

Global Europe Results Framework Indicator Methodology Note

1. Indicator name
<p>GERF 2.25: Number of people directly benefiting from legal aid interventions supported by the EU</p>
2. Technical details
<p><i>Please use the information provided in OPSYS or the SWD.</i></p> <p><u>Results Dashboard code(s)</u>: 65242.</p> <p><u>Unit of measure</u>: Number of (#).</p> <p><u>Type of indicator</u>: Quantitative (not Qualitative) – Numeric (not Percentage); Actual ex-post (not estimated or ex-ante); Cumulative (not annual); Direct (not indirect).</p> <p><u>Level(s) of measurement</u>: Specific Objective – Outcome; Direct Output; Output.</p> <p><u>Disaggregation(s)</u>: Sex (Female; Male; Intersex); Gender (Woman/girl; Man/boy; Non-binary; Prefer not to say).</p> <p><u>DAC sector code(s)</u>: 15130 – Legal aid judicial development.</p> <p><u>Main associated SDG</u>: 16.3 Promote the rule of law at the national and international levels and ensure equal access to justice for all.</p> <p><u>Other associated SDGs</u>: 16.3 rule of law and justice; 16.6 accountable institutions; 16.10 protect fundamental freedoms.</p> <p><u>Associated GERF Level 1 indicator</u>: 1.20 World Bank Worldwide Governance Indicators (WGI) Rule of Law Score.</p> <p><u>Associated GERF Level 3 indicators</u>:</p> <p>3.8 Amount and share of EU-funded external assistance directed towards fragile states</p> <p>3.13 Number and share of EU- external interventions promoting gender equality and women's empowerment</p> <p>3.14 Number and share of EU-funded external interventions promoting disability inclusion</p> <p>3.16 Amount and share of EU-funded external assistance qualifying as ODA</p>
3. Policy context and rationale
<p>Article 21 of the TEU (Consolidated version of the Treaty on European Union) gives the EU a clear mandate to support democracy and human rights worldwide. Indeed, one of the objectives of EU external action is to consolidate democracy and promote the rule of law and respect for human rights and fundamental freedoms.</p> <p>The Charter of Fundamental Rights of the European Union is binding on the EU institutions for internal and external policies. This translates into a legal obligation to ensure that in all its actions, the EU promotes and respects human rights and fundamental freedoms as enshrined in the Charter, including access to justice. The</p>

2017 New European Consensus on Development, aligning EU development policy with the 2030 Agenda for Sustainable Development, states that the EU and its Member States will promote the universal values of democracy, good governance, the rule of law and human rights for all and to that end will foster efficient, transparent, independent, open and accountable justice systems and promote access to justice for all – in particular poor people and people in vulnerable situations.

The **EU Action Plan for Human Rights and Democracy 2020-2024** sets out as an objective supporting the rule of law and the fair administration of justice through access to justice and legal assistance, including by means of legal aid and digital innovation, focusing on people in the most vulnerable situations.

The general principles of the **Neighbourhood Development and International Cooperation Instrument (NDICI) Regulation 2021-2027** stress the importance of promoting, developing and consolidating democracy, good governance, the rule of law, respect for human rights and fundamental freedoms and respect for human dignity, by applying a rights-based approach, the principles of equality and solidarity, through dialogue and cooperation with partner countries, regions, local authorities and civil society, as well as multilateralism and the rules- and values-based global order, with the United Nations at its core.

The [EU Gender Action Plan \(GAP\) III](#) provides a policy framework for EU gender equality support, setting the key objective of ensuring freedom from all forms of gender-based violence, which means that EU action should contribute, among other things, to supporting access to psychosocial support services and the participation in economic and social life of victims of gender-based violence and victims of trafficking in human beings.

Below are listed key EU reference documents on EU support for justice reforms and the rule of law.

- [Support for justice and the rule of law, Tools and Methods Series, Reference Document no. 15](#)
- [Support for justice reform in ACP countries, Tools and Methods Series, Reference Document no. 9](#)
- [Inspiring change – EU support for rule of law, justice and security sector reform](#)

UN strategic or policy documents:

- [UN principles and Guidelines on Access to Legal Aid in Criminal Justice Systems](#)
- [Global Study on Legal Aid – UNDP's Global Report](#)
- [Strategic transformation through e-justice: E justice-Toolkit 04.pdf](#)

OECD strategic documents:

- [Framework and good practice, principles for people-centred justice: OECD Framework and Good Practice Principles for People-Centred Justice](#)

Justice Action Coalition strategic documents:

- [Making access to justice for all a reality: Appraising-Progress-on-Justice-UPDATES-PDF-15th-June-FINAL.pdf](#)

<p>The 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs) contain a commitment to promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels (SDG 16).</p>
<p>4. Logframe inclusion</p>
<p>If an intervention generates the result measured by this indicator, then it must be reported in OPSYS. Corporate targets have been set for the indicators used to monitor the Strategic Plan and the Multiannual Financial Framework (see Section 9). Progress towards these targets is reported annually in the Annual Activity Plan (for the Strategic Plan) and the Programme Performance Statements (for the Multiannual Financial Framework). These values are calculated by aggregating the results reported in OPSYS. These reports ultimately contribute to the Annual Management Performance Report submitted by the European Commission to the Council and Parliament during the annual budgetary discharge procedure. If targets are not met, explanations must be provided. Therefore, it is crucial that all results are recorded in OPSYS.</p> <p>There are two ways of doing this:</p> <ol style="list-style-type: none"> 1. Include the indicator directly in the logframe (recommended approach); 2. Match the indicator to the closest logframe indicator (only if the indicator was not originally included in the logframe and modification is not possible). <p>Why? The matching functionality in OPSYS only accommodates reporting current values and does not yet support encoding baselines and targets. This is a significant drawback because targets are a valuable piece of information, especially at the beginning of a Multiannual Financial Framework. Indeed, results take time to materialise as they are the last step in the chain, appearing only after programming, commitments, contracting, and spending have occurred. Targets allow to see what results are expected long before they materialise, which is reassuring to the different stakeholders concerned with accountability. Therefore, include all corporate indicators directly in the logframe whenever possible, and reserve the matching functionality only for cases when this is not feasible.</p>
<p>5. Values to report</p>
<p>The following values must be determined in line with the definitions provided in Section 6.</p> <p>Baseline value: the value measured for the indicator in the baseline year. The baseline value is the value against which progress will be assessed.</p> <p>Current value:</p> <ul style="list-style-type: none"> - For logframe indicators: the most recent value for the indicator at the time of reporting. The current value includes the baseline value which is reported separately for logframe indicators in OPSYS. - For matched indicators: the most recent value for the results achieved at the time of reporting since the start of implementation of the intervention. This value

is obtained by taking the most recent value for the indicator at the time of reporting and subtracting off the baseline value which is not reported separately for matched indicators in OPSYS.

Current values will be collected at least once a year and reported cumulatively throughout the implementation period.

Final target value: the expected value for the indicator in the target year.

Intermediate target values (milestones). A tool has been developed in OPSYS to generate intermediate targets automatically¹.

- **For outputs:** the intermediate targets are generated using a linear interpolation between the baseline and target values because it is assumed that outputs materialise sooner and more progressively over implementation (than outcomes).
- **For outcomes:** the expected progression over the course of implementation will vary across interventions. During the creation of a logframe, the expected outcome profile must be selected (OPSYS offers four options²) and this selection triggers the generation of intermediate targets for all 30 June and 31 December dates between the baseline and target dates for all output and outcome quantitative indicators. All automatically generated intermediate targets values and dates can be subsequently modified by the Operational Manager or the Implementing Partner with the approval of the Operational Manager.

6. Calculation of values

Specify all assumptions made, list definitions for all technical terms, provide any relevant guidance on (double) counting, and include checklist for quality control.

The value for this indicator is calculated by counting the number of people directly benefiting from legal aid interventions supported by the EU, using the technical definitions and counting guidance provided below. Please double check your

¹ This has been done in the context of the Primary Intervention Questionnaire (PIQ) for the EAMR. Three new KPIs provide an overall assessment of ongoing interventions (current performance and future performance) and completed interventions (final performance). Scores will be calculated for all INTPA and NEAR interventions participating in the annual results data collection exercise.

- *KPI 10* reflects the relevance, efficiency and effectiveness of ongoing interventions. The information on relevance is provided by the Operational Manager's response to a question in a survey. The information on efficiency and effectiveness is provided either by the logframe data, if sufficient data is available, or the response to a question in a survey, if not.
- *KPI 11* reflects expectations regarding the most probable levels of relevance, efficiency, effectiveness and sustainability that can be achieved by ongoing interventions in the future. In this case, all the information is provided by the Operational Manager's responses to questions in a survey.
- *KPI 12* reflects the relevance, efficiency and effectiveness of completed interventions. The information on relevance is provided by the Operational Manager's response to a question in a survey. The information on efficiency and effectiveness is provided by the logframe data if sufficient data is available, or the response to a question in a survey, if not.

² a. *steady progress*: The outcomes are achieved continuously throughout implementation; b. *accelerating progress*: The outcomes are achieved towards the end of implementation; c. *no progress until end*: The outcomes are mostly achieved at the end of implementation; d. *none of the above*.

calculations using the quality control checklist below.

Technical definitions

Legal aid is the provision of assistance to people otherwise unable to afford legal advice, assistance, representation and access to the court systems. It is considered central in providing access to justice by ensuring equality before the law, the right to counsel and the right to a fair trial. Access to justice, from a rights-based perspective, refers to the ability of people from disadvantaged groups to prevent and overcome poverty and injustice by seeking and obtaining a remedy, through formal and informal justice systems, for their grievances in accordance with human rights principles and standards. The nature and scope of what could constitute legal aid in practice, who are the providers of legal aid and who are its beneficiaries is very context-specific and varies from country to country. For the purpose of this methodology note, legal aid is understood very broadly, as including the provision of legal education, information, advice, assistance and legal representation before all types of courts and judicial institutions. It also includes support for resolving a dispute through alternative dispute resolution (ADR) mechanisms, such as arbitration, mediation and conciliation).

This broad definition recognises a number of different delivery models and various stakeholders considered crucial in the provision of legal aid services. These, among others, include legal practitioners, legal aid assistants, community legal clinics, local legal services, university law clinics, police, court and prison legal units, paralegals and other people, such as people who work in support of all of the above.

Legal aid interventions can be understood as interventions in support of some or all of the following objectives (non-exhaustive list):

- support for the definition of the nature and scope of legal aid services; the development of legal aid delivery models, in line with international standards and best practice;
- support for the design, implementation, monitoring and evaluation of national legal aid strategies/plans;
- support for the review and improvement of the legal aid legislative/regulatory and institutional framework, including the development of in-built transparency and accountability mechanisms;
- support for building the capacity of legal aid providers to deliver services in line with international standards and best practice;
- promotion of cooperation among and coordination between legal aid providers;
- promotion of *pro bono* legal aid, particularly by lawyers/bar associations;
- support for public information/awareness-raising campaigns to increase the public's legal awareness and its understanding of the justice system and encourage the use of legal aid services;
- support for bringing cases before international courts, if all national options have been exhausted;
- support for alternative dispute resolution;
- advocacy support;
- other support facilitating access to and the provision of legal aid.

People directly benefiting from legal aid interventions include people who have received legal information, advice and assistance, people benefiting from legal

representation, and legal aid practitioners (providers) trained or otherwise supported.

Counting guidance

1. The unit of measurement here is the number of people, so the number of institutions or organisations should not be included unless it's possible to identify people supported in these institutions or organisations in line with the guidance above.
2. The number of clicks registered by a website cannot be used to represent the number of people benefiting from the information on that website.
3. The Gender Action Plan III (GAP III) requires the reporting of gender-diasaggregated values if possible and sex-disaggregated values if not. Use intervention data to provide the disaggregation.
4. Double counting is not allowed: a person can be counted only once in the same reporting period. This means that if the same person benefits from one or more than one form of support, over one or more years of the same reporting period, from the same intervention or different interventions, this person should be counted only once. To avoid the double counting of people over time, two approaches are possible. If it is possible to reliably estimate the number of people supported in the first year, and the number of new people supported in the following years (i.e. not yet supported during the reporting period in question), these numbers can be added up without the risk of double counting. However, if this information is not available, the maximum result of the reporting period should be used instead. Record the calculations in the calculation method field to facilitate quality control of the values reported. Report the geographic location of the people in the comment field to facilitate quality control of double counting.
5. However, there are exceptions to the double-counting rule: people counted under GERF 2.25 can also be counted under the following GERF indicators if the relevant conditions are met:
 - GERF 2.20 *Number of migrants, refugees, and internally displaced people or individuals from host communities protected or assisted with EU support;*
 - GERF 2.39 *Number of people directly benefiting from EU supported interventions that aim to reduce social and economic inequality.*

Quality control checklist

1. Has the indicator been included directly in the logframe? Reserve the OPSYS matching functionality only for cases when this is not feasible.
2. If the indicator has been included directly in the logframe, does the current value *include* the baseline value? If the indicator has been matched to a logframe indicator, does the current value *exclude* the baseline value?
3. Is only legal aid being counted? Psychosocial, medical, relocation or subsistence support does not count.
4. Does the GERF value include all those benefiting from legal aid? Beneficiaries include both the recipients and providers of legal aid services.
5. Have gender (or sex) disaggregated values been reported? Gender (or sex) disaggregation is mandatory.
6. Does the intervention focus on migration? If so, this result should also be

<p>reported under GERF 2.20 <i>Number of migrants, refugees, and internally displaced people or individuals from host communities protected or assisted with EU support</i>, if all conditions are verified. Double counting with GERF 2.20 is allowed.</p> <p>7. Does the intervention focus on inequalities? If so, this result should also be reported under GERF 2.39 <i>Number of people directly benefiting from EU supported interventions that aim to reduce social and economic inequality</i>, if all conditions are verified. Double counting with GERF 2.39 is allowed.</p> <p>8. Has any other double counting been avoided? People should be counted only once, except for the cases mentioned above.</p> <p>9. Have all calculations been recorded in the calculation method field? Has all relevant information, including the geographic location of results, been reported in the comment field?</p>
<p>7. Examples of calculations</p>
<p>The EU supported a legal aid intervention that involved i) the establishment of 25 legal aid centres including constructing and equipping them and providing human resources training, and ii) building the capacity of legal aid providers (lawyers, paralegals, etc.).</p> <p>The number of people benefiting from the EU intervention will be the sum of i) the number of staff supported + the number of beneficiaries who received legal information, advice, assistance or representation through the services provided by the legal aid centres, as well as ii) number of legal aid providers trained.</p>
<p>8. Data sources and issues</p>
<p><i>Please use the data source categories specified in OPSYS.</i></p> <p><u>EU intervention monitoring and reporting systems</u>: <i>Progress and final reports for the EU-funded intervention; ROM reviews; Baseline and endline surveys conducted and budgeted by the EU-funded intervention.</i></p> <p><i>Include any issues relating to the availability and quality of the data.</i></p>
<p>9. Reporting process & Corporate reporting</p>
<p>The data collected on this indicator will be reported in OPSYS by the Implementing Partner. The values encoded in OPSYS will be verified, possibly modified and ultimately validated by the Operational Manager. Once a year the results reported will be frozen for corporate reporting. The methodological services in HQ that are responsible for GERF corporate reporting will perform quality control on the frozen data and aggregate as needed to meet the different corporate reporting requirements.</p> <p>This indicator is used for corporate reporting in the following contexts:</p> <ul style="list-style-type: none"> ○ <i>NDICI via the Annual Report</i> ○ <i>NDICI via the Programme Statements</i> ○ <i>INTPA Strategic Plan via the Annual Activity Report</i> ○ <i>NEAR Strategic Plan via the Annual Activity Report</i> ○ <i>FPI Strategic Plan</i>

<p>This indicator has been included in the following other Results Measurement Frameworks:</p> <ul style="list-style-type: none">○ <i>EFSD+</i>○ <i>GAP III</i>○ <i>IPA III</i>○ <i>TEI-MORE</i>
10. Other uses
<p>GERF 2.25 can be found in the following thematic results chains, along with other related indicators:</p> <ul style="list-style-type: none">- Human Rights- Resilience, Conflict Sensitivity and Peace <p>GERF 2.25 can also be found in the following groups of EU predefined indicators available in OPSYS, along with other related indicators:</p> <ul style="list-style-type: none">- Human Rights- Justice and Rule of Law- Resilience, Conflict Sensitivity and Peace <p>For more information, see: Predefined indicators for design and monitoring of EU-funded interventions Capacity4dev (europa.eu)</p> <p>External bodies using the same or similar indicator:</p> <ul style="list-style-type: none">- Dutch Development Results: number of people benefited from improved access to justice- USAID: number of individuals or groups from low income or marginalized communities having received legal aid or victim's assistance
11. Other issues