

**EU Results Framework Indicator Methodology Note**

1. Name of indicator
<b>Number of people directly benefiting from legal aid interventions supported by the EU</b>
2. Associated EU Results Framework statement and primary SDG
SDG 16 – Peace, justice and strong institutions EU RF statement - Support provision of fair justice, including access to legal assistance.
3. Technical Definition
<p>Legal aid is the provision of assistance to people otherwise unable to afford legal advice, assistance, representation and access to the court systems and is regarded as central in providing access to justice by ensuring equality before the law, the right to counsel and the right to a fair trial. Access to justice, from a rights-based perspective, refers to the ability of people from disadvantaged groups to prevent and overcome poverty and injustice by seeking and obtaining a remedy, through formal and informal justice systems, for grievances in accordance with human rights principles and standards. The nature and the scope of what could constitute ‘legal aid’ in practice, who are the providers of legal aid and who are the beneficiaries is then very context-specific and varies from country to country. For the purpose of this methodology note, legal aid is understood <b>very broadly</b>, i.e. it includes the provision of legal education, information, advice, assistance as well as legal representation before all types of courts and justice institutions. It also includes support in view of solving a dispute through alternative dispute resolution (ADR) mechanisms (e.g., through arbitration, mediation and conciliation).</p> <p>This broad definition recognizes a number of different delivery models and various stakeholders which are considered as key in the provision of legal aid service. These, among other, include legal practitioners, legal aid assistants, community legal clinics, local legal services, university law clinics, legal units at police, court and prison level, paralegals and others (e.g. individuals who work in support of all of the above).</p> <p><b>Legal aid interventions</b> can be understood as interventions which support some or all of the following objectives (non-exhaustive list):</p> <ul style="list-style-type: none"> <li>- support to the definition of the nature and scope of legal aid services; delineation of legal aid delivery models, in line with international standards and best practice</li> <li>- support to the design, implementation, monitoring and evaluation of national legal aid strategies/plans.</li> <li>- support for the review and improvement of the legal aid legislative/regulatory and institutional framework, including development of in-built transparency and accountability mechanisms</li> <li>- support to capacity building of the legal aid providers to deliver services in line with international standards and best practice</li> <li>- promote cooperation and coordination between the legal aid providers</li> <li>- promotion of the pro-bono provision of legal aid , particularly by lawyers/bar associations</li> <li>- support to public information / sensitization campaigns aimed at increasing legal awareness among the population, understanding of justice system and popularization of legal aid services</li> </ul>

- support to bring cases before international tribunals, when all national resources have been exhausted
- support to alternative dispute resolution
- advocacy support
- other support facilitating the access to and provision of legal aid

Number of **people directly benefitting from legal aid interventions** include: number of people who received legal information, advice and assistance, number of people benefiting from legal representation, number of legal aid practitioners (providers) trained or otherwise supported.

The unit of measurement here is people, so the number of institutions or organisations should not be included unless it's possible to identify individuals supported in these institutions or organisations as per guidance above.

#### 4. Rationale (including policy priorities and links to this indicator)

**Article 21 of the TEU** (Consolidated version of the Treaty on European Union) provides the EU with a clear mandate to support democracy and human rights worldwide. Indeed, one of the objectives of the EU external action is to consolidate democracy and promote the rule of law and respect for human rights and fundamental freedoms. **The Charter of the Fundamental Rights of the European Union** is binding on the European Institutions in internal and external policies. This translated into a legal obligation to ensure that in all its actions, the EU promotes and respects human rights and fundamental freedoms as enshrined in the Charter, including access to justice. The 2017 “New European Consensus on Development”, which aligns the Union's development policy with the 2030 Agenda for Sustainable Development, stipulates that the EU and its Member States will promote the universal values of democracy, good governance, the rule of law and human rights for all and to that end they will foster efficient, transparent, independent, open and accountable justice systems and will promote access to justice for all – in particular the poor and persons in vulnerable situations .

EU key reference documents on EU support to justice reforms and the rule of law: 1) Support for justice and the rule of law, Tools and Methods Series, Reference Document no. 15; 2) Support for justice reform in ACP countries, Tools and Methods Series, Reference Document no. 9; 3) Inspiring change - EU support to rule of law, justice and security sector reform

<https://publications.europa.eu/en/publication-detail/-/publication/4fa41259-0f86-45b0-b199-06319f17078f/language-en>

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<https://publications.europa.eu/en/publication-detail/-/publication/3e0bfef3-a5bb-4a5c-839e-e722cb9b0db2/language-en/format-PDF/source-search>

UN strategic or policy documents:

UN principles and Guidelines on Access to Legal Aid in Criminal Justice Systems

[http://www.unodc.org/documents/justice-and-prison-reform/UN\\_principles\\_and\\_guidelines\\_on\\_access\\_to\\_legal\\_aid.pdf](http://www.unodc.org/documents/justice-and-prison-reform/UN_principles_and_guidelines_on_access_to_legal_aid.pdf)

[Global Study on Legal Aid – UNDP's Global Report -](#)

<p>The 2030 Agenda for Sustainable Development and its Sustainable Development Goals (SDGs) includes a commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable, and inclusive institutions at all levels (SDG 16).</p>
<p>5. Level of disaggregation and other reporting requirements</p>
<p>Disaggregate by sex and age, and where possible, by type of legal issue (i.e. civil, criminal or administrative).</p> <p>If easily available and relevant, disaggregation by ethnic or religious group or by belonging to any groups of marginalised people (e.g. Albinos in Africa or people with disabilities) could also be provided.</p>
<p>6. Data Sources (including issues on different definitions by source and level of availability of the data)</p>
<p>a) EU intervention monitoring and reporting systems: annual and final reports from implementing organisations (e.g. governments, international organisations, non-state actors, etc.), ROM reviews, and evaluations.</p> <p>b) Other data sources may include:</p> <ul style="list-style-type: none"> <li>i. National justice strategies database data</li> <li>ii. Judicial statistics (if available);</li> <li>iii. National legal aid policy and corresponding reports (if available)</li> <li>iv. Ministry of Justice annual reports; bar association’s reports</li> <li>v. National prison administration (if available)</li> <li>vi. Reports of National Human Rights Commission’s/Ombudsman institutions (if available)</li> </ul> <p>Final figures may be approximations and estimates, for example estimates by NGOs.</p>
<p>7. Data calculation (including any assumptions made)</p>
<p>Number of people benefitting from legal aid interventions supported by the EU – aggregate number of direct beneficiaries as described in part 3.</p> <p>Please take note to avoid double counting of beneficiaries, e.g. if the same person benefits from more than one form of legal assistance in the same reporting period, that individual should only be counted once.</p>
<p>8. Worked examples</p>
<p>The EU supported a legal aid intervention which included i) establishment of 25 legal aid centres including construction, equipment and training of human resources, ii) capacity building of legal aid providers (lawyers, paralegals, etc.).</p> <p>Resulting number of people benefitting from the EU intervention will be a sum of i) number of personnel supported + number of beneficiaries who acquired legal information, advice, assistance or representation through the services provided by the legal aid centres ii) number of legal aid providers trained.</p>

9. Is it used by another organisation or in the framework of international initiatives, conventions, etc? If so, which?

This exact indicator is not used by other organisations/in international frameworks, but other similar or related indicators are included, e.g.

Dutch Development Results – number of people benefited from improved access to justice

USAID - individuals or groups from low income or marginalized communities received legal aid or victim's assistance

10. Other issues

At intervention level it is also very useful not to limit ourselves to a quantitative assessment of the indicator but also assess the quality the legal aid that was provided. Useful tools in that respect could be customer satisfaction surveys among legal aid beneficiaries and enquiries on positive or negative outcomes for the beneficiaries if the cases were brought before a court.