Justice Programme 2014-2020

2011/0369(COD) - 17/12/2013 - Final act

PURPOSE: to establish for the period 2014-2020 the **Justice Programme** following on from the Civil Justice, Criminal Justice, Drug Prevention and Information Programmes from 2007-2013.

LEGISLATIVE ACT: Regulation (EU) No 1382/2013 of the European Parliament and of the Council establishing a Justice Programme for the period 2014 to 2020.

CONTENT: this Regulation establishes a Justice programme covering the period from 1 January 2014 to 31 December 2020.

European added value: the Programme shall finance actions with European added value which contribute to the further development of a European area of justice. To that end, the Commission shall ensure that the actions selected for funding are intended to produce results with European added value.

The 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, and to wide public awareness about the rights deriving from it, their transnational impact, their contribution to the elaboration and dissemination of best practices or their potential to contribute to the creation of minimum standards, practical tools and solutions that address cross-border or Union-wide challenges.

General objective: the general objective of the Programme shall be 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.

Specific objectives: the Programme shall have the following specific objectives:

- to facilitate and support judicial cooperation in civil and criminal matters;
- to **support and promote judicial training**, including language training on legal terminology, with a view to fostering a common legal and judicial culture;
- to facilitate effective access to justice for all, including to promote and support the rights of victims of crime, while respecting the rights of the defence;
- to **support initiatives in the field of drugs policy** as regards judicial cooperation and crime prevention aspects closely linked to the general objective of the Programme, in so far as they 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.

The specific objectives shall be pursued through, in particular:

- enhancing public awareness and knowledge of Union law and policies;
- with a view to ensuring efficient judicial cooperation in civil and criminal matters, improving knowledge of Union law, including substantive and procedural law, of judicial cooperation instruments and of the relevant case-law of the Court of Justice of the European Union, and of comparative law;
- supporting the effective, comprehensive and consistent implementation and application of Union instruments in the Member States and the monitoring and evaluation thereof;

- promoting cross-border cooperation, improving mutual knowledge and understanding of the civil and criminal law and the legal and judicial systems of the Member States and enhancing mutual trust;
- improving knowledge and understanding of potential obstacles to the smooth functioning of a European area of justice;
- improving the efficiency of judicial systems and their cooperation by means of information and communication technology, including the cross-border interoperability of systems and applications.

The Regulation details the type of actions to be financed to respond to these specific objectives (such as the collection of data and statistics; training activities; mutual learning; support for main actors whose activities contribute to the implementation of the objectives of the Programme, such as support for NGOs in the implementation of actions with European added value).

In order to ensure an inclusive perspective, beneficiaries shall encourage the participation of relevant target groups in actions financed by the Programme.

The **European Judicial Training Network** shall receive an operating grant to co-finance expenditure associated with its permanent work programme.

Mainstreaming: in the implementation of all of its actions, the Programme shall seek to promote equality between women and men and to promote the rights of the child, inter alia by means of **child- friendly justice**. It shall also comply with the prohibition of discrimination based on any of the grounds listed in Article 21 of the Charter.

Access to the Programme: access to the Programme shall be open to all bodies and entities legally established in the EU and EFTA countries, candidate countries, potential candidates and countries acceding to the Union, in accordance with the general principles and the general terms and conditions laid down in the Regulation. Bodies and entities which are profit-oriented shall have access to the Programme only in conjunction with non-profit or public organisations.

Financial envelope: in accordance with the overall agreement on the financial framework, the financial envelope for the implementation of the Programme for the period 2014 to 2020 is set at **EUR 377 604 000**.

This shall be divided in line with the Annex of the Regulation:

- to facilitate and support judicial cooperation in civil and criminal matters 30% of budget;
- to support and promote judicial training, including language training on legal terminology 35%;
- to facilitate effective access to justice for all 30%;
- to support initiatives in the field of drugs policy 5%.

The Commission shall not depart from the allocated percentages by more than five percentage points for each group of specific objectives. Should it prove necessary to exceed that limit, the Commission shall be empowered to adopt delegated acts to modify each of the figures.

Work programme: the annual work programme shall determine:

- the actions to be undertaken, including the indicative allocation of financial resources;
- the essential eligibility, selection and award criteria to be used to select the proposals which are to receive financial contributions;
- the minimum percentage of annual expenditure to be allocated to grants.

Appropriate and fair distribution of financial support between different areas covered by the programme shall be ensured.

Complementarity: the Commission, in cooperation with the Member States, shall ensure overall consistency, complementarity and synergies with other Union instruments including, inter alia, the Rights, Equality and Citizenship Programme, the Instrument for financial support for police cooperation, preventing and combating crime, and crisis management, as part of the Internal Security Fund, the Health for Growth Programme, the Erasmus+ Programme, the Horizon 2020 Framework Programme and the Instrument for Pre-accession Assistance (IPA II).

Monitoring and evaluation of the Programme: the Commission shall monitor the Programme annually. It shall also provide:

- an interim evaluation report by 30 June 2018;
- an ex-post evaluation report by 31 December 2021.

The evaluations shall also assess the way in which gender equality and non-discrimination issues have been addressed across the Programme's actions.

Performance indicators were also added to better evaluate the effectiveness of the Programme. In addition to the indicators, the evaluation reports shall assess the perceived impact of the Programme on access to justice, as well as the **European added value** of the actions and the level of finance involved in relation to results achieved (in terms of effectiveness).

ENTRY INTO FORCE: 29.12.2013.

DELEGATED ACTS: in order to ensure that the Programme is sufficiently flexible to respond to changing needs and corresponding policy priorities throughout its duration, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission concerning modification of the percentages set out in the Annex to this Regulation for each group of specific objectives that would exceed those percentages by more than 5 percentage points. To assess the need for such a delegated act, those percentages should be calculated on the basis of the financial envelope of the Programme for its **entire duration**, and not on the basis of annual appropriations.

The European Parliament or Council may raise objections to a delegated act within two months from the date of notification (which may be extended by two months). If Parliament or Council raise objections, the delegated act will not enter into force.