

# Thematic Evaluation of European Commission Support to Justice and Security System Reform (JSSR)

## Final Report: Dissemination Seminar

### Part I – Approach & Conclusions

Brussels, 03 February 2012

# Thematic Evaluation of European Commission Support to Justice and Security System Reform (JSSR)

A consortium of  
Particip-ADE-DRN-DIE-  
ECDPM-ODI



Development  
Researchers'  
Network



Deutsches Institut für  
Entwicklungspolitik German Development  
Institute



*This evaluation has been carried out by*



Core Evaluation team:

*Mr Dylan Hendrickson (Team Leader): King's College London*

*Mr Antoine Hanin (Medium expert): ADE Evaluation  
Department*

*Dr Anne-Laure Cadji (Medium expert): ADE Evaluation  
Department*

*Ms Laura Eid (Junior expert): ADE Evaluation Department*

# Agenda

## Part I

### nEvaluation approach

- ∅ Scope of the evaluation
- ∅ Findings of the inventory
- ∅ The evaluation process

### nConclusions

## Part II

### nRecommendations

# Evaluation subject, purpose and scope

## Subject

### Commission support to JSSR as defined in:

- EC COM (253) "A Concept for the EC Support for SSR" (2006)
- EU Concept for ESDP support for SSR (2005)

à **A thematic level evaluation** - not a project evaluation/admin audit

## Purpose

- **Provide an independent assessment** of past Commission support
- **Recommend how to improve** Commission policy & programming

## Scope

- **2001-2009**
- **All third countries (ACP, ALA, ENP)**, except DG ENLARG countries
- **Community thematic and geographical budget lines, EDF, other financial instruments**, except humanitarian relief (DG ECHO)

# Defining the terms we use...

- n **Security sector (or system) reform:** definition drawn from the Commission's Concept which is **based on the OECD/DAC definition**
- n **Justice reform:** Focus on those aspects of **justice - and related police and penal – reforms** which have a direct impact on the safety and security of citizens, rather than on aspects relating to administrative, commercial or civil law
- n **JSSR:** Under the OECD/DAC definition justice is included in security sector reform. To emphasize the importance of the justice sector **and make clear that justice is not subordinate to security**, the evaluation uses the term JSSR

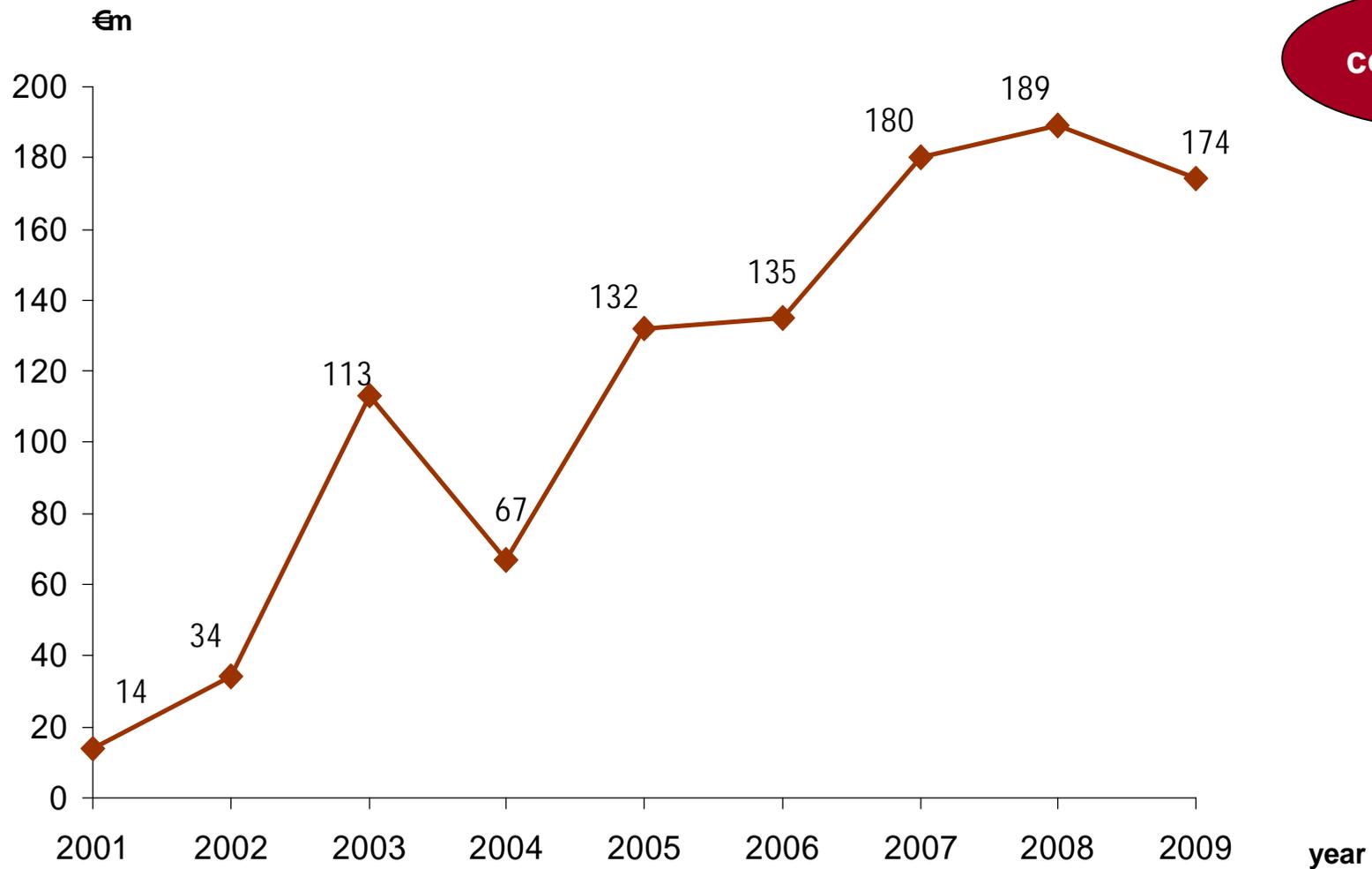
## Several observations on the evaluation scope...

Evaluation period  
commenced five years prior  
to development of EU SSR  
*Policy Framework*

Evaluation did not have a  
mandate to evaluate Council  
JSSR activities

JSSR is an evolving  
Commission activity – many  
challenges now being  
addressed

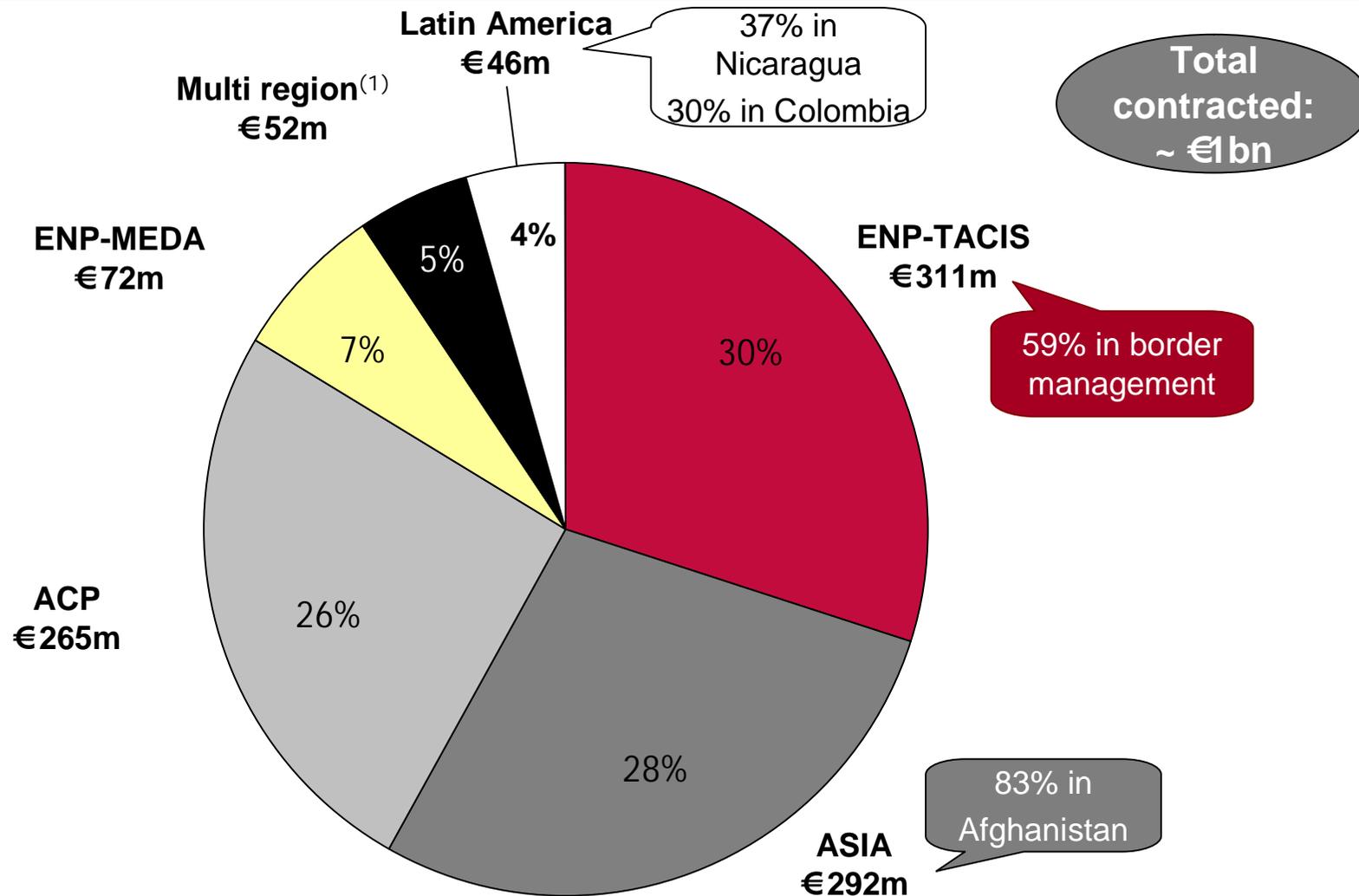
# Increased Commission support to JSSR between 2001-2009, in €m



Total contracted:  
~ €1bn

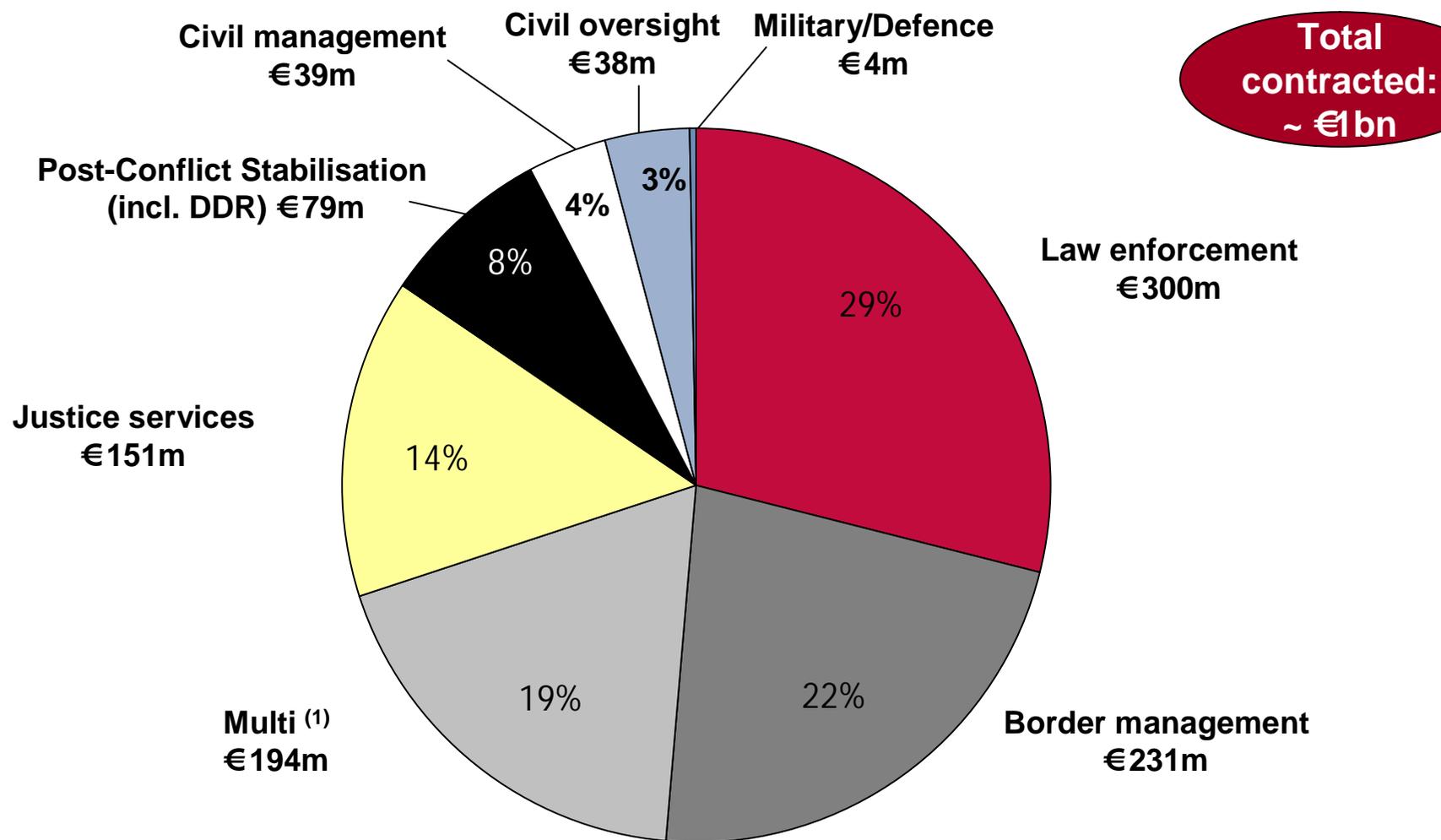
Source: EC database (CRIS) and ADE analysis

# WHERE? Geographical distribution of total EC support to JSSR contracted between 2001-2009, in €m



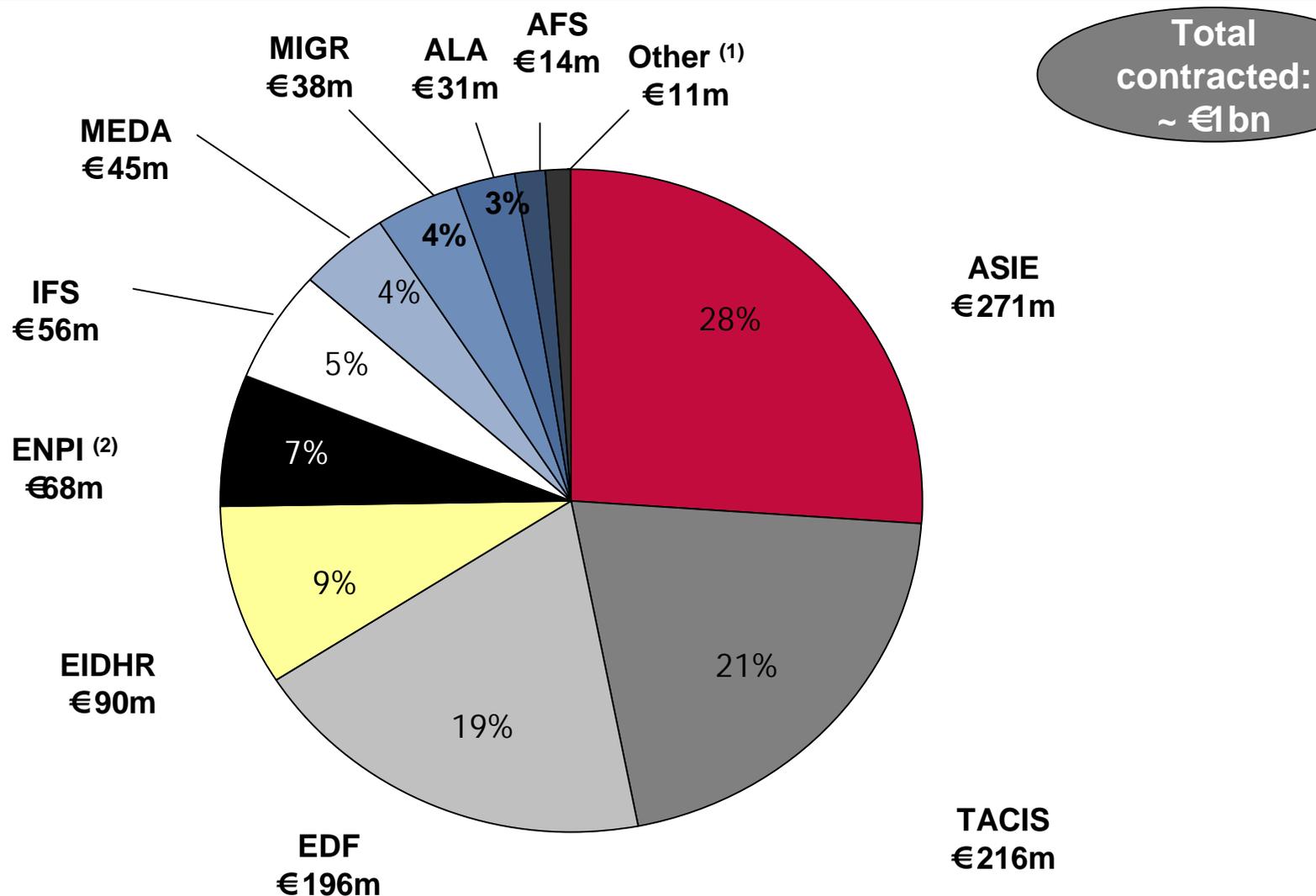
<sup>(1)</sup> Multi region : as encoded in CRIS; covering several regions.  
Source: EC database (CRIS) and ADE analysis

# WHAT? Main JSSR areas supported by the Commission 2001-2009



(1) Multi: regroups interventions targeted at more than one category of JSSR actors  
Source: EC database (CRIS) and ADE analysis

# HOW? Distribution by budget line or financial instrument of total contracted EC support (in €m) to JSSR

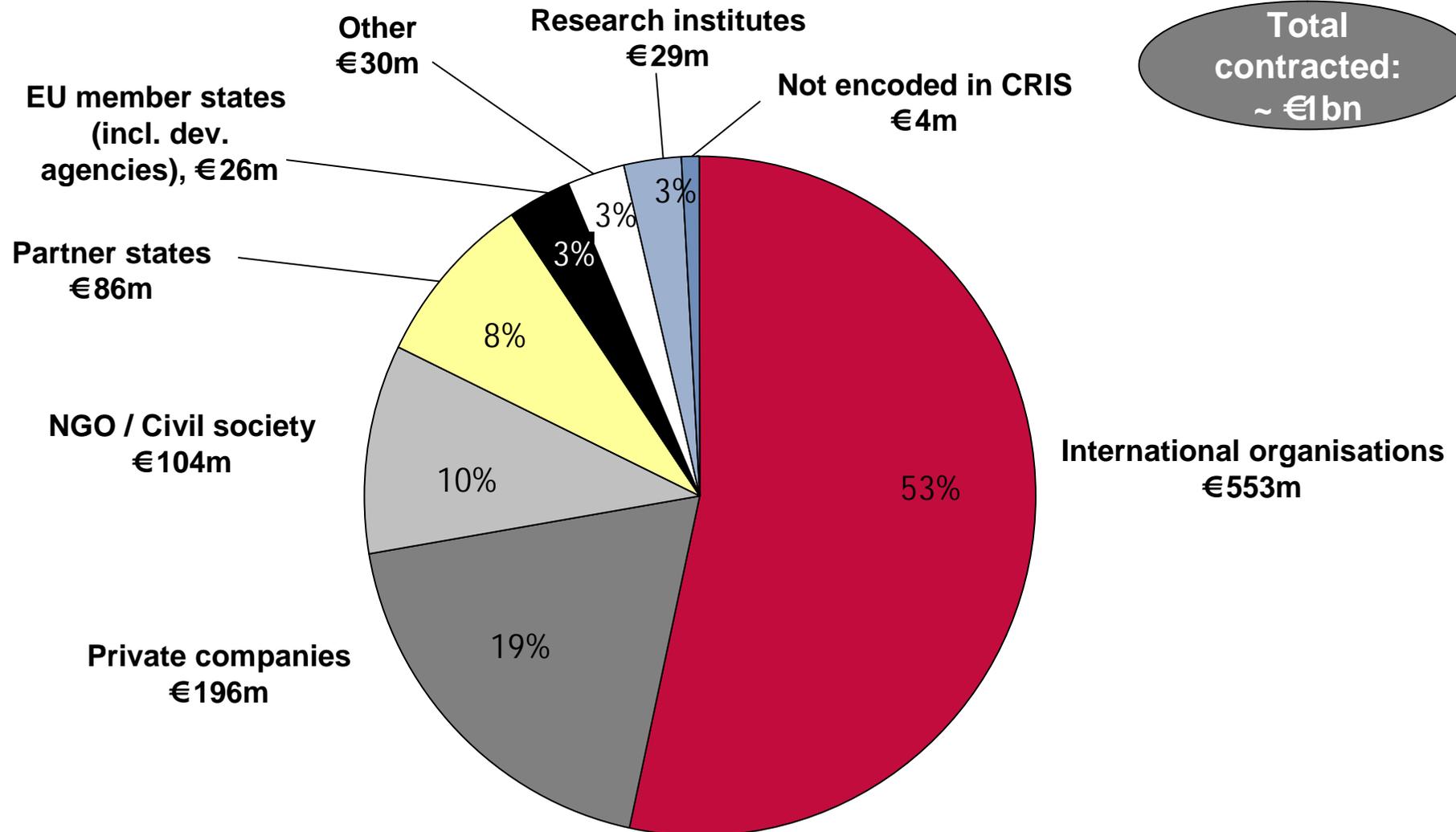


(1) Other: HUM, NSA, DRUG, CDC

(2) The ENPI category includes interventions in the Mediterranean, in Eastern Europe and Central Asia as from 2007 only

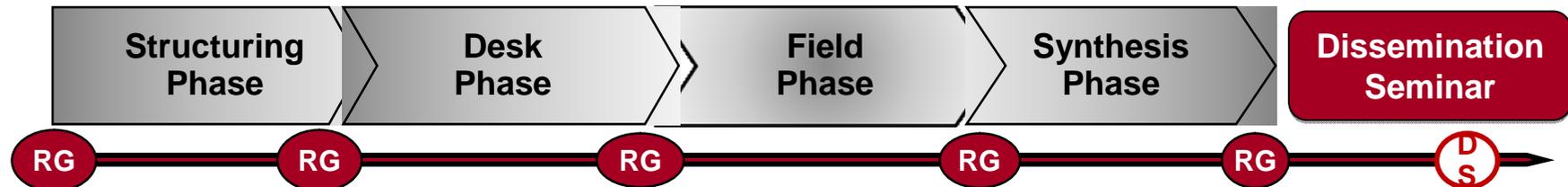
Source: EC database (CRIS) and ADE analysis

# HOW? Distribution by channel of delivery of total contracted EC support (in €m) to JSSR



Source: EC database (CRIS) and ADE analysis

# Evaluation phases



Tasks	RG	RG	RG	RG	RG	DS
<ul style="list-style-type: none"> <li>• EC cooperation context in JSSR</li> <li>• Reconstruction of Intervention Logic</li> <li>• Structured set of EQs, JCs and Indicators</li> <li>• Inventory and typology of funds</li> <li>• Method for data collection</li> <li>• Selection of countries and interventions</li> </ul>	<ul style="list-style-type: none"> <li>• General-level study</li> <li>• Country-level study</li> <li>• Intervention-level study</li> <li>• CSP/RSP review</li> <li>• Interviews HQ and EUD (phone)</li> <li>• Data collection on global justice and security indicators</li> <li>• Preliminary findings, hypotheses, information gaps</li> <li>• Proposal for country visits</li> </ul>	<ul style="list-style-type: none"> <li>• Country visits (8)*</li> <li>• Survey to EUD</li> <li>• Unit E4 JSSR workshop</li> <li>• Additional phone interviews</li> </ul> <p>* Armenia, Chad, Colombia, Georgia, Guatemala, Indonesia, Rwanda and South Africa</p>	<ul style="list-style-type: none"> <li>• Drafting answers to evaluation questions</li> <li>• Drafting conclusions and recommendations</li> <li>• Drafting the final report</li> </ul>	<ul style="list-style-type: none"> <li>• Evaluation approach</li> <li>• Conclusions</li> <li>• Recommendations</li> </ul>		
<b>Deliverables</b>	• <b>(Draft) Inception Report</b>	• <b>(Draft) Desk Phase Report</b>	• <b>Field phase presentation</b>	• <b>(Draft) Final Report</b>	• <b>Dissemination Presentation</b>	

RG: Reference Group meeting DS: Dissemination Seminar

# The Evaluation Questions (1-5)

<b>EQ 1</b>	<b>To what extent has the Commission's support to JSSR been in line with its policy objectives and with wider EU development objectives, and what has been the Commission's added value?</b>
<b>EQ 2</b>	<b>To what extent has the Commission's support been delivered in collaboration with national actors and contributed to nationally-led JSSR processes?</b>
<b>EQ 3</b>	<b>To what extent has Commission support helped governments manage security and justice policies more effectively, and improved civil oversight of the security and justice sectors?</b>
<b>EQ 4</b>	<b>To what extent has the Commission's support contributed to strengthening of the justice machinery, including access to justice by the population and the penal system?</b>
<b>EQ 5</b>	<b>To what extent has the Commission's support contributed to increased personal and community safety, improved law and order, and improved management of border security?</b>

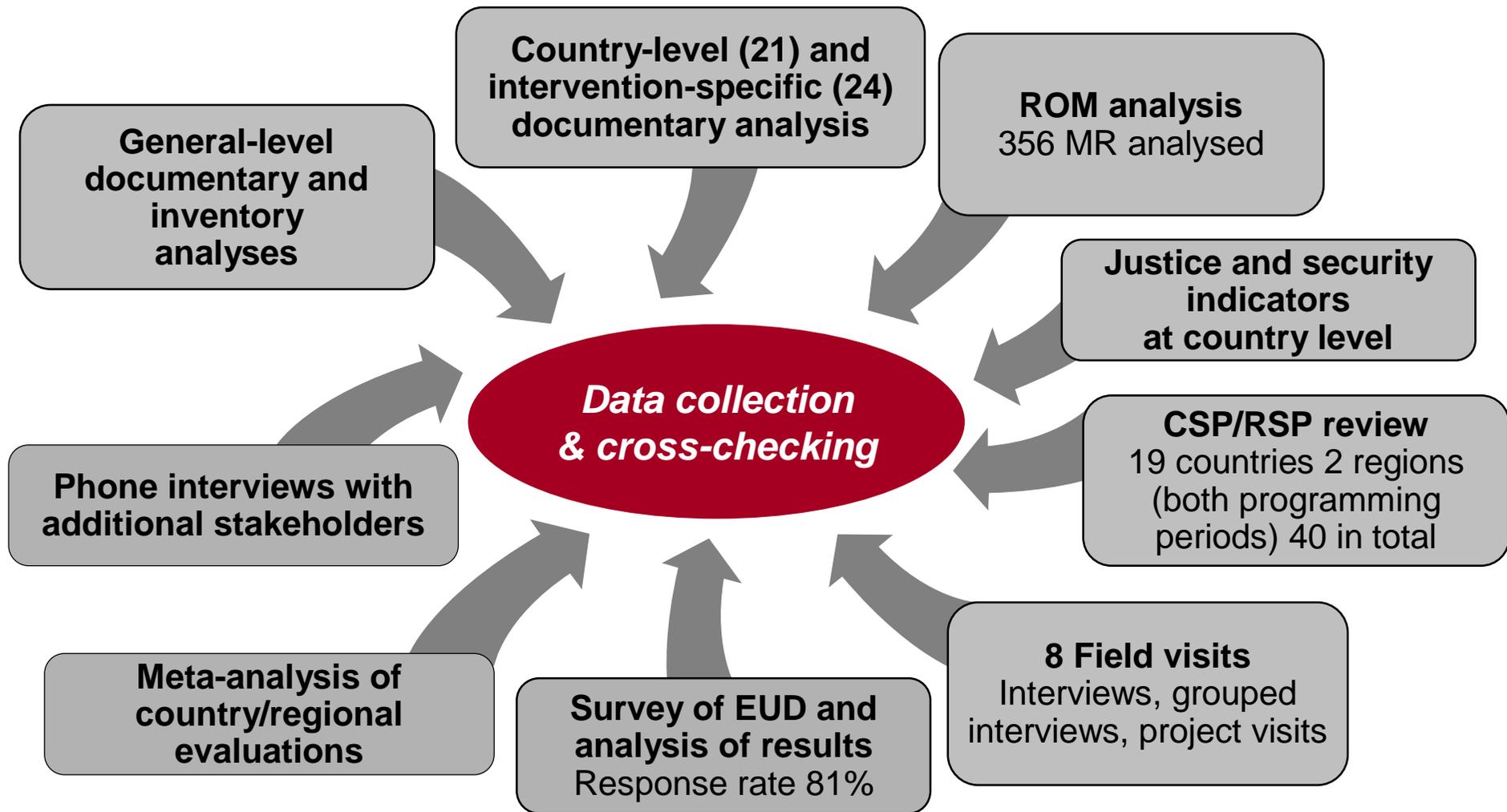
# The Evaluation Questions (6-10)

<b>EQ 6</b>	<b>To what extent has the Commission's support to DDR enhanced the security and welfare of former combatants, their families and the wider communities where resettlement has occurred?</b>
<b>EQ 7</b>	<b>To what extent has the Commission's support contributed to regional stability through interventions at local, national and regional levels?</b>
<b>EQ 8</b>	<b>To what extent has the Commission's support for JSSR contributed to more secure and effective states that can meet the security and justice needs of their populations?</b>
<b>EQ 9</b>	<b>To what extent has the mix and sequencing of the Commission's financing instruments, budget lines, aid delivery methods and policy dialogue been appropriate for achieving cost-effective and timely JSSR interventions?</b>
<b>EQ 10</b>	<b>To what extent have the Commission's JSSR strategies, programmes and been designed and implemented in a coordinated and complementary manner within the EU (Council, EUSR and Member States) and with other donors?</b>

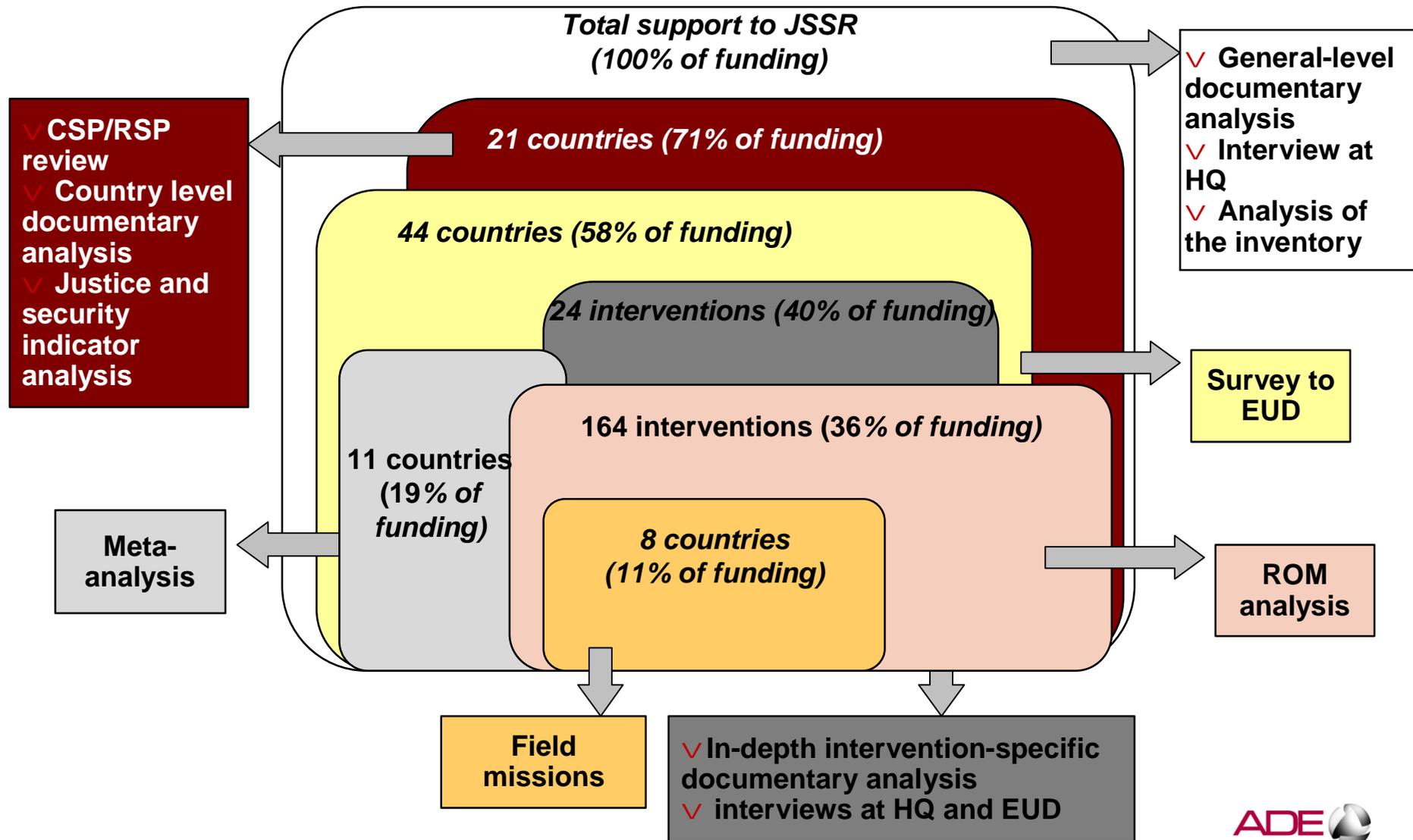
# Coverage of the evaluation criteria

#	EQ Title	Evaluation Criteria
EQ 1	Relevance and Value Added	Relevance, coherence, EC added value, 3Cs
EQ 2	National Ownership of JSSR process	Relevance, sustainability
EQ 3	Civil Management Bodies & Civil Oversight Mechanisms	Relevance, effectiveness, sustainability
EQ 4	Justice Reform	Relevance, effectiveness, sustainability, 3Cs
EQ 5	Law Enforcement (incl. Border Management)	Relevance, effectiveness, sustainability, 3Cs
EQ 6	Support to DDR	Relevance, effectiveness, sustainability, 3Cs
EQ 7	Regional Stability	Effectiveness, impact
EQ 8	State Security and Human Security	Impact
EQ 9	Cost-Effectiveness	Efficiency
EQ 10	Coordination and Complementarity	3Cs, EC Added value

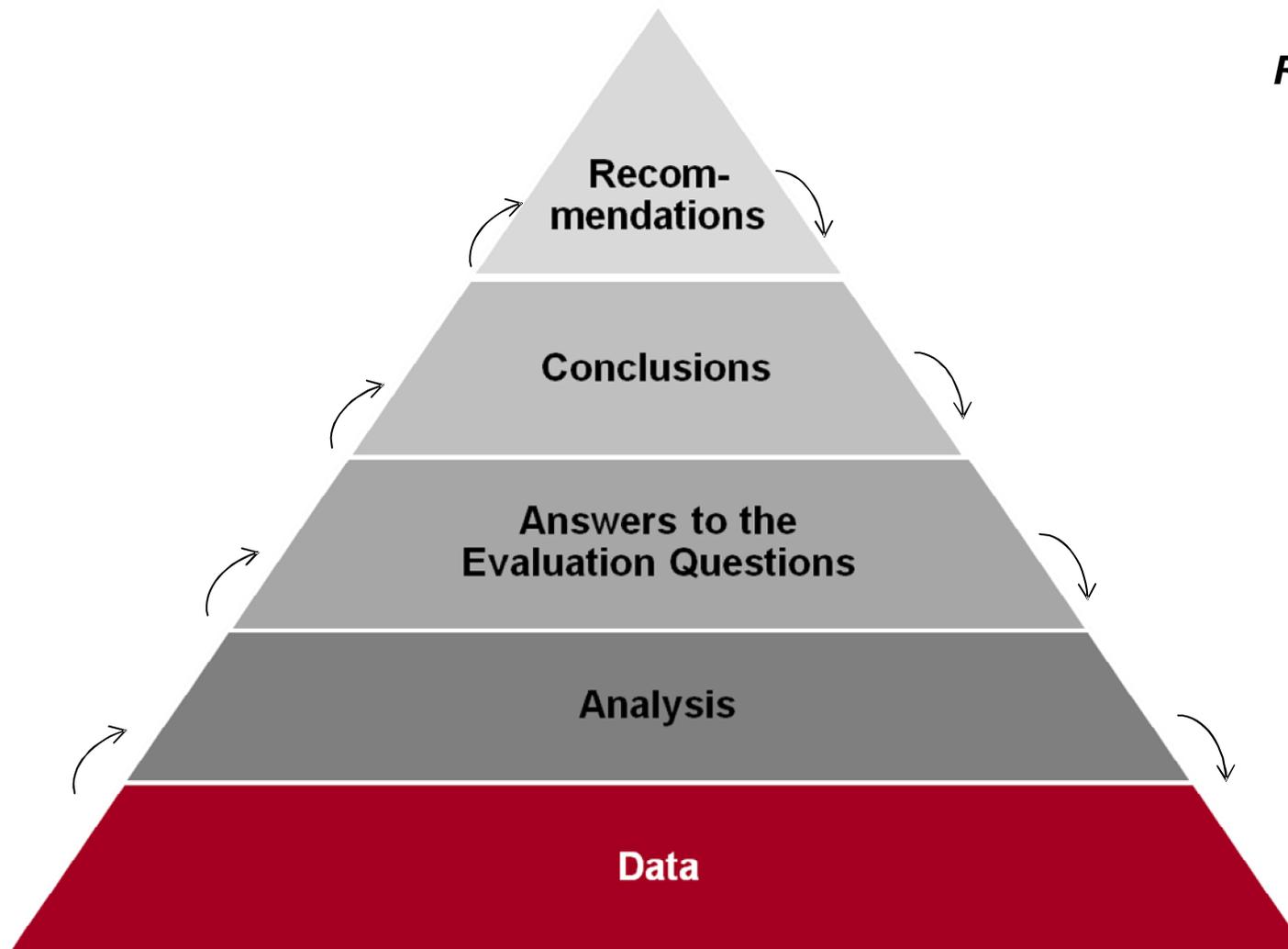
# Sources of information and collection tools



# Overall, 80% of Commission JSSR funding was covered during this evaluation



# Conclusions and recommendations have a strong analytical/factual basis



## **Report sections**

à *Chapter 6*

à *Chapter 5*

à *Chapter 4*

à *Chapter 4*

à *Annexes 3 - 11*

# Agenda

n Evaluation approach

n Conclusions

n Recommendations

# Ten conclusions in four clusters

## *Policy Commitment & Framework*

**C 1: Importance of JSSR within the Commission**

**C 2: Weakness of the Commission's JSSR strategy**

## *Strategy & Implementation*

**C 3: Insufficient local input into programme design**

**C 4: Limitations of the state capacity-building approach**

**C 5: Mixed achievements in national ownership**

## *Results & Impact*

**C 6: Difficulties in measuring impact on people's security**

**C 7: Potential added value in JSSR processes**

## *Institutional Capacity & Partnerships*

**C 8: Gap between policy commitments and means**

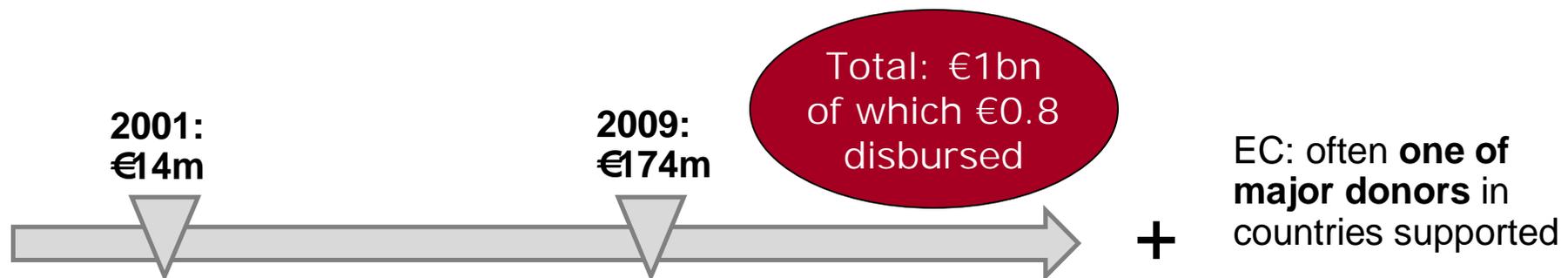
**C 9: Evolving systems and procedures for supporting JSSR**

**C 10: Lack of a common framework for collaborative working**

**C1. Since 2001, the Commission has substantially increased its engagement in JSSR through increased funding, development of its concept, and utilisation of a wide range of financial and non-financial instruments. (1/2)**

*Based on Inventory, EQs 1,9, and 10  
Basis for Recommendation 1*

**Commission's support to JSSR increased significantly over 2001-09**



**Security and Justice not new areas but Commission strengthened its policy framework in JSSR**

- n 2005 “EU Concept for ESDP Support for SSR” outlines the **concepts, roles and activities** of SSR for **the 2<sup>nd</sup> Pillar**
- n 2006 COM “A Concept for the EC Support for SSR” does the same for **the 1<sup>st</sup> Pillar**
- n 2006 “Council Conclusions on a Policy Framework for SSR” is an **overarching** political document emphasising the need for a joint EU **approach** to SSR.

**C1. Since 2001, the Commission has substantially increased its engagement in JSSR through increased funding, development of its concept, and utilisation of a wide range of financial and non-financial instruments. (2/2)**

***Long-term geographical assistance***

- Primary instrument to support JSSR
- Appropriateness sometimes questioned due to lengthy & cumbersome approval procedures

***Short-term instrument***

- 2001: Commission designed an instrument with simplified procedures RRM (the IfS)
- Allowed for more flexibility in supporting JSSR in crisis situations.

***Wide range of financial and non-financial instruments***

***Non-financial instruments***

which include political dialogue, high-level mediation through EU Special Representatives, sanctions

***Thematic funding instruments***

mechanism to fund specific JSSR-related issues such as civil society involvement (EIDHR, NSA budget line, etc.)

## C2. The Commission did not generally adopt a strategic, political approach to supporting JSSR in partner countries due to weaknesses in the *EU Policy Framework* and the limitations of its instruments. (1/2)

*Based on EQs 1,3,4,5,6,9, and 10  
Basis for Recommendations 1 and 2*

Commission's SSR Concept recognises that:

- SSR should be a holistic process
- Commission faces limitations due to mandate and restrictions on ODA eligibility

à Therefore, assistance must be part of an integrated, cross-pillar approach, also coordinated with other international assistance

However, the *EU Policy Framework* does little to enable this more integrated, cross-pillar approach :

- n Does not provide for a clear division of labour
- n Overlap in competencies in certain key areas (justice and policing)
- n No formal mechanism exists to promote convergence & coordination

## C2. The Commission did not generally adopt a strategic, political approach to supporting JSSR in partner countries due to weaknesses in the EU *Policy Framework* and the limitations of its instruments. (2/2)

in practice

- n Focus on individual parts of the security sector – mainly either justice, policing or border management - and not informed by a holistic understanding of the sector.
- n Less attention to cross-cutting governance issues such as strategic policymaking, democratic oversight, financial management, etc.
- n Emphasis on the technical aspects of assistance, to the detriment of its political dimension
- v These factors can in part be explained by the absence of national security/justice strategies with which the Commission could align its assistance....

However, over the evaluation period:

- n Growing awareness of the limitations of a narrow sectoral approach in the absence of an enabling policy environment
- n Onset of more formal political dialogues between the EU and partner countries
- n Increasing use of the SBS instrument opened the way for the Commission to discuss and agree directly with partner governments a long-term strategic plan for JSSR



**Examples found were Jamaica and Georgia**

### C3. Design of Commission JSSR assistance programmes not adequately underpinned by local knowledge of security and justice practices/needs or by mechanisms to monitor progress and measure results and impact.

Programme design generally **not conducted with reference to an overall EU SSR-support strategy** agreed with partner countries.

*Based on EQs 2,3,4,5 and 7  
Basis for Recommendations 3, 6*

Instead programme design:

- n Responded to priorities spelled out in the CSPs/RSPs: this guidance is not sufficient to inform design of a programme responsive to a partner country's needs
- n Relied heavily on the use of external consultants whose knowledge of partner countries was not necessarily sufficient
- n Often not underpinned by thorough analysis (political and technical)
- n Inadequate organisational audits and needs assessments to determine choice of activities
- n Inconsistent use of baselines and indicators for measuring progress and assessing impact
- n Placed emphasis on external M&E techniques (ROM) rather than developing a monitoring capacity within programmes

## C4. Commission assistance privileged a state institutional capacity building approach rather than addressing the constraints to service delivery from the perspective of the intended beneficiaries. (1/2)

Based on EQs 1,3,4,5 and 9  
Basis for Recommendations 3, 5 and 6

Focus on state security & justice institutions

Political sensitivity of these sectors

Programme designers saw states as primary security and justice providers

*A state focus does not necessarily result in better services being delivered to citizens....*



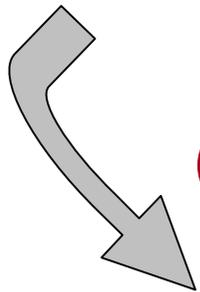
Honduras

The focus on end-beneficiaries did not move up the donor policy agenda until late in the evaluation period...

## C4. Commission assistance focused on building institutional capacity within state security/justice bodies rather than on addressing constraints to service delivery from the perspective of the intended beneficiaries. (2/2)

*In general, Commission JSSR programmes were silent on the role of non-state security and justice providers, including traditional justice or customary justice...*

*...but in some countries, particularly in Africa, non-state security and justice provision is the reality for a large portion of the population!*



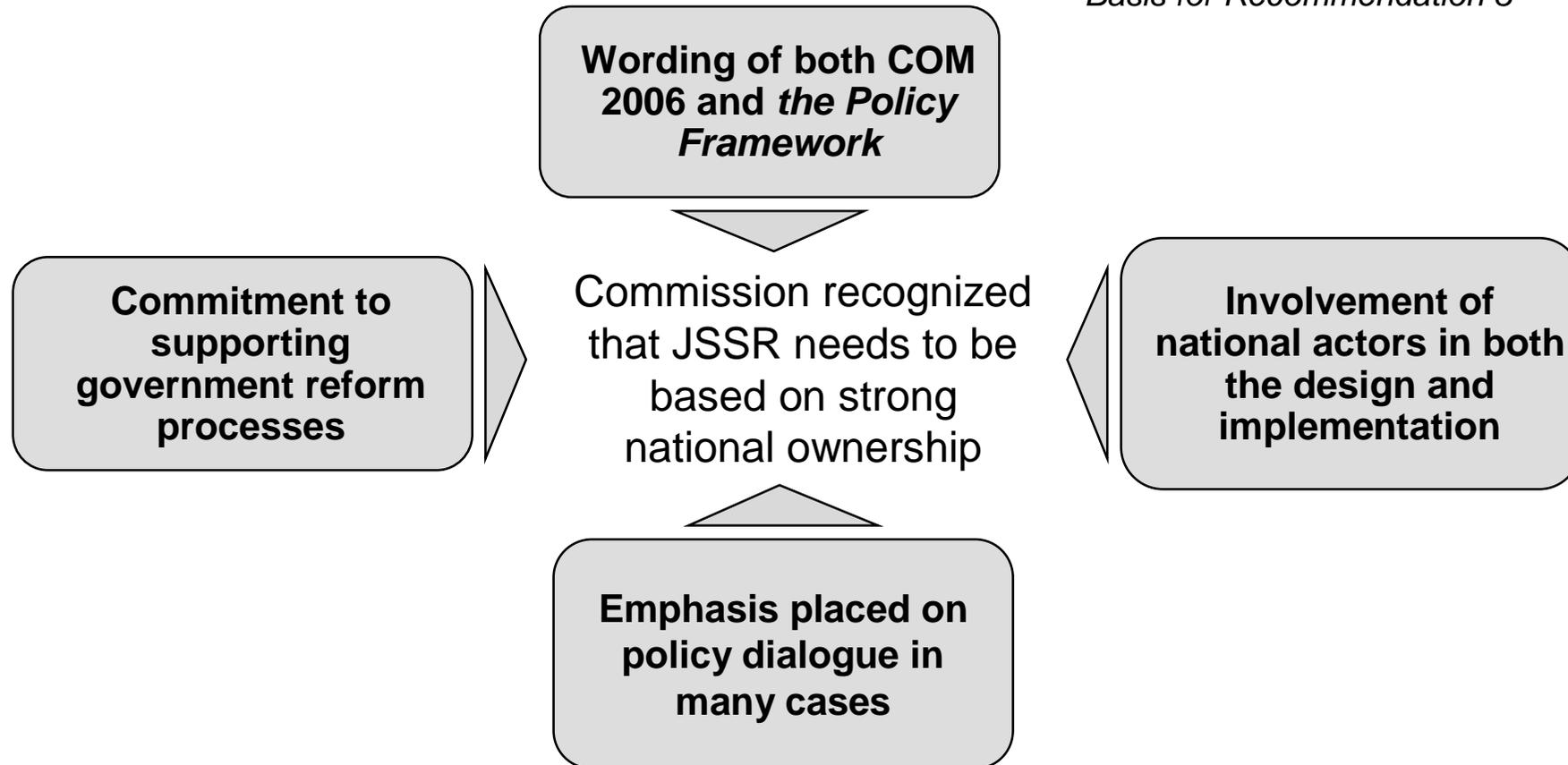
desirability of marrying an institutional development and a service delivery approach



A simple focus on non-state actors will not achieve the objective of enhancing service delivery

**C5. The Commission placed strong emphasis on national ownership at both policy and programming levels. But its ability to tailor JSSR assistance effectively to the differing needs and priorities of stakeholder groups was constrained by its focus on state institutions and its inflexible programming procedures. (1/2)**

*Based on EQs 1,2,3,4 ,5 and 9  
Basis for Recommendation 3*



BUT ensuring national ownership was a challenge in practice

**C5. Strong Commission emphasis on national ownership at both policy and programming levels. But its ability to tailor JSSR assistance effectively to the differing needs and priorities of stakeholder groups was constrained by its focus on state institutions and inflexible programming procedures. (2/2)**

A difficult working environment:

- n lack of national consensus on JSSR priorities
- n governments with poor records of upholding citizen rights
- n the focus on the state and the sensitivity of the sector made it more difficult to reflect citizen preferences in programming
- n slow and inflexible nature of Commission programming procedures further exacerbated efforts to make assistance responsive to national needs
- n limited SSR-specific training or operational guidelines to facilitate efforts by programme staff to analyse and address the complex issue of ownership

Tendency **to conflate national ownership with partner governments own reform priorities** even though these did not always respond to broader citizen needs or were not consistent with holistic SSR programmes.



Colombia

**C6. Commission assistance helped in many cases to enhance institutional capacities within state security and justice bodies to deliver public services. But the overall impact on people's security and access to justice has been difficult to measure and was limited by its overall strategy for supporting JSSR processes.**

*Based on EQ8  
Basis for Recommendation 6*

The Commission:

- invested significant resources (€1b contracted over 2001-09)
- used a wide range of instruments

- contributed to putting **JSSR on government reform agendas**
- contributed to **strengthening the legal/policy frameworks, organisational structures, and human capacities** necessary for states to deliver security and justice services more effectively
- helped **reinforce the governance** of security and justice sectors

This did not in itself result in more secure citizens or more stable states...

Three challenges in measuring impact:

- Ø Too recent to assess in many cases
- Ø Inadequate use of baseline studies & indicators
- Ø Short-term programmatic focus on outputs/outcomes

**C6. Commission assistance helped in many cases to enhance institutional capacities within state security and justice bodies to deliver public services. But the overall impact on people's security and access to justice has been difficult to measure and was limited by its overall strategy for supporting JSSR processes.**

*Commission assistance was generally not geared to fostering changes in relationships between state security and justice institutions and the intended beneficiaries*

- n Difficult working environment which limited entry points to state actors



Chad

- n Inadequate attention paid to ensuring that gains were sustained after programmes ended: focus on “launching a dynamic of change”....

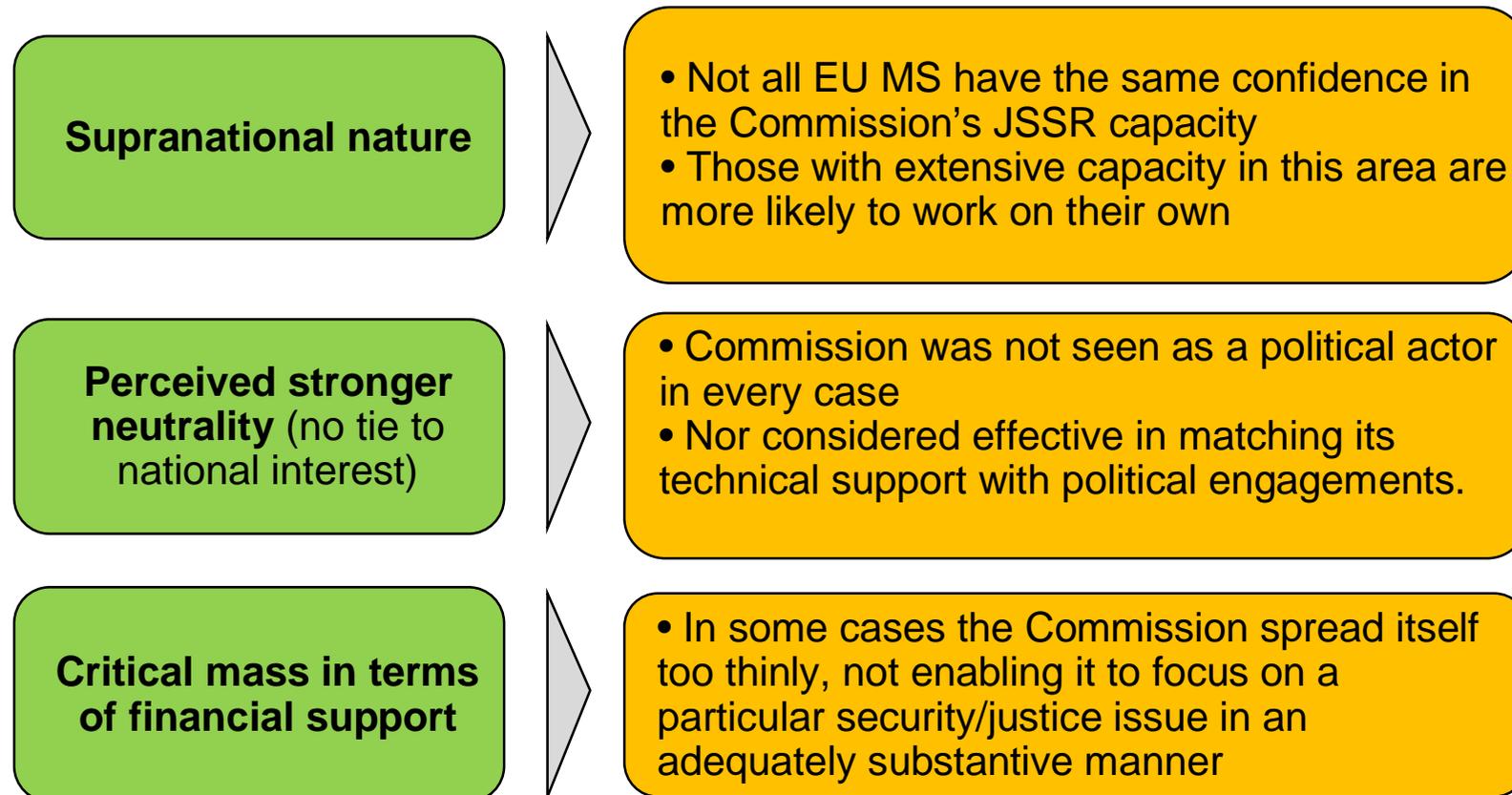


Indonesia and Colombia

**C7. The Commission had the potential to provide added value to internationally-supported JSSR processes in several important ways that differentiated it from other actors. But its effectiveness at doing so was undermined by the weaknesses of the EU *Policy Framework* and its internal capacity limitations. (1/2)**

*Based on EQs 1,6 and 9  
Basis for Recommendation 8*

Six areas of value added with their respective limitations were identified:



**C7. The Commission had the potential to provide added value to internationally-supported JSSR processes in several important ways that differentiated it from other actors. But its effectiveness at doing so was undermined by the weaknesses of the EU *Policy Framework* and its internal capacity limitations. (2/2)**

**Wide array of instruments**

Flexibility provided by these instruments was often not matched

- either by the quality of delivery
- or responsiveness to needs on the ground.

**Long-term thematic experience in fields relevant to JSSR**

Weakness of the EU *Policy Framework* hampered efforts to work in more integrated ways – both internally and with the Council – in order to deliver assistance effectively

**Continued presence in partner countries**

Commission JSSR programmes tend to be too short-term in nature to enable the Commission:

- to form strong partnerships with governments
- or have a real impact.

## C8. The Commission's institutional set up, human resource capacity, and programming tools and guidance were not commensurate with its policy commitment and its level of funding for JSSR. (1/2)

*Based on EQs 1,2,9 and 10  
Basis for Recommendations 7, 8*

Institutional set-up	Human resources policy	Tools and guidance
<ul style="list-style-type: none"><li>• Separation of competencies between two pillars:<ul style="list-style-type: none"><li>– Cumbersome</li><li>– Unclear (no clear lead)</li><li>– Often overlaps</li></ul></li></ul>	<ul style="list-style-type: none"><li>• Not geared to develop in-house JSSR expertise</li><li>• Trainings provided but not compulsory for staff</li><li>• Few incentives to attract and retain skilled staff to work in fragile contexts or specific career development</li></ul>	<ul style="list-style-type: none"><li>• Limited tools and guidance developed by the Commission</li></ul> <p>(Three exceptions.....).</p>

***Not commensurate with the increased commitment  
of the Commission to JSSR activities***

## C8. The Commission's institutional set up, human resource capacity, and programming tools and guidance were not commensurate with its policy commitment and its level of funding for JSSR. (2/2)

Limitations of **existing tools, guidance** and support structures:

**Guidance on justice reform in ACP countries (2010)**

- Staff not always aware of its existence,
- Not deemed very useful for the day-to-day work of JSSR projects managers

**Inter-service Quality Support Group (iQSG)**

Documents by the iQSG were not identified in this evaluation as allowing adequate development of JSSR strategies and/or programmes

**Specialised AIDCO unit on governance, justice and security issues**

- Advice to Delegations on JSSR issues much appreciated....but limited staff capacity
- Unit could not make up for absence of concrete tools and guidance on JSSR

## C9. The Commission's programming cycle and procedures were not sufficiently efficient, flexible and long-term in orientation to respond adequately to the dynamic and political nature of JSSR. (1/2)

Based on EQs2,3,4,5,6 and 9

Basis for Recommendations 1,2,4,7

**Lengthy and complex decision-making procedures**, especially under long-term geographical assistance

+

Once project documents approved, **difficult to make major changes** - rigid rules governing implementation



Restricted the **flexibility** and **efficiency** of JSSR assistance programmes



Some examples were Indonesia, Chad, Colombia

Another challenge noted: the general short-term orientation of programmes....



.... *interesting examples of programmes combining short-term and longer-term support in Georgia (criminal justice reform) and in Aceh (DDR process).*

**The move from project approach-type of intervention to sector budget support (SBS) has the potential to overcome some of these shortcomings**

## C9. The Commission's programming cycle and procedures were not sufficiently efficient, flexible and long-term in orientation to respond adequately to the dynamic and political nature of JSSR. (2/2)



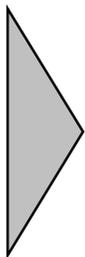
### **SBS worked well in Georgia and Rwanda because:**

- n Both countries complied with the conditionnalités (public finance management and sector policy)
- n The Commission had supported JSSR for a long period of time through various types of interventions beforehand
- n Both countries had defined clear strategies and policies to assert their ownership of the reform process



### **SBS not always an alternative as many of the countries receiving JSSR assistance have:**

- n Weaknesses in their financial management systems
- n Weak capacity for policy development / Difficulty in developing national security or justice strategies

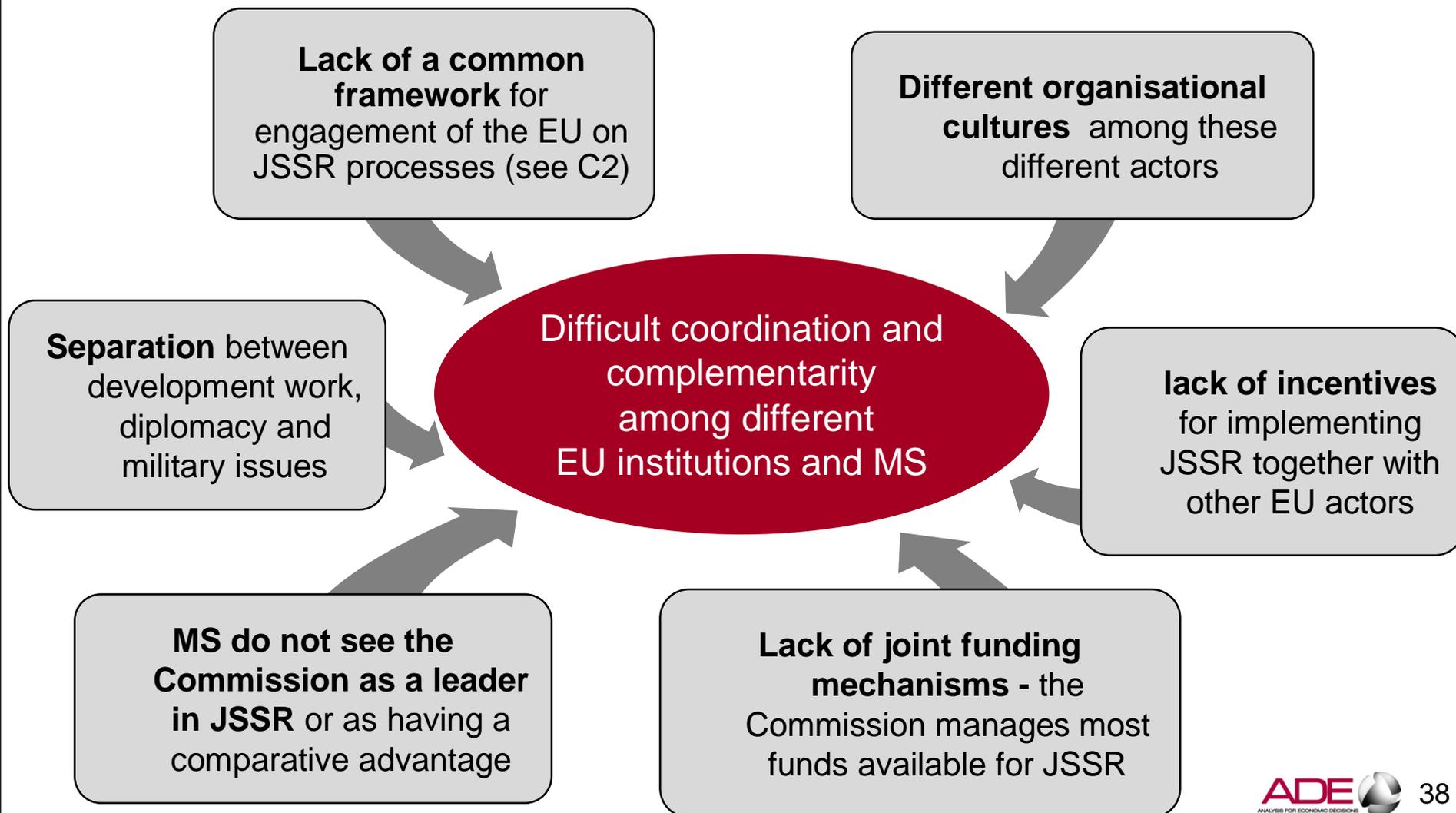


***As an instrument for supporting JSSR, SBS has much promise, but only when carefully and selectively applied***

**C10. The Commission did not have a set of shared strategies and operational tools with its partners, either within the EU or outside, that favoured a clear division of labour or enhanced coordination and complementarity in JSSR assistance programmes. (1/3)**

**At the EU level**

*Based on EQs 6,9 and 10  
Basis for Recommendation 8*



## C10. The Commission did not have a set of shared strategies and operational tools with its partners, either within the EU or outside, that favoured a clear division of labour or enhanced coordination and complementarity in JSSR assistance programmes. (2/3)

Despite challenges at the EU level, examples of good coordination were found:



- n in **border management in Eastern Europe** where the Commission used its supranational nature to harness EUMS expertise and provide coordinated support with success (**EUBAM** and **SCIBM**)
- n the **DDR process in Aceh (Indonesia)** was an example of an EU-wide approach (Council through the ESDP mission and the Commission through the RRM and then longer-term bilateral cooperation)

At the international level:

- n Information regularly shared through coordination meetings at operational and political level which **minimised duplication** ...
- n .....but **no concrete coordination mechanisms** to reach common objectives with a shared vision and clear division of labour among intl. par were established

**C10. The Commission did not have a set of shared strategies and operational tools with its partners, either within the EU or outside, that favoured a clear division of labour or enhanced coordination and complementarity in JSSR assistance programmes. (3/3)**

At the international level:

Commission channelled **53%** of its total JSSR funds over the period 2001-2009 through international organisations (mainly the UN and the WB)

Allowed for a **better coordinated approach** mainly in fragile states or after a conflict



*LOTFA  
Afghanistan*

Permitted the Commission to **benefit from UN expertise** in border management projects

*Eastern Europe  
& Central Asia*

**Loss of control** over funds channelled through other institutions...

**Less visibility....**

*Indonesia/  
POLMAS*

# Thematic Evaluation of European Commission Support to Justice and Security System Reform (JSSR)

## Final Report: Dissemination Seminar

### Part II - Recommendations

Brussels, 03 February 2012

This document is designed as support to the oral presentation  
and is not intended to be used separately

# Agenda

n **Evaluation approach**

n **Conclusions**

n **Recommendations**

# Eight recommendations in four clusters

## *Policy Commitment & Framework*

**R 1: Develop an EU policy framework that is fit for purpose**

## *Strategy & Implementation*

**R 2: Adopt a more strategic, political approach to JSSR assistance**

**R 3: Anchor JSSR assistance firmly in local knowledge and practice**

**R 4: Adopt longer-term assistance and more flexible procedures**

**R 5: Ensure JSSR assistance is informed by service delivery outcomes**

## *Results & Impact*

**R 6: Take impact seriously and learn how to better measure results**

## *Institutional Capacity & Partnerships*

**R 7: Develop a stronger pool of Commission JSSR expertise**

**R 8: Harness Member State capabilities in the area of JSSR**

# Policy Commitment & Framework

**R 1: Work with the EEAS to develop a more robust EU JSSR *Policy Framework* and develop complementary operational guidelines that reflect the recent evolution of international thinking on JSSR. (1/2)**

- n Recognize the lag between thinking and policy development
  - ∅ Non-state security/justice provision, service delivery, problem-solving approaches
  
- n Work with the EEAS and other relevant European bodies (including EU MS) to develop a more robust JSSR *Policy Framework* that clarifies:
  - ∅ The aims of the EU's JSSR action
  - ∅ Its strategy for achieving these aims
  - ∅ How it can add value to internationally-supported JSSR processes
  - ∅ The roles of the relevant European institutions
  - ∅ The specific mechanisms and procedures that will enable these actors to collaborate and deliver assistance effectively

# Policy Commitment & Framework

**R 1: Work with the EEAS to develop a more robust EU JSSR *Policy Framework* and develop complementary operational guidelines that reflect the recent evolution of international thinking on JSSR. (2/2)**

A more **robust *Policy Framework***  political impetus to develop the **machinery needed for effective programming.**

- u A comprehensive and detailed set of programming guidelines informed by recent international JSSR thinking
  - ∅ Advantages of having in-house capacity?
- u Develop common Commission/EEAS tools: joint fact-finding missions, analytical framework for JSSR assessments, reporting formats for use by EUD staff to HQ
- u Commitment and framework for developing common EU JSSR country strategies which provide general direction and objectives for all relevant European actors

## Strategy & Implementation

**R 2: Adopt a more strategic, long-term political approach to JSSR assistance which is anchored in national security and justice strategies in partner countries and facilitates local problem-solving.**

- n Absence of overall EU support strategy and project approach – results in focus on individual sectors/technical approaches
- n Need to base assistance on partner countries' own national security strategies or plans
  - n provides an entry-point for a long-term, comprehensive engagement
  - n facilitates improved coordination of EU and wider donor assistance
- n Because the Commission is limited in the support it can provide (mandate and ODA eligibility) necessary to work closely with the EEAS which can engage more easily with areas such as the military/defence and support the necessary political dialogue

*Commission HQ and EEAS - Based on CCL 2 and 9*

## Strategy & Implementation

**R 3: Place greater emphasis on securing the local knowledge and inputs Commission requires at the design stage of its JSSR programmes to ensure that they are well tailored to local conditions and priorities.**

- n Programming based on “local priorities” rather than mere alignment with Government priorities (consistent with OECD Principles for Good International Engagement in Fragile States and Situations)
- n Commission’s guidance for policymakers and staff involved in JSSR programmes needs to confront the limitations of technical solutions
- n Building on what exists - if it is a potential resource for reform - is better than importing new institutions that may be difficult to adapt to the local, national or regional context.

*Commission HQ, EUD and EEAS -Based on CCL 3,5 and 7*

## Strategy & Implementation

**R 4: Adopt a longer timeframe for its JSSR programming, combined with more flexible and rapid approval procedures, so as to be able to better respond to the dynamic and political nature of reform processes**

- n Acknowledge the long-term nature of JSSR (esp. in fragile contexts) and its inherently political nature
- n A 3-5 year programming timeframe for JSSR makes it very difficult to accommodate delays or to effectively conduct baseline studies
- n Incorporate rolling 2-year (?) plans that enable programme managers to respond flexibly to the changing security and justice environment

## Strategy & Implementation

**R 5: Service delivery outcomes should drive the Commission's overall approach to JSSR, enabling it to strike a better balance between strengthening state institutional capacities and fostering citizen engagement in reform processes.**

- n Limitations of institutional capacity building approach – limited impact on people's lives
- n Need for more 'hybrid' approaches (in keeping with policy commitment to place the security of the people at the centre)
  - n Issue is not simply focusing on beneficiaries, but how they can be assisted to negotiate the improved services they require
  - n These services will in many cases not come from the state
- n Engagement with state actors through a capacity building approach does not exclude working with the intended beneficiaries of state services

## Results & Impact

**R 6: More systematically incorporate into its JSSR assistance programmes the mechanisms required to measure results and, in particular, the impact of its assistance on the lives of people.**

- n Measurement of outcomes and impacts critical to achieve a better balance between strengthening state institutional capacity and impacting on the security and justice of citizens
- n One outcome that is key to success and must be measured is the extent of buy-in by a partner country of Commission's assistance strategy
- n Steps the Commission can take:
  - ∅ Greater emphasis in JSSR preparation courses on programme rationale / methods for impact measurement
  - ∅ Strengthened guidelines on the use of baselines, indicators and other M&E tools
  - ∅ Incorporate strategy for monitoring and measuring results in programmes at design stage with adequate resources ear-marked in project budgets to cover this

## Institutional Capacity & Partnerships

**R 7: Develop a stronger pool of EU JSSR experts by improving training and ensuring that staff working on JSSR both at HQ and in Delegations receive the appropriate guidance and support.**

- n Commission should collaborate with the EEAS to develop a stronger pool of EU JSSR experts by:
  - ∅ Improved training and making them compulsory for relevant staff at HQ and in Delegations. Carried-out jointly by the Commission and the EEAS to ensure mutual appreciation of each others' roles
  - ∅ Bringing policy/support staff together within one thematic unit cutting across DEVCO and EEAS
  - ∅ Mechanisms/incentives (career progression in this area) to retain experienced staff in JSSR
- n Seek to secure greater access to JSSR expertise from EU MS, including civil servants and other professionals
- ∅ There are various mechanisms in place which go some way to meeting this objective (EU JSSR Pool of Experts up and running since 2010, the IfS expert support group, expertise received from ISSAT, etc.)

## Institutional Capacity & Partnerships

**R 8: Exploit the comparative advantage offered by the Commission's supranational character and more effectively harness Member State capabilities in support of its JSSR programming.**

- n Strengthening the EU JSSR *Policy Framework* (See Recommendation 1)
- n Using more the delegated aid modality with EU MS specialised bodies (police, justice, border guards etc.) to implement JSSR interventions
- n Staffing the EU Delegations with seconded staff from EU MS
- n Extending the use of modalities such as twinning projects and the EU Advisory Group (used in Armenia, for example) from the neighbourhood countries to other geographical regions
- n Further promoting harmonized EU JSSR strategies and interventions (with EU MS and other EU institutions) in partner countries, in line with the 2005 Paris Declaration on Aid Effectiveness

# Additional information and contact details

**Available material:** Thematic evaluation of the European Commission's Support to Justice and Security System Reform

[http://ec.europa.eu/europeaid/how/evaluation/evaluation\\_reports/2011/1295\\_docs\\_en.htm](http://ec.europa.eu/europeaid/how/evaluation/evaluation_reports/2011/1295_docs_en.htm)

## Contacts:

### European Commission:

Ms Roxana Osiac (Joint Evaluation Unit): [Roxana.OSIAC@ec.europa.eu](mailto:Roxana.OSIAC@ec.europa.eu)

### ADE:

Dr. Anne-Laure Cadji (Project Manager): [alc@ade.eu](mailto:alc@ade.eu)

### **Consulting & Advisory Services**

*Rue de Clairvaux 40 bte 101*

*B-1348 Louvain-la-Neuve, Belgium*

*tel.: +32-10-45.45.10*

*tel. direct: +32-10-48.94.76*

*fax: +32-10-45.40.99*