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## **COMMISSION STAFF WORKING DOCUMENT**

### **EVALUATION**

#### **Accompanying the document**

#### **REPORT OF THE EUROPEAN COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS**

**assessing the implementation and achievements of the 2014-2020 justice programme**

{COM(2022) 121 final} - {SWD(2022) 69 final}

## Table of contents

1. INTRODUCTION .....	3
Purpose and scope .....	3
2. BACKGROUND TO THE INTERVENTION .....	4
Description of the intervention and its objectives .....	4
Budget .....	7
Baseline and points of comparison.....	9
3. IMPLEMENTATION .....	11
4. METHOD.....	25
Short description of methodology .....	25
Limitations and robustness of findings .....	27
5. ANALYSIS AND ANSWERS TO THE EVALUATION QUESTIONS .....	28
Effectiveness .....	28
Efficiency .....	31
Relevance .....	32
Coherence, Complementarity and Synergies .....	33
EU added value .....	34
Equity .....	35
Scope for simplification .....	37
CONCLUSIONS .....	38
ANNEX 3: METHODS AND ANALYTICAL MODELS .....	50

## Glossary

<i>Term or acronym</i>	<i>Meaning or definition</i>
DG JUST	Directorate-General for Justice and Consumers
EU	European Union
AG	Action grant
OG	Operating grant
HES	Higher secondary education
OTH	Other non-profit organisation
PRC	Private company
REC	Research organisation
PUB	Public Institution
AWP	Annual work programme
JCOO	Judicial Cooperation
JTRA	Judicial Training
JACC	Access to Justice
JDRU	Drug prevention policy
MMF	Multi Annual Financial Framework

## 1. INTRODUCTION

### Purpose and scope

This staff working document accompanies the report from the European Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions in accordance with the obligation specified in Article 14.2(c) of the legal base of the justice programme.<sup>1</sup>

The Regulation states that the European Commission shall provide the European Parliament and the Council with an ex-post evaluation report of the programme by 31 December 2021. The report shall assess the long-term impact and the sustainability of the effects of the programme, with a view to informing a decision on a subsequent programme. In 2021, however, a considerable number of projects, around 30 %, are still ongoing and many completed ones have just produced the first outputs. This situation is also exacerbated by the COVID-19 pandemic, which has resulted in the timeframe several projects being extended.

For these reasons, and in order to have a meaningful evaluation of the long-term results or impacts of the programme, the *ex post* evaluation will be carried out in two parts. This staff working document accompanying the report to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions represents the first part of the evaluation. It is based on the currently available data, provides an overview of the funding distribution and assesses the achievements of the justice programme so far. While the new justice programme 2021-2027 was already adopted, based amongst others on the results of the interim evaluation of the justice programme 2014-2020, this first part of the ex-post evaluation of the previous programme will be of added value in order to shed light on potential areas for improvement in the implementation phase of the new justice programme.

The second part of the evaluation will be carried out at a later stage, once all final data will be available and in concomitance with the interim evaluation of the succeeding justice programme (2021-2027). This second part will assess the long-term impacts and sustainability of the effects of the justice programme and will provide recommendations for the new MFF after 2027, as appropriate.

This two-step approach will enable the Commission to conduct an in-depth evaluation of the entire programming period, while being fully transparent on the rationale for splitting the reports.

Against this backdrop, the first part, covering available data from 2014 to 2020 will provide a good overview of the funding distribution and achievements of the programmes so far. By contrast, the second report will provide further insights into the effectiveness and long-term impacts of the programme.

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<sup>1</sup> REGULATION (EU) No 1382/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 17 December 2013 establishing a Justice Programme for the period 2014 to 2020

In terms of geographical coverage, the justice programme is open to all EU Member States with the exception of Denmark and the United Kingdom.<sup>2</sup> In addition to the EU Member States, it is open to the European Free Trade Association States party to the European Economic Area, candidate countries, potential candidates and countries acceding to the EU, provided that they conclude an agreement with the Union laying down the details of their respective participation in the programme. Albania joined the programme in 2017 and Montenegro in 2018.

## **2. BACKGROUND TO THE INTERVENTION**

### **Description of the intervention and its objectives**

In accordance with the Treaty on the Functioning of the European Union, which provides for the creation of a European area of freedom, security and justice based on mutual recognition of judicial decisions and mutual trust among Member States, the justice programme was set up to overcome obstacles to the functioning of an effective European area of justice. The justice programme was also designed to encourage national judicial systems to build trust in each other's standards of fairness and justice, as this is a prerequisite to achieve a European area of justice.

More specifically, the justice programme as set out in Article 4 of its legal base<sup>3</sup> is to contribute to the development of a European area of justice:

- (a) facilitating and supporting judicial cooperation in civil and criminal matters;
- (b) supporting and promoting judicial training, including language training on legal terminology, with a view to fostering a common legal and judicial culture;
- (c) facilitating effective access to justice for all, including promoting and supporting the rights of victims of crime, while respecting the rights of the defence; and
- (d) supporting initiatives in the field of drug policy as regards judicial cooperation and crime prevention aspects closely linked to the general objective of the programme, insofar as they are not covered by the Internal Security Fund (ISF) for financial support for police cooperation, preventing and combating crime, and crisis management or by the Health for Growth Programme.

This vision to create a European area of justice is to enable everyone in the EU to fully enjoy their full right to the freedom of movement, the respect for their fundamental rights and respect for common principles, such as non-discrimination, gender equality, access to justice for all, the rule of law and well-functioning independent judicial systems.

The justice programme also has links, potential synergies, and is complementary to other relevant initiatives of the European Union (EU) and other international organisations, such as the United Nations (UN). These include:

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<sup>2</sup> The justice programme has legal bases that belong to Part V of title III of the TFEU. Therefore, protocols 21 and 22 to the TEU and the TFEU apply and Denmark and the UK never participated to the Justice programme.

<sup>3</sup> Regulation (EU) No 1382/2013 of the European Parliament and of The Council of 17 December 2013 establishing a Justice Programme for the period 2014 to 2020, available online at: EUR-Lex - 32013R1382 - EN - EUR-Lex (europa.eu)

- (a) The European Agenda for Justice for 2020, adopted in 2014;
- (b) The European Agenda for Security, adopted in 2015;
- (c) The 2030 Sustainable Development Agenda;
- (d) The Charter of Fundamental Rights, which came into effect in 2000, and is linked to the Convention for the Protection of Human Rights and Fundamental Freedoms;
- (e) The “Juncker Priorities” for 2015-2019;
- (f) The Von der Leyen's Commission priorities for 2019-2024.

These documents and initiatives have similar objectives, particularly regarding issues of effectiveness of judicial remedies, judicial cooperation, and drug prevention policy.

### **Description of the programme**

With the aim of meeting the above specific objectives of the justice programme, the following paragraphs outline the programme’s main building blocks.

#### **Judicial cooperation in civil and criminal matters**

To achieve its specific objective to facilitate and support judicial cooperation in civil and criminal matters, the justice programme offers financial support for activities that promote the effective and coherent application of the EU law by building-up and improving data collection and statistics on the application of EU law. The programme fosters judicial cooperation in civil and criminal matters by funding activities that contribute to the better enforcement of EU law and judicial decisions, in particular resulting from cross-border disputes. This includes, Directive 2011/99 on the European Protection Order and Framework Decision 2002/584/JHA on the European arrest warrant in criminal matters. Regulation (EC) No 861/2007 establishing a European small claims procedure and Regulation (EU) No 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters are also relevant pieces of EU law in civil matters. EU legislation on judicial cooperation in civil matters also covers multiple aspects of family law (parental responsibility, parental child abduction, maintenance, matrimonial property rights and succession, to give a few examples). The justice programme contributes by funding improvements to the exchange of information among professionals in order to boost operational cooperation and mutual trust in the EU. Under this specific objective, the justice programme facilitates the EU’s participation in The Hague Conference of Private International Law<sup>4</sup> and action at the national level to set up and strengthen networks in the framework of the European Judicial Network in civil and commercial matters. Last but not least, this specific objective encompasses calls for proposals, launched in the wake of terrorist attacks in the EU, to prevent radicalisation in prisons leading to terrorism and violent extremism. In this context, the European Commission cooperates closely with the Council of Europe on two specific

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<sup>4</sup> The EU is party to The Hague Conference on Private International Law since 2007. The purpose of this international intergovernmental organisation is to work for the progressive unification of the rules of private international law in the participating countries. Most of the conventions developed by The Hague Conference fall within exclusive or partial external competence of the EU and are part of the EU law.

initiatives: the SPACE report on prison statistics and on setting up the EU network of prison monitoring bodies in the Member States.

## **Judicial training**

Under the specific objective to facilitate and support judicial training, activities funded by the justice programme cover the training of professionals such as judges, prosecutors, court staff, bailiffs, lawyers, notaries, prison staff, probation officers, mediators, and legal interpreters. The topics of trainings courses are wide and varied, including EU civil and criminal law, fundamental rights, judicial ethics and the rule of law. Activities funded under this specific objective are also designed to provide language training on legal terminology to foster a common legal and judicial culture. In addition to measures that aim to create a shared understanding of legal terminology, the justice programme provides funding for seminars on specific aspects of civil and criminal law, e-learning and exchanges of staff and experience.<sup>5</sup> For example, it covers specialised training in the field of competition law, which typically requires a significant amount of specialisation. Support for judicial training provided by the justice programme is strongly linked to the European judicial training strategy, which was adopted in 2011.<sup>6</sup> In conjunction with this training strategy, the European Judicial Training Network is a key structure funded by the justice programme to reach more practitioners from across the Member States and to promote trust in the judicial systems of different Member States. The European Judicial Training Network is an essential structure for judicial training. It is also referenced in Article 6.2 of the legal base of the justice programme as a recipient of an operating grant to co-finance expenditure on its permanent work programme. In summary, by providing the training opportunities outlined above, the justice programme aims to help create a common legal and judicial culture and foster mutual trust of legal practitioners in the judicial systems of EU Member States.

## **Access to justice for all**

The remit of the specific objective to facilitate effective access to justice for all, is divided in two sub- objectives. One key topic is promoting and supporting the rights of victims of crime. The other is procedural rights, which ensure respect for the right of defence. To this end, the aim of the projects financed is to provide EU citizens with effective remedies if EU law is breached. In particular, where national procedures prove too complex. In other words, the measures are designed to promote the use of remedies and non-remedies developed in the EU that can provide quick, efficient and less costly solutions to disputes, for example through the e-Justice portal.<sup>7</sup> Access to justice is also an enabling right for victims of crime to be able to enforce their rights and seek redress. When the Treaty of Lisbon came into effect, a specific reference to access to justice was

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<sup>5</sup> European Commission, Directorate-General for Justice and Consumers, European Judicial Training 2016. Available online at: [http://ec.europa.eu/justice/criminal/files/final\\_report\\_2015\\_en.pdf](http://ec.europa.eu/justice/criminal/files/final_report_2015_en.pdf)

<sup>6</sup> Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Building Trust in EU-Wide Justice - A New Dimension to European Judicial Training, COM (2011) 551 final.

<sup>7</sup> Communication from the Commission to the European Parliament, the Council, the European Economic And Social Committee and the Committee Of The Regions The EU Justice Agenda for 2020 - Strengthening Trust, Mobility and Growth within the Union, Strasbourg, 11.3.2014, COM (2014) 144 final.

also made in the Treaty on the Functioning of the EU, which states that 'the Union shall facilitate access to justice, in particular through the principle of mutual recognition of judicial and extrajudicial decisions in civil matters'.<sup>8</sup>

### Initiatives in the field of drug policy

This specific objective covers the promotion of initiatives in the field of drug prevention policy, which mainly focus on judicial cooperation and crime prevention. Thus, the main aim of activities funded by the justice programme is to foster the practical application of drug-related research. Activities under this objective are also designed to help civil society organisations and key stakeholders expand the knowledge base and develop innovative methods to address the phenomenon of new psychoactive substances. These aims are also pursued by the European agenda on security. Under this agenda, the EU should continue to support action taken by the Member States to counter both the demand and the supply of illicit drugs, including prevention work. In the context of drug prevention policy, through its focus on judicial cooperation and crime prevention, the justice programme complements other EU initiatives such as the Internal Security Fund, which tackles the sale, transport, import, and export of illegal drugs. The justice programme complements the health for growth programme, which focuses on actions to reduce the health-related damage caused by drugs.

### Budget

The initial total budget for the justice programme for 2014-2020 was **EUR 377 604 000**.

The justice programme has **three main funding mechanisms**: action grants, operating grants and procurement.

- **action grants** are mainly provided to civil society organisations, Member State authorities and universities;
- **operating grants** (support to networks) fund mainly European networks active in the following areas: judicial training as set out in the programme's legal base, judicial cooperation and access to justice;
- **procurement actions** (Commission initiatives) fund mostly conferences, seminars, studies, surveys, awareness-raising activities, but also specific IT projects and the EU's membership in The Hague Conference of Private International Law.

In order to achieve its objectives, the justice programme can support a wide range of activities. In particular, under Article 6 of the Regulation establishing the justice programme for the period 2014 to 2020, the programme can finance:

- **analytical activities**, in particular: the collection of data and statistics; the development of common methods and, where appropriate, indicators or benchmarks; studies, research, analyses and surveys; evaluations; drafting and publishing guides, reports and educational material; workshops, seminars, expert meetings and conferences.

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<sup>8</sup> European Union, consolidated version of the Treaty of the European Union, <http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012E/TXT&from=EN>.



- **mutual learning, cooperation, awareness raising and dissemination activities**, in particular: identifying, and exchanging concerning good practice, innovative approaches and experiences; organising of peer reviews and mutual learning; organising of conferences, seminars, information campaigns; compilation and publishing of materials to publicise about the justice programme and its results; developing, operating and maintaining systems and tools, using information and communication technologies, including developing of the European e-justice portal as a tool to improve public access to justice.
- **training**, for instance staff exchanges, workshops, seminars, train-the-trainer events, language training on legal terminology, and the development of online training tools or other training modules for members of the judiciary and judicial staff.

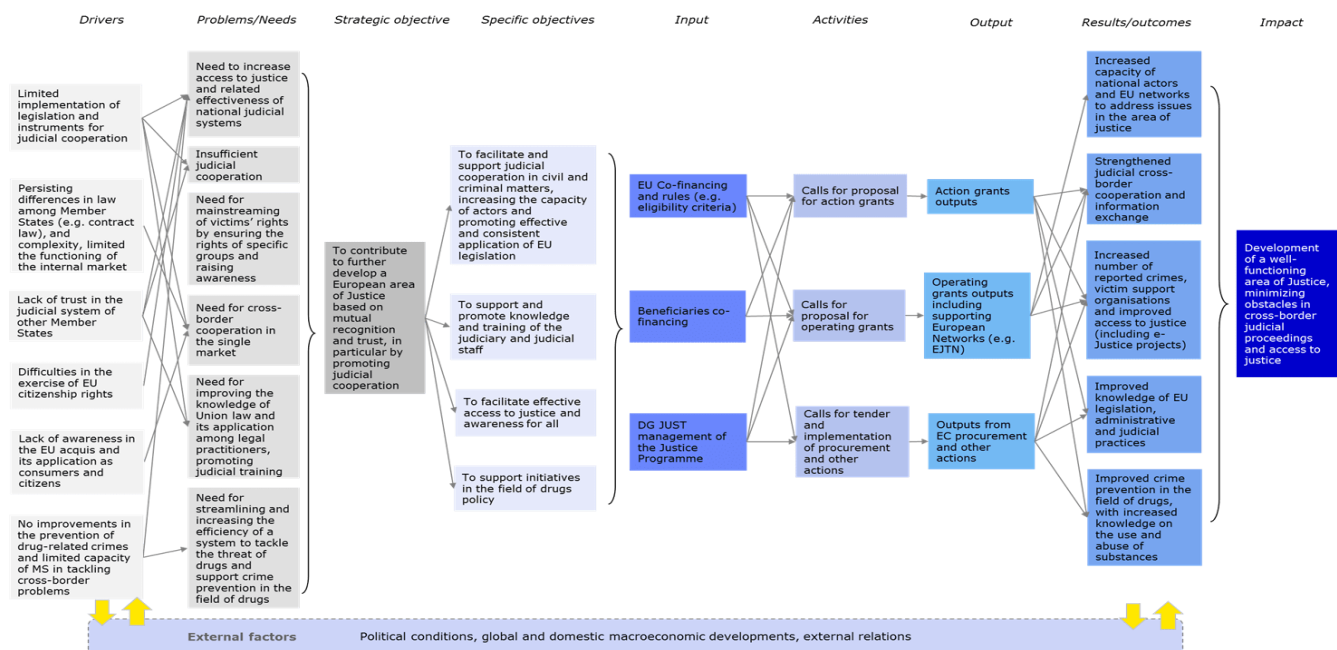
**Measures to support the main actors that** implement the programme's objectives, such as: support for Member States in implementing EU law and policies; support for key European actors and European-level networks, including in the field of judicial training; support for networking at EU level among specialised bodies and entities as well as national, regional and local authorities and non-governmental organisations.

The **stakeholders** eligible for support can be either public or private organisations (usually non-profit-oriented), established in one of the countries participating in the programme, or international organisations (Council of Europe).

In terms of **target groups**, defined as the groups that can receive support directly or indirectly from the justice programme, potentially all people in the EU are included. This broad target group is based on the overarching objective of the justice programme to create a European area of justice, where everybody is aware of and can exercise their rights. More specifically, the programme covers support for judicial practitioners, public authorities, universities, international organisations, non-governmental organisations and other research groups; companies going through insolvency or pre-insolvency proceedings, citizens accused or victims of a crime, families, consumers, minors, groups in need of specialised legal protection and people at risk of radicalisation.

The figure overleaf summarises the intervention logic of the justice programme by illustrating causal mechanisms to an effective area of justice.

**Figure 1 Intervention logic of the justice programme 2014-2020**



### Baseline and points of comparison

The 2011 impact assessment used as part of the interim evaluation of the justice programme serves as a baseline and a point of comparison.<sup>9</sup> The document outlines a ‘baseline scenario’ against which the policy options for the justice programme were benchmarked. The document also describes a series of expected outcomes, connected to the development of the justice programme. The baseline analysis showed that, if no changes had been made between the 2007-13 and the 2014-20 programming periods, the programme would have continued to be successfully implemented, but it would not have reached its full potential. In this context, it is worth underlining that before its launch in 2014, the justice programme was preceded by three different funding instruments, which each covered the thematic areas now covered by one programme.

Before launching the justice programme, the Commission identified the following issues as potentially critical:

- the **lack of flexibility** in the funding instruments would have been an obstacle, given the pace of change and reform in the area of justice;
- the **fragmentation of funding**, especially where funding is needed to support horizontal and cross-cutting issues, could have reduced the capacity of the predecessor programmes to deliver results;
- **having multiple funding programmes** with different rules and procedures, in the context of rising numbers of applicants, could have increased the administrative burden, potentially resulting in delays in procedures for the beneficiaries.

Given these bottlenecks and difficulties, the criminal justice programme, the civil justice programme and the drug prevention and information programme were merged into the justice programme. The 2011 impact assessment used in the interim evaluation also

<sup>9</sup> SEC (2011) 1364 final

assessed the effect of the consolidation in terms of relevance and scope, effectiveness, complementarity, EU added value, efficiency and potential for simplification.

- In terms of the **relevance and scope** of the consolidated programme, the impact assessment found that funding would be available for all of the areas and activities covered by predecessor programmes. In addition, the expectation was that it would reduce fragmentation and overlaps, as policies with close links to each other, such as civil and criminal justice, were streamlined under the same programme. The aim of streamlining predecessor programmes into the justice programme was also to reduce the potential for overlap with other funding instruments. In terms of flexibility, the broader scope of the justice programme was designed to progressively integrate new actions that better support justice policies as the policy environment continuously evolves.
- In terms of **effectiveness**, the new comprehensive justice programme was expected to promote the concentration of funds and the development of stronger partnerships. The applicants would coordinate their action in broader partnerships with more funding available. It was also expected to lead to a more balanced geographical spread among beneficiaries as a result of larger partnerships.
- In terms of **efficiency**, the expectation was that the justice programme would bring about improvements by simplifying the funding procedures for applicants and beneficiaries. In particular, merging the predecessor programmes under a broader justice programme aimed to put an end to the practice of beneficiaries oscillating between the previous three funding programmes based on their individual fit to them. Last but not least, the aim was to improve efficiency by reducing the number of calls for proposals, which also became more thematically focused.
- In terms of **complementarity**, it was expected that merging the three predecessor programmes would ensure a coordinated approach to identifying annual priorities. This approach had to be applied also vis-à-vis programmes in other EU policy areas with links to justice and rights. Coordination during the annual programming process would make sure that funding is not duplicated and that funds are used in a complementary way, in the best public interest.
- With a view to reducing the **administrative burden**, reducing the three annual work programmes to one and reducing the number of calls for proposals were expected to yield considerable improvements. Harmonising the management procedures would lighten the administrative burden for applicants and beneficiaries. It would also enable the Commission to halve the number of staff members assigned to managing calls for proposals.

In addition to the findings of the impact assessment of the interim evaluation, all ex-post evaluation reports on the previous funding programmes confirmed that overall they were effective and highlighted that their specific objectives and priorities were on the whole specific, attainable and realistic, but not always measurable.

In particular, it identified the following problems common to the three programmes:

1. **the funds were diluted** and spread across many small-scale projects with limited impact and EU dimension;
2. **no balanced geographical spread among the organisations**, receiving funding;
3. **complex and bureaucratic procedures** for applicants;

**4. high administrative burden** on the European Commission and longer **procedures** due to the multiplication of procedures for the different programmes.

In summary, the baseline and point of comparison of the justice programme, is characterised by a fragmented funding landscape, which put heavy administrative burden and complex procedures in place. As a result, the Commission took measures to make EU funding more accessible and to promote more targeted action to reach its policy goals.

### **3. IMPLEMENTATION**

#### **Programme management**

The European Commission implements the justice programme via direct management. This approach was taken in order to ensure a close relationship between the programme management and EU policy-making. This management mode also enables the European Commission to tailor funded activities to policy priorities and policy needs and thereby to directly target specific groups of stakeholders. It also facilitates close contacts with the programme's beneficiaries and results in better knowledge of the needs on the ground.

#### **State of play**

This section presents the state of play of the programme's implementation on the basis of the information available at the time of writing. As explained in the introduction, a significant number of projects, around 30%, are still ongoing, and therefore the *ex post* evaluation will be carried out in two parts. The first part, based on the currently available data, is prepared in 2021 and assesses the achievements of the justice programme so far. The second part of the evaluation will be carried out at a later stage, once all final data will be available and in concomitance with the interim evaluation of the succeeding justice programme (2021-2027). This second part will assess the long-term impacts and sustainability of the effects of the justice programme and will provide recommendations for the new MFF after 2027, as appropriate.

#### **Annual work programmes**

The annual work programmes of the justice programme set out goals to pursue, by funding the measures. In other words, the annual work programmes outline how the specific objectives of the justice programmes are to be met through targeted activities. The annual work programmes will also seek to adapt to emerging needs so that beneficiaries can adapt to any changes in the policy environment of the justice programme.

In **2014**, the first annual work programme was overall balanced. The specific objectives of judicial cooperation, access to justice and judicial training received approximately the same level of funding. The beneficiary identified by the legal base of the justice programme, the European Judicial Training Network, received an operating grant of EUR 7 880 000 the highest amount of funding in that year. Action grants for work to meet the specific objective on judicial training had a rather broad focus on family and succession matters, as well as on criminal law. Calls for proposals on access to justice for all covered the expansion of the e-justice portal and work on procedural and victims' rights. Action grants under the specific objective on judicial cooperation in civil and

criminal matters focused on family matters such as divorce, legal separation, parental custody, and succession. Last but not least, the drafting of new legislation on new psychoactive substances and support to implement the EU drug strategy were financed through procurement and action grants in the field of drug prevention policy.

The **2015** annual work programme underscored the importance of the specific objective of access to justice for all. In total there were six calls for proposals focusing on this specific objective. In parallel, action grants promoting the specific objective on judicial training were aligned with the topics pursued in 2014 under the specific objectives of judicial cooperation and access to justice. Action grants for judicial training focused on training judges on legal instruments in family matters and successions. Other training courses were focused on international debt recovery in civil matters and commercial matters. On criminal matters, training sessions focused on procedural rights in criminal proceedings. In addition, judicial training was promoted through the operating grant to the European Judicial Training Network with a budget of EUR 8 800 000. The European Judicial Training Network supported implementation of EU legislation in commercial matters, for example by working on the Commission recommendation for a new approach to business failure and insolvency. The Network also supported action on criminal matters to implement Framework Decision 2002/584/JHA on the European Arrest Warrant.

In **2016**, the budget reserved for funding the work of the European Judicial Training Network grew to EUR 9 500 000, underlining the importance of the network. The 2016 annual work programme also attributed major importance to the specific objective of access to justice for all through procurement, which funded the evaluation of existing criminal justice instruments and the preparation of possible new tools. For the specific objective on judicial cooperation, funding supported the management, analytical work and information activities of the European Judicial Network in civil and commercial matters. Procurement funding supported the maintenance and upgrading of the European Criminal Records Information System.

The specific objective on judicial training was a salient aspect of the annual work programme in **2017**. The funding for the European Judicial Training Network grew and amounted to EUR 10 200 000. With a view to judicial cooperation, family matters, succession and commercial law enforcement remained key topics in civil matters. On criminal matters, the focus was on implementation and practical application of mutual recognition instruments, such as the European Arrest Warrant, the transfer of prisoners and the European Supervision Order. For the specific objective on drug prevention policy, the focus remained on identifying new psychoactive substances.

In **2018**, the European Judicial Network in Civil and Commercial Matters and the European Judicial Training Network were high on the agenda of the annual work programme.<sup>10</sup> Support for the European Judicial Network in Civil and Commercial Matters was designed to improve implementation and case-handling under civil justice legislation. Training courses tackled gaps in cross-border training for court staff, bailiffs and prison staff. Another priority on the training front was to facilitate access to training and instructing training providers. By contrast, there was a reduction in funding for the

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<sup>10</sup> The European Judicial Training Network received EUR 11 000 000 in 2018.

specific objective on access to justice for all and for judicial cooperation, except for support for the European Judicial Network in Civil and Commercial Matters.

In **2019**, there were continued reductions in the budget allocated to the specific objectives of judicial cooperation and access to justice. However, activities continued to promote cooperation between national networks in the field of civil justice under the umbrella of the European Judicial Network in Civil and Commercial Matters. The 2019 annual work programme provided funding to ensure that Member States create national networks to boost judicial cooperation. In addition, the funding was designed to consolidate existing structures. On judicial training, the level of funding remained relatively stable.<sup>11</sup> The continued high importance of judicial training can be partially attributed to the fact that judicial training became a crucial part of the European Commission's work programme, under the priorities 'An Area of Justice and Fundamental Rights based on Mutual Trust' and "a Union of democratic change'. Judicial training also claimed a central role with the European e-justice portal expanded by rolling out the European Training Platform.

In **2020**, the last annual work programme under this programming period, there was a particular focus on digital technologies and their impact on the goals of the justice programme. In the area of judicial cooperation in criminal matters, the focus was on access to electronic evidence as a means to counter criminal activities. Under access to justice, funding was targeted to promote new initiatives to implement the European e-justice strategy for 2019-2023. As in the previous year, maintaining and upgrading of the e-justice portal remained an important topic. This included creating synergies between the work on e-justice and the Connecting Europe Facility programme with the aim of contributing to the creation of the digital single market. Digital technologies also influenced work under the specific objective of judicial training. The potential impact of frontier technologies such as artificial intelligence and machine learning on law enforcement, amplified the importance of judicial training.<sup>12</sup> Therefore, the focus was on training judicial staff on the use of such technologies and on tools to counter digital threats. Technological developments also affected implementation of the programme in the field of drug prevention policy, in particular in combating the online drugs trade.

The developments described above are reflected in the tables below, which show the budget for each annual work programme and provide an overview of funding across the specific objectives for the entire programming period.

**Table 1 Budget planned per year**

Budget Year	Amount planned in the annual work programme €	Annual change %
2014	€ 45 812 000	-
2015	€ 48 051 000	4,9%
2016	€ 52 250 000	8,7%
2017	€ 52 631 000	0,7%

<sup>11</sup> The European Judicial Training Network received EUR 11 000.000 in 2019.

<sup>12</sup> The European Judicial Training Network received EUR 11.000 000 in 2020.

2018	€ 45 949 000	-12,7%
2019	€ 43 675 000	-4,9%
2020	€ 45 603 000	4,4%
<b>Total</b>	<b>€ 333 971 000</b>	

Source: annual work programmes 2014-2020

The overall budget increased steadily up to 2017, when it reached a peak of EUR 52.631.000. It fell afterwards to reach approximately the same level as in 2014. The budget decreased as funds of the justice programme were reallocated to the Civil Protection Mechanism (CPM - COM(2017)772) and to provide eu-LISA with the necessary financial resources to develop the European Criminal Records System for third country nationals.

**Table 2 Budget planned per specific objective 2014 - 2020 (in EUR thousands)**

Specific Objective	2014	2015	2016	2017	2018	2019	2020
	<i>Planned</i>	<i>Planned</i>	<i>Planned</i>	<i>Planned</i>	<i>Planned</i>	<i>Planned</i>	<i>Planned</i>
Judicial Cooperation	14 228	14 415	14 570	15 789	12 000	11 600	11 661
Judicial Training	14 825	16 515	16 900	18 048	17 870	17 570	17 570
Access to Justice	13 775	13 296	16 268	15 662	13 330	11 630	13 373
Initiatives in the field of drugs policy	3 004	3 000	2 512	3 123	2 749	2 875	2 999
<b>Total</b>	<b>45 812</b>	<b>48 051</b>	<b>52 250</b>	<b>52 631</b>	<b>45 949</b>	<b>43 675</b>	<b>45 603</b>

Source: annual work programmes 2014-2020

The distribution of funds across specific objectives shows that every year, the specific objective on judicial training received a large share of the financial resources available. In total, 36,12% of the budget or (EUR 119 908 000) was allocated to judicial training. Access to justice was the second most funded specific objective, with EUR 99 364 000 and 29,94% of the budget. This was closely followed by judicial cooperation, with 28,45% of the budget, (EUR 94 418 000). Initiatives in the field of drugs policy had a significantly lower budget. Only 6,11 % of the budget, (EUR 20 281 000) was earmarked for this specific objective. The distribution of funds is set out in the allocation of funds to specific objectives in the Annex to the Regulation 1382 establishing the justice programme 2014-2020.

**Table 3 Budget planned per specific objective 2014 -2020 (in EUR)**

Specific objective	Action grants	Operating grants	Procurement	Other	Amount planned €	Share of total
Judicial Cooperation	€ 49 089 600	€9 258 400	€ 35 833 000	€ 237000,00	€ 94 418 000	28,45%
Access to Justice	€ 48 454 400	€ 14 473 170	€ 36 436 430	-	€ 99 364 000	29,94%
Judicial Training	€ 44 493 000	€ 69 380 000	€ 6 035 000	-	€ 119 908 000	36,12%
Drugs	€16 781 000	-	€ 3 500 000	-	€ 20 281 000	6,11%

Specific objective	Action grants	Operating grants	Procurement	Other	Amount planned €	Share of total
<b>Total</b>	€ 158 818 000	€ 93 111 570	€ 818 044 30	237 000	€ 333 971 000	100%

Source: annual work programmes 2014-2020

## Calls for proposals

In the period covered by the 2014-2020 annual work programmes, 118 calls for proposals were launched for all types of funding under the justice programme: action grants, operating grants and procurement. Concerning the specific objectives of the justice programme, a large share of the calls for proposals (40 in total) were to support judicial cooperation in civil and criminal matters. The second highest number of calls (36 in total), were to support the specific objective on effective access to justice for all, including promoting and supporting the rights of victims of crime, and respecting the rights of defence. The third highest number of calls were for the specific objective to facilitate and support judicial training (26 calls for proposals). Finally, 16 calls for proposals were run to support initiatives in the field of drug prevention policy. The distribution of calls over the entire programming period shows that the yearly number of calls peaked in the initial years of the programme, before dropping as a result of the merge in 2016 to manage the justice programme more efficiently.

**Table 4 Number of calls for proposals launched per specific objective.**

Year	Specific objective				Total
	Judicial cooperation	Access to justice	Judicial training	Drugs policy	
<b>2014</b>	7	8	3	2	<b>20</b>
<b>2015</b>	5	6	4	5	<b>20</b>
<b>2016</b>	7	5	4	1	<b>17</b>
<b>2017</b>	6	5	4	2	<b>17</b>
<b>2018</b>	6	4	4	2	<b>16</b>
<b>2019</b>	4	4	3	2	<b>13</b>
<b>2020</b>	5	4	4	2	<b>15</b>
<b>Total</b>	40	36	26	16	<b>118</b>

Source: annual work programmes 2014-2020

## Action grants and operating grants

The table overleaf presents the number of projects per specific objective financed between 2014 and 2020. A large share of action and operating grants is allocated to the specific objective on access to justice for all. The second largest share of projects provided funding to advance judicial training. Third in terms of number of projects is judicial cooperation in civil and criminal matters. The first three specific objectives have an equal allocation in terms of the projects related to them. By contrast, with only 32



projects over the entire programming period, the fewest projects were financed under the specific objective of drug prevention policy.<sup>13</sup>

**Table 5: Number of funded projects per year (action grants and operating grants)<sup>14</sup>**

SOs	2014	2015	2016	2017	2018	2019	2020	TOT
Judicial Cooperation	28	16	29	29	25	16	19	162
Access to Justice	40	33	28	32	22	12	14	181
Judicial Training	37	32	32	30	25	22	16	194
Drugs	7	6	5	5	4	5	-	32
<b>Total.</b>	<b>112</b>	<b>87</b>	<b>94</b>	<b>96</b>	<b>76</b>	<b>55</b>	<b>49</b>	<b>569</b>

Source: Data for 2014-2015 are retrieved from the interim evaluation of the justice programme. The projects funded for 2016-2020 were reconstructed using the project database

In terms of the type of activities, implemented through action and operating grants, the figure below depicts the distribution over the entire programming period.<sup>15 16</sup>

**Figure 2 Types of activities implemented by projects funded by grants under the programme (2014-2020)**



Source: Data for 2014-2015 are retrieved from the interim evaluation of the justice programme. The projects funded for 2016-2020 were reconstructed using the project database.

A large share of projects implemented were analytical and monitoring activities, followed by awareness-raising, information and dissemination and training activities.

## Procurement

<sup>13</sup> The specific objective of drug prevention policy was the only one without operation grants.

<sup>14</sup> Data included in this report mirror those provided by DG Justice and Consumers, for the years available.

<sup>15</sup> Multiple activities per project were considered when creating the overview.

<sup>16</sup> To see the types of activities funded by the justice programme in 2014, 2015 and 2016, see the mid-term evaluation of the justice programme 2014-2020, Ernst & Young Financial-Business Advisors, Final Report, April 2018, p. 71-72.

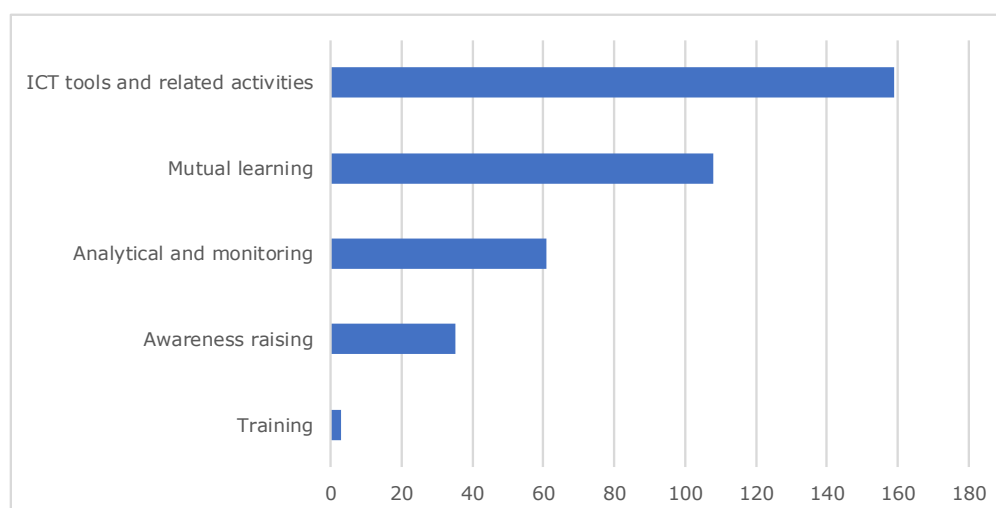
Over the whole programming period 2014-2020, a total of EUR 81,7 million was earmarked for procurement in the 2014-2020 annual work programmes. The largest share of the budget for procurement was allocated to the specific objective on judicial training (36%), followed by access to justice (30%), judicial cooperation (28%) and initiatives in the field of drug prevention policy (6%).

**Table 6 Number of procurement contracts signed per year**

SOs	2014	2015	2016	2017 <sup>17</sup>	2018 <sup>18</sup>	2019 <sup>19</sup>	2020
Judicial Cooperation	32	36	22	26	40	24	21
Access to Justice	1	2	1	1	2	-	-
Judicial Training	28	23	19	31	32	45	28
Drugs	2	1	-	-	-	-	-
<b>Total.</b>	<b>63</b>	<b>62</b>	<b>42</b>	<b>58</b>	<b>74</b>	<b>69</b>	<b>49</b>

Information communication technology tools and other IT-related activities were the most common types of procurement activities contracted over 2014-2020. These IT-related activities were followed up by mutual learning initiatives. By contrast, training activities were the least most common activity contracted, as shown in Figure 3.<sup>20</sup>

**Figure 3 Types of procurement projects (2014-2020)**



Source: Detail on procurement data provided by DG JUST.

Although training accounted for the fewest in absolute number of projects, their average size was the largest in terms of the budget spent per procurement contract. By contrast, mutual learning activities, which rank second highest in absolute numbers, had the lowest average budget.<sup>21</sup>

<sup>17</sup> For 2017, one procurement contract was not associated to a specific objective.

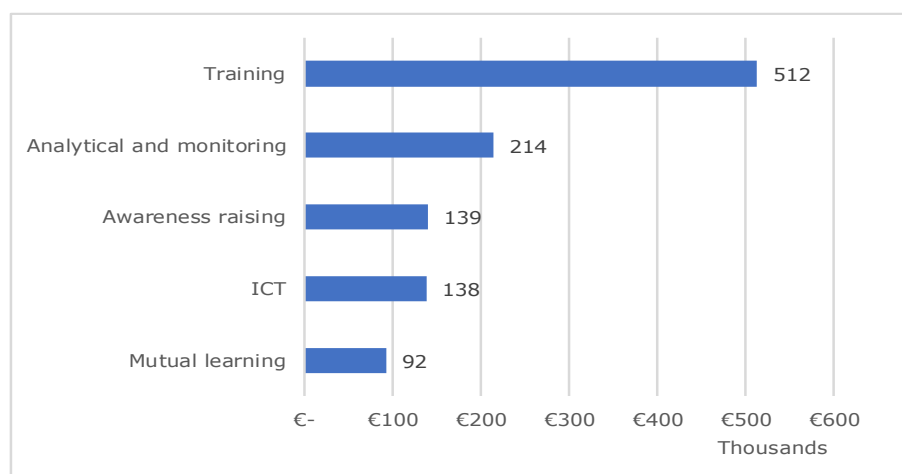
<sup>18</sup> For 2018, two procurement contracts were not associated to a specific objective.

<sup>19</sup> For 2019, two procurement contracts were not associated to a specific objective.

<sup>20</sup> The average is computed over the procurement contracts provided by DG JUST, which, for 2014 and 2016, is lower than the numbers included in the Interim Evaluation.

<sup>21</sup> The average is computed over the procurement contracts provided by DG JUST, which, for 2014 and 2016, is lower than the numbers included in the Interim Evaluation.

**Figure 4 Average budget of procurement contracts in thousands EUR (2014-2020)**

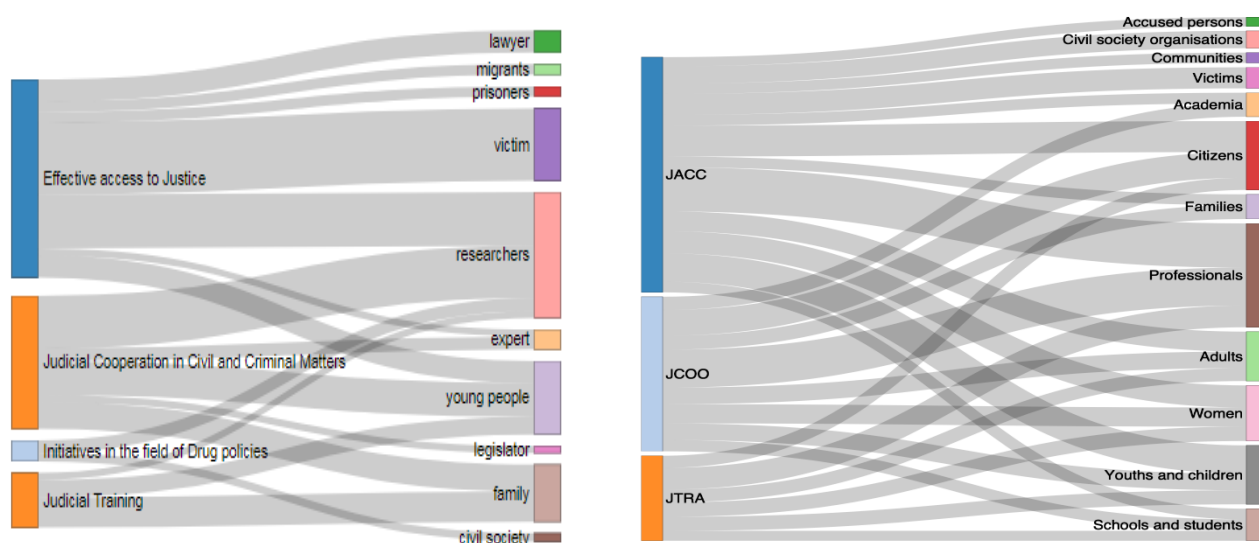


Source: Detail on procurement data provided by DG JUST.

## Target groups

In terms of the target groups reached per specific objective through funding under the justice programme, text mining of project documents (such as final reports of funded projects) yielded the result shown in the figures below.

**Figure 5: Target groups per specific objective (2014-2016 left; 2016-2020 right)**

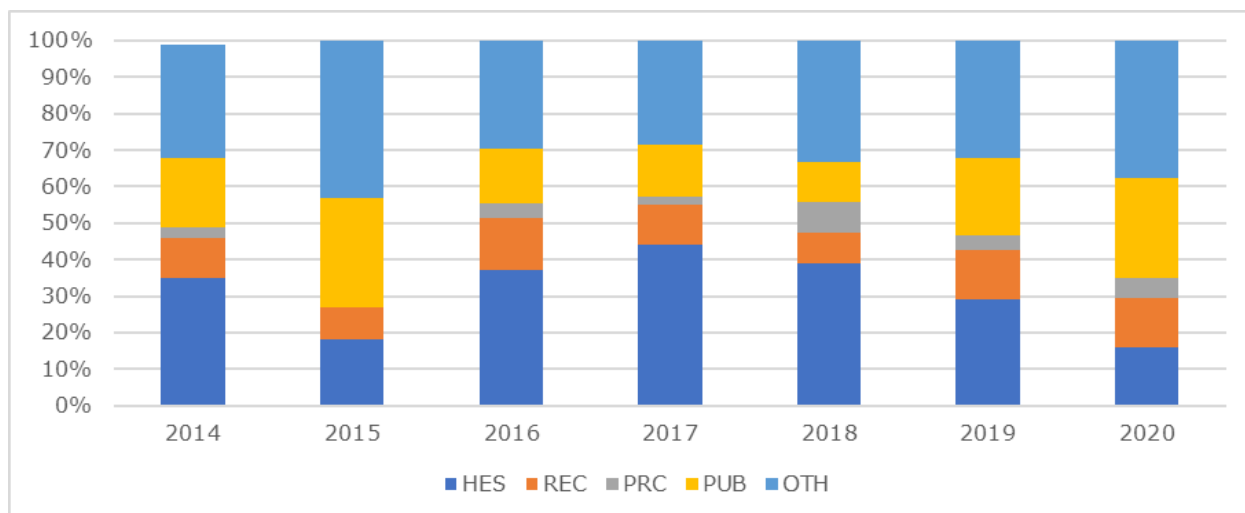


Several similarities and differences can be spotted between the two periods 2014-2016 and 2016-2020. In particular, researchers were the most frequently mentioned target group between 2014 and 2016 but they were replaced by legal professionals between 2016 and 2020. Young people and children also remain important target groups, interestingly for all specific objectives. The target groups also largely overlap between the two periods, although there were more groups in 2016-2020.

## Distribution of resources by type of beneficiary

The figure below summarises the distribution of funding to key groups of beneficiaries.

**Figure 6: Yearly distribution of funding (2014-2020)**



Source: *Interim evaluation of the justice programme (for 2014-2015), detail on project monitoring data provided by DG JUST (for 2016-2020).*

According to the data, there is rather strong prevalence of higher secondary education institutions (HES) and research organisations (REC) between 2014 and 2018. Only in 2015, public institutions (PUB), non-profit organisations (OTH) and private companies (PRC) participated more frequently in funding under the justice programme. Although higher secondary education institutions and research organisations still had a relatively high share of the budget until 2018, the amount distributed to them decreased steadily as of 2017. Beginning in 2018, public institutions, non-profit organisations and private companies together received over 50% of the available budget. Also as of 2018, the share of the budget attributed to public institutions and non-profit organisations rose to, reach over 60 % of funds in 2020.

### Distribution of funds and applications

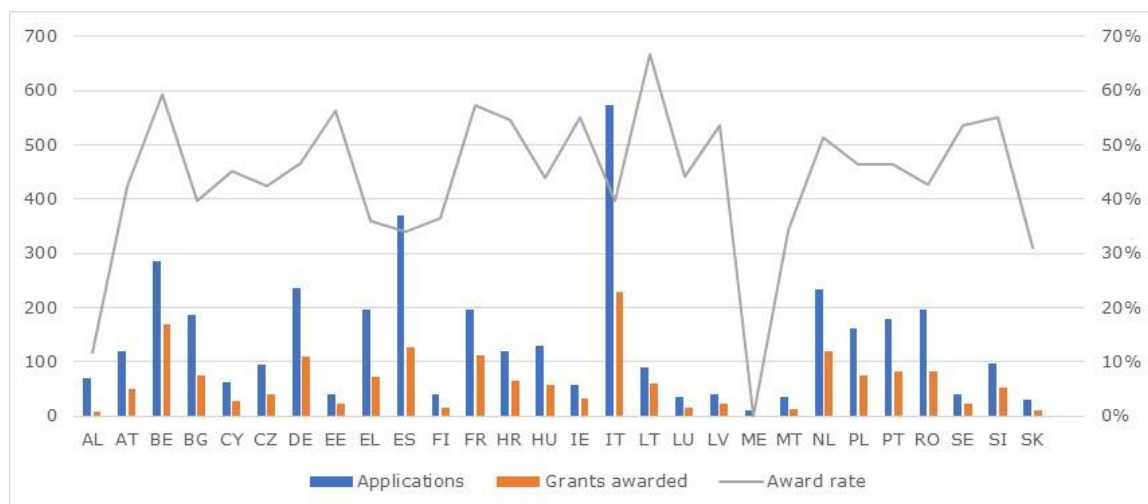
In terms of **geographical distribution of resources**, as for predecessor programmes, participation in the justice programme was concentrated in a number of Member States (e.g. Italy, Belgium, Spain, Germany, the Netherlands and France). Organisations from these Member States have consistently remained the lead beneficiaries, despite changes in the numbers of applications over the years. In contrast, there is a relatively limited demand for support from countries like Latvia, Poland, Croatia, Slovakia and Cyprus. In fact, when looking at the selected project beneficiaries, it emerges that not all Member States participated in an equal way in the programme: about 22% of all beneficiaries come from either Italy or Belgium. In absolute terms, Spain (157), the Netherlands (120), France (113) and Germany (110) are the other countries with over 100 organisations selected for grants under the justice programme.

The figure below summarises the described geographical allocation of funds.

**Figure 7 : Number of applications,<sup>22</sup> and grants (action and operating) awarded by country (2014-2020)<sup>23</sup>**

<sup>22</sup> Including all applications (successful and unsuccessful).

<sup>23</sup> The figure does not include information on non-eligible countries (i.e. CH, DK, MK, RS, UK), including international organisations based in these countries (e.g. IOM).

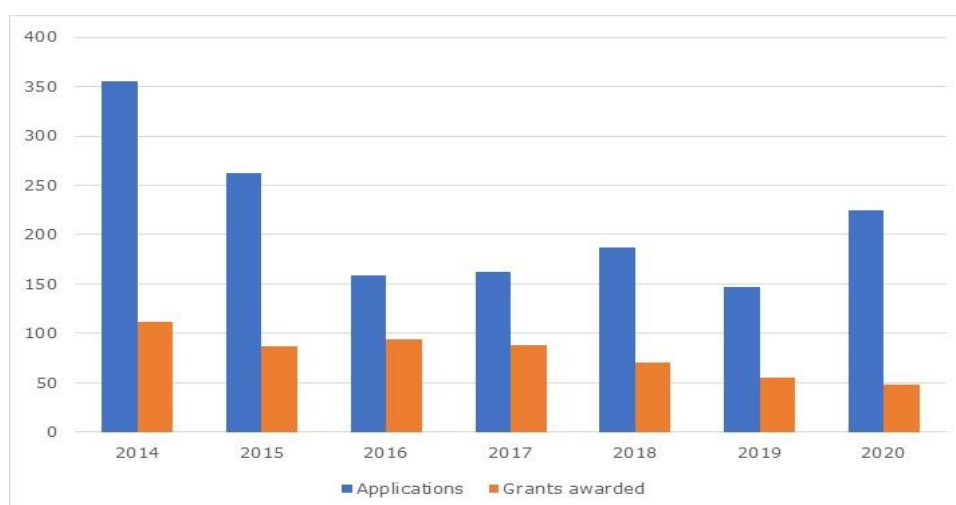


Source: Data for 2014-2015 are taken from the interim evaluation of the justice programme. The projects funded for 2016-2020 are taken from the project database. Population data Eurostat

Similar to the actual distribution of funds, the same EU countries that received most funds, are also the most frequent applicants. Looking at the whole period, Italy (889 applicants, 17.8%) and Spain (503, 10%) had the most applicant organisations, comprising combined over 25% of all applicants. Belgium (295), France (274), Germany (284) and Romania (272) also had over 250 organisations applying to the justice programme between 2014 and 2020.

The overleaf figure provides an overview of the number of the applications and funds awarded over the programming period.

**Figure 8 Number of applications and grants awarded (2014-2020)**



Source: Data for 2014-2015 are taken from the interim evaluation of the justice programme. Data on the projects funded for 2016-2020 are taken the project database.

Overall, the number of applications fell over the course of the programming period to reach the lowest point in 2019 with 143 applications. The number of applications started increasing again in 2020. The fall in applications resulted in a similar reduction in terms of grants awarded to projects. The number of selected projects fell from 112 in 2014 to 48 in 2020, the lowest number over the whole programming period.

## Progress in indicators

In order to measure progress against the baseline situation, the Commission created a series of programme indicators for the justice programme 2014-2020. This section presents, the results available for each indicator, against the 2020 target, the baseline, the milestone and the actual results achieved. The results are either based on the analysis carried out or on official sources, including information reported in the draft general budget of the EU for the 2020 and 2021 financial years.<sup>24</sup>

#### Indicator tracking progress on the general objective

The Regulation establishing the justice programme does not stipulate an indicator to track its general objective.<sup>25</sup> However, the European Commission's programme statements, which accompany the draft general budget of the EU,<sup>26</sup> refer to the percentage of legal practitioners trained as the main indicator for measuring the justice programme's impact. The indicator is defined as: the cumulative number of legal professionals receiving training, not only through the justice programme, on EU law or law of another Member State in the area of civil justice, criminal justice and fundamental rights.

**Table 7 - Indicator tracking progress on the general objective: legal practitioners trained**

Target	700 000 legal practitioners will have received training by 2020.
Baseline	239 000 legal practitioners were trained in 2013.
Results	By 2014, 371 000 practitioners had received training. In 2016, the cumulative number of trainees had increased to approximately 640 000. According to the 2020 programme statement, 820 199 legal practitioners were trained by 2017, of which 180 000 practitioners had been trained in 2017 alone. In 2018, the cumulative number of trained legal practitioners surpassed one million.
Overall assessment	The target has been reached ahead of schedule.

#### Result indicators measuring progress towards the specific objectives

For the specific objective to support and facilitate **judicial cooperation in civil and criminal matters**, the justice programme's performance is measured by tracking two main indicators: the average time of the surrender procedure under the European Arrest Warrant in cases where the person consents to the surrender, and the number of exchanges of information in the European Criminal Records Information System.

**Table 8 - Result indicator one: average time of the surrender procedure under the European Arrest Warrant in cases where the person consents to the surrender**

Target	The average time is equal to 10 days by 2020.
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<sup>24</sup> COM (2019) 400 - Draft Budget of the European Union for the financial year 2020. Working document Part I – Programme Statements of operational expenditures; and COM (2020) 300 - - Draft Budget of the European Union for the financial year 2021. Working document Part I – Programme Statements of operational expenditures.

<sup>25</sup> To contribute to the further development of a European area of justice based on mutual recognition and mutual trust, in particular by promoting judicial cooperation in civil and criminal matters

<sup>26</sup> COM (2017) 400 - May 2017, Draft Budget of the European Union 2017. Information on indicators related to the general objectives of the Programmes and indicators related to the specific objectives of the programmes are provided by this document.

Baseline	According to DG Justice's analysis of Member States reports to the Council, the average time was 14-20 days in 2013.
Results	In 2014, the average time was 19,4 days, falling to 16 days by 2015. In 2017, the average time fell further to 15 days but increased again to 16,4 days in 2018. For subsequent years, no data are available.
Overall assessment	Two main factors impede the accuracy of this result indicator. First, data are difficult to collect. Second, data that is available is susceptible to influence by external factors, such as the different degree of incorporation of EU directives at national level, as well as the different degree of judicial system reforms within EU Member States that have a significant impact on the level of enforcement of EU law <sup>27</sup> . In turn, these factors make it very difficult to estimate to which extent the justice programme contributes to a change in the average number of days. On the basis of the current data, the target for this result indicator was not reached.

**Table 9 Result indicator two: number of exchanges of information in the European Criminal Records Information System.**

Target	The number of exchanges of information in the European Criminal Records Information System is equal to 3 500 000.
Baseline	In 2012, 300 000 exchanges were recorded.
Results	In 2014, there were 1 250 000 exchanges, increasing to 1 978 000 in 2016. This increasing trend continued with 2 963 789 exchanges in 2018 and 3 700 000 in 2019.
Overall assessment	The number of exchanges rapidly increased after 2015, reaching and surpassing the target ahead of schedule in 2019.

For the specific objective to facilitate and support **judicial training**, one main result indicator measures the justice programme's performance: the number and percentage of members of the judiciary and judicial staff that participated in training activities, staff exchanges, study visits, workshops and seminars funded by the justice programme. The number of participants is measured yearly.

**Table 10 - Result indicator: the number and percentage of members of the judiciary and judicial staff that participated in training activities, staff exchanges, study visits, workshops and seminars funded by the justice programme.**

Target	The number of participants per annum is equal to 16 000 for the justice programme.
Baseline	In 2011, the number of yearly participants was 6 681.
Results	The number of participants almost doubled in comparison to the baseline to reach 12 333 in 2014. An increase in number of participants was also recorded the following year with 16 723 in 2015. However, the number of participants fell in 2016 to 13 930. In

<sup>27</sup> These obstacles were mentioned in several project reports and shown also in the Justice Scorecards.



	2018, the number of participants increased again to reach 18 358. This positive development did not endure as, according to the latest data, the number of participants fell again to 10 799 in 2020. <sup>28</sup>
Overall assessment	<p>The results presented should be interpreted taking into account the following limitations. Although the indicator is well aligned to the specific objective of judicial training, the data collected directly from projects funded through the justice programme are not exhaustive and do not give a detailed picture of the number and percentage.</p> <p>Though the results should account for issues of data unavailability, the justice programme only met its goal in 2015 and 2018.</p>

For the specific objective to facilitate **effective access to justice for all**, including to promote and support the rights of victims of crime, while respecting the rights of the defence, performance of the justice programme is measured by two main result indicators. One is the number of hits on the e-justice portal to track the justice programme's performance.<sup>29</sup> The other is the number of victim support organisations with national coverage to track implementation of Directive 2012/29/EU.

**Table 11 Result indicator one: number of hits on the e-justice portal**

Target	The number of hits increases by 20% per annum.
Baseline	In 2012, the total number of hits was 630 000.
Results	<p>Over the years,<sup>30</sup> the number of hits on the e-justice portal was:</p> <p>1 136 849 hits in 2014,  1 751 180 hits in 2015,  1 884 600 hits in 2016,  2 690 574 hits in 2017,  2 962 558 hits in 2018 and  4 343 547 hits in 2019.</p> <p>This corresponds to an increase of over 20 % every year, except in 2016 when it rose by 8 % and by only 10% in 2018.</p>
Overall assessment	The target was for the hits on the e-justice portal to rise by 20% each year, therefore to reach 2 708 885 by 2020. This target was achieved ahead of schedule in 2018.

**Table 12 - Result indicator two: number of victim support organisations with national coverage (implementation of Directive 2012/29/EU)**

Target	By 2020, there is at least one victim support organisation, which fulfils the quality standards and indicators set by Member States or developed individually by the organisation, in each Member State. There were a total of 27 victim support organisations in 2020.
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<sup>28</sup> European Commission, key monitoring indicators of the justice programme ([link](#)).

<sup>29</sup> Source of data: DG Justice.

<sup>30</sup> As of 2017, the data are obtained from a new tool for website statistics tracking, with a different calculation method. The targets for 2014-2016 were adjusted to the new calculation method.



Baseline	In 2012, there were in total 10 victim support organisations.
Results	From the baseline in 2012, the number of victim support organisations began to increase. In 2014, it doubled to reach 20. One year later, it rose to 22 and remained at that level in 2015 and 2016. In 2017, the number of victim support organisations reached the benchmark of 27 and remained at that level until 2019.
Overall assessment	The target number of victim support organisations was reached ahead of the deadline already in 2017.

Last but not least, the performance of the justice programme in terms of achieving the specific objective to **support initiatives in the field of drug prevention policy** is measured by two main result indicators. The first is the number of new psychoactive substances assessed (including through testing, if necessary) to enable the EU or the Member States to take appropriate action to protect consumers, depending on the type and level of risk that they may pose when consumed by humans. The second indicator is the percentage of problem opioid users in drug treatment.

**Table 13 - Result indicator one: the number of new psychoactive substances assessed (including through testing, if necessary) to enable the EU or the Member States to take appropriate action to protect consumers, depending on the type and level of risk that they may pose when consumed by humans**

Target	By 2020, the number of new psychoactive substances assessed is equal to 95.
Baseline	In 2012, the number of new psychoactive substances assessed was 68.
Results	Having peaked at 100 newly assessed psychoactive substances in 2015, the number of new psychoactive substances decreased significantly over the course of the years. In 2016, there were 66, down to 52 in 2017, 53 in 2018 and 53 in 2019 new psychoactive substances assessed.
Overall assessment	The target was not achieved by 2019. Although data for 2020 is still missing, the constant decrease in the number of new psychoactive substances assessed strongly suggests that the target was not reached in 2020 either. However, this result should be interpreted with caution, as the decrease in new psychoactive substances is not necessarily a negative result. The reporting and assessment of fewer substances may suggest that fewer illicit substances are available on the market. However, the 2021 programme statement reported how the substances assessed in recent years are more dangerous than those assessed before. In other words, when the target was set, more substances were reported and detected. The situation has since changed, with a steady fall in the number of substances reported.

**Table 14 - Result indicator two: percentage of problem opioid users in drug treatment**

Target	By 2020, the percentage of problem opioid users in drug treatment is at a level of 60%.
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Baseline	In 2011, 50% of problem opioid users were in drug treatment.
Results	Between 2014 and 2017 the percentage remained steady at 50%, before decreasing slightly in 2018 to 48%. In 2019, the percentage increased again to its baseline level of 50%.
Overall assessment	The target was not reached over the entire period for which data are available. Similar to result indicator one, the steady level of problem opioid users in drug treatment strongly suggests that the target was not met in 2020 either.

## 4. METHOD

### Short description of methodology

The evaluation process was supported by an external study by *Fondazione Giacomo Brodolini Srl SB and Ernst & Young*<sup>31</sup>. The criteria used for the evaluation include: relevance, effectiveness, efficiency, coherence, equity, scope of simplification of the programme and EU added value. The methodological approach was aligned with the questions for the evaluation criteria. Annex 3 provides a comprehensive overview of the evaluation criteria and the evaluation questions.

In order to answer these evaluation questions, the external study applied a **mixed methods approach**. This means the evaluation integrates and compares quantitative and qualitative approaches, data collection, data analysis and interpretation. The data collected was then used to perform a series of quantitative and qualitative analyses. Quantitative analyses helped provide insights, both at programme level and project level. At programme level, quantitative methods assess for example how and where the programme used the funding available. At project level, quantitative analyses took a granular view of the results of individual projects. To carry out the qualitative analysis, **automated text mining techniques reinforced with machine learning algorithms** were used to interpret efficiently the large volumes of data on individual projects.

The study chose this mixed methods approach to strengthen the reliability of data and the findings and recommendations. To be specific, the study triangulated multiple sources of information, to broaden and deepen the understanding of the processes through which the justice programme achieves its results. The external study also scrutinised how the environment, in which the justice programme is implemented, affects the results it produces.

The methodological approach taken by the study is divided into three main tasks:

- Task one: in-depth desk research, including the extraction, collection and analysis of **monitoring information**. The aim is to provide an overview of the state of play, the performance and main achievements of the justice programme.
- Task two: two main activities, one is, **field research**, including interviews with beneficiaries, stakeholders and European Commission officials, was conducted. The field research also encompassed focus groups, an e-survey to programme committee members and an additional documentary review. The other activity was

<sup>31</sup> Evaluation of the justice programme 2014-2020 Final Report, not published

to **analyse** a *sample of projects and services* funded by the justice programme. Both activities aim to provide more nuanced and clearer insights into key features and achievements of a limited set of projects. At project level, the following aspects were scrutinised: type of action, link with the specific objectives, outcomes and results and their contribution to the key evaluation criteria.

- Task three: drafting **case studies** and answering the **evaluation questions**. Based on the information and findings obtained from the two steps above and their triangulation, the study launched **eight case studies**, focusing on a set of operational and procedural aspects covering the justice programme. Building on the findings from the case studies, the study answered the evaluation questions and made suggestions for improvement. Annex 3 provides an overview of the case study topics.

Annex 3 also provides, an overview of the documents, reviewed at project level to conduct **the desk research** for task one and two.

**The field research** related to tasks two and three focused on the following stakeholders:

- **beneficiaries** of funding provided by the programme, including national, regional and local authorities in all participating countries, international organisations, EU-level umbrella organisations, NGOs, academic and research institutions, networks and representatives of target groups. In some instances, potential beneficiaries were also consulted.
- **Commission staff**, such as programme managers and policy officers;
- the **justice programme committee members** representing EU Member States.

The study chose a semi-structured design for the **interviews**, which were conducted via video conferencing. The questions were tailored to the category of stakeholders, taking into account their different contribution to the evaluation questions. As a first step, five scoping interviews with DG JUST officials were organised to obtain more in-depth data. In addition, and to supplement the answers to the evaluation questions, a total of 28 interviews was conducted. These 28 interviews were organised with 28 project beneficiaries, covering both action and operation grants and procurement contracts.

Furthermore, four focus groups were organised to deepen and validate the findings from the interviews. Three focus groups were held with a sub-sample of project beneficiaries and one with DG Justice project officers. The topics of the focus groups with beneficiaries were:

- Focus group one was on case study one: Recurring beneficiaries and continuations of projects.
- Focus group two was on case study three: why are some institutional bodies reluctant to apply? Group two also provided insights into case study seven: are the beneficiaries selected the best fit to help the target groups?
- Focus group three was on case study 8: how has gender mainstreaming been promoted within the funded intervention and what were the strengths of your approach?

The focus group with project officers aimed to collect additional and complementary information, focusing on management and procedural aspect of project implementation.

The study also included two online surveys to complete the field research. First, the **programme committee members e-survey**. The goal of the survey was to collect comprehensive and specific information on the application process, the main features and results of projects and activities funded by the justice programme, and to capture insights and expert views. The survey results enabled the study to gain an understanding of the performance of the justice programme against the evaluation criteria. In total 21 responses were collected, covering 17 countries (AL, BG, CY, EE, FI, GR, HR, IT, LT, LU, MT, PT, RO, SE, SI, SK). In addition to the programme committee members e-survey, the study included a second survey targeting 200 project beneficiaries to answer the question raised in case study four: how do EU projects compare in terms of costs and benefits to similar actions funded by other sources? The second survey elicited 11 responses.

### **Limitations and robustness of findings**

While overall the methodology enabled the study to draw feasible conclusions to the evaluation questions, conducting the evaluation study presented some challenges that resulted in some gaps and limitations.

These limitations were:

1. The coverage, completeness and consistency of the data used to monitor the justice programme. In particular, the variety of sources of data was a challenge, as a result of the change in the project information base and **the migration to e-grants** in the middle of the programming period. This led to differences in the completeness and consistency of the data used to monitor the justice programme. The quality and coverage of data prior to 2016 was also uneven at times.
2. The lack of a fully-fledged monitoring framework, complete with clearly defined and measurable monitoring indicators, benchmarks and targets against which to assess the performance of the programme.
3. The limited response rate to the e-surveys conducted for the data collection work.
4. Data extraction proved to be problematic in some instances. To be specific, the study encountered challenges when using automatic data extraction techniques to extract semi-structured information, such as monitoring information reported in the annexes to the technical reports. Due to differences in format, the feasibility of using readily available information needs to be put into perspective.

To address these limitations and challenges, the study took the following measures:

1. To address gaps and inconsistencies in the monitoring data, the study used additional sources of data. The study compared to this end different data sources and merged them into one database. In particular, ongoing interviews with coordinators of sampled projects and European Commission officials proved useful to plug the data gaps. Furthermore, the procurement sector of DG JUST was contacted to obtain new and more comprehensive data.
2. To remedy the difficulties, related to the monitoring indicators, the indicators for the study followed, where possible, the approach by the interim evaluation. The analysis of current indicators built on official and approved figures from 2018 with additional manual data cleaning carried out to increase the coverage of data before

2016.

3. To remedy the low response rates in surveys, the response time was extended.

## 5. ANALYSIS AND ANSWERS TO THE EVALUATION QUESTIONS

This section outlines the results of the analysis against the seven evaluation criteria: effectiveness; efficiency; relevance; coherence, complementarity and synergies; EU added value; equity and scope for simplification.

### Effectiveness

The evidence collected suggests that the justice programme has overall been effective in terms of both the type of activities funded, and the corresponding project outcomes.<sup>32</sup> **The physical and financial implementation of the programme has been satisfactory**, despite visible differences between specific objectives. In terms of the indicators defined in the legal base of the justice programme, the analysis confirmed that several targets have been achieved, some even ahead of schedule. This is the case for the following indicators:

- i. cumulative number of legal professionals receiving training<sup>33</sup> on EU law or law of another Member State;
- ii. number of exchanges of information in the European Criminal Records Information System;
- iii. number of hits on the e-justice portal;
- iv. number of victim support organisations with national coverage.

By contrast, the goal defined for the indicator tracking the average time of the surrender procedure under the European Arrest Warrant was not reached. Although the justice programme promotes implementation of the European Arrest Warrant, it should be taken into account that the EU Member States are not legally obliged to report on the average time of the surrender procedure. Moreover, identifying the average time of the surrender procedure may depend, in some cases, on additional requests for information at country level. These are external factors outside the scope of the justice programme. The targets set by indicators tracking the specific objective on drug prevention policy were also not met (the number of new psychoactive substances assessed and the percentage of problem opioid users that are in drug treatment). Similar to the surrender procedure, the number of new psychoactive substances assessed and the share of opioid users undergoing treatment can vary from year to year based on several variables that do not depend on the justice programme. These variables include the macroeconomic conditions and the rate of development of new psychoactive substances. For the other indicators, which do not have a baseline for comparison, the analysis did not reach a concrete assessment as the targets or benchmarks are not defined.

In a similar vein, the lack of high quality data rendered the evaluation of some indicators rather difficult. This was the case especially for indicators with a qualitative emphasis

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<sup>32</sup> See Section four and the annex for a summary of the field and desk research undertaken.

<sup>33</sup> The indicator also includes professionals who receive training not through the justice programme, but via other sources and initiatives.

such as the *level of knowledge of Union law and policies in the groups participating in activities funded by the programme compared to the entire target group and the participants' assessment of the activities in which they participated and of their (expected) sustainability*. It is also worth emphasising that a number of indicators described for the specific objectives are not necessarily programme-specific as they are reported in the general budget of the European Union. Achieving these objectives can depend on multiple external factors, including the COVID-19 pandemic, which was reported as the most influential external factor. In fact, the pandemic required re-designing or cancelling some activities entirely.

The uneven pace at which Member States transpose and enforce *EU law* and the refugee crisis in relation to the specific objective access to justice for all are also important external factors that had an impact on the effectiveness of the justice programme. The refugee crisis had a negative impact on the effectiveness of the justice programme, as it led EU Member States to divert their priorities from the programme's specific objectives to addressing the influx of refugees and the consequent judicial obligations.

In addition to these external factors, **internal factors were also** identified as having an impact on the justice programme's effectiveness. These factors are predominantly linked to consortia's capacity to comply with the standards of the application process to participate successfully in the justice programme. A key factor here is the discrepancy between applicants' capacity to present a well written proposal and their capacity to deliver the results they had described in their proposals. This discrepancy can be explained by the technical expertise needed to comply with the standards set in the application process.

Another important internal factor is the level of the co-funding rate under the justice programme. Given programme's general objective to establish a European area of justice for all, it should be taken into consideration that the co-funding represents a financial obstacle to small and grassroots organisations. Organisations operating at this level lack the financial resources, needed to participate in the programme. However, the interviewees welcomed the European Commission's decision to increase the EU contribution to action grants up to 90% of total project costs.<sup>34</sup> In line with the results for the indicators, the programme committee members surveyed also confirmed the effectiveness of the programme. The majority viewed the justice programme's activities as highly effective and sustainable. 80% of respondents (16) answered that it performed in terms of meeting its objectives 'to a high extent' and 15% (3) 'to a very high extent'.<sup>35</sup> One respondent answered: 'I do not know'. The 28 consulted project beneficiaries seconded that view and reported that their **projects indeed did achieve or are achieving the expected results**. In particular, activities carried out under the specific objective of judicial training were perceived very positively. This statement is supported by the allocation of financial resources. The analysis of technical reports of funded projects in conjunction with the interviews results showed that there is a suitable allocation of funds to projects to obtain specific objectives, with the exception of the budget for drug prevention policy.<sup>36</sup>

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<sup>34</sup> Interview feedback: two representatives from project beneficiaries.

<sup>35</sup> Source: Survey to programme committee members (20 replies)

<sup>36</sup> Interviews with five European Commission policy officers confirmed the effectiveness of funded actions and their contribution to the achievement of specific objectives.

On this specific objective, a mismatch between the funding available and the scope of prevention measures should be put into perspective. It is worth noting that the justice programme focuses primarily on aspects of judicial cooperation for this specific objective and thereby complements other funding instruments, such as the Internal Security Fund or the health for growth programme.

In terms of the type of activities, the evidence contained in the project documents and data from the interim evaluation show that projects across specific objectives plan **different types of activities**,<sup>37</sup> and not just those related to their core objective. In fact, the majority of projects analysed between 2016 and 2020 (85%, or 264 projects) included more than one type of activity. Although the presence of multiple activities within the same project is not an indication of effectiveness *per se*, it suggests that projects covered multiple types of activities in order to meet the objectives and needs of the justice programme from different angles. By addressing project-related issues through different activities, the potential effectiveness of interventions is increased as this minimises the risk that projects omit critical aspects. A key factor here is the flexibility of the justice programme, which gives scope to tailor project activities to emerging needs. The analysis indicates that **projects funded are generally fit for purpose**. The survey of applicants shows that both, successful and unsuccessful applicants view the European Commission's communication on funding activities positively. Beneficiaries reported that the quality of communication activities was sufficient, clear, intelligible and targeted to the right audience.<sup>38</sup> By contrast, the evaluation of the effectiveness of communication activities through funded projects is more difficult as data available lack a baseline for comparison and therefore do not allow to draw robust conclusions.

## Efficiency

The majority of beneficiaries, over 60% of consulted beneficiaries, agreed that the justice programme is efficient as the **benefits gained** by participating in the programme **are higher than the costs incurred**. However, stakeholders also underlined that it is very demanding to obtain the expertise and administrative capacity, required to be able to receive funding under the justice programme.<sup>39</sup>

The COVID-19 pandemic is an important external factor that had an impact on the justice programme's efficiency. The obstacles the pandemic created rendered implementation of funded projects difficult as activities had to be re-designed or interrupted.<sup>40</sup> In turn, interviewees stated that the cost-benefit ratio of measures worsened. What is more, in comparison with alternative sources of funding, both national and international, the justice programme is less accessible due to the requirements for applicants. This finding should be put into perspective since the European Commission

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<sup>37</sup> Project documents include primarily technical reports of implemented projects. For a comprehensive overview please consult the annex.

<sup>38</sup> Interview feedback: six representatives from project beneficiaries.

<sup>39</sup> In the interim evaluation of the justice programme, the proposal preparation with 34 % and the accounting and reporting with (45%) accorded together for 79% of the costs not related to project implementation. Six interviewed beneficiaries also underlined the demanding administrative burden.

<sup>40</sup> Feedback from four beneficiaries.

took action in 2014 to increase the programme's efficiency by streamlining the three predecessor funding instruments<sup>41</sup> into one set of application rules and procedures.

**Streamlining** the application rules and procedures was received as a welcome change in the management of the justice programme as confirmed by the interim evaluation. The new funding rules brought in with the justice programme also facilitated a more efficient use of the available budget as excess resources allocated to a specific objective could be rerouted to another objective with a higher spending capacity. As a result, resources linked to underperforming calls for proposals, thus calls with low quality applications, would be reallocated to calls for proposals with a higher number of quality applications. Although the outlined measures improved the use of the available budget, the justice programme still suffers from **underspending on projects**. Within a sample of 116 projects completed between 2015 and 2018, 102 projects (88%) requested a final EU contribution lower than the amount initially requested for a total of EUR 5 495 213,21 over the 4 years. Underspending is due to financial needs being overstated when budgeting, making savings over the course of the project implementation or in some cases by partners leaving the consortium.

Another issue that emerged from the analysis, is the **duration and structure of the programme management cycle**.<sup>42</sup> Before 2018, irregularities in the timing of the adoption of annual work programmes, which resulted in significant delays in the publication and launch of calls for proposals, made it very difficult for applicants to plan and prepare to participate in the justice programme. This is especially true for organisations that operate on a programme-based approach. However, the European Commission made considerable efforts to speed up the project management cycle, which led to a higher regularity and predictability in the adoption of annual work programmes and the subsequent launch of calls for proposals as of 2018.

The accessibility of information on calls for proposals and on the justice programme as a whole has also improved, which facilitated planning for applicants.<sup>43</sup> Despite visible improvements in the Commission's management of the justice programme, some applicants, as stated by five beneficiaries, still find the time it takes to submit project proposals too ambitious and the time between submission and selection of proposals too long. In particular, these interviewees underscored that the long waiting time to potentially receive funding puts the relevance of their project proposals at risk.

In this context, the framework partnership agreements brought in with the launch of the justice programme in 2014, are an important financial instrument that should make project planning more efficient. The importance and advantage of framework partnership agreements are illustrated by the yearly pre-financing that beneficiaries receive as confirmed by two interviewed operating grant beneficiaries. By having a secure yearly contribution from the European Commission, recipients of operating grants can plan their projects more efficiently. However, submitting a yearly application under the umbrella of the framework partnership agreement is a loss in efficiency for the justice programme, as part of the resources of an operating grant is used to refinance itself. In addition, the

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<sup>41</sup> The criminal justice programme, the civil justice programme and the drug prevention and information programme.

<sup>42</sup> Finding based on interviews with 5 beneficiaries.

<sup>43</sup> Finding based on interviews with three beneficiaries.



yearly application puts a considerable administrative burden on the beneficiaries of the operating grants and also on the European Commission.

In conclusion, a high share of beneficiaries believes that, despite the remaining obstacles, the balance between costs and benefits under the justice programme is better than under alternative sources of funding. In other words, responses from beneficiaries indicate that the comparatively higher costs of participating in the justice programme are outweighed by even greater benefits.

## Relevance

Overall, the evaluation confirmed that the justice programme has remained highly relevant and aligned with the needs of selected target groups over the years. One of the key features of the programme has been the ability to adapt and adjust its priorities in light of emerging needs. For instance, following a string of terrorist attacks in Europe, two calls for proposals were issued to combat the radicalisation of inmates in prisons. The programme achieves this flexibility thanks to its unique structure, which encompasses the scope of its three predecessor programmes. The general and specific objectives allowed the European Commission to adapt the justice programme to evolving needs within the EU, especially in terms of judicial cooperation.

In general, the needs identified at the time of the justice programme's adoption are still current and relevant, in particular the general objective of further developing a European area of justice based on mutual recognition and mutual trust. While there is insufficient data to be able to draw a general conclusion on the funded activities' alignment with stakeholder needs, evidence collected through exchanges with stakeholders strongly suggest that the needs covered by the programme remain relevant to stakeholders and are likely to remain relevant in the near future.<sup>44</sup> This finding from the interviews is also confirmed by the analysis of the 23 sampled action and operating grants, which also indicates that **project objectives and activities are considered still relevant to the needs of the stakeholders targeted**. A reason for the continued relevance mentioned by project coordinators of the sampled projects is that the partnerships forged by participating in the justice programme add value in terms of networking, mutual learning, and paving the way for future collaboration.

All these factors result in an increased capacity of stakeholders. However, stakeholders also identified the need for intensified exchanges between them and the European Commission to ensure that the justice programme is more responsive and attuned to stakeholders' invariably changing needs. To this end, regular needs assessments could feed into annual work programmes. The project coordinators consulted also stressed that the continuation of one funded project through multiple projects on the same topic is in itself evidence of the programme's relevance to stakeholders. In turn, the analysis showed that the target groups that received funding under the justice programme are relevant to reach programme's general objective. Specifically, the analysis of the 23 sampled projects shows that projects mostly involve professionals, including judges, judicial staff, lawyers, notaries and court staff. Although efforts have been made to expand the target groups of projects to include, for instance, prison staff, there is still

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<sup>44</sup> Interview feedback: nine representatives from project beneficiaries.

room for improvement to include even more relevant target groups. A key area for improvement here is tapping into the broader community of civil society organisations. They have become more involved in the justice programme but there is scope to increase their involvement, especially in the area of victims' rights.

### **Coherence, Complementarity and Synergies**

The justice programme has a good level of coherence and complementarity with other EU funds, programmes and initiatives. Especially in the case of judicial training, the decision to merging of the predecessor programmes into the justice programme has increased the coherence with other EU initiatives, such as the rights, equality and citizenship programme. By the same token, this fosters the coherence between different training objectives, which reduced the likelihood of duplications in scope and in funding. There is a strong coherence and complementarity of the specific objective on access to justice for all with the Connecting Europe Facility telecommunications programme, which also contributed to the development of e-justice portal and e-Codex.

Complementarity with national projects and coherence with international obligations is also high. Complementarity with national projects is achieved by the transnational design of activities funded under the justice programme, which ensures that activities funded by the justice programme do not replace or replicate national activities.

**The justice programme is also coherent with international obligations**, such as the UN 2030 Sustainable Development Agenda. Some general principles of the UN agenda can be linked to objectives and areas targeted by the justice programme. For example, the UN objective of ensuring peace and security is linked to the creation of just and inclusive societies that provide equal access to justice, effective rule of law, as well as transparent and effective judicial institutions. The EU is also party to The Hague Conference on Private International Law and pursues its international action in relation to civil justice mainly through this international organisation. As a result, the justice programme promotes the harmonisation of international private law.

By contrast, there are some overlaps in the justice programme at the project level as a natural consequence of its broad objectives and target groups, but these do not produce duplications or incoherence. The risk of duplication is minimised by the structure of the justice programme and the formulation of its general and specific objectives. These are flexible enough to tailor funding to emerging needs, but also sufficiently distinct to ensure that specific objectives do not overlap.

Last but not least, 64% of 33 surveyed beneficiaries indicated that they found and capitalised on synergies of the justice programme with projects funded by other EU initiatives, such as the rights, equality and citizenship programme, as well as with projects under the justice programme. However, there could be more exchanges between different beneficiaries to increase synergies.

Thus, in summary, the current analysis confirms the findings from the interim evaluation. The justice programme achieves a high level of coherence, complementarity and synergies, both internal and external.

### **EU added value**

The analysis fully confirms the **high added value** of the justice programme. This finding is inter alia based on the interview feedback from eight project beneficiaries and four

European Commission officials. In particular, EU added value is evident through the promotion of transnational projects to tackle cross-border issues. EU added value obtained through the justice programme is also very high in the way it increases coherence and uniformity in the application of EU law, which is obtained through training and information exchanges provided by funded projects. High EU added value is created by the provision of crucial financial resources to fund activities in key areas that are not necessarily high on the agenda of individual Member States. In other words, individual actions by Member States would not be able to achieve the same results in terms of size and scope as the justice programme at EU level as underlined by 53 % of the 21 surveyed programme committee members. The unique value of the justice programme consists on this aspect in the fact that it would be difficult for Member States to allocate an equal amount of resources to projects in the areas covered by the justice programme.

Against this backdrop, the conclusions drawn in the interim evaluation of the justice programme remain valid: **limiting existing EU action in this area would have negative effects** on the overall capacity of both, national and European actors, to address issues in the areas covered by the programme or to implement the types of activities funded by the programme.<sup>45</sup> Hence, the most likely consequences of **reducing or withdrawing EU involvement** under the justice programme would be significant difficulties in the development of transnational projects. These would lead to less coherence across Member States in terms of understanding and implementation of EU law.

In addition, a sharply reduced number of judicial practitioners participating in networking and transnational training activities with colleagues from other Member States would be expected. As a result, this would undermine the adoption of innovative legislative frameworks or cutting-edge approaches to tackle the needs of vulnerable groups and to develop new tools and practices. In other words, it would be difficult to achieve the objectives of an EU-wide strategy.

## Equity

In line with the results from the interim evaluation, it is clear that resources and support of the justice programme are not distributed equally across the different **target groups**, across the **EU Member States** or across the types of **beneficiaries**. On the macro level, there is a contrast between high application and funding rates from countries like Belgium, Italy, Spain, Germany, the Netherlands and France and comparatively low application and funding rates from countries like Latvia, Poland, Croatia, Slovakia and Cyprus. The analysis of three interviews with beneficiaries from these less represented countries yielded that the lower application and participation rates can be attributed to the limited demand for support and the lower organisational and financial capacity of the organisations, especially civil society organisations. What is more, the level of specificity of the justice programme's annual work programmes and calls for proposals may be too specific for some applicants. Two interviewed beneficiaries from Sweden and Finland suggested that the limited participation from organisations based in their countries can be attributed to easier access to abundant national funding tied to a lower administrative burden, and to issues encountered in the recognition of their comparatively higher salary levels. Concerning the participation rate of organisations based in Belgium, it should be noted that the high concentration of resources is mainly allocated to umbrella

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<sup>45</sup> Interview feedback: five representatives from beneficiaries.

organisations, which mostly have headquarters in Brussels for proximity to the EU institutions. Recent interviews with beneficiaries found that the role of network organisations is seen positively as they support and enable the participation of less experienced organisations in calls for proposals for action grants. Hence, the funding directed to these organisations is not entirely implemented in Belgium.

**The distribution of the main target groups per specific objective** has evolved over the programming period.<sup>46</sup> For example, the number of target groups has increased to 12 according to the project documents available from 2016 to 2020 in comparison to 10 in 2014-2016. Also, in contrast to the period 2014-2016, the justice programme primarily involved legal professionals and was more focused on reaching citizens in general between 2016 and 2020. Before 2016, the justice programme rather involved researchers. This change reflects the adjustment made by the European Commission to prioritise funding that has a direct impact on practitioners over funding for research that might not reach the intended audience, as discussed in interviews with EU officials.<sup>47</sup>

However, as the monitoring and data collection approaches of the justice programme need to be improved, it is very likely that the target groups reached through funding are not as diverse as they could be. This argument is also supported by the finding on the potential room for improvement to step up dialogue with stakeholders. More dialogue would help identify potential blind spots in the portfolio of target groups. This finding has already been acted upon as it is explicitly mentioned in Regulation 2021/693 establishing the justice programme for 2021-2027, that civil society organisations should be more involved as a target group by interventions, especially in the field of victims' rights.

The themes of gender mainstreaming, promoting the rights of the child and promoting the rights of people with disabilities, were rightly treated as cross-cutting topics in the funded projects. **On gender mainstreaming**, the importance of gender equality and non-discrimination to build a true European area of justice is already included in the preamble as well as in Article 14 of the justice programme Regulation.<sup>48</sup> In the programming documents, the principle of equality between women and men is constantly referred to in the annual work programmes between 2014 and 2018. Gender mainstreaming is mentioned and framed in the annual work programmes of 2019 and 2020, as an aspect to promote when implementing all activities funded under the justice programme.

Against this backdrop, the analysis concluded that the justice programme does not focus specifically on gender aspects, although some calls for proposals include dedicated explanations for candidates on how gender can be taken into account when outlining the project implementation. Nevertheless, the beneficiaries interviewed<sup>49</sup> stated they had made conscious efforts to respect gender equality and non-discrimination in all stages of the project cycle. The way in which beneficiaries presented their approach to gender mainstreaming and contributed to gender equality showed that applicants still struggle to understand and apply these concepts. Hence, the justice programme has the capacity to raise awareness of the need to promote gender equality and gender mainstreaming among applicants and beneficiaries, and there is potential to improve the promotion of gender

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<sup>46</sup> However, differences can be partly explained by the different size of sources used to carry out the text mining exercise.

<sup>47</sup> Interview feedback: Three interviewed EC officials.

<sup>48</sup> Regulation (EU) No 1382/2013.

<sup>49</sup> Interview feedback: seven beneficiaries.

equality and gender mainstreaming at project level. To tap this potential, it would be useful to look at producing additional guidance to applicants and making a closer alignment of funding with gender mainstreaming.

As **for children's rights**, annual work programmes enshrine in a similar fashion to gender equality the need to support the protection of the rights of the child. Calls for proposals under the purview of the justice programme contain **mainstreaming clauses**, where warranted, which ensure that funded projects also seek to promote equality between women and men and the rights of the child. In addition, respect for the rights of the child is enhanced by requirement for organisations applying for funding and their partners working directly or having contact with children to provide the European Commission with a description of their child protection policy.

Evidence at the project level collected through interviews with beneficiaries revealed that many project consortia found it difficult to include the rights of the child when addressing judicial matters.<sup>50</sup> These difficulties were in interpreting the relation between the project objectives and children. Interviewees indicated that they deemed children not relevant or made no distinction for minors.<sup>51</sup> Similar to gender mainstreaming, some interviewees struggled to describe how their projects would cover aspects relating to the rights of the child.<sup>52</sup> Thus, to improve coverage of children's rights in project design and implementation, the provision of additional guidance to applicants could clarify how and when to include children.

Last but definitely not least, the justice programme enshrines provisions linked to Article 10 of the Treaty on the Functioning of the European Union, which requires that the definition and implementation of EU policies and activities aim to combat, among others, **discrimination based on disability**. Furthermore, with the ratification of the UN Convention on the Rights of Persons with Disabilities, the EU has a legal obligation to mainstream disability matters into a wide range of EU policies. In comparison to the rather advanced work to mainstream gender equality and children's rights, the rights of people with a disability do not receive not as much attention in projects funded by the justice programme. Beneficiaries revealed in interviews that they found it difficult to include the rights of people with disabilities when covering judicial matters that were valid to all people.<sup>53</sup> Some interviewees struggled to describe how their projects would cover the rights of people with disabilities.<sup>54</sup> These observations are also underlined by two European Commission officials, who indicated in interviews that projects under the justice programme are not always well suited to cover the rights of people with disabilities. This can result in attempts from beneficiaries to justify in their applications a link to priorities under the call for proposals that does not necessarily exist.

### Scope for simplification

Concerning the scope for simplification, the European Commission made major changes to review, speed up and simplify the process over the 2014-2020 programming period. Although, the **current management model is considered to be suitable**, and the project

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<sup>50</sup> Interview feedback: three beneficiaries.

<sup>51</sup> Interview feedback: three beneficiaries.

<sup>52</sup> Interview feedback: two beneficiaries mentioned it was difficult for them to justify how their project would address gender mainstreaming (other than working with a gender balanced team), the promotion of rights of the child and the promotion of the rights of people with disabilities.

<sup>53</sup> Interview feedback: four beneficiaries.

<sup>54</sup> Interview feedback: two beneficiaries.

beneficiaries have positively welcomed the changes, they also identified issues and room for further improvement.

According to the analysis, the scope for simplification encompasses the need for simpler application and results-based reporting procedures, improved monitoring and management tools to **collect more systematically information on achieved outputs, results and targets**, and help for organisations with difficulties working only in English. However, it should be mentioned that the perceived burden and complexity varies among project beneficiaries. Organisations with a larger capacity and greater experience in applying, coordinating, and participating in projects, find it much easier and smoother than smaller organisations and first-time applicants. For newcomers, procedures, changes in reporting templates and the lack of swift responses to queries can hamper the application process.

Lastly, despite improvements to the **monitoring and management tools**, there appears to be room for further improvement. In particular there is scope to improve and adapt the application portal to the types of beneficiaries supported by the justice programme and to support first-time applicants and beneficiaries in using the tool without the risk of delaying their activities. The **collection of output data could also be improved** to improve the quality and consistency of information provided by project beneficiaries on the results of the project.

## CONCLUSIONS

As mentioned in the introduction, this first report of the ex- post evaluation of the justice programme does not evaluate the long-term impact of funded projects. The conclusions and recommendations presented in this section cover only the activities that can reasonably be evaluated since the justice programme was launched.

The previous section has shown, in the answers to the evaluation questions, that so far the justice programme has delivered results on all evaluation criteria.

In terms of the **effectiveness** of the justice programme, the current analysis confirmed the result of the interim evaluation. The activities funded through action and operating grants as well as procurement activities achieve the results they are expected to achieve. In other words, the available budget is used to achieve results that are well aligned with the general and specific objective of the justice programme. A key finding that emerged from the analysis is that activities promoting the specific objective on judicial training are especially well received. Though an overall positive assessment of the justice programme's effectiveness is justified, there is room for improvement as the justice programme does not perform equally well on every specific objective. In fact, the specific objective drug prevention policy is allocated a significant lower amount of funding than the other specific objectives, even though it receives numerous applications. This results in a very low award rate and requires the European Commission to be very strict in evaluating the proposals, such that only a few of the most relevant projects can be funded.

However, this criticism needs to be put into perspective as DG Justice addressed this problem by moving the objective of initiatives in the field of drug prevention policy outside the remit of the justice programme for the next programming period, as suggested in the interim evaluation. Concerning **interaction with the target groups**, the analysis shed light on the need to create a more sophisticated monitoring system, which would facilitate data collection in a reliable and systematic way. This is of major importance as

a better monitoring system would enable the Commission to obtain more in-depth insights about target groups, and thereby help to increase the programme's effectiveness. Fortunately, the European Commission covered this problem in its proposal leading to Regulation 2021/693 providing the legal base for the justice programme between 2021 and 2027. The Regulation envisions that indicators will be consolidated and simplified. It will also improve the calculation of indicators as their calculation method will be based solely on hard data.

In addition, in terms of implementing the justice programme and the application procedure, the analysis identified the need to provide additional guidance to applicants in order to promote the quality of writing in proposals. Additional guidance is needed as there is a discrepancy between the capacity of applicants to submit a well written proposal that meets all application standards, and the capacity of applicants to deliver the results they describe in their proposals. Broadly speaking, communication activities promoting the justice programme are effective. However, some beneficiaries suggested that a swifter reaction to their doubts and questions during the application period would immensely facilitate the process.

#### Key points in a nutshell

- There is a need for structured data collection tools to understand how target groups perceive the quality of projects funded by the justice programme.
- The application process is still challenging as the indication of project outputs in proposals remains burdensome for some applicants, and is a factor potentially excluding relevant organisations from participating

The justice programme also made significant progress in terms of its **efficiency** compared to its predecessor programmes. The stakeholders consulted confirmed the cost-efficiency of the programme. Although they underlined that the application procedure is very demanding and costly, they equally stressed that the benefits provided by participating in the programme is even more rewarding. This finding is in line with the positive feedback on streamlining the application process.

However, there are also some aspects on which more critical views were expressed. For example, applicants repeatedly stated that **despite visible improvements in the management cycle**, the timeframe for submitting project proposals is still too ambitious and the time between proposal submission and selection is too long. Another area of potential improvement in the duration of the application period is the provision of guidelines and information sessions to help applicants handle the administrative burden involved in making an application. This could also help encourage organisations, put off from applying due to the requirements to participate in the justice programme. Last but not least, despite the increase in flexibility of the overall budget of the justice programme, **underspending at project level** remains an issue. The reason for the continued underspending of resources is mainly linked to beneficiaries over budgeting projects. Thus, there is a need for additional guidance on budgeting.

### Key points in a nutshell

- Applying and receiving funding under the justice programme is very demanding and costly. However, the benefits of participating in the programme outweigh the associated costs.
- Underspending is still an issue for beneficiaries, who struggle with accurate budgeting.

The analysis showed that the programme and its projects achieve a **very high level of relevance**. It concludes that **project objectives and activities are relevant to the needs of targeted stakeholders**. **In turn**, the programme's target groups are relevant for the achievement of the programmes' specific objectives. Here the evaluation found few areas for improvement. These include engaging in a more systematic and open manner with stakeholders to better align the activities and specific objectives outlined in the annual work programmes with the needs of the programme's target groups. There is also a need to step up the current and successful work to expand the programme's target group to include more stakeholders relevant to the justice programme. In particular, it could more actively target civil society organisations working on victims' rights.

### Key points in a nutshell

- Despite a high degree of relevance of the projects funded, regular needs assessments and more frequent exchanges with stakeholders are needed to even better define the annual priorities and to align them with the needs of target groups.
- On victims' rights, civil society organisations could be more actively involved in the programme.

The current analysis shows that the justice programme **has a good level of coherence and complementarity** with other EU instruments, programmes and actions. It underscores that, especially on judicial training, the merge of the predecessor programmes into the justice programme increased coherence with other EU initiatives. The same applies to several training objectives, which has reduced the likelihood of duplications. This result confirms the findings outlined in the interim evaluation. However, exchange of expertise and best practices between beneficiaries could be more actively promoted to increase synergies between funded projects. Concerning potential overlaps between projects under the justice programme, the broad scope of the programme does result in some overlaps, by design. Although the justice programme's structure provides enough flexibility to minimise the risk of duplication, potential overlaps should be closely monitored to maintain the high level of complementarity.

### Key points in a nutshell

- By design, the justice programme minimises the risk of duplications in funding. However, the design also results in overlaps at project level.
- There is a need to monitor projects more closely to forestall overlaps between projects under the justice programme.

In terms of the EU added value of the justice programme, the analysis fully confirms the



**high added value of funded projects.** In particular, high EU added value is achieved by promoting transnational projects to tackle cross-border issues as well as the increase of coherence and uniformity in the application of EU law. Key activities that generate the high EU added value of the justice programme are trainings and information exchanges in funded projects. High EU added value was also confirmed by programme committee members of the justice programme, who asserted the programme is an important instrument as national initiative are not able to achieve the same results. Due to the substantial EU added value of the justice programme, the analysis concluded that, at the current stage of programme implementation, there are no specific area for improvement.

### Key points in a nutshell

- The inherent “European” and transnational dimension of the Programme is at the core of the EU added value of the justice programme, especially with regard to judicial training

In terms of the **equity** of the justice programme, the current evaluation reiterates the finding from the interim evaluation that **resources and support provided through the justice programme are not distributed in a balanced manner across different target groups, EU Member States and types of beneficiaries.** At the macro level, there is a discrepancy between high application rates from countries like Belgium, Italy, Spain, Germany, the Netherlands and France and comparatively low application rates from countries like Latvia, Poland, Croatia, Slovakia and Cyprus. These result in lower participation rates from these countries in funding under the justice programme. In addition, the analysis identified the need for capacity building in underrepresented countries, which renders their participation in the justice programme difficult. At an intermediate level, the analysis revealed that overall the programme’s target groups have become more diverse and include a wider variety of justice professionals. But civil society organisations should be more involved in projects funded in the field of victims’ rights. This finding dovetails with the need for capacity building in the above countries. Civil society organisations from underrepresented countries might need additional support to build the necessary capacity to apply to the justice programme.

At the micro level, more robust and systematic monitoring data would allow to obtain deeper insights into the target group’s composition. This could be facilitated by collecting data that are disaggregated inter alia by sex, age and disability status. In turn, the insights gathered at project level could feed into the programming at macro level to increase the funding’s impact on an even more diverse group of stakeholders. This finding is also related to the promotion of gender equality, children’s rights and the rights of people with a disability as part of the funded projects. More robust data would help identify areas, in which the rights of women, men, girls, boys and people with a disability are not as well covered as they could be.

In terms of the cross-sectional themes of **gender mainstreaming, promoting the rights of the child and promoting the rights of people with disabilities**, the analysis concluded that applicants struggle to understand all these concepts. As a result, some projects funded through the justice programme do not live up to their potential in promoting gender equality, the rights of the child and the rights of people with disabilities. Although all cross-sectional themes require further attention, there are differences in the degree to which the programme covers these themes at project level.

Gender equality and children's rights receive dedicated attention in funded projects, but the rights of people with disabilities are not as prominently featured within projects. As interviewees' responses suggest, this is very likely to be due to the finding that projects run under the justice programme are not always suitable to address the rights of people with disabilities.

#### Key points in a nutshell

- There is a need for further action to better integrate cross-cutting topics such as gender mainstreaming, the rights of the child and the rights of people with disabilities in projects.
- An improved approach on tracking project data is needed to increase the impact of the justice programme on a more diverse range of target groups.
- The geographical allocation of funds across Member States needs to be improved.

Concerning the scope for simplification, the European Commission made significant changes to review, speed up and simplify the process over the 2014-2020 programming period. Although the **current management model is considered to be suitable**, and project beneficiaries **positively welcomed the changes**, they also identified issues and room for further improvement.

According to the analysis, the scope is for simplification to meet the need for a simpler application and results-based reporting procedures, for improved monitoring and for management tools to **collect more systematically information on achieved outputs, results and targets**, as well as help for organisations with difficulties in working only in English. However, the perceived burden and complexity varies among project beneficiaries. Organisations with more capacity and greater experience in applying, coordinating, and participating in projects, find it much easier and smoother than smaller organisations and first-time applicants. Last, despite improvements to the **monitoring and management tools**, there is still room for improvement, especially in terms of adapting the application portal to the types of beneficiaries supported by the justice programme or supporting first-time applicants and beneficiaries to use the tool without incurring delays in their activities.

#### Key points in a nutshell

- Additional guidance is needed to help more applicants follow the application procedures.
- The reporting procedures should be simplified by bringing in standardised cost options and results-based management.

## Annex 1: Procedural information

### 1. LEAD DG, DeCIDE PLANNING/CWP REFERENCES

**Lead Directorate-General:** Directorate-General for Justice and Consumers (DG JUST)

Decide planning reference: PLAN/2020/9645 - JUST - Report to the EP and the Council assessing the 2014-2020 justice programme

### ORGANISATION AND TIMING

The evaluation was carried out between March 2021 and September 2021.

An external contractor, the *Fondazione Giacomo Brodolini Srl SB and Ernst & Young Consulting BV/SRL*, was commissioned under the framework contract for evaluation, impact assessment and related services (JUST/2020/PR/03/0001-01) to carry out an ex-post evaluation of the justice programme (2014-2020). However, the current initiative primarily aims to meet the Commission's legal reporting obligations under Regulation (EU) No 1382/2013. Since, it is premature to analyse the long-term effects of the justice programme in 2021 (too many projects, around 30%, run throughout 2021), this report will focus on providing a first assessment based on data available by 2021 of the programme's achievements. It will take inspiration in the better regulation methodology for evaluations applied for the programme's mid-term report. The assessment will, however, not be fully aligned with better regulation guidelines. On this basis, no roadmap and public consultation would be required. A study will underpin the assessment and the process will be steered by a steering group (formed by DG units implementing the programme with SG associated), but no formal inter-service steering group would be set up. The evaluation of the long-term effects of the 2014-2020 justice programme will be done alongside the mid-term evaluation of the succeeding financial programme 2021-2027. This be will fully follow the Better Regulation Guidelines.

Against this backdrop, no Inter-service Steering Group was established. However, several DG JUST policy units (JUST 01, JUST 03, JUST A1, JUST B1, JUST B2, JUST C3, JUST D2) as well as colleagues from DG Home, DG COMP were involved in the work and contributed to the evaluation.

#### Timeframe for the evaluation:

November 2020	Appointment of colleagues in policy units to follow the evaluation and preparation of the terms of reference for the request for services
March 2021	Contract with external evaluators starts

	Kick-off meeting of the evaluation
April 2021	Inception report
June 2021	Interim report and the 2nd meeting
September 2021	Final report and the 3rd meeting
October 2021	Preparation of the report to the European Parliament and the Council and of the accompanying Staff Working Document

## 2. EXCEPTIONS TO THE BETTER REGULATION GUIDELINES

As this ‘first-stage’ report provides only an initial assessment of the justice programme’s achievements, it is not fully aligned with the better regulation guidelines. In particular, while taking guidance from the better regulation process for the evaluation methodology to be applied, no roadmap, no public consultation and no formal inter-service steering group were created at this stage. The ‘better regulation’ requirements will be followed in full for the ‘second-stage’ report as the benefits would be more pertinent when preparing the second part of the ex post evaluation.

## 3. CONSULTATION OF THE RSB (IF APPLICABLE)

N/A

## 4. EVIDENCE, SOURCES AND QUALITY

The evaluation was based on evidence from different sources. The complete set of documents that were consulted for this evaluation is listed below:

CATEGORY	AUTHOR	YEAR	DOCUMENT
GENERAL DOCUMENTS	-	2012	Consolidated version of the Treaty on European Union (TEU)
GENERAL DOCUMENTS	-	2012	Consolidated version of the Treaty on the Functioning of the European Union (TFEU)
GENERAL DOCUMENTS	Prof. Julia Laffranque, Judge, European Court of Human Rights	2014	Article 6 of the European Convention On Human Rights (Convention) and Article 47 Of The European Union (EU) Charter On Fundamental Rights (Charter): Mutual Relation, Scope, And Interpretation
GENERAL DOCUMENTS	CEPEJ	2016	European Judicial Systems: Efficiency and quality of justice
GENERAL DOCUMENTS	European Commission	2020	European Judicial Training 2020
GENERAL DOCUMENTS	European Commission	2019	European Judicial Training 2019
GENERAL DOCUMENTS	European Commission	2018	European Judicial Training 2018
GENERAL DOCUMENTS	European Commission	2017	European Judicial Training 2017
GENERAL DOCUMENTS	European Commission	2016	European Judicial Training 2016
GENERAL DOCUMENTS	European	2016	European Judicial Training 2015

	Commission		
<b>GENERAL DOCUMENTS</b>	European Commission	2016	European Judicial Training 2014
<b>GENERAL DOCUMENTS</b>	European Commission	2011	European Union Judicial Training Strategy
<b>GENERAL DOCUMENTS</b>	EU Agency for Fundamental Rights	2020	Fundamental Rights Report 2020
<b>GENERAL DOCUMENTS</b>	EU Agency for Fundamental Rights	2020	Ten years on: Unlocking the Charter's Full Potential
<b>GENERAL DOCUMENTS</b>	EU Agency for Fundamental Rights	2017	Fundamental Rights Report 2017
<b>GENERAL DOCUMENTS</b>	European institute for Gender Equality	2020	Gender Equality Index 2020: Key Finding for the European Union - Report
<b>GENERAL DOCUMENTS</b>	European institute for Gender Equality	2017	Gender Equality Index 2017: Measuring gender equality in the European Union 2005-2015 – Report
<b>GENERAL DOCUMENTS</b>	European Commission	2019	COM(2019) 400 - Draft Budget of the European Union for the financial year 2020. Working document Part I – Programme Statements of operational expenditures
<b>GENERAL DOCUMENTS</b>	European Commission	2020	COM(2020) 300 - - Draft Budget of the European Union for the financial year 2021. Working document Part I – Programme Statements of operational expenditures
<b>POLICY DOCUMENTS</b>	European Commission and the Parliament	2014	The EU Justice Agenda for 2020 - Strengthening Trust, Mobility and Growth within the Union
<b>POLICY DOCUMENTS</b>	European Commission	2014	10 Priorities for 2015-19
<b>POLICY DOCUMENTS</b>	United Nations	2015	Agenda 2030 for Sustainable Development
<b>POLICY DOCUMENTS</b>	European Commission	2016	DG Justice Strategic Plan 2016-2020
<b>POLICY DOCUMENTS</b>	European Commission	2017 - 2019	DG Justice Annual Activity Reports
<b>POLICY DOCUMENTS</b>	European Commission	2014 - 2016	DG Justice Annual Activity Reports
<b>POLICY DOCUMENTS</b>	European Commission	2014 - 2019	DG Justice Management Plans
<b>POLICY DOCUMENTS</b>	European Commission	2014 - 2018	DG Justice Programme Statements
<b>POLICY DOCUMENTS</b>	European Commission	2011	Commission staff working paper – Impact Assessment - accompanying the document Proposal for a Regulation of the European Parliament and of the Council establishing for the Period to 2020 the Justice Programme. Impact Assessment'. SEC(2011) 1364 final
<b>POLICY DOCUMENTS</b>	European Commission	2011	Commission Staff Working Paper on Consumer Empowerment in the EU, SEC(2011)469 final
<b>POLICY DOCUMENTS</b>	European Commission	2014	Communication from the Commission to the European Parliament, the Council, the European Economic and social Committee and the Committee of the Regions, the EU Justice Agenda for 2020 - Strengthening Trust, Mobility and Growth within the Union, Strasbourg, 11.3.2014, COM(2014) 144 final
<b>POLICY DOCUMENTS</b>	European Commission	2014	Communication From the Commission to the European Parliament, the Council, the European Economic And Social Committee And the Committee of the Regions the EU Justice Agenda

			for 2020 - Strengthening Trust, Mobility and Growth within the Union, Strasbourg, 11.3.2014, COM(2014) 144 final
<b>POLICY DOCUMENTS</b>	European Commission	2016	Communication from the Commission to the European Parliament, the Council, the European Central Bank, the European Economic and Social Committee and the Committee of the Regions — The 2016 EU Justice Scoreboard,
<b>POLICY DOCUMENTS</b>	European Commission	2020	The 2020 EU Justice Scoreboard
<b>POLICY DOCUMENTS</b>	European Commission	2019	The 2019 EU Justice Scoreboard
<b>POLICY DOCUMENTS</b>	European Commission	2018	The 2018 EU Justice Scoreboard
<b>POLICY DOCUMENTS</b>	European Commission	2017	The 2017 EU Justice Scoreboard
<b>POLICY DOCUMENTS</b>	European Commission	2016	The 2015 EU Justice Scoreboard
<b>POLICY DOCUMENTS</b>	European Commission	2016	The 2014 EU Justice Scoreboard
<b>POLICY DOCUMENTS</b>	European Commission	2020	EU Citizenship Report 2020
<b>POLICY DOCUMENTS</b>	European Commission	2016	Effective Roma integration measures in the Member States
<b>POLICY DOCUMENTS</b>	European Commission	2016	Strategic Engagement for Gender Equality
<b>POLICY DOCUMENTS</b>	European Commission	2019	Countering Racism and Xenophobia in the EU
<b>POLICY DOCUMENTS</b>	European Commission	2010	European Disability Strategy 2010-2020
<b>POLICY DOCUMENTS</b>	European institute for Gender Equality	2017	European institute for Gender Equality, Gender Equality Index 2017: Measuring gender equality in the European Union
<b>POLICY DOCUMENTS</b>	European Commission	2017	Commission staff working document: Comprehensive Assessment of EU Security Policy, accompanying the Communication from the Commission to the European Parliament, the European Council and the Council: Ninth progress report -towards an effective and genuine Security Union, {COM(2017) 407 final}.
<b>POLICY DOCUMENTS</b>	European Commission	2017	Communication from the Commission to the European Parliament, the Council, the European Central Bank, the European Economic and Social Committee and the Committee of the Regions — The 2017 EU Justice Scoreboard, COM(2017) 167 final
<b>POLICY DOCUMENTS</b>	European Commission	2017	Commission staff working document on the Application of the EU Charter of Fundamental Rights in 2016, accompanying Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions on the 2016 Report on the Application of the EU Charter of Fundamental Rights, {COM(2017) 239 final}, 18 May 2017
<b>POLICY DOCUMENTS</b>	European Union Agency for Fundamental Rights	2017	FRA, Fundamental Rights Report 2017
<b>POLICY DOCUMENTS</b>	European Council	2019	European Council (2019) A new strategic agenda for the EU 2019-2024
<b>POLICY DOCUMENTS</b>	European Council	-	European Council, Draft Strategic Guidelines in the field of Justice and Home Affairs
<b>POLICY DOCUMENTS</b>	European Commission	2020	European Commission – Directorate-General for Justice and Consumers (2020), European Judicial Training 2020, Luxembourg, Publications Office of the European Union

<b>POLICY DOCUMENTS</b>	European Commission	2020	European Commission, A Counter-Terrorism Agenda for the EU: Anticipate, Prevent, Protect, Respond – COM(2020) 795 final
<b>POLICY DOCUMENTS</b>	European Commission	2020	European Commission, EU Agenda and Action Plan on Drugs 2021-2025 (COM(2020) 606 final)
<b>PROJECT DOCUMENTS</b>	European Commission	2014	Annex to the Commission Implementing Decision concerning the adoption of the work programme for 2014 and the financing for the implementation of the Justice Programme C(2014) 2556 final
<b>PROJECT DOCUMENTS</b>	European Commission	2015	Annual Monitoring Report Justice 2014
<b>PROJECT DOCUMENTS</b>	European Commission	2015	Annual Monitoring Report Justice 2014
<b>PROJECT DOCUMENTS</b>	European Commission	2014 - 2016	Annual Monitoring Reports REC
<b>PROJECT DOCUMENTS</b>	European Commission	2014 - 2017	Annual work programmes REC
<b>PROJECT DOCUMENTS</b>	European Commission	2018	Commission staff working document impact assessment accompanying the proposal for a Regulation establishing the rights and values programme proposal for a Regulation establishing the justice programme Proposal for a Regulation establishing the creative Europe programme, Brussels, 30.5.2018, SWD(2018) 290 final
<b>PROJECT DOCUMENTS</b>	European Commission	2019	European Commission staff working document on the Evaluation of the 2011 European judicial training strategy. SWD(2019) 381
<b>REGULATIONS</b>	European Parliament and the Council	2013	Regulation (EU) 1381/2013 of the European Parliament and of the Council of 17 December 2013 establishing a Rights, Equality and Citizenship Programme for the period 2014 to 2020
<b>REGULATIONS</b>	European Parliament and the Council	2013	Regulation (EU) No 1382/2013 of the European Parliament and of the Council of 17 December 2013 establishing a Justice Programme for the period 2014 to 2020
<b>REGULATIONS</b>	European Parliament and the Council	2021	Regulation (EU) 2021/693 of the European Parliament and of the Council of 28 April 2021 establishing the Justice Programme and repealing Regulation (EU) No 1382/2013

## Annex 2: Stakeholder consultation

Consultations with the main stakeholders of the justice programme were conducted over several stages:

- two **web-based survey** targeting the following stakeholder groups:
- project applicants (including unsuccessful applicants );
- project beneficiaries;
- EU26 Member State programme committee members;
- other relevant stakeholders contacted directly by the Commission;

The first survey targeting programme committee members was launched through an online tool (Qualtrics) on June 23rd and it ran until July 14 2021. The survey was kept open four weeks longer than originally planned, to provide more time to answer the questions and increase the response rate. It received 21 responses.

The second survey ran from 28 June to 9th July and aimed to collect information to feed Case Study 4. The survey was sent to 200 project beneficiaries, and elicited 11 responses.

The three focus groups to test and validate preliminary findings and conclusions were conducted between the 1 and 16 July 2021.

- **33 interviews** with 5 Commission officials and 28 selected projects beneficiaries and representatives of target groups were conducted between 1 July 2021 and 16 July 2021. The interviews had a twofold objective: 1. Collecting additional information (from the survey and the desk research) to feed into the analysis alongside the evaluation criteria, filling gaps (especially in terms of quantification of costs and benefits) and going more in-depth on specific aspects, such as identification of best practices; 2. Gathering insight and input to draw conclusions and recommendations on how to improve the design and functioning of the programme.

The interviews took the form of semi-structured phone interviews. The questions were tailored to the different categories of target stakeholders, and their different contribution to the evaluation questions.

A broad **public consultation** undertaken by the Commission **in the area of "values and mobility"** was available online in 23 official EU languages for a mandatory period between 10 January 2018 and 9 March 2018. The purpose of this consultation was to collect the views of all interested parties on how to make the most of every euro of the EU budget. Consultations have taken place in the context of evaluations of existing EU financial programmes covering several policy areas, including the justice programme. In total, the public consultation received **1839 replies from all over Europe**. The respondents had experience with the following EU programmes: 1. Europe for Citizens Programme and /or 2. Rights, Equality and Citizenship Programme and /or 3. Creative Europe Programme and /or 4. Justice Programme. The results of this public consultation have shown that, according to the majority of respondents, **"promote European identity and common values"**, as well as **"promote rights and equality"**, are important common policy challenges to be addressed in each of the four programmes. **"Support**



**active citizenship, democratic participation in society and the rule of law"** and **"promote social inclusion and fairness"** appear to be important challenges to be addressed in the concerned programmes as well. Instead, **"support innovation"**, **"foster European cultural diversity and cultural heritage"**, **"promote European identity and common values"** are considered as policies that fully or fairly well address the challenges by half or more of the respondents. Around 80% the respondents agree that these programmes add value to a large extent or to a fairly good extent to what Member States could achieve at national, regional and/or local levels. The main obstacles identified by the respondents, that could prevent the current programmes/funds from achieving their objectives, are very similar regardless of the programme concerned: **"lack of budget of the programmes to satisfy demand"**, **"insufficient support provided to small-scale stakeholders"** and **"lack of support to first-time applicants"** are identified as the main three obstacles. Finally, the respondents agree that **"the use of more simplified application forms"**, **"facilitating structured network and partnerships"**, **"facilitating funding for actions cutting across the sectors of action"**, as well as **"better coordination between different programmes/funds"**, are the main steps to be taken to simplify and reduce the administrative burdens for beneficiaries.

## Annex 3: Methods and analytical models

The following methodological tools were used:

### 1. Data collection;

**Desk research** of relevant documents (at programme, policy and project level);

The following documents were reviewed:

For Task one:

- files with extracts of key monitoring data,
- monitoring data derived from the interim evaluation,
- grant agreements and project proposals (covering projects funded from 2016 onwards)
- technical periodic reports (final reports), including monitoring annexes and financial reports (only for finalised projects funded from 2016 onwards).

For task two, additional project documents such as:

- amendments of grant agreements (notarised): providing information on possible changes intervened after the signature of the agreement,
- proposal evaluation forms, in particular evaluation summary reports, which provide information on the process of evaluating the project proposal (scores, ranking, qualitative assessment),
- technical report and annexes
- evaluation of the final technical reports (by policy officers) providing a final assessment of the project ,
- final financial statements
- list of final deliverables
- list of milestones.

The table below quantifies the documents reviewed.

**Table 16 Distribution and coverage of project documents reviewed**

Type of document	Coverage/stakeholders	Number of documents.	Steps involved
Monitoring files from the Interim Evaluation	Projects funded in 2014-2016	1	Task 1 Monitoring
Monitoring files by DG JUST	Projects funded from 2016 onwards	7	Task 1 Monitoring
Grant agreements/proposals	Projects funded from 2016 onwards	336	Task 1

			Monitoring Task 2 In-depth analysis
Technical reports	Finalised projects, funded from 2016 onwards	171	Task 1 Monitoring Task 2 In-depth analysis
Additional project docs (e.g. amendments and evaluation summary)	Sampled projects	Action grants and operating grants: 245 Procurements: 23	Task 2 In-depth analysis Task 3 Case studies

**The field research** was based on two **web-based surveys** with stakeholders, i.e. (unsuccessful) project applicants, project beneficiaries, programme committee members, Commission staff and additional stakeholders, **33 interviews** with selected project beneficiaries and representatives of target groups and with Commission officials. **Three focus groups meetings were held** to test and validate preliminary findings and conclusions.

**Eight case studies** of projects were connected to the specific objectives, see more detailed overview below.

Analysis of the results of a **broad public consultation** undertaken by the Commission between 10 January and 8 March 2018 in the framework of the proposal for the post 2020 Multiannual Financial Framework in the area of European values and mobility.

## 2. Data analysis

**Quantitative data analysis:** in addition to monitoring and survey data, **descriptive statistics** were used to analyse effectiveness, efficiency and EU added value of the programme; **self-reported counterfactual analysis** was used to analyse effectiveness and added value; an **exploratory data analysis** was used to analyse effectiveness and EU added value; a **cost-benefit analysis** to analyse efficiency and **social network analysis** to analyse effectiveness and equity.

**Qualitative data analysis:** a **text mining methodology** was used.

Based on this methodology, output indicators ( monitoring data at project level) and results indicators (based on Eurobarometer and other sources) were used. The analysis of the performance at the project level was mainly based on the answers to the survey and interviews.

The following paragraphs provide more detailed information on data collection and analysis.

### **Task 1 - Extraction, categorisation, and aggregation of monitoring data**

For this task, the following steps were taken.

Creation of the project list for action grants and operating grants

The information retrieved from monitoring files was cleaned, systematised, and transferred to a dataset specifically created for this study. Since information available from monitoring files and project documents provided by DG JUST mostly covered 2016-2020 projects and applications, resulting in the dataset still having gaps and lacking information on older projects, the dataset was integrated with information from the interim evaluation. Similarly, information on applicants and participants covered mostly 2016 onwards. Information was completed from different sources: e.g. information on the type of organisation for applicants – which was missing – was

extracted from the list of participants and linked to the applicants that also participated in the granted project.

Additional information was obtained from:

- New extractions on projects and applications provided by DG JUST – both updating the list and adding new types of information from proposals (e.g. on the names, country and type of beneficiaries) and reports (e.g. on dissemination activities implemented). The new data were either added to the existing dataset or used to update it.
- Annex 3 to the technical reports, which were first extracted automatically and then manually cleaned and systematised to reduce noise and loss of data.

The lack of detail is also reported for grants awarded under calls from other DGs (COMP, EMPL, HOME), which provide far less information than grants managed by DG JUST.

#### Creation of the project list for procurement contracts

In parallel to grants, the research team compiled a list of procurement contracts. The list was drawn up using information provided by DG JUST, which was combined to extract only the unique records and the corresponding specific objective.

The list was revised by DG JUST, cleaning the list of contracts under the justice programme, and linking them to the type of activities.

#### Extraction of key qualitative texts/unstructured information:

In order to extract data on qualitative descriptors, the research team adopted a mix of qualitative data analysis approaches and tools (word search, categorisation, text mining and semantic tools). The starting point for these approaches entailed first identifying the document sources and the exact text fields within these sources to be screened. Next, the team manually extracted (copy/pasted) the relevant text fields into an Excel sheet on which the various qualitative analysis tools could then be implemented. Based on the qualitative information extracted, the team carried out the following analyses:

#### Text mining/semantic tool

The team analysed the documents using Named Entity Recognition (NER) tools. NER is a subtask of information extraction that seeks to locate named entities mentioned in unstructured text and classify them into pre-defined categories such as person names, organisations, locations, medical codes, time expressions, quantities, monetary values percentages. For the project proposal analysis, these entities are words that are relevant to the content of the call. The research team focused on: target groups, dissemination activities and needs.

#### Screening of qualitative information and categorisation

For a number of descriptors, the research team adopted a manual categorisation approach, by screening specific text fields and categorising the information for each project based on a drop-down list of categories.

Mixed methods (word search + categorisation):

For a number of descriptors, the team took a mixed approach to qualitative analysis. First, the relevant information (when available) was identified through a simple word search, it was then manually extracted. This approach was followed for the following descriptors:

- Number of interactions (likes, shares, retweets, comments) generated by online awareness raising, information and dissemination activities
- Number of fans and followers acquired through online awareness-raising, information and dissemination activities

#### Creation of a list of indicators and descriptors:

The monitoring data collected via the previous steps were then categorised and aggregated to support a narrative on the key topics, as follows.

- Indicators and descriptors related to applicants/participants
- Indicators and descriptors related to the project budget allocation and distribution
- Indicators and descriptors related to the type of activity funded
- Indicators and descriptors related to target groups/stakeholders
- Indicators and descriptors related to other features (such as geographical coverage, project duration)
- Indicators and descriptors related to the performance of the programme/the evaluation criteria

#### **Task 2 - Additional collection and systematisation of information**

Following the collection, extraction, and systematisation of project-related data and documents received from DG JUST as described in the previous section, the research team collected additional data as additional input and systematised all information collected to feed into the response to the evaluation questions and the drafting of this report.

This included additional desk research on documents mentioned in Section 1.2.1., and both desk and field research on a sample of projects.

A total of 23 projects – both action (19) and operating grants (4) – was sampled with the aim of carrying on a qualitative analysis based on comments and insights from key stakeholders on the implementation of the justice programme. The projects were sampled bearing in mind geographical distribution, the specific objective, and the financial amount.

Project beneficiaries were selected using a non-statistical ‘stratified’ sampling method: The sample was then integrated into the interim report, discussed, and approved by DG JUST. The overall aim of this sample of projects was to be representative, to the largest extent possible, of the overall project ‘population’ with a breakdown by specific objective and Member State.

#### Sampling of action grants:

- proportional to the amount and form of funding per country/specific objective;
- comprehensive, i.e. they include projects with the following characteristics:

- they cover all specific objectives;
- they cover all forms of support;
- they cover different years of programme implementation.

These criteria ensured that the sample of projects identified was representative of how the programme was implemented, in terms of its specific objectives.

In order for this distribution to be representative not only in terms of specific objectives and forms of support, but also geographically, the team also paid attention to the nationality of the beneficiary. Thus, the sample of projects ensured that Member States representation (in terms of beneficiary nationalities) reflected the overall geographical distribution of projects (in terms of participation in the calls and the success rate for action grants and operating grants awarded).

#### Sampling of operating grants

The sample of operating grants was selected following criteria such as the overall financial allocation to a given organisation/network under each specific objective, the relevance of the organisation to the objectives of the programmes and the specific objective. The final selection was made on a case-by-case basis, in agreement with DG JUST.

#### Sampling of procurement contracts:

The selection of the procurement contracts was based on the relevance of the contracted service to the objectives of the programmes and to the information needs of the European Commission. When selecting the sample contracts, the team sought to cover different types of procurement activities.

### **Task 3 Drafting case studies and answering the evaluation questions**

#### Case studies

The evaluation envisaged drafting eight case studies. The main purpose of the case studies is to provide solid, triangulated evidence, to feed into the formulation of replies to evaluation questions as well as to suggest improvements, with a focus on the specific issues mentioned in the tender specifications. The case studies include a methodological approach, an analysis of the relevance of the objective to the current needs (contextual analysis), descriptive statistics on the type of projects, actions and beneficiaries related to the objective, and the analysis of the results of all the activities funded and procured by the Commission and of a sample of action and operating grants.

In addition to data and information collected under task 1 and 2, the case studies envisaged additional field and desk research and in particular:

- further in-depth analysis of sampled projects' documents
- an online survey to all sampled projects (for Case Study 4)
- three focus groups, including beneficiaries from projects that were not included in the sample (For Case study 1, 3 and 7, 8).

The table below provides an overview of the focus of the eight case studies and shows the evaluation questions they refer to.

### Overview of the eight case studies

Case study	Description	Relevant EQs
Case study 1 Recurring beneficiaries and continuous projects	The analysis investigates the benefits and disadvantages of financing continuations of projects or projects implemented by recurring beneficiaries.	EQ 2. How fit for purpose were the actions funded under the programme to the objectives of the programme?
Case study 2 Is the quality of selection/evaluation of project proposals robust? Is the 70-points threshold pertinent?	The objective of the analysis is to verify whether the selection and evaluation processes are effective in selecting quality project proposals.	EQ 3. What factors influenced the achievement observed? Sub-question: Has the selection procedure been effective?
Case study 3 What are the reasons for which some potential beneficiaries are reluctant to apply?	The aim is to understand what the main reasons for not applying are. The analysis also focuses on beneficiaries that apply to understand what are the drivers for participation.  More specifically, the evaluation will explore administrative burden as a possible reason for not applying. The analysis controlled for factors such as awareness, communication, capacity, language barriers and relevance.	EQ 4. How effective have been the communication activities in informing the potential applicants about upcoming calls and in increasing the visibility of funded projects?  EQ 9. How relevant were the actions and results achieved to the needs of the different stakeholders?
Case study 4 How do EU projects compare in terms of costs/benefits to similar actions funded by other sources?	The objective of the analysis is to conclude whether the EU projects are comparable in terms of costs and benefits to similar ones, which are funded by other sources. Furthermore, if EU projects are more costly, the analysis will explore the reasons behind the difference in costs.	EQ 6. To what extent has the intervention been cost-effective?
Case study 5 Understanding the scale of underspending in projects	The objective of the analysis is to compare the planned costs with the actual costs per project. Thus, to understand the reasons behind the recurrent underspending and to identify solutions tackling the underspending.	EQ 6. To what extent has the intervention been cost-effective?
Case study 6 Changes in management of the programmes by DG JUST	The objective is to scrutinise how the management of the justice programme evolved over the programming period 2014-2020. In addition, it will explore the effect of changes in management on the beneficiaries.	EQ7. Has the management of the programme by the Commission become more efficient?
Case study 7 Are the beneficiaries selected the best fit to help the target groups in terms of socioeconomic impact?	The objective of the analysis is to understand whether the justice programmes funds the most relevant organisations. The case study assesses which is the most effective combination of actors within a consortium and how essential is the role of project management organisations.	EQ 9. How relevant were the actions and results achieved to the needs of the different stakeholders?
Case study 8 Evaluation of Gender Mainstreaming at the level of programme activities	The analysis aims to evaluate gender mainstreaming at the level of project activities by looking at how gender has been mainstreamed across the different projects and stages of the process cycle.	EQ 15. How has gender mainstreaming been promoted in the projects funded?

## Overview of the evaluation criteria and questions

Evaluation Criteria	Evaluation questions
Effectiveness	1. <i>EQ1: To what extent have the objectives been achieved considering the set indicators?</i> i) <i>What progress has been achieved so far by the programmes in meeting indicators listed in the respective Regulations?</i>
	2. <i>EQ2: How fit for purpose were the actions funded under the programme to the objectives of the programme?</i>
	3. <i>EQ3: What factors influenced the achievements observed?</i>
	4. <i>EQ4: - How effective were the communication activities as to inform the potential applicants about upcoming calls and in increasing the visibility of funded projects?</i>
	5. <i>EQ5: Have the projects delivered the results envisaged in the applications?</i>
Efficiency	6. <i>EQ6: To what extent have the interventions been cost-effective?</i>
	7. <i>EQ 7 - Has the management of the programme by the Commission become more efficient?</i>
Relevance	8. <i>EQ8: How well do the (original) objectives (still) correspond to the needs within the EU?</i>
	9. <i>EQ9: How relevant were the actions and results achieved to the needs of the different stakeholders?</i>
	10. <i>EQ10: How relevant for achieving the objectives of the Programme were the groups targeted by the intervention?</i>
Coherence, Complementarity, Synergies	11. <i>EQ11: To what extent are these interventions coherent/ complementary with other EU and/or national policies and funding programmes that have similar objectives and Union bodies' work? Are the conclusions on coherence and complementarity in the interim evaluation still valid?</i>
EU added value	12. <i>EQ12: What is the added value resulting from the EU intervention(s), compared to what could be achieved by Member States?</i>
	13. <i>EQ13: What would be the most likely consequences of limiting the level of the existing EU intervention or completely stopping/withdrawing from it?</i>
Equity	14. <i>EQ14: How fairly are the different activities distributed across the different target groups, and participating countries?</i>
	15. <i>EQ15: How has gender mainstreaming been promoted within the funded interventions?</i> i) <i>Was gender mainstreaming included in the programming and implementation of the programme, including calls for proposals?</i> ii) <i>How was the principle of gender mainstreaming applied in practice by beneficiaries?</i>
	16. <i>EQ16: How have the rights of the child been promoted within the funded interventions?</i>
	17. <i>EQ17: How have the rights of people with disabilities been promoted within the funded interventions?</i>
	18. <i>EQ18: How can the programme management, with a focus in particular on the grant management, be further simplified to alleviate the administrative burden of the Commission and of the applicants and the beneficiaries?</i>
Scope for simplification	



## Annex 4: Results of the case studies

Case study	Result
<p>Case study 1</p> <p>Recurring beneficiaries and continuous projects</p>	<ul style="list-style-type: none"> <li>• 52.6% of partners involved in a project were recurring beneficiaries</li> <li>• The highest share of grant requests was submitted by recurring beneficiaries (46.43%),</li> <li>• On average continuous projects received the highest score in evaluations. Recurring applicants proved more successful in obtaining a high score than one time applicants.</li> </ul>
<p>Case study 2</p> <p>Is the quality of selection/ evaluation of project proposals robust? Is the 70-points threshold pertinent?</p>	<ul style="list-style-type: none"> <li>• <b>There were no significant differences</b> in the characteristics of projects obtaining 70 to 100 points.</li> <li>• On average, REC projects scored higher evaluation scores than projects under the justice programme.</li> <li>• Despite identifying a number of aspects related to the evaluation procedures to improve in the future, overall, the evaluation criteria and appraisal accurately capture the quality of the applications/projects.</li> <li>• The quality of selection/evaluation of project proposals is robust and the <b>70 points threshold is pertinent</b>.</li> </ul>
<p>Case study 3</p> <p>What are the reasons for which some potential beneficiaries are reluctant to apply?</p>	<ul style="list-style-type: none"> <li>• The geographical coverage of countries from countries like Latvia, Poland, Croatia, Slovakia and Cyprus remains lower.</li> <li>• <b>There is no evidence of potential applicants not being informed</b> of programme calls due to low coverage/quality of communication and dissemination activities.</li> <li>• The main factors for not applying (mainly public institutions): <ol style="list-style-type: none"> <li>1. low capacity and lack of experience in applying for and implementing EU- funded projects (vis à vis their perceived complexity and competitiveness of applications, including language);</li> <li>2. the requirement to secure co-financing can be an obstacle for both public institutions and non-profit organisations.</li> <li>3. The short time span between the call's launch and the deadlines, especially for public entities</li> </ol> </li> </ul>
<p>Case study 4</p> <p>How do EU projects compare in terms of costs/benefits to similar actions funded by other sources?</p>	<ul style="list-style-type: none"> <li>• Despite being quite burdensome in the application procedures, the <b>justice programme is found to generate much greater benefits than other non-EU initiatives</b>, despite the initial costs and ongoing work needed to participate.</li> <li>• Nonetheless, potentially valuable organisations from civil society (especially smaller ones) are often locked out of participating in EU programmes, and are left with alternative funding instruments that are less focused on creating EU added value, as the sole alternatives.</li> </ul>
<p>Case study 5</p> <p>Understanding the scale of underspending in projects</p>	<ul style="list-style-type: none"> <li>• <b>Underspending of EU resources seems rather limited</b> under the justice programme.</li> <li>• The key drivers appear to be both internal and external factors, mainly linked to the difficulty in implementing and/or completing the activities as planned, namely:</li> </ul>

Case study	Result
	<ol style="list-style-type: none"> <li>1. unexpected events (e.g. the COVID-19 pandemic);</li> <li>2. adoption of a careful project management approach and expenditure choices by project beneficiaries;</li> <li>3. overestimation of costs in proposals and then identifying savings over the course of project implementation.</li> </ol> <ul style="list-style-type: none"> <li>• Administrative complexities or potential rigidities in programme procedures do not seem to be the cause of project underspending.</li> </ul>
<p>Case study 6</p> <p>Changes in management of the programmes by DG JUST</p>	<p>The programme's <b>management cycle was improved</b> in recent years, at least in the perception of recurring beneficiaries:</p> <ul style="list-style-type: none"> <li>• adopting the annual work programmes in the year before they are implemented facilitated an earlier launch of calls and thus the completion of the process during the same year;</li> <li>• the length of the appraisal phase and the preparation of grant agreements has also been shortened;</li> <li>• the predictability of calls for proposals has improved;</li> <li>• digitalisation of application and reporting procedures.</li> </ul> <p>However, <b>the length of the application process</b> is one of the main problems encountered by beneficiaries, and this has not yet been addressed.</p> <p>Another factor that makes the application process difficult for beneficiaries is the <b>very technical language</b> used in the application form.</p>
<p>Case study 7</p> <p>Are the beneficiaries selected best fit to help the target groups in terms of socioeconomic impact?</p>	<ul style="list-style-type: none"> <li>• This evaluation could not identify clear evidence that projects are awarded to organisations that are not relevant to the objectives set (at programme, call, and project level).</li> <li>• Beneficiaries – especially public authorities – are more likely to use the services of external consultancies or partner with specialised organisations to submit applications and receive support in implementation. However this is <b>not a negative factor per se</b>.</li> <li>• With all due the caveats, effectiveness is typically lower in projects implemented by consortia formed of two types of beneficiaries, including one secondary or higher education entity. <b>It is higher in projects implemented by three or more partners.</b></li> <li>• Difficulties encountered by beneficiaries in the application and implementation phase in terms of partnership development and coordination have a significant impact on the potential of the project to achieve its outputs and generate medium and long-term effects.</li> </ul>
<p>Case study 8</p> <p>Evaluation of gender mainstreaming at the level of programme activities</p>	<ul style="list-style-type: none"> <li>• Projects financed under the justice programme rarely cover gender aspects in their design and implementation</li> <li>• <b>As a result, gender-sensitive needs assessments are seldom</b> carried out and this is the key reason for which there is still significant scope to improve gender mainstreaming. A second reason is the less detailed presentation of expectations in terms of gender mainstreaming at programme level. This second aspect is particularly relevant to the justice programme.</li> </ul>

Case study	Result
	<ul style="list-style-type: none"> <li>• Overall, there is a high level of awareness of the importance of promoting gender equality, but this awareness does not translate into gender sensitive/transformational activities.</li> <li>• The gender-related measures taken are often limited to ensuring equal participation in project activities (e.g. training) or teams.</li> </ul>