Fixed tranche, variable tranche I, variable tranche II: Primary: PFM Annual Monitoring Report; Secondary: PAR Special Group Reports; SIGMA Baseline Assessment on Public finance Management; IMF Art. IV Assessments.
Budget Transparency	Satisfactory progress with regard to the public availability of accessible, timely, comprehensive, and sound budgetary information.	Fixed tranche, variable tranche I, variable tranche II: Primary: PFM Annual Monitoring Report; Secondary: PAR Special Group Reports; PEFA Framework: Open Budget Survey (International Budget Partnership)



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4. Specific conditions for the disbursement of tranches

The specific conditions for the disbursement set out in Table C and D shall apply to the disbursement of variable tranches. Tranche release requests must be accompanied by all appropriate information and documents on the specific conditions.

Table C: Specific conditions for the release of tranches

Tranche	Amount	Indicative date of the disbursement request (month/year)	Indicative disbursement date (month/year)	Conditions/criteria/ activities for disbursement	Verification source including timing or data availability (where applicable)
First variable tranche	2.1 ME	February 2019	April 2019	Variable tranche indicators detailed in table D	Primary: Performance Assessment Framework (PAF) reports; Secondary: SIGMA Baseline Assessment and monitoring reports, NGOs reports on the implementation of the PAR Strategy
Second variable tranche	4 ME	May 2021	September 2021	Variable tranche indicators detailed in table D	Primary: Performance Assessment Framework (PAF) reports Secondary: SIGMA Baseline Assessment and monitoring reports, NGOs reports on the implementation of the PAR Strategy

The disbursement conditions for the variable tranche are set for the first year and may be amended.



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5. Variable tranche calculation

Each indicator will be scored 0, 0.5 or 1 depending on whether there was (i) no or insignificant progress, (ii) significant but partial progress, or (iii) target met. The variable tranche disbursement will be calculated by summarizing the scores of the six indicators:

Indicators as per Table D	Weight Year 2 - Year 4	Year 2 maximum amount EUR	Year 4 maximum amount EUR
1. Extent to which the institutional set-up enables consistent HRM 0% - 15% practices across the public service	0% - 15%	0	600,000
2. Number of civil servants in central level state authorities (incl. over 25% organizations with public powers) and in local self-government units (incl. public services)	0% - 25%	0	1,000,000
3. Percentage of institutions which apply personnel plans in 14% - 15% accordance with regulations	14% - 15%	300,000	600,000
4. Extent to which the training system of public servants is in place and applied in practice	48% - 25%	1,000,000	1,000,000
5. Number of key registers which are connected and which perform automatic data exchange	19% - 10%	400,000	400,000
6. Number of complaints due to "administrative silence"	19% - 10%	400,000	400,000
Total	100%	2,100,000	4,000,000

Table D: Variable Tranche



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Sector Kelorm Contract "Ed	Sector Reform Contract E.O. Support to Fudite Auministration Reform in Montenegro	
First Variable Instalment	Second Variable Instalment W	Weight Y2 and Y4
Achievement: by December 2018	Achievement: by December 2020	
Assessment: by March 2019	Assessment: by March 2021	
1 - Indicator: Extent to which the institutional set-up enables consistent HRM practices across the public service	s consistent HRM practices across the public service	
Target	Target	
The Central Personnel Record is updated and upgraded and regularly cross-checked with the salary registry	1) The Central Personnel Record is effectively linked to the payroll system 2) independent oversight is ensured 3) HRMA regularly monitors, evaluates and reports on the state of affairs in the public service	
Baseline (2017)		
The institutional set-up is in place, but there are challenges in the	The institutional set-up is in place, but there are challenges in the implementation: the Central Personnel Record (CPR) has limitations, it	
is not updated and not linked to the salary registry; oversight of implementation of recommendations, HRMA does not report reg to 2016 SIGMA monitoring methodology)	is not updated and not linked to the salary registry; oversight of civil service is weakened by the lack of human resources and limited implementation of recommendations, HRMA does not report regularly on the state of affairs in the public service (Score 3/5 according to 2016 SIGMA monitoring methodology)	0% - 15%
Source of verification:	Source of verification:	
Primary: Public Administration Reform Annual Report	Primary:, Data extracted from CPR and cross-checked with the	
Secondary: SIGMA Baseline Assessment and monitoring reports: NGOs reports on the implementation of the PAR	Ministry of Finance, Administrative Inspection reports, HRMA report, Public Administration Reform Annual Report	
Strategy	Secondary: SIGMA Baseline Assessment and monitoring reports; NGOs reports on the implementation of the PAR Strategy	
2 - Indicator: Number of civil servants in central level state	2 - Indicator: Number of civil servants in central level state authorities (incl. organizations with public powers) and in local self-government units (incl. nublic services)	government units (inc
	Target	
Minus 3% of the total number of employees at the central	Minus 5% of the total number of employees at the central level (incl.	0% - 25%
level (incl. public agencies) compared to the baseline Minus 5% employees in local self-government units (incl. multic services) compared to the baseline	public agencies) compared to the baseline Minus 10% employees in local self-government units (incl. public services) compared to the baseline	

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Sector Reform Contract "E	tract "EU Support to Public Administration Reform in Montenegro"	
First Variable Instalment	Second Variable Instalment	Weight Y2 and Y4
Achievement: by December 2018	Achievement: by December 2020	
Assessment: by March 2019	Assessment: by March 2021	
Baseline (2017):		
39 306 employees in central level institutions, including organizations with public powers.	ations with public powers.	
12 174 employees in local self-government units, local public se	public services and public enterprises established by local self-government units.	
Source of verification:	Source of verification:	
Primary: Public Administration Reform Annual Report and data extracted from the CPR and separate databases for local self-government units, local public services/enterprises and organizations with public powers.	Primary: Report on Optimization, Public Administration Reform Annual Report and data extracted from the CPR and separate databases for local self-government units, local public services/enterprises and organizations with public powers.	
Secondary: NGOs reports on the implementation of the PAR Strategy.	Secondary: NGOs reports on the implementation of the PAR Strategy.	
3 - Indicator: Percentage of institutions which apply person	personnel plans in accordance with regulations	
Target	Target	
50% of institutions apply personnel plans in accordance with regulations, covering at least 50% of involved civil servants.	95% of institutions apply personnel plans in accordance with regulations, covering 95% of involved civil servants.	
Baseline (2017):		
30% of institutions		14 - 15%
Source of verification:	Source of verification:	
Primary: Public Administration Reform Annual Report, Personnel Plans.	Primary: Personnel Plans.at central and local level, HRMA Annual Report, Public Administration Reform Annual Report,	
Secondary: NGOs reports on the implementation of the PAR Strategy.	Secondary: NGOs reports on the implementation of the PAR Strategy.	
4 - Indicator: Extent to which the training system of public	public servants is in place and applied in practice	
<u>Target</u>	Target	
A Strategic Planning for the Professional Development and Training of Public Servants is adopted for all state and local self-government authorities, in line with human resources planning, assessment and rewarding.	a) Training is based on Training Needs Assessment b) Implementation of training plans is monitored with more than 70% of planned training courses implemented c) Individual training programmes are assessed for quality (training reports are produced)	48 - 25%



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Sector Reform Contract "E	Sector Reform Contract "EU Support to Public Administration Reform in Montenegro"	
First Variable Instalment	Second Variable Instalment	Weight Y2 and Y4
Achievement: by December 2018	Achievement: by December 2020	
Assessment: by March 2019	Assessment: by March 2021	
Baseline (2017):		
Training is not strategically planned in line with human resou	Training is not strategically planned in line with human resources planning, needs, assessment and rewarding; decreasing number of	
participants in trainings, especially at managerial level; no eva 2016 monitoring methodology)	participants in trainings, especially at managerial level; no evaluation of impact of training programmes (score 4 according to SIGMA 2016 monitoring methodology)	
Source of verification:	Source of verification:	
Primary: Public Administration Reform Annual Report Secondary: SIGMA Baseline Assessment and monitoring reports: NGOs reports on the implementation of the PAR	Primary: Training plans, training needs assessments, training evaluation reports, HRMA Annual Report, Public Administration Reform Annual Report	
Strategy.	Secondary: SIGMA Baseline Assessment and monitoring reports; NGOs reports on the implementation of the PAR Strategy.	
5 - Indicator: Number of key registers which are connected and which perform automatic data exchange	and which perform automatic data exchange	
Target	Target	
Single Information System established with 4 out of 8 registers interconnected for exchange of data	8 out of 8 registers interconnected for exchange of data	
Baseline 2017:		
0% - Key electronic registers (Central population register, register of business entities, register on number of children in educational institutions, criminal records, employmeregister) are established but there is no Single Information System for the exchange of data.	0% - Key electronic registers (Central population register, register of business entities, register of tax payers, Ministry of Education register on number of children in educational institutions, criminal records, employment records, cadastre and statistical business register) are established but there is no Single Information System for the exchange of data.	19 - 10%
Source of verification:	Source of verification:	
Primary: Public Administration Reform Annual Report	Primary: UNDP report, Public Administration Reform Annual Report.	
Secondary: NGOs reports on the implementation of the PAR Strategy.	Secondary: NGOs reports on the implementation of the PAR Strategy.	
6 - Indicator: Number of complaints due to "administrative silence"	silence"	
Target	Target	
Minus 5% compared to the baseline	Minus 10% compared to 2018	19 - 10%





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Sector Reform Contract "E	Sector Reform Contract "EU Support to Public Administration Reform in Montenegro"	
First Variable Instalment	Second Variable Instalment	Weight Y2 and Y4
Achievement: by December 2018	Achievement: by December 2020	
Assessment: by March 2019	Assessment: by March 2021	
Baseline (2017):		
950		
Source of verification:	Source of verification:	
Primary: Public Administration Reform Annual Report, Complaints.	Report, Primary: Public Administration Reform Annual Report, Complaints. Secondary: NGOs reports on the implementation of the PAR Strategy.	
Secondary: NGOs reports on the implementation of the PAR Strategy.		



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ANNEX 3: Complementary activities: indicative budget breakdown and planning for contracting procedures

	BUDG	BUDGET (€)	Timi	TIMELINE ³
IMPLEMENTATION MODALITIES *	Total	EU contribution	Launch of procedure	Contract signature⁴
Procurement				
Service contracts – Minimum of 4 contracts	1 000 000	1 000 000	Q3 2017	Q2 2018
GRANTS				
Call for proposals (1 contract)	20 000	50 000	Q3 2017	Q2 2018
Twinning				
Maximum 3 twinning contracts	1 000 000	1 000 000	Q3 2017	Q2 2018
Отнек				
Indirect management with and IO	2 850 000	2 850 000	Q3 2017	Q1 2018
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			Q3 2020	Q4 2020
TOTAL		4 900 000		160

^{*} All contracts may be launched with a suspensive clause on Q4 2017.

³ Timeline: QUARTER (Q1, Q2, Q3, Q4) YEAR
⁴ Contract signature date: if relevant; i.e. for Direct Grants mainly



