

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

2005/0039(CNS) - 07/03/2017 - Follow-up document

This report to the European Parliament and the Council covers the *ex-post* evaluation of the Criminal Justice Programme (2007-2013).

This evaluation was carried out by an independent external evaluator assisted by Commission staff.

The main elements evaluated are:

- relevance;
- coherence and complementarity;
- effectiveness;
- sustainability and transfer potential;
- efficiency and scope for simplification;
- European added value.

As a reminder, the program pursues five general objectives:

1. to promote judicial cooperation in order to contribute to the creation of a genuine European area of justice in criminal matters based on mutual recognition and confidence;
2. to promote the compatibility of rules applicable in the Member States as may be necessary to improve judicial cooperation;
3. to promote a reduction in existing legal obstacles to the proper functioning of judicial cooperation in order to strengthen the coordination of investigations and to increase compatibility of the existing judicial systems in the Member States with the European Union;
4. improve contacts, exchange of information and best practices between judicial and administrative authorities and the legal professions and enhance mutual trust;
5. ensure respect for the rights of victims and of the accused.

The total budget allocated to the programme from January 2007 to December 2013 was **EUR 196 million**.

Main findings:

1.Relevance

- the **programme's specific objectives and priorities were to a large extent specific, attainable and realistic**, but were not always measurable or time-bound;
- services procured using JPEN funding were also very relevant to the programme and wider EU objectives as they focused mainly on developing **e-Justice tools** (especially the e-Justice portal and its modules) or on research to support the development of legislation and policy;
- many grant beneficiaries either did not design their projects on the basis of a needs assessment or did not provide sufficient evidence to back up their assessment of needs in the grant application form. This creates a risk that more relevant or useful approaches to the project objectives might have been available;
- reporting by grant beneficiaries suggests that end beneficiaries responded positively to the projects, indicating that they considered the actions relevant.

2. Coherence and complementarity

- complementarity between the programme and other EU programmes and interventions was **almost fully achieved**, although a few projects **did risk overlap** with the activities of other EU interventions;
- at the project selection, monitoring and reporting stages of the programme cycle, the Commission applied no mechanisms to enhance complementarity, except for sharing resources (i.e. the e-Justice portal) with the Civil Justice Programme (JCIV).

3. Effectiveness

- the implemented actions addressed the programme objectives, **in particular the specific objectives on the training of the judiciary and judicial cooperation**;
- projects that involved policy-makers in the project via consultation at design stage, through briefings, meetings or involving them on the project steering board contributed to achieving the programme's intended outcome of having policy-makers use project outputs to shape new policy or legislation or adjust existing ones;
- it is difficult to assess the extent to which project outputs were achieved (in comparison to planned outputs). Based on the self-reporting of grant beneficiaries (in final reports and through consultations conducted for this evaluation), it appears that most projects (around 70%) were effective at achieving their outputs as proposed, but **nearly a third were not as effective because they did not achieve all their objectives**.

4. Sustainability

- the **Commission's efforts to disseminate the results of projects were limited** except in relation to training materials, some of which were published on the e-Justice website;
- of the 219 mapped action grants and operating grants for which final reports were available, 121 (55%) demonstrated some evidence of sustainability, either because further project funding had been secured;

- the proportion of projects (32%) that identified further funding to continue the project (according to final reports) is seen as particularly positive. However, this may not be surprising given that the outputs produced as a result of JPEN projects were often targeted at national authorities and public services, which are well placed to identify follow-on funding for useful outputs.

5. Efficiency

- the **funding made available to the programme was sufficient** and could possibly have been less for both action grants and operating grants, considering that it was a ‘new’ programme, focusing on a ‘new’ and relatively inexperienced stakeholder group;
- as regards scope for simplification, the **Commission’s management became more efficient over time** and grant beneficiaries’ experience of cooperation with the Commission was positive;
- the level of detail required in the application form increased from the 2010 call onwards, which benefited both the Commission (in terms of quality and usefulness of the reports) and the applicants (allowing them to plan and estimate their activities more accurately).

6. EU added value

- the EU nature of the programme was present through a strong transnational dimension involving all EU Member States;
- the transnational partnerships also contributed to the achievement of the programme’s objectives, e.g. improving cross-border cooperation and contributing to the elaboration and dissemination of good practices;
- the EU added value of the programme for grant beneficiaries lay also in the fact that the programme provided them with access to funding to support them in implementing their obligations under EU law.

Key recommendations: among the main recommendations made by the Commission following the ex-post evaluation of the programme are:

- **better define the priorities** in order to ensure that the priorities can be adequately achieved within an earmarked budget;
- realistic assessments of **project risks** and better risk mitigation strategies by asking for brief progress reports that identify any potential risks as they arise during the implementation of the project;
- increased focus on assessment of impacts at all levels and not merely on outputs, as regards monitoring and evaluation. Increased focus on needs assessment that each project aims to address;
- explore ways of enhancing the uptake of project outputs, results and best practices by other organisations, including in other Member States, including more resources for translations, communication and **dissemination**;
- **sharpen the programme's intervention logic.**