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LEGISLATIVE STRENGTHENING AND POLITICAL PARTY PROGRAM PERFORMANCE EVALUATION

FINAL REPORT

NOVEMBER 2011

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DISCLAIMER

The authors' views expressed in this publication do not necessarily reflect the views of the United States Agency for International Development or the United States Government. This evaluation was made possible by the support of the American people through the United States Agency for International Development (USAID).

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ACCRONYMS

CEMI	The Monitoring Center
CDT	Center for Democratic Transition
DPS	Democratic Party of Socialists of Montenegro
EU	European Union
NDI	National Democratic Institute
RoP	Rules of Procedure
SAA	Stabilization and Association Agreement
SOs	Strategic Objectives
SOW	Statement of Work
ToT	Training-of-Trainers

EXECUTIVE SUMMARY

INTRODUCTION

USAID/Montenegro contracted with Democracy International to conduct a performance evaluation of the Legislative Strengthening Activity and Political Party Program of the National Democratic Institute (NDI) in Montenegro. NDI implemented these programs from 2002 to 2010, with funding totaling \$5.8 million. Democracy International's evaluation covered all of NDI's work between 2002 and 2010. During this period, NDI's work had three distinct, but interrelated, components: (1) political party building (2) parliamentary strengthening, and (3) election monitoring. The program also had a smaller component later in the program term that involved working directly with a limited number of state ministries to strengthen executive branch capacity.

This evaluation seeks to examine each of these components. The evaluation is framed by three broad questions:

1. To what extent did NDI's programs contribute to the change in the political and legislative environment in Montenegro during the eight years in which NDI worked there?
2. What activities and strategies did the program include, and did it miss any important opportunities?
3. Were the accomplishments of the program consistent with programmatic goals, and expected results?

In addition, the evaluation addresses a battery of questions about how the programs operated, what was accomplished, and its impact on governance in Montenegro.

METHODOLOGY

Democracy International's evaluation team (the "team") consisted of Lincoln Mitchell as the team leader, Greg Minjack as the political process expert, and Milos Uljarevic as the local expert. The team was in the field from October 25 to November 9, 2011. Before this period, the team spent several days conducting a desk review of relevant documents (see Appendix B), as well as conducting meetings by phone and in person with NDI staff members in Washington, members of USAID's Europe and Eurasia Bureau, and other key players who were no longer in Montenegro.

In all, the team conducted in-depth interviews with more than 30 people. The purpose of the interviews was to get an in-depth understanding of NDI's work from as many angles as possible. The team conducted most of its Montenegro interviews in Podgorica but also made trips to Niksic and Bar to speak with party activists from several parties in those cities and get additional perspectives on NDI's work. A full list of interviews is included in Appendix A.

PROGRAM ANALYSIS

In its core program components, NDI sought to accomplish three major goals: (1) to develop an independent and representative parliament that exercises appropriate oversight over the executive branch; (2) to support representative and competitive political parties; and (3) to facilitate transparent elections that truly reflect the wishes of Montenegro's citizens.

WORK WITH POLITICAL PARTIES

NDI's political party programming spanned a range of activities from basic tactical and technical skills to inter- and intra-party dialogue. NDI worked with parties across the political and ideological spectrum, which helped it build its reputation as a fair and unbiased actor in the political community. Program analysis findings include:

- Skills seemed to have been effectively imparted through the use of training sessions, consultations, study tours and fact-finding missions, and sharing of how-to manuals and other collateral training materials.
- NDI's consultations with political party leaders on political topics seemed to have significant impact on party activities.
- NDI provided valuable public opinion polling that helped political parties (and their parliamentary caucuses) develop of issue-based platforms, rank and track the priorities of citizens, and guide political and official debate, but it is not clear that the achievements will be sustainable for all parties and parliamentary clubs.
- NDI's work included encouraging political participation of women and youth. Activities targeting youth appear to have been more successful than those targeting women. According to NDI's 2002-03 workplan, an objective of the program was to "[help] women and youth party activists develop skills that allow them take on more prominent roles within the party. The 2003-04 workplan called for NDI to "continue to provide basic caucus training tailored to develop women's political leadership skills."
- It is unclear whether parties have adopted the training regimen introduced by NDI to prepare the next generation(s) of party operatives and election workers.
- NDI's work with individual parties was generally effective, but NDI placed little emphasis on influencing the development of the political party system in Montenegro. This is one of many factors that have contributed to the continued dominance of the Democratic Party of Socialists of Montenegro (DPS) and the lack of substantive differences between parties.

PARLIAMENTARY DEVELOPMENT

The work on the parliamentary development program component included both political and technical assistance. The wide variety of administratively oriented programming activities included: (1) human resource policies, procedures, and training; (2) information technology and database management tools; (3) internal communications and team building among professional staff; and (4) legislative and policy research. Program analysis findings include:

- NDI's work is responsible for strengthening the institution of parliament in its role as an actor in the governance of the country.
- NDI's use of fact-finding missions for members of parliament and staff accelerated the pace of parliamentary development and reform.
- The technical assistance provided by NDI helped increase the professionalism of the parliament. The skills imparted by NDI have been adopted and adapted and continue to be introduced to new professional staff and members of parliament.
- Due to the inward focus of the programming on the machinery of parliament, the opportunity for parliament to emerge as an engine of greater democratization was not sufficiently exploited.

ELECTION MONITORING

NDI launched its election-monitoring programming due to the urgency, and necessity, caused by an election-rich schedule at the outset of the project. NDI chose a local partner, as is its standard practice, to train and empower for domestic election observation, monitoring, and reporting. Program analysis findings include:

- International experts, along with the NDI in-country staff, served to impart the necessary technical and political skills needed to conduct full-cycle election observation, monitoring, results projection, and reporting in a manner that would gain the confidence of election stakeholders, citizens at-large, and the international community.
- The work done in this program area has produced credible domestic election observation and reporting activities.
- In addition to the Center for Democratic Transition (CDT), another domestic organization, The Monitoring Center (CEMI), conducted a series of significant election observation, projection, and reporting cycles. Initially, CEMI worked with NDI, but continued to do this work without the support of NDI.
- Effective monitoring of the pre-election activities of the contestants remains a challenge that continues to be addressed by both domestic election monitoring groups.

WORK WITH STATE MINISTRIES

Work with the ministries began relatively late in NDI's tenure and was limited in breadth and depth. Program analysis findings include:

- Most of the benefits of this program were related more to internal ministry structures and communication, rather than to communication with citizens or civil society.
- Ministry officials who benefited from NDI's work cited specific skills and quantifiable results from the implementation of the training and consulting program;
- The subject matter and training regimens have not been adopted and continued by ministry staff since the cessation of NDI's programming. This is due to the close out of NDI's program, upon which these activities were dependent.

SUMMARY OF FINDINGS

- Overall, this was a successful program in meeting the objectives of each of the component activities.
- Montenegro has undergone a fundamental reform of its democratic institutions in the past 15 years.
- Montenegro officially has had a multiparty political system for 20 years, but the ruling party has not changed since 1990.
- Montenegro's potential accession to the European Union was an important factor in Montenegro's political development, which affected NDI's work.
- The program provided both technical and political guidance, with sufficient flexibility to respond to Montenegro's needs. The parliamentary work emphasized technical assistance, while much of the party work focused on promoting dialogue and other political questions rather than just technical skills.

- As explained later in the report, having one Chief of Party (CoP) for almost the entire program had a mixed impact, strengthening NDI’s relationship with key political actors but also, at times, precluding new ideas and approaches.
- The fact that NDI conducted both the party and parliamentary programs resulted in synergy, improving results in both programs.
- Partnership with the CDT was thoughtful and well structured, but elections remain problematic.
- Political development was slow during the grant period, but there was notable movement in the right direction.
- NDI successfully built trust across the political spectrum.
- Some specific activities aimed at the parliament, including rules of procedure, manuals, study tours have had enduring benefits.

REPLICABILITY AND LESSONS LEARNED

- The Chief of Party had a long tenure in Montenegro. While this is not replicable, it is not an essential component for success.
- Having the same organization conduct the parliamentary and political party program implementation created synergy, made the program more effective, and should be replicated in future CEPPS programming.
- The incentive provided by the EU changed the political tone in Montenegro and made it possible to design a program that worked closely with political institutions.
- NDI’s program focused too much on the internal workings of institutions rather than on strengthening parliament through building links to citizens and civic organizations, which would have possibly made parliament a greater engine for democratic development. Although this was consistent with the strategic decision of USAID to have other partners work on civil society capacity-building, it nonetheless limited the program’s reach, and meant that NDI did not succeed in the program objective of “Parliament inform(ing) the public of its activity...and Committees to reach out to the public...and to educate and inform them of committee’s work.”
- NDI’s program rested on the assumption that the government was interested in reform. In most countries, this cannot be assumed.
- NDI’s communication strategy with domestic and international political elites was highly effective.
- The lack of attention to the party system meant that the program did not address the continued dominance of one party and the lack of differentiation among the parties.
- NDI effectively drew on regional expertise. This contributed greatly to the success of the program.

CONCLUSION

NDI’s wide-ranging, almost comprehensive democracy assistance program lasted in Montenegro for almost a decade. The program activities and support had a significant impact on Montenegro’s

parliament and political parties, as well as on the functioning of some key ministries. Through guidance and support for the Center for Democratic Transition, NDI also nurtured a well-regarded election monitoring organization as it evolved into an independent watchdog NGO.

The central paradox of NDI's program in Montenegro is that, although by most measurements the program was successful, it did not help the country make more significant democratic advances during the later years of the program when, according to Freedom House and others, democracy in Montenegro was mostly stagnant. On balance, this calls into question the long-term impact of what remains an impressive and well-executed program. It is unfortunate that NDI is no longer working in Montenegro because its record of achievement and the almost universal respect with which it is regarded put the Institute in an extremely good position to craft and execute a democracy assistance project that shifts the focus from institutional development toward issues of accountability, participation, and representation. This would enable NDI to contribute even more to its already significant legacy in Montenegro.

1.0 INTRODUCTION AND METHODOLOGY

1.1 INTRODUCTION

The Legislative Strengthening Activity and Political Party Program was a \$5.8 million USAID-funded program implemented by the National Democratic Institute in Montenegro. NDI implemented the program between 2002 and 2010, with the Legislative Strengthening Activity serving as a follow on program of the previous Political Party Program.

In 2011, USAID/Montenegro contracted with Democracy International to conduct a performance evaluation of the Legislative Strengthening Activity and Political Party Program. This program had three distinct, but interrelated, components: (1) political party building; (2) parliamentary strengthening; and (3) election monitoring. There was also a component activity that was added late in the program cycle to work with a limited number of ministries to strengthen internal communications and management processes.

This evaluation examines each of these components individually and NDI's work as a whole. The evaluation is framed by three broad questions:

1. To what extent did NDI's programs contribute to the change in the political and legislative environment in Montenegro during the eight years in which NDI worked there?
2. What activities and strategies did the program include and did it miss any important opportunities?
3. Were the accomplishments of the program consistent with programmatic goals, and expected results?

In addition, the evaluation addresses a battery of questions about how the programs operated, what they accomplished, and what impact they had on governance in Montenegro. Because NDI is no longer in Montenegro and USAID is closing out its activities there, the evaluation report stresses lessons learned from NDI's program, particularly as they relate to future efforts for U.S. assistance in the region and possibly beyond.

NDI had a broad mission and extensive range of activities. In many respects, the program was highly successful. This evaluation seeks to determine the underlying factors contributing to this success, focusing not only on what worked well but also on *why* they worked well. The evaluation report also includes information about less successful outcomes with the goal to derive lessons that can help to guide future programs.

As a corollary to the lessons learned, the report addresses the issue of replicability. Some aspects of NDI's activities, and the context in which they occurred, were *sui generis*, but other important elements of the work in Montenegro can be usefully applied in other countries with little or no modification.

1.2 METHODOLOGY

The Democracy International evaluation team (the “team”) consisted of Lincoln Mitchell, an experienced DG evaluator and advisor, as the team leader, Greg Minjack, an expert on elections and political processes, and Milos Uljarevic, a parliamentary expert, as the local expert. Ana Vukcevic served as the logistics coordinator and translator. From October 25 to November 7, 2011, the team conducted field work in Montenegro. Before departing for the field, the team spent several days reviewing written information and conducting phone and face-to-face meetings with NDI staff in Washington, members of USAID’s Europe and Eurasia Bureau, and other program leaders and participants who are no longer in Montenegro.

Two primary methodologies were used to evaluate the NDI program. First, the evaluation team reviewed numerous program documents from NDI and USAID, background material on political development in Montenegro, and various other documents. In addition to the documents recommended by USAID, the team identified other materials that gave additional insight into program goals and activities. Many of these documents were read as preparation for the interviewing process, but the team also read and reviewed additional materials as needed throughout the evaluation process. A full list of documents reviewed can be found in Appendix B.

The second method used to evaluate the program was a series of in-depth interviews. The purpose of these interviews was to get an in-depth understanding of NDI’s work from as many angles as possible. The team succeeded in obtaining almost all of the interviews requested; representatives and staff of Montenegro’s parliament and political parties made themselves available for the evaluation. The team conducted most of its in-country interviews in Podgorica, but it spoke with activists from several parties in Niksic and Bar to get additional perspectives on NDI’s work.

The in-depth interviews targeted a wide range of people, including USAID and NDI staff, members and staff from Montenegro’s parliament, political party leaders and activists, NGO representatives, and academics. These people included individuals suggested by USAID, but the team also spoke with other people knowledgeable about Montenegrin politics and governance to get a fuller picture of the project and political background in Montenegro. Because the experiences varied widely, there was no fixed interview protocol. The team sought to cover some basic points in each interview but used open-ended questions to encourage respondents to speak at length on the topics they considered to be important. Interviewees were told that they would be listed in an appendix to the report, but that they would not be quoted by name. This was done to encourage interviewees to be as candid as possible during discussions. The list of interviewees is included in Appendix A.

The evaluation is by necessity qualitative in nature. Because there was little useful baseline data available, efforts to ground the evaluation with quantitative data would not only be ineffective, it could potentially be misleading. Quantitative data are cited in the evaluation report for illustrative purposes, but they were not a major methodological driver of the research.

2.0 BACKGROUND

In 2003, after years of wrangling and outside assistance and the independence of several of its constituent republics, the Federal Republic of Yugoslavia renamed itself Serbia and Montenegro and officially reconstituted itself as a union with one parliament and a unified military. In 2006, a referendum on independence in Montenegro passed with 55.5 percent of the vote—just over the 55 percent that the EU had set as the threshold for approval. Accordingly, Montenegro declared independence on June 3, 2006.

The first parliamentary elections following Montenegro’s declaration of independence were held on September 10, 2006. Both domestic and international observers agreed that the elections were generally in line with international standards. The newly elected Montenegrin parliament began work on the country’s first post-independence constitution, which was adopted on October 19, 2007.

Prime Minister Sturanovic resigned for health reasons in February 2008 and was succeeded by former Montenegrin President and Prime Minister Milo Đukanović. In presidential elections held on April 6, 2008, 52 percent of the voters elected incumbent President Vujanovic for a second five-year term.

In the 2009 elections, the governing DPS/Social Democratic Party /the Bosniak Party/Croatian Civic Initiative Party/Democratic Union of Albanians coalition won 48 seats in parliament. Other seats were won by the Socialist People's Party of Montenegro (16 seats), New Serb Democracy Party (8), Movement for Changes Party (5), New Democratic Power – FORCA Party (1), Albanian List coalition (composed of the Democratic Alliance in Montenegro and the Albanian Alternative) (1), and the Albanian Coalition-Perspektiva (composed of Party of Democratic Unity of Albanians and a group of citizens represented by Amir Hollaj.¹ On June 10, 2009, the new parliament re-elected the Prime Minister, Milo Đukanović, to a sixth term. Although no longer an incumbent as of December 21, 2010, he remained the president of the ruling DPS party. President Vujanovic nominated for the vacant position Igor Luksic, a DPS member who had served as the minister of finance since 2004 but who was just 34 years old. The Montenegrin parliament approved Luksic on December 29, 2010, making him the youngest head of government in the world.

An emerging cross-party consensus in parliament on the need for EU integration soon after the 2006 elections led to the signing of a Stabilization and Association Agreement (SAA) in October 2007. On May 1, 2010, the SAA came into force after ratification by all 27 EU member states. On November 9, 2010, the Commission gave its opinion on Montenegro’s application for membership of the European Union,² with the stipulation that accession negotiations begin after seven

¹ Analytical Report accompanying the Communication from the Commission to the European Parliament and the Council – Commission Opinion on Montenegro’s application for the membership in the European Union (COM (2010) 670), pp. 10-12.

² Ibid.

“key priorities” for membership were addressed.³ That decision was ratified by the European Council, and EU candidate status was granted on December 17, 2010. Montenegro now awaits a confirmed date for the start of accession negotiations with the EU. Montenegrins overwhelmingly support EU membership, although the country faces continued challenges in its quest for Euro-Atlantic integration.

This is the political context in which NDI’s long-running programming was implemented. It is necessary to note, however, that neither the Mission nor NDI knew at any point in time how long the program would be funded, so their programming horizon at any point during the term examined was relatively short (two years or less).

³ These priorities are as follows: (1) improvement of the legislative framework for elections; (2) completion of the public administration reform; (3) strengthening of rule of law; (4) improvement of the anticorruption legal framework and the implementation of the government’s anticorruption strategy and action plan; (5) strengthening the fight against organized crime; (6) enhancement of the media freedom; and (7) implementation of the legal and policy framework on antidiscrimination.

3.0 PROGRAM ANALYSIS

The National Democratic Institute’s work in Montenegro during the period under review, 2002–2011, was guided by an evolving set of USAID Strategic Objectives (SOs). The overriding strategic goal of the United States government, however, was to offer broad-based support to Milo Đukanović, and his government(s) due to the political and security risks he took by terminating his relationship with, and support from, Serbian authoritarian leader Slobodan Milosevic.

The initial objective of the Mission’s democracy and governance programming was to ensure, “Increased Citizen Participation in Political and Economic Decision-making.”⁴ In 2003, the objective was changed to, “More Effective, Responsive, and Accountable Democratic Institutions.”⁵ Although still extremely broad in scope, two additional interim SOs served to divide the activities into more finite development sectors without necessitating significant alteration of NDI’s programming approach or emphasis. The modified SOs included (1) more effective, responsive, and accountable democratic institutions (SO 2.0); and (2) increased, better-informed citizen participation in political and economic decision-making (SO 2.1).⁶ In late 2005, the SOs governing the balance of the program were once again modified and stated as “Risk of Political Instability Reduced” and “Democratic Governance of the Market Economy Strengthened.”⁷

The evolution of the SOs provided NDI with the flexibility to introduce a wide range of programming initiatives and activities to address the identified needs and known gaps in the capacities of political parties, the parliament, and election system without disrupting the continuity of the effort needed to achieve the program’s goals. The gaps that NDI had to face and bridge ranged from small to large, technical to strategic, and immediate to long-term.

The Statement of Work (SOW) that guided the assessment team defined three components of NDI programming: (1) Political Parties, (2) Parliamentary Development, and (3) Election Monitoring.⁸ As stated in the SOW, “The [NDI] approach focused on the development of political parties as representative organizations, strengthening of parliament as a legislative institution that conducts meaningful oversight of the executive branch, and establishment of a credible election monitoring organization within Montenegro.”

3.1 ELECTION MONITORING

For the period examined under this SOW, the sequence of NDI’s work actually began with the election-monitoring program. Scheduled elections, along with the expectation that a series of po-

⁴ Political Party Strengthening and Support for Political Processes Program in Montenegro, USAID award number 170-A-00-02-00105-00, August 8, 2002.

⁵ Ibid

⁶ USAID Montenegro Interim Strategy 2002-2004, April 2002

⁷ USAID Strategy Statement, The Republic of Montenegro, December 2005

⁸ Impact Evaluation of Legislative Strengthening Activity and Political Party Program for USAID/MONTENEGRO

tentially contentious and *ad hoc* elections were looming, created urgency to this program component.

The stated objective of this program component was to reduce public tensions during and after elections through credible monitoring of election processes by a domestic organization that would provide accurate and timely reports. At the outset of the program, a busy calendar of scheduled elections included municipal elections, parliamentary elections, a presidential election, and the possibility of a federal (Serbia and Montenegro) parliamentary election.

Given the potentially high stakes of the outcomes and tenure of the mandates of these elections, NDI prudently focused attention and resources on identifying, vetting, and equipping a domestic partner organization with the skills required to earn credibility with political stakeholders and the public. As is often the case with NDI, the program staff chose to work with only one domestic organization. In the case of Montenegro, NDI selected an existing organization, the Center for Democratic Transition, as its partner for this component.

Through credible domestic election observation and reporting activities CDT appears to have earned the confidence of election stakeholders, Montenegrin citizens, and the international community. NDI worked closely with CDT in its early years, providing staff with the technical skills needed for election monitoring. As CDT became more experienced, NDI gradually phased out this role. By the time NDI left Montenegro, CDT had earned a solid reputation and demonstrated that it could survive without NDI's technical assistance or funding.

Effective monitoring of election activities must remain the priority of CDT and other civil society organizations. Especially critical are the activities that occur in the pre-election period. Because of the potential abuse of state assets, NGOs like CDT fulfill an important need for timely and accurate reports of party and campaign finances and expenditures in order to mitigate the impact of a key driver of conflict – elections that are perceived to be unfair and unrepresentative of the will of the people.

3.2 POLITICAL PARTY STRENGTHENING

Woven throughout the period under review, which saw multiple elections, was NDI's long-term and in-depth work with political parties. NDI's programming ranged from basic tactical and technical assistance to work that was far more political in nature such as intra-party communications and inter-party dialogue. To meet these diverse goals, NDI's training regimen was designed along two tracks: the first addressing short-term, election-related activities, and the second focused on party development and strengthening objectives.

NDI imparted technically oriented skills through the use of almost continuous training sessions, regular and on-demand consultations, and the production of how-to manuals and other collateral training materials. Door-to-door canvassing and public communications training were among the technical skills that political party operatives and leaders most often mentioned in their interviews. Introduction of other extremely basic campaign tools, such as pre-printed calendar pads, clearly demonstrated the level of organizational development of the parties at the outset of the programming.

An election-rich political environment can serve to accelerate the development of the parties' short-term, campaign-oriented capacities. In this case, NDI met—and probably exceeded—its capacity-building objectives, due in part to the frequency and intensity of implementation of the

parties' activities during the elections. In short, the parties had an opportunity to practice what they were learning over a quick succession of real-time tests with significant consequences for failure, at a pace not often available to developing organizations.

In the absence of frequent elections, however, there is a risk that the skills that have been learned will become stale. As election-hardened party activists move up the political and managerial hierarchy, they leave behind new and untrained staff to work the next election. Thus, adopting and maintaining training programs are critical to party development and viability over the long term. NDI spent significant time and resources on direct training and training-of-trainers programs, but it is not clear that all political parties appreciate the importance of training new party members who will be on the front lines in upcoming elections. Some of the things that interviewees mentioned as being of great value, such as NDI's skills-oriented newsletter, *Politika i Mi*, have not been adopted or continued by the parties. This bodes ill for a vibrant and competitive multiparty system going forward.

Due to the frequency and importance of the election campaigns and the need for parties to develop more substantive issues-based identities, a key element of NDI's work included the use of quantitative and qualitative public opinion data for messaging development, electoral strategy, and the formulation of party platforms and public policy proposals. NDI's partners often cited the value and utility of the public opinion research that NDI provided. Although the partners deemed this aspect of the programming to be of great value and had internalized the concept and utility of public opinion data, the smaller, opposition parties said they could not afford the cost of commissioning their own research. This suggests that the use of this important party development and campaign tool may not be a sustainable for the whole of the political community and may advantage the more affluent parties and parliamentary clubs of the ruling coalition.

NDI's consultations with political party leaders on more political topics also seemed to have been a significant part of the political party program. Interviewees, especially from opposition parties, often cited the value of the NDI country director and staff in helping them to establish channels of communication for wide-ranging dialogue with political opponents. Interparty training events also served to normalize relationships between activists and political competitors. Interviewees also credited NDI's public opinion data, both quantitative and qualitative, with moderating the public statements and campaign platforms of opposition politicians. Although this work is difficult to quantify and define programmatically in terms of both nature and regularity, NDI's consultative reach contributed to their acceptance and standing in the political community as a fair and unbiased actor. Success in this area of NDI's activities was made possible only by the hard-won assent of the USAID Mission to work with all political parties across the spectrum of the Montenegrin political community.

Programming directed toward increasing the participation of youth and women in the political process through party membership and leadership roles was a significant focus of the NDI's workplans. Based on the observations of the evaluation team, NDI's work with youth appeared to be more successful than its work with women. Notable examples of success with young party members were abundant. A large number of the party and CSO leaders with whom we met were young (in this case, age 35 and under), or were eligible when they had participated in NDI's programs in 2002. Among these younger party members, men and women were fairly evenly represented, but there did not appear to be similar proportion of ranking women in the regular party structures, parliament, ministries, or civil society organizations with which NDI worked.

Although NDI's work with individual parties was generally strong, the focus on parties themselves rather than the party system as a whole contributed to the continued dominance of the ruling Democratic Party of Socialists and the lack of substantive differences among parties. Although it is not reasonable to hold NDI entirely responsible for this, its approach did not alleviate this situation as it evolved. This was also, to some extent, due to USAID's goals and objectives not just NDI's work.

3.3 PARLIAMENTARY DEVELOPMENT PROGRAM

The parliamentary assistance undertaken by NDI included both technical and political assistance and covered a substantial array of independent and interconnected components. To say that NDI was an integral factor in creating the Montenegrin parliament would not be an exaggeration. NDI's active presence in Montenegro dated back to 1997, and it had earned the confidence and respect of the political community in the pre-independence period. As a result, NDI was able to take advantage of its unique position to provide needed assistance when the parliament of the newly independent nation was forming.

NDI's technical assistance helped to professionalize the parliament through a wide variety of administratively oriented programming activities, including human resource policies and procedures, an effective and popular internship program, and training of staff; information technology and database management tools; internal communications and teamwork building within the professional staff; and legislative and policy research.

Among the most important and enduring contributions of NDI to the parliament as an institution was the development of a set of rules of procedure. Almost all party and parliamentary officials interviewed mentioned the rules of procedure. One official who works in the administration of the parliament picked up his copy from the top of his desk to show the team the wear that had resulted from his use of the document in fulfilling his daily responsibilities. The level of effort by NDI that went into producing the rules of procedure was emblematic of their work with parliament. NDI used fact-finding missions, consultations with international experts, training simulations, and peer review during a highly compressed schedule to help parliament craft the rules in a workable framework and accelerate the development of the institution of parliament into its role as an actor in the governance of the country.

Other key elements of NDI's work with parliament included the establishment of a committee system for legislative efficiency, the development of parliamentary capacity for holding expert and investigative hearings, the facilitation of interaction with the government through the "Prime Minister's Hour," and building the parliament's authority to conduct oversight hearings. NDI also designed and implemented a successful parliamentary internship program that not only provided the parliament with a pool of talented staff but also built a cadre of legislative professionals who have become a part of the political fabric of the country.

There also are notable successes with internal, administratively oriented communications, committee and caucus formation and functioning, and staff functions related to legislative and policy research, all of which continue to be strengthened. Interviewees credited these advances to the work undertaken by NDI.

The skills imparted by NDI to the parliament have been adopted and adapted and continue to be introduced to new professional staff and members of parliament. The current modification of the

vaunted rules of procedure to accommodate the demands of the opposition members of parliament provides evidence that the parliament is able and willing to reform.

Due to the inward focus of the programming on the machinery of parliament, missed opportunities can be readily identified. Examples include, among others:

1. Little or no interaction among parliament, parliamentarians, parliamentary staff members, and the citizenry, which insulates and isolates the MPs and their leadership. This could be attributed to a combination of many factors, with the most salient being that there was, and there is still not, any incentive – electoral or governance -- for MPs to respond to their constituents;
2. Lack of political will to fully realize parliament’s role in checking the power and authority of the government. This was partly due to political isolation, as well as the political party and electoral systems, but is also somewhat attributable to NDI’s relative focus on parliament’s inner workings rather than its place in Montenegrin politics broadly.

3.4 EXECUTIVE BRANCH PROGRAMMING

In the final stages of its programming, NDI set out to address the internal capacities of the executive branch. This work not only began relatively late in NDI’s tenure but was also limited in its breadth and depth. Most of the benefits of this program related more to internal ministry structures and communication, rather than to communication with citizens or civil society.

Under a programming component described as “Strengthening Executive Branch Capacity,” NDI assisted targeted ministries to: (1) define and implement roles and responsibilities within the staff structure for policy identification, research, formulation, and drafting; (2) improve internal staff communications; (3) develop and adopt strategic plans for upcoming work; (4) coordinate with relevant parliamentary committees on work plans for upcoming legislative sessions; (5) adopt and implement mechanisms for public communication; and (6) engage committees, civil society, and the public in policy development consultations.⁹

Ministry officials who benefited from NDI’s work cited specific skills and quantifiable results from the implementation of the training and consulting program. One concrete example given by an interviewee described how NDI training on internal communications practices had helped him to reduce the number of calls from subordinates by 25 percent and cut meeting time by half over a period of six months.

NDI’s own reporting, however, cited limited accomplishments, such as the production of an “internal e-newsletter to promote transparency and clarity with regard to staff structure and responsibilities” and the development of internal “talking points to discuss the budget before their respective committees in parliament.”

⁹ NDI Final Report MONTENEGRO: LEGISLATIVE INSTITUTION STRENGTHENING, USAID Associate Award 170-A-00-06-00103-00 under Leader Award No. DGC-A-00-01-00004-00

As this program work came so late in NDI's tenure, the subject matter and training regimens do not appear to have been adopted or continued by ministry staff. This was due to the close out of NDI's program and suggests that absent contributions from NDI, the ministries involved did not see this work as a high priority.

4.0 MAJOR FINDINGS

The team's major findings address several aspects of the Legislative Strengthening Activity and Political Party Program and include comprehensive findings regarding program overall impact as well as more specific findings regarding particular program activities and achievements. Together, these findings present a valuable picture of the program, its impact, and its shortcomings.

4.1 THIS WAS A SUCCESSFUL PROGRAM

In general, NDI's work in Montenegro was strong. Through its work with parties and parliament as well as its election work, NDI played a significant role during a key time in Montenegro's development. From 2008 to 2010, in addition to providing valuable technical assistance to political parties and an embryonic national legislature, NDI grew to become a trusted political advisor and sounding board for much of Montenegro's political and legislative leadership.

NDI established a relationship with the parliament that was built on trust, understanding, and partnership. Parliament's leaders believe that NDI was committed to helping them and that NDI understood how best to offer assistance. Program ideas were generally crafted through dialogue between the parliament and NDI, ensuring that the parliament was interested in program activities and understood the value of NDI's work. A similar relationship existed between NDI and political parties. Party leaders and parliamentarians saw NDI as a resource to which they could turn when they needed assistance, research, or advice.

Parliamentary staff and MPs alike spoke of the high quality of technical assistance and support that NDI had provided. They expressed admiration for the local and foreign NDI staff, as well as the experts from the United States and the region who NDI enlisted for the program. The parliament of Montenegro is not perfect, but to the extent that it functions in a professional and competent way today it is due in large part to NDI's work with the legislature.

Despite these accomplishments, democracy in Montenegro is not yet consolidated. Lingering concerns about the dominance of the DPS, the relative weakness of civil society, and the weak links between citizens and governing institutions still need to be addressed. It would be unfair to hold NDI responsible for these problems, given many other factors including declining USAID assistance in Montenegro generally, the constraints on other USAID-supported organizations, the focus of other donors, and U.S. foreign policy objectives in Montenegro. Nevertheless, the accomplishments made by the program must be seen in this light.

4.2 SOME ACTIVITIES AIMED AT THE PARLIAMENT HAVE HAD ENDURING BENEFITS.

Members of the parliament and parliamentary staff were able to identify specific activities they did with NDI that had significant and enduring benefits. Most prominent among these was the help NDI provided with the Rules of Procedure, which were crafted and adopted shortly after Montenegrin independence in 2006. Since that time, the rules of procedure have continued to structure the activities of the parliament. The rules are somewhat controversial; some minority members of parliament expressed concerns that they have helped the majority party consolidate power in parliament. Accordingly, the rules are currently being reformed.

A similar dynamic existed with regard to parliamentary manuals and other documents. According to interviewees, these documents continue to be helpful; MPs and staff members are still using many of the forms, templates, and other tools in the manuals. The team also witnessed several well-thumbed copies of the manuals on shelves in offices throughout parliament, providing support for such statements.

The interviewees also identified study tours as positive aspects of NDI's work. The opportunity to see other legislatures in action and to learn from parliamentary leaders in other countries was invaluable. Because many of these study tours were to countries in the same region as Montenegro, participants also were able to build relationships with people from neighboring and nearby countries, providing a valuable network well into the future.

4.3 PARLIAMENT BENEFITED FROM BOTH TECHNICAL AND POLITICAL GUIDANCE.

NDI offered both technical assistance and political support and guidance to the parliament and to political parties. Members of parliament saw NDI as an open resource that they could consult for a wide range of matters, from technical skill building to more general political issues.

In general, however, the NDI's work with parliament tended to be technical in nature, providing help with various aspects of crafting legislation, running an efficient parliament, establishing committees, developing a budget, and other hands-on activities. In general, the program activities appear to have been less focused on making parliament an instrument of democracy. Other than some early work through CDT, there also were few activities designed to help ordinary citizens better understand or interact with parliament. Accountability and oversight were major themes of NDI's work with the parliament, but these concepts focused primarily on the relationship between parliament and the government, rather than between parliament and the people, and meant that NDI did not succeed in the program objective of "Parliament inform(ing) the public of its activity...and Committees to reach out to the public...and to educate and inform them of committee's work." The goal was to make parliament hold the government more accountable, but this did not include making parliament more accountable to the people it represented.

NDI's political work was done through the political party program and involved many of the same individuals as its parliamentary work. As a result, the parliament functions well, but it does not have strong ties to the citizenry it represents. This is exacerbated by a national list system of electing parliament, which does not create incentives for strong direct constituency relations.

4.4 POLITICAL PARTIES BENEFITED FROM A FOCUS ON PROMOTING DIALOGUE AND OTHER POLITICAL QUESTIONS AS WELL AS TECHNICAL SKILLS.

NDI's work with political parties included providing technical assistance to help parties better organize themselves, strengthen their communication skills, and contest elections more effectively. The program also helped establish dialogue among parties, offered strategic consultations to parties, and helped parties negotiate political challenges. Parties appreciated NDI's support on technical matters, but they faced difficult political questions with which they also needed advice. By offering both technical assistance and more political advice, NDI was able to build strong relationships with the political parties.

Interestingly, despite the dominance of the DPS in Montenegro's political life, almost all of the people with whom we spoke were engaged in the political process, interested in developing their skills, and open to further dialogue with the other parties. Only one or two people who the team interviewed asserted that NDI had not been even-handed, although some interviewees suggested that NDI was more sympathetic to the pro-independence parties in the period preceding the referendum.

During a key time in Montenegro's development, both before and after independence, NDI brought parties together to discuss issues and address tensions. This dovetailed effectively with their parliamentary work because the efforts to stimulate dialogue and understanding among parties contributed to a smoother and less confrontational parliament. It also helped make parties more open to the technical assistance that NDI offered. Because this support was offered after mutual trust had been established, it was taken more seriously. Several parties reported that the tactics that NDI helped them master are now permanent parts of their campaign and party-building work.

Nonetheless, Montenegrin politics is still characterized by the dominance of one party and a party system that is oriented more around patronage and relationships than vision or substance. NDI's political party program was largely concluded by 2007, but there remains much work to be done in the area of political party development.

4.5 PARTNERSHIP WITH CDT WAS THOUGHTFUL AND WELL STRUCTURED, BUT ELECTIONS REMAIN PROBLEMATIC.

NDI's work on elections was done mostly through its local partner the Center for Democratic Transitions. From its founding in 2002, the CDT had a close relationship with NDI. For most of the period from 2002 to 2008, a series of subgrants from NDI constituted most of CDT's budget.

In addition to financial support, CDT received valuable technical support from NDI. In CDT's early years, NDI helped CDT with the basics of election monitoring and building an organization. Over time, the assistance provided by NDI moved on to more specific activities such as parallel vote tabulations (PVTs) or media monitoring. The relationship between CDT and NDI appears to be grounded on mutual respect and shared goals.

The evidence of the success of this partnership is that CDT has been able to survive after NDI left in Montenegro. CDT has continued election-related and civic programs through grants from a range of multilateral organizations and private foundations.

Despite CDT's positive influence on the technical aspects of election observation and the creation of a voluntary code of conduct for political parties, elections remain a problem in Montenegro and have resulted in a political system dominated by one political party. The opposition cited the alleged use and abuse of state resources by the ruling parties and the government in pre-election periods as a factor in the certainty of outcome of all Montenegrin elections. Although ODIHR observers positively evaluated the most recent election in Montenegro, they also warned that "a

blurring of state and party structures ... created a negative atmosphere among many voters.” Members of opposition parties and several other observers of Montenegrin politics had similar concerns. Some of the people interviewed by the evaluation team suggested that the ODIHR report obscured the extent of these problems.¹⁰

For most of the last decade, the Center for Monitoring (CEMI), another domestic election monitoring organization, operated in Montenegro with ample assistance from foreign donors, initially from NDI. This has created competition between CEMI and CDT. While the tension between these two domestic groups—or between CEMI and NDI—is not the subject of this document, the existence of two groups likely complicated efforts to improve elections during this period.

4.6 NDI SUCCESSFULLY BUILT TRUST ACROSS THE POLITICAL SPECTRUM.

People from all major parties, whether in the context of party or parliamentary activities, indicated that their relationship with NDI was based on trust. One interviewee who asserted that NDI had evinced a preference for pro-independence parties before the referendum also said that this did not shake his confidence in NDI, particularly after the referendum had passed.

The trust that formed the basis of NDI’s relationship with groups in Montenegro was built largely by NDI’s director, Lisa McLean, who worked for NDI in Montenegro for roughly a decade. This highly unusual situation was extremely fruitful, particularly given Montenegro’s highly personalized political environment. NDI worked in Montenegro for two years after McLean left, but the extent to which the trust she had built continued after her departure is unclear. Few of the people the team interviewed said that their relationship with NDI was as close following McLean’s departure. This is unfortunate, because it made NDI’s work more difficult following McLean’s departure but perhaps also inevitable given how long she had worked for NDI in the country.

There are also some pitfalls to maintaining a high level of trust. Obviously, NDI was wise not to betray the trust it had built with organizations and individuals in Montenegro, but concerns about maintaining trust and relationships can sometimes cause organizations to back away from potentially controversial but useful activities. As an example in NDI’s work in Montenegro, more activities that brought the public into contact with the parliament more would have been valuable. The fact that the parliament was not interested in such activities may have contributed to NDI’s decision not to pursue them.

4.7 HAVING NDI CONDUCT BOTH THE PARTY AND PARLIAMENTARY PROGRAMS CREATED SYNERGY.

In many—perhaps most—countries, USAID-sponsored work in the party and parliamentary development field is divvied up between two implementers: one for party development and another for legislative strengthening. Because many politicians, particularly in a small country like Mon-

¹⁰ Montenegro Early Parliamentary Elections: OSCE/ODIHR Election Observation Mission Final Report, March 29, 2009, p.1

tenegro, are deeply involved in both parliamentary and political party work, this approach results in a duplication of effort for implementers and an often confusing and disparate array of program goals and activities for recipients.

In Montenegro, the evaluation team met with many people who were involved with both parliament and their political parties, many of whom could not fully disaggregate the two in our conversations. Being able to work with NDI on both party- and parliament-related issues made it much easier for these politicians. It also made it possible for NDI to address interrelated issues and problems holistically. For example, if a party is developing a platform, it is explicitly a party-development activity but has bearing on the party's activities in parliament as well. Similarly, working with MPs on issues of legislative strategy or committees is also relevant to corresponding party activities and goals.

Activities aimed at improving dialogue among parties often can be interpreted as party or parliament work, but when they are assigned to only one implementer their full benefits are not realized. Because NDI did both, work with parties on dialogue could be more easily leveraged to better relations between parties in parliament. Similarly, work on messaging or platform development could be used to inform party activities in parliament.

4.8 POLITICAL DEVELOPMENT WAS SLOW, BUT THE CURVE WAS IN THE RIGHT DIRECTION.

Although NDI had an excellent program in Montenegro, it is unclear that Montenegro made significant strides toward democracy during the time that NDI was active. Between 2006 and the present, Montenegro has moved slowly but unambiguously toward greater integration with NATO and the EU. While this suggests progress, other data—most notably information from Freedom House—describes a more complex situation. According to Freedom House's *Nations in Transit 2011* report, Montenegro's overall democracy score of 3.82 in 2011 is only slightly lower than the 3.89 score that it had on the eve of independence in 2006. From 2006 to 2011, the democracy score has been between 3.93 and 3.79. This suggests that the level of democracy in Montenegro during these years has stalled. The *Freedom in the World* scores from Freedom House tell a slightly different and more positive story: Montenegro's political rights score has remained at 3 since independence, and its civil liberties score moved from 3 to 2 beginning in 2010. The improvement from 3/3 to 3/2 in 2010, while not a big improvement, is significant because it places Montenegro in the "free" category.

Freedom House scores are far from perfect indicators, but they offer a useful heuristic and in this case resonate with comments from civil society observers and journalists that Montenegro has not made meaningful steps toward greater democracy since it became independent. Although it is unfair to blame this on NDI, given overall U.S. goals in the region, declining U.S. assistance during the later years of the program, the work of other organizations and donors, and larger political issues, it also is important to consider this when evaluating NDI's work.

4.9 MONTENEGRO'S POTENTIAL ACCESSION TO THE EUROPEAN UNION WAS AN IMPORTANT FACTOR IN MONTENEGRO'S POLITICAL DEVELOPMENT.

The possibility of joining the European Union was a major incentive for Montenegro's political leadership. The desire to join the European Union contributed to receptivity to the technical support offered by NDI, particularly with regard to parliament. With this external incentive, NDI did not have to work as hard to convince Montenegro's parliamentarians of the value of its activities as it might have if membership in the EU was seen as a distant or unattainable goal. A strong national legislature with coherent rules of procedure, functioning committees, and some oversight of the actions of the executive branch of government are all things that will strengthen Montenegro's bid to join the EU. NDI's work in these fields dovetailed nicely with the aspirations of Montenegrins.

Ironically, although this made it easier for NDI to deliver valuable technical support, it also created problems regarding other aspects of the parliament. In numerous discussions with parliamentary members and staff, it became clear that accession is the dominant topic facing parliament. Thus, much of parliament's work focuses on aligning Montenegro's laws and regulations with that of the EU. While obviously very important, the nature of this work is highly technical. This increases the "disconnect" between the parliament and the population it represents and increases the risk that there will be little substantive debate in which citizens or civil society groups are involved.

4.10 HAVING ONE CHIEF OF PARTY FOR ALMOST THE ENTIRE PROGRAM HAD A MIXED IMPACT.

Lisa McLean's long tenure as chief of party for NDI is a central component of NDI's work in Montenegro. It is highly unusual for NDI or any assistance organization to have a chief of party serve for almost a decade. In the minds of almost all the people with whom the team spoke, McLean and NDI were deeply interrelated. Some spoke of McLean and NDI almost interchangeably. Significantly, McLean was almost universally respected and admired by the people with whom the team spoke. Across political and institutional lines, with few exceptions, McLean was described as dedicated, balanced, politically astute, hardworking, and trustworthy. These descriptions help to explain the success of NDI in Montenegro.

Nonetheless, having the same chief of party, even an extraordinary one, creates some issues. While McLean was admirably balanced, the lack of new leadership may have contributed to a risk-averse bias. The close relationships with people in and around power also may have pushed NDI toward continuing to work closely with political leaders when that was no longer what was most needed to further democracy.

Due to the relatively small size and interconnectedness of the political community, some curious relationships manifested themselves in ways that found NDI and its chief of party centrally involved with governance assessments of other international organizations. Examples include the UNDP's Montenegro Governance Assessment and Freedom House's assessments that are the basis of their Freedom in the World scores. In the case of former, NDI was the contractor chosen by the UNDP to develop its assessment framework for the state of governance in Montenegro. In a similar vein, Ms. McLean served as the principal author of Freedom House reports for several years during the period of NDI programming creating the appearance of a potentially insulated and circular dynamic. It is reasonably clear that having the Chief of Party for the single largest international NGO working on democracy issues evaluate the state of democratic development in

the country in which she was working, does not exactly evince a clear distinction between evaluator and evaluated.

New leaders also often bring fresh perspectives, different styles and approaches, and willingness to take risks that can help move a country further toward democracy. The absence of turnover in Montenegro may have introduced a bias in the opposite direction.

On the other hand, having stability in leadership likely contributed to a well-implemented program that ran smoothly for many years. Clearly, there is also a downside to changing leadership when implementing a program of the scale and scope of NDI's. New chiefs of party need time to become familiar with the program and the country. It takes even more time to build solid relationships with political leaders.

5.0 REPLICABILITY AND LESSONS LEARNED

NDI's work in Montenegro from 2002 to 2010 was in many respects highly successful. It was a well-implemented program that substantially increased the capacity of political parties and parliament, helped strengthen the ability of some state ministries to function more effectively, and supported the evolution of a strong domestic election monitoring organization. This program offers several lessons for future work with parliaments and political parties. One issue that frames these lessons learned is the program's replicability in other countries.

Montenegro is unique in many ways. Some of its unique characteristics—such as its small size and newly independent status—are readily apparent, but less obvious differences, such as the political and geographical proximity to Europe, play an equally influential role. The program was also influenced by Montenegro's desire to become part of the EU and work in this area. A core question is whether a successful program in Montenegro can be replicated in countries that are larger, farther from Europe, have no incentive to democratize, have little interest in reform, and/or are recovering from war or violent conflict.

An additional question is whether or not the strong leadership and continuity that the chief of party brought to bear was an indispensable component of the program's success. Although Ms. McLean clearly had a profound impact on program outcomes, the team found evidence that the program's success did not depend entirely on her leadership. In our view, the program have likely been equally (possibly more) successful had the leadership followed a more traditional path of having two to four chiefs of party over the life of the program. The strong local staff, record of accomplishment, and deep ties between NDI and the political and parliamentary leadership would have made frequent leadership changes possible. There is ample evidence from other countries that if these things are in place, chiefs of party can rotate in regularly without significantly disrupting the program or undermining the relationships that have been established with participants.

Another distinguishing characteristic of this program was its broad mandate. At different times, NDI was engaged with parliament, political parties, domestic election monitoring groups, and state ministries, often simultaneously. Moreover, for much of this time, no other USAID-supported organizations were working in these fields. Thus, NDI had a very large share of Montenegro's democracy assistance portfolio, although funding for the program was rarely commensurate with the scope of their work.

This framework allowed NDI to move seamlessly between parliament and political parties in a way that allowed it to have greater impact. The resulting synergy within NDI's work made it possible to build linkages between the political party and parliamentary programs that strengthened both programs. This approach has an added advantage of being cost effective by minimizing duplication of effort. Funding one organization to do political party work and another to do legislative strengthening will almost always be more expensive.

This suggests that having one organization with a broader mission is a replicable goal. In fact, it used to be relatively common for one organization to do both the parliamentary strengthening and political party working a given country, but today it is more common to divide the parallel efforts between organizations. The success of the Montenegro project suggests it may be wise to consolidate the work where possible.

The success of NDI's program cannot be disaggregated from the political context in which it occurred. The most difficult part of democracy assistance programs like NDI's is not giving good advice, providing valuable expertise, or making sound recommendations to legislatures or political parties; it is getting these legislatures to heed the advice and recommendations and to take advantage of the expertise offered. In Montenegro, the goal of European Union membership made this task much easier beginning after independence.

Most political leaders in Montenegro, even those otherwise disinclined to liberalize or accept guidance from western NGOs, shared the goal of wanting to see Montenegro move toward the EU. This meant that NDI was, at least with regard to reforming the legislature, pushing on a door that was already somewhat open.

Entry into the EU is a relatively unique situation. There are few similar incentives in other parts of the world. Absent this type of incentive, success with democracy assistance programs will require greater effort on the part of a democracy assistance organization to persuade the legislature or government to go along with proposed reforms and activities. In many cases, it may also require the U.S. embassy to play a more active role in supporting democracy assistance activities.

A related point is that programs implemented by NDI in Montenegro have not addressed the most significant democratic deficits in most countries. While NDI's work in Montenegro was, for the most part, an appropriate mix of technical assistance and political advice and guidance, it was also focused on political institutions rather than on society more broadly. Moreover, the institutional focus was inward, emphasizing ways to make political parties, the parliament, and ministries function more efficiently with a greater awareness of norms and practices in democratic countries. By contrast, relatively little emphasis was placed on bringing ordinary people in contact with these institutions or in helping citizens gain a better understanding of these institutions and what their relationships to them should be in a democratic polity.

The CDT, which took the lead on most of NDI's civil society work, was engaged largely with elections. The absence of citizen education and involvement programs partially explains both the relative stagnancy of Montenegro's democracy and the frequent comments by interviewees that ordinary people were not engaged with their parliament and felt they had very little influence over that parliament.

A central, if unspoken, premise of NDI's program in Montenegro is that the government wanted to reform. Thus, it made sense to work primarily with various branches of the government and political parties. Technical assistance took on a major role within NDI's activities.

This was effective because the absence of democracy in Montenegro was, at least to some extent, a technical problem. This is not the case in most of the world's remaining nondemocratic countries, however. In most of these countries, the absence of democracy is a political problem, and efforts to promote or support democracy will require an approach that addresses global political issues. Programs that are based on the assumption that the government is seeking to reform and/or

become more democratic are unlikely to succeed in many countries. If these assumptions are faulty, such programs could even be counterproductive. Given the stagnancy of democratic development in Montenegro, this also raises the possibility that NDI's program pushed the government to the limits of its commitment to reform. If this is the case, future efforts to accelerate democratization in Montenegro will need to take a different form.

There are some other useful program-related lessons from NDI's program. NDI's communication-related policies are clearly replicable and would be of value to most similar programs. For instance, NDI kept a database of all the people who participated in various training programs and workshops. By 2010, there were several thousand people on this list. Several party leaders the team interviewed said that they could consult NDI about this database for their own internal records. In addition, NDI did not simply leave this database on a computer file; it actively engaged with the people on the list by sending them a monthly newsletter addressing issues of democratic development in Montenegro. This was an effective way to keep political activists (broadly defined) informed about key issues as well as NDI's activities and important events.

This effective communication notwithstanding, the whole of NDI's party program did not seem to add up to the sum of its parts. NDI facilitated dozens of political party workshops and seminars over several years in which thousands of people participated. This number is particularly significant given Montenegro's small size. Nonetheless, Montenegro remains dominated by one party, and elections are marred by excessive use of state resources, intimidation, threats, and a patronage system that benefit the governing DPS party. Moreover, other than differences on issues of identity and statehood between some parties, there is little difference on positions on key issues, vision, or ideology among the parties.

Although this situation cannot be blamed on NDI's program, the Institute's approach may have contributed to a continuation of Montenegro's political party environment. NDI's program focused on strengthening, democratizing, and building the capacity of individual political parties, but in a heavily patronage oriented system, the ruling party still often continues to be the only party with the resources to turn these skills into votes. The unit of analysis, then, was the political party, but the bigger problem was—and remains—Montenegro's political party system. By focusing on political parties, rather than the political party system, NDI's program helped create better functioning political parties but did not address the underlying issues addressing Montenegro's political party system. There was little evidence that NDI sought to work with the governing party to address the issue of one party dominance and the abuses that accompany that kind of system, or that they worked with opposition parties to think more about the possibility of building coalitions or holding the governing party more accountable.

A party program that looks at the system, rather than individual parties, as the unit of analysis requires an approach that focuses on politics at least as much as capacity building and endeavors to facilitate not just electoral coalitions but actual mergers between likeminded parties. It also seeks to identify different factions, based on different substantive visions, within the governing party and help them form into new parties. This work is not easy and assumes more risk than the NDI program. But it also would have a better chance of addressing real party-related issues that continue to constrain Montenegrin democracy. This was perhaps the biggest missed opportunity for NDI. Given NDI's long tenure in Montenegro and the depth of its relationships with political leaders, NDI was well positioned to have pursued this strategy.

NDI's program effectively achieved the goals it identified. The Institute's program generally, and the parliamentary program specifically, used a good mix of local and American NDI staff members as well as foreign experts to lead workshops and training programs and to work on technical assistance projects such as the rules of procedure. One of the most successful aspects of this approach was the use of the expertise that exists in the region. Members and staff of parliament spoke of the value of being able to talk to trainers from Serbia and taking study tours to Slovenia or Baltic countries. In addition, the CDT clearly valued the interaction NDI had facilitated with other domestic election monitoring organizations from nearby countries. Although the Balkans may be somewhat unusual because the countries are so small and closely linked, the situation is not radically different in other parts of the world. This aspect of the program is highly replicable and should be integrated into future program activities in other countries.

Various aspects of NDI's approach to capacity building, from its use of regional resources, effective communication strategy, enduring involvement with political parties and help in facilitating the CDT's development into an independent and significant NGO should clearly be considered best practices. As with all development programs, however, there are other more nuanced lessons that can be learned as well, such as the importance of focusing work with institutions outward as well as inward and the need to think in terms of party systems rather than just about individual political parties.

6.0 CONCLUSION

NDI's program in Montenegro spanned a great deal of recent Montenegrin history. When the program started in 2002, Montenegro was a component of a federal Yugoslavia, later renamed Serbia and Montenegro. Today, Montenegro is an independent state seeking membership in the European Union.

Montenegro's path to the EU is far from guaranteed, in part because of the country's remaining deficits with regard to democracy and rule of law. Therein lies the central paradox of NDI's program in Montenegro. Why was a program that by most measures was successful seemingly unable to help Montenegro become more democratic with a true multiparty system and widespread political participation and contestation?

This outcome is due to a number of variables. In part, it is the legacy of four decades of Communism. The enduring influence of corruption and organized crime also has interfered with democracy in Montenegro. NDI's approach did little to address these underlying problems. The program also failed to build linkages between institutions and ordinary citizens or address the needs of party systems.

It is unclear whether NDI's shortcomings are due to program design, program implementation, or the goals of its funder, USAID. It is notable, however, that only one of the four objectives for the parliamentary program laid out in the initial cooperative agreement between NDI and USAID mention constituents or citizens. In the initial workplan, six of the seven objectives regarding the parliamentary program were internally focused, probably due to the fact that the Montenegrin legislature at that time was so weak that it was barely able to function.

On balance, these shortcomings do not call into question what remains an impressive and well-executed program. It is unfortunate that NDI is no longer working in Montenegro, because the Institute is extremely well positioned to craft and execute a democracy assistance project that shifts the focus away from institutional development and toward issues of accountability, participation, and representation. This would be a natural step for NDI and a way for the Institute to leave an even more significant legacy in Montenegro.

APPENDIX A: INTERVIEW ROSTER

1. Aleksandar Damjanovic, Economy, Finance and Budget Committee, SNP member
2. Aleksandar Sekulić, SNP Party
3. Alex Sokolowski, USAID (by Skype)
4. Bojan Zeković, SDP Party
5. Boris Radickovic, Westminster Foundation, Parliamentary Strengthening Program Manager
6. Boro Banovic, Cetinje SDP, Member of Parliament
7. Branimir Gvozdenovic, DPS, Political Director
8. Branko Bulatovic, Bar SNP
9. Daliborka Uljarevic, NGO Center for Civic Education, Executive Director
10. Damir Davidovic, Secretary General of the Parliament
11. Darka Cosovic, NOVA, Niksic
12. Dragan Djuric, UNDP
13. Dragan Koprivica, NGO Center for Democratic Transition, Executive Director
14. Drazen Malovic, Parliament of Montenegro, HR Management Bureau of Administration
15. Emanuela Radunovic, Technical Secretary Bar SDP
16. Eric Rudenshiold, USAID (by Skype)
17. Gojko Djurasevic, Bar SNP
18. Goranka Vucinic, Secretary, Administrative Committee
19. Ivan Milic, Ministry of Foreign Affairs Directorate for Consular Affairs and Diaspora, General Director
20. Jasmin Raskovic, Bar DPS, Local Representative
21. Jovan Vucurovic, Head of Executive Board Nova, Niksic
22. Lidija Moračanin, DPS Party
23. Lisa McLean, NDI (by Skype)

24. Lloyd Tudyk, Ana Savkovic, OSCE
25. Melanija Bulatovic, Parliament of Montenegro, PR and Protocol
26. Milan Popovic, University of Montenegro
27. Milovan Perucic, SNP, Niksic Local Representative
28. Miodrag Radic, SNP, Niksic Local Representative
29. Mirko Stanić, SDP Party
30. Misko Vukovic, Foreign Affairs and EU Integration Committee, Democratic Party of Socialists - DPS
31. Nadja Vukicevic, Secretary, Economy, Finance and Budget Committee
32. Natasa Komnencic, Parliament, Assistant Secretary General
33. Nebojsa Medojevic, Movement for Changes (PzP), MP
34. Neven Gosovic, Health, Labour and Education Affairs Committee, SNP
35. Olja Dimic, UNDP
36. Ranko Krivokapic, President of the Parliament
37. Ratko Knescevic, Fmr. Montenegrin Trade Representative to the U.S., (via phone¹¹)
38. Rifat Rastoder, Vice-President of the Parliament
39. Rob Benjamin, NDI
40. Scott Persons (by Skype)
41. Slava Buric, Secretary, Human Rights and Freedoms Committee
42. Slaven Radunovic, Tourism, Agriculture, Ecology and Spatial Planning Committee, New Serbian Democracy – NOVA member
43. Svetozar Djurovic, , Bar SDP
44. Svetozar Golubovic, SNP, Niksic Local Representative
45. Vanja Dupanovic, Environmental Program Coordinator, Bar DPS

¹¹ Rastko Knescevic is a dissident and oppositionist to the incumbent government and ruling party. It was important to the team to understand his perspective about the state of D&G in Montenegro – not necessarily about the specifics of NDI's programming. Through discussions with Mr. Knescevic the team hoped to gain an alternate view of the state of D&G in the country

46. Velimir Erakovic NOVA Niksić
47. Velizar Kaludjerovic, Constitutional Affairs and Legislation Committee, SNP
48. Veljko Zarubica, Niksić DPS Head of Executive Board
49. Vujica Lalic, SNP, Niksić Local Representative
50. Vuk Maras, NGO MANS, Monitoring Program Director
51. Zeljko Stojovic, Bar SNP
52. Zlatko Vujovic, NGO Center for Monitoring Elections – CEMI Executive Director
53. Zoran Korac, Belgrade-based Political Analyst and Consultant, (via phone)
54. Zorana Bacovic, Secretary, Security and Defense Committee

APPENDIX B: DOCUMENTS REVIEWED

1. USAID assistance strategy for Montenegro 2005-2010;
2. USAID Operational Plan documents regarding Montenegro for the past four years;
3. USAID annual report documents regarding Montenegro for the period 2002 – 2006;
4. USAID Evaluation Policy (see <http://www.usaid.gov/evaluation/>).
5. Montenegro Governance Assessment, The DGTTF Lessons Learned Series, UNDP, August 2011
6. Atlantic Council Event: Attended event featuring Prime Minister Igor Luksic, October 12, 2011, Washington, DC
7. NDI Workplan Final 2002-2003
8. NDI Workplan Final 2003-2004
9. NDI Workplan Final 2004-2005
10. NDI Workplan Final 2005-2006
11. NDI Workplan Final 2006
12. NDI Workplan Final 2007-2008
13. NDI Workplan Final 2008-2009
14. NDI Workplan Final 2009-2010
15. NDI Montenegro Final Report 2002 -2006
16. CEPPS NDI Montenegro 2006-2011 final report
17. NDI Modification 2002-2004
18. NDI Modification 2004-2006
19. NDI Workplan Final 2010-2011
20. Parliamentary Needs Assessment, NDI
21. Update on the 2006 Parliamentary Needs Assessment Report 2008
22. Transparency and Accountability in the Montenegrin Governance System, NDI
23. NDI Public Opinion Poll Key Findings, November 2008
24. NDI Public Opinion Poll Key Findings, May 2008

25. NDI Public Opinion Poll Key Findings, October 2003
26. NDI Public Opinion Poll Key Findings, May 2004
27. NDI Public Opinion Poll Key Findings, April 2010
28. Focus Group Research, NDI, 2008
29. Focus Group Research, NDI, 2007
30. Political Party Baselines, NDI
31. Parliamentary baseline, NDI



February 7, 2012

Ana Drakic
AOTR
USAID/Montenegro

RE: NDI Comments on Montenegro Legislative Strengthening and Political Party Program--Performance Evaluation

Dear Ana:

Thank you for the opportunity to comment on the above-referenced evaluation report, which was received by NDI on December 28, 2011. The report's content is largely consistent with findings presented in NDI final reports on grants that span the timeframe covered by the evaluation. The Institute appreciates the evaluation team's outreach to relevant NDI staff in Washington, D.C., Montenegro, and elsewhere.

Please find below NDI's general comments, as well as specific feedback concerning several of the report's core components: elections, political party development, parliamentary strengthening, and country director tenure.

General Comments

- The timespan covered in the evaluation report starts in 2002 and proceeds into 2011, covering programs conducted through several successive cooperative agreements under CEPPS 1 and CEPPS 2 (the Consortium for Elections and Political Process Strengthening)¹. It is challenging to ascertain, assess, and analyze the breadth and depth of continuous democracy programming for such a lengthy period. The evaluation team should be commended for its thorough review.
- NDI wishes to highlight the report's finding 4.7 (pp. 19-20) recommending that political party and election assistance on the one hand, and parliamentary development on the other, be combined under one implementing agency. NDI concurs with this finding, with one caveat articulated below. Based on its experience in Montenegro, in addition to highly charged political environments seen elsewhere in the Balkans, such as in Bosnia-Herzegovina, Kosovo, Macedonia, and Serbia, NDI would assert that it is neither possible nor desirable to separate a "technical" approach to the institutional development of parliament from a "political" approach to political party development and elections.

¹ NDI programming in Montenegro began in 1997 with USAID and National Endowment for Democracy funding.

Parliamentary strengthening, political party development, and election assistance are invariably inter-related. Engaging on development issues in one area naturally spills into the other two in a myriad of ways. Understanding the linkages among them—how political parties build their policy/governance capacity through their parliamentary caucus, how election monitoring groups engage both parties and parliament on reform initiatives that improve the next election cycle, and how parliament’s institutional oversight of the executive branch necessarily involves governing/opposition politics—has been a key ingredient to the relationships that NDI enjoyed with its Montenegrin partners.

NDI’s engagement with political parties and on elections have provided constructive pathways into legislatures, where the Institute’s established standing with parliamentary leaders and members of parliament, derived from its work with political parties and on elections processes, has enabled it to undertake a holistic assistance effort combining political, legislative, and institutional development. This approach holds that parliament performs multiple roles as a governing, legislative, and political body, and, unlike virtually all other government institutions, is pluralist in character.

Conversely, an implementer of a strictly technical assistance program for parliament would find it hard to extend itself into political party and/or election work. A technical approach to parliament, in taking on administrative or budgetary issues for example, does not enable the implementer to construct relationships with political actors in the parliament that lend themselves easily to politically sensitive undertakings, either inside or outside of the building.

- The evaluation team’s methodology appears to be quite sound overall. However, given the relatively small size of the country, travel to localities other than Podgorica, Bar, and Niksic, to speak with more of the hundreds of individuals that came into contact with NDI as program beneficiaries would have been advisable to establish a fuller perspective of the scope that NDI achieved in its programming. Montenegro’s small size afforded a unique opportunity for ‘retail democracy assistance’, of which the Institute made ample use in supplementing its formal assistance to political and civic bodies with considerable, informal outreach to many people, whether they participated in institutional politics or not.

Some of the individuals listed as among those interviewed by the evaluation team do not carry formal political affiliations, but nevertheless hold strong partisan views which, whether disclosed or not, might have influenced certain particular findings offered in the evaluation report. The evaluation team might have enhanced its understanding of Montenegro’s political scene by interviewing other, formally independent intellectuals with more balanced perspectives.

- The report states on page 5, as a general conclusion: *The central paradox of NDI’s program in Montenegro is that, although by most measurements the program was successful, it did not help the country make more significant democratic advances during the later years of the program when, according to Freedom House and others, democracy in Montenegro was mostly stagnant. On balance, this calls into question the*

long-term impact of what remains an impressive and well-executed program. The report goes on to note that, were NDI to have continued its presence in Montenegro, it could have shifted its institutional development focus to accountability, participation, and representation, and thereby contribute to long-term impact.

The above implicates two assistance themes—institutional development in and of itself, and the fostering of qualitative characteristics that make those institutions democratic (e.g., accountability, participation, and representation). In the Montenegrin context, much of NDI's assistance was, in our estimation, necessarily and correctly devoted to building governing/legislative, political, and civic institutions in a country not only transitioning from communism to democracy but also from republic status within a federation to sovereign independence.

Institutions, after all, are where democratic practice is housed; accordingly, institutional integrity in any political system is a pre-requisite of democratic practice. But it is also the case that proactive attention must be paid to the adoption of democratic practice as institutions are being developed. As a democracy organization, NDI views its role not only in helping to construct political institutions from a technical or organizational perspective, but doing so in a manner emphasizing democratic practice--both as concerns how these organizations, whether it be parliament, political parties, or election monitoring groups, function unilaterally, and how they interact and in so doing create open and dynamic linkages between them.

Accordingly, NDI took pains to ensure that democratic practice was part of its institution building/strengthening. For example, NDI's assistance on parliamentary rules of procedure not only focused on the functionality of the rules from legislative and organizational standpoints, but also in terms of how to support the development of a constructive, loyal opposition within parliament, such that the substantial percentage of citizens who voted for opposition parties could find meaningful political representation in the legislature.

Moreover, many of the democratic practices associated with NDI institution-building efforts over the past decade--such as legislative public hearings, featuring NGO participation and ministerial testimony--are increasingly manifest in parliament well after NDI undertook its assistance efforts. Perusing contemporary reports on parliamentary activity, among them a series of publications by the Center for Democratic Transition (CDT), or parliament's own website (developed with NDI assistance as an outreach/informational tool) indicates a plethora of legislative hearings and other legislative activity that was not as evident during the program timeframe, but, since introduced by NDI, are becoming embedded legislative practice. NDI's institutional development assistance of parliament laid a foundation for democratic practice to be adopted on a sustainable basis.

It is important to recognize the natural trajectory of Montenegro's transition in considering the report's finding that democratic advances after independence have been few. The period between Djukanovic's 1997 break with Milosevic and the country's

independence in 2006 might be considered as a growth cycle of democratic development, in which Montenegro's commitment to building democratic political institutions was unambiguous. Following independence, it would appear as if democratic development slowed, or perhaps better stated "plateaued", in that much of the institutional development elements were completed, and the arguably harder, more challenging work of rooting out corruption, fostering participation in politics, and bringing transparency and accountability to governance became central to the democracy agenda. Much in this regard has in fact been accomplished, if belatedly, as many of the dividends of NDI assistance are being realized at present, as noted above. The norms and standards related to accountability and transparency that NDI presented to the country's political class a few years ago are now increasingly recognized as standard democratic practice.

In alluding to the need for continued assistance of the kind that NDI provides, the report implicitly raises the question of when, across the arc of a country's democratic transition, such assistance should be ended. Arguably, democracy assistance is continually needed, as one considers recent democratic reversals, and consequent political and economic instability, in a country like Hungary, where a confident and speedy transition during the 1990s belied strong political and historical undercurrents of anti-democratic behavior that are now coming forward in disquieting ways. Ultimately, one has to ask if a country has a sufficient foundation of pluralist institutions, legal frameworks to protect those institutions, and participatory politics, as measured, *inter alia*, by sufficient access to political decision-making by civil society, through parliament, the media, etc., to correct democratic deficiencies on its own, without need of external assistance.

- Montenegro's democratic transition has been, from a general perspective and by comparative consideration, a successful endeavor, although significant institutional, political, and resource challenges continue to frustrate or slow progress, as the evaluation report notes. NDI's support of Montenegro's democratic transition, to the extent that it has realized success, has been based on due consideration of the following:
 - A strong partisan divide over abiding existential issues, chiefly though not uniquely concerning independence, meant that NDI had to maintain balanced relations with all moderate political forces, serving as good offices to all;
 - The country's small size signaled a propensity to informal politics between people who know each other either directly or through personal networks. Grafting, as it were, a more institutionalized or formal politics on top of informal associational politics in a culturally sensitive manner proved a difficult but surmountable challenge; and
 - The Institute developed a judicious, respectful public profile through which it could promote public understanding of democratic standards and practices without being seen to lead or guide the domestic course of events.

Specific Comments – Elections

The report notes advancements made in democratic elections through nonpartisan election monitoring introduced by NDI and housed in several civic organizations, among them the Institute's main partner, the Center for Democratic Transition, which played a critical role in instilling public confidence in the highly charged 2006 referendum on independence, given the narrow margin of victory in favor of independence. The report advocates continued election monitoring support to supervise such practices as the use of state resources for partisan activity. NDI concurs with this recommendation.

One finding on page 18--...*elections remain a problem in Montenegro and have resulted in a political system dominated by one political party*—is deserving of consideration. Montenegro has experienced election problems that have held the country back from full compliance with international standards, but one cannot say that the conduct of elections, which has been the focus of NDI's work is this component, has itself produced single-party dominance. Despite problems noted by CDT and others in election processes, none has risen to a level to call into question overall results. The sources of single-party dominance in Montenegro can be found elsewhere—the will of the voter, a weak opposition—than necessarily in the election process itself.

The notion offered on page 19 that tensions between CDT and another organization engaged in election monitoring, CEMI, *likely complicated efforts to improve elections during this period* does not carry supporting evidence or analysis. Tensions between such groups, whether traced to funding, public profile, or leadership, are not uncommon. That both organizations concurrently engaged in observing an election process that incorporates a myriad of legal, political, institutional, financial, and social components, and applied accepted international standards in doing so, can be construed as advantageous since it gives citizens unused to democratic franchise more than one source of unbiased assessment of what is, after all, a complex process.

Specific Comments – Political Party Development

NDI appreciates the report's generally positive depiction of its political party programming in Montenegro, to which the Institute applied many of its institutional resources and from which it has learned a great deal for application elsewhere.

The evaluation carries two points of constructive criticism (page 13): one relating to the capacity of political parties to sustain practices generated by NDI, such as internal communications, training capacity, and public opinion research; and the second a more general observation that the Institute's success in party-building masked an inattention to the party system as a whole, and contributed inadvertently to the dominance of the DPS and to an insufficient distinction among the parties.

NDI largely accepts the set of first points. When parties can avail themselves of outside resources for their internal development, they can prove short-sighted in not incorporating these practices even as they understand the outside resources to be finite. An implementer should do what it can to instill in the parties, particularly at the outset of long-term assistance, a commitment to internalize these practices. But such steps as might be considered, such as

imposing assistance conditionality on beneficiaries on the basis of the latter's sustainability commitments, may be counterproductive.

The second point about party systems is more complicated.

- There are, to be sure, development issues related to legal frameworks, public and private financing, and election systems that, if addressed through party assistance, can contribute significantly to building a peaceful, competitive, and open political party system. As noted in the report, NDI neither proposed nor was tasked to engage in system reform--although NDI did much to contribute to fair electoral competition among parties.
- The report's assertion that inattention to party system reform engendered DPS dominance is not clear and may overestimate party systems as a determinative factor in how political power is allocated and incumbency sustained. Other political and even economic factors, such as an impoverished population living in the north of the country, public sector patronage, a correspondingly weak private sector, and the political credibility of the opposition, have little if anything to do with party systems and yet are likely to be more influential.
- The report draws out this criticism on page 25: *By focusing on political parties, rather than the political party system, NDI's program helped create better functioning political parties but did not address the underlying issues addressing Montenegro's political party system. There was little evidence that NDI sought to work with the governing party to address the issue of one party dominance and the abuses that accompany that kind of system, or that they worked with opposition parties to think more about the possibility of building coalitions or holding the governing party more accountable.*

This comment underscores a tension inherent in political party assistance as part of a democratic development program. It is presumably the case, though not always borne out empirically, that alternation of power produces more democratic politics than does single-party dominance, even if the latter is derived through legitimate elections, as arguably has been the case in Montenegro. And one might construe from this that any given party presiding over a political system might, as a matter of democratic stewardship, work toward ending its own political domination. But, as a matter of politics, a political party exists to gain and remain in power in order to realize the political agenda for which it has stood. And, as long as it abides by democratic practices and constitutional provisions that are themselves the result of cross-party agreement, if not public referendum, the dominant party would be acting in an appropriate manner in seeking to extend its governing leadership. This is, after all, political practice in the U.S. and in all established democracies.

To frame the issue, therefore, as engaging a party to reduce or remove its political dominance—however one might define that term--is folly. To frame the issue, however, as engaging a party on reducing or removing abuses of power that arise when its dominance is unchecked is wholly appropriate to democratic goals. NDI did exactly that, largely though not exclusively through its support to parliament as a separate branch of

government endowed with oversight capacity. But the political incentive for the dominant party in Montenegro to conform to democratic demands for accountability was minimal to nonexistent, in large part because it faced little to no threat from the political opposition, nor for that matter from a citizenry which, though critical of government transgression, repeatedly showed itself to be disinclined prepared to make a political change. As to the opposition, NDI attempted on many occasions, during election and non-election periods alike, to foster a stronger set of opposition alternatives to the ruling party. But the political fissures among them over deep-seated issues of independence and ethnicity proved insurmountable during the timeframe of NDI programming. That said, party politics is inherently dynamic, and one should not assume that the present political alignment will continue indefinitely.

Specific Comments – Parliamentary Development

The evaluation report (page 2) offers the following as NDI's central objective concerning parliamentary development: *to develop an independent and representative parliament that exercises appropriate oversight over the executive branch*. The report notes, as a general statement, that *NDI's work is responsible for strengthening the institution of parliament in its role as an actor in the governance of the country*, specifically citing technical assistance to improve the legislative skills of staff, as well as timely and well-conceived study missions to accelerate specific institutional and legislative reforms.

NDI appreciates the statement: *To say that NDI was an integral factor in creating the Montenegrin parliament would not be an exaggeration*. The report at times may be overly praiseworthy in conferring upon NDI a higher degree of ownership over specific components, such as establishing parliament's committee system, than is warranted.

The report notes that NDI did not "exploit parliament's role fully": *Due to the inward focus of the programming on the machinery of parliament, the opportunity for parliament to emerge as an engine of greater democratization was not sufficiently exploited* (page 2). The report subsequently mentions what the evaluation team sees as parliament's isolation from constituents and its inability to exercise sufficient oversight of the executive branch (page 14).

Given Montenegro's power asymmetry between the DPS and a fractured opposition, parliament's ability to be a driving force behind the country's democratic transition was both critical from an institutional standpoint and frustrated from a political perspective. Drawing on strong parliamentary majorities, DPS was able to stymie meaningful scrutiny by parliament over government actions, and indeed exercised a bureaucratic level of control over parliament that brought into question the latter's constitutional prerogative of serving as separate branch of government.

That said, there are several points to offer as rebuttal to this finding:

- The first is that parliament is increasingly exercising its oversight and legislative roles, as has been mentioned, despite no significant shift in political power. Such external factors such as demands of European Union accession may be presently incentivizing actions

that NDI advocated for during its programming, although, as noted below, the evaluation report allows that EU accession may also carry an inadvertent democracy cost.

- The second is that parliament's human and capital resources are increasing—something that NDI advocated for in a public report following independence in 2006—to become comparable to other legislatures in the region, if not EU-wide norms. For many years during NDI's program, the ratio of MPs to staff was negative in that, remarkably, MPs outnumbered staff.
- The third concerns constituent outreach. While it is true that the parliament does not have a formal system for MP outreach, Montenegro's small size and consequent informal political culture means that many members of parliament undertake significant outreach to constituents—although, absent a more formal system advocated by NDI, not all citizens may be duly informed or comfortable in seeking members of parliament out. Further, parliament as an institution has developed a stronger public profile, through its website, group tours, informational brochures—all attributable to NDI assistance--to provide Montenegro's 650,000 citizens with an understanding of parliament's role in the political and governing system and its particular functions. Thus, it would not be fully correct, in NDI's estimation, to find that the NDI did not meet the state objective of: *Parliament inform(ing) the public of its activity...and Committees to reach out to the public...and to educate and inform them of committee's work.*
- Finally, as the report itself notes on page 21: *...much of parliament's work focuses on aligning Montenegro's laws and regulations with that of the EU. While obviously very important, the nature of this work is highly technical. This increases the "disconnect" between the parliament and the population it represents and increases the risk that there will be little substantive debate in which citizens or civil society groups are involved.*

Specific Comments – Country Director Tenure

The report extols the talents and leadership of NDI's long-serving country director, while also raising questions about the wisdom of having a single individual, no matter the person in question, hold that position for a decade. Among the risks inherent in such a lengthy tenure are that organizational relationships and trust can become intensely personalized and thus highly elastic to changes in personnel, and that a long-term tenure can inadvertently stymie fresh thinking on innovative programming.

NDI would suggest that impact of a lengthy tenure be considered on a case-by-case basis, and from the perspective of cost-benefit analysis. In the case of Montenegro, the benefits of having a tenured Country Director are documented in the report. The report's stated costs of a lengthy tenure in our view do not bear themselves out. First, a number of institutional procedures, from monthly reporting to regular in-country visits, are in place to ensure that the actions and directions of a country director reflect NDI institutional prerogatives, and we would hold this to be the case in Montenegro. Second, NDI took on a number of innovative programs in the country director's latter period of tenure—largely at her initiative--from a first-of-its-kind public study of

the parliament's institutional development needs over a five-year period², to a groundbreaking publication that laid bare the political, institutional, and legal barriers to meaningful government accountability and transparency³. This latter report, it should be noted, was not necessarily welcomed by those wishing to retain executive branch dominance over the political process.

One could posit that the country director's tenure enabled, rather than impeded, her ability and willingness to take on projects that openly addressed significant democratic deficiencies; a newer director might believe himself/herself less informed or equipped to exercise the leadership needed for such an enterprise.

² *New Challenges for a New Mandate*. www.ndi.org/files/2078_yum_finalmonteneg_100106_0.pdf

³ *Transparency and Accountability in the Montenegrin Governance System* <http://www.ndi.org/node/15604>. This publication was funded by the United Nations Development Programme in a companion grant to NDI's USAID cooperative agreement, as it drew principally on original research by NDI leveraged through its relationships with parliament and political parties.