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**COMMISSION STAFF WORKING PAPER**

**IMPACT ASSESSMENT**

**Accompanying the documents**

**Proposal for a Regulation of the European Parliament and of the Council establishing  
for the period 2014 to 2020 the Justice Programme**

**Proposal for a Regulation of the European Parliament and of the Council establishing  
for the period 2014 to 2020 the Rights and Citizenship Programme**

**DISCLAIMER: This report commits only the Commission's services involved in its  
preparation and does not prejudice the final form of any decision to be taken by the  
Commission**

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## 1 INTRODUCTION

During the current financial perspective 2007-2013 EU-funding in the area of justice and rights is provided through the following six programmes:

- Civil Justice (JCIV),
- Criminal Justice (JPEN),
- Fundamental Rights and Citizenship (FRC),
- Daphne III (DAP),
- Drug Prevention and Information Programme (DPIP) and by
- the Sections "Antidiscrimination and Diversity" and "Gender Equality" of the Programme for Employment and Social Solidarity (PROGRESS).

In accordance with the Communication on the EU Budget Review<sup>1</sup>, a fresh look was taken at funding instruments and delivery mechanisms in order to streamline funding that supports the policy objectives in the justice and rights area, to ensure clear focus on European added value and to examine how best to achieve tangible results in delivering benefits to the EU citizens. The present document constitutes the impact assessment that will accompany the legislative proposals for the future "Justice" and "Rights and Citizenship" programmes.

## 2 PROCEDURAL ISSUES AND CONSULTATION OF INTERESTED PARTIES

### 2.1 Evaluations of the programmes

In preparation of the proposals for the new generation of funding programmes for the period of 2014-2020 the results of the current programmes, as well as their overall impact were evaluated.

The evaluations of JCIV and JPEN were carried out by the Commission and for FRC, DAP and DPIP the Commission was supported by an independent external evaluator<sup>2</sup>. The evaluations focused on the results obtained so far by the programmes and the qualitative and quantitative aspects of their implementation.

The PROGRESS programme was evaluated by its annual performance reports<sup>3</sup>. These findings are also complemented by the interim results of the programme mid-term evaluation, as well as by the public consultation on a possible successor instrument to the EU programme for employment and social solidarity – Progress 2007-2013. This consultation took place between 4 April 2011 and 27 May 2011.

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<sup>1</sup> Communication on the EU Budget Review, COM(2010)700 final of 19.10.2010.

<sup>2</sup> Interim evaluation report on the results obtained from and the qualitative and quantitative aspects of the implementation of the Civil Justice financing programme, COM(2011) 351 final of 15.06.2011;  
Interim evaluation report on the Criminal Justice Programme, COM(2011) 255 final of 11.5.2011;  
Report on the interim evaluation of the Fundamental Rights and Citizenship Programme 2007 – 2013, COM(2011) 249 final of 5.5.2011;  
Report on the interim evaluation of the Daphne III Programme 2007 – 2013, COM(2011) 254 final of 11.05.2011;  
Report on the interim evaluation of the specific Programme Drug prevention and information (DPIP) 2007 – 2013, COM(2011) 246 final of 5.5.2011.

<sup>3</sup> The PROGRESS Annual Performance Reports for the years 2007, 2008, 2009 and 2010 are available online: <http://ec.europa.eu/social/keyDocuments.jsp?type=0&policyArea=86&subCategory=327&country=0&year=0&advSearchKey=PerformanceMonitoringReports&mode=advancedSubmit&langId=en>

More specifically the evaluations of all programmes assessed:

- (1) The relevance of the programmes;
- (2) The effectiveness of the programmes;
- (3) The efficiency of the programmes.

## **2.2 Stakeholder consultation**

A public stakeholder consultation on future funding activities in the area of Justice, Fundamental Rights and Equality for the period after 2013<sup>4</sup> was launched on 20 April 2011 using the on-line tool of Your Voice in Europe and was available for two months (until 20 June 2011). Interested parties were informed through the tools of Your Voice in Europe, through the website of DG Justice and through an electronic flyer which was sent to beneficiaries, stakeholders and programme committee members. The consultation focused on four areas:

1. Objectives and focus of funding after 2013
2. Measures of simplification and improvement
3. Types of activities
4. Delivery mechanisms

The consultation attracted considerable interest and a total of 187 respondents (37 individuals and 150 organisations) submitted their contribution. The responses covered most Member States (except for Denmark, Greece and Luxembourg). The majority of respondents (55%) were NGOs, but representatives from all stakeholders, including national and regional authorities, European networks and private companies were represented. The majority of all respondents (60%) indicated that they had not received funding from the programmes in the area of justice, rights and equality.

The respondents evaluated positively the policy objectives of the funding programmes and confirmed the need for funding in the areas covered. The EU added value was acknowledged in all areas and no area was identified where funding should be discontinued or decreased.

The respondents expressed the need for simplification and improvement and most of the proposed measures to achieve this received a positive response. In particular measures such as the simplification of selection procedures, the simplification of reporting obligations and the wider use of IT tools were seen as very appropriate. The reduction in the number of programmes was also met with approval. In the open questions allowing respondents to further elaborate their replies, the time-consuming and bureaucratic procedures were some of the main concerns expressed by stakeholders.

The stakeholders identified EU added value in funding activities which aim to improve the knowledge of the population on their rights and obligations, to fight discrimination, to promote fundamental rights, equality and EU citizenship, to protect vulnerable persons and to improve access to justice. Furthermore, the activities were seen as an effective tool to help eliminate obstacles and reduce costs of cross-border judicial proceedings and consumer transactions, and to reduce drug use and drug related crime.

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<sup>4</sup> [http://ec.europa.eu/justice/news/consulting\\_public/news\\_consulting\\_0010\\_en.htm](http://ec.europa.eu/justice/news/consulting_public/news_consulting_0010_en.htm)

The proposed types of activities and delivery mechanisms were largely approved by the respondents. The stakeholders were in favour of funding activities such as exchange of good practices, training of professionals, information and awareness raising activities, support to networks, studies etc<sup>5</sup>.

### **2.3 Consultation of the IA steering group**

The participating services in the steering group were LS, SG, BUDG, EMPL, HOME, SANCO, COMM, EAC, COMP and MARKT. The first meeting took place on 20 May 2011 and focused on preliminary discussions on the state of play of the proposals and served as sounding board for possible overlap areas.

The second meeting took place on 25 July 2011 and the services were consulted on the basis of the draft text of the impact assessment. Comments and observations of the services were taken into consideration and they are reflected in the final version of the impact assessment.

### **2.4 Consultation of the Impact Assessment Board**

The Commission's Impact Assessment Board (IAB) was consulted on 3 August 2011 and delivered its opinion on 14 September 2011. The IAB delivered a positive opinion subject to improvements on certain issues. This revised version of the report has introduced a number of modifications in order to reflect the recommendations from the IAB: additional information was included concerning the results of the ongoing programmes, more detailed analysis was included concerning the problems on effectiveness and EU added value of the programmes, the need for increased focus on policy priorities was further analysed, the analysis of options was improved, more detailed information was included concerning impacts on administrative burden and length of procedures and a more operational evaluation arrangement was included.

## **3 THE CURRENT SYSTEM OF FUNDING**

### **3.1 The structure of the current programs**

During the ongoing 2007-2013 financial perspective six funding programmes are in place to support EU policies of justice, rights and equality. All of them are implemented via centralised direct management. The following five specific programmes are included in the Framework Programme on Fundamental Rights and Justice<sup>6</sup>: Civil Justice (JCIV), Criminal Justice (JPEN), Fundamental Rights and Citizenship (FRC), Daphne III (DAP) and Drug Prevention and Information Programme (DPIP).

Every year each programme adopts its annual work programme, which sets the funding priorities for the year. For the implementation of the annual work programmes three types of actions are funded: Specific trans-national projects of EU interest (Action Grants), actions to support to the activities of non-governmental organisations or other entities pursuing an aim of general European interest (Operating Grants) and specific actions taken by the Commission, such as studies, surveys, conferences, specific IT projects etc (Commission initiatives). Approximately 10-13 calls for proposals are launched per year under the five

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<sup>5</sup> For further details and full statistics, see Annex II - Report on the public consultation.

<sup>6</sup> Communication from the Commission to the Council and the European Parliament establishing for the period 2007-2013 a framework programme on Fundamental Rights and Justice, COM(2005) 122 final of 6.4.2005.

programmes and approximately 140 action grants and 25 operating grants are concluded. Grants account for the biggest part of the programme budgets (on average, about 80%).

The objective of the **Civil Justice Programme (JCIV)**<sup>7</sup> is to promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in civil and commercial matters. The financial envelope allocated to the JCIV programme for the whole period (2007-2013) is € 109.5<sup>8</sup> million. In the period 2007-2010 the programme has awarded 85 action grants and 11 operating grants and it has launched 66 Commission initiatives.

The objective of the **Criminal Justice Programme (JPEN)**<sup>9</sup> is to promote judicial cooperation with the aim of contributing to the creation of a genuine European area of justice in criminal matters. The financial envelope allocated to the JPEN programme for the whole period (2007-2013) is € 199.3<sup>8</sup> million. In the period 2007-2010 the programme has awarded 181 action grants, 4 framework partnership agreements and 30 operating grants and it has launched 64 Commission initiatives.

The **Fundamental Rights and Citizenship Programme (FRC)**<sup>10</sup> aims to promote the development of a European society based on European Union citizenship, which is respectful of fundamental rights as provided for in the Charter of Fundamental Rights, to fight racism, xenophobia and anti-semitism and to strengthen civil society in the field of fundamental rights. The financial envelope allocated to the FRC programme for the whole period (2007-2013) is € 97.25<sup>8</sup> million. In the period 2007-2010 the programme has awarded 91 action grants and 20 operating grants and it has launched 61 Commission initiatives.

The **Daphne III Programme (DAP)**<sup>11</sup> aims to contribute to the protection of children, young people and women against all forms of violence and to attain a high level of health protection, well-being and social cohesion. The financial envelope allocated to the DAP programme for the whole period (2007-2013) is € 121.43<sup>8</sup> million. In the period 2007-2010 the programme has awarded 167 action grants and 33 operating grants and it has launched 14 Commission initiatives.

The **Drug Prevention and Information Programme (DPIP)**<sup>12</sup> aims to prevent and reduce drug use, dependence and drug related harm, to contribute to the improvement of information on drug use and to support the implementation of the EU Drugs Strategy. The financial

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<sup>7</sup> Decision No 1149/2007/EC of the European Parliament and of the Council of 25 September 2007 establishing for the period 2007-2013 the Specific Programme 'Civil Justice' as part of the General Programme 'Fundamental Rights and Justice', OJ L 257/16 of 3.10.2007

<sup>8</sup> These figures are based on the Commission's proposal for the 2012 budget and include both operational and administrative support appropriations.

<sup>9</sup> Council Decision of 12 February 2007 establishing for the period 2007-2013, as part of the General programme on Fundamental Rights and Justice, the Specific Programme 'Criminal Justice' (2007/126/JHA), OJ L 58/13 of 24.2.2007.

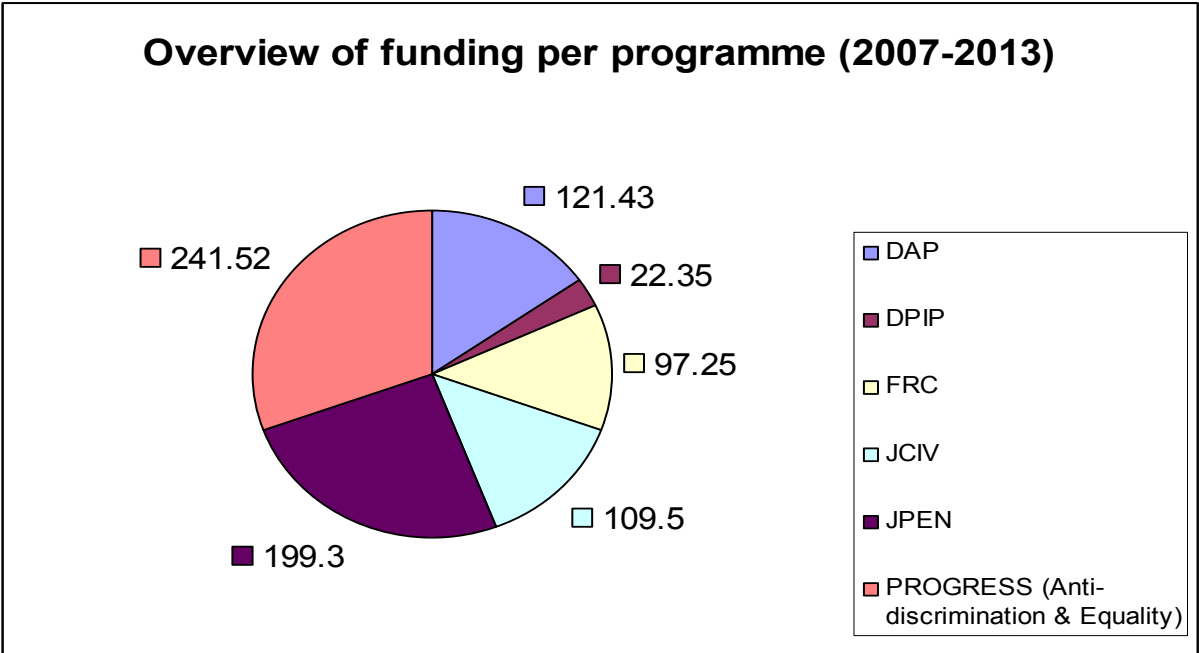
<sup>10</sup> Council Decision of 19 April 2007 establishing for the period 2007-2013 the specific programme 'Fundamental rights and citizenship' as part of the General programme 'Fundamental Rights and Justice' (2007/252/EC), OJ L 110/33 of 27.4.2007 and Corrigendum OJ L141 of 2.6.2007.

<sup>11</sup> Decision No 779/2007/EC of the European Parliament and of the Council of 20 June 2007 establishing for the period 2007-2013 a specific programme to prevent and combat violence against children, young people and women and to protect victims and groups at risk (Daphne III programme) as part of the General programme 'Fundamental Rights and Justice', OJ L 173/19 of 3.7.2007.

<sup>12</sup> Decision No 1150/2007/EC of the European Parliament and of the Council of 25 September 2007 establishing for the period 2007-2013 the Specific Programme 'Drug prevention and information' as part of the General programme 'Fundamental Rights and Justice', OJ L 257/23 of 3.10.2007.

envelope allocated to the DPIP programme for the whole period (2007-2013) is € 22.35<sup>8</sup> million. In the period 2007-2010 the programme has awarded 25 action grants and 12 operating grants and it has launched 18 Commission initiatives.

In addition, funding in the area in question is also provided by two sections of the Community Programme for Employment and Social Solidarity (PROGRESS). The section **Antidiscrimination and Diversity** supports the effective implementation of the principle of non-discrimination and promotes its mainstreaming in all EU policies, whereas the section **Gender Equality** supports the effective implementation of the principle of gender equality and promotes gender mainstreaming in all EU policies. These sections of the PROGRESS programme represent 35% of its overall budget and amount to € 241.52 million for the whole period (2007-2013). They are mainly implemented through Commission initiatives and framework partnership agreements with institutional beneficiaries and to a lesser extent through calls for proposals addressed to Member States (one or two per year). In the period 2007-2009 55 activities were funded under the Antidiscrimination section and 46 activities were funded under the Gender Equality section.



### 3.2 Achievements of the current programmes

The implementation of the current programmes was evaluated by mid-term evaluations as foreseen by the respective legal acts. Some of the evaluations (JCIV, FRC, DPIP) underline that the timing of the evaluation (held three years after the beginning of the programme) was premature and did not allow for an in depth analysis and for far-reaching conclusions. This is due to the limited financial resources of the programmes in combination with the limited number of finalised actions and the long duration of these projects. As a result, at the time of the evaluation only few projects had been completed and could be used as a basis to draw the conclusions for the evaluation.

Besides these limitations the overall findings of the evaluations were positive for all six programmes. They concluded that the programmes are highly relevant to respond to the needs



they were designed to address and they confirmed the importance of their impact for the target groups. They confirmed the effectiveness and efficiency of all programmes and they recommended their continuation.

The stakeholder consultation has also confirmed these overall findings. No policy area was identified where funding should be decreased or discontinued. On the contrary, the majority of the respondents confirmed the need for funding in most of the policy areas. Respectively, very positive opinions were expressed concerning the added value of providing funding for these areas at EU level. These results are particularly indicative taking into consideration that they reflect rather "objective" opinions: 60% of the respondents did not receive funding from these programmes<sup>13</sup>. It should also be flagged that the majority of the action grant managers interviewed for the mid-term evaluations reported that without EU funding their activities would discontinue as it would be impossible to receive any national funding for their causes. This is more the case in the current times of the financial constraints where these areas are losing out to the areas influencing directly economic growth.

Despite the management strains and burden for the Commission the above mentioned programmes and, in particular FRC and DAP, are among the few EU programmes allocating funding mostly (80%) to grants which support activities of grass-root organisations across the Member States and to lesser extend to procurement transactions, where beneficiaries are mainly research or consultancy organisations. Thus they have helped to create sustainable partnerships in the EU whereby on average 4-5 and in some cases up to 15 partner organisations from different Member States take part in the implementation of a project. Support to partnerships and to transnational cooperation is commonly acknowledged as particularly relevant for the achievement of the programmes' objectives. The evaluations of FRC, DAP and PROGRESS highlight the importance of creating and supporting partnerships, while JCIV and JPEN acknowledge the need to take additional action to promote them. The respondents to the public consultation have also expressed clearly their agreement on providing funding for the abovementioned activities in the area of justice and rights.

According to the mid-term evaluations the activities of NGOs or other non-profit organisations funded under the action grants and operating grants aimed to have impact on national policies and, according to action grant managers, the majority of them achieved this objective. Despite being low value, covering only few Member States and not always run by professional project managers, these activities greatly contributed in advocating for justice and in respecting fundamental rights.

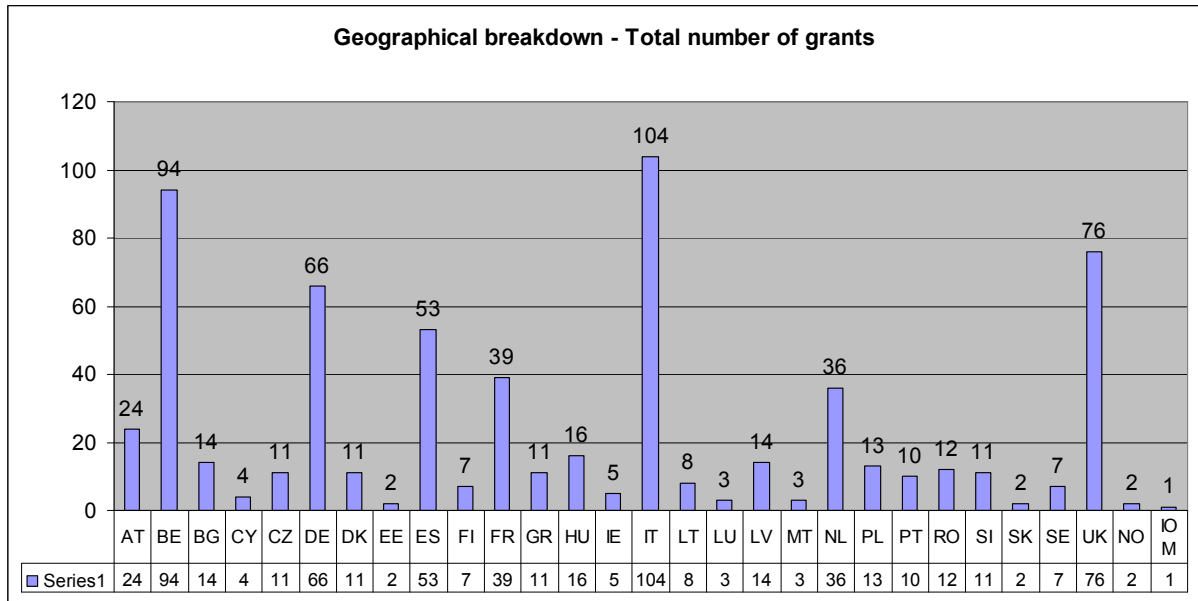
However, the drawback of such funding is its competitive nature, which cannot guarantee that the beneficiaries would receive funding under the next call for proposals to ensure the continuation of their activities, the sustainability of the results of their projects and the adequate follow-up of the outputs of their projects.

The chart below presents the volume of the action and operating grants awarded to different organisations under JCIV, JPEN, FRC, DAP and DPIP programmes during the reporting period (as from the start of the programmes until now) and its geographical coverage<sup>14</sup>. In the period 2007-2010 the five programmes have awarded 659 grants.

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<sup>13</sup> For more detailed information on the results of the public consultation please refer to Annex II.

<sup>14</sup> The geographical allocation is based on the country where the coordinating organisation of each project is officially established. However, in the majority of the cases the projects are implemented by a partnership of organisations from different Member States and the funds are divided between all partners of the project.



The main activities implemented by these projects are studies and researches, mapping of national policies and legislation, case studies, training of practitioners and professionals, capacity building, awareness raising events, conferences and seminars. Some indicative examples of the results achieved by the programmes are mentioned below.

### Information and Awareness-raising

EU funding is supporting the development of the European e-Justice systems. These systems serve to improve citizens' access to justice, to facilitate procedures within the EU and to make the resolution of disputes or the punishment of criminal behaviour more effective. They ensure better access to justice and strengthen cooperation between administrative and judicial authorities. The most visible part of European e-Justice is the European e-Justice Portal, which provides concrete benefits to citizens and businesses. Citizens can get answers on how the 27 EU countries' legal systems function. The Portal helps them find relevant information when dealing with events such as divorce, death, litigation or even moving house. Businesses can find links to insolvency and land registers and information on cross-border proceedings and the laws that apply.

The European Day of Civil Justice is celebrated yearly on 25 October. The central event co-organised by the Council of Europe and the European Commission is supported by EU funding. These yearly events aim to bring justice closer to citizens, to inform them on their rights through simulation of procedures and information sessions open to students, professionals of justice and general public and also through open doors to their courts.

National and European awareness-raising activities have been implemented in all supported policy areas. An indicative example is the EU-wide campaign on the gender pay gap, which included among others national events, advertising in EU press, 47 examples of national good practices, mapping of pay gap, a campaign toolkit etc. Some other examples are: the development and maintenance of websites in areas of Justice, Rights of the Child and Consular protection; the development and broadcasting of video clips on multiple aspects of Roma life by a partnership of Bulgarian, Slovak, Hungarian and Romanian organisations,

which encouraged a more nuanced coverage of Roma issues, greater participation of Roma journalists in mainstream media operations, and encouraged inter-cultural dialogue and mutual understanding; the development of awareness raising actions targeting children at risk and victims of trafficking by a partnership of Bulgarian, Danish, Italian and Romanian organisations, using their specific knowledge and expertise in the field of trafficking, children's rights and the use of new information technologies and the involvement of children themselves; a European information campaign on the 116000 telephone number for missing children implemented in 10 Member States, etc.

These activities have been complemented by different debates and platforms (for example, European Platform for Roma, the Forum on the Rights of the Child) initiated by the Commission in the field of antidiscrimination, rights and equality to enhance knowledge and awareness of the problems within the circles of politicians, professionals, lawyers, public officials. In 2009 EU funding has supported across the Member States more than 130 high-quality and participatory debate events in the area of antidiscrimination and gender equality, reaching a total estimated audience of more than 12,000 politicians, public officials, lawyers, educational institutions and NGOs, and similar target groups.<sup>15</sup>

## **Training**

Judicial training has been provided by the European Judicial Training Network (EJTN), which covers all Member States. It develops training standards and curriculum, coordinates judicial training exchanges and programmes and fosters cooperation between EU national training bodies. Since 2005 over 3817 participants have taken part in exchange visits ranging from group study visits to short (up to 1 month) and longer term exchanges (1 year). Additionally to the EJTN activities 39 grants were given to promote judicial training in more than 10 Member States. Other activities in the area of judicial training, include indicatively training initiatives to promote alternative dispute resolution, cross border mediation, promoting mediation techniques for the European practitioners of justice, etc. The participants were judges and legal professionals from different Member States. The added value of these activities lies both in informing and training the professionals who have to apply EU law and in promoting communication between them as a tool for the development of mutual trust.

EU funding is also provided to support the development of training modules and the delivery of training to other professionals. Some indicative examples of funded activities are: the development of material and training on health symptoms caused by violence (post-traumatic health disorder –PTSD) through the implementation of four successive grants, which allowed for the adaptation and dissemination of the material in all Member States; the development of training pact for professionals working with abusive and violent high risk families; etc.

## **Cooperation on enforcement**

The European e-Justice Portal provides concrete benefits to lawyers and judges with cross-border legal questions and boosts mutual understanding of different legal systems by contributing to the creation of a single European area of justice. Through the e-Justice Portal lawyers, notaries and judges have access to legal databases, contact colleagues through judicial networks and find information on European judicial training. Another e-Justice

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<sup>15</sup> Progress Annual Performance Monitoring Report 2009, p. 48.

system, is the e-CODEX (e-Justice Communication via Online Data Exchange), which aims to find solutions to challenges such as e-ID and e-Signature.

The European Criminal Records Information System (ECRIS) was established to achieve an efficient exchange of information on criminal convictions between EU countries. Eleven EU countries (Belgium, the Czech Republic, France, Germany, Spain, Italy, Luxembourg, the Netherlands, Poland, Slovakia and the UK) already exchange information on criminal records electronically in the framework of the 'Network of Judicial Registers' pilot project. This system is implemented through awarding grants to Member States in order to set up the appropriate systems to allow the electronic interconnection of their national criminal records databases.

Moreover, the Commission further enhances the European judicial atlas, an online database available in all EU languages. The purpose of the tool is to provide user-friendly access to information relevant for judicial cooperation in civil matters. It enables professionals and the general public to easily identify which authorities to contact and is particularly useful for finding courts with territorial jurisdiction, serving documents, taking evidence, enforcing judgments etc. Another database developed by the Commission is JURE, which contains information on the case law of the European Court of Justice and Member States' courts, on the interpretation of Council Regulation (EC) No 44/2001 of 22 December 2000, on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters, and on the interpretation of the 1968 Brussels Convention and the 1988 Lugano Convention. Currently it includes case law of more than 2000 national cases<sup>16</sup>.

Other examples of the supporting cooperation between Member States include the support for putting in place child alert systems, the operation of the 116000 hotline for missing children, activities for the coordination of operational and cross-border anti-drug co-operation, the development of methodology for the assessment of the human rights impact of anti trafficking laws and measures, etc.

## **Networks**

Funding in the area of justice, rights and equality supports the development of Europe-wide networks of organisations, which aim at sharing experiences, exchanging information and good practices, cooperating in promoting policies, coordinating their work in research and gathering information. The EU wide cooperation gives clear added value to the work of these networks and at the same time helps the organisations in each country to learn from each other and improve their capacity. A number of networks are supported in the areas of antidiscrimination, violence against women, equality, children's rights, victim support, etc.

## **Research and analysis**

In addition to the above the Commission itself has contributed significantly in attaining the programmes' objectives through funding for Commission initiatives. It allocates funding for the implementation of opinion polls, researches and surveys, formulation of methodologies, collection of data and statistics, studies and impact assessment. These activities assist in the

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<sup>16</sup> The case law is available to judges and legal practitioners throughout EU in the original language and in summary in three languages.

development of policies and legislation and their main aim is to ensure evidence-based policy making.

## 4 PROBLEM DEFINITION

As confirmed by the Stockholm Programme, the development of an area of freedom, security and justice remains a priority for the European Union. Although significant progress has already been achieved in this field, Europe still faces challenges, which should be addressed in a comprehensive manner. The Stockholm programme sets the political priorities for the period 2010-2014. Most of these priorities will continue to be relevant beyond this timeframe. In addition to this, tackling social, economic and legal injustices, inequalities and imbalances at local, regional and European level is perpetual objective of the EU. The promotion of citizenship and fundamental rights as well as the achievement of a European area of justice significantly contribute to attaining this objective and thus will remain at the heart of EU activity in the next decade. Funding, in addition to legislation, is identified as one of the tools to be used for the achievement of these objectives.

The area of freedom, security and justice became very prominent only recently and is currently dominating the EU agenda. This is linked to the creation of the Schengen area and the current challenges posed by migration flows, the abolishment of the Third Pillar in the Treaties and the binding character of the Fundamental Rights Charter. Although new policies and corresponding legislation in the area of justice are being conceived expeditiously, due to a short lead time they cannot yet show their desired effects. Moreover, the promotion of fundamental rights, equality and non-discrimination is a long-term objective and its responsiveness to legislation is relatively low. Therefore it requires long-term and persistent non-legislative efforts in order to deliver its objectives. In this context the non-legislative measures implemented with the help of funding are appropriate tools to continue and further pursue and implement EU policies.

### 4.1 Challenges at policy level

#### 4.1.1 Obstacles remain in the functioning of a European area of justice, respectful of fundamental rights, non-discrimination and equality

As a prerequisite for the realisation of a European area of justice, justice systems should have faith in each others' standards of fairness and justice, whereby the principles of mutual trust and mutual recognition of judicial decisions are essential elements. Due to limited legislation and policy instruments, obstacles remain in the proper functioning of cross-border judicial proceedings. **Judicial cooperation in civil and criminal matters** is insufficient.

According to the Special Eurobarometer on civil justice in 2010<sup>17</sup> 56% of Europeans believe that access to civil justice in another Member State is 'difficult'. Their main difficulties are that they don't know the applicable legislation (42%) or the appropriate procedures (38%). The awareness of the existing three European cross-border procedures is relatively low: 12% for legal aid, 8% for small claims and 6% for the European payment order.

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<sup>17</sup> Special Eurobarometer 351 on Civil Justice, published in October 2010, [http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_351\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_351_en.pdf)

Access to justice should become a reality, as EU citizens need to have confidence that the same level of minimum rules will be applied should they travel or live abroad. This becomes more important as the mobility of EU citizens within the EU area increases. The total number of EU citizens who live in the territory of another EU Member State is 11.3 million people (2.3 % of the EU population). This number has increased by 55% between 2001 and 2008. In 2008, 90% of 1.4 billion journeys by Europeans were within the EU<sup>18</sup>.

Since 56% of EU GDP is based on consumer spending, consumer confidence is very important for the EU economy<sup>19</sup>. Consumer protection can give consumers the necessary confidence to fully participate in the internal market. The development of today's online marketplace and the growing importance of digital goods call for bringing up to date the EU consumer legislation. At present, 36% of Europeans do not feel knowledgeable as consumers and 40% do not feel protected by consumer law when purchasing goods and services.<sup>20</sup> Indeed, the outdated legislation causes significant detriment for consumers. For example, it has been estimated that the consumer detriment<sup>21</sup> in the area of dynamic travel packages<sup>22</sup> amounts to more than €1 billion annually<sup>23</sup> and the consumer detriment for digital content products amounts to approximately €64 billion<sup>24</sup>. Consumer rights are however of little value if consumers are not aware of them and if they are not enforced in practice. The recent Eurobarometer on Consumer Empowerment shows that only 2% of consumers were able to answer correctly seven basic questions concerning their main consumer rights.<sup>25</sup>

Differences in contract law between Member States create a barrier to trade within the internal market (i.e. additional transaction costs, increased legal uncertainty for businesses and lack of consumer confidence). It has been estimated that each year those companies that do export into new Member State markets face unnecessary entry (transaction) costs of about €1 billion. The value of trade foregone each year between Member States (due to differences in contract law), amounts to some tens of billions of euro. The complexity of different foreign laws also impacts negatively on consumer confidence in cross-border shopping. Data show<sup>26</sup> that the potential for cross-border trade is still largely untapped and that the persistence of

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<sup>18</sup> Eurostat, Citizens of the European countries account for the majority of the foreign population in EU-27 in 2008, Statistics in focus 94/2009; Communication on Europe, the world's No 1 tourist destination – a new political framework for tourism in Europe, COM(2010)352 final of 30.06.2010.

<sup>19</sup> Commission Staff Working Paper on Consumer Empowerment in the EU, SEC(2011)469 final, of 7.4.2011.

<sup>20</sup> Special Eurobarometer 342 on Consumer Empowerment, published in April 2011, [http://ec.europa.eu/consumers/consumer\\_empowerment/docs/report\\_eurobarometer\\_342\\_en.pdf](http://ec.europa.eu/consumers/consumer_empowerment/docs/report_eurobarometer_342_en.pdf)

<sup>21</sup> The consumer detriment is understood as the negative outcomes that consumers experience when using certain products or services including financial and time loss.

<sup>22</sup> A “dynamic travel package” is when two or more services for a single holiday or trip (such as flights, hotel or car rental) are bought at the same time and from the same supplier, or from different suppliers that are commercially linked (such as airlines, hotel chains and car rental companies), and are put together according to the consumer's specific needs.

<sup>23</sup> Study on Consumer Detriment in the area of Dynamic Packages, The European Commission Health and Consumers DG, prepared by London Economics, November 2009.

<sup>24</sup> Digital Content Services for Consumers: Assessment of Problems Experienced by Consumers- LOT 1, not published.

<sup>25</sup> Special Eurobarometer 342 on Consumer Empowerment, published in April 2011, [http://ec.europa.eu/consumers/consumer\\_empowerment/docs/report\\_eurobarometer\\_342\\_en.pdf](http://ec.europa.eu/consumers/consumer_empowerment/docs/report_eurobarometer_342_en.pdf)

<sup>26</sup> According to the Eurobarometer on business attitudes towards cross-border sales and consumer protection, the additional costs of compliance with different consumer protection regulations is the third most important obstacle to B2C cross border trade (60 % consider it a very or fairly important obstacle). See flash Eurobarometer 224 on business attitudes towards cross-border sales and consumer protection, published in July 2008, [http://ec.europa.eu/consumers/strategy/docs/fl224%20\\_eurobar\\_cbs\\_analrep.pdf](http://ec.europa.eu/consumers/strategy/docs/fl224%20_eurobar_cbs_analrep.pdf)

legal (next to administrative, cultural and technical) barriers is one of the main reasons for businesses' and consumers' reluctance to buy on-line and/or across borders<sup>27</sup>.

The internal market in data protection is not fully achieved. There are too large variations in the transposition of the current directive, and Data Protection authorities do not have the same powers nor take consistent decisions across the EU. This creates unnecessary costs and administrative burden within the internal market. There is no appropriate coordination mechanism to ensure consistency across the internal market. There are weaknesses as regards the protection of Individual's Data subject rights, for instance in the online world where rights such as deletion of one's own data (the "right to be forgotten") are not easily enforced. Data Protection authorities lack coordination mechanisms and enforcement powers in order to enforce the rights of individuals online. Europe lacks coordination mechanisms in order to guarantee effectively the data protection rights of individuals in a globalized and online environment.

According to Eurostat data, roughly 15% of the EU's population suffers directly from serious crime every year: around 30 million serious offences, excluding minor crimes, were recorded in 2007, and most crimes are never reported. Many of these offences involve more than one victim and those close to the victim also suffer indirectly from the crimes<sup>28</sup>.

To prevent criminals from taking profit from the abolition of borders in the EU, 12 instruments have been adopted by the EU legislator to ensure that criminal procedures do not stop at borders, based on the principles of mutual recognition of judicial decisions and on direct cooperation between the judicial authorities of the Member States. However, there is widespread recognition that implementation of these third pillar instruments has been very poor, since under the former Treaty the Commission did not have enforcement powers and therefore could not start infringement procedures against Member States who did not implement them at all or implemented them badly. Only one instrument, the European Arrest Warrant, has been implemented satisfactorily and on time.

Recent impact assessments<sup>29</sup> show that a main obstacle to mutual recognition and judicial cooperation is the lack of trust in the judicial systems of other Member States. This lack of trust relates both to the level of procedural safeguards benefitting to persons suspected or accused of having committed a crime as well as to quality of treatment that victims receive in the aftermath of crime and during the criminal proceeding that follow.

Also the prevention of **drug-related crime** requires a long-term, integrated and multidisciplinary approach. The study on developments in the global illicit drugs market<sup>30</sup> found no evidence of any improvement in the recent period. In some countries the problem

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<sup>27</sup> See also the Special Eurobarometer 342 on Consumer Empowerment, published in April 2011, [http://ec.europa.eu/consumers/consumer\\_empowerment/docs/report\\_eurobarometer\\_342\\_en.pdf](http://ec.europa.eu/consumers/consumer_empowerment/docs/report_eurobarometer_342_en.pdf)

<sup>28</sup> Eurostat, Crime and Criminal Justice Statistics, Statistics in focus, 36/2009.

<sup>29</sup> Impact assessment accompanying the proposal for a Framework Decision on the right to interpretation and to translation in criminal proceedings, SEC(2009) 916 of 8.7.2009;

Impact assessment accompanying the communication for a proposal of a directive establishing minimum standards on the rights, support and protection of victims of crime and for proposal for a regulation on mutual recognition of protection measures in civil matters, SEC(2011) 580 final of 18.5.2011;

Impact assessment accompanying the proposal for a directive on the rights of access to a lawyer and of notification of custody to a third person in criminal proceedings, SEC(2011) 686 final of 8.6.2011.

<sup>30</sup> Study on Detailed analysis of the operation of the world market in illicit drugs and of policy measures to curtail it, not published.



diminished, but in others it worsened, in some cases sharply. At the same time every year 6.400 to 8.500 individuals die in the EU because of drug overdose and for the first time in years the number of fatalities is going up<sup>31</sup>. The need for action in this area remains high as the Member States are unable to sustainably tackle the cross-border drugs problem on their own. They would struggle individually to control the emergence and spread of new drugs on the EU market, the prevention of drug trafficking across borders and to ensure the provision of quality treatment and care.

**EU citizenship** rights are now firmly anchored in primary EU law and substantially developed in secondary law. However, the EU Citizenship Report 2010<sup>32</sup>, as well as the Report on progress towards effective EU Citizenship 2007-2010<sup>33</sup> concluded that EU citizens still encounter difficulties when exercising their citizenship rights. The most recurrent complaints include difficulties, additional bureaucratic requirements and unacceptable delays in the administrative procedures for registration and for issuance of residence cards. These are attributed to a certain extent to excessive bureaucracy, but also, partly, to the incorrect interpretation and implementation of relevant EU rules by the national authorities. In October 2010, there were 63 infringement proceedings launched against Member States in the area of free movement and residence of EU citizens. Obstacles are identified regarding the exercise of electoral rights<sup>34</sup> and the effectiveness of EU citizens' right to consular protection remains to be proven<sup>35</sup>. At the same time the EU citizens are not fully aware of their rights. Almost half of European citizens (48%) indicate that they are not well informed about their rights as Union citizens<sup>36</sup>. Lack of information is considered by EU citizens as one of the most important barriers to cross-border commuting<sup>37</sup> and to exercising their right to free movement<sup>38</sup>.

The 2010 Report on the Application of the **EU Charter of Fundamental Rights**<sup>39</sup> found that people's interest in and expectations about the enforcement of the Charter are high. However, the Charter does not apply to all situations in which fundamental rights are at issue in the European Union. In 2010, the Commission received more than 4.000 letters from the general public regarding fundamental rights. Approximately three quarters of these concerned cases outside the remit of EU law. This reflects a frequent misunderstanding about the purpose of the Charter and the situations where the Charter applies or does not apply.

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<sup>31</sup> 2010 Annual Report on the state of the drugs problem in Europe, EMCDDA, November 2010, [http://www.emcdda.europa.eu/attachements.cfm/att\\_120104\\_EN EMCDDA\\_AR2010\\_EN.pdf](http://www.emcdda.europa.eu/attachements.cfm/att_120104_EN EMCDDA_AR2010_EN.pdf).

<sup>32</sup> EU Citizenship Report 2010, COM(2010) 603 final of 27.10.2010. The report was based on the large number of complaints and enquiries the Commission receives every year, on recent Eurobarometer surveys, on discussions with stakeholders, on the outcome of a public consultation concluded on 15 June 2010 and a conference on 'EU citizens' rights-the way forward' that took place on 1 and 2 July 2010.

<sup>33</sup> Report on progress towards effective EU Citizenship 2007-2010, COM(2010) 602 final of 27.10.2010.

<sup>34</sup> EU Citizenship Report 2010 COM (2010) 603 final of 27.10.2010; Report on the election of Members of the European Parliament (1976 Act as amended by Decision 2002/772/EC, Euratom) and on the participation of European Union citizens in elections for the European Parliament in the Member State of residence (Directive 93/109/EC), COM(2010) 605 final of 27.10.2010.

<sup>35</sup> EU Citizenship Report 2010 COM (2010) 603 final of 27.10.2010; Communication on Consular protection for EU citizens in third countries: State of play and way forward, COM(2011) 149 final of 23.3.2011.

<sup>36</sup> Flash Eurobarometer 294 on European Union Citizenship, published in October 2010, [http://ec.europa.eu/public\\_opinion/flash/fl\\_294\\_en.pdf](http://ec.europa.eu/public_opinion/flash/fl_294_en.pdf)

<sup>37</sup> Scientific Report on the Mobility of Cross-Border Workers within the EU-27/EEA/EFTA Countries, January 2009.

<sup>38</sup> Eurobarometer Qualitative study "European Citizenship – Cross-border mobility" Aggregate Report of August 2010, [http://ec.europa.eu/public\\_opinion/archives/quali/5823\\_citizenship\\_en.pdf](http://ec.europa.eu/public_opinion/archives/quali/5823_citizenship_en.pdf)

<sup>39</sup> [http://ec.europa.eu/justice/policies/rights/docs/report\\_EU\\_charter\\_FR\\_2010\\_en.pdf](http://ec.europa.eu/justice/policies/rights/docs/report_EU_charter_FR_2010_en.pdf)



The specific area of the **Rights of the Child** also suffers from a general lack of awareness. The results of two Eurobarometer surveys of 2008 and 2009<sup>40</sup> showed that 76% of children interviewed were not aware of having rights and 79% did not know who to contact in case of need. When asked what action the EU should take to promote and protect the rights of the child, 88% of respondents indicated that the EU should provide more information to children about their rights in an accessible way.

Despite remarkable advances towards **equality between women and men** in the past few decades significant inequalities persist at global and EU level and there are still significant gender gaps, in both quantitative and qualitative terms<sup>41</sup>, which are incompatible with the fundamental goals of the Union. The current context is characterised, for instance, by an unequal participation of women and men in the labour market, an EU average gender pay gap of 17.5%, an unbalanced representation of women and men in decision-making (the proportion of female members of national parliaments is approximately 24%) and the enduring violation of fundamental rights such as gender-based violence. The Eurobarometer conducted at the end of 2009 shows that 62% of the respondents perceive gender inequality as a widespread phenomenon and **violence against women** and the gender pay gap are considered as the two main priorities for action<sup>42</sup>.

According to the special Eurobarometer on **discrimination** in the EU in 2009<sup>43</sup>, 16% of Europeans reported experiencing discrimination in 2009. This percentage is much higher if we consider the interviewees declaring themselves as belonging to a minority group (33% of disabled people, 25% of people having a different ethnic background). Only 1 out of 3 of Europeans are aware of their rights should they become a victim of discrimination or harassment. The figures show also a strong increase in the perception of the existence of discrimination based on age and disability compared to 2008. There is a strong link between the economic crisis and the increased perception of age discrimination. The advent of the economical crisis has lowered confidence that European governments will continue to address issues of discrimination with the same level of funding and sense of priority.

Furthermore, the EU has become a party to the UN Convention on the Rights of Persons with **Disabilities** in January 2011 and 18 Member States have ratified it while the rest are in the process of doing so. The Convention is the first international human rights instrument that the EU adheres to. However persons with disabilities are not yet able to fully enjoy the rights and fundamental freedoms enshrined in the Convention. Recent data shows for example a considerable gap between persons with disabilities and those without disabilities in relation to

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<sup>40</sup> Flash Eurobarometer 235 on The Rights of the Child, published in April 2008, [http://ec.europa.eu/public\\_opinion/flash/fl\\_235\\_en.pdf](http://ec.europa.eu/public_opinion/flash/fl_235_en.pdf);

Flash Eurobarometer 273 on The Rights of the Child, [http://ec.europa.eu/public\\_opinion/flash/fl\\_273\\_en.pdf](http://ec.europa.eu/public_opinion/flash/fl_273_en.pdf).  
<sup>41</sup> Commission Staff Working Document, Background document accompanying the Strategy for Equality between Women and Men 2010-2015, SEC(2010) 1080 final of 21.9.2010.

<sup>42</sup> Special Eurobarometer 326 on Gender equality in the EU in 2009, published in February 2010, [http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_326\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_326_en.pdf)

See also Special Eurobarometer 344 on Domestic Violence against Women, published in September 2010, where 87% of the respondents agreed that action should be taken at EU level. [http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_344\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_344_en.pdf)

<sup>43</sup> Special Eurobarometer 317 on Discrimination in the EU in 2009, published in November 2009, [http://ec.europa.eu/public\\_opinion/archives/ebs/ebs\\_317\\_en.pdf](http://ec.europa.eu/public_opinion/archives/ebs/ebs_317_en.pdf)

access to employment, education and risk of poverty<sup>44</sup> representing a challenge to achieve the Europe 2020 headline targets. Furthermore, it is important to mention that the Convention is a wide instrument that mainstreams disability matters in a wide range of EU policies. To address those challenges the Commission issued a European disability strategy 2010-2020 proposing a wide number of actions.

#### **4.1.2 The role of funding in overcoming these obstacles and its added value**

The EU is addressing the challenges mentioned above by developing a strong set of legislative and policy measures and by promoting their coherent implementation.

The role of funding is to support the EU legislative and policy activity and to provide concrete solutions to specific problems that are common in all policy fields analysed above. The specific problems to be addressed by funding activities are summarised below:

- Insufficient knowledge of the EU acquis and of EU policies by the persons who derive rights from it.**
- Insufficient knowledge of the EU acquis and of EU policies by the relevant practitioners, leading to inconsistent and insufficient application of EU law and policies.**
- Insufficient cooperation and exchange of information at transnational level and lack of mutual trust between authorities, such as judicial authorities.**
- Need for concrete information, evidence, research and good practices concerning the situation and the needs on the ground, in order to feed to the development of EU legislation and policies.**

Funding therefore is an essential tool:

- (i) to bridge the period until legislation is prepared and adopted and to help to prepare state-of-art legislation,
- (ii) to enhance the quality implementation and application of the adopted legislation and
- (iii) to bridge the gap where legislation alone might appear to be ineffective.

In this context the role of funding is to provide adequate support in an effective and efficient manner. Its focus has to be on activities with clear added value that can produce maximum benefit in addressing policy challenges. The added value of the activities funded under the current programmes was confirmed by the evaluations. More specifically:

Funding should enhance the *effectiveness of legislation* by supporting:

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<sup>44</sup> On the basis of the EU Statistics on Income and Living Conditions (SILC) from 2008, it is estimated that the percentage of persons with disabilities having completed tertiary education or equivalent in the age group 30-34 is around 19%, while for those without disabilities the figure is around 31%. The employment rate (from the same source) among those between 20-64 years old with disabilities is 45 % compared to 73% for persons without disabilities. The poverty risk for persons with disabilities older than sixteen years is 21% while for those without disabilities it is about 15%.

- **Information and public awareness raising**, including support for national and European campaigns to inform people of their rights, as guaranteed under EU law;
- **Training and capacity building for legal professionals** (such as judges and prosecutors) **and other practitioners**, to equip them with the tools to effectively put EU rights and policies into practice.

These types of activities contribute to increasing knowledge, awareness and capacity of citizens, professionals and stakeholders. *Only action at EU level* can provide coordinated activities that can reach all EU Member States and consistently contribute to developing mutual understanding and reducing the barriers that citizens face in their mobility within the internal market.

Funding has a central role in promoting *cooperation at transnational level*, through:

- **Strengthening networks**, i.e. EU-wide organisations to assist with the preparation of future initiatives in this area, as well as to promote their consistent implementation across Europe;
- **Cross-border cooperation on enforcement**, for example establishing missing child alert systems, coordination of operational and cross-border anti-drug co-operation;

These types of activities promote networking, mutual cooperation and mutual trust among the participants. Their *EU added value lies* mainly in generating, sharing and disseminating information, data, and knowledge between the numerous stakeholders concerned. Without EU support, these stakeholders would tend to address similar problems in a fragmented and disconnected way. Collaboration and networking between them lead to the dissemination of best practices, in particular innovative and integrated approaches in different Member States. The participants in these activities can act as multipliers in their respective professional activities and disseminate wider the best practices within their Member State. Furthermore, support of cooperation in enforcement not only improves the effectiveness and efficiency of cross-border actions and the speed with which they can be carried out, but also benefits directly Member States at national level.

Additionally, funding should support:

- **Research, analysis and other support activities**, to provide to the legislator clear and detailed information on the problems and the situation on the ground.

The results of these activities feed into the development and the implementation of EU policies and ensure that they are evidence-based, well targeted and well structured. This type of research, analysis and support activities can *only be funded at EU level* in order to obtain comprehensive information covering all Member States. Funding at national level would not provide the same results, but would result in a fragmented and limited approach.

## 4.2 Challenges in management and delivery

Besides the positive role of funding and the achievements of the ongoing programmes, the mid-term evaluations identified also key areas where improvement is needed in order to maximise the results and impact of the programmes. The issues identified are to a great extent common for the five programmes and some of them apply also to PROGRESS. The analysis below is structured on the basis of the key areas where common problems are identified. Additional reference, where applicable, is made to problems faced by each specific programme.

### 4.2.1 Relevance/Scope

The mid-term evaluations of all programmes did not put in question the content of the programmes. They concluded that the programmes are highly relevant to respond to the needs they were designed to address and they confirmed the importance of their impact for the target groups. They **confirmed the need for funding in the respective areas** and acknowledged that the funded activities contribute to the achievement of the foreseen objectives. In terms of scope, some recommendations were made, but the issues raised did not put in doubt the need for the continuation of funding.

The same view was expressed by the respondents in the public consultation, who confirmed the relevance of the programmes' scope. The overwhelming majority of the respondents agreed that funding should be maintained and acknowledged the EU added value in allocating funding in these areas.

The area of justice and rights has a developing and very dynamic policy agenda. An indication of this is that issues related to this area make up 14% of the Commission's overall work programme. Within this context funding has to address two challenges: to provide support to the development of a wide policy area and to ensure that this support can also focus on specific needs of the ongoing policy developments. This approach is consistent with the goals set by the Commission in the EU Budget Review and in the Budget for Europe 2020<sup>45</sup>. In practice it means that the structure of the budget has to ensure **flexibility**.

The existence of six different, small-scale funding programmes in this policy area does not support flexibility, but rather presents a fragmented and rigid approach. Each programme focuses only on a specific, limited policy area, setting a small-scale scope for its activities (e.g. Criminal Justice, Civil Justice, Violence against women, children and young people, Drug Prevention and Information). This means in practice that six sub-areas of funding are maintained.

In this context horizontal and cross-cutting issues cannot be addressed in a comprehensive way or they are only partially addressed within the specific scope of each programme. Greater flexibility in the allocation of funds between programmes in order to adapt to policy developments and needs is not possible. From a policy perspective this fragmentation poses substantial limitations to the use of funding as a tool for the development of a strong and coherent policy area. This situation is clearly evident in the area of criminal and civil justice, as each programme partially covers issues such as judicial training or e-Justice, while a comprehensive approach is missing.

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<sup>45</sup> Communication on A Budget for Europe 2020, COM(2011) 500 final of 29.06.2011.

In addition to this fragmentation a number of **overlaps** can be identified among the different programmes, as they address interlinked issues with common aspects. Some indicative examples are presented below:

- In the area of promoting judicial cooperation, funding can be obtained from two different programmes, Civil Justice or Criminal Justice, depending on the objective of the action. However, horizontal issues such as e-justice or judicial training can be addressed only partially by these programmes, either from the criminal justice or the civil justice point of view.
- In the area of children's rights, child protection and prevention of violence against children the Fundamental Rights and Citizenship programme overlaps with the Daphne programme.
- In preventing drug addiction and violence between young people, Daphne and the Drugs Prevention and Information programme overlap, whereas some aspects could also be relevant to the Fundamental Rights and Citizenship programme.
- Non-discrimination is within the scope of both Fundamental Rights and Citizenship programme and PROGRESS/Non-discrimination.
- Violence against women is the focus of Daphne programme, but it has also strong links with PROGRESS/Gender Equality, with Fundamental Rights and Citizenship and with Criminal Justice.

The overlaps between programmes allow beneficiaries to submit similar funding applications under several programmes or to choose the programme for submitting their application not based on thematic relevance, but based on the average success-rate under a given programme. As a result, different programmes could fund similar activities, which have not been evaluated against each other. This duplication of activities reduces the cost-effectiveness and the impact of funding.

The fragmentation and overlaps between the programmes are evident also while comparing the annual priorities of the programmes<sup>46</sup>. The overlaps in the scope between some of the programmes, as indicated above, have often as consequence overlaps in their annual priorities. For example, the annual priorities of both FRC and DAP cover issues related to children's rights. This problem was pointed out by the mid-term evaluations of the programmes, which recommended that the focus of the programmes should be improved. It should be noted that the recommendations of these mid-term evaluations aim to improve the implementation of the

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<sup>46</sup> For the allocation of funding in different policy areas the setting of objectives and the setting of priorities take place at different points in time. The *general and specific objectives* are identified in the legal act, which provides the general legal framework for the implementation of the programme. These objectives cannot be changed throughout the duration of the programme and thus they should be formulated in a way that would remain valid until the end of the programme's duration. They define the *scope* of the programme. In addition there are the *annual priorities* which are set on an annual basis in the annual work programmes for each programme. These are more operational and determine the focus of funding for the coming year. The annual priorities are within the scope of the general and specific objectives and depend on and reflect the current developments.

ongoing programmes and propose solutions compatible within the current programme structure. In these terms and since the objectives of the ongoing programmes cannot be changed, the solution proposed by the mid-term evaluations was to improve the focus by identifying the annual priorities carefully. However the root cause of the overlaps lies in the definition of the programmes' scope, which is a problem to be addressed at the stage of designing the structure of the funding programmes.

The fragmentation of the funds in this area under six different small-scale programmes compromises also the ability of the programmes to align their annual priorities with the policy needs. For example, addressing priorities concerning judicial cooperation can only be partly covered by JCIV and only to the extent that it relates to civil justice. Mirror priorities referring to criminal justice should be foreseen under the JPEN programme in order to ensure coverage of the whole justice area. This split approach does not allow the flexible allocation of funds according to the annual needs and prevents the development of one comprehensive and coherent approach on horizontal issues, such as e-justice. In this respect the current small-scale approach does not present an effective tool to address the emerging wider-scale policy needs of a quickly developing policy area.

Furthermore, the fragmentation and overlaps result in a dilution of the programmes' funds. Relatively small amounts are allocated to separate programmes which are implemented in parallel but without a common approach. This situation prevents the creation of economies of scale and does not allow funding to be used annually in a focused way in order to produce its maximum impact.

### ***Complementarity and synergies with funding programmes in other areas of EU policy***

The scope of the current funding activities has certain common aspects with funding programmes in other areas of EU policy. Overlaps between small-scale programmes within the same policy area result in the deficiencies described above. On the other hand, overlaps between programmes in different policy areas have the potential of increased impact as they can provide a complementary approach to problems. Within this context the funding objectives of the area of justice and rights are complementary to the funding objectives of specific other EU policies:

#### ***- Home Affairs policies***

The Home Affairs and Justice policies form an integral part of the EU policies for the development of an area of freedom, security and justice as set out in the Stockholm Programme. Funding in the area of Home Affairs policies aims to enhance the effective management of migration flows to the EU and to enhance EU's internal security. In these terms it has a different angle than the policies on justice and rights. Examples of funding synergies in these two areas are the support to victims of different crimes, the prevention of sexual crimes and combating drug-related crimes.

#### ***- Citizenship***

Both the current Fundamental Rights and Citizenship programme (FRC) and the Europe for Citizens programme (EfCP) deal with 'citizenship issues'. However, the term 'citizenship' is used with a different meaning and the programmes follow different objectives. Whereas FRC addresses the issue of the 'Union citizenship' in the sense of the EU treaty (e.g. free movement, participation in European and local elections in the Member State of residence, consular protection, citizenship-related obstacles to EU citizens' rights), EfCP addresses the

participatory dimensions of citizenship, referring to a sense of belonging and of ownership, general/institutional issues, values, (so-called 'active citizenship').

#### *- Employment and Social policies*

The policies on equality and anti-discrimination have close links both to the policies on justice and rights and to the policies on employment and social policies. Funding in these areas is currently included in the PROGRESS programme, but managed by DG Justice. The integration of funding for these two areas in the future programmes of the area of justice and rights is necessary in order to present a clear solution, consistent with the policy developments. Synergies with the employment and social policies would be continued and further developed.

#### *- Consumer Protection*

The funding needs of the consumer protection policies are currently covered by the Consumer Programme. However, a number of consumer protection issues are addressed within the scope of civil law and rights of citizens. The Consumer Programme and its likely successor focus on the safety and empowerment of consumers via fostering consumer education and information, enhancing safety of products, supporting consumer organisations and enforcing consumer rights through networks of enforcement authorities. Funding in the area of justice and rights, on the other hand, would aim to cover the preparation and quality implementation of a major part of consumer legislation, namely contract, marketing and unfair commercial practices legislation, as well as related information, redress and enforcement activities. In practical terms this means that funding must be targeted to support the alignment of the existing legal framework to the technological developments, to enhance public awareness and knowledge of EU law in this area and to support its implementation and application by the Member States. As a result, target groups and beneficiaries of funding are different.

### **4.2.2 Effectiveness**

The mid-term evaluations have confirmed the overall effectiveness of the programmes. The programmes' objectives and the annual priorities are fully addressed by the awarded grants and the Commission initiatives. When evaluating the impact of the programmes as a whole (i.e. the full impact of all funded activities), the mid-term evaluations confirmed that the programmes are effective in reaching their objectives. However, when evaluating the impact of separate activities, the mid-term evaluations have identified a number of problems to be addressed.

A **dilution of funds** (*'saupoudrage'*) has been identified within the five programmes: the funds are divided among many rather small-scale projects. Due to the low upper funding ceilings per project, the applicants can only design and submit applications for small-scale projects, i.e. projects with limited number of partners, projects covering only a few Member States, projects developing only a limited set of activities. As an example, under FRC the average partnership per project is 4.5 organisations from at least two Member States, with average funding of € 341.000 per project and an average duration of 21 months. The result of this allocation is that each organisation would receive in average less than € 50.000 per year in order to implement the project activities. This scale of funding is evidently small-scale and in consequence the impact of each project is relatively small-scale. The effectiveness of the programmes as a whole is not severely compromised by this problem, as it is boosted by the combined implementation of a multitude of projects (111 projects were funded by FRC during 2007-2010). However, since at implementation stage many different projects develop their

activities in parallel, overlaps and duplication among them cannot be excluded. Through this model, although each awarded action has a clear impact within its scope of activities, the fact that the scope of each project is limited prevents the programmes themselves from achieving economies of scale and aiming strongly for Europe-wide large-scale impact.

The small-scale partnerships and the small-scale projects have led the mid-term evaluations to recommend that the awarded **projects should have a stronger EU dimension**. The vast majority of the funded projects are not national projects, but they are implemented by transnational partnerships. This cooperation between organisations promotes mutual learning and exchange of good practices and contributes to improved and more coherent implementation of policies and legislation. In these terms there is clear EU added value for a project when it reaches, e.g. 3 Member States. However this EU added value can be strengthened by the cooperation of a wider partnership of organisations, from more Member States working together for the implementation of a single action.

Despite the fact that funding is allocated to a multitude of projects, there is **no balanced geographical spread** among the organisations which receive funding. This imbalance is evident in the relevant statistics and is pointed out both by the mid-term evaluations and by respondents to the public consultation, in particular those from the new Member States. This is the result of a number of factors, such as the extent of the problem in each Member State, the awareness of and interest in the problem, the lack or the existence of similar national or other funding mechanisms, the experience of organisations in submitting applications or managing projects, the willingness of organisations to undertake the management of a project or to participate only as a partner etc.

The results of all mid-term evaluations agree that more should be done to improve the **dissemination and use of the results and outputs** of the funded activities. Dissemination to a wider public is identified as key element for ensuring better impact for the five programmes (JCIV, JPEN, FRC, DAP, DPIP). Also the interim results of the mid-term evaluation and the annual performance monitoring reports of PROGRESS confirm that despite continued efforts in the last years, visibility and dissemination of the programme's results deserve further improvement to ensure sustainability and the long-term exploitation of funded projects.

Improvement in dissemination goes hand in hand with **improvement in the evaluation and monitoring**. Different evaluation and monitoring systems have been used by the six programmes. The five specific programmes of the Framework Programme on Fundamental Rights and Justice (JCIV, JPEN, FRC, DAP, DPIP) foresee only a mid-term and a final evaluation. The evaluation and reporting for these programmes focuses more on quantitative aspects (number of projects and beneficiaries funded, etc) and highlights management problems. The lack of a stronger link between the project results and their impact on the relevant policies is identified as a deficiency of the evaluation and monitoring system currently in place. The monitoring and evaluation system of PROGRESS includes in addition annual activity reports, focusing on the results of the programme. This annual reporting allows better monitoring to ensure that project outputs reach policy objectives. This method of evaluation proved to be successful in demonstrating the programme's achievements and added value, as well as in enhancing the EU's accountability and the preliminary findings of its mid-term evaluation recommend maintaining this approach. The comparison between the two systems shows the added value of the results-based management and the annual reporting cycle. A limited additional administrative burden would be linked to complying with the



requirements of this system and this would need to be accommodated within the management resources of the future programmes.

### 4.2.3 Efficiency

As already noted in the Budget for Europe 2020<sup>47</sup> the complexity of programme structures and the multiplication of programmes hamper the impact of EU spending and create administrative burden for applicants. In the EU budget there are too many separate programmes and instruments serving similar or complementary objectives, to which different management rules apply. An indicative example of this fragmentation is funding in the area of justice and rights, as already analysed above.

Both the mid-term evaluations and the public consultation note the **complex and bureaucratic procedures that the applicants are facing**. Each year prospective applicants for a grant must keep track of approximately 10-13 different calls for proposals (one or more calls for action grants and one call for operating grants under each programme) and have to work through different priorities, eligibility, selection and award criteria, different supporting documents and different deadlines for submission. During the implementation of a project the rules governing the different programmes are similar, but there are deviations which can confuse and mislead the beneficiaries. Similarly, after the end of a project the reporting documents and the reporting obligations have many similarities, but are not uniform for all programmes. The difficult and complicated procedures are identified by the respondents of the public consultation as an important obstacle that may discourage and prevent potential applicants from submitting an application and receiving EU funding. It is indicative that 79% of the respondents in the public consultation confirm that there is need for simplification and improvement of the programmes.

From the administrative point of view the multiplication of the same procedures for the different programmes imposes **high administrative burden on the Commission**. The differences between the six programmes require an equal number of annual work programmes, calls for proposals, selection procedures and award decisions. Human resources are dispersed among the different programmes and extra time and effort is needed to ensure coordination and coherence and to avoid overlaps and duplication. This results in allocating significant resources to the financial management, although the budget for this area is only a small part of the overall EU budget (approx. 0,1%). The heavy workload obliges the resources to focus on management tasks at the expense of tasks that can improve the effectiveness of the programmes, such as dissemination of results and result-based monitoring and evaluation. Also the dilution of funds among many rather small-scale projects and the corresponding heavy workload for their management do not present a good case of cost effectiveness for the Commission (small-scale impact – significant resources) and steps for improvement are required.

The multiplication of procedures and the high administrative burden contribute to **increasing the length of procedures**. The period between the submission of applications and the start of the selected projects cannot be very short due to the procedural requirements imposed by the

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<sup>47</sup> Commission Staff Working Paper, A Budget for Europe 2020: the current system of funding, the challenges ahead, the results of stakeholders consultation and different option on the main horizontal and sectoral issues, SEC(2011) 868 final, Accompanying the Communication on A Budget for Europe 2020, COM(2011) 500 final of 29.6.2011.

basic act (consultation of the Member States and the right of scrutiny of the European Parliament). The high administrative burden for the Commission to finalise six different procedures with the challenges that are noted above prolongs this period further. The available human resources are dispersed in implementing the procedures for the different programmes and any effort to accelerate work is equally fragmented within each programme, preventing a considerable improvement.

The administrative and control procedures in the financial management cycle are designed to ensure sound financial management, prevention of fraud and protection of the financial interests of EU, as well as the necessary consultation within the EU institutions. Within the context of these procedures, the high number of programmes and the differences in approach, structure, rules and requirements of each different programme complicate additionally the funding procedures for potential applicants and beneficiaries and impose additional administrative burden.

An important step in overcoming the problems of efficiency was the introduction of the electronic grant management system. The procedures were somewhat simplified and unified, some Commission resources (especially in terms of administrative tasks related to the physical handling and registering of the applications) were freed and there was some, but not a significant acceleration of the procedure. However, the root cause of the problems described above remains the high number of programmes and the need for duplication of the same procedures for each programme.

## **5 EU'S RIGHT TO ACT**

### **5.1 The EU's right to act**

The EU's right to act derives from different legal bases both within and outside Title V of Part Three of the Treaty on the Functioning of the European Union.

Within Title V:

- Judicial cooperation in civil matters (Article 81(1) and (2) TFEU);
- Judicial cooperation in criminal matters (Article 82(1) TFEU);
- Crime prevention (Article 84 TFEU).

Outside Title V:

- Non-discrimination (Article 19(2) TFEU);
- EU citizenship (Article 21(2) TFEU);
- Internal Market (Article 114 TFEU);
- Public health (Article 168 TFEU);
- Consumer protection (Article 169 TFEU);
- Administrative cooperation (Article 197 TFEU);

### **5.2 Subsidiarity principle**

To overcome the issues identified above, action at EU level is necessary and produces clear benefits compared to action at the level of Member States alone. The creation of a European area of justice and rights requires transnational cooperation mechanisms and networking

opportunities for the professionals concerned, which can typically not be achieved by Member States acting alone. Mutual trust between Member States cannot be satisfactorily developed without incentives at EU level. Moreover, Member States are not in the best position to ensure consistent interpretation and coherent application of legislative instruments throughout the EU.

Action at EU level allows for objectives to be pursued consistently across the EU, and brings economies of scale and synergies. Moreover, the European Union is in a better position than Member States to ensure that people and businesses are made aware of their rights in particular in cross-border situations, to promote transnational cooperation and networking, and to support the consistent implementation of EU law by training the judiciary and judicial staff on EU law. A few examples:

In the area of justice, the key principles of mutual trust and mutual recognition of judicial and extra-judicial decisions can be supported more efficiently by action at EU level. Member States judicial authorities generally don't have a tradition of cooperating or exchanging information with each other, and will tend to have bi-lateral contacts rather than to work within EU-wide networks. Access to justice in cross-border cases can also be facilitated more efficiently by action at EU level.

In the area of data protection, the lack of a consistent enforcement of EU rules and of cooperation mechanisms between Member States can only be addressed satisfactorily by EU-level action.

In many areas, such as consumer law, equality and non-discrimination or citizenship, individuals are protected by European legislation, but are not sufficiently aware about their rights. Only awareness-raising actions at EU level can ensure that persons in all Member States are reached, and that a consistent message is passed on. Moreover, action at EU level such as a EU-wide campaign will bring economies of scale compared to action at the level of Member States. The same is true for professionals who have to apply the law, be it legal advisors, judges or public authorities. Information material or training modules on EU legislation or EU instruments developed at EU level with the aim to be used in all Member States are more efficient than to have all Member States developing their own material, if at all.

## **6 OBJECTIVES**

The Budget for Europe 2020 aims to support in practice the objectives for smart, sustainable and inclusive growth as set out by the Communication on Europe 2020<sup>48</sup>. Funding in the area of justice and rights supports the flagship initiatives of Europe 2020: Developing a well-functioning area of justice, promoting fundamental rights and gender equality and combating discrimination are crucial aspects in achieving sustainable and inclusive growth, in improving skills, in ensuring social cohesion and increasing levels of employment and in fighting social exclusion and poverty. Concretely, the funding in the area of civil law contributes to sustainable growth by ensuring that national legal orders allow economic operators and consumers to take full advantage of the internal market and by putting in place a system of laws designed to remove obstacles and facilitate the expansion of cross-border activities. The development of contract and consumer law provides practical solutions for businesses and

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<sup>48</sup> Communication on Europe 2020, COM(2010) 2020 final of 3.3.2010.

consumers to address the bottlenecks in the internal market. Achieving gender equality and combating discriminations is also crucial for the EU's growth and exit of the crisis, and for achieving full employment and social cohesion objectives. The objective of reducing poverty implies fighting against discrimination and reducing women's poverty. Education and training of all are essential to the development of Europe as a "knowledge-based society", which is one of the key components for a sound and competitive economy.

### **General objective:**

The general objective of all funding activities in the area of justice and rights is:

- To provide focused, effective and efficient support to the development of a European area of justice, respectful of rights and equality

### **Specific and operational objectives:**

The following specific and operational objectives are identified in line with the objectives of the Communication for A Budget for Europe 2020:

- Ensure that the *scope* of each programme is appropriate to provide support to the policies and to be responsive to the annual policy priorities
  - Ensure flexibility in the allocation of funds within this area of funding
  - Reduce overlaps and fragmentation between the programmes
- Focus funding on *specific areas of action which have clear added value and are responsive to the annual policy priorities*
  - Enhance public awareness and knowledge of EU law and policies
  - Support the implementation of EU law and policies in Member States
  - Promote cooperation and build up mutual knowledge and mutual trust
  - Improve knowledge and understanding of potential issues affecting the smooth functioning of a European area of justice, the exercise of rights guaranteed by the Treaty, by the Charter of Fundamental Rights or by secondary EU legislation, with view to ensuring evidence-based policy making
- Improve the *effectiveness* and performance-orientation of the programmes
  - Prevent dilution of funds
  - Ensure better geographical coverage
  - Improve dissemination and use of the results
  - Improve monitoring and evaluation of the programmes
- Improve the *efficiency* of the programmes (simplification)

- Simplify the (application, monitoring, reporting) procedures for applicants and beneficiaries
- Reduce the administrative burden for the Commission
- Take action to minimise the length of procedures

## 7 POLICY OPTIONS

### 7.1 Option 0 – Baseline scenario

The baseline scenario would be that the current situation continues and no action is taken to address the identified problems.

### 7.2 Option A – 6 programmes – Status quo and improvements at management level

Under this option the current number of programmes would be maintained.

*The problems in scope* would be addressed through changes in the objectives of the programmes. The programmes would be structured on the following basis:

The legal act of each programme would provide a broad but structured framework, identifying:

- broad general and specific objectives, in order to cover fully the relevant policy area, and
- concrete areas of action focused on the types of funding that can be of specific assistance to policy as identified above under 6.

The general and specific objectives would be different for each programme, while the areas of action would be the same for all programmes.

The additional improvement would be the development of strong synergies between the programmes at the stage of identifying the priorities of their annual work programmes. Through close cooperation at this stage the programmes would aim to reduce the overlaps between them and to achieve more focus on the relevant policy priorities.

However for the implementation of the programmes multiple and separate, programme-specific procedures (annual work programmes, calls for proposals, selection procedures, award decisions) would still be necessary.

Under this option the main tool to address *the challenges in effectiveness and efficiency* would be the harmonisation and streamlining of the procedures during the annual management cycle of the programmes. More specifically the following actions would be envisaged:

- Removing the maximum limit of EU funding for each project: this action would invite applications for bigger projects, in order to address the dilution of funds; and at the same time it would encourage a wider geographical coverage of each project;
- Identifying Member States with low rates of participation in the programmes and organising information or support activities to stimulate interest and improve their participation, aiming at improving the geographical coverage of the programmes;
- Prioritising the dissemination of results by actively using the programme websites;

- Developing an improved system for monitoring projects and focusing on a results-based approach and performance orientation;
- Developing uniform documents, rules and procedures for all stages of the project life-cycle (application, implementation, reporting) and applicable to all programmes, aiming to simplify the procedures for applicants;
- Full or partial externalisation of the programme management to an executive agency.

### **7.3 Option B – 2 programmes**

The current six programmes would be merged into two programmes, a "Justice Programme" and a "Rights and Citizenship Programme".

*In terms of scope*, the measures of option A would be applicable also under option B: the general and specific objectives of each programme would define the relevant policy area. They would be limited in number and clearly focus on their respective area, in order to avoid overlaps with programmes of other EU policy areas. The areas of action of the two programmes would be formulated in a horizontal way, encompassing all identified areas with clear added value.

Additionally, the reduction in the number of programmes would have direct impact on addressing the problems of scope, i.e. the need for flexibility and for increased focus on priorities. Each programme would cover a wider policy area and within this wider scope, the programmes would be by definition more responsive and adaptable to annual policy priorities: e.g. no further fragmentation would be needed between Criminal and Civil Justice or between fundamental rights and anti-discrimination. At the same time the risk of overlaps would be reduced.

As a result of the merge into two programmes all procedures (annual work programmes, calls for proposals, selection procedures, award decisions) would need to be implemented only for two (and not anymore for six) programmes. This would have direct impact both on the *effectiveness and the efficiency* of the programmes.

In addition all measures foreseen under Option A in terms of addressing the problems of effectiveness and efficiency would be applicable and they would be fully implemented under this option.

### **7.4 Option C – 1 programme**

Under this option only one programme would be implemented in the area of justice and rights.

The aim of implementing this option is to address fully *all problems of scope, effectiveness and efficiency* that are linked with the implementation of multiple programmes and to achieve the maximum possible simplification.

Each procedure (annual work programmes, calls for proposals, selection procedures, award decisions) would have to be implemented only once. In addition all measures foreseen under

options A and B in terms of addressing the problems of effectiveness and efficiency would be applicable and they would be fully implemented under this option.

However, the implementation of this option in the area of justice and rights would not achieve this maximum impact due to the legal constraints of the Title V TFEU. It would imply that funding would cease for one of the two identified policy areas. A choice would have to be made and funding would be provided under either a "Justice Programme" or a "Rights and Citizenship Programme". Funding for the other area would not be provided and consequently it would not be possible to address sufficiently the policy priorities and needs.

## 7.5 Discarded options

In aiming for streamlining and simplification a theoretical option could be to change the management mode of the programmes and possibly abandon centralised direct management. A change from centralised management to *shared management (management of the budget directly by the Member States)* is discarded due to the small amount allocated to this area of funding. The available budget is € 911 million for a 7 year period for the whole scope of this area. A simple division of the yearly amount among the 27 Member States would result in an amount of approximately € 4.8 million per Member State per year. Such limited amount would result in activities with small-scale impact and limited or no EU added value. It would lead to an additional fragmentation and dilution of funds among the Member States and it would prevent funding from focusing on areas with clear added value and mutual benefits and from developing economies of scale. Thus for such limited funding the shared management mode is not an appropriate option as it is not possible to achieve results with a significant impact and a clear EU added value. Its impact would be more limited than the impact of the centralised management mode of the current programmes.

A moderate change of the centralised direct management mode would be to insert objectives supporting justice, rights and equality policies into *other EU funding programmes*. This option is discarded, because it would not provide adequate support to the policies. The objectives of this policy area would be spread across different other policy areas and different programmes. The fragmentation of the current funding programmes would not be addressed, but would be rather amplified, and all identified problems would remain. Furthermore, the achievement of the objectives of justice, rights and equality would be more difficult, as they would be adjacent and secondary to the primary aims of each funding programme. Under this option funding would become a very ineffective tool and its usefulness for this policy area would be doubtful.

*Discontinuing funding* in this area is also a discarded option. As demonstrated above, funding is a substantial tool for supporting the development and implementation of EU policies and for providing information and raising awareness in this field. The Commission has – and will continue to – put forward many legislative proposals in the area of justice, based on strengthened provisions of the Lisbon Treaty. Within this context discontinuing funding activities would pose an obstacle to the development and implementation of legislation. Furthermore it should be noted that besides its support to legislation, funding has been an important tool for policy-making in a number of areas, such as children's rights or combating violence. Discontinuing funding in these areas, where no hard law is adopted, would stop the relevant EU policy and it would deprive the relevant fields from substantial support in the promotion of their work and agenda.

## **8 ASSESSMENT OF IMPACTS**

### **8.1 Option 0 – Baseline scenario**

The impact of this option would reflect the current situation and the problems that were identified above, especially under section 4.2, would remain. The programmes would continue to achieve an overall successful implementation, but their deficiencies would still prevent them from developing the full scale of their potential. These deficiencies are even more important in an area of funding, where the overall amount of the available budget is rather limited and where maximum efforts should be concentrated on the efficient allocation and management of each available fund, in order to achieve tangible results.

The lack of flexibility in the funding instruments would be an ever increasing problem in this rapidly developing policy area. Especially in cases where funding would be needed to support horizontal and cross-cutting issues the limitations due to fragmentation could potentially delay or hinder the efficient development of policy.

The current state of play does not suggest that – in the absence of any action of improvement – there could be a substantial change in the scope and the impact of the problems due to external parameters. However, the policy agenda is very dynamic, aiming to address a wide set of challenges and it will require the most effective financial tool to support its activities. In this sense, the need for flexibility and effectiveness in funding will be of high importance.

It should also be noted that the current financial crisis has the potential to increase the demand for EU funding. An increase in the number of applicants for the same funds would further increase the need for efficient management of the procedures and effective implementation of the programmes. In a funding area where overlaps and fragmentation allows applicants to submit applications to different programmes the increase in applications would have an even heavier impact on the administration (more procedures to manage, each including an increasing number of applications). In such a case the administrative burden for the administration and consequently the delays in the procedures for the beneficiaries would have a more negative impact on the efficiency of the programme.

### **8.2 Option A – 6 programmes – Status quo and improvements at management level**

The main differences between this option and the baseline scenario would be the identification of concrete areas of action and the harmonised management of the programmes. The aim would be to develop maximum synergies between the six programmes. The foreseen impacts are described in detail below:

#### ***Scope &***

#### ***Focus on areas of action, which are responsive to the annual policy priorities***

Funding would be available for all areas and all activities that are covered by the current programmes.

The programmes would continue to deliver results in all areas of action (enhancing awareness and knowledge, supporting the implementation of law and policies, promoting cooperation and improving knowledge and understanding). There would be some improvement in achieving these results due to the focus of the programmes on these areas identified for their



EU added value and due to the improved effectiveness which would result from the measures described below. The impact on all areas would be similar: in practical terms, funding bigger projects with larger-scale impact and better geographical coverage, the improved dissemination of project results and the improved monitoring and evaluation would directly imply that the awareness raising activities would be more focused and would reach a wider audience; the support to EU law and policies would be more comprehensive; the transnational cooperation would be wider and of higher quality; and the results of the analytical activities to improve knowledge and understanding would achieve higher quality.

However, the *lack of flexibility* would not be sufficiently addressed. The root cause of this problem lies in the existence of multiple programmes. Maintaining the number of programmes and introducing harmonisation measures would not have an effect on this problem. The impact of this option would be the same as the baseline scenario. The support to EU law and policy would be more comprehensive, but it would remain fragmented.

A harmonised procedure in defining the annual priorities of the programmes would bring only limited improvement in addressing the *overlaps* among them. The scope of all annual work programmes would be defined and accepted in parallel and this coordinated procedure would ensure that the annual priorities of each policy area are neither duplicated, nor omitted. However, the small-scale focus of the programmes would not be addressed. Maintaining this small-scale focus prevents from achieving considerable positive impact in terms of avoiding overlaps. In practical terms all overlapping areas as described under 4.2.1 would remain: e.g. actions on anti-discrimination would still fall in the scope of both FRC and PROGRESS/Antidiscrimination and every year while the annual priorities are identified, caution should be taken so that funding is not duplicated. Through the coordinated work and the uniform areas of action, horizontal and cross-cutting issues would be mutually covered by the programmes (e.g. coordinated priorities on judicial training in both JCIV and JPEN programmes) and the *fragmentation* could be addressed only partially. However, the general objectives for each programme would maintain the fragmentation of the wider policy area.

This coordinated approach in identifying annual priorities would be applied also in respect to programmes in other EU policy areas with close links to the area of justice and rights. The coordination at the level of annual programming would make sure that there is no duplication of funding and that funds are used in a complementary way, to the best interest of public.

In achieving the annual policy priorities this option would present only limited improvement in comparison to the baseline scenario: it would be possible to address the annual policy priorities through each programme, however the small-scale and fragmented angle of the approach would not be addressed.

### *Effectiveness*

The harmonisation of management and the focused objectives would have a clear positive impact on the effectiveness of the programmes in comparison to the baseline scenario.

Removing the maximum limit of EU contribution for each project would invite applications for more substantial projects: projects with more partners from more Member States, projects with a wider scope of activities, projects with more possibilities for dissemination, i.e. projects with increased potential to achieve a considerable impact. This measure aims to address the *dilution of funds* and at the same time it fosters *partnerships*. The availability of

funding for bigger projects would contribute substantially to the development of wider partnerships and to providing substantial support to their work. In the absence of a maximum limit of EU funding the partnerships would not be obliged to scale down their activities to match the available funds, but they would be rather encouraged to develop projects with the maximum potential for impact on the ground. It should be noted that funding bigger-scale projects has received a considerable percentage of negative replies from the respondents to the public consultation. However, the explanations added by the respondents lead to the conclusion that the objection is actually not to the bigger-scale projects per se, but it focuses primarily on the difficulties of small organisations to handle larger budgets. The objections of the respondents do not take into consideration that this measure does not compromise the current situation, but it only opens up the additional opportunity to promote wider partnerships. The impact of this option on the effectiveness of the programmes would be substantial, as it would prevent the dilution of funds and it would promote and support wider and stronger partnerships. At the same time there would be no substantial difference in the allocation of funds to the final beneficiaries: all current beneficiaries would be able to receive funding, but they would be urged to coordinate their efforts in wider partnerships and bigger and more participative programmes. It would be possible to fund projects of 8-10 partners, rather than of 4-5 partners, and this would correspond to higher impact at EU level. This cooperation would promote the development and growth of civil society, as the organisations would have additional benefits from the considerably wider networking and mutual learning possibilities.

The *unbalanced geographical spread among beneficiaries* would be addressed by funding larger-scale projects and consequently promoting wider partnerships of organisations from more Member States, as explained above. Additional management measures would be the identification of Member States with low rates of participation in the programmes in order to organise tailor-made information or support activities.

The *improvement in the evaluation and monitoring of the programmes* is closely linked to the identification of focused, specific objectives which would be aligned for all programmes. The system would use results-based management and performance measurement on the basis of pre-identified indicators and annual reporting, as described below under 10. However, the fragmentation in many programmes and different areas would require the allocation of additional human resources to this task.

The improvement in the evaluation and monitoring of the programmes is closely linked to the dissemination and use of results. The harmonised management and the focused objectives would contribute to *improving the dissemination and use of results*. A coordinated approach for all programmes would create the necessary economies of scale in order to address this issue. It would also be possible to create a uniform system for all programmes, which would facilitate the access and understanding for beneficiaries, potential applicants and interested public. However, it should be noted that this task would also require the allocation of human resources to it.

### ***Efficiency-Simplification***

The development and application of uniform documents, rules and procedures for all programmes would contribute to simplifying to some extent the *complex and bureaucratic funding procedures*. Through harmonisation and coordination at management level it would be possible to streamline procedures and templates focusing on the similarities between

programmes. However, separate, programme-specific procedures (calls for proposals, selection procedures and award decisions) would still be necessary and would have to duplicate the common template adjusting or modifying it according to the objectives and specificities of each programme. The applicants and beneficiaries would still have to deal with many different procedures and the only improvement would be that these procedures would be as similar as possible. In these terms the uniformity in templates, rules and obligations would be welcomed by the beneficiaries, but maximum improvement would still not be achieved.

From the point of view of the administration the focus on bigger projects would limit the **administrative burden** at the implementation and evaluation stage (fewer projects to manage). At the same time, as explained under Effectiveness, additional resources would have to focus on dissemination, information activities and monitoring. It can be argued that this kind of reallocation of resources would improve the cost-effectiveness of the Commission's work, as the impact and the effectiveness of the whole programme would be improved, shifting the focus towards more qualitative and result-oriented activities. However, although on the one hand this benefit would be achieved in terms of effectiveness, on the other hand in terms of administrative burden no substantial improvement would be achieved.

In order to shorten **the length of procedures** it is necessary that both abovementioned aspects affecting efficiency, i.e. complexity of procedures and administrative burden, would be improved. Under this option there is some improvement to be found in the simplification of procedures, but no improvement in terms of administrative burden. In this context and in the absence of any other measure that would address directly the length of procedures, the impact of this option would be the same as the baseline scenario.

### **8.3 Option B – 2 programmes**

This option builds on option A and incorporates fully all measures described under option A. In addition, it would allow that measures are not only taken at management level (as in Option A), but also at the stage of designing the programmes. The number of programmes would be limited to the extent possible, by merging the current programmes into two thematic entities. Two programmes would be envisaged under this option: one programme, the Justice programme, would merge the current Civil Justice, Criminal Justice and Drug Prevention and Information programmes and a second programme, the Rights and Citizenship Programme, would merge the current Fundamental Rights and Citizenship programme, the Daphne Programme and the Gender Equality and Antidiscrimination sections of the PROGRESS programme. The design of this option takes into consideration the specificities of the Lisbon Treaty in these policy areas: the first programme would cover all policies under Title V and the second one would encompass the policies outside Title V.

This option builds on option A and includes additional measures in order to address the problems that could not be addressed to a great extent by option A. Consequently its impact would include all benefits of option A and the aim would be to maximise them and to ensure improvement in the remaining areas.

#### ***Scope***

Funding would be available for all areas and all activities that are covered by the current programmes.

The additional measures of this option would maximise the benefits in terms of *fragmentation* and *overlaps*: The limited number of programmes and the clear identification of general and specific objectives would define two wide, clearly defined and comprehensive funding areas, where horizontal issues would be easily addressed. Policies with close links to each other would be addressed under the same programme (e.g. civil justice and criminal justice) and no problems of overlaps would exist among them. Streamlining between the two programmes and synergies with other Commission programmes would be possible through the identification of annual priorities during the annual management cycle.

In terms of *flexibility* this option is a considerable development in comparison to option A. The scope of each programme would cover a wide policy area. Within this structure it would be possible to identify each year the necessary priorities in order to promote and support the ongoing annual policies. This structure would allow funding to be more responsive to the annual policy needs and to produce its fullest potential. Furthermore, the reduction in the number of programmes would be reflected in the number of budget lines associated with them, which in turn would further simplify the administrative procedures related to budget implementation.

#### ***Focus on areas of action, which are responsive to the annual policy priorities***

As in option A, under option B results would be achieved in all areas of action (enhancing awareness and knowledge, supporting the implementation of law and policies, promoting cooperation and improving knowledge and understanding). However the results achieved under option B would be improved in comparison to the results achieved under option A. This improvement reflects the improved effectiveness of the programmes, which is a result of the measures discussed below under Effectiveness. Furthermore, an additional positive impact under this option is that it would be more responsive to the annual policy priorities. Reducing the number of programmes would allow greater flexibility in allocating funds among the topics covered by each programme and would therefore enable to focus funding annually on the areas of greater priority. This would result in more focused activities in terms of awareness raising, of promoting cooperation and in improving knowledge and understanding, which would reflect more directly the annual needs and priorities of the policy area.

#### ***Effectiveness***

As already stated above, the measures under option A would achieve a clear improvement in all aspects of *effectiveness*. The combination of these measures with the additional measures of option B would increase this impact and support their sustainability.

The reduction in the number of programmes and their focused objectives would improve the effective use of funds and prevent the *dilution of funds*. The implementation of two programmes in two clearly different areas would have as a result that all projects with similar objectives would be grouped under only one programme and would be evaluated against each other. It would allow a better overview of the applications and of the funded projects and it would prevent dispersing funds by funding in parallel similar activities with similar objectives under different programmes. This would result in additional positive impact in comparison to option A.

Additionally, as it was already mentioned under option A, the ***improvement in the evaluation and monitoring of the programmes*** and ***in the dissemination of results*** would require the allocation of additional human resources. The same applies also for the implementation of information and support activities to Member States with low participation, which would ***improve the geographical coverage of the programmes***. The impact of option B would be to achieve considerable improvements in terms of administrative burden (see below). These resources could then be allocated to tasks that would improve effectiveness and thus they would support the sustainability of these measures. Option B permits the allocation of additional human resources for the improvement of the programmes' effectiveness and thus it would result in improved impact in comparison to option A.

### ***Efficiency-Simplification***

In terms of efficiency the merge of the programmes would facilitate the implementation and increase the benefits of the measures presented under A.

Receiving funding from two rather than six programmes would simplify the funding ***procedures for applicants and beneficiaries***. Due to the merge of the funding areas in two major funding areas the beneficiaries would not need to do "programme-shopping" in order to identify the most appropriate of the six programmes for their application. The number of calls and selection procedures would be limited, more comprehensive and focused. At the same time the merge of programmes would result in a merge of the funding envelopes, which would not lead to limiting the available funds for beneficiaries. Uniformity in templates, rules, procedures and obligations would be more straightforward when only two programmes are involved. Thus the level of complexity for applicants and beneficiaries would be considerably reduced.

In terms of ***administrative burden*** option B would present a considerable improvement in comparison to the limited benefits of option A. The substantially smaller number of procedures would require substantially fewer human resources and this would add to the benefits brought by the management improvements of option A. The changes would result, in particular, in a reduction of the number of annual work programmes/financing decisions from currently 6 to 2 and therefore fewer adoption processes to be managed. The number of calls for proposals would be reduced at the same time and through economies of scale, this would both allow for greater efficiency throughout the processes and reduce by half the members of staff dedicated to the management of the calls.

Subsequently this improvement could further boost the improvements in dissemination of results, monitoring and evaluation and information activities through the reallocation of resources. Thus from the point of view of administration the benefits would combine reduced administrative burden and increased cost-efficiency of the administrative work.

The improvements in the complexity of the procedures and in the administrative burden would result in ***speeding up the funding procedures***. This would reduce substantially the delays between submitting applications and receiving the results from a current average of up to 9 months to an approximate 6 months and this would leave applicant organisations with a shorter interval of uncertainty. This would bring the further added advantage of projects starting much shorter after their conception and therefore it would respond much more effectively to the concrete needs they seek to address in line with EU policy priorities.

## 8.4 Option C – 1 programme

Option B presents a considerable improvement in the areas of scope, effectiveness and efficiency in comparison to the baseline scenario. However, providing funding through two programmes would still be subject to limitations: the funding area would be split in two and thus it would be still fragmented and not completely flexible, simplicity would not be achieved for beneficiaries as more than one procedure would be necessary and the administration would be burdened by duplicating procedures for the two programmes. Thus option C would aim to achieve maximum simplification through the implementation of only one programme. The actual impact of this option when applied in this policy area would be the following:

The merge of all areas under one programme would require that legal bases of Title V are combined in the same legal act with legal bases outside Title V. This combination is impossible due to the specific voting modalities of Title V which are incompatible with the voting modalities of the rest of the Treaty. Thus the option of one comprehensive programme covering the whole scope of this policy area would not be possible due to legal constraints.

Due to these legal constraints Option C would practically mean that only activities of one area would be covered: either activities in the area of justice or activities in the area of rights and citizenship. This would mean full coverage in terms of objectives for the selected area and no coverage (discontinuing funding) for the other area.

### *Scope*

In terms of *fragmentation, overlaps and flexibility* the area which would be supported would have maximum positive impact in comparison to option B. As only one programme would be implemented, no problems concerning fragmentation and overlaps would arise. The impact would be the maximum also in terms of flexibility within this programme, as potentially more funds would be allocated to it and could be used for its objectives.

However for the other area the impact would be entirely negative as no funds would be available to support it.

### *Focus on areas of action, which are responsive to the annual policy priorities*

The overall impact of Option C on achieving the objectives and addressing policy priorities would be negative. The objectives and activities which would fall under the area receiving no funding would not be implemented at all. This would reduce substantially the funding activities in this area and it would compromise the development and the implementation of the relevant policies.

### *Effectiveness/Efficiency-Simplification*

Similarly the impact of option C in the funded area would be the same as the impact of option B as far as dilution of funds, coverage, dissemination, simplification of procedures are concerned. Additional impact would be identified in terms of efficiency, especially concerning administrative burden and length of procedures. The limited scope of the activities and the maximum simplification of the procedures would free additional resources and speed up the procedures.

However, the impact on the non-funded area would be entirely negative: potential beneficiaries would have no access to funding for supporting their activities and the relevant policies that were supported by the current programmes would need to identify different sources of funding or would have to cease.

## 9 COMPARISON OF OPTIONS

The following table presents an overview of the impact analysis for all options. Based on the assessment of impacts as analysed above, the impact of each option is measured against Achievement of objectives, Scope, Effectiveness and Efficiency.

The evaluation under each objective has been scored on the basis of the following scale, in order to identify the preferred option:

0	No impact - Equal to Baseline scenario
-	Negative Impact
+	Positive Impact
++	Significant Positive Impact
++/--	Significant Positive Impact in one policy area & Significant Negative Impact in the other policy area
++/n.a.	Significant Positive Impact in one policy area. Analysis of impact in the other policy area is not applicable.
+++/--	Maximum Positive Impact in one policy area & Significant Negative Impact in the other policy area
+++ /n.a.	Maximum Positive Impact in one policy area. Analysis of impact in the other policy area is not applicable.

	<b>Baseline scenario Option 0</b>	<b>Option A</b>	<b>Option B</b>	<b>Option C</b>
	<b>6 programmes Status quo</b>	<b>6 programmes + management improvements</b>	<b>2 programmes</b>	<b>1 programme</b>
<b>Scope</b>				
- Ensure flexibility	0	0	+	+++/--
- Avoid overlaps & fragmentation	0	+	++	+++/--
<b>Focus on areas of action which have clear added value and are responsive to the annual policy priorities</b>	0	+	++	-
Enhance public awareness and knowledge on EU law and policies	0	+	++	-
Support the implementation of EU law and policies in Member States	0	+	++	-
Promote cooperation and build up mutual knowledge and mutual trust	0	+	++	-
Improve knowledge and understanding of potential issues affecting the smooth functioning of a European area of justice, the exercise of rights guaranteed by the Treaty, by the Charter of Fundamental Rights or by secondary EU legislation, with vies to ensuring evidence-based policy making	0	+	++	-
<b>Effectiveness</b>				
- Prevent dilution of funds	0	+	++	++/--
- Ensure better geographical coverage	0	+	++	++/--
- Improve dissemination and use of results	0	+	++	++/n.a.
- Improve monitoring and evaluation	0	+	++	++/n.a.
<b>Efficiency-Simplification</b>				
- simple and transparent, procedures for applicants and beneficiaries	0	+	++	++/--
- reduce the administrative burden for the Commission	0	0	+	++
- minimise the length of procedures	0	0	++	+++/n.a.
<b>OVERALL IMPACT</b>	<b>0</b>	<b>+</b>	<b>++</b>	<b>++/--</b>

As regards the objectives of the programmes, options A and B would provide full support for the development of all policies where funding at EU level delivers added value. On the contrary, option C would be unable to deliver this support to all the areas where it is needed. This presents a crucial shortcoming of option C.

Option A presents an improvement of the baseline scenario. Its benefits would be focused mainly on effectiveness. Whereas on scope and efficiency some benefits could be achieved, the multiplicity of programmes would not allow them to develop their full potential.

Option B is a considerable improvement of option A. Benefits would be achieved to address all problems, whereas no negative impacts would result from it.



The scope of option C would be limited and this presents a crucial shortcoming, as already stated above. In addition to this, option C does not present any considerable management benefits, which would overcome this crucial shortcoming: its impact in the areas where it would provide funding would not exceed the impact of option B. Clear additional benefit in comparison to option B would only be identified in terms of reducing the administrative burden and shortening the procedures for the beneficiaries who would still have access to funding. However, this benefit is not sufficient to justify the limitation of EU support for areas where funding is needed and delivers added value. Due to the absence of a balanced approach option C cannot be the preferred option.

### ***The preferred option***

The preferred option on the basis of this analysis is therefore the implementation of two programmes which would cover the full scope of the current funding programmes (option B). This option encompasses all possible benefits and no shortcomings in comparison to the baseline scenario. Compared to option A, its greater efficiency should mean that it will deliver better value for money. This option can guarantee the maximum benefit in terms of simplification, efficient and effective management and developing synergies. At the same time it can provide full support for the development of all policies where funding at EU level delivers added value.

## **10 MONITORING AND EVALUATION**

Both programmes will foresee the obligation for the Commission to provide to the European Parliament and the Council with:

(a) an interim evaluation report on the achievement of the programmes' objectives, the efficiency of the use of resources and the programmes' European added value, not later than mid-2018, with a view to determining whether funding in the areas covered by the programmes should be renewed, modified or suspended after 2020. The evaluation will also address the scope for any simplification of the Programme, its internal and external coherence, as well as the continued relevance of all objectives. It will take into account results of ex-post evaluations of the programmes mentioned in Article 13;

(b) an ex post evaluation report on the longer-term impacts and the sustainability of effects of the Programme, to feed into a decision on a subsequent programme.

This corresponds broadly to the evaluation requirements of the current programmes. The timing of the interim evaluation in particular has proven useful to feed into the preparation of the future programmes, even though the number of finalised projects was still small when the evaluations were carried out. Any later date would bear the risk that the interim evaluation could not anymore be taken into account for decision-making on the next generation of programmes post-2020.

The results of the programmes at policy level will be measured regularly on the basis of indicators identified by the programmes. Such indicators would be, *inter alia*, the European perception of access to justice and of the respect and exercise of rights, the number of cases of trans-border cooperation, the number of complaints etc.

At operational/annual level, the evaluation and monitoring of the programmes will be enhanced by building on the good practices of annual reporting that are currently in place in the PROGRESS Programme. These annual evaluations will also then be able to feed directly into the dynamic process of policy focus and the setting of annual priorities for the following years.

A table of areas of action/operational objectives and indicators is attached below:

<b>Area of action/Operational objective</b>	<b>Indicator</b>
<p>Enhance public awareness and knowledge of EU law and policies and support the implementation of EU law in Member States</p>	<p>(1) Number and percentage of persons in target group reached by awareness-raising activities (broken down by sex);</p> <p>(2) Number and percentage of persons in target group reached by training activities (broken down by sex);</p> <p>(3) Geographical coverage of those reached;</p> <p>(4) Increase in public awareness and knowledge on EU law and policies within the group of trained addressees, in comparison with both the entire target group and a control group;</p> <p>(5) Similar initiatives which have been developed at national or European level not supported by EU funding, and their (expected) results (EU added value);</p> <p>(6) Advantages and/or disadvantages of EU funding in comparison with national funding for this type of activity (EU added value);</p> <p>(7) Level of funding in relation to the effects achieved (efficiency);</p> <p>(8) Possible administrative, organisational and/or structural obstacles to a smoother, more effective and efficient implementation of the programme (scope for simplification).</p>
<p>Promote cooperation and build up mutual knowledge and mutual trust, in particular by way of networking, identification, exchange and dissemination of information, good practice and innovative approaches to common issues</p>	<p>(1) Number of stakeholders participating inter alia in networking, exchanges, study visits (broken down by sex);</p> <p>(2) Number of cases of trans-border cooperation, including via the use of IT tools and European procedures;</p> <p>(3) Geographical coverage of cooperation and networking activities;</p>

	<p>(4) Participants' views on the cooperation efforts and their (expected) sustainability, and the programme's contribution thereto (broken down by sex);</p> <p>(5) Similar initiatives which have been developed at national or European level not supported by EU funding, and their (expected) results (EU added value);</p> <p>(6) Advantages and/or disadvantages of EU funding in comparison with national funding for this type of activity (EU added value);</p> <p>(7) Level of funding in relation to the effects achieved (efficiency);</p> <p>(8) Possible administrative, organisational and/or structural obstacles to a smoother, more effective and efficient implementation of the programme (scope for simplification).</p>
<p>Improve knowledge and understanding of potential issues affecting the smooth functioning of a European area of justice, the exercise of rights guaranteed by the Treaty, by the Charter of Fundamental Rights or by secondary EU legislation, with view to ensuring evidence-based policy making</p>	<p>(1) Policy initiatives designed on the basis of evaluations, impact assessments and drawing on comprehensive stakeholders' and experts' consultations;</p> <p>(2) Number of evaluations and impact assessments carried out as a result of the implementation of the programme;</p> <p>(3) Quality of the evaluations and impact assessments carried out, in the light of existing guides and standards;</p> <p>(4) Level of funding in relation to the effects achieved (efficiency);</p> <p>(5) Possible administrative, organisational and/or structural obstacles to a smoother, more effective and efficient implementation of the programme (scope for simplification).</p>

## Annex I

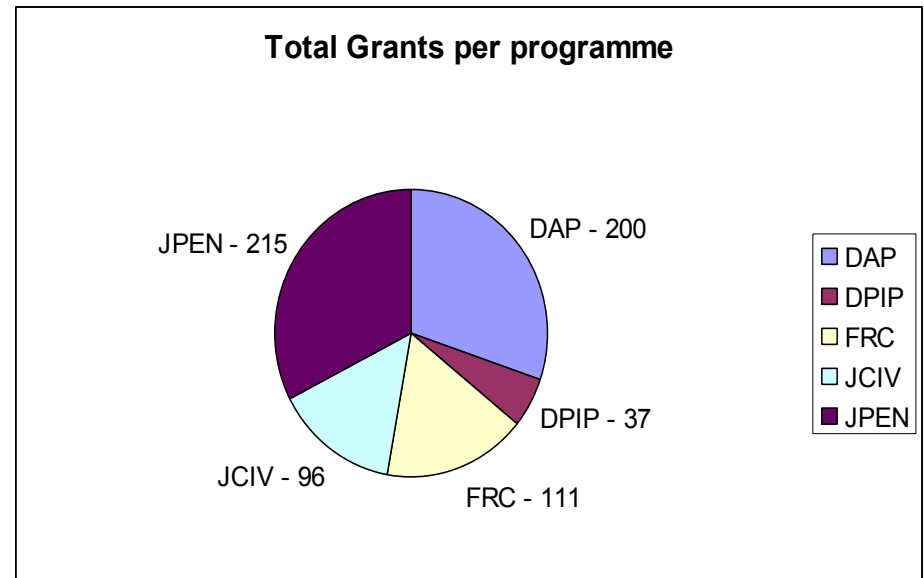
### OVERVIEW OF FUNDING UNDER THE CURRENT PROGRAMMES (2007-2010)

Grants account for the biggest part of the programme budgets (on average, about 80%) for the implementation of the five specific programmes of the framework programme on Fundamental Rights and Justice. Two types of grants are funded:

- Specific transnational projects of EU interest (**Action Grants**)
- Support to the activities of non-governmental organisations or other entities pursuing an aim of general European interest (**Operating Grants**)

Additionally the JPEN Programme has concluded to conclude **framework partnership agreements** in order to establish a long-term cooperation framework with key actors in the judicial training sector. In implementation of these agreements a limited number of grants have been awarded by JPEN.

The volume of grants varies between programmes as shown in the chart:



More concretely the following table shows the **allocation of grants between programmes**:

	2007			2008				2009-2010						TOTAL AG	TOTAL FPA	TOTAL OG	TOTAL	%
	AG	OG	TOTAL per year	AG	FPA	OG	TOTAL per year	AG	FPA 2009	FPA 2010	OG 2009	OG 2010	TOTAL both years					
<b>JCIV</b>	28	2	30	20		3	23	37	0	0	3	3	43	85	0	11	<b>96</b>	14.57%
<b>JPEN</b>	59	5	64	43	2	6	51	79	1	1	12	7	100	181	4	30	<b>215</b>	32.63%
<b>FRC</b>	18	3	21	26		7	33	47	0	0	4	6	57	91	0	20	<b>111</b>	16.84%
<b>DAP</b>	41	9	50	42		12	54	84	0	0	7	5	96	167	0	33	<b>200</b>	30.35%
<b>DPIP</b>	9	0	9	6		5	11	10	0	0	4	3	17	25	0	12	<b>37</b>	5.61%
<b>TOTAL</b>	<b>155</b>	<b>19</b>	<b>174</b>	<b>137</b>	<b>2</b>	<b>33</b>	<b>172</b>	<b>257</b>	<b>1</b>	<b>1</b>	<b>30</b>	<b>24</b>	<b>313</b>	<b>549</b>	<b>4</b>	<b>106</b>	<b>659</b>	<b>100.00%</b>

The current funding programmes **are particularly popular** with beneficiaries. In the interviews held by the mid-term evaluations of DAP, DPIP and FRC programmes the majority of coordinators and partners confirmed that funding from these programmes is particularly important, as it is very difficult to receive funding from other sources. The popularity of the programmes is shown in the table below, which presents the numbers of received and awarded applications.

	<b>JCIV</b>	<b>JPEN</b>	<b>FRC</b>	<b>DAP</b>	<b>DPIP</b>
Number of awarded action grants	85	181	91	167	25
Number of awarded operating grants	11	30	20	33	12
Proposals received AG	158	323	415	697	164
<b>Percentage of success</b>	<b>53.80%</b>	<b>56.04%</b>	<b>21.88%</b>	<b>23.96%</b>	<b>15.24%</b>
Proposals received OG	19	58	62	112	39
<b>Percentage of success</b>	<b>57.89%</b>	<b>51.72%</b>	<b>32.26%</b>	<b>25.90%</b>	<b>30.77%</b>

All EU Member States have received funding by the five programmes. However the amounts allocated vary between countries and between programmes. The table below shows the allocation of amounts per country and per programme for the period 2007-2010.

	JCIV			JPEN				FRC			DAP			DPIP			TOTAL AG	TOTAL FPA	TOTAL OG	TOTAL	%
	AG	OG	TOTAL	AG	FPA	OG	TOTAL	AG	OG	TOTAL	AG	OG	TOTAL	AG	OG	TOTAL					
AT	4	1	5	4	0	0	4	1	1	2	7	4	11	0	2	2	16	0	8	<b>24</b>	3.64%
BE	15	6	21	13	2	9	24	11	5	16	15	15	30	3	1	4	57	2	36	<b>95</b>	14.42%
BG	1	0	1	4	0	0	4	3	0	3	5	0	5	1	0	1	14	0	0	<b>14</b>	2.12%
CY	0	0	0	1	0	0	1	0	0	0	3	0	3	0	0	0	4	0	0	<b>4</b>	0.61%
CZ	3	0	3	4	0	1	5	3	0	3	0	0	0	0	0	0	10	0	1	<b>11</b>	1.67%
DE	14	0	14	20	1	0	21	3	3	6	19	1	20	5	0	5	61	1	4	<b>66</b>	10.02%
DK	0	0	0	0	0	0	0	4	0	4	3	4	7	0	0	0	7	0	4	<b>11</b>	1.67%
EE	0	0	0	2	0	0	2	0	0	0	0	0	0	0	0	0	2	0	0	<b>2</b>	0.30%
ES	11	0	11	22	0	1	23	4	0	4	11	0	11	2	2	4	50	0	3	<b>53</b>	8.04%
FI	0	0	0	2	0	0	2	1	0	1	3	1	4	0	0	0	6	0	1	<b>7</b>	1.06%
FR	6	2	8	10	0	1	11	6	4	10	8	0	8	0	2	2	30	0	9	<b>39</b>	5.92%
GR	1	0	1	2	0	0	2	3	0	3	5	0	5	0	0	0	11	0	0	<b>11</b>	1.67%
HU	3	0	3	6	0	0	6	5	0	5	2	0	2	0	0	0	16	0	0	<b>16</b>	2.43%
IE	0	0	0	1	0	1	2	0	1	1	2	0	2	0	0	0	3	0	2	<b>5</b>	0.76%
IT	11	1	12	21	0	3	24	24	0	24	36	0	36	6	2	8	98	0	6	<b>104</b>	15.78%
LT	1	0	1	3	0	0	3	2	0	2	1	0	1	1	0	1	8	0	0	<b>8</b>	1.21%
LU	0	0	0	1	0	0	1	1	0	1	1	0	1	0	0	0	3	0	0	<b>3</b>	0.46%
LV	4	0	4	8	0	0	8	1	0	1	1	0	1	0	0	0	14	0	0	<b>14</b>	2.12%
MT	0	0	0	3	0	0	3	0	0	0	0	0	0	0	0	0	3	0	0	<b>3</b>	0.46%
NL	2	0	2	9	1	4	14	5	0	5	6	7	13	2	0	2	24	1	11	<b>36</b>	5.46%
PL	1	0	1	4	0	1	5	2	0	2	4	1	5	0	0	0	11	0	2	<b>13</b>	1.97%
PT	0	0	0	8	0	0	8	1	0	1	1	0	1	0	0	0	10	0	0	<b>10</b>	1.52%
RO	3	0	3	7	0	0	7	0	0	0	2	0	2	0	0	0	12	0	0	<b>12</b>	1.82%
SI	2	0	2	3	0	1	4	3	0	3	1	0	1	1	0	1	10	0	1	<b>11</b>	1.67%
SK	0	0	0	1	0	0	1	1	0	1	0	0	0	0	0	0	2	0	0	<b>2</b>	0.30%
SE	2	0	2	1	0	0	1	1	1	2	2	0	2	0	0	0	6	0	1	<b>7</b>	1.06%
UK	1	1	2	21	0	8	29	6	5	11	27	0	27	4	3	7	59	0	17	<b>76</b>	11.53%
NO	0	0	0	0	0	0	0	0	0	0	2	0	2	0	0	0	2	0	0	<b>2</b>	0.30%
<b>Total</b>	<b>85</b>	<b>11</b>	<b>96</b>	<b>181</b>	<b>4</b>	<b>30</b>	<b>215</b>	<b>91</b>	<b>20</b>	<b>111</b>	<b>167</b>	<b>33</b>	<b>200</b>	<b>25</b>	<b>12</b>	<b>37</b>	<b>549</b>	<b>4</b>	<b>106</b>	<b>659</b>	<b>100.00%</b>

In terms of outputs the activities implemented by the beneficiaries of these grants include studies and researches, mapping of legislation, case studies, training of practitioners and professionals, capacity building, awareness raising events, conferences and seminars. These activities are implemented by a high number of partnerships throughout the EU area. This results in **a multitude of activities, deliverables and respondents in implementation and support of EU policies.**

The duration of the activities implementation by these programmes vary from 12-36 months. Within this margin the duration of the majority of the projects is longer than 20 months. As a result of this long duration and of the additional time required for reporting and evaluation activities it is currently difficult to give specific information on the impact of the funded projects.

An estimation of the impact can be derived on the basis of the indicative table below. It includes information relating to the outputs of projects funded by DAP, FRC and DPIP programmes on the basis of the mid-term evaluation analysis. Only very few projects were finalised and could be analysed by the mid-term evaluation reports. More specifically:

- 19 action grants and 18 operating grants funded by the Daphne III Programme;
- 17 action grants and 8 operating grants funded by the Fundamental Rights and Citizenship Programme;
- 3 action grants funded by the Drugs prevention and information Programme.

**These 49 action grants and 26 operating grants represent only a small sample of the projects funded by the five programmes (9% of action grants and 32% of the operating grants).**

**However the high numbers of outputs and participants show the wide dissemination and impact of the respective funding activities.**

		Number of activities								Number of respondents/participants							
		FRC		DAP		DP IP	TOTAL			FRC		DAP		DPIP	TOTAL		
		AG	OG	AG	OG	AG	AG	OG	both	AG	OG	AG	OG	AG	AG	OG	both
<b>Research</b>	Surveys	13	4	29	5	4	46	9	<b>55</b>	3,613	75	16	48	30	3,659	123	<b>3,782</b>
	Case studies/ monitoring/mapping	28	24	8	62	1	37	86	<b>123</b>	n/a*	20	35	18	0	35	38	<b>73</b>
<b>Networks</b>	Networks and partnerships	2	29	27	17	2	31	46	<b>77</b>	n/a*	8	n/a*	12	14	14	20	<b>34</b>
	Large events - Conferences/seminars / Congresses	18	80	15	57	14	47	137	<b>184</b>	309	243	319	499	253	881	742	<b>1,623</b>
<b>Training and</b>		36	5	6	36	3	45	41	<b>86</b>	176	60	n/a*	70	54	230	130	<b>360</b>
	Training to																

<b>Capacity Building</b>	practitioners																
	Workshops for practitioners	0	7	0	14	0	0	21	<b>21</b>	0	25	0	60	0	0	85	<b>85</b>
	Workshops for target groups	30		13		1	44	0	<b>44</b>	138	n/a*	30	n/a*	42	210	0	<b>210</b>
	Training of target groups	182	2	0	3	1	183	5	<b>188</b>	990	100	n/a*	1,000	0	990	1,100	<b>2,090</b>
<b>Information and Awareness Raising</b>	Helpline/guidance or counselling service	0	2	0	4	0	0	6	<b>6</b>	0	n/a*	0	50	0	0	50	<b>50</b>
	Focus groups / panel discussions with target group	43	0	8	0	5	56	0	<b>56</b>	808	0	73	n/a*	32	913	0	<b>913</b>
	Events for target groups (e.g. field trips, tournaments, competitions)	39	1	0	6	0	39	7	<b>46</b>	3,062	60	0	n/a*	0	3,062	60	<b>3,122</b>
	Information campaigns	14	3	7	6	0	21	9	<b>30</b>	9,872	200	50	n/a*	0	9,922	200	<b>10,122</b>
	Print media (e.g. leaflets /posters/ newsletters)	11	56	0	3	0	11	59	<b>70</b>	10,500	n/a*	12,950	47,160	n/a*	23,450	47,160	<b>70,610</b>
	Website or blog	14	5	9	4	0	23	9	<b>32</b>	54,150	8,021	190,000	n/a*	n/a*	244,150	8,021	<b>252,171</b>
	Other media: e.g. DVD, video, film/documentary	32	5	3	4	10	45	9	<b>54</b>	n/a*	n/a*	n/a*	n/a*	n/a*	0	0	<b>0</b>
	Directories / databases	5	5	7	1	2	14	6	<b>20</b>	10,000	n/a*	n/a*	90,000	n/a*	10,000	90,000	<b>100,000</b>

\* The entries with the reference n/a\* (not available) indicate mainly activities which will develop their results after the finalisation of the project. Thus no concrete comparative information could be indicated.



## Annex II

### REPORT ON THE PUBLIC CONSULTATION ON FUTURE FUNDING ACTIVITIES IN THE AREA OF JUSTICE, FUNDAMENTAL RIGHTS AND EQUALITY FOR THE PERIOD AFTER 2013

In the preparations for a new generation of funding programmes in the area of Justice, Fundamental Rights and Equality a public stakeholder consultation was **launched on 20 April 2011** using the on-line tool of "**Your Voice in Europe**". Although other possible means of consultation including selective targeting of existing stakeholders was envisaged, it was preferred to open the consultation to a wider audience in order not to limit the opinions reflected in the outcome of the consultation to a known group of existing stakeholders, but also to open the floor to contributions from all other interested parties.

The consultation was announced and published on DG Justice's website, "Your Voice in Europe" and an electronic flyer was widely distributed amongst existing beneficiaries, stakeholders, networks and through the Member States' representatives in the programme committees of the existing funding programmes, in order to ensure reaching a diversified target audience.

#### Structure of the consultation

The consultation consisted of a total of 52 questions grouped under 7 headings:

1. The **respondent**
2. **Evaluation and feedback** on the current programmes
3. **Objectives and focus** of funding 2013
4. **Simplification and improvement**
5. **Activities**
6. **Delivery mechanisms**
7. **General feedback.**

A **majority of the questions** were "**closed**", allowing only a predefined range of answers from very positive to very negative, to be given in order to allow for the extraction of comprehensive and comparable statistics.

In addition to these, a number of "**open**" **questions** were included, allowing respondents to comment more extensively and to elaborate further on answers given to the "closed questions"

The open questions were:

1. The most **important deficiencies** of the current funding activities of DG Justice
2. **Funding levels** to be increased, maintained, decreased or discontinued for specific policy areas.

3. The **EU added value** in allocating EU funding to achieve specific objectives for the area of Justice.
4. Additional measures to be undertaken to achieve **simplification and improvement**.
5. Measures to be undertaken to **improve the dissemination of results** and to strengthen the link between policy and funding activities.
6. **Additional activities** which should be supported by DG Justice.
7. Additional comments (on **delivery mechanisms**)
8. **General feedback** on any aspect of the consultation

The consultation was available for two months (until 20 June 2011) and interested parties were requested to only use the on-line questionnaire in order to submit their contribution, which was largely respected.

Overall, the level of replies was high, with just over 12 % of questions across the different headings being left with the "no opinion" reply. Equally, over half of the respondents chose to further elaborate on their replies or to add comments regarding specific areas of interest.

## **1. Overview of replies to closed questions**

### **1.1. Respondents**

The consultation counted a total of 187 respondents, consisting of 37 individuals and 150 organisations, covering the EU MS (with the exception of Denmark, Greece and Luxembourg).

As to be expected, with many networks and secretariats of international NGOs based in Brussels, Belgium had the highest response level with 17% and a total 6% of respondents came from third countries.

The majority of respondents (55%) were representing NGOs, while a significant 15 % represented national authorities at central level. The majority of the respondents (60%) did not receive DG JUST funding before.

### **1.2. Evaluation and feedback on the current programmes**

Considering the effectiveness of the current funding a high percentage of respondents (45%) thought there was room for improvement.

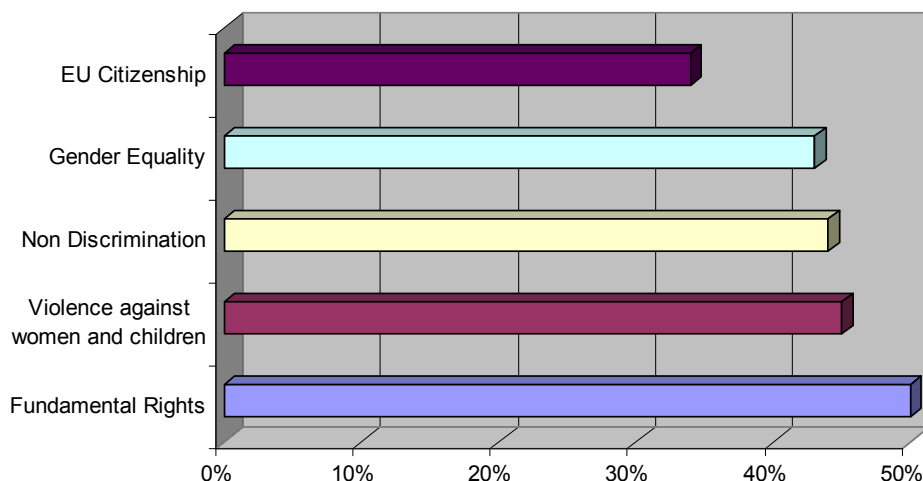
30% of respondents believed that the effectiveness and appropriateness of the current funding activities could be improved and 15% thought that it should be improved whereas only 11% thought that the current funding was very effective. 17% thought it effective with minor deficiencies and 20% did not offer an opinion on this matter.

### **1.3. Objectives and focus of funding after 2013**

#### **1.3.1. Level of funding**

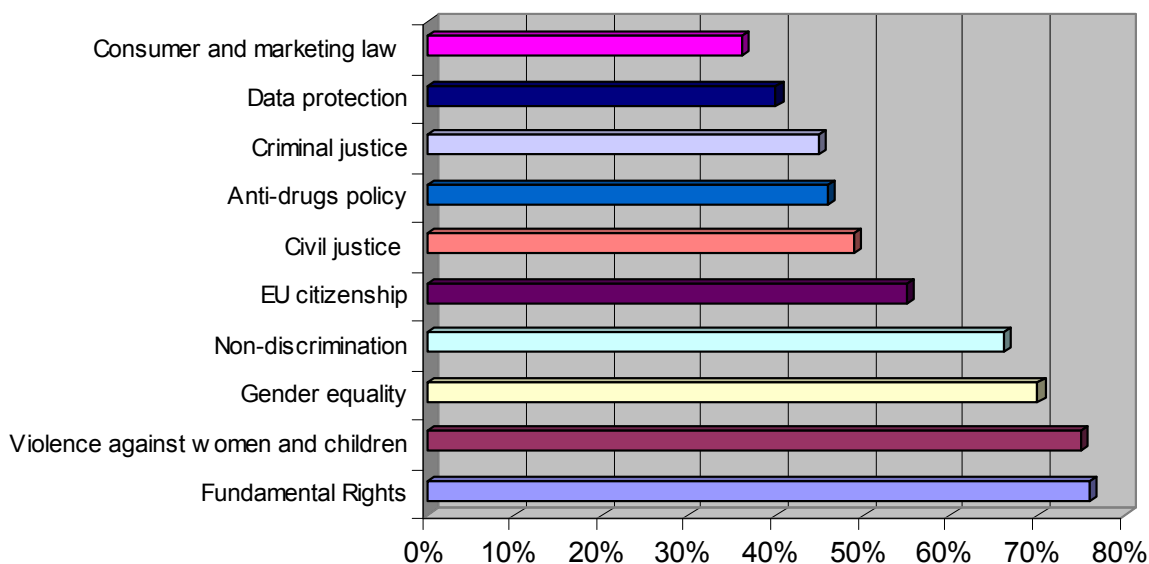
Policies which scored highest on the question if the current level of funding should be increased after 2013 were:

**Desireable Funding increase per policy area**



All the other policies scored below 30%. A similar order of preference was observed when combining the answers where current funding should be increased or maintained:

**Policy areas to continue receiving funding**



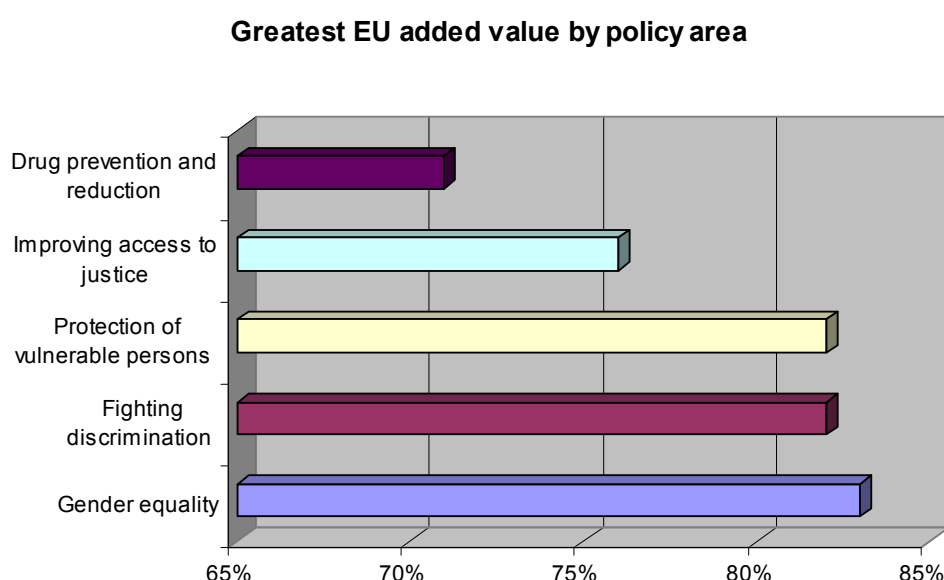
The 3 policy areas scoring lowest on this issue, are also the three policies with the largest number of "no opinion" replies (contract law (39%), consumer and marketing law (34%) or relatively high - eg data protection (25%)) which reflects a degree of specialisation in these areas and the different target groups concerned.

Considering if policies should be decreased or discontinued, there was in general a low agreement percentage with 12% as the highest agreement percentage. The policies scoring highest under this question are criminal justice policies (12%) followed by non discrimination, including Roma policies (10%), data protection (9%), contract law (9%) and gender equality (8%).

### 1.3.2. EU added value

82% of respondents believed that there is EU added value through funding when it comes to awareness raising and knowledge improvement of the population on their rights.

The added value through funding for the individual policies was ranked by the respondents as follows:



## 1.4. Simplification and improvement

### 1.4.1. The need for simplification and improvement

79% of respondents believe there is a need to simplify and improve the funding activities.

### 1.4.2. Measures for simplification/improvement of funding activities

Only 50% of respondents agree that providing funding under one single programme would simplify or improve funding activities.

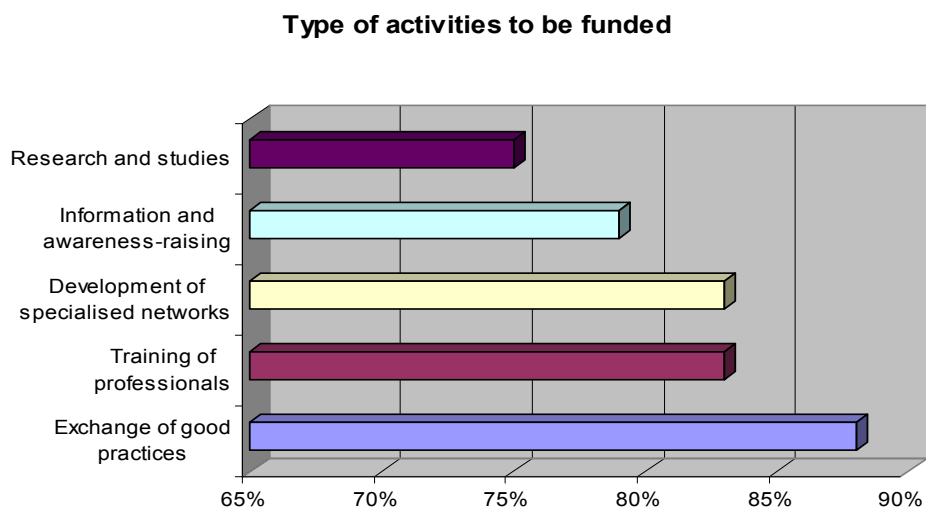
Even fewer respondents (26%) believe that a focus on bigger projects with greater EU added value would lead to a simplification or improvement.

However, respondents are strongly in favour of simplifying the selection procedures (78%) and even more in favour of simplifying the reporting obligations (80%).

67% of respondents were in favour of the use of IT tools at the selection, implementation and reporting phases.

## 1.5. Activities

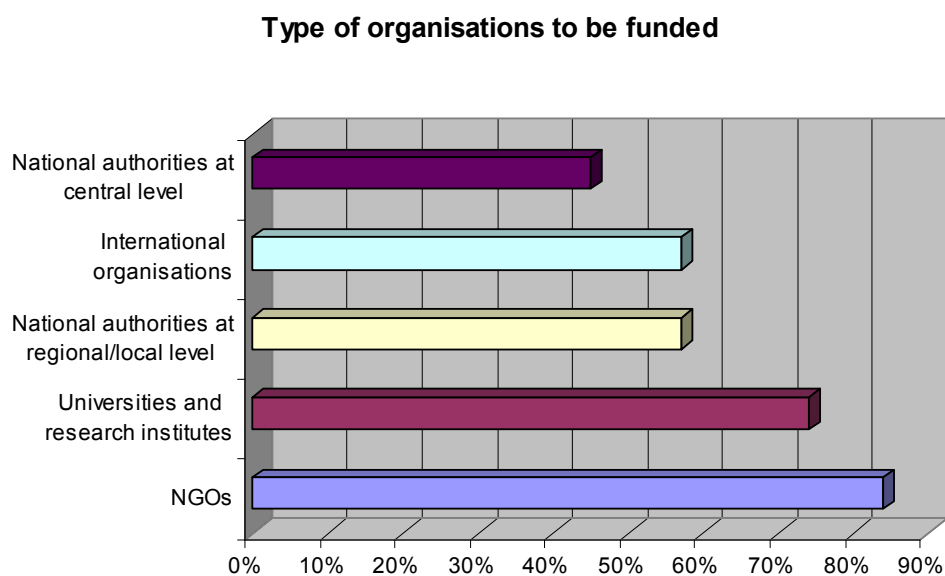
Respondents ranked as the most important activities to receive funding as follows:



## 1.6. Delivery mechanisms

### 1.6.1. Appropriate actors/organisations to receive funding by DG Justice

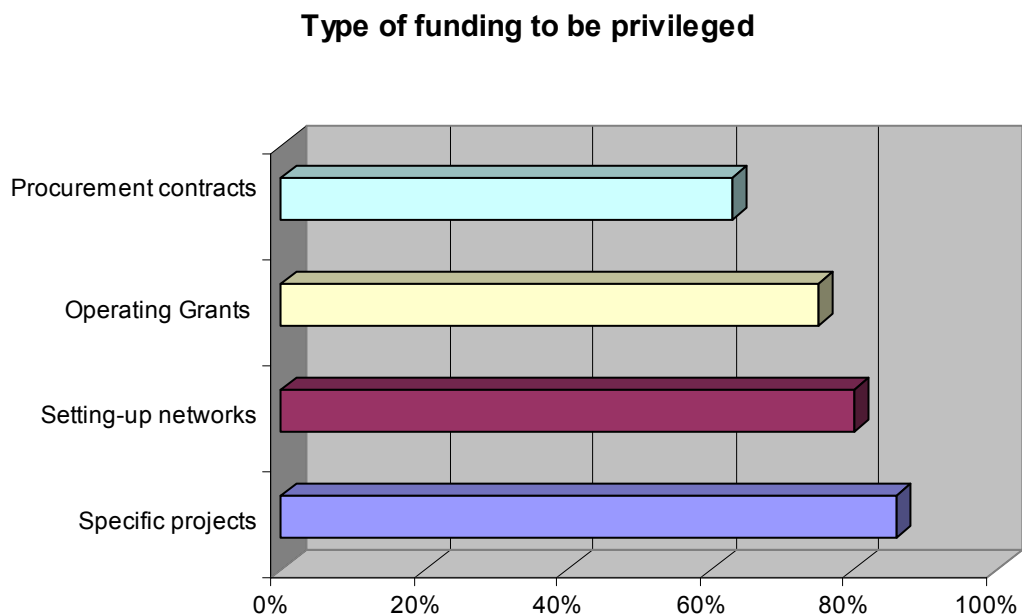
As most appropriate recipients were seen:



Only 18% of respondents consider private companies as appropriate receivers of DG Justice funding.

### 1.6.2. Appropriate types of funding

The most appropriate type of funding was identified as:



## 2. Overview of replies to open questions

The "open questions" provided a wide array of replies, ranging from a few vaguely Justice-related mission statements of NGOs, over concerted efforts by various members of a European network promoting funding in very specific areas, and Member States emphasizing the need to rationalise and simplify procedures to allow a more cost-effective delivery, to general statements of agreement and appreciation of the current funding priorities.

Below is a collection of the most frequent replies under the open questions, which show a strong belief in the value of EU funding in the area of Justice, Rights and Equality and a very clear reflection of the added value this funding constitutes.

They also show the general agreement that a simplification and improvement of programming, selection procedures and project management are a welcomed, with in some cases very specific recommendations as to what form these should take.

These are summaries of the replies given by the respondents and do not represent the view of the Commission on the different issues at hand.

1. The most **important deficiencies** of the current funding activities of DG Justice  
(Analysed together with 4. Measures to be undertaken to achieve simplification and improvement)
  
2. **Funding levels to be increased, maintained, decreased or discontinued for specific policy areas.**
  - Need for increased funding on Fundamental Rights inside EU
  - Better identification and targeting of EU funding towards areas, where there is a real EU added value
  - Need to focus on most vulnerable groups (children, immigrants, victims, disabled)
  
3. **The EU added value in allocating EU funding to achieve specific objectives for the area of Justice.**
  - Rising inner EU mobility and continuing immigration emphasise the need to reinforce non-discrimination, combating racism and protecting vulnerable (including children)
  - Awareness of rights (empowerment of vulnerable people, children) will help children reach their full potential
  - With economic crisis and high unemployment putting further strain on racial tensions as well as creating poverty and breeding grounds for violence and directing national funding towards "saving banks and the economy" funding for Fundamental Rights and against Discrimination and Social Exclusion is more crucial than ever before.
  - Although a lot of work has been done on disability, discrimination and social exclusion remain strong as well as the huge disparities between Member States. Continuing Advocating best practices is essential.

- Need for strong victims support. Statistics show only 16% of victims who request it actually get support in the EU.
- The complexity and incompatibility of national jurisdictions and administrative processes hinder businesses and individuals and ultimately growth. Further stimulus for mutual understanding and streamlining for cross-border cases is vital for the EU.
- Gender equality may have become a more common topic, but discourse and reality are worlds apart. The gender gap must be closed.
- Less and less national funding is available for the social sector (both government and NGOs), especially for international cooperation, which is the first area where cuts are made. EU funding programmes are often the only possibility to maintain exchange of best practices across borders
- Increased mobility of the workforce in the EU is a requirement for its economic growth and survival. With this any issues regarding citizens rights, cross-border cooperation, mutual recognition and anti discrimination are essential to ensure Europe's future.

#### **4. Measures to be undertaken to achieve simplification and improvement.**

- Better integration and visibility, less fragmentation of funding opportunities.
- Reduce complication and administrative burden.
- Award grants for longer time-frames 3-5 years to limit administration costs (only one time application) and ensure enough time to build sustainable projects.
- Reporting on projects should continue beyond their funding period to measure true impact and sustainability.
- Improving IT tools (application) to be used as information tools and databases for project partner search.
- Better coordination with other funding instruments needed (EAC, EMPL, etc.)
- Need for common core aims and a harmonised strategic approach across all DG Justice programming.
- Reducing the number of priorities per year to have concerted efforts of all projects with political EU priorities.
- There should be a common approach to inclusion of EEA third countries (Currently they are eligible to apply for Daphne funding, but not for Fundamental Rights and Citizenship funding).
- Set clear funding rules which would not be changed until the end of the programmes
- Reducing high administrative costs by simplifying application procedure and introducing lump sums and flat rates to ease accounting burden.
- Reducing the documentary requirements at the stage of application. It takes months to obtain official documents directing attention, energy and time away from preparing a solid project.



**5. Measures to be undertaken to improve the dissemination of results and to strengthen the link between policy and funding activities.**

- Need for increased visibility of successful and unsuccessful applicants in order to build a network of potential project partners
- Invest more money and work in dissemination tools, establishing websites for best practice examples, on-line training for efficient project management.
- Better dissemination of results of projects.

**6. Additional comments on delivery mechanisms**

- Better focussed objectives should be favoured, not bigger projects, which will put small NGOs in need of funding out of contention
- No funding for private companies.
- Increase funding for training activities.
- Active support to capacity building of small NGOs, preparatory workshops towards EU cooperation and running EU projects.
- Improving efficiency of project support from the Commission, reducing delays in replying, improving precision (and consistency) of replies.
- Two strands of funding: small NGOs (low grants), Large NGOs + authorities etc (big grants)
- More capacity building funding for specific organisations outside project context
- Co-funding in the form of "in-kind contribution" to ease the access of "poor" NGOs
- Reduce co-funding requirements (5-10% maximum)

### 3. Full Statistics

#### *Response statistics for Public consultation on future funding activities in the area of Justice, Fundamental Rights and Equality for the period after 2013*

Status : Active				
Date open :				
End date : 2011-06-20				
There are 187 responses matching your criteria of a total of 187 records in the current set of data.				
<b>I. THE RESPONDENT</b>				
<b>I.1. Do you reply as:</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	
an individual	37	19,79%	19,79%	
an organisation	150	80,21%	80,21%	
<b>I.3. Which is your country of residence/ the country where your organisation is established?</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	
Austria	4	2,14%	2,14%	
Belgium	33	17,65%	17,65%	
Bulgaria	5	2,67%	2,67%	
Cyprus	2	1,07%	1,07%	
Czech Republic	3	1,60%	1,60%	
Denmark	0	0,00%	0,00%	
Estonia	3	1,60%	1,60%	
Finland	5	2,67%	2,67%	
France	8	4,28%	4,28%	
Germany	14	7,49%	7,49%	
Greece	0	0,00%	0,00%	
Hungary	4	2,14%	2,14%	
Ireland	7	3,74%	3,74%	
Italy	7	3,74%	3,74%	
Latvia	3	1,60%	1,60%	
Lithuania	5	2,67%	2,67%	
Luxembourg	0	0,00%	0,00%	
Malta	4	2,14%	2,14%	
Netherlands	6	3,21%	3,21%	
Poland	5	2,67%	2,67%	
Portugal	9	4,81%	4,81%	
Romania	14	7,49%	7,49%	
Slovakia	1	0,53%	0,53%	
Slovenia	6	3,21%	3,21%	

Spain	6	3,21%	3,21%	
Sweden	4	2,14%	2,14%	
United Kingdom	18	9,63%	9,63%	
Non EU country	11	5,88%	5,88%	

**I.4. Please indicate the type of organisation that you represent:**

	Number of requested records	% Requested records(187)	% of total number records(187)	
NGO (non-governmental organisation)	103	55,08%	55,08%	
National authority at regional or local level	6	3,21%	3,21%	
National authority at central level	28	14,97%	14,97%	
University/Research institute	12	6,42%	6,42%	
Private company	4	2,14%	2,14%	
International organisation	4	2,14%	2,14%	
Other	30	16,04%	16,04%	

**I.5. Is your organisation registered in the EU Register of Interest Representatives?**

	Number of requested records	% Requested records(187)	% of total number records(187)	
Yes	37	19,79%	19,79%	
No	150	80,21%	80,21%	

**I.6. All responses to this public consultation may be published online by DG Justice. Do you wish that your contribution is displayed under your name/the name of your organisation or anonymously?**

	Number of requested records	% Requested records(187)	% of total number records(187)	
The contribution may be displayed under the name of the respondent	128	68,45%	68,45%	
The contribution must be displayed anonymously	59	31,55%	31,55%	

**I.7. Have you already received funding from DG Justice funding programmes?**

	Number of requested records	% Requested records(187)	% of total number records(187)	
Yes	75	40,11%	40,11%	
No	112	59,89%	59,89%	

**As you have indicated "Yes" above, please specify the programme below (if you have received funding from more than one programme, please indicate all of them):**

	Number of requested records	% Requested records(75)	% of total number records(187)	
Civil Justice	16	21,33%	8,56%	
Criminal Justice	19	25,33%	10,16%	
Daphne	30	40,00%	16,04%	
Drugs Prevention and Information	2	2,67%	1,07%	

Fundamental Rights and citizenship	21	28,00%	11,23%	
Progress	12	16,00%	6,42%	

## II. EVALUATION AND FEEDBACK ON THE CURRENT PROGRAMMES

### II.1. How effective and appropriate do you consider the current funding activities of DG Justice?

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(176)
Very effective	21	11,23%	11,23%	11,93%
Effective with minor deficiencies	32	17,11%	17,11%	18,18%
Could be improved	56	29,95%	29,95%	31,82%
Should be improved	29	15,51%	15,51%	16,48%
No opinion	38	20,32%	20,32%	21,59%
N/A	-	-	5,88%	-

## III. OBJECTIVES AND FOCUS OF FUNDING AFTER 2013

### III.1. In your opinion and taking into consideration the approximate funding levels for the year 2011 (see figures below), for which of the following policies should funding be increased, maintained, decreased or discontinued after 2013?

Civil Justice policy (€ 15.5 million)				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(150)
Should be increased	36	19,25%	19,25%	24,00%
Should be maintained	56	29,95%	29,95%	37,33%
Should be decreased	10	5,35%	5,35%	6,67%
Should be discontinued	3	1,60%	1,60%	2,00%
No opinion	45	24,06%	24,06%	30,00%
N/A	-	-	19,79%	-
Contract law (€ 0.5 million)				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(143)
Should be increased	11	5,88%	5,88%	7,69%
Should be maintained	43	22,99%	22,99%	30,07%
Should be decreased	9	4,81%	4,81%	6,29%
Should be discontinued	7	3,74%	3,74%	4,90%
No opinion	73	39,04%	39,04%	51,05%
N/A	-	-	23,53%	-

Consumer and marketing law (€ 0.5 million)				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(145)
Should be increased	25	13,37%	13,37%	17,24%
Should be maintained	43	22,99%	22,99%	29,66%
Should be decreased	7	3,74%	3,74%	4,83%
Should be discontinued	6	3,21%	3,21%	4,14%
No opinion	64	34,22%	34,22%	44,14%
N/A	-	-	22,46%	-
Criminal Justice policy (€ 27 million)				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(150)
Should be increased	36	19,25%	19,25%	24,00%
Should be maintained	48	25,67%	25,67%	32,00%
Should be decreased	20	10,70%	10,70%	13,33%
Should be discontinued	2	1,07%	1,07%	1,33%
No opinion	44	23,53%	23,53%	29,33%
N/A	-	-	19,79%	-
Anti-drugs policy (€ 4 million)				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(145)
Should be increased	40	21,39%	21,39%	27,59%
Should be maintained	47	25,13%	25,13%	32,41%
Should be decreased	5	2,67%	2,67%	3,45%
Should be discontinued	3	1,60%	1,60%	2,07%
No opinion	50	26,74%	26,74%	34,48%
N/A	-	-	22,46%	-
Fundamental Rights (Charter, Rights of the child) (€ 11 million)				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(171)
Should be increased	94	50,27%	50,27%	54,97%
Should be maintained	49	26,20%	26,20%	28,65%
Should be decreased	3	1,60%	1,60%	1,75%
Should be discontinued	2	1,07%	1,07%	1,17%
No opinion	23	12,30%	12,30%	13,45%
N/A	-	-	8,56%	-
EU Citizenship (€ 1.5 million)				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(157)
Should be increased	64	34,22%	34,22%	40,76%

Should be maintained	40	21,39%	21,39%	25,48%
Should be decreased	10	5,35%	5,35%	6,37%
Should be discontinued	4	2,14%	2,14%	2,55%
No opinion	39	20,86%	20,86%	24,84%
N/A	-	-	16,04%	-

#### Data protection (€ 1.5 million)

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(140)
Should be increased	32	17,11%	17,11%	22,86%
Should be maintained	44	23,53%	23,53%	31,43%
Should be decreased	11	5,88%	5,88%	7,86%
Should be discontinued	5	2,67%	2,67%	3,57%
No opinion	48	25,67%	25,67%	34,29%
N/A	-	-	25,13%	-

#### Gender equality (€ 13 million)

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(171)
Should be increased	81	43,32%	43,32%	47,37%
Should be maintained	50	26,74%	26,74%	29,24%
Should be decreased	11	5,88%	5,88%	6,43%
Should be discontinued	4	2,14%	2,14%	2,34%
No opinion	25	13,37%	13,37%	14,62%
N/A	-	-	8,56%	-

#### Violence against women, children and young people (€ 20.5 million)

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(167)
Should be increased	85	45,45%	45,45%	50,90%
Should be maintained	55	29,41%	29,41%	32,93%
Should be decreased	3	1,60%	1,60%	1,80%
Should be discontinued	4	2,14%	2,14%	2,40%
No opinion	20	10,70%	10,70%	11,98%
N/A	-	-	10,70%	-

#### Non discrimination, including Roma policies (€ 20.5 million)

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(165)
Should be increased	83	44,39%	44,39%	50,30%
Should be maintained	42	22,46%	22,46%	25,45%
Should be decreased	12	6,42%	6,42%	7,27%
Should be discontinued	7	3,74%	3,74%	4,24%
No opinion	21	11,23%	11,23%	12,73%
N/A	-	-	11,76%	-

<b>III.2. Do you believe that there is EU added value in allocating EU funding to achieve the following objectives?</b>				
<b>Raise awareness and improve knowledge of the population on their rights and obligations</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(171)
Strongly agree	98	52,41%	52,41%	57,31%
Agree	57	30,48%	30,48%	33,33%
Disagree	6	3,21%	3,21%	3,51%
Strongly disagree	1	0,53%	0,53%	0,58%
No opinion	9	4,81%	4,81%	5,26%
N/A	-	-	8,56%	-
<b>Promote EU citizenship</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(161)
Strongly agree	64	34,22%	34,22%	39,75%
Agree	64	34,22%	34,22%	39,75%
Disagree	10	5,35%	5,35%	6,21%
Strongly disagree	2	1,07%	1,07%	1,24%
No opinion	21	11,23%	11,23%	13,04%
N/A	-	-	13,90%	-
<b>Improve access to justice</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(165)
Strongly agree	93	49,73%	49,73%	56,36%
Agree	50	26,74%	26,74%	30,30%
Disagree	5	2,67%	2,67%	3,03%
Strongly disagree	0	0,00%	0,00%	0,00%
No opinion	17	9,09%	9,09%	10,30%
N/A	-	-	11,76%	-
<b>Eliminate obstacles to and reduce costs of cross-border judicial proceedings</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(155)
Strongly agree	63	33,69%	33,69%	40,65%
Agree	48	25,67%	25,67%	30,97%
Disagree	10	5,35%	5,35%	6,45%
Strongly disagree	1	0,53%	0,53%	0,65%
No opinion	33	17,65%	17,65%	21,29%
N/A	-	-	17,11%	-

Facilitate cross-border business and consumer transactions				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(152)
Strongly agree	36	19,25%	19,25%	23,68%
Agree	58	31,02%	31,02%	38,16%
Disagree	9	4,81%	4,81%	5,92%
Strongly disagree	2	1,07%	1,07%	1,32%
No opinion	47	25,13%	25,13%	30,92%
N/A	-	-	18,72%	-
Promote and support gender equality				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(172)
Strongly agree	98	52,41%	52,41%	56,98%
Agree	58	31,02%	31,02%	33,72%
Disagree	2	1,07%	1,07%	1,16%
Strongly disagree	1	0,53%	0,53%	0,58%
No opinion	13	6,95%	6,95%	7,56%
N/A	-	-	8,02%	-
Fight discrimination on the grounds of race and ethnic origin, religion or belief, disability, age or sexual orientation				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(171)
Strongly agree	114	60,96%	60,96%	66,67%
Agree	40	21,39%	21,39%	23,39%
Disagree	4	2,14%	2,14%	2,34%
Strongly disagree	1	0,53%	0,53%	0,58%
No opinion	12	6,42%	6,42%	7,02%
N/A	-	-	8,56%	-
Protect vulnerable persons (Roma, children, victims of violence etc.)				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(168)
Strongly agree	106	56,68%	56,68%	63,10%
Agree	47	25,13%	25,13%	27,98%
Disagree	4	2,14%	2,14%	2,38%
Strongly disagree	2	1,07%	1,07%	1,19%
No opinion	9	4,81%	4,81%	5,36%
N/A	-	-	10,16%	-
Reduce drug use and prevent drug related crime				



	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(155)
Strongly agree	51	27,27%	27,27%	32,90%
Agree	63	33,69%	33,69%	40,65%
Disagree	14	7,49%	7,49%	9,03%
Strongly disagree	2	1,07%	1,07%	1,29%
No opinion	25	13,37%	13,37%	16,13%
N/A	-	-	17,11%	-

#### IV. SIMPLIFICATION AND IMPROVEMENT

##### IV.1. Do you agree that the funding activities of DG Justice need to be simplified and improved?

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(171)
Yes	148	79,14%	79,14%	86,55%
No	6	3,21%	3,21%	3,51%
No opinion	17	9,09%	9,09%	9,94%
N/A	-	-	8,56%	-

##### IV.2. Do you agree with the following measures for simplification/improvement of the funding activities?

##### Provide funding under one single programme (i.e. launch annually fewer/one calls for proposals covering a wider range of objectives and priorities)

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(170)
Strongly agree	47	25,13%	25,13%	27,65%
Agree	47	25,13%	25,13%	27,65%
Disagree	34	18,18%	18,18%	20,00%
Strongly disagree	25	13,37%	13,37%	14,71%
No opinion	17	9,09%	9,09%	10,00%
N/A	-	-	9,09%	-

##### Focus funding on bigger projects with greater EU added value

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(170)
Strongly agree	24	12,83%	12,83%	14,12%
Agree	24	12,83%	12,83%	14,12%
Disagree	66	35,29%	35,29%	38,82%
Strongly disagree	44	23,53%	23,53%	25,88%
No opinion	12	6,42%	6,42%	7,06%
N/A	-	-	9,09%	-

Simplify selection procedures				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(168)
Strongly agree	92	49,20%	49,20%	54,76%
Agree	54	28,88%	28,88%	32,14%
Disagree	4	2,14%	2,14%	2,38%
Strongly disagree	1	0,53%	0,53%	0,60%
No opinion	17	9,09%	9,09%	10,12%
N/A	-	-	10,16%	-

Simplify reporting obligations				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(176)
Strongly agree	102	54,55%	54,55%	57,95%
Agree	48	25,67%	25,67%	27,27%
Disagree	12	6,42%	6,42%	6,82%
Strongly disagree	0	0,00%	0,00%	0,00%
No opinion	14	7,49%	7,49%	7,95%
N/A	-	-	5,88%	-

Extend the use of IT tools at the selection, implementation and reporting phases				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(161)
Strongly agree	61	32,62%	32,62%	37,89%
Agree	65	34,76%	34,76%	40,37%
Disagree	8	4,28%	4,28%	4,97%
Strongly disagree	4	2,14%	2,14%	2,48%
No opinion	23	12,30%	12,30%	14,29%
N/A	-	-	13,90%	-

## V. ACTIVITIES

### V.1. How important do you consider the following activities for achieving the funding objectives of DG Justice?

Identification, development and exchange of good practices				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(173)
Strongly agree	109	58,29%	58,29%	63,01%
Agree	56	29,95%	29,95%	32,37%
Disagree	3	1,60%	1,60%	1,73%
Strongly disagree	0	0,00%	0,00%	0,00%

No opinion	5	2,67%	2,67%	2,89%
N/A	-	-	7,49%	-
<b>Training, in particular of professionals</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(168)
Strongly agree	91	48,66%	48,66%	54,17%
Agree	64	34,22%	34,22%	38,10%
Disagree	3	1,60%	1,60%	1,79%
Strongly disagree	0	0,00%	0,00%	0,00%
No opinion	10	5,35%	5,35%	5,95%
N/A	-	-	10,16%	-
<b>Exchanges of legal/judicial professionals</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(161)
Strongly agree	54	28,88%	28,88%	33,54%
Agree	65	34,76%	34,76%	40,37%
Disagree	11	5,88%	5,88%	6,83%
Strongly disagree	1	0,53%	0,53%	0,62%
No opinion	30	16,04%	16,04%	18,63%
N/A	-	-	13,90%	-
<b>Cooperation between professionals and organisations and development of specialised networks</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(169)
Strongly agree	96	51,34%	51,34%	56,80%
Agree	60	32,09%	32,09%	35,50%
Disagree	2	1,07%	1,07%	1,18%
Strongly disagree	2	1,07%	1,07%	1,18%
No opinion	9	4,81%	4,81%	5,33%
N/A	-	-	9,63%	-
<b>Studies</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(170)
Strongly agree	72	38,50%	38,50%	42,35%
Agree	69	36,90%	36,90%	40,59%
Disagree	15	8,02%	8,02%	8,82%
Strongly disagree	2	1,07%	1,07%	1,18%
No opinion	12	6,42%	6,42%	7,06%
N/A	-	-	9,09%	-
<b>Statistics and development of indicators</b>				

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(168)
Strongly agree	56	29,95%	29,95%	33,33%
Agree	78	41,71%	41,71%	46,43%
Disagree	10	5,35%	5,35%	5,95%
Strongly disagree	1	0,53%	0,53%	0,60%
No opinion	23	12,30%	12,30%	13,69%
N/A	-	-	10,16%	-

#### Information and awareness-raising

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(169)
Strongly agree	89	47,59%	47,59%	52,66%
Agree	59	31,55%	31,55%	34,91%
Disagree	10	5,35%	5,35%	5,92%
Strongly disagree	2	1,07%	1,07%	1,18%
No opinion	9	4,81%	4,81%	5,33%
N/A	-	-	9,63%	-

#### Development of IT-tools, such as the e-Justice portal or the European registers for convicted third-country nationals

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(165)
Strongly agree	49	26,20%	26,20%	29,70%
Agree	69	36,90%	36,90%	41,82%
Disagree	7	3,74%	3,74%	4,24%
Strongly disagree	1	0,53%	0,53%	0,61%
No opinion	39	20,86%	20,86%	23,64%
N/A	-	-	11,76%	-

## VI. DELIVERY MECHANISMS

### VI.1. Which actors/organisations are most appropriate to receive funding by DG Justice?

#### Non-governmental organisations

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(175)
Strongly agree	127	67,91%	67,91%	72,57%
Agree	30	16,04%	16,04%	17,14%
Disagree	7	3,74%	3,74%	4,00%
Strongly disagree	1	0,53%	0,53%	0,57%
No opinion	10	5,35%	5,35%	5,71%

N/A	-	-	6,42%	-
<b>Universities and Research institutes</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(164)
Strongly agree	59	31,55%	31,55%	35,98%
Agree	80	42,78%	42,78%	48,78%
Disagree	11	5,88%	5,88%	6,71%
Strongly disagree	2	1,07%	1,07%	1,22%
No opinion	12	6,42%	6,42%	7,32%
N/A	-	-	12,30%	-
<b>Private companies</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(166)
Strongly agree	4	2,14%	2,14%	2,41%
Agree	30	16,04%	16,04%	18,07%
Disagree	66	35,29%	35,29%	39,76%
Strongly disagree	46	24,60%	24,60%	27,71%
No opinion	20	10,70%	10,70%	12,05%
N/A	-	-	11,23%	-
<b>National authorities at regional/local level</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(162)
Strongly agree	41	21,93%	21,93%	25,31%
Agree	66	35,29%	35,29%	40,74%
Disagree	20	10,70%	10,70%	12,35%
Strongly disagree	10	5,35%	5,35%	6,17%
No opinion	25	13,37%	13,37%	15,43%
N/A	-	-	13,37%	-
<b>National authorities at central level</b>				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(161)
Strongly agree	43	22,99%	22,99%	26,71%
Agree	42	22,46%	22,46%	26,09%
Disagree	32	17,11%	17,11%	19,88%
Strongly disagree	16	8,56%	8,56%	9,94%
No opinion	28	14,97%	14,97%	17,39%
N/A	-	-	13,90%	-
<b>International organisations</b>				

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(163)
Strongly agree	42	22,46%	22,46%	25,77%
Agree	64	34,22%	34,22%	39,26%
Disagree	24	12,83%	12,83%	14,72%
Strongly disagree	4	2,14%	2,14%	2,45%
No opinion	29	15,51%	15,51%	17,79%
N/A	-	-	12,83%	-

## VI.2. Which types of funding do you consider most appropriate for achieving the funding objectives of DG Justice?

Funding of specific projects with EU added value				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(165)
Strongly agree	115	61,50%	61,50%	69,70%
Agree	45	24,06%	24,06%	27,27%
Disagree	2	1,07%	1,07%	1,21%
Strongly disagree	0	0,00%	0,00%	0,00%
No opinion	3	1,60%	1,60%	1,82%
N/A	-	-	11,76%	-
Support to the regular activities of organisations				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(174)
Strongly agree	88	47,06%	47,06%	50,57%
Agree	52	27,81%	27,81%	29,89%
Disagree	19	10,16%	10,16%	10,92%
Strongly disagree	5	2,67%	2,67%	2,87%
No opinion	10	5,35%	5,35%	5,75%
N/A	-	-	6,95%	-
Setting-up of and support to the activities of networks				
	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(167)
Strongly agree	83	44,39%	44,39%	49,70%
Agree	66	35,29%	35,29%	39,52%
Disagree	6	3,21%	3,21%	3,59%
Strongly disagree	2	1,07%	1,07%	1,20%
No opinion	10	5,35%	5,35%	5,99%
N/A	-	-	10,70%	-
Procurement contracts for the implementation of policy (e.g. studies, evaluations, etc).				

	Number of requested records	% Requested records(187)	% of total number records(187)	% of total number records(157)
Strongly agree	46	24,60%	24,60%	29,30%
Agree	72	38,50%	38,50%	45,86%
Disagree	17	9,09%	9,09%	10,83%
Strongly disagree	2	1,07%	1,07%	1,27%
No opinion	20	10,70%	10,70%	12,74%
N/A	-	-	16,04%	-