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signed by Mr Jordi AYET PUIGARNAU, Director

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To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
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evaluation of the implementation of the Justice Programme 2014-2020

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Delegations will find attached document COM(2018) 507 final.

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

**on the interim evaluation of the implementation of the Justice Programme 2014-2020**

{SWD(2018) 356 final} - {SWD(2018) 357 final}

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

## on the interim evaluation of the implementation of the Justice Programme 2014-2020

The Treaty on the Functioning of the European Union 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, in which persons are free to move and can rely on the respect of fundamental rights, as well as of common principles (such as non-discrimination, gender equality, effective access to justice for all, the rule of law and well-functioning independent judicial systems).

These ambitious goals, set by the Treaty, have also been reaffirmed by the European Council in the Stockholm Programme<sup>1</sup>. The achievement of a Europe of law and justice is one of the political priorities of the EU and the 2014-2020 Justice Programme is one of the instruments that contribute achieving this objective.

This report sets out the mid-term results obtained by the Justice Programme and the qualitative and quantitative aspects of the implementation of the Programme, as required by Article 14(2)(b) of Regulation establishing the Justice Programme for the period 2014-2020<sup>2</sup>.

The reference period for the interim evaluation is the first half time of the Programme's implementation from 2014 to mid-2017. The evaluation covered the 2014, 2015 and 2016 Annual Work Programmes. The 2017 Annual Work Programme, on the other hand, has been analysed chiefly in terms of design and structure, but not in terms of execution.

This report is based on the findings of the evaluation prepared by the European Commission<sup>3</sup> and supported by an external evaluation<sup>4</sup>.

## 1. INTRODUCTION AND BACKGROUND

The Justice Programme 2014-2020 was established by Regulation (EU) No 1382/2013 of the European Parliament and Council.

The Regulation sets its **general objective** as being 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

Its **specific objectives** are to:

- facilitate and support judicial cooperation in civil and criminal matters;
- support and promote judicial training of professionals (such as judges, prosecutors, notaries, prison staff and lawyers) on civil and criminal law EU instruments, fundamental rights, judicial ethics and the rule of law, including language training on legal terminology, with a view to fostering a common legal and judicial culture;

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

<sup>2</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 (OJ L 354 of 28.12.2013).

<sup>3</sup> Interim evaluation of the Justice Programme 2014-2020, Ernst & Young Financial-Business Advisors, Final Report, April 2018.

<sup>4</sup> Commission staff working document accompanying the report on the interim evaluation of the implementation of the Justice programme 2014-2020.

- facilitate effective access to justice for all, including to promote and support the rights of victims of crime as well as the procedural rights of suspects and accused persons in criminal proceedings;
- promote initiatives in the field of drug policy as regards judicial cooperation and crime prevention aspects, insofar as this kind of initiatives are not covered by the Internal Security Fund for financial support for police cooperation, preventing and combating crime, and crisis management or by the Health for Growth Programme<sup>5</sup>.

The Programme is implemented by the European Commission via direct centralised management.

**Geographically**, the Programme is open to all EU Member States (the United Kingdom and Denmark don't participate), but also to the European Free Trade Association States that are party to the European Economic Area, candidate countries, potential candidates and countries acceding to the Union, provided that they conclude an agreement with the Union laying down the details of their respective participation in the Programme. Albania joined the Programme as of 2017.

## 2. KEY ELEMENTS AND IMPLEMENTATION OF THE PROGRAMME

According to Article 6 of the Regulation, the Programme **finances a wide range of activities** such as analytical activities, mutual learning, cooperation, awareness raising and dissemination activities, training activities and actions to support the main actors whose activities contribute to the implementation of its specific objectives. The Programme **supports organisations** active in the area of judicial cooperation, judicial training, access to justice and drugs prevention across Europe such as, European networks, public or private organisations that are usually non-profit-oriented, national, regional and local authorities in EU Member States, non-governmental organisations; universities and research institutions as well as international organisations.

In terms of **target groups**, intended as the groups that can benefit, directly (by participating in Justice projects' activities) or indirectly from the implementation of the Programme, potentially all EU citizens are included, since the Justice Programme aims at creating a European Area of Justice where all citizens are aware of and can exercise their rights.

As provided in the Regulation, the Programme uses action grants, operating grants and procurement actions as main funding mechanisms to support actions related with its objectives.

### 2.1. The Programme's specific objectives

- *Specific objective 1: Judicial cooperation*

The Programme supports activities that contribute to the effective and coherent application of the EU acquis relating to judicial cooperation in civil and criminal matters, also by building-up and/or improving data collection and statistics on the application of the EU acquis. Funded activities also contribute to the enforcement of EU instruments and judicial decisions, in particular resulting from cross-border disputes. The Programme also finances projects aiming to improve the exchange of information among professionals in order to enhance the operational cooperation and mutual trust in the EU.

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<sup>5</sup> For more info, see [https://ec.europa.eu/home-affairs/financing/fundings/security-and-safeguarding-liberties/internal-security-fund-police\\_en](https://ec.europa.eu/home-affairs/financing/fundings/security-and-safeguarding-liberties/internal-security-fund-police_en) and [https://ec.europa.eu/health/funding/programme/2014-2020\\_en](https://ec.europa.eu/health/funding/programme/2014-2020_en).

- ***Specific objective 2: Judicial training***

The Programme supports actions which encourage the training of justice professionals on EU law, including language training on legal terminology, with a view to fostering a common legal and judicial culture in the EU. Judicial training can involve “basic” components, such as linguistic skills and terminology, and more specialised aspects, such as seminars on specific aspects of both civil and criminal law, e-learning and exchanges of staff and experience. Activities funded mainly support training of the members of the judiciary and judicial staff, but also other justice practitioners associated with the judiciary, as well as the development of tools for training providers.

- ***Objective 3: Access to justice***

Actions financed in this area aim at providing EU citizens with effective remedies in case of violation of EU law, especially where national procedures are too difficult for citizens to be enabled. In particular, the Programme promotes the use of other types of remedies and non-remedies developed in the EU that can provide a quick, efficient and less costly solution to disputes, as supported, for example, by the e-Justice Portal. It aims also to encourage a close cooperation between national authorities or administrative bodies, which is particularly important for the effectiveness of certain EU rights.

- ***Objective 4: Drugs policy***

In the area of drugs policy, the Justice Programme promotes initiatives that focus on judicial cooperation and crime prevention. The main priorities are to promote practical application of drug-related research, support civil society organisations and key stakeholders and expand the knowledge base and develop innovative methods of addressing the phenomenon of new psychoactive substances.

## 2.2. Budget

The initial total Justice Programme's budget for the period 2014-2020 is **EUR 377 604 000**. The highest commitment rate was met in 2016 (94.60%).

EUR 143 million have been planned in the 2014-2016 Annual Work Programmes. According to available sources, the **total requested and committed EU contribution still not reached the amount planned** (see Table 1). In general, most resources allocated to grants have been committed (with a commitment rate of close to 90%), but the commitment rate for procurement activities was much lower, hovering around 60%-70%.

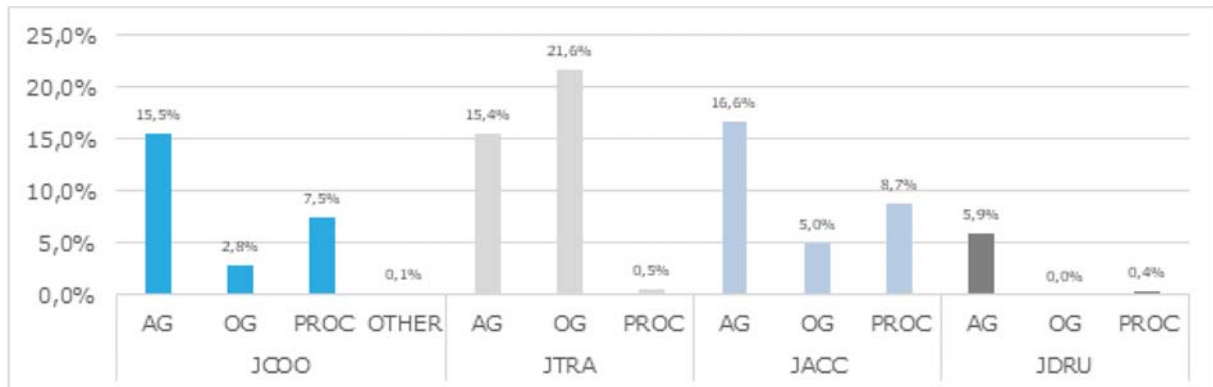
**Table 1: 2014 – 2016 Programme's annual commitment**

Year	Amount committed (EUR)
2014	36 671 240.16
2015	39 675 719.11
2016	47 535 032.81
<b>Total 2014-2016</b>	<b>123 881 992.08</b>

*Sources: Annual monitoring reports (reports on the implementation of the Annual Work Programmes (AWP) and data extracted from Sygma for 2016)*

In particular, the budget committed to grants has been divided between the Programme's specific objectives as shown in Figure 1.

**Figure 1: Budget committed per typology of intervention by specific objective**



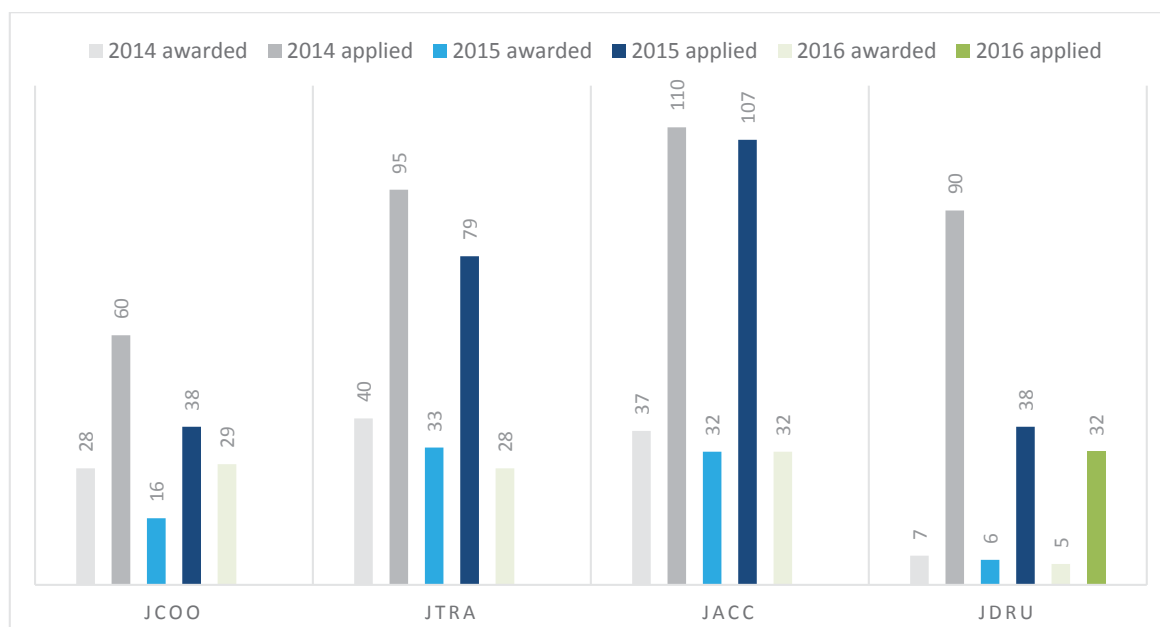
*Source: Annual Working Programme Monitoring Reports for 2014 and 2015, Project database for 2016. AG (action grant), OG (operating grant), PROC (procurement), JCOO (judicial cooperation), JTRA (judicial training), JACC (access to justice), JDRU (drugs policy).*

The specific objectives concerning "drug policy" and "judicial training" are those which are most closely aligned, in terms of committed expenses, to the corresponding Annual Work Programmes and the specific objective concerning "Judicial training" has also achieved the highest commitment rate. The commitment rate of the specific objective on "effective access to justice" was initially relatively low; however the situation has been improving over the years. Finally, the specific objective with the widest gap in terms of planned vs. committed resources was judicial cooperation in civil and criminal matters, due to the high reliance on procurement actions.

### 2.3. Applications received and projects selected

Data for 2014 and 2015, concerning both action grants and operating grants, show that the demand for funding outstripped supply significantly for the initiatives in the field of drugs policy SO (see Figure 2).

**Figure 2: Number of action grants and operating grants awarded and number of applications by specific objective and year (2014, 2015 and 2016)**



Source: Annual reports on the implementation of the 2014 and 2015 AWP, analysis of 2016 awarded projects and Sygma data (no complete data on applicants for 2016 were available). JCOO (judicial cooperation), JTRA (judicial training), JACC (access to justice), JDRU (drugs policy).

On average, by looking at the awarding rate of calls for proposal of years 2014 and 2015, the awarding rate of almost all specific objectives ranged between around 16% and about 47%. However, under the judicial cooperation and judicial training objectives, almost half of the applications submitted were awarded.

A slight decrease in the number of grant applications received (and therefore awarded), was observed for 2015 for almost all the specific objectives. Moreover, for 2016 calls for proposal, a significant drop in applications (almost 51%) was registered: in total, only 127 applications for action grants were received, compared to 262 applications in the 2015 calls. This is partly explained by the rollout of the Participant Portal that, according to the evaluation results, is not adapted to typical Justice Programme applicants (such as training organisations), as the Portal was initially designed with research institutions and voluminous grants in mind<sup>6</sup>. This drop in applications notwithstanding, the number of awarded projects remained, in general, stable across the four specific objectives and even increased significantly in the case of judicial cooperation projects. The drop also led to an increase of the awarding rate<sup>7</sup>.

<sup>6</sup> The Participant Portal is an electronic platform used to manage the applications received for calls published in the framework of the Justice Programme.

<sup>7</sup> To see the list of all projects financed under the Programme and examples of successful projects, see the following links: [http://ec.europa.eu/justice/grants1/closed-calls/index\\_en.htm](http://ec.europa.eu/justice/grants1/closed-calls/index_en.htm) (then select "Results: closed calls" → "selected projects" → "award decisions" and "summaries") and <https://ec.europa.eu/research/participants/portal/desktop/en/opportunities/index.html> (then select "Justice



## 2.4. Main achievements of the Programme

The introduction of a system of indicators for the current Justice Programme has proved to be adequate for measuring the achievements of the Programme.

The "Judicial training" related indicator is measured through 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 Programme. "Judicial cooperation in civil and criminal matters"-related indicators focus on the streamlined application of European-level instruments in criminal law (average time of the surrender procedure under the European Arrest Warrant) and the use of IT systems (number of exchanges of information in the European Criminal Records Information System<sup>8</sup>). "Access to justice"-related indicators are likewise focused on the role of IT systems (number of hits on the E-Justice portal<sup>9</sup>), as well as on the issue of victims' rights (number of Victim Support Organisations per Member States). Finally, the "drugs policy" indicators focus on the number of new psychoactive substances researched and the number of opioid users in drug treatment.

**Concerning the attainment of the general objective of the Programme** (namely "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"), **the main indicator** (i.e. the percentage of legal practitioners trained, not only through this Programme, on EU law or law of another Member States, including civil justice, criminal justice and fundamental rights) **has shown constantly significant progress towards the achievements of its target** (i.e. 700 000 legal practitioners trained by 2020). Indeed, the number of legal practitioners trained has constantly increased between 2013 and 2016 and the 2020 target was almost reached already in 2017.

Moreover, also the main indicator used to measure the achieving of the specific objective on judicial training (i.e. 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 Programme) has shown relevant progress and the goal of training 20 000 practitioners (for the whole Commission) by 2020 has been already achieved in 2015. In this regard, the Justice Programme has provided the single greatest contribution to achieving the training targets set for 2020. The number of judicial staff trained yearly in the Justice Programme stands at about 14 000 as of 2016 (2017 data as of yet not available).

All these achievements reflect the judicial training priority of the Programme.

**Concerning the specific objectives of the Programme**, in general, **the indicators adequately reflect the priorities** for each specific objective **and are measurable with respect to their baseline**. Moreover, **the evaluation carried out has shown significant progress on several fronts**, since a number of targets are close to being achieved.

More specifically, important achievements can be observed regarding the specific objective "judicial cooperation in civil and criminal matters", where the 2020 target (i.e. the number of exchanges of information in the European Criminal Records Information System), is likely that will be reached. Also concerning the specific objective "access to justice", the 2020 target

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Programme"). Moreover, see the Annex 4 of the Interim report (ibid) to see 4 case studies of projects connected to each specific objective of the Justice Programme.

<sup>8</sup> The European Criminal Records Information System is a database established to improve the exchange of information on criminal records throughout the EU. All EU Member States are currently connected to this system.

<sup>9</sup> The e-Justice Portal provides information on justice systems and improves and facilitates the access to justice throughout the EU, in 23 languages. More info available at the following link: <https://e-justice.europa.eu/home>.



(i.e. the number of hits on the e-justice portal and the number of Victim Support Organisations with national coverage) has already exceeded the stated goals.

**However, sometimes the selected indicators are difficult to measure** because, for example, they are influenced by exogenous factors (such as the different degree of incorporation of EU directives at national level, different national political priorities and emergencies, macroeconomics conditions etc.) and, therefore, it is difficult to estimate the exact contribution of the Programme to their realization.

**There is still room for further improvements** also due to a lack of adequate tools (e.g. there is no satisfaction survey to help gauge the perception of participants that took part in training activities). Moreover, some indicators, concerning for instance the geographical coverage of the Programme, do not capture certain underlying dynamics, such as the fact that the Programme, so far, has been dominated by beneficiaries from a small number of Member States.

## 2.5. Participants and partnerships

The data collected in the interim evaluation suggest that **the Programme is successful in attracting more transnational partnerships** and that this is one of the key vectors through which the area of justice in Europe is supported.

According to beneficiaries, **partnerships developed through operating grants and action grants under the Justice Programme have had beneficial effects on the capabilities of their respective organisations**, especially on their capacity to ensure the sustainability of results and to implement the projects. Through operating grants, the Programme funds mainly European networks active in the areas of facilitating and supporting judicial cooperation in civil and/or criminal matters and access to justice that have signed Framework Partnership Agreements with the Commission.

**A number of organisations participating in the Justice Programme are also active in the Rights, Equality and Citizenship Programme.** It thus appears that the Justice Programme has facilitated the growth of durable European networks in the area of justice policy and that structured networks of collaborations exist also in relation to other EU funding programmes.

**However, it emerged that the Justice Programme did not involve all the Member States in a homogeneous way.** Indeed, about 25% of all beneficiaries come from either Italy or Belgium and about half of the partner organisations come from five countries. The remaining 50% are organisations from the remaining 21 Member States. This entails an **uneven distribution of Programme resources**, especially in relation to organisations in Central and Eastern European Member States.

## 3. WHAT HAS THE JUSTICE PROGRAMME ACHIEVED?

As demonstrated by the evaluation, the Justice Programme is performing generally well at mid-term with regard to its specific objectives, in terms of effectiveness, efficiency, relevance, coherence, complementarity, and synergies and EU added value. Improvements are needed, in particular, regarding its equity.

### 3.1. Effectiveness<sup>10</sup>

The analysis of indicators has shown that significant progress has been achieved on several fronts since some targets are close to being achieved and others have already been achieved. Therefore, **the Justice Programme contributes positively to the general objective of the Programme through the progress under its specific objectives.**

**The Programme-specific indicators are adequate to monitor progress towards the objectives of the Programme, but sometimes they are difficult to measure or need some improvements.**

**Overall, the 2014-2020 Justice Programme is broadly perceived by applicants, beneficiaries and stakeholders as an improvement compared to the three predecessor programmes** (namely the Civil justice programme, the Criminal justice programme and the Drug prevention and information programme), both in terms of better policy targeting and better involvement of the right stakeholder groups.

Given the wide scope of the general objective of the Programme, a large number of external factors influenced its effectiveness, such as the migration crisis (concerning, in particular, the specific objective on “access to justice”) and, in general, the uneven pace at which Member States transpose and enforce the *EU acquis*. This, however, did not undermine its intervention logic and its **operational flexibility**: the annual work programmes can be easily adapted to emerging needs in the area of justice (see more under “Relevance”).

Finally, compared to the 2007-2013 period, **the sustainability of projects (with their results and outputs) beyond the end of their life-cycle has become an increasingly important factor** to consider in the evaluation process. However, projects focused on creating tools/outputs might have a more difficult sustainability landscape since, in these cases, sustainability depends on whether the organisations that implemented the projects can receive sufficient resources to maintain the tools once the EU funding is over.

### 3.2. Efficiency<sup>11</sup>

**The Justice Programme has been cost-effective relative to the actions it has funded so far.** Indeed, the results of the evaluation have shown that the beneficiaries’ perception of the efficiency of the Programme is positive. This is true for the Programme as a whole, but, in particular, **for the specific objective on judicial training.**

A key achievement of the Programme, compared to its predecessors, has been the **lower burden on beneficiaries in terms of time and financial resources.** Nevertheless, there is still room for improvement in terms of easing requirements and obligations to make the Programme even more efficient in its implementation (see more under “Scope for simplification”).

According to beneficiaries, **the current instruments (action grants, operating grants and procurement activities) are adequate for the needs of the Programme** and, therefore, using alternative and innovative funding instruments is not necessary. However, the efficiency of their implementation should continue to be improved, notably with regard to procurement actions, to ensure that the allocated funding is indeed used.

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<sup>10</sup> **Effectiveness**: whether and to what extent the Justice Programme has achieved its general objective, as well as its four specific objectives, and which are the factors that have contributed to these achievements.

<sup>11</sup> **Efficiency**: whether and to what extent the costs of the Programme were proportionate given the benefits achieved and which parameters/factors participated in these results.

### 3.3. Relevance<sup>12</sup>

**According to all interviewed beneficiaries, the Programme is highly relevant to address the needs of selected target groups.** Indeed, one of the key features of the Programme has been its ability to adapt and modify the priorities in light of emerging needs. For instance, following a string of terrorist attacks in Europe, two calls were issued to combat the radicalisation of inmates in prison. This can be achieved thanks to the unique structure of the Justice Programme, as the Programme has been devised with broad specific objectives, due to the fact that it has aggregated the three programmes from the previous programming period. The general and specific objectives allowed the Commission to adapt the Programme to evolving needs within the EU, especially in terms of the judicial cooperation. **However, the specific objective concerning the initiatives in the field of drug policies is sometimes difficult to reconcile with other Programme priorities,** such as judicial cooperation and access to justice, as drug-related prevention policies tend to be broader in scope.

In general, however, the **needs identified at the time of the Programme's adoption are still actual and relevant,** in particular the general objective of further developing a European Area of Justice based on mutual recognition and mutual trust.

With respect to stakeholder needs, there is still scope to further increase the relevance of the Programme through systematic analyses per main stakeholder type, as well as per specific objective and Member States, so as to ensure that priorities related to each specific objective for each call, as set out in the annual work programmes, are in line with the current key needs of the stakeholders. Moreover, the Programme could include additional target groups that are relevant to the achievement of its general objective. These groups include staff in regulatory agencies, young judicial professionals and students and judicial professionals in candidate countries and countries within the scope of the European Neighbourhood policy. This is however currently not possible under the legal basis of the Justice Programme.

### 3.4. Coherence, Complementarity, Synergies<sup>13</sup>

**The Programme presents a good level of coherence and complementarity with other EU instruments, programmes and actions** (for instance, there is a very high coherence with the European Agenda for Justice 2020<sup>14</sup>) **and the risk of duplications or incoherence is very low.** Especially in the case of judicial training, the merging of the predecessor programmes has increased the coherence with other EU initiatives and among different training objectives and reduced the possibility of duplications, both in scope and in funding. A strong coherence and complementarity in the access to justice specific objective exist with Connecting Europe Facility Telecommunications Programme that also contributed to the development of e-Justice Portal and e-Codex.

Some exceptional overlaps in terms of objectives, target groups and actions still exist as a natural consequence of the broad objectives and target groups covered by the Programme, ranging from judicial cooperation in civil and criminal matters (thus essentially the full

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<sup>12</sup> **Relevance:** whether and to what extent the Justice Programme addresses needs and problems of the target groups identified in the 2011 Impact Assessment and in the legal basis of the Programme (as well as emergent needs related to the creation of a European Area of Justice) and whether its objectives are still relevant for the needs and problems of the beneficiaries.

<sup>13</sup> **Coherence/Complementarity/Synergies:** whether and to what extent the Programme is coherent with other interventions at the EU and international level, such as with the predecessor EU programmes in the field, with activities supported by other Union instruments and, in general, with the European priorities in the fields covered by the Programme.

<sup>14</sup> The objectives and addressed areas of the European Agenda for Justice for 2020 are very much in line with the Justice Programme, especially in the area of judicial cooperation, even if the Agenda prioritises areas such as terrorism and cybercrime that are less present under the Justice Programme.

spectrum of judicial activity) to drug policy and judicial training, as well as since it targets all EU citizens.

In any case, there is still potential for strengthening the synergies with other EU funding programmes and initiatives. This is the case, for instance, of the drugs policy area, where the coordination with the Health for Growth Programme could be increased.

According to interviewed stakeholders, **the coherence with national policies and initiatives with similar objectives and/or targeting the same areas is high. The Programme fills the gaps left by national actions**, while existing national projects and initiatives complement the Programme rather than being in contrast with it or a mere duplication. Indeed, when both the Justice Programme and national initiatives have the same (or similar) objectives and target groups, there are always differences between them, in terms of size of geographical scope (with enlarged scope in terms of target groups), available resources and number of projects funded.

**The Justice Programme is coherent also with international obligations**, such as the UN 2030 Sustainable Development Agenda. Indeed, some general principles of the UN agenda can be linked to objectives and areas targeted by the Justice Programme. This is the case of the UN objective of ensuring peace and security, to be achieved through just and inclusive societies that provide equal access to justice, effective rule of law, as well as transparent and effective judicial institutions. All these elements can be found as integrative parts of the Justice Programme, both in terms of access to justice and judicial training. Moreover, the EU is party to The Hague Conference on Private International Law and pursues its international action in relation to civil justice mainly through this international organisation.

### 3.5. EU added value<sup>15</sup>

**All evidence collected confirms the high added value of the Programme intervention**, which is considered *de facto* instrumental for a good and effective achievement of objectives in the area of justice.

The results of the evaluation show that the survey respondents agree in saying that not only the funded activities would have not been possible without the EU intervention, but also confirmed that the same results would have not been achieved with Member States intervention only, in terms of creation of partnerships, realisation of outputs, funding of innovative actions, sustainability of results, and, especially, implementation of projects of transnational size and scale. Indeed, the EU added value of the Justice Programme is evident, above all, in the promotion of transnational projects with a European dimension to tackle cross-border issues and in the provision of financial resources to fund activities in key areas that are not necessarily high on the agenda of Member States due to lack of political will (according to stakeholders, this is particularly true for the specific objective on access to justice).

According to beneficiaries interviewed, the Programme can influence and align, at least to a moderate extent, national actions in the targeted areas.

The Programme makes also beneficiaries able to work with partners in other Member States, a possibility that increased their knowledge and understanding of the issues covered by the Programme, widened their approach and range of skills, and provided them with access to good practice examples and tools developed in other Member States. As already mentioned

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<sup>15</sup> **EU added-value:** to what extent the effects from the EU action are additional to the value that would have resulted from action at the national level only.

above, partnerships are a key element for the success of the Justice Programme and are present in the majority of projects.

The lack of national funding is one of the main reasons why the Programmes' funded activities would not have been possible through single Member States action. This is particularly true for the initiatives in the field of drug policies, where national initiatives are often missing a crucial transnational dimension that is pivotal in this field, and for EU-level judicial training that, usually, is not provided at national level. Moreover, the Justice Programme ensures the continued existence of European networks such as the European Judicial Training Network.

The perceived importance of the Programme can be explained also by the high number of projects awarded after just three years, compared to the three predecessor programmes<sup>16</sup> and the increase in the number of yearly applications received from potential beneficiaries indicates that the Programme remains a key source of funding across the EU.

Moreover, **judicial training figures more prominently** in the intervention logic of the Justice Programme, compared to the predecessor programmes. This is an important step forward for the EU added value of the Programme since judicial training is central to build mutual trust, improve cooperation between judicial authorities and practitioners in the Member States and increase the coherence in the application of the EU legislation.

The results of the evaluation show that the **issues and areas addressed by the Justice Programme would require further action and involvement at EU level**. Indeed, the demand of EU action in these fields and the fact that the number of applications to the Programme are still higher than the number of awarded grants demonstrate a clear interest in the priorities addressed by the Programme.

### 3.6. Equity<sup>17</sup>

**The promotion of the cross-cutting priorities of gender equality, rights of child and rights of people with disabilities is highly significant for the Justice Programme and it's enshrined in its legal basis.** In particular, the principles of gender and child rights mainstreaming are evaluated during the evaluation process under the quality of proposals. The issue of gender mainstreaming is specifically mentioned in the "part B" of the application form. However, the evaluation showed that, in terms of projects developed, gender issues and equality are hardly a major theme in most of them. Reference to women and gender equality are nonetheless found in five-six projects, which, still not focusing directly on the matter, take into account such element in their implementation.

The Justice Programme supports the rights of the child both in the programming phase (design of the calls for proposals) and by means of the activities of projects selected for funding. The respect of the rights of the child is therefore enhanced by the fact that organisations applying for funding (and any of their partners), which will work directly with children during the project implementation, must provide the Commission with a description of their child protection policy. Moreover, calls for proposals funded under the Justice Programme contain topics that are relevant to the subject. The results of the evaluation show that the majority of respondents agree to further mainstream and promote the rights of the child in the Programme.

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<sup>16</sup> The Civil Justice Programme, the Criminal Justice Programme and the Drug Prevention and Information Programme awarded 806 projects over seven years (2007-2013). The Justice Programme awarded 418 just in the three-year period 2014-2016.

<sup>17</sup> **Equity:** whether and to what extent the Justice Programme has distributed the available resources fairly among beneficiaries in different Member States, took into consideration the needs of target groups, promoted gender mainstreaming, the rights of the child and the rights of people with disabilities.



Concerning the priority of rights of people with disabilities, it seems more in the background compared to the previous two. Indeed, among the projects funded, only one directly targeted at people with disabilities, under the specific objective access to justice<sup>18</sup>. In terms of the need to further promote the rights of people with disability in the Programme, stakeholders have quite heterogeneous opinions, but all categories tend to think there is at least a “moderate” need to do it.

To understand how the Programme promotes equity through the funded activities, participants' data broken down by sex, disability status or age, as required by the Regulation, shall be collected. This is however not yet done.

Finally, as already mentioned, in the future, the Programme should try to distribute its resources in a more balanced manner across the different target groups of beneficiaries and Member States.

### 3.7. Scope for simplification<sup>19</sup>

**The evaluation did not identify clear scope for further simplifications concerning the management mode of the Programme.** The current direct management mode appears adequate given the size of the Programme.

However, notwithstanding the improvements made with the current Programme, both Commission officials and beneficiaries interviewed expressed critical opinions on the implementation process, with specific regard to budget management and reporting duties. Among the reasons provided, beneficiaries indicate that the financial reporting is too detailed and inflexible when compared to the ones applied within other EU Programmes (e.g. Horizon 2020 and Erasmus+).

In terms of administrative burden, nearly 70% of beneficiaries and applicants perceived as still burdensome the proposal drafting, the provisions of necessary administrative and financial information to participate in the calls and the monitoring and reporting requirements. In general, beneficiaries agreed that the application and reporting procedures were complex and long, but recognised that it was probably hard to simplify them further, given the need to ensure accountability of European financial resources.

According to beneficiaries, the duration of projects financed by the Programme could be extended, especially with regards to action grants. In particular, an extension to three years was considered ideal, as it would be a timeframe that is aligned with the average duration of scientific partnerships between higher education institutions. Moreover, beneficiaries mentioned that also operating grants could be extended to cover at least two years (instead of one) in order to reduce the administrative burden, in terms of application and reporting. However, the annual operating grants allow the Commission to have oversight of the activities of the funded organisations and allow for more flexibility to adapt the work of beneficiaries to the emerging needs in their respective fields of expertise.

Another key issue, according to small civil society organisations, is the difficulty to find the co-financing amounts required; therefore, small non-governmental organisations could be more supported by the Justice Programme<sup>20</sup>.

Even if, at first, the rollout of the new Participant Portal created some difficulties, currently stakeholders consider the submission of proposals via the Participant Portal an improvement,

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<sup>18</sup> Project “Enhancing Procedural Rights of Persons with Intellectual and/or Psychiatric Impairments in Criminal Proceedings: Exploring the Need for Actions”.

<sup>19</sup> **Scope for simplification:** whether and to what extent the management of the Justice Programme could be further simplified.

<sup>20</sup> It is to be noticed that the average amount of grants has been increased to the current level following the ex-post evaluation of the predecessor programmes that, as already said above, found that the dilution of funds amongst many small-scale projects had had limited impact and EU dimension.

compared to the previous IT system, since the number of documents required for the eligibility check has decreased and, therefore, also the related administrative burden. In addition, once registered, these documents will not be required any more, only in case of changes. However, since the Participant Portal has been designed with research institutions and voluminous grants in mind, in its current form, the Portal appears ill-adapted to typical Justice Programme applicants. There is, therefore, scope for some improvements in this regard.

Finally, monitoring requirements and indicators, both at Programme and project level, could be simplified and streamlined.

#### **4. CONCLUSIONS AND WAY FORWARD**

The **crucial role played by the Justice Programme** in the development of a European area of justice based on mutual recognition and mutual trust was especially important at the start of the Programme itself, where the effects of the economic crisis could still be felt in many Member States.

This report on the interim evaluation of the 2014-2020 Justice Programme confirms the relevance of the Programme in contributing to upholding EU values (such as the rule of law, the independence of the judiciary and the effectiveness of the justice) and in supporting Member States to achieve more effective justice systems. Since its very beginning, the Programme has shown its potential in fostering the acquisition of durable legal knowledge and competencies in the Member States.

The Programme's current structure appears to be adequate and sufficiently flexible to achieve its general and specific objectives. In these years it has demonstrated its high EU added value both in its positive impact on participants and target groups and in its role as a complement to other EU funding instruments and policy initiatives.

In the framework of the preparation of the future EU budget and funding programmes, the Commission based on the findings of the mid-term evaluation will address all aspects that have been identified for improvement, in particular the increase of the Programme's basin of potential recipients of the actions, the revision of the monitoring indicators, the achievement of a more geographic balance among the beneficiaries and the strengthening of synergies with other relevant EU funding programmes and initiatives.