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REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS

Ex-post evaluation report for the period 2007-2013 of actions financed by the "Prevention and fight against crime" programme (ISEC) and the "Prevention, preparedness and consequence management of terrorism and other security related risks" programme (CIPS)

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1 INTRODUCTION

The Framework Programme on "Security and Safeguarding Liberties"[1], for the period 2007-2013 was composed of two Specific Programmes ('the Programmes'): "Prevention and Fight against Crime" (ISEC) and "Prevention, Preparedness and Consequence Management of Terrorism and other Security-related Risks" (CIPS).[2] The Decisions establishing ISEC[3] and CIPS[4] required the European Commission to submit an *ex post* evaluation report, for the period 2007 to 2013, to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions.

This report presents the main elements of the programmes, the scope and limitations of the evaluations, the key evaluation results, conclusions and lessons learned. It is based on the findings of two *ex post* evaluations that assessed the Programmes, in the period 2007 to 2013, against the evaluation criteria defined in the better regulation guidelines: (i) effectiveness, (ii) efficiency, (iii) coherence, (iv) relevance, (v) EU added value.

The conclusions of these evaluations and the lessons learned complement the interim evaluation of the Internal Security Fund (ISF), as its Police component is the successor of the ISEC and CIPS programmes for the period 2014-2020. The results of this interim evaluation together with the results of the present *ex* post evaluations contributed to the shaping of the future policies in migration and security areas, especially to the preparation of the new funding instruments in the framework of the Multiannual Financial Framework post 2020.

1.2 Framework Programme "Security and Safeguarding Liberties (2007-2013) – ISEC and CIPS

Policy Context

The European Union (EU) has identified the areas of organized crime and terrorism as key threats for European internal security. Furthermore, Article 67(3) Treaty on the Functioning of the European Union contains a clear mandate for the Union to provide citizens with a high level of security by preventing and combating crime and in particular terrorism, trafficking in persons and offences against children, illicit drug trafficking and illicit arms trafficking, corruption and fraud through measures for coordination and cooperation between police and judicial authorities and other competent authorities. The EU's role in these policy areas has

[1] Communication COM/2005/0124 final from the Commission to the Council and the European Parliament Establishing a Framework Programme on "Security and Safeguarding Liberties" for the period 2007-2013.

[2] The following Member States participated in ISEC and CIPS: AT, BE, BG, CY, CZ, DE, DK EE, EL, ES, FI, FR, HR (from 2013) HU, IE, IT, LV, LT, LU, MT, NL, PL, PT, RO, SE SK, SL, UK.

[3] Council Decision 2007/125/JHA of 12 February 2007 establishing for the period 2007-2013, as part of the General Programme on Security and Safeguarding Liberties, the Specific Programme "Prevention of and Fight against Crime".

[4] Council Decision 2007/124/EC, Euratom of 12 February 2007 establishing for the period 2007 to 2013, as part of the Framework Programme on Security and Safeguarding Liberties, the Specific Programme 'Prevention, Preparedness and Consequence Management of Terrorism and other Security-related risks'.

continuously increased, following the identification of a strong need for numerous common actions in this matter. For instance, the conclusions given by the Tampere European Council of 1999 reaffirmed the importance of the promotion of freedom, security and justice through the prevention and fight against crime. At the time, the focus was on the legislative action of establishing the area of freedom, security and justice, while the provision of financial support was rather complementary. With the Framework Programme "Security and Safeguarding Liberties", the work of the EU in this area entered into a new phase in which operational implementation became more predominant.

Moreover, the Hague Programme, which set the EU priorities for an area of freedom, security and justice for the period 2004-2009, confirmed the importance and the need for further reinforcement in the field of prevention of and fight against terrorism and other forms of crime at European level, highlighting the need for EU-level cooperation in these areas. In addition, the Hague Programme put increased focus on strengthening security and in particular on the EU's fight against terrorism, recruitment, financing, the protection of critical infrastructures and the development of a consequence management Framework. Although critical infrastructure falls largely within the scope of national competence, the EU has provided support to Member States in the field of critical infrastructure protection since 2004.

The Stockholm Programme, which provided a framework for EU action on the issues of citizenship, security, asylum, immigration and visa policy for the period 2010-2014, gave further importance to the development of EU policies in the areas of justice and security. The need to effectively implement the EU's counter-terrorism strategy, consisting of four strands of work - prevent, pursue, protect and respond - was reaffirmed, and a call was made for the reinforcement of the prevention strand. Furthermore, this Programme called for the creation of an EU Anti-Trafficking Coordinator which could contribute towards the consolidation of a coordinated and consolidated EU policy against trafficking.

During the last years of implementation of the Programmes, the EU witnessed a number of terrorist attacks and there was a significant change in the phenomenon of terrorism, in particular with the continuation of the civil war in Syria and the rise of the Islamic State of Iraq and Syria (ISIS).

Main elements

ISEC and CIPS covered a very wide policy field, which between 1993 and 2009 largely fell under the so-called Police and Judicial Co-operation in Criminal Matters pillar of the EU as introduced by the Treaty of Maastricht. The policies under this pillar were mainly based on a legal framework which retained elements of intergovernmental cooperation between Member States. This meant that there were few EU level funding opportunities in this field before the Programmes. The creation of the Programmes constituted a key development in EU policy in these fields.

ISEC (2007-2013) replaced the Framework Programme on Police and Judicial Cooperation in Criminal matters (AGIS)[5] which covered the period 2002-2006 and aimed to strengthen EU cross-border cooperation between police, other law enforcement agencies and judicial authorities. The total allocated budget for ISEC amounted to EUR 522 million for the whole period. The general objectives of ISEC were to prevent and combat crime, particularly terrorism, trafficking in persons, offences against children, drug trafficking, arms trade and trafficking, cybercrime, corruption and fraud, and to contribute to the establishment of policies at EU level. The programme's four specific objectives addressed four main themes:

- crime prevention and criminology;
- law enforcement;
- protection and support for witnesses;
- protection of victims.

CIPS (2007-2013) focused on critical infrastructure and other security issues, including operational issues in areas such as crisis management and preparedness in various sectors of critical importance. Its total allocated budget amounted to EUR 126.8 million for the whole period. CIPS had two general objectives, prevention as well as preparedness and consequence management, which were further divided into seven specific objectives[6]. These objectives covered the following thematic areas:

- crisis management;
- terrorism and other security-related risks within the area of freedom, security and justice, including risks relating to the environment, the public health, transports, research and technological development, and economic and social cohesion.

The Programmes were implemented under direct management mode under 2007-2013 Annual Work Programmes.[7] The financial support was implemented via projects supported by action grants awarded by the Commission, via contracts for services concluded following calls for tenders published by the Commission or via administrative arrangements with the Joint Research Centre (JRC). Under direct management, the European Commission retained full responsibility for implementation and carried out all programming and operational work.

Concerning the type of stakeholders who could apply for funding, ISEC included law enforcement agencies, other public and/or private bodies, actors and institutions, including local, regional and national authorities, social partners, universities, statistical offices, Non-Governmental Organisations, public-private partnerships and relevant international bodies. CIPS included public bodies (national, regional and local), the private sector, universities and research institutes. Contrary to ISEC, profit-making entities could lead projects under CIPS.

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5 Council Decision 2002/630/JHA of 22 July 2002 establishing a Framework programme on police and judicial cooperation in criminal matters (AGIS).

6 For an extended list of the specific objectives please refer to the Staff Working Document on the Ex Post Evaluation of the "Prevention, Preparedness and Consequence Management of Terrorism and other Security related risks" 2007-2013 Programme (CIPS).

7 Political priorities and objectives for projects are defined in the Commission's Annual Work Programmes adopted each year and calls for proposals are launched following the approval of each Annual Work Programme.

In terms of implementation, for both Programmes, not all of the available funding from the various calls was awarded, mostly due to project applications not meeting the eligibility criteria or the quality criterion for EU funding. From ISEC's allocated budget of EUR 522 million, over EUR 413 million were committed and EUR 304 million spent. Over the programming period, ISEC had an overall absorption rate of 74%.[8] As regards CIPS, 74.6 million were committed and EUR 60.4 million were spent out of the total allocated budget of EUR 126.8 million. The overall absorption rate of CIPS during the programming period was 83%.[9]

2 EX POST EVALUATION

Methodology

The evaluation's detailed findings and the methodology employed are described in the Commission staff working documents accompanying this report[10]. The preparation of the staff working document was supported by a study conducted by an external contractor.

Limitations

The evaluations of both Programmes were significantly hindered by the lack of baseline, i.e. a clear description of the situation before the start of the Programmes which could serve as a basis for assessing their impacts. Furthermore, the time lag between the implementation of the Programmes and the ex post evaluations hampered the process of evaluation given that representatives of the relevant beneficiaries and national and EU authorities were often no longer working in the same position and were thus difficult to reach. This is reflected in the low response rate to the public consultations and online surveys carried out during the evaluations.

In addition, only limited evidence on the results and impacts of the programmes was available. The results could not be measured due to the lack of a baseline, as mentioned earlier, but also due to the lack of ex ante targets and of a central repository for ISEC/CIPS project results. Issues have been noted also with regard to the monitoring of project progress, which hindered the assessment of effectiveness, efficiency and EU added value. For instance, it was not feasible to carry out a detailed comparison of costs due to the absence of comparable project data, given the wide range of policy areas and types of activities covered

8 Based on data for grants and procurement. Final data on project expenditure was not available at the time of writing the evaluation report (by March 2017), so it has not been possible to provide an estimate of the final spent amount under action grants nor the JRC actions.

9 Idem.

10 SWD(2018) on the Ex Post Evaluation of the "Prevention, Preparedness and Consequence Management of Terrorism and other Security related risks" 2007-2013 Programme (CIPS) and SWD(2018) on the Ex Post Evaluation of the "Prevention and fight against crime" 2007-2013 Programme (ISEC).

by the Programmes. It was also difficult to compare project costs and to measure the extent to which the same objectives were met by the different types of projects.

2.2 KEY RESULTS

Relevance

Taking into consideration the importance of the subsidiarity principle in the internal security area, ISEC and CIPS funding was not designed to substitute national funding but rather to complement it, providing increased support to cross-border cooperation. Overall, Member States considered ISEC's objectives relevant to their needs related to prevention of and fight against crime.[11] Similarly, CIPS was considered of continuous relevance to the prevention, preparedness and consequence management of terrorism and other security-related risks throughout the evaluation period. Moreover, the Programme responded well to a real need for transnational cooperation and coordination in the areas of prevention, preparedness and consequence management of terrorism and other security-related risks. This is particularly important given the need for EU level action in these fields and the lack of alternative national sources of funding due to the consequences of the 2008 financial crisis on national budgets.

The rationale behind both Programmes was to provide funds where the demand was highest in accordance with the outlined priorities in the Annual Work Programmes, set-up together with the Member States. This set-up proved to be broadly demand-driven rather than policy-driven, as it was based on open calls for proposals and allowed stakeholders to apply for funding based on a project proposal. As a consequence, the demand-driven design of the Programmes contributed to a significant geographical imbalance in the implementation, especially regarding the location of the coordinating organisations. For this reason, the Commission took measures to boost the geographical spread, particularly through the organisation of regional information days in Member States. Nonetheless, the Programmes' implementation strongly depended on the pro-activeness of Member State representatives and potential applicants. In order to allow Member States more equal access to funding and to improve their participation in all key security policy priorities, a shift towards shared management mode was introduced for the successor Fund, ISF-Police[12]. Unlike ISEC and CIPS, which were implemented only under direct management, ISF-Police is being implemented on the basis of a combination, with initially around 60% of the available funding being allocated to national programmes

[11] For instance, the specific objective related to "coordination, cooperation and mutual understanding among law enforcement agencies, other national authorities and related EU bodies" was considered highly relevant to the needs in the sector. Different types of stakeholders saw such cross-border cooperation as highly necessary, especially in the context of internationalisation of crime and professionalization of criminal groups. Similarly, the consulted stakeholders saw the other specific objectives of ISEC as relevant while the specific objectives on protection of crime witness and support for witnesses were the least popular amongst all. Moreover, the issues relating to witnesses and victims would be mainly covered under the Daphne III Programme.

[12] Regulation (EU) No 513/2014 of 16 April 2014 establishing, as part of the internal security fund, the instrument for financial support for police cooperation, preventing and combating crime, and crisis management.

under shared management and 40% allocated to Union actions under direct management. This change is expected to have a positive impact on the efficiency and effectiveness of the Commission's management of the ISF Fund and on the implementation by all Member States of key security policies.
A certain time lag between the formulation of priorities under Annual Work Programmes and their actual implementation was also identified due to the fact that the Annual Work Programmes reflected the priorities set in the previous year, which meant that there was a one year difference between the setting of priorities and their implementation. At times, this hindered the Programmes' relevance.

Effectiveness
Overall, the evaluation findings suggest that ISEC contributed to all of its objectives to some extent and the projects funded achieved the expected outputs. Therefore, it can be argued, that the Programme contributed to crime prevention and, ultimately, to better security for EU citizens, even if it is difficult to establish a direct causal relationship. The main results identified from ISEC projects were enhanced networking and enhanced sharing of information and best practices, as well as increased levels of knowledge and skills of practitioners. ISEC projects were particularly effective in contributing to the development of transnational cooperation between Member States and law enforcement agencies, as well as better exchange of information, particularly in the field of forensics, drugs, Passenger Name Records, cybercrime and trafficking in human beings.

Concerning CIPS, the evaluation demonstrated that the Programme broadly achieved its general and most of its specific objectives, contributing positively to the policy area of critical infrastructure protection. An important element of a number of CIPS projects was the focus placed on interdependencies and the prevention of 'cascading effects' in case of disruption and destruction of critical infrastructures during a terrorist attack or other security-related risks. EU-wide cooperation and cooperation of protection of critical infrastructures could be improved.

The evaluation found that the creation of a central repository containing detailed data on individual projects would have enabled the development of a monitoring system to collect and analyze data on financial progress, outputs and results of projects. The provision of an appropriate technical assistance budget could enhance the technical expertise throughout the lifecycle of projects and the dissemination of results.

Efficiency
Concerning the financial resources, the evaluation results show that the EU funding provided was perceived by the vast majority of consulted stakeholders as sufficient for all activities implemented under ISEC and CIPS. The creation of networks was viewed as having a high value for money. As regards the levels of EU funding, overall, the evaluation shows that EU funds were sufficient to implement the planned activities. Only a limited number of stakeholders highlighted the need for additional funding and that certain costs were underestimated, i.e. staff costs. Concerning the human resources deployed, the evaluation

shows that they were considered sufficient for a fairly low number of projects across the whole programming period.
The absence of a peer review on project results and the absence of a central repository were perceived as having decreased the overall efficiency of the Programmes. These aspects have not yet been put into practice under ISF but could be taken into consideration for the next Multiannual Financial Framework.
Despite the changes introduced in the implementation processes by the Commission, the administrative burden was perceived by some stakeholders as high. Stakeholders also pointed out the need for simplification of reporting.

Coherence
The evaluation focused on the Programmes' coherence with other EU programmes in the same field[13] and with national programmes and initiatives to assess the extent to which the intervention did not contradict nor created duplications with other interventions. It concluded that, overall, the activities implemented under the different EU instruments in their respective fields were coherent with the Programmes and did not detect major overlaps.

ISEC supported the implementation of EU obligations and cross-border cooperation among Member States in a large number of crime areas. However, in a context of financial crisis, national funding was very scarce or not available for such cooperation, preventing significant risk of duplication of EU funds with national funding streams. The evaluation also identified a substantial scope for coherence and complementarity between ISEC and other EU Programmes, namely JPEN, DAPHNE III, FP7 and Hercule II. Thanks to cooperation between the Commission services, synergies were achieved between DAPHNE III and the two ISEC specific objectives relating to the promotion and development of best practices for protection and support of witnesses and crime victims, especially in the area of trafficking in human beings. Effective coordination at both design, implementation and delivery stage was crucial to maximize the potential for coherence and complementarity and to avoid the risk of duplication. It can be concluded, on the basis of the evidence collected, that this was achieved to a large extent.

Similarly, CIPS actions carried out under the 2007-2013 Annual Work Programmes were found to be coherent with activities funded under other similar EU Funds, namely FP7 and the Civil Protection Financial instrument. Indeed, little to no evidence of overlap occurred between these funding instruments due to their differing features in terms of thematic focus, eligible actions and eligible stakeholders and target groups.

EU added value
The added value of the Programmes is closely linked to the 'importance' of EU funding for the organisations involved and to its ability to foster transnational cooperation which would often

[13] For ISEC - Criminal Justice Support Programme (JPEN), Daphne III (Fight against violence), 7th Framework Programme for Research and Technological Development (FP7) and Anti-fraud programme (Hercule II).For CIPS - FP7 and the Civil Protection Financial instrument.

not have taken place if projects had relied on national funding alone. Findings suggest that organisations did not often have access to national funding opportunities to implement the Programmes' activities. Hence it can be assumed that a significant part of the projects would not have been developed in the absence of the ISEC and CIPS funding.

Both Programmes had a strong transnational dimension by supporting either transnational projects or national projects with potential for transferability to other Member States. Thus a key aspect of their EU added value lied in their ability to foster transnational cooperation. The important contribution of ISEC funding to transnational cooperation and implementation of EU law in the various areas covered by the prevention and fight against crime was highlighted during a high number of interviews with all types of stakeholders. It was concluded that ISEC made a significant contribution to national law enforcement agencies cooperating closer transnationally, to building mutual trust, and to the formation of new relationships between organisations working with counterparts in other Member States. CIPS's EU added value was also positively evaluated through its contribution to the development of policies of the Union in the field of prevention, preparedness and consequence management of terrorism and other security-related risks and enhancing coordination and cooperation between relevant actors at EU level in protection of critical infrastructure.

However, the EU added value may have been reduced by the fact that projects carried-out under the Programmes were mostly led by coordinating organisations from a limited number of Member States. The shift towards shared management has addressed the geographical imbalance to some extent.

3 Conclusions

The evaluation showed that the ISEC and CIPS objectives and results were overall **relevant** to the needs of Member States in the areas covered by the Programmes despite concerns related to the design of the Programmes which proved more demand-driven than policy-driven. This led to significant geographical imbalance in the implementation. The shift towards shared management for the subsequent instrument ISF-Police was expected to address this and to increase the EU funds' effectiveness and efficiency. Also, the time lag identified between the formulation of priorities under Annual Work Programmes and their actual implementation has been partly addressed in ISF-Police through the inclusion of emergency assistance "to address urgent and specific needs".[14]

Concerning **effectiveness,** the Programmes broadly achieved their objectives, but a more detailed central repository of project results and outputs could be developed and shared via, for example, the European Crime Prevention Network, the Critical Infrastructure Warning Information Network (CIWIN), the website of the EU Anti-Trafficking Coordinator[15] or via other Commission services. This could be taken into consideration for the next Multiannual

[14] Article 2.j) and Article 10, Regulation (EU) No 513/2014.
[15] See http://ec.europa.eu/anti-trafficking/

Financial Framework. An enhanced monitoring system could be also considered. Key elements of this monitoring system could be, for example, monitoring visits and an IT system to systematically record project data. This has been addressed to some extent under the successor Fund, ISF-Police, for example, through the use of monitoring missions for project implementation and the possibility to contribute annually to technical assistance activities[16].

Regarding **efficiency**, overall, the vast majority of consulted stakeholders perceived EU funding to have been sufficient and the value for money was perceived as good to very high across all activities. However, as mentioned above, the absence of a central repository has also decreased the efficiency of the Programmes to a certain extent. Although monitoring has partly improved under the current Fund[17], the absence of peer review and of an appropriate dissemination of project results still represent shortcomings that would need to be addressed under the next generation of Funds. There is room for improvement to tackle the administrative burden and achieve simplification.

The evaluation showed that the Programmes have been **coherent** and without major overlaps with similar national and EU-level initiatives. This was mainly due to the cooperation between the Commission services involved in the management of the other initiatives.

Lastly, both Programmes were found to have had a substantial **EU added value**. Most of the activities carried out under the Programmes would not have been developed at all or would not have achieved the same results, in particular not at a transnational level, in the absence of EU funds. However, the EU added value could have been higher if the transferable outcomes of the projects at EU level had been further promoted and disseminated. The establishment of a central repository at Commission level gathering all project results could have contributed to it. The EU added value would also have been strengthened if coordinating organisations had been more evenly spread across Member States.

16 Article 9, Regulation (EU) No 513/2014.

17 It has improved as Member States have to submit an Annual Implementation Report under Shared Management and beneficiaries of action grants have to submit Interim and Final Reports under Direct Management.