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THE EUROPEAN UNION**

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Subject:	Proposal for a Regulation of the European Parliament and of the Council establishing for the period 2014 to 2020 the Justice Programme - Partial general approach

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**I. INTRODUCTION**

1. On 21 November 2011, the Commission submitted to the Council the proposal for a Regulation of the European Parliament and of the Council establishing for the period 2014 to 2020 the Justice Programme (further referred to as the Programme).<sup>1</sup>

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<sup>1</sup> 17278/11 JAI 849 CADREFIN 144 DROIPEN 142 COPEN 334 CATS 122 JUSTCIV 324  
EJUSTICE 90 JURINFO 62 CORDROGUE 81 CODEC 2129.

2. In line with the objectives of the Stockholm Programme<sup>2</sup> and within the general framework<sup>3</sup> of simplifying and rationalising funding to support policy objectives, this proposal aims to establish a funding programme to contribute to the development of the European area of justice, in particular through furthering judicial cooperation in civil and criminal matters. The proposal is subject to the ordinary legislative procedure. The European Parliament has not yet voted on the proposal.

## II. DISCUSSIONS IN THE COUNCIL PREPARATORY BODIES

3. The *ad hoc* Working Party on JHA financial instruments (MFF Justice) examined the proposal at its meetings on 9 February, 9 March and 11 April 2012. Further outstanding issues were examined by JHA Counsellors on 7 and 14 May 2012 and by Coreper on 23 May 2012.
4. The amended text following discussions in Coreper on 23 May 2012 is set out in the Annex. For ease of reference all changes compared to the original Commission proposal are marked in **bold** for newly added text and (...) for deletions.
5. Article 8(1) on the budget is excluded from the scope of the partial general approach. This is yet to be negotiated at horizontal level.
6. Coreper has reached agreement on Article 12 (protection of financial interests of the Union) which was also negotiated at horizontal level. This provision is now inserted in the text as set out in the Annex.

## III. CONCLUSIONS

7. In this context the Council is invited to confirm partial general approach on the proposal.

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<sup>2</sup> OJ C 115, 4.5.2010, p. 1.

<sup>3</sup> Communication on the EU Budget Review, COM (2010)700 final of 19.10.2010.

2011/0369 (COD)

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**establishing for the period 2014 to 2020 the Justice Programme**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 81(1) and (2), Article 82(1) and Article 84 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national Parliaments,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The Treaty on the Functioning of the European Union (**TFEU**) provides for the creation of an area of freedom, security and justice, in which persons are free to move. To that end, the Union may adopt measures to develop judicial cooperation in civil and criminal matters and promote and support the action of Member States in the field of crime prevention (...).

- (2) **In the Stockholm Programme<sup>4</sup> the European Council reaffirmed the priority of developing an area of freedom, security and justice and specified as a political priority the achievement of a Europe of law and justice. Financing was identified as one of the important tools for the successful implementation of the Stockholm Programme's political priorities. The general and specific objectives of the Justice Programme (hereinafter "the Programme") should be interpreted in line with the strategic guidelines defined by the European Council.**
- (3) The **Commission Communication of 3 March 2010 on the Europe 2020 Strategy<sup>5</sup>** sets out a strategy for smart, sustainable and inclusive growth. A well-functioning area of justice, where obstacles in cross-border judicial proceedings and access to justice in cross-border situations are eliminated, should be developed as a key element to support the specific objectives and flagship initiatives of the Europe 2020 Strategy and **to facilitate mechanisms designed to promote growth.**
- (3a) In its conclusions of 22 and 23 September 2011 on improving the efficiency of future Union financial programmes supporting judicial cooperation, the Council stressed the important role played by Union financing programmes in the efficient implementation of the Union *acquis* and reiterated the need for more transparent, flexible, coherent and streamlined access to the programmes.**
- (4) Experience of action at Union level has shown that achieving the **above-mentioned** objectives in practice calls for a combination of instruments, including **law**, policy initiatives and funding. Funding is an important tool complementing legislative measures. (...)

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<sup>4</sup> OJ C 115, 4.5.2010, p. 1.

<sup>5</sup> COM(2010)2020 final of 3.3.2010.

- (5) The Commission Communication of **29 June 2011** on ‘A budget for Europe 2020’<sup>6</sup> stresses the need for **the** rationalisation and simplification of Union funding. Meaningful simplification and efficient management of funding can be achieved through **a** reduction in the number of programmes and **through the** rationalisation, simplification and harmonisation of funding rules and procedures.
- (6) In responding to the need for simplification, efficient management **and easier access to funding**, the Programme **should continue and develop** activities previously carried out on the basis of **two** programmes, established by Decision No 1149/2007/EC of the European Parliament and of the Council of 25 September 2007 establishing for the period 2007-2013 the specific programme 'Civil Justice' as part of the general programme 'Fundamental Rights and Justice'<sup>7</sup> **and** Council Decision 2007/126/JHA of 12 February 2007 establishing for the period 2007-2013, as part of the general programme on Fundamental Rights and Justice, the specific programme 'Criminal Justice'<sup>8</sup> (...).
- (7) (...)

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<sup>6</sup> COM(2011)500 of 29.6.2011.

<sup>7</sup> OJ L 257, 3.10.2007, p. 16.

<sup>8</sup> OJ L 58, 24.2.2007, p. 13.

(8) The Commission Communications of 19 October 2010 on ‘The EU Budget Review’<sup>9</sup> and the Commission Communication of 29 June 2011 ‘A budget for Europe 2020’ also underline the importance of focusing funding on activities with clear European added value, i.e. where the Union intervention can bring additional value compared to the action of Member States alone. Actions covered by this Regulation should contribute to the creation of a European area of justice by promoting the principle of mutual recognition, developing mutual trust between the Member States, increasing cross-border cooperation and networking and achieving the correct, coherent and consistent application of Union law. Funding activities should also contribute to achieving effective and better knowledge of Union law and policies by all those concerned, and provide a sound analytical basis for the support and the development of Union law and policies.  
(...)

**(8a) In selecting actions for funding the Commission should assess the proposals against pre-identified criteria. Those criteria should include an assessment of the European added value of the proposed actions. National projects and small-scale projects can also be shown to have European added value.**

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<sup>9</sup> COM(2010)700 of 19.10.2010.

**(8b) Judicial training enhances mutual trust and improves cooperation between judicial authorities and practitioners in the various Member States. Judicial training should be seen as an essential element in promoting European judicial culture in the context of the Commission communication,<sup>10</sup> the Council resolution on the training of judges, prosecutors and judicial staff in the European Union,<sup>11</sup> the Council conclusions of 27 and 28 October 2011 on European Judicial Training and the European Parliament resolution on judicial training.<sup>12</sup> In this context organisations and bodies pursuing a general European interest in the field of training of judiciary as mentioned in the Commission communication should be considered as key actors for the purposes of this Regulation and should receive funding in accordance with the procedures and the criteria set out in the annual work programmes adopted by the Commission pursuant to this Regulation. In this regard, due to its particular role and as the only organisation identified by the Regulation for that purpose, the European Judicial Training Network (EJTN) should receive continuous funding to cover expenditure associated with its permanent work programme in accordance with the procedures and the criteria set out in the annual work programmes.**

**(8bb) Judicial training can involve different actors, such as Member States authorities, training organisations or networks constituted or founded by the Member States or national bodies responsible for judicial training. The Union should facilitate training activities on the implementation of EU law by considering the salaries of participating judiciary and judiciary staff incurred by the Member States' authorities as eligible costs or co-financing in kind, in accordance with the Financial Regulation.**

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<sup>10</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, 13.9.2011.

<sup>11</sup> Resolution of the Council and the representatives of the governments of the Member States meeting within OJ C-299/01.

<sup>12</sup> European Parliament resolution of 14 March 2012 on judicial training, (2012/2575(RSP)).

- (8c) For the purposes of this Regulation judiciary and judicial staff should be interpreted so as to include judges, prosecutors and court officers, as well as other legal practitioners associated with the judiciary, such as advocates, solicitors, notaries, bailiffs, probation officers, mediators and court interpreters.**
- (9) (...)
- (10) In order to implement the principle of sound financial management, this Regulation should provide for appropriate tools to assess its performance. To that end, it should define general and specific objectives. To measure the achievement of those specific objectives, a set of indicators should be established which should remain valid for the whole duration of the Programme.
- (11) This Regulation lays down for the multiannual programme a financial envelope which is to constitute the prime reference, within the meaning of point 17 of the Interinstitutional Agreement of XX between the European Parliament, the Council and the Commission on cooperation in budgetary matters and on sound financial management, for the budgetary authority during the annual budgetary procedure.
- (12) This Regulation should be implemented in full compliance with Regulation (EU, Euratom) No XX/XX of XX on the financial rules applicable to the annual budget of the European Union (**hereinafter "the Financial Regulation"**). In particular, it should make use of the simplification tools introduced by **that Regulation**. Moreover, the criteria for identifying actions to be supported should aim at allocating the financial resources available on actions generating the highest impact in relation to the policy objective pursued.



**(12a) The annual work programmes should ensure appropriate distribution of funds between grants and public procurement contracts. The programme should primarily allocate funds to grants, while maintaining sufficient funding levels for procurement. The minimum percentage of annual expenditure to be awarded to grants should be established in the annual work programmes and should be no less than 65 %. To facilitate project planning and co-financing by stakeholders, a clear timetable should be established for the calls for proposals, selection of projects and award decisions.**

(13) Implementing powers should be conferred on the Commission in respect of the adoption of annual work programmes. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers.<sup>13</sup>

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<sup>13</sup> OJ L 55, 28.2.2011, p. 13.

- (14) In order to ensure efficient allocation of funds from the **general budget of the Union**, consistency, complementarity and synergies should be sought between funding programmes supporting policy areas with close links to each other, in particular between **this Programme** and the Rights and Citizenship Programme established by Regulation (EU) No XX/XX of XX<sup>14</sup>, the Instrument for financial support for police cooperation, crime prevention and the fight against cross-border, serious and organised crime established by Regulation (EU) No XX/XX of XX<sup>15</sup>, the Health for Growth Programme established by Regulation (EU) No XX/XX of XX<sup>16</sup>, the Erasmus for all Programme established by Regulation (EU) No XX/XX of XX,<sup>17</sup> the Horizon 2020 Framework Programme established by Regulation (EU) No XX/XX of XX<sup>18</sup> and the Instrument for Pre-accession Assistance established by Regulation (EU) No XX/XX of XX.<sup>19</sup>
- (15) Pursuant to Articles 8 and 10 of the **TFEU**, the Programme should support the mainstreaming of equality between women and men and anti-discrimination objectives in all its activities. Regular monitoring and evaluation should be carried out to assess the way in which gender equality and anti-discrimination issues are addressed in the Programme's activities.

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<sup>14</sup> OJ L XX, XX, p. XX.  
<sup>15</sup> OJ L XX, XX, p. XX.  
<sup>16</sup> OJ L XX, XX, p. XX.  
<sup>17</sup> OJ L XX, XX, p. XX.  
<sup>18</sup> OJ L XX, XX, p. XX.  
<sup>19</sup> OJ L XX, XX, p. XX.

- (16) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, administrative and financial penalties in accordance with the Financial Regulation.**
- (17) Since the objective of this Regulation, namely to contribute to the creation of a European area of justice, cannot be sufficiently achieved by the Member States and can be better achieved at **the level of the Union**, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the TEU. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (18) In accordance with Article 3 of the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the TEU and to the TFEU, Ireland has notified its wish to take part in the adoption and application of this Regulation.**
- (18a) In accordance with Articles 1 and 2 of the Protocol (No 21) on the position of the United Kingdom and Ireland in respect of the Area of Freedom, Security and Justice, annexed to the TEU and to the TFEU, and without prejudice to Article 4 of that Protocol, the United Kingdom is not taking part in the adoption of this Regulation and is not bound by it or subject to its application.**
- (19) In accordance with Articles 1 and 2 of the Protocol (No 22) on the position of Denmark, annexed to the **TEU** and to the **TFEU**, Denmark is not taking part in the adoption of this Regulation and is not bound by it or subject to its application,

HAVE ADOPTED THIS REGULATION:

*Article 1*

*Establishment and duration of the Programme*

1. This Regulation establishes **the Justice programme (...)** ('the Programme').
2. The Programme shall cover the period from 1 January 2014 to 31 December 2020.

*Article 2*

**(...)**

*Article 3*

*European added value*

The Programme shall finance actions with European added value. To that effect, the Commission shall ensure that the actions selected for funding are intended to produce results with European added value (...). **European added value of actions, including that of small-scale and national actions, shall be assessed in the light of criteria such as their contribution to the consistent and coherent implementation of Union law, their potential to develop mutual trust among Member States and to improve cross-border cooperation, their transnational impact, their contribution to the elaboration and dissemination of best practices or their potential to create practical tools and solutions that address cross-border or Union-wide challenges.**

*Article 4*  
*General objective*

The general objective of the Programme shall be to contribute to the **further development** of a European area of justice, **in particular** by promoting judicial cooperation in civil and criminal matters.

*Article 5*  
*Specific objectives*

1. To achieve the general objective set out in Article 4, the Programme shall have the following specific objectives:

- (a) to **improve** judicial cooperation in civil and criminal matters (...);  
  
    (...)
- (b) to facilitate access to justice;  
  
    (...)

**(b1) to support judicial training.**

(...)<sup>20</sup>

(...)

**2. The specific objectives of the programme shall in particular be pursued through:**

- (a) enhancing awareness and knowledge of Union law and policies;**
- (b) facilitating the sound implementation, the correct application and the evaluation of instruments of Union law;**
- (c) promoting cross-border cooperation and improving mutual knowledge of Member States' legal and judicial systems and enhancing mutual trust;**

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<sup>20</sup> The reference to drugs in the Justice Programme has provisionally been deleted. In order to avoid overlaps and gaps between the relevant programmes, the Presidency suggests that activities related to “drug demand reduction” should be covered by the “Health for Growth” programme on the basis of Article 168 of TFEU. Activities related to “drug supply” should be covered by the instrument for financial support for police cooperation, preventing and combating crime, and crisis management. With regard to both programmes it is of course a precondition for support that the actual activities fall within the objectives of the instruments. This proposal by the Presidency has been put to the relevant working groups on “Health for Growth” and the Home Affairs formation of the ad hoc Working Party on JHA Financial Instruments. These working groups will discuss the final drafting of the objectives in this regard. It is understood, that these changes should be reflected in the final allocation of funds to each programme. A considerable majority of delegations supported this approach. There was also general agreement that it may be necessary to address possible gaps between the programmes in the context of the Justice Programme once discussions in the health and police cooperation working groups have been finalised. Therefore it might be necessary to revert to this specific matter, in particular in the context of recitals (6), (7) and (9), and Articles 5(1) and 14. It is understood that the partial general approach does not prejudice further discussions on this matter.

- (d) **improving the knowledge and understanding of potential barriers to the smooth functioning of a European area of justice;**
- (e) **improving the efficiency of the judicial systems and their cooperation by means of information and communication technology, including the cross-border interoperability of systems and applications.**

*Article 6*

***Types of actions***

(...) The Programme shall finance *inter alia* the following types of actions:

- (a) analytical activities, such as **the** collection of data and statistics; **the** development of common methodologies and, where appropriate, indicators or benchmarks; studies, researches, analyses and surveys; evaluations (...); **the** elaboration and publication of guides, reports and educational material; (...) workshops, seminars, experts meetings **and** conferences;
- (b) training activities, **such as** staff exchanges, workshops, seminars, train-the-trainer events, **and the** development of online or other training modules for members of the judiciary and judicial staff;

- (c) mutual learning, cooperation, awareness raising and dissemination activities, such as **the** identification of, and exchanges on, good practices, innovative approaches and experiences; **the** organisation of peer review and mutual learning; **the** organisation of conferences, seminars, (...)information campaigns (...), including **information on the legislation and policies (...)** of the **Union as they relate to the objectives of the Programme**; **the** compilation and publication of materials to disseminate information **about the Programme and its** results; **the** development, operation and maintenance of systems and tools using information and communication technologies;
- (d) **support for main actors in the areas covered by the objectives of the Programme, such as support for Member States when implementing Union law and policies, support for key European actors and (...) European level networks, including in the field of judicial training (...); and support for networking activities at European level among specialised bodies and organisations as well as national, regional and local authorities and non-governmental organisations (...). The European Judicial Training Network shall receive an operating grant to co-finance expenditure associated with its permanent work programme.**

*Article 7*

*Participation*

1. Access to the Programme shall be open to all (...) bodies and entities legally established in:
- (a) Member States;



- (b) EFTA countries which are party to the Agreement **on the European Economic Area**, in accordance with the conditions laid down in **that** Agreement;
- (c) accession countries, candidate countries and potential candidates, in accordance with the general principles and the general terms and conditions laid down in the framework agreements concluded with them **regarding** their participation in Union programmes.

(...)

**(1a) Bodies and organisations which are profit-oriented shall have access to the Programme only in conjunction with non-profit or public organisations.**

- 2. (...) **Bodies and entities legally established in other third countries, in particular countries where the European Neighbourhood Policy applies, may be associated to actions of the Programme, if this serves the purpose of those actions.**
- 3. (...) **The Commission may cooperate with international organisations (...) under the conditions laid down in the annual work programme. Access to the Programme shall be open to international organisations active in the areas covered by the Programme in accordance with the Financial Regulation and the annual work programmes. (...)**

*Article 8*

*Budget*

1. The financial envelope for the implementation of the Programme shall be EUR [XXX].
2. The financial allocation of the Programme may also cover expenses pertaining to preparatory, monitoring, control, audit and evaluation activities, which are required for the management of the Programme and **the assessment of the** achievement of its objectives. **The financial allocation may cover expenses relating to the necessary** studies, meetings of experts, information and communication actions **as well as expenses (...)** linked to IT networks focusing on information processing and exchange **and** other technical and administrative assistance **needed in connection with** the Commission's management of the Programme.
3. The budgetary authority shall authorise the available annual appropriations within the limits of the Multiannual Financial Framework established by Council Regulation (EU, Euratom) No XX/XX of XX laying down the multiannual financial framework for the years 2014-2020.

*Article 9*

*Implementing measures*

1. The Commission shall implement the Union financial support in accordance with **the Financial Regulation**.
  2. In order to implement the Programme, the Commission shall adopt annual work programmes in the form of implementing acts. Those implementing acts shall be adopted in accordance with the **examination** procedure referred to in Article 10(2).
  3. The annual work programmes shall set out the measures needed for their implementation, the priorities of calls for proposals and all other elements required **by the Financial Regulation. Calls for proposals shall be published on an annual basis.**
- 3a. Appropriate and fair distribution of financial support between different areas covered by this Regulation shall be ensured. When deciding on the allocation of funds to these areas in the annual work programmes, the Commission shall take into consideration the need to maintain sufficient funding levels for both civil justice and criminal justice as well as for judicial training.**
- 3b. The annual work programmes shall establish the minimum percentage of annual expenditure to be awarded to grants.**

- 3bb. In order to facilitate judicial training activities, the costs associated with the participation of judiciary and judicial staff in these activities and incurred by the Member States' authorities shall be taken into account in accordance with the Financial Regulation when providing corresponding funding.**
- 3c. In all its activities the Programme shall seek to promote equality between women and men and to combat discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation.**

*Article 10*

*Committee procedure*

1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

*Article 11*

*Complementarity*

1. The Commission, in cooperation with the Member States, shall ensure overall consistency, complementarity and synergies with other Union instruments, *inter alia*, with the Rights and Citizenship Programme, the Instrument for financial support for police cooperation, crime prevention and the fight against cross-border, serious and organised crime, the Health for Growth Programme, the Erasmus for all Programme, the Horizon 2020 Framework Programme and the Instrument for Pre-accession Assistance.

- 1a. **The Commission shall also ensure overall consistency, complementarity and synergies with the work of the Union bodies, offices, and agencies operating in areas covered by the objectives of the Programme.**
2. The Programme may share resources with other Union instruments, in particular the Rights and Citizenship Programme, in order to implement actions meeting the objectives of both programmes. An action for which funding has been awarded from the Programme may also give rise to the award of funding from the Rights and Citizenship Programme, provided that the funding does not cover the same cost items.

*Article 12*

*Protection of the financial interests of the Union*

1. **The Commission shall take appropriate measures ensuring that, when actions financed under this Programme are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties.**
2. **The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and on the spot, over all grant beneficiaries, contractors and subcontractors who have received Union funds under the Programme.**

3. **The European Anti-Fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections, in accordance with the provisions and procedures laid down in Regulation (EC) No 1073/1999 of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF)<sup>21</sup> and Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities<sup>22</sup> with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or a contract funded under the Programme.**
4. **Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and with international organisations, contracts, grant agreements and grant decisions, resulting from the implementation of this Programme shall contain provisions expressly empowering the Commission, the Court of Auditors and OLAF to conduct such audits and investigations, according to their respective competences.**

*Article 13*

***Monitoring and evaluation***

1. The Commission shall monitor the Programme regularly in order to follow the implementation of actions carried out under it (...) and the achievement of the specific objectives referred to in Article 5. The monitoring **shall** also provide a means of assessing the way in which gender equality and anti-discrimination issues have been addressed across the Programme's actions.(...)

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<sup>21</sup> OJ L 136, 31.5.1999, p. 1.

<sup>22</sup> OJ L 292, 15.11.1996, p. 2.

2. **The Commission shall provide the European Parliament and the Council with:**
  - (a) **an interim evaluation report by mid-2018 at the latest;**
  - (b) **an ex-post evaluation report by the end of 2021.**
3. **The interim evaluation report shall assess the achievement of the Programme's objectives, the efficiency of the use of resources and the Programme's European added value with a view to determining whether funding in areas covered by the Programme should be renewed, modified or suspended after 2020. It shall also address the scope for any simplification of the Programme, its internal and external coherence, as well as the continued relevance of all objectives and actions. It shall take into account the results of the ex-post evaluations of the previous 2007-2013 programmes referred to in Article 14.**
4. **The ex-post evaluation report shall assess the long-term impact of the Programme and the sustainability of the effects of the Programme, with a view to feeding into a decision on a subsequent programme.**

*Article 13 a*

*Indicators*

1. **In accordance with Article 13, *inter alia* the following indicators shall serve as a basis for monitoring and evaluating the extent to which each of the Programme's specific objectives referred to in Article 5 has been achieved through the actions provided for in Article 6. They shall be measured against pre-defined baselines reflecting the situation before implementation. Where relevant, indicators shall be disaggregated by sex, age and disability.**
  - a) **The number and percentage of members of the judiciary and judicial staff in target group reached by training activities funded by the Programme;**

- b) The number and percentage of persons in a target group reached by awareness-raising activities funded by the Programme;**
- c) The number of legal practitioners participating, inter alia, in exchanges or study visits funded by the Programme;**
- d) The number of cases, activities and outputs of cross-border cooperation, including via the use of IT tools and procedures established at Union level;**
- e) Participants' assessment of the activities they participated in and on their (expected) sustainability;**
- f) The improvement in the level of knowledge of Union law and policies in the groups of participants in actions funded by the Programme in comparison with the entire target group;**
- g) Geographical coverage of the activities funded by the Programme.**

**2. In addition to the indicators referred to in paragraph 1, the interim and ex-post evaluation report of the Programme shall also assess, *inter alia*:**

- a) the European perception of access to justice and the perceived impact of the Programme on it;**
- b) the number and quality of instruments and tools developed through actions funded by the Programme;**
- c) the European added value of the Programme, including an evaluation of the Programme's activities in the light of similar initiatives which have been developed at national or European level and not supported by Union funding, and their (expected) results and the advantages and/or disadvantages of Union funding in comparison with national funding for this type of activity;**
- d) the level of funding in relation to the outcomes achieved (efficiency);**



- e) **the possible administrative, organisational and/or structural obstacles to the smoother, more effective and efficient implementation of the Programme (scope for simplification).**

*Article 14*

*Transitional measures*

Actions which are initiated (...) on the basis of Decision 1149/2007/EC **or** Decision 2007/126/JHA (...) shall continue to be governed by the provisions of those Decisions, until their completion. In respect of those actions, reference to the Committees provided for in Article 10 and 11 of Decision 1149/2007/EC **and** in Article 9 of Decision 2007/126/JHA (...) shall be interpreted as references to the Committee provided for in Article 10 of this Regulation.

*Article 15*

*Entry into force*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels,

*For the European Parliament*

*The President*

*For the Council*

*The President*