

IPA III Results Framework Indicator Methodology Note

1. Indicator code and name

IPA III RF 1.2.1.3: Number of recommendations of relevant Council of Europe bodies (e.g. GRECO, CPT, GREVIO, etc) implemented

2. Technical details

OPSYS and Results Dashboard code: 260206.

Unit of measure: Number of (#).

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

Level of measurement: The indicator corresponds to an **outcome** level result.

Disaggregations:

Where relevant / possible, please disaggregate according to the Council of Europe bodies whose recommendations are implemented - with EU support.

Disaggregation should be:

- GRECO recommendations
- CPT recommendations,
- GREVIO recommendations
- Other CoE recommendations

Furthermore, where relevant / possible, please disaggregate according to the level of implementation:

- Fully implemented
- Partially implemented
- Initial stage of implementation

At programme/window level, disaggregation is possible by IPA beneficiary.

Any other disaggregation should be agreed with the relevant ministry or IP or EUD in advance.

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

Main associated SDG: **SDG 16:** Governance, Peace and Security, more specifically targets 16.10 (Public access to information and protect fundamental freedoms) and 16.b (Promote and enforce non-discriminatory laws and policies for sustainable development).

Other associated SDGs: n/a.

Associated IPA III Level 1 indicator:

- **Thematic priority 2** Fight against Corruption: Fight against corruption (source: European Commission - – Enlargement Reports) (Ind. 1.2.1)
- **Thematic Priority 5** Fundamental Rights: Freedom of expression (source: European Commission - Enlargement Reports) (Ind. 1.5.1).

Associated IPA III Level 3 indicators: None.

3. Policy context and Rationale

- **IPA III PF: Window 1** Rule of law, Fundamental rights and Democracy. The indicator is relevant for the whole of Window 1 but in particular for **Thematic priority 2** Fight against Corruption and **Thematic Priority 5** Fundamental Rights.
- **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.

Under Article 2 of the Treaty on European Union (TEU), the EU is founded on the shared values of democracy, the rule of law and respect for fundamental rights (DRF). Within the Enlargement process this corresponds largely to issues falling under “Political criteria and rule of law chapters.”

The indicator is concerned with recommendations issued by CoE bodies in three main areas: (i) Corruption (ii) Prevention of Torture and Inhuman or Degrading Treatment or Punishment and (iii) Violence against Women and Domestic Violence. All, to some extent, fall within the scope of Rule of Law.

“Strengthening the rule of law is not only an institutional issue. It requires profound and sustainable societal transformation. All IPA III beneficiaries – like all EU Member States – are members of the Council of Europe, which has a standard-setting role in the fields of human rights, rule of law and democracy, as emphasised in the Council Conclusions on EU priorities for cooperation with the Council of Europe 2020-2022 of 13 July 2020” (<https://data.consilium.europa.eu/doc/document/ST-9283-2020-INIT/en/pdf>) (IPA Programming Framework, p10)

Under Thematic Priority 2: Corruption, “The specific objective of IPA III in this area will be to establish, and strengthen when already existing, track-records of investigation, prosecution and conviction for high-level corruption cases, as well as robust anti-corruption institutional framework.” (IPA III Programming Framework, p.14) “Corruption remains a serious problem in the candidate countries and potential candidates and must be rooted out without compromise. Strong and independent institutions are crucial to prevent and effectively tackle fraud and corruption and conduct more effective investigations and prosecutions, leading to final court rulings that are enforced, and include dissuasive sanctions and robust track-records. Beneficiaries must also put in place an effective and functional framework which is holistic in its approach, taking into account both repressive measures as well as prevention measures of corruption including through specialised anticorruption institutions. It is also key that in the context of public administration reform, efforts are carried out in order to increase transparency and predictability in strategic planning, to improve inclusive and evidence-based policy and legislative development, to depoliticise civil service, to increase accountability of administration and to enhance sound public financial management. Special attention should be given to development of measurements and indicators of corruption so that a thorough follow-up of the outcomes is carried out. More transparency and accountability are needed in the management of public funds [...] at all stages in public procurement and concessions, an area particularly prone to corruption. Swift and effective cooperation between relevant European Union bodies, such as the European AntiFraud Office and the European Public Prosecutor’s Office, and the candidate countries and potential candidates’ competent authorities is vital in the fight against illegal activities affecting the Union’s financial interests, including fraud and corruption.” (ibid. pp.10-11)

Under Thematic Priority 5: Fundamental Rights “IPA III support will prioritise the correct implementation of all the rights and freedoms set out in the European Convention on Human Rights, its protocols, its jurisprudence and enforcing the judgements of the European Court of Human Rights. Support will also be given to establishment and effective and independent functioning of all the relevant structures for the promotion and protection of human rights, including the Ministries for Human Rights, National Human Rights Institutions and equality bodies 15 and the Ombudsperson. This will allow the concerned beneficiaries to be in a position to implement their human rights obligations and policy in an adequate manner.” (ibid. p.18) “Fundamental rights are largely enshrined in the legislation of the IPA III beneficiaries, while in some cases the legal framework still needs to be brought into line with the European Convention on Human Rights (ECHR) and European Court of Human Rights (ECtHR) case law. However, more needs to be done to ensure these rights are fully implemented in practice. The specific objective of IPA III will thus be to ensure the alignment of the legal framework with EU and international standards as well as to establish a solid track-record in respecting fundamental rights.” (ibid, p 18).

Still under Thematic Priority 5, and with specific reference to Violence against Women and Domestic Violence. The IPA III Programming Framework (p. 19) explicitly states that “IPA III support in the fight against gender-based violence will focus on assisting authorities to bridge the gaps between the legislation and its full and proper implementation in order to meet the standards set forth in the Istanbul Convention. Moreover, assistance will be provided to implement, where relevant, the recommendations of the Group of Experts on Action against Violence against Women and Domestic Violence and to combat gender stereotypes that prevent victims from accessing justice and contribute to the underreporting of offenses.”

Note that any recommendations emanating from CoE bodies related to other issues specified under Thematic Priority 5 are in principle to be counted under this indicator: e.g. in the areas of discrimination against minorities, including women and girls belonging to minority groups, children, persons with disabilities and other vulnerable groups, (all pursuant to Article 21 of the Charter and Article 14 of the European Charter on Human Rights (ECHR); discrimination against persons of the Roma community, persons with disabilities and the Lesbian, Gay, Bisexual, Trans, Intersex (LGBTI) or on grounds of ethnicity or religion. Indeed, any CoE recommendation related to any aspect falling under Article 21 of the said charter, may be counted against this indicator. [displace to counting]

4. Values to report

- **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 recommendations of relevant Council of Europe bodies (e.g. GRECO, CPT, GREVIO, etc) implemented 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 total number of Number of recommendations of relevant Council of Europe bodies (e.g. GRECO, CPT, GREVIO, etc) implemented 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.
 - 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 recommendations**, using the Technical Definitions and Counting Guidance provided below. Please double check your calculations using the Quality Control Checklist below.

Technical Definitions

- **Council of Europe bodies:** refers to specific bodies or organs of the Council of Europe (CoE) with a vocation to promote adherence to various CoE Conventions, especially the **European Convention on Human Rights (ECHR)** (https://www.echr.coe.int/documents/convention_eng.pdf) to which the EU as a body and each of its member states adhere. The bodies mentioned as examples in the indicator correspond to specialised expert groups whose function mainly relates to monitoring of member country adherence to particular CoE conventions, issuance of follow up recommendations and monitoring of their implementation. The three bodies specified in the indicator focus on key areas of concern within the general area of “Political Criteria and Rule of Law Chapters”. Nevertheless the CoE is invested with other institutions. For purposes of this indicator Council of Europe bodies is to be understood as (a) focused mainly on the three specified bodies but (b) not to the exclusion of recommendations that may emanate from other CoE bodies, related to issues falling

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.

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.

under Fundamentals First³, with one important exception: Full and Systematic implementation of Venice Commission recommendations is not to be reported against this indicator but rather against Ind. 1.1.1.4 – Number of Venice Commission recommendations implemented, where available.

- **Council of Europe Recommendation:** Council of Europe recommendations emerge from on-going monitoring and investigation of situations within countries; implementation by national authorities of CoE recommendations is regularly monitored by the CoE and its bodies.
- **GRECO:** refers to the “**Groupe d’Etats contre la Corruption** », in English « **The Group of States against Corruption**”. It was established in 1999 by the Council of Europe to monitor States’ compliance with the organisation’s anti-corruption standards (<https://www.coe.int/fr/web/greco/about-greco/what-is-greco>). GRECO monitoring comprises (a) a “horizontal” **evaluation procedure** leading to recommendations aimed at furthering the necessary legislative, institutional and practical reforms; and (b) a **compliance procedure** designed to assess the measures taken by its members to implement the recommendations.
- **CPT** refers to another CoE body, the **Council for Prevention of Torture**. (<https://www.coe.int/en/web/cpt>). Its full title is the “European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment”. This highlights two important features: first, it is European, and second, it not only covers “torture”, but also a wide range of situations which could amount to “inhuman or degrading treatment or punishment”. It seeks to ensure adherence to the standards of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (<https://rm.coe.int/16806dbaa3>). It organises visits to places of detention, in order to assess how persons deprived of their liberty are treated. These include prisons, juvenile detention centres, police stations, holding centres for immigration detainees, psychiatric hospitals, social care homes, etc. CPT delegations have unlimited access to places of detention, and the right to move inside such places without restriction. After each visit, the CPT sends a detailed report to the State concerned. This report includes the CPT’s findings, and its recommendations, comments and requests for information. The CPT also requests a detailed response to the issues raised in its report. These reports and responses form part of the ongoing dialogue with the States concerned.
- **GREVIO** refers to the **Group of Experts on Action against Violence against Women and Domestic Violence**, set up in 2014 as an independent expert body on Action against Violence against Women and Domestic Violence. GREVIO monitors the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence ([Istanbul Convention](https://www.coe.int/en/web/istanbul-convention/grevio)) (<https://www.coe.int/en/web/istanbul-convention/grevio>) which entered into force on 1 August 2014. GREVIO draws up and publishes reports evaluating legislative and other measures taken by the Parties to give effect to the provisions of the Convention. In cases where action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the Convention, GREVIO may initiate a special inquiry procedure.

³ Note that the CoE institutional framework involves: The best-known body of the Council of Europe is the [European Court of Human Rights](#), which functions on the basis of the [European Convention on Human Rights](#). The council’s two statutory bodies are the [Committee of Ministers](#), comprising the foreign ministers of each member state, and the [Parliamentary Assembly of the Council of Europe](#) (PACE), which is composed of members of the national parliaments of each member state. The [Commissioner for Human Rights](#) is an institution within the Council of Europe, mandated to promote awareness of and respect for human rights within the member states. The [Secretary General](#) presides over the secretariat of the organisation. Other major CoE bodies include the [European Directorate for the Quality of Medicines](#) (EDQM) and the [European Audiovisual Observatory](#).

- **Implemented** means what it says. However, for purposes of this indicator the relevant body that provides the recommendation shall confirm if implementation of their recommendation is fully implemented, partially implemented or in its initial stage of implementation

Counting Guidance

- **Possible double-counting:** There is no risk of double counting as long as no more than a single EU action supports implementation in a single timeframe and that “full implementation” is counted against the indicator at intervention level and with regard to reporting only once.
- **If by chance “full implementation” is claimed and reported by an IP but this claim is not supported officially by the relevant CoE body, then it will not count against the indicator.**
- **Note that only those recommendation whose implementation (even partial) is supported by public by EU financing can be counted against this indicator.**
- **Note:** Implementation of Venice Commission recommendations is not to be reported against this indicator but rather against Ind. 1.1.1.4 – Number of Venice Commission recommendations implemented with EU support

Quality Control Checklist

- Has double counting been avoided as indicated in the Counting Guidance above?
- Have all relevant disaggregations been reported?
- Has the baseline and final target been encoded with the right dates?
- Did you encode the latest current value available?
- Did you use the comment box to inform on the values encoded?

6. Examples of calculations

The EU is assisting country A to reach compliance with CoE standards, as articulated through recommendations, in the areas of corruption, human rights compliance for detainees and prisoners, violence against women.

In the past there has been similar support such that in this case the initial value indicated in the LFM are as follows:

Start Year 1

Recommendations implemented	Baseline (start of Y1)	Target (end of Y3)
Corruption	2	Baseline + 3 = 2+3= 5
Human rights for prisoners and detainees (degrading treatment or punishment)	2	Baseline + 3 = 2+3 = 5
Violence against women	1	Baseline + 4 = 1+4 = 5

Let us note as well that recommendations made by CoE have been partially implemented by this time as follows:

Recommendations partially implemented	No.
Corruption	1

Human rights for prisoners and detainees (degrading treatment or punishment)	3
Violence against women	3

At the end of each year, the IP reports the following (annual values reported are not cumulative).

Recommendations implemented	End of Y1	End of Y2	End of Y3	Cumulative values for all interventions past and recent
Corruption	1	1	1	Baseline (2) +3 = 5 (target is met)
Human rights for prisoners and detainees (degrading treatment or punishment)	1	2	2	Baseline (2) +5 = 7 (Target is surpassed)
Violence against women	1	2	3	Baseline (1) +6 = 7 (Target is surpassed)

Note that there is no double counting, since each recommendation is recorded in the intervention LFM only once, i.e. in the year in which it is declared “fully implemented” according to the procedure set out in Section 7. Note that this procedure requires verification from the relevant CoE body itself and not simply a claim by the Implementing Partner.

7. Data sources and issues

Data sources in the logframe:

- 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 Venice Commission Reports or Studies, countries' Official Journals and official records).
- Other possible sources include studies carried out in the framework of the interventions and external monitoring and/or evaluation reports.

Data source categories specified in OPSYS:

- EU intervention monitoring and reporting systems (Progress and final reports for the EU-funded intervention; Reports published by the EU-funded intervention)

8. Reporting process & Corporate reporting

Who is responsible 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.
- 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 centrally receive and verify data for this indicator from all relevant interventions and to eventually ensure aggregation within and across all IPA Beneficiary countries.

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

<ul style="list-style-type: none">• <i>IPA III via the Annual Report</i>
9. Other uses
<p>IPA III RF 1.2.1.3 can 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">• IPA III RF Window 1: Rule of law, fundamental rights and democracy (IPA III W1);• IPA III RF Window 2: Good governance, EU acquis alignment, good neighbourly relations and strategic communication (IPA III W2);• IPA III RF Window 5: Territorial and cross border cooperation (IPA III W5) <p>For more information, see: Predefined indicators for design and monitoring of EU-funded interventions Capacity4dev (europa.eu)</p>
10. Other issues
None