


Proposal Evaluation Form

Associated with document Ref. Ares(2017)5068997 - 17/10/2017

	EUROPEAN COMMISSION Horizon 2020 - Research and Innovation Framework Programme	Evaluation Summary Report
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Call: JUST-JACC-EJU-AG-2017
Funding scheme: JUST-AG
Proposal number: 785818
Proposal acronym: EXEC
Duration (months): 24
Proposal title: Electronic Xchange of e-Evidences with e-CODEX
Activity: JUST-JACC-EJU-AG-2017

N.	Proposer name	Country	Total Cost	%	Grant Requested	%
1	BUNDESMINISTERIUM FUER JUSTIZ	AT	452,798.37	22.49%	362,239.33	22.50%
2	MINISTARSTVO PRAVOSUDA	HR	87,630.86	4.35%	70,104.69	4.35%
3	CONSIGLIO NAZIONALE DELLE RICERCHE	IT	74,745.13	3.71%	59,652.5	3.70%
4	RIJKSUNIVERSITEIT GRONINGEN	NL	61,428.16	3.05%	49,142.72	3.05%
5	ARISTOTELIO PANEPISTIMIO THESSALONIKIS	EL	135,574.39	6.74%	108,459.96	6.74%
6	Ministério da Justiça	PT	155,348.01	7.72%	124,279.05	7.72%
7	MINISTERIE VAN VEILIGHEID EN JUSTITIE	NL	221,026.24	10.98%	176,821.61	10.98%
8	MINISTERE DE LA JUSTICE	FR	133,450.4	6.63%	106,760.32	6.63%
9	MINISTERO DELLA GIUSTIZIA	IT	64,148.68	3.19%	51,319.36	3.19%
10	Ministère de la Justice	LU	218,497.21	10.85%	174,797.77	10.86%
11	Lietuvos Respublikos generaline prokuratura	LT	107,466.52	5.34%	85,973.22	5.34%
12	Ministry of Justice	EL	59,049.02	2.93%	47,239.22	2.93%
13	Supreme Judicial Council	BG	49,993.67	2.48%	39,995.61	2.48%
14	MINISTRY OF JUSTICE OF THE CZECH REPUBLIC	CZ	90,021.24	4.47%	72,016.99	4.47%
15	Ministerio de la justicia	ES	77,377.05	3.84%	61,901.64	3.84%
16	JUSTIZMINISTERIUM DES LANDES NORDRHEIN-WESTFALEN	DE	24,353.22	1.21%	19,482.82	1.21%
Total:			2,012,908.17		1,610,186.81	

Abstract:

Objectives The proposed project enables the participating Member States to exchange European Investigation Orders (EIO) and related e-Evidences fully electronically through existing national back end solutions or the Reference Implementation provided by the European Commission. The e-CODEX Building Blocks (DOMIBUS Gateway and Connector) build the exchange infrastructure to facilitate the electronic delivery of EIO and e-Evidences. Activities The project consists of 5 Work Packages. The activities are as follows: - WP1: for management and coordination of the project - WP2: identifies legal, technical and organisational obstacles including a feasibility report and the necessary actions - WP3: for setting up the exchange infrastructure and back end application - WP4: for testing the solution between the MS - WP5: for a roll out the solution including marketing Type and number of persons benefiting from the project All legal stakeholders involved in the proceeding of the EIO and related transfer and exchange of e-Evidences. Namely these are the prosecution offices and the courts in the participating Member States. Expected results The proposed project provides finally an up and running network between the competent legal authorities of the participating Member States that can be used to exchange European Investigation Orders and related e-Evidences fully electronically. Each participating Member State sets up an access point to this network with e-CODEX means and interconnects via this access point with the other participating Member States. Either existing national back end solutions or the Reference Implementation built by the Commission are used as end application for the corresponding forms of the EIO procedure. Type and number of deliverables to be produced - All deliverables are provided in electronic form and in English, except non tangible ones like e.g. events for marketing reasons. The number of deliverables per WS/WP are: WP1:6 ; WP2:2; WP3:3; WP4:3; WP5:4

Evaluation Summary Report

Evaluation Result

Total score: 87.50 (Threshold: 70)

Form information

Proposals are to be assessed on the basis of the following criteria:

For detailed description of each criterion, please refer to the call for proposals.

Operational Capacity

Status: **Yes**

The following criteria will be the basis for evaluating the capacity of the partnership to complete the action proposed in the application:

A. Do the applicant and the partners have the appropriate capacity, experience and expertise to implement the proposed action and to maintain its activities during the period of implementation? (This is established from the applicant's annual activity report and other documents.)

Yes

B. Do the key staff involved in the project (applicant and partners) have the necessary education, skills, experience and capacity to carry the tasks assigned to them? (This is established from the experience as outlined in the CV's)

Yes

Justification: Associated with document Ref. Ares(2017)5068997 - 17/10/2017

This project is presented by a very strong consortium. The members of the consortium have vast experience in the field of e-Justice and the CVs show that the people that would be involved in the project's implementation have proven experience and capacity to carry the project's activities out satisfactorily.

The proposed partnership puts forward a highly qualified, multi-skilled, experienced team with a well-balanced mix of technical, legal and management competence. Moreover, eight of the sixteen partners are already partners in the successful e-CODEX/Me-CODEX project, which this proposal seeks to extend into the area of exchange of e-evidence. Two of the research partners are also partners in the FPVII e-EVIDENCE project.

(a) Relevance to the priorities of the callScore: **24.00** (Threshold: 18/25.00 , Weight: -)**Evaluator's comments:**

The proposal is fully aligned to the priorities of the call for proposals. Indeed, it is presented (and totally consistent) with the first priority of the call as the proposal targets the exchange of European Investigation Orders (EIO) and related e-Evidence among a considerable number of Member States, which are part of the proposal's consortium. Furthermore, the proposal follows the work done at EU level in different policies: it is aligned to the European e-Justice strategy (i.e., it is a proposal of European dimension that based on the principle of decentralisation will allow the communication -exchange- of e-Evidence between competent authorities) and to the EU work on the improving criminal justice in cyberspace, particularly the JHA Council conclusions on improving criminal justice in cyberspace, adopted 9th June 2016.

The proposal aims the build upon the success of the e-CODEX project, originally funded by the ICT Policy Support Programme under the Competitiveness and Innovation Framework Programme (CIP). The goal of the e-CODEX/Me-CODEX is to improve the cross-border access of citizens and businesses to legal means in Europe as well as to improve the interoperability between legal authorities within the EU, and thus reinforces the relevance of this proposal in its extension of e-CODEX to the area of e-evidence and EIOs. It should be stated that this is by no means a duplication of previously funded activity, it is a very relevant extension and use of the results of the prior project. The consortium will benefit from the expertise developed in the EVIDENCE project by the Italian and Dutch research partners, this is also highly relevant.

The proposal is innovative in the sense that it will allow competent authorities to exchange e-Evidence in a reliable way, a need also predicated by Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the EIO in criminal matters, which came into force in May 2017, and the aforementioned Council Conclusions.

However, and despite the needs are well assessed, some relevant information about the problematic/situation nowadays is missing from the proposal: there is not data to show how big the problematic is at the current moment. Another shortcoming is that the target group is defined rather vaguely. Even if the Member States are competent in relation to the exchange of e-Evidence, there is not strong definition of the responsible authorities within the different Member States. However, the proposal mentions the possible interaction of other parties such as the European Judicial Training Network and possible (future) associate partners. The relation with these parties (if any) is not properly developed.

(b) Quality of the proposed actionScore: **25.00** (Threshold: 0/30.00 , Weight: -)**Evaluator's comments:**


The proposed activities are adequate and consistent with the proposal's objectives and with the aimed results. The proposal is divided between work-packages in a very consistent way. However, the methodology is not explained in detail. What is present, however, is precise, logical, appropriate and well-suited to the proposed objectives of the work. Needs are identified and linked to the work to be carried out in the different work-packages but there is no clear explanation as to why the proposed approach is the best one to fulfill the project's objective. There is a well-balanced complementarity between the work-packages: there is a relation between the activities of the different work-packages and the proposal takes into account all relevant aspects such as the proposal's management, the identification of legal and technical obstacles, the IT works and its testing and the dissemination. Clear lines of responsibility are defined and appropriate communication is envisaged between individual work-package leaders, as the project evolves.

The proposal's quality is somewhat diminished in terms of lack of detail in work-package descriptions, particularly with respect to resource/task allocation, nevertheless sufficient information is provided for an objective evaluation of the work-plan.

Project monitoring and evaluation, as described, is quite simplistic in terms of a multi-partner project of this size and complexity and the indicators proposed. For instance, the indicators related to dissemination are very vague as they refer to a deliverable (Deliverable 2,2) whereas there should have been possible to indicate the group and number of persons to be reached by the different dissemination's activities. Quality management is referenced, however there is no quality management plan or evaluation plan presented per se. That said, due to the nature of the partners, their relationship (including collaboration in past e-Justice projects) and the division of the responsibilities in the different work-packges, the level of monitoring and evaluation can be considered satisfactory. Previous verifiable ability to execute and deliver complex EU technical projects together successfully further compensates for this deficiency. Additionally in the context of evaluation, the ongoing phased "marketing" activity, which is both promotional and educative at the same time, will undoubtedly provide feedback from targeted user groups, which will influence the evolution of the project in the course of its development.

Project reporting is by means of bi-monthly reports by work-package leaders to the coordinator/project manger; detailed deliverables are listed per work-package, however the timeline in each instance is generic, i.e. Month1 – Month24. Project control would be greatly enhanced if an exact timeline for deliverables was established, ideally through a GANTT chart or similar. The allocation of resources (assuming the persons/month figure is for each partner) is reasonable in general terms, vis-à-vis the budget and the global objectives, however insufficient information is supplied for a task level analysis.

Risk are properly identified and the measures to mitigate them are proportional. However, being this proposal about e-Justice, there is not enough consideration to the risks inherent to the use of new technologies. Security and privacy risks are only considered from an ethical point of view whereas they could have a big impact in factual parts of the project such as the testing phase.

The proposal addresses in a satisfactory manner gender issues. Ethical issues that could appear in relation to security and privacy (especially during the testing phase) are acknowledged and the proposed way to deal with such issues is adequate.  Associated with document Ref. Ares(2017)5068997 - 17/10/2017

(c) European added value of the project

Score: **15.00** (Threshold: 0/15.00 , Weight: -)

Evaluator's comments:

This projects aims to translate a very relevant EU policy into action. This project has a huge transnational character as reflected by the number of Member States represented in the proposal. Due to the nature of the partners, this project contributes to develop mutual trust among the competent authorities in a very relevant and sensitive area such as the exchange of e-Evidences in the frame of European Investigation Orders. It is a credible, experienced, trans-national consortium who is seeking to extend and exploit the results of two major existing EU projects in the field of e-Justice (participant partners included in the consortium), consistently and coherently implementing Union policy and regulation to a wide constituency.

The proposal has a clear multiplier effect since it is opened to Member States that, not being partners in the current proposal, may decide to join the interoperable solution in a later stage. Furthermore, these multiplier effects are also guaranteed by the dissemination approach (information sharing) that the proposal envisages.

The proposal is indeed creating solutions that address EU-wide challenges and that have a cross-border component that can only be materialised by a big and a representative consortium composed by the relevant and competent authorities such as the one proposing this project.

(d) Expected results, dissemination, sustainability and long-term impact

Score: **16.00** (Threshold: 0/20.00 , Weight: -)

Evaluator's comments:

The expected results are well identified and can be achieved with the proposed activities. They will undoubtedly have a very significant positive impact on participating Member States and other interested stakeholders. The proposal has taken into consideration the different elements that affect the implementation of the action. For instance, the proposal recognises the necessity of identifying and finding solutions to overcome legal and technical obstacles that may exist, something essential to carry out other proposal's activities (namely those to be implemented within work-packages 3 and 4). The expected results will be clearly in line with EU policy on e-government interoperability (the CEF framework, for example), in that they reuse, extend and validate the results of previously successful projects in the same domain.

The action will have a tangible impact on the target groups. However, the financial sustainability of the project's results is partially relying on another existing EU-funded project (Me-CODEX). This means that the sustainability of the proposal will depend on what is to be decided in an ongoing project. There is not a clear explanation on how the results of the action will be self-sustainable beyond the EU funds. The proposal fails in developing an adequate and independent schema for guaranteeing the financial sustainability in the long-term. On the other side, due to the nature of most of the partners as Member States' bodies, the institutional sustainability can be assumed as guaranteed. Furthermore, reuse of the CEF and e-CODEX Building Blocks (DOMIBUS Gateway and DOMIBUS Connector) to build the exchange infrastructure and to facilitate the electronic delivery of EIOs and e-evidences, is applicable, appropriate and financially prudent.

The dissemination strategy is based in similar work undertaken in previous/ongoing EU-funded projects. The proposal does not contain enough information to assess whether such dissemination (already used in other projects) has been successful in reaching the target groups. However, from a practical point of view, the dissemination strategy seems adequate as it aims to use different tools such as website, social media and brochures. These are effective channels because (especially the social media) may have a multiplier communication effect. In any case, it is missing relevant information about how to engage the end users. The project's dissemination strategy will benefit from the marketing activity in Me-CODEX. A conference to highlight best practice and lessons learned is foreseen.

(e) Cost-effectiveness

Score: **7.50** (Threshold: 0/10.00 , Weight: -)

Evaluator's comments:

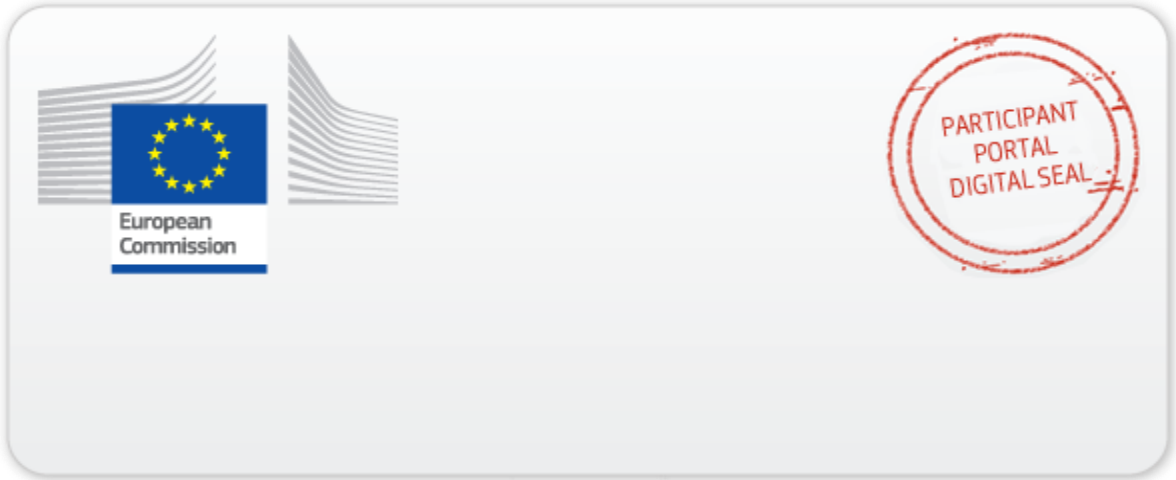
Overall, the proposal presents a good relation between costs and effectiveness. The proposed estimate budget reflects the activities in a logical and consistent manner with the proposed results. The budget is well distributed among partners, among work-packages and among the work to be done by partner's staff and subcontractors. However, the costs related to dissemination (work-package 5) are quite high taking into account that the marketing activities will be based in the marketing strategy developed under another EU-funded project (Me-CODEX). Furthermore, as part of the dissemination will be done by social media and other means that are cheap if not for free, the total amount dedicated to work-package 5 is considerably high.

The ratio between estimated costs, the work foreseen (cost to effort/WP) is adequate (again assuming the persons/month figure is for each partner) and the expected results is satisfactory, with the mentioned exception of the high costs related to dissemination.

Considering the size of the consortium, the complex work to be undertaken and the relevance of the activities, the proposal can be evaluated positively in relation to the cost-effectiveness. Travel and subsistence costs are reasonable.

Evaluator's general comments on the budget:

Not provided



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