

## IPA III Results Framework Indicator Methodology Note

### 1. Indicator code and name

**IPA III RF Ind. 1.5.1.1:** Number of countries<sup>1</sup> that exhibit a significant increase in the application of the legal/policy/institutional framework for the protection, promotion and/or enforcement of human/fundamental rights which is in line with European standards with EU support

### 2. Technical details

OPSYS and Results Dashboard code: 260181.

Unit of measure: Number of (#)

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

Level of measurement: This is an **outcome indicator** as it requires a certain, specific behavioural change by the authorities of the IPA Beneficiaries. In the case of budget support, it would be considered an **induced output**.

Disaggregation: No particular disaggregation is foreseen other than that which may be required by a Managing Authority

DAC sector codes: 15130

Main associated SDG: .

- SDG 5: Achieve gender equality and empower all women and girls. Gender equality is not only a fundamental human right, but a necessary foundation for a peaceful, prosperous and sustainable world.
- SDG 16: Peace, Justice and Strong Institutions, more specifically targets 16.6 (Develop effective, accountable and transparent institutions at all levels) and 16.7 (Ensure responsive, inclusive, participatory and representative decision-making at all levels).

Other associated SDGs: n/a.

Associated IPA III Level 1 indicator:

- For Window 1 - Thematic Priority 5 Fundamental Rights: Freedom of expression:
  - Freedom of expression (source: European Commission - Enlargement Reports) (Ind. 1.5.1).
- For Window 2 – Thematic Priority 3 Good neighbourly relations and reconciliation:
  - Number of persons crossing the border/day (Source: Transport Observatory) (Ind. 1.4.3, same indicator presented under Window 1 – TP4)

Associated IPA III Level 3 indicators:

- For Window 1:
  - Number and share of EU- external interventions promoting gender equality and women's empowerment.
- For Window 2:
  - Amount and share of EU-funded external assistance directed towards fragile states.

<sup>1</sup> Please note that in IPA wording the correct term is “Beneficiaries”.

- Share of EU-funded external interventions responding to situations of a new and/or emerging crisis.

### 3. Policy context and Rationale

- **IPA III PF: Window 1 – Rule of Law, Fundamental Rights and Democracy, Thematic Priority 5** Fundamental rights, Specific Objective “*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*”. The indicator may also be responsive to interventions under Window 2, Thematic priority 3 Good neighbourly relations and reconciliation.
- **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 indicator corresponds to a revision of the previous **IPA Performance framework, IPA PF 2.9 (2020)**: “*Number of countries having i) adopted and/or ii) implemented the legal framework for the protection, promotion and/or enforcement of fundamental rights (including freedom of expression and media, freedom of assembly and freedom of association and non-discrimination and rights of minorities) with EU support*”.
- Human rights and fundamental freedoms are at the core of the EU *Acquis* and its policy approach towards Candidate Countries and potential candidates. The strengthening of the protection of fundamental rights is part of the ‘fundamentals first’ approach, and as such is a precondition for Beneficiaries to progress in the path towards potential future accession. IPA III aims to support the strengthening of fundamental rights, including the enhanced respect for the rights of persons belonging to ethnic or sexual minorities, as well as freedom of the media and support for cultural diversity.
- Fundamental rights protections and understandings are ultimately most reliant on developments and mechanisms at the national level. The laws, policies, procedures and mechanisms in place at the national level are key for the enjoyment of human and fundamental rights in each country. It is therefore crucial that fundamental rights are part of the national constitutional and legal systems, that justice professionals are trained about applying human rights standards, and that fundamental rights violations are condemned and sanctioned. National standards have a more direct impact and national procedures are more accessible than those at the regional and international levels.

### 4. Values to report

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

**Baseline value:** The value measured for the indicator in the baseline year. The baseline value is the value against which progress will be assessed.

**Current value:** The most recent value measured for the indicator by the time of reporting. Current values will be collected at least once a year and reported cumulatively across the whole 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 automate the generation of intermediate targets<sup>2</sup>.

- **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 options<sup>3</sup>) 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 countries**, using the Technical Definitions and Counting Guidance provided below. Please double check your calculations using the Quality Control Checklist below.

### Technical Definitions

- For this specific indicator, **fundamental rights** are those included in the Charter of fundamental rights of the European Union (<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012P/TXT>).
- **Legal framework** can be any set of related laws, by-laws or regulations.
- **“Policy framework”** is a coherent set of high-level principles, objectives, ideas or plans used as a basis for making major public decisions, containing measures explicitly aimed at human/ fundamental rights. It is therefore not a series of programmes or measures but rather the higher-level framework for these etc. Therefore, it can be any high-level officially adopted strategy, plan or other document expressing intentions or objectives, produced by the public authority in question.

<sup>2</sup> This has been done in the framework of the Primary Intervention Questionnaire for the EAMR. Three KPIs have been developed to provide an overall assessment of the ongoing interventions' current implementation and future prospects, and the 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 already achieved by the ongoing 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.
- KPI 11 reflects expectations regarding the most probable levels of relevance, efficiency, effectiveness and sustainability to be achieved by the ongoing intervention 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 already achieved by the completed 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.

<sup>3</sup> 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.

- **Institutional framework** means the institutions in the candidate countries and potential candidates responsible for the protection, promotion and/or enforcement of human/fundamental rights in line with European standards.
- **“Application”** means implementation of all or part of the legal/policy/institutional framework. Parts of the framework may well be secondary legislation, specific programmes or measures that fall within the framework.
- A **significant increase** in the application means a positive change in several aspects (e.g. a secondary law) or a breakthrough in one aspect (e.g. the proposal or adoption or implementation of a law on a fundamental right that was not yet covered in any way before).
- The indicator refers only to improvements that have been made with EU (IPA) support. Therefore, there must be a link to an EU supported intervention bringing about such improvements.

#### Counting Guidance

- It is a quantitative indicator, it does not measure the extent to which increases have taken place, only in how many countries significant increases have occurred.
- For a particular country, the indicator would be adapted as follows: "Extent to which [the country] is increasingly applying the legal/policy/institutional framework for the protection, promotion and/or enforcement of human/fundamental rights in line with European standards, with EU support". The OM can score: [no increase in application], [some increase in application], or [significant increase in application].

#### Quality Control Checklist

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?

#### 6. Examples of calculations

In country A, an EU intervention is supporting the revision of the legal provisions to strengthen the protection of individual freedoms; in country B, an EU intervention is supporting the implementation of the legal framework related to dignity rights; and in country C, an EU intervention supports several changes in the legal framework in various chapters of the Acquis, among which one relating to the freedom of speech.

The reports produced by the IPs lead the respective OMs following these interventions to report “some increase” in countries A and C and “significant increase” in country B.

The number of countries that exhibit a significant increase in the application of the legal/policy/institutional framework for the protection, promotion and/or enforcement of human/fundamental rights which is in line with European standards with EU support is 1. The revision of the legal framework should not be taken into account. Also, an intervention not specifically aimed at fundamental rights is unlikely to lead to a significant increase in the application of the legal, policy or institutional frameworks.

#### 7. Data sources and issues

##### **Data sources in the logframe:**

<ul style="list-style-type: none"> <li>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).</li> <li>Other possible sources include studies carried out in the framework of the interventions and external monitoring and/or evaluation reports.</li> </ul> <p><b>Data source categories specified in OPSYS:</b></p> <ul style="list-style-type: none"> <li>EU intervention monitoring and reporting systems (Progress and final reports for the EU-funded intervention; ROM reviews; Reports published by the EU-funded intervention)</li> </ul>
8. Reporting process & Corporate reporting
<p><b>Who is responsible for collecting and reporting the data?</b></p> <ul style="list-style-type: none"> <li>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. When reporting, a narrative around the extent of increase in the application of the legal/policy/institutional framework is to be added. Depending on mode of implementation, the Operational Manager in the EUD will verify the data. Progress in supported actions may also be worth reporting in country Annual Reports as part of the Enlargement Package.</li> <li>Data verification: <ul style="list-style-type: none"> <li>For indirect management by beneficiary countries, the National IPA Coordinator will verify the data.</li> <li>For other modes of implementation, the Operational Manager in HQs/EUD will verify the data.</li> </ul> </li> <li>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 Beneficiaries.</li> </ul> <p>This indicator is used for <b>corporate reporting</b> in the following contexts:</p> <ul style="list-style-type: none"> <li>IPA III via the Annual Report</li> </ul>
9. Other uses
<p><b>IPA III RF Ind. 1.5.1.1</b> can be found in the following groups of EU predefined indicators available in OPSYS, along with other related indicators: (look in the SAS extraction of the core indicators - groups of indicators)</p> <ul style="list-style-type: none"> <li>IPA III RF Window 1: Rule of law, fundamental rights and democracy (IPA III W1);</li> <li>IPA III RF Window 2: Good governance, EU acquis alignment, good neighbourly relations and strategic communication (IPA III W2)</li> </ul> <p>For more information, see: <a href="#">Predefined indicators for design and monitoring of EU-funded interventions   Capacity4dev (europa.eu)</a></p> <p>TACSO guidelines, specific objective 3.1: <a href="https://tacso.eu/wp-content/uploads/2022/07/EU-Guidelines-for-Support-to-Civil-Society-in-the-Enlargement-region-2021-2027-1.pdf">https://tacso.eu/wp-content/uploads/2022/07/EU-Guidelines-for-Support-to-Civil-Society-in-the-Enlargement-region-2021-2027-1.pdf</a></p>
10. Other issues
None

