General Programme "Fundamental rights and justice": specific programme "Civil Justice", 2007-2013

2005/0040(COD) - 15/06/2011 - Follow-up document

In accordance with Decision No 1149/2007/EC which establishes for the period 2007-2013 the Specific Programme **'Civil Justice'**, the Commission presents an interim evaluation report on the results obtained and the qualitative and quantitative aspects of the implementation of the Programme. The report describes progress on the programme since its adoption in September 2007 and summarises its main achievements.

The Commission notes that the programme started up little more than three years ago and few of the initiatives financed have been completed. **It is thus still too early to make an in-depth analysis of the programme's impact and results**. However, the projects financed, both those undertaken at the initiative of the Commission and specific projects, are contributing to the fulfilment of the programme's objectives and, more generally, respond to the Commission's desire to promote knowledge of European law in the field of civil justice and its correct implementation. Major Commission initiatives already under way (the Judicial Atlas, database, information campaigns, conferences and studies) are designed to keep legal professionals, and even the general public, informed about recent developments in European civil law in various complementary ways. Particular emphasis is laid on practical and relevant information that can be accessed using new communication technologies.

The possibility of cofinancing the work programmes of NGOs did not attract many offers in the first three years (19), of which only a few were selected (six different organisations were selected in the first three years, one three times and another twice).

There is no doubt about the relevance of the objectives of the Civil Justice Programme, which extends the impact of the legislative work of the Commission and sometimes provides inputs upstream. Like previous programmes, the Civil Justice Programme plays an important role in supporting European justice policy. The activities financed with quite modest grants help civil society organisations and Member States to make an effective contribution to the formulation and smooth implementation of European law.

In addition, the programme is efficiently managed, despite the limited human resources, as the Commission's partners generally agree.

Recommendations: there are still some improvements to make the programme even more effective, however.

Making the programme more attractive: while the quality of the projects financed appears indisputable, it must be admitted that not many proposals are received and their geographic spread is not very wide. Whilst organisations of 19 of the 26 Member States participating in the programme (Denmark does not take part) have submitted proposals for specific projects and had at least one proposal selected, organisations of just five countries (Germany, Italy, Spain, Belgium and France) accounted for a little over two thirds of the proposals received since 2007 and of the selected projects. The Commission has received just over 150 proposals in four years whereas it was expecting between 100 and 150 in the first year (this figure, given in the work programmes under the heading 'expected results', was revised downwards after three years).

There are various explanations for this, the main ones being:

- the very technical nature of the topics covered by the programme (much more technical than Daphne III, Fundamental Rights and Justice or even Criminal Justice), which means that only the 'initiated' submit proposals;
- small organisations have difficulty in finding partners and their own sources of cofinancing;
- the programme is little known outside the inner circle of 'clients';
- potential candidates' fear of complex procedures.

While the first of these difficulties is intrinsic to the very nature of the programme, it is possible to deal with the three others by doing two things:

- better publicising the programme, particularly through presentations in the Member States to reach more grassroots organisations and tell them how to apply, how to design a good project and how to find partners. The Commission works in partnership with the national authorities concerned, which are responsible for bringing together the relevant associations. Visits of this type to several Member States since 2008 have raised participation from these States;
- simplifying procedures: desired by all stakeholders, simplification is an exercise that must unite the requirements of transparency, sound financial management and equal treatment of partners. Current procedures lead to unacceptably long delays between the publication of calls for proposals and the start-up of projects. They are caused by a plethora of administrative steps that are disproportionate to the amounts involved (deadline for submitting proposals, internal procedures of the Commission, discussions on budgets with the recipients, committee procedures, etc.);

Better defined priorities that are more in line with the Commission's policy priorities: the setting of priorities should focus more on political activities and promote projects that meet these priorities. More attention should be paid to the dissemination of project results in order to ensure better visibility of both the results and the programme as a whole.

More European added value: financing should be concentrated on projects that have a real European dimension and offer the most significant European added value. To achieve this objective we should finance larger projects. To do this the necessary provisions should be incorporated in the annual work programmes and the next basic decision. The Commission's proposed basic decision for the current programme required the participation of at least three States, while the final text provides for no more than two (and even 'national' projects may be accepted under the Criminal Justice programme).

Operating grants: the operating grants component of the programme has so far produced disappointing results. As not enough of the funds earmarked for such actions were committed (approximately 30%, 50% and 60% of the funds available during the first three years of the programme), the Commission radically cut the indicative allocation from 2011 on (down to EUR 150 000 instead of EUR 500 000). This may be attributable to declining enthusiasm for this type of grant, but another reason is the fact that most of the proposals received tend to be closer to specific projects than annual work programmes. In addition, the European dimension is very difficult to identify in this type of activity (except for the true European networks which were the main target of the Commission's proposal). Given the workload created by the publication of an annual call for proposals for operating grants and the results obtained, the Commission should consider discontinuing this in 2014.

Links between the programmes: various ways of reforming the programme may be considered with an eye to the next financial programming period starting in 2014, including a merger with the twin Criminal Justice programme. The programmes were kept separate in 2007 because of their different legal bases, which called for different adoption procedures, but this is no longer the case since the entry into force of the Lisbon Treaty. Accordingly, the Commission might consider proposing a 'Justice' programme bringing together the current Civil and Criminal Justice programmes.