**COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW
(CAHDI)**

**33rd meeting
Strasbourg, 22-23 March 2007**

DECISIONS OF THE COMMITTEE OF MINISTERS CONCERNING THE CAHDI

Document prepared by the Secretariat of the CAHDI

B. INFORMATION FOR ALL COMMITTEES

CM/Del/Dec(2007)984/1.9E / 22 January 2007
Establishing criteria for projects

Decisions

The Deputies

1. took note of, and approved, the criteria for launching, discontinuing and evaluating Council of Europe projects as set out in document CM(2006)101 final [see Appendix below];

2. decided to transmit the criteria to the committees involved in intergovernmental co-operation at the Council of Europe in order for them to be taken into account in their fields of competence.

Appendix I

CM(2006)101 final[1]   22 January 2007
Establishing criteria for projects

I.   Purpose of the criteria

1.   Following the presentation of the report by the Rapporteur on the Programme of Activities concerning the 2004 Progress Review Report, the Deputies mandated the Secretary General *to make proposals with a view to establishing criteria for continuing existing projects and launching new projects and their evaluation, in the light of the Warsaw Action Plan (CM/Del/Dec(2005)929/1.7, 8 June 2005*).

2.   The Directorate of Strategic Planning has therefore formulated a set of criteria and corresponding evaluative questions with regard to:

*   Launching new projects (Appendix I)
*   Discontinuing existing projects (Appendix II)
*   Evaluation of completed or terminated Projects (Appendix III)

3.   The objective is to establish a reference framework for projects, particularly in the preparation of the <u>Programme of Activities</u>. The criteria should be seen as guidelines to facilitate decisions about the inclusion or continuation of projects. These criteria are not necessarily cumulative and should always be considered in the general political and financial context of the Council of Europe. The specific situation and mandate of the various monitoring and treaty-based mechanisms and bodies should also be taken into consideration.

4.   The criteria take into account the political decisions taken at the Warsaw Summit contained in the Action Plan and the Declaration, towards further progress in building a Europe without dividing lines based on common values, and in particular paragraph 1 of the Declaration: *"The Council of Europe shall pursue its core objective of preserving and promoting human rights, democracy and the rule of law. All its activities must contribute to this fundamental objective"*.

In this context, reference should also be made to Chapter V of the Action Plan which invites the Secretary General to continue with internal reforms, including working methods.

---

[1] Approved at the Deputies' 984th meeting (17 and 18 January 2007, item 1.9).

II.   Previous efforts in the Council of Europe

5.   This document draws mainly on these recent political decisions, but it does not ignore previous efforts made in the Council of Europe in setting criteria for projects/activities, of which two are worth mentioning:

- Selection criteria for priority activities under Vote II: adopted by the Committee of Ministers at the 523rd meeting of the Ministers' Deputies (12-15 December 1994)
- Selection criteria included in the Council of Europe's (public) health and related activities: operationalisation of the strategic approach (CM(2005)37). Although this concerns one particular sector in the Council of Europe, it can be taken as a reference for similar efforts.

III.   Proposed criteria for launching, discontinuing and evaluating Council of Europe projects

6.   The process of defining criteria for projects should be set within a larger context of an evaluation policy of the Council of Europe. Currently, such a fully-fledged policy does not exist and needs to be developed. The development of such a policy will be broached in the context of Chapter V of the Action Plan (see CM(2006)70 final).

7.   The five criteria for projects are defined as follows:

1. Relevance: that the project's objective is in line with the Third Summit Declaration and Action Plan, and contributes to the Council of Europe core objective of preserving and promoting human rights, democracy and the rule of law, and priorities as well as country-specific needs.

2. Added Value: the Council of Europe comparative advantage, prevention of unnecessary internal and external duplication. Ability of the Council of Europe, through its specific approach, composition and working methods to make a significant contribution.

3. Effectiveness: the extent to which the project's objective and expected results were achieved, or are expected to be achieved; it also includes the concept of risk, the level of interest of member states and quality of project design. Risk identifies factors/assumptions affecting or likely to affect the successful achievement of a project's objective. Quality of project design covers appropriateness of objectives, expected results and performance indicators within the framework of project's budget and duration.

4. Efficiency: a measure of how economically resources/inputs such as staff and operational resources and time are converted to results.

5. Impact and sustainability: medium and long-term effects produced by the project and the continuation of benefits after project implementation has been completed.

IV.   When should a project be launched?

8.   A project should be launched if it:

- ✓ *Fully complies with the relevance and added value criteria*

9.   A project cannot be launched if it fails the relevance criteria. If a project complies with the relevance criteria, its compliance with all other criteria will also need to be checked, and an overall assessment must be made in order to take a decision whether to launch the project or not.

10.   The basic relevance criterion concerns the project's contribution to the Council of Europe's core objective of preserving and promoting human rights, democracy and the rule of law, as stated in the Warsaw Declaration and Action Plan (or its justification because it enables the implementation of the core objective).

11.   Once the basic relevance criterion is cleared, the project's relevance and degree of importance is assessed through the following criteria:

- political justification/framework (e.g. Summit Action Plan, Committee of Ministers' decisions including its decisions on follow-up to Ministerial Sessions and to ministerial conferences, annual/mid-term priorities)

- consolidation, promotion, implementation of Council of Europe standards (e.g. Conventions, Recommendations, Monitoring mechanisms, Human Rights Commissioner, Court cases, Committee of Ministers' monitoring) and development of standards to meet new challenges in European societies - in particular, implementing results of monitoring mechanisms and procedures

- relevance to Council of Europe country strategies and country-specific needs

12.   Before launching a project an explanation should also be provided on why the project must be launched now, thereby justifying its timeliness.

✓ *Has an added value*

13.   The project has to specify the Council of Europe comparative advantage *vis-à-vis* other international organisations and provide evidence that such screening has been done. Unnecessary duplication is to be avoided.

✓ *Should be effective*

14.   This criterion concerns the extent to which the project's objective and expected results are expected to be achieved. It includes the quality of the project design (e.g. clearly stated expected results), risks (both internal and external) and financial feasibility. Alternative ways to achieve the desired result should be assessed. The budgetary constraints of the Council of Europe are to be taken into account.

✓ *Is likely to have impact and be sustainable in the long-term*

15.   A new project should also look beyond the achievement of results into mid-term and long-term implications. The likelihood of producing sustainable changes in member states (policy, practice and legislation) should be assessed.

V.   When should a project be discontinued?

16.   In principle, all projects which do not fit the relevance criteria (see above) should be discontinued. Compliance with the relevance criteria is necessary, but not sufficient. Projects which satisfy these criteria should also be discontinued or revised, if:

- ✓ there is evidence of unnecessary duplication, either internally or externally
- ✓ expected results are not easily and sufficiently discernible and verifiable
- ✓ there is no likelihood of achieving expected results within the planned time frame and budgetary requirements
- ✓ the expected results are one-off events without a follow-up (as an exception, one-off events could be considered, in particular if they have a significant political or media impact).
- ✓ the probability of achieving sustainable changes is weak

VI.   Evaluation of completed or terminated Projects

17.   It is essential for a project to be evaluated after its termination, generally after some time has elapsed (e.g. 3 years). This evaluation should involve assessment of its design, relevance to broader/higher objectives, effectiveness of implementation, value for money and short-term and long-term effects on the target groups. The evaluation could also focus on only one of these issues.

18.   Contrary to 'launching' and 'discontinuing' projects, evaluation is not designed for swift decision-making. The main purpose of such evaluation is formative, that is, to learn from past experience and improve the planning and implementation of similar projects.

19.   Evaluation should be undertaken, as far as possible by independent experts subject to the availability of financial resources, if those are not available by internal means. The rules on evaluation will be further clarified within a Council of Europe policy framework on evaluation.

Appendix I - Guidelines for the application of the criteria for launching new projects

CRITERIA	Questions
1. Relevance	*"To what extent does the project contribute to the Council of Europe's core objective as defined in the Warsaw Declaration and Action Plan of preserving and promoting human rights, democracy and the rule of law?"* ▪ Political justification/framework (e.g. Third Summit Action Plan, Annual/mid-term priorities, ministerial conferences, accession commitments) ▪ Consolidation, promotion, implementation of Council of Europe standards (e.g. Conventions, Recommendations, Monitoring mechanisms, Human Rights Commissioner, Court cases). ▪ Relevance to Council of Europe country strategies and country-specific needs ▪ Timeliness of the project
2. Added-Value	*"Does the project have a clear comparative advantage vis-à-vis similar projects implemented by other International Organisations and have all necessary steps been taken to avoid the risk of unnecessary duplication?"* ▪ Council of Europe as leading agency, most important facilitator ▪ Project covering 'new ground' ▪ Possibility of partnerships with other International Organisations ▪ Avoiding unnecessary internal and external duplication
3. Effectiveness **a. Quality of Project design** **b. Risk**	*"Are the project's objective and expected results achievable?"* *"Are the project's objective and expected results clearly stated, verifiable and focused?"* ▪ Clear target groups and/or country focus ▪ "SMART" performance indicators (Specific, Measurable, Achievable, Realistic and Timely) *"What are the factors/assumptions which are likely to affect the successful achievement of the project's objective?" How will these be managed?* ▪ Internal factors (organisational, budgetary) ▪ External factors (political) ▪ Degree of consensus/reservations among project's stakeholders
4. Efficiency	*"Is the project budgeted at a reasonable cost and/or will it likely require additional resources if continued in future years"* ▪ Possibility for external funding (voluntary contributions, European Commission/Council of Europe Joint Programmes) ▪ Possibility of funding through in-house co-operation
5. Impact and Sustainability	*"What is the likelihood of the project's actual results producing changes in Council of Europe member states' national legislation, policies and practices?"* ▪ Timeframe for entry into force of new standard setting instruments (e.g. Convention, Protocol) ▪ Project's follow-up and long-term benefits

Appendix II - Guidelines for the application of the criteria for discontinuing existing projects

CRITERIA	Questions
1. Relevance	*"To what extent does the project contribute to the Council of Europe's core objective as defined in the Warsaw Declaration and Action Plan of preserving and promoting human rights, democracy and the rule of law?"* ▪ Political justification/framework (e.g. Third Summit Action Plan, Annual/mid-term priorities, ministerial conferences, accession commitments) ▪ Consolidation, promotion, implementation of Council of Europe standards (e.g. Conventions, Recommendations, Monitoring mechanisms in, Human Rights Commissioner, Court cases, Committee of Ministers' monitoring) ▪ Relevance to Council of Europe country strategies and country-specific needs ▪ Timeliness of the project
2. Added-Value	*"Is a similar project being currently implemented by another International Organisation or another body of the Council of Europe?"* ▪ Extent of unnecessary duplication
3. Effectiveness	*"How has the project been performing over the previous year(s)?"* ▪ Likelihood of achieving expected results ▪ Quantitative/qualitative performance indicators ▪ Factors affecting progress ▪ Possibility to modify/adapt the project's objectives in order to improve its effectiveness
a. Risk	*"What is the level of political interest among member states concerning the usefulness of this project?"* ▪ Potential consequences following the project's termination on member states, target groups, stakeholders and on Council of Europe's visibility ▪ Political reasons for keeping the project running ▪ Organisational reasons (e.g. budgetary constraints) for discontinuing the project
b. Quality of project design	*"Are the project's objective and expected results achievable and verifiable?"* ▪ Quality of performance indicators (SMART)
4. Efficiency	*"Have the project's costs been met within its initial budgetary estimates?"* ▪ Project's ability to absorb its total budget by the end of its duration ▪ Number of expected results to be carried over to future years ▪ Additional staff and operational resources required
5. Impact and Sustainability	*"To what extent are the project's impact and results easily discernable?"* ▪ One-off pilot project vs. level of built-in multiplier/long-term effect ▪ Number of target groups/countries affected, type of follow-up ▪ Current proposals from member states concerning possible future voluntary contributions ▪ Current negotiations for future Joint Programmes with European Commission in this field

Appendix III - Guidelines for the application of criteria for evaluation of completed or terminated projects

CRITERIA	Questions
1. Relevance	*"To what extent did the project contribute to the Council of Europe's core objective as defined in the Warsaw Declaration and Action Plan of preserving and promoting human rights, democracy and the rule of law?"* ▪ Political justification/framework (e.g. Third Summit Action Plan, Annual/mid-term priorities, ministerial conferences, accession commitments) ▪ Consolidation, promotion, implementation of Council of Europe standards (e.g. Conventions, Recommendations, Monitoring mechanisms in, Human Rights Commissioner, Court cases, Committee of Ministers' monitoring) ▪ Relevance to Council of Europe country strategies and country-specific needs ▪ Timeliness of the project
2. Added-Value	*"Was there a substantial Council of Europe added-value in the project's results when compared with activities carried out by other international organisations in this field?"*
3. Effectiveness	*"To what extent were the expected results and the Project objective achieved?"* ▪ Short-term project effects (1-3 years) on the target groups ▪ Unplanned/unexpected results
a. Risk	*"Were there any major factors which influenced the achievement or non-achievement of the project's objective?"* ▪ Type and nature of corrective actions undertaken; unresolved problems ▪ Risk assessment
b. Quality of project design	*"How well did the actual project's activities and actual results match the project's intended results and impact?"* ▪ Pre-feasibility study/needs-assessment carried out ▪ Link between the achievement of expected results and attainment of project objective? ▪ Quality of performance indicators (SMART)
4. Efficiency	*"Was the project cost- and time-efficient?"* ▪ Financial problems encountered ▪ Expected results achieved on time ▪ Project delivery through appropriate management mechanisms ▪ The ratio of time spent in fund-raising to time spent in implementing projects ▪ Quality of project management ▪ Problems encountered and solutions found ▪ Steps to be taken to avoid similar problems in future projects
5. Impact and Sustainability	*"To what extent will the project's benefits (results) continue after its conclusion?"* Mid-term effects (3-5 years) on the target groups ▪ Council of Europe instruments promoted and visibility of Council of Europe activities enhanced ▪ Voluntary contributions and Joint Programme funding attracted by the project ▪ Level of inter-directorate collaboration ▪ Major factors influencing achievement/non-achievement of the project's sustainability