



Council of the  
European Union

Brussels, 3 July 2018  
(OR. en)

10768/18  
ADD 2

JAI 730  
FREMP 118  
DROIPEN 101  
COPEN 239

#### COVER NOTE

---

From: Secretary-General of the European Commission,  
signed by Mr Jordi AYET PUIGARNAU, Director

date of receipt: 29 June 2018

To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of  
the European Union

---

No. Cion doc.: SWD(2018) 357 final

---

Subject: COMMISSION STAFF WORKING DOCUMENT EXECUTIVE SUMMARY  
OF THE EVALUATION Accompanying the document 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

---

Delegations will find attached document SWD(2018) 357 final.

---

Encl.: SWD(2018) 357 final



Brussels, 29.6.2018  
SWD(2018) 357 final

**COMMISSION STAFF WORKING DOCUMENT**

**EXECUTIVE SUMMARY OF THE EVALUATION**

*Accompanying the document*

**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**

{COM(2018) 507 final} - {SWD(2018) 356 final}

The report and the staff working document (accompanying the report) represent the results of the interim evaluation of the first half time implementation of the Justice Programme (from 2014 to mid-2017). The Justice Programme was designed to overcome the obstacles in the functioning of an effective European Area of Justice and to encourage national judicial systems to have faith in each other's standards of fairness and justice.

Its general objective is to contribute to the further development of a European Area of Justice based on mutual recognition and mutual trust. The Programme is further broken down into four specific objectives, namely: 1. The support to judicial cooperation in civil and criminal matters; 2. The promotion of judicial training; 3. The support to an effective access to justice for all; 4. The promotion of initiatives in the field of drug policy.

The evaluation carried out assessed the Programme's current progress towards its objectives. The findings will contribute to the last work programmes for 2019-2020 and will also inform the design of the Programme for the post-2020 funding period.

The interim evaluation illustrated that the Justice Programme is performing generally well at midterm with regard to its specific objectives. In particular, in terms of:

- **Effectiveness**

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 do not capture certain underlying dynamics.

**Overall, the 2014-2020 Justice Programme is broadly perceived by applicants, beneficiaries and stakeholders as an improvement compared to the three predecessor programmes,** both in terms of better policy targeting and better involvement of the right stakeholder groups. The merging of predecessor programmes has been particularly effective in the field of European judicial training since this has reduced the overlaps and enhanced the capacity of training providers.

Given the wide scope of the general objective of the Programme, a large number of external factors influenced its effectiveness. 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.

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.

- **Relevance**

**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. This can be

achieved thanks to the unique structure of the Justice Programme, as the Programme has been devised with broad specific objectives.

**The specific objective concerning the initiatives in the field of drug policies is sometimes difficult to reconcile with other Programme priorities.** In general, however, the **needs identified at the time of the Programme's adoption are still actual and relevant.**

With respect to stakeholder needs, there is still scope to further increase the relevance of the Programme so as to ensure that priorities related to each specific objective 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. This is however currently not possible under the legal basis of the Justice Programme.

#### ▪ **Efficiency**

**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.

#### ▪ **Coherence, Complementarity, Synergies**

**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) **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. 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.

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.

**The Justice Programme is coherent also with international obligations,** such as the UN 2030 Sustainable Development Agenda. 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.

- **EU added value**

**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. 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 or to lack of national funding. Moreover, the Justice Programme ensures the continued existence of European networks, such as the European Judicial Training Network.

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.

- **Equity**

**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. However, the evaluation showed that, in terms of projects developed, gender issues and equality are hardly a major theme in most of them.

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 further enhanced by the fact that organisations applying for funding, 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.

Concerning the priority of rights of people with disabilities, it seems more in the background compared to the previous two.

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, 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.

- **Scope for simplification**

**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. According to beneficiaries, the duration of projects financed by the Programme could be extended, especially with regards to action grants. 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. Another key issue, according to small civil society organisations, is the difficulty to find the co-financing amounts required.

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, 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. However, in its current form, the Portal appears ill-adapted to typical Justice Programme applicants and 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.