

IPA III Results Framework Indicator Methodology Note

1. Indicator code and name

IPA III RF Ind. 1.1.1.2: Number of legal/administrative acts/measures (incl. at Constitutional level) **(a)** developed and/or revised **(b)** implemented with EU support, with the objective of increasing independence and impartiality, and/or accountability, and/or professionalism and/or competence, and/or efficiency of the national justice system

2. Technical details

OPSYS and Results Dashboard code: 260191,260192.

Unit of measure: Number of (#)

Type of indicator: *Quantitative: Numeric; Actual (ex-post); Cumulative (not annual).*

Level of measurement: This is an **Specific Objective – Outcome** indicator.

Disaggregations:

The indicator is to be disaggregated at intervention and reporting levels according to whether the legal/administrative acts/measures are:

- developed/revised with EU support, or
- under implementation with EU support.

Please disaggregate according to the level of implementation:

- Fully implemented
- Partially implemented
- No implementation

Where possible, disaggregation into legal (primary) and administrative (secondary) acts/measures should be considered.

DAC sector codes: 15110; 15111; 15112; 15113; 15114; 15125; 15130; 15142; 15150; 15151; 15152; 15153; 15160; 15170; 15180; 15190

Main associated SDG: SDG 16: Peace, Justice and Strong institutions.

Other associated SDGs: n/a.

Associated IPA III Level 1 indicator:

- Functioning of judiciary (source: European Commission - Enlargement Reports) (Ind. 1.1.1)
- Functioning of the justice system (Source: CEPEJ Dashboard, DG JUST) (Ind.1.1.2).

Associated IPA III Level 3 indicators:

- Number and share of EU-funded external interventions supporting the implementation of political, economic and social reforms and joint agreements in partner countries.

3. Policy context and Rationale

IPA III PF: Window 1 Rule of law, Fundamental rights and Democracy – Thematic priority 1 Judiciary.

- Chapter of the Acquis. The main concerned chapters of the EU Acquis relative to this indicator are Chapter 23 Judiciary and Fundamental rights and Chapter 24 Justice, Freedom and Security.
- This is an updated and expanded version of the previous IPA Performance indicator 2.3 (2020) “Number of legal/administrative acts (incl. at constitutional level) with the objective of increasing independence and impartiality, and/or accountability, and/or professionalism and/or competence and/or efficiency of the national justice system a) adopted and/or b) implemented with EU support”.

The specific objective of IPA III in the area of Judiciary “is to further improve the independence, accountability, quality and efficiency of the judicial systems of each beneficiary”. (IPA III Programming Framework, p.13). The programming framework does not specifically mention support to the development and implementation of legal acts/measures. However, this indicator is aimed at acts/measures that improve the independence and impartiality, accountability, professionalism and competence, and/or efficiency of the national justice system, which are all important elements of judicial reform, specifically mentioned as one of the focus areas of IPA III support in this field.

4. Values to report

All of the following values must be determined according to the definitions provided in Section 5 below.

- **Reporting values in the logframe:**
 - **Baseline value:** The value assumed by the indicator at time t0, against which progress will be assessed.
 - **Reporting of current value** is done at least once a year: actual latest value on the total number of legal/administrative acts/measures by the time of reporting and according to the applicable definitions provided in section 5 of the note. Values will be reported cumulatively across the whole implementation period.
 - **Final target value:** estimated the total number of legal/administrative acts/measures by the target year and according to the applicable definitions provided in section 5 of the note.
- **Intermediate targets (milestones).** A tool has been developed in OPSYS to automate the generation of intermediate targets¹.

¹ This has been done in the framework of the **Intervention Performance Assessment**. Two composite indicators have been developed to provide an overall assessment of an intervention’s current implementation and future prospects. These scores will be calculated for all NEAR interventions participating in the annual results data collection exercise.

- The **implementation score** reflects the relevance, efficiency and effectiveness already achieved by the intervention. 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 sufficiently available, or the response to a question in a survey, if not.
- The **risk score** reflects expectations regarding the most probable levels of relevance, efficiency, effectiveness and sustainability to be achieved by the intervention in the future. In this case, all the information is provided by the Operational manager’s responses to questions in a survey.

- 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.

5. Calculation of values

The value for this indicator is calculated by counting the number of acts or measures, using the Technical Definitions and Counting Guidance provided below. Please double check your calculations using the Quality Control Checklist below.

Technical Definitions

- **Legal acts/measures** are considered to be primary legislation and may refer to legislative acts, formal written enactments produced by a legislative body, or to legal documents or regulations.
- **Administrative acts** are considered to be secondary legislation and may refer to those acts required by legislative policy as it is expressed in laws enacted by the legislature
- Note that this covers not only measures to improve the legal framework but also measures to improve the institutional and/or policy frameworks (so also changes to bylaws, internal codes of ethics and related documents).
- Legal/administrative acts/measures are part of what in other IPA III RF indicators are referred to as **public policies**. Public policies are understood in the framework of the IPA III RF in a broad manner, including Government programme, strategies and legislations at national or sub-national levels. They include sector or crosscutting reform strategies (including the Government Programme), annual and multi-annual budget and primary and secondary legislation. Sub-national refers to any government entity below the national level, regardless of the political, financial and administrative design of the country.
- **Independence and impartiality, and/or accountability, and/or professionalism and/or competence, and/or efficiency of the national justice system:**
 - **The independence of the judiciary and of individual judges** means that the judiciary is independent from the other branches of government (separation of powers) and judges are beholden to no inappropriate interests or persons who may adversely affect their work and especially judgements.
 - **Accountability** is a prerequisite for independence. A code of ethics and corresponding sanctions for judges, prosecutors and lawyers, as well as Judicial/Prosecutorial Council(s) or a different independent inspection authority responsible for decisions on disciplinary and ethical matters are at the core of an accountable judicial system.
 - **Professionalism and competence** refer to the capacity of judges to do their work effectively. Competence can be understood as the required mix of attitude, knowledge and skills.
- It is not sufficient for these acts or measures to have been developed or implemented; they have to have been developed with EU support (or their implementation supported by the

² a. Constant: The outcomes are achieved continuously throughout implementation; b. Accelerating: The outcomes are achieved towards the end of implementation; c. At the end: The outcomes are mostly achieved at the end of implementation; d. None of the above.

<p>EU) and be in line with EU guidance / recommendations resulting from EU-funded assistance.</p> <ul style="list-style-type: none"> • Please avoid double counting of measures/acts: if the same measure/act benefits from different interventions, it will have to be counted only once as having been developed and (if appropriate) once as having been implemented. To this end, implementing partners will have to be given the explicit instruction to map whether the development and/or implementation of the measures/acts they will work on have or have not been previously supported by IPA III. <p><u>Quality Control Checklist</u></p> <ol style="list-style-type: none"> 1. Has double counting been avoided as indicated in the Counting Guidance above? 2. Have all relevant disaggregations been reported? 3. Has the baseline and final target been encoded with the right dates? 4. Did you encode the latest current value available? 5. Did you use the comment box to inform on the values encoded?
<p>6. Examples of calculations</p>
<p>In a given country, an EU intervention is supporting the Parliament in the process of passing two new legal acts related to the efficiency of the national justice system (the development of one of which was supported by IPA II and one by another intervention under IPA III). A related (IPA III) intervention has been supporting the implementation of three administrative acts regarding the professionalism and competence of the country's courts.</p> <p>At the time of reporting, only one of the two new legal acts was indeed passed and indeed its implementation had just started. The debate in Parliament on the second one was stalled. One out of three administrative acts had been developed in full, while there was only a first draft for the second one. The third administrative act was still in the process of being drafted.</p> <p>The number of legal/administrative acts/measures developed to be reported as current value is 2.</p> <p>The number of legal/administrative acts/measures implemented to be reported as current value is 1.</p>
<p>7. Data sources and issues</p>
<p>Data sources in the logframe:</p> <ul style="list-style-type: none"> • Data for this indicator must derive directly from the intervention, i.e., intervention internal monitoring and reporting systems from implementing organisations (e.g. governments, international organisations, non-state actors) verified against primary sources (e.g. such as countries' Official Journals and official records) whenever relevant. • Other possible sources include studies carried out in the framework of the interventions and external monitoring and/or evaluation reports. <p>Data source category specified in OPSYS:</p> <ul style="list-style-type: none"> • EU intervention monitoring and reporting systems (Progress and final reports for the EU-funded intervention)
<p>8. Reporting process & Corporate reporting</p>
<p>Who is responsible for collecting and reporting the data?</p>

Responsibility for collecting and reporting the data

- The implementing partner (i.e. the entity responsible for delivering the results) will need to ensure the counting starts at the lowest level of intervention and is reported upwards and aggregated for the entire intervention in the framework of regular monitoring and reporting systems.
- Where relevant, a narrative explaining how the legal/administrative acts/measures increase the independence and impartiality, and/or accountability, and/or professionalism and/or competence, and/or efficiency of the national justice system is to be added.
- Data verification:
 - For indirect management by beneficiary countries, the National IPA Coordinator will verify the data.
 - For other modes of implementation, the Operational Manager in HQs/EUD will verify the data.

It is then the responsibility of DG NEAR to receive and verify data for this indicator from all relevant interventions and to eventually ensure aggregation within and across all IPA Beneficiaries.

This indicator is used for corporate reporting in the following contexts:

- *IPA III via the Annual Report*

9. Other uses

IPA III RF Ind. 1.1.1.2 can be found in the following groups of EU predefined indicators available in OPSYS, along with other related indicators:

- **IPA III RF Window 1: Rule of law, fundamental rights and democracy (IPA III W1)**

For more information, see: [Predefined indicators for design and monitoring of EU-funded interventions | Capacity4dev \(europa.eu\)](#)

10. Other issues

None